

ANNEX 1

ANNEX 1 to the Commission Decision approving, for Croatia, the multi-annual programme and the annual programme for 2013 for the European Refugee Fund and the co-financing for 2013 from that Fund

MULTI-ANNUAL PROGRAMME

EUROPEAN REFUGEE FUND

☐ Initial version

☒ Revised version (04/12/2013) 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
REFUGEE FUND** RESPONSIBLE AUTHORITY: **MINISTRY OF
INTERIOR** PERIOD COVERED: **01/07/2013 - 31/12/2013**

1. SITUATION IN THE MEMBER STATE

1.1 The national situation and the migratory flows affecting it

The Republic of Croatia is a mid-European country which became Member State of the European Union on 1 July 2013. Main feature of its geographical position is that the Republic of Croatia as a EU Member State represents an external border of EU and that fact has fundamental impact on the nature of the migration flows. The asylum system of the Republic of Croatia is aligned with the "acquis " and the EU standards from the II phase Establishment Common European asylum system where the national legal base is Asylum Law (OG 79/07 and 88/10) and its implementing acts. This Law stipulates the procedure for granting asylum and subsidiary protection and the rights of asylum seekers, refugees and persons under subsidiary or temporary protection. First instance authority on taking decisions in the asylum procedure is the Ministry of Interior, and second instance authorities are administrative courts. Croatian asylum legislation will implement provisions of the Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted.

In 2012 the Republic of Croatia recorded 1036 asylum applications in relation to 1194 asylum seekers. Main countries of origin were Afghanistan, the Somali Republic and Algeria and during that year there were 21 asylum and 14 subsidiary protections granted.

Table 1. Number of asylum seekers per year (2004-2012)

Year	No. asylum seekers
2004	107
2005	184
2006	103
2007	198
2008	154
2009	148
2010	290
2011	807
2012	1194

Until the middle of 2010 number of asylum seekers in the Republic of Croatia was quite low. Due to Croatia's approaching membership in the European Union, as well as caused by political instability and changes in the countries of origin, that number has started to increase quickly. In 2010 the recorded growth of asylum seekers was 100% in relation to 2009, and in 2011 the increase was 250% in relation to 2010. (in comparison to 2009, there was a growth of more than 5 times in 2011). In 2012 the number of recorded asylum seekers was 1194. + 2013 ????

In the next period, particularly because of the fact that the Republic of Croatia has become a Member State of the EU, and increased number of asylum seekers is expected, as well as an increased number of asylum seekers for whom the Republic of Croatia is going to be the final destination and not only the transit country.

1.2 The measures undertaken by the Member State so far

The Reception Centre for Asylum Seekers is situated in Kutina and the facility is appropriately arranged and equipped for asylum seekers receipt and accommodation, in accordance to international standards and best practice examples. Conditions of reception and accommodation meet also the standards for accommodation of vulnerable persons. This location functioned since mid-2006. Given the limited capacity of the Reception Centre in Kutina and the steep rise of the numbers of asylum seekers, since June 2011 an additional location for asylum seekers in the city of Zagreb has been established, with a total capacity of 250 persons and with the possibility of capacities extension.

In response to the continuously increasing number of asylum seekers and therefore increased number of asylum requests, the Republic of Croatia has made steps toward increasing the facilities for reception of asylum seekers. Therefore, the Ministry of Interior plans to extend the capacities in Zagreb by the end of 2013, with this location to be the main entry centre, while Reception Centre in Kutina will accommodate only vulnerable asylum seekers. This means that the overall accommodation capacity for asylum seekers will be extended to app. 700 persons (capacity for 600 persons in Zagreb and 100 persons in Kutina).

Asylum procedure begins with the submission of an application for asylum in the Reception Centre for Asylum Seekers. An application can be made at border crossings and police administrations/police stations. Shortly after submission of the application the Ministry of Interior pursue the interviews and after that takes a decision in the first instance. During the procedure asylum seekers are accommodated in the Reception Centre where all basic services are provided. The right on free translation, interpretation and free legal assistance is provided as well. During the procedure identity cards for asylum seekers are issued.

Asylum seekers have the right on free movement within the territory of the Republic of Croatia, with the exception of restricted movement upon the reasons stipulated by Laws and upon the decision issued. In cases case asylum seekers are placed in Reception Centre for Aliens in Ježevo(closed centre ?).

The first instance proceedings end by a decision of rejection or granting international protection. In the case when an asylum seeker is not satisfied with the first instance decision he/she has the right to file a complaint to the administrative court and it is submitted with support of free legal assistance.

During the procedure for granting asylum, asylum seekers are entitled to:

- residence in Republic of Croatia
- adequate material condition for living and accommodation in Reception center
- health care
- primary and secondary education
- free legal assistance
- humanitarian assistance
- freedom of religion and religious education for children
- access to work

Within the competence of the Department for Asylum of the MOI is also the coordination of integration affairs for refugeess and persons under subsidiary protection. After asylum is granted in the Republic of Croatia, an officer for integration coordinates activities and assists refugees to assume their rights. Integration covers rights on residence, accommodation, access work, health care, education, social care and learning the Croatian language. Regarding integration the Ministry of Interior cooperates both with other government authorities and non-governmental organizations which provide assistance on integration to refugees and persons with subsidiary protection.

First step in integration is registration of residence in competent police administration/police station and then issuing the ID card. All necessary documents are issued to refugees and persons under subsidiary protection in order to realize all their rights and obligations (e.g. ID card, certificate for residence, certificate of register number).

Accommodation of refugees and persons under subsidiary protection in flats is under the competency of the Ministry of Social Policy and Youth. In case all accommodation capacities are used, it would be the officer for integration who finds appropriate accommodation by advertisements and then informs competent social care Centre as they will be able to make a contract on lease. Afterwards the Centre takes care of all bills and renting expenses.

The refugees and persons under subsidiary protection are registered with the Croatian Employment Office and they have all rights that this institution provides.

The refugees and persons under subsidiary protection have rights to health care equally to Croatian citizens, and are covered by the obligatory health care in the Republic of Croatia. All costs are financed by the State Budget. Regarding the rights on education, refugees and persons under subsidiary protection have the right to primary, secondary and higher education under the same condition as Croatian citizens. In October 2013 there were two children involved in a pre-schooling programme (kinder garden), 10 children in primary school, seven in secondary and one child is up to be involved, and three are attending university education.

The refugees and persons under subsidiary protection realize their rights on social care under same circumstances as Croatian citizens. Persons with granted international protection are users of maintenance aid, periodical financial assistance and assistance provided by local communities in line with the Social Care Act (O.G. 33/12). Families with children are entitled to child allowance.

Granted protection in Republic of Croatia till 1 May 2013. *Table*

2: Granted asylum in Republic of Croatia

Country of origin	total
SUDAN	1
AFGHANISTAN	12
UZBEKISTAN	3
TURKEY	6
REPUBLIC OF SOMALIA	1
RUSSIAN FEDERATION	10

UKRAINE	5
ARMENIA	1
REPUBLIC CONGO	3
REPUBLIC OF MOLDOVA	2
REPUBLIC ZIMBABVE	1
ERITREA	1
IRAQ	2
SYRIA	1
 NIGERIA	 1
TOTAL	50

Table 3. granted subsidiary protection

COUNTRY OF ORIGIN	TOTAL
PAKISTAN	3
REPUBLIC SERBIA	1
AFGHANISTAN	8
SUDAN	1
IRAQ	1
GEORGIA	4
STATELESS	1
UKRAINE	1
SYRIA	12
REPUBLIC OF SOMALIA	6
TOTAL	38

1.1. The total national resources allocated

The table presents the expenditure for material costs of operation and improvement of the asylum system financed from the budget of the Ministry of Interior.

Year	Expenditure HRK	Expenditure EUR
2008	1 520 290	202 700
2009	813 000	107 000
2010	585 000	78 000
2011	691 362.62	92 000
2012	7 498 625	1 000 000
2013 (until 8 November)	8 747 865.62	1 166 000

2. ANALYSIS OF REQUIREMENTS IN THE MEMBER STATE

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

The Republic of Croatia recorded a significant growth in the number of asylum seekers in the last three years and it is expected that this number will continue to grow.

The Ministry of Interior as a responsible body has to be able to provide uniform assistance to all asylum seekers regarding legal assistance and right to translation and interpretation. Asylum seekers have the right to free legal assistance during the whole asylum procedure. For this purpose means from the European Refugee Fund are going to be used for financing free legal assistance as well as translation and interpretation.

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

- Continuous implementation of legal protection for asylum seekers during procedure and providing legal representation in as well in second and third instance
- Asylum seekers are continuously enabled to realize legal rights to translation and provided interpretation
- Informing asylum seekers about their rights and obligations in languages that they understand well, in speech and writing.

3. STRATEGY TO ACHIEVE THE OBJECTIVES

Over the programming period the Republic of Croatia intends to target only Priority 1, Priority 2 although obligatory will not be targeted because of the limited funding available.

3.1. Priority 1: Implementation of the principles and measures set out in the Community acquis in the field of asylum, including those related to integration objectives

The goal is the improvement of the asylum procedure through continuous provision of free legal assistance and the engagement of interpreters/translators in the course of asylum procedures. The target group is asylum seekers .

3.1.1. Providing free legal assistance to asylum seekers

Responsible authority will enable realisation of the right to free legal assistance for asylum seekers in procedures in first, second and third instance. This will ensure stronger legal protection of asylum seekers and provide for easier decision making during asylum procedure.

The objective:

- stronger legal protection of asylum seekers and provide for easier decision making during asylum procedure.

Indicators:

- Number of legal representations (please put an estimate for the number of representations,
- Number of decisions on asylum applications (idem please put an estimate).

3.1.2. Financing costs of translation and interpretation

Asylum seekers have the right to be actively involved in the asylum procedure, with the assistance of an interpreter/translator. Asylum seekers also need help of interpreters/translators in realising other rights (social care, health care etc.). Interpreting/translation as well helps in avoiding potential conflict situations. It is important that asylum seekers receive all necessary information both in oral and in written form.

The objective:

- Quality and timely interpretation and translation in the course of asylum procedures for the asylum seekers and provision of their rights.

Indicators:

- Number of translated decisions and other relevant documents during asylum procedures (idem as above please give an estimate of the number)
- Number of interpreted interviews and other relevant interpretations in relation to procedures and provision of rights, (idem as above please give an estimate of the number)

- 4. COMPATIBILITY WITH OTHER INSTRUMENTS

Currently the Republic of Croatia does not benefit from any EU Fund financing the actions in the field of asylum.

Two program operations under the Transition Facility Fund are being prepared in the field of strengthening capacities in the area of asylum, immigration and fundamental rights: Supply of Equipment for EURODAC- Second Phase, and Reconstruction of Accommodation and Accompanying Facilities in Reception Centre for Asylum Seekers in Kutina. These two operations are of different nature than the actions to be financed with European Refugee Fund assistance. Risks for double funding will carefully be looked into.

5. FRAMEWORK FOR IMPLEMENTATION OF THE STRATEGY

5.1. The publication of the programme

The multi-annual programme of the European Refugee Fund and the actions planned under this programme shall be made public according to the 31, 32, 33 and 35 articles 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 for the public and potential final beneficiaries after the approval of the multi-annual programme which shall be aimed at the presentation of priorities and objectives of the multi-annual programme.

Moreover, the Responsible authority will inform at an annual event regarding the annual 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, implements partnership with the authorities and bodies which are involved in the implementation of the multi-annual 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 (full or observer?). What about involvement of NGO's and int.organisations like UNHCR, IOM?

6. INDICATIVE FINANCING PLAN

6.1 EU Contribution

6.1.1. Table

Multiannual Programme - Draft Financial Plan Table 1: EU Contribution								
Member State: REPUBLIC OF CROATIA								
Fund: EUROPEAN REFUGEE FUND								
<i>(in 000' euros - current prices)</i>		2008	2009	2010	2011	2012	2013	TOTAL
Priority 1:							85 717	85 717
Priority 2							0	0
Priority 3							0	0
Technical Assistance								0
TOTAL		0	0	0	0	0	85 717	85 717

6.2 Overall financing plan

6.2.1. Table

Multiannual Programme - Draft Financial Plan Table 2: Overall Financing Plan								
Member State: REPUBLIC OF CROATIA								
Fund: EUROPEAN REFUGEE FUND								
<i>(in 000' euros - current prices)</i>		2008	2009	2010	2011	2012	2013	TOTAL
EU Contribution							85 717	85 717
Public cofinancing							28 572,33	28 572.33
Private cofinancing								
TOTAL		0	0		—		114 289.33	114 289.33
% EU Contribution		%	%	%	%	%	75 %	75%

MINISTER OF THE INTERIOR Ranko Ostojić