

Temporary Protection Croatia

This annex on temporary protection complements and should be read together with the [AIDA Country Report on Croatia](#).

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Temporary Protection Procedure

A. General

Following the Council's Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, on 7 March 2022, the Croatian Government adopted the Decision on the Introduction of Temporary Protection in the Republic of Croatia for Displaced Persons from Ukraine (hereinafter: Government's Decision).¹

Pursuant to the Decision, Croatia shall grant temporary protection to the citizens of Ukraine and members of their families:

- a) residing in Ukraine on 24 February 2022 and who left Ukraine since 24 February 2022;
- b) stateless persons and third country nationals who were under international or equivalent national protection in Ukraine on 24 February 2022 and members of their families who were granted residence in Ukraine on 24 February 2022 and who left Ukraine since 24 February 2022;
- c) third country nationals who had a valid permanent stay in Ukraine on 24 February 2022 in accordance with Ukrainian regulations and who cannot return to their country or region of origin in safe and permanent conditions and who left Ukraine since 24 February 2022.

Regarding those who had fled Ukraine before 24 February 2022, temporary protection shall also be granted to the displaced citizens of Ukraine and members of their families who left Ukraine immediately before 24 February 2022 due to the security situation and cannot return to the country because of the armed conflict. According to the official statement of the Ministry of Interior,² 'immediately before' is to be considered as starting from 1 January 2022. There is no data available on cases of people directly or indirectly displaced as a result of the conflict not falling under temporary protection. According to the official statistics of the Ministry of Interior on the number of applicants for international protection in 2022 by nationality, nationals of the Russian Federation resulted in the second most numerous group of applicants for international protection in the Republic of Croatia, with 2,064 applications submitted. It might be assumed that this number is high due to the outbreak of conflict on the territory of Ukraine, as the number of applications submitted by Russian citizens in 2021 was only 8. However, there is no data available on the reasons for seeking international protection for Russian nationals.

The only official data available on persons entitled to temporary protection in the country only enumerates the number of persons displaced from Ukraine who entered the territory of the Republic of Croatia from 25 February to 31 December 2022. The data displayed does not indicate the citizenship, nor the current status of persons displaced from Ukraine. Data is available on the *Croatia for Ukraine* web-page and shows that, in the previously mentioned time period, a total of 22,407 displaced persons from Ukraine entered the Republic of Croatia, of which 11,162 (49.8%) were women, 3,802 (16.9%) were men, and 7,443 (33.3%) were children.³

On the other hand, Eurostat data⁴ shows the following numbers: 19,275 persons displaced from Ukraine have been registered for temporary protection in the Republic of Croatia until 31 December 2022, while the number at the end of January 2023 was 19,390.

¹ Croatian Government, Decision on the Introduction of Temporary Protection in the Republic of Croatia for Displaced Persons from Ukraine, available in Croatian at: <https://bit.ly/37yIO2c>.

² Information provided by Ministry of Interior on 10 November 2022.

³ Ministry of Interior: <https://bit.ly/3MOFgZm>.

⁴ Eurostat, Temporary protection for persons fleeing Ukraine - monthly statistics, available at: <http://bit.ly/3z1ScEU>.

However, in first few months of 2023, for the purposes of writing the national report on the system of international protection in Croatia, CLC received statistical data from UNHCR Croatia, which had been prepared by the competent ministries and related to persons under temporary protection.

According to data sent by the Ministry of Interior,⁵ 19,885 applications for temporary protection were submitted until 31 December 2022, while a total of 19,440 applications were approved.⁶ On the other hand, 28 applications were rejected and 25 were dismissed, while there were 401 suspensions⁷ and 371 applications in process on 31 December 2022. However, the sum of approved, dismissed, denied, suspended applications and those still in process on 31 December does not correlate to the total number of submitted applications in 2022 as mentioned by the Ministry of Interior in the report.⁸ Furthermore, there were no cases of exclusion from temporary protection, nor cancelation of temporary protection due to the voluntary return to Ukraine.

Further figures provided related to the gender of persons granted temporary protection; of the 19,249 persons who were granted temporary protection until 31 December 2022, 50.6% (9,745) were women, 15.4% (2,962) men and 34% (6,542) minors.⁹ In addition, Ministry of Interior stated that 161 minors were not accompanied by an adult, while 632 minors were not accompanied by their parents. On the other hand, the Ministry of Labour, Pension System, Family and Social Policy's statistical data shows that the total number of unaccompanied or separated minors who came to Croatia without their parents or legal guardian in 2022 was 413.¹⁰

According to statistical data from the Ministry of Interior, the overview of the number of persons under temporary protection in Croatia by category was as follows. 18,172 citizens of Ukraine, 741 citizens of Ukraine who left Ukraine before 24 February 2022, 211 family members of Ukrainian citizens, 42 family members of Ukrainian citizens who left Ukraine before 24 February 2022, 63 third-country nationals with permanent residence in Ukraine, 3 third-country nationals under international protection in Ukraine, 2 family members of a third-country national under international protection in Ukraine, 10 minor children, 4 others, 1 refugee (humanitarian reasons).

B. Qualification for temporary protection

Pursuant to the Government's Decision, Croatia shall grant temporary protection to the citizens of Ukraine and members of their families:

- a) residing in Ukraine on 24 February 2022 and who left Ukraine since 24 February 2022;
- b) stateless persons and third country nationals who were under international or equivalent national protection in Ukraine on 24 February 2022 and members of their families who were granted residence in Ukraine on 24 February 2022 and who left Ukraine since 24 February 2022;

⁵ Croatian Law Centre, *The Croatian Asylum System in 2022- National Report*. The report was prepared as part of the project "Legal Assistance and Capacity Building for Access to Territory and Asylum in Croatia", with financial support of the UNHCR Croatia: available in English at: <https://bit.ly/434T7RL>

⁶ While in another part of the Ministry of Interior's report another number of approved applications in 2022 was mentioned – 19,249.

⁷ According to the Ministry of Interior 's data this includes persons who submitted an application, but subsequently withdrew it, whether they themselves requested regulation of residence based on the Aliens Act, or they went to another member state and they regulated residence there; also persons who, after submitting an application did not report to the competent police station for delivery of the ID; or were not found at the address of residence that they indicated.

⁸ The mentioned sum is 20,265, while Ministry of Interior stated that the total number of submitted applications is 19,885.

⁹ Here the Ministry of Interior report states that 19.249 persons were granted with temporary protection, i.e. the number of approved applications is lower than the number mentioned earlier in the same report – 19.440.

¹⁰ Letter from the Ministry of Labour, Pension System, Family and Social Policy dated 6 March 2023, received by the UNHCR on 29 March 2023, internal documentation of the Croatian Law Centre.

- c) third country nationals who had a valid permanent stay in Ukraine on 24 February 2022 in accordance with Ukrainian regulations and who cannot return to their country or region of origin in safe and permanent conditions and who left Ukraine since 24 February 2022.

Furthermore, temporary protection shall also be granted to the displaced citizens of Ukraine and members of their families who left Ukraine immediately before 24 February 2022 due to the security situation and cannot return to Ukraine due to the armed conflict.

'Immediately before' is to be considered as starting from 1 January 2022, according to the official statement of the Ministry of Interior.¹¹ Persons who left Ukraine before that date are referred to regulate their status in accordance with the possibilities provided in the Aliens Act¹² or Act on International and Temporary Protection.¹³ Among these possibilities, as suggested also by the Ministry of Interior,¹⁴ one can benefit from a short-term residence permit regulated in Article 55 of the Aliens Act (up to 90 days within the period of 180 days), during which a person can find work and then apply for a stay and work permit (temporary residence for the purposes of work) regulated in Article 88 of the Aliens Act once they find an employment. If a person cannot find a job or does not meet the conditions for a temporary residence permit for any of the purposes prescribed by the Aliens Act (e.g. digital nomad, studying, other purposes, etc.), they can apply for a temporary residence for humanitarian reasons.

Furthermore, persons displaced from Ukraine can regulate their stay based on the Act on International and Temporary Protection, by expressing their intention to submit an application for international protection. As can be inferred from the above, for some categories of persons displaced from Ukraine the temporal scope of temporary protection was broadened, as was the case for Ukrainian citizens and their family members. Further categories of persons entitled to temporary protection are stateless persons and third country nationals who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and members of their family, a category which falls under the scope prescribed by the TPD.

The Croatian government decided to broaden the scope of the temporary protection by accepting the option provided for in Article 2 Paragraph 2 of the TPD, *i.e.* by including third country nationals who had valid legal permanent residence in Ukraine on 24 February 2022 and cannot return to their country or region of origin in safe and permanent conditions to the circle of persons entitled to temporary protection in Croatia. However, family members of these persons are not falling under the scope of temporary protection.

The Government's Decision accepted the definition of a family member from the Council's decision. However, the only category the government omitted from the definition are minor children of a spouse of a person who is entitled to temporary protection according to aforementioned conditions.

According to the Government's Decision, the following persons shall be considered to be part of a family of Ukrainian citizen, stateless person or third country national (with international or equivalent national protection status in Ukraine) who shall be granted with temporary protection according to the Government's Decision:

- ❖ the spouse or the common-law partner;
- ❖ their minor children, regardless of whether they were born in a married or common law partnership or adopted;
- ❖ other close relatives who lived in a joint household at the time when the circumstances related to the displacement of persons from Ukraine arose, and who at that time were completely or mostly dependent on these persons.

¹¹ Information provided by the Ministry of Interior on 10 November 2022.

¹² Government of the Republic of Croatia: Aliens Act (Official Gazette/Gazzette no. 133/20., 114/22., 151/22).

¹³ Government of the Republic of Croatia: Act on International and Temporary Protection (Official Gazzette no. 70/15, 127/17).

¹⁴ Official statement received from the Ministry of Interior on 16 March 2023.

Persons considered to be family members will be granted temporary protection and they will be provided with access to all rights arising from temporary protection status in accordance with the provisions of the Act on International and Temporary Protection.

The only condition set out for mentioned family members to be entitled to temporary protection is that they resided in Ukraine on 24 February or 'immediately before' and left Ukraine since 1 January 2022 due to the aggression. No other conditions, such as Ukrainian nationality or permanent residence, are required.

Stateless persons and third country nationals who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and members of their family who left Ukraine since 24 February 2022 are under the scope of the temporary protection, alongside family members of Ukrainian citizens, while family members of persons granted with permanent residence in Ukraine are not falling under the scope of the temporary protection in Croatia.

If a person who is theoretically entitled to temporary protection, left Ukraine since 1 January or 24 February 2022 because of the war of aggression, but had already obtained regulated status on another basis in Croatia, they will not be eligible for temporary protection. For example, if Ukrainian citizen who obtained a work and residency permit in Croatia in 2021 went for holidays in Ukraine in the beginning of February 2022 and needed to leave the country due to the outbreak of the aggression, they would not be allowed to submit application for temporary protection.¹⁵

C. Access to temporary protection and registration

1. Admission to territory

Persons who declare to the border police at the border crossing of the Republic of Croatia that they are displaced persons from Ukraine may enter Croatia regardless of whether they have a travel document for crossing the state border or not.¹⁶

No reports were recorded of people fleeing from Ukraine being refused entry at the Croatian border by the time of writing this report, including third country nationals.

Similarly, no evidence of refusal of entry or other difficulties for people who have returned to Ukraine and are seeking to re-enter the country has emerged. However, during the activity of legal counselling in the collective accommodation centres throughout the country, Croatian Law Centre lawyers collected testimonies of persons under temporary protection who experienced warnings of border police or police administration not to leave Croatia for more than a certain period of time, which varied from the border crossing to border crossing or police administration. In one occasion, persons who went back to Ukraine for a short term were advised not to leave Croatia for more than 30 days due to the risk of losing the status of a person under temporary protection, while in another occasion a person was advised not to leave the country for more than 25 days. In another case, a temporary protection beneficiary experienced inconvenience when re-entering Croatia, in the form of an exhaustive questioning by the border police about the reasons for absence from the country and how long did the absence last. The said person was away for a week to visit relatives in Poland and eventually was allowed to re-enter the country. Uneven practices and interpretations of the provisions of the law and other regulations by the Ministry of Interior and police officers have been observed as a problem in the exercise of the right to temporary protection.

Croatia was guided by the guidelines of the European Commission Communication "Providing operational guidelines for external border management to facilitate border crossings at the EU-Ukraine borders" regarding the entry of persons displaced from Ukraine, as well as regarding the entry of their personal belongings, valuables and pets.

¹⁵ The case was received within the activity of legal counselling in Croatian Law Centre, while the same was confirmed by the official statement of the Ministry of Interior received on 16 March 2023.

¹⁶ The Government of the Republic of Croatia, web page *Croatia for Ukraine*: <https://bit.ly/43tnJ09>.

Displaced persons from Ukraine are allowed to bring in personal belongings and are exempt from customs duties (and Value Added Tax) and with simplified customs formalities. In the case of the import of cash or gold, customs officials will act respecting the special circumstances, and when importing cash or gold with a value of EUR 10,000 or more, persons are obliged to report the above by submitting a partial declaration of resources or by means of a personal statement (with information about the holder of the cash, contact and the amount of cash). However, the possibility of applying the standard procedure and filling in all the necessary forms is provided if the need is determined based on the risk analysis carried out by the competent authorities.¹⁷

The Ministry of Agriculture made a decision¹⁸ that enabled the non-commercial movement of pets accompanied by their owners to the territory of the Republic of Croatia. Dog owners are instructed to fill out the pet import application form and submit the information to the competent authority, followed by a visit of a veterinary inspector who will determine the necessary measures that should be carried out in relation to the identification of the dog with a microchip, vaccination against rabies and mandatory records.¹⁹

2. Freedom of movement

There have been no reports of restriction of movement within the country for persons displaced from Ukraine, no matter whether they held the biometric travel document or any other travel document. However, there is a legal obligation for persons who plan to stay within the territory of Croatia – instead of just transiting through the country – to regulate their stay by submitting an application for short term residence. The same applies to those who do not want to apply for temporary protection immediately as they enter Croatia.

3. Registration under temporary protection

The Ministry of Interior is the authority responsible for registering the temporary protection application. Persons displaced from Ukraine may submit their application for temporary protection at the competent police station or police administration according to their place of residence or submit an online application for temporary protection through the *Croatia4Ukraine* e-platform.²⁰ People accommodated in collective accommodation centres do not need to go to the police station or in front of the police administration; instead they can submit their temporary protection application in these facilities to Ministry of Interior's officers, or officers of police administration/stations²¹ who are visiting collective accommodation centres in case of an increased number of persons arriving to the centres (which was especially the case in spring 2022).

If a person expresses their intention to apply for temporary protection in Croatia at the border and they do not have organised accommodation in Croatia, they are instructed to go to the reception centres for displaced persons located in two locations: Sports hall South 2 in Osijek and City Sports Hall in Gospić. At the beginning, three reception centres were opened for displaced persons but the centre in Varaždin shut down in the meantime. The stay in reception centres is short-term, usually up to 48 hours. After that time, people are offered permanent accommodation in collective centres. In the reception centres, there are employees of the Civil Protection, the Ministry of Interior and the Croatian Red Cross. The Croatian Red Cross uses a form to register the persons who have arrived in order to secure psychosocial support, humanitarian aid and due to the needs of the Search Service. If a displaced person has secured accommodation in Croatia with friends, relatives or similar, they are referred to go to the police station responsible for the place of their residence in order to apply for temporary protection.

¹⁷ The Government of the Republic of Croatia, web page *Croatia for Ukraine*: <https://bit.ly/43tnJ09>.

¹⁸ Ministry of Agriculture, Order on measures for acceptance of non-commercial relocation of pets accompanied by their owners displaced from Ukraine, available in Croatian at the following link: <https://bit.ly/43wSKjK>.

¹⁹ The Government of the Republic of Croatia, web page *Croatia for Ukraine*: <https://bit.ly/43tnJ09>.

²⁰ Available in English, Croatian and Ukrainian at the following link: <https://bit.ly/3Z83Eti>.

²¹ The Government of the Republic of Croatia, web page *Croatia for Ukraine*: <https://bit.ly/43tnJ09>.

According to an official statement from the Ministry of Interior,²² each case is approached individually and is checked to ensure the person meets the criteria determined by the Government's Decision and the Implementing Decision of the Council (EU) 2022/382 of 4 March 2022. This includes checking the data contained in the application, statements of the applicant, attached documents, and the information collected from the Ministry of Interior's records and other available data.

Those who have submitted application through the e-platform are informed by e-mail of the date when they should come to the competent police administration or station according to their place of residence and which documents they need to bring in order to be able to proceed with the creation of the identity card.

Furthermore, the Ministry stated in the aforementioned official statement that the identity card of an alien under temporary protection is issued no later than the day after the application is submitted, unless it is necessary to submit additional documentation or to carry out certain additional checks (e.g. through the records of the Ministry of Interior, the records of the Schengen Information System (SIS) for the purpose of banning entry, etc.).

Altogether 22,279 identity cards were issued by Ministry of Interior to 18,764 persons, while on 31 December 2022, 18,548 identity cards were valid.²³

According to the Ministry of Interior, when a person who is not qualified for temporary protection insists on submitting an application for temporary protection, the reasons why they do not meet the conditions for approval of the application for temporary protection are explained to them, and they are referred to the possibility of regulating their status in accordance with the Aliens Act, on which no formal decision is made.²⁴ If the status cannot be regulated on the basis of the Aliens Act, a person may be referred to the possibility of expressing the intention to submit an application for international protection in accordance with the provisions of the Act on International and Temporary Protection. If, despite this, the person still insists on submitting the application, the application for temporary protection is accepted. Since there are no conditions for starting the procedure, the request is rejected in accordance with Article 41 (2) of the Act on General Administrative Procedure.²⁵ If an application for temporary protection is submitted by a person who is not provided for as a category of displaced persons for temporary protection by the decision of the Government of the Republic of Croatia from paragraph 4 of this article (78), the Ministry of Interior will issue a decision rejecting the application through the police department or police station. No appeal is allowed against the rejection decision, but an administrative dispute can be initiated within eight days from the date of delivery of the decision.²⁶

The identity card of an alien under temporary protection is a bilingual document (in Croatian and English), it is considered as a residence permit in the Republic of Croatia and confirms the status of an alien under temporary protection. The card is issued by the police department, that is, the police station responsible for the place of residence of the person under temporary protection, or the officials of the Ministry of Interior, that is, police departments or stations in collective accommodation facilities. In the event of a change of residential address, a person must register/deregister their residential address within 2 days of the change of residence and obtain a new identity card of an alien under temporary protection.

²² Information provided by the Ministry of Interior on 13 December 2022.

²³ Croatian Law Centre, *The Croatian Asylum System in 2022- National Report*. The report was prepared as part of the project "Legal Assistance and Capacity Building for Access to Territory and Asylum in Croatia", with financial support of the UNHCR Croatia: available in English at: <https://bit.ly/434T7RL>

²⁴ *Ibid.*

²⁵ Act on General Administrative Procedure (OG 47/09, 110/21).

²⁶ Article 78, paragraph 5 of the LITP.

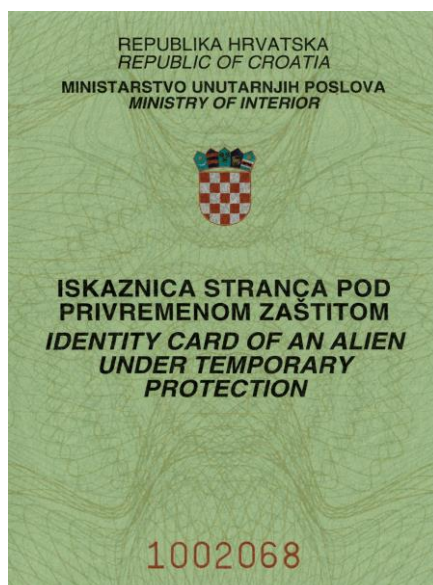


Photo of the identity card of an alien under temporary protection.²⁷

Displaced persons from Ukraine who have temporary protection in the Republic of Croatia will automatically have their temporary protection extended until 4 March 2024. Displaced persons from Ukraine under temporary protection in the Republic of Croatia should personally come to the police department/police station according to their place of residence in order to certify the extension of the validity of the identity card of a foreigner under temporary protection, from 15 February 2023 to 30 April 2023. The extension will be recorded in the existing identity card of the alien under temporary protection, so it is not necessary to submit a request for the extension of temporary protection. Based on the recorded number of persons displaced from Ukraine with the status of aliens under temporary protection, each police department/station will organise the extension of ID cards in its territory. People who apply for a card extension after 30 April 2023 will not lose their temporary protection status and will continue to have the rights and obligations arising from the status.²⁸

There are no specific time limits laid down in law for individuals to make their application, but every foreigner entering Croatia and planning to stay for more than just crossing the country should apply for a short term residence which allows them to stay within the EEA for 90 days in the period of 180 days. On the other hand, in one occasion a person who reached Croatian Law Centre within activity of free legal counselling stated that he applied for a short term residence first and then three weeks later wanted to apply for temporary protection, but was denied and advised to leave the EU and come back straight to the police station and apply for temporary protection. Only when he did according to the instructions he was able to submit and obtain temporary protection.

To prove their identity, a person displaced from Ukraine who falls under the scope of temporary protection can attach a copy of any documents on which their personal data is visible, such as an identity card issued by Ukrainian authorities, passport, residence permit, birth certificate, residence card, etc., preferably, a document with a photograph. If a person does not have such documents, they are still allowed to submit an application. In the application form a person is required to enter personal data that will serve the Ministry of the Interior for further checks and identification, while with their signature, the person guarantees that the information filled in in the application is complete and true. More precisely, item 28 of the application form contains two final statements which have to be signed by the applicant in order for the application to proceed. They state as follows:

²⁷ The Government of the Republic of Croatia, web page *Croatia for Ukraine*: <https://bit.ly/43tnJ09>.
²⁸ Ibid.

“Final statement:

a. I would like to be granted temporary protection in the Republic of Croatia, and I hereby confirm that all the information provided in items 1-27 is complete and true. I am aware that my application may be refused if the information provided is misrepresented, incomplete or incorrect.

b. By signing this statement, I consent to the use of my personal and other data provided in this form by the Ministry of the Interior as the personal data controller for the purpose of data processing in the procedure for granting temporary protection. I consent to having my data disclosed to other state administration authorities for the purpose of exercising the rights arising from temporary protection. I understand that I have the right to withdraw my consent and request the suspension of further processing of my personal data. I am also aware of my right to request the correction of my data and of the consequences of denying my consent.“

Furthermore, regarding the documentation to be submitted by a family member of a citizen of Ukraine, see [Qualification for Temporary protection](#).

Residence is proved by attaching a certificate of residence permit issued by Ukrainian authorities (polycarbonate card for temporary or permanent residence, sticker - visa). In the absence of the above-mentioned documents, all other documents from which it can be concluded that the person resided in Ukraine can be taken into account, including the declaration of the applicants.

For the purposes of proving family ties and common-law union - birth certificate or certificate of registered civil partnership or common-law union shall be submitted. In the absence of the aforementioned documents, all other documents from which it can be concluded that there is a family relationship, common-law union, formal/informal life partnership or that the respective persons lived at the same address, including the declaration of the parties, are taken into account. A common-law union should have the characteristics of a stable relationship, which Croatian national legislation treats in a manner comparable to married partners.²⁹ In order to be able to determine the stated circumstances, it is necessary to submit appropriate documents issued by Ukrainian authorities, including certificates that can be issued by the diplomatic mission of Ukraine in the Republic of Croatia (in the absence of other evidence than the statements of the parties, some other evidence can be accepted that shows that they lived at the same address). For other close relatives – family ties and dependency are proven by residence documents, extracts from registers or any other document issued by Ukrainian authorities, proof of payment of care, etc.

Even though the Ministry of Interior stated³⁰ that persons displaced from Ukraine are issued with a certificate of the submitted application after submitting an application for temporary protection, which states the date and time when they need to come to receive the identity card, information obtained from the beneficiaries suggests the opposite - that they are not issued with such a certificate upon submitting the application.

No practical obstacles to register their application or delays in registering or issuing documents have been recorded for persons who applied for the temporary protection in Croatia. However, certain obstacles were experienced by those who already had registered temporary protection status in another EU member state prior to the move and submission of an application for temporary protection in Croatia. Those persons were instructed by the police officials to bring the confirmation of deregistration of temporary protection from an EU country where they have enjoyed their rights as a person under temporary protection in order to be able to apply for temporary protection in Croatia.³¹ Such instructions of police officers are in contradiction with the official position of the Ministry of Interior, which reads as follows: “Article 79, paragraph 5 of the Act on International and Temporary Protection (“Official Gazette” No. 70/15 and 127/17) prescribes the methods of termination of the temporary protection: expiry of the longest term or Decision of the Council of the EU. Therefore, it is the practice in the Republic of Croatia that a displaced

²⁹ Pursuant to Article 11 of the Family Law (OG 103/15, 98/19), the effects of common-law union are applied to the life union of an unmarried woman and an unmarried man that lasts at least three years, and shorter if a child is born together, or if it was continued by marriage.

³⁰ Information provided by the Ministry of Interior on 20 April 2023.

³¹ The cases were recorded within the activity of legal counselling in the Croatian Law Centre.

person is not required to deregister his residence in another Member State where they have already obtained temporary protection, before they are granted temporary protection in the Republic of Croatia. Namely, each Member State, including the Republic of Croatia, decides at its discretion how to resolve the application for temporary protection of a displaced person, considering that person already enjoys the status of an alien under temporary protection in another EU member state. Only after the issuance of the identity card of an alien under temporary protection, the person is advised to inform the competent authority of the Member State that granted them temporary protection that they have subsequently been granted temporary protection in the Republic of Croatia (for example, they can provide them with a copy of the Croatian identity card of an alien under temporary protection).³² Some of the mentioned persons who turned to the Croatian Law Centre with a request for help in the mentioned situation managed to obtain temporary protection through persistent efforts to exercise their rights, while others were forced to return to the country where they were initially granted temporary protection due to a persistent refusal by Croatian police officers to accept their application. This is therefore one of the indicators of unequal practices of treatment and interpretation of the institute by police administrations/stations in Croatia.

4. Legal assistance

People under temporary protection are granted access to free legal aid based on the Act on Free Legal Aid³³ if they meet the conditions set by law. The conditions for exercising the right to free legal aid depend on the type of aid requested, *i.e.* primary or secondary legal aid. Primary legal assistance can be provided in any legal matter at the request of a person under temporary protection:

- a) if they do not have sufficient knowledge and ability to exercise their right
- b) if legal aid is not provided to them on the basis of special regulations
- c) if the submitted request is not obviously unfounded and
- d) if their financial circumstances are such that the payment of professional legal assistance could jeopardise their maintenance and the maintenance of household members.³⁴

The procedure for obtaining primary legal aid is initiated by directly addressing the provider of primary legal aid.³⁵

Secondary legal aid can be granted:

- a) if it is a more complex procedure
- b) if the applicant does not have the ability to represent himself
- c) if the material circumstances of the applicant are such that the payment of the necessary professional legal assistance could jeopardise the maintenance of the applicant and household members,
- d) if it is not a pending litigation
- e) if in the last six months from the date of submission of the application, the applicant's application was not rejected due to the intentional provision of incorrect data and
- f) if the applicant is not provided with legal aid on the basis of special regulations.³⁶ The procedure for approving secondary legal aid is initiated by submitting a request to the competent administrative body.³⁷

Although the Mol has taken numerous measures to inform displaced persons about their rights and obligations, primarily by launching the website *Croatia for Ukraine*³⁸, which contains very detailed instructions and information about the rights and obligations of displaced persons, how to exercise them, which competent authorities to contact in given situation and where to find help in case of need, many temporary protection beneficiaries are not sufficiently familiar with their right to free legal aid and the ways

³² Information provided by the Ministry of Interior on 18 April 2023.

³³ Act on Free Legal Aid (OG 143/13., 98/19.).

³⁴ Ibid. Article 10.

³⁵ Ibid. Article 11.

³⁶ Ibid. Article 13 paragraph 1.

³⁷ Ibid. Article 16 paragraph 1.

³⁸ See: <https://bit.ly/3MOFgZm>.

to obtain it,. An additional problem in exercising the right to free legal aid is the difficulty to secure an interpreter who would participate in meetings with an authorised legal aid provider.

Main providers of legal assistance for temporary protection beneficiaries in Croatia are Croatian Bar Association and a few non-governmental organisations, Croatian Law Centre, Jesuit Refugee Service, Centre for Peace Studies and Centre for Missing and Abused Children. Legal assistance is provided by the mentioned organisations mostly via email or telephone, thus covering the entire territory of Croatia. The provision of legal assistance in the organisation's office is available to those beneficiaries who are able to travel to meet them there, while the Croatian Law Center conducts visits to collective accommodation facilities throughout Croatia, organises group info sessions on rights and obligations for people housed in private accommodation and online info sessions. The Croatian Law Centre established a special telephone line for persons displaced from Ukraine so the legal assistance can be provided via social networks (WhatsApp, Viber, Telegram) as well.

5. Information provision and access to NGOs

According to the Act on International and Temporary Protection, the Ministry of Interior is obliged to inform the temporary protection beneficiaries, in writing and as soon as possible, about their rights and obligations in a language that they can reasonably be expected to understand and in which they can communicate.³⁹

Although recent amendments⁴⁰ to the Act on International and Temporary Protection stipulate that in the event when it is not possible to provide the information to the applicants for international protection in writing due to legitimate reasons or in the case applicant is illiterate, information can be provided orally in a language that the applicant is assumed to understand and in which they can communicate, the same is not prescribed for persons under temporary protection.

In practice, persons displaced from Ukraine who found themselves at the Croatian border are handed a leaflet containing some general information on Croatia and reception of displaced persons. The leaflet is written in Croatian and Ukrainian language and contains following information: general information about Croatia, that passports and visas are not required to enter Croatia, that if they do not have secured accommodation, they should go to one of the three reception centres where they will receive all the necessary information and be referred in more permanent accommodation, while in case they have secured accommodation to contact the Croatian Red Cross to get all the necessary information and to contact the Ministry of Interior to register their stay and submit an application. The leaflet also lists the contacts and addresses of all reception centres, Croatian Red Cross offices in Croatia, Embassy of Ukraine and consulates of Ukraine in Croatia, Ukrainian Community in Croatia and Ministry of Interior. Interpreters for Ukrainian language were present in reception centres (especially in the spring of 2022) or were available on demand so that the information is provided to displaced persons on time.

In addition, officials of the Civil Protection, Ministry of Interior, the Croatian Employment Service, the Croatian Social Work Service, the Croatian Red Cross and representatives of UNHCR Croatia, UNICEF Croatia and non-governmental organisations representatives visited persons displaced from Ukraine which were accommodated in collective accommodation centres and other housing facilities where the mentioned persons were placed (e.g. Community Service Centres) and provided them with information on their rights and obligations or to assist them in submitting the applications for exercising their rights. The above services were provided with the assistance of interpreters for Ukrainian language.

For the purpose of informing persons displaced from Ukraine and all other persons who wish to provide assistance to displaced persons, in March 2022, Ministry of Interior launched the website *Croatia for Ukraine* where information on arrival in the Republic of Croatia, reception, accommodation options, submission of applications for temporary protection, rights and obligations and how to exercise them, competent authorities and their contacts, practical advice in specific life situations and to whom contact in case of specific need can be found. Information on the current number of people displaced from Ukraine

³⁹ Article 91 of the LITP.

⁴⁰ Act on International and Temporary Protection (OG 70/15, 127/17, 33/23), entered into force on 1 April 2023.

who are in Croatia, how many are accommodated in individual and how many in collective accommodation, the proportion of men, women and children, as well as statistical indicators for 2022 are available at the mentioned website as well. In addition to the above, all important regulations and decisions regulating the system of reception and care for persons under temporary protection, a form of the application for temporary protection, a table of mobilized accommodation capacities and instructions for people who want to help the displaced persons are also included. The website is available in Croatian and Ukrainian language.

Many non-governmental organisations conducted activities focused on providing information to the persons displaced from Ukraine, as well as state institutions.

Croatian Law Centre provided information on the rights and obligations in collective accommodation facilities, by organising info sessions for persons accommodated in private housing, via email or phone and in office. Three videos⁴¹ on the specific rights and obligations of temporary protection beneficiaries were made and shared on social media. Dkolektiv organised Ukrainian Social Club where thematic seminars on different rights were held.⁴²

The Centre for Missing and Exploited Children⁴³ established the Info-corner which aimed to inform displaced persons under temporary protection about their status rights and where they can take some educational materials, they organised mobile info teams which conducted visits in order to inform persons about their rights and obligations and they launched the website *Heart for Ukraine*⁴⁴, which is available in Croatian and Ukrainian, and where all the information related to legal protection, social, healthcare and employment system can be found. Also, the page is regularly filled with relevant information related to free content available in the area of Osijek-Baranja County, free shows and workshops organized for displaced persons.

Medecins du Monde - Belgique⁴⁵ started a MED Info Center where information is provided about the right to health care and about the functioning of the public healthcare system in Croatia to temporary protection beneficiaries.

SVOJA,⁴⁶ association founded by Ukrainian refugee women held some info sessions on employment possibilities in Croatia in cooperation with other NGOs, while Plavi ured provided some information on starting a business and taxes in Croatia.

Croatian Employment Service and Social Welfare Centre provided information (available in a form of leaflet as well)⁴⁷ on the right to work and rights from social welfare system, employment opportunities, as well as the services of the Croatian Employment Service and Social Welfare Centre, while mobile teams consisting of representatives of both Services visited reception and collective centers to provide the aforementioned information to the beneficiaries. Special emails were established and all the forms were translated into the Ukrainian language in order to facilitate the procedures of finding employment and applying for social welfare services.

D. Guarantees for vulnerable groups

The Act on International and Temporary Protection has introduced special procedural and reception guarantees for international protection applicants, but did not extend the application of the relevant

⁴¹ Videos were made by CLC for the World Refugee Day 2022, see: <https://bit.ly/3B1xDtI>; <https://bit.ly/3pgQfTA>; <https://bit.ly/3LI1SKP>.

⁴² Information provided by the Dkolektiv, 21 December 2022.

⁴³ Information provided by the Centre for Missing and Exploited Children, 24 February 2023.

⁴⁴ Centre for Missing and Exploited Children, web page Heart for Ukraine, available at: <https://bit.ly/43LflmW>.

⁴⁵ Information provided by the Medecins du Monde - Belgique, 14 February 2023.

⁴⁶ Information provided by the SVOJA, 14 February 2023.

⁴⁷ Croatian Employment Services and Social Welfare Centre, leaflet *Employment and social welfare for Ukrainian citizens*, available at: <https://bit.ly/3NvTdgX>.

provisions to persons under temporary protection. At the moment, there is no further detailed guidance prescribed by the law or by-laws on how to identify vulnerable groups.

According to the Ministry of Interior,⁴⁸ when accommodating persons gender, age, position of vulnerable groups as well as applicants with special reception needs and family integrity are taken into account.

In the case of special accommodation needs for people over 65 years of age or people with disabilities, there is the possibility of accommodation in a suitable social welfare institution. In this way, 42 people were placed in social welfare institutions - 20 disabled people who move with the help of wheelchairs were placed in the Stančić Rehabilitation Centre, 15 persons with disabilities were placed in the Community Service Centre in Ozalj, and 7 people in the Rehabilitation Centre Zagreb.⁴⁹ The application for accommodation is submitted to the social worker on duty at the collective accommodation centre or the Social Welfare Centre (now Social Work Service)⁵⁰. People who are placed in a social welfare institution have provided transportation and can exercise the right to a personal assistant in cooperation with associations. In practice, it has been shown that transportation services in some centres have been reduced and that there are difficulties in finding personal assistants due to the general lack of labor in Croatia.

In practice, early identification of the vulnerability is conducted in reception centres for those persons who have no place to stay and it is done by medical personnel conducting medical checks upon arrival to the reception centres, Croatian Red Cross employees, as well as Civil Protection officials and social workers as part of mobile teams who visit beneficiaries upon them being accommodated in collective centres. Given the nature of some vulnerabilities, they are less likely to be identified within the aforementioned procedures. Only if additional psychosocial assessment is conducted, such vulnerability could be detected.

Vulnerable groups initially had the right to appropriate medical and other assistance at the expense of the Republic of Croatia, but with law amendments⁵¹ they gained the right to health care to the extent of a person covered by compulsory insurance, which covers the right to orthopedic aids, medicines from the basic and supplementary list of medicines and specialist-advisory health care.

Activities of providing psychosocial support are being organised by non-governmental organisations Modus, Rehabilitation Centre for Stress and Trauma, Medecins du Monde – Belgique, Jesuit Refugee Service, association Something more (for unaccompanied children accommodated in Sv. Nedelja)⁵² and by the City of Zagreb (mobile team and hotline).⁵³

Medecins du Monde carried out psychosocial support and mental health support activities in the MED-info center, where they were able to detect persons who had experienced gender-based violence or other acts of violence, in which case they were referred to the appropriate services.

Individual and group mental health and psychosocial support was provided to the children and primary carers to help them deal with issues such as stress and anxiety related to the situation in Ukraine and family members who are still there.⁵⁴

In cooperation with UNICEF Croatia, the Modus Center implemented the project “Ensuring Mental Health and Psychosocial Support to children and caregivers from Ukraine in Croatia”, within the framework of which psychological counseling activities for children and parents, group psychosocial support programs for refugee children in primary and secondary schools were carried out, group programs of psychosocial support for refugee children in collective accommodations and group programs of psychosocial support

⁴⁸ Ministry of Interior, webpage *Croatia for Ukraine*, available at: <https://bit.ly/3p0S5rx>.

⁴⁹ Available at: <https://bit.ly/44lfluX>.

⁵⁰ The Act on Amendments to the Law on Social Welfare (OG 46/22).

⁵¹ The Act on Amendments to the Law on Compulsory Health Insurance and Health Care of Foreigners in the Republic of Croatia (OG 80/13, 15/18, 26/21, 46/22).

⁵² On the suggestion of the Ombudsman for Children, Report on the work of the Ombudsman for Children for 2022, available at: <https://bit.ly/3p3LZXu>.

⁵³ Available at: <https://bit.ly/3LgTa5W>.

⁵⁴ Information provided by Medecins du Monde - Belgique, 14 February 2023.

for refugee parents in collective accommodations. Likewise, online trainings were conducted for teachers and professional associates in schools where group programs of psychosocial support for refugee children are implemented, the aim of which was to raise awareness in the context of the specifics of working with pupils who have been refugees, the integration of new pupils into the already existing school environment and children's collective and prepare existing classes for the arrival and acceptance of new pupils.⁵⁵

Rehabilitation Centre for Stress and Trauma, organization specialized in psychological and psycho-social support for people experiencing traumatic stress as a consequence of war and forced migration, offered counseling through an activity of Short-term Solution Focused support groups and other forms of group psychological support but also creative and recreational activities, as well as individual counseling for persons displaced from Ukraine accommodated in Zagreb and Zagreb County area.⁵⁶

Even though the Protocol on the treatment of unaccompanied children was adopted in 2018, the procedure which is being followed for unaccompanied children displaced from Ukraine differs from the procedure prescribed in the respective Protocol. Adults accompanying an unaccompanied child (in case they are not their parents or legal guardians) are required to sign a statement in which, under criminal liability, they undertake the obligation to take care of the child. In the statement itself, it is stated whether the respective person is related to the child or not, *i.e.* what kind of connection exist between them. The statement is submitted to the Centre for Social Welfare or given to the Centre's official present in the reception or collective center, and the adult is subsequently checked by an employee of the Centre and in case positive decision is made, they are appointed as a special guardian of the respective child.

The Ombudsman for Children was not able to receive the exact number of unaccompanied children displaced from Ukraine, even upon repeated requests directed to the competent Ministry.⁵⁷ However, unaccompanied children are located in the Hotel Zagreb in Split, in the High School Student Dormitory in Zadar and in Sv. Nedelja in the facilities organised by the association Little more.

The Croatian Association of the Deaf and Hard of Hearing together with the European Union of the Deaf and other European national associations of the deaf have made accessible videos on temporary protection for deaf and hard of hearing people, users of sign language.⁵⁸ The link to the videos is available on the *Croatia for Ukraine* web-page.

⁵⁵ Information provided by the Modus, 9 January 2023.

⁵⁶ Information provided by the Rehabilitation Centre for Stress and Trauma, 18 January 2023, available at: <https://bit.ly/3LlatCZ>.

⁵⁷ Ombudsman for Children, the Report on the Work of Ombudsman for Children for 2022, available at: <https://bit.ly/3LwBVhg>.

⁵⁸ See: <https://bit.ly/3Vmd2cy>.

Content of Temporary Protection

A. Status and residence

1. Residence permit

Indicators: Residence permit

1. What is the duration of residence permits granted to beneficiaries of temporary protection?

Pursuant to the Councils' Directive 2001/55/EC⁵⁹ and the Act on International and Temporary Protection,⁶⁰ persons under temporary protection have the right of residence for the entire duration of temporary protection, and for this purpose, a document or other equivalent evidence is issued.

An identity card of an alien under temporary protection is issued for a period of one year, and may be extended in accordance with the aforementioned provisions concerning the duration of the temporary protection.⁶¹

2. How many residence permits were issued to beneficiaries from the activation of the Temporary Protection Directive until 31 December year?

Not available

The body competent to decide on the issuance of an identity card of an alien under temporary protection is the Ministry of Interior. The application for temporary protection can be submitted at a police station personally or via online form, translated into English and Ukrainian.⁶² Once temporary protection has been granted, the corresponding identity card is issued.

The identity card is issued the day after the application is submitted, unless it is necessary to present additional documentation or to carry out certain additional checks (e.g. through the records of the Ministry of Interior, the records of the Schengen Information System (SIS) for the purpose of banning entry).⁶³ Furthermore, the identity card can only be issued personally to the person who submitted the application.

Given what previously mentioned, the identity card was initially issued for a time period of one year (until 4 March 2023), and a person under temporary protection had residence permit for the duration of that period. After the Council decision on the extension of TPD, the Ministry of Interior prolonged the duration of the temporary protection until 4 March 2024.⁶⁴ According to the instructions of the Ministry, persons displaced from Ukraine who have been granted with temporary protection status in the Republic of Croatia should personally reach a police department or police station according to their place of residence in order to certify the extension of the validity of the identity card, from 15 February to 30 April 2023. The extension will be recorded in the existing identity card, and it is not necessary to submit a request for the extension of temporary protection.

Persons who do not extend their identity cards until 30 April, will not lose their status of temporary protection. Furthermore, some individuals are not required to render themselves to a police department/station in person; namely, that applies to children under 16 years of age (the parent/guardian provides the child's identity card for certification) and to persons with special needs with limited or no mobility (a family member or a competent person from the institution where these persons are accommodated, can extend their identity card by providing the statement of the relationship with the person and evidence of the inability of the person to come, e.g. documentation on placement in a special institution).⁶⁵

⁵⁹ Article 8 (1) Council Directive 2001/55/EC.

⁶⁰ Article 84 Act on International and Temporary Protection.

⁶¹ Article 4 (1) Council Directive 2001/55/EC; Article 79 (1).

⁶² Ministry of Interior web page, Croatia for Ukraine: <https://bit.ly/4100oRw>.

⁶³ Information provided by the Ministry of Interior on 13 December 2022.

⁶⁴ Information provided by the Ministry of Interior on 2 February 2023.

⁶⁵ Ministry of Interior web page, Croatia for Ukraine: <https://bit.ly/41WVuGe>.

Persons under temporary protection have the right of residence on the territory of Republic of Croatia, and the identity card they are entitled to is considered as a residence permit; the right to work without a stay and work permit or certificate of employment registration; the right to health care (they have the same rights as persons who are insured within compulsory health insurance); basic means for life and housing; primary and secondary education; family reunification; information on rights and obligations. All the aforementioned rights are exercised by presenting the identity card of an alien under temporary protection.⁶⁶

In cases in which a TP holder wishes to transfer to another EU Member State (hereinafter: MS), the provision of the Communication of the European Commission on operational guidelines for the implementation of Councils' Implementing Decision 2022/382 on establishing the existence of a mass influx of displaced persons from Ukraine in the sense of Directive 2001/55/EC⁶⁷ is applied. The provision establishes that, if a person granted temporary protection subsequently moves to another MS where it obtains a second residence permit under temporary protection, the first issued residence permit expires and must be withdrawn, together with the rights arising from it.⁶⁸

Therefore, the practice in the Republic of Croatia, in accordance with the instructions of the Ministry of the Interior, is that displaced persons are not required to de-register their stay in another EU MS in which they have already been granted with temporary protection status, before it is granted to them in the Republic of Croatia. Namely, each MS, including the Republic of Croatia, decides at its discretion how to resolve the application for temporary protection of a displaced person, considering that person already has granted status in another EU MS. Only after the issuance of the identity card of an alien under temporary protection, persons are advised to inform the competent authority of the former MS that they have subsequently been granted temporary protection in the Republic of Croatia (e.g. they can provide them with a copy of the Croatian identity card of an alien under temporary protection).⁶⁹

A displaced person from Ukraine can have and exercise rights that come with the temporary protection status only in one MS. If a person under temporary protection moves to another MS where they apply again for temporary protection, and receives the identity card of an alien under temporary protection, the first identity card expires and must be withdrawn, as well as the rights arising from it. Upon arrival in another MS, a TP holder should do inform the competent authorities that they have been granted with temporary protection status in another MS, and the relevant MS should, upon issuing the permit, inform the MS that the person has left (in this case the Republic of Croatia), in order to withdraw the first issued residence permit and the rights arising from it.⁷⁰

2. Access to asylum

According to the provisions of the Act on International and Temporary Protection, a TP holder has the right to lodge an application for international protection. Furthermore, the examination of an application of international protection may be completed by the Ministry of Interior after the end of temporary protection.⁷¹ This does not exclude the possibility that an asylum application presented by a person entitled to temporary protection might be examined while the TPD regime still applies.

However, a temporary protection beneficiary who submits an application for international protection during the duration of temporary protection cannot access the rights of an asylum seeker while temporary protection lasts.⁷²

Examination of an application for international protection is a more complex procedure that includes more procedural steps, and it takes longer. Being granted temporary protection does not necessarily mean that

⁶⁶ Ministry of Interior web page, Croatia for Ukraine: <https://bit.ly/3HtlYa4>.

⁶⁷ Article 5 Council Directive 2001/55/EC.

⁶⁸ Article 15 (6) and Article 26 (4) Council Directive 2001/55/EC.

⁶⁹ Information provided by the Ministry of Interior on 13 December 2022.

⁷⁰ Information provided by the Ministry of Interior on 17 May 2022.

⁷¹ Article 92 Act on International and Temporary Protection.

⁷² Article 83 (3) Act on International and Temporary Protection.

international protection will also be granted, as it depends on the individual and personal situation of each individual applicant.⁷³

B. Family reunification

According to the provisions of the Act on International and Temporary Protection, a request for family reunification can be lodged by a person under temporary protection or members of their family who wish to come to the Republic of Croatia. A TP holder who resides in the Republic of Croatia has to give a statement of consent for family reunification with a particular person.⁷⁴ Furthermore, in cases where family members enjoy temporary protection in different EUMS, when reuniting the family, the interest of the family shall be taken into consideration.⁷⁵

Furthermore, in accordance with the declaration of the Ministry of the Interior, in the procedures of family reunification, family members who wish to be reunited with a temporary protection beneficiaries must meet all the conditions prescribed by the decision of the Government of the Republic of Croatia⁷⁶ on the introduction of temporary protection. This means that, if a family member did not reside in Ukraine on 24 January 2022 or "immediately before" as interpreted by the Ministry of Interior, the person would not have a legal right to family reunification in accordance with the Act on International and Temporary Protection⁷⁷ or in accordance with the provisions of the Aliens Act.⁷⁸

Such a provision in the Aliens Act is in accordance with the Council's Directive 2003/86/EC, which stipulates that the provisions do not apply when the sponsor is authorised to reside in a MS on the basis of temporary protection or requests for a residence permit on that basis and is awaiting a decision about the status.⁷⁹

Pursuant to the Decision of the Government of the Republic of Croatia of 7 March 2022,⁸⁰ a family member is considered to be: spouse/common-law partner, minor children, regardless of whether they were born in a marriage or common-law union or were adopted, and other former relatives who lived in the same household at the time of occurrence of circumstances related to the displacement of persons from Ukraine, which at that time were completely or mainly dependent on these persons.⁸¹

The provisions contained in the Act on International and Temporary Protection do not request family members who wish to be reunited with beneficiaries of temporary protection to fulfill specific requirements in terms of material conditions.

Family members of Ukrainian citizens who wish to be reunited must submit proof of identification and citizenship, proof of residence, proof of family ties and common-law union, and in the case of close relatives, documentation proving the existence of that relationship.⁸²

After submitting the application and documents required for family reunification, and after the documents are verified, an identity card of an alien under temporary protection is issued for the person reunited with the TP holder.

⁷³ Ministry of Interior web page, Croatia for Ukraine: <https://bit.ly/41WVuGe>.

⁷⁴ Information provided by the Ministry of Interior on 20 April 2023.

⁷⁵ Article 89 (1) and (3) Act on International and Temporary Protection.

⁷⁶ Croatian Government: Decision on the Introduction of Temporary Protection in the Republic of Croatia for Displaced Persons from Ukraine, available in Croatian at: <https://bit.ly/37yIO2c>.

⁷⁷ Article 89 Act on International and Temporary Protection.

⁷⁸ Article 63 (1) Aliens Act.

⁷⁹ Article 3 (2) Council Directive 2003/86/EC.

⁸⁰ Ministry of Interior web page, Croatia for Ukraine: <https://bit.ly/3AN0gKu>.

⁸¹ Information provided by the Ministry of Interior on 20 December 2022.

⁸² Information provided by the Ministry of Interior on 20 December 2022.

Temporary protection shall be granted to a family member who is reunited with a TP holder.⁸³ Furthermore, persons who have been granted temporary protection on this basis will have access to all the rights provided to persons under temporary protection status,⁸⁴ according to the Decision of the Government of the Republic of Croatia from 7 March 2022.⁸⁵

C. Movement and mobility

TP holders have freedom to move on the Croatian territory, but in the event of a change of residence, just like applicants for international protection, they are obliged to inform the Ministry of Interior within two days.⁸⁶

Ukrainian citizens granted temporary protection and holding biometric passports, have the right to move freely within the Schengen area for a period of 90 days within a period of 180 days, after they are allowed to enter the area.

If Ukrainian TP holders do not possess a biometric travel document, they can contact the diplomatic mission of the MS to which they wish to travel in order to inquire about the possibilities of traveling there, and the possible issuance of a travel document. Additionally, they can travel to third countries in accordance with the conditions for entering and staying in those countries.⁸⁷

General information received from the Ministry of Interior is that Ukrainian citizens who have been granted temporary protection in the Republic of Croatia and have returned to Ukraine will be allowed to return upon presentation of the identity card and a valid Ukrainian travel document, as long as the absence was temporary and for justified reasons. Additionally, TP holders are obliged to notify the competent police station/administration that they are returning to Ukraine, how long they will be staying in Ukraine and state the reason for their departure (this can be done in person or by email).⁸⁸

Persons granted temporary protection are free to return to Ukraine at any time if they feel they have the conditions for a safe return. Temporary protection in Croatia is not an obstacle for returning to Ukraine, however, if a person has been granted temporary protection, the competent police department/station must be notified.⁸⁹

However, the experiences of persons under temporary protection who went to Ukraine for a short-time period are different. Experiences differ between the police stations, some persons were instructed that they do not have to report their departure, some that they can leave for 25 days, and some that they can leave for only 14 days.⁹⁰

⁸³ Article 89 (2) Act on International and Temporary Protection.

⁸⁴ Ministry of Interior web page, Croatia for Ukraine: <https://bit.ly/3AN0gKu>.

⁸⁵ Croatian Government: Decision on the Introduction of Temporary Protection in the Republic of Croatia for Displaced Persons from Ukraine, available in Croatian at: <https://bit.ly/37yIO2c>.

⁸⁶ Article 52 (3) Act on International and Temporary Protection.

⁸⁷ Information provided by the Ministry of Interior on 11 May 2022.

⁸⁸ Information provided by the Ministry of Interior on 18 January 2023.

⁸⁹ Ministry of Interior web page, Croatia for Ukraine: <https://bit.ly/3HtlYa4>.

⁹⁰ The cases were recorded within the activity of legal counselling of the Croatianin Croatian Law Centre.

D. Housing

Indicators: Housing

1. For how long are temporary protection beneficiaries entitled to stay in reception centres?
The stay in this type of accommodation is short-term, usually up to 48 hours. In practice, persons remain for approximately twelve hours.⁹¹
2. Number of beneficiaries staying in reception centres as of 28/02/2023.
The total capacity of reception centres accommodations is 200 persons, and in collective accommodations there is capacity for 2,969 persons. Current occupancy is 52%. On 31 January 2022, a total of 1,552 people were accommodated in collective accommodations.⁹²
3. Number of beneficiaries staying in private accommodation as of 17/02/2023
According to the statistical data on the web page of the Ministry of Interior, Croatia for Ukraine, on 17 April 2023, a total of 20,855 persons were accommodated at private accommodation.⁹³ According to data from the Ministry of Interior,⁹⁴ 2,824 persons were accommodated in individual housing units in accordance with the public call for submission of offers by owners of housing units for the housing care of displaced persons from Ukraine in individual housing.⁹⁵

Three types of accommodations are foreseen for TP beneficiaries: reception centres, collective accommodation and individual and/or private accommodation. Reception centres for TP holders are not the same as centres for applicants for international protection. These are special centres intended exclusively for people displaced from Ukraine. At the beginning of the displacement crisis, there were three centres in three different cities (Varaždin, Osijek and Gospić), and for these purposes cities sports halls were mobilized.

Due to the significant number of arrivals, persons were initially first placed in reception centres and after the initial registration they were further transferred to other forms of accommodation (collective or individual).

Given that the number of arrivals gradually decreased, one reception centre (the one in Gospić) was closed. The amendment did not affect the exercise of the rights of persons to short-term accommodation in the facilities provided for this purpose, nor the access to connected rights. Accommodation is still provided in the other two reception centers, which remain open at the time of writing.

The Directorate of Civil Protection, which is part of the Ministry of Interior, police officers and the Croatian Red Cross are responsible for the provision of reception to beneficiaries of temporary protection.⁹⁶

Many touristic facilities (hostels, hotels, apartments, etc.) have, in agreement with the Directorate of Civil Protection, participated in public tenders with the purpose of accommodating persons under temporary protection, with monetary compensation for such service provided by national authorities. This type of accommodation falls under the category of collective accommodation as it is under the supervision of the Civil Protection, which coordinates it.

At a parliamentary hearing held on 23 March 2022, the Government of the Republic of Croatia adopted a decision on financing costs of housing for persons displaced from Ukraine in individual accommodation.⁹⁷

Throughout field work and visits to reception centres intended for the short-term accommodation of persons displaced from Ukraine, no problems were recorded in relation to access to and exercise of rights.

⁹¹ Information provided by Civil protection on 14 March 2023.

⁹² Information provided by Civil protection on 14 March 2023.

⁹³ The Government of the Republic of Croatia web-page, Croatia for Ukraine: <https://bit.ly/3oYp3J9>.

⁹⁴ Croatian Law Centre, *The Croatian Asylum System in 2022- National Report*. The report was prepared as part of the project "Legal Assistance and Capacity Building for Access to Territory and Asylum in Croatia", with financial support of the UNHCR Croatia: available in English at: <https://bit.ly/434T7RL>

⁹⁵ Public call for the submission of offers by owners of housing units for housing care for displaced persons from Ukraine in individual accommodation from 22 April 202 (OG 37/22), available at: <https://bit.ly/3PrMfuc>.

⁹⁶ Ministry of Interior web page, Croatia for Ukraine: <https://bit.ly/44ibpR9>.

⁹⁷ Ministry of Interior web page, Croatia for Ukraine: <https://bit.ly/3p1tcMp>.

On the other hand, on several occasions, complaints were received from TP holders in relation to the consideration of closing two collective accommodations (one in Đurđevac and one in Zagreb) and their transfer to other accommodation. Only one collective centre was closed, the one in Zagreb, and this accommodation at the beginning of the crisis was mobilised as a reception centre, and was later turned into a collective accommodation. After the closure of the centre, TP holders were moved to other collective accommodations. Based on such decision, TP holders did not lose their right to being hosted in collective accommodation, but the locations changed. As some had already started their integration process in the local context in which they were initially placed (e.g. found employment, children started kindergarten or school etc.) such a decision was not welcomed and caused dissatisfaction among some TP holders.⁹⁸

Regarding reception conditions, they may differ depending on the type of accommodation. In reception centres, persons displaced from Ukraine are provided with sleeping spaces, food, internet, psychosocial and health support. In collective housing, people are provided with accommodation, food and internet. Persons who are accommodated in individual/private accommodation can also exercise the rights under the scope of temporary protection, but they must refer to the competent institutions, as do persons who are in other types of accommodation (reception centres and collective accommodations), if the exercise of said rights is not immediately possible.

In accommodation facilities (reception centres and collective accommodations), the Red Cross recorded the arrivals of persons who fled Ukraine (those who wanted to be registered), distributed humanitarian aid and provided psychosocial support.⁹⁹

In the plenary held on 23 March 2022, the Government adopted the decision to finance the costs of providing housing for persons displaced from Ukraine in individual accommodation, as discussed below. Furthermore, a certain number of Ukrainians found accommodation independently, which they financed at their own expense, or stayed with family members, acquaintances or relatives.

In accordance with the decision on financing the cost of providing housing for temporary protection beneficiaries, the state is covering the costs of using the residential units for the owners who have ceded them to persons from Ukraine.¹⁰⁰ The costs are paid to the owner of the residential unit on the basis of the rental agreement concluded with the Ministry of the Interior, Directorate of Civil Protection. Moreover, the stated amount includes the costs of renting the residential unit and the cost of utilities. The highest amount of the cost of using the residential unit is HRK 3,600.00 per month (converted into euros: EUR 477.80). The procedure is carried in a way that the person who owns such unit that they wants to assign for use, fills out the application form,¹⁰¹ and after that, an inspection of the housing unit is arranged with the Civil protection headquarters in the municipality/city where the person is located. If it meets the prescribed conditions, the headquarters issues a certificate to that effect and after the confirmation has been obtained, the owner of the housing unit submits complete documentation to the Directorate of Civil Protection (application form, confirmation from headquarters and proof of ownership). The last step is signing the contract and housing the family.

In order to prevent the exploitation of people in private accommodation, validation is conducted in regard to unit conditions by the Directorate of Civil Protection for those landlords who used financial support from the Government.¹⁰² In relation to persons who found accommodation on their own, the aforementioned mentioned types of validation is not carried out and certain issues were registered, among which some were linked to inadequacy of living spaces, rent prices increasing without prior agreement which led to persons leaving their accommodation due to the inability to pay the new price.

E. Employment and education

⁹⁸ Information gathered through the activity of legal counselling of the Croatian Law Centre.

⁹⁹ Information provided by the Croatian Employment Service on 18 January 2023.

¹⁰⁰ Ministry of Interior web page, Croatia for Ukraine: <https://bit.ly/3p1tcMp>.

¹⁰¹ The Ministry of Interior, Directorate of Civil Protection web page, available at: <https://bit.ly/3Vv6TLe>.

¹⁰² Ministry of Interior, Official web page of Directorate of Civil Protection, web page: Ministry of Interior, available at: <https://bit.ly/3Hv1KNt>.

1. Access to the labour market

The Croatian Employment Service carried out activities related to the employment of persons under temporary protection through two phases - field work and institutional support. The first phase referred to the period of immediate entry of persons displaced from Ukraine to the Republic of Croatia, before the activation of temporary protection. In that period, a mobile team of employment advisers and social workers visited reception centres where persons displaced from Ukraine were accommodated. The second phase began at the moment when the status of approval of temporary protection was resolved and when persons were enabled to register in the records of the Croatian Employment Service and institutional support in seeking employment began.¹⁰³

The Croatian Employment Service created leaflets in Ukrainian listing all the services it provides. A website with information related to the possibility of work, employment and support and application forms were translated into Ukrainian was also created. Additionally, a protocol was drafted and counsellors were trained to provide assistance to persons displaced from Ukraine, measures of active employment policy were agreed and adjusted, employers were invited to cooperation, etc. Furthermore, the Service joined the pilot project "EU Talent Pool",¹⁰⁴ which was initiated by the European Commission, and whose purpose is to map and identify the skills and abilities of persons displaced from Ukraine with the purpose of easier finding employers in the EU.¹⁰⁵

Employment counsellors provide assistance during the job search process and information about the rights of unemployed persons, such as: registration in the unemployment register of the Service, support in defining the work potential and job search plan, as well as occupations for which the counsellor will mediate on the labour market, workshops for active search jobs, information about jobs, funding of education to acquire the competencies needed on the labour market, inclusion in active employment policy measures, learning the Croatian language, etc.¹⁰⁶

In accordance with the Labour Market Act, TP holders have the right to be registered in the unemployment register and are equal to Croatian citizens in terms of their rights and obligations.¹⁰⁷

In the period from 1 January to 31 December 2022, 901 persons under the scope of temporary protection were employed through the Croatian Employment Service, of which 743 were women. In the same period, individual consultations were conducted with a total of 1,604 persons who have been granted with status of temporary protection. Likewise, consultations for the purpose of revising the professional plan were conducted with a total of 2,153 people in the same period. The measures of the active employment policy aimed to the overall more successful and faster integration into the labour market, in 2022, included 171 persons under temporary protection. As of 31 December, 633 persons were registered in the unemployment register by the Service, of which 515 were women. Most Ukrainian citizens are employed in catering and tourist activities, sales, production activities and administration.¹⁰⁸

2. Access to education

According to the Act on International and Temporary Protection a TP holder has the right to access elementary and secondary education and to additional „requalification“ under the same conditions as Croatian citizens.¹⁰⁹ The same right is also established under the provisions of the Act on Education in Primary and Secondary Schools.¹¹⁰

¹⁰³ Information provided by the Croatian Employment Service on 12 January 2023.

¹⁰⁴ European Commission web page: <https://bit.ly/3HrbSqw>.

¹⁰⁵ Information provided by the Croatian Employment Service on 12 January 2023.

¹⁰⁶ Croatian Employment Service web page: <https://bit.ly/40WzIB2>.

¹⁰⁷ Article 14 (1) Labour Market Act.

¹⁰⁸ Information provided by Croatian Employment Service on 12 January 2023.

¹⁰⁹ Article 88 Act on International and Temporary Protection.

¹¹⁰ Article 45 and 46 of the Act on Education in Primary and Secondary Schools.

In the Croatian system, “requalification” includes two possibilities: pre-qualification - a pedagogical and professional activity by which people, already qualified in a profession, are trained for other professions through accelerated educational pathways (courses, lectures, exercises). The other type is “additional qualification”, as this includes the acquisition of new knowledge and skills within the same profession. According to data published on a news portal on 29 September 2022, provided by the Ministry of Science and Education, 1,570 children displaced from Ukraine were enrolled in the education system, and textbooks and educational materials were financed from the state budget. Of the total number of children, 1,325 were enrolled in the primary school system, while only 245 were enrolled in the secondary school system.¹¹¹

The Ministry of Science and Education reported that in 2022 total of 154 children in 39 settlements were enrolled in pre-school institutions, 1,295 pupils in primary school system and 260 in secondary school system, while 49 persons under temporary protection were enrolled in Croatian universities.¹¹² The Ministry further reported that persons under temporary protection are not entitled to scholarships.

Every child who has been granted with temporary protection status in the Republic of Croatia, and who is included in the education system in primary or secondary education, must be ensured: participation in preparatory classes of Croatian language without testing, simultaneous involvement in educational work of class (according to possibilities and abilities) and issuance of final grades and certificates.

Students attend preparatory classes for the Croatian language in the school where they are enrolled. The school that conducts preparatory classes is obliged to request the consent of the Ministry of Science and Education for holding these classes, whose duration is of 70 hours.¹¹³ If the student has not met the minimum requirements, the school committee can grant them 70 additional hours.

If the student is not in possess documentation on previous education or based on the available documentation it is not possible to prove previous education, they are enrolled in the suitable class based on the parent's statement. Furthermore, if the student has reached the age of fifteen and has not completed primary school, the administrative department for education of the county/City of Zagreb can organize primary school education for them according to the adult education program.¹¹⁴

On the basis of the Act on Education in Primary and Secondary Schools, before regular enrollment in the first year of primary school, the expert committee determines the child's psychophysical condition. The psychophysical condition is confirmed for the purpose of early enrollment, postponement or temporary exemption from enrollment in the first grade of primary school or in the case if the schooling has already begun.¹¹⁵ The procedure is regulated on the basis of the Ordinance on the procedure for determining the psychophysical condition of a child, a student and the composition of professional commissions, and the Ordinance governs and establishes an appropriate program for the education of students with developmental disabilities in primary and secondary schools.¹¹⁶

As mentioned before, in accordance with the Act on International and Temporary Protection, TP holders among other rights have access to additional requalification's under the same conditions as Croatian citizens.

Students from Ukraine who are planning their arrival in the Republic of Croatia and are interested in continuing their studies must first contact their alma mater university in Ukraine to check whether they have previous cooperation with universities in Croatia. In the event that contact with the university in Ukraine is impossible, it is necessary to directly contact a university in Croatia that corresponds to their

¹¹¹ News portal Srednja.hr, article published on 29 September 2022, available at: <https://bit.ly/3pOXizB>.

¹¹² Croatian Law Centre, *The Croatian Asylum System in 2022- National Report*. The report was prepared as part of the project “Legal Assistance and Capacity Building for Access to Territory and Asylum in Croatia”, with financial support of the UNHCR Croatia: available in English at: <https://bit.ly/434T7RL>

¹¹³ Article 43 Act on Education in Elementary and Secondary Schools.

¹¹⁴ Ministry of Science and Education web page: <https://bit.ly/41W4fAy>.

¹¹⁵ Article 20 of the Act on Education in Elementary and Secondary Schools.

¹¹⁶ Article 2 of the Ordinance on the procedure for determining the psychophysical condition of a child, a student and the composition of professional commissions

area of interest and the studies they have previously attended. There is also the Study in Croatia initiative, coordinated by the Ministry of Science and Education of the Republic of Croatia and the Agency for Mobility and European Union Programs.¹¹⁷ To continue studying in Croatia, there is also the possibility of using one of the student exchange programs (Erasmus+, CEEPUS, Bilateral Academic Mobility Program), which include studying without paying tuition fees with monthly financial support. The amount of financial support depends on the mobility program. Students who come through Erasmus+, CEEPUS and the Bilateral Academic Mobility Program are provided with subsidised student meals in student canteens and accommodation in a student dormitory in accordance with available places.¹¹⁸

F. Social welfare

According to the provision of the Social Welfare Act, benefits and services within the social welfare system can be granted to persons under temporary protection.¹¹⁹

Persons under temporary protection are considered equal to citizens of the Republic of Croatia in terms of exercising the aforementioned rights; in order to exercise them, all conditions prescribed by the Act must be met.

Social welfare activities are performed by social welfare institutions, local and regional self-government units, i.e. the City of Zagreb, associations, religious communities, other legal entities, craftsmen and other physical persons who perform social welfare activities, under the conditions and in the manner prescribed by the Act. All the activities within the social welfare system are carried under the Ministry of Labour, Pension System, Family and Social Policy.¹²⁰

The enjoyment of rights within the social welfare system is not determined by the beneficiary's place of residence. The Social Welfare Act prescribes provisions on territorial and *ratio materiae* jurisdiction that depend on the types of services that a person requests. Considering the territorial structure and centralization of the state itself, it is certainly easier to obtain some services in the area of the City of Zagreb than in smaller municipalities and settlements, but in general, all rights from the social welfare system are not territorially limited.

A certain number of complaints from TP holders¹²¹ were recorded in relation to the problem of exercising the right to one-time financial allowance prescribed by the Social Welfare Act.¹²² Among the main issues recorded, there were the long wait for the decision on the approval of allowance and the differences in practice between social welfare centers in different parts of the Republic of Croatia (e.g. some centers paid the whole allowance at one time, while some centers paid it in monthly annuities). Another problem was related to the fact that after persons submitted a request for an allowance a second time, given that in accordance with the aforementioned Act, the request can be submitted once per calendar year, that is, their requests were rejected. This is related to the fact that the allowance is granted to cover extraordinary expenses incurred due to current life circumstances, and given that these persons had accommodation and food provided, the Social Welfare centers did not consider such requests justified in some cases.¹²³

Statistical information on the number of beneficiaries of temporary protection who accessed different forms of social welfare since the start of the temporary protection regime is not publicly available.

¹¹⁷ Study in Croatia web page, available at: <https://bit.ly/3npjpPF>.

¹¹⁸ The Ministry of Interior web page, Croatia for Ukraine, available at: <https://bit.ly/3LsJ6qm>.

¹¹⁹ Article 19 (2) of the Social Welfare Act.

¹²⁰ Article 17 of the Social Welfare Act.

¹²¹ The cases were recorded within the activity of legal counselling in the Croatian Law Centre.

¹²² Article of the Social Welfare Act

¹²³ Article 45 and 46 of the Social Welfare Act.

As regards the rights deriving from having access to the social welfare system, the Ministry of Labour, Pension System, Family and Social Policy reported¹²⁴ that the Regional Offices of the Croatian Social Work Service recognized 6,001 one-time financial allowances, 154 guaranteed minimum allowances, 14 personal disability allowances, 9 assistance and care allowances. Furthermore, they reported that 31 persons with disabilities and 7 accompanying persons are accommodated in social welfare institutions.

G. Health care

Pursuant to the Act on the Health Care of Foreigners, TP holders exercises the right to access health care services in health institutions and with private practice health workers in the public health service network to the same extent as an insured Croatian citizen within compulsory health insurance, and that is the case also for their family members.¹²⁵ When exercising the aforementioned rights, TP holders have to present their identity card.

TP holders have the right to be treated for acute conditions and chronic diseases by family medicine doctor, paediatrician, gynaecologist and emergency dental services. Furthermore, they have the right to vaccination, testing and treatment against the disease COVID-19, as well as the right to vaccination against other infectious diseases. In the event that the doctor assesses that there is a need, TP holders will be referred to a specialist examination or hospital treatment.¹²⁶

The right to health care includes: primary health care, specialist-council health care, hospital health care, the right to medicines that are determined by the basic and supplementary list of medicines of the Croatian Health Insurance Fund (hereinafter: CHIF), dental aids that are determined by the basic and additional list of dental aids of the CHIF, orthopaedic and other aids that are determined by the basic and additional list of orthopaedic and other aids of the CHIF.¹²⁷

As previously mentioned, TP holders have the same rights as the persons who are insured under the compulsory health insurance, even though they are not officially insured. Only if TP holders are employed in the Republic of Croatia by a Croatian employer or if they enter the system of compulsory health insurance on some other basis, apart from the right to health care, they are entitled to monetary benefits and the possibility of concluding a supplementary health insurance policy, and if persons do not have supplementary health insurance, they are personally responsible for participating in the costs of health care.

At the very start of the temporary protection regime, there were problems with the translation of medical documentation, and volunteers of the Community of Ukrainians in Croatia helped TP holders by translating the documentation.

Later, the insufficient number of family medicine doctors and the fact that doctors refuse to accept them as patients due to overcrowding emerged as a growing issue. The situation in the health care system and the shortage of doctors affects not only persons displaced from Ukraine, but also Croatian citizens. In general, the situation within the health care system is not sustainable, and on this occasion, on 18 March, a protest was held by five medical associations, pointing to the bad conditions and general state of health care services in the country.¹²⁸

¹²⁴ Croatian Law Centre, *The Croatian Asylum System in 2022- National Report*. The report was prepared as part of the project "Legal Assistance and Capacity Building for Access to Territory and Asylum in Croatia", with financial support of the UNHCR Croatia: available in English at: <https://bit.ly/434T7RL>

¹²⁵ Article 21 (1) Act on the Health Care of Foreigners.

¹²⁶ Ministry of Health web page: <https://bit.ly/40W20vB>.

¹²⁷ Ministry of Health web page: <https://bit.ly/40W20vB>.

¹²⁸ News portal Index, 18 March 2023, available at: <https://bit.ly/3LLfupB>.