



## Model European Union Conference Croatia



Country: Republic of Croatia

Committee: Council of the European Union

Topic Area: **EUROPEAN UNION AGENCY FOR ASYLUM**

Delegates: Emilie Pause, Jade Bates

We, the Republic of Croatia, Member State of the European Union, with this would like to outline our position in regards to the regulation by the European Parliament and of the Council on the European Union Agency for Asylum (herein referred to as ‘The Agency’) and repealing Regulation (EU) No. 439/2010.

We recognise that the current regulations on Asylum Seeker policy are inadequate. Solving this issue is pertinent to us, both for the wellbeing of Asylum Seekers as well as to alleviate the undue stress on our borders. We support the European Union and their policies, however we have some concerns over the current proposal.

We have three concerns over the current proposal set forth on the 5th May 2016.

### 1. The Agencies Autonomy in Resettling Refugees

- Our first concern is in regards to **Art. 2(1)(h)** and **Art. 16(3)(g)** which gives the Agency some autonomy to ‘relocate or transfer of beneficiaries of international protection within the Union.’ We disagree with this, and believe that in doing so, the Agency may distribute refugees to Member States they do not wish to settle in.
- Additionally, the relocation is likely to burden some Member States disproportionately. While the idea of having an independent agent distribute Refugees may seem to be a fair solution, it would still burden countries that are unprepared, and in this, have a negative affect on resettlement. For example, we, being a new member of the European Union (joining in 2013), are still attempting to reconcile our National Legislation with European Union directives. This, coupled with the current pressure on our borders, places a double burden on our Republic. While we acknowledge there will be support from the EU we believe this will not be enough to ease the teething problems.
- Our experience has been that refugees do not want to come to Croatia.<sup>1</sup> Forcing refugees to resettle in communities they do not feel comfortable in will cause unwillingness to integrate, causing secondary movement, made easy by the nature of the Schengen zone.

### 2. Information Disclosure

- **Art. 3(1)** sets forth the obligation to exchange information. We have concerns over our Republic’s privacy in relation to this article. Asylum Seekers in Croatia are not popular with the public, any release of the information could affect the political stability of our Republic.

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<sup>1</sup> We only had 175 applications for Asylum in the first quarter of 2016, in comparison to the 179,760 applications to Germany and or even the 520 to Luxembourg.

3. The Disproportionate Pressure on some Member States

- We support **Art. 22**: that MS with disproportionate pressure should be able to request help, however we don't believe that the agency should be able to act on its own initiative.

4. The Agency's Autonomy

- We have concerns over delegating too much power to the Agency and that our sovereignty is being impeded upon.

**Proposed Solutions**

1. Clarity

- The council needs to be clear whether they are supporting States individual determination on who is a refugee, or taking over this determination, making the decision for the Member States. For example, **Art. 16(3)(g)** states the Agency will 'assist in the relocation' - this is a vague statement with no limitations.
- With regards to the Information Disclosure Articles, we propose that there be a requirement of confidentially embedded in the Regulation.

2. Refugee Autonomy

- Refugees should have relative autonomy and a platform to voice their concerns regarding their settlement in a Member State. We need refugees to feel safe and welcomed and not all countries can offer this. Family and cultural ties need to be considered.
- We support the refugees autonomy in deciding where they would like to be settled - i.e. with family members or countries they're comfortable in.