



Polytechnic Nikola Tesla in Gospić

# GUIDEBOOK FOR THE FINANCIAL INCLUSION OF REFUGEES AND NEWCOMERS IN CROATIA

Valentina Vinšalek Stipić, Mile Vičić & Zlatko Česić

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Cooperation for Integration Under Financial Inclusion of Current Refugees and Newcomers



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*Polytechnic Nikola Tesla in Gospić, Croatia*

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## PREFACE

Activities at the local level are crucial for the effective integration and inclusion of refugees in the community. With their commitment to refugees, the social community proves that they are incubators of innovation and good practices aimed at protecting refugees. Where refugees move and how they integrate into host communities depends on the vision, cooperation and commitment of local and regional community policy makers, as well as the entire social community. Policy makers and the local community often show generous solidarity towards refugees and migrants, supporting them and recognizing their rich and diverse contributions. Local communities can also show compassion in response to the persecution and cultural alienation of refugees and third country newcomers. Within the framework of the COOPERATION FOR INTEGRATION UNDER FINANCIAL INCLUSION OF CURRENT REFUGEES AND NEWCOMERS project (project ID: EU Erasmus+ 2021-2-TR01-KA210-ADU-000048627), the end result of the project was the creation of a Guide for financial inclusion of refugees, which defines a plan of necessary actions, including a set of key policy recommendations and best practices aimed at maximizing project impact in support of relevant EU strategies, including the Sustainable Development Agenda and the 2030 Goals.

### Partners in the project:

[Yıldız Technical University, Turska](#)

[Gaziantep University, Turska](#)

[Polytechnic Nikola Tesla in Gospić, Croatia](#)

[University of Thessaly, Greece](#)

In the implementation of the mentioned project, a key question was raised - the problem of adaptation of refugees or newcomers to the financial system in the country where they live. The goal of the project was to find a solution to these problems by cooperating with regulatory authorities, service providers, some international institutions, and several research organizations. Therefore, refugees and newcomers were supported in an attempt to solve their problems of adaptation to the financial system. The Financial Inclusion Guide for Refugees provides guidance for refugees and newcomers on how to access their financial resources, how to use their savings or money, and how to access their banks or other financial

institutions in their country of residence. In addition, how to cooperate in solving this kind of big problems related to the financial inclusion of refugees is one of the topics to be learned.

Yıldız Technical University acts as the coordinator and the Centre for Finance, Management and Sustainability is the research centre that hosts this project. The main objectives of the project include conducting best practices from the perspective of different countries, conducting semi-structured interviews, and creating a road map. Each beneficiary university had a task and responsibilities related to this project. The project was implemented through four work packages as stated in the Partnership Agreements. The first work package was related to research activity, a kind of systematic literature review. The first work package was a given task for Turkey, Croatia, and Greece, which took place over a period of one month. The second work package dealt with the organization of the refugee search conference. A two-day research conference was organized, where Yıldız Technical University in Turkey acted as a coordinator to discuss financial inclusion, access to finance and financial literacy in each partner country. The topics of the conference were structured in terms of analysis of financial needs for refugees, activities carried out by national and international institutions on the financial inclusion of refugees, activities of civil society on the inclusion of refugees, evaluation of knowledge about financial literacy of refugees, best practices at the national level and best practices at the international level compared to the aspect of Greece, Croatia, and Turkey. The third work package included conducting semi-structured interviews, in all partner countries of the Project, to determine the financial inclusion of refugees and their level of knowledge, skills and competences on financial literacy. The fourth work package, which was the last work package and it referred to dissemination and communication activities. Yıldız Technical University led this activity and coordinated its implementation. All other partners contributed to dissemination and communication activities.

The partner Polytechnic Nikola Tesla in Gospic had tasks and responsibilities related to work package 1, work package 2, work package 3 and work package 4. Work package 1 included systematic literature review in Croatia and Turkey. The second work package related to the organization of the conference on the search for refugees in Croatia started at the end of February 2023 and lasted for four months. Target groups for conference participants were broadly included in the annex to the agreement. Also, in the second work package, it was necessary to conduct a research conference for refugees, which was held on May 22 and 23, 2023. The third work package, which refers to conducting semi-structured

interviews, was implemented by the University of Gaziantep in Turkey, the Polytechnic Nikola Tesla in Gospić in Croatia and the University of Thessaly in Greece. In this phase, the same structured interviews were developed in both Croatia and Greece. Observers from Greece and Turkey participated in the interviews in Croatia. This interaction took place in every partner country participating in this project. Again, the last work package, WP4, were dissemination and communication activities among partners, target group and policy makers. Organizing webinars, workshops with the participation of regulatory bodies, policy makers is the subject of this work package. The main output of ~~for~~ WP4 ~~is~~ the final project report and the Financial Inclusion Guide for Refugees.

The timeline for the project is divided into four parts consisting of WP1, WP2, WP3 and WP4 as follows. WP1 lasted nine months. It started on 31.05.2022 and ended on 28.02.2023. WP2 lasted four months, starting on February 28, 2023, and ending on June 30, 2023, and a two-day conference was held within this phase. WP3 lasted seven months, began on June 30, 2023, and ended on January 31, 2024. WP4 lasted four months; started on January 31, 2024. ended on 30.05.2024. The implementation of this project was financed by grants from the European Union in the amount of EUR 60,000 according to the activity plan and funds for each partner of the Project individually.

We would like to thank everyone who contributed to the implementation of the Project's work activities: the Lika-Senj Police Administration; to the Department for Administrative Affairs of the Lika-Senj Police Administration; Lika-Senj County; Civil protection services, interregional and international cooperation; Gospić town; Department for Social Activities of the City of Gospić and Lika-Senj County; Croatian Red Cross Gospić; Central office of the Croatian Red Cross; Civil Protection Service of the City of Gospić; Privredna banka Zagreb; Erste bank Croatia; Office for Human Rights and Rights of National Minorities of the Government of the Republic of Croatia; Office for Associations of the Government of the Republic of Croatia; Institute for Socially Responsible Business; Cluster Lika Destination; Refugees, newcomers and asylum seekers who participated in the implementation of project activities; Employees and students of the Polytechnic Nikola Tesla in Gospić.

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## 1. Introduction

The integration of newly arrived asylum seekers, refugees, migrants, and stateless persons has become a top priority for local and regional self-government units, policy makers, local civil societies, and service providers. Although national policies set the broader political framework, local governments are often tasked with implementation and finding practical solutions. The Global Compact on Refugees recognizes integration and inclusion as a shared responsibility, with municipalities, the private sector and local organizations becoming key innovators and key partners in implementing refugee integration in the host country. The success or failure of effective inclusion and integration at the local level can influence future decisions on asylum, resettlement, and complementary pathways. Therefore, the successful integration of refugees and newcomers, asylum seekers and asylum seekers into the economic and social environment of the host country is of key importance. Despite the number of integration and inclusion initiatives, there is still a considerable lack of practical guidance on how to adapt services and practices to the specific needs of asylum seekers, refugees, migrants, and stateless persons. Participation is key to designing and identifying potential solutions, but organizing and sustaining such efforts can be challenging. Understanding the different needs of refugees and migrants based on age, gender, culture, disability, or other factors and designing appropriate programs is not easy, but it is well worth it. This Guide aims to assist local actors in developing participatory approaches tailored to their communities, drawing on decades of stakeholder experience in humanitarian work and development. It helps create programs that encourage inclusion and integration into host communities and improve the financial status of refugees and newcomers. Also, programs are provided in the influence of their actions, and it helps in identifying practices that they can consider good and apply them in other contexts. The concept of "good practice" has become central to the development, financing, implementation, evaluation, and international promotion of initiatives for the better inclusion of refugees and newcomers in the society of the host country. However,



what is considered "good practice" in integration and inclusion is not clearly defined, and clear criteria for designing and implementing new projects to maximize potential impact are lacking. A community of researchers and several international studies have provided a reliable overview of successful integration standards and national macro-level policies, such as the National Evaluation Mechanism and the Migrant Integration Policy Development Index. Integration practitioners in micro-level funding bodies and institutions lack practical tools to guide their actions and assess strengths and weaknesses specific to the protection and social needs of refugees and asylum seekers. Therefore, this Guide aims to reduce this gap and define concrete guidelines for improving the current state of integration of refugees into the society of the host country.

The integration of third-country nationals has become a key topic that emerged from the migrant crises that affected the European Union as well as all member countries. At the level of the European Union and its member states, it was necessary to find new solutions to respond to the emerging situation and enable the sustainable integration of citizens of third countries as full members of the society of the host countries. The term integration in this context does not imply unilateral adaptation of citizens of third countries, but includes actions aimed at strengthening their capacities for acceptance and life in the host country. Integration is understood as a dynamic and two-way process, which requires the efforts of the host country. It is long-term, because it implies becoming a full and active member of society, and multidimensional, including participation in economic, social, cultural, civic and political life, as well as the perception of a person of migrant origin that he belongs to that society. This dynamic and two-way process of integration implies not only the expectation that third-country nationals "integrate" into the host country, but also the provision of opportunities for their participation in the society into which they integrate. The Office for Human Rights and Rights of National Minorities of the Government of the Republic of Croatia, which coordinates the work of all ministries, non-governmental organizations and other bodies that participate in the process of inclusion of citizens of third countries who have been granted international

protection, actively participates in strengthening the integration capacities of the Republic of Croatia.

Integration policy in the Republic of Croatia is primarily focused on refugees, given the relatively small number of migrants (asylum seekers from third countries) who mostly come from neighbouring countries in the region. The integration of individuals who have been granted international protection is a multifaceted undertaking that requires the coordinated efforts of various stakeholders, including public institutions at different territorial levels, in cooperation with civil society organizations and the private sector. The creation of this Guide should contribute to putting emphasis on various aspects of refugee integration on the agenda of scientific and professional discussion in a comprehensive and systematic way. Further development and improvement of the integration of refugees in Croatia largely relies on the recognition of the importance of the integration of persons with international protection into Croatian society. It also depends on the cooperation of various political and administrative entities at all territorial levels with civil society organizations in order to facilitate various integration activities. This manual is intended for administrative workers, politicians, scientists, and members of civil society organizations dealing with the integration of persons with international protection into Croatian society.

## **2. Migration of refugees and newcomers in the European Union and the legal regulation of their labour rights**

Labour migration or migration of refugees and newcomers due to war events is a complex social phenomenon that is most often analysed within the framework of social sciences, among which sociological studies of migration occupy a key place. In Croatia, there is a complete lack of legal analyses of the labour rights of migrant workers from third countries in the European Union (hereinafter: EU). Labour migration is constantly increasing all over the world. It is estimated that over 200 million people are currently in the status of labour migrants. In 2010, the United Nations presented information that 72.6 million migrants lived in Europe and Central Asia, even 5.1 million more than five years earlier, which constitutes 8.7% of the total European population (World Migration Report, 2010: 183). Migration irreversibly changes the lives of migrants and their families. Migrant workers are most often forced to migrate due to extreme poverty and/or war in the countries of origin, which makes labour migration the only possibility to change the socioeconomic status and improve the quality of life of the immediate and extended family, the community in which they lived, and often also the country of origin (through sending remittances remittance, investment, etc.). Labour migration contributes to the development of the economy of the countries of employment, but perhaps even more than that it contributes to the economic development of the countries of origin.

Namely, migrant workers support their families, but also indirectly influence the strengthening of the economies of their countries. The World Bank estimates that in 2009, 162.5 billion dollars of remittances from migrant workers were sent to Asian countries, 30.3 billion to African countries (World Bank, 2010). On the other hand, developed countries where migrant workers are employed try to balance adequate legal protection of migrants and the needs of the labour market, i.e. employers for mainly temporary employment of foreign labour. Precisely because of the increase in international labour migration, during the last decade the European Union began to

create a unique and common legal framework for labour migration, which intensified the legal analyses of both the common *acquis* and the national legislation of individual member states that still retained a significant part of the authority in the field of management voluntary migrations, and primarily in the field of labour migration management. It should be pointed out that in the labour market of European countries, migrant workers have different legal status with regard to citizenship - EU citizens who work in another member state are also migrant workers, but those who enjoy the same rights as citizens of the country of employment, then citizens from third countries who are highly qualified and who are offered well-paid jobs in EU countries due to the deficit of professional staff and who enjoy special legal protection. The issue of social responsibility (social behavior) towards employees (migrants, refugees and asylum seekers) and the achievement of business goals has also triggered theoretical discussions about the nature of the correlation between ethical principles and financial results. In new business environments, the problem of social responsibility and awareness of companies towards all stakeholders, especially vulnerable groups of companies, has appeared. Globalization of the economy, which creates an unstable competitive environment, as well as growing social expectations for the proper functioning of the corporation, has placed new demands on the company's management, as well as broader social concerns. At the theoretical level, a discussion began on the need for a new approach in thinking about the corporation and its activities, especially with regard to the protection of socioeconomic rights, environmental protection and socially responsible business (Vinšalek Stipić, 2020).

However, the largest number of migrant workers from third countries in European countries work in the so-called "3D" jobs (dirty, dangerous and demeaning) that citizens do not want to perform due to poor working conditions, underpayment and frequent labour exploitation, which includes limiting or denying labour and other human rights, exposure to discrimination, violence, racism, xenophobia and other forms of intolerance and inhuman and degrading treatment. Certain categories of migrant workers are particularly at risk, namely workers in the informal employment sector, workers in seasonal jobs, domestic workers, female migrant workers, etc. Available data on the number of migrant workers who suffer from some form of

violation or abuse of labour and other human rights are devastating and all countries of the world, including EU member states, can and must improve the legal protection of migrant workers, their financial literacy and approach labour migration from an aspect based on workers' rights. States of employment often give priority to the residence legal status of migrant workers over labour legal status, which is not in accordance with international legal aspects of human rights in which labour rights are expressly protected, while residence status is not set as a condition for enjoying labour and other human rights. The inversion of residence rights to the detriment of labour rights of migrant workers often results in the restriction or denial of labour rights due to unregulated or illegal residence status. Migrant workers find themselves in a specific situation in which, due to limited employment opportunities, they are forced to accept working and living conditions in the country of employment (in addition to inadequate housing conditions, insufficient or non-existent health care, etc.) that lead them to a situation of complete deprivation or flagrant violation of basic human rights. In this context, it is necessary to understand the task and obligation of the countries of employment to provide migrant workers with dignified living and working conditions. Migrants do not have the same opportunities to access state bodies as are available to citizens, they sometimes face difficulties caused by not knowing the language of the country of employment, they cannot afford the services of professional legal assistance and/or legal advice, they do not have a developed social network, they are often not members of trade unions and other professional organizations that could provide them with help, etc. Therefore, it is necessary to focus on the biggest normative obstacles that migrant workers face in trying to realize and enjoy their fundamental labour and other human rights during their stay and employment in EU countries. Nevertheless, the development of common EU migration legislation is a significant progress of the Union, especially when we bear in mind that the Union has normatively evolved from an initial exclusive focus on the suppression of irregular migratory movements to the establishment of a normative framework for the legal protection of migrant workers regardless of their residence status.

## **2.1. The international normative framework of the rights of migrant workers**

The international legal framework of labour migration after the Second World War developed gradually and slowly, which disagreed with the significant increase in the number of labour migrants in the countries of post-war Europe. The development of the legal framework for the protection of migrants did not parallel the development of migration due to the fear and reluctance of supranational institutions, such as the United Nations, the Council of Europe, the European Union after its foundation in 1958, and the International Labour Organization (hereinafter: the ILO), for the state to harmonize legal protections of migrant workers, which some states could interpret as interference in the issues of their internal sovereignty, because migration policy was considered exclusively the internal competence of states. We encounter a similar attitude even today, especially within the framework of membership of European countries in the EU. The international legal framework of labour migration is very complex and includes bilateral, multilateral and universal contractual obligations. In the international norms for the protection of human rights relevant for migrant workers, we include all legal instruments (conventions, charters, pacts) that are applicable to all human beings, including migrant workers. If the instruments do not explicitly exclude the rights of migrant workers, it is assumed that their rights from that instrument are guaranteed in the same way as other persons who do not have migrant legal status. The legal protection of international labour law related to the rights of migrant workers can be divided into two categories: first, the protection provided by the United Nations Convention, specially designed for migrant workers (applicable in countries that have signed and ratified the Convention); secondly, the legal protection provided through ILO conventions. At the regional level, legal instruments that ensure the protection of the rights of migrant workers include instruments adopted within the framework of the Council of Europe, whereby the European Convention for the Protection of Human Rights and Freedoms (further: ECHR) stands out, and legal instruments adopted within the European Union, applicable on the territory of states member of the Union.

## **2.2. Universal instruments for the protection of human rights of migrant workers**

The international legal framework related to the protection of fundamental human rights of migrant workers includes many conventions, pacts, charters, declarations, and other legal instruments, among which we will highlight only the most important ones. The Universal Declaration of Human Rights from 1948 is the first legal document in international law that protects labour rights as fundamental human rights, which by their nature are indivisible, non-discriminatory, and universal. Article 2 of the Declaration states that "Everyone has the right to work, free choice of employment, fair and adequate working conditions and protection against unemployment." Although not legally binding, the Declaration is of exceptional importance for migrant workers because it applies to all people, regardless of formal adoption and regardless of the worker's citizenship.

The right to work of migrant workers, although generally accepted, is still limited because it is often only tied to initial employment. In addition, national migration legislation often restricts the jobs that migrant workers can perform, for example by prohibiting access to certain professions such as civil service or legal representation. The rights to fair working conditions and protection against unemployment, as stated in Article 23 of the Declaration, are often limited or even completely absent for migrant workers. For example, many migrant workers do not enjoy fair working conditions, especially in temporary or seasonal jobs where labour rights are often abused. In terms of unemployment protection, migrant workers often lack legal protection during periods of unemployment in a foreign country, which may lead them to work illegally in the informal sectors in order to maintain their right of residence in that country.

The right to an adequate wage is guaranteed to all migrant workers at the normative level. However, the practice is somewhat different. Workers who are forced to live with their private employers are often not paid wages under the pretext that they are provided with accommodation and food, and monetary compensation is not considered necessary or is reduced for food and accommodation costs. Such cases

represent a direct violation of the right to an adequate wage, and the most frequently affected are migrants working in the informal sector or in private households.

The right to establish and join trade unions is considered one of the foundations of modern democracies. However, migrant workers are often restricted or prevented from joining trade unions, especially in the informal sector or with private employers. In some EU member states, the formation of unions is not allowed, and workers without regular immigration status are often afraid to register with a union due to possible deportation.

The right to rest and free time, as stipulated in Article 24 of the Declaration, is often not available in practice to migrant workers, especially those working in private households or seasonal agricultural work. This right is often reserved for workers who are legally employed in the public or private sector, where collective agreements and unionization are defined.

The right to freedom of movement and choice of residence, as well as the right to leave and return to one's own country, stipulated in Article 13 of the Declaration, is key to the topic of international labour migration. This topic will be elaborated in more detail in the part of the paper that deals with the freedom of movement of workers.

All EU member states ratified the International Covenant on Economic, Social and Cultural Rights (adopted on December 16, 1966), making it a legally binding document. This Pact guarantees non-discriminatory respect for the rights of all migrant workers regardless of citizenship or legal status. Rights relevant to the protection of migrant workers include the right to work, fair working conditions, special protection for women, the prohibition of child labour, the right to join trade unions, the right to strike and social security.

The International Covenant on Civil and Political Rights (adopted on December 16, 1966) determines the rights enjoyed by citizens and persons with the right of residence in a foreign country. Although not particularly relevant to the protection of the rights of migrant workers, the Covenant also prohibits



discrimination and ensures the right to form trade unions and the right to freedom from forced labour.

The International Convention on the Elimination of All Forms of Racial Discrimination (adopted on December 21, 1965) guarantees equality in employment and prohibits discrimination against migrants based on race, skin colour, origin, or national and ethnic origin. This convention ensures that migrant workers may not be discriminated against nationals, and that preferential treatment of certain groups of migrant workers over others must be prevented (ILO, 2010: 135).

Importantly, it was also pointed out that the Committee for Monitoring the Implementation of the Convention found that the non-discriminatory principle of treatment must also be applied to non-citizens, regardless of their legal status and whether they are migrants with a regulated or unregulated residence status. Regarding the prohibition of racial discrimination and other related forms of discrimination against migrants, the "Durban Declaration" adopted by the UN member states, which expressly recognized the "positive economic, social and cultural contribution of migrants to both countries - of origin and destination," is of particular importance, but have committed themselves to introducing a series of protective measures that should enable the reduction of violations of human rights of migrants due to xenophobia, discrimination and racism in destination countries (Declaration on Human Rights of Migrants, 2011).

It is relevant to point out that the Declaration included a large number of measures specifically aimed at protecting the labour rights of migrant workers and, in this sense, called on member states to adopt measures aimed at eradicating racism, racial discrimination, xenophobia and similar forms of intolerance in the workplace that are directed against all workers, including migrants, and to ensure full equality before the law, including equality within the framework of labour legislation. It is important to point out that the Declaration explicitly emphasized that respect for all human rights of migrants should not be dependent on their immigration, i.e. residence status in the country of residence or employment, which continues to be one of the biggest challenges to national legislations in the implementation of the right to

international protection of human rights because there are expressed tendencies that in a large number of immigration countries basic human rights are reduced or completely denied to migrants with an unregulated residence status. The Declaration, in the largest number of provisions relating to migrant workers, uses the very emphatic wording "demands from member states", whereby the member states recognized and signed the same text of the Declaration that migrant workers in their countries are in a very difficult situation due to violations of fundamental labour and other human rights. The declaration requires member states to pay special attention to the protection of workers' rights when enacting and implementing legislation, warns of the seriousness of the lack of protection, the exploitation of victims of human trafficking and smuggled migrants who are more susceptible to abuse, the restriction of freedom of movement for domestic workers and the employment of migrants in dangerous and low paid jobs. The Member States are invited by the Declaration to remove all obstacles that prevent the participation of migrant workers in professional training, collective bargaining, employment, trade union and contractual activities, access to competent judicial and administrative bodies, as well as to remove obstacles to job search in different parts of the country of residence and insurance safe and healthy working conditions. Member States are also invited to take all necessary measures to promote the full enjoyment of all human rights of migrants, including the right to a fair wage and equally paid work without any discrimination, the right to fair, just and equal treatment in the workplace (but also in society), the right to social security in case of unemployment, illness, disability, widowhood, old age or other situations in which people cannot support themselves due to circumstances beyond their control, the right to social insurance and social assistance, the right to access to education, the right to health care and the right to respect cultural identity. The declaration once again indicated the necessity of combating racial discrimination against migrants, especially in employment, ensuring social services - including education and health services - as well as enabling the right to access justice. Member States should design and implement effective policies that include the introduction of preventive measures to eliminate racial discrimination, xenophobia and other forms of intolerance against migrant workers, with special

protection for domestic workers and victims of human trafficking. A special article of the Declaration is dedicated to the need to establish mechanisms to combat illegal treatment of migrants such as trafficking in human beings, especially women and children and smuggling of migrants that endanger human life or lead to various forms of servitude and exploitation such as debt slavery, slavery, sexual or labour exploitation. The Declaration requires all states to prohibit discriminatory treatment of foreigners and migrant workers based on race, colour, origin, or national or ethnic affiliation, and which inter alia concerns the granting of work visas and work permits, the provision of social housing, health care and access to justice.

The Convention on the Elimination of All Forms of Discrimination Against Women (adopted on December 18, 1979) explicitly prohibits discrimination in employment or at work based on sex. It determines the principle that work of equal value must be paid equally, guarantees the rights of women to the same opportunities in employment and at work as men enjoy, the right to free choice of profession and employment and equal access to specializations, rights from social security, rights from health insurance and rights protection at work. The Convention prohibits dismissal based on the pregnancy of a worker and stipulates that efforts must be made to suppress trafficking in women and the exploitation of women for the purpose of prostitution. The Committee for Monitoring the Implementation of the Convention reasoned that the enjoyment of basic human rights (such as the availability of legal remedies and humane treatment during detention) must also be enabled for migrant workers in unregulated residence status.

The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol Against Smuggling of Migrants by Land, Sea and Air which supplement the 2000 UN Convention against Transnational Crime are applicable to migrant workers who are victims of criminal activities that occur in the area of migration. And while previously human trafficking and human smuggling for the purpose of migration were only rare phenomena, today they are increasingly prevalent as a method of migration, and it is estimated that it could become one of the "dominant forms of exploitative migration in the coming years".

The Convention on Criminality covers criminal offenses initiated on the territory of one of the member states or criminal offenses which are related to several different countries. The Protocol on Trafficking in Human Beings was adopted with the aim of implementing a threefold paradigm in the fight against human trafficking - prevention, prosecution of perpetrators and protection of victims of human trafficking (the so-called 3P - prevention, prosecution, and protection). The most important elements of this criminal act are coercion against the victim and exploitation of the victim. Research has shown that the largest number of victims of human trafficking were recruited through misleading job offers both within their own country and abroad. The most common forms of exploitation include the exploitation of migrants for prostitution or other forms of sexual exploitation, forced labour or services, slavery, servitude, or removal of organs for the purpose of illegal organ trafficking. The protocol prescribes the comprehensive normative protection of victims of human trafficking, which includes physical, psychological, and social recovery, ensuring physical protection, privacy, medical assistance and employment, education and training, and allows victims temporary or permanent legal residence on the territory of the country in which they are located and assistance when returning to the country of origin.

The Anti-Smuggling Protocol is directly applicable to migrants who, due to the unavailability of legal forms of migration, have voluntarily agreed to participate in illegal migration. For the most part, the Protocol refers to smugglers as persons who obtain financial benefits by helping persons who wish to illegally cross borders with the aim of staying on the territory of a foreign country. Article 5 of the Protocol exempts smuggled persons from criminal liability, but also legally regulates several issues related to illegal migration, such as border controls, improving the control of travel and other personal documents, and programs aimed at increasing public information about smuggling and the risks of illegal migration. The Protocol also regulates the protection and provision of assistance to persons who have been trafficked, including the protection of their rights to life, protection from torture and ill-treatment, and the provision of assistance to migrants whose life or safety is threatened (ILO, 2010: 102).

The Convention on the Rights of the Child (adopted on November 20, 1989) prescribes the rights applicable to the children of migrants, but also the rights applicable to the parents of migrants. The Convention obliges member states to provide legal protection for children against all forms of discrimination or punishment resulting from the position, activity, expressed opinion or belief of parents, legal guardians, or family members. Furthermore, the Convention requires that member states respect the responsibilities, rights and duties of parents, legal guardians, or other persons legally responsible for the child in order to ensure adequate guidance and guidance of the child in the exercise of the rights recognized by the Convention. In the context of international labour migration, the right to maintain regular contact with children takes on special importance given that employers often take away travel documents from migrant workers, especially those with an unregulated residence status, which makes it difficult for them to visit their families and maintain contact with them.

For a better understanding of the discourse of international legal protection of migrant workers, it is important to mention Resolution 59/194 of the United Nations General Assembly on the protection of migrants from 2004 (Resolution A/RES/59/194). Although strictly speaking it does not belong to the international normative framework of labour migration, this resolution is extremely important for the rights of migrants. A year later, the Commission on Human Rights, recognizing its importance, accepted and confirmed almost the same version in Resolution 2005/47 of the United Nations Special Rapporteur on Human Rights on the human rights of migrants of 2005 (Resolution E/CN.4/RES/2005 /47), together with the United Nations General Assembly Declaration on the Human Rights of Persons Who Are Not Nationals of the Country in which They Live (Declaration A/RES/40/144).

Resolution 59/194 strongly condemns all forms of discrimination, xenophobia, racism and other forms of intolerance towards migrants in countries of migration, including access to employment, vocational training, housing, education, health and social services and other public services. Member states are called upon to fulfil their international obligations to respect all fundamental human rights of migrants according to international conventions and other legal instruments to which

they are parties. At the same time, concern was expressed about the laws of certain countries that limit the human rights and fundamental freedoms of migrants. Immigration programs that promote the full integration of migrants, facilitate family reunification and promote a harmonious and tolerant environment are rated as very positive. The resolution calls for strict prosecution of persons who violate the labour rights of migrants, such as the right to pay, healthy and safe working conditions, and the right to unionize. It is also required to remove all obstacles for the safe, unrestricted, and efficient transfer of migrants' earnings, savings and pensions, and that tasks related to the implementation of migration authorities be the responsibility of state services that would treat migrants and their families with respect. States should ensure respect for the human rights of migrants when implementing national security measures and criminalize any violation of the rights of migrants or their families, including arbitrary arrest, torture and violation of the right to life during transit. Also, states should adopt national laws that prevent and punish international human trafficking and human smuggling, and organize information campaigns on opportunities, restrictions, and rights during labour migration so that migrants make an informed decision about migration, thereby reducing the possibility of being drawn into human trafficking chains.

The United Nations General Assembly's Declaration on the Human Rights of Persons Who Are Not Nationals of the Country in which They Live was adopted to emphasize the importance of respecting the human rights and fundamental freedoms of persons who do not live in their countries of origin, offering recommendations to states on the rights they should ensure to foreigners, while respecting limitations prescribed by national legislative provisions. Normative provisions concerning the entry and stay of foreigners on the territory of the state must be in accordance with international legal obligations, especially with obligations to respect fundamental human rights. The declaration prescribes the obligation of states to publicly publish national laws and other legal acts relating to the rights of foreigners and to make these acts available. It is interesting that the Declaration also determines the obligation of foreigners to respect the laws and local customs of the country in which they reside. It stipulates that foreigners legally residing in the territory of a foreign country enjoy

all relevant labour rights in accordance with national laws, such as the right to safe and healthy working conditions, fair wages, and equal pay for work of equal value regardless of gender. Also, foreigners must be provided with working conditions that are no less favourable than the conditions of domestic workers with equal pay for equal work. The declaration also guarantees the right of foreigners to join trade unions and other organizations of their own choice and the right to participate in their activities. Possible limitations of these rights must be legally determined and necessary in a democratic society, and established in the interest of national security, public order or protection of the rights and freedom of other persons. In addition, the Declaration provides foreigners with the right to health care, medical care, social security, education, and leisure, provided that they meet the conditions prescribed by the relevant laws and that their enjoyment of these rights does not excessively burden the national system. The Declaration guarantees foreigners' right to life and personal security, which means that no foreigner will be subject to arbitrary arrest or detention and will be protected from deprivation of liberty, unless it is in accordance with the law. Also, the Declaration ensures the right of foreigners to protection from arbitrary and illegal interference in privacy, family, home or correspondence, and to equality before courts, administrative bodies and all other legal and state bodies. This includes the right to free assistance of a translator in criminal and other proceedings, the right to choose a spouse, the right to marry and start a family, and the right to freedom of thought, religion and religion, with respect to legally based restrictions to protect safety, order, and health or morals or fundamental rights and freedoms of other persons. Also, the Declaration guarantees the right of foreigners to retain their own language, culture and traditions, and to transfer earnings, savings or other personal monetary gains abroad, in compliance with national currency regulations, and protection of the right to legally acquired property. The Declaration singles out a group of rights that are subject to legally prescribed restrictions, which are necessary in a democratic society to protect national security, public safety, public order, health or morals, or the rights and freedoms of others. These rights are consistent with other rights recognized in relevant international instruments, namely the right to leave the country, freedom of expression, peaceful assembly, individual or joint ownership of

property, freedom of movement and free choice of residence within the borders of the country in which they legally reside, and the right to family reunification. The Declaration also prohibits torture or cruel, inhuman or degrading treatment or punishment, and the subjection to medical or scientific experimentation without freely given consent. A legally resident foreigner should be protected from expulsions that are not based on legally made decisions, and he should be allowed to submit legal remedies to that decision and an appeal procedure in which he is represented by an authorized legal representative before an authorized body or a person representing a state body. The Declaration expressly prohibits individual and collective expulsions based on race, colour, religion, culture, origin, or national or ethnic origin. Finally, the Declaration recommends states to ensure the right of foreigners to communicate with a consular or diplomatic mission or with the mission of any other country representing their country of origin (Declaration A/RES/40/144).

### **2.3. The rights of migrant workers regulated by international labour law**

International labour law, among other things, was developed through the normative framework of the International Labour Organization (ILO), which plays a key role in protecting the rights of migrant workers. With the founding of the organization in 1919, the Charter of Versailles and the Preamble to the ILO Constitution stipulated the legal obligation to protect the rights of migrant workers. With the further development of the positive legal framework of the ILO, dualistic legal protection was simultaneously developed - general conventions applicable to all workers, which includes migrant workers, and thematic conventions aimed at improving the legal protection of migrant workers. If the conventions do not exclude migrant workers, the general conventions of the ILO are also applicable to them.

Important legal instruments of the ILO for the protection of the rights of migrant workers include the Declaration on Fundamental Principles and Rights at Work, which particularly emphasizes the ILO's attention to the problems of people



with special social needs, among whom are migrant workers (ILO, 1998). This Declaration laid the foundations for the development of eight fundamental conventions of the ILO, which represent key standards of labour and other human rights in the workplace. These conventions are binding on ILO member states, regardless of whether they have ratified them or not. ILO Conventions related to the rights of migrant workers include Convention No. 111 on discrimination in employment and occupation (1958), Convention No. 100 on equal pay (1951), Convention No. 29 on the prohibition of forced and forced labour (1930), Convention No. 105 on the abolition of forced labour (1957), Convention No. 182 on the worst forms of child labour (1999), Convention No. 138 on the minimum age for employment (1973), Convention No. 87 on freedom of association and protection of the right to organize (1948), and Convention No. 98 on applied rights to organize and collective bargaining (1949). In 2005, the ILO adopted a multilateral framework for labour migration that contains non-binding principles and guidelines for the approach to labour migration, focusing on respecting the rights of migrants and fostering links between migration, development, and international cooperation. In addition, among the thematic instruments, Convention No. 97 on migration for the purpose of employment (revised) from 1949, together with the related Recommendation No. 86 from the same year, and Convention No. 143 on migrant workers (additional provisions) with the related Recommendation No. 151 from 1975, stand out as important legal instruments for ensuring special legal protection of migrant workers. Convention No. 143 became the first international legal instrument dealing with migrant workers in irregular residence status, prescribing sanctions for traffickers and employers who employ irregular migrants.

The Convention obliges member states to take all necessary measures to prevent irregular migration, regardless of whether such migration is for the purpose of legal or illegal employment. It covers the entire migration process from emigration and transit to immigration, not distinguishing temporary from permanent migrants, except in the case of short-term employment in another country. The Convention stipulates the obligation to respect the human rights of all migrants, but also determines additional rights for workers in regulated residence status, such as the

right to equal treatment, the right to equal employment opportunities, social security, trade union rights, cultural rights, etc. Migrants in unregulated residence status rights to equal treatment are guaranteed in relation to rights acquired from previous employment, such as the right to salary, social security, and other benefits. The corresponding Recommendation includes provisions on social policy, family reunification, protection of the rights of migrant workers, social services, employment, and the right to residence status.

## **2.4. Croatian legal regulation of labour rights of migrants**

The normative framework of labour migration of citizens of third countries in the Republic of Croatia (hereinafter: the Republic of Croatia) consists of two basic parts. The first part includes the conditions for acquiring the residence status of migrants, prescribed by the Law on Foreigners (Official Gazette 151/2022) and the Decree on the Visa System (Official Gazette 92/2021). The second part regulates labour and other human rights of migrants, such as the right to non-discrimination, equal treatment, access to employment and social, pension and health insurance. These rights are legally regulated by the Constitution (Official Gazette 05/2014), the Law on Aliens (Official Gazette 151/2022), the Labour Act (Official Gazette 64/2023), the Anti-Discrimination Act (Official Gazette 112/2012), the Health Care Act (Official Gazette 36/2024), and other *leges speciales*.

The Law on Aliens regulates the entry and stay of foreign citizens in the Republic of Croatia, including citizens of third countries (non-members of the Union), harmonized with the provisions of Community law, with minor changes in progress such as proposals for the unification of residence/residence. According to the law, citizens of third countries can enter the Republic of Croatia if they have a valid travel document or other prescribed for crossing the border, a valid visa or residence permit (if necessary), have a purpose of stay, sufficient means for maintenance and return, do not have an entry ban, are not covered by international restrictive measures and do not pose a threat to public order, national security or health of the Republic of Croatia (Art. 36 of the Aliens Act). When issuing a visa at

the border crossing, an additional criterion is the assessment of the safety of the return of foreigners to their country of origin, residence or transit (Article 26 of the Law on Foreigners). Croatian law allows short-term residence (up to three months with or without a visa for certain countries), temporary (up to one year) or permanent residence (acquired after fulfilling the conditions of temporary residence, asylum). The law prescribes in detail the conditions for temporary and permanent residence but does not explicitly specify the conditions for short-term residence. The Republic of Croatia has ratified the most important international and regional norms on human rights and eight key conventions of the ILO, including the prohibition of forced labour, the Convention on the preservation of pension rights of migrants and the rights of foreigners on the territory of the Republic of Croatia, including the right to equality before courts and other state bodies, and the right to asylum and protection from expulsion and extradition, except in certain situations. Although the Constitution does not explicitly state the rights of foreigners, it is assumed that when the Constitution mentions "everyone", it includes legal foreign citizens on the territory of the Republic of Croatia.

It is especially important to emphasize the importance of labour rights of migrants and the fight against discrimination, considering that "everyone in the Republic of Croatia has rights and freedoms, regardless of race, skin colour, gender, language, religion, political or other belief, national or social origin, property, birth, education, social position or other characteristics", as defined by the Labour Act and the Anti-Discrimination Act. The Constitution and the Labour Law ensure equality before the law (Art. 14 of the Constitution) and equality in wages for men and women (Art. 83 of the Labour Law). In the Republic of Croatia, labour rights are particularly highlighted in the constitutional provisions, and migrants have the right to work and freedom of work, which includes free choice of profession and employment and access to all workplaces and duties under equal conditions. It is important to point out the restrictions related to jobs with public authorities, which, in accordance with EU migration law, are only available to citizens of member states. According to Article 44 of the Constitution, "every citizen of the Republic of Croatia has the right, under equal conditions, to participate in the performance of public affairs and to be

admitted to public services", which could suggest that these jobs and services are unavailable to migrants. However, the Law on Civil Servants provides for an exception that enables the employment of foreign citizens or stateless persons with the prior approval of the central state administration body responsible for official relations.

Migrant workers have the right to incomes that enable a free and dignified life for themselves and their families, the right to weekly and paid annual leave that they cannot waive, the right to legally defined maximum working hours and the right to participate in decision-making within the company. They also have the right to freedom of association, formation of trade unions, and the freedom to join and leave them. The Constitution guarantees all employees and their family members the right to social security and social insurance, regulated by law and collective agreements, as well as rights related to childbirth, maternity, and childcare. Forced and compulsory labour is prohibited. A migrant worker can work in the Republic of Croatia only on jobs for which he has a residence and work permit or a certificate of employment registration, and only with the employer with whom he entered an employment relationship. The rules apply analogously to the employer.

Regarding the labour rights of migrant workers with legal residence status in Croatia, the provisions of the Labour Law apply, which do not differentiate based on citizenship, but apply universally to all private persons who perform work for an employer in an employment relationship. By regulating the residence-work status, migrants acquire all work rights as Croatian citizens, including the right to equal treatment. They have the right to move freely and choose their place of residence with legally defined restrictions to protect the legal order, health, and the rights and freedoms of others.

It should be emphasized that the Aliens Act very unevenly determines the scope of rights arising from three different residence statuses that migrants and members of the family of migrants with temporary and permanent residence can acquire in the Republic of Croatia. The Aliens Act does not specify the scope of rights of seasonal workers and migrant workers with a temporary residence permit, except

that seasonal workers do not have the right to family reunification. Migrants who acquire permanent residence status are guaranteed by the law the right to work, self-employment, professional training, education, social care, pension and health insurance rights, child benefits, tax benefits and access to the goods and services market. They also have the right to freedom of association and association, including membership in organizations that represent workers or employers or organizations whose members perform special professions, with benefits provided by such organizations. These rights are partially aligned with the relevant provisions of the EU Long-Term Residents Directive. The directive guarantees long-term residents the right to equal treatment with nationals of member states, but also guarantees them additional rights, the primary right to recognition of diplomas and professional qualifications. Croatian law recognizes the right to recognition of diplomas and professional qualifications only to blue card holders, in accordance with special regulations. Family members of the status holder, as well as family members who have acquired independent residence status, have the right to education, training, work, and self-employment. However, it is not clear whether this right can be exercised immediately upon the issuance of a temporary residence permit or after a certain period. According to Article 14 of the Family Reunification Directive, member states may restrict access to the labour market for family members of the status holder for a maximum of 12 months, while conducting an examination of the needs of the national labour market. The restriction of access to work can only be applied to close relatives, such as parents or adult children. The Croatian Aliens Act shows a less restrictive approach regarding the scope of rights of family members, and we hope that such a more liberal approach will remain even after Croatia's accession to the European Union. These provisions remain outside the obligation of harmonization with EU Community migration law due to their wording, which leaves discretion to Member States. We believe that the Aliens Act, as a basic status law, should clearly define the scope of the rights of holders of a certain residence status. Temporary migrant workers employed in Croatia based on annual temporary residence and work permits should have a wider range of rights than seasonal workers. Special emphasis should be placed on facilitating access to the labour

market and on greater rights of equal treatment and equal opportunities on the labour market for temporary, non-seasonal migrant workers. Migrant workers who are legally employed in Croatia exercise the right to social insurance, including health insurance, pension insurance (according to the place of work, in accordance with the principle of *lex loci labouris*), unemployment insurance and family benefits, provided that they exercise the right to permanent stay.

Croatia's accession to the European Union increased its attractiveness for labour migration. Regarding the right to health care, third-country nationals who are legally employed have the right to full health care according to their place of residence, in accordance with the contributions they pay. Other citizens of third countries who are compulsorily insured abroad have the right to use emergency health care during their temporary stay in Croatia. Other forms of health care for foreigners are regulated by special conventions that determine the way of using health services and the scope of rights.

## **2.5. Rights of migrant workers with unregulated residence status in Croatia**

Croatian employers should not hire or use the labour of migrants who entered the territory of Croatia illegally, whose legal basis for residence in Croatia has expired, or who did not regulate their residence status before starting employment. According to the provisions of the Law on Foreigners, before establishing an employment relationship, the employer is obliged to request from the foreigner a valid residence and work permit, confirmation of work registration or residence permit. If a foreigner presents an invalid permit, the employer will not be responsible for employing a foreigner illegally residing in Croatia, unless he knew that the document was forged. Due to the fact that establishing an employment relationship with a foreigner in an unregulated residence status violates the provisions of the Law on Foreigners, which is the *lex specialis* regarding the regulation of the status of foreigners, the provisions of the Labour Law are not applicable to migrant workers

with an unregulated residence status. The employment of such workers is therefore legally invalid, and any employment contract concluded would be null and void. Employers could abuse the nullity of employment contracts to avoid paying wages earned but not paid. However, it would theoretically be possible to start a court case to fulfil the obligation of restitution, which in this case would mean giving an appropriate compensation in money for the work done. However, due to awareness of the violation of a binding legal regulation (i.e. employment despite an illegal residence status), neither the worker nor the employer could claim responsibility for the damage.

In practice, when the illegality of residence and employment is discovered, the migrant is usually quickly deported from the country of employment to the country of origin or the country of permanent residence, which makes it impossible for him to initiate legal proceedings. In addition, there are other difficulties such as the unavailability of free legal aid, the impossibility of paying a legal representative, and the impossibility of unionization, which would enable unions to represent workers. Even in cases where a court case demanding the payment of unpaid wages would be initiated before deportation, workers with unregulated residence status are usually unable to prove the existence of an employment relationship because a small number of them are employed based on concluded employment contracts.

The EU Sanctions Directive stipulates the obligation to pay earned and unpaid wages, regardless of whether the employment relationship is based on the employer's ignorance of residence status irregularities or on an agreement between the migrant and the employer. The Croatian Law on Foreigners, in its preamble, points out that it contains provisions in accordance with the Sanctions Directive, which should mean that it has incorporated all the most important legal solutions of the Directive, especially the obligation to pay earned and unpaid wages. The salary Directive on sanctions in Art. 2. defines as follows: *„salary of a third-country national in an illegal residence status means a daily wage or salary or any other compensation in money or in kind that a worker directly or indirectly receives from his employer by virtue of employment, and which is equivalent to what would be paid to legally employed workers working in the same or similar occupation jobs. “*

An employer who employs or uses the labour of a migrant in an illegal residence status is obliged to pay default interest and a corresponding fine. Article 107 of the Law on Foreigners stipulates that „*Before issuing a decision on expulsion, a foreigner who illegally resided and worked will be informed about the possibility of salary compensation, with the corresponding contributions in accordance with special regulations, and the possibility of filing an appeal, i.e. a lawsuit against the employer,*“ but in the law lacks a provision on the employer's obligation to pay wages, and special regulations in the case of unregulated residence status are not applicable. To emphasize, the Sanctions Directive prescribed the obligation to pay unpaid wages, for which, in the absence of evidence, the amount of the average of three minimum wages guaranteed by law (or wages guaranteed by collective agreements or established practice in the relevant sectors) is presumed, as well as covering the costs of sending unpaid wages to the country to which a citizen of a third country returned or was returned, i.e. deported. As one of the most important reasons for the adoption of the Directive was to reduce the attractiveness of illegal employment of migrant workers through the obligation to pay unpaid wages, but also better legal protection of workers in an unregulated residence status against labour exploitation, it is completely unclear why the Croatian legislator did not include a crucially important provision of the Directive in the Croatian The Aliens Act left our legislation out of sync with the provisions of Community law.



### 3. Overview: Syrian refugees in Croatia

#### 3.1. The rights of refugees and newcomers in international law

At the international level, the rights of refugees in the country of refuge are regulated by the Convention on the Status of Refugees from 1951 and the associated Protocol on the Status of Refugees from 1967 (hereinafter: the 1951 Convention). The Convention represents the foundation of contemporary international refugee law (Hathaway, 2005: 91) and is still the only international treaty that comprehensively regulates the rights and obligations of refugees. The scope and nature of the rights that the refugee will have in the receiving state depends on the degree of connection the refugee has with the receiving state. There are four different degrees of connection that a refugee can achieve with the state (Hathaway, 2005: 154):

1. The relationship of mere competence (jurisdiction) of the state it accepts without physical presence on its territory;
2. Relationship of physical (de facto) presence on the territory of the receiving state;
3. Relationship of legal (de iure) presence on the territory of the receiving state;
4. Relationship of permitted residence (international protection) on the territory of the receiving state.

In this sense, it is possible to distinguish four minimum standards in relation to the country of acceptance (Lapaš, 2008: 24–30):

1. The standard of an ordinary foreigner – when a certain right is provided to a refugee at least to the extent that any foreigner enjoys it
2. Standard of the most privileged foreigner – when a certain right is provided to the refugee at least to the extent enjoyed by the citizens of the country that is accepted in the country, otherwise the most privileged status is shared (e.g. on the basis of an international treaty)

3. The standard of one's own citizens – which means equalizing the position of a refugee with that of one's own citizens
4. Standard of absolute protection – which does not depend on the treatment of the receiving state with foreigners and is guaranteed to refugees without the possibility of restrictions

These standards are minimal because the receiving state can guarantee people a greater scope of rights than the Convention from 1951 provides. The highest degree of connection will have refugees in the relationship of permitted residence, which may be the result of obtaining asylum or some other form of permitted residence (Lapaš, 2008: 14 ), which is decided by the competent authorities of the host country. Since the system of international legal protection of refugees is structured in layers, the rights of refugees in relation to permitted residence include all the rights that refugees have in a lower degree of connection with the host country, and they will be guaranteed some additional rights in addition to them (Lapaš, 2008: 54). A refugee in relation to a permitted stay will be able to stay in the territory of the receiving country in principle until the circumstances that forced him to leave the country of origin cease. In the same way, permitted residence gives the refugee the greatest scope of rights guaranteed by the Convention from 1951. According to the Convention from 1951, refugees in the status of permitted residence have the right to self-employment (Art. 18), acquisition of movable and immovable property (Art. 13), free occupation (Art. 19), housing (Art. 21) and secondary and higher education (Art. 22, paragraph 2), and the receiving state should guarantee them to refugees at least to the same extent as to other foreigners in the same circumstances. The right to non-political association (Art. 15) and the right to employment in the sense of performing non-independent occupations (Art. 17, paragraph 1) are recognized to refugees in the same proportion as to the most privileged foreigners. The issue of integration assistance (Article 34 of the 1951 Convention) is particularly important due to the special circumstances and vulnerability of the refugee population. Unlike other migrants, refugees cannot return to their country of origin, so in this sense, receiving

countries should act proactively in order to create opportunities for the local integration of refugees into the social life of the community (UNHCR, 2003). Furthermore, refugees in the receiving country most often lack a social network, do not know the language and do not have the means for real integration and starting a new life. Therefore, Art. 34 of the Convention from 1951 should be interpreted in such a way that the special situation in which refugees find themselves requires the granting of rights and the use of measures to a greater extent than for other foreigners (UNHCR, 2006).

The corpus of rights and obligations guaranteed to recognized refugees is particularly important in the context of local integration as one of the means to find lasting solutions to refugee problems. Local integration can be an appropriate solution when it comes to refugees born in the receiving country who might otherwise remain stateless; refugees who, due to their personal circumstances, are unlikely to be able to return to their country of origin in the near future; and refugees who have established close family, social, cultural and economic ties with the country of asylum.

Local integration has several mutually related and special dimensions (UNHCR, 2005):

- legal, because the state accepting refugees gradually grants a wider range of rights
- economic, because refugees gradually become less dependent on state and humanitarian aid, gain a greater degree of independence and the possibility of self-support, thereby contributing to the economic life of the host country
- social and cultural, because refugees adapt to the new environment through the care process carried out by local communities, which enables refugees to coexist with the local population and actively contribute to social life in the country of asylum.

### **3.2. European framework for the integration of migrants and refugees**

Mass migrant-refugee movements in 2015 and 2016 further contributed to the necessity of developing systematic policies for the integration of migrants and refugees into society. At the same time, the integration of migrants remains a challenge throughout Europe, with many pressing problems such as low levels of employment, inability to find adequate accommodation, increased risk of poverty or social exclusion, but also the concerns of the local population regarding their integration into the community (Giljević and Lalić Novak , 2019: 164).

The Charter of Fundamental Rights of the European Union guarantees individuals a full range of rights and freedoms. It can be said that the Charter is the foundation on which the European Union has built its integration policy. The Treaty of Lisbon is the first founding treaty that contains a legal basis for the issue of integration at the EU level in Art. 79, paragraph 4, which gives the European Parliament and the Council the power to enact measures in the regular legislative procedure to encourage and support the actions of member states with the purpose of promoting the integration of citizens of third countries in legal residence, however, excludes the possibility of harmonizing regulations between member states. At the EU level, the integration policy of migrants, including refugees, is based on the founding treaties, programs of the European Council and the Europe 2020 strategy. Although integration policies are the responsibility of the member states, the EU has developed a common framework for the integration of third-country nationals.

There are several key "policy" documents that indicate the direction of the EU regarding the integration of migrants. At the meeting of the European Council in Tampere (1999), conclusions were drawn emphasizing the need for a common approach to the integration of third-country nationals into the societies of EU countries, and the goal of integration policies was to bring the rights and obligations of third-country nationals closer to those of EU nationals. The integration of third-country nationals reappeared on the EU agenda in 2003. The European Commission

issues a Communication on immigration, integration, and employment in which it lists areas of integration and integration measures that need to be taken. At that time, integration policy was still not conceived as common to all EU members, unlike migration policy. The common basic principles of integration were accepted by the Council in 2004 and reaffirmed in 2014 and are the basis for all future EU initiatives in the field of migrant integration. These principles represent guidelines for member states in the formulation and implementation of national policies, emphasizing a holistic approach to integration, cooperation between European, national, regional, and local bodies in development and implementation. The principles refer to:

- integration as a dynamic two-way process
- respecting the fundamental values of the EU
- employment
- language learning
- history and culture
- education
- access to institutions, public and private services
- interaction between migrants and citizens of member states
- freedom of religion and culture
- participation of migrants in democratic processes
- inclusion of integration policy and measures in all relevant areas of public policies, levels of government and public services
- evaluation of the successful implementation of integration policies

The first edition of the Integration Manual, which represents the joint program for the integration of third-country nationals into the European Union from 2005, was also printed. It contains proposals for a series of measures for the implementation of common fundamental principles of integration, but with a clear distinction between measures at the European and national level, the latter is only indicative and leaves the member states to determine the priorities and choose the activities and the way of their implementation in the context of national traditions and conditions. In the

Stockholm Program, which was adopted for the period from 2010 to 2014, it is emphasized that it is necessary to support members in the full implementation of integration policies and the importance of harmonizing integration policies with other relevant areas such as employment, education, social inclusion. The European program for the integration of third-country nationals from 2011 was adopted based on the Europe 2020 Strategy. The program calls for a strengthened and uniform approach to integration in different policy areas and at different levels and focuses on measures to increase the economic, social, cultural and political participation of migrants, emphasizing the importance of the local level for integration. The working document of the European Commission adopted along with the mentioned program contains a list of EU measures which promotes the integration of migrants.

The 2016 Action Plan for the Integration of Third-Country Nationals states that, regardless of the efforts made, third-country nationals across the EU continue to perform less well than EU nationals in terms of employment, education, and social inclusion outcomes. Emphasis is placed on Member States with less integration experience to develop effective integration strategies as a consequence of the large number of persons in need of protection, including relocation and resettlement measures. The action plan recognizes that individual needs for integration differ depending on the reasons for coming to the EU and the expected length of stay, as well as skills, level of education and work experience, and that refugees face problems arising from their vulnerability as a consequence of the trauma, lack of documentation, inactivity before and during the international protection approval process, cultural and language barriers, and the risk of stigmatization in education, the labour market, and the real estate market. The planned measures refer to those before departure and before arrival, including the preparation of migrants and local communities for integration; education; integration into the labour market and access to vocational training; access to basic services such as housing and health care; active participation and social inclusion, including the participation of migrants in the creation and implementation of integration policies, promotion of exchange with host societies and the fight against discrimination and the promotion of a positive approach to diversity.

In the conclusions of the EU Council on the integration of citizens of third countries from 2016, the importance of the integration of migrants into European society is reiterated, member states are invited to accept measures for integration in various areas of public policies, and the European Commission to support the efforts of member states by providing them with professional and financial support and to ensure better coordination between the national and European levels and various actors operating in the field of integration (Giljević and Lalić Novak, 2019: 168).

The European legal framework in the area of refugee integration consists of several directives for which member states are obliged to incorporate them into their national legislation (Council Directive 2001/55/EC of July 20, 2001). The most important among them is the Qualification Directive, which regulates the rights of persons granted international protection (Directive 2011/95/EU of the European Parliament and of the Council of December 13, 2011). Among the rights, the Directive mentions help with inclusion in society, according to which member states should ensure access to integration programs that they consider appropriate, considering the needs of refugees, or create preconditions that guarantee access to such programs.

At the end of 2019, the European Integration Network conducted a survey "What measures exist to ensure the long-term integration of migrants and a refugee in Europe?". The survey covered 27 Member States and the United Kingdom. The purpose of the research was to examine whether the EU member states, and the United Kingdom implement policies and measures in various areas of life, the purpose of which is to promote the long-term integration of persons granted international protection and other third-country nationals. The key findings of the research show:

- almost all EU member states have a strategic framework for the integration of persons with approved international protection and other citizens of third countries, but only a few of them carry out a systematic evaluation of the outcome of integration

- state institutions provide support to people in language learning, but in many countries support decreases as language learning continues (intermediate and advanced level)
- lack of services and/or vocational training opportunities adapted to the migrant population
- uneven support for the needs of migrant children in education and lack of systematic support in access to higher education
- realization of migrants' rights to access to health care and to housing have been neglected by policy makers
- the need to improve the application of anti-discrimination laws

In conclusion, the research shows that the countries covered mostly have a strategic framework for integration, as well as a legal framework for combating discrimination, but it is necessary to evaluate the implementation of these frameworks and strengthen the means for implementing anti-discrimination laws, and direct them towards long-term outcomes.

### **3.3. Refugee integration policy in Croatia**

The Croatian legal framework for the integration of refugees consists of the Law on International and Temporary Protection (hereinafter: ZMPZ), which contains a set of rights guaranteed to refugees (right to residence, family reunification, housing, work, health care, education, freedom of religion, free legal aid, social welfare, help with integration into society, real estate ownership and acquisition of Croatian citizenship). Among the "policy" documents, it is worth mentioning the Migration Policy of the Republic of Croatia for the period 2013-2015, adopted as part of the EU accession process, which also contains measures for the integration of foreigners into Croatian society. The purpose of the Migration Policy is to ensure that migration movements in Croatia benefit the economic, social and cultural development of the state and society. Thus, all state bodies, as well as other stakeholders, are obliged to act in a timely and coordinated manner to find effective



responses to the positive and negative effects of migration trends. According to the Migration Policy, the integration of foreigners implies a dynamic, two-way process of mutual adaptation of both foreigners and Croatian citizens to the consequences of post-migration processes. Measures in relation to integration include: making a proposal for the appointment of a Permanent Commission for the implementation of the integration of foreigners into Croatian society; appointment of the Working Group for operational implementation of the tasks of the Standing Committee; creation of an action plan for the removal of obstacles in the exercise of rights in the field of integration; activities aimed at raising public awareness of various aspects and cause-and-effect phenomena of migration movements; implementation of the Croatian language curriculum for people over 15 years old at the level of all counties. The policy conceived in this way does not regulate the area of migration with a comprehensive approach. It was not formulated in the long-term, strategic development plan of the Republic of Croatia as its component and at the same time determined by the priority ranking of the migration policy. Its purposes are not clear enough, nor are the deadlines for their realization. The same applies to indicators of progress within the given deadlines and quantitative and qualitative measures of results that are expected. The migration policy of the Republic of Croatia for the period after 2016 has not been adopted.

In April 2013, the Government of the Republic of Croatia appointed the President (Director of the Office for Human Rights and the rights of national minorities) and members of the Standing Committee for the Implementation of the Integration of Foreigners into Croatian Society (representatives of departmental bodies responsible for the fields of education, health, social policy, work and employment, culture, housing, internal affairs, foreign affairs, regional development and European Union funds and the State Office for Croats outside the Republic of Croatia). In 2014, the Permanent Committee was expanded by appointing representatives from the State Office for Reconstruction and Housing and from the Office for Associations of the Government of the Republic of Croatia. In the first half of 2013, the Working Group of the Permanent Commission was established, which created an Action Plan for the removal of obstacles in the realization of certain rights

in the field of integration of foreigners for the period from 2013 to 2015. Given that asylum seekers and foreigners under subsidiary protection are a particularly vulnerable category foreigners, the measures from the Action Plan are focused to a greater extent on regulating their position and integrating them into Croatian society. Measures for the integration of foreigners were intended to ensure their equal status in economic, social, and cultural life compared to Croatian citizens. Special emphasis is placed on education, work, employment, and housing. Measures to prevent and suppress discriminatory actions and behaviour towards foreigners and to encourage the active cooperation of all competent state administration bodies and local and regional self-government units, which are obliged to ensure the appropriate legal framework and its effective and consistent implementation at the national, regional and at the local level. The measures of the Action Plan refer to proactive policies and campaigns for the promotion and protection of human rights, the right to equal treatment and the right to diversity. One of the measures from the Action Plan was the creation of an info-leaflet promoting the integration of foreigners into Croatian society. In 2015, the working group of the Permanent Commission for the Implementation of the Integration of Foreigners into Croatian Society, with the support of the Office for Human Rights and the Rights of National Minorities (hereinafter: ULJPPNM), created a Guide to the Integration of Foreigners into Croatian Society (Guide to Integration). The guide contains basic information about the Republic of Croatia as well as an overview of the rights that foreigners have in the areas of social welfare, health, education, work and employment, and accommodation and housing. The amended edition of the Guide was published in 2019, it was created by the Working Group for the Operational Implementation of the Tasks of the Permanent Commission for the Implementation of the Integration of Foreigners into Croatian Society and was translated into English, French, Ukrainian, Arabic, Urdu and Farsi. The Interdepartmental Standing Committee for the Implementation of the Integration of Foreigners into Croatian Society was responsible for monitoring the implementation of the Action Plan, and the ULJPPNM coordinated the work of all ministries, non-governmental organizations and other bodies participating in the integration of refugees.

In May 2017, a new Action Plan for the integration of persons granted international protection for the period from 2017 to 2019 was adopted. Representatives of all relevant ministries, public institutions, non-governmental and other bodies were included in the Working Group. The working group was coordinated by ULJPPNM. The reason for creating the measures of the new Action Plan was the refugee-humanitarian crisis of 2015 and the special vulnerability of persons granted international protection. The goal of the Action Plan was to provide them with help and protection to help them overcome the difficult situation after the crisis, which has affected almost all EU member states. It is focused on the areas of social care and health care, accommodation and housing, language learning and education, employment, interdepartmental cooperation, and sensitization of the public and professionals about persons who have been granted international protection. The report on the implementation of measures from the Action Plan for the integration of persons granted international protection for the period from 2017 to 2019 for 2017 and 2018 shows that the creation of a single document such as the Action Plan and the establishment of the Standing Committee and its Working Group contributed to a more systematic and a more organized approach to the issue of integration of foreigners into Croatian society. Also, most of the measures from the Action Plan were implemented as planned.

Among the other "policy" documents, it is worth mentioning the Strategy for the fight against poverty and social exclusion of the Republic of Croatia (2014-2020), within which refugees are also recognized as one of the most vulnerable groups of the population and especially represented among the poor, and as potentially excluded from access to fundamental rights considering their economic status and the National Program for the Protection and Promotion of Human Rights in the period 2013-2016. which among its goals states the improvement of the integration of asylum seekers and foreigners under subsidiary protection and the training of officials and employees directly engaged in matters of policy implementation for asylum seekers.

In April 2019, the ULJPPNM passed the Decision on the establishment of a working group for the preparation of the National Program for the Protection and Promotion of Human Rights for the period from 2019 to 2024. years. The working group consists of representatives of the ministries, ULJPPNM, the Office of the Ombudsman for Children, the Office of the Ombudsman, the Office for NGOs of the Government of the Republic of Croatia, the Office for Gender Equality of the Government of the Republic of Croatia, the Office of the Ombudsman for Persons with Disabilities, a representative of higher education institutions and two representatives of civil society organizations that deal with the protection and promotion of human rights.

The integration system in Croatia has been significantly improved through the implementation of various project activities financed from EU funds. The most important improvement that can be singled out is the preparation of the Framework on the integration of persons who have been granted international protection at the local level, the preparation of criteria for the preparation of the Deployment Plan and the research of citizens' attitudes and the preparedness of Croatian local communities (Giljević, Lalić Novak, 2019: 178). The framework for the integration of persons granted international protection at the local level was created as part of the project "Support for the implementation of the policy for the integration of migrants", which is financed by the European Union under the IPA instrument in 2012. As part of the project "Support to citizens of third countries granted international protection" which was implemented by ULJPPNM in 2018 and was financed within the framework of the National Asylum, Migration and Integration Fund (AMIF) program, the criteria for the creation of the Deployment Plan were developed, as one of the measures from the Action Plan from 2017. As part of that project, research was also conducted on the attitudes of Croatian citizens towards persons granted international protection and on the readiness of local units to accept integration into their communities. Based on the results of the research, lists were created to assess the needs and challenges of integration of local and regional (regional) units, which can serve as a tool for local and regional units to identify the needs and challenges of integration of citizens of

third countries who need international protection (Giljević and Lalić Novak, 2019: 179).

### **3.4. Acceptance of Syrian refugees in the Republic of Croatia**

The Republic of Croatia accepted the European Commission's proposal to accept 1,064 refugees from Syria and other countries who reached Hungary, Greece, and Italy. Croatia accepts these refugees in two locations - in the Zagreb settlement Dugave and in Kutina, in shelters for asylum seekers. The total capacities of Kutina and Dugave are enough to accommodate 700 people, which is enough because they are admitted successively.

As part of the European resettlement program, on May 29 and 30, 2019, the sixth group of people resettled from Turkey arrived in the Republic of Croatia via Franjo Tuđman International Airport in Zagreb. These were ten Syrian families, or 50 citizens of the Syrian Arab Republic, among whom 23 are minors. The first group of 40 people was resettled on November 28, 2017, the second group of 36 people was resettled on January 25 and 26, 2018, the third group (a family of five) was resettled on April 10, 2018, the fourth group from 24 persons were resettled on July 10, 2018, the fifth group of 47 persons were resettled on October 10, 11, and 16, 2018. With the arrival of the sixth group of Syrian refugees, a total of 202 Syrian citizens from Turkey were resettled in Croatia, and another 51 Syrian refugees are expected to arrive in July/August. Thus, the Republic of Croatia fulfils the quotas based on the Government's decisions from 2015 and 2017, and a total of 253 refugees from Syria were resettled. Namely, the Government of the Republic of Croatia has so far made three decisions on the resettlement of refugees (2015, 2017 and 2019), by which it committed to accept up to 400 people from the resettlement program. Croatia's decision is to accept Syrian refugees who fled to Turkey due to the conflict in Syria and are staying in Turkish refugee camps. Upon arrival in Croatia, the refugees were placed in the Reception Centre for International Protection Seekers in Kutina, where they went through the procedure of taking applications and making a decision on

status approval. To implement the Government's Decision from 2017 and resettle the sixth group of refugees, the Ministry of the Interior cooperates with UNHCR Turkey, implementing partners ICMC (International Catholic Mission for Migration), IOM (International Organization for Migration) and JRS (Jesuit Service for Refugees) who carry out the integration of Syrian refugees into Croatian society.

Currently, 40 refugees from Syria, mostly from the city of Aleppo, are staying in Zadar as part of the Government's pilot project for the integration of 150 people into Croatian society. They came to Croatia by their own choice and as some of them stated, they wish to stay in Zadar. At first, the refugees stayed in the Asylum Seeker Reception Centre in Kutina, and then they moved to Zadar, where they are already looking for jobs as well as more permanent accommodation, since the plan is to stay in the mentioned hostel for two to three weeks. It is about seven families with a total of 26 children who are accommodated in the 4you hostel. The implementation partner of the MUP (Ministry of the Interior of the Republic of Croatia) on the resettlement project is the Croatian office of the UN's International Organization for Migration (IOM) and during its stay in Kutina. The aforementioned Syrian refugees underwent cultural orientation, learning the Croatian language and learning all aspects of society.

Their rights and obligations are regulated in detail by the Law on International and Temporary Protection, according to which they have a guaranteed right to:

- residence in the Republic of Croatia
- work (residence and work permit or work registration certificate is not required)
- accommodation
- health care
- education
- freedom of religion
- free legal aid (assistance in drawing up a lawsuit and representation before the first-instance administrative court in case of approval of the request in the act recognizing subsidiary protection and in certain actions in cases of termination or annulment of international protection)
- social welfare

- help with integration into society
- family reunification
- property ownership in accordance with the Convention from 1951
- acquisition of Croatian citizenship in accordance with the regulations governing the acquisition of citizenship

As asylum seekers and foreigners under subsidiary protection, refugees from Syria and other countries are obliged to:

- respect the Constitution, laws and other regulations of the Republic of Croatia
- report the place of residence within 15 days from the delivery of the decision on the approval of international protection, as well as the change of place of residence and residential address within 15 days from the day of the change
- have a residence permit with you and make it available for inspection by persons authorized by law
- attend a course in Croatian language, history and culture
- notify the Ministry of the Interior within 15 days of the occurrence of the above-mentioned circumstances, if you move out of the Republic of Croatia or continuously stay abroad for more than 90 days in a 180-day period

With a residence permit, persons with approved international protection prove their established identity, confirm their status and regulate their residence in Croatia. An asylum seeker and a foreigner under subsidiary protection must have a residence permit with them and make it available for inspection by persons authorized by law. The request for a residence permit is submitted to the competent police department/police station according to the place of residence of the asylum seeker/foreigner under subsidiary protection. In the case of a change of residential address, the asylum seeker and foreigner under subsidiary protection must

register/deregister the residential address and obtain a new residence permit within 15 days of the change of residence.

Asylum seekers and foreigners under subsidiary protection have the right to accommodation in the Reception Centre for a maximum of 60 days until they are provided with accommodation in a suitable housing unit, if they submit a request for accommodation to the competent regional office of the Croatian Institute for Social Work within 8 days of registering their residence. They are obliged to register their place of residence within 15 days from the date of delivery of the decision. Persons with approved international protection have the right to accommodation for a maximum of two years from the date of delivery of the decision on approval of international protection.

The procedure for recognizing the right to accommodation is initiated by applying to the competent regional office of the Croatian Institute for Social Work according to the place of residence of a person with approved international protection.

The Law on Compulsory Health Insurance and Health Care of Foreigners in the Republic of Croatia stipulates that asylum seekers and foreigners under subsidiary protection exercise their right to health care based on a valid document issued by the Ministry of Internal Affairs, in health institutions and with health workers in private practice into the public health service network, in accordance with the general acts of the Institute

A travel document for an asylum seeker is issued to the seeker for a period of 5 years, in accordance with the Annex to the Convention from 1951. A travel document for a citizen of a third country (special travel document) can be issued to a foreigner under subsidiary protection, in accordance with the provisions of the law that prescribes the conditions of entry, movement, residence and work of citizens of third countries. A travel document for an asylum seeker and a special travel document for a citizen of a third country are issued with the prior consent of the Ministry of the Interior.



The procedure for realizing the right to family reunification is initiated by a family member of the asylum seeker/person under subsidiary protection at the competent diplomatic and consular representation of the Republic of Croatia, by applying for approval of temporary residence. If the request for a temporary residence permit is approved, the family member applies for the issuance of a visa, and upon arrival in the Republic of Croatia, applies for the issuance of a residence permit at the competent police department/police station.

The right to help with integration into society in the Republic of Croatia lasts a maximum of three years from the delivery of the decision on the status of an asylum seeker and a person under subsidiary protection. The right to three-year assistance in integrating into Croatian society starts from the day of delivery of the decision on the acquisition of international protection status.

## **4. Financial Inclusion and Literacy of Syrian Refugees in Croatia**

### **4.1. The right to work for persons with approved international protection**

The right to work is one of the fundamental human rights, and it applies to all persons, including persons seeking international protection, as well as those who have been granted international protection. For people who have been granted international protection and need to integrate into society, this right is crucial, especially bearing in mind that some of these people will never return to their countries of origin. The right to work, in addition to enabling financial independence and enabling an individual to meet his or her basic needs and the needs of his or her family, also helps restore a sense of self-respect and usefulness, facilitates recovery from trauma, and is therefore essential for human dignity. On the other hand, a state that provides access to the labour market and the possibility of employment reduces the number of people dependent on social assistance, which means that the cost to the host country is lower because people do not depend on the assistance of the state in which they received their status (UNHCR, 2006: 56). International and European legislation, which was then transposed into national legislation, stipulate that persons granted international protection also have the right to work, while applicants for international protection usually exercise this right after a certain period of time in which their request for international protection has not been resolved. However, despite the legislative solutions, in practice, problems often arise in the implementation of this right, and as a result, there are problems in accessing the labour market in the host country and in the further integration of persons who have been granted international protection. Obstacles that affect the efficient exercise of this right often include ignorance or insufficient knowledge of the language of the host country, ignorance of the labour market situation, lack of work experience, as well as problems related to the recognition of professional qualifications. In 2020, a new challenge is the pandemic

of the COVID-19 virus. The lack of integration in the labour market can expose these persons to other risks so that they work in legally unregulated and potentially exploitative conditions. On the other hand, the right to work and access to the labour market represents a kind of foundation for realizing all other cultural, economic, social and other rights of persons who need to be integrated into society.

#### **4.2. International standards for regulating the right to work for persons with approved international protection**

The United Nations Convention on the Status of Refugees (hereinafter: the Convention), adopted in 1951, and the associated Protocol from 1967, is the basic international document that regulates the status and protection of refugees. The right to work is one of the fundamental human rights guaranteed by the Convention to refugees legally residing in the territory of the host country. In addition to the Convention, the right to work is also guaranteed by numerous other international documents. For example, Article 23 of the Universal Declaration of Human Rights and Articles 6, 7 and 8 of the International Covenant on Economic, Social and Cultural Rights recognize the right to work, along with rights at work. The right to work is contained in Article 5, point (e/i) of the International Convention on the Elimination of All Forms of Racial Discrimination, while Article 8, paragraph 3, point (a) of the International Covenant on Civil and Political Rights prohibits slavery and forced labour.

The right to work, contained in the aforementioned international documents, does not guarantee a job, but implies access to the labour market, as well as the possibility of self-employment and engaging in liberal professions (University of Michigan Law School, 2010: 294). The Convention contains three provisions concerning the right to work, more specifically provisions concerning paid non-self-employment (Article 17), self-employment (Article 18) and freelance occupations (Article 19). In each of these forms of work, the right to work depends on the degree of connection with the country in which the refugee is located (University of

Michigan Law School, 2010: 297). Article 17 of the Convention stipulates in paragraph 1 that the contracting state shall provide refugees legally residing in its territory with the most favourable possible procedure, which is provided, in terms of the right to paid employment, to foreign nationals in the same circumstances, while paragraph 3 stipulates that states shall contracting parties favourably consider equating the rights of refugees with regard to employment with those of their nationals, and in particular the rights of those refugees who have entered their territory on the basis of employment or immigration programs (UNHCR; Convention and Protocol Relating to the Status of Refugees with Introductory Notes by the Office of the United Nations High Commissioner for Refugees : 22). Thus, in Article 17, paragraph 3 of the Convention, it was pointed out that, in addition to the minimum standards specified in that provision, the contracting states should favourably consider "equalizing the rights of refugees with citizens". The term "favourable consideration" used in this paragraph is analogous to the term "favourable consideration", which, although it is discretionary in nature, implies the obligation of the state to process the request and state the reasons for rejecting the request. The minimum standard that states parties have is the obligation to grant refugees legally residing in the country of asylum, the "most favourable treatment" that is provided to other foreign nationals in the same circumstances (UNHCR, 2006: 49). The term "under the same circumstances" refers to the fact that the refugee must meet all conditions, such as length and conditions of stay, that another individual who is not a refugee should meet in order to enjoy this right. Of course, exceptions should be allowed in relation to those conditions that are by nature such that refugees cannot fulfil them (UNHCR, 2006: 49–50). Article 17, paragraph 2 of the Convention stipulates that the restrictive measures adopted for foreigners or the employment of foreigners with the aim of protecting the national labour market shall not apply to a refugee who is already exempt from those measures on the date of entry into force of the Convention in the contracting state or who fulfils one of the following conditions: three years of residence in the country; the refugee's spouse is a citizen of the country of residence, thus the refugee cannot claim the benefits of this provision if she has left her spouse; has one or more children who are citizens of the country of residence.

This prescribes a more favourable treatment for refugees who have a special connection with the receiving country, and these persons are freed from the restrictive measures that are often imposed on foreigners in order to protect the domestic labour market. However, if the restriction is not related to the protection of the domestic workforce, then this provision does not apply, meaning that refugees cannot benefit from this provision if, for example, a job in the civil service is reserved for nationals for reasons of national security and not due to the protection of the labour force (UNHCR, 2006: 50). As for self-employed activities, Article 18 of the Convention stipulates that a contracting state shall recognize a refugee legally residing in its territory, a procedure that is equally favourable and, in any case, no less favourable, than that given to foreigners in the same circumstances, and which refers to the rights to independently perform activities in the economy, industry, craft and trade, and the right to establish commercial and industrial enterprises (UNHCR; Convention and Protocol on the Status of Refugees with introductory remarks of the Office of the United Nations High Commissioner for Refugees). This represents a less favourable minimum standard than in the case of paid employment (UNHCR, 2006: 54). And while Article 18 gives "refugees and applicants the right to self-employment", Article 17 binds the exercise of the right to persons who reside legally, which caused controversy because, according to some interpretations, this does not include applicants for international protection, however, according to UNHCR, "legal residence would include applicants in a country where the asylum procedure takes an unreasonably long time." Article 19, paragraph 1 of the Convention, which concerns self-employment, stipulates that each contracting state shall provide refugees, who legally reside on its territory, and who possess diplomas recognized by the competent authorities of the respective state, and who wish to engage in self-employment, a procedure which will be equally favourable and, in any case, no less favourable than that accorded to foreigners in the same circumstances. Therefore, the minimum standard that applies to freelancers is to treat them as "foreigners in general in the same circumstances", with the fact that as an additional condition, a diploma may be required, which must, in that case, be recognized by the receiving country. In addition, the state has an obligation to consider the most favourable possible

treatment of refugees, from which it follows that states are obliged to make a positive effort to reduce the restrictions imposed on refugees who want to practice their professions or start their own business, even when such restrictions are applicable to others foreigners (UNHCR, 2006: 55). In addition to the aforementioned articles, Article 24 of the Convention is also important, which, among other things, refers to labour legislation and emphasizes the application of labour legislation without discrimination between citizens and refugees. Thus, Article 24, paragraph 1, point a) stipulates that the contracting states will treat refugees who are legally residing in their territory in the same way as their own citizens with regard to matters that are governed by the laws and regulations of the contracting state or are under the supervision of its administrative authorities. , namely: compensation, including family allowances when they are part of compensation, working hours, overtime arrangements, paid holidays, restrictions on working at home, minimum age for employment, apprenticeships and training, work of women and young people, and enjoyment privilege of collective agreements.

#### **4.3. European standards for regulating the right to work for persons with approved international protection**

In Europe, the migrant-refugee crisis that began in the summer of 2015 pointed to the existence of problems in integration, which stimulated interest in social inclusion measures, which in turn are related to integration into the labour market. Thus, the issue of faster access and integration to the labour market has become an important issue for EU member states (Eurofound, 2016: 1). Namely, studies have shown that citizens of third countries face obstacles on the labour market, as well as that the employment rate of citizens of third countries is lower than the employment rate of citizens of the host countries (and especially the unemployment rate of women), as well as that migrants from third countries often work jobs for which they are overqualified, even when they have a university degree (European Commission, 2019: 3).

At the level of EU legislation, there are two basic directives that touch on market access of work, persons seeking international protection and persons granted

protection. Although this paper does not deal with issues of access to the labour market of applicants for international protection, it should be mentioned that Directive 2013/33/EU on establishing standards for the reception of applicants for international protection (amendment) (further: Directive 2013/33/EU) stipulates that member states must ensure applicants for international protection access to the labour market no later than nine months from the date of submission of the application for international protection, if the competent authority has not made a first-instance decision and if the delay is not the fault of the applicant. In doing so, member states decide on the conditions for granting access to the labour market for the applicant in accordance with their national law, while at the same time they must ensure that applicants have effective access to the labour market. The amended Directive 2013/33/EU therefore shortened the waiting period for access to the labour market from twelve to nine months, which actually represents a compromise solution between the Parliament and the European Commission, which advocated a six-month period, while the EU Council insisted on the previous twelve months. Namely, the waiting period for access to the labour market seeks to achieve a balance between integration goals and the need to reduce social welfare costs for the host country on the one hand and, on the other hand, the risk of encouraging persons who wish to apply for international protection solely for economic reasons (European Parliament, 2015: 8).

Directive 2013/33/EU enables member states to limit access to the labour market, whereby they can give priority to citizens of the Union and to citizens of the signatory countries of the Agreement on the European Economic Area, as well as to citizens of third countries who have legal residence<sup>8</sup>, but the principle of efficiency in access to the labour market, which was introduced in the amended Directive 2013/33/EU limits the scope of such restriction so that giving priority to other categories of persons on the labour market should not in practice render this right insignificant for those seeking international protection (European Parliament, 2015: 8). The rights of persons who have been granted international protection are regulated by the amended Directive 2011/95/EU on the standards for the qualification of third-country nationals or stateless persons for international protection, for the unique

status of refugees or persons who meet the conditions for subsidiary protection, and the content of the granted protection (further: Directive 2011/95/EU).

Among the rights exercised by persons who have been granted international protection is the right to employment, so Directive 2011/95/EU stipulates that member states must enable employment or self-employment under conditions that generally apply to the profession and public service, immediately after they are granted protection. It is further stipulated that member states must ensure that employment offices offer beneficiaries of international protection, under the same conditions as nationals, activities such as employment-related adult education opportunities, vocational education, including training programs for skills improvement, practical work experience at work location and consulting services, whereby they must facilitate the beneficiaries of international protection full right to access the mentioned activities. In relation to remuneration, access to social security systems relating to employed or self-employed persons and other conditions of employment, applicable laws in the member states apply. Directive 2011/95/EU does not prescribe restrictions in terms of labour market examination or some other restrictions, thus equating persons granted international protection with access to employment with citizens (European Parliament, 2015: 9).

The evaluation of the application of Directive 2011/95/EU (European Commission, 2019: 200-201) showed, in relation to the right to employment guaranteed by Article 26, the following in brief:

1. The majority of member states allowed persons with approved international protection to access the labour market without applying additional administrative conditions;
2. Numerous obstacles in practice made it impossible for persons with approved international protection to get a job, which included the language barrier, problems with recognition of qualifications and negative attitudes of employers towards the employment of beneficiaries of international protection;



3. Several member states have restricted access to certain professions and the public sector for persons granted international protection in accordance with their national legislation;
4. In all member states, persons granted international protection had the legal right to access equal educational opportunities in connection with employment, as well as access to professional training and counselling services, as nationals. However, even though the same conditions were applied to both persons with approved international protection and nationals, persons with approved international protection could not in practice access all services because they would not meet the eligibility criteria (e.g. level of education or level of language skills);
5. As a good practice, the report states that several member states have implemented adapted employment-related activities and services for persons granted international protection to facilitate their access to employment;
6. In all member states, the legal provisions on benefits, access to social security systems and other conditions of employment applied equally to beneficiaries of international protection as well as to their nationals, although beneficiaries of international protection due to lack of awareness of the existence of these rights or because of a language barrier that prevents them from accessing information, were prevented from accessing these rights.

However, despite attempts to harmonize European national asylum legislation through harmonization with the EU acquis, including through the above-mentioned Directive 2011/95/EU, as well as progress in the development of the Common European Asylum System, it has become clear that there are noticeable differences between member states which encourage secondary movements and submission of multiple requests for asylum, which ultimately leads to an unequal distribution of responsibilities among member states for providing protection to those who need it, which is why, among other things, the European Commission submitted a draft proposal for a new Regulation. The proposal for the new Regulation states that, although the revised Directive 2011/95/EU has somewhat contributed to the

convergence of national rules, there are still differences between the member states, and it is stated that except for recognition rates and inconsistencies in the decision on the type of status granted by each member state, the policies of the member states differ significantly both in terms of the duration of approved residence permits and access to rights. Therefore, among other things, the proposal seeks to achieve that member states promote the integration of users into their societies within the framework of their right to protection. This proposal clarifies the scope of application of rights and obligations of beneficiaries of international protection, as well as further harmonization of the rights of beneficiaries of international protection, especially with regard to the validity and form of residence permits, clarifying the scope of application of rights and obligations of beneficiaries, especially with regard to social insurance and social assistance. As for access to employment, the proposal of the Regulation additionally clarified the rights of equal treatment as citizens related to employment, and additional collective labour rights were more clearly stated. Thus, the proposal stipulates that beneficiaries of international protection are treated the same as citizens of the member state that grants protection in terms of:

- working conditions, including compensation for work and dismissal, working hours, leave and holidays, as well as health and safety conditions at the workplace;
- freedom of joining and belonging to organizations representing workers or employers and professional associations, as well as membership in them, including privileges provided by these organizations;
- educational opportunities for adults related to employment, vocational training, including courses for professional training and gaining practical work experience at the workplace;
- advisory services offered by employment agencies.

However, the proposal also expressly states that access to employment is conditioned by the possession of a residence permit, i.e. that within the framework of international obligations, the provision of benefits with regard to access to

employment and social security requires the prior issuance of a residence permit. The proposal also states that in order to improve the effective use of the rights and privileges from the Regulation by beneficiaries of international protection, it is necessary to take into account their special needs and the special challenges of integration they face and to facilitate their access to rights related to integration, especially refers to educational opportunities related to employment and vocational training and access to procedures for recognition of foreign diplomas, certificates and other evidence of formal qualifications, especially due to the lack of documented evidence and their inability to cover the costs of recognition procedures. As for strategic documents that have significance in relation to the right to work and access to the labour market, although integration policies are the responsibility of the states, the European institutions have the mandate to "provide incentives and support for the actions of member states with the aim of promoting the integration of third-country nationals." Following on from previously adopted documents at the EU19 level, the European Commission adopted on June 7, 2016, the Action Plan for the Integration of Third-Country Citizens (hereinafter: Action Plan for Integration) (European Commission, 2016: 2). The Action Plan for Integration represents a comprehensive framework to support the efforts of Member States in developing and strengthening their national integration policies and describes the concrete measures to be implemented by the Commission. Although the Action Plan for Integration applies to all citizens of third countries in the EU, it also contains a description of concrete measures, some of which address specific challenges faced by refugees. Thus, among other things, it is emphasized that "a dynamic two-way process of integration means not only the expectation that citizens of third countries accept the fundamental values of the EU and learn the language of the host country, but also the offer of valuable opportunities for their participation in the economy and society of the member state into which they are integrated." (European Commission, 2016: 5).

The action plan for integration proposes measures in the following areas: pre-departure and pre-arrival integration measures, especially for people who are resettled and who undoubtedly need international protection, education, integration into the labour market and access to vocational training; access to basic services, and active

participation and social inclusion, emphasizing that employment is a key part of the integration process. In the part that refers to the measure of integration into the labour market, the importance, especially for refugees, of the evaluation of skills and the recognition of qualifications, as well as the fact that despite the EU legislation, which equates refugees' access to the labour market with that of EU citizens, is necessary widespread and active labour market policies to enable the participation of refugees in the labour market (European Commission, 2016: 5–14).

At the end of 2017, the European Commission and its social and economic partners agreed on cooperation within the framework of the European Partnership for Integration. The goals of the partnership are to improve the early integration of refugees into the labour market, ensure that integration benefits refugees, as well as the economy and society as a whole, and promote a multi-stakeholder approach. Cooperation was renewed in September 2020. On this occasion, the signatories agreed to focus future efforts on three areas: connecting stakeholders in the economy and society for integration into the labour market, supporting entrepreneurship and facilitating the identification, assessment, and verification of skills. In September 2020, the European Commission proposed a new Pact on Migration and Asylum, which would include the various elements necessary for a comprehensive European approach to migration, and the aforementioned also includes issues related to the integration of persons under international protection. At the same time, the European Commission "supports the reached temporary political agreements on the Qualification Regulation", and it is emphasized that, among other things, it would clarify the rights and obligations of persons with approved international protection (European Commission: 2020: 3).

#### **4.4. National standards of the Republic of Croatia for regulating the right to work for persons with approved international protection**

The right to access the labour market is guaranteed by the Constitution of the Republic of Croatia, which stipulates that everyone has the right to work and the freedom to work, whereby everyone freely chooses a profession and employment, and every position and duty is available to him under equal conditions. Asylum seekers and foreigners under subsidiary protection in accordance with the Act on International and Temporary Protection (hereinafter: ZMPZ) can work in the Republic of Croatia without a residence and work permit or a certificate of employment registration. They also exercise the right to adult education related to employment, professional development, and practical work experience under the same conditions as Croatian citizens. Pursuant to the Labour Market Act<sup>27</sup> (hereinafter: ZTR) which replaced the Act on Employment Mediation and Rights During Unemployment, the Croatian Employment Service (hereinafter: HZZ) can register an asylum seeker and a foreigner under subsidiary or temporary protection as well as his family members who are equal to Croatian citizens in the rights and duties established by the ZTR. They are registered and recorded in the HZZ according to their place of residence, i.e. residential address. The Rulebook on HZZ records prescribes that the asylum seeker and a foreigner under subsidiary status, as well as his family members, must register in the HZZ records in person with the presentation of an identity card. The aforementioned persons cease to be kept in the records of the HZZ upon termination of asylum, subsidiary, or temporary protection, unless other reasons for the termination of keeping in the records of unemployed persons arise before that. The Labour Market Act regulates the labour market, among other things, through employment mediation, professional guidance, education to increase the employability of the workforce, unemployment insurance, active employment policy measures, other activities aimed at encouraging the spatial and professional mobility of the workforce, new employment and self-employment, employment in temporary

or casual jobs in agriculture (Article 1). The rights exercised by unemployed persons based on ZTR are:

- monetary compensation based on unemployment insurance
- pension insurance based on unemployment insurance
- financial aid and reimbursement of transportation costs during education and training at the workplace
- one-time financial assistance and reimbursement of travel and moving expenses
- financial aid for a person involved in professional training for work without establishing an employment relationship
- financial aid to a person insured for extended pension insurance based on a fixed-term employment contract for permanent seasonal jobs

In practice, when applying to the Croatian Employment Service (HZZ), it is necessary to bring with you a certificate of approved international protection, a residence permit and Personal Identification Number (OIB). At the same time, if a person who has been granted international protection does not have proof of professional training or has a document from the home country that is not certified, is registered in the HZZ records as an unqualified (NKV) employee. If a person has a diploma of completed education, it must be translated and sent to the competent agency (Education Agency or Science and Higher Education Agency) for certification. The ZMPZ prescribes that the costs of translation of foreign documents for the purpose of recognition of foreign educational qualifications will be provided from the state budget of the Republic of Croatia from the position of the ministry responsible for education affairs if the person granted international protection does not have sufficient financial resources. According to information gathered through interviews, the aforementioned right works in practice, what is pointed out as a problem is the impossibility of participation of persons under international protection in all measures of the HZZ, to which they have the same right as Croatian citizens, due to lack of knowledge of the language.

The language barrier is also highlighted as one of the problems when accessing the labour market by the Jesuit Service for Refugees, which on its website,

quoting representatives of the HZZ, states that the biggest problem is the language barrier when applying for records, counselling, and other services provided by the HZZ. Because of the lack of documents to prove the level of education even highly educated people are often treated as uneducated individuals. The problem of not speaking the Croatian language during employment is also highlighted. In its 2019 report, the ombudsman stated that people with approved international protection continue to face difficulties related to employment, pointing out that only 18 people under international protection were employed in 2019, and only 61 were sent to a Croatian language course. The report also points out that the introductory 70 teaching hours of the Croatian language are not enough even for the acquisition of the basic concepts of the Croatian language and writing, and that the remaining 210 hours should definitely be continued within the Croatian language, history and culture learning program for asylum seekers and foreigners under subsidiary protection, as integration would be easier (Pučka pravobraniteljica, 2019: 35).

From the policy documents, the working group of the Permanent Commission for the Implementation of the Integration of Foreigners into Croatian Society, formed in 2017, created an Action Plan for the integration of persons granted international protection for the period from 2017 to 2019 (hereinafter: Action Plan), which replaced the previous Action Plan for the removal of obstacles in the exercise of certain rights in the field of integration of foreigners for the period from 2013 to 2015. At the 67th session held on November 23, 2017 the Government of the Republic of Croatia accepted the new Action Plan. The action plan established seven strategic areas: social care and health care, accommodation and housing, language learning and education, employment, international cooperation, interdepartmental cooperation and awareness raising of the public and professionals about persons granted international protection. The action plan states that "successful integration of persons granted international protection is possible only if they are enabled to become active members of the new society. This primarily implies the right to work and employment and provision opportunities to get a job in accordance with their qualifications, work experience and interests." (Action Plan, 2017: 18). The goals that are planned to be achieved in the employment segment are as follows (Action Plan, 2017: 18–22):

- contribute to the easier exercise of the right to work through the measure of activating, motivating and referring persons who have been granted international protection to the Croatian language learning program during individual consultations at the HZZ;
- acquaint persons who have been granted international protection with their rights and obligations in the employment system through the following two measures: informing persons who have been granted international protection about their rights and obligations in the employment system, and through counselling and professional guidance of persons who have been granted international protection;
- to strengthen the capacities of employees in the employment system to work with persons granted international protection through the measure of educating HZZ workers as part of regular training on the needs and rights of persons granted international protection;
- implement active employment policy measures for persons granted international protection through the measure of including persons granted international protection in active employment policy measures;
- improvement of the system of access to employment of persons granted international protection through the following two measures: creation of a professional job search plan taking into account the person's qualifications and previous work experience as well as needs on the labour market and planning the possibility of further education of the person granted international protection, and through the measure of financing the education of unemployed persons who have been granted international protection based on the established needs for education.

The report on the implementation of measures from the Action Plan for 2017 and 2018 states which measures were implemented and to what extent, so for example the first measure of activating, motivating and raising awareness of the importance of learning the Croatian language in relation to 2017 and 2018 that it was partially achieved, although it was continuously implemented through individual counselling activities, but that specific referrals to courses in educational institutions were not implemented. As for the measure of informing persons under international protection



about the rights and obligations in the employment system and employment opportunities through measures of active employment policy and measures of professional guidance of persons who have been granted international protection, they were continuously implemented and were implemented in 2017 and 2018. but the biggest problem here is the language barrier. As for the education of HZZ employees as part of regular training on the needs and rights of persons granted international protection, the measure was implemented in 2017 and 2018, and HZZ employees were continuously informed about news related to work with persons granted international protection. granted international protection, an internal instruction on working with persons granted international protection was drawn up, and by the end of 2018 a contact person for this group of persons was appointed in each office. Persons under international protection were included in the measures of the active employment policy in both 2017 and 2018, but due to the language barrier, a smaller number of persons were included. As for the measure of creating a professional job search plan, the measure was implemented both in 2017 and 2018, but that is why the measure of financing the education of unemployed persons who have been granted international protection based on established educational needs was not implemented in 2017 due to the language barrier. However, in 2018. , the measure was implemented, and in 2018, 11 persons from the target group were included in the measure of education of the unemployed "Training at the workplace with the aim of obtaining a public certificate of qualification", and five persons completed the training program in 2018 (Government of the Republic Croatia, Office for Human Rights and Rights of National Minorities: 2019: 39–44).

In order to encourage employment, provide additional training for workers and preserve jobs, and taking into account the specific needs of some user groups, the Ministry of Labour and the Pension System and the HZZ implement active employment policy measures. In 2017, nine different measures were implemented, which were based on the Guidelines for the development and implementation of active employment policy in the Republic of Croatia for the period 2015-2017. year, and in them asylum seekers and foreigners under subsidiary protection were explicitly listed as a category of beneficiaries in two active employment policy measures:

support for employment and public work. Employment subsidies are state subsidies that are granted to encourage the employment of the unemployed and are available to entrepreneurs operating for profit. Public service is a measure whose program is based on socially useful work initiated by the local community or civil society organizations. Asylum seekers and foreigners under subsidiary protection can use the mentioned measure regardless of how long they have been registered in the register of unemployed persons. On December 28, 2017, at the 73rd session of the Government of the Republic of Croatia, the Guidelines for the development and implementation of active employment policy in the Republic of Croatia in the period from 2018 to 2020 were accepted.

In relation to the two measures mentioned before of active employment policy, in which asylum seekers and foreigners under subsidiary protection are listed as beneficiary categories in relation to employment support that is awarded in the form of subsidies for part of the cost of wages to employers who employ people in a disadvantaged position on the labour market for 2018. year compared to 2017, the changes are that the percentage of co-financing has been increased to the maximum possible for all categories of unemployed persons, amounting to 50% of the annual cost of the gross II salary, and 75% for persons with disabilities (HZZ, 2019: 1). In the case of public works, there were no changes compared to 2017 (HZZ, 2019: 10).

The Croatian Employment Service implemented active employment policy measures in 2019 based on the Guidelines for the Development and Implementation of Active Employment Policy in the Republic of Croatia for the period from 2018 to 2020. In 2019, nine measures were implemented, along with four additional sub-measures, and the measures were aimed at specific target groups of unemployed persons and employed persons who are threatened with losing their jobs, including asylum seekers (HZZ, 2020: 36). According to HZZ information, as of December 31, 2019, HZZ records recorded a total of 146 unemployed asylum seekers, 12 persons under subsidiary protection, and 13 family members of persons with approved international protection. During 2019, 100 asylum seekers, 12 persons under subsidiary protection and 13 family members of persons with approved international

protection were included in the activity of individual counselling. A total of 11 asylum seekers, six persons under subsidiary protection and one family member of a person with approved international protection were included in the active employment policy measures. Six people were included in the Employment Support measure, 11 people in the On-the-job Training measure with the aim of obtaining a public certificate of qualification, and one person was employed through the Self-Employment Support measure. As the main obstacles to better integration into the labour market, HZZ points out lack of knowledge of the Croatian and/or English language and low motivation among individual users when it comes to learning the Croatian language, but also when it comes to inclusion in other programs that can raise the level of employment. According to the HZZ, attitudes towards work and cultural differences, especially when it comes to women, pose an additional challenge to employment.

Based on the Guidelines as a strategic document, the HZZ adopted the Conditions and ways of using funds for the implementation of active employment policy measures in 2020, in accordance with the following goals (HZZ, 2019: 3):

- increase in the employment rate
- harmonization of supply and demand on the labour market
- increased information activities for participants in the labour market

According to the document, employment support can be granted in the form of wage subsidies for the employment of workers in a disadvantaged position on the labour market and the employment of workers with disabilities, and the target groups include asylum seekers and foreigners under subsidiary protection (HZZ, 2019: 16). Asylum seekers and foreigners under subsidiary protection are still listed as target groups for the public work measure, and the mentioned document clarifies that public work as socially beneficial work takes place in a limited period and offers co-financing (50% subsidy) and financing (100% subsidy). employment of unemployed persons from target groups (HZZ, 2019: 64). In Croatia, according to the information of the Jesuit Refugee Service, persons with approved international protection work in deficit jobs, which are currently auxiliary occupations, such as kitchen helpers,

waiters or other jobs on buildings that are in high demand due to the recent earthquake in Zagreb.

#### **4.5. Involvement in the labour market and financial literacy of Syrian refugees in Croatia**

Persons with approved international protection have the right to accommodation if they do not have financial resources or assets with which they can provide support. If the competent regional office of the Croatian Institute for Social Work determines that a person with approved international protection has funds or property with which they could participate in the payment of accommodation costs, the decision on recognition of the right to accommodation will determine that the person participates in the payment of accommodation costs. Exceptionally, at the request of a person with approved international protection, with the prior consent of the ministry responsible for housing affairs, the decision of the competent regional office may allow the temporary use of a residential unit owned by the Republic of Croatia after two years from the delivery of the decision, and a maximum of another two years with continued participation in the payment of accommodation costs or with the payment of a protected rent for the residential area.

Health care costs for persons with approved international protection are paid from the State Budget of the Republic of Croatia from the position of the ministry responsible for health affairs. All applicants for asylum and subsidiary protection have the right to free adequate health care provided by the Government of the Republic of Croatia.

An asylum seeker and a foreigner under subsidiary protection has the right to recognition of foreign educational qualifications under the same conditions as a Croatian citizen. Procedures related to the translation of certificates and diplomas (for continuing education or inclusion in the labour market) are the responsibility of the Ministry of Science and Education.

Asylum seekers and foreigners under subsidiary protection are obliged to attend a course in Croatian language, history and culture in order to integrate into Croatian society, which is financed by the Ministry responsible for education. The implementation of the course is under the competence of the Ministry of Science and Education and is carried out in accordance with the Decision on the Program for Learning the Croatian Language, History and Culture for Asylum Seekers and Foreigners under Subsidiary Protection for Integration into Croatian Society.

Integration assistance activities are carried out by the Ministry of Internal Affairs directly and/or through a selected partner organization with which it concludes agreements/contracts on the implementation of integration activities. The management of the issue of migration does not concern only the immediate host countries such as Croatia, but the entire region of the European Union strives to find adequate models for the integration of refugees/asylees into the national economies of the host countries. Difficult adaptation of refugees to the labour market is observed due to inadequate knowledge of Croatian and inadequate educational qualifications, as well as lack of initial capital to start their own business or insufficient knowledge of legal financial and legal regulations of the Republic of Croatia in the field of entrepreneurship. Croatia's accession to the European Union opened up greater opportunities for employment of refugees and newcomers in the Republic of Croatia. The domestic population of the Republic of Croatia immigrated to richer and more developed members of the European Union, and the need for labour in Croatia increased, as a result of which refugees and newcomers from eastern countries (such as Syria) quickly found employment.

The integration and inclusion of persons under international protection (asylees, refugees) in society is achieved in the process of their contact and interaction with institutions and citizens in local communities where their reception and accommodation are organized. At the same time, the realization of social, economic, cultural and all other dimensions of integration in local communities is mediated by the activities of various national and local stakeholders in the integration system. Creating preconditions for Croatian citizens to get to know refugees requires the joint

efforts of all stakeholders in the system and work on informing and sensitizing citizens about the presence, rights, and obligations of persons under protection, in order to prevent and alleviate possible negative phenomena of discrimination, exclusion and marginalization, and so that persons under international protection became accepted and integrated members of local communities and society as a whole.

## **5. Implementation of dissemination and communication activities among partners, target group and policy makers to improve integration and financial literacy of refugees/newcomers**

### **5.1. Improving the financial literacy of refugees/newcomers**

Personal finance management is a system of managing assets and liabilities, income and expenses, that is, receipts and expenses with the aim of reaching the maximum level of economic satisfaction. The maximum level of economic satisfaction differs from person to person and represents a subjective assessment of satisfaction "in life". The household budget plan covers a specific period (annual, quarterly, monthly). Its basic feature is the existence of a budget constraint, which means that expenditures should be less than or equal to income. The movement of total cash receipts (cash inflows) and total cash expenditures (cash outflows) represents cash flow, and this is precisely one of the most important items of personal finance that needs to be managed. Otherwise, neglecting the principle of liquidity and delays in payments can cause additional (and extraordinary) interest expenses. Personal finance management is therefore a dynamic process that takes place over time for optimal liquidity and cash flow management. Although the household budget is typically observed monthly, it is also necessary to observe it on an annual basis. Namely, during the calendar year there are very often certain differences in the cost of living, as well as the possibilities of earning income. For example, heating costs are higher in the winter months, while the summer months are associated with additional expenses during the annual vacation. Therefore, from month to month, the possibilities of cost rationalization, that is, the possibilities of saving, may differ, and occasionally the savings from one month should be timed for consumption in another month. In addition, it is necessary to constantly think about savings.

Savings should be started at the first influx of money, if smaller sums of money are regularly set aside for savings, in the long term, money can be accumulated that will come in handy for unforeseen circumstances or for investment. We list three basic reasons for saving: for emergencies; for investment; for retirement. *How to make a savings plan?*

1. **Record your expenses** – in order to determine the amount of monthly savings, you need to know what our monthly expenses are.
2. **Make a budget** – once you've recorded your expenses, make a budget so you can plan your spending.
3. **Savings plan** – taking into account monthly consumption and monthly income, determine the monthly amount of savings. Include it in your budget. The rule of thumb should be to save 10-15% of your monthly income. If you don't succeed, reevaluate your expenses.
4. **Define savings goals** – defining goals makes the decision to start saving easier. It is also necessary to define the period required to save the funds.
5. **Define priorities** – everyone has their own priorities when it comes to savings goals, define your savings goals.
6. **Check your savings** – check your savings account progress every month. Not only will it be an incentive to continue to stick to the defined plan, but you will also be able to react quickly if a problem occurs.

Types of accounts of citizens in the Republic of Croatia: PAYMENT TRANSACTIONS - are considered all types of payments between different entities (persons) based on mutual legal basis. If this transaction takes place through banks, then it is a payment transaction through a bank: CASH AND NON-CASH PAYMENT TRANSACTIONS



**Cash payments** include all payments in cash (note money and coins - cash) through bank cash desks. This form of payment includes all payments in cash, regardless of whether they are made against a book-type deposit.

**Cashless payment** transactions are characterized by the absence of cash payments. With this form of payment transaction, it is a matter of simple posting of debts and claims between different payment transaction participants, regardless of the place where they have their financial obligations and how many orders there are for such payment. In doing so, various payment instruments are used. Modern electronic and optical means further facilitate and speed up this form of payment transaction. In modern market economies, this is the dominant form of payment, except in exceptional cases, between legal entities and between legal entities and private persons payment in cash is prohibited.

This achieves the transparency of all monetary transactions, which has fiscal and other effects. According to the criterion of domicile of participants in the payment transaction, it is usual to divide the payment transaction into: payment transactions within one country; payment transactions of the union of countries; international payment transaction. Apart from the domicile criterion, this division has other significant dimensions such as different payment currencies, different payment instruments, customs and effects.

We distinguish the following types of accounts (citizens) in the Republic of Croatia:

- ✓ **A current account** is a transaction account that the bank opens at the consumer's request for the purpose of receiving regular or occasional payments and making payments within the limits of the available funds in the account. At the same time, the available funds include the amount of the tentative loan (tacit or permitted overdraft - minus per account). Regular income such as salary, pension and the like are paid into the current account. You open it if you have signed an employment contract with an employer or if you are receiving a pension. Funds in this account are not subject to supervision on the basis of tax obligations. A very noticeable difference is that you have a permitted minus on the current

account, but not on the giro account. You also pay a monthly fee for a current account, while some banks offer the opening and maintenance of giro accounts for free.

- ✓ **A giro account** is traditionally used by consumers to pay income such as rent or fees, as well as income in the event that you are a member of a committee and accordingly receive compensation per meeting or commission. It is also used in the following cases: if you generate income through a trade or other independent activities, if you have signed a contract for a work or author's work and receive a fee and in similar situations. It is opened for minors for the purpose of achieving an influx based on scholarships, student awards at competitions and the work of students and students in services/associations, on seasonal or other similar jobs. Disposing of funds on a giro account is allowed with the use of an account card, up to the amount of one's own funds, without the possibility of contracting an allowed overdraft. The amount paid into this account is taxable.

**It is necessary to know the term allowed overdraft** – if you have regular inflows on your current account, the credit institution can grant you a tentative loan, that is, the allowed overdraft per account (allowed minus per account). The amount of the allowed overdraft usually depends on the amount of regular income, and it is approved without additional procedures and insurance instruments based on the current account agreement concluded in writing. Therefore, the amount of interest rate that is paid for its use is very often among the highest interest rates that are applied to loans granted to consumers, so it should not be used as a long-term source of financing if it is exceeded.

It is also necessary to know the advantages and disadvantages of card business/card payment. Depending on the type, **the payment card** is used to purchase products and services and/or pay out cash with deferred payment. On the basis of the card, the cardholder can be granted instalment payments and/or consumer and/or cash credit. Information about the cardholder is indicated on the card, which enables his identification.

**Institution for electronic money** – a company that is registered in the register of institutions for electronic money of the Croatian National Bank and is therefore authorized to issue and accept cards and execute payment transactions through them. The operation of electronic money institutions is under the supervision of the Croatian National Bank, according to the Act on Payment Transactions and the Act on Electronic Money.

**Card user** – private person to whom a card was issued in his name (basic card). We distinguish between a basic user and an additional card user. The primary user is also the main debtor for all expenses incurred using the card, not only from him, but also from all additional users for whom he requested the issuance of an additional card.

Different cards offer different purchase and payment options for the card. Depending on the type of card, the following options are most often offered:

- ✓ **One-time payment for purchased products/services** – this type of card offers the possibility of one-time payment for purchased products/services, and most often the card issuer charges the card user for the entire amount after the end of the accounting period.
- ✓ **Payment in instalments** – this option implies payment of purchased goods/services in instalments. It is important to first check whether a certain point of sale can accept your card and in how many instalments it offers the possibility of payment.
- ✓ **Revolving credit** – the card user is usually charged a minimum monthly amount (expressed as a percentage), i.e. a proportional part of the used part of the credit, for expenses incurred using the card. This loan is used in such a way that with its repayment, the available amount is renewed up to the total approved amount of the revolving loan. The validity period of the card is equal to the final maturity date of the revolving loan. Most often, the credit is automatically renewed before the expiration of the term of use of the card - but not necessarily. Interest is most

often calculated on the used amount of the loan, that is, it is not calculated if the incurred expense is settled on maturity. If the credit user is late with the payment of obligations, default interest is calculated.

- ✓ **Cash loan** – enables the card user to take out and repay a loan through the card.
- ✓ **Consumer credit** – enables the card user to pay for the purchased products/services from the agreed amount of the consumer credit. It is important to note that the consumer credit card user concludes a consumer credit agreement, but also that he must meet the necessary conditions for credit approval.
- ✓ **Other card options** – there are various other options, i.e. options for using cards, which include paying utilities, withdrawing cash, collecting points based on spending per card that can be used in certain stores...

Fees that can be calculated in card business are most often:

- ✓ **Enrolment fee** – a one-time fee that is calculated when signing up for the card
- ✓ **Membership fee** – a fee that is usually calculated once a year
- ✓ **Fee for issuing a card** – appears with certain cards, e.g. prepaid card and may vary depending on the amount deposited on the card
- ✓ **Fees for payments via deferred payment cards/credit cards** – this fee may vary depending on whether the payment is made in the Republic of Croatia or abroad, and whether the payment is made at the ATM of the bank that issued the card/home bank of the card company or other banks
- ✓ **Application processing fee** – may appear when processing an application for credit card approval
- ✓ **Fee for change of conditions** – when submitting a request for a change of conditions for loans approved through cards, there is a possibility that the user may be charged a fee
- ✓ **Card replacement fee** – this fee may appear in the event of a need to replace the card, e.g. due to theft, but also with regular card replacement. The fee may vary

depending on the reason for replacing the card - this fee is calculated once and is usually expressed in a fixed amount

- ✓ **Fee for PIN re-creation** – in case you forget your PIN, there is a possibility of calculating the fee for its re-creation – this fee is calculated once and is usually expressed in a fixed amount

Card payment precautions: It is important to take certain precautions to avoid unauthorized use of the card. What precautions should be taken?

- ✓ Remember your PIN!
- ✓ Destroy the written notification about the PIN immediately!
- ✓ Do not give your PIN to anyone!
- ✓ Do not write the PIN on the card or on other pieces of paper, especially not the ones you keep next to the card!
- ✓ Check if the card is in your possession!
- ✓ Always have a written number with you to report theft, misuse or unauthorized use of the card!

Attention is drawn to the fact that in the General Terms and Conditions the limits on the liability of the card issuer in case of loss of the card, unauthorized withdrawal of money from the account or in other similar cases connected with the misuse of cards and the liability of the card user are most often stated.

*If someone has stolen, misused or used your card without authorization, you must notify the relevant bank immediately.*

## **5.2. Analysis of the situation and ways to improve the financial literacy of refugees/newcomers in the Republic of Croatia**

As part of the fourth work activity of the project, a panel discussion was held with policy makers, representatives of competent ministries, representatives of the Red Cross, representatives of competent agencies, non-governmental organizations, civil society associations, the academic community and the media.

During the panel discussion, certain findings were made as follows:

- ✓ There is a great lack of knowledge of personal finances, types of citizen accounts, cards and card business
- ✓ Not knowing the difference between gross and net salary
- ✓ Punctuality is a big problem, refugees are not used to punctuality in coming to work, which causes big problems for employers
- ✓ Ignorance of workers' rights as well as employment contracts, and ignorance of their labour and social rights and protection at work
- ✓ Most refugees would open their own business, but for them Croatian laws are very complicated and rigorous
- ✓ Paperwork and bureaucracy stand out as a big problem
- ✓ The importance of retraining for certain jobs is highlighted and refugees are aware of the need to have certificates, diplomas, etc.
- ✓ While the family has a big problem with the employment of women, because the women did not work before coming to Croatia, they were only housewives
- ✓ When seeking asylum, they were introduced to the Sociocultural Manual, which is of great use to them (Manual available at:  
<https://ljudskaprava.gov.hr/UserDocsImages//dokumenti//Integracija%20osoba%20kojima%20je%20odobrena%20me%C4%91unarodna%20za%C5%A1tita%20u%20Croatiji>)

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narodnoj%20razini.pdf](#)

- ✓ The big problem of getting refugees to participate in education is the low level of education, they are not used to attending education
- ✓ Competent institutions invest a lot of effort in improving the employment of women, but Syrian women did not work before coming to Croatia, so there is a great obstacle to employment in Croatia, but if all household members don't work, it is difficult to live
- ✓ There are no educational activities for asylum seekers, but only by obtaining asylum they have the right to additional education, however, after obtaining asylum they immediately go to work and do not want to be educated
- ✓ Due to the lack of labour in the Republic of Croatia, asylum seekers can now also be employed after three months of stay in Croatia as asylum seekers.
- ✓ There is a network of employers in Croatia where people under international protection can be employed
- ✓ Lately, there has been an increasing understanding of the community and employers for the employment of migrants
- ✓ Strives for diversity in the employment of migrants and tries to motivate women for employment
- ✓ There is no organization of connections between employers and the local community, employers act quite autonomously
- ✓ At the beginning of employment, migrants are given the opportunity to work with a mentor, but there is no advice on understanding personal finances and managing personal finances

### **5.3. Analysis of Dissemination and communication activities among partners, target groups and policy makers to determine the financial inclusion and level of knowledge about financial literacy of refugees held for better integration of life in Croatia**

In this project, one of the biggest issues is the adaptation problems of refugees or newcomers to the financial system in the country where they live. The goal of the Project was to find a solution to these problems through cooperation with regulatory authorities, service providers, some international institutions, several research organizations, which is the result of the creation of this Guide. Therefore, refugees and newcomers will be supported in an attempt to solve their problems of adaptation to the financial system and life in the country where they live. In addition, how to cooperate in solving this kind of big problems related to the financial inclusion of refugees is one of the topics to be learned. In the fourth phase of the Project, after the end of the two-day conference, a survey was conducted among participants on recommendations and policies for strengthening financial literacy and better inclusion of refugees in society, and the following conclusions were drawn:

1. During the initial months of Syrian refugees' stay in Croatia, participation in the workshop/lecture on financial literacy was not offered. As asylum seekers, they are not included in any education, but only after receiving asylum, an individual employment plan is made for all persons who receive asylum, which is implemented by the Centre for the Culture of Dialogue.
2. During the initial months of stay (as asylum seekers) Syrian refugees in Croatia were not offered participation in a workshop/lecture/education on any other topic. These are more recreational workshops because there are many unaccompanied asylum-seeker children, but IT courses are also held to improve IT literacy.
3. All respondents believe that it is important to offer information about the financial system of the host country to people who come to that country for the first time for a long stay. This possibility is offered to people who receive asylum because there is a great tendency to leave before they receive asylum (Croatia is considered a transit country for onward travel to other European Union countries).



It is necessary to offer information about the country's financial system to asylum seekers, especially because according to the new law, after three months of stay, asylum seekers can get a job even before obtaining refugee status under international protection. Many banks refuse to open an account for asylum seekers and asylum seekers after exercising their right to international protection. In such cases, they go to another bank that will open an account for them.

4. To the question: Which of the above topics, according to your experience, would be the most important for the easiest and fastest adaptation to life in Croatia, they declare as follows:
  - a) The basics of legislation - they consider it extremely complicated
  - b) Basics of banking - development of customized digital tools (applications) is required
  - c) Basics of labour and social rights of citizens - they consider very important and essential
  - d) Basic rights of refugees and migrants - they are familiar with the mentioned rights, but they have a lot of problems in realizing their rights, a lot of bureaucracy. They consider mobile applications on the rights and obligations of asylum seekers useful, digital tools that are preferable to written brochures.
5. Of the following opportunities for financial literacy of refugees and migrants: Live lectures; Leaflets with information; Websites or mobile applications; Video lectures for later viewing - they find most useful websites or mobile applications in their own language that they understand very well (Syriac or Arabic).
6. To the question of how much time passed from the time they arrived in Croatia to the moment they opened a bank account: the answer was given after receiving asylum, when they got a job, however, according to the new system, asylum seekers are also already before receiving the status of asylum seeker, after three months of stay in In Croatia, you can get a job or open a bank account.
7. They intensively use all bank services: Mobile banking; Internet banking; Card payment; International funds transfer.

8. To the question Which of the listed services would make the account opening process easier for you: Inclusion of different languages in service contracts; Contact person who speaks your language; Specialized application for translating offers and contracts; Info materials with instructions in your language. Info materials with instructions in your own language stand out as the most important.
9. They point out "Insufficient knowledge of the language" as the biggest obstacle to access to the financial system. However, in the face of practical experience, they often witness that bank employees do not know well the rights and obligations of asylum seekers, so they recommend that a personal banker be provided for asylum seekers.
10. Respondents (Syrian refugees and newcomers) make the following suggestions for competent institutions to facilitate access to the financial system for refugees and migrants:
  - ✓ They are aware of the existence of procedures, but they are not implemented, bank employees are often not sufficiently educated about the rights of asylum seekers and asylum seekers to open accounts
  - ✓ They believe that it is necessary to share information more often and to update it due to changes in legal regulations
  - ✓ For some basic information, use simple digital tools because refugees and newcomers often have a lower educational status
  - ✓ Finding simpler solutions for language barriers
  - ✓ Simplify and explain legal procedures because they are very complicated and incomprehensible
11. Key factors with better adaptation of refugees in the host country are the provision of financial literacy training; then cooperation with financial institutions due to the simplification of financial services. Equally, but no less important are the following: Mediation in the spread of digital transformation projects; Supporting the participation of refugees in the workforce; Raising the news on access to microcredit.
12. The following results were obtained by reviewing the evaluation of the factors that influence the inclusion of refugees in Croatia in the financial system with

regard to the level of influence, where the factors were evaluated on a scale of 0-10. All factors were evaluated with an average score of around 6. Digital transformation and the level of financial literacy were rated the highest at 6.83 out of a total of 10, and the relationship with sustainable development goals was 5.50.

13. By analysing opinions in which areas can/should non-governmental organizations primarily contribute to the inclusion of refugees in the financial system they stated providing financial literacy training; then cooperation with financial institutions due to the simplification of financial services. Equally, but no less important are the following: Mediation in the spread of digital transformation projects; Supporting the participation of refugees in the workforce; Raising the news on access to microcredit. To the question: In which areas can/should non-governmental organizations primarily contribute to the inclusion of refugees in the financial system? The following answers were given: Mediation in the spread of digital transformation projects; Cooperation with financial institutions; Education and integration.
14. The primary steps that need to be taken to improve family financial literacy and financial inclusion, in order to provide refugees with access to the financial system through the development of financial literacy skills, are: Provide financial literacy training for refugees; Providing language support for communication in financial institutions in regions where refugees are concentrated during account opening and banking operations; The possibility of regular education on financial literacy in centres for temporary accommodation. It is also important to include different languages in contracts on financial services and to introduce forms that must be issued before accessing financial services to monitor the level of financial literacy of refugees.
15. The provision of linguistic support to refugees and newcomers is especially emphasized, because language barriers are considered the biggest difficulty for access to financial resources and the financial inclusion of refugees and newcomers.

16. For the analysis of priority areas in which financial institutions can contribute to the process of inclusion of refugees in the financial system, results were obtained that indicate the inclusion of different languages in contracts for financial services is cited as the most important factor that contributes to the inclusion of refugees in the financial system of the country in which it stands out. the need to improve communication efficiency in financial institutions. The importance of solving the language problem through applications for digital transformation is great, there is less need for international money transfer options for refugees. In this context, it should be noted that the Republic of Croatia has strict rules for the transfer of funds from and to third countries. This is regulated by the Law on the Money Laundering and Terrorism Financing System, which makes it difficult to transfer money from and to third countries. Great attention should be paid to the employment of persons with different language education in the financial sector of institutions in regions where refugees are concentrated during account opening and banking operations, while the development of practices for determining and the level of financial literacy of refugees is no less important, while the reduction of transaction costs is necessary.
17. Other factors that financial institutions can contribute to the process of inclusion of refugees in the financial system are: Good communication and practical help in the work of the association or organization; Inclusion of different languages in contracts that provide a solution to the language problem; Inclusion of different languages in contractual and general documentation; Providing detailed information; Financial literacy; Inclusion of world languages in contracts; Improving communication between refugees and financial institutions of education and initiatives; Developing practices to improve the level of financial literacy.
18. Evaluation of areas in which financial institutions can contribute to the process of inclusion of refugees in the financial system, where the greatest importance is expressed in the need to improve the effectiveness of communication in financial institutions, then developing practices to determine and improve the level of financial literacy of refugees; Incorporating different languages into financial

services contracts, to provide a solution to the language problem through a digital transformation application. It is necessary to highlight the following factors that financial institutions can contribute to the process of including refugees in the financial system: Adoption of international integrated policies in the implementation of binding provisions; Reduction of transaction costs; Employment of persons with different language education in financial institutions in regions where refugees are concentrated when opening accounts and bank transactions; Increasing the possibility of international money transfer for refugees.

19. The most important problems faced by refugees and newcomers in accessing financial services in Croatia are: Insufficient knowledge of the language of refugees in Croatia regarding financial contracts for services, as well as the level of financial literacy of refugees. Because of the above, it is necessary to conduct additional training to improve financial literacy and to issue all instructions on the financial system of the country in which they are located in the language of refugees and newcomers. Data on permanent residence/address are also mentioned as key, followed by verification of credentials, guarantee and loan approval.
20. Digital transformations will significantly contribute to the inclusion of refugees in the financial system, such as mobile payment technology. In particular, the need to ensure the implementation of the Virtual Counselling Centre, as well as the Office for increasing the level of financial literacy, as well as the Application for checking and auditing identity and address data, is highlighted.

## 5.4. SWOT Analysis

Within the scope of the SWOT analysis, which was carried out in order to determine inclusive solution strategies and create a road map in the process of including refugees in the financial system in Croatia, the following strengths, weaknesses, opportunities, risks and threats were identified for the process of including refugees in the financial system in Croatia.

### STRENGTHS:

- ✓ Non-governmental organizations
- ✓ Integrated financial institutions
- ✓ Associations and organizations and their work
- ✓ Government organizations for civil society
- ✓ Digitization
- ✓ Distribution of public funds
- ✓ Integration of financial institutions and non-governmental organizations
- ✓ High degree of financial literacy
- ✓ Distribution of aid and grants
- ✓ Integrate public, private and civil sector stakeholders

### WEAKNESSES:

- ✓ Lack of interest
- ✓ Lack of road map
- ✓ Poor information and language barriers.
- ✓ National and international data on financial inclusion do not address the issue of refugees
- ✓ Impossibility of lending to refugees
- ✓ Lack of work opportunities
- ✓ National and international data on financial inclusion
- ✓ Records of refugees
- ✓ Language barrier
- ✓ Ignorance of the language

- ✓ Lack of instructions and procedures for inclusion available to employees in institutions, consequently, lack of information to the target group
- ✓ Insufficient knowledge of legal regulations on the rights of refugees/asylees

### OPORTUNITIES:

- ✓ New digital applications
- ✓ Applications of financial technology integration
- ✓ Applications and professional help
- ✓ Digital transformation and financial integration technology applications, microcredit development, new applications
- ✓ Development of microcredit and new applications
- ✓ New digital transformation and financial integration technology applications
- ✓ Apps to improve financial inclusion
- ✓ Improving financial literacy
- ✓ Development of microcredit
- ✓ Applications to improve financial literacy
- ✓ Opportunities provided by digital transformation, i.e. digital technologies
- ✓ New digital transformation and financial integration technology applications
- ✓ Online and offline materials to improve financial literacy

### THREATS AND RISKS:

- ✓ Lack of socio-cultural integration of refugees
- ✓ Infrastructure problems
- ✓ Informal workforce
- ✓ Lack of socio-cultural integration of refugees
- ✓ Intolerance towards refugees
- ✓ Lack of collateral
- ✓ Lack of sociocultural integration, lack of information, lack of interest
- ✓ Informal workforce
- ✓ Informal workforce and unequal population and demand for jobs
- ✓ Regional density
- ✓ Lack of socio-cultural integration of refugees

By implementing financial literacy education for Syrian refugees, within the project activities of the WP4 Project, the need for better personal finances management is observed, which is crucial for achieving financial stability and achieving one's own goals. Here are some key steps you can take to better manage your finances: Budgeting - Create a detailed budget that includes all income and expenses. The budget should be realistic and adapted to personal financial goals; Cost rationalization – review your own monthly expenses and identify areas where you can save. This may include cutting unnecessary costs such as subscribing to services you rarely use or finding cheaper alternatives for everyday needs; Cash flow management - monitoring your own cash flows is key to maintaining liquidity and avoiding late payments. Regularly review your bank statements and check your receipts and expenses to ensure you maintain a balance; Savings opportunities - saving should be an important part of your own financial plan. Setting savings goals and determining the amount to be set aside for savings each month. It can be for emergencies, investments or retirement preparation; Adjusting the plan – one should be flexible and ready to adjust one's financial plan as one's circumstances change. They may need to adjust their own savings goals or find new ways to increase their income in order to remain financially stable. With regular monitoring and adjustment of your own financial plan, you can achieve better control over your finances and gradually achieve your long-term goals.

At the panel discussions on improving the financial literacy of Syrian refugees in Croatia, the following findings were highlighted: Lack of basic knowledge about personal finances, bank accounts, cards and financial transactions; Not knowing the difference between gross and net salary; Problems with the punctuality of coming to work, especially for refugees who are not used to strict time norms; Ignorance of workers' rights, employment contract, labour and social rights and protection at work; The desire of most refugees to start their own business, but they are limited by the complexity and strictness of Croatian laws; Challenges related to bureaucracy and paperwork; The importance of retraining for certain jobs, along with awareness of the need to have certificates and diplomas; Difficulties in employing refugee women who were housewives before coming to Croatia;



Recommendation to refugees to familiarize themselves with the Socio-cultural manual that can help them; Low level of education as an obstacle to participation in education; The efforts of institutions in employing women and the need for greater understanding of the community and employers; Lack of advice and support to understand and manage personal finances, especially in the initial period of employment.

## 6. Recommendations and policies

Integration is a multidimensional process of acceptance and inclusion of migrants and refugees in society, which usually includes at least the following dimensions: legal-political, socio-economic, and cultural-religious. The legal-political dimension of integration includes various political and status rights, such as residence, family reunification, political participation (formal and informal) and acquisition of citizenship, as well as more informal opportunities for political participation. The socio-economic dimension of integration focuses on the position of migrants on the labour market, including the right to work, and access to social and other rights, such as health care, education, and housing. The cultural-religious dimension concerns the cultural and religious rights of migrants and especially their perception and practice of cultural, ethnic and religious differences in the society of the receiving country (Penninx, 2007:20). The integration process takes place at different levels - at the level of individuals, organizations, and institutions (Garcés-Macarenas, Penninx, 2016:15).

From the perspective of migrants and refugees, integration requires a willingness to adapt to the lifestyle of the immigrant society without losing their cultural identity. From the perspective of the resettlement society, it requires the readiness to adapt public institutions regarding changes in the population profile, accepting refugees as part of the national community and taking actions to facilitate their access to resources and decision-making processes. From a psychological perspective, integration begins at the moment of arrival in the target country and ends when the refugee becomes an active member of that society from a legal, sociological, economic, educational and cultural perspective (ECRE, 1999).

The process of integration is a long-term process that includes, in addition to the active participation of the immigrants themselves, the interdepartmental approach of state bodies, local self-government and civil society. Finally, integration helps migrants and refugees to encourage independence in the new society and enables

them to become full members of society, but also imposes on them the obligation to respect the fundamental values of the society they come to.

Persons who have been granted international protection face numerous obstacles during integration, where they encounter various barriers in accessing the labour market, such as legal and administrative difficulties, language barriers, socio-cultural differences that are often visible precisely in the field of employment (UNHCR, 2006: 56). In 2020, these obstacles were made even more difficult by the pandemic of the COVID-19 disease. However, it is often forgotten that when refugees arrive in a new country, they bring with them some new knowledge and skills, and can represent an important factor in the labour market. Therefore, it is necessary to develop policies, legislation and practice in a direction that will encourage persons seeking international protection, and especially those who are eventually granted it, to participate as quickly as possible in language learning courses, and then to the labour market itself. Also, it would be good if their qualifications, knowledge, and skills were assessed at the beginning of their stay in the Republic of Croatia, so that they could be referred to the appropriate institutions as soon as possible, and possibly additionally educated or retrained. Only through the cooperation of all relevant institutions on the one hand, and the refugees themselves on the other, can a change be instigated in which these foreigners will cease to be a passive subject on the labour market, and will get the opportunity to be actively included in the labour market and ultimately for their contribution to society as well as complete integration into the new society. It is extremely important to design appropriate financial training programs in a modern digital environment and in view of insufficient knowledge of the legal regulations of the Republic of Croatia for employment and self-employment, as well as the legal regulations regulating the statuses, rights, and obligations of refugees, as well as the possibility of complete free legal aid. It is necessary to introduce Syrian refugees, through training programs, to the possibilities of digital banking and the availability of available financing programs from financial institutions and banks. It is necessary to design and implement a financial training program, as well as the assistance of bank officials in the language spoken by the refugees. Progress in the development of information technology, the availability of

broadband Internet access, and the wide use of various electronic business modalities create opportunities for faster, safer and more efficient data management (Vinšalek Stipić & Vičić, 2022). From the above comes the need to design and implement financial training programs, as well as the help of bank officials in the language spoken by the refugees.

It is necessary to conduct any training immediately upon approval of temporary accommodation of asylum seekers, because after employment, refugees and newcomers have less free time. In fact, this presupposes the beginning of the stay in a period of three months, because according to the new legal regulations of the Republic of Croatia, due to the lack of labour, asylum seekers can also be employed after three months of stay in the Republic of Croatia.

## CONCLUSION

As part of the implementation of the work packages of the Cooperation for Integration project within the financial inclusion of current refugees and newcomers (ID: 2021-2-TR01-KA210-ADU-000048627), semi-structured interviews were conducted in Croatia in September and October 2023. From the results of the semi-structured interviews carried out on a sample of fifteen adult Syrian refugees (who have the status of asylum seekers or subsidiary protection), all respondents have been staying in Croatia for more than five years. The sample consisted of Syrian refugees between the ages of 25 and 62. In the total sample of fifteen respondents, 53% are women and 47% are men. In all cases, people were forced to leave Syria because of the war. Most of the respondents live with their families, and after organized group accommodation at the beginning of their arrival, they now live in their own home for which they pay for accommodation themselves. Accommodation and food costs make up the largest part of their monthly expenses from the monthly salary they earn. Also, all respondents state that they fail to save money due to the high prices of accommodation and food, while in Syria they could save quite a bit and would keep the money at home. In order to find a job in Croatia, knowledge of the native language was required, for which they underwent training and passed exams for which they received certificates of a satisfactory level of the Croatian language, while most believe that they still need to learn more. Their current knowledge of the Croatian language is sufficient for everyday life activities and work. It was not difficult to find a job in the Republic of Croatia, but for some occupations, they underwent further education that facilitated employment or better specialized jobs. To a greater extent (all respondents) did not use formal financial services of banks and financial institutions in Syria, they kept excess money at home. In the Republic of Croatia, to a significant extent (all respondents who are employed) use formal financial services of banks, and they had no difficulties with opening an account. Respondents pointed out that the help of the Croatian Red Cross, whose volunteers are very accessible, is very important, where they get all the necessary information. As refugees, they also

have no problems with using internet banking, credit cards, obtaining small cash loans, but they do not have the current creditworthiness to buy their own real estate for life, which they would definitely like due to permanent settlement in Croatia (loans in the Republic of Croatia are granted based on creditworthiness assessment, but real estate prices are very high, so they are not easily accessible even to the local population). All respondents highlighted the problem of bureaucracy and paperwork (a major problem of the domicile population was also mentioned). A smaller number of respondents from the sample make a financial plan for the household budget, while the rest do not, while they rarely borrow money, but in most cases from friends, through credit cards by paying in instalments, and are financed with smaller cash loans. Regarding communication-marketing channels, they prefer mainly information via mobile phones or digital financial services, while a smaller number declared that they prefer services in traditional branches. Regarding the tools that will be created as a result of the project, most of the respondents do not have an opinion on what would be useful for them, but they are ready to participate in the training programs. Most of the respondents would start their own entrepreneurial business, but no one has yet requested or received any financial assistance to start a business. The majority of the respondents are employed in service activities, and at the same time they are willing to receive additional education and training for some specific occupations.

Through the implementation of the fourth package of work activities of the Project, an effort was made to conduct a deeper analysis of the legal and human rights of migrants in Croatia as a member of the European Union, focusing especially on the work rights of asylum seekers. Defining labour migration of non-citizens as voluntary relocation and creation with the purpose of paid employment, key aspects of migration of non-citizens and their relationship to the rights of refugees and newcomers, asylum seekers are highlighted. All the countries of the world, and especially the members of the Union and the Union itself, should adopt a rights-based approach to labour migration, as international organizations have been promoting for years. This is in contrast to the current approach which mainly focuses on the rights of migrants based on their residence or migration status. Countries that are the

destination of labour migration often do not ratify international conventions that have been adopted with the aim of improving the protection of the rights of migrant workers. Instead, they limit the application of universal rights and emphasize the migratory status of migrant workers, leaving private employers with the obligation to provide legal protection. This often results in the exploitation of migrant workers through labour and other forms of abuse, which threatens fundamental labour and human rights. At the same time, labour law and normative frameworks for the protection of fundamental human rights of migrants play a key role in facilitating or hindering labour migration in a given country.

The common migration legislation conditions the right of access to the national labour market based on migration status. In addition to access to national labour markets, long-term resident status holders, blue card holders and scientific researchers have a very limited right of access to the labour markets of other member states. Although it was originally intended that the Union would provide migrants with rights and treatment like those enjoyed by EU citizens, unfortunately, the right to equal treatment for citizens of third countries is not similar to the rights that EU citizens have, nor are the provisions of the directives non-discriminatory for all holders of community migration status. Here we see the interdependence between the scope of rights provided to migrant workers and their residence status.

In addition, member states have won wide discretionary powers in limiting the right to equal treatment (as well as numerous other rights), thus calling into question the justification for adopting a common migration policy that largely foresees national decision-making powers. We believe that the harmonized legislation should prescribe a greater number of minimum guaranteed rights and reduce the number of discretionary powers of the member states, because otherwise there is a risk of inconsistent implementation of the provisions of the directives on common migration legislation, which leads to a different scope of rights of migrants of third-country nationals on the territory of the EU member states. And. Regarding the health protection of migrant workers, standard employment contracts usually include mandatory health insurance against work-related injuries and occupational diseases. Women's labour migration still differs from men's migration by different

migration channels, employment sectors and forms of exploitation. Gender-sensitized migration policies and laws are necessary to protect migrant workers (refugee women). Member States must harmonize the protection standards for domestic workers to prevent exploitation. The Union must find ways to protect workers in irregular residence status from exploitation in the workplace.

The Republic of Croatia, as well as all members of the European Union, should consider harmonizing the right to health care and other social services for workers with unregulated residence status. This would improve the protection of their fundamental human rights and reduce the possibility of exploitation. Given certain shortcomings, the Union must gradually expand the rights of migrant workers and ensure their consistent implementation. All member states, including the Republic of Croatia, must adapt to these changes in order to ensure an effective and fair migration policy.

By implementing financial literacy education for Syrian refugees, the need for better management of personal finances is observed, which is crucial for achieving financial stability and achieving one's own goals. Here are some key steps you can take to better manage your finances: Budgeting - Create a detailed budget that includes all income and expenses. The budget should be realistic and adapted to personal financial goals; Cost rationalization – review your monthly expenses and identify areas where you can save. This may include cutting unnecessary costs such as subscribing to services you rarely use or finding cheaper alternatives for everyday needs; Cash flow management - monitoring your own cash flows is key to maintaining liquidity and avoiding late payments. Regularly review your bank statements and check your receipts and expenses to ensure you maintain a balance; Savings opportunities - saving should be an important part of your own financial plan. Setting savings goals and determining the amount to be set aside for savings every month. It can be for emergencies, investments, or retirement preparation; Adjusting the plan – one should be flexible and ready to adjust one's financial plan as one's circumstances change. They may need to adjust their own savings goals or find new ways to increase their income in order to remain financially stable. With regular



monitoring and adjustment of your own financial plan, you can achieve better control over your finances and gradually achieve your long-term goals.

At the panel discussions on improving the financial literacy of Syrian refugees in Croatia, the following findings were highlighted: Lack of basic knowledge about personal finances, bank accounts, cards and financial transactions; Not knowing the difference between gross and net salary; Problems with the punctuality of coming to work, especially for refugees who are not used to strict time norms; Ignorance of workers' rights, employment contract, labour and social rights and protection at work; The desire of most refugees to start their own business, but they are limited by the complexity and strictness of Croatian laws; Challenges related to bureaucracy and paperwork; The importance of retraining for certain jobs, along with awareness of the need to have certificates and diplomas; Difficulties in employing refugee women who were housewives before coming to Croatia; Recommendation to refugees to familiarize themselves with the Socio-cultural manual that can help them; Low level of education as an obstacle to participation in education; The efforts of institutions in employing women and the need for greater understanding of the community and employers; Lack of advice and support to understand and manage personal finances, especially in the initial period of employment.

In recent years, the issue of integration of refugees occupies a high place on the list of political and social priorities of the institutions of the European Union, and the successful integration of refugees is considered a matter of common interest for all member states. In Croatia, there is a noticeable trend of an increase in the number of refugees who need to be integrated into Croatian society. On the other hand, integration allows migrants and refugees to create independence in the new society and provides them with the opportunity to become full members of society, but also imposes on them the obligation to respect the fundamental values of the society they come to.

Although the rights of persons with approved international protection in terms of access to the system of free legal aid are equal to citizens of the country in which they live, and in Croatia to Croatian citizens, due to the specificity of their status,

their vulnerability due to everything they have been through and the reasons for persecution on the basis of which international protection is granted at all, there is still a lot of room for improvement in the system of free legal aid. Language is the most important obstacle that puts people with approved international protection at a disadvantage compared to Croatian citizens right from the start. Although language is a frequent obstacle in the realization of all rights, it is extremely important in accessing the system of free legal aid, given that access to an administrative body, an authorized association or a legal clinic is difficult if a person does not understand and speak the Croatian language, and translation costs are not included in the system of free legal aid. At the international level, and especially at the EU level, efforts should be made to strengthen and standardize the system of free legal aid. Given the ubiquitous increase in differences between people of different financial statuses, free legal assistance is more necessary than ever for individuals to exercise their rights and financial independence.

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## **Excerpt from reviews:**

Professor Guler Aras:

*“This guidebook intends to provide a guide for the financial inclusion of refugees and newcomers in Croatia. This manuscript defines a plan of necessary actions, including a set of key policy recommendations and best practices aimed at maximizing project impact in support of relevant EU strategies, including the Sustainable Development Agenda and the 2030 Goals. Furthermore, this proposed manuscript corresponds to the content of the subject. The manuscript methodically adapted to the subject and the author uses appropriate literature. Current literature review has been provided. The interpretation of these results from these different perspectives has been adequately discussed. The attention is paid to clarity of expression and readability. Moreover, a final evaluation with a recommendation has been also provided.”*

Assoc. Prof. Ozlem Kutlu Furtuna:

*“This manuscript gives a clear insight about the topic. The authors have provided a work as a guidebook for the financial inclusion of refugees and newcomers in Croatia. This manuscript demonstrates an adequate understanding of the relevant literature in the field. This manuscript provides practical implications and recommendation for the policy makers. Furthermore, the manuscript is clearly presented in linguistic and conceptual terms. The manuscript fully meets the requirements of professional and teaching literature for the given subject. Moreover, a final evaluation with a recommendation has been provided.”*

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