

MULTI-ANNUAL PROGRAMME

EUROPEAN RETURN FUND

- ☐ Initial version
- ☒ Revised version (15/01/2014) following dialogue with the Commission
- ☐ Version revised in the light of evaluations and/or following implementation difficulties
- ☐ Version revised following the revision of the strategic guidelines

MEMBER STATE: REPUBLIC OF CROATIA

FUND: EUROPEAN RETURN FUND

RESPONSIBLE AUTHORITY: MINISTRY OF THE INTERIOR

PERIOD COVERED: 1/7/2013-31/12/2013

1. SITUATION IN THE MEMBER STATE

1.1. The national situation and the migratory flows affecting it

The entry into, departure from and residence of foreigners in the Republic of Croatia (RC) is regulated by the Aliens Act (Official Gazette Nos. 130/2011, 74/2013). In line with national legislation the authority responsible for the return of foreigners is the MoI, 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.

Moreover, the Act ensures alignment 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.

In order to comply with the above mentioned Directive, new solution Institute of return decision was introduced which implies departure of illegal third-country national migrants from the European Economic Area. Categories are defined to foreigners who enjoy special protection in the implementation of measures to ensure the safely return, such as the disabled, the elderly, pregnant women, victims of violence,

minors, single mothers with dependent children. The prolonged period of accommodation is regularly appropriated in the detention centre for foreigners and introduced in the Institute accommodation while pending for a decision on expulsion (preparatory accommodation). Protection of minors is defined through the process of deportation, as well as special treatment to foreigners who are illegally residing in the Republic of Croatia and have a residence permit in a Member State of the European Economic Area (EEA).

Based on the Aliens Act, the following Ordinances have been issued. The Ordinance on the status and work of foreigners, the Ordinance on the definition of the conditions for entry and residence in the Republic of Croatia for nationals of Member States of the European Economic Area and members of their families, and family members of Croatian citizens and the Ordinance on the Treatment of Foreigners which regulates in details the procedure for return of illegal foreigners.

STATUS OF ILLEGAL MIGRATIONS

The presented data provide a reference regarding some groups of irregular immigrants and the measures which are taken in respect of preventing and combating irregular migration.

Due to the fact that Republic of Croatia is not the final destination country to majority of illegal immigrants, exceeding the legal stay of foreigners, which is in the European Union the most common form of irregular migration, the Republic of Croatia does still not sense such an act as serious manifestation.

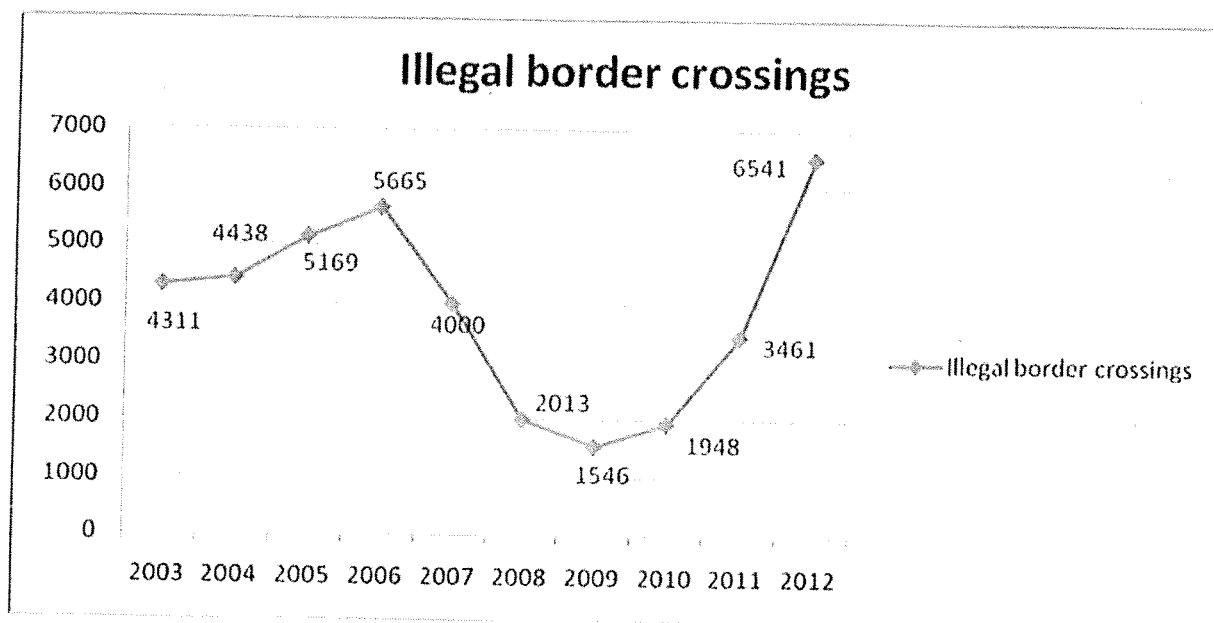
As in previous years, illegal migration in the Republic of Croatia through 2012 has retained their primary transit character. The most common form of illegal migration is still illegal border crossing.

Some of the most common ways of executing illegal crossing can be singled out, such as:

- individual or group illegally border-crossing, which are not helped by accomplices
- agreement with the drivers of transportation vehicles, for a fee, to some European destinations, so that the foreigners are transported to the border-crossing, and then illegally crossing the border on foot by bypassing the border checkpoint in order to re-load again onto the same truck

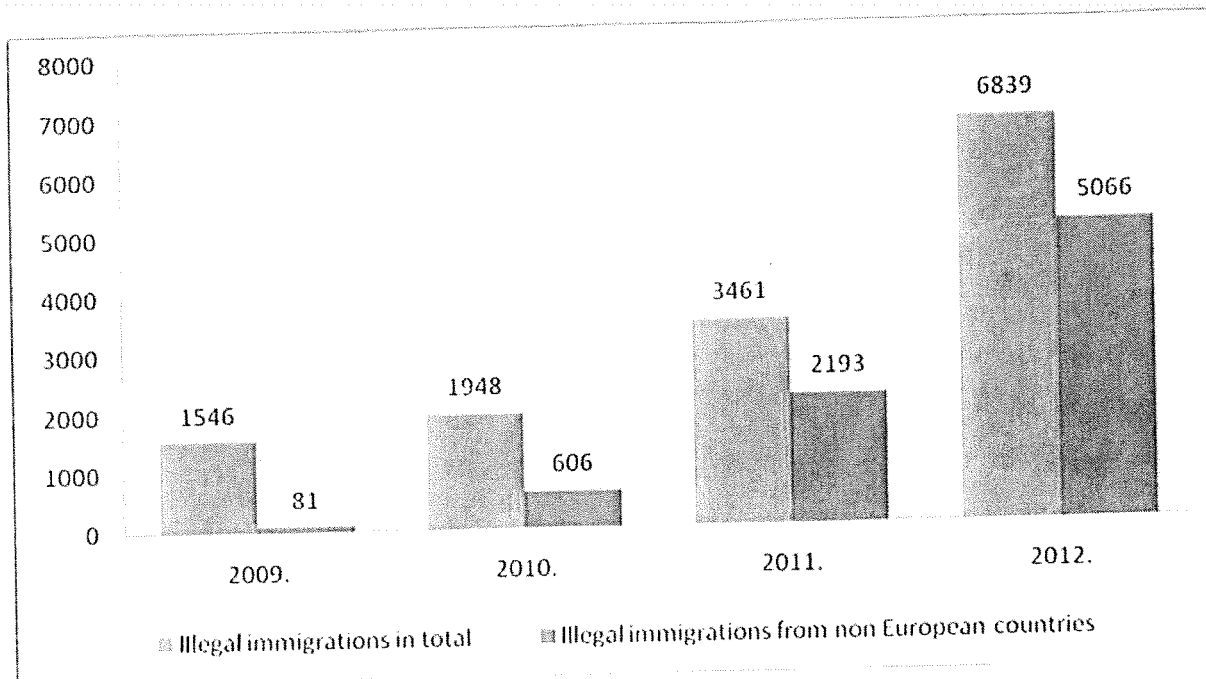
The number of irregular migrants apprehended in 2011 increased to 3,461, and in 2012 to 6839. During the 2011, 552 unaccompanied irregular minors were identified

(their number is almost twice as high as the previous year). Work is on track to build the facility for minors and other vulnerable groups of irregular migrants in Ježevo. Among others, the main nationalities of illegal immigrants who enter the Republic of Croatia include citizens from Afghanistan, Nigeria, Morocco, Algeria, Turkey, Albania, Bosnia and Herzegovina, Iran, Iraq, Kosovo, Libya, Macedonia, Somalia and Pakistan. Current statistics, however, cannot present the exact number of illegal immigrants entering the Republic of Croatia.



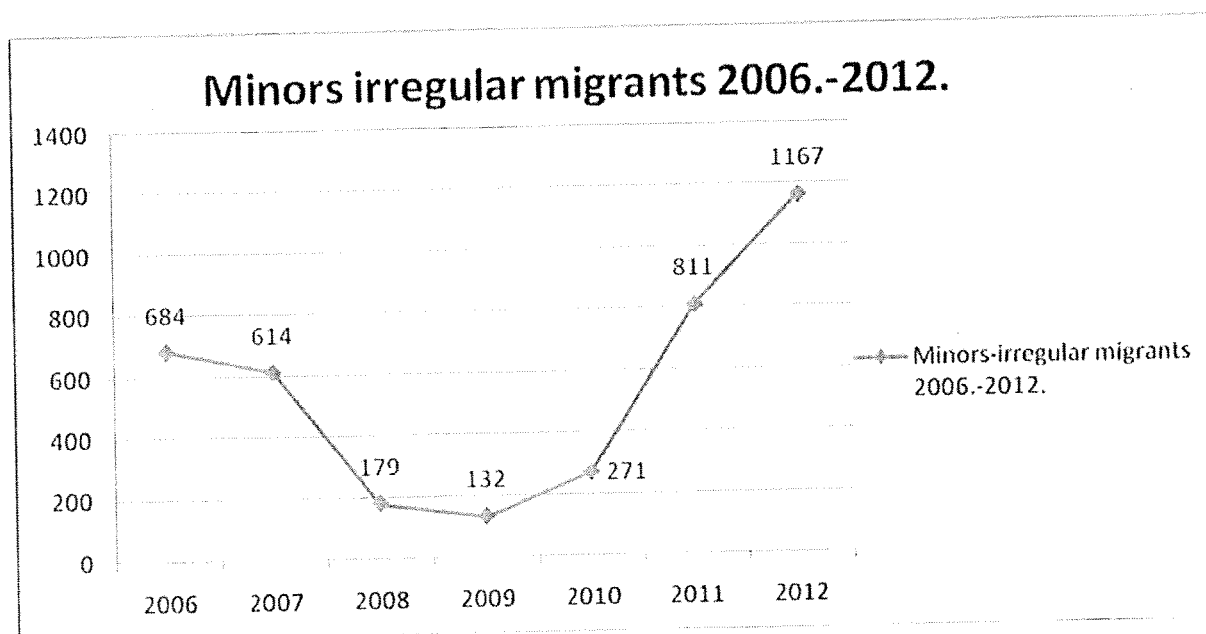
By year 2010, the most numerous illegal immigrants were nationals of countries of former Yugoslavia as well as the citizens of the countries of South-eastern Europe (Albania, Turkey).

By year 2009, the citizens of Africa and Asia countries represented only a small percentage of illegal immigrants in the Republic of Croatia. With only 5% of the total number of illegal migrants in year 2009, their share in the total number of illegal immigrants jumped up to even 78% in the year 2012 (in year 2010 the percentage was 32%, and in year 2011 the percentage rose up to 64%).



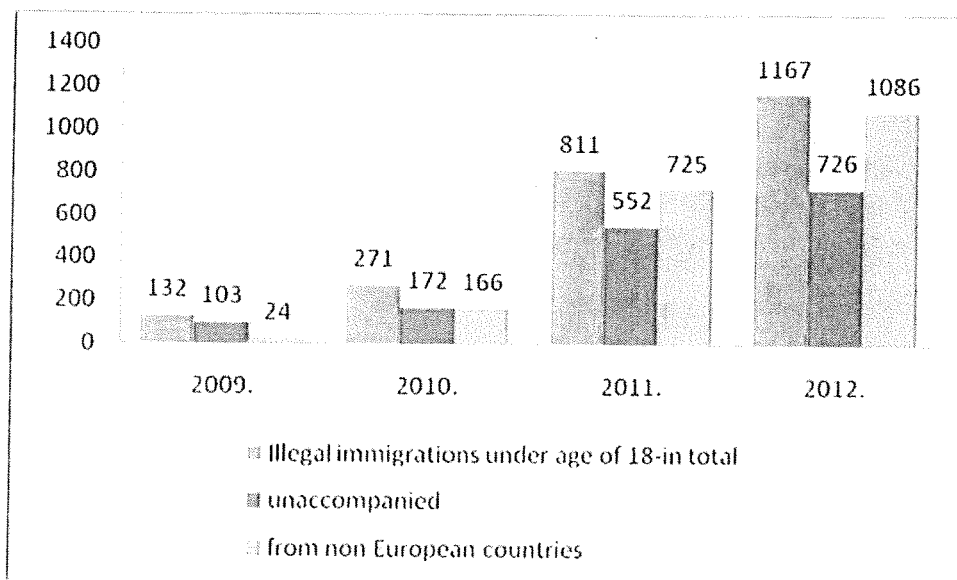
VULNERABLE GROUPS OF IRREGULAR MIGRANTS

The number of illegal immigrants who are under age of 18 years is also increasing.



There is also large number of illegal immigrants under age of 18 who are unaccompanied, and that number is also increasing. Among others, the main nationalities of illegal immigrants under age of 18, who enter the Republic of Croatia include persons from Afghanistan (598), Syria (107), Somalia (115) and Algeria (84).

Data of the number of illegal immigrants who are under age of 18 and their citizenship should be taken carefully, because those immigrants were found without identity documents, and their identity, age and nationality is not verified.



Percentage of irregular female immigrants is mostly below 10% of the total population of irregular immigrants. In year 2012 the 8% of the total number of irregular immigrants in Croatia were women (548).

Lack and abuse of documents

The issue of abusing and lack of passport and other documents is one of the biggest problems related to illegal migration in the Republic of Croatia.

In direct relation to abuse of documents, other than the offense of forging a document, is the offense of illegal name usage (which are committed by foreigners who gave police officers false personal information in order to delay or prevent their forcible removal), the offense of illegal use of document (giving document to another for improper use and using invalid document or using unassociated document).

In year 2012, there was a significant increase in treatment of aliens who had no documents of any kind (In year 2012 - 5523, in year 2011 - 2725).

DECISIONS ON LEAVING CROATIA

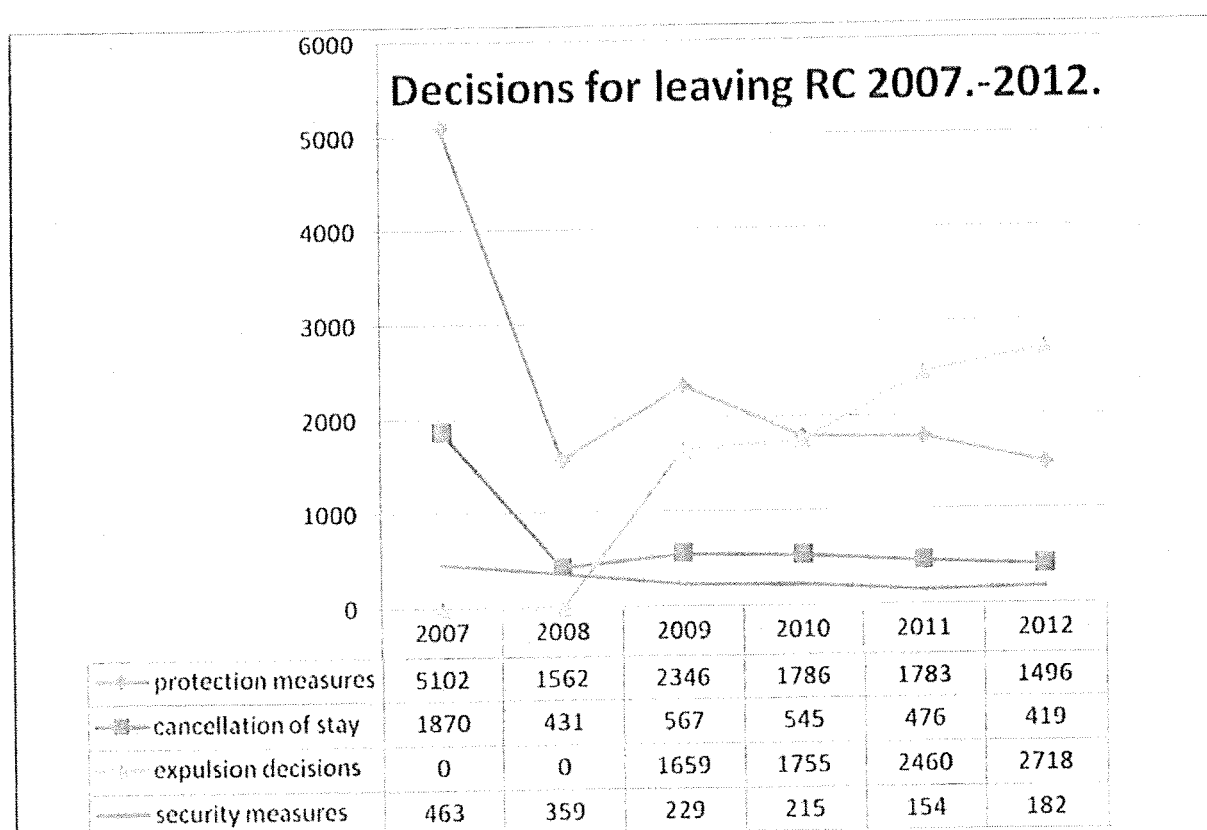
Decision-making to leave the Republic of Croatia

Although the number of illegal border crossings in year 2012 was 89% higher compared to year 2011, the number of taken measures remained at approximately the same level, except the relation to the number of decisions on the expulsion which is slightly increased, while the number of imposed protective measures for the expulsion was decreased by 16%.

Thus, in the year 2012, 2718 decision on expulsion were issued and in the year 2011 2460 decisions, which represents an increase of 10.48%.

The decision on leaving the Republic of Croatia (now Return decision), established the system of supervision of the execution of obligation to leave Croatia. In other words, foreigners with issued decision, in which a deadline to leave the Republic of Croatia was set, are required to register at the border crossing when leaving Croatia.

2303 decisions were released for leaving the Republic of Croatia, of which 1314 or 57% were carried out.

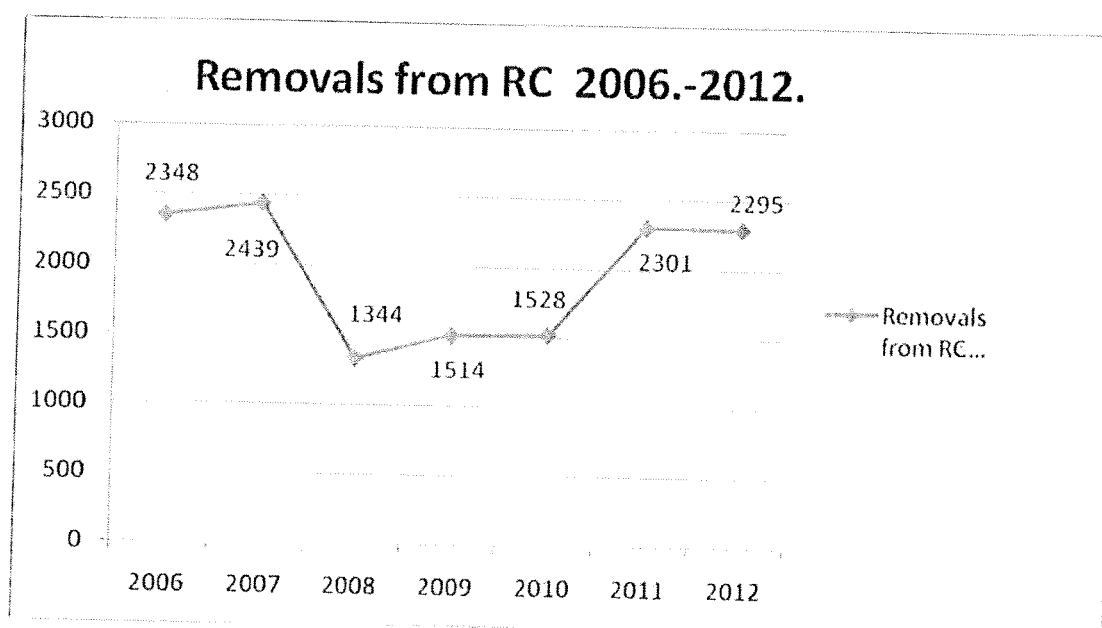


REMOVAL

Although the number of illegal border crossings has increased by 89%, the number of removed foreigners remained as on last year's level.

During the year 2012, 2295 foreigners were removed from Croatian territory, which is almost identical to the number in relation to year 2011 (2301). The main reason is the fact that foreigners avoid removal through the abuse of the asylum institute, and for a large number of foreigners it is not possible to determine the identity and to obtain travel documents.

The largest number of removed foreigners were citizens of Afghanistan - 434, followed by the citizens of Kosovo - 305, Bosnia and Herzegovina - 224, Syria - 198, Pakistan - 133 and Turkey - 121.



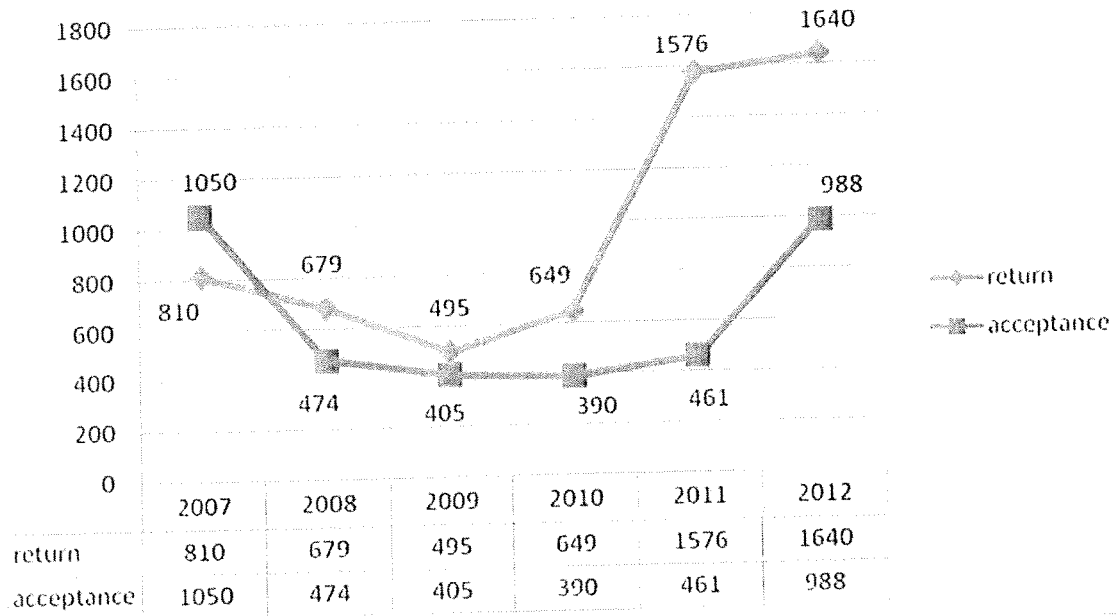
READMISSION

Service for illegal migration of MOI is competent for implementation of the 26 previously signed readmission agreements from the Croatian side.

In year 2012 long-term downward trend was continued in relation to the number of returned foreigners in accordance with readmission agreements.

A total of 988 foreigners were accepted which is 114% more than in the year 2011 (454), and 1640 foreigners were returned which is 4% more than in the year 2011 (1576).

Readmision 2007.-2012.



1.2. The measures undertaken by the Member State so far

Aliens Act stipulates that a foreigners freedom of movement may be limited to the centre for foreigners if the deportation can not be carried out and the two alternatives are a preparatory accommodation and a regular accommodation:

- *Preparatory accommodation:*

- due to ensuring their presence in the process of decision on expulsion
- if the alien is a danger to national security
- if person is convicted due to offense which is prosecuted ex officio

- *Regular accommodation:*

- has not left the EEA within the period determined by the decision of return
- timeframe for return not defined
- if there is serious doubt that this is not a minor alien
- due to establishment of identity

Reception Centre for Asylum is located within the Ministry of Interior, the Police Directorate of the Border, and same conducts forcible removal of third country nationals aliens, who are illegally residing on the Croatian territory. When performing the forced removal, the Reception Centre for Foreigners pays special attention to international standards of human rights.

Also, removal, under the Act are implemented by the Service for illegal migration within the police administration at the regional level. Those are forced removal that police officers for illegal migration perform on readmission agreements, or if it is a foreign-nationals of third countries for which there are no obstacles for the forcible removal (possession of documents).

Special attention should be paid to the participation of police officers in training for the forcible removal of third country nationals in joint flights, which is organized by FRONTEX agency.

Conclusively, not with standing the difficult experiences in this field, Croatia further reiterates that a Return policy remains an essential component of a sustainable migration policy and it will continue to do its utmost to enhance collaboration in this field amongst Member States and with third- countries.

Ministry of the Interior has been permanently working on strengthening administrative capacities using the national resources, but also resources available through international projects, international, bilateral and regional cooperation. The legislation, organisation, structure and the procedures have been deeply and extensively revised, intra and international cooperation agreements have been concluded, human

resources have been engaged, educated and trained, all of this with the assistance and according to the advice and recommendations of European Commission and EU Member States.

1.3. The total national resources allocated

Spent funds of the Ministry of the Interior for the forced removal of aliens from the Reception Centre for Foreigners, for the period from 2008 until 2012.

year	Croatian kuna	Equivalent amounts in Euro (1 HRK 7.55 EUR)
2008	5,649,304.79	748,252.18
2009	3,182,705.02	421,550.33
2010	2,148,397.12	284,555.89
2011	3,005,501.09	398,079.60
2012	2,170,775.64	287,519.86

A number of police officials have been trained in return matters, including on matters as escorting, legislation and handing –over procedures.

2. ANALYSIS OF REQUIREMENTS IN THE MEMBER STATE

2.1. The requirements in the Member State in relation to the baseline situation

In order to accomplish its tasks in the most efficient and quality way and to fulfill the requirements for EU accession, the Ministry of Interior undertook the extensive and intensive efforts to enhance its administrative capacities in all the fields of its competences.

The determination of country of origin and the procurement of travel documents are turning out to be the major obstacles vis-à-vis successful return actions and return policy in general, especially in relation to third country nationals entering the country illegally .

Indeed, closer cooperation with the third countries remains a sine qua non for the success of return initiatives, both at the national and European level, and as part of a complete integrated plan for the management of migration. In view of the difficulties indicated above, only a proactive policy design, on a national and European level, will ensure preparedness and better management of the migration flows.

For effective and efficient process of removal, how voluntary as well as forced removal, key elements are:

- identification of foreigners and obtainment of their document
- participation of the foreigners in the process of returning
- the realization of the return
- training of police officers involved in the process of return
- co-operation with NGOs

The operation of joint flights, in collaboration with Member States, is a constant requirement to finalise the process of removal of irregular immigrants.

Initiatives for return have up to now turned out to be lengthy and generally unsuccessful.

The effective implementation of removal orders and other illegal residents strongly depends on addressing the above mentioned requirements.

2.2. The operational objectives of the Member State designed to meet its requirements

In accordance with the above mentioned requirements, which Republic of Croatia should realize until the end of year 2013, the following specific priorities are:

- voluntary return of third-country nationals activities to be carried out by the selected international or non-governmental organisation:
 - 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.
- carry out forced return 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.
- Implementation of minimum protection measures to provide monitoring over removed third-country nationals by an independent authority. 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.

- The renovation of the Reception Centre for Foreigners required comprise the following actions:
 - connection to the sewerage system,
 - renewal of roofing and facade of the building,
 - upgrade of recreation facilities used by foreigners,
 - renovation works in the 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.),
- 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.
- increasing 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.
- increasing 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 extremely improves the security at removal of security-problematic third-country nationals in comparison to the removal of this category of foreigners on commercial flights.

3. STRATEGY TO ACHIEVE THE OBJECTIVES

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

Croatia agrees that Return management should be strengthened and better managed, as an integral part of migration policy. An all-encompassing approach on the policy and the operational level will be taken, as this holds the key to results that are more successful than those yielded so far.

Croatia concurs that the option of Voluntary return is preferable over forced return, as it provides for a dignified return for returnees and is also more cost-effective way.

3.1.1. Voluntary return of third-country nationals

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 an 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 an 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.

3.1.2. Return of third country nationals by the Reception Centre for Foreigners

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 provides 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 are 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 equipin are approx. EUR 15,000.

3.1.3. Setting-up of forced-return monitoring system

Republic of Croatia shall implement minimum protection measures to provide for monitoring of the removal 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.

3.1.4. 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

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.

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

3.2.1. Support for cooperation between Member States in return management

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.

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

3.3.1 Cooperation with foreign consular representative offices and responsible immigration authorities

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 foreigner 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.

3.4. Priority 4: Support for Community standards and best practices on return management

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

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 some renovations and adaptations of certain systems, equipment and parts of the structure are needed in order to modernise and to improve their efficiency. Some premises and equipment have to be renovated and adapted in order to achieve optimum efficiency.

The renovation required comprise the following actions:

- connection to the sewerage system,
- renewal of roofing and facade of the building,
- upgrade of recreation facilities used by foreigners,
- renovation works in the 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.),

Also, within the framework of the programme 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.

4. COMPATIBILITY WITH OTHER INSTRUMENTS

In the Republic of Croatia similar actions have not been financed by other EC instruments that refers to all above mentioned priorities.

5. FRAMEWORK FOR IMPLEMENTATION OF THE STRATEGY

5.1. The publication of the programme

The multiannual programme of the European Return Fund and the actions planned under this programme shall be published according to Articles 31, 32, 33 and 35 of the Implementing Rules.

The programme will be placed on the website of the responsible authority - the Ministry of the Interior (<http://www.mup.hr>), as soon as the programme is approved by the Commission.

The responsible authority will organise an information meeting after the approval of the multiannual programme which shall be aimed at presentation of priorities and objectives of the multiannual programme.

Moreover, the responsible authority will inform the public and potential final beneficiaries regarding the programme and the projects co-financed by the ERF.

In general, the responsible authority will ensure that information and publicity measures are implemented with the aim of the widest possible media coverage using various forms and methods of communication.

5.2. The approach chosen to implement the principle of partnership

The responsible authority, in cooperation with associated body, implement partnership with the authorities and bodies which are involved in the implementation of the multiannual programme or which are able to make a useful contribution to its development.

As soon as the programme is approved by the Commission the responsible authority shall establish the Coordinating Committee in which all bodies involved in the Fund's implementation are represented. It is composed of members and their deputies representing responsible authority, certifying authority and associated body. The representatives of audit authority are members of the committee as observers. Representative of the Ministry of Regional Development and EU Funds, which is coordinating body for structural funds and cohesion funds, is also a member of the committee.

6. INDICATIVE FINANCING PLAN

6.1. Community Contribution

6.1.1. Table

Multiannual programme Draft financial Plan								
Table 1: Community Contribution								
Member State: Republic of Croatia								
Fund: European Return Fund								
(in 000' euros –current prices)	2008	2009	2010	2011	2012	2013	TOTAL	
3.1.1.Voluntary return of third-country nationals						300.00	300.00	
3.1.2.Return of third-country nationals by the Reception Centre for Foreigners						468.75	468.75	
3.1.3.Setting-up forced-return monitoring system						54.00	54.00	
3.1.4. Establishment of permanent operational cooperation with translators in the procedures of establishing the identity of foreigners on the						240.00	240.00	

6.2. Overall financing plan

6.2.1. Table

Multianual programme Draft financial Plan							
Table 1: Overall Financing Plan							
Member State: Republic of Croatia							
Fund: European Return Fund							
(in 000' euros –current prices)	2008	2009	2010	2011	2012	2013	TOTAL
Community Contribution						1,804.941	1.804.941
Public cofinancing						567.593	567.593
Private cofinancing						0	0
TOTAL						2372.534	2372.534
% Community Contribution						76.08%	76.08%

MINISTER OF THE INTERIOR

Ranko Ostojic

