



A European Perspective of the Migration Crisis: Croatian Experiences

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The Croatian Experience in the Migration Crisis 2015 and 2016

The migration crisis in the Republic of Croatia started on 16 September 2015 in the territory of the Vukovar-Srijem Police Directorate. At that time, the migration wave was diverted from the route towards Hungary to the town of Tovarnik over the “green border”. On this day more than 1.600 persons, all migrants, were diverted. On the second day of the migration crisis, the maximum number of entries was recorded when more than 11.000 migrants targeted the Republic of Croatia, coming from the Republic of Serbia, which was the result of the fact that their shelters in Serbia were vacated and the migrants were transferred in an organized way to the border of Croatia on the territory of the two Police Directorates of Vukovar-Srijem and of Osijek-Baranja. Since the very beginning of the migration crisis, 658.068 migrants have entered Croatia. On average, Croatia has witnessed a rate of nearly 5.500 entries each day.

The level of refugees and migrants coming to Croatia remained high until late 2015. Since the beginning of 2016, the number of migrants coming to Croatia has noticeably declined to a rate of 500 to 2.000 per day, while on some days the number has increased up to 3.000.

The inflow of refugees and migrants along the Western Balkans route presented a challenge that was not solved at just the national level. An international and unified response was necessary in resolving the migration crisis, in order to prevent the occurrence of an unsustainable situation, with possible consequences for Croatia as well. The implementation of activities based on the EU Leaders’ Agreement (Juncker Plan), reached on 25 October 2015, did not lead to alleviation.

The continuously high inflow of illegal migrants into the EU along the Balkans route provoked individual member states (Germany, Austria, Slovenia in November and December 2015 and January 2016, Hungary beforehand) to take independent, partial and inadequate police actions aimed at combatting

the current migration crisis. If the neighboring countries had completely closed their borders, the Western and Northern parts of Croatia would have found themselves in a rather challenging situation, where Croatia would have had to provide shelter for numerous migrants, whose numbers would, according to the analytical forecasts (at that time, there was a temporary decline due to bad weather) rise in 2016. On the basis of the Protocol, *Cooperation in the Migration Crisis and Prevention of Illegal Migration*, signed between the Police Directorates of the Ministry of the Interior of the Republic of Croatia and the Ministry of the Interior of the Republic of Serbia on 3 November 2015, the transfer of migrants from the railway station in Šid, Serbia, over to the temporary winter transit centre for migrants in Slavonski Brod, Croatia, towards Dobova, Slovenia, was implemented.

Due to certain partial measures taken by the Austrian and Slovenian Police Authorities, which aimed at singling out “economic” migrants, i.e. those who do not fulfil the prerequisites for receiving international protection, and those who came from countries in which there were no armed conflicts under way, the separation of such migrants from those fleeing conflict zones, such as Syria, was undertaken by the Serbian police in Šid. As a consequence of this measure, Croatia saw a decline in the number of migrants entering the country. This type of profiling, however, is very sensitive and difficult to perform; it inevitably provoked an increase in attempts at illegal border crossings over the Croatian-Serbian border and remaining borders on the migrants’ journey. Further action taken by the Austrian and Slovenian Police Authorities, which were most probably encouraged by the Federal Police of the Federal Republic of Germany in December 2015 and early in January 2016, at that point in time, dealt with migrants with false identities and false citizenship, respectively, or migrants without documents or with documents of other persons or with forged travel documents. This policy could result in a massive refusal to transfer migrants and would lead to diverting a considerable number of migrants to attempt at illegally crossing the “green border” (state borders outside official border crossings), which had already taken place in September and October 2015.

On 15 January 2016, the Austrian Liaison Officer to the Republic of Croatia sent, by e-mail, a letter from the Director of the Austrian Federal Police with an offer for a Tripartite (Austria, Slovenia and Croatia) Memorandum of Understanding which clearly was not favorable for Croatia. The letter presented an unsystematic approach towards treating persons who fulfilled the prerequisites for international protection. In this sense the letter could be seen as contrary to international law and the EU Convention for the Protection of Human Rights and Fundamental Freedoms.

The proposed Memorandum implied the secondment of Slovenian and Austrian officers to the Republic of Croatia. These officers would “assist” Croatian police officers in profiling three categories of migrants and ban their entry. These categories were:

- Individuals with false identity
- Individuals without travel documents
- Individuals with forged documents.

In the event that Croatia or other countries on the already established migrant route failed to perform such profiling, the route could become diverted and find its way through other countries on the EU’s external border, especially Bosnia and Herzegovina, thereby making the migration crisis more difficult to control.

The Registration Procedure and Granting Asylum

The Ministry of the Interior, the Croatian Law Centre, and the staff of other NGOs that deal with the protection of refugees’ rights, offered in their everyday, direct contacts with the refugees on the spot information about the possibilities of applying for international protection in Croatia, as well as the procedure of how such protection is granted. For this purpose, they distributed leaflets that were written in different languages and contained valuable information and practical advice on how to seek asylum or subsidiary protection in Croatia. In the temporary winter transit centre for migrants in Slavonski Brod all of the important information concerning the obligation to register, the possibility of expressing one’s intention to apply for international protection, shelter, the organization of and the services in the camp (family reunification, medical care) was broadcast on a video wall in Arabic, Farsi and Urdu.

The registration of migrants means taking photographs, establishing their identity and taking fingerprints from persons older than 14 years. On the basis of the registration data a notice on the obligation to voluntarily leave the Republic of Croatia is issued, written in a language for which it is justified to expect that it is understood by the migrant. When the reception centre started its work in Slavonski

Brod, the registration procedure was accelerated due to the use of tablets, so that the registration was done digitally and automated.

The Republic of Croatia was ready to enter the relevant data, with respect to the Council Regulation (EU) No. 603/2013 that established the Eurodac system, into the Central Eurodac Unit as soon as Greece, being the first EU country that migrants entered, also fulfilled these provisions. In the first days of the crisis, until 20 September 2015, Croatia fully respected the required procedure.

The National Political Situation

When the migration crisis started, Croatia was preparing for the parliamentary elections that took place in November 2015. The Government, lead by Prime Minister Zoran Milanović, protected Croatia’s national security and effectively managed the crisis. The Minister of the Interior, Ranko Ostojić, was the designated head of the crisis management task force. He performed and monitored all of the activities associated with the migration crisis and daily briefed foreign representatives and the public through the media about the situation in Croatia. The crisis management team showed its full efficiency in its high-quality coordination with NGOs, and safeguarded quick decision-making.

As the parliamentary elections were approaching, the Government had to show that it was able to control the crisis; otherwise, any failure would result in a benefit to the opposition. The issue of migrants started to dominate the political scene. The government position was that Croatia would do its part of the job, enable



Balkan route

the untroubled and humane transit of the migrants through its territory, but would not allow itself to become a refuge for the migrants, although it was exactly how the opposition presented the situation and criticized the government for allegedly making Croatia into a migration hot spot.. The President of the Republic of Croatia spoke exclusively about security measures, addressing first of all the security problems that had arisen as a result of the high inflow of migrants into the country. She permanently invoked the use of the military for the “protection” of the state border, but the Prime Minister dismissed the proposal several times, as being unjustified and unconstitutional. The Croatian priority was to safeguard the untroubled transit of migrants through Croatian territory. First of all, we wanted to secure free transit. Thus, the Government wanted to show that Croatia could take responsibility and had the capacity to assist the migrants with food, temporary shelter and medical care. For the majority of Croatian citizens, the migrants were visible only through the media. The opposition criticized the Government for the alleged failure of not having succeeded in reaching an agreement with Hungary and Slovenia. This criticism deteriorated Croatia's relationship with its neighbors and helped prevent the possibility of finding a joint solution.

The Coalition “Croatia is Growing”, led by Zoran Milanović, in the end did not win a majority in the parliamentary elections. The new coalition Government, led by Prime Minister Orešković, did not use the same discourse when managing the migration crisis. The work of the crisis management task force for refugees was suspended, the reception and asylum system was changed, and the centre in Slavonski Brod was closed due to the Macedonian-Greek border blockade. All of which did not solve the problem, rather it simply postponed it.

Conclusion

If we wish to create a Europe that is tolerant, respects equality and unifies, rather than divides, while also one in which everyone, who has the right to be here, is welcome, and a place where migrants can be integrated in order to develop a better society, it is necessary to:

- Solve the root of the problem with the intention of resolving conflicts and providing stability in the Middle East, while also offering support to the key UN agencies involved in the migrant crisis. It is important to use the integrated approach: defence/security, progress, diplomacy.
- Establish a well-organized legal asylum system in such a way that efficient integration policies are proposed, which offer a basic approach to rights like education, medical care, welfare housing, access to the labour market and the right to an adequate standard of living. It is important that these basic rights are agreed upon between the national, regional and local authorities.



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- Revise the Dublin Agreement in order to allow an even distribution of migrants throughout the EU.
- Implement the Agreement with Turkey and carry on the negotiations on the EU accession of Turkey in accordance with our values, such as respect of media freedoms, human rights, independent justice system and the fulfilment of the Copenhagen Criteria, which all countries aspiring to membership must adhere to.
- Guarantee that every EU member state complies with the agreements from the previous EU summits and assume their part of the responsibility. Member states must secure basic services in order to protect vulnerable groups and respect their rights.

The European responsibility must contain the basic human rights of migrants founded on solidarity, responsibility and humanity. Further agreements and the adoption of asylum related regulations are urgent. The right of asylum and protection is of fundamental importance and should be maintained.