

In 2011, Croatia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government put resources in increasing the number of labor inspections, doubling the number from the previous reporting period. In addition, the Government increased scholarships to Roma children in secondary- and tertiary-level education, committed funds for school meals for Roma children and provided additional language teachers to help Roma students. The Government also implemented programs to address street begging and to prevent trafficking. However, high dropout rates among Roma children persist; there is also a lack of social programs that benefit street children, Roma child beggars in particular. Children continue to engage in the worst forms of child labor, mostly forced begging and pick-pocketing.

### Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	Unavailable
Attending School	7-14 yrs.	Unavailable
Combining Work and School	7-14 yrs.	Unavailable
Primary Completion Rate		95.1

#### Sources:

**Primary completion rate:** Data from 2009, published by UNESCO Institute for Statistics, 2012.(1)

**All other data:** Understanding Children's Work Project's analysis.(2)

### Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Croatia are engaged in the worst forms of child labor, particularly in forced begging and pick-pocketing. Most children involved in such activities are Roma.(3-6) There is no information on the scope of the problem. Reports indicate that Croatia is a destination, source and transit country for children subjected to human trafficking for commercial sexual exploitation.(3, 4, 7)

Children have been found working in the service, hospitality, retail and construction sectors.(3, 8)

### Laws and Regulations on the Worst Forms of Child Labor

The Labor Act sets the minimum age for employment at 15, as long as the child is not attending compulsory education, which is usually to age 15.(9) The law prohibits employing minors



ages 15 to 18 who are still completing compulsory education. For minors age 15 to 18 who have completed compulsory education to work, the legal representative's authorization is required.(9) The Labor Act also sets out a list of prohibited working conditions for children under age 18. These include working overtime, at night, and in any dangerous conditions that may be harmful to a child's physical and moral well-being.(9) The Act does not permit minors to work more than 40 hours per week.(9)

	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

The Labor Act also authorizes labor inspectors to investigate working conditions to determine if a minor is in danger. If the inspector determines, after consulting a physician, that the minor is endangered, the inspector may prohibit the minor from such employment.(3) The Labor Act calls for fines ranging from \$150 to \$18,000, depending on the gravity of the situation.(3, 9)

The Labor Act also authorizes labor inspectors to investigate working conditions to determine if a minor is in danger. If the inspector determines, after consulting a physician, that the minor is endangered, the inspector may prohibit the minor from such employment.(3) The Labor Act calls for fines ranging from \$150 to \$18,000, depending on the gravity of the situation.(3, 9)

In 2010, the Government of Croatia updated its Labor Act and passed legislative regulations that detail the types of hazardous work from which children are prohibited engaging as well as the types of employment and activities in which minors can participate. Minors under age 18 are specifically prohibited from working in bars, nightclubs and gambling establishments.(3)

Article 23 of the Constitution prohibits forced labor.(10) Trafficking in persons for the purpose of forced labor is forbidden under article 175 of the Criminal Code.(11) The Code also prohibits parents, guardians and other responsible individuals from forcing a minor to engage in unsuitable or excessive work or be involved in prostitution. Articles 195 and 196 of the Criminal Code prohibit pandering, and the assembly of pictures and other audio-visual material of a child for pornographic use.(11)

The Criminal Code also stipulates that entering into any kind of sexual act with a child is considered an offense. Article 195 of the Code criminalizes engaging a minor for the purpose of forced prostitution.(11) Article 175 of the Code prosecutes trafficking for forced labor and commercial sexual exploitation. Croatia's criminal law treats trafficking and international prostitution as the same offense, which is punishable by 1 to 10 years in prison when a child is involved.(3)

According to the Defense Law of 2002, the minimum age for conscription into the military is 18.(12) Education is free and compulsory for children up to age 15.(13) Roma children nonetheless face serious socioeconomic barriers in continuing their education, including a lack of family support and discrimination in schools.(8, 14)

## **Institutional Mechanisms for Coordination and Enforcement**

The Office of the Ombudsman for Children's Rights 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.(15)

The State Labor Inspectorate is responsible for enforcing child labor laws involving the minimum age of employment and acceptable working conditions(3, 9). Unacceptable working conditions include working overtime, at night, under dangerous labor conditions or in any other job that might be harmful to a child's health, morals or development.(3, 9) The Inspectorate provides information on child labor violations to the Office of the Ombudsman for Children's Rights.(7) The Ombudsman then evaluates and forwards all cases of child labor violations to the State Prosecutor's Office for further investigation and prosecution.(3)

The Inspectorate has 129 inspectors whose duties include inspection for illegal employment of minors and 102 inspectors for labor safety. It performed 17,970 inspections in 2011 and found 66 violations of labor laws involving minors under age 17.(3) All of the child labor violations involved cases of employers keeping minors at the workplace beyond the prescribed time limits. In all cases of labor violations, employers paid the fines assessed.(3)

The National Committee for Combating Trafficking in Human Beings coordinates anti-trafficking activities.(16) The Committee includes the Head of the Office of Human Rights, who serves as the Committee's Coordinator, representatives of different ministries, the Operative Team of the National Committee, and mobile teams represented by both government bodies and NGOs.(16, 17) The Operative Team works with the National Committee to find solutions in complex cases.(18)

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.(3, 19)

The Government of Croatia identified three children as victims of trafficking in 2011. All victims were sent to NGO shelters funded by the Government.(3)

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.(3) Recent research indicates, however, that trafficking victims are not required to testify in court and are able to request to testify thru video link.(20) Although the requests have to be made to the judge in advance, all of them have been granted in practice.(6) The authorities passed new legislation in September 2011 regarding protection of crime victims which is fully harmonized with the European Convention on Damage Compensation to the Victims of Violence. The changes will go into force upon Croatia's entry into the European Union.(3)

### **Government Policies on the Worst Forms of Child Labor**

The Government of Croatia has incorporated child labor issues into related policy frameworks. The Government adopted a National Program for the Protection of the Best Interests of Children for 2006-2012, to provide resources for the prevention of the worst forms of child labor, including resources for the investigation of child labor for economic and commercial sexual exploitation.(3) The Government continues to implement its primary plan regarding anti-trafficking activities named the National Plan for Suppression of Trafficking in Persons. The document provides protocols for the education of and the exchange of information between authorities regarding human trafficking of both adults and children.(16)

With the 2007-amended Social Welfare Act, victims of human trafficking are entitled to social welfare benefits that are financed from the state budget.(17) A victim of trafficking may also receive a temporary residence permit for a period of one year with an extension possibility for another year.(16)

### **Social Programs to Eliminate or Prevent the 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.(3) 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.(20)

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.(3) The Government also committed funds for meals for Roma children students and supported additional language teachers to help Roma students.(3, 7) 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.(5, 7) 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 continued a program during the reporting period that encourages all citizens to immediately report to the police any children they see begging, emphasizing that reporting would not lead to the punishment of a child. The Office of the Ombudsman continued to provide on its Web site a leaflet entitled "Protecting Child Beggars" to make the public aware that protection of this group of children depends on the joint efforts of government officials as well as the general public.(21) Along with the reporting program, the Office of the Ombudsman encouraged government authorities to enact a protocol for procedures for children found begging, establish a record of those children, and increase the number of facilities for accommodating mothers with underage children found begging.(21) Research did not find any evidence on the implementation or impact of these recommendations.

In the National Program for Combating Trafficking in Human Beings for the period from 2009 to 2011, the Government of Croatia dedicated funds to accomplish several objectives ranging from providing identification and help in protecting victims to the repatriation and reintegration of the victims.(17) The Government funded two separate NGO shelters -one for adults and one for women and minor trafficking victims.(4)

In 2011, government ministries began cooperating with the International Organization for Migration (IOM) and local NGOs to implement the Child Trafficking Prevention Program that addresses prevention of child trafficking, child exploitation, sexual exploitation of children, child pornography and other worst forms of child labor. The Program serves as a pilot project used by teachers in five elementary schools in Zagreb.(3)

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

Area	Suggested Actions	Year(s) Action Recommended
Social Programs	Establish more concrete social protection programs that provide direct services for minors, Roma children in particular, who are engaged in forced begging.	2010, 2011
	Establish more programs and monitoring mechanisms for programs that target Roma children in order to promote and increase their enrollment and persistence in primary and secondary education.	2009, 2011

### REFERENCES

- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. March 29, 2012. <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. February 2, 2012. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, 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 of this report.
- U.S. Embassy- Zagreb. *reporting, January 27, 2012*.
- U.S. Department of State. "Croatia," in *Trafficking in Persons Report- 2012*. Washington, DC; June 18, 2012; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Croatia (ratification: 2001) Submitted: 2011*; accessed March 29, 2012; <http://bit.ly/z2SG9G>.
- U.S. Embassy- Zagreb. *reporting, January 27, 2011*.
- International Trade Union Confederation. *Internationally Recognized Core Labor Standards in Croatia, Report for the WTO General Council Review of the Trade Policies of Croatia*. Brussels; March 24-26, 2010. [http://www.ituc-csi.org/IMG/pdf/CLC\\_Croatia.pdf](http://www.ituc-csi.org/IMG/pdf/CLC_Croatia.pdf).
- U.S. Department of State. "Croatia," in *Country Reports on Human Rights Practices- 2011*. Washington, DC; May 24, 2012; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- Government of Croatia. *Labour Act, General Provisions*, NN.br. 149/09, enacted December 4, 2009. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/84016/93988/F806760027/HRV84016%20English.pdf>.
- Government of Croatia. *Constitution of the Republic of Croatia*, enacted 1990. <http://www.sabor.hr/Default.aspx?art=2405>.
- Government of Croatia. *Criminal Code*, enacted 2006. [www.pak.hr/lgs.axd?t=16&cid=2526](http://www.pak.hr/lgs.axd?t=16&cid=2526).
- Coalition to Stop the Use of Child Soldiers. "Croatia," in *Child Soldiers Global Report 2008*. London; 2008; <http://www.childsoldiersglobalreport.org/content/croatia>.
- UNESCO World Data on Education. *Croatia*; accessed March 30, 2012; [ddp-ext.worldbank.org/EdStats/HRVwde07.pdf](http://ddp-ext.worldbank.org/EdStats/HRVwde07.pdf).
- Amnesty International USA. *The exclusion of Romani children*, [online] [cited May 6, 2011]; <http://www.amnestyusa.org/research/reports/annual-report-croatia-2010?page=3>.
- Government of Croatia. *Summary Report About the Work of the Ombudsman for Children*. Zagreb; March 2007. [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).
- U.S. Embassy- Zagreb. *reporting, February 15, 2012*.
- International Centre for Migration Policy Development. *Trafficking in Human Beings in Croatia, An Assessment Focusing on Labor Exploitation*. Vienna; September 2010. [http://www.icmpd.org/fileadmin/IIMS-documents/Croatian\\_English\\_2010-09-29\\_Final\\_small.pdf](http://www.icmpd.org/fileadmin/IIMS-documents/Croatian_English_2010-09-29_Final_small.pdf).
- Government of Croatia. *National Plan for Combating Trafficking in Human Beings for the period from 2009-2011*. Zagreb, 2009. <http://www.ljudskaprava-vladarh.hr/lgs.axd?t=16&cid=1326>.
- U.S. Embassy- Zagreb. E-mail communication to USDOL official. March 2, 2012.
- U.S. Embassy- Zagreb. E-mail communication to USDOL official. May 18, 2011.
- Government of Croatia. Republic of Croatia Ombudsperson for Children Mila Jelavić. *Letter to OHCHR regarding street children*. Ombudsperson for Children, DPR-910-04/11-043. October 1, 2011. [www.ohchr.org/Documents/Issues/Children/Study/Croatia.doc](http://www.ohchr.org/Documents/Issues/Children/Study/Croatia.doc)