

Croatia

The Government has implemented several social programs targeting disadvantaged groups, including Roma children and low income families. However, children, particularly from the Roma community, continue to be exploited in the worst forms of child labor, including agriculture and forced begging. Limited social programs targeting children engaged in relevant worst forms of child labor could be identified.

Statistics on Working Children and School Attendance

| Children | Age | Percent |
|---------------------------|-----|-------------|
| Working | - | Unavailable |
| Attending School | - | Unavailable |
| Combining Work and School | - | Unavailable |



Prevalence and Sectoral Distribution of the Worst Forms of Child Labor






Children in Croatia are engaged in the worst forms of child labor,¹⁶⁵⁴ including in agriculture and forced begging.¹⁶⁵⁵ A majority of the child labor cases in agriculture reportedly involve Roma children.¹⁶⁵⁶ Children working in agriculture may be exposed to unsafe and unhealthy working conditions including long hours in extreme heat, inadequate access to water, nutrition, or sanitation, and exposure to harmful pesticides.

The practice of exploiting Roma children for the purpose of forced begging in Croatia persists.¹⁶⁵⁷ Children working on the streets may be exposed to many dangers, including severe weather, vehicle accidents, and criminal elements.

Reports indicate that, although cases are extremely rare, Croatia is a destination, source, and transit country for children trafficked for the purpose of commercial sexual exploitation.¹⁶⁵⁸

Laws and Regulations on the Worst Forms of Child Labor

The Labor Act sets the minimum age for employment at 15. The Labor Act also sets out a

| | | |
|---|--|-----|
|  | C138, Minimum Age | ✓ |
| | C182, Worst Forms of Child Labor | ✓ |
|  | CRC | ✓ |
| | CRC Optional Protocol on Armed Conflict | ✓ |
| | CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography | ✓ |
|  | Palermo Protocol on Trafficking in Persons | ✓ |
|  | Minimum Age for Work | 15 |
| | Minimum Age for Hazardous Work | 18 |
|  | Compulsory Education Age | 15 |
| | Free Public Education | Yes |

list of prohibited working conditions for children under age 18.¹⁶⁵⁹ These include working overtime, at night, and in any dangerous conditions that may be harmful to a child's physical and moral well-being. The Labor Act does not permit minors to work more than 40 hours per week.¹⁶⁶⁰

The Labor Act also authorizes labor inspectors to investigate minors' working conditions to determine whether or not they are in danger. If the inspector determines, after consultation with a physician, that the minor is endangered, the inspector may prohibit the minor from such employment.¹⁶⁶¹ The Labor Act calls for fines ranging from \$150 to \$18,000 dollars, depending on the gravity of the situation.¹⁶⁶²

In 2010, the Government of Croatia updated its Labor Act and passed legislative regulations that detail the types of hazardous work in which children are prohibited from engaging, as well as regulations detailing the types of employment and activities in which minors can participate.¹⁶⁶³

The Constitution prohibits forced labor.¹⁶⁶⁴ The Criminal Code prohibits parents and other responsible persons from forcing a minor to beg or to engage in unsuitable or excessive work.¹⁶⁶⁵ Trafficking in persons for the purpose of forced labor is forbidden under Article 175 of the Criminal Code. The Criminal Code also stipulates that entering into any kind of sexual act with a minor is considered an offense and is punishable with up to eight years imprisonment.¹⁶⁶⁶ Engaging a minor for the purpose of forced prostitution is prohibited. Violations to Article 178 (international prostitution) result in a stricter punishment if a child is involved; imprisonment can range from 1 to 10 years.¹⁶⁶⁷ During the reporting period, the Government finalized an amendment to the Criminal Code, which allows trafficking and international prostitution to be treated as the same criminal offense.¹⁶⁶⁸ Previously, trafficking and international prostitution were treated separately in Articles 175 and 178, respectively. Combining these offenses may increase the

number of trafficking cases identified, including cases of children trafficked for commercial sexual exploitation.¹⁶⁶⁹

According to the Defense Law of 2002, the minimum age for conscription into the military is 18.¹⁶⁷⁰ Education is free and compulsory for children up to age 15. Roma children nonetheless face serious socioeconomic barriers in continuing their education, including a lack of family support and discrimination in schools.¹⁶⁷¹

Institutional Mechanisms for Coordination and Enforcement

The Office of the Ombudsman for Children coordinates efforts to protect the rights and interests of children. The Ombudsman's duties include coordinating with the Ministry of the Economy, Labor and Entrepreneurship to ensure that the Government implements ILO Conventions 138 and 182.¹⁶⁷²

The State Labor Inspectorate, a separate government agency, enforces domestic child labor laws.¹⁶⁷³ The Inspectorate has 111 inspectors whose duties include inspection for illegal employment of minors. The Inspectorate performed 3,670 inspections in the first six months of 2010 and found violations of child labor laws involving four minors under age 17. In all cases, employers paid the fines for keeping minors in the workplace beyond the prescribed time limits.¹⁶⁷⁴

The Inspectorate provides information on child labor violations to the Office of the Ombudsman for Children. The Ombudsman then evaluates and forwards all cases of child labor violations to the State Prosecutor's Office for further investigation and prosecution.¹⁶⁷⁵

The National Committee for Combating Trafficking in Human Beings coordinates all domestic and international anti-trafficking activities. The head of the Office of Human Rights serves as the coordinator of the committee, which

includes representatives from the Ministry of Foreign Affairs, the Ministry of Justice, and the Ministry of Health and Social Welfare.¹⁶⁷⁶ In order to find solutions to more complex cases, the Government established an Operative Team for Combating Trafficking in Human Beings to complement the advisory role of the National Committee.¹⁶⁷⁷

The Ministry of Interior is responsible for enforcing criminal laws against child labor, trafficking in human beings for commercial sexual exploitation, and the use of children in illicit activities. The Ministry of Interior employs 230 field officers with training in juvenile matters, including special training and emphasis on the worst forms of child labor.¹⁶⁷⁸

The Government maintains two databases that track perpetrators and victims of trafficking. The databases allow for the identification of minors based on age.¹⁶⁷⁹ Minors involved in prostitution are not always automatically identified by the Government as victims of trafficking.¹⁶⁸⁰ For this reason, there were no reported cases of child trafficking in these databases.

Research conducted by a Croatian NGO revealed that the Government of Croatia did not consistently provide adequate protections for some trafficking victims who testified against their traffickers in previous years. According to researchers, reported victims were sometimes required to repeatedly testify during the trafficking trials.¹⁶⁸¹ In some cases, victims could also be named as defendants. The Government prosecuted two children for prostitution after failing to identify them as victims of trafficking.¹⁶⁸² Recent research indicates, however, that trafficking victims are not required to testify in court and are able to request to testify via video link.¹⁶⁸³ All of these requests have been granted in practice.¹⁶⁸⁴

Additionally, the Government initiated a pilot program to improve victim protection for witnesses in four courts in 2009.¹⁶⁸⁵ Research has

not revealed if the Government of Croatia has taken additional steps to protect child victims of trafficking called to testify against their traffickers.

Government Policies on the Worst Forms of Child Labor

The Government of Croatia has incorporated child labor issues into related policy frameworks. The National Plan for Suppressing Trafficking of Children is the Government's primary policy document with respect to child labor.¹⁶⁸⁶ The Government has also adopted a National Action Plan for the Rights and Interests of Children 2006-2012 to strengthen services provided to vulnerable children. One goal of this plan is to provide resources for the prevention of the worst forms of child labor, including resources for investigation of child labor and exploitation.¹⁶⁸⁷ The plan also aims to bring together a network of multilateral donor organizations and local NGOs to improve the well-being of children and help those who are victims of trafficking and the worst forms of child labor. The Council for Children acts as the coordinating body for all such activities.¹⁶⁸⁸

Social Programs to Eliminate or Prevent Worst Forms of Child Labor

The Government of Croatia continues to conduct several outreach campaigns to address forced begging in the Roma community by encouraging Roma children to attend school. The Office of National Minorities has a special program that aims to make the educational system in Croatia more inclusive of Roma children.¹⁶⁸⁹ The Government also continues to participate in the Decade of Roma Inclusion 2005-2015, a regional program that aims to improve the socioeconomic status and social inclusion of Roma.¹⁶⁹⁰

Additionally, the Government reimburses preschool and kindergarten fees for Roma children and distributes scholarships to Roma children in secondary and tertiary-level education. The number of scholarships given for both levels increased over the past year.¹⁶⁹¹

The Government participates in the Decade of Roma Inclusion 2005-2015, a regional intergovernmental initiative that includes a provision requiring participating countries to provide free basic primary education to all Roma children.¹⁶⁹² However, high dropout rates among Roma children persist and only 3.5 percent of Roma children graduate from secondary-level school, compared with 85 percent of the general student population.¹⁶⁹³ Roma children are therefore at an increased risk of involvement in the worst forms of child labor.

The Office of the Ombudsman for Children's Rights initiated a program that encourages all citizens to immediately report any children they see begging to the police.¹⁶⁹⁴ Beyond this initiative, there is little evidence that the Government has made efforts to provide direct services to children involved in forced begging or to offer programs to combat the worst forms of child labor in agriculture.

Based on the reporting above, the following actions would advance the reduction of the worst forms of child labor in Croatia:

IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Ensure that children involved in prostitution are identified as potential victims of human trafficking.
- Ensure that child victims of trafficking participating in the prosecution of their traffickers are identified and given adequate protection.

IN THE AREA OF SOCIAL PROGRAMS:

- Develop and implement programs that provide direct services for minors, Roma children in particular, who are engaged in forced begging.
- Assess the scope and significance of the worst forms of child labor in agriculture and establish programs to assist children whose health and safety are at risk.

¹⁶⁵⁴ Data provided in the chart at the beginning of this country report are not available from the data sources that are used by USDOL. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. For more information on sources used for these statistics, the definition of working children, and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section.

¹⁶⁵⁵ U.S. Embassy- Zagreb, *reporting, January 27, 2011*.

¹⁶⁵⁶ *Ibid.*

¹⁶⁵⁷ *Ibid.*

¹⁶⁵⁸ U.S. Department of State, "Croatia," in *Trafficking in Persons Report- 2010*, Washington, DC, June 14, 2010; available from <http://www.state.gov/g/tip/rls/tiprpt/2010/>. See also International Trade Union Confederation, *Internationally Recognized Core Labor Standards in Croatia*,

Report for the WTO General Council Review of the Trade Policies of Croatia, Geneva, March 24-26, 2010; available from http://www.ituc-csi.org/IMG/pdf/CLC_Croatia.pdf.

¹⁶⁵⁹ Government of Croatia, *Labour Act, General Provisions*, 2009, articles 17 and 19; available from <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/84016/93988/F806760027/HRV84016%20English.pdf>.

¹⁶⁶⁰ *Ibid.*, articles 19, 45, and 49.

¹⁶⁶¹ U.S. Embassy- Zagreb, *reporting, January 27, 2011*.

¹⁶⁶² *Ibid.* See also Government of Croatia, *Labour Act, General Provisions*, articles 20 and 292-294.

¹⁶⁶³ U.S. Embassy- Zagreb, *reporting, January 27, 2011*.

¹⁶⁶⁴ Government of Croatia, *Constitution of the Republic of Croatia*, July 6, 2010, article 23; available from <http://www.sabor.hr/Default.aspx?art=2405>.

¹⁶⁶⁵ Government of Croatia, *Criminal Code*, 2004, article 213; available from http://www.vsrh.hr/CustomPages/Static/HRV/Files/Legislation__Criminal-Code.pdf.

- ¹⁶⁶⁶ Ibid., articles 175 and 192.
- ¹⁶⁶⁷ Ibid., article 178.
- ¹⁶⁶⁸ U.S. Embassy- Zagreb, *reporting, January 27, 2011*.
- ¹⁶⁶⁹ International Centre for Migration Policy Development, *Trafficking in Human Beings in Croatia, An Assessment Focusing on Labor Exploitation*, September 2010; available from http://www.icmpd.org/fileadmin/IIMS-documents/Croatian_English_2010-09-29_Final_small.pdf.
- ¹⁶⁷⁰ Coalition to Stop the Use of Child Soldiers, "Croatia," in *Child Soldiers Global Report 2008*, London, 2008; available from <http://www.childsoldiersglobalreport.org/content/croatia>.
- ¹⁶⁷¹ UNESCO, *Education for All Global Monitoring Report*, 2010; available from <http://www.unesco.org/fileadmin/MULTIMEDIA/HQ/ED/GMR/pdf/gmr2010/gmr2010-annex-04-stat-tables.pdf>. See also Amnesty International USA, *The exclusion of Romani children from primary education in Bosnia and Herzegovina, Croatia and Slovenia*, [online] 2010 [cited May 6, 2011]; available from <http://www.amnestyusa.org/document.php?id=ENGEUR050032006&lang=e>. See also U.S. Embassy- Zagreb official, e-mail communication, May 18, 2011.
- ¹⁶⁷² Government of Croatia, *Summary Report About the Work of the Ombudsman for Children for 2006*, March 2007; available from [http://www.crin.org/docs/Sazetak%20izvjesca%20o%20radu%20za%202006\(Eng\).pdf](http://www.crin.org/docs/Sazetak%20izvjesca%20o%20radu%20za%202006(Eng).pdf). See also UNICEF, *Working Group Document on the Status of Children in Croatia*, 2008; available from http://www.unicef.org/videoaudio/PDFs/Croatia_WFFC5_Report.pdf. See also Government of Croatia, *The Law on the Ombudsman for Children*, 2003, article 2; available from http://www.crin.org/docs/FileManager/ombuds_law_croatia_2003.doc.
- ¹⁶⁷³ International Trade Union Confederation, *Internationally Recognized Core Labor Standards in Croatia, Report for the WTO General Council Review of the Trade Policies of Croatia*.
- ¹⁶⁷⁴ U.S. Embassy- Zagreb, *reporting, January 27, 2011*.
- ¹⁶⁷⁵ U.S. Department of State, "Croatia," in *Country Reports on Human Rights Practices- 2010*, Washington, DC, April 8, 2011, section 7d; available from <http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136025.htm>.
- ¹⁶⁷⁶ Government of Croatia, *National Plan for Combating Trafficking in Human Beings for the period from 2009-2011*, prepared by National Committee for Combating Trafficking in Human Beings, 2009; available from <http://www.ljudskaprava-vladarh.hr/lgs.axd?t=16&id=1326>.
- ¹⁶⁷⁷ Ibid.
- ¹⁶⁷⁸ U.S. Embassy- Zagreb, *reporting, January 27, 2011*.
- ¹⁶⁷⁹ U.S. Embassy- Zagreb, *reporting, February 19, 2010*.
- ¹⁶⁸⁰ U.S. Embassy- Zagreb, *reporting, February 16, 2011*.
- ¹⁶⁸¹ U.S. Embassy- Zagreb, *reporting, January 27, 2011*.
- ¹⁶⁸² U.S. Embassy- Zagreb official, e-mail communication, May 18, 2011.
- ¹⁶⁸³ Ibid.
- ¹⁶⁸⁴ U.S. Embassy- Zagreb, *reporting, February 16, 2011*.
- ¹⁶⁸⁵ U.S. Embassy- Zagreb, *reporting, January 27, 2011*.
- ¹⁶⁸⁶ Ibid.
- ¹⁶⁸⁷ UNICEF Executive Board UN Social and Economic Council, *Recommendation for funding from other resources without a recommendation for funding from regular resources: Croatia*, September 6-8, 2006; available from <http://www.unicef.org/about/execboard/files/06-PL59-Croatia.pdf>. See also Government of Croatia, *Summary Report About the Work of the Ombudsman for Children*.
- ¹⁶⁸⁸ UN Social and Economic Council, *Recommendation for funding from other resources without a recommendation for funding from regular resources: Croatia*.
- ¹⁶⁸⁹ U.S. Embassy- Zagreb, *reporting, January 27, 2011*.
- ¹⁶⁹⁰ Ibid.
- ¹⁶⁹¹ U.S. Embassy- Zagreb official, e-mail communication, May 18, 2011.
- ¹⁶⁹² U.S. Embassy- Zagreb, *reporting, January 27, 2011*. See also Government of Croatia, "Primary Education 2005 - 2015" in *Ured za nacionalne manjine*, February 21, 2008; available from <http://www.vlada.hr/nacionalniprogramromi/content/blogcategory/21/51/lang.english/>.
- ¹⁶⁹³ International Trade Union Confederation, *Internationally Recognized Core Labor Standards in Croatia, Report for the WTO General Council Review of the Trade Policies of Croatia*.
- ¹⁶⁹⁴ U.S. Embassy- Zagreb, *reporting, January 27, 2011*.