

# ADDRESSING THE STATUS ISSUES OF ROMA

Ministry of the Interior  
of the Republic of Croatia

# The Decade of Roma Inclusion 2005 - 2015

- The Republic of Croatia will take over the one-year chairmanship over the Decade of Roma Inclusion on 1 July 2012, lasting until 30 June 2013

REGIONAL CONFERENCE ON THE PROVISION OF CIVIL  
DOCUMENTATION AND REGISTRATION (PREVENTION OF  
STATELESSNESS) IN SOUTH-EASTERN EUROPE, 26 – 27  
OCTOBER 2011

- The Republic of Croatia was chosen as a host of the Conference due to its progress and active engagement in the fight against statelessness, including the ratification of the Convention on the Reduction of Statelessness
- The participants of the Conference adopted the Zagreb Declaration, taking into consideration the fundamental obligations related to the respect for human rights, relevant international instruments on statelessness and aspiration for European integration

# National Programme for the Roma

- The Government of the Republic of Croatia adopted the National Programme for the Roma in October 2003
- The Ministry of the Interior actively implements the measures laid down by the National Programme for the Roma within the scope of its competence
- The National Programme for the Roma provides for the implementation of measures for the improvement of the living conditions of the Roma national minority and their inclusion into the social and public life

# Mobile teams established pursuant to the National Programme for the Roma

Mobile teams have been established in regions in which it was estimated as necessary and in which Roma live in greater numbers:

- The city of Zagreb and Zagreb County,
- Međimurje County,
- Sisak-Moslavina County,
- Primorje-Gorski Kotar County,
- Osijek-Baranja County,
- Istra County,
- Brod-Posavina County,
- Varaždin County and
- Vukovar-Srijem County.

# Task of mobile teams pursuant to the National Programme for the Roma

- Providing assistance to the Roma population with a view to explaining to them the legal requirements necessary for the regulation of their status in the Republic of Croatia
- Identifying problems and instructing the local residents on legal solutions
- Mobile teams have visited Roma settlements
- Results – an increased interest of Roma for settlement of their status

# CROATIAN CITIZENSHIP ACT

- The Ministry of the Interior is competent for decision-making in the procedures for the acquisition of Croatian citizenship by naturalization.
- The Ministry of Public Administration is competent for the acquisition of Croatian citizenship by origin (the majority of members of the Roma national minority who traditionally live in the Republic of Croatia have acquired Croatian citizenship by origin, have been registered in the Citizenship Record Books and Registers of Birth and are considered to be Croatian citizens from the moment of their birth).

# CROATIAN CITIZENSHIP ACT

- The Croatian Citizenship Act entered into force on 8 October 1991.
- It contains norms for the prevention of statelessness, as a result of the succession of states.
- Article 30, paragraph 1 of the Act – the principle of legal continuity of Croatian citizenship – a person is considered to be a Croatian citizen if he/she has acquired this status pursuant to the regulations which were in force until the entering into force of the Croatian Citizenship Act.
- Thereby, all holders of the former Croatian republican citizenship have kept their Croatian citizenship and obtained the necessary documents.



# CROATIAN CITIZENSHIP ACT

- The Act on the Amendments to the Croatian Citizenship Act entered into force on 1 January 2012.
- The required duration of registered stay is now 8 uninterrupted years until the submission of the application and the granted status of an alien with permanent residence.
- Individuals who had a registered residence in the Republic of Croatia on 8 October 1991 and who have been granted permanent residence meet the legal requirement relating to the duration of registered stay.

# ACQUISITION OF CROATIAN CITIZENSHIP

- Croatian citizenship may be acquired after 8 years of continuously granted stay in the Republic of Croatia, providing that the applicant meets the following requirements:
  - he/she has been granted the status of foreigner with permanent residence,
  - he/she is of age and with legal capacity,
  - he/she knows the Croatian language and the Latin script, Croatian culture and social structure,
  - he/she has been released from the foreign citizenship and
  - he/she respects the legal order of the Republic of Croatia.
- Under more favourable requirements: acquisition of Croatian citizenship on the basis of marriage to a Croatian citizen and in the case a person was born on the territory of the Republic of Croatia (has been granted permanent residence and he/she has been released from the foreign citizenship).

# ACQUISITION OF CROATIAN CITIZENSHIP

- The procedure for the acquisition of Croatian citizenship by naturalization depends on the will of the interested party and it is initiated only upon the respective application. There is no possibility to conduct this administrative procedure ex officio, regardless of social, health, financial or other circumstances related to the respective individual.
- A request to acquire Croatian citizenship by naturalization shall be submitted in person to the police administration or police station except when the person in question is a person with a disability, in which case it may be submitted by means of a legal representative or authorised proxy.
- Individuals over the age of 60 do not have to meet the legal requirement related to the knowledge of the Croatian language and Latin script, the Croatian culture and social structure.
- Common practice of the Ministry of the Interior : not to reject the applications due to lack of knowledge of the Croatian language and Latin script, having in mind social and other living conditions of Roma population.

# PROBLEMS IN INDIVIDUAL CASES

- **NON-DETERMINED CITIZENSHIP** - it is mostly the result of the succession of the former Socialist Federal Republic of Yugoslavia (republican citizenships).
- These are individuals who have acquired citizenship of one of the republics of the former SFRY pursuant to the regulations formerly in force, but have formally not yet registered their citizenship in their mother country, either because of their own neglect or administrative barriers of foreign authorities.
- **ACQUIRING OF DOCUMENTATION FROM OTHER COUNTRIES** (MoI employees provide information on how individuals can acquire the necessary documents and, where possible, the documentation is officially requested from foreign authorities).

## PROBLEMS IN INDIVIDUAL CASES

- **INAPPROPRIATE REGISTRATION OF CIVIL STATUS (birth records)**
- **FAILURE TO REGISTER RESIDENCE**
- **RESPECTING THE LEGAL ORDER (convictions for criminal offences)**
- **There are requests to settle the status of individuals who do not live in the Republic of Croatia**

# CITIZENSHIP STATISTICS

From 30 August 2007 to 3 April 2012:

- 243 Roma were admitted to Croatian citizenship,

- 10 guarantees of admission into Croatian citizenship were issued under the condition of release from the present foreign citizenship.

# ALIENS ACT

The new Aliens Act entered into force on 1 January 2012.

## TEMPORARY STAY MAY BE GRANTED ON THE FOLLOWING GROUNDS:

- family reunification,
  - work,
  - secondary school education and university studies,
  - scientific research and
  - **humanitarian grounds.**
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- Temporary stay may be granted on other grounds as well, but for a maximum period of 6 months in a course of one year.

# SETTLEMENT OF THE STATUS OF AN ALIEN

## REQUIREMENTS FOR GRANTING PERMANENT STAY:

- 5 uninterrupted years of temporary stay
- valid foreign travel document
- funds to support oneself
- health insurance
- knowledge of the Croatian language and Latin script, and the Croatian culture and social system.



Statistical data on stateless persons and persons whose citizenship is unknown or has not been determined

- According to the official data from the RC MoI, the number of registered cases is extremely low:
  - 21 stateless individuals,
  - 56 individuals whose citizenship has not been determined or is unknown.

# Draft of the National Roma Strategy up to 2020

- Ministry of the Interior has been involved in the preparation of the Draft of the National Roma Strategy up to 2020
- The said strategy will be presented at the beginning of the third quarter of 2012

# Some proposals for the settlement of the status of Roma in the Draft of the National Roma Strategy up to 2020

- Regulating the status of Roma who have strong connections with the Republic of Croatia
- Emphasis on regional and inter-sector cooperation
- Cooperation with competent institutions in the region aiming at overcoming the problems related to the establishment of identity and citizenship status of Roma in the region, as a preliminary issue in settling of their status of an alien or a stateless person
- Designating a contact person in diplomatic missions / consular posts and in competent institutions in the region in order to address the status issues of Roma

# Some proposals for the settlement of the status of Roma in the Draft of the National Roma Strategy up to 2020

- Continuation of work of mobile teams on a multidisciplinary basis
- Setting up of information desks in all regions where Roma live aiming at providing relevant information

# CONCLUSIONS

- Regulation of the status of an alien and of Croatian citizenship is made possible, without any discrimination and regardless of national affiliation, to individuals who meet the legal prerequisites.
- Mobile teams have pointed out that the existing cases of Roma whose status has not been resolved are still to a large extent the result of their lack of being informed, and sometimes insufficient interest on their part and non-possession of valid identification documents

**Thank you for your attention!**

