



Republic of Croatia
Ministry of the Interior

Zagreb, 7 August 2020

Mr Michael Flynn
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Dear Mr Flynn,

Following your request for information on migration-related detention and COVID-19, we hereby inform you as follows:

There is no moratorium on new immigration detention orders because of the COVID-19 pandemic and no such measure is under consideration. Likewise, no people have been released from immigration detention because of the COVID-19 pandemic.

As regards measures that are being taken to prevent spreading of the infection and to ensure appropriate care, please note that the Ministry of the Interior of the Republic of Croatia has restricted access to reception centres in Zagreb and Kutina, allowing access only to those persons who are necessary for their normal functioning. International protection applicants who are accommodated in Zagreb and Kutina are under constant medical surveillance. Moreover, applicants accommodated in reception centres, including those who have been released from detention or those under alternative measures of detention, are constantly warned about the outbreak of the disease and the measures that need to be taken in order to prevent its further spread. A physician is available in reception centres on a daily basis, and the medical staff constantly supervise all international protection applicants. According to the recommendations issued by the Croatian Institute of Public Health, parts of the reception centre are set up to be used for 14-day quarantine for new applicants who arrive from countries with an increased number of COVID-19 cases. They are supervised by medical staff on a daily basis. In case of any suspicion of COVID-19, they are tested as soon as possible. So far, we have not recorded a single case of COVID-19 among international protection applicants. Aliens accommodated in reception centres are advised to remain inside, and measures of protection are taken inside the facilities (e.g. floor marking for social distancing, toiletries, medical staff, temperature

measuring at the entrance to the restaurant...). Face masks are regularly distributed to persons accommodated in reception centres. Likewise, hand disinfectant dispensers have been placed in noticeable and easily accessible locations in both centres. Moreover, increased efforts have been invested in maintaining high hygienic standards aimed at preserving the health of applicants, but also of the staff working in both centres. This was the only way in which the spread of the disease could be prevented.

As regards measures that are being taken to test and protect detainees during the COVID-19 epidemic, the Ministry of the Interior follows the instructions issued by the Croatian Institute of Public Health in relation to COVID-19. When the police interact with illegal migrants and aliens who make an application for international protection, the aliens are checked for COVID-19 symptoms. If the aliens show COVID-19 symptoms, this is reported to the epidemiologist in charge who takes over the case.

If aliens show no symptoms, the police continue to take action, that is, they make decisions regarding return pursuant to the Aliens Act (Official Gazette No 130/11, 74/13, 69/17, 46/18 and 53/20) or they take note of the international protection applications made by the aliens.

If a return decision is issued, a deadline for voluntary return is determined by taking into consideration all the relevant circumstances of the case. In general, the deadline should not be shorter than 7 or longer than 30 days.

If aliens are transported in police vehicles, the vehicles are regularly disinfected and police officers wear appropriate protective equipment. Aliens in the procedure of forcible removal may be accommodated in reception centres for aliens, and international protection applicants are accommodated in reception centres for international protection applicants. The Ministry does not provide nor is obligated to provide accommodation for aliens in the procedure of voluntary return.

Information flyers on conscientious and responsible behaviour during the COVID-19 pandemic are available in reception centres for aliens and reception centres for international protection applicants. They were designed by IOM and translated into 26 languages (Amharic, Arabic, Bambara, Bengali, Chinese, Edo, English, Esan-Ishan, French, Fula, Hausa, Igbo, Italian, Kurdish Sorani, Mandinka, Pashto, pidgin English, Romanian, Russian, Somali, Soninke, Spanish, Tigrinya, Urdu, Wolof, and Yoruba). Also available are flyers with the instructions issued by the Croatian Institute of Public Health which have been translated into the languages used by aliens. Likewise, disinfectant dispensers have been placed in the centres.

A medical examination is performed when aliens are accommodated in the reception centre for aliens. If it is established that the alien shows COVID-19 symptoms, he/she is released from the centre and the epidemiologist in charge takes over the case.

As regards unaccompanied minors, the Ministry for Demography, Family, Youth and Social Policy has adopted guidelines on procedures to be followed for the protection of unaccompanied minors in situations when they are threatened or there is risk of the epidemic.

All employees of the Ministry of the Interior who work with illegal migrants, international protection applicants and persons who have been granted international protection continuously follow the instructions and recommendations of the Croatian Institute of Public Health and the Civil Protection Headquarters, and they adjust their activities in real time depending on the current situation.

The Ministry has provided protective equipment and disinfectants for all employees. Other activities are also being taken in order to ensure the highest possible level of hygienic and health working conditions.

When it comes to deportation/removals, returns are carried out in very difficult circumstances and have been significantly reduced due to the epidemiological situation.

Cooperation with distant third countries was difficult even prior to COVID-19 (Pakistan, Afghanistan, Iraq, Iran, Bangladesh etc.). Cooperation with the neighbouring countries is generally good when it comes to the return of illegal migrants.

Since the outbreak of COVID-19, communication with third non-neighbouring countries in the area of return has been suspended. Due to the epidemiological situation, the number of returns is limited, flights to numerous third countries have been suspended, and certain third countries have also introduced restrictive measures (bans, quarantine, and similar).

During the COVID-19 pandemic, the neighbouring countries with which the Republic of Croatia has been implementing bilateral agreements closed their borders and for a short period were not admitting even their own nationals. In April 2020, the situation improved and now the neighbouring countries admit their own nationals (Bosnia and Herzegovina, Serbia, Montenegro), pursuant to bilateral readmission agreements.

With regard to new immigration and/or asylum policies that the Republic of Croatia has adopted, please note that the Decision on the temporary ban on crossing the state border of the Republic of Croatia was adopted on 19 March 2020. According to this Decision, nationals of EU and Schengen Member States and Schengen Associated States and their family members were allowed return to their home countries, as were third-country nationals with long-term residence and persons entitled to residence under other EU directives or national law or those with long-term national visas.

Furthermore, crossing of the border of the Republic of Croatia was temporarily prohibited, that is, restricted by the Decision on the temporary ban on crossing the state border of the Republic of Croatia of 30 June 2020 in order to protect the population of the Republic of Croatia from COVID-19. The ban does not refer to nationals of the European Union, Schengen Member States and Schengen Associated States and their family members, as well as third-country nationals with long-term residence pursuant to Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents, and persons who are entitled to residence under other EU directives or national law or who are holders of national long-term visas.

The following categories of third-country nationals are exempt from this Decision:

- healthcare workers, healthcare researchers and associates, elderly care experts and persons in need of emergency medical treatment,
- frontier workers,
- hauliers and other transport staff, in the scope necessary,
- diplomats, police officers when performing their tasks, civil protection services and teams, international organisations' staff, and international military staff, when performing their functions,
- transit passengers,
- persons travelling for tourist or other business reasons or those with other economic interest,
- persons travelling for education or other pressing personal reasons.

Reception centres remained open during the COVID-19 pandemic. Efforts have been intensified to provide appropriate care to aliens accommodated at the reception centres in Zagreb and Kutina. On 13 March 2020, all transfers under the Dublin Regulation were temporarily suspended due to COVID-19. This suspension is still in force.

I hope that the information provided above will help your work on the initiative to track official responses to COVID-19 with respect to immigration detention and removal policies with the aim of better understanding the vulnerabilities detainees face during the pandemic and identifying best practices.

Yours sincerely,

STATE SECRETARY


Tereziya Gras