

# HRVATSKO DRUŠTVO ZA POMORSKO PRAVO



ASSOCIATION CROATE DE DROIT MARITIME  
CROATIAN MARITIME LAW ASSOCIATION  
Member of Comité Maritime International  
c/o Pomorski fakultet Sveučilišta u Rijeci  
Studentska 2, 51000 Rijeka, Hrvatska

## Refugee Migration at Sea and Maritime Law Questionnaire

### THE CURRENT REFUGEE and MIGRANT CRISIS

A. What measures were taken by your jurisdiction in relation to massive refugee/migrant flows?

(i) In relation to the rescue from boats?

- In Republic of Croatia rescue operations of the refugees/migrants are the part of the common Search And Rescue (SAR) operations, and those are conducted by SAR services and coordinated by MRCC (Maritime Rescue Coordination Center) Rijeka

(ii) In relation to the landing of rescued persons from boats?

- In case that rescued persons are refugees/migrants they are transferred to the centers (where they are provided shelter), which are organized by the Ministry of the Interior.

(iii) In relation to granting humanitarian protection / refugee status to those rescued?

- n/a

B. Which authority (Department of State or Organisation) in your jurisdiction is responsible for implementing SAR activities?

- In the Republic of Croatia, SAR activities are under jurisdiction of the Ministry of the Sea, Transport and Infrastructure (Maritime Safety Directorate, MRCC, and Harbour Master Offices)

(i) Which authority is responsible for deciding on the measures?

Ministry of the Sea, Transport and Infrastructure is responsible for deciding on the measures.

(ii) Which authority is responsible for providing support in implementing the measures?

- Ministry of Interior, Ministry of Defence (Coastguard)

(iii) Did your authority implement measures to transfer those rescued to the state of origin (i.e. the State from which they started their journey)?

- n/a

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(iv) Did your authority implement measures to transfer those rescued to the state whose they are nationals?

- n/a

(v) Which authority or authorities is or are responsible for enforcing the various measures?

- n/a

(vi) Were maritime administrations within your jurisdiction consulted in relation to decisions taken within your jurisdiction?

-Yes, common operating procedure is to inform maritime administration of any action taken under its jurisdiction.

C. Are those who take decisions in your jurisdiction aware of the requirements of:

(i) Geneva Convention on the status of refugees (1951)?

- All personnel on positions who takes decisions are educated and trained to be aware of Geneva Convention on the status of refugees (1951)

(ii) The ILO Conventions (nos. 97 and 143)?

- All personnel on positions who takes decisions are educated and trained to be aware of ILO Convention

(iii) The SAR Convention?

- All personnel on positions who takes decisions are educated and trained to be aware of SAR Convention

D. In relation to free pratique:

(i) Are you aware if your jurisdiction has denied port access/free pratique to any vessel due to the fact that they carried rescued persons?

- No

(ii) Are you aware if the current COVID-19 pandemic impacted the behavior of your jurisdiction regarding port access/free pratique to any vessel due to the fact that they carried rescued persons?

- No

(iii) Are you aware if the the most recent Ebola outbreak(ongoing in the Democratic Republic of the Congo since August 2018) pandemic impacted the behavior of your jurisdiction regarding port access/free pratique to any vessel due to the fact that they carried rescued persons?

- No