

**ANNUAL PROGRAMME 2013**  
**EUROPEAN RETURN FUND**

- ☐ Initial version
- ☒ Revised version (15/01/2014) following dialogue with the Commission
- ☐ Version revised for other reasons

**MEMBER STATE: REPUBLIC OF CROATIA**

**FUND: EUROPEAN RETURN FUND**

**RESPONSIBLE AUTHORITY: MINISTRY OF THE INTERIOR**

**PERIOD COVERED: 01/07/2013 – 31/12/2013**

**1. GENERAL RULES FOR SELECTION OF PROJECTS TO BE FINANCED UNDER THE PROGRAMME**

**A. General rules**

The Ministry of the Interior (hereinafter: the Mol) is the authority responsible for the implementation of the two Funds of the General Programme Solidarity and Management of Migration Flows – European Return Fund and European Refugee Fund. Within the Mol the tasks of the responsible authority are carried out by the Independent Sector for European Integration and International Affairs (hereinafter: the Independent Sector).

Migration policy in the Republic of Croatia is regulated by the Aliens Act (Official Gazette Nos. 130/2011, 74/2013), defining conditions for and methods of entry into, departure from and residence of foreigners. In line with national legislation the authority responsible for the return of foreigners is the Mol, where forced return is under jurisdiction of the Border Police Directorate (hereinafter: the Police), which is a body under General Police Directorate and which, in accordance with the national law, has administrative powers (de jure monopoly and security reasons) for the implementation of tasks laid down in the Annual Programme.

Proposals of potential projects for annual programmes are submitted to the responsible authority - the Independent Sector. Proposals of individual

projects include description and reasons for the submission of projects, project value analysis, cost-effectiveness, the needs and impacts of the projects on the improving the situation in a Member State, as well as goals and indicators. The Independent Sector reviews whether the proposed projects meet the conditions for eligibility (eligible project subject, eligible duration, defined goals/indicators, conformity of the project with the multi annual programme, etc). After review, by the Independent Sector, the annual programme draft is submitted for approval. The Minister of Interior will approve and sign the annual programme.

Considering that the responsible authority shall mostly perform tasks of an executing body in charge of the projects co-financed within the European Return Fund, it shall be ensured that the audit authority shall not act within the scope of the responsible authority. The audit authority is Agency for the Audit of European Union Programmes Implementation System.

Responsible authority monitors the implementation of the projects, but audit authority ensures that audits are carried out.

When the Mol acts as executing body, implementing projects in the legal competence of the Border Police Directorate, a plan of activities for the implementation of the projects shall be adopted. The plan of activities shall determine eligible activities, goals and indicators expressed in terms of value and quantity and the amounts allocated. Implementation of those activities will be in line with the provisions of the act regulating public procurement, and in accordance with implementing regulations issued on the basis of this act, as well as with internal rules.

The contract award procedure can, depending on the assessed contract value and the number of potential subcontractors, be implemented in any of the following ways: an open procedure; a selection procedure by the prior establishment of the required qualification; a negotiated procedure (with/without the prior publication of the contract notice); an invitation to tender (after or without prior publication); or through a small purchase or in any other way specified by the law. The most suitable provider is selected in a transparent manner and in accordance with the procedure prescribed. The procurement procedures are made public. In respect of the value of the contracts defined in the public procurement regulations, calls for proposals are published on the official public portal. All publications and documents shall contain an indication of the presence of EU co-financing (e.g. the EU logo and fund specification).

The Ministry of the Interior will publish calls for proposals in line with the provisions of the Law on Associations (OG 88/01, 11/02), Codex on Best Practices, Standards and Measures on Financial Support to Programmes and Projects of Associations (OG 16/07) and Articles 9 and 10 of the Commission Decision No 458/2008/EC laying down rules for the implementation of Decision No 575/2007/EC of the European Parliament and of the Council establishing the European Return Fund for the period 2007 to 2013, for including non-

governmental organisations in projects. The call for proposals shall be open to all interested parties who are performing the activities subject of the call for proposals in a non-profit manner. The selection criteria shall as well comply with the provisions of Article 15(5) of the Commission Decision No 575/2007/EC of the European Parliament and of the Council establishing the European Return Fund for the period 2007 to 2013.

The envisaged timeframe for the implementation of the public procurement procedures for the 2013 Annual Programme's activities will be aligned with the annual public procurement plans so that all costs will arise during the eligibility period, i.e. between 1 July 2013 and 30 June 2015 (or 31 March 2016 for the technical assistance project).

#### B. State of play on the three strategic objectives 2012-2013

##### 1. Further development and improvement of voluntary return activities

Voluntary return shall continue to remain one of effective approaches to the removal of foreigners from the EU area. To that end, the Police will co-operate with an appropriate nongovernmental organisation to be selected upon a public call for applications. In addition to providing assistance on the way back, non-governmental organisation is also expected to have experience in the field of reintegration of foreigners in their home countries. Since the practice has shown that foreigners prefer allowance in cash to reintegration programmes, such practice shall be pursued also in the future.

##### 2. Promotion of a more strategic focus on EU standards through implementation of actions linked to the requirements of the Return Directive

Directive 2008/115/EC on common standards and procedures in Member States for returning illegally staying third-country nationals has been fully implemented into the Police practice. Only final agreements regarding the forced-return monitoring still have to be concluded with an independent body authorised to carry out this measure.

##### 3. Improvement of the national capabilities through co-operation with other Member States

The Police will start its active co-operation with other EU Member States. Co-operation is particularly needed in the exchange of experience and good practice with regard to identification of foreigners. Most countries are namely faced with similar problems of either non-cooperation of third-country nationals in establishing their identities and hiding their identity or inactivity of third-country representative offices requested to confirm the identity of their citizen

and issue a document. Co-operation with Frontex Agency, especially in its Joint Operation, is likewise of importance.

## 2. CHANGES IN THE MANAGEMENT AND CONTROL SYSTEMS

Not applicable.

## 3. ACTIONS TO BE SUPPORTED BY THE PROGRAMME UNDER THE PRIORITIES CHOSEN

### 3.1. Actions implementing Priority 1: 1. Support for the development of a strategic approach to return management by Member States

#### 3.1.1. ACTION 1: Voluntary return of third-country nationals (specific priority 1.1)

##### 1. Purpose and scope of the action

Croatian legislation delegates the implementation of procedures concerning return of foreign nationals to the Police, and at the same time it enables the involvement of non-governmental and other organisations when returns are voluntary. The objective of the Republic of Croatia is to encourage voluntary return of foreigners and assistance of non-governmental and other international organisations in implementation of reintegration programmes in their country of origin. At the moment no voluntary return of foreigners is practiced in the Republic of Croatia. The objective of the project is to establish co-operation with a non-governmental or other international organisation, which shall prepare the necessary programmes regarding voluntary return and reintegration of third country nationals and persons without citizenship who are illegally on the territory of the Republic of Croatia and must leave it. Voluntary return of a foreigner into the country of their origin or into a country which is prepared to accept them is a humane approach to the removal of a foreigner which results in the effective and sustainable return and constitutes an important element in fighting irregular immigration, which is also a goal of the project. The target group is third country nationals who have to leave the territory of the European Union.

Within the framework of the action of voluntary return of third-country nationals the selected non-governmental organisation or international organisation shall carry out the following activities:

- a) production of advertising material (leaflets and posters) needed to inform foreigners about the possibility of voluntary return;
- b) preparation of the possibility for foreigners to return voluntarily to their home country or to some other third country:
  - establishment of identity
  - obtaining travel documents,
  - allowance in cash,

- checking the sustainability of return.
- c) implementation of training programmes for the Centre employees in accordance with the programme of the selected non-governmental organisation.

The action shall be implemented in the period of eligibility from 1 July 2013 to 30 June 2015, and the majority of activities shall be realised in 2014.

## 2. Expected grant recipients

Based on the Law on Associations (OG 88/01, 11/02), Codex on Best Practices, Standards and Measures on Financial Support to Programmes and Projects of Associations (OG 16/07), and Articles 9 and 10 of the Commission Decision No 458/2008/EC laying down rules for the implementation of Decision No 575/2007/EC of the European Parliament and of the Council establishing the European Return Fund for the period 2007 to 2013, the MoI shall publish a call for proposals on co-financing of projects of non-governmental and non-profit organisations having experience in the field of return of foreigners and organisation of projects intended for reintegration into life in the environment to which the foreigner returns.

3. Where appropriate, justification regarding projects implemented directly by the responsible authority acting as an executing body  
Not applicable.

## 4. Expected quantified results and indicators to be used

Indicators		
Output	Direct/short-term outcomes	Indirect/long-term impact
1) 1000 foreigners informed about the possibility of voluntary return 2) 500 foreigners included in the voluntary return project. 3) 500 foreigners receiving an allowance in cash. 4) Training provided for 10 Centre's employees.	1) Shorter accommodation time in the Centre 2) Increased number of voluntarily returned foreigners. 3) Reduced number of removals.	1) Removal of foreigners in accordance with the EU policy and international trends in the field of return. 2) Effective and sustainable return of illegally staying third-country nationals.

5) Checking the sustainability of return in the country of origin		
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#### 5. Visibility of EC funding

The actions will be given adequate publicity. Chapter 5 of the Commission Decision 458/2008/EC laying down rules for the implementation of Decision No 575/2007/EC of the European Parliament and of the Council establishing the European Return Fund for the period 2007 to 2013 will be observed. All documentation and materials related to the projects shall be marked by the EU logo and a statement indicating the co-financing from the European Return Fund. The Mol will properly present the role of the European Return Fund also to the beneficiaries when informing them about the implementation of the programme.

The Mol will publish on their website the values of all approved projects and the list of final beneficiaries, as well as all decisions and instructions, and also use other means to inform the public, should this prove to be necessary.

#### 6. Complementarity with similar actions financed by other EC instruments, if appropriate

Voluntary return in the Republic of Croatia has never been co-financed from other financial instruments of the EC.

#### 7. Financial information

This action shall be implemented in the annual programme eligibility period from 1 July 2013 to 30 June 2015, the majority most likely in 2014.

#### **Value EUR**

EU funds	300,000.00
Croatian budget	100,000.00
Total	400,000.00

## 8. Categorisation of the action according to the typology for the Fund

LAYER 1 – ASSISTED VOLUNTARY RETURN OR FORCED RETURN	
X	<b>TPOLOGY A – Assisted Voluntary Return</b> Share (only in case both A and B have been selected):.....%
	<b>TPOLOGY B – Forced Return</b> Share (only in case both A and B have been selected):.....%
LAYER 2 (THE TEN TYPOLOGIES)	
Typoogy (1 to 10)	Share (%)
1- Return management (strategy)	10%
2- Assistance with voluntary return (AVR)	70%
4-Counselling and information	10%
10-Cooperation with third countries	10%

### 3.1.2. ACTION 2: Return of third country nationals by the Reception Centre for Foreigners

#### 1. Purpose and scope of the action

The objective is to simplify and execute forced return of third-country nationals. In doing so, we need to ensure a direct return to the country of origin and consequently reduce the probability of their return to the Republic of Croatia or the EU area.

Given the objectives of this priority, the Police will implement the following actions:

- removal by plane, bus, train or other means of transportation, with the intention to enhance the implementation of removals by plane directly to the country of origin and decrease the number of removals by land,
- organisation of charter transports plane, taking into account the principle of economy (the number of foreigners and the distance of the country of origin) and depending on safety assessment,
- foreigner escort carried out by trained police officers, medical personnel, guardians in the case of special categories, and translators if required by safety assessments, psychological and social assistance to foreigners during their return to the country of origin, whenever required by circumstances, organisation of preliminary meetings with local authorities,
- coverage of foreigner's transportation costs within the country of origin after removal (depending on the distance: up to 100 km, from 100 to 500 km, over 500 km, respectively 100, 200, 400 € allocations),



- purchase of two official vehicle for transportation of persons within and outside the Republic of Croatia in order to ensure an appropriate security level for both police officers and persons in the process of return. The vehicles should provide physical separation of the driver's and co-driver's space from the part of the vehicle intended for transportation of foreigners and additional escorts, if needed. The value of two special vehicles is about EUR 200,000.
- suitable equipment for escorts shall be purchased, for example optical reader scanner, mini DVD cameras for recording certain stages of return in case of high-risk procedures and PC with 13.3" (or less) monitor for exchange of data and real-time reports in joint return operations. The value of technical equipment is approx. EUR 15,000.

The activities of the Centre shall ensure that all return procedures running against a certain person are in accordance with all legal norms and carried out with the respect of human rights and dignity. Successful operations of the Centre so far can be proved by statistical data that show more than 57% of successful removals executed without any coercive measures. The Aliens Act provides that asylum seekers, under certain conditions, can be placed in the Reception Centre for Foreigners and in that way their freedom of movement may be restricted. Nowadays, in the Reception Centre for Foreigners are 50% asylum seekers and because of that there is less accommodations for irregular migrants. Special attention shall be devoted to individual treatment of foreigners and consulting on possibilities of voluntary return, using the support of competent interpreters and giving the foreigners opportunity for medical examination prior to their return. The stage of preparing the foreigners for their return to their country of origin is financed by national funds of the Republic of Croatia. In exceptional cases, when the health condition of a foreigner so requires, medical escort shall be provided during the return journey. In addition, presence of interpreters is equally needed for removal operations comprising larger groups of third-country nationals. When returning third-country nationals, the Centre uses interpreters in all cases where communication between escort and foreigners is not possible in a language they understand. The Centre experience shows that a foreigner easier decides to return if given a minimum allowance to purchase some food and local transport tickets after having returned to the country of origin. In this way foreigners are stimulated for maximum co-operation during the entire return procedure (from establishment of identity and obtaining of documents for return to the return itself).

When returning a foreigner to some third countries, consent of their immigration authorities has to be obtained prior to the return. The so-called Advanced Party shall take place in the third country before the actual return of a foreigner. The purpose of this meeting between a representative of the state removing a foreigner and the competent authority of the third party is to directly inform the competent authority of the third party of all the data in relation with their national, the documentation on the basis of which the foreigner would be returned, and other data concerning the removal. In this way, the organiser of the return shall avoid any possible problems when actually handing over the alien to the competent authorities

of the third party.

When the Centre returns third-country nationals to far remoted places and in such cases cannot ensure immediate return of the escorts, the Centre provides for their suitable accommodations at a convenient location for as long as required for their return home. Accommodation shall comprise lodging and meals. All necessary permits for entry into the country of destination and for transit through all the countries through which the return journey will be carried out shall be obtained for escorts well in advance.

The expected countries of return are Kosovo, Serbia, Bosnia and Herzegovina, FYR Macedonia, Albania, Afghanistan, Nigeria, etc. According to past experience, the majority of returns (ie. 50%) are carried out to Balkan countries.

The action is in accordance with the goals of the multiannual programme, which are to simplify and carry out forced returns of third country nationals, and thus to ensure direct return to the country of origin and consequently to reduce the probability of their return to the Republic of Croatia or the EU area.

#### 1. Expected-grant recipients

The grant recipient is the responsible authority acting as an executing body implementing projects in association with the Police, which is a body within the Ministry of the Interior.

#### 3. Where appropriate, justification regarding projects implemented directly by the responsible authority acting as an executing body

In accordance with national legislation, the Police, as an authority affiliated to the Ministry of the Interior, are the only authority responsible for executing removals from the country. This means that police administrations and police stations treating a foreigner who does not meet requirements for entering or residing in the Republic of Croatia, alone carries out the removal from the country. When an alien cannot be removed from the country immediately due to objective reasons, he/she is accommodated at the Centre, an organisational unit within the Border Police Directorate, which continues the return procedure. The Police have a monopoly position in the field of forced return, ensured by national legislation.

#### 4. Expected quantified results and indicators to be used

Output	Indicators	
	Direct/short-term outcomes	Indirect/long-term impact
1) 500 removed third country nationals, of which 400 by air and 100 by car.  2) Organisation of two (2) removal by a chartered plane.  3) 200 escorts of third-country nationals removed by trained police officers.  4) Higher security level of return procedures, respecting fundamental human rights and freedoms.  5) Purchase of technical equipment for police officers-escort – (2 portable computers, 1 DVD recorder)  6) Purchase of two multi-purpose vehicles for transportation/removal of foreigners.	1) Shorter accommodation time for foreigners waiting for removal.  2) Increased number of removed foreigners from the EU area.  3) Less opportunity for injuries of police officers and persons in the process of return, and assurance of successful execution of return process.	1) Permanent removal of an foreigner from the EU area.

#### 5. Visibility of EC funding

The actions will be given adequate publicity. Chapter 5 of the Commission Decision 458/2008/EC laying down rules for the implementation of Decision No 575/2007/EC of the European Parliament and of the Council establishing the European Return Fund for the period 2007 to 2013 will be observed. All

documentation and materials related to the projects shall be marked by the EU logo and a statement indicating the co-financing from the European Return Fund. The Mol will properly present the role of the European Return Fund also to the beneficiaries when informing them about the implementation of the programme.

The Mol will publish on their website the values of all approved projects and the list of final beneficiaries, as well as all decisions and instructions, and also use other means to inform the public, should this prove to be necessary.

6. Complementarity with similar actions financed by other EC instruments, if appropriate

In the Republic of Croatia similar actions have not been financed by other EC instruments.

7. Financial information

The action shall be implemented in the eligibility period of the annual programme from 1 July 2013 to 30 June 2015, and the majority of activities shall be realised in 2014.

The estimated funds consist 75% of EU resources and 25% of Croatian budget, since Croatia belongs to the group of Member States receiving cohesion funds.

Value (EUR)	
EU Funds	468,750.00
Croatian Budget	156,250.00
Total	625,000.00

## 8. Categorisation of the action according to the typology for the Fund

LAYER 1 – ASSISTED VOLUNTARY RETURN OR FORCED RETURN	
X	<b>TYPOLOGY A – Assisted Voluntary Return</b> Share (only in case both A and B have been selected): 30%
X	<b>TYPOLOGY B – Forced Return</b> Share (only in case both A and B have been selected): 70%
LAYER 2 (THE TEN TYPOLOGIES)	
Typoogy (1 to 10)	Share (%)
3- Forced Return	70%
2- Assistance with voluntary return	20%
6-Capacity buiding-infrastructure and tools	10%

### 3.1.3. ACTION 3: Setting-up forced-return monitoring system

#### 1. Purpose and scope of the action

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 provides in its Article 8 that Member States provide for an effective forced-return monitoring system. The Republic of Croatia, while executing removals of foreigners from the EU area, has so far not implemented such return monitoring. The reason for the execution of the project derives on the one hand from the obligation of the Republic of Croatia to implement the Directive, and on the other hand from its commitment to observe all international documents and standards regarding the protection of rights of any individual who has been subject to the removal from the country upon approval of the non-governmental or non-profit organisation which will monitor the execution of the action.

Within this action, the Republic of Croatia shall implement minimum protection measures to provide for monitoring over removed of third-country nationals by an independent authority. This action will result in greater transparency of removals and confirmation that measures taken against a foreigner have been legal, professional and in accordance with national and international standards. In addition it shall protect police officers' escorts in case of unjustified accusations of inhumane or non-professional acting.

The action is in accordance with the multiannual programme of the European Return Fund, and is covered by the general description of the multiannual

programme.

## 2. Expected grant recipients

Based on the Law on Associations (OG 88/01, 11/02), Codex on Best Practices, Standards and Measures on Financial Support to Programmes and Projects of Associations (OG 16/07), and Articles 9 and 10 of the Commission Decision No 458/2008/EC laying down rules for the implementation of Decision No 575/2007/EC of the European Parliament and of the Council establishing the European Return Fund for the period 2007 to 2013, the MoI shall publish a call for proposals on co-financing of projects of non-governmental and non-profit organisations having experience in the field of return of foreigners and organisation of projects intended for reintegration into life in the environment to which the foreigner returns.

## 3. Where appropriate, Justification regarding projects implemented directly by the responsible authority acting as an executing body

Not applicable.

## 4. Expected quantified results and indicators to be used

Indicators		
Output	Direct/short-term outcomes	Indirect/long-term impact
1) Definition of removal types subject to monitoring.  2) 30 removals monitoring actions carried out in one year.	1) Monitoring over removal of third-country nationals from EU area.  2) Upgraded control mechanism over execution of removals.  3) Elimination of false charges regarding illegal or inhumane removals.	1) Execution of removals of foreigners from the EU area in accordance with EU policy and international trends in removal.  2) Removal of a foreigner from the EU area in accordance with all standard regarding the protection of human rights and freedoms.

5. Visibility of EC funding

The actions will be given adequate publicity. Chapter 5 of the Commission Decision 458/2008/EC laying down rules for the implementation of Decision No 575/2007/EC of the European Parliament and of the Council establishing the European Return Fund for the period 2007 to 2013 will be observed. All documentation and materials related to the projects shall be marked by the EU logo and a statement indicating the co-financing from the European Return Fund. The Mol will properly present the role of the European Return Fund also to the beneficiaries when informing them about the implementation of the programme.

The Mol will publish on their website the values of all approved projects and the list of final beneficiaries, as well as all decisions and instructions, and also use other means to inform the public, should this prove to be necessary.

6. Complementarity with similar actions financed by other EC instruments, if appropriate

In the Republic of Croatia similar actions have not been financed by other EC instruments.

7. Financial information

Value (EUR)	
EU Funds	54,000.00
Croatian Budget	18,000.00
Total	72,000.00

8. Categorisation of the action according to the typology for the Fund

LAYER 1 – ASSISTED VOLUNTARY RETURN OR FORCED RETURN	
	<b>TYPOLOGY A – Assisted Voluntary Return</b> Share (only in case both A and B have been selected):....%
X	<b>TYPOLOGY B – Forced Return</b> Share (only in case both A and B have been selected):...%
LAYER 2 (THE TEN TYPOLOGIES)	
Typoogy (1 to 10)	Share (%)
3- Forced Return	100%

**3.1.4. ACTION 4: Establishment of a permanent operational cooperation with translators in linguistic assistance and procedures of establishing the identity of foreigners on the basis of language analysis, and establishment of cooperation with court experts and other medical professionals, and establishment of free legal aid system**

1. Purpose and scope of the action:

The objective of the action is to increase the number of identified foreigners who are in the process of removal from the EU area and not participating in the acquisition of documents and to give foreigner the possibility to obtain linguistic assistance. The purpose of the measure is the integration of translators in the identification processes, who, in addition to the official language of certain countries, are well familiar with the accents and dialects of specific regions or ethnic origins. By analysing the language, the area where a foreigner comes from, can be clearly established. Thus it can be a basis for proving the foreigner's citizenship and obtaining the relevant documents from the consular authorities of third countries. In addition to translators, the Centre, when it assesses that by doing so it will be able to identify a person or determine a person's age, shall include court experts or other professionals from the medical field in the procedures, who, based on scientific analyses, would be able to confirm the identity or age of a person in the process of removal from the country.

The Police shall carry out the following actions:

- setting-up a list of translators/interpreters who in addition to good knowledge of official languages also comprehend dialects typically



- spoken in individual countries, engagement of translators in foreigners identification procedures for the purpose of language analyses and for linguistic assistance to third-country nationals,
- invitation of translators or language experts from other EU Member States in cases where such are not available in the Republic of Croatia,
  - inclusion of court experts and other medical professionals into identification procedures.
  - setting-up a list of attorneys for the purpose of free legal aid to third-country –nationals.

Experience of the Police and experience from related authorities in other EU Member States show that diplomatic and consular missions of third countries require the submission of some proper evidence that the foreigner in question is national of that state, when they are requested to issue appropriate documents. In most cases these are personal documents or other documents proving the relation of the foreigner to the relevant state. Problems arise when a third-country national has no documents and is not willing to participate in the identification procedure in order to avoid removal from the EU area. In such cases interpreters or language experts on the basis of the dialect spoken can help determine, from which state come the foreigner, or in some cases even the concrete region or area in that state. Some diplomatic and consular missions accept quality analysis of the foreigners' language as sufficient proof to issue documents. If the Republic of Croatia would not be able to find an appropriate translator/interpreter, we shall try to find such expert through the information network (ICONET) of the FRONTEX Agency in another EU Member State and invite him/her to cooperate.

Another obstacle in establishing identity is statement of false identity and age of persons under procedure. In order to overcome this obstacle, the Centre shall in accordance with legislation, establish co-operation with court experts and other professionals who can through scientific analysis confirm or reject the information about identity or age of the person in question. When undertaking this activity, experts shall ensure full respect of human dignity, integrity and the best interest of the child.

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 provides in its Article 11 that Member States should establish a common minimum set of legal safeguards on decision related to return, in order to guarantee effective protection of the interests of the individuals concerned. The necessary legal aid should be made available to those who lack sufficient resources. Within this action, the Republic of Croatia provides in national legislation for which cases legal aid is to be considered.

## 2. Expected grant recipients

The grant recipient is the responsible authority acting as an executing body implementing projects in association with the Police, which is a body within the Mol.

3. Where appropriate, justification regarding projects implemented directly by the responsible authority acting as an executing body

In accordance with national legislation, Police as an authority affiliated to the Mol is the only authority responsible for executing removals from the EU area. This means that each police unit treating a foreigner who does not fulfil requirements for residing in the Republic of Croatia, alone implements removal from the EU area. When a foreigner cannot be removed from the EU area immediately due to objective reasons, he/she is accommodated at the Centre, which continues the return procedure. The Police have a monopoly position in the field of removal, ensured by national legislation.

4. Expected quantified results and indicators to be used

Indicators		
Output	Direct/short-term outcomes	Indirect/long-term impact
<p>1) Number of implemented identification procedures - 500.</p> <p>2) Number of required documents based on language analysis needed for return - 200.</p> <p>3) Number of actions involving translators from other Member States – 30.</p> <p>4) Number of identifications carried out by a court expert or other professional – 10.</p> <p>5) Number of implemented linguistic assistance - 2000.</p> <p>6) Number of provided free legal aid - 500</p>	<p>1) Increased number of obtained documents needed for the removal of foreigners.</p> <p>2) Shorter identification procedure.</p> <p>3) Shorter accomodation time in the Centre.</p>	<p>1) Increased number of identified foreigners.</p> <p>2) Increased number of removed foreigners.</p>

## 5. Visibility of EC funding

The actions will be given adequate publicity. Chapter 5 of the Commission Decision 458/2008/EC laying down rules for the implementation of Decision No 575/2007/EC of the European Parliament and of the Council establishing the European Return Fund for the period 2007 to 2013 will be observed. All documentation and materials related to the projects shall be marked by the EU logo and a statement indicating the co-financing from the European Return Fund. The Mol will properly present the role of the European Return Fund also to the beneficiaries when informing them about the implementation of the programme.

The Mol will publish on their website the values of all approved projects and the list of final beneficiaries, as well as all decisions and instructions, and also use other means to inform the public, should this prove to be necessary.

## 6. Complementarity with similar actions financed by other EC instruments, if appropriate

In the Republic of Croatia similar actions have not been financed by other EC instruments.

## 7. Financial information

The action shall be implemented in the eligibility period of the annual programme from 1 July 2013 to 30 June 2015.

The estimated funds consist 75% of EU resources and 25% of Croatian budget, since Croatia belongs to the group of Member States receiving cohesion funds.

Value (EUR)	
EU Funds	240,000.00
Croatian Budget	80,000.00
Total	320,000.00

8. Categorisation of the action according to the typology for the Fund

LAYER 1 – ASSISTED VOLUNTARY RETURN OR FORCED RETURN	
X	<b>TPOLOGY A – Assisted Voluntary Return</b> Share (only in case both A and B have been selected): 40%
X	<b>TPOLOGY B – Forced Return</b> Share (only in case both A and B have been selected): 60%
LAYER 2 (THE TEN TPOLOGIES)	
Typoogy (1 to 10)	Share (%)
4-Counselling and information	50%
1-Return management (strategy)	50%

3.2. **Actions implementing Priority 2: 2. Support for the cooperation between Member States in return management**

3.2.1. **ACTION 5: Support for cooperation between Member States in return management**

1. Purpose and scope of the action

The objective is to increase cooperation between EU Member States and the Frontex Agency, with the purpose of ensuring permanent removal of foreigners from the EU area, and further, to reduce removal costs at the level of the Republic of Croatia and the EU level. The Republic of Croatia is further interested in co-operation with other Member States in searching for and exchange of best practices in obtaining travel documents and removal of third-country nationals illegally staying on the territory of European Union. Participation in joint flights undoubtedly improves the security at removal of security-problematic third-country nationals in comparison to the removal of this category of foreigners on commercial flights.

The Centre will cooperate with the Frontex Agency or other EU Member States in executing joint flights and joint removals by land.

The Republic of Croatia will organize charter flight and/or removals by land, and include all interested Member States in their organization. The Centre will inform other Member States and Frontex Agency through the ICONET system about planned removals and the possibility of cooperation. The Republic of Croatia will organise charter only in the event of larger groups of foreigners from the same country of origin, and

when safety assessments demand it.

The action is in accordance with the objective of the multiannual programme, which is to simplify and carry out removal of third country nationals, and thus to ensure direct return to the country of origin and consequently to reduce the probability of their return to the Republic of Croatia or the EU area.

## 2. Expected grant recipients.

The grant recipient is the responsible authority acting as an executing body implementing projects in association with the Police, which is a body within the Mol.

## 3. Where appropriate, justification regarding projects implemented directly by the responsible authority acting as an executing body.

In accordance with national legislation, the Police, as an authority affiliated to the Mol, are the only authority responsible for executing forced removals from the country. This means that each police unit treating an alien who does not fulfil requirements for residing in the Republic of Croatia, alone implements removal from the country. When an alien cannot be removed from the country immediately due to objective reasons, he/she is accommodated at the Centre, which continues the return procedure. The Police have a monopoly position in the field of forced return, ensured by national legislation.

## 4. Expected quantified results and indicators to be used

Indicators		
Output	Direct/short-term outcomes	Indirect/long-term impact
1) Organisation of five (5) charter flights in cooperation with at least one EU Member State.	1) Improved co-operation with EU Member States and the Frontex Agency, and consequently a more efficient implementation of the return policy at the EU level.  2) Total estimated number of removed foreigners by a (5) charter flights is 200.	1) Permanent removal of a third country national from the EU area.  2) Reduction of costs needed for removal.  3) Improvement in co-operation between EU Member States.

#### 5. Visibility of EC funding

All documentation and materials related to the projects shall be marked by the EU logo and a statement indicating the co-financing from the European Return Fund. The Ministry of the Interior will properly present the role of the European Return Fund also to the project beneficiaries when informing them about the implementation of the programme. The Ministry of the Interior will publish on their website the values of all approved projects and the list of final beneficiaries, as well as all decisions and instructions, and also use other means to inform the public, should this prove to be necessary.

#### 6. Complementarity with similar actions financed by other EC instruments, if appropriate

In the Republic of Croatia similar actions have not been financed by other EC instruments.

#### 7. Financial information

The action shall be implemented in the eligibility period of the annual programme from 1 July 2013 to 30 June 2015.

The estimated funds consist 75% of EU resources and 25% of Croatian budget, since Croatia belongs to the group of Member States receiving cohesion funds.

Value (EUR)	
EU Funds	240,000.00
Croatian Budget	80,000.00
Total	320,000.00

### 8. Categorisation of the action according to the typology for the Fund

LAYER 1 – ASSISTED VOLUNTARY RETURN OR FORCED RETURN	
X	<b>TYPOLOGY A – Assisted Voluntary Return</b> Share (only in case both A and B have been selected): 50%
X	<b>TYPOLOGY B – Forced Return</b> Share (only in case both A and B have been selected): 50%
LAYER 2 (THE TEN TYPOLOGIES)	
Typoogy (1 to 10)	Share (%)
2- Assistance with voluntary return	40%
3- Forced Return	40%
9- Co-operation between Member States	20%

### 3.3. Actions implementing Priority 3: Support for specific innovative (inter)national tools for return management

#### 3.3.1. **ACTION 6: Cooperation with foreign consular representative offices and responsible immigration authorities**

##### 1. Purpose and scope of the action

The objective is to establish and improve a successful, stable and operational cooperation with foreign consular representative offices and responsible immigration authorities in the foreigner's country of origin, with the purpose of identification and travel document acquisition for returning third country nationals and ensuring their quick and effective removal.

The Centre will carry out the following activities:

- invitation of representatives of diplomatic and consular representative offices or third countries' immigration authorities to the Centre, with the purpose of foreigners identification and issuing suitable documents for return,
- organisation of expert consultations,
- preliminary meetings (advanced parties) with local representatives in the third country prior to foreigners' removal,
- provision of protocol gifts of minor value from the Police list (pens, Police badges, key chains and similar) intended for establishment of personal contacts with representatives of foreign embassies and consulates and representatives of local authorities on occasions of advance parties or expert meetings in the alien's country of origin, in relation to return of third-



country nationals.

Practice has shown that representative missions of states, prior to issue of travel documents, wish to have an interview with the relevant foreigner to be convinced that he/she actually is their national. At present, there are about 50 foreign representative missions to the Republic of Croatia, who have the authority to issue travel documents; in other cases, representative missions located in other countries, have also been accredited to the Republic of Croatia. In such cases the identification procedure requires either the presence of the relevant alien at the competent foreign representative mission or arrival to the Republic of Croatia of a representative from a mission abroad. Within the framework of the European Return Fund, visits of representative missions with which no contacts have yet been established shall be organised and the existing communication channels strengthened, in order to increase the opportunity to obtain the foreigner's personal documents needed for return, so that such foreigners will without problems be accepted in their country of origin upon return.

The Centre has also had good experiences with foreigner identification and travel document acquisition at some foreign consular representative offices headquartered in Vienna (Republic of Austria) and Budapest (Republic of Hungary), with accreditation to the Republic of Croatia.

This action will establish and improve efficiency, stability and operation of cooperation with foreign consular missions and responsible immigration authorities in the foreigner's country of origin, and establish and increase operational cooperation with non-governmental and other non-profit organisations, as well as translators, with the purpose of identification and travel document acquisition for returning third country nationals, and ensuring quick and effective removals.

## 2. Expected grant recipients

The grant recipient is the responsible authority acting as an executing body implementing projects in association with the Police, which is a body within the Ministry of the Interior.

## 3. Where appropriate, justification regarding projects implemented directly by the responsible authority acting as an executing body

In accordance with national legislation, the Police as an authority affiliated to the MoI are the only authority responsible for executing forced removals from the country. This means that each police unit treating an alien who does not fulfil requirements for entering or residing in the Republic of Croatia, alone implements removal from the country. When foreigner cannot be removed from the country immediately due to objective reasons, he/she is accommodated at the Centre, which continues the return procedure. The Police have a monopoly position in the field of forced return, ensured by national legislation.

#### 4. Expected quantified results and indicators to be used

Indicators		
Output	Direct/short-term outcomes	Indirect/long-term impact
1) 500 implemented identification procedures.  2) Acquisition of 500 documents needed for removal.  3) 500 established contacts and expert consultations/meetings.  4) 20 meetings with local representatives in third countries.  5) Purchase of approx. 1000 pcs various symbolic protocol gift from the Police catalogue (key chains, small plaques, ribbon for USB key and similar).	1) Increased contacts with foreign representative offices.  2) Increased number of acquired travel and other documents for the needs of return foreigner.  3) Increased number of removed foreigners from the EU area.	1) Establishment of efficient and permanent system for acquisition of documents needed for return, and thus efficient implementation of return policy.

#### 5. Visibility of EC funding

The actions will be given adequate publicity. Chapter 5 of the Commission Decision 458/2008/EC laying down rules for the implementation of Decision No 575/2007/EC of the European Parliament and of the Council establishing the European Return Fund for the period 2007 to 2013 will be observed. All documentation and materials related to the projects shall be marked by the EU logo and a statement indicating the co-financing from the European Return

Fund. The Mol will properly present the role of the European Return Fund also to the beneficiaries when informing them about the implementation of the programme.

The Mol will publish on their website the values of all approved projects and the list of final beneficiaries, as well as all decisions and instructions, and also use other means to inform the public, should this prove to be necessary.

6. Complementarity with similar actions financed by other EC instruments, if appropriate

In the Republic of Croatia similar actions have not been financed by other EC instruments.

7. Financial information

The anticipated costs shall be calculated on the basis of past information, but the actual expenditure will depend on migratory flows in the Republic of Croatia. The action shall be implemented in the eligibility period of the annual programme from 1 July 2013 to 30 June 2015.

The estimated funds consist 75% of EU resources and 25% of Croatian budget, since Croatia belongs to the group of Member States receiving cohesion funds.

Value (EUR)	
EU Funds	100,000.00
Croatian Budget	33,343.33
Total	133,343.33

8. Categorisation of the action according to the typology for the Fund

LAYER 1 – ASSISTED VOLUNTARY RETURN OR FORCED RETURN	
X	<b>TYPOLOGY A – Assisted Voluntary Return</b> Share (only in case both A and B have been selected): 50%
X	<b>TYPOLOGY B – Forced Return</b>

	Share (only in case both A and B have been selected): 50%
<b>LAYER 2 (THE TEN TYPOLOGIES)</b>	
Typoogy (1 to 10)	Share (%)
7-Capacity building-infrastructure and tools	10%
10-Co-operation with third countries	80%
8-Capacity building research/best practices	10%

### **3.4. Actions implementing Priority 4: Support for Community standards and best practices on return management**

#### **3.4.1. ACTION 7: Renovation and maintenance works to modernise the Reception Centre for Foreigners and running costs for detention and provision of medical assistance**

##### 1. Purpose and scope of the action

Pursuant to the law, the Police carry out detention of foreigners who during the process of removal from the country are exclusively accommodated in the Centre. In terms of organisational structure, the Centre is a unit within the Border Police Directorate. In addition to detention of foreigners, the Centre is also in charge of their identification and all the other actions necessary for successful removal of foreigners from the EU area. In discharging these duties the Centre co-operates with foreign embassies, the Frontex agency, non-governmental organisations and other similar state bodies in EU Member States.

The Reception Centre for Foreigners is situated in Ježevo, about 30 kilometres from Croatia's capital Zagreb and is currently the only deportation centre in the country. It was opened in 1996. Now is in progress tendering for construction of building for minors and other vulnerable groups of illegal migrants, which will be financed through the IPA 2011 project Upgrading the capacities for minors and other vulnerable groups of illegal migrants in the Reception Centre for Aliens. The same project will provide for equipping of the new building, as well as for the renovation and equipping of the existing kitchen and laundry.

At present, the rest of facilities are in good condition, but equipment and parts of the structure are needed in order to modernise and to improve their efficiency.

Return Fund should be used to support an improvement of detention conditions.

The required works comprise the following actions:

- connection to the sewerage system,
- upgrade of recreation facilities used by foreigners,
- works to improve accommodation part of the building (modernisation of equipment, use of non-combustible materials, replacement of some objects regarded as threat for escapes, injuries or attacks, etc.),

The reconstruction works shall mainly comprise upgrade of alarm systems and video supervision of the facility, predominantly upgrading the video supervision system in the facility itself and surveillance of surroundings.

Within the framework of the action the Police will also finance running costs for detention (food, clothing, heating, water, electricity, cleaning services and materials, maintenance of the facility) and provision of medical assistance. Sometimes also the EU citizens can be detained in the Centre when they do not present any identification documentation, therefore until their identification is established their stay in Croatia is treated as irregular. On average in last year approximately 90% of the accommodated persons in the Centre were persons that illegally crossed the border or persons whose entry is refused and persons who are intercepted after having crossed the border illegally or when approaching the external borders with a view to illegally enter the territory of Croatia and have been issued with a return decision, however 10% were a mixed flow population. These cases can not be avoided therefore on a yearly basis a calculation will be conducted in order to ensure eligible expenditure of running costs for the Fund's target group.

## 2. Expected grant recipients

The grant recipient is the responsible authority acting as an executing body implementing projects in association with the Border Police Directorate.

## 3. Where appropriate, justification regarding projects responsible authority acting as an executing body

In accordance with national legislation, the Police as an authority affiliated to the MoI are the only authority responsible for executing forced removals from the country. This means that each police unit treating an alien who does not fulfil requirements for entering or residing in the Republic of Croatia, alone implements removal from the country. When foreigner cannot be removed from the country immediately due to objective reasons, he/she is accommodated at the Centre, which continues the return procedure. The Police have a monopoly position in the field of forced return, ensured by national legislation.

#### 4. Expected quantified results and indicators to be used

Indicators		
Output	Direct/short-term outcomes	Indirect/long-term impact
1) Renewal of roofing 2) Maintenance of the interior comprising wall painting and exchange of equipment which is worn-out or poses a safety risk 3) Purchase of additional sports equipment for recreation of foreigners and active spending of foreigners leisure time. 4) Purchase and installation of security and alarm systems. 5) Average number of people staying in the Centre and benefiting from its improved conditions is 80 per day. 6) connection to the sewerage system	1) Improved safety of accommodated foreigners and employees in the Centre. 2) Better supervision of persons detained in the Centre. 3) Better living conditions of the foreigners.	1) Long-term impact equals short-term outcomes.

#### 5. Visibility of EC funding

The actions will be given adequate publicity. Chapter 5 of the Commission Decision 458/2008/EC laying down rules for the implementation of Decision No 575/2007/EC of the European Parliament and of the Council establishing the European Return Fund for the period 2007 to 2013 will be observed. All documentation and materials related to the projects shall be marked by the EU logo and a statement indicating the co-financing from the European Return

Fund. The MoI will properly present the role of the European Return Fund also to the beneficiaries when informing them about the implementation of the programme.

The MoI will publish on their website the values of all approved projects and the list of final beneficiaries, as well as all decisions and instructions, and also use other means to inform the public, should this prove to be necessary.

6. Complementarity with similar actions financed by other EC instruments, if appropriate

IPA 2011 project „Improving the capacity of minors and other vulnerable groups irregular migrants in the reception centre for foreigners “.

7. Financial information

The action shall be implemented in the eligibility period of the annual programme from 1 July 2013 to 30 June 2015.

The estimated funds consist 75% of EU resources and 25% of Croatia budget, since Croatia belongs to the group of Member States receiving cohesion funds.

Value (EUR)	
EU Funds	300,000.00
Croatian Budget	100,000.00
Total	400,000.00

8. Categorisation of the action according to the typology for the Fund

LAYER 1 – ASSISTED VOLUNTARY RETURN OR FORCED RETURN	
	<b>TYPOLOGY A – Assisted Voluntary Return</b> Share (only in case both A and B have been selected):....%
X	<b>TYPOLOGY B – Forced Return</b> Share (only in case both A and B have been selected):100%
LAYER 2 (THE TEN TYPOLOGIES)	
Typoogy (1 to 10)	Share (%)

1- Return management (strategy)	20%
7 -Capacity building – infrastructure and tools	80%



## 4. TECHNICAL ASSISTANCE

### 4.1. The purpose of technical assistance

The purpose of technical assistance is to implement the annual programme co-financed by the European Return Fund in a transparent and financially efficient way.

The responsible authority shall allocate the financial resources for activities related to the technical and administrative assistance in the preparation and implementation of the annual programme, activities related to the provision of information and visibility of co-financing from the European Return Fund, and activities related to the printing and distribution of various publications and materials, as well as various announcements in official and other publications. Delegated authority will allocate the resources for technical assistance also for the costs arising from technical and administrative implementation of the annual programme.

Since the responsibility for two funds is in the hands of one responsible authority, one certifying authority and one audit authority, the technical assistance funds will also be utilised to finance eligible costs of activities of these bodies.

The sum foreseen for the mentioned activities is 102,191.00 EUR and it shall be used in the period of eligibility, ie. from 1 January 2013 to 31 March 2016.

Value (EUR)	
EU Funds	102,191.00
<b>Total</b>	102,191.00

### 4.2. Expected quantified results

The planned technical assistance will ensure the qualitative management of the Fund by the responsible authority, certifying authority, audit authority and delegated authority with regard to:

- the availability of information and visibility of activities financed from European Return Fund,
- information notices in official and other publications regarding public calls for tenders and other notifications,
- printing and distribution of brochures and expert materials,
- translations of various publications, materials and professional literature into foreign languages,

- eligible expenditures of the audit authority, responsible authority and certifying authority, which are required for their efficient operation,
- the organisation of information activity, presenting the achievements of the annual programme as per Article 33(2)(a) of the Implementing Rules,
- publication of information regarding final beneficiaries and projects at the web page of the Ministry of the Interior ([www.mup.hr](http://www.mup.hr)),
- information and training measures for the authorities designated by the Member State.

#### 4.3. Visibility of EC funding

Co-financing European Return Fund shall be clearly visible in any activity related to the projects co-financed by the European Return Fund in accordance with Commission Decision laying down rules for the implementation of Decision No. 575/2007/EC.

## 5. DRAFT FINANCIAL PLAN

Annual programme 2013									
Draft financial Plan									
Table 1: Overview Table									
Member State: Republic of Croatia									
Fund: European Return Fund									
(in EUR –current prices)	Ref. priority	Ref. specific priority	EU Contribution (a)	Public Allocation (b)	TOTAL (c=a+b)	%EC (d=a/c)	Share of total (e=c/Total c)		
3.1.1. Voluntary return of third-country nationals	1	1	300,000.00	100,000.00	400,000.00	75,00%	16.86%		
3.1.2. Return of third-country nationals by the Reception Centre for Foreigners	1		468,750.00	156,250.00	625,000.00	75,00%	26.34%		
3.1.3. Setting-up forced-return monitoring system	1		54,000.00	18,000.00	72,000.00	75,00%	3.03%		
3.1.4. Establishment of permanent operational cooperation with translators in the procedures of establishing the identity of foreigners on the basis of language analysis and establishment of free legal aid	1		240,000.00	80,000.00	320,000.00	75,00%	13.49%		

