

ASYLUM ACT

(The final copy of the Asylum Act, "Official Gazette" No. 79/07 and "Official Gazette" No. 88/10)

Title I GENERAL PROVISIONS

Article 1

This Act stipulates the principles, conditions and the procedure for granting asylum, subsidiary protection, temporary protection, the status, rights and obligations of asylum seekers, asylees, aliens under subsidiary protection, aliens under temporary protection, as well as the conditions and the procedure for revocation and cessation of the asylee status, subsidiary and temporary protection.

Meaning of terms used in this Act

Article 2

Particular terms used in this Act shall have the following meanings:

Alien means a person who has no Croatian nationality and a stateless person.

Refugee means an alien who is outside the country of his/her nationality, and owing to a well-founded fear of being persecuted for reasons of his/her race, religion, nationality, membership of a particular social group or political opinion, is unable or, owing to such fear, is unwilling to avail himself/herself of the protection of that country, or a stateless person who is outside his/her country of habitual residence, and who is unable or, owing to a well-founded fear, is unwilling to return to that country.

Asylum seeker means an alien who has applied for asylum, regarding which a final decision has not yet been made.

Asylee means a refugee who fulfils conditions laid down in Article 4 of this Act.

Asylum means the protection by which the constitutional provision on giving refuge to a refugee in the Republic of Croatia, on the basis of the competent authority decision on fulfilment of conditions laid down in Article 4 of this Act, has been realized

Subsidiary protection means the protection granted to an alien pursuant to the provision laid down in Article 7 of this Act and who does not fulfil conditions for asylum.

Temporary protection means the protection granted to aliens arriving in large numbers to the Republic of Croatia from the country where, due to war or similar situation, general violence or internal conflict, human rights have been violated, provided that the country of origin is unwilling or unable to protect those aliens and when, due to large number of arriving persons, it is not possible to efficiently conduct asylum procedure in the interest of all persons concerned. *(Shall be effective until accession of the Republic of Croatia to the European Union).*

Temporary protection means the protection granted to an alien pursuant to the provision laid down in Article 83 of this Act. *(Shall enter into force on the date of accession of the Republic of Croatia to the European Union).*

Application for asylum means the application by which an alien seeks protection within the meaning of Article 4 and Article 7 of this Act.

Unaccompanied minor means an alien below the age of eighteen who arrives to the Republic of Croatia unaccompanied by an adult responsible for him/her whether by law or by custom, and for as long as he/she is not effectively taken into the care of such a person, including a minor who is left unaccompanied after he/she has entered the Republic of Croatia.

Family member, under the condition that the family already existed in the country of origin of the asylum seeker, asylee, alien under subsidiary protection and alien under temporary protection, is deemed to be:

- a spouse or a common law partner pursuant to the valid regulations of the Republic of Croatia which regulate family relations;
- a minor child who has not founded a family of his/her own and is dependent on his/her parents, whether he/she was born in or out of wedlock or adopted;
- a parent or a legal representative of a minor asylum seeker, asylee, alien under subsidiary protection and alien under temporary protection;
- a relative in a direct line, if it has been indisputably established that he/she had lived in the same household with the asylum seeker, asylee, alien under subsidiary protection or alien under temporary protection.

Vulnerable groups means adults without legal competence, minors, elderly and infirm persons, seriously ill persons, disabled persons, pregnant women, single parents with minor children, and victims of torture, rape or other forms of psychological, physical and sexual violence.

Residence means the place where an asylee or an alien under subsidiary protection has settled down with intention of living there.

Reception centre for asylum seekers (hereinafter: the Reception Centre) means a facility which is used for collective accommodation of asylum seekers.

Travel document for an asylee is a travel document for refugees as prescribed by the Convention related to the Status of Refugees of 1951 (hereinafter: the 1951 Convention).

Country of origin means the country of an alien's nationality or the country in which a stateless person had his/her former habitual residence. If an alien has more than one nationality, the country of origin shall be each of the countries whose national he/she is.

Race shall in particular include the colour of skin, origin, or membership of a particular ethnic group.

Religion shall in particular include the holding of theistic, non-theistic and atheistic beliefs, the participation in, or abstention from formal private or public worship, either alone or in a community with other persons, other religious acts or expressions of views, or forms of personal or communal conduct based on any religious belief or emerged from such beliefs.

Nationality shall in particular include affiliation to a particular group which has been determined according to its cultural, ethnical or linguistic identity, common geographical or political origin or its relationship with the population of another state, and it may also include citizenship.

Political opinion shall in particular include the holding of an opinion, thought or belief on a matter related to the potential agents of persecution referred to in Article 10 of this Act and to their policies or methods, whether or not an asylum seeker has been acted upon that opinion, thought or belief.

Particular social group in particular includes members sharing innate characteristics or a common background that can not be changed, or characteristics or beliefs that are so fundamental to identity or conscience that a person should not be forced to renounce it. Such group should have a distinct identity in the relevant country, as being perceived different by the surrounding society. Depending on circumstances in the country of origin, a particular social group may also mean a group based on common characteristics of sexual orientation. Sexual orientation cannot be understood to include acts that are considered to be criminal acts pursuant to the legislation of the Republic of Croatia: Gender related aspects might be taken into consideration, but they shall not by themselves alone create a presumption of persecution pursuant to Article 4 of this Act.

Serious harm means threat by death penalty or execution, torture, inhuman or degrading treatment or punishment, and a serious and individual threat to life by reason of arbitrary violence in situations of international or internal armed conflict.

Safe country of origin means the country where an alien stayed prior to his/her arrival to the Republic of Croatia as a national of that country or a stateless person with his/her last habitual residence in that country, if it follows from the legal situation, the application of the law within the democratic system, and general political circumstances, that there is generally and consistently no persecution as defined in Article 5 of this Act and that there is no suffering from serious harm as defined in Paragraph 21 of this Article.

Safe third country means the country where an alien stayed prior to his/her arrival to the Republic of Croatia, provided that he/she is safe from persecution there, under the reasons stated in Article 4 of this Act, and from suffering a serious harm, including respect of the principle stated in Article 3 of this Act and that he/she may be granted asylum in that country.

An assessment whether a country is considered a safe country of origin shall be based on reports of the United Nations High Commissioner for Refugees (hereinafter: the UNHCR), the Council of Europe, European Union states and relevant international organisations, and in making such an assessment account shall be taken, inter alia, of:

1. relevant laws and regulations of the country of origin and the manner in which they are applied,
2. respect of the rights and freedoms laid down in the European Convention for the Protection of Human Rights and Fundamental Freedoms, International Covenant for Civil and Political Rights, and Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,
3. respect of the *non-refoulement* principle according to the 1951 Convention,
4. existence of an effective system of legal remedies against violation of the aforementioned rights and freedoms.

In making the assessment whether a country is considered a safe third country, apart from conditions referred to in Paragraph 2, Points 1 to 4 of this Article, there shall also be taken into account the existence of an effective asylum system in that country.

The Government of the Republic of Croatia shall determine the list of safe countries of origin and safe third countries, and shall publish them in the "Official Gazette".

The Government shall review the aforementioned lists, when the conditions which determine a country as a safe country of origin or a safe third country have changed.

Prohibition of expulsion or return (“refoulement”)

Article 3

It is not allowed to expel or return an alien in any manner whatsoever into a country where his/her life or freedom would be threatened on account of his/her race, religious or national affiliation, membership of a particular social group or political opinion, or to a country where he/she could be exposed to torture, inhuman or degrading treatment or punishment.

Asylum

Article 4

The Republic of Croatia shall grant asylum to an alien who is outside the country of his/her nationality, or to a stateless person who is outside the country of his/her habitual residence, and who, owing to a well-founded fear of being persecuted for reasons of his/her race, religion, nationality or membership of a particular social group or political opinion, is unable or, owing to such fear, is unwilling to avail himself/herself of the protection of that country.

Acts of persecution

Article 5

Acts of persecution, within meaning of article 4 of this Act, must be:

1. sufficiently serious by their nature or repetition as to constitute a severe violation of basic human rights, in particular the rights which can not be limited under Article 15, Paragraph 2 of the European Convention for the Protection of Human Rights and Fundamental Freedoms; or which represent
2. accumulation of various measures, including violations of human rights, which are sufficiently severe to, in the whole, affect an individual in the manner as set out in Point 1 of this Paragraph.

The acts of persecution referred to in Paragraph 1 of this Article may, inter alia, take the form of:

1. physical or mental violence, including sexual violence;
2. legal, administrative, police and/or judicial measures which are in themselves discriminatory, or which are implemented in a discriminatory manner;
3. judicial prosecution or punishment which is disproportionate or discriminatory;
4. denial of judicial redress;
5. judicial prosecution or punishment for refusal to perform military service during a conflict, where performing military service would include crimes or acts falling under the exclusion clauses as set out in Articles 6 and 8 of this Act;
6. acts of a gender-specific or child-specific nature.

There must be a connection between acts of persecution and reasons for persecution.

When assessing if an asylum seeker has a well-founded fear of being persecuted, it is immaterial whether he/she actually possesses the racial, religious, national, social or political characteristics which cause the persecution, provided that such characteristics are attributed to the asylum seeker by the agent of persecution.

Reasons for exclusion

Article 6

Asylum shall not be granted to an alien for whom there are serious reasons for considering that he/she has committed, encouraged or in any other way participated in committing:

1. a crime against peace, a war crime or a crime against humanity as defined by provisions of the international instruments,
2. a serious non-political crime outside the Republic of Croatia, before his/her arrival to the Republic of Croatia, also including particularly cruel acts, even if committed with an allegedly political objective,
3. acts contrary to the purposes and principles of the United Nations as set out in the Preamble and Articles 1 and 2 of the Charter of the United Nations.

Asylum shall not be granted to an alien at present receiving protection or assistance from organs or agencies of the United Nations, other than the UNHCR.

If the protection or assistance referred to in Paragraph 2 of this Article has ceased for any reason over which he/she had no control, an alien shall be granted asylum.

Asylum shall not be granted to an alien whom the competent bodies of the Republic of Croatia have granted equal rights and obligations as a national of the Republic of Croatia. For the purpose of protection of the national security, in cases where a reasonable suspicion exists, and which indicates that the acts referred to in Paragraph 1 of this Article have been committed, the competent security-intelligence service shall interview the asylum seeker and deliver its opinion to the Ministry.

Subsidiary protection

Article 7

Subsidiary protection shall be granted to an alien who does not fulfil conditions for being granted asylum, but in respect of whom substantial grounds have been shown for believing that the person concerned, if returned to his/her country of origin, would face a real risk of suffering serious harm and who is unable, or, owing to such risk, is unwilling to avail himself/herself of the protection of that country.

Reasons for exclusion from subsidiary protection

Article 8

Subsidiary protection shall not be granted to an alien:

1. for whom there are serious reasons for considering that he/she has committed, encouraged or in any other way participated in committing:
 - a crime against peace, a war crime or a crime against humanity as defined by provisions of the international instruments,
 - a serious crime,
 - acts contrary to the purposes and principles of the United Nations as set out in the Preamble and Articles 1 and 2 of the Charter of the United Nations, or
2. if he/she represents a danger to the society or security of the Republic of Croatia.

A serious crime from Paragraph 1, Point 1, and Subparagraph 2 of this Article means a crime which is, pursuant to legislation of the Republic of Croatia, punishable by a term of the imprisonment of five years or more.

Subsidiary protection shall also not be granted to an alien who has committed a crime prior to his/her entry into the Republic of Croatia, for which crime an imprisonment is prescribed in the Republic of Croatia, and who left his/her country of origin with the sole aim of avoiding sanctions prescribed in that country.

For the purpose of protection of the national security, in cases where a reasonable suspicion exists, and which indicates that the acts referred to in Paragraph 1 of this Article have been committed, the competent security-intelligence agency shall interview the asylum seeker and shall deliver its opinion to the Ministry.

Principle „sur place“

Article 9

A well-founded fear of being persecuted or a real risk of suffering serious harm may be based on:

- events which have taken place after an asylum seeker had left the country of origin.
- activities of an asylum seeker which have taken place after he had left the country of origin, in particular where it is established that the activities relied upon, constitute expression and continuation of beliefs or orientation he has held in the country of origin.

Agents of persecution or serious harm

Article 10

Persecution, within the meaning of Article 4 of this Act, or serious harm may be performed by:

- State bodies,
- parties or organisations which control the State or a substantial part of the State territory,
- non-State actors, where it has been proved that the State or parties or organisations which control a substantial part of the State territory, including the international organisations, are not able or are unwilling to provide protection from persecution or serious harm.

Actors of protection in the country of origin

Article 11

Protection from persecution within the meaning of Article 4 of this Act and from suffering serious harm may in the country of origin be granted by:

- State bodies,
- parties and national or international organisations which control the State or a substantial part of the State territory.

Provision of the protection referred to in Paragraph 1 of this Article shall imply undertaking appropriate measures aiming at preventing persecution or suffering serious harm, *inter alia*, by implementing an effective legal system for detection, prosecution and punishment of acts constituting persecution or serious harm, and enabling an asylum seeker to have access to such protection.

Bodies competent to decide on asylum applications
Article 12

The Ministry shall decide on an application for asylum.

The decision of the Ministry may be challenged by an appeal, lodged to the Commission for Asylum (hereinafter: the Commission), excerpt in the case stipulated by Article 74 of this Act.

An administrative dispute against the decision of the Commission may be initiated in front of the Administrative Court of the Republic of Croatia (hereinafter: the Administrative Court). *(Shall be effective until 01 January 2012).*

The Ministry of Interior (hereinafter: the Ministry) shall decide on an application for asylum.

An administrative dispute against the decision of the Ministry may be initiated in front of the Administrative Court of the Republic of Croatia (hereinafter: the Administrative Court). *(Shall enter into force on 01 January 2012).*

The Commission
Article 13

The Commission is an independent and impartial body.

The Commission shall decide on appeals lodged against the decisions of the Ministry passed pursuant to provisions of this Act, and it shall perform other activities stipulated by this Act and other regulations.

The Commission shall perform activities falling within its scope in accordance with the Constitution of the Republic of Croatia, laws and international treaties which are part of the Croatian legal order, and with other regulations.

The Commission shall be obliged to, at least once a year, submit the Government of the Republic of Croatia a report on its work, observations, implementation and protection of rights of asylum seekers, and on persons who have been granted protection pursuant to provisions of this Act.

The Commission shall give information within the scope of its work to natural and legal persons, in accordance with regulations on the area of data protection.

While performing its work, the Commission shall use a seal with the Republic of Croatia coat of arms.

The financial means for acquiring facilities, administrative and technical conditions necessary for the Commission's work, shall be provided by the State Budget. *(Shall be effective until 31 March 2012).*

Members of the Commission
Article 14

The Commission consists of the Chairman and five members.

The Chairman and one member of the Commission shall be appointed from among state administration bodies, one member shall be appointed from among university professors, two from judicial bodies, and one from among non-governmental organisations engaged in promotion and protection of refugee rights.

The Chairman of the Commission shall retain the status of a civil servant. In the course of his/her mandate, the Chairman shall not perform any other duties in state administration bodies, and his/her rights and obligations from the employment in the state body where he/she had worked until he/she was appointed, shall be suspended.

The Government of the Republic of Croatia may by its decision, enlarge the number of the Commission members, if the number of asylum seekers significantly increases.

In case of enlargement of the number of the Commission members, it will be ensured that the members who are appointed from the state administration bodies do not make more than one-third of the total number of members of the Commission. *(Shall be effective until 31 March 2012).*

Selection and appointment of the Chairman and members of the Commission
Article 15

The Chairman and members of the Commission shall be appointed by the Government of the Republic of Croatia for the five-year period, with the possibility to be re-elected.

The Chairman and members of the Commission shall be appointed after a public call is announced. The Office for Human Rights of the Government of the Republic of Croatia shall announce the public call in the "Official Gazette" and in, at least, two daily newspapers.

State administration bodies shall be authorised to make argued proposals for appointment of a candidate for the Commission Chairman, while faculties for social sciences, judicial bodies, state administration bodies and non-governmental organisations engaged in the promotion and protection of refugee rights shall be authorised to make argued proposals for appointment of candidates for the Commission members.

In the public call the conditions for election of the Chairman and members of the Commission, the deadline for submitting candidates' proposals, and enclosures which must be sent with the proposal, shall be specified.

The deadline for submitting proposals may not be less than 15 days or more than 30 days from the day of the public call's announcement.

The Office for Human Rights of the Government of the Republic of Croatia shall set up a Commission for Implementation of Elections for the Chairman and Members of the Commission.

Work of the Commission for Implementation of Elections for the Chairman and Members of the Commission may be observed by one UNHCR representative.

The Commission shall carry out interviews with eligible candidates.

The Commission shall propose the appointment of the Chairman and members of the Commission to the Government of the Republic of Croatia. *(Shall be effective until 31 March 2012).*

Conditions for appointment of the Chairman and members of the Commission
Article 16

A person for whom there exist no obstacles for employment in a civil service as prescribed by the Civil Service Act, and who is a Croatian national, a graduated lawyer, who speaks English fluently and meets other conditions prescribed by this Act, shall be appointed as a Chairman and a member of the Commission.

A person who has passed the bar exam and has at least five years of working experience in the legal branch, shall be appointed as a Chairman of the Commission.

A person, who passed the state exam and has at least five years of working experience in the legal branch, shall be appointed as a member of the Commission proposed by a state administration body.

A person who is a judge and has at least five years of working experience in the legal branch shall be appointed as a member of the Commission proposed by a judicial body.

As a member of the Commission proposed among university professors, there shall be appointed a university professor teaching law-related subjects, who has, through his/her scientific and professional work, distinguished him/her in the area of the protection of human rights.

As a member of the Commission proposed among representatives from non-governmental organisations, there shall be appointed a person who has become prominent through his/her public work at promotion and protection of human rights, especially refugees' rights.

Persons who, in any way, participate in the first-instance asylum procedure, or are otherwise able to influence the procedure, may not be members of the Commission. .
(Shall be effective until 31 March 2012).

Releasing the Chairman and members of the Commission
Article 17

The mandate of the Chairman or a member of the Commission may be finished before the time, for which he/she was appointed, has expired, if he/she:

- he/she requests to be released from duty,
- does not perform his/her duty in compliance with law and other regulations,
- has been convicted for a criminal act to an unconditional prison sentence,
- does not participate in Commission sessions,
- performs the work of a Commission member unconscientiously and unprofessionally.

A proposal for releasing a member of the Commission from his/her duty shall be submitted to the Government of the Republic of Croatia by the Chairman of the Commission.

A proposal for releasing the Chairman of the Commission from his/her duty shall be submitted to the Government of the Republic of Croatia by, at least, three members of the Commission.

The election procedure of a new Chairman and a member of the Commission shall be conducted in the manner stipulated by Article 15 of this Act.

The decision on appointing and releasing the Chairman and members of the Commission shall be published in the "Official Gazette". *(Shall be effective until 31 March 2012).*

Work of the Commission
Article 18

The manner of the Commission's work and decision-making shall be regulated by the Rules of Procedure of the Commission (hereinafter: the Rules of Procedure).

The Rules of Procedure shall be passed at the session of the Commission, by a majority of votes of all the Commission members.

The Chairman and members of the Commission shall be independent in their work and they shall perform their tasks impartially and pursuant to law.

The Chairman of the Commission shall: represent the Commission, convene the Commission sessions and sessions of the panel, conduct the second-instance procedure and assign cases for Commission members to work on, send a proposal for releasing a Commission member to the Government of the Republic of Croatia and perform other tasks stipulated by this Act and the Rules of Procedure.

The Commission shall make decisions at sessions of the panel composed of three members. The decisions shall be made by majority vote of the panel members.

The first session of the Commission shall be convened by the Chairman, not later than 15 days from the day of his/her appointment.

In the composition of a panel from Paragraph 5 of this Article it must be, at least, one representative of the judiciary and maximum one member appointed by the State administration. *(Shall be effective until 31 March 2012)*

Remuneration for the Commission's work
Article 19

The Chairman shall have a right to salary, and members of the Commission shall have a right to remuneration for their work.

The Chairman of the Commission, after his/her mandate has expired or ceased, shall have a right to be returned to a corresponding post in the state body, which he/she was appointed from, or a right to be assigned to a corresponding post in another state body.

An application for return or assignment to another state body shall be submitted at the latest, within 30 days of the day of expiration or ceasing of the mandate.

The decision concerning the amount of the salary and remuneration referred to in Paragraph 1 of this Article shall be made by the Government of the Republic of Croatia, and shall be paid from the State Budget. *(Shall be effective until 31 March 2012).*

Submitting an application for asylum
Article 20

An application for asylum shall be submitted at the Reception Centre, except in the case referred to in Article 67 of this Act.

An intention for submitting an application for asylum may be expressed by an alien during border control at a border crossing.

An alien already at the territory of the Republic of Croatia may express his/her intention to submit an application for asylum at a police administration or a police station.

Regulations referring to aliens shall be applied to an alien who, after having expressed his/her intention to submit an application for asylum, does not report to the Reception

Centre, without any justified reason, within the deadline determined by the competent body.

Illegal entry into the Republic of Croatia

Article 21

An alien who has illegally entered the Republic of Croatia, coming directly from the territory where he/she was persecuted in the sense of Articles 4 and 7 of this Act, shall not be punished for his/her illegal entry or stay provided that he/she submits an application for asylum without delay and show good cause for his/her illegal entry or stay.

Assistance to an asylum seeker

Article 22

An alien who expresses his intention to submit an application for asylum shall be enabled to submit it as soon as possible.

The Ministry shall, within 15 days from the day of submitting the application, inform an asylum seeker about the procedure for granting asylum, about rights and obligations he/she shall be entitled to in the procedure, about possibility to get free legal aid and to get into contact with UNHCR representatives and representatives of other organisations dealing with the protection of refugees' rights, in his/her own language or the language for which it can be reasonably supposed that he/she would be able to communicate on. ,

Cooperation with the UNHCR Office

Article 23

With respect to issues related to asylum seekers, asylees, aliens under subsidiary protection and aliens under temporary protection, the competent state bodies cooperate with the UNHCR Office.

The Ministry shall, at the request of the UNHCR Office, provide UNHCR with data concerning:

- asylum seekers, asylees, aliens under subsidiary protection and aliens under temporary protection in the Republic of Croatia,
- implementation of the 1951 Convention and other international documents relating to refugees,
- laws and other regulations related to refugees, which are implemented or are under drafting process.

The Ministry shall, subject to submitted consent of the asylum seeker, enable the UNHCR to access information on individual asylum applications, the course of the asylum procedure and the decisions made in that procedure.

Language used in the procedure

Article 24

If an asylum seeker does not understand the language in which the procedure is conducted, he/she shall be provided an interpreter for the language he/she is reasonably supposed to understand and be able to communicate on.

If possible, the asylum seeker, at his/her request or in cases where there is a specific reason, shall be provided with an interpreter of his/her sex.

The interpreter shall be obliged to keep the information revealed during the asylum procedure as classified, pursuant to regulations related to data protection.

Minors

Article 25

An application for asylum on behalf of a minor shall be submitted by the legal representative.

As an exception from the provision of Paragraph 1 of this Article, a minor over 16 years of age may submit his/her own application for asylum.

The implementation of the provisions of this Act shall be conducted in the best interest of a minor.

Unaccompanied minors

Article 26

The competent body for social welfare shall appoint a guardian to an unaccompanied minor seeking asylum and unaccompanied minor who has been granted protection pursuant to the provisions of this Act.

As an exception from the provision of Paragraph 1 of this Article, a guardian shall not be appointed to an unaccompanied minor who is over 16 years of age and is married.

The Ministry shall take necessary steps in order to find the parents of a minor.

An application for asylum of an unaccompanied minor shall be decided upon within the shortest term possible.

Inability to independently participate in a procedure

Article 27

The competent body for social welfare shall, following the proposal of a competent authority conducting the procedure and on basis of a medical documentation, appoint a guardian to an alien seeking asylum or an asylum seeker, who is not capable of understanding the meaning of procedure, due to temporary or permanent mental disorder or illness,.

Collecting personal data

Article 28

The Ministry and the Commission may, for the needs of implementation of this Act, collect personal data from asylum seekers.

The Ministry and the Commission may also, without consent of the asylum seeker, collect data referred to in Paragraph 1 of this Article from public authorities, legal entities and natural persons in the Republic of Croatia if it is:

- in the interest of the asylum seeker,
- allowed by laws or other regulations, or
- necessary for verification of the data referring to the asylum seeker.

The bodies and persons referred to in Paragraph 2 of this Article, that dispose of the data related to the asylum seeker, shall be obliged to provide the Ministry and the Commission with such data, at their request. *(Shall be effective until 01 January 2012).*

The Ministry and the Administrative Court may, for the needs of implementation of this Act, collect personal data from asylum seekers.

The Ministry and the Administrative Court may also, without consent of the asylum seeker, collect data referred to in Paragraph 1 of this Article from public authorities, legal entities and natural persons in the Republic of Croatia if it is:

- in the interest of the asylum seeker,
- allowed by laws or other regulations, or
- necessary for verification of the data on the asylum seeker.

The bodies and persons referred to in Paragraph 2 of this Article, that dispose of the data related to the asylum seeker, shall be obliged to provide the Ministry and the Administrative Court with such data, at their request. *(Shall enter into force on 01 January 2012).*

Competent authority shall not collect any information on the asylum seeker from his/her country of origin, which could jeopardise physical integrity of the asylum seeker and of his/her family members who have applied for asylum together with the asylum seeker, or which could jeopardize liberty and security of the asylum seekers's family members still living in the country of origin.

Personal and other data collected during the asylum procedure, in particular the fact that application for asylum has been made, shall represent a classified data and shall not be delivered to the country of origin of the asylum seeker or to other bodies not participating in the procedure.

As an exception from Paragraph 4 of this Article, the following data on the alien whose asylum application has been negatively completed, may be revealed to the country of origin or another country accepting to admit him/her: first and last name, date of birth, sex, nationality, data about family members, data about documents issued by the country of origin and the last address in that country; along with his/her fingerprints and photographs.

Collecting and using the data referred to in this Article shall be carried out in accordance with regulations regulating the protection of personal data.

Title II

RIGHTS AND OBLIGATIONS OF ASYLUM SEEKERS, ASYLEES AND ALIENS UNDER SUBSIDIARY PROTECTION

Rights and obligations of an asylum seeker

Article 29

An asylum seeker is entitled to:

- residence in the Republic of Croatia,
- provision of adequate material living and accommodation conditions,
- health care,
- elementary and secondary education,
- free legal aid,
- humanitarian assistance,
- freedom of religion and religious upbringing of his/her children,
- work.

Adequate material living and accommodation conditions shall include accommodation pursuant to Article 38 of this Act, food and clothing provided in kind and financial support pursuant to Article 33 of this Act.

An asylum seeker shall also be entitled to information on rights, obligations and the asylum procedure pursuant to Article 22 of this Act and to documents, pursuant to Article 76 of this Act.

The specific needs of vulnerable groups of asylum seekers, if established by an individual evaluation, shall be taken into account when rights enlisted in Paragraph 1 of this Article are exercised

Asylum seeker's right to residence

Article 30

An asylum seeker has the right to residence in the Republic of Croatia from the day of submission of the application for asylum until the completion of the procedure.

Family members of an asylum seeker, who have arrived to the Republic of Croatia together with an asylum seeker, have the right to residence in accordance with Paragraph 1 of this Article.

Health Care

Article 31

Health care of an asylum seeker shall cover emergency care and essential treatment of illnesses.

An asylum seeker who was exposed to torture, rape or other forms of serious violence and an asylum seeker with special needs shall be provided with a necessary treatment in connection with his/her specific condition and the consequences resulting from the mentioned acts.

An asylum seeker shall be provided with health care referred to in Paragraphs 1 and 2 of this Article in accordance with regulations on health care of aliens in the Republic of Croatia.

Education of a minor asylum seeker

Article 32

An asylum seeker shall be entitled to elementary and secondary education under the same conditions as a Croatian national.

The right from Paragraph 1 of this Article shall be made available to an asylum seeker within three months from the day of submission of the application for asylum or within one year if it is established, by an individual evaluation, that an asylum seeker does not speak sufficiently Croatian language to be able to attend classes.

Educational programmes for asylum seekers may also be organised at the Reception Centre.

Financial support

Article 33

An asylum seeker shall be entitled to financial support, except when he/she is employed and his/her income is sufficient to ensure an adequate standard of living, or when he/she possesses financial means or such financial means are provided in some other way.

The amount of the financial support shall be determined by the competent body for social welfare.

Free legal aid to asylum seekers

Article 34

Free legal aid shall include:

- general information on rights and obligations of asylum seekers in the procedure,
- assistance in preparation of an appeal, and
- representation before the Commission. (*Shall be effective until 01 January 2012*).

Free legal aid shall include:

- assistance in preparation of a complaint, and
- representation before the Administrative Court (*Shall enter into force on 01 January 2012*).

The aid referred to in Paragraph 1 of this Article may be provided by Attorneys at Law and lawyers from organisations registered for providing legal aid, and with whom the Ministry has concluded an agreement.

An asylum seeker who does not possess sufficient financial means or valuable properties shall be entitled to free legal aid.

In the case of Paragraph 3 of this Article, the competent body shall, when deciding on the legal remedy, determine that the costs of legal aid are to be borne by an asylum seeker.

The legal aid referred to in Paragraph 1 of this Article shall be provided upon the request of an asylum seeker.

The cost of free legal aid which is provided pursuant to the provisions of this Act shall be borne by the Ministry.

The Minister competent for internal affairs shall regulate the procedure of acquiring free legal aid and payment of free legal aid costs, and the tariffs of the provided services of legal aid stipulated by the provisions of this Act.

Humanitarian aid

Article 35

An asylum seeker shall be entitled to various forms of humanitarian assistance

Work of an asylum seeker

Article 36

An asylum seeker shall acquire the right to work after expiration of one year from the day of his/her submission of the application for asylum, if the asylum procedure shall not be completed.

The right referred to in Paragraph 1 of this Article shall be acquired in accordance with legal provisions regulating the work of aliens in the Republic of Croatia.

Obligations of an asylum seeker

Article 37

An asylum seeker shall be obliged to:

- observe the Constitution, laws and other regulations of the Republic of Croatia,
- observe the Reception Centre House Rules,

- cooperate with competent state bodies of the Republic of Croatia and comply with their measures and instructions,
- answer the calls of the Ministry and cooperate throughout the asylum procedure,
- report to the Ministry any change of his/her address within three days,
- comply with instructions and measures of the Ministry regarding any restriction of the freedom of movement,
- undergo medical check-up, audio-recording of interviews, dactyloscopy, photographing, and other identity verification measures,
- not leave the territory of the Republic of Croatia for the duration of the asylum procedure,
- give for a check objects and items that he/she takes into the Reception Centre.

Accommodation of an asylum seeker

Article 38

For the duration of the asylum procedure, an asylum seeker is entitled to be accommodated at the Reception Centre.

An asylum seeker is allowed to stay at his/her own cost at any address in the Republic of Croatia, subject to prior approval by the Ministry.

An asylum seeker who is in possession of financial means to support him/her, or is employed and who does not cover accommodation costs at the Reception Centre shall lose the accommodation right referred to in Paragraph 1 of this Article.

The rate of accommodation costs at the Reception Centre shall be determined by a decision of the Minister competent for internal affairs.

Reception Centre for Asylum Seekers

Article 39

The Reception Centre is established by the Regulation on the Internal Organisation of the Ministry.

The Croatian Red Cross, UNHCR and other organisations dealing with the protection of refugees' rights or with humanitarian work, may conduct pedagogical, educational and similar programmes and provide other types of assistance at the Reception Centre, subject to prior approval by the Ministry.

Asylum seekers accommodated at the Reception Centre shall be provided with food and basic hygiene supplies.

The rules for staying at the Reception Centre shall be regulated by the House Rules.

The House Rules of the Reception Centre shall be passed by the Minister competent for internal affairs.

RIGHTS AND OBLIGATIONS OF AN ASYLEE AND AN ALIEN UNDER SUBSIDIARY PROTECTION

Article 40

The status of an asylee or an alien under subsidiary protection shall be acquired on the date when the decision on granting asylum or subsidiary protection is delivered.

An asylee and an alien under subsidiary protection shall be entitled to:

- residence in the Republic of Croatia,
- accommodation,
- work,

- health care,
- education,
- freedom of religion and religious upbringing of his/her children,
- free legal aid,
- social welfare,
- family reunification,
- family unity,
- assistance with his/her integration into society.

The Ministry shall provide general information on the rights and obligations arising from granting of asylum and subsidiary protection to an asylee or an alien under subsidiary protection, within 15 days from granting the status, in the language for which it can be reasonably supposed that he/she would be able to communicate on.

Right to residence

Article 41

Right to residence in the Republic of Croatia shall be established by a decision on granting asylum, or on granting subsidiary protection and shall be proved by identity card of an asylee or by identity card of an alien under subsidiary protection.

Right to accommodation

Article 42

An asylee and an alien under subsidiary protection shall be provided accommodation for the longest period of two years from the enforcement of the decision by which asylum or subsidiary protection has been granted.

An asylee or an alien under subsidiary protection shall no longer have the right to accommodation if he/she refuses the accommodation referred to in Paragraph 1 of this Article.

After expiration of period from Paragraph 1 of this Article, an asylee and an alien under subsidiary protection shall have access to accommodation under equal conditions as any other alien who has been authorized to stay in the Republic of Croatia, in accordance with regulations stipulating stay of aliens in the Republic of Croatia.

Right to work

Article 43

An asylee and an alien under subsidiary protection shall have the right to work in the Republic of Croatia without a work or a business permit.

An asylee and an alien under subsidiary protection shall be entitled to employment related education opportunities for adults, vocational training and acquiring of working experience, under equal conditions as a Croatian national.

Right to health care

Article 44

Asylees and aliens under subsidiary protection shall be entitled to health care to the same extent as persons insured under mandatory health insurance in the Republic of Croatia.

Costs of health care for the persons referred to in Paragraph 1 of this Article shall be covered by the State Budget, from the line item of the Ministry competent for health care.

Right to education**Article 45**

An asylee and an alien under subsidiary protection shall be entitled to elementary, secondary and university education, under the same conditions as a Croatian national, in accordance with special regulations.

An asylee and an alien under subsidiary protection shall be entitled to adult education under the same conditions as a Croatian national, pursuant to legislation governing adult education in the Republic of Croatia.

An asylee and an alien under subsidiary protection shall be entitled to recognition of foreign educational qualifications under the same conditions as a Croatian national.

Right to freedom of religion**Article 46**

An asylee and an alien under subsidiary protection shall be guaranteed freedom of living and of upbringing their children in accordance with their religious beliefs.

Free legal aid**Article 47**

Free legal aid provided to an asylee and to an alien under subsidiary protection shall include:

- general information on rights and obligations derived from granting asylum and subsidiary protection,
- assistance in preparation of an appeal, and
- representation before the Commission, in the case that the asylum or the subsidiary protection have ceased or have been cancelled. *(Shall be effective until 01 January 2012).*

Free legal aid for an asylee and an alien under subsidiary protection shall include:

- assistance in preparation of a complaint, and
- representation before the Administrative Court in the case that the asylum or subsidiary protection have ceased or have been cancelled. *(Shall enter into force on 01 January 2012).*

An asylee or an alien under subsidiary protection who does not possess sufficient financial means or valuable properties, shall be entitled to free legal aid referred to in Paragraph 1.

The free legal aid referred to in Paragraph 1 of this Article, may be provided by Attorneys at Law and lawyers from organisations registered for providing legal aid, and with whom the Ministry has concluded an agreement.

Right to family reunification**Article 48**

Minor children of an asylee who do not have families of their own shall have the legal position of their legal representative who has been granted asylum.

Family members of an asylee, other than those referred to in Paragraph 1 of this Article, shall have their residence regulated pursuant to the provisions of the Aliens Act.

The right to family reunification of an asylee and his/her spouse shall be granted if the

marriage was contracted or the common law marriage existed before applying for asylum in the Republic of Croatia.

Residence for the purpose of family reunification of an alien under subsidiary protection shall be granted to a family member who has come to the Republic of Croatia together with the alien under subsidiary protection, and who has not applied for asylum or who has not been granted protection.

A child of an alien under subsidiary protection, born at the territory of the Republic of Croatia, shall have the legal position of his/her legal representative.

Right to family reunification of the persons referred to in Paragraphs 1 to 4 of this Article shall not be applied if the reasons for exclusion of a family member pursuant to Articles 6 and 8 of this Act exist, and for the reason of protecting the national security and legal order of the Republic of Croatia.

The competent body deciding on asylum application shall pass a decision on granting asylum from Paragraph 1 of this Article, or on subsidiary protection from Paragraph 5 of this Article

In the case of family reunification of an asylee and an alien under subsidiary protection, implemented in accordance with provisions of the Asylum Act and the Aliens Act, and where a person does not have possibility to collect official documents which would prove a particular family relation, circumstances, based on which such relation could be evaluated, shall be taken into consideration. The decision on denial of request for family reunification can not be based solely on the fact that official documents proving a particular family relation, do not exist.

Right to social welfare

Article 49

An asylee and an alien under subsidiary protection shall be entitled to social welfare in accordance with legal provisions regulating social welfare of Croatian nationals.

Assistance with integration into society

Article 50

Learning of Croatian language, history and culture, for the purpose of facilitating integration into Croatian society, shall be provided for asylees and aliens under subsidiary protection.

The activities referred to in Paragraph 1 of this Article shall be carried out by the Ministry competent for education.

An asylee and an alien under subsidiary protection shall be obliged to attend a course of learning Croatian language, history and culture, which he/she had enrolled to.

An, asylee and an alien under subsidiary protection shall reimburse costs of the course, if not fulfilling obligation from Paragraph 3 of this Article.

Family unity and rights of members of the family of an asylee and alien under subsidiary protection

Article 51

Family unity of an asylee and an alien under subsidiary protection and their family members legally residing in the Republic of Croatia shall be maintained.

A member of the family of an asylee and an alien under subsidiary protection legally residing in the Republic of Croatia shall enjoy the same rights as an asylee and an alien under subsidiary protection, in accordance with Articles 41 through 50 of this Act.

Obligations of an asylee and an alien under subsidiary protection

Article 52

An asylee and an alien under subsidiary protection shall be obliged to:

- comply with the Constitution, laws and other regulations of the Republic of Croatia,
- report to the Ministry about his/her residence and change of address within 8 days.

Chapter III

ASYLUM PROCEDURE

Initiation of the procedure

Article 53

The procedure shall be initiated by the submission of an application for asylum.
An application for asylum shall be taken orally for the record, taking into consideration provisions of Article 54 of this Act.

Interview with an asylum seeker

Article 54

Upon submission of the application for asylum, the Ministry shall, as soon as possible, interview the asylum seeker.

During the interview, an asylum seeker shall be obliged to present all circumstances relevant to his/her application, truthfully answer all questions, and submit all available evidence to support his/her application, i.e. give credible and convincing explanations of all the reasons, which his/her application is based on.

The asylum seeker shall be obliged to be physically present during the interview, regardless whether he/she has a legal representative or an authorised agent.

The Ministry shall conduct the interview with the asylum seeker in the absence of the authorised agent who has not provided justification for his/her absence.

The Ministry may interview the asylum seeker more than once for the purpose of establishing the facts of the case.

The person in charge of conducting the procedure shall whenever possible be of the same sex as the asylum seeker.

The information gathered during the interview shall represent classified information.

The minutes shall be taken during the interview, and in cases where the interview was audio-recorded, while listening to the record, the asylum seeker may insert his/her corrections or minor supplements into the audio-record.

An interview may be omitted:

- when a positive decision may be passed on the basis of the available evidence;

- in cases where it shall not be feasible due to objective reasons, in particular, when an applicant is unfit or unable to be interviewed, owing to enduring circumstances beyond his/her control;
- when, on basis of complete examination of all information provided by an asylum seeker, it is established that the circumstances from Article 61, Paragraph 1, Items 2, 5, 6 and 8 of this Act exist, for which reason the application shall be considered unfounded.

In case of Paragraph 9, Subparagraph 2, of this Article, an asylum seeker or his/her dependent shall be allowed to submit further proofs and information.

Assessment of facts and circumstances

Article 55

An asylum seeker shall enclose all available documentation and present all information relating to his/her age, family, identity, nationality, the countries of former residence, previous applications for asylum, travelling directions, identification and travel documents, and grounds for seeking protection.

While deciding competently on the application, even in the case when the interview has been omitted, the Ministry shall consider all the relevant facts and circumstances, especially taking into account:

1. the facts as they relate to the country of origin at the time of making decision on the application, including laws and regulations of that country and the manner in which they are applied;
2. the relevant statements and evidence presented by the asylum seeker, including information on whether he/she has been or could be subject to persecution or serious harm;
3. the position and personal circumstances of the asylum seeker, including his/her sex and age, so as to assess whether, on the basis of asylum seeker's personal circumstances, the acts to which the asylum seeker has been or could be exposed would amount to persecution or serious harm;
4. whether asylum seeker's activities since leaving the country of origin have been directed to creating the necessary conditions for submitting the asylum application, so as to assess whether these activities might expose the asylum seeker to persecution or serious harm, if he/she returned to that country;
5. the fact that the asylum seeker was able to get an effective protection in another part of his/her own country if in that part of the country of origin there is no well-founded fear of being persecuted, or real risk of suffering serious harm, and he/she can reasonably be expected to stay in that part of the country.
6. whether the asylum seeker could reasonably be expected to avail him/her of the protection of another country where he/she could assert his/her nationality.

The fact that an asylum seeker has already been subject to persecution or serious harm or to threats of such persecution or such harm shall be a serious indication of asylum seeker's well-founded fear of persecution or suffering serious harm, unless there are good reasons to believe that such persecution or serious harm will not be repeated.

Accelerated procedure

Article 56

The Ministry may pass a decision in an accelerated procedure, on the basis of facts and circumstances established in the procedure if:

1. a positive decision may be passed on the basis of the available evidence,
2. there are grounds listed in Article 61 of this Act.

An appeal against a decision passed in an accelerated procedure, shall not be permitted and the asylum seeker may lodge a complaint to the Administrative Court, within 8 days of the day of the decision delivery.

The Administrative Court shall decide on the complaint within 15 days from the day of delivery of the case file. *(Shall enter into force on 01 January 2012).*

The provisions under Paragraph 1, Item 2 of this Article shall not apply if the asylum application has been submitted by an unaccompanied minor or a person with psychological disability.

First instance decision

Article 57

The Ministry shall pass a decision by which it:

1. grants asylum,
2. rejects an asylum application,
3. rejects asylum and grants subsidiary protection,
4. dismisses an asylum application,
5. suspends the procedure,
6. determines cessation of asylum,
7. determines cessation of subsidiary protection,
8. revokes the asylee status,
9. revokes the status of an alien under subsidiary protection,
10. restricts the asylum seeker's movement, and
11. abolishes the right to accommodation at the Reception Centre.

If within six months of the submission of an application for asylum the Ministry shall not be able to decide upon the application, it shall inform the asylum seeker of the time frame in which a decision may be expected.

Rejection of an application on asylum

Article 58

An application for asylum shall be rejected if:

1. the asylum seeker does not fulfil the conditions for granting asylum, pursuant to Article 4 and the conditions for granting subsidiary protection, pursuant to Article 7 of this Act,
2. any of the reasons listed in Article 6 and Article 8 of this Act exist.

The Ministry shall, *ex officio*, determine the existence of conditions for granting subsidiary protection, if conditions for granting asylum pursuant to Article 4 of this Act are not met.

Reasons for denial of subsidiary protection
Article 59

Article 59 shall be deleted.

Dismissal of an asylum application

Article 60

An asylum application shall be dismissed by a decision if:

1. the asylum seeker has been granted asylum or similar protection in another state, including benefits which result from observation of the principle referred to in Article 3 of this Act, under the condition that he/she will again be accepted in that state,
2. the asylum seeker is a national of a third country, whose protection he/she did not request, unless he/she stated justified reasons for persecution in that country,
3. after individual assessment it is established that the asylum seeker is arriving from a safe third country, where there is a relationship between the asylum seeker and that country, and therefore it would be reasonable to expect him/her to return to that country.

The Ministry shall issue a certificate to an asylum seeker whose asylum application has been dismissed, because he had arrived from a safe third country, by which state bodies of the third country shall be informed, in a language of that country, that the asylum application has not been considered in its essence.

If the safe third country does not accept an alien, the asylum application shall be decided upon pursuant to the provisions of this Act.

In case from Paragraph 1, Point 3 of this Article, an asylum seeker can challenge application of the safe third country concept, on the grounds that he/she would be subject to torture, cruel, inhuman or degrading treatment or punishment.

Manifestly unfounded application

Article 61

Unfounded asylum application shall be rejected in an accelerated procedure as manifestly unfounded if:

1. the asylum seeker, when submitting the application, has not, without any justified reasons, stated the data on his/her identity, age, family relationships, former residence, travelling directions, identification documents, reasons for seeking protection, and former applications for asylum,
2. the asylum seeker has stated only the information which are irrelevant or are of a minimal importance for the result of the procedure,
3. the asylum seeker has misled the Ministry, by stating false information which are important for the result of the procedure, presenting unreliable documents, withholding relevant information, or destroying documents for establishing his/her identity and/or nationality with mal intent, and which could have a negative influence on the decision,
4. the asylum seeker conceals that he/she had previously submitted an application for asylum stating different personal data,
5. the asylum seeker has stated inconsistent, contradictory, impossible or insufficient facts which make his/her application unconvincing,

6. the asylum seeker has submitted a new application in which he/she has not presented any new relevant new facts,
7. the asylum seeker has been staying in the territory of the Republic of Croatia for a longer period of time and has not, without justified reason, submitted an asylum application before,
8. the asylum seeker submits the application with an obvious intention of postponing or preventing the implementation of the decision which would result in his/her expulsion from the Republic of Croatia,
9. the asylum seeker represents a threat for the national security and public order of the Republic of Croatia,
10. the asylum seeker has arrived from a safe country of origin and if he/she has not submitted any serious grounds for considering the country not to be safe country of origin in his/her particular circumstances and, taking into account his/her fulfilment of conditions from Article 4 of this Act.

Suspension of the procedure
Article 62

An asylum procedure shall be suspended if:

1. the asylum seeker withdraws the asylum application,
2. the asylum seeker does not appear at the interview and does not justify the absence within 24 hours from the scheduled interview,
3. the asylum seeker prevents the service of the summon,
4. the asylum seeker leaves the Republic of Croatia during the procedure,
5. the asylum seeker leaves the Reception Centre or the residence address for a period longer than three days, without having informed the Ministry about it or having acquired the permission from the Ministry.

If an asylum procedure is suspended under Paragraph 1 of this Article, and an alien submits a new application for asylum, in the procedure related to the new application, facts and circumstances determined in the suspended procedure shall also be used.

If an asylum procedure is suspended under Paragraph 1, Item 4 of this Article and an alien is returned to the Republic of Croatia, he/she shall be enabled to submit a new application for asylum or to submit a written statement that he/she does not want to submit a new application.

Cessation of asylum
Article 63

Asylum shall cease if the asylee:

- voluntarily avails himself/herself of the protection of the country of his/her nationality,
- acquires nationality of a country whose protection he/she may enjoy,
- voluntarily re-establishes himself/herself in the country which he/she has left or outside which he/she remained due to fear or persecution,
- if the circumstances in the country of origin, on the basis of which he/she has been granted asylum, have ceased to exist,

- having lost his nationality has voluntarily reacquired it.

In the case referred to in Paragraph 1, Subparagraph 4 of this Article, the Ministry shall determine whether the change of circumstances is considerable and permanent, so that the fear of persecution can no longer be considered grounded. Fear of persecution shall be considered grounded, if the asylee shall be able to invoke compelling reasons arising out of previous persecution for refusing to avail him/her of the protection of the country of origin.

Before issuing a decision on cessation of asylum, the competent authority shall inform the asylee on the reasons for cessation of the status, and the asylee shall be enabled to state, orally or in writing, his/her reasons why the status should not cease to have effect.

Revocation of asylum

Article 64

The decision on granting asylum shall be revoked if:

- the existence of the reasons referred to in Article 6 of this Act is subsequently established,
- it is established that the asylum status has been granted on the basis of wrongly presented or missing facts, falsely presented crucial facts and circumstances, usage of forged identification papers and other documents, which were crucial for granting the status,
- the asylee represents a threat for the security of the Republic of Croatia.

Prior to revocation of asylum, the competent authority shall inform the asylee on the reasons for revocation of the status, and enable him/her to, orally or in writing, present reasons for which his/her status should not be revoked.

Persons whose asylum status has been revoked for the reason referred in the Paragraph 1, Subparagraph 3 and who are present in the Republic of Croatia shall be granted rights on the basis of the Geneva Convention, namely: the right to non-discrimination, freedom of religious belief, access to courts, education, non punishment for illegal entry or residence, prohibition of expulsion and respecting the principle of “non- refoulment”.

Cessation of subsidiary protection

Article 65

Subsidiary protection shall cease to have effect when the circumstances which led to granting of subsidiary protection have ceased to exist or have changed to such a degree that protection is no longer required.

In applying Paragraph 1, the competent body shall have regard to whether the change of circumstances is of such a significant and non-temporary nature that the person eligible for subsidiary protection no longer faces a real risk of serious harm.

Revocation of subsidiary protection

Article 66

The Ministry shall revoke subsidiary protection if:

- the existence of the reasons referred to in Article 8 of this Act is subsequently determined,
- it is determined that protection has been granted based on wrongly presented or missing facts, falsely presented crucial facts and circumstances, usage of false

identification papers and other documents, which were crucial for the granting the status.

Procedures at border crossing points or in transit zones

Article 67

The alien who expresses his/her intention of submitting an application for asylum at a border crossing point or in a transit zone of an airport, sea port or internal water port and does not fulfil the conditions for entering the Republic of Croatia stipulated by provisions of the Aliens Act, shall not be allowed the entry, if the following conditions are met:

- the alien is provided adequate accommodation and food at the border crossing point or in the transit zone,
- the alien's stay at the transit zone does not exceed the deadline of 28 days from the day of submitting the application for asylum,
- the application is manifestly unfounded or can be decided upon in the accelerated procedure.

If a decision concerning the application is not issued within the period referred to in Paragraph 1, Subparagraph 2 of this Article, the asylum seeker shall be permitted entry into the Republic of Croatia with a view to conducting of the asylum procedure.

The asylum application submitted by the alien referred to in Paragraph 1 of this Article shall be received as soon as possible, and the interview shall be carried out immediately.

A complaint to the Administrative Court against a decision made in the procedure which is implemented in terms of this Article, may be submitted within 5 days from the day of the receipt of the decision.

A decision on the complaint shall be passed by the Administrative Court within 5 days from the day of the receipt of the file of the case. (*Shall enter into force on 01 January 2012*).

Following the request of the Administrative Court, the Ministry shall deliver the file of the case, within one day from the day of the receipt of the request.

The asylum seeker from Paragraph 3 of this Article shall be provided with health care, interpreter, a guardian to an unaccompanied minor, and the right to general information on his/her rights and obligations during the procedure.

Access by an authorised agent or a representative of an organisation engaged in the protection of refugee rights, other than the UNHCR, may be temporarily restricted to the asylum seeker, when it is necessary for the protection of national security and legal order of the Republic of Croatia.

Time limits for lodging an appeal to the Commission

Article 67a

An asylum seeker, asylee, alien under subsidiary protection and alien under temporary protection may lodge an appeal with the Commission against the decision of the Ministry within 15 days from the delivery of the decision, other than in the case referred to in Articles 56 and 67 of this Act.

Against decision passed in procedure stipulated by Article 56 of this Act, an appeal may be lodged to the Commission within 8 days from the delivery of the decision, while

against decision passed in the procedure stipulated by Article 67 of this Act, an appeal may be lodged to the Commission within 5 days from the delivery of the decision. The Commission shall decide on the appeal lodged in the procedure stipulated by Article 56 of this Act within 15 days of the day of the receipt the appeal, while it shall decide on appeal lodged in the procedure stipulated by Article 67 of this Act within 8 days of the day of the receipt the appeal. *(Shall be effective until 31 December 2011).*

Second instance procedure

Article 68

The Commission shall issue a decision on the basis of facts established in the first instance procedure and during the interview with the asylum seeker.

Representatives of the Ministry may act as a party in the second instance procedure.

If the Commission establishes that facts and circumstances have been wrongly or incompletely established during the first instance procedure, or that in the meantime the state of facts, based on which the first instance decision was passed, has changed, it shall supplement the procedure and remedy the defects, revoke the first instance decision and resolve the issue itself.

If the Commission establishes that in the first instance decision the evidence was wrongly assessed and that a wrong conclusion was derived from the determined facts regarding the state of facts, that the relevant legal regulation, on the basis of which the issue is resolved, was wrongly applied, or if it finds out that, based on its own free assessment, the decision should have been different, it shall by its own decision revoke the first instance decision and resolve the issue itself. *(Shall be effective until 31 March 2012).*

Delivery of writs

Article 69

If the Ministry does not know where the asylum seeker is, and he/she does not have a legal representative or an authorised agent, delivery of writs shall be done via the notification board of the Reception Centre.

Delivery is deemed to be executed by expiration of three days after the writ was put on the notification board.

Procedure before the Administrative Court

Article 70

The lodging of complaints and the procedure before the Administrative Court shall be governed by the provisions of the Act on Administrative Disputes, unless otherwise provided by this Act.

A complaint lodged with the Administrative Court shall postpone the enforcement of the decision, other than in the case referred to in Article 74 of this Act.

The Administrative Court shall notify the Ministry of the date of delivery of the decision issued against the decision of the Ministry. *(Shall enter into force on 01 January 2012.)*

Article 70a.

An asylum seeker, asylee, alien under subsidiary protection and alien under temporary protection are exempt from the payment of the costs of the administrative dispute. (*Shall enter into force on 01 January 2012.*)

Benefit of the doubt

Article 71

If an asylum seeker has not supported a certain fact or circumstance by evidence, the party's statement shall be deemed credible in that part if:

- the asylum seeker has made a genuine effort to substantiate his/her application by evidence,
- all the relevant elements available to him/her have been submitted, with a satisfactory explanation regarding shortcomings of other relevant elements,
- it has been established that the asylum seeker's statements are coherent and plausible and are not contrary to otherwise available specific and general information relevant to the case,
- the asylum seeker has requested asylum in the shortest possible period of time, or has given a justified reason for not doing so,
- it has been determined that the asylum seeker's statement is generally credible.

Application of other regulations

Article 72

Provisions of the General Administrative Procedure Act, unless otherwise provided by this Act, shall be applied in the asylum procedure.

Provisions of the Aliens Act shall be applied accordingly to asylum seekers, asylees, aliens under subsidiary protection and aliens under temporary protection, in the part which has not been provided otherwise by this Act.

While an alien enjoys the protection granted to him/her pursuant to the provisions of this Act, he/she shall not be entitled to submit an application for granting residence pursuant to the provisions of the Aliens Act.

Participation of other persons in the asylum procedure

Article 73

The asylum procedure shall be closed to the public.

As an exception from Paragraph 1 of this Article, if the asylum seeker does not object, a UNHCR representative or a representative of another organisation dealing with refugees' rights protection may also participate in the interview.

Restriction of movement

Article 74

The movement of an asylum seeker may be restricted for the following reasons:

1. reasons stipulated in Article 6 and Article 8 of this Act,
2. determining his/her identity,
3. preventing the spread of infectious diseases,
4. suspecting that submission of the application for asylum represents a fraud and misuse of the asylum procedure,

5. his/her leaving or attempting to leave the Republic of Croatia before the completion of the procedure,
6. preventing situations where lives and possessions of other persons are put in danger,
7. protecting the national security and legal order of the Republic of Croatia,
8. submission of an application for asylum during the expulsion procedure, with an intention to prevent further progress of the expulsion procedure.

Preventing further progress of the expulsion procedure referred to in Paragraph 1, Item 8 of this Article shall be considered a situation where the asylum seeker submits an application with the obvious intention of postponing his/her expulsion.

The movement may be restricted by:

1. the prohibition to move outside the Reception Centre,
2. the prohibition to move outside a specific area, or
3. the prohibition to leave a specific address.

The movement of the asylum seeker referred to in Paragraph 1, Items 5, 6, 7 and 8 of this Article and of the asylum seeker who does not comply with the provisions of this Article referring to the restriction of movement, shall be restricted by accommodating the asylum seeker into the Aliens Reception Centre.

Restriction of movement in the form of accommodation in the Aliens Reception Centre, in the cases referred to in Paragraph 1, Items 5 and 8 of this Article shall not apply to vulnerable groups of asylum seekers.

The movement may be restricted for a period of up to 3 months, and due to justified reasons it may be extended by another 3 month period.

As an exception from Paragraph 6 of this Article, the restriction of movement for the reasons referred to in Paragraph 1, Item 3 of this Article shall be valid as long as reasons for the restriction exist.

The Ministry shall determine the restriction of movement by a decision.

An asylum seeker may lodge a complaint to the Administrative Court against a decision from Paragraph 8 of this Article.

The Administrative Court shall issue a decision concerning the complaint on the restriction of movement after having an oral hearing, within 15 days from the day of delivery of the file of the case.

The complaint does not postpone the enforcement of the decision.

Expulsion

Article 75

Upon the completion of an asylum procedure in which the asylum application has been rejected, dismissed or the procedure has been suspended, and upon the cessation or revocation of the asylum or subsidiary or temporary protection, the Ministry shall undertake necessary actions with the aim of enabling the alien's voluntary return to his/her country of origin.

The alien from Paragraph 1 of this Article who does not want to return voluntarily to his/her country of origin shall be expelled pursuant to provisions of the Aliens Act.

Chapter IV CERTIFICATES AND DOCUMENTS

Article 76

The Ministry shall issue the identity card to an asylum seeker and an alien under subsidiary protection, while the personal identity card and the travel document shall be issued to an asylee upon his/her request.

The persons referred to in Paragraph 1 of this Article may be issued the *laissez-passer* for an alien, pursuant to provisions of the Aliens Act.

Temporary retention of foreign documents

Article 77

The Ministry may retain a travel document or other identification document of an asylum seeker until the completion of the procedure, if required so by the reasons of protection of the national security or legal order of the Republic of Croatia.

A certificate on the temporary retention of documents referred to in Paragraph 1 of this Article shall be issued.

Identity card of an asylum seeker

Article 78

The identity card of an asylum seeker shall be issued within three days from the day of submitting the application for asylum and it shall serve as a residence permit in the Republic of Croatia until the completion of the procedure.

The identity card of an asylum seeker shall also be issued to members of his/her family, pursuant to Article 30, Paragraph 2 of this Act.

Personal identity card for an asylee

Article 79

The personal identity card shall be issued to an asylee for a period of five years.

An application for issuance of the identity card from Paragraph 1 of this Article shall be submitted by an asylee over 16 years of age, while, on behalf of the asylee under 16 years of age, the application shall be submitted by his/her legal representative.

Travel document for an asylee and an alien under subsidiary protection

Article 80

The travel document for an asylee shall be issued for a period of five years in the form set out in the Annex of the 1951 Convention.

An application for issuance of the travel document for a minor asylee or an asylee who is partially or fully deprived of legal competence shall be on his/her behalf, submitted by a legal representative.

A travel document may be issued to an alien under subsidiary protection, pursuant to the provisions of the Alien Act, in the case of humanitarian reasons.

Identity card of an alien under subsidiary protection

Article 81

The identity card of an alien under subsidiary protection shall be issued for a period of three years.

*Return of the documents***Article 82**

The issued documents listed in Article 76 of this Act should be returned to the Ministry upon completion of the asylum procedure, cessation or revocation of the asylum, subsidiary or temporary protection.

Chapter V**TEMPORARY PROTECTION***Granting temporary protection***Article 83**

Temporary protection shall be granted to aliens arriving in large number to the Republic of Croatia, from the country where, due to war or similar situation, general violence or internal conflict, human rights have been violated, provided that the country of origin is unwilling or unable to protect them.

The decision on the need to grant temporary protection to aliens referred to in Paragraph 1 of this Article, as well as the decision on cessation of reasons for temporary protection, shall be passed by the Government of the Republic of Croatia.

The decision on the need to grant temporary protection shall determine the group of persons to whom temporary protection shall apply, the date on which the temporary protection shall take effect and a number of persons whom temporary protection shall be granted.

The decision on the need to grant temporary protection shall be passed by taking into consideration economic and other capacity of the Republic of Croatia, reasons of national security, protection of public order and peace as well as relevant information provided by UNHCR or organizations dealing with protection of refugee rights.

Temporary protection shall be granted to aliens referred to in Paragraph 1 of this Article, provided that:

- prior to occurrence of situation noted in Paragraph 1 of this Article, they had permanent or temporary residence in that country, and that, due to such situation, they immediately arrived to the Republic of Croatia,
- during such situation they have legally resided in the Republic of Croatia, and that, after expiration of legal residence, return to the country of origin was temporarily made impossible. (*Shall be effective until date of accession of the Republic of Croatia to the European Union.*)

Temporary protection is immediate and temporary protection granted in procedure of the exceptional character in the event of mass influx or imminent mass influx of displaced persons from third countries who are unable to return to their country of origin, in particular if there is also a risk that the asylum system will be unable to process this influx without adverse effects for its efficient operation, in the interests of the persons concerned and other persons requesting protection.

Displaced persons referred to in Paragraph 1 of this Article are considered to be aliens who have had to leave their country or region of origin, or have been evacuated, in particular in response to an appeal by international organisations, and are unable to return

in safe and durable conditions because of the situation prevailing in that country, including persons who may fall within the scope of Article 1.A. of the Geneva Convention or other international or national instruments giving international protection, in particular:

- persons who have fled areas of armed conflict or endemic violence;
- persons at serious risk of, or who have been the victims of, systematic or generalised violations of their human rights;

Mass influx referred to in Paragraph 1 of this Article, means arrival of a large number of displaced persons, who come from a specific country or geographical area, whether their arrival was spontaneous or organized.

Temporary protection shall be introduced on the basis of the decision of the Council of the European Union on the existence of a mass influx of displaced persons. *(Shall enter into force on the date of accession of the Republic of Croatia to the European Union.)*

Competence for granting temporary protection and duration of temporary protection

Article 84

Temporary protection shall be granted by the Ministry, for a period of one year.

Temporary protection may be extended by six monthly periods, if justified reasons persist, and for a maximum of three years. *(Shall be effective until date of accession of the Republic of Croatia to the European Union.)*

Duration of temporary protection

Article 84

Temporary protection shall be granted for a period of one year.

Temporary protection may be extended automatically by six monthly periods for a maximum of one year.

As an exemption from Paragraph 2 of this Article, temporary protection may be extended up to one year maximum, if the Council of the European Union passes a decision on extension of temporary protection. *(Shall enter into force on the date of accession of the Republic of Croatia to the European Union.)*

Reasons for denial of temporary protection

Article 85

Temporary protection shall not be granted to an alien if:

1. there are serious reasons for considering that an alien:
 - has committed a crime against peace, a war crime or a crime against humanity defined by provisions of international instruments;
 - has committed a serious non-political crime outside the Republic of Croatia, before his/her arrival to the Republic of Croatia. The severity of the expected persecution is to be evaluated in relation to the nature of the criminal offence of which the person concerned is suspected. Particularly cruel acts, even if committed with an allegedly political objective, may be considered as serious non political crimes;
 - has been guilty of acts contrary to the purposes and principles of the United Nations.
2. there are reasonable grounds for regarding an alien as a threat to the national security,

3. an alien presents a danger for community after having been convicted by a final judgment of a particularly serious crime, which is, by legislation of the Republic of Croatia, punishable by a term of the imprisonment of five years or more.

Cessation of temporary protection

Article 86

Temporary protection of an alien shall come to an end:

- by expiration of time to which it was granted,
- by decision of the Government on cessation of reasons for granting temporary protection.

(Shall be effective until date of accession of the Republic of Croatia to the European Union.)

Temporary protection of an alien shall come to an end:

- when the maximum duration has been reached, pursuant to Article 84 of this Act
- by the Council of the European Union decision. *(Shall enter into force on the date of accession of the Republic of Croatia to the European Union.)*

Voluntary return

Article 87

Upon the request of an alien under temporary protection or an alien whose temporary protection has ceased, the Ministry shall enable him/her to voluntarily return to his/her country of origin.

In the case referred to in Paragraph 1 of this Article, the Ministry shall consider relevant reports on the situation in the particular country of origin, and shall take into account serious humanitarian reasons for which the return of an individual would temporarily be impossible or unreasonable, and it shall inform about it the alien under temporary protection.

The alien referred to in Paragraph 1 of this Article shall retain the rights guaranteed by this Act up to the day of his/her return to the country of origin.

Cooperation with other bodies

Article 88

In the course of establishment and duration of temporary protection and return of the persons whose temporary protection has ceased, the Ministry shall cooperate with other state bodies, the UNHCR, Croatian Red Cross and organisations dealing with the protection of refugees' rights.

Rights and obligations of an alien under temporary protection

Article 89

An alien who has been granted temporary protection in the Republic of Croatia shall be entitled to:

- residence,
- basic life resources and accommodation,

- health care,
- primary and secondary education,
- information on rights and obligations,
- work,
- family reunification,
- freedom of religion and religious upbringing of his/her children.

The obligations stipulated in Article 37 of this Act shall be applied accordingly to an alien under temporary protection.

Right to work

Article 90

An alien under temporary protection shall have the right to work in the Republic of Croatia without work or business permit.

An alien under temporary protection shall be entitled to employment related education opportunities for adults, vocational training and practical workplace experience.

Health care

Article 91

Health care of an alien under temporary protection shall include emergency care and essential treatment of illness, as well as, for the vulnerable groups, adequate medical and other assistance.

Right to education

Article 92

An alien under temporary protection shall have the right to primary and secondary education as well as to retraining and additional qualification under the same conditions as a Croatian national.

Right to family reunification

Article 93

An application for family reunification shall be submitted by an alien under temporary protection or his/her family member who intends to come to the Republic of Croatia.

Temporary protection shall be granted to the member of the family who is reunited.

In the cases where separated family members enjoy protection in different states, the interests of the family members shall be taken into account in the reunification procedure.

The Minister competent for internal affairs shall regulate a form of the permit for relocation of an alien under temporary protection from one state to the other.

Accommodation of an alien under temporary protection

Article 94

In the course of temporary protection, an alien shall be provided with an appropriate accommodation, unless he/she possesses his/her own financial resources.

The accommodation shall also be provided to an alien whose temporary protection has ceased, and who, due to the serious health reasons, can not be returned to his/her country of origin.

Identity card of an alien under temporary protection

Article 95

An alien granted temporary protection shall be issued identity card valid for a one year period, with the possibility of extension, and which is considered as residence permit in the Republic of Croatia.

Information on rights and obligations

Article 96

The Ministry shall inform an alien under temporary protection in writing on the rights and obligations which arise from granting the protection, within 15 days from the day of its granting, in a language that he/she is justifiably expected to understand.

Limited use of rights

Article 97

An alien who applies for asylum while he/she is under temporary protection may not use the rights of an asylum seeker for the duration of the temporary protection.
The Ministry may also finalize the asylum application procedure referred to in Paragraph 1 of this Article after temporary protection has ceased.

**Chapter VI
RECORDS**

Article 98

For the purpose of efficient verification of implementation of the procedures stipulated by this Act, the Ministry shall keep records on:

- asylum seekers,
 - asylees,
 - aliens under temporary protection,
 - aliens under subsidiary protection,
 - travel documents for asylees,
 - identity cards of asylum seekers,
 - personal identity cards of asylees,
 - identity cards of aliens under temporary protection,
 - identity cards of aliens under subsidiary protection,
 - temporarily retained travel and other documents,
 - registration/deregistration of asylees' residence and/or address, and registration/deregistration of the place and/or address of asylum seekers, aliens under temporary protection and aliens under subsidiary protection,
 - fingerprints and photographs of asylum seekers and aliens under temporary protection.
- Personal data contained in the records referred to in Paragraph 1 of this Article shall be collected, filed and processed in accordance with provisions of the rules regulating the protection of personal data.

Chapter VII

COMPETENCE FOR PASSING REGULATIONS

Article 99

The Government of the Republic of Croatia shall appoint the Chairman and members of the Commission referred to in Article 14 of this Act within 90 days from the day of the entry into force of this Act.

The Government of the Republic of Croatia shall publish the public call referred to in Article 15 of this Act within 30 days from the day of the entry into force of this Act.

The Government of the Republic of Croatia shall pass the list of safe countries of origin and the list of safe third countries within eight months from the day of the entry into force of this Act. *(Shall be effective until 31 March 2012).*

Article 100

The Minister competent for internal affairs shall pass:

- the decision on accommodation costs at the Reception Centre,
- the House Rules of the Reception Centre,
- the regulation on the format of forms and the contents of the identity card for asylum seekers, asylees, aliens under temporary protection and aliens under subsidiary protection, travel documents for asylees, asylum application, the format of the form of permit for relocation of an alien under temporary protection from one state to another, as well as on the manner of keeping records referred to in Article 98 of this Act and on the deadlines for keeping data in those records,
- the regulation on the procedure of realisation and payment of the costs of free legal aid and the tariff of the provided services of legal aid stipulated by the provisions of this Act.

Article 101

The Minister competent for internal affairs shall, at the proposal of the Minister competent for social welfare, pass the regulation on the accommodation of asylum seekers, asylees, aliens under temporary protection and aliens under subsidiary protection.

Article 102

The Minister competent for social welfare shall pass the regulation on the amount of financial support to asylum seekers, asylees, aliens under temporary protection and aliens under subsidiary protection.

Article 103

The Minister competent for health care shall pass the regulation on the content of medical examination for asylum seekers, asylees, aliens under temporary protection and aliens under subsidiary protection.

Article 104

The Minister competent for education, subject to approval by the Minister competent for internal affairs, shall pass the programme for learning Croatian language, history and culture for asylum seekers and asylees, and shall pass the regulation on the manner of the

programme implementation and testing of knowledge of asylum seekers, asylees, aliens under temporary protection and aliens under subsidiary protection, for the purpose of access to the educational system.

Article 105

The competent Ministers shall pass the regulations referred to in Articles 100 to 103 of this Act within 90 days from the day of the entry into force of this Act, and the competent Minister shall pass the regulation referred to in Article 104 of this Act within 120 days from the day of the entry into force of this Act.

Chapter VIII PENALTY CLAUSES

Article 106

An asylum seeker shall be fined for misdemeanour in the amount from HRK 300, 00 to HRK 3.000,00 if he/she:

- repeatedly violates the Reception Centre House Rules (Article 37, Paragraph 1, Subparagraph 2),
- does not report the Ministry the change of his/her address in the given deadline (Article 37, Paragraph 1, Subparagraph 5),
- does not comply with the instructions and measures of the Ministry regarding restrictions of the freedom of movement (Article 37, Paragraph 1, Subparagraph 6),
- attempts to leave the Republic of Croatia during the procedure or, after having left the Republic of Croatia he/she comes back or is returned. (Article 37, Paragraph 1, Subparagraph 8).

For misdemeanours referred to in Paragraph 1 of this Article, an asylum seeker may be pronounced the protective measure of expulsion only or coupled with a fine.

The protective measure referred to in Paragraph 2 of this Article shall be implemented upon the completion of the asylum procedure.

Chapter IX TRANSITIONAL AND FINAL PROVISIONS ("Official Gazette" No. 79/07)

Article 107

On the date of entry into force of this Act, the Asylum Act ("Official Gazette" No.103/03) shall cease to have effect.

The procedures initiated according to the provisions of the Asylum Act ("Official Gazette" No. 103/03) shall be finalized according to the provisions of that Act.

Until the day of appointment of the Commission for Asylum referred to in Article 12 of this Act, the Commission of the Government of the Republic of Croatia for deciding on appeals of asylum seekers and asylees, appointed pursuant to the provisions of the Asylum Act ("Official Gazette" No. 103/03), shall decide on appeals of asylum seekers and asylees.

The implementing regulations passed on the basis of the Asylum Act (“Official Gazette” No. 103/03) shall remain in force until the implementing regulations passed on the basis of this Act enter into force, unless they are contrary to the provisions of this Act.

Article 108

This Act shall enter into force on 01 January 2008.

Class: 217-01/06-01/01
Zagreb, 13 July 2007

The Croatian Parliament
President of the Croatian Parliament
Vladimir Šeks

TRANSITIONAL AND FINAL PROVISIONS

(“Official Gazette” No. 88/10)

Article 68

The procedures initiated before this Act has entered into force shall be finalized pursuant to the provisions of this Act.

Article 69

The Commission appointed pursuant to the provisions of the Asylum Act (“Official Gazette” No.79/07), shall continue working until 31 March 2012.

The Office for Human Rights of the Government of the Republic of Croatia shall, within 30 days from the date of entering into force of this Act, announce a public call for appointment of the additional member of the Commission.

The Government of the Republic of Croatia shall appoint the additional member of the Commission within 60 days from the date of entering into force of this Act.

Article 70

The provisions of Articles 13 to 19 and Article 99 of the Asylum Act (“Official Gazette” No.79/07), as well as the provisions of Article 55 of this Act, referring to the Commission for Asylum, shall be effective until 31 March 2012.

The provision of Article 54 of this Act shall be effective until 31 December 2011.

The Commission shall be obliged to decide upon appeals lodged before 31 December 2011 against first instance decisions, until 31 March 2012,

Article 71

This Act shall enter into force on eight day from the day of its publishing in the “Official Gazette”, excerpt of the provisions of Article 9, Article 20, Paragraphs 1 and 2, Article

24, Paragraph 1, Article 33, Paragraph 1, Article 42, in the part referring to Article 56, Paragraphs 2 and 3 of the Asylum Act (“Official Gazette” 79/07), Article 53 in the part referring to Article 67, Paragraphs 4 and 5 of the Asylum Act (“Official Gazette” 79/07), Article 56, Paragraph 2 and Article 57 of this Act, which shall enter into force on 01 January 2012, and of the provisions of Article 1, Paragraph 5, Article 61, Article 62 and Article 64 of this Act, which shall enter into force on the date of accession of the Republic of Croatia to the European Union.

Class: 217-01/10-01/01
Zagreb, 02 July 2010.

THE CROATIAN PARLIAMENT

PRESIDENT OF THE CROATIAN PARLIAMENT

Luka Bebić