



Madam, Sir,

Organizations Centre for Peace Studies (CPS) and Are You Syrious (AYS) are hereby informing you about a series of pressures of the police and the Ministry of Interior on our work regarding human rights protection of refugees and migrants in the Republic of Croatia.

CPS is an organization working on asylum, migration and integration issues in Croatia for over 10 years, directly providing support and legal aid, as well as advocating respect of refugees' rights. AYS is an organization active in the context of informing the international public on refugee situation, providing support to refugees, facilitating the process of social integration and advocating for refugee rights. It gathers about 100 active volunteers in Croatia and 60 in the world.

In the last several weeks, we have noticed and experienced extremely dubious and illogical actions of the police towards our associations and attorneys with whom we are cooperating related to the case of the Hussiny family whose 6 year-old daughter died on 21 November 2017 from the hit of a train on the railway between Tovarnik and Šid, immediately after the illegal expulsion of the family from the Republic of Croatia, according to the family.

After the incident, the family was expelled by force in the Republic of Serbia, without respecting neither their request for asylum, nor readmission agreement. Immediately after that, we have contacted the family in Šid and, in cooperation with lawyer Sanja Bezbradica Jelavić, filed a criminal charge on the behalf of the family against unknown perpetrators of the Croatian police officers for, *inter alia*, manslaughter. The family decided to leave Serbia after a couple of months and on 8 March 2018, when they were in the territory of the Republic of Croatia, AYS sent a call to the aid and informed them that they wanted to seek asylum. Despite telephone and e-mail alerts to the police, several hours after the first contact, the family reported that, regardless of repeated applications to allow them to seek asylum, they were expelled once again to Serbia's territory.

On the night of 20/21 March 2018, after reaching the territory of the Republic of Croatia, they contacted AYS for assistance in exercising their right to international protection. The volunteers immediately informed the police and sent the volunteer to the police station near the location where the family was. The AYS volunteer, by direct contact with the police, helped the family initiate the international protection procedure in the Republic of Croatia. The whole case of death and travel and attempts to seek international protection in the Republic of Croatia was exceptionally covered in domestic and foreign media.

From that moment on, the following events are controversial:

- The Hussiny family expressed their intent to seek international protection immediately and has since been in detention at the Tovarnik detention centre. In such conditions there are 14 family members, of which 3 adults and 11 children from 3 up to 14 years old.
- The family has no access to their chosen lawyer and representatives of our associations.
- The police denies visit to parties to the family's lawyer Sanja Bezbradica Jelavić whom they informed that she is not an official attorney because they question the mother's signature on the power of attorney. The police goes a step further and engages the Police National Office for the Suppression of Corruption and Organized Crime (PN USKOK) to take investigative actions against Bezbradica Jelavić's law office about the circumstances of signature of the power of attorney.

- In the meantime, the aforementioned lawyer filed a request to the European Court of Human Rights for an interim measure, to which the Court promptly responded, urging the police to put the Hussiny family in adequate conditions while they are waiting for decision about their application for international protection. The police did nothing on this issue and still keeps the family in detention without access to the attorneys who represent them before the ECHR and in the criminal case.
- The police rejected the proposal to clarify the dilemma around signatures on the power of attorney by direct contact with human rights defenders and family's attorneys. So, it is more than clear that PN USKOK conducts surveys to interfere with the work of lawyer and association and to intimidate them.
- The police does not allow visit to family to the legal expert and other CPS employees, although we have the authority to access such centres guaranteed by Article 131/3 of the Foreigners Act, justifying it with security reasons.
- On 4 April 2018, the Ministry of Interior informs the AYS volunteer that they will initiate misdemeanour proceedings against him for allegedly assisting in the illegal crossing of the border, although he has acted in accordance with Article 43 of the Foreigners Act. When leaving the field, the volunteer first came to the police and not to the family, and together with the police officers and with their permission he went to the Hussiny family to make sure that they will be able to exercise their lawful right to seek international protection.
- After our NGOs have announced a press conference about pressures and intimidation by the police, the same police sent calls to CPS and AYS activists to attend a police interview right at the time of the press conference. We interpret this procedure as a direct attempt to limit the freedom of expression of human rights defenders.
- Following the press conference, the Ministry of Interior publicly stated by taking migrants to police station to seek international protection, the Centre for Peace Studies has undermined the Dublin III Regulation and directly jeopardised Croatia's entry into the Schengen Area. Contrary to this, in taking migrants to police station, CPS's aim was to support migrants in legalising their stay, thus reducing irregular movements and stay.
- Further to this, the Minister of Interior Mr. Božinović publicly stated that CPS and AYS have been handing out to migrants in Serbia telephone numbers, instructions, money and direction as to how to enter Croatia, thus publicly alleging conduct of illegal activities without due process, which is not true at all and we perceive this statement as a blatant defamation of our work.
- Since the legally foreseen statutory parliamentary bodies for civilian police oversight haven't been established in months, we have requested for the competent parliamentary committees to initiate the parliamentary investigative commission about intimidation of human rights organizations and attorneys by the police, as well as possible abuse of position and authority within the Ministry of Interior through abuse of police apparatus.

Criminalizing the work of attorneys and human rights defenders, the standards of human rights protection are derogated in one of the EU member states, the principle/value of the rule of law is being violated, and the meaning and purpose of the Common European Asylum System are being questioned. In addition, the Ministry of Interior justifies their seemingly often unlawful conduct towards persons who illegally cross the border and then seek asylum with the interest of admittance into the Schengen area.

For all further clarifications and information please contact Centre for Peace Studies at [cms@cms.hr](mailto:cms@cms.hr) .