

ANNUAL REPORT 2016
ON MIGRATION AND ASYLUM POLICY
IN CROATIA
(PART 2)

Executive Summary

The HR European Migration Network (EMN) Annual Policy Report (APR) 2016 aims to provide an insight into the most significant political and legislative developments across the year in the areas of migration and asylum.

The report informs about the most important changes and developments in the field of migration and asylum in Croatia in 2016 with a focus on third-country nationals and stateless persons. It observes the changes, developments and activities at the legislative, institutional and practical levels from 01 January 2016 till 31 December 2016, and puts them into the context of EU policies and legislation.

The report also presents selected statistics, which form a separate statistical annex. With respect to the institutional framework, no substantial changes occurred in Croatia in 2016 that would have an impact on Croatia's migration and international protection policies.

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1. INTRODUCTION

The European Migration Network (EMN) HR Annual Policy Report (APR) 2016 has two main aims:

- to outline the situation and significant developments (political, legal and administrative) in 2016 in the field of migration and asylum in the Croatia; and
- to document the state of implementation of the EU legislation and the impact of the European policy developments at a national level.

The report describes changes, developments and activities at the legislative, institutional and practical levels of migration and international protection in Croatia from 01 January 2016 till 31 December 2016, putting them in the context of EU policies and legislation. The report tackles issues of legal migration and mobility, international protection including asylum, unaccompanied minors and the other vulnerable groups, combating trafficking in human beings, migration and development, irregular migration including smuggling, and returns. The report also includes selected statistics, which form a separate statistical annex.

The report is based on desk-based research and no primary research was undertaken. Most of the information was provided by individuals from the relevant sectors of the Ministry of Interior of Republic of Croatia (hereinafter referred as MoI) and the other government departments.

2. OVERVIEW OF ASYLUM AND MIGRATION POLICY DEVELOPMENTS

2.1. General political developments

Following the 2015 elections a government was formed by the independent businessman Mr. Tihomir Orešković. However, Croatian Democratic Union (HDZ) put forward a confidence on 16 June 2016, with majority of MPs voting in favour of the motion. The HDZ sought to form a new government. On 20 June MPs voted to dissolve parliament effective on 15 July 2016, resulting in snap elections being called by the President, who called for the new elections. The new parliamentary elections were held in Croatia on the 11 September 2016. The election resulted in a victory of HDZ with Mr. Andrej Plenković as a new Prime minister.

At the level of the Ministry of Interior there were no changes. Minister of the Interior, Mr. Vlaho Orepić, was not replaced and continued working in 2016.

The coalition pledged to increase the economic power by attracting more investment, to actively use EU funds for further economic development as well as a major review and restructuring of the government administration.

2.2. General overview of main policy and/or legislative changes

As a member of the European Union, laws of the Republic of Croatia concerning migration and asylum must be in compliance with the relevant EU regulations. Therefore, Croatia is obliged to duly transpose and implement EU legislation.

Generally speaking there were no main policy and/or legislative changes in 2016.

The proposal of the amendment to the Foreigners Act has been made in April 2016. Public Discussion was held during April and May 2016. The final proposal of the amendments to the Foreigners Act has been concluded in December 2016. Primary aim of the new amendments to the Act is transposing the EU Directives which have not been included in the Act yet.

The Ministers of the Interior at the Salzburg Forum Member States met on 14 June 2016 in Dubrovnik, Croatia, under the Croatian Salzburg Forum Presidency. The Conference also gathered respective Ministers of the Interior from the states belonging to the Group of Friends from the Western Balkans and Moldova as well as the Commissioner for Migration, Home Affairs and Citizenship and representatives of the Commission, the European Asylum Support Office (EASO), the European Police Office (Europol), the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (eu-LISA), the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex), the Geneva Centre for the Democratic Control of Armed Forces (DCAF), the Police Cooperation Convention for Southeast Europe (PCC SEE) Secretariat, the International Centre for Migration Policy Development (ICMPD), the International Organization for Migration (IOM), the Office of the United Nations High Commissioner for Refugees (UNHCR) and the Southeast European Law Enforcement Center (SELEC). Special guests of the conference were the ministerial delegation of the Kingdom of Netherlands as the Presidency holder of the Council of the European Union, and Kosovo.

The Ministers exchanged views on the need to reform common European policies in the field of migration and asylum. They considered the reform necessary in order to establish a system that is able to prevent severe migration flows and pressures, filter the abuses effectively, and provide protection to those in genuine need thereof. Such a system should comprehensively reinforce the capacities of the entire EU resilience to tackle uncontrolled migration influx that may occur in the future. Discouraging secondary movements along with providing a full respect for the high

standards in the security and public order issues in the Member States should be also taken into consideration. The Ministers underlined the importance of preventing migrants and asylum seekers from entering into the EU through illegal routes, and welcomed the implementation of measures from the common concept of the Alliance on Current Challenges in the Area of Migration.

3. ORGANISATIONAL STRUCTURE OF ASYLUM AND MIGRATION POLICY

3.1. Migration

Ministry of the Interior is the government body which has the highest level of responsibility in relation to legal migration, the reception of asylum seekers, illegal migration and return, border control and acquisition of citizenship. Ministry of Foreign and European Affairs is the main body responsible for visa affairs, including its Diplomatic Missions and Consular Offices, which are also competent bodies for submitting an application for residence permit or residence and work permit.

Police Administrations or Police Stations of the MoI are the first instance of the decision making bodies concerning approval and termination of temporary residence permits, work and residence permits, registration of temporary residence of EEA nationals and their permanent residence, as well as granting temporary and permanent residence to their family members who are third-country nationals and to family members-third country nationals of Croatian nationality.

Against the first instance decision if an appeal is permitted, it can be lodged to an Appeal Commission appointed by the Government of the Republic of Croatia.

Against the decision of an Appeal Commission, or if an appeal against the decision on the matter is not permitted, an administrative dispute may be initiated with the competent Administrative Court.

The Ministry of Labour and Pension System also has a significant role in migration work, namely through bringing proposal for the annual quota for employment of foreigners, on the basis of the opinion of the Croatian Employment Institute, the Croatian Chamber of Economy, the Croatian Chamber of Crafts and representatives of social partners. The quota is set by the Decision of the Government of the Republic of Croatia.

3.2. Asylum

Designated and competent authority for asylum procedure is MoI, Directorate for Aliens and Asylum, Department for Asylum located in Zagreb. Department composes different stages of procedure particular Dublin (incoming, outgoing request and transfers) and Eurodac procedure, national asylum procedure, COI (informational documentation centre) and officers engaged in integration issues.

Department for Asylum is located in Reception Centre for asylum seekers in Zagreb together with staff of the Reception Centre. Decision makers are conducting interviews, making decisions and advocating decisions before the Administrative court.

Dublin procedure officers are examining both incoming and outgoing requests, conducting interviews, taking decision on admissibility, advocating decision before the Administrative court, organizing the Dublin transfers and developing an evidence record.

Other state bodies also have significant role in creating migration policy, primarily concerning integration. Those are: Ministry of Demographics, Family, Youth and Social Policy, Ministry of Science and Education, Ministry of Health, Croatian Health Insurance Fund, Ministry of Labour and Pension System, Croatian Employment Service, Government Office for Human Rights and the Rights of National Minorities, and Education and Training Agency.

4. OVERVIEW OF MIGRATION CRISIS

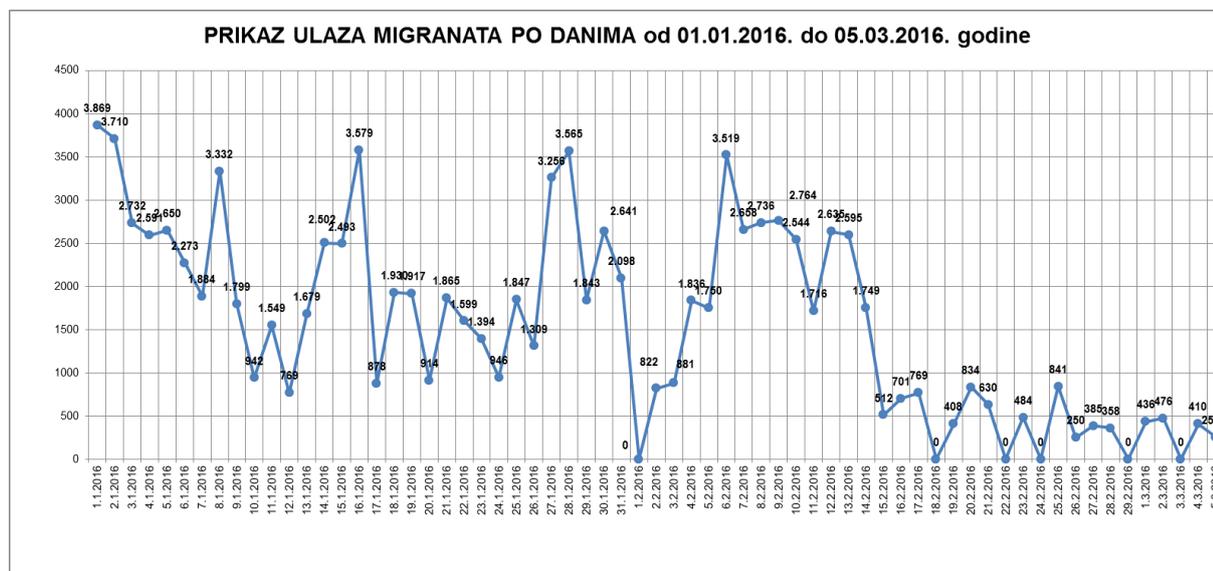
On 16 February 2016, the Croatian Ministry of the Interior received a notification from Slovenia announcing stricter admission criteria following Austria’s decision to limit daily entries to only those coming from war-torn areas. On 18 February 2016, Chiefs of Police Services of Austria, Slovenia, Croatia, Serbia and FYR of Macedonia issued a joint statement on handling migrant flows whereby the migrants would be registered at the Greek/FYR of Macedonian border and boarded on trains to Austria. Towards the end of February, the daily arrivals of migrants entering and leaving Croatia dropped significantly and were brought to a halt on 5 March 2016.

During the period from 1 March to 30 June 2016, the migrants’ influx to Croatia changed sizably. From an average of 5,000 migrant arrivals a day in the past, the entire migrant movement came to a halt on 5-6 March 2016 following a political decision to close the so-called “Balkans route.” As a consequence, several hundreds of migrants remained stranded in Croatia and Winter Reception and Transit Centre (WRTC) provided temporary accommodation to a number of stranded migrants. Hence, there has been a significant increase in asylum applications in Croatia which swiftly surpassed the 2015 totals. Following the closure of WRTC in Slavonski Brod on 15 April 2016, migrants who applied for asylum have been transferred to Zagreb and Kutina Reception Centres for Asylum Seekers (RCAS).

In August 2016, the number of migrant families accommodated at RCAS Kutina has increased, based on MoI’s policy to move all vulnerable groups from RCAS Zagreb to RCAS Kutina. With the expiry of the above-mentioned 6-month decisions, stranded migrants needed to either seek international protection in Croatia or leave the country.

Graph 1

Migrant entry by day covering period from 1 January until 5 March 2016.¹



¹ Source: MoI

4.1. Organization and structure of Winterized Reception Transit Center in Slavonski Brod from the air

In the Winterized Temporary Reception Centre representatives of the International organizations such as IOM, UNHCR and UNICEF and NGOs were present 24 hours per day. There were 25 associations in total. Besides very much needed humanitarian activities, their role was to provide information of the asylum system, rights and obligations of applicants for international protection and possibilities of integration in the Republic of Croatia. The relevant information was provided written in Arabic, Urdu, Farsi and English languages. The information on the use of services in the centre is provided on the mentioned languages by video-wall before registration. Although the centre is not intended for a stay longer than 48 hours some civil society association have organized daily activities and education for children. The playgrounds were well organized at two tents of 250 and 150 m² where children were looked after at least by a 6 volunteers.

WRTC in Slavonski Brod was closed on 15 April 2016.

Picture 1.

Winterized Reception Transit Center in Slavonski Brod.²



Overview migrant profile based on sex shows significant rate of men of 72%, then children in rate of 13% and women 9%.³ Overview of migrants based on sex.

Apart from an increase in the number of asylum seekers, meanwhile a large number of Dublin returns to Croatia started to take place. Other member states started returning asylum seekers from their respective territories to Croatia based on the fact that they have transited through Croatia as a EU member-state and the first point of entry into EU. Therefore, there has been a sharp increase in

²Source: Independent e-portal Slavonska posavina - <http://www.slavonskaposavina.com.hr/?p=1762>

³ Source: MoI

the number of asylum seekers accommodated at RCAS Zagreb from an average of 250 in early July to 560 in September 2016. The maximum rated capacity of 600 units in RCAS Zagreb has been reached by the end of 2016.

In August 2016, the number of migrant families accommodated at RCAS Kutina has increased, based on MoI's policy to move all vulnerable groups from RCAS Zagreb to RCAS Kutina.

Chart 1

Gender/age breakdown of the total of applicants in 2016:



Chart 2

Gender breakdown of the total unaccompanied minor applicants in 2016:



Chart 3

Gender breakdown of the total accompanied minor applicants in 2016.

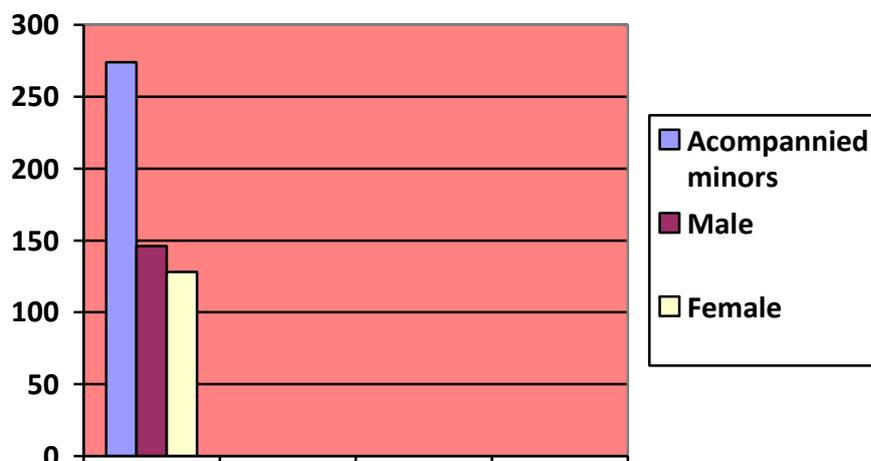
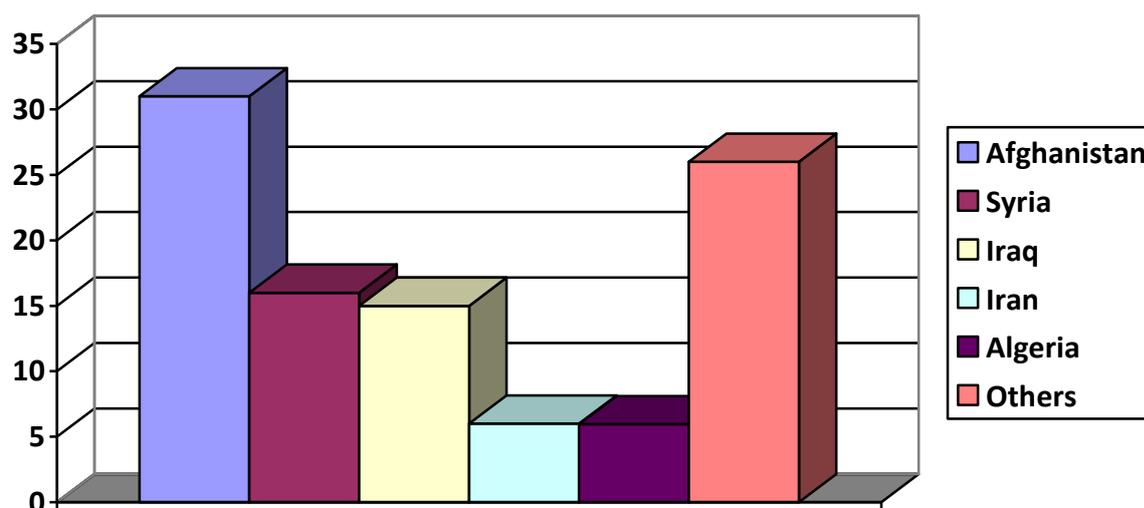


Chart 4

Applicants based on country of origin in %.⁴



5. LEGAL MIGRATION AND MOBILITY

Since there were no changes concerning the provisions of the Foreigners Act in 2016, in relation to legal migration and mobility of third-country nationals, general overview of legislation concerning the mentioned matters is given, in order to ease the understanding of legal migration in the Republic of Croatia.

5.1. General legislation overview

The legal system relating to legal migration is namely regulated by the Foreigners Act (Official Gazette, no 130/11 and 74/13), and emanating from that Act, several Ordinances of regulation concerning determining conditions for entry, residence and work of foreigners in the Republic of Croatia. The Foreigners Act regulates conditions for entry, movement, residence and work of

⁴ Source: MoI

foreigners as well as working conditions and rights of workers assigned to work in the Republic of Croatia.

The proposal of the amendment to the Foreigners Act has been made in April 2016. The amendments to the Foreigners Act are planned to come into force in 2017.

During 2016 following Ordinances was put into effect:

- Ordinance on conditions and the manner of exercising the right to accommodation of asylees, foreigners under subsidiary protection and foreigners under temporary protection and participation of asylees, foreigners under subsidiary protection and foreigners under temporary protection in paying such costs (Official Gazette 3/2016).
- Ordinance on the forms and data collection in the procedure for international and temporary protection (Official Gazette 85/2016).
- Decision on establishing the price of passport issued in accordance with the 1951 Convention relating to the Status of Refugees Official Gazette 98/2016 Corrigendum (Official Gazette 102/2016).
- Decision on the costs of accommodation in the Reception Centre for Asylum Seekers (Official Gazette 47/2016).
- Decision on determination of the price of residence permit for asylees and foreigners under subsidiary protection (Official Gazette 98/2016 Corrigendum Official Gazette 102/2016).
- Decision on the list of safe countries of origin in the procedure of granting International Protection (Official Gazette 45/2016).

5.2. General organization overview

MoI of the Republic of Croatia is relevant body in relation to legal migration, namely concerning the issuance of the residence permits, the residence and work permits, work registration certificates as well as registering a temporary and the permanent residence of EEA nationals and issuance of a temporary and the permanent residence of their family members, as well as residence (temporary and permanent) of family members of Croatian nationals. Ministry of Foreign and European Affairs is the main body responsible for the visa affairs, diplomatic missions and consular offices of the Republic of Croatia which are competent to receive applications for a residence permits or a residence and work permits of the third-country nationals.

General rule as prescribed by the Foreigners Act is that an application for a temporary residence of the third-country nationals is to be submitted to the component Diplomatic Mission or Consular Office of the Republic of Croatia.⁵ Application for a temporary residence of a third-country national who does not require a visa for entry into the Republic of Croatia, may be submitted to the Police Administration or Police Station based on the place of intended residence of the third-country national, or the registered office of the employer or the place of work in the Republic of Croatia. In certain cases⁶, as pursuant to the provisions of Foreigners Act, third-country nationals may, even if

⁵ This general rule does not apply to family members of EEA nationals when they move and reside freely within the territory of the Member States with EEA nationals, family members of Croatian nationals, highly qualified third-country nationals applying for EU Blue Card and their family members and third-country nationals who have been granted permanent residence in another EEA Member State.

⁶ This category includes third-country nationals who arrives to study at the faculty as a regular student or undergraduate, graduate or post-graduate degree, scientific researcher, third-country national working under youth mobility programmes, carried out by the Republic of Croatia in cooperation with other states, scientists and third-country nationals employed in scientific legal entities to perform scientific work, teaching or other research positions, university professors-native speakers of foreign languages, foreign language instructors and other lecturers at the Croatian universities or registered schools for foreign languages or third-country nationals working pursuant to an international treaty.

required visa for entrance into the Republic of Croatia, submit application directly to Police Administrations or Police Stations in the territory of the Republic of Croatia.

Competent Police Administrations or Police Stations of the MoI are the first instance decision making bodies concerning approval and termination of the temporary residence permits and the work and residence permits, issuing of work registration certificates and registering the temporary and the permanent residence of EEA nationals and their family members, as well as residence of family members of Croatian nationals. The MoI is the decision making body in matters concerning the approval and the termination of the permanent residence of third-country nationals (the long-term stay and the national permanent stay).

Against the first instance decision, if an appeal is permitted, it can be lodged to an Appeal Commission appointed by the Government of the Republic of Croatia. Against the decision of an Appeal Commission, or if an appeal against the decision on the matter is not permitted, an administrative dispute may be initiated with the competent Administrative Court (there are 4 Administrative Courts and High Administrative Court of the Republic of Croatia).

5.3. Economic migration

Regarding granting residence and work permits to the third-country nationals, there were no changes in 2016 concerning the provisions of Foreigners Act. However, concerning the work of third-country nationals, a new Decision on quota for employment of foreigners was set for 2016.

5.3.1. General overview

The third-country nationals may work in the Republic of Croatia on the basis of issued residence and work permit (outside or further to annual quota) or a work registration certificate, unless provided otherwise by Foreigners Act⁷.

Residence and work permit is issued in a single procedure in which the competent authority (Police Administration or Police station) at the same time decides on residence and work of third-country national, by issuing a residence and work permit. This type of permit can be issued with the validity of up to one year⁸ and it can be renewed, if not otherwise prescribed by above mentioned Act.

Once issued with a residence and work permit, third-country national may work only on such jobs for which the permit or a work registration certificate was issued, and only with the employer with whom he contracted employment. Also, employer may employ a third-country national only for such jobs for which he/she was issued a residence and work permit or a work registration certificate.

The third-country national that doesn't require visa to enter the Republic of Croatia, can apply for residence and work permit within the territory of the Republic of Croatia (to competent Police Administration or Police Station). Application can also be submitted by an employer. Some categories of third-country nationals are allowed to submit application for residence and work permit within the territory of the Republic of Croatia, even if they require visa for entrance.

⁷ See Article 73. of the Foreigner Act for the categories of third-country nationals who can work without issued residence and work permit or work registration certificate (e.g. when granted permanent residence, asylum, subsidiary or temporary protection, status of regular student or scholar where they perform their work through authorised agents, without contracting employment, temporary residence for the purpose of scientific research...)

⁸ In certain cases as pursuant to Foreigners Act, it can be issued up to two years, see Article 80, Paragraph 3.

Work registration certificate allows a certain categories of the third-country nationals to work up to 30, 60 or 90 days in a calendar year.

5.3.2. Residence and work permit pursuant to annual quota

Concerning management and regulation of labour migration from the third countries, every year the Government of the Republic of Croatia sets the annual quota for the employment of foreigners by the Decision, for extension of the already issued work permits within quota and for new employment (by number).

Several authorities are involved in the process of determining the annual quota. The ministry responsible for labour affairs makes a proposal for the annual quota for employment of foreigners on the basis of the opinion of Croatian Employment Institute, Croatian Chamber of Economy, Croatian Chamber of Crafts and representatives of social partners, and is determined in accordance with the migration policy and taking into account conditions on the labour market.

With this Decision the annual quota, activities and professions where employment is to be permitted and the number of work permits for each of these activities are determined. Quota for seasonal employment can also be determined. Concerning seasonal workers, if determined by the mentioned Decision, residence and work permit for purpose of seasonal employment can be issued to perform seasonal work for at most six months in the course of one year. The third-country nationals issued with such permit must reside outside the Republic of Croatia for at least six months before re-entering and residing in the Republic of Croatia for the purpose of work.

For the year 2016 the Government brought new Decision on annual quota for employment of foreigners, which came into force on 29 April 2016. With this Decision, total annual quota for employment of foreigners in 2016 was 3.115 permits, which includes quota for extension of the already issued work permits set for 800 permits and quota for new employment which was set for 2315 permits (including 15 permits for seasonal employment). The specific sectors that were involved for new employment were: agriculture and forestry, shipbuilding industry, construction industry, tourism and catering industry, culture, transportation, health industry, science and education and processing industry. Also, having in mind the situation on the labour market, the quota for sessional employment was set for 15 permits in the field of agriculture and forestry.

Out of 2315 permits for a new employment and seasonal employment within quota, total of 1942 residence and work permits were issued from 29 April 2016 till 31 December 2016⁹. In the same period the total of 352 residence and work permits within annual quota were extended. Tables below show activities and professions for which quota was set up (new employment and extension) and the number of issued permits for each profession.

Table 1

Residence and work permits issued from 29 April 31 December 2016 for new employment pursuant to Decision of the Government of the Republic of Croatia on annual quota for the employment of foreigners ¹⁰.

Activities	Professions	Set by quota	Issued
Agriculture and forestry	Cattle-breeder and shepherd helper	20	20
	Seasonal employment-vaccination of fruits and grapevines	15	12
Shipbuilding	Grinder	230	214

¹⁰ Source: MOI, <http://www.mup.hr/main.aspx?id=172024>

	Leveler	5	-
	Fitter	200	200
	Welder	30	30
	Outfitter	150	96
	Scaffolder	90	37
	Electric Arc Welder	575	484
	Painter-anti corrosion	220	220
Tourism and catering industry	Tourism animator	10	10
	Tourism agent	5	4
	National cuisine cook	30	19
	Masseur for specific massages	35	29
	Diving instructor	5	-
Culture	Drama artist	1	-
	Ballet artist	14	-
	Ballet pedagogue	1	-
	Orchestral artist	13	2
	Opera singer	3	-
	Conductor	1	-
Construction industry		500	487
Transportation	Driver of cargo vehicles in international transportation	70	54
	Pilot	24	14
	Plane mechanic	19	-
	Flight tendency	10	-
Health care	Medicine doctor-specialist	5	3
	Dental medicine doctor-specialist	5	-
	Medicine doctor	5	5
Education and science	Foreign language lector-native speaker	5	.
Processing industry	Programmer for machinery in weaving manufacture Shima or other specialised machinery	5	-
	Mechanic specialist for machinery in weaving manufacture Shima or other specialised machinery	5	-
	Glass-blower	5	1
	Sashimi quality supervisor	2	-
	Commercialist – specialist for Japanese market	1	1
SUM TOTAL		2315	1942

Table 2

Extended residence and work permits within annual quota in 2016 by sectors.¹¹

Construction industry	107
Tourism and catering industry	105
Agriculture and fishery	37
Shipbuilding	36
Health care	12
Transportation	27
Education and science	13

¹¹ Source: MOI, <https://www.mup.hr/ministarstvo/dokumenti/statistika>

Industry	6
Culture	6
IT	1
Handcrafts and personal services	1
Other	1
Total	352

Comparing to 2015 it can be seen that the number of permits for new employment within annual quota in 2016 was increased in total, and some sectors were added (e.g. namely concerning the field of shipbuilding). The number of the extended residence and work permits in 2016 is also lower than in 2015. Construction industry was the sector with the most extended residence and work permits both in 2015 and 2016.

5.3.3. Residence and work permits issued outside annual quota

There were no new changes in 2016 concerning the issuance of residence and work permits outside annual quota.

Categories of third-country nationals who can be issued with permits outside annual quota are specified in The Foreigners Act and include total of 30 different categories of persons, provided that other legal requirements and also additional requirements are met, as prescribed by above mentioned Act, and in 2016 there were no changes regarding this categories of third-country nationals.

In 2016 total of 840 residences and work permits outside annual quota for new employment were issued. Also, in 2016 total of 1003 residence and work permits outside annual quota but for extension were granted.

5.3.4. Posted workers

The third country nationals who are posted workers from the other EU Member State do not need to apply for a residence and work permit or the work registration certificate if their work takes no longer than three months. But if posted worker is assigned to work in the Republic of Croatia for the period longer than three months, he/she is obliged to regulate temporary residence for the purpose of performing an assigned work. The Foreigners Act contains provisions regarding working and employment conditions for the posted workers.

5.3.5. Work registration certificate

The Work registration certificate can be issued to the specific category of the third-country nationals¹² prescribed under the above mentioned Act for taking up the work for a shorter period of time, i.e. up to 30, 60 or 90 days in a calendar year, depending on type of work that is to be done. There were no changes in 2016.

¹² Article 82 and 83 of the Foreigners Act

5.3.6. EU Blue Card

The highly qualified third country nationals can apply for EU Blue Card. The provision of Foreigners Act regarding issuance of EU Blue Card came into force on 1 July 2013 when the Republic of Croatia became Member State of EU. In 2016 there were no changes concerning Foreigners Act.

5.3.7. ICT Directive and Seasonal Workers Directive

On May 2014 the Directive 2014/66/EU of the European parliament and of the Council on the conditions of entry and residence of third-country nationals in the framework of an intercorporate transfer was adopted. It must be transposed into national legislation by 29 November 2016. The Seasonal Workers Directive (2014/36/EU) published on 28 March 2014, and has to be transposed to the national legislation by 30 September 2016. In 2016 proposal of the Amendments to the Foreigners Act is made regarding transposition of ICT Directive and Seasonal Workers Directive.

5.3.8. Developments referring to the EU

Member States can work in the Republic of Croatia without residence and work permits or work registration certificates.

The following states: Austria, Malta, the Netherlands, Slovenia and the United Kingdom have decided to maintain their restrictions for another three years, so the Republic of Croatia has equivalent transitional restrictions for the workers from those Member States.

5.3.9. Regulated professions and recognition of foreign professional qualifications

The new Act on regulated professions and recognition of foreign professional qualifications (Official Gazette, no 82/15) came into effect in 2015. There were no new changes in 2016.

5.4. Family reunification

Immigration for the purpose of family reunification represents a large share of the immigration flows (see tables below). There were no new changes in 2016.

Table 3

The top ten nationalities with valid temporary residence on 31 December 2016 for the purpose of the family reunification.¹³

Third country nationals-family members of EEA member states nationals and family members of Croatian nationals with valid temporary residence on 31 December 2016-top ten nationalities		Third country nationalities with valid temporary residence on 31 December 2016 granted for the purpose of family reunification (family members of TCNs)-top ten nationalities	
Bosnia and Herzegovina	3144	Bosnia and Herzegovina	518
Serbia	1412	Kosovo	179
Macedonia	712	China	144
Kosovo	666	Russia	139
Russia	309	Macedonia	94
USA	241	Serbia	90
Ukraine	222	Ukraine	64
Montenegro	83	USA	46
Philippines	80	Turkey	32
Brazil	72	R. Korea	30

5.5. Students and researchers

No new measures concerning the provisions of the Foreigners Act in relation to the temporary residence of students and researchers in 2016.

5.5.1. Students

Third-country nationals can be granted temporary residence for the purpose of studies, if they: are studying at a higher education institution of the Republic of Croatia, or are arriving under the exchange of students, i.e. mobility of young persons, or are arriving for the purpose of internships through the authorized institution or following international or inter-university agreements, provide that other requirements are met. An internship of this category of the third-country nationals is not considered as a work and once they were granted temporary residence for the purpose of studies, they can work without residence and work permit or work registration certificate, provided that they have status of regular student and perform work through authorized agents, without contracting employment.

5.5.2. Researchers

The third-country nationals who concluded a visiting contract and if other conditions referred to in The Foreigners Act are met, can be issued a temporary residence in the Republic of Croatia, up to one year. They are not obliged to enclose proof of health insurance and are entitled to tax rebate in conformity with the related regulations of the Republic of Croatia.

¹³ Source: MOI

Concerning the mobility of researches granted residence permit in another EU Member State, third-country national who has concluded a visiting contract in the EEA Member State and based on which he was granted residence in the state concerned may, in order to conduct his research, reside in the Republic of Croatia for a period of up to three months without residence and work permit or a work registration certificate, provided that he has funds to support himself and does not represent a danger for public order, national security and public health. If such work in the Republic of Croatia lasts longer than three months for the purpose of conducting his research, third-country national shall be obliged to regulate temporary residence.

When granted a temporary residence in the Republic of Croatia for the purpose of scientific research, the third-country nationals can work without residence and work permit or a work registration certificate.

5.5.2.1. Statistics¹⁴

On 31 December 2016, total number of valid temporary residence issued to third-country nationals for the purpose of scientific research was 24, and regarding nationalities they were as follows: Serbia (3), China (3), Ukraine (1), Russia (1), USA (3), R. Korea (1), Montenegro (1), India (6), Japan (1), Australia (1) Iran (1). Kazakhstan (1), Columbia (1).

5.6. Third country nationals granted long-term residence in another MS

Third country nationals who have been granted long-term residence in another MS, and intend to reside in the Republic of Croatia for more than three months, can apply for residence permit within the territory of the Republic of Croatia, to the competent Police Administration or Police station. Application can also be submitted to the Diplomatic Mission or Consular Office of the Republic of Croatia in the EEA Member State in which they have been granted residence. Family members can join if they have been granted residence in another MS and if they lived in the same household with the third-country national in the state in which the third-country national holds permanent residence. Family members can submit an application for temporary residence to the Diplomatic Mission or Consular Office of the Republic of Croatia in the EEA Member State in which they have been granted residence.

No changes in 2016.

6. INTEGRATION, NATURALISATION AND CITIZENSHIP

6.1. Naturalisation and citizenship

Croatian citizenship, requirements for its acquisition and its termination, are specified in the Law on Croatian citizenship. According to the Law on Croatian citizenship (Official Gazette, No 53/91, 70/91, 28/92, 113/93, 4/94, 130/11 and 110/15), it is acquired: by origin; by birth within the area of the Republic of Croatia; by naturalization and pursuant to international treaties.

The same Law prescribes the conditions for cease of Croatian citizenship: by dismissal; by renouncement and pursuant to international treaties.

Persons that have acquired Croatian citizenship by origin or birth within the area of the Republic of Croatia are entered into the records on citizenship while being entered into the register of births. A

¹⁴ <http://www.mup.hr/main.aspx?id=172024>

request to be entered into the records can be submitted abroad, at a diplomatic mission or consular office of the Republic of Croatia. Affairs related to the acquisition of the Croatian citizenship by origin and birth within the area of the Republic of Croatia is handled by the competent public administration offices, or the municipal authority of the City of Zagreb. Request for the acquisition of Croatian citizenship by naturalization or termination of Croatian citizenship is submitted personally to the police authority, i.e. at a police department, unless the person in question has a disability, in which case request can be submitted by a legal representative or an authorized person. MoI handles the affairs related to the acquisition of Croatian citizenship by naturalization and international treaties, and affairs related to the termination of Croatian citizenship.

6.2. Integration

Ordinance on Modalities and Conditions for Obtaining the Right to Accommodation for Beneficiaries of International Protection and Modalities of their Financial Participation in Accommodation Costs (Official Gazette No 03/16) regulates right to accommodation. This document was drafted by the Ministry of Social Policy and Youth at the end of 2015 following the obligations deriving from the above mentioned International and Temporary Protection Act.

Ministry of the Interior partners civil society organisations have organized and carried out initial and advanced courses in Croatian, English and German for children and adults in the Reception Centre for Asylum Seekers.

International protection applicants who have the right to stay in Croatia and who haven't secured adequate standard of living are entitled to accommodation, food, clothing in kind, allowances and reimbursement of travel expenses used for the purposes of the procedure of the approval of the international protection.

6.2.1. Promoting integration of foreigners into Croatian society

The Decision on granting financial support for the project "Support to integration of the third country nationals who require international protection" entered into force on 23 November 2016. Project is financed through the Asylum, Migration and Integration Fund. The project highlights the importance of public awareness in the field of integration of people with international protection.

The Ministry of the Interior is participating in the project produced by the Croatian national television HRT called "New neighbors". It is a documentary series that has been produced under the European Broadcasting Union's multicultural groups. In 2016 project activities were set up, while in 2017 those activities that are seven European countries (Slovenia, Serbia, Netherlands, Norway, Belgium, Portugal, Croatia) and one Mexican television will produce a half-hour documentary about the new neighbors; those who belong to a minority group and who came into the majority environment. The series will try to explain what are the dynamics of their relationship, obstacles to the acceptance or non-acceptance and how much open or closed we are to others being different. The idea is to sensitize the public to the fact that in our neighborhood live people who had to leave their homes, who come from other cultures, do not speak the language, and very likely never thought that Croatia will become their home.

6.2.2. Beneficiaries of International protection

At the end of 2014 the Croatian Parliament brought a Decision to adopt the Program of learning of Croatian language, history and culture for asylum seekers and foreigners under subsidiary protection for inclusion in Croatian society ("Official Gazette", N. 154/14). It was the basis for the Ministry of Science, Education and Sport to sign contracts in 2015 with educational institutions for

Croatian lessons for persons under international protection in 5 Croatian cities (Zagreb, Velika Gorica, Kutina, Poreč, and Pula).

According to the International and Temporary Protection Act (Official Gazette No 70/15) Act 67, Article 1 persons granted with asylum or subsidiary protection as well as their family members are entitled to right to housing provided that they do not possess adequate financial resources or other belongings which would enable them to finance the accommodation costs independently. After being granted with status of international protection these persons have the right to submit the request for housing to the competent social welfare centre. Please be noted that the right to housing is specifically tailored measure for beneficiaries of asylum/subsidiary protection due to their specific and often vulnerable situation. The duration of this right is limited to the period of two years from the moment of status approval. Housing costs are financed from the state budget, namely the funds for the social welfare system.

Right to accommodation is regulated by the Ordinance on Modalities and Conditions for Obtaining the Right to Accommodation for Beneficiaries of International Protection and Modalities of their Financial Participation in Accommodation Costs (Official Gazette No 03/16). This document was drafted by the Ministry of Social Policy and Youth as a competent body for the matter at the end of 2015 following the obligations deriving from the above mentioned International and Temporary Protection Act.

6.3. Managing migration, including visa policy and Schengen Governance

Croatia is preparing to become a member of a Schengen area. Schengen evaluation took place in June 2016. Evaluation identified imperfections regarding Schengen acquis appliance. For the purpose of further harmonization with Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals, amendments to the Foreigners Act are planned in 2017.

6.4. Visa policy

In 2015 Regulation on Visa System has been adopted by the Croatian Government which prescribes Currently VIS Code has not been completely incorporate into the Foreigners Act. At the moment Croatia does not follow common rules in relation to VIS within the Schengen Acquis. This applies for visa to travel to Croatia the requirement is to provide their biometric data (digital photograph and finger scans). During 2016 there are no new developments in relation to the biometric visa.

7. INTERNATIONAL PROTECTION (ASYLUM)

7.1. International protection procedures

Designated and competent authority for asylum procedure is MoI, Service for Aliens and Asylum, Department for Asylum located in Zagreb. Department composes different stages of procedure particular Dublin (incoming, out coming request and transfers) and Eurodac procedure, national asylum procedure, COI (informational documentation centre) and officers engaged in integration issues.

Status of applicant is obtaining by expressing the intention for applying the international protection no matter on written or orally. The application could be made on border crossing points or inland at police administrations/police stations as well as at detention centre. Exceptionally, an intention to apply for international protection may also be expressed in the Reception Centre for Applicants for

International Protection in extraordinary circumstances in order to allow access to the procedure for approving international protection. Competent bodies shall register the applicant in the records of the MoI no later than 3 working days from the day the applicant expressed his/her intention to apply for international protection. If the third-country national or stateless person cannot express his/her intention to apply for international protection for justified reasons pursuant to paragraphs 2 and 3 of Article 33 the Reception Centre shall register the applicant in the records of the Ministry within 6 working days from the day when he/she expressed his/her intention.

The body which undertook registration shall issue a certificate of registration of the applicant in the records of the MoI, and, as necessary, shall set a time limit in which the applicant must report to the Reception Centre to lodge an application.

An application is lodged directly with the Reception Centre, orally for the record, whereby the procedure for approval of international protection begins. Applicants is permitted to lodge an application in the Reception Centre within the shortest possible time and no later than within 15 days from registration of their status in the records of the Ministry.

Department for Asylum is located in Reception Centre for asylum seekers together with staff of Reception Centre. Decision makers are conducting interviews, making decisions and advocating decision before the Administrative court.

7.2. Legislative changes

7.2.1. Obtaining status

During 2016 Ministry of the Interior recorded significant increased number of applications for the international protection. According to statistics it was 1113 applications for international protection and 164 unaccompanied minors.

The procedure to assess the minor's age shall be conducted where there is doubt regarding the age of an unaccompanied minor. The assessment of the minor's age is to be conducting on the basis of the information available on the minor, including the expert's opinion and the persons involved in work with the minor. It means that priority is given to non-medical methods. Where that available information is not sufficient, a medical examination will be conducted, with the prior written consent of the minor and the guardian ad litem. The medical examination includes a physical examination, X-ray of the teeth and/or hands, with full respect for the dignity of the unaccompanied minor.

In the case of unjustified refusal of consent, the unaccompanied minor shall be deemed to be an adult applicant. The application cannot be refused exclusively on the basis of the fact that consent to perform a medical examination was not given.

It is important to emphasise that during 2016 there were 76 subsequent applications of total 1113. In case of second subsequent application applicant loses right on residence.

7.2.2. Interview

An interview is an obligation and may be omitted where: a decision may be taken on the basis of the evidence available to approve international protection; the applicant is unfit or unable to be interviewed owing to enduring circumstances beyond his/her control; the admissibility of a subsequent application is being assessed.

7.2.3. Applicants in need of procedural and reception guarantees

The Act has introduced a new category of applicants: those who need reception or procedural guarantees. The identification starts soon after the application is made and is ongoing till the decision on the application is taken. This category of an applicant cannot be subject of accelerated procedure and procedure on border crossing points.

The Act defines stronger and clear role of social guardian (who does not have a conflict of interest with the child and is trained to work with children) for unaccompanied minor. It particular means that guardian shall be present to minor during all procedure, prepare minor for interviewing by explaining both meanings and consequences of the interview in a language which it may justifiably be assumed that minor understands and in which is able to communicate. Unaccompanied minor cannot be subject of an accelerated procedure except where: a subsequent application is admissible; the applicant represents a risk for the national security or public order of the Republic of Croatia and where it is possible to apply the concept of safe country of origin. A minor can be detained when it is by an individual assessment, established that this form of accommodation is necessary and where it is possible to place minor separately from adults, for the shortest possible duration. Applications by unaccompanied minor have priority in decision-making.

7.2.4. Detention

Provisions on a detention are fully put in line with Procedural directive 2013/32/EU. Detention is applicable only where it is by an individual assessment, established that other alternative measures would not achieve the purpose of restriction of freedom of movement. Very important to highlight is the existence of the prescribed conditions to determine significant risk of absconding. Detention may be imposed on maximum 3 months and exceptionally can be extended up to 3 months. Additionally, the time limit is more transparent so duration of the regular procedure is maximum 6 months. In accelerate procedure decision shall be taken within 2 months and if it is not possible the regular procedure shall be applied.

7.2.5. Material reception condition

Material reception conditions are activated as soon as an applicant arrives at Reception Centre. Regarding material reception conditions the list is extensive and includes: accommodation at Reception Centre, clothing and food providing in kind, remuneration of the cost of public transport for the purpose of the procedure for the approval international protection, and financial assistance. Under certain prescribed material reception conditions can be restricted or denied.

7.2.6. Legal counselling

Considering the rights of an applicant there were no legislative changes except introduced right on legal counselling which is realized upon the applicant's request. The right to counselling shall be provided by the organizations working to protect the rights of refugees or by attorneys with whom the Ministry shall conclude an agreement on the provision of legal counselling. The legal counselling is free only to applicants who have no financial resources or things of significant value that enable them to have an appropriate standard of living.

7.2.7. Appeal procedure

Asylum applicants may lodge a complaint to the Administrative Court against a detention decision within 8 days after its delivery. The authority that has issued the decision i.e. MoI, the police administration or the police station, shall submit the case file to the Administrative Court no later than within 8 days of the day of receipt of the decision by which the Administrative Court requests

the case file. The Administrative Court shall render a decision after a personal interview within 15 days from day of receipt of the case.

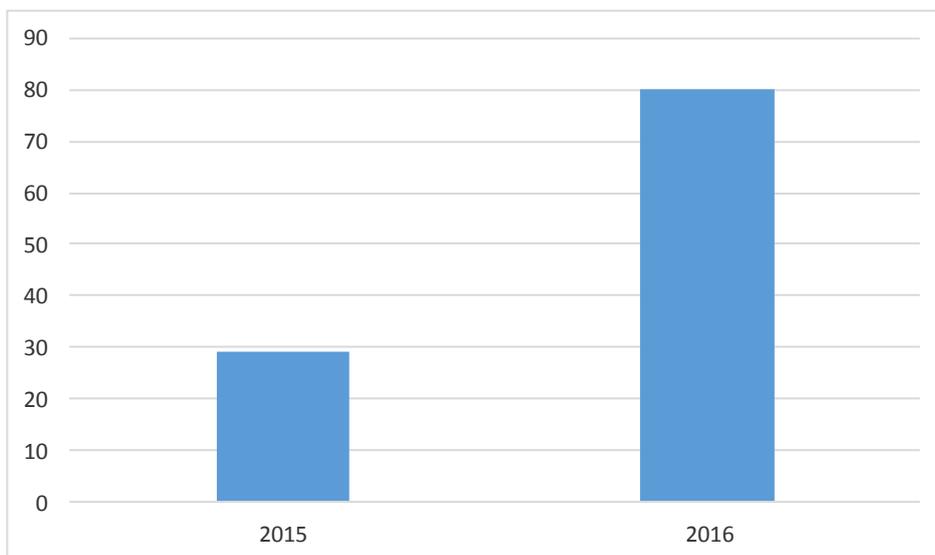
7.2.8. Statistic on asylum applicants

It is important to emphasize that during 2016 there were 76 subsequent applications of total 2235. In previous years was low rate (in 2015 there were 70 of 211 applications and in 2014 72 of 454). In case of second subsequent application applicant loses right on residence.

Chart 5

Picture below shows comparison to 2015 during 2016 number of withdrawn applications.

During 2015 there was 29% of withdrawn applications and during 2016, 80% of withdrawn applications.

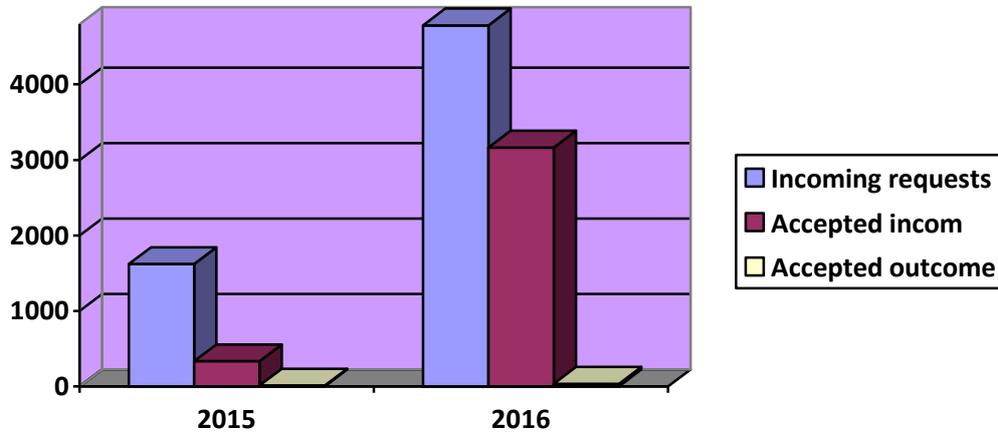


7.2.9. Dublin

Dublin III Regulation is directly applicable in practice. Croatia respects Dublin suspension toward Greece following the *MSS v Belgium & Greece* (C-411/10 and C-493/10) ruling of the European Court of Human Rights (ECtHR). The third country nationals and stateless persons who are included into the procedure to be transferred to responsible Member State remains the equal rights and obligations as every other applicant for an international protection as long as he/she stays in the Republic of Croatia.

Chart 6

Number of acceptance income/outcome during 2015/2016.¹⁵



Picture above shows comparison of incoming request.

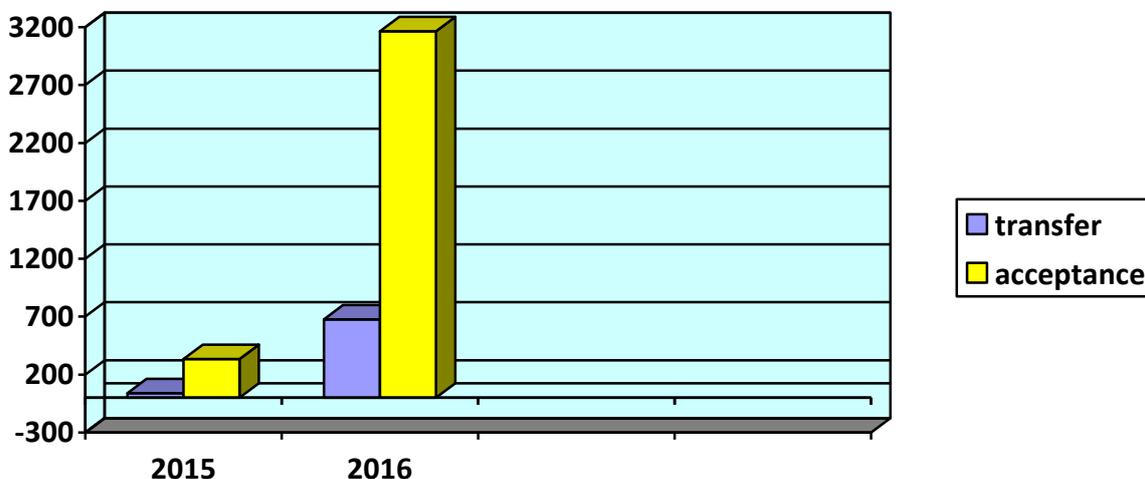
Significant changes happened during 2016 in Dublin procedure regarding incoming requests. Graphic overview above shows rate of 4783 incoming requests that is 4 times increase in comparison to 2015. This is largely consequent of migrant influx and its registration in Eurodac.

Very low number of accepted outcome request is a result of the fact that Croatia has been the first Member States of entry and application of an Article 13 of the Dublin III Regulation since Dublin suspension in relation to Greece.

¹⁵ Source: MOI

Chart 7

Comparison of acceptance and number of transfers carried out during 2015/2016.¹⁶ Regarding Dublin transfers during 2016 there were very small number of carried out to Croatia in comparison to number of accepted requests.



7.2.10. EASO

During 2016 there was no particular activity in meaning of educations or workshops because of fact that large number of education of asylum and Dublin staff were conducted in previous years. However, since EASO has established Asylum Intervene pool, Republic of Croatia replied positive on EASO's call for deployment to Greece and Italy. On 7 December 2015, a team of six experts included reception staff, social workers and decision makers was deployed to Greece on Lesbos and stayed till 8 January 2016. During their deployment they helped with engaging the accommodated minors in a meaningful activities and daily routine as well as introducing valuable procedure for the daily operation of the Center. During 2016 fourteen experts was deployed to Greece and two to Italy.

8. UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS¹⁷

8.1. Unaccompanied minors (seeking asylum)

An unaccompanied minor means a third-country national or a stateless person younger than eighteen years of age who entered the Republic of Croatia unaccompanied by an adult person responsible for him/her in the sense of parental care, pursuant to the legislation of the Republic of Croatia, until placed under the care of such a person, and includes all minors who are left unaccompanied after they entered the Republic of Croatia. Unaccompanied minors enjoy a strong protection in the Republic of Croatia. Soon after a minor entered to Croatia, police informs the Centre for social welfare and a guardian for children is appointed immediately. In the practice it means that no activity shall be conducted without presence of a guardian.

¹⁶ Source: MOI

¹⁷ As well as unaccompanied minors and victims of trafficking in human beings, 'vulnerable groups' include minors, disabled people, elderly people, pregnant women, single parents with minor children, persons with mental health problems and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, based on the definition of 'vulnerable group' in the proposed recast of the Directive laying down minimum standards for the reception of asylum seekers ("Receptions Directive").

Very important concept in the Act on International and Temporary Protection is the best interest of a minor. When implementing the provisions of this Act, all procedures shall be conducted in line with the principle of the best interests of the minor. The best interests of the minor shall be assessed, taking into account: the welfare and social development of the minor, and his/her origin, the protection and safety of the minor, especially if the possibility exists that he/she is a victim of trafficking in human beings, the minor's opinion, depending on his/her age and maturity, the possibility of family reunification, etc.

One of the significant changes in prior mentioned Act is a clear division of a competency in asylum procedure. Following the guardian ad litem of an unaccompanied minor undertakes all the necessary activities, including contact and cooperation with the competent ministries, other state and foreign bodies, and NGOs, in order to reunite the minor with his/her family if this is in the best interests of the minor. The guardian has duty to prepare and inform a minor on his/her rights and duties, on consequences of interview etc.

Many of family reunification of unaccompanied minors was conducted by Dublin procedure so minors were successfully transferred to responsible Member State.

The procedure to assess the minor's age shall be conducted where there is doubt regarding the age of an unaccompanied minor. The assessment of the minor's age is be conducting on the basis of the information available on the minor, including the expert opinions of persons involved in work with the minor. It means that priority is given to non-medical methods. Where that available information is not sufficient, a medical examination will be conducted, with the prior written consent of the minor and the guardian ad litem. The medical examination includes a physical examination, X-ray of the teeth and/or hands, with full respect for the dignity of the unaccompanied minor. In the case of unjustified refusal of consent, the unaccompanied minor shall be deemed to be an adult applicant. The application cannot be refused exclusively on the basis of the fact that consent to perform a medical examination was not given.

In the second half of 2016 Committee has been established in order to develop an Amendment to the Protocol on the treatment of unaccompanied children – foreign national

The new Protocol will re-determine the actors/providers of the obligations and procedures for enabling identification, assistance and protection to migrant and/or refugee children separated from their parents (unaccompanied minors), for the purpose of timely and effective protection of their rights and interests, in order to ensure the safe return, family reunification or re-integration into Croatian society.

8.2. Unaccompanied minors NOT seeking asylum

Foreigners Act also contains provisions regarding the approval of temporary residence of unaccompanied minor for the humanitarian reasons, and in 2016 there were no changes concerning this matter.

8.3. Other vulnerable groups

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

The Act on International and Temporary Protection recognises differences between a vulnerable group and applicants in need of special procedural and/or reception guarantees as persons who, in

view of their personal circumstances, are not completely capable of exercising their rights or obligations without the appropriate support.

The policy intends to set up a priority of an early identification of such persons in order to provide and ensure certain specific needs. Pursuant to Act on International and Temporary Protection there is an obligation of conducting an identification of a vulnerable persons as it is ongoing process. Having that in mind the identification is to be conducted through different stages of procedure, right since the application for international protection was made till decision on application has been taken. Particular it means that police officers, case workers, reception staff, decision makers are all together stakeholders of the identification. So far the particular mechanism has not been developed but foreseen to be during 2017.

9. COUNTERING TRAFFICKING IN HUMAN BEINGS

No relevant changes during 2016.

10. IRREGULAR MIGRATION INCLUDING SMUGGLING

10.1. Legislative

Matters concerning irregular migration are regulated by the Foreigners Act and several Books of rules. Criminal Code of the Republic of Croatia (Official Gazette, No 125/11, 144/12, 56/15, 61/15) prescribes as a criminal act the act of enabling or helping, out of self-interest, of illegal entry, movement and residence of other person in the Republic of Croatia, other Member State of the EU or signatory State of Schengen Agreement.

For the purpose of further harmonization with Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals, amendments to the Foreigners Act are planned in 2017.

Border control is regulated by State Border Surveillance Act, Regulation on border crossings in the Republic of Croatia, Book of rules on methods of conducting state border surveillance, and other Regulation and Books of rules.

10.2. National measures to reduce irregular migration

Continuous measures and actions are being taken in order to preserve the favourable security situation, especially in the control of external borders of the EU, ensuring public order and fighting against crime in border areas in compliance with regulations governing the protection of data and implementation of border surveillance system at the external EU “green” border (central information system, development of application, integration of equipment, stationary systems of day/night surveillance cameras, perimeter protection systems, ground surveillance radars, etc.). Croatian border surveillance system was focusing initially on the eastern “green” borders with Bosnia and Herzegovina, Republic of Serbia and Montenegro.

10.3. Living conditions of illegally-staying third-country nationals

Under programme IPA 2011 the Project “Upgrading the capacities for minors and other vulnerable groups of illegal migrants in the Reception Centre for Foreigners” was implemented. By this

funding existing Reception Center Ježevo has been extended in order to ensure the new object for accommodation of minors and other vulnerable persons. Construction work ended in July 2015, and it is being fully equipped during 2016. The capacity is 24 persons.

New Transit Reception Center for foreigners was built in Tovarnik, near border to Serbia. The construction started on January 12 2015, the deadline for construction was December 15 2015, but was expanded until February 20 2016. The programme was financed through the Schengen Facility. The capacity is 62 people, and it is being equipped during 2016.

Also, the other one Transit Reception Center for foreigners was built in Trilj. Construction started on 22 May 2014, and the deadline for construction was until end of January 2016, but the extension of deadline for construction was approved until April 1 2016. The project was financed through the Schengen Facility programme. The capacity is 62 people, and it is being equipped during 2016.

In case of the large migration influx via sea, the accommodation of illegal migrants is ensured in Zadar and Šibenik. The adaptation of the accommodation of the similar purposes is ongoing in Dubrovnik. Also, measures are being taken in order to ensure premises for intervention accommodation or detention of a large number of illegal migrants in all Police stations on the border. On the territory of Police Administration vukovarsko-srijemska, the capacity for intervention accommodation or detention for a total of 35 illegal migrants is ensured (on PGP Bajakovo).

10.4. Smuggling

No relevant changes during 2016.

11. RETURN

The Republic of Croatia has signed bilateral readmission agreement with other Schengen countries – Norway, Switzerland, Island – 3,

Bilateral readmission agreements with other EU MSs - Austria, Bulgaria, the Czech Republic, Estonia, France, Greece, Italy, Latvia, Lithuania, Hungary, Germany, Poland, Romania, Slovakia, Slovenia, Sweden and the BENELUX countries (Belgium, Luxemburg and Netherland) -17.

Bilateral readmission agreements with third countries – Albania, Bosnia and Herzegovina, Monte Negro, Kosovo, Macedonia, Serbia – 6.

Therefore, Croatia has bilateral readmission agreements with all neighbouring third countries, including implementing protocols, and because every day based readmission procedures based on bilateral agreements is satisfied, Croatia did not initialized signing implementing protocols for EU readmission agreements with Serbia, Bosnia and Herzegovina and Montenegro.

Table 4

Data on number of persons accepted and return towards neighbouring countries.¹⁸

Acceptance and return 2015/2016.						
Neighbouring countries	Acc.		+ - %	Return		+ - %
	2015.	2016.		2015.	2016.	
Bosnia and Herzegovina	0	0		46	102	
Montenegro	0	0		109	112	
Hungary	18	2		23	0	
Slovenia	241	552		5	9	
Serbia	0	3		163	172	
Total	259	557		346	395	

Croatia does not have assisted voluntary return, but is planning to establish it. Voluntary return is encouraged in a way that when making decision on return, Police Administration or Police station determines the period for voluntary departure, which is between 7 to 30 days which depends on the personal circumstances. Also, entry ban can be shortened and lifted if the foreigner has left the EEA in accordance with the return decision. SIRENE (Supplementary Information Request at the National Entries) office is functioning, and the Republic of Croatia is preparing to enter the Schengen area and access to the SIS II.

Table 5

Overview of forced return based on nationalities.¹⁹

Nationality	Forced return				
	Total			Forced return	
	2015.	2016.	+ - %	Pursuant readmission agreement	Other forced returns
Afghanistan	41	14		14	
Albania	177	165		85	80
Algeria	1	10		7	3
Bangladesh	11				
Bosna and Herzegovina	126	97		10	87
Eritrea					
Kosovo	93	375		99	276
Macedonia	13	2		1	1
Morocco	3	24		21	3
Pakistan	10	33		33	
Syria	56	8		8	
Somalia	7				
Serbia	64	65		17	48
Tunisia	4	2			2

¹⁸ Source: MOI

¹⁹ Source: MOI

Turkey	20	88		44	44
Others	68	71		55	16
Total	691	954		394	560

Based on the Amendments of the Ordinance of rules on the procedure for foreigners (Official Gazette, No 126/14), it was public announced for a monitoring organization. NGO “Croatian Law Centre (HPC)” from Zagreb was elected and the contract was signed. The monitoring period was from 16th April 2015 to 30th June 2015, and it was financed form European Return Fund (under SOLID programme). Based on the Ordinance of rules on free legal aid in the procedure of expulsion and return of foreigners (OG 28 /14), the application of free legal aid started on 3rd February 2015.
