



COMMISSIONER FOR HUMAN RIGHTS  
COMMISSAIRE AUX DROITS DE L'HOMME



Ref: CommHR/DM/sf 080-2018

**Mr Andrej PLENKOVIĆ**  
Prime Minister  
Croatia

Strasbourg, 20 September 2018

Dear Prime Minister,

I take this opportunity to follow up on the discussions that my predecessor had with the Croatian authorities in May 2017, concerning certain issues related to the human rights of asylum seekers and other migrants.

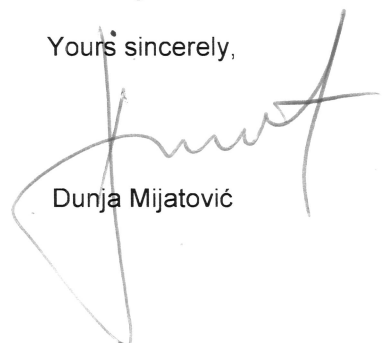
I am worried by reports that I have received from expert refugee and migrant organisations that provide consistent and substantiated information about a large number of collective expulsions from Croatia to Serbia and to Bosnia and Herzegovina of irregular migrants, including potential asylum seekers. Particularly worrisome are allegations of systematic violence used by Croatian law enforcement officials against those persons, including pregnant women and children. According to UNHCR, Croatia has allegedly collectively expelled 2,500 migrants since the beginning of 2018. Among them, 1,500 reported having been denied access to asylum procedures, while 700 of those persons reported violence and theft by law enforcement officers during summary expulsions. Concerns in this context have also been expressed by the Croatian Ombudswoman, including in her 2017 Annual report, in which she noted, *inter alia*, that the authorities had not responded to her requests for information about pending investigations into the allegations of police violence against migrants.

While I am fully aware of the challenges facing Croatia in the migration field, I would like to underline that all efforts to manage migration should be made strictly in line with the rule of law and binding international legal principles. These include in particular the absolute prohibition of torture and inhuman or degrading treatment or punishment under Article 3 of the European Convention on Human Rights (ECHR), and the prohibition of collective expulsions (Article 4 Protocol 4 ECHR), which applies to asylum seekers and irregular migrants alike.

Therefore, I call on the Croatian authorities to initiate and carry out prompt, effective and independent investigations into all recorded cases of collective expulsions and of allegations of violence against migrants, as well as other alleged crimes such as theft, and take all necessary measures to end such practices and prevent their recurrence. I also urge the authorities to ensure that anyone who intends to make an asylum application gets access to a fair and effective procedure.

I look forward to receiving your reply and continuing our constructive dialogue.

Yours sincerely,



Dunja Mijatović