Croatia amends International Protection and Foreigners Laws to implement the EU Pact on Migration and Asylum

Implementing the instruments of the Pact on Migration and Asylum, the Act on Amendments to the Act on Foreigners was published in the Official Gazette (Narodne novine 55/2026) on 27 May 2026 and the Act on Amendments to the Act on International and Temporary Protection was published on 9 June 2026 (Narodne novine 59/2026), entering into force on 12 June 2026.

The changes in the Act on Foreigners relevant to international protection are as follows:

● **Screening procedure regulated under Article 180a of the Act on Foreigners:** In-depth screening shall be carried out in dedicated facilities of the Ministry of the Interior by the Ministry, the police administration, the authority responsible for social welfare in matters relating to the preliminary assessment of vulnerability and the protection of unaccompanied minors, and the Ministry of Health in matters relating to the preliminary medical examination, in accordance with Regulations (EU) 2024/1356 and (EU) 2024/1352.

Third-country nationals subject to screening are not allowed to leave the screening premises without authorisation, in order to prevent the risk of absconding or a potential threat to security or public health. The freedom of movement of third-country nationals subject to screening who express their intention to apply for international protection may be restricted by placement in a reception centre for foreigners. Individuals subject to screening have the right to information and healthcare. Professionals providing information and counselling to third-country nationals subject to screening may have their access partially restricted for reasons of security and facility management, but access may not be completely denied.

Any screening activities not carried out within the time limits prescribed by Regulation (EU) 2024/1356 shall be carried out during border procedures for granting international protection, border return procedures, or other procedures.

● **The Independent Mechanism for Monitoring Fundamental Rights** is tasked with monitoring fundamental rights compliance during the screening

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procedure: Pursuant to Article 180b of the Act on Foreigners it oversees access to the international protection system, compliance with the prohibition of forced removal and refoulement, the best interests of the child, and restrictions on freedom of movement.

● **Border return procedure:** Article 200a regulates the border return procedure, during which third-country nationals remain in the facility where the procedure is being carried out, unless alternative measures are applied.

The **main changes in the International and Temporary Protection Act** (ITPA) are as follows:

● **Articles 22 to 31 of the ITPA are repealed:** Those articles previously set out the grounds and acts of persecution, actors of persecution and protection, the internal protection alternative, examination of applications, the benefit of the doubt, and exclusion.

● **Updated and expanded definitions under Article 4:** Including an updated definition of family members, the distinction between basic reception conditions (which include accommodation, food and emergency healthcare) and material reception conditions (which also include clothing, personal hygiene products and financial benefits), and updated definitions relating to detention measures and guardians for unaccompanied children. Additional child protection considerations have also been added under Article 10.

● **Assessment of specific reception and procedural needs:** To be carried out within 30 days of the expression of the intention to apply for international protection by specially trained staff under the amended Article 15. The information will be included in the applicant's file.

● **The representation of unaccompanied children:** Regulated under Article 17, which provides that they must be immediately appointed a special guardian from the moment they express their intention to apply for international protection by the authority responsible for social welfare, and in any case no later than 10 days after. A temporary representative must be appointed in the meantime. Provisions concerning safeguards (complaint mechanisms and the absence of certain criminal convictions) and quality (representatives must be trained and may not be responsible for more than 30 minors) are also included. Article 18 delegates the regulation of the age assessment procedure to Article 25 of the APR.

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● Article 33 reflects the **lowering of the age threshold for registering applicants' biometric data in Eurodac from 14 to 6 years** and, among other provisions, introduces a 7-working-day deadline for persons subject to a return procedure to express their intention to apply for international protection, after which the application will be rejected as inadmissible pursuant to Article 38(1)(e) of the APR.

● **Deadlines for deciding on an application:** Article 40 of the ITPA directly refers to the APR's deadlines for issuing a decision on international protection. Additionally, Article 40 of the ITPA now provides for a 2-month deadline for the Ministry to issue a new decision where a court annuls a previous decision and remits the case for reconsideration. The deadline for completing the border procedure is 3 months.

● **Border procedure:** This is regulated under Article 42 of the Act, which directly refers to Articles 43, 44 and 45 of the APR, while providing that decisions taken in the border procedure may be challenged before the administrative court within 5 working days of notification. The administrative court must issue its decision within 8 working days of receipt of the case file (15 days where a hearing is held). Applicants in the border procedure must remain in designated premises, where they are not regarded as being present in the territory. If the border procedure is not completed within 12 weeks of the expression of the intention to apply for international protection, applicants shall be authorised to enter the territory.

● **The provisions concerning safe countries of origin and safe third countries**, regulated under Articles 44 and 45 of the ITPA respectively, have been amended to reflect both designation at EU level and the possibility of adopting national lists by decision of the Minister of the Interior. The concept of the European safe third country is repealed.

● **Cessation and withdrawal grounds** regulated in Articles 11(1) and 16(1), and Articles 14(1)(b) to (e) and 19(1)(b) or (c) of the Qualification Regulation are directly referred to in Articles 49 and 50 of the ITPA.

● As a rule, **appeals before the administrative court shall have automatic suspensive effect** pursuant to Article 51 ITPA. Exceptions are cases of tacitly withdrawn applications, negative decisions in accelerated procedures and border procedures (unless the applicant is an unaccompanied minor), applications declared inadmissible pursuant to Articles 38(1), 38(2) (except where the applicant is an unaccompanied minor in a border procedure), and 39(1) of the

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APR, and where another Member State is responsible for examining the application. Appeals against certain reception-related decisions, such as restrictions on freedom of movement, detention, and the restriction or withdrawal of reception conditions, will also not have automatic suspensive effect.

● **Restrictions on freedom of movement and detention in a specialised facility** have been separated into two different provisions, Articles 54 and 54a. A new ground for detention (detention during the border procedure) has been added. Detention is expressly established as a measure of last resort, to be ordered following an individual assessment where the applicant's presence cannot be ensured through less coercive measures.

● Under Article 55 of the ITPA, material reception conditions may be reduced to basic reception conditions under the conditions set out therein, and early integration activities, such as cultural orientation, language courses and workshops, are expressly provided for under the newly inserted Article 58a. The provisions concerning the integration of beneficiaries are likewise expanded under Article 74 of the ITPA, which now provides for an obligation to attend workshops and language courses and to pass language examinations, with possible consequences for access to social welfare benefits, accommodation and family reunification.

● The right to recognition of foreign qualifications is made more flexible under Article 70(5) of the ITPA in cases where beneficiaries are, for justified reasons, unable to provide the required documentation.

● Provisions on contingency planning are also introduced through Article 93a of the ITPA.

Source(s)

- Official Gazette | Narodne Novine (9 June, 2026), Zakon o izmjenama i dopunama Zakona o međunarodnoj i privremenoj zaštiti [Act on Amendments to the Law on International and Temporary Protection], https://narodne-novine.nn.hr/clanci/sluzbeni/2026_06_59_732.html
- Official Gazette | Narodne Novine (27 May, 2026), Zakon o izmjenama i dopunama Zakona o strancima [Law on Amendments to the Law on Foreigners], https://narodne-novine.nn.hr/clanci/sluzbeni/2026_05_55_692.html

Related development(s)

The Croatian government submits to the Parliament the final proposals of the acts aligning its international protection and foreigners laws with the EU Pact on

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