Dublin procedure - Croatia

Overview

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Relevant EU legislation

Croatia is bound by the Dublin III Regulation which is directly applicable.

National legislation

The Dublin III Regulation is applied directly in Croatia. Additionally, there is reference to it in national legislation in the Law on International and Temporary Protection | Zakon o međunarodnoj i privremenoj zaštiti.

Competent authority and stakeholders

Entity responsible for the Dublin procedure (the application of the criteria and mechanisms for determining the Member State responsible): Dublin Procedure Service | Služba za dublinski postupak. The Dublin Procedure Service has two departments, the Department for Incoming and Outgoing Requests | Odjel za ulazne i izlazne zahtjeve, and the Department for Transfers | Odjel za transfere.

Place in the institutional framework: The Dublin Procedure Service | Služba za dublinski postupak lies within the Sector for International Protection | Sektor za međunarodnu zaštitu, which is part of the Directorate for Immigration, Citizenship and Administrative Affairs | Uprava za Imigraciju, državljanstvo i upravne poslove in the Ministry of the Interior | Ministarstvo unutarnjih poslova.

Competencies of the entity:

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Yes	Conducting the Dublin interview (specifically for the Dublin procedure, as part of the registration interview or handling the form to be completed during registration)
Yes	Organising Dublin transfers
Yes	Notifying the transfer decision
No	Accompanying/escorting applicants during a Dublin transfer
Yes	Sending and replying to take charge and take back requests to/from other Member States
No	Receiving applicants transferred under the Dublin procedure (meeting applicants at the airport/border crossing)
Yes	Sending and replying to information requests to/from other Member States

Stakeholders involved in the procedure:

Handing over the common leaflet on the Dublin procedure	**Application at the border:** Border police I Granična policija **Application on the territory:** Police station / Police administration I Policijska uprava / Policijska stanica Ministry of the Interior of the Republic of Croatia I Ministarstvo unutarnjih poslova Republike Hrvatske

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Conducting the Dublin interview (specifically for the Dublin procedure, as part of the registration interview or handing the form to be completed during registration)	The Reception and Accommodation Service for Applicants for International Protection | Služba za prihvat i smještaj tražitelja međunarodne zaštite is responsible for submitting the requests. The International Protection Service | Služba za međunarodnu zaštitu conducts the personal interview. The Dublin Procedure Service | Služba za dublinski postupak, is responsible for conducting an additional interview only if only if elements relevant to the Dublin procedure are missing.
Referral of cases to the Dublin unit	**Application at the border:** Border police I Granična policija **Application on the territory:** Police station / Police administration I Policijska uprava / Policijska stanica **Registration:** Service for reception and accommodation of applicants for international protection I Služba za prihvat i smještaj tražitelja međunarodne zaštit
Sending and replying to a take charge or take back request	Department for Incoming and Outgoing Requests | Odjel za ulazne i izlazne zahtjeve, and Department for Transfers | Odjel za transfere, both within the Dublin Procedure Service | Služba za dublinski postupak
Sending and replying to information requests to/from another Member State	Department for Incoming and Outgoing Requests | Odjel za ulazne i izlazne zahtjeve
Notification of the transfer decision	Department for Transfers | Odjel za transfere

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Free legal assistance during the appeal of a transfer decision	Legal aid can be provided by lawyers and lawyers from NGOs who are registered at the Ministry for Justice. The costs of legal aid are covered by the Ministry of the Interior of the Republic of Croatia I Ministarstvo unutarnjih poslova Republike Hrvatske.
Representation of the asylum authority in an appeal against a transfer decision	Dublin Procedure Service | Služba za dublinski postupak
Organising the transfer to the responsible Member State	Dublin Procedure Service (Department for Transfers) | Odjel za dublinski postupak, (Odjel za transfere) Border police I Granična policija
Providing information on the transfer modalities to the applicant	Dublin Procedure Service (Department for Transfers) | Odjel za dublinski postupak, (Odjel za transfere)
Accompanying/escorting applicants during a Dublin transfer when necessary	Border police I Granična policija: The transfer usually takes place under escort of two police officers as requested by the airline company (Croatia Airlines). Unaccompanied minors are accompanied exclusively by special guardians during transfers.
Receiving applicants transferred under the Dublin procedure (meeting applicants at the airport/border crossing)	Ministry of the Interior of the Republic of Croatia I Ministarstvo unutarnjih poslova Republike Hrvatske There is no NGO available at the airport, although for very serious cases, a psychologist may be made available.
Court/authority responsible for deciding on an appeal against a transfer decision	Administrative courts | upravni sud

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Provision of information on the Dublin procedure

Information related to fingerprinting in accordance with the Eurodac and Dublin III Regulation is provided at the moment of making/lodging an application for asylum, either by the border guard if the application is submitted at the border or by the police if an application is submitted on the territory. The common leaflet and relevant information are provided in written form or orally (depending on asylum seeker's individual needs) in a language the applicant understands. In 2021, leaflets on the Dublin procedure, as required by Article 4 of the Dublin III Regulation, and on the Eurodac data process, were disseminated. A special leaflet for unaccompanied minors was also prepared.

The applicant provides his/her consent to the above-mentioned procedures by signing a set form.

Right to legal counselling on the Dublin procedure

Free legal advice, but not representation, may be provided during the Dublin procedure. Free legal aid is only provided when appealing against a Dublin decision if requested by the applicant.

Personal interview to determine the Member State responsible

Organisation of the interview: There is no separate personal interview specifically for the determination of the Member State responsible, as questions relevant to the Dublin procedure are part of the first interview that is conducted by the police and reception authorities when making or lodging the application. If there are elements missing in connection with the Dublin procedure, an additional interview is conducted by the Dublin Procedure Department.

Persons present during interview: N/a

Notification of the transfer decision

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The Dublin Procedure Service notifies the applicant about the transfer decision in writing.

Remedies

Competent authority/court	Administrative Court
Deadline for review/appeal	8 days
Deadline for decision on the review/appeal	15 days
Suspensive effect of the review/appeal	The claim before the Administrative Court has a suspensive effect.

Transfer arrangements

If another Member State is responsible, a written decision on inadmissibility is issued by the Dublin Procedures Service and the applicant is informed of the transfer.

The transfer is organised by the Dublin Procedures Service of the Ministry of the Interior, in cooperation with the receiving Member State. The transfer is usually under escort of two police officers as requested by the airline company (Croatia Airlines). Unaccompanied minors are accompanied exclusively by special guardians during transfers.

If an appeal is not submitted against the Ministry of the Interior’s decision, the transfer is implemented within 45-60 days from the day the other Member State accepts responsibility.

In general, the identification of special needs may be conducted by employees of the Ministry of the Interior and other competent bodies (e.g. medical staff, NGOs, etc.), at any stage of the procedure.

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Guarantees for minors in the Dublin procedure

Assessment of the best interests of the child: As a rule, unaccompanied minors are not subjected to the Dublin procedure unless they have family members in another Member State who are able and willing to take care of them.

Legal guardian: A legal guardian is appointed immediately upon making application for international protection.

Detection of potential family reunification cases: Information is currently not available.

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