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OMBUDSMAN

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Ms Emily O'Reilly
European Ombudsman
1 avenue du President Robert Schuman
CS 30403
F-67001 Strasbourg Cedex

Dear Ms O'Reilly,

I wish to thank you for your letter on initiative directed to the protection of human rights during forced return operations and I would like to express support to your initiative whereby I agree that cooperation between bodies that monitor forced return flights is desirable.

Related to the monitoring of forced return operations, a total of 16,884 irregular migrants were forced to return from the Republic of Croatia from 2006 to November 30, 2014. In 2013, a total number of forced return operations was 1,773 and during eleven months of 2014, 1,342 irregular migrants were returned to their countries.

Monitoring of forced return operations is regulated by Aliens Act and Ordinance on Treatment of Aliens. Aliens Act, Art. 116, par. 6, states that the Ministry of the Interior provides an effective system for forced returns monitoring whereby it can conclude agreements with other state bodies, international and non-governmental organizations. Detailed rules on forced return monitoring are regulated by the provisions of Ordinance on Treatment of Aliens which were introduced by amendments to the Ordinance in October of the last year (Art. 37 a - 37 f): the choice of monitoring organization, concluding agreements with monitoring organization and conducting observations. The independence of forced return monitoring is warranted in such a way that the Ordinance prohibits employees of the Ministry of the Interior to carry out monitoring for the organization.

On November 26, 2014, the Ministry of the Interior published a call for applications of forced return monitoring candidates for the first six months of 2015. After selecting a monitoring organization, the monitoring organization and the Ministry of the Interior will conclude an agreement ordering reimbursement of costs for monitoring organization.

The Republic of Croatia has not participated so far in joint return operations organized by FRONTEX. One representative of the Ministry of the Interior participated as an observer on the joint flight organized by France in coordination with FRONTEX in 2013. Since Croatian accession to the European Union (July 1, 2013), three police officers have attended the mentioned flights.

I hope you will find this information useful for your initiative. If you need any additional information or clarification regarding the issue of forced returns, please contact Mr. Mario Krešić (+385 1 4851 277, mario.kresic@ombudsman.hr), Deputy Ombudswoman.

Yours sincerely,



Lora Vidović
Ombudswoman
Lora Vidovic