

# Mapping child protection systems in the EU (27)

Croatia

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# 1. Legislative and regulatory framework and policies

## 1.1. Overview of normative and regulatory framework

Please provide an overview of the normative legal and regulatory framework of the national and sub-national child protection system. Include information on the scope of the child protection system, the specific needs it addresses, the human and financial resources allocated, and any relevant cultural, social, and historical factors. Please indicate the current priority areas in child protection.

Croatia has a comprehensive normative system of child protection, consisting of laws, bylaws, strategic documents, and protocols. The Constitution of the Republic of Croatia<sup>1</sup> contains lists of core values of the constitutional order and fundamental rights. There is no single law specifically aimed at child protection. The main legislation dealing with rights of children are the Family Act<sup>2</sup> and the Social Welfare Act.<sup>3</sup> Within policy framework, there are many national plans devoted to the protection of children, among which the main is the National Plan for the Rights of Children in Republic of Croatia 2022-2026 (*Nacionalni plan za prava djece u Republici Hrvatskoj od 2022. do 2026.*)<sup>4</sup> which as current priority areas recognises development of public policies to promote equal opportunities for children in risk of poverty, setting up a framework for elimination of violence, development of public policies to ensure systematic support for improving the quality of life of children and their safety and systematic protection of the rights of vulnerable groups of children before judicial bodies, in court proceedings and in all contacts with laws, with emphasis on individualized approach in justice. Other relevant national plans are adopted in the field of protection of persons with disabilities, Roma minority, human rights and combating discrimination. There are several Protocols on procedure some of which are specially designed for the protection of children (bullying and abuse/neglect). Main stakeholders responsible for the protection of children until the 1 January 2023 were social welfare centres (SWC). On 28 January 2022, the Croatian Parliament passed the Social Welfare Act,<sup>5</sup> as part of the social welfare system reform which established three new public institutions: 1) The Croatian Institute for Social Work as the central body competent to act as first instance authority in areas of social welfare, protection of children, foster care and other administrative areas, 2) Family Centre and 3) Social Welfare Academy. Former SWCs which previously had legal capacity are now organised as regional and district offices (social welfare offices) under the coordination of the Institute. The most prominent institution for promoting children's rights in Croatia in line with rights provided by Constitution and international treaties is Ombudsperson for Children.<sup>6</sup> System problem in social welfare sector consists in shortage of workers, their overload, poor working conditions and strong pressure by dissatisfied users, as well as public distrust in the social care system which reflects on efficacy and expedience in providing of services regulated by law.

## 1.2. Legal provisions in constitutional, civil, criminal, and administrative law related to children in need of protection

Question	YES	NO	Comments
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<sup>1</sup> Croatia, Constitution of the Republic of Croatia (*Ustav Republike Hrvatske*) (1990), Official Gazette (*Narodne novine*) 56/1990, 135/1997, 8/1998, 113/2000, 124/2000, 28/01, 41/01, 55/01, 76/10, 85/10, 5/14.

<sup>2</sup> Croatia, Family Act (*Obiteljski zakon*) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

<sup>3</sup> Croatia, Social Welfare Act (*Zakon o socijalnoj skrbi*) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

<sup>4</sup> Government of the Republic of Croatia, (*Vlada Republike Hrvatske*), (2022) National Plan for the Rights of Children in Republic of Croatia 2022-2026 (*Nacionalni plan za prava djece u Republici Hrvatskoj od 2022. do 2026.*).

<sup>5</sup> Croatia, Social Welfare Act (*Zakon o socijalnoj skrbi*) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

<sup>6</sup> Croatia, Act on the Ombudsperson for Children (*Zakon o pravobranitelju za djecu*). Official Gazette (*Narodne novine*) 73/17. It is noted that both the terms Ombudsman and Ombudsperson are used in practice. For the purpose of this report, the term Ombudsperson is used.

<p>1.2.1. Does the constitution contain any provisions on children's rights and child protection?</p>	<p>X</p>	<p>The Constitution of the Republic of Croatia<sup>7</sup> contains provisions concerning protection of children, the most important of which are Articles 63-66.</p> <p>“Article 63: The state shall protect maternity, children and youth, and shall create social, cultural, educational, material and other conditions promoting the achievement of the right to a suitable life.</p> <p>Article 64: Parents shall bear responsibility for the upbringing, welfare and education of their children, and they shall have the right and freedom to make independent decisions concerning the upbringing of their children.</p> <p>Parents shall be responsible for ensuring the right of their children to the full and harmonious development of their personalities.</p> <p>Physically and mentally disabled and socially neglected children shall be entitled to special care, education, and welfare.</p> <p>Children shall be obliged to take care of their elderly and infirm parents.</p> <p>The state shall devote special care to orphans and minors neglected by their parents.</p> <p>Article 65: Everyone shall have the duty to protect children and infirm persons.</p> <p>Children shall not be employed before reaching the age specified by law, nor shall they be forced or allowed to do any work that is harmful to their health or morality.</p> <p>Young people, mothers and disabled persons shall be entitled to special protection at work.</p> <p>Article 66: In the Republic of Croatia, everyone shall have access to education under equal conditions and in accordance with his/her aptitudes.</p> <p>Compulsory education shall be free, in conformity with law.”</p> <p>Aforementioned provisions are systematised in part of the Constitution which relates to economic, social and cultural rights.</p> <p>Also important are the provisions regarding childbirth, maternity and childcare – Article 57 (2): “Rights related to childbirth, maternity and childcare shall be regulated by law.”</p> <p>Finally, special protection is prescribed for the children of fallen Croatian war veterans – Article 58 (3): “The state shall devote special care to the protection of Croatian war veterans and disabled Croatian war</p>
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<sup>7</sup> Croatia, Constitution of the Republic of Croatia (*Ustav Republike Hrvatske*) (1990), Official Gazette (*Narodne novine*) 56/1990, 135/1997, 8/1998, 113/2000, 124/2000, 28/01, 41/01, 55/01, 76/10, 85/10, 5/14, Articles 62-64.

			veterans, as well as the widows, parents and children of fallen Croatian war veterans.”
1.2.2. Is there a single legal instrument devoted to child protection and child rights, e.g. a Children’s Act?		X	The system of protection of children rights in Croatia is diversified, however, most of the provisions regulating the rights of children are contained in the Family Act. <sup>8</sup> Protection of the rights and well-being of child above all, is proclaimed as one of the leading standards for all courts and state authorities when they decide in any legal actions concerning children (Article 5.1.). The hierarchy of legal regulations is organized in such a way that the Constitution is the normative act with the highest power. International agreements that have been concluded and confirmed in accordance with the Constitution and published, and which are in force, form part of the internal legal order of the Republic of Croatia, and in terms of legal force they are above the laws. When it comes to laws as legal regulations of equal rank, depending on the situation they are dealing with, the courts administrative authorities and other relevant institutions are obliged to determine which regulation represents applicable law in each individual case.

1.2.3. Please provide an inventory of key child protection related legislation, including hyperlinks, date of adoption and the areas covered. Please include civil, criminal, and administrative legislation covering different areas of child protection (please add rows, as needed).

Legislation	Date passed	Child protection areas covered
Family Act ( <i>Obiteljski zakon</i> )	1.11.2015 <sup>9</sup>	Children’s rights and parental duties, custody, adoption
Act on the Ombudsperson for Children ( <i>Zakon o pravobranitelju za djecu</i> )	01.08.2017 <sup>10</sup>	Protection of children through the activities of the Ombudsperson for Children
Act on Protection from Domestic Violence ( <i>Zakon o zaštiti od nasilja u obitelji</i> )	01.01.2018 <sup>11</sup>	Protection from domestic violence, types of violence under misdemeanour legislation, sanctions

<sup>8</sup> Croatia, Family Act (*Obiteljski zakon*) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20, Article 5.1.

<sup>9</sup> Croatia, Family Act (*Obiteljski zakon*) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

<sup>10</sup> Croatia, Act on the Ombudsperson for Children (*Zakon o pravobranitelju za djecu*) Official Gazette (*Narodne novine*) 73/17.

<sup>11</sup> Croatia, Act on Protection from Domestic Violence (*Zakon o zaštiti od nasilja u obitelji*), Official Gazette (*Narodne novine*) No. 70/17, 126/19, 84/21, 114/22.

Anti-discrimination Act ( <i>Zakon o suzbijanju diskriminacije</i> )	1.1.2009 <sup>12</sup>	Protection from all forms of discrimination (based on, e.g., race and ethnicity, gender, disability, belief, age etc.)
Social Welfare Act ( <i>Zakon o socijalnoj skrbi</i> )	17.2.2022 <sup>13</sup>	The legal position of a child in procedures affecting the interests and rights of the child in the social welfare system, children as beneficiaries of welfare benefits and services, the legal status of a child as a beneficiary of welfare services, the jurisdiction and procedure of exercising the right to welfare services, complaint procedure etc.
Centre for special representation Act ( <i>Zakon o centru za posebno skrbništvo</i> )	25.04.2020 <sup>14</sup>	Rules on internal structure and competences of the Centre for special representation
Criminal Code ( <i>Kazneni zakon</i> )	1.1.2013 <sup>15</sup>	Prohibition and punishment of criminal acts against children – criminal acts of sexual harassment and exploitation of children, criminal acts against marriage, family, and children
Criminal Procedure Act ( <i>Zakon o kaznenom postupku</i> )	1.1.2009 <sup>16</sup>	Status of a child as a victim of a criminal act; application of special protection measures, children as private prosecutors; representation of child, status of a child as witness;
Juvenile Courts Act ( <i>Zakon o sudovima za mladež</i> )	1.9.2011 <sup>17</sup>	Status of a minor (14-18 years) and young adults (18-21) as perpetrators in substantive and procedural criminal law; criminal-law protection of children
Act on execution of Sanctions to Minors for Criminal Acts and Misdemeanours ( <i>Zakon o izvršavanju sankcija izrečenih maloljetnicima za kaznena djela i prekršaje</i> )	1.1.2013 <sup>18</sup>	Execution of sanctions to minors (14-18 years) for criminal acts and misdemeanours: educational measures, juvenile detention, and safety measures
Foster Care Act ( <i>Zakon o udomiteljstvu</i> )	1.1.2019 <sup>19</sup>	The organisation of foster care (e.g. types of foster families, the preconditions a foster family must meet, means of performing foster care, legal bases for the

<sup>12</sup> Croatia, Anti-discrimination Act (*Zakon o suzbijanju diskriminacije*) (2008), Official Gazette (*Narodne novine*) 85/08, 112/12.

<sup>13</sup> Croatia, Social Welfare Act (*Zakon o socijalnoj skrbi*) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/2.

<sup>14</sup> Croatia, Centre for special representation Act (*Zakon o Centru za posebno skrbništvo*) (2020), Official Gazette (*Narodne novine*) 47/20.

<sup>15</sup> Croatia, Criminal Code (*Kazneni zakon*) (2011), Official Gazette (*Narodne novine*) 125/11, 144/12, 56/15, 61/15, 101/17, 118/18, 126/19, 84/22. 114/22.

<sup>16</sup> Croatia, Criminal Procedure Act (*Zakon o kaznenom postupku*) (2008), Official Gazette (*Narodne novine*) 152/08, 76/09, 80/11, 121/11, 91/12, 143/12, 56/13, 145/13, 152/14, 70/17, 126/19, 126/19, 130/20, 80/22.

<sup>17</sup> Croatia, Juvenile Courts Act (*Zakon o sudovima za mladež*) (2011), Official Gazette (*Narodne novine*) 84/11, 143/12, 148/13, 56/15, 126/19.

<sup>18</sup> Croatia, Act on execution of Sanctions to Minors for Criminal Acts and Misdemeanours (*Zakon o izvršavanju sankcija izrečenih maloljetnicima za kaznena djela i prekršaje*) (2012), Official Gazette (*Narodne novine*) 133/12.

<sup>19</sup> Croatia, Foster Care Act (*Zakon o udomiteljstvu*) (2018), Official Gazette (*Narodne novine*) 115/18, 18/22.

		termination of foster care, protection of children accommodated in foster care)
Labour Act ( <i>Zakon o radu</i> )	7.8.2014 <sup>20</sup>	Labour law regulation of children's work
Civil Procedure Act ( <i>Zakon o parničnom postupku</i> )	8.10.1991 <sup>21</sup>	Jurisdiction in procedures relating to paternity/maternity of a child, decision on parental care and custody, visitation rights and alimony
Misdemeanour Act ( <i>Prekršajni zakon</i> )	1.1.2008 <sup>22</sup>	Legal position of a child in misdemeanour procedures
General Administrative Procedure Act ( <i>Zakon o općem upravnom postupku</i> )	1.1.2010 <sup>23</sup>	Status of a child as witness, representation in administrative procedures (including a child)
Media Act ( <i>Zakon o medijima</i> )	18.5.2004 <sup>24</sup>	Obligation to respect the privacy, dignity, reputation and honor of children, youth, and families, regardless of gender and sexual orientation. Prohibition to publish information that reveals the identity of a child, if it endangers their well-being .
Electronic Media Act ( <i>Zakon o elektroničkim medijima</i> )	22.10.2021 <sup>25</sup>	Limitation of audio-visual contents for the purposes of protection of minors, ban of audio-visual or radio programmes which could endanger the development of a minor. The new Act on Electronic Media is harmonized with the Audio-visual Media Services Directive (EU) 2018/1808 and introduces an implementing regulation that more specifically determines the protection of children's rights when they encounter different content in electronic media.
Act on Early Childhood Education and Care ( <i>Zakon o predškolskom odgoju i obrazovanju</i> )	7.2.1997 <sup>26</sup>	Organisation and implementation of early childhood education and care; protection of children by the prevention of employment of persons accused of or sentenced for criminal acts (e.g. against life and limb, sexual freedoms, sexual harassment and exploitation of children or any other criminal act committed to harm a child or use a child), sentenced for or under suspicion of violent behaviour, whose work contract

<sup>20</sup> Croatia, Labour Act (*Zakon o radu*) (2014), Official Gazette (*Narodne novine*) 93/14, 127/17, 98/19, 151/22.

<sup>21</sup> Croatia, Civil procedure act (*Zakon o parničnom postupku*) (1977), Official Journal of SFRY 4/1977, 36/1977, 6/1980, 36/1980, 43/1982, 69/1982, 58/1984, 74/1987, 57/1989, 20/1990, 27/1990, 35/1991; Official Gazette (*Narodne novine*) 53/1991, 91/1992, 112/1999, 88/01, 117/03, 88/05, 2/07, 84/08, 96/08, 57/11, 148/11, 25/13, 89/14, 70/19, 80/22, 114/22.

<sup>22</sup> Croatia, Misdemeanour Act (*Prekršajni zakon*) (2007), Official Gazette (*Narodne novine*) 107/07, 39/13, 157/13, 110/15, 70/17, 118/18, 114/22.

<sup>23</sup> Croatia, Administrative Procedure Act (*Zakon o općem upravnom postupku*) (2009), Official Gazette (*Narodne novine*) 47/09, 110/21.

<sup>24</sup> Croatia, Media Act (*Zakon o medijima*), Official Gazette (*Narodne novine*) 59/04, 84/11, 81/13, 114/22.

<sup>25</sup> Croatia, Electronic Media Act (*Zakon o elektroničkim medijima*) (2021), Official Gazette (*Narodne novine*) 111/21, 114/22.

<sup>26</sup> Croatia, Act on Early Childhood Education and Care (*Zakon o predškolskom odgoju i obrazovanju*) (1997), Official Gazette (*Narodne novine*) 10/1997, 10/07, 94/13, 98/19, 57/22.



		has terminated for illegal and/or unprofessional behaviour against children, or on whom a family-law measure for the protection of children was imposed
Act on youth councils ( <i>Zakon o savjetima mladih</i> )	8.4.2014 <sup>27</sup>	Regulates the establishment and operation of youth councils to actively involve young people in public life.
Act on Education in Elementary and Secondary School ( <i>Zakon o odgoju i obrazovanju u osnovnoj i srednjoj školi</i> )	2.8.2008 <sup>28</sup>	Organisation and implementation of education; rights and obligations of a child in elementary and secondary school, including gifted children and children with difficulties, allowing for alien children to participate in elementary schooling, protection of children by prevention of employment of persons accused of or sentenced for relevant criminal acts
Act on Education in the Language and Script of National Minorities ( <i>Zakon o odgoju i obrazovanju na jeziku i pismu nacionalnih manjina</i> )	27.05.2000 <sup>29</sup>	Organisation of education in the language and script of national minorities
Ordinance on elementary and secondary care and education of pupils with developmental problems ( <i>Pravilnik o osnovnoškolskom i srednjoškolskom odgoju i obrazovanju učenika s teškoćama u razvoju</i> )	12.3.2015 <sup>30</sup>	Organisation of elementary and secondary education for children with developmental problems and children with disabilities

### 1.3. Policy framework

Question	YES	NO	Comments
1.3.1. Is there a specific national or sub-national policy framework and/or a national or sub-national strategy on child rights and/or child protection? If <u>yes</u> , does it require an integrated approach to child protection?	X		The main policy framework on national level is the National Plan for the Rights of Children In Republic of Croatia 2022-2026 ( <i>Nacionalni plan za prava djece u Republici Hrvatskoj od 2022. do 2026. godine</i> ). <sup>31</sup>  The plan emphasizes the integrated approach to child protection, especially in protection of children as victims and children in risk of poverty and social exclusion. The National plan is harmonized with

<sup>27</sup> Croatia, Act on youth councils (*Zakon o savjetima mladih*), (2014) Official Gazette (*Narodne novine*) 41/14.

<sup>28</sup> Croatia, Act on Education in Elementary and Secondary School (*Zakon o odgoju i obrazovanju u osnovnoj i srednjoj školi*) (2008), Official Gazette (*Narodne novine*) 87/08, 86/09, 92/10, 105/10, 90/11, 5/12, 16/12, 86/12, 126/12, 94/13, 152/14, 07/17, 68/18, 98/19, 64/20, 151/22.

<sup>29</sup> Croatia, Act on Education on the Language and Script of National Minorities (*Zakon o odgoju i obrazovanju na jeziku i pismu nacionalnih manjina*) (2000), Official Gazette (*Narodne novine*) 51/2000, 56/2000.

<sup>30</sup> Croatia, Ordinance on elementary and secondary care and education of pupils with developmental problems (*Pravilnik o osnovnoškolskom i srednjoškolskom obrazovanju učenika s teškoćama u razvoju*) (2015), Official Gazette (*Narodne novine*) 24/15.

<sup>31</sup> Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2022), National Plan for the Rights of Children in Republic of Croatia 2022-2026 (*Nacionalni plan za prava djece u Republici Hrvatskoj od 2022. do 2026. godine*).



		<p>other relevant valid national acts of strategic planning, referring to children.</p> <p>Action Plan for the Rights of Children in Republic of Croatia 2022-2024 (<i>Akcijski plan za prava djece u Republici Hrvatskoj za razdoblje od 2022. do 2024. godine</i>).<sup>32</sup></p> <p>In Action plan measures were set within the framework of five special goals: 1. Suppression of discrimination and social exclusion of children; 2. Protection of children from all forms of violence; 3. Children's participation in decision-making at the local, regional, and national level; 4. Systematic support for children in the digital environment; 5. Effective and efficient judiciary in procedures related to children. The competent ministries are responsible for the implementation of the measures, while the Ministry of Labour, Pension System, Family and Social Policy collects data and prepares an annual report on the implementation of the measures.</p>
<p>1.3.2. Are there national or sub-national plans for action or policies targeting specific groups of children or particular areas, e.g. children with disabilities, children in care?</p>	<p>X</p>	<p>There are several national plans/strategies for action targeting specific groups of children:</p> <p>National Development Strategy of the Republic of Croatia 2030 (<i>Nacionalna razvojna strategija Republike Hrvatske do 2030. godine</i>)<sup>33</sup></p> <p>National Plan for the Suppression of Sexual Violence and Sexual Harassment 2022-2027 (<i>Nacionalni plan za suzbijanje seksualnog nasilja i seksualnog uznemiravanja za razdoblje do 2027.</i>)<sup>34</sup> The National plan recognizes the occurrence and danger of digital violence against children and within the framework of preventive action, it emphasizes the necessity of dealing with topics related to electronic sexual violence. Anticipated measures for the protection of children from digital violence are the development of children's awareness of the possible dangers and risks of using the internet, mobile phones and other communication networks, strengthening of the technical and personnel capacities of the police to</p>

<sup>32</sup> Government of the Republic of Croatia (Vlada Republike Hrvatske) (2022), Action Plan for the Rights of Children in Republic of Croatia 2022-2024 ([Akcijski plan za prava djece u Republici Hrvatskoj za razdoblje od 2022. do 2024. godine](#)).

<sup>33</sup> Government of the Republic of Croatia (Vlada Republike Hrvatske) (2021), National Development Strategy of the Republic of Croatia 2030 ([Nacionalna razvojna strategija Republike Hrvatske do 2030. godine](#)), Official Gazette (*Narodne novine*) 13/21.

<sup>34</sup> Government of the Republic of Croatia (Vlada Republike Hrvatske) (2022), National Plan for the Suppression of Sexual Violence and Sexual Harassment for the period 2022-2027 ([Nacionalni plan za suzbijanje seksualnog nasilja i seksualnog uznemiravanja do 2027. godine](#)).

		<p>prevent and suppress crimes of sexual abuse and child exploitation committed through communication technology, and the improvement of work with children victims of criminal acts on the internet. Through cooperation with educational institutions and through the YouTube channel of the Ministry of Interior, it is planned to create and implement a preventive program for children. Additional training of professionals, which includes digital literacy and rules of conduct on the Internet, as well as improving the capacity of digital forensics are also cited as preventive activities. As a good example of raising the standards of strengthening the existing child protection system, the National Plan highlights the participation of the police in the implementation of the EMPACT program of protecting children from sexual abuse and exploitation and the Red Button online application, which enables reporting sexual abuse and child exploitation online. The plan also foresees the training of experts who work with children in the systems of education and judiciary.</p> <p>National Plan on Equal Opportunities for Persons with Disabilities 2021-2027 (<i>Nacionalni plan izjednačavanja mogućnosti za osobe s invaliditetom od 2021. do 2027. godine</i>).<sup>35</sup></p> <p>National Roma Inclusion Plan 2021-2027<sup>36</sup> and Action plan for the implementation of National plan 2021-2022<sup>37</sup> (<i>Nacionalni plan za uključivanje Roma, za razdoblje od 2021. do 2027. godine i Akcijski plan za provedbu Nacionalnog plana za uključivanje Roma, za razdoblje od 2021. do 2027. godine, za 2021. i 2022. godinu</i>).</p> <p>National Plan for combating poverty and social exclusion 2021 - 2027<sup>38</sup> and the Action Plan for combating poverty and social exclusion 2021 - 2024<sup>39</sup></p>
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<sup>35</sup> Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2021), National Plan on Equal Opportunities for Persons with Disabilities 2021-2027 (*Nacionalni plan izjednačavanja mogućnosti za osobe s invaliditetom od 2021. do 2027. godine*).

<sup>36</sup> Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2021), National Roma Inclusion Plan 2021-2027 ([\*Nacionalni plan za uključivanje Roma od 2021. do 2027. godine\*](#)).

<sup>37</sup> Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2021) Action plan for the implementation of National plan 2021-2022 ([\*Akcijski plan za provedbu Nacionalnog plana za uključivanje Roma, za razdoblje od 2021. do 2027. godine, za 2021. i 2022. godinu\*](#)).

<sup>38</sup> Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2021), ([\*Nacionalni plan borbe protiv siromaštva i socijalne isključenosti za razdoblje od 2021. do 2027. godine\*](#)).

<sup>39</sup> Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2021), Action Plan for combating poverty and social exclusion 2021 – 2024 ([\*Akcijski plan borbe protiv siromaštva i socijalne isključenosti za razdoblje od 2021. do 2024. godine\*](#)).

		<p>(<i>Nacionalni plan borbe protiv siromaštva i socijalne isključenosti za razdoblje od 2021. do 2027. godine i Akcijski plan borbe protiv siromaštva i socijalne isključenosti za razdoblje od 2021. do 2024. godine</i>).</p> <p>National Plan for the Development of Social Services 2021–2027<sup>40</sup> and Action Plan for Development of Social Services 2021-2024<sup>41</sup> (<i>Nacionalni plan razvoja socijalnih usluga za razdoblje od 2021. do 2027. godine i Akcijski plan razvoja socijalnih usluga za razdoblje od 2021. do 2024. godine</i>)</p> <p>National Health Care Plan 2021-2027 (<i>Nacionalni plan razvoja zdravstva 2021-2027</i>)<sup>42</sup></p> <p>Program of Croatian Government 2020-2024 (<i>Program Vlade Republike Hrvatske 2020. – 2024.</i>)<sup>43</sup></p> <p>National sports program 2019. - 2026. (<i>Nacionalni program športa 2019. - 2026.</i>)<sup>44</sup></p> <p>The Action plan for the prevention of violence in schools 2020-2024 (<i>Akcijski plan za prevenciju nasilja u školama 2020-2024</i>)<sup>45</sup></p> <p>The National Strategy of protection against domestic violence 2017-2022 (<i>Nacionalna strategija zaštite od nasilja u obitelji 2017-2022</i>)<sup>46</sup></p> <p>On 30 March 2023, the Government adopted the Decision on the adoption of the National Plan for the Protection and Promotion of Human Rights and the Suppression of Discrimination for the period until 2027 (<i>Nacionalni plan zaštite i promicanja ljudskih prava i suzbijanja diskriminacije za razdoblje do 2027. godine</i>), and the Decision on the adoption of two accompanying action plans for its implementation.<sup>47</sup> The previous acts of strategic planning in this area were the National Program for the Protection and Promotion of Human Rights for</p>
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<sup>40</sup> Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2021), National Plan for the Development of Social Services 2021–2027 ([Nacionalni plan razvoja socijalnih usluga za razdoblje od 2021. do 2027. godine](#)).

<sup>41</sup> Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2021), Action Plan for Development of Social Services 2021-2024 ([Akcijski plan razvoja socijalnih usluga za razdoblje od 2021. do 2024. godine](#)).

<sup>42</sup> Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2021), National Health Care Strategy 2021-2027 ([Nacionalni plan razvoja zdravstva 2021-2027](#)).

<sup>43</sup> Government of the Republic of Croatia (*Vlada Republike Hrvatske*), Program of Croatian Government 2020- 2024 (2020), ([Program Vlade Republike Hrvatske 2020. - 2024.](#)).

<sup>44</sup> Government of the Republic of Croatia (*Vlada Republike Hrvatske*), National sports program 2019. - 2026. (2019), ([Nacionalni program športa 2019. - 2026.](#)).

<sup>45</sup> Croatia, Ministry of Science and Education (*Ministarstvo znanosti i obrazovanja*) (2020), Action plan for the prevention of violence in schools 2020-2024 ([Akcijski plan za prevenciju nasilja u školama 2020-2024](#)).

<sup>46</sup> Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2017), The National Strategy of protection against domestic violence 2017-2022 ([Nacionalna strategija zaštite od nasilja u obitelji 2017-2022](#)).

<sup>47</sup> Croatia, National Plan for the Protection and Promotion of Human Rights and the Suppression of Discrimination for the period until 2027 ([Nacionalni plan zaštite i promicanja ljudskih prava i suzbijanja diskriminacije za razdoblje do 2027. godine](#))

			<p>the period from 2013 to 2016 and the National Plan for Combating Discrimination for the period from 2017 to 2022.</p> <p>On March 24, 2023, the Government adopted the Decision on the adoption of the National and Action plan for development of education system 2022-2024 (<i>Nacionalni plan razvoja sustava obrazovanja do 2027. godine i Akcijski plan za provedbu nacionalnog plana za razdoblje od 2022. do 2024.</i>)<sup>48</sup></p>
1.3.3. Are there national or sub-national child protection policies regarding children in the digital space and when using online media?	X		<p>Protection policy regarding children in digital space is part of the National Plan for the Rights of Children In Republic of Croatia 2022-2026 (<i>Nacionalni plan za prava djece u Republici Hrvatskoj od 2022. do 2026. godine</i>).<sup>49</sup> There is no separate document in which child protection policies in this area would be unified.</p> <p>At the session held on December 16, 2022, the Parliament of the Republic of Croatia adopted the Digital Croatia Strategy for the period up to 2032.<sup>50</sup> The Preamble of this document emphasizes the importance to teach children from the earliest age about critical thinking skills, distinguishing between opinions and facts, and about negative forms of behavior and harmful content they may be encountered on the Internet. The Strategy aims to redefining enrollment quotas in secondary education with the aim of better preparation for studying and successful completion of STEM studies, and as one of the problems of development in this direction, identifies that Croatia has the smallest share of children in grammar school, i.e. general secondary education in the EU where average is 50%. With regard to the application of digital tools in schools, the Strategy envisages the encouragement and improvement of innovative learning and teaching methods, as well as the development of competences for the safe use of communication technologies in order to protect children and young people from unwanted consequences such as addiction to the use of smartphones, excessive use of social media networks and their influence on youth self-confidence, online hate speech and peer</p>

<sup>48</sup> Croatia, Ministry of science and education, National and Action plan for development of education system ([Nacionalni plan razvoja sustava obrazovanja za razdoblje do 2027. godine i Akcijski plan 2022 do 2024](#)).

<sup>49</sup> Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2022), National Plan for the Rights of Children in Republic of Croatia 2022-2026 ([Nacionalni plan za prava djece u Republici Hrvatskoj od 2022. do 2026. godine](#)).

<sup>50</sup> Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2022), Digital Croatia Strategy for the period up to 2032 ([Strategija digitalne Hrvatske za razdoblje do 2032. godine](#)).

			<p>violence, lack of physical activity and time spent indoors, etc.</p> <p>Protection policies regarding children in the digital space are also part of the National Plan for the Suppression of Sexual Violence and Sexual Harassment 2022-2027<sup>51</sup>. Comparing this document with the Digital Croatia Strategy, the Strategy is a document of a wider scope aimed at technological development and innovation, investment in citizens' digital competences and increasing the number of experts in information and communication technologies, in the private and public sector, and the application of advanced technologies in public and market activities. The strategy of digital Croatia sets the guidelines for realizing the transformation of the country towards a green and digital way of life as prerequisites for future sustainable economic growth and social development. While the Strategy focuses on the safe use of technologies for children in general, the National Plan for the Suppression of Sexual Violence and Sexual Harassment puts focus on programs for the prevention of sexual violence and sexual harassment, i.e. virtual abuse via the Internet, and improving the competences of experts who come into contact with victims of sexual violence, which also includes victims of online violence.</p>
<p>1.3.4. Is there a (regular) child participation policy and/or mechanism and/or body related to child rights and/or other child-related governance at national or sub-national level to ensure children have a (direct) voice in or can indirectly influence policy making, e.g. children's rights forum, child surveys, child participation platform? If <u>yes</u>, are appropriate child protection and safety measures in place?</p>	X		<p>Participation policy is integral part of the National Plan for the Rights of Children in Republic of Croatia 2022-2026 (<i>Nacionalni plan za prava djece u Republici Hrvatskoj od 2022. do 2026. godine</i>).<sup>52</sup> Apart from that there is no separate policy document on participation, however there are numerous legislative acts that provide participation of children, and mechanisms for its implementation. In accordance with Act on Youth Councils<sup>53</sup> the Youth Councils propose and give an opinion to the representative body of local or regional self-government, propose the adoption of decisions, programs, and other acts significant for improving the position of young people, and participate in the creation and monitoring of the implementation of the local action program for young people. Furthermore, the National Student Council of</p>

<sup>51</sup> Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2022), National Plan for the Suppression of Sexual Violence and Sexual Harassment for the period 2022-2027 ([Nacionalni plan za suzbijanje seksualnog nasilja i seksualnog uznemiravanja do 2027. godine](#)).

<sup>52</sup> Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2022), National Plan for the Rights of Children in Republic of Croatia 2022-2026 ([Nacionalni plan za prava djece u Republici Hrvatskoj od 2022. do 2026. godine](#)).

<sup>53</sup> Croatia, Act on Youth Councils ([Zakon o savjetima mladih](#)) (2014), Official Gazette (*Narodne novine*) 41/14.

			Croatia <sup>54</sup> is a representative body of all primary and secondary school students at the national level, which is established by the Ministry of Science and Education. Numerous laws ensure the participation of children in various systems (in area of education, health, justice, etc.) and contain appropriate protective measures.
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#### 1.4. Particular groups of children: information on legislative and policy developments (if any) related to their protection

Please report on any significant developments in the last five years and comment briefly.

When answering you should consider all relevant civil, criminal, and administrative legislation, including regulations, ordinances, codes, ministerial decisions. On policy developments please include any relevant action plan, protocol, procedure, or guidance issued by competent authorities. Please always specify how children's participation in any respective judicial (civil, criminal, and administrative) proceedings are regulated and supported (e.g. procedural safeguards to be in place, ensuring children's right to be heard).

##### 1.4.1. Children victims of abuse, exploitation, or neglect

In the areas of online and offline sexual abuse, pornography, exploitation and child labour, trafficking; domestic violence and gender-based violence including harmful practices, such as genital mutilation, child/forced marriage, honour-related violence; abuse or discrimination; ICT and cyber bullying; school bullying; neglect and children at risk of abuse and neglect, including street children (begging or selling things)

Policy developments	Legislative developments
<p><b>The Program of the Government of the Republic of Croatia 2020 - 2024</b><sup>55</sup> emphasizes the strengthening of children's social rights and the protection of children from violence. <b>National Plan for the Rights of Children in Republic of Croatia 2022-2026</b><sup>56</sup> as an umbrella policy document in the field of child protection as one of the special goals provides protection of children from all forms of violence (physical, psychological, and sexual abuse, domestic violence, school bullying and violence in the digital sphere). The principle of children's participation should be incorporated into all systems of action, and children should know that they can express their opinion in the areas in which</p>	<p>The Act on <b>Amendments to the Criminal Code</b> (Official Gazette No. 118/18)<sup>71</sup> abolished the statute of limitations for criminal prosecution for criminal offenses of sexual abuse and exploitation of a child when the death of a child is prescribed as a qualifying circumstance (Article 166 paragraph 3 of the Criminal Code). In accordance with this amendment, Article 83, paragraph 2 of the Criminal code that prescribes non-obsolence of execution of penalties was also amended. Also, stricter punishments were introduced in relation to the criminal acts of sexual abuse and child exploitation prescribed in Chapter XVII. of the Criminal code. <b>By 2019 Amendments of the</b></p>

<sup>54</sup> Croatia, National Student Council ([Nacionalno vijeće učenika](#)).

<sup>55</sup> Government of the Republic of Croatia ([Vlada Republike Hrvatske](#)), Program of Croatian Government 2020- 2024 (2020) ([Program Vlade Republike Hrvatske 2020.- 2024.](#)).

<sup>56</sup> Government of the Republic of Croatia ([Vlada Republike Hrvatske](#)) (2022), National Plan for the Rights of Children in Republic of Croatia 2022-2026 ([Nacionalni plan za prava djece u Republici Hrvatskoj od 2022. do 2026. godine](#)).

<sup>71</sup> Croatia, Criminal Code ([Kazneni zakon](#)) (2011), Official Gazette ([Narodne novine](#)) 125/11, 144/12, 56/15, 61/15, 101/17, 118/18.



they have the right to express it according to legal regulations, including in situations in which they appear as victims of criminal offences. Policy activities in the field of protection from domestic violence in previous period were defined by the **National Strategy for Protection from Domestic Violence 2017-2022**<sup>57</sup> which was the fourth national strategy in this area. It included measures and fields of action in prevention of domestic violence, regulatory framework, support for the victims, psychosocial treatment of offenders, intersectional cooperation, education of experts and raising public awareness about the issue of domestic violence. Stakeholders implementing key actions were state administrative bodies, units of local and regional self-government and civil society organisations. The objectives of the Strategy were to develop domestic violence prevention programs and ensure their consistent implementation, to carry out systematic monitoring of the prevalence of domestic violence, by detecting individual cases in order to take timely action and prevent the emergence of new forms of domestic violence and to provide financial support to civil society organizations. On 19 June 2019. The Government has adopted the new **Protocol of Procedures in the Case of Domestic Violence**<sup>58</sup>, since the former one (from 2005) had to be harmonized with the current international and national regulations. The important focus was placed on systematic and continuous implementation of existing legislative and further promotion on cooperation of all stakeholders active in the field of protection from domestic violence. In the field of protection from sexual violence **the National Plan for the Suppression of Sexual Violence and Sexual Harassment for the period 2022-2027**<sup>59</sup> has been adopted. As special goals it identifies prevention of sexual violence and sexual harassment, improving care and ensuring the availability of support services for victims of sexual offenses; and achieving a deterrent effect for perpetrators of sexual offenses. As part of preventive measures,

**Criminal Code**<sup>72</sup>, in Article 116 (female genital mutilation), more severe sentences were introduced. In Article 161, paragraph 1 (luring children to satisfy their sexual needs), the essence of the criminal offense is supplemented in accordance with Article 6, paragraph 1 of the Directive on Combating the Sexual Abuse and Sexual Exploitation of Children and Child Pornography (Directive) in such a way that the perpetrator's intention can also be aimed at committing criminal offenses of exploitation of children for pornography (Article 163, paragraphs 1 and 2 of the Criminal Code) and exploitation of children for pornographic performances (Article 164, paragraph 1 of the Criminal Code). In addition, in Article 163, paragraph 6 (exploitation of children for pornography) of the Criminal Code, the definition of child pornography was amended to further harmonize it with Article 2 (c) of the Directive. Compared to the previous provision of Article 163, paragraph 6 of the Criminal Code, the amendment expanded the definition of child pornography to include any material that visually or otherwise depicts sexual organs of a real child or realistically depicts a non-existent child or a person who looks like a child. The definition of content of artistic, medical or scientific significance excluding illegality was reduced to only materials depicting sexual organs. In addition, Article 164 of the Criminal Code was supplemented by the definition of a pornographic performance in accordance with Article 2 (e) of the Directive. In Article 177 of the Criminal Code (violation of children's rights), as a consequence of the tightening of the legal criminal policy of punishment, the amendments changed the penalty for incrimination prescribing a special minimum of one year of imprisonment for the basic form of violation of the child's rights, while the special maximum of up to three years of imprisonment remained unchanged. Also, more severe punishment was introduced for the Criminal Offence of Lewd Acts (Article 155 of the Criminal Code), when committed to the detriment of the

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<sup>57</sup> Government of the Republic of Croatia, (Vlada Republike Hrvatske) (2017), The National Strategy of protection against domestic violence 2017-2022 ([Nacionalna strategija zaštite od nasilja u obitelji 2017-2022](#)).

<sup>58</sup> Government of the Republic of Croatia, (Vlada Republike Hrvatske) (2019), Protocol of Procedures in the Case of Domestic Violence ([Protokol o postupanju u slučaju nasilja u obitelji](#))

<sup>59</sup> Government of the Republic of Croatia (Vlada Republike Hrvatske) (2022), National Plan for the Suppression of Sexual Violence and Sexual Harassment for the period 2022-2027 ([Nacionalni plan za suzbijanje seksualnog nasilja i seksualnog uznemiravanja do 2027. godine](#)).

<sup>72</sup> Croatia, Criminal Code ([Kazneni zakon](#)) (2011), Official Gazette (*Narodne novine*) 125/11, 144/12, 56/15, 61/15, 101/17, 118/18, 126/19.



the emphasis is on teaching children on importance of sexual/gender equality and implementing training programmes for experts who work with children and training on standards for protecting the rights of child victims in European and national legislation. Programs for the prevention of sexual violence and sexual harassment also deal with topics related to digital sexual violence.

**Action Plan for the Suppression of Sexual Violence and Sexual Harassment 2022-2024<sup>60</sup>**, foresees a whole series of activities aimed at the protection of children, such as giving incentives to organisations for non-institutional upbringing and education of children and young people, education of people who work with children (coaches in sports activities, experts who provide educational activities), awareness of employees in tourism about sexual abuse and exploitation of children in tourist locations, raising the level of knowledge and awareness of children about the dangers on the Internet and protecting privacy in the context of using the Internet and social networks in cooperation with educational institutions and through the Ministry of Interior's YouTube channel, strengthening the technical and personnel capacities of the police in the prevention and suppression of the crime of sexual abuse and child exploitation committed through communication technology etc.

**Protocol on the Procedure in Cases of Sexual Violence<sup>61</sup>** was adopted in 2018. It provides obligations of the competent authorities and other stakeholders involved in detecting and combating sexual violence and providing assistance and protection of victims of sexual violence, the form, method and manner of cooperation between competent authorities and other stakeholders involved in detecting and suppressing sexual violence and providing assistance and protection to persons exposed to sexual violence, including children.

child over the age of fifteen, if that child is especially vulnerable due to his/her age, illness, addiction, pregnancy, disability, severe physical or mental disorders.

For the qualified form from paragraph 2 of the article in question, the special minimum prison sentence is increased from six months to one year. In addition, in Article 179 a of the Criminal Code (domestic violence), as an additional feature of this criminal act, it is prescribed the state of long-term suffering in which the victim/victim was brought by a serious violation of the regulations on protection against domestic violence. Because of the tightening of the legal criminal policy of punishment, the special minimum was increased to one year in prison, while the special maximum remained unchanged.

**Amendments to the Criminal Code from July 2021<sup>73</sup>** introduced a new criminal offense of Misuse of a recording of sexually explicit content (Article 144a). The basic form of this criminal offense is sanctioned to anyone who abuses a relationship of trust and, without the consent of the recorded person, makes available to a third person a recording of sexually explicit content that was recorded with the consent of that person for personal use and thus violates their privacy. Furthermore, this criminal offense in paragraph 2 also incriminates anyone who, using a computer system or in another way, creates a new or modifies an existing recording of sexually explicit content and uses that recording as a real one, thereby infringing the privacy of the person on that recording. The qualified form is prescribed when the perpetrator commits the described criminal acts through a computer system or network and thus makes it available to a larger number of people. The procedural presumption of prosecution of the criminal offense of sexual harassment from Article 156 has been redefined in such a way that the criminal offense of sexual harassment is prosecuted ex officio for all categories of victims. Since the criminal offense of sexual harassment was

<sup>60</sup> Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2022), Action Plan for National Plan for the Suppression of Sexual Violence and Sexual Harassment 2022-2024 ([Akcijski plan za suzbijanje seksualnog nasilja i seksualnog uznemiravanja do 2024](#)).

<sup>61</sup> Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2018), Protocol on the Procedure in Cases of Sexual Violence ([Protokol o postupanju u slučaju seksualnog nasilja](#)), Official Gazette (*Narodne novine*) 70/18.

<sup>73</sup> Croatia, Criminal Code ([Kazneni zakon](#)) (2011), Official Gazette (*Narodne novine*) 125/11, 144/12, 56/15, 61/15, 101/17, 118/18, 84/21.

The last **National Plan for Combating Trafficking in Human Beings 2018-2021**<sup>62</sup> identifies that the Republic of Croatia is increasingly becoming a country of origin and destination for victims of human trafficking, especially for victims from the region. The Office for Human Rights and the Rights of National Minorities of the Government of the Republic of Croatia initiated the process of drafting the new National Plan for Combating Trafficking in Human Beings for the period till 2027 and the accompanying Action Plan for the period till 2024. In the Republic of Croatia, in the area of combating human trafficking the following Protocols apply: **Protocol on Identification, Assistance and Protection of Victims of Human Trafficking**<sup>63</sup> and **Protocol on Procedures during Voluntary return of Victims of Human Trafficking**,<sup>64</sup> adopted in 2017, while the **Protocol on Integration/reintegration of Victims in Trafficking in Human beings** was adopted on 1. April 2019.<sup>65</sup> Drafting of the **National Plan for the Protection and Promotion of Human Rights and Combating of Discrimination for the period from 2021 to 2027** is underway.<sup>66</sup> In the Republic of Croatia, the **Protocol on procedure in cases of abuse and neglect of children**<sup>67</sup> has been in force since 2014, as well as the **Protocol on the suppression of bullying among children and youth**, which has been in force since 2004<sup>68</sup>. **The Action Plan for the Prevention of Violence in Schools 2020-2024**<sup>69</sup> is currently in force. In the Action Plan, among other things, it is emphasized that many schools in the Republic of Croatia are holders of the long-awarded status in the UNICEF projects School without violence and Place of zero tolerance to violence, but that the role that schools play in this

the only criminal offense from Title (XVI) of Criminal Offenses against Sexual Freedom that was prosecuted under the proposal, this amendment achieved that all criminal offenses against sexual freedom from Title (XVI) of the Criminal Code are prosecuted under official duty. At the same time, these amendments to the Criminal Code ensure that criminal prosecution and execution of sentence for serious crimes of sexual abuse and exploitation of a child child (Article 166 Paragraph 2 of the Criminal Code) are not subject to the statute of limitation.

In addition, the criminal offence of Non-Implementation of the Decision for the Protection of Welfare of a Child and other Vulnerable Groups or Acting against the Rules of the Profession referred to in Article 173 of the Criminal Code was amended in order to further specify the actions of an official or a responsible person which constitute a criminal offence.

The new **Law on Protection from Domestic Violence**,<sup>74</sup> in force since 1 January 2018 has introduced the definition of a victim of a misdemeanour and provided a catalogue of the rights of victims of domestic violence, which are exhaustively listed to strengthen their procedural legal position and participation in procedural actions, and to prevent their traumatization and secondary victimization in procedure. The competent authorities have obligation to inform the victims in a manner understandable to them of all their rights and to make sure that the victim has understood the given notice of rights. This Law transposes Directive 2012/29/EU into the legal system of the Republic of Croatia. The obligation of

<sup>62</sup> Government of the Republic of Croatia (Vlada Republike Hrvatske) (2018), National Plan for Combating Trafficking in Human Beings 2018-2021 ([Nacionalni plan za suzbijanje trgovanja ljudima za razdoblje od 2018. do 2021. godine](#)).

<sup>63</sup> Government of the Republic of Croatia (Vlada Republike Hrvatske) (2017), Protocol on Identification, Assistance and Protection of Victims of Human Trafficking ([Protokol za identifikaciju, pomoć i zaštitu žrtava trgovanja ljudima](#)).

<sup>64</sup> Government of the Republic of Croatia (Vlada Republike Hrvatske) (2017), Protocol on Procedures during Voluntary return of Victims of Human Trafficking ([Protokol o postupanju pri dobrovoljnom i sigurnom povratku žrtava trgovanja ljudima](#)).

<sup>65</sup> Government of the Republic of Croatia (Vlada Republike Hrvatske) (2019), Protocol on Integration/reintegration of Victims in Trafficking in Human beings ([Protokol o integraciji/reintegraciji žrtava trgovanja ljudima](#)).

<sup>66</sup> Croatia, Public consultation on the Draft of the [National Plan for the Protection and Promotion of Human Rights and Combating of Discrimination for the period from 2021 to 2027](#).

<sup>67</sup> Government of the Republic of Croatia (Vlada Republike Hrvatske) (2014), Protocol on procedure in cases of abuse and neglect of children ([Protokol o postupanju u slučaju zlostavljanja i zanemarivanja djece](#)).

<sup>68</sup> Government of the Republic of Croatia (Vlada Republike Hrvatske) (2004), Protocol on the suppression of bullying among children and youth ([Protokol o postupanju u slučaju nasilja među djecom i mladima](#)).

<sup>69</sup> Croatia, Ministry of Science and Education (*Ministarstvo znanosti i obrazovanja*) (2020), Action plan for the prevention of violence in schools 2020-2024 ([Akcijski plan za prevenciju nasilja u školama 2020-2024](#)).

<sup>74</sup> Croatia, Act on Protection from Domestic Violence ([Zakon o zaštiti od nasilja u obitelji](#)), Official Gazette (*Narodne novine*) 70/17, 126/19, 84/21, 114/22.

sense has been neglected over time. For this reason, every school should come up with ways to popularize the “zero tolerance” rate of violence to reach every stakeholder in the educational process. In addition, each school must develop a communication strategy to promote a culture of nonviolence. The last **National Strategy for development of system of support to victims and witnesses** was adopted for period 2016-2020.<sup>70</sup>

professionals who encounter victims of domestic violence to report domestic violence to police or state attorney’s office is expanded with obligation to inform the competent social welfare authorities about the domestic violence, to take measures to protect the rights and well-being of the child. The law redefined the concept of domestic violence, which appears in different forms - such as physical, psychological, sexual, or economic violence, corporal punishment of children etc. In the case where it is necessary to examine a child victim of domestic violence, the authorities are obliged to examine the child with the application of the provisions of the law regulating criminal proceedings. If a child is a victim of domestic violence, and the interests of the child conflicts with the interests of the parents, the competent authority must require from the competent social welfare authority to appoint a special guardian to a child. Exceptionally, a child victim of domestic violence who has reached the age of 16 can independently make statements and take actions in the proceedings. With the amendments from 2019, the term physical violence was redefined, and the sanctions were tightened. **Amendments of the Criminal procedure Act**<sup>75</sup> from 2017 implemented Directive 2012/29/EU of the EP and the Council from 2012 on the establishment of minimum standards for the rights, support and protection of victims of criminal offences and improved the position of victims in criminal proceedings.

#### 1.4.2. Children with disabilities

Please include children with learning difficulties, autism, and mental health impairments / psycho-social disabilities, severe chronic illnesses that prevent them e.g. from attending onsite school or sports activities

##### Policy developments

**National Plan for the Rights of Children in Republic of Croatia 2022-2026**<sup>76</sup> is fundamental strategic document in protection and promotion of rights of children. The national plan is harmonized with another national Plans for the same or similar

##### Legislative developments

The legal framework for the protection of children with disabilities consists of a whole series of laws and by-laws, which regulate the area of health, rehabilitation, social, education, as well as the position of the child in family law proceedings. The

<sup>70</sup> Government of the Republic of Croatia, (Vlada Republike Hrvatske) (2016), National Strategy for development of system of support to victims and witnesses, (*Nacionalna strategija razvoja sustava podrške žrtvama i svjedocima u Republici Hrvatskoj za razdoblje od 2016. do 2020. godine*), Official Gazette (*Narodne novine*) 75/15.

<sup>75</sup> Croatia, Criminal Procedure Act (*Zakon o kaznenom postupku*) (2008), Official Gazette (*Narodne novine*) 152/08, 76/09, 80/11, 121/11, 91/12, 143/12, 56/13, 145/13, 152/14, 70/17.

<sup>76</sup> Government of the Republic of Croatia (Vlada Republike Hrvatske) (2022), National Plan for the Rights of Children in Republic of Croatia 2022-2026 (*Nacionalni plan za prava djece u Republici Hrvatskoj od 2022. do 2026. godine*).

period covering the scope of children's rights. In the area of protection of children with disabilities the most relevant are the **National Plan on Equal Opportunities for Persons with Disabilities 2021-2027**; **National Plan for combating poverty and social exclusion 2021 - 2027** and **National Plan for the Development of Social Services 2021–2027**.

**National Plan on Equal Opportunities for Persons with Disabilities**<sup>77</sup> is strategic document that includes all areas of life for persons with disabilities, including children with developmental disabilities, and is aimed at achieving the vision of Croatia as a country where people with disabilities are equal members of society who have the same rights and opportunities as citizens without disabilities. The analysis of the situation determined the need to further improve the quality of life of people with disabilities, strengthen the capacity of service providers and build an accessible environment, communication systems and technologies, and inclusive society. It is determined that such situation requires taking measures and activities with the aim of ensuring equal access and non-discrimination in all areas of life, and some of the priorities of the plan are inclusive upbringing and education, availability, affordability and accessibility of health and social services for people with disabilities, ensuring the accessibility of basic social infrastructure and content public life. This also includes accessibility of sports buildings, adaptation of playgrounds, sports fields and parks for children with developmental disabilities.

**National Plan for combating poverty and social exclusion 2021 - 2027**<sup>78</sup> foresees co-financing measures for equipping kindergartens with didactic equipment for working with children with developmental disabilities, ensuring the costs of transportation, food and teaching materials for

protection of children with disabilities is governed primarily by the Social Welfare Act 2022,<sup>81</sup> which contains the definition of a child with disabilities and stipulates that in addition to basic life needs, children with disabilities also have additional needs resulting from damage to their health or disability. The Act recognizes the right to help and care, the right to the status of parent caregiver or caregiver who is not a parent, the provision of early development support and assistance in the inclusion of a child with a disability in the programs of regular preschool or school institutions, and accommodation services. Difficulties in the child's development are determined by the Institute established by the Law on the Unified Body of Expertise.<sup>82</sup> With the introduction of the new expert examination system, a step forward was made in the effort to standardize the criteria in the expert examination procedure and to make it easier for users to exercise their rights based on disability, as they are enabled to use one finding and opinion to exercise their rights in almost all systems. The right to personal disability allowance is granted to a child whose disability has been determined by the Institute to be of the fourth degree of severity, and for the purpose of meeting life's needs for inclusion in the daily life of the community. The right to personal disability allowance is recognized in the amount of EUR 232.26 (HRK 1,750.00). The Family Law<sup>83</sup> stipulates that during the proceedings the Court is obliged to take particular care to protect the rights and interests of children with disabilities and that the guardianship protection of a child must be proportionate to the need for protection with the obligation to respect fundamental human rights. The Maternity and Parental Allowance Act<sup>84</sup> regulates the right to leave for the care of a child with developmental disabilities, as well as the right to work half-time. The Child Allowance Act<sup>85</sup> regulates that a child with a disability that occurred

<sup>77</sup> Government of the Republic of Croatia, (Vlada Republike Hrvatske) (2021), National Plan on Equal Opportunities for Persons with Disabilities ([Nacionalni plan izjednačavanja mogućnosti za osobe s invaliditetom za razdoblje od 2021. do 2027. godine](#)).

<sup>78</sup> Government of the Republic of Croatia, (Vlada Republike Hrvatske) (2021), National Plan for combating poverty and social exclusion 2021 – 2027 ([Nacionalni plan borbe protiv siromaštva i socijalne isključenosti za razdoblje od 2021. do 2027. godine](#)).

<sup>81</sup> Croatia, Social Welfare Act ([Zakon o socijalnoj skrbi](#)) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

<sup>82</sup> Croatia, Law on the Unified Body of Expertise ([Zakon o jedinstvenom tijelu vještačenja](#)) (2014), Official gazette (*Narodne novine*) 85/14, 95/15.

<sup>83</sup> Croatia, Family Act ([Obiteljski zakon](#)) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

<sup>84</sup> Croatia, Maternity and Parental Allowance Act ([Zakon o rodiljnim i roditeljskim potporama](#)) (2022), Official Gazette (*Narodne novine*) 152/02.

<sup>85</sup> Croatia, Child Allowance Act ([Zakon o doplatku za djecu](#)) (2001), Official Gazette (*Narodne novine*) 94/01, 138/06, 107/07, 37/08, 61/11, 112/12, 82/15, 58/18.

children with developmental disabilities in elementary school; providing transportation costs and teaching aids for children with developmental disabilities in high schools, and improving the capacity (knowledge and skills) of experts in the social welfare system.

The process of deinstitutionalization, as well as processes leading to the prevention of institutionalization, which are also reflected on children with developmental disabilities, are highlighted as one of the goals of the **National Plan for the Development of Social Services for the period from 2021 to 2027**.<sup>79</sup> The Plan foresees activities for the development of support services in the community for children and their families (psychosocial counselling service, establishment of mobile support teams, support for foster parents, organized housing service, expansion of early intervention services) and the employment of the necessary number of experts and the improvement of infrastructure conditions for the provision of support services.

In 2021 the Ministry of science and of education published the **Guidelines for working with students with disabilities**<sup>80</sup> as a framework for planning, implementing, and evaluating the educational process of students with disabilities intended for teachers, professional associates and principals of primary and secondary schools that implement regular teaching programs/curricula. The Guidelines can be a starting point for every participant in the educational process, regardless of the educational program/curriculum implemented by the school or other public institution that carries out educational activities. It is a developmental and permanently open document subject to periodic changes if during its practical application there is a need for its refinement and improvement. The content of the Guidelines includes instructions on identifying students with developmental disabilities, assessment processes of their

before the age of eighteen or during regular schooling is entitled to a child allowance as long as that disability exists. Social Welfare Act, Art. 97, paragraph 4 foresees the possibility of supporting the child and the family through early intervention until the child's 3rd or 7th year of life, i.e. until the child starts school, for a duration of five hours a week. The Act on preschool education<sup>86</sup> stipulates that children with disabilities have priority when enrolling in kindergartens, and the latest Amendments to the law provide that a third educator or assistant for children with disabilities or a professional communication mediator can work in the educational group. In kindergartens, in addition to regular programs, there are also programs for children of early and preschool age with developmental disabilities. Before enrolling in kindergarten, the child with difficulties must first undergo an expert examination, which determines the type and degree of difficulty and the need for professional support. In practice, children with disabilities are included in regular groups, but the support they receive is not sufficient, namely in Croatia for many years the demand is greater than the number of available places in kindergartens. Therefore, kindergartens are mostly over capacitated, and so are the groups where there are children with developmental disabilities. In addition, many kindergartens for various reasons (mostly financial) are not professionally equipped, they do not have rehabilitators, speech therapists, psychologists, assistants, experts who should participate in the education of children with developmental disabilities. In relation to the field of education in schools, the basic act is the Act on Education in Primary and Secondary Schools of the Republic of Croatia<sup>87</sup>, which defines students with disabilities as students with special educational needs (Article 65), which includes students with developmental disabilities, students with learning difficulties, behavioural problems and emotional problems and students with difficulties caused by educational, social, economic, linguistic, and

<sup>79</sup> Government of the Republic of Croatia, (*Vlada Republike Hrvatske*) (2021), National Plan for the Development of Social Services for the period from 2021 to 2027 (*Nacionalni plan razvoja socijalnih usluga za razdoblje od 2021. do 2027. godine*).

<sup>80</sup> Croatia, Ministry of Science and Education, (*Ministarstvo znanosti i obrazovanja*) (2021), Guidelines for working with students with disabilities (*Smiernice za rad s učenicima s teškoćama*).

<sup>86</sup> Croatia, Act on Early Childhood Education and Care (*Zakon o predškolskom odgoju i obrazovanju*) (1997), Official Gazette (*Narodne novine*) 10/1997, 10/07, 94/13, 98/19, 57/22.

<sup>87</sup> Croatia, Act on Education in Elementary and Secondary School (*Zakon o odgoju i obrazovanju u osnovnoj i srednjoj školi*) (2008), Official Gazette (*Narodne novine*) 87/08, 86/09, 92/10, 105/10, 90/11, 5/12, 16/12, 86/12, 126/12, 94/13, 152/14, 07/17, 68/18, 98/19, 64/20, 151/22.



educational needs, planning, implementation and evaluation of the learning and teaching process.

By the decision of the Government of the Republic of Croatia on August 29, 2019, the Commission for Early Intervention in Childhood was established, as body responsible for directing and coordinating the process of creating the National Strategic Plan for the creation of a system of early intervention in childhood, and for providing support for the development of the Action Plan, guidelines, standards and procedure for early intervention services.

cultural factors. The Act on Education in Primary and Secondary Schools<sup>88</sup> includes the obligation to determine the psychophysical status of the child before the beginning of primary school education, that is, to determine the readiness of all children for school. For students who cannot attend classes due to major motor difficulties or chronic diseases, the school, with the approval of the Ministry, organizes classes at home, or in a health institution if the student is undergoing long-term treatment, and enables taking a subject or class exam. The forementioned teaching can be conducted in the form of distance learning (virtual teaching), by using means of electronic communication. Within the framework of available resources, the school provides students with appropriate aids for distance learning. The Law on the use of assistance dogs<sup>89</sup> recognizes the right of children with disabilities to use assistance dogs and therapy dogs. The Act on the Protection of Persons with Mental Disabilities<sup>90</sup> contains a catalogue of rights for the purpose of protecting children with mental disabilities. The Law on Croatian Sign Language and Other Communication Systems of Deaf and Deaf-Blind Persons in the Republic of Croatia<sup>91</sup> prescribes the right of deaf and deaf-blind persons and other persons with communication difficulties to use, inform and educate in Croatian sign language and other communication systems that correspond to their individual needs, and in the purpose of equalizing access to the social, economic and cultural environment and enabling the equal realization of all human rights and fundamental freedoms. The field of protection of children with disabilities is regulated by a whole series of by-laws, and the most recent one is the Ordinance on teaching assistants and professional communication mediators.<sup>92</sup> Ordinance on elementary and secondary school upbringing and education of children with developmental

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<sup>88</sup> Croatia, Act on Education in Elementary and Secondary School ([Zakon o odgoju i obrazovanju u osnovnoj i srednjoj školi](#)) (2008), Official Gazette (*Narodne novine*) 87/08, 86/09, 92/10, 105/10, 90/11, 5/12, 16/12, 86/12, 126/12, 94/13, 152/14, 07/17, 68/18, 98/19, 64/20, 151/22.

<sup>89</sup> Croatia, Law on the use of assistance dogs ([Zakon o korištenju pasa pomagača](#)) (2019), Official Gazette (*Narodne novine*) 39/19.

<sup>90</sup> Croatia, The Act on the Protection of Persons with Mental Disabilities ([Zakon o zaštiti osoba s duševnim smetnjama](#)) (2014), Official gazette (*Narodne novine*) 76/14.

<sup>91</sup> Croatia, The Law on Croatian Sign Language and Other Communication Systems of Deaf and Deaf-Blind Persons in the Republic of Croatia ([Zakon o hrvatskom znakovnom jeziku i ostalim sustavima komunikacije gluhih i gluhoslijepih osoba u Republici Hrvatskoj](#)) (2015), Official Gazette (*Narodne novine*) 82/15.

<sup>92</sup> Croatia, Ordinance on teaching assistants and professional communication mediators ([Pravilnik o pomoćnicima u nastavi i stručnim komunikacijskim posrednicima](#)) (2018), Official Gazette (*Narodne novine*) 102/18.

	<p>disabilities<sup>93</sup> contains orientation list of types of disabilities, including children with intellectual difficulties and children with behavioural disorders and mental health impairments, in which group there are children with autism spectrum disorders.</p>
<p>1.4.3. Children in the context of migration</p> <p>Specific thematic areas: unaccompanied-separated children from third countries and within the EU; children in undocumented – irregular migrant families; asylum seeking children; refugee children</p>	
<p>Policy developments</p>	<p>Legislative developments</p>
<p>The most comprehensive document in this area is the Protocol on Treatment of Unaccompanied Children from 2018.<sup>94</sup> The Protocol defines the relevant actors, their obligations, the methods, and deadlines for treatment of unaccompanied children, with the aim of timely and effective protection of their rights and interests (identification, assessment need, medical examination). The Protocol is based on four key principles of the Convention on the Rights of the Child: protection of the child's well-being, protection from all forms of discrimination, right to life, security, and development, right to participation and free expression of the child's opinion. In all actions towards children, the best interests of the child are considered. Child is provided with a guardian immediately upon encounter, and placed in facilities that are under the jurisdiction of the ministry responsible for social welfare affairs. The Protocol also contains attachments such as the form for the initial assessment of the needs of an unaccompanied child, a schematic representation of the assessment of the needs of an unaccompanied child, a schematic representation and the legislative framework for dealing with suspicion and identification of a child as a victim of human trafficking, an address book of participants in the treatment of unaccompanied children, and a</p>	<p>The Croatian legal framework regulating children in context of migration consists of several laws and a series of by-laws. The Aliens Act<sup>106</sup> prescribes the conditions of entry, movement, residence and work of third-country nationals and citizens of member states of the European Economic Area and their family members, as well as the working conditions and rights of workers sent to the Republic of Croatia. Asylum Act<sup>107</sup> which was in force until July 1, 2015, is replaced by the Law on International and Temporary Protection.<sup>108</sup> The Law currently in force, establishes the principles and regulates the conditions and procedure for granting international and temporary protection, the status, rights, and obligations of applicants for international protection, asylum seekers, foreigners under subsidiary and temporary protection, as well as the conditions and procedure for cancelling and terminating asylum and subsidiary temporary protection. The Law defines the concepts of child and unaccompanied child. A child over the age of 16 who is married can independently participate in the international protection approval process. The intention to apply for international protection for a child is expressed by the legal representative, while for an unaccompanied child, the body responsible for social welfare appoints a special guardian who does not have a conflict of interest with the child and is trained to work with children. The special</p>

<sup>93</sup> Croatia, Ordinance on elementary and secondary school upbringing and education of pupils with developmental problems (*Pravilnik o osnovnoškolskom i srednjoškolskom obrazovanju učenika s teškoćama u razvoju*) (2015), Official Gazette (*Narodne novine*) 24/15.

<sup>94</sup> Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2018), Protocol on Treatment of Unaccompanied Children (*Protokol o postupanju prema djeci bez pratnje*).

<sup>106</sup> Croatia, The Aliens Act (*Zakon o strancima*) (2020), Official gazette (*Narodne novine*) 133/20, 114/22, 151/22.

<sup>107</sup> Croatia, Asylum Act (*Zakon o azilu*) (2007), Official Gazette (*Narodne novine*) 79/07, 88/10, 143/14.

<sup>108</sup> Croatia, Law on International and Temporary Protection (*Zakon o međunarodnoj i privatnoj zaštiti*) (2015), Official gazette (*Narodne novine*) 70/15, 127/17.



request form for approval of free legal aid, which serve as practical tools in dealing with unaccompanied children. The Protocol specifically provides duties of the social worker/special guardian to establish communication and enable the children to express their current needs, to inform the child about all facts and circumstances in a manner appropriate to the child's age, maturity and understanding, and to ensure the children's right to express their opinions and needs.

By the Conclusion of the Government of the Republic of Croatia class: 022-03/19-07/342, registration number: 50301-29/23-19-3 of September 26, 2019, the Strategy for Integrated Border Management was adopted<sup>95</sup> as well as the Action Plan for its implementation.<sup>96</sup> The Strategy establishes special care in the treatment of unaccompanied minors.

In May 2017, the Office for Human Rights and the Rights of National Minorities of the Government of the Republic of Croatia adopted the Action Plan for Integration of Persons Who Have Been Granted International Protection for 2017 -2019.<sup>97</sup> The reason for creating the measures of the Action Plan was the refugee-humanitarian crisis in 2015 and the special vulnerability of people who have been granted international protection with aim to acquaint people who have been granted international protection with their rights from the social welfare system and traditions, culture and cultural norms in the Republic of Croatia and to ensure the requirements are met for life and co-existence in the local community in the field of social welfare, health care, accommodation and housing, language learning and education.

guardian is obliged to prepare the unaccompanied children for the hearing in a timely manner and to provide them with information about the meaning and consequences of the hearing in a language that they can reasonably be expected to understand and in which they can communicate. Translation costs are borne by the ministry responsible for internal affairs. An unaccompanied child participates in the hearing in the presence of a special guardian.

The applicant child realizes the right to primary and secondary education under the same conditions as a Croatian citizen, and the right to education should be enabled within 30 days from the date of submission of the application. If the applicant children do not know the Croatian language or do not know it sufficiently, they will be allowed to attend preparatory classes or supplementary classes in the Croatian language, as well as supplementary classes in individual subjects, if there is a need for that (article 58). Asylum seekers and foreigners under subsidiary protection are guaranteed freedom to live and raise children in accordance with their religious beliefs (Article 71).

Individual rights from the Law on International and Temporary Protection are supplemented and regulated by numerous special laws and by-laws. Thus, for example, rights from the social welfare system are granted the Social Welfare Act,<sup>109</sup> the Child Allowance Act<sup>110</sup> and the Maternity and Parental Allowance Act.<sup>111</sup> The right to primary and secondary education is granted by the Act on Education in Primary and Secondary Schools.<sup>112</sup> The Law on Compulsory Health Insurance and Health Protection of Foreigners in the Republic of

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<sup>95</sup> Croatia, Strategy for Integrated Border Management (*Strategija integriranog upravljanja granicom*) (2019), Official Gazette (*Narodne novine*) 91/19.

<sup>96</sup> Government of the Republic of Croatia, (*Vlada Republike Hrvatske*) (2019), Action plan for Integrated Border Management (*Akcijski plan za integrirano upravljanje granicom*).

<sup>97</sup> Government of the Republic of Croatia, Office for Human Rights and the Rights of National Minorities, (*Vlada Republike Hrvatske, Ured za ljudska prava i prava nacionalnih manjina*), Action Plan for Integration of Persons Who Have Been Granted International Protection for 2017 -2019, (*Akcijski plan za integraciju osoba kojima je odobrena međunarodna zaštita od 2017. do 2019. godine*).

<sup>109</sup> Croatia, Social Welfare Act (*Zakon o socijalnoj skrbi*) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

<sup>110</sup> Croatia, Child Allowance Act (*Zakon o doplatku za djecu*) (2001), Official Gazette (*Narodne novine*) 94/01, 138/06, 107/07, 37/08, 61/11, 112/12, 82/15, 58/18.

<sup>111</sup> Croatia, Maternity and Parental Allowance Act (*Zakon o rodiljnim i roditeljskim potporama*) (2022), Official Gazette (*Narodne novine*) 152/02.

<sup>112</sup> Croatia, Act on Education in Elementary and Secondary School (*Zakon o odgoju i obrazovanju u osnovnoj i srednjoj školi*) (2008), Official Gazette (*Narodne novine*) 87/08, 86/09, 92/10, 105/10, 90/11, 5/12, 16/12, 86/12, 126/12, 94/13, 152/14, 07/17, 68/18, 98/19, 64/20, 151/22.

Of the strategic documents currently applied, the National Plan for combating poverty and social exclusion of the Republic of Croatia (2021 – 2027)<sup>98</sup> should be mentioned, within which persons who have been granted international protection are recognized as one of the most vulnerable groups of the population and especially represented among the poor as potentially excluded from access to fundamental rights regarding their economic status.

Most persons granted international protection are in the City of Zagreb. In the Social Plan of the City of Zagreb 2014 - 2020 (Official Gazette of the City of Zagreb 17/14, 23/16, 4/21) persons under international protection are recognized as one of the target groups. The Decision on Social Welfare of the City of Zagreb (Official Gazette of the City of Zagreb "Official Gazette of the City of Zagreb" no. 22/22) stipulates that the rights from the social welfare system established by the Decision, in addition to citizens of the Republic of Croatia with registered residence in the City of Zagreb, are granted to asylum seekers and foreigners under subsidiary protection with registered residence in the City of Zagreb and their family members who legally reside in the Republic of Croatia and who have been granted international protection under the Act on International and Temporary Protection. In 2014 the City of Zagreb for the first time included asylum seekers with residence as beneficiaries of social rights and services. In 2016 this category was expanded to include asylum seekers and foreigners under subsidiary protection with residence in the City of Zagreb, who are granted international protection under the Act on international and temporary protection. In March 2019, social welfare rights are extended to family members of asylum seekers and foreigners under subsidiary protection.

Regarding the reception and care of displaced persons from Ukraine, from February 25 to December 31, 2022, a total of 22,407 displaced persons from Ukraine entered the Republic of

Croatia<sup>113</sup> regulates access to health care, while the right to access legal aid is regulated by the Law on Free Legal Aid.<sup>114</sup>

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<sup>98</sup> Government of the Republic of Croatia, (*Vlada Republike Hrvatske*), National Plan for combating poverty and social exclusion 2021 – 2027 (2021) ([Nacionalni plan borbe protiv siromaštva i socijalne isključenosti za razdoblje od 2021. do 2027. godine](#))

<sup>113</sup> Croatia, The Law on Compulsory Health Insurance and Health Protection of Foreigners in the Republic of Croatia ([Zakon o obveznom zdravstvenom osiguranju i zdravstvenoj zaštiti stranaca](#)) (2013), Official Gazette (Narodne novine) 80/13, 15/18, 26/21, 46/22.

<sup>114</sup> Croatia, Law on Free Legal Aid, ([Zakon o besplatnoj pravnoj pomoći](#)) (2013), Official Gazette (Narodne novine) 143/13, 98/19.

Croatia, of which 7,443 (33.3%) were children. The decision of the Government of the Republic of Croatia of March 7<sup>99</sup>, 2022 introduced temporary protection in the Republic of Croatia for displaced persons from Ukraine in accordance with Council Implementing Decision (EU) 2022/382 of March 4, 2022. The decision defined the categories of persons who are granted temporary protection, as well as access to all rights arising from the aforementioned status in accordance with the provisions of the Law regulating international and temporary protection. To implement the reception and care of the population from Ukraine, the Government established an Interdepartmental Group<sup>100</sup> coordinated by the Ministry of Interior. A special page "Croatia for Ukraine" was created on the website of the Ministry of Interior with information on aid, regulations, and activities of individual ministries, and a 114 number was established for information on rights. According to the information from the web page, as of December 31, 2022, there were no registered users in the reception accommodation. 552 people were registered in collective accommodation, while 20,855 people were registered in individual accommodation.<sup>101</sup>

The Croatian Parliament adopted in an urgent procedure, at the session on April 8, 2022, the Law on Amendments to the Law on Compulsory Health Insurance and Health Protection of Foreigners in the Republic of Croatia<sup>102</sup>, which entered into force on April 16, 2022. With the aforementioned changes, foreigners under temporary protection are guaranteed the right to health care to the same extent as a person insured in compulsory health insurance, at the expense of the state budget. On April 8, 2022, the Croatian Parliament passed the Law on Amendments to the Social Welfare Act<sup>103</sup>, which enabled foreigners under temporary protection to receive all benefits and services in the social welfare system under the conditions prescribed by the Law on Social Welfare, laws

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<sup>99</sup> Government of the Republic of Croatia, Decision on the introduction of temporary protection in the Republic of Croatia for displaced persons from Ukraine ([Odluka o uvođenju privremene zaštite u Republici Hrvatskoj za raseljene osobe iz Ukrajine](#)).

<sup>100</sup> Government of the Republic of Croatia, Decision on the establishment of an interdepartmental working group for the implementation of the activities of acceptance and care of the refugee population from Ukraine ([Odluka o osnivanju međuresorne radne skupine za provedbu aktivnosti prihvata i zbrinjavanja izbjeglog stanovništva iz Ukrajine](#)).

<sup>101</sup> Government of the Republic of Croatia, Croatia for Ukraine webpage ([Hrvatska za Ukrajinu](#)).

<sup>102</sup> Croatia, The Law on Compulsory Health Insurance and Health Protection of Foreigners in the Republic of Croatia ([Zakon o obveznom zdravstvenom osiguranju i zdravstvenoj zaštiti stranaca](#)) (2013), Official Gazette (*Narodne novine*) 80/13, 15/18, 26/21, 46/22.

<sup>103</sup> Croatia, Social Welfare Act ([Zakon o socijalnoj skrbi](#)) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

regulating protection against trafficking people and the law regulating the status, rights and obligations of persons with approved international protection (Article 19 paragraph 2 of the Social Welfare Act). Children from Ukraine have the right to enroll or continue primary and secondary education in Croatia under the same conditions as Croatian citizens. On 4 March 2022, the Ministry of Science and Education sent a letter on the inclusion of refugee children and students from Ukraine in the educational system of the Republic of Croatia to all primary and secondary schools in the Republic of Croatia. In the letter, schools are instructed to ensure that every child enrolled in the educational system of the Republic of Croatia participates in preparatory classes of the Croatian language, at the same time participates in educational work in class departments in all subjects according to their capabilities and abilities, and at the end of the teaching or school year to ensure final grades and certificate. Furthermore, the procedure for making decisions on referral to a certain school, on enrollment, on inclusion in preparatory Croatian language classes and keeping records on students is prescribed. On 16 March 2022, the Ministry of Science and Education sent a letter on the inclusion of children, displaced persons from Ukraine under temporary protection in the Republic of Croatia in the early and preschool education system of the Republic of Croatia to all kindergartens and kindergarten founders. Furthermore, in a letter from the Ministry of Science and Education dated 18 March 2022, instructions were given to all primary and secondary schools about the obligation to inform the competent school doctor about the inclusion of students in schools. The decision of the Ministry of Science and Education on the implementation of preparatory classes in the Croatian language was adopted on 1 April 2022, and it prescribes details on the organization of preparatory classes, the timetable and method of conducting them, the certificate of completion of classes and the obligation to report to the Ministry on the conducted preparatory classes. All mentioned and other relevant decisions are available on the web page of the Ministry of Science and Education.<sup>104</sup> In her Report for 2022, the Ombudsperson for Children stated that according to the Ministry of Science and Education, children

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<sup>104</sup> Croatia, Ministry of Science and Education ([Ministarstvo znanosti i obrazovanja](#)).

<p>from Ukraine were included in the educational system throughout the whole of the Republic of Croatia, during the entire school year. Currently, 1,680 students are enrolled in educational institutions, of which 1,528 are in primary schools, 254 in secondary schools and 152 children in kindergartens.<sup>105</sup></p>	
<p>1.4.4. Children in alternative care</p> <p>Specific thematic areas: residential – institutional care; foster care; adoption (including international adoption)</p>	
<p>Policy developments</p>	<p>Legislative developments</p>
<p><b>The National Plan for Children's Rights in the Republic of Croatia 2022-2026</b><sup>115</sup> promotes the comprehensive improvement of the protection of children's rights through the joint action of the entire system and all stakeholders participating in the amendment and adaptation of existing laws and acts, within the framework of interdepartmental cooperation.</p> <p><b>The National plan for the development of social services 2021 - 2027</b><sup>116</sup> envisages the process of deinstitutionalization and prevention of institutionalization, which are aimed primarily at children and young people without adequate parental care (psychosocial counselling service, establishment of mobile support teams, support for foster parents, service of organized housing, expansion of early intervention services) and employment of the necessary number of experts and improvement of infrastructure conditions for the provision of support services in the community. With the aim of preventing the institutionalization</p>	<p>The legal regulation of alternative care for children is governed by the Family Law, the Law on Social Welfare, and the Law on Foster Care. Adoption as a special form of family-legal care and protection of a child without adequate parental care, which creates a permanent relationship between parent and child, is regulated by the Family Law (Official Gazette 103/15), in the Fourth Part – Adoption (Articles 180 to 217).<sup>120</sup></p> <p>In addition to the Family Law, international adoption is regulated by the Law on Private International Law,<sup>121</sup> the Law on the Ratification of the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption,<sup>122</sup> and the Rulebook on Elements Related to Eligibility and Suitability for Adoption, Content of Expert Opinions on Eligibility and suitability for adoption, the methods of determining suitability, the content of the report on the child, keeping the register of potential adopters and the way of keeping the register of adoptions.<sup>123</sup></p>

<sup>105</sup> Croatia, Ombudsperson for Children (*Pravobraniteljica za djecu*), Annual Reports (*Godišnja izvješća*).

<sup>115</sup> Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2022), National Plan for the Rights of Children in Republic of Croatia 2022-2026 (*Nacionalni plan za prava djece u Republici Hrvatskoj od 2022. do 2026. godine*).

<sup>116</sup> Government of the Republic of Croatia, (*Vlada Republike Hrvatske*) (2021), National Plan for the Development of Social Services for the period from 2021 to 2027 (*Nacionalni plan razvoja socijalnih usluga za razdoblje od 2021. do 2027. godine*).

<sup>120</sup> Croatia, Family Act (*Obiteljski zakon*) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

<sup>121</sup> Croatia, Law on Private International Law (*Zakon o međunarodnom privatnom pravu*) (2019), Official gazette (*Narodne novine*) 101/17.

<sup>122</sup> Croatia, Law on the Ratification of the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (*Zakon o potvrđivanju Konvencije o zaštiti djece i suradnji u vezi s međdržavnim posvojenjem*) (2013), Official Gazette (*Narodne novine*) 5/13.

<sup>123</sup> Croatia, Ordinance on Elements Related to Eligibility and Suitability for Adoption, Content of Expert Opinions on Eligibility and suitability for adoption, the methods of determining suitability and suitability, the content of the report on the child, keeping the

of children from families at risk by strengthening parental competence, the Plan emphasizes great importance of implementation of family legal protection measures, especially measures of professional assistance and support in childcare and measures of intensive professional assistance and supervision over childcare. It is emphasized that it is important that the activities related to the protection of children are focused on a change in practice so that community services are used as a priority, and placement in an institution as the last in a series of social services, except in cases of urgent measures to separate the child from the family in which the security of child is compromised.

Strategic document currently applied, the **National Plan for combating poverty and social exclusion of the Republic of Croatia (2021 – 2027)**<sup>117</sup> should also be mentioned, since it recognises children without parental care as one of the most vulnerable groups of the population susceptible to poverty and potentially excluded from access to fundamental rights regarding their economic status.

**Cooperation Agreement for the period 2017-2021**, between the Ministry of Labour, Pension System, Family and Social Policy and the UNICEF Office for Croatia, implemented the program "For a stronger family" with the aim of protecting and promoting children's rights and supporting families and improving interdepartmental cooperation between the system of social welfare, health, education, internal affairs and justice, through three areas: 1. Improvement of services for families at risk of child separation, 2. Strengthening of parental competences and support for responsible parenting and 3. Support for foster parents for children, promoting foster care and deinstitutionalization of children.

There is little information about Ukrainian children from alternative care. However, the Ombudsperson

Croatian citizens who wish to adopt a child from another country that is not a party to the Hague Convention, after completing the procedure before the competent social welfare office in order to determine eligibility or suitability for adopting a child, independently apply for the adoption of a child to the competent authorities for the adoption of children of the country from which they wish to adopt a child. In the interstate adoption procedure, the prerequisites for adoption must be fulfilled cumulatively in accordance with the legislation of the country of origin of the child and in accordance with the legislation of the country of potential adopters. After the end of the intercountry adoption procedure, adoptive parents must request recognition of a foreign court decision on adoption in the Republic of Croatia from the competent court of the Republic of Croatia for the adoption decision to have legal effects in the Republic of Croatia.

The central authority of the Republic of Croatia established the Criteria for cooperation with authorized bodies of other contracting states of the Hague Convention by the Decision on determining the criteria for establishing cooperation with accredited bodies of other Contracting States of the Convention.

The new Foster Care Act<sup>124</sup> entered into force on January 1, 2019. In addition to performing traditional foster care, the new Law introduced the possibility of performing foster care as a profession that can be performed as standard foster care and specialized foster care for children. Foster parents who practice foster care as a profession are provided with compensation for work and maintenance and contributions for mandatory insurance, that is, the possibility of exercising rights from pension and mandatory health insurance and rights during unemployment as well as for employed persons.

The Family Act<sup>125</sup> regulates the prerequisites for separating a child from the family in Article 129. Separation is foreseen only if it is not possible to

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register of potential adopters and the way of keeping the register of adoptions ([Pravilnik o elementima koji se odnose na podobnost i prikladnost za posvojenje, sadržaju stručnog mišljenja o podobnosti i prikladnosti za posvojenje, metodama utvrđivanja podobnosti i prikladnosti, sadržaju izvješća o djetetu, vođenju registra o potencijalnim posvojiteljima te načinu vođenja registra o posvojenjima](#)) (2014), Official Gazette (*Narodne novine*) 105/14.

<sup>117</sup> Government of the Republic of Croatia, (*Vlada Republike Hrvatske*), National Plan for combating poverty and social exclusion 2021 – 2027 (2021) ([Nacionalni plan borbe protiv siromaštva i socijalne isključenosti za razdoblje od 2021. do 2027. godine](#)).

<sup>124</sup> Croatia, Foster Care Act ([Zakon o udomiteljstvu](#)) (2019), Official Gazette (*Narodne novine*) 115/18, 18/22.

<sup>125</sup> Croatia, Family Act ([Obiteljski zakon](#)) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.



for Children states in her report for 2022 that children from Ukraine who arrived from alternative care were housed in Sveta Nedelja, in organisation of the Association "Nešto više". There are ten children who came to Croatia with a legal representative from the home where they lived, and they are all placed together in a house where they are cared for by educators from their Ukrainian home and volunteers from the Association.<sup>118</sup>

At the beginning of March 2023, the Regional Offices of the Croatian Institute for Social Work registered 431 children, 108 girls and 323 boys, displaced from Ukraine who arrived in the Republic of Croatia unaccompanied by parents or legal representatives. All the children were placed under guardianship. Appointed special guardians are trusted persons, close family members or expert workers of the Regional Offices of the Institute for social work.

The majority of children from Ukraine, who are in the Republic of Croatia unaccompanied by parents or legal representatives, are in collective or private accommodation together with trusted persons with whom they arrived in the Republic of Croatia. Regarding the adjustment and adjustment difficulties of unaccompanied children from Ukraine, no significant difficulties were recorded.<sup>119</sup>

protect the rights and well-being of the child by any milder measure. Separation of a child from the family means any measure on the basis of which the child is separated from the family and placed with another person who meets the requirements for a guardian, in a foster family, in a social welfare institution or with another natural or legal person that performs social welfare activities. The purpose of removing a child from the family must be to protect the child's life, health and development, ensure adequate care for the child outside the family and create conditions for the child's return to the family, i.e. preparation of another permanent form of care for the child. The separation of a child from the family must not last longer than is necessary to protect the rights and well-being of the child. The measure of separating the child from the family must be regularly reviewed, and the parents have the right to help and support in order to remove the causes of the separation and return the children to the family in accordance with their well-being.

As one of the social services, the Social Welfare Act<sup>126</sup> provides for the service of organized housing for a child without adequate parental care, as well as an accommodation service. Accommodation provides housing and organized activities during the day with constant professional and other help and support in providing basic and additional life needs, which cannot be met in the family. In addition to the above, accommodation can also include the preparation of the children for return to their own families, foster family or for independent living, as well as the preparation of the child for adoption. The right to accommodation service can be recognized during all days of the week or during five working days.

The right to the accommodation service in situations of crisis is recognized for a child without parental care, a child with behavioural problems, a vagrant child, an unaccompanied foreign citizen or stateless child, children whose parents are temporarily unable to care for them due to illness, unresolved housing issues et., and victims of violence and human trafficking until the conditions for return to their own or foster family are ensured

<sup>118</sup> Croatia, Ombudsperson for Children (*Pravobraniteljica za djecu*), Annual Reports (*Godišnja izvješća*).

<sup>119</sup> Croatia, Ministry of Labour, Pension System, Family and Social Policy, Letter of 14 April 2023.

<sup>126</sup> Croatia, Social Welfare Act (*Zakon o socijalnoj skrbi*) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.



	<p>or the accommodation service is provided in another way, up to six months at most.</p> <p>The right to accommodation services for the purpose of implementing rehabilitation programs is also recognized for a child with developmental disabilities as long as the need lasts, up to one year at the most. The accommodation service for the purpose of psychosocial treatment is recognized for a child with behavioural problems as long as the need lasts, and for a maximum of three years.</p> <p>In other cases, the right to accommodation service is recognized for a child with developmental difficulties, for example due to the use of vacation by the caregiver's parent or carer, or the temporary incapacity for work of the parent's carer or carer, for a child who has been granted accommodation in a social welfare home or with another service provider for experiences of the family environment during holidays or school holidays in a foster family, for a child with developmental disabilities for the purpose of schooling in a special program outside the place of residence, for a child with behavioural problems for a multidisciplinary assessment for a duration of 30 days, for a child without adequate parental care, to a child with developmental disabilities in need for intensive care, if it is not possible to provide such care and in home.</p>
1.4.5. Children affected by custody disputes, including parental abduction	
Policy developments	Legislative developments
There is no available information on the existence of a specific policy for this area.	Custody disputes are regulated by the Family Act. <sup>127</sup> In Croatia, there are two ways of regulating custody, consensual and judicial. Parents in separation who have minor children are obliged to submit a request for mandatory counselling to the Social Welfare Institute before submitting a proposal to the court for certification which is done in non-contentious proceedings. If the parents do not reach custody agreement during the mandatory counselling procedure, the decision on parental care is made by the court in contentious proceedings where the parents are opposite parties. In the decision-making process, the court

<sup>127</sup> Croatia, Family Act (*Obiteljski zakon*) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

	<p>appoints a special guardian for the child who represents the child in court, determines the child's opinion, and requests the expert opinion of the Institute for Social Work or may appoint the expert witnesses and request their opinion on the family dynamics and best interest of the child in given circumstances.</p> <p>The latest amendments of the Courts Act<sup>128</sup> have established departments in the municipal courts that deal with cases according to the Family Act. Judges and civil servants working on such cases are appointed by the annual work schedule. When appointing judges to work on these cases, the president of the court will take care that the judges assigned to work on these cases have strong preference for the upbringing, needs and well-being of children, and have basic knowledge in the fields of social pedagogy, youth psychology and social work for young people and regularly attend professional training in these areas.</p> <p>Croatia as a member state to the Convention on the Civil Aspects of International Child Abduction has on 1 January 2019 passed the Law on the enforcement of the Convention on the Civil Aspects of International Child Abduction<sup>129</sup> providing that only Municipal and County Court in Zagreb have the competence to decide on child abduction cases and stipulated recommended framework of six weeks for duration of those proceedings. Children in those proceedings are represented by special representative.</p> <p>The Ordinance on measures to protect the personal rights and well-being of the child<sup>130</sup> contains a list for assessing the child's developmental risks, which applies in the case of conflict between parents and manipulation of children. Assessment is provided by the employees of the Institute for Social Work.</p>
1.4.6. Missing children	
Policy developments	Legislative developments
There is no available information on the existence of a specific policy for this area.	There is no available information on the existence of legislative changes in this area. The main

<sup>128</sup> Croatia, Courts Act ([Zakon o sudovima](#)) (2013), Official Gazette (*Narodne novine*) 28/13, 33/15, 82/15, 82/16, 67/18, 126/19, 130/20, 21/22, 60/22, 16/23.

<sup>129</sup> Croatia, Law on the Enforcement of the Convention on the Civil Aspects of International Child Abduction ([Zakon o provedbi Konvencije o građanskim aspektima međunarodne otmice djece](#)) (2018), Official gazette (*Narodne novine*) 99/18.

<sup>130</sup> Croatia, The Ordinance on measures to protect the personal rights and well-being of the child ([Pravilnik o mjerama zaštite osobnih prava i dobrobiti djeteta](#)) (2015), Official gazette (*Narodne novine*) 123/15, 87/22.

<p><b>National Evidence of Missing Persons</b><sup>131</sup> (NENO, <a href="http://www.nestali.hr/default.aspx">www.nestali.hr/default.aspx</a>) introduced by the Ministry of the Interior, a <b>hotline for missing children</b> that operates under the harmonised European number (116 000) and the Centre for Missing and Exploited Children are still active, as reported in previous period.</p> <p>There are examples of good practice described under 1.8.</p>	<p>legislation in this area is the Law on police duties and powers which is in force since 1 July 2009.<sup>132</sup></p>
<p>1.4.7. Children at risk of poverty or social exclusion, or severely materially and socially deprived or living in a household with a very low work intensity (ARPE)</p>	
<p>Policy developments</p>	<p>Legislative developments</p>
<p>Policies relevant for this area are the National Plan for the Rights of the Child in the Republic of Croatia 2022–2026<sup>133</sup> and the Action Plan for the Rights of the Child 2022–2024<sup>134</sup> and National Plan for combating poverty and social exclusion 2021 - 2027<sup>135</sup> One of priority areas regulated by the National plan for the Rights of the Child is the development of public policies fostering equal opportunities for children at risk of poverty or social exclusion by ensuring systematic support in improving the quality of life of children and their safety.</p> <p>To achieve special goals defined by the national plan, the competent ministry adopted the Action Plan for the Rights of the Child in the Republic of Croatia 2022–2024.<sup>136</sup> The action plan regulates in detail specific activities, sources of financing and deadlines for implementing and achieving prescribed measures. Within the priority area of combating social exclusion of children, it is planned to take measures to support parenting in families at</p>	<p>The Social Welfare Act is the basic regulation governing social welfare activity, beneficiaries, rights and services, and procedures for their realisation, the manner of conducting activities and other issues vital for social welfare. With the adoption of the new Social Welfare Act, which entered into force in January 2022, the amount of the guaranteed minimum income for socially vulnerable groups of citizens at risk of poverty has been increased.<sup>144</sup> Guaranteed minimum income is a social right intended for a single person or a household that does not have enough resources to meet basic living expenses. This right is exercised in the form of monetary benefit in the amount of a percentage of the basis for calculation prescribed by law. The new act significantly increases the basis for calculating the amount of the guaranteed minimum income: from 40 % to 70 % for a child in dual-parental household, from 55 % to 80 % for a child in a mono-parental household and from 55 % to 90 % for a child of a single parent.<sup>145</sup> Such an increase in the guaranteed minimum income is</p>

<sup>131</sup> Croatia, National Evidence of Missing Persons ([Nacionalna evidencija nestalih osoba](#)).

<sup>132</sup> Croatia, Law on police duties and powers ([Zakon o policijskim poslovima i ovlastima](#)) (2009), Official Gazette (*Narodne novine*) 76/09, 92/14, 70/19.

<sup>133</sup> Croatia, Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2022), National Plan for the Rights of Children in Republic of Croatia 2022–2026 ([Nacionalni plan za prava djece u Republici Hrvatskoj od 2022. do 2026. godine](#)).

<sup>134</sup> Croatia, Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2022), Action Plan for the Rights of Children in Republic of Croatia 2022–2024 ([Akcijski plan za prava djece u Republici Hrvatskoj za razdoblje od 2022. do 2024. godine](#)).

<sup>135</sup> Croatia, Government of the Republic of Croatia (*Vlada Republike Hrvatske*), Decision on adopting the National Plan for the Rights of the Child in the Republic of Croatia 2022–2026 and the Action Plan for the Rights of the Child in the Republic of Croatia 2022–2024 ([Odluka o donošenju Nacionalnog plana za prava djece u Republici Hrvatskoj za razdoblje od 2022. do 2026. godine i Akcijskog plana za prava djece u Republici Hrvatskoj za razdoblje od 2022. do 2024. godine](#)), 12 May 2022.

<sup>136</sup> Croatia, Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2022), Action Plan for the Rights of Children in Republic of Croatia 2022–2024 ([Akcijski plan za prava djece u Republici Hrvatskoj za razdoblje od 2022. do 2024. godine](#)).

<sup>144</sup> Croatia, Social Welfare Act ([Zakon o socijalnoj skrbi](#)) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

<sup>145</sup> Croatia, Social Welfare Act ([Zakon o socijalnoj skrbi](#)) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22, Article 27.

risk of social exclusion, to include children in sports and recreational programmes and activities and to improve the quality of life.

National Plan for combating poverty and social exclusion 2021 – 2027 with regard to children, as the special goal provides the prevention and reduction of child poverty and social exclusion by increasing the availability of education to marginal and vulnerable groups in difficult socioeconomic position, improving and making available free programs aimed at the social inclusion of children and families at risk of poverty and social exclusion. Part of the implementation programme is also increase in the guaranteed minimum income for vulnerable groups among which children are specifically mentioned.

The Action Plan for combating poverty and social exclusion for the period 2021 to 2024<sup>137</sup> envisages the implementation of the measure of Improving integrated access to care for children at risk of poverty and social exclusion.

In April 2022, the Ministry of Labour, Pension, Family and Social Policy launched a permanent call for proposals *Ensuring school meals for children at risk of poverty (school year 2022–2023)*, worth a total of HRK 30,000,000, to be co-financed under the Operational Programme for Food and/or Basic Material Assistance for the period 2014–2020 from the Fund for European Aid to the Most Deprived. The call aims to alleviate the most significant forms of child poverty by distributing meals in primary schools to make them available to more children.<sup>138</sup>

On 20 June 2022, the Ministry adopted the first decision on the financing of 17 projects under the call for ensuring school meals for children at risk of poverty, worth the total of HRK 14,640.138,08 (approx. € 1,928.018,41), and on 18 July 2022 it adopted the second decision on the financing of 16 projects worth the total of HRK 12,781.022,05 (approx. € 1,704,136.27).

part of the implementation programme of the National Plan to Combat Poverty and Social Exclusion 2021–2027.<sup>146</sup>

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<sup>137</sup> Croatia, Government of the Republic of Croatia (*Vlada Republike Hrvatske*), Action Plan for combating poverty 2022–2024 ([Odluka o donošenju Nacionalnog plana borbe protiv siromaštva i socijalne isključenosti za razdoblje od 2021. do 2027. godine i Akcijskog plana borbe protiv siromaštva i socijalne isključenosti za razdoblje od 2021. do 2024. godine](#)).

<sup>138</sup> Croatia, Ministry of Labour, Pension System, Family and Social Policy (*Ministarstvo rada, mirovinskoga sustava, obitelji i socijalne politike*), Launching of a permanent call for proposals *Ensuring school meals for children at risk of poverty (school year 2022–2023) (Otvoreni poziv na dostavu projektnih prijedloga Osiguravanje školske prehrane za djecu u riziku od siromaštva, školska godina 2022. – 2023.)*.

<sup>146</sup> Government of the Republic of Croatia, (*Vlada Republike Hrvatske*) (2021), National Plan for combating poverty and social exclusion 2021 – 2027 ([Nacionalni plan borbe protiv siromaštva i socijalne isključenosti za razdoblje od 2021. do 2027. godine](#))

On 8 September 2022, the Government brought the Decision on the payment of a one-time cash payment to children's allowance beneficiaries to mitigate the consequences of the rise in energy prices<sup>139</sup> covering about 130,000 beneficiaries. The Government of the Republic of Croatia has provided nearly 62 million HRK (approx. 8,211,449.14 EUR) for this measure.<sup>140</sup> On 18 October 2022, the Government of Croatia has announced that as of the next year the State will plan to finance one meal per day for each child attending the elementary school.<sup>141</sup>

In 2022, UNICEF Office for Croatia, in cooperation with 11 partner organisations, has conducted a pilot programme *Testing the European Child Guarantee* in Međimurje County. The aim is to increase the number of children involved in early and preschool education, provide better access to early intervention services for children with disabilities and their families, empower parents and help them develop necessary skills, and provide access to comprehensive child and family protection services. One of the main goals of the programme in Croatia is to develop a National Plan to Combat Child Poverty and Social Exclusion based on comprehensive policies and detailed analyses, and to develop innovative models of services and interventions. In connection to this, UNICEF issued a Deep Dive Analysis of Policies, Programs, Services, Sources of Financing and Mechanisms Aimed at Preventing Poverty and Social Exclusion of Children in Croatia as the basis for the development of the National Action Plan for the Implementation of the European Child Guarantee in Croatia.<sup>142</sup>

The Ombudsperson for Children noted that in Croatia there is no national strategy/plan on social housing to ensure housing for socially vulnerable families with children and provide and adequate living standard guaranteed by the Convention on the Rights of the Child. According to the

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<sup>139</sup> Croatia, The Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2022), Decision on the payment of a one-time cash payment to children's allowance beneficiaries in order to mitigate the consequences of the rise in energy prices ([Odluka o isplati jednokratnog novčanog primanja korisnicima doplatka za djecu radi ublažavanja posljedica porasta cijena energenata](#)).

<sup>140</sup> Croatia, Croatian Pension Insurance Institute (*Hrvatski zavod za mirovinsko osiguranje*) (2022), Government adopts a decision to mitigate the consequences of the increase in prices (of energy) for beneficiaries of pensions and child allowances ([Vlada donijela odluke radi ublažavanja posljedica porasta cijena \(energenata\) za korisnike mirovina i doplatka za djecu](#)).

<sup>141</sup> Croatia, The Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2022), With courageous and responsible leadership, Croatia achieves all its strategic and development goals ([Uz odvažno i odgovorno vodstvo, Hrvatska ostvaruje sve svoje strateške i razvojne ciljeve](#)), article.

<sup>142</sup> Croatia, UNICEF Office for Croatia, (2022), [Deep Dive Analysis of Policies, Programs, Services, Sources of Financing and Mechanisms Aimed at Preventing Poverty and Social Exclusion of Children in Croatia](#).

<p>Ombudsperson “underprivileged families with children face serious problems due to the inability to afford accommodation since they do not own real estate, they are not able to pay rent at the market price and the state does not have a plan for ensuring social housing. Due to a lack of kindergarten capacities, children from socially vulnerable families are not able to attend early and preschool education, since their parents are usually unemployed”.<sup>143</sup></p>	
<p>1.4.8. Children belonging to minority ethnic groups, e.g. Roma, Sami, etc.</p>	
<p>Policy developments</p>	<p>Legislative developments</p>
<p>The National Plan for Roma Inclusion, for the period from 2021 to 2027,<sup>147</sup> sets a strategic framework for the development of equality, inclusion and participation of members of the Roma national minority in the Republic of Croatia until 2027, and it is based on the Constitution of the Republic of Croatia<sup>148</sup> and the Constitutional Law on the rights of national minorities,<sup>149</sup> the Anti-discrimination Act<sup>150</sup> and a number of other related laws and public policies, primarily with the National Development Strategy until 2030.</p> <p>The primary goal of the National Plan for the Inclusion of Roma, for the period from 2021 to 2027, is to improve the overall integration of members of the Roma national minority in the Republic of Croatia and to reduce the gap between members of the Roma national minority and the rest of the population in key areas of intervention aligned with the EU Strategic Framework for Equality, inclusion, and participation of Roma by 2030. Vision of a Plan is Croatia where Roma children are educated in integrated educational institutions, and most of the Roma population does not live in poverty. The current situation is that</p>	<p>Increase of the guaranteed minimum income for socially vulnerable groups provided by the new Social Welfare Act<sup>153</sup> as described under 1.4.7. has significant impact on Roma children and population in general, since according to available data, Roma are significantly more frequent beneficiaries of the social welfare system than the rest of the population.</p>

<sup>143</sup> Ombudsperson’s for Children Suggestions for amendments of the document Mapping child protection systems in the EU (27) - Croatia, of 16 July 2023.

<sup>147</sup> Croatia, The Government of the Republic of Croatia, Office for Human Rights and the Rights of National Minorities, (*Vlada Republike Hrvatske, Ured za ljudska prava i prava nacionalnih manjina*) (2021), The National Plan for Roma Inclusion, for the period from 2021 to 2027 ([Nacionalni plan za uključivanje Roma za razdoblje od 2021. do 2027. godine](#)).

<sup>148</sup> Croatia, Constitution of the Republic of Croatia ([Ustav Republike Hrvatske](#)) (1990), Official Gazette (*Narodne novine*) 56/1990, 135/1997, 8/1998, 113/2000, 124/2000, 28/01, 41/01, 55/01, 76/10, 85/10, 5/14.

<sup>149</sup> Croatia, Constitutional Law on the Rights of National Minorities ([Ustavni zakon o pravima nacionalnih manjina](#)) (2002), Official Gazette (*Narodne novine*) 155/02, 47/10, 80/10, 93/11.

<sup>150</sup> Croatia, Anti-discrimination Act ([Zakon o suzbijanju diskriminacije](#)) (2008), Official Gazette (*Narodne novine*) 85/08, 112/12.

<sup>153</sup> Croatia, Social Welfare Act ([Zakon o socijalnoj skrbi](#)) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.



70,79% of Roma children are children's allowance beneficiaries and over 95% of children belonging to the Roma national minority in Central Croatia, Slavonia, Northern Croatia and Međimurje live in poverty (Policies under 1.4.7. are also applicable to Roma children living in poverty).  
On 23 June 2021, the Government of the Republic of Croatia adopted the first of three planned action plans for the implementation of the National Plan for Roma Inclusion 2021–2027.<sup>151</sup> On 30 September 2022, the Office for Human Rights and Rights of National Minorities commenced the drafting process of the new Action Plan 2023 – 2025.<sup>152</sup>

#### 1.4.9. Children involved in judicial proceedings as victims or witnesses or parties

##### Policy developments

As one of priority areas, the National Plan for the Rights of the Child in the Republic of Croatia 2022–2026 regulates child-friendly justice – systematic protection of the rights of vulnerable groups of children in judicial authorities and court proceedings and in all contacts with the law, and emphasises the importance of an individualised approach to children within the justice system, which should be accessible to every child, without any discrimination.<sup>154</sup> In order to achieve special objectives defined by the national plan, the ministry adopted the Action Plan for the Rights of the Child in the Republic of Croatia 2022–2024.<sup>155</sup> Within the priority area of child-friendly justice, it is planned to take measures and activities aimed at improving the work of specialised court divisions for family matters, , the training of judges, and employees of

##### Legislative developments

In July 2022, the Croatian Parliament adopted amendments to the Criminal Procedure Act, among others, in the part concerning general rights of victims of crime, which also include child victims.<sup>156</sup> Article 43 of the Act which contains a catalogue of rights of victims of crime was supplemented with provisions guaranteeing them the right to easily accessible, confidential and free access to support services and the right of the victim to propose to be questioned via audio-video device.<sup>157</sup>  
In March 2022, the Ministry of Justice and Public Administration adopted amendments to the Ordinance on the amount of fee for the work of an attorney providing defence ex officio, defence at the expense of state budget, or acting as authorised representative of a child victim of a crime by which the fees for attorneys defending or representing

<sup>151</sup> Croatia, The Government of the Republic of Croatia, Office for Human Rights and the Rights of National Minorities, (*Vlada Republike Hrvatske, Ured za ljudska prava i prava nacionalnih manjina*), Action Plan for the Implementation of the National Plan for Roma inclusion (2021-2022), ([Akcijski plan za provedbu Nacionalnog plana za uključivanje Roma, za razdoblje od 2021. do 2027., za 2021.-2022. godinu](#)).

<sup>152</sup> Croatia, Office for Human Rights and Rights of National Minorities of the Government of the Republic of Croatia (*Ured za ljudska prava i prava nacionalnih manjina Vlade RH*) (2022), Notification on the Launch of the Process of Drafting Up the Action Plan for the Implementation of the National Plan for Roma Inclusion for the Period from 2021 to 2027, for 2023-2025 ([Obavijest o pokretanju postupka izrade Akcijskog plana za provedbu Nacionalnog plana za uključivanje Roma za razdoblje od 2021. do 2027. godine, za 2023.-2025.](#)), press release.

<sup>154</sup> Croatia, Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2022), National Plan for the Rights of Children in Republic of Croatia 2022-2026 ([Nacionalni plan za prava djece u Republici Hrvatskoj od 2022. do 2026. godine](#)).

<sup>155</sup> Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2022), Action Plan for the Rights of Children in Republic of Croatia 2022-2024 ([Akcijski plan za prava djece u Republici Hrvatskoj za razdoblje od 2022. do 2024. godine](#)).

<sup>156</sup> Croatia, Act on Amendments to the Criminal Procedure Act ([Zakon o izmjenama i dopunama Zakona o kaznenom postupku](#)) (2022), Official Gazette (*Narodne novine*) 80/22.

<sup>157</sup> Croatia, Criminal Procedure Act ([Zakon o kaznenom postupku](#)) (2008), Official Gazette (*Narodne novine*) 152/08, 76/09, 80/11, 121/11, 91/12, 143/12, 56/13, 145/13, 152/14, 70/17, 126/19, 126/19, 130/20, 80/22, Art. 43.

<p>social welfare centres who deal with cases involving children, and the training of special representatives for children in court proceedings.</p>	<p>child victims have been increased.<sup>158</sup> It added Article 2a to the ordinance, stipulating that an attorney exercises the right to a fee, among others, in cases where they act as an authorised representative of the child, in the amount determined by the regulations applicable at the time of undertaking the action for which the fee is calculated.</p>
<p>The Action plan provides measure of professional support to every child in every procedure where the child is involved either as victims of violence or witness of criminal act. Every child is granted the right to be notified of the proceedings, to be heard and to freely express their views and opinions in their own words, has right to protection of privacy and safety (such as avoiding direct contact with the perpetrator, a court restraining order, detention of the perpetrator, ensuring police protection of the child, etc.). The Action Plan specifically provides support for children victims and perpetrators of peer violence. As to the court divisions it provides that only judges who meet the special requirements of professional development and who have a strong preference for well-being of children, will be able to be assigned to departments dealing with cases in which children as victims are involved. It also provides that a certain number of expert associates will be assigned to these court departments.</p>	

#### 1.4.10. Children involved in judicial proceedings as suspects or accused persons

Policy developments	Legislative developments
<p>Within the framework of the special objective “protection of children from all forms of violence”, the National Plan for the Rights of the Child 2022–2026, as one of the measures, foresees support for perpetrators of peer violence and their parents for the purpose of prevention, education, and reduction of peer violence.<sup>159</sup> As part of the goal of effective justice in procedures related to children, it is envisaged to improve the work of specialized court departments for family cases, the training of lawyers in working with children and families in</p>	<p>The fundamental source of juvenile law when imposing juvenile sanctions against juvenile perpetrators of criminal offenses is Juvenile Courts Act.<sup>160</sup> The latest amendments, which entered into force on January 1, 2020, brought alignment with the EU acquis through the transposition and implementation of the <b>Directive 2016/800 on procedural safeguards for children who are suspects or accused persons in criminal proceedings</b>. Thereby further strengthening of their procedural position and ensuring that children who are suspects or defendants in criminal proceedings can understand the proceedings and monitor its</p>

<sup>158</sup> Croatia, Ministry of Justice and Public Administration (*Ministarstvo pravosuđa i uprave*) (2022), Amendments to the Ordinance on the amount of fee for the work of an attorney providing defence ex officio, defence at the expense of state budget, or acting as authorised representative of a child victim of a crime ([Pravilnik o dopuni Pravilnika o visini nagrade za rad odvjetnika prilikom obrana po službenoj dužnosti, obrana na teret proračunskih sredstava i odvjetnika kao opunomoćenika djeteta žrtve kaznenog djela](#)), Official gazette (*Narodne novine*) 100/22.

<sup>159</sup> Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2022), National Plan for the Rights of Children in Republic of Croatia 2022-2026 ([Nacionalni plan za prava djece u Republici Hrvatskoj od 2022. do 2026. godine](#)).

<sup>160</sup> Croatia, Juvenile Courts Act ([Zakon o sudovima za mladež](#)) (2011), Official Gazette (*Narodne novine*) 84/11, 143/12, 148/13, 56/15, 126/19.

social welfare centres, and the training of special guardians for child representation.	course and exercise the right to a fair trial. The amendments in question additionally prescribe the content of the information on the rights of minors, and the right of a minor to be accompanied by a parent, guardian or, under certain circumstances, another appropriate adult, as well as the conditions under which the minor can waive the right to be accompanied. The mandatory defence of the minor has been moved to the earliest stage of the procedure, and a medical examination is prescribed for the arrested minor when required.
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1.4.11. Children at risk of harmful practices, including female genital mutilation; child /forced marriages, honour-related violence

Policy developments	Legislative developments
There is no available information on the existence of a specific policy for this area.	By 2019 Amendments of the Criminal Code, in Article 116 of the Criminal Code (female genital mutilation), due to the tightening of the criminal law policy of punishment, more severe sentences for criminal offense of genital mutilation were introduced (for the basic form of one to eight years, and for the qualified form of three to ten years in prison). <sup>161</sup>

1.4.12. Children whose parents are in prison/custody

Policy developments	Legislative developments
The National Development Strategy of the Republic of Croatia 2030, <sup>162</sup> within the framework of Croatia's development challenges and potential in the next decade, determines the increase in the accessibility of a high-quality system of early and preschool upbringing and education for every child to realize the right to quality upbringing and education from an early age. National Plan for the Rights of the Child in the Republic of Croatia 2022–2026 <sup>163</sup> relying on the National development Strategy provides the special goal of suppression of discrimination and social exclusion of children. As	Provisions of the Family Act are also applied to children whose parents are in prison. <sup>164</sup> A parent who does not live with the child has the right and duty to have personal relations with the child, unless it is prohibited or limited by a court decision (Article 95). The right to parental care does not end when a parent leaves to serve a prison sentence, but the law stipulates that if one of the parents is absent, as in the case of serving a prison sentence, the other parent continues to exercise parental care independently (Article 105, paragraph 1). If the parent with whom the child lives prevents the child

<sup>161</sup> Croatia, Amendments of the Criminal Code (2019), ([Zakon o izmjenama i dopunama Kaznenog zakona](#)), Official Gazette (*Narodne novine*) 126/19.

<sup>162</sup> Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2021), National Development Strategy of the Republic of Croatia 2030 ([Nacionalna razvojna strategija Republike Hrvatske do 2030. godine](#)), Official Gazette (*Narodne novine*) 13/21.

<sup>163</sup> Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2022), National Plan for the Rights of Children in Republic of Croatia 2022-2026 ([Nacionalni plan za prava djece u Republici Hrvatskoj od 2022. do 2026. godine](#)).

<sup>164</sup> Croatia, Family Act ([Obiteljski zakon](#)) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

part of the contribution to the implementation of the stated goal, the Strategy highlights activities to improve the rights of children whose parents are in prison, stating that those children, are very often at risk of social exclusion and have difficult access to services, such as early education, quality living conditions, and quality nutrition and lifestyle.

Every year in June, a pan-European campaign initiated by the pan-European network Children of Prisoners Europe (COPE) is held to protect the rights of children whose parents are in prison with the slogan: "Not my Crime, Still my Sentence", in which representatives of the Republic of Croatia actively participate.

from visiting the parent in prison and thereby acts contrary to the child's interests, the Institute for Social Work can impose measures to protect the child's personal rights and well-being. (Art. 134, 140, 142, paragraph 2, 147, paragraph 1 and 2).

According to Article 124 of the Act on Execution of Prison Sentence,<sup>165</sup> a child under the age of 18 can visit a parent once a week and on holidays. A child under the age of 16 visits a parent accompanied by an adult family member or another adult authorized to take care of the child. With the consent of the prisoner, the visit can be ensured through an audio-video conference, in which case it can be realized in a larger number and for a longer duration in accordance with the capabilities of the penitentiary or prison, and according to the house rules. Prisons are obliged to enable children's visits to their parents who are in prison and to provide an appropriate environment for such visits in accordance with their possibilities.

The situations when both parents are serving a prison sentence stand out in particular. In this case, a guardian should be appointed for the child. Pursuant to Art. 224, paragraph 5 of the Family Act,<sup>166</sup> a child whose parents are absent or unable to take care of the child, and who have not entrusted the exercise of parental care to a person who meets the requirements for a guardian, is placed under guardianship. Therefore, the Social Welfare Office will appoint a guardian for the child if the parents have failed to do so. In doing so, it is necessary to take into account the child's opinion in accordance with the Family Act (Art. 86) and the Social Welfare Act (Art. 10, Paragraph 3).

The situation of a pregnant woman or a mother with a child who was born while serving a prison sentence is also specific and is specifically regulated by Article 119 of the Act on Execution of Prison Sentences.<sup>167</sup> A pregnant woman and a mother with a child who gave birth while serving a prison sentence are provided with comprehensive health care related to pregnancy, childbirth, and motherhood. After giving birth, the mother and the child are placed in the ward for the accommodation

<sup>165</sup> Croatia, Act on Execution of Prison Sentence (*Zakon o izvršavanju kazne zatvora*) (2021), Official Gazette (*Narodne novine*) 14/21.

<sup>166</sup> Croatia, Family Act (*Obiteljski zakon*) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

<sup>167</sup> Croatia, Act on Execution of Prison Sentence (*Zakon o izvršavanju kazne zatvora*) (2021), Official Gazette (*Narodne novine*) 14/21.

of the mother and the child, where, as a rule, they stay until the child is three years old. If a pregnant woman is serving prison sentence in a penitentiary or a prison where there is no maternity ward, she is referred to a penitentiary or a prison where such a ward exists or, on the recommendation of a doctor, to the nearest specialized public health institution. The child stays with the mother at the request of the mother, if according to the assessment of the competent social welfare office it is in the best interest of the child, until the child reaches the third year of life, and exceptionally until the end of the prison sentence if the remaining part of the sentence is no longer than six months, after which the social welfare office takes the necessary measures within its jurisdiction. The competent social welfare office is obliged to cooperate with the penitentiary or prison in relation to the care of the child, and in the case of a violation of the child's personal rights by the mother, the penitentiary or prison will inform the social welfare office, which will take measures to protect the child's rights. The mother and child have the right to weekly visits from family members. During the stay of the child with the mother, the penitentiary or prison ensures that the child attends a preschool outside the penitentiary or prison.

The law prescribes the possibility of suspending the prison sentence for the reasons listed in Article 61. In relation to children, the execution judge can grant a postponement if the convict is the parent of a child under the age of one that he cares for, if the convict is pregnant and there are no more than 6 months left until childbirth, or if the convict is obliged to continue providing care and upbringing of a child in the family. The execution of the prison sentence can be postponed until the child reaches one year of age at the longest, and for up to six months due to the necessary care of the child.

The Ministry of Justice and Public Administration adopted the Ordinance on the Treatment of Prisoners which entered into force on November 25, 2021 and which strives to contribute more effectively to the realization of resocialization, rehabilitation and social inclusion of prisoners.<sup>168</sup> The Ordinance prescribes the approval procedure

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<sup>168</sup> Croatia, Ministry of Justice (*Ministarstvo pravosuđa*), The Ordinance on the Treatment of Prisoners (*Pravilnik o tretmanu zatvorenika*) (2021), Official Gazette (*Narodne novine*) 123/21.

	<p>and the method of using prisoners' benefits while serving a prison sentence. The benefits consist of easing the conditions inside the prison and more frequent contact with the outside world. The Ordinance prescribes the benefits of more frequent and longer family visits and unsupervised telephone calls, visits via audio-visual conference what can be of big significance for children who cannot visit a parent on regular basis.</p>
<p>1.4.13. Children who drop out of compulsory education and working children under the legal age for work</p>	
<p>Policy developments</p>	<p>Legislative developments</p>
<p>As a country with relatively small officially announced dropout rate<sup>169</sup> in general population Croatia does not have developed policies in this area. However, the National Plan for Roma Inclusion, in area of education envisages activities which reduce early school dropout at all levels of education, with special emphasis on young Roma women; and those that support cooperation between schools, social welfare services and mediators to prevent drop out.<sup>170</sup></p> <p>In order to estimate the reasons for the officially presented small drop out rate, for the purposes of the research, a telephone interview was conducted with a representative of the "Pragma" CSO<sup>171</sup>, whose strategic goal is to promote the right to education and lifelong learning while encouraging the retention of young people in the education system and encouraging work activation. During the conversation, it was pointed out that Croatia does not have a strategy to deal with the problem of school drop out. The interlocutor connects the previous activity of the Republic of Croatia in the adoption of strategic acts with the obligations connected with the accession to the European Union, and states that the NGO regularly publicly advocates that the topic of school drop out is not represented in strategic documents. The interlocutor states that official data on the dropout</p>	<p>In line with the provisions of the Family Act<sup>175</sup> Children have right to choose education and occupation and the right to employment in accordance with their abilities and well-being (Article 84, paragraph 5). Children who have reached the age of fifteen, if employed and if acquire property through work are obliged to contribute to their maintenance and education (Article 90). Parents have the duty to take care of comprehensive, regular and, according to their possibilities, further education of children and encourage their artistic, technical, sports and other interests (Article 94). Parents are obliged and responsible to respond to meetings or invitations of the educational institution regarding the upbringing and education of the child. Parents may not force the child to an education that is not in accordance with their abilities and preferences. In the case of a dispute between a child and a parent related to the child's education, the court will issue a decision in non-litigation proceedings at the proposal of the child or the parent in order to protect the child's well-being (Article 94, Paragraph 6).</p> <p>According to the Labour Law (Article 19), a person under the age of fifteen or a person under the age of eighteen who attends compulsory elementary education, may not be employed and such work is</p>

<sup>169</sup> European Commission, [Education and Training Monitor 2020 \(Pregled obrazovanja i osposobljavanja 2020\)](#).

<sup>170</sup> Croatia, The Government of the Republic of Croatia, Office for Human Rights and the Rights of National Minorities, (*Vlada Republike Hrvatske, Ured za ljudska prava i prava nacionalnih manjina*) (2021), The National Plan for Roma Inclusion, for the period from 2021 to 2027 ([Nacionalni plan za uključivanje Roma za razdoblje od 2021. do 2027. godine](#)).

<sup>171</sup> Croatia, [Civil society Organisation "Pragma"](#), interview held on 10 May 2023

<sup>175</sup> Croatia, Family Act ([Obiteljski zakon](#)) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.



rate cannot be considered relevant because an adequate student monitoring system has not been established, nor are the reasons for dropping out known (transfer to another school, illness, going to prison, etc.). According to the experiences gathered by the NGO, the most common reasons for leaving school are health problems, poverty, and intellectual under-capacity to follow the school program. One of the reasons for the lack of systematic follow-up is the fact that secondary schooling in Croatia is not compulsory and dropping out of school after elementary school is not included in the dropout statistics. One of the reasons for the low dropout rate is also the lowering of criteria for students who struggle to follow the school program, which enables them to complete their education, but not to compete on the labour market despite having completed school. According to unofficial information that the organisation receives from secondary vocational schools, the dropout rate is from 10 to 15%, and children's teachers report that there are situations in which children simply do not show up in the second semester or at the beginning of the school year, and that there is no available mechanism that would enable teachers to find out the reasons for leaving school.

The available research also shows that it is difficult or almost impossible to determine the exact number of students who drop out of the education system in the Republic of Croatia from the available statistical data, because the State Bureau of Statistics does not keep systematic records of how many children and young people do not enroll in and do not complete primary and secondary education, nor are there any official data on the ratios of school completion and dropouts. Specifically for Croatia, dropout rates are low, within 5%. The low dropout rate is undoubtedly contributed by the fact that education in Croatia ceases to be compulsory early - the law defines that education is compulsory for children between the ages of 6 and 15. However, since there is no systematic recording of this phenomenon, consequently, there is no established monitoring system for young people who have dropped out of

prohibited (Article 19.a of Labor Law). The prohibition does not apply to the performance of tasks within the framework of the implementation of work-based learning or to the occasional work of a regular student according to a special regulation, if such tasks do not endanger the health, safety, moral order or development of the child. Children who attend compulsory primary education may, only with the prior approval of the authority responsible for social welfare, participate in the activities of filmmaking, advertising, preparation and performance of artistic, scenic or similar cultural works and sports competitions, in the manner and to the extent that does not endanger their health, safety, order, education or development. Approval is issued based on the request of the child's legal representative, and one copy is submitted to the body responsible for labor inspection.<sup>176</sup> According to the officially published data of the Croatian Pension Fond, on January 31, 2023, there were 14,145 insured persons between the age of 15 and 19, while the Ministry of Labour, Pension System, Family and Social Policy has no data on the number of working children under the legal age for work.<sup>177</sup>

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<sup>176</sup> Croatia, Labour Act (*Zakon o radu*) (2014), Official Gazette (*Narodne novine*) 93/14, 127/17, 98/19, 151/22.

<sup>177</sup> Croatia, Ministry of Labour, Pension System, Family and Social Policy, Letter of 17 May 2023.

education, so it is not possible to know whether the rate of 5% is a realistic indicator of the situation.<sup>172</sup>

In a study conducted by the Faculty of Philosophy in Rijeka<sup>173</sup>, it is stated that in Croatia it is unclear exactly how many young people have prematurely stopped primary or secondary school education due to insufficiently developed mechanisms for systematic monitoring of this phenomenon, which affects the recognition of the seriousness of the problem. In Croatia, measures are being proclaimed to reduce the occurrence of prematurely leaving education and falling into the NEET position through the National Development Strategy of the Republic of Croatia 2030. Strategic goal 2. "Educated and employed people" among the implementation priorities states, among other things: ethical, emotional, aesthetic and physical development of children and students and the development of comprehensive support for children and students and the prevention of leaving the education system and entering the NEET group, with an emphasis on vulnerable groups and children and students with developmental disabilities".<sup>174</sup> Despite clear guidelines on the necessity of reducing the consequences of early school leaving, there is insufficient information on available measures of professional help and support, both for educational workers and experts in other support systems (health and social care), as well as informal forms of support.

1.4.14. Please insert any other group of children that is not listed above, such as children with drug or alcohol addictions (*add rows as needed*)

Policy developments

Legislative developments

The National Drug Abuse Strategy expired in 2017.

<sup>172</sup> Balog, Rafaela, 2022, Forms of support for young people at risk of dropping out of education and those who have left education (*Oblici podrške mladima u riziku od prekida obrazovanja i onima koji su napustili obrazovanje*).

<sup>173</sup> Croatia, Faculty of Philosophy, University in Rijeka (Filozofski fakultet Sveučilišta u Rijeci), 2022, Towards post-pandemic education: how to strengthen the education system? (*Prema postpandemijskom obrazovanju: kako osnažiti sustav odgoja i obrazovanja?*) Editors: A. Zovko, N. Vukelić, I. Miočić.

<sup>174</sup> Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2021), National Development Strategy of the Republic of Croatia 2030 (*Nacionalna razvojna strategija Republike Hrvatske do 2030. godine*), Official Gazette (*Narodne novine*) 13/21.

National Strategy Against Addiction for the period up to 2030 has been recently adopted.<sup>178</sup> One of the priority areas and goals set by the Strategy is to reduce the demand for addictive substances and the occurrence of addictions through the prevention among children and young people. To ensure the implementation of addiction prevention programs, the Ministry of Science and Education, in cooperation with the Education Agency, appoints county coordinators for addiction prevention in educational institutions, and the Education Agency appoints heads of county councils for prevention programs in primary and secondary schools and student dormitories. In addition to the above, the Ministry of Labour, Pension System, Family and Social Policy appoints county coordinators of addiction prevention programs for children and youth in the social welfare system. The strategy foresees quite general measures to achieve the goal, such as improving the creation, implementation and sustainability of high-quality, scientifically-based and proven-effective addiction prevention projects and programs.

### 1.5. Contradictions, conflicts, or gaps between national legislation/policies on child protection and international / EU standards

Are there any contradictions, conflicts, or gaps between national legislation/policies on child protection and international / EU standards that have been pointed out by international bodies, national human rights institutions, ombudspersons, or civil society organisations? Please also refer to any contradictions within national and sub-national legislation.

The developments recognised and described in this report show that there are no major gaps between national legislation / policy and international / EU standards. In general, the legislative framework regarding the protection of children is adequate and satisfactory and under constant development. Most of the doubts and problems derive from the implementation issues, as has been underlined for decades in the regular yearly reports of the Croatian Ombudsperson for Children to the Croatian Parliament.<sup>179</sup> Problems in coordination and intersectoral cooperation in which cooperation protocols are missing are identified as one of the difficulties in effective child protection. These protocols are particularly lacking in the area of child protection in case of parental conflict, and in this area emotional violence against children often remains unrecognized and unprocessed. Complaints often refer to the frequent changes of social workers in charge of individual families and, as a result, ignorance of family issues in individual cases, which leads to a stoppage in work and potentially endangers children's rights. One of the problems that is continuously present in the Croatian judicial system is the ineffectiveness of conducting investigations and court proceedings, which is why the Republic of Croatia has been repeatedly found to have violated Convention

<sup>178</sup> Croatia, National Strategy Against Addiction 2030, ([Nacionalna strategija djelovanja na području ovisnosti za razdoblje do 2030. godine](#)), Official Gazette (*Narodne novine*) 18/23.

<sup>179</sup> Croatia, Ombudsperson for Children (*Pravobraniteljica za djecu*), Reports of the Ombudsperson for Children ([Izvešća o radu Pravobraniteljice za djecu](#)).

rights before the European Court of Human Rights. Contrary to the recommendations of the UN Committee on the Rights of the Child, Croatia seems to be facing many shortages and overloads of experts in the field of social work. Protocols on dealing with violence in schools are not automatically applied, especially if the peer violence occurred in digital space or outside of school working-hours, even though schools are declared as institutions with zero tolerance for violence, which is noticed in the Report of the Ombudsperson for Children for 2021. Support for children with developmental disabilities is often declaratory, as evidenced by the parents of children with autism, who often point to the lack of early intervention in media appearances, and that many therapeutic and diagnostic procedures are unequally available to all children. Through an interview the Ombudsperson problems of unequal territorial availability of support services in early intervention, ineffectiveness of the court proceedings aimed for protection of children, absence of specialized family courts and underdeveloped foster care system were highlighted.<sup>180</sup>

The Ombudsperson for Children also noted that in Croatia there are still no regulations governing preconditions related to human resources, space and safety in playrooms/birthday party venues in which children spend their free time. Furthermore, that in Croatia there is no national strategy/plan on social housing to ensure housing for socially vulnerable families with children and a considerable number of children are not provided with an appropriate living standard in line with the Convention on the Rights of the Child.<sup>181</sup> Also, the Ombudsperson noted that Republic of Croatia has never submitted to the UN Committee on the Rights of Child the Report in line with the Optional Protocol to the Convention on the Rights of the Child and sale of children, child prostitution and child pornography. The Ombudsperson also pointed that the UN Committee on the Rights of Child invited the Republic of Croatia to “ensure full implementation of the relevant existing laws which prohibit discrimination, including education capacity building to address negative attitudes of the society towards LGBTQ children”.<sup>182</sup>

#### 1.6. Orientation/fragmentation of national child protection policy and legislation

Based on the above information please assess and explain if the national child protection policy and legislation is fragmented and if the child protection system is oriented towards prevention and/or intervention.

The national child protection system, although comprehensive, on the other hand, is extremely fragmented, which results from the fact that the regulations that provide protection to children are represented in numerous laws and by-laws that are subject to frequent changes. Equally, the policies are fragmented, since children's rights are mostly found in policies aimed at general population or vulnerable groups in which children are one of the subcategories. Although there is no doubt about the good intentions of the legislator and the Government in terms of the continuous improvement of the child protection system, legal changes are sometimes illogical and very difficult to follow, which leads to the situation in which the experts dealing with child protection are focused either, only on narrow areas of activity, with a lack of insight in the broader picture and the comprehension of rights guaranteed to children as a whole, or those that cover a larger number of areas (for example judges) who, due to the width of the areas they need to cover, have a difficult time keeping up with changes in laws, which causes problems with the application of the law in practice. In her reports, the Ombudsman for children continuously points to weaknesses in the social care system (overload, lack of staff) that causes difficulties and omissions in area of protection of fundamental rights and interests of children, which is unfortunately one of the factors that contributed to the occurrence of tragic cases in the last few years. The overloading of the social care system should be seen precisely as a

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<sup>180</sup> Croatia, Ombudsperson for Children (*Pravobraniteljica za djecu*), Interview held on 17 April 2023.

<sup>181</sup> Ombudsperson's for Children Suggestions for amendments of the document Mapping child protection systems in the EU (27) - Croatia, of 16 July 2023.

<sup>182</sup> Ombudsperson's for Children Suggestions for amendments of the document Mapping child protection systems in the EU (27) - Croatia, of 16 July 2023.

consequence of the absence of adequate and effective preventive measures (protection against poverty and social exclusion, education of parents, support to children with disabilities etc.), which leads to the system being continuously burdened by users who, in the absence of adequate preventive measures, have no other options but to seek for intervention measures.

Based on the output of the 2014 mapping exercise, please briefly describe the development of the child protection legislation and policies in the past 8 years, incl. achievements and (persisting) gaps and challenges.

In the last eight years, there have been significant changes in the legislative framework of child protection, as the entirely new Family Act, Social Welfare Act and Foster Care Act were passed. The adoption of the Family Act,<sup>183</sup> which was the subject of an assessment before the Constitutional Court, caused a particularly large debate in the public space. Although the legislator by passing the law had the intention to improve the system of family law protection in family matters by explicitly prescribing the legal principles of proportionality, by giving in the legal text a central place to the protection of the rights and interests of children, by introducing new child protection institutes, its provisions have received numerous criticisms some of which have proven to be well-founded. For example, by foreseeing that children are represented by special guardians in all proceedings, the legislator certainly had good intentions, but due to their small number, this protection in practice is reduced to a mere formality in numerous cases. Furthermore, although the family law contains a preventive measure that should reduce conflicts between parents in procedures related to parental care, for example mediation and mandatory counselling, it seems that nothing has been systematically done to achieve the creation of a culture of dialogue and mediation, which is a fundamental factor in prevention of contentious court proceedings, which unfortunately still represent a significant number of cases. Although some courts are overloaded with cases, the fact that due to the creating specialized family departments, jurisdiction has been transferred to some courts that are the most overloaded and have a large backlog of work (such as Zagreb Municipal Court), which significantly slows down the work on cases, is particularly worrying. The new Foster Care Act,<sup>184</sup> introduced foster care as a professional category, including for children with disabilities and behavioural problems. However, there is a persistent problem in foster care system, which consists in the fact that foster parents are usually elderly people, living in rural areas, sometimes without access to the Internet, and with a lack of basic knowledge about the digital world, which has proven unacceptable in numerous cases of placement of children who were faced with great cultural differences in foster families. According to available data as of March 2021, there are 1,319 foster families in Croatia, only 35 of which are professional foster parents, and none designated a specialised foster carer under the Foster Care Act. Foster care in Croatia is geographically uneven, with some counties having a low number of foster families, which is why some children must be placed outside of their communities.

Please list and briefly describe any promising practice in child protection legislation and policies that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

Some of the most promising practices are developed by the police, such as application for missing children by which, the Ministry of the Interior notifies the Meta company to initiate the alert, the so-called NENO Alarm, with the citizens - social network users on Facebook and Instagram - within a 160-kilometre radius from the location where the child was last seen. Prior to that, the Croatian police established the Red Button application<sup>185</sup>, for reporting violence against children, whether it is online or offline, which is designed in easily accessible and child -friendly manner. Furthermore, it was reported by the media that as of January 2023 all children in schools are provided with one free meal per day. Croatia is among the seven EU Member

<sup>183</sup> Croatia, Family Act (*Obiteljski zakon*) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

<sup>184</sup> Croatia, Foster Care Act (*Zakon o udomiteljstvu*) (2018), Official Gazette (*Narodne novine*) 115/18, 18/22.

<sup>185</sup> Croatia, Ministry of the Interior (*Ministarstvo unutarnjih poslova*), [Red button report](#).

States in which the pilot project *Child Guarantee* is being implemented. Within the scope of the project, UNICEF Croatia, in cooperation with the Ministry of Labour, Pension System, Family and Social Policy, other bodies, Međimurje County and local self-government units, develops practices to ensure access to quality and timely healthcare, education, care services, adequate housing conditions and quality nutrition for the most vulnerable children in Croatia (including Roma children).



## 2. Governance, coordination structures, and services

### 2.1. Primary institutions and main service providers responsible for child protection

Question	Yes	No	Comments
<p>2.1.1. Is there any lead institution/body (e.g. child protection agency, ministry, etc.) primarily responsible for child protection at the national level?</p> <p><u>If yes</u>, please provide the name in the comments box.</p>	X		Ministry of Labour, Pension System, Family and Social Policy
<p>2.1.2. Are there different structures sharing the primary responsibility (e. g. departments in the same or different ministries, different agencies etc.)?</p> <p><u>If yes</u>, please provide the name under the comments box and please also mention which body has the lead in coordinating child protection policies and actions.</p>	X		<p>Ministry of Labour, Pension System, Family and Social Policy has the primary responsibility for child protection. According to Regulation on the internal organization of the Ministry of Labour, Pension System, Family and Social Policy, within the ministry there are departments, among which the most relevant are Directorate for Family and Social Policy and Institute for Social Work.</p> <p>However, at the implementation level (including financing) they share the responsibility with other ministries in some segments. Namely, the Ministry of Justice and Public Administration has competence over functioning of disciplinary centres, juvenile courts, and the judicial system in general, the Ministry of Science and Education is responsible for functioning of educational institutions, and the Ministry of Health for functioning of health care institutions.</p> <p>In addition, the Ombudsperson for Children is the only institution whose primary role is the protection of the rights and interests of children; but its role is advisory in nature.</p>
<p>2.1.3. Are there child focal points or similar in different ministries or agencies?</p>		X	It is not found that there are focal points within individual Ministries and Agencies for children, however there is no obstacle for children to contact the Ministry/Agency in person.

If yes, in which ministry are they located, what are they called, and what role/functions do they have? How do they coordinate?

Please provide in the table below a list of the national/regional/local bodies or authorities having certain responsibilities related to child protection, e.g. child ombuds institution.

Please note: For the regional and the local levels please indicate only the type of body, do not list all different bodies at regional/local level in the country.

Name of the body	Level (national/regional/local).	Area of responsibility and roles in child protection <i>(for example coordination, legislation, policy making, training, monitoring, financing, implementing)</i>	Comments <i>(for example in case of ombuds institution, compliance with the Paris Principles)</i>
Ombudsperson for Children	National	Coordination, monitoring, policy making, advising, recommending, and informing	The Office has duty to protect, monitor and promote rights and interests of children. It monitors the implementation of all regulations concerned with the protection of the rights and interests of children; gives recommendations and proposes measures aimed at improving the child protection system and protection of children; promotes the rights and interests of children; reports on the state of children's rights; informs and advises children on the manner of exercising and protecting their rights and interests; has the right to initiate policy change and participate in policy making, i.e. the preparation of draft proposals of regulations related to the rights of children or other important issues for children.

			<p>It is established by the Act on Ombudsperson for children<sup>186</sup></p> <p>According to the available data in Croatia, only the People Ombudsperson fulfils the criteria that the institution must meet to receive the status of an independent national institution, prescribed by the Paris Principles.</p> <p>It has to be noted that the provision according to which the Parliament can dismiss the Ombudsperson in case of non-acceptance of the annual work report (Article 26 of the Act on Ombudsperson) was exposed to numerous criticisms from the community of experts, including the UN Committee on the Rights of the Child.</p>
Council for Children	National	Coordination, monitoring, policy making.	<p>The Council for Children is an advisory body of the Government, established in 1998 (reestablished by the Decision of the Government od 12 February 2021)<sup>187</sup> with the task of monitoring the achievement of the goals of the national strategic document relating to the rights and protection of children and coordinating the work of state and other bodies in the implementation of planned measures and activities, monitoring the implementation of the Convention on the Rights of the Child and other international documents,</p>

<sup>186</sup> Croatia, Act on the Ombudsperson for Children ([Zakon o pravobranitelju za djecu](#)) Official Gazette (*Narodne novine*) 73/17.

<sup>187</sup> Croatia, Government of the Republic of Croatia (*Vlada Republike Hrvatske*), Decision on Establishment of a Council for Children ([Odluka o osnivanju Vijeća za djecu](#)), Official Gazette (*Narodne novine*) 14/21.

			<p>monitoring the implementation of existing national regulations relating to children, proposing to the Government measures to improve the work of bodies that have tasks related to the protection of children and the exercise of their rights, as well as for the improvement of legal regulations in the field of child protection and the exercise of their rights, proposing to the Government and other authorized bodies the financing of certain programs important for children, from the state budget and other sources, monitoring the implementation of national programs for children in other EU member states, monitoring the work of the National Ethics Committee for Research with Children, with the aim of promoting and monitoring the implementation and interpretation of the provisions of the Code of Ethics for Research with Children in the Republic of Croatia in disputed cases.<sup>188</sup></p>
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<sup>188</sup> Croatia, Code of Ethics for Research with Children ([Etički kodeks istraživanja s djecom](#)).

<p>Ministry of Labour, Pension System, Family and Social Policy</p>	<p>National</p>	<p>Legislation, policy making, monitoring, financing, implementation</p>	<p>A main state institution in charge of caring for persons and families who do not have enough funds to meet basic life needs or who need help to eliminate the causes of social vulnerability; establishing the network of social welfare institutions and activities and harmonizing their work and providing professional assistance; implementation of administrative, inspection and professional supervision; deciding on the establishment, termination and status changes of social welfare institutions; disseminating and analysing data on users in the social welfare system and creating statistical reviews and reports; protection of victims of human trafficking and refugees and ensuring the integration of asylum seekers and persons under subsidiary protection, protection of children and young adults with behavioural problems and inclusion in everyday life after a long stay in an educational institution; rehabilitation and resocialization of addicts and prevention of all forms of addiction; administrative and professional tasks related to foster care and adoption.</p> <p>The Ministry performs administrative and professional tasks related to protection of families in which relations have been broken; protection from domestic violence; relations between parents and children; protection of children whose parents live apart, and without adequate parental care.</p>
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			It is established by the Act on the Structure and Scope of State Administration Organisations. <sup>189</sup>
Ministry of Justice and Public Administration	National	Legislation, policy making, monitoring, financing, implementation	State institution in charge of administrative and other tasks related to: the field of law and administrative adjudication; organization and work and professional training in bodies that carry out criminal and misdemeanour sanctions; international legal assistance and other forms of legal assistance; execution of criminal and misdemeanour sanctions, pardons and paroles; administrative and professional probation tasks when deciding on criminal prosecution and choosing the type and measure of criminal sanctions, tasks of development and coordination of the support system for victims and witnesses, and computerization of the judiciary.  It is established by the Act on the Structure and Scope of State Administration Organisations. <sup>190</sup>
Ministry of Science and Education	National	Legislation, policy making, monitoring, financing, implementation	Performs administrative and other tasks related to the system of preschool education, primary and secondary school education in the country and abroad; In charge of national curriculum; textbooks, norms and standards and other conditions for educational work; education development; student standard; inspection

<sup>189</sup> Croatia, Act on the Structure and Scope of State Administration Organisations ([Zakon o ustrojstvu i djelokrugu tijela državne uprave](#)) (2020), Official Gazette (*Narodne novine*) 85/20, 21/23.

<sup>190</sup> Croatia, Act on the Structure and Scope of State Administration Organisations ([Zakon o ustrojstvu i djelokrugu tijela državne uprave](#)) (2020), Official Gazette (*Narodne novine*) 85/20, 21/23.



			<p>supervision; establishing and supervising the legality of the work of institutions and ensuring financial and material conditions for work in upbringing and education; training of children, young people and adults to acquire technical knowledge and skills and the activities of OCDs in this area.</p> <p>It is established by the Act on the Structure and Scope of State Administration Organisations.<sup>191</sup></p>
Government Office for Human Rights and Protection of National Minorities	National	Coordination, monitoring, policy making	<p>An expert service of the Government in charge of the protection of human rights and minority rights, particularly for the development and coordination of national policy in the area of human rights, minority rights, human trafficking and anti-discrimination. The main tasks include monitoring the effectiveness of policies in these areas and monitoring and reporting on the state of human rights and minority rights.</p> <p>It is established by the Act on the Government of the Republic of Croatia<sup>192</sup> and the Ordinance on the Office for Human Rights and Rights of National Minorities.<sup>193</sup></p>

<sup>191</sup> Croatia, Act on the Structure and Scope of State Administration Organisations ([Zakon o ustrojstvu i djelokrugu tijela državne uprave](#)) (2020), Official Gazette (*Narodne novine*) 85/20, 21/23.

<sup>192</sup> Croatia, Act on the Government of the Republic of Croatia ([Zakon o Vladi Republike Hrvatske](#)) (2011), Official Gazette (*Narodne novine*) 150/11, 119/14, 93/16, 116/18, 80/22.

<sup>193</sup> Croatia, Government of the Republic of Croatia (*Vlada Republike Hrvatske*), Ordinance on the Office for Human Rights and Rights of National Minorities ([Uredba o Uredu za ljudska prava i prava nacionalnih manjina](#)) (2019), Official Gazette (*Narodne novine*) 6/19.

County Offices for Social Activities	Regional	Policy making, monitoring, financing, implementation	Regional offices are in charge of implementing legislation and policies at the regional level in different areas, such as early childhood education and care, education, culture, sports, healthcare, social welfare, war veterans' rights, etc.  They are established based on the Local and Regional Self Government Act. <sup>194</sup>
Administrative Offices for Social Activities	Local	Policy making, monitoring, financing, implementation	Administrative offices for social activities are in charge of activities in different areas, such as early childhood education and care, education, culture, sport, healthcare and social welfare, with the aim of responding to local needs.  They are established based on the Local and Regional Self Government Act. <sup>195</sup>

2.1.4. Please indicate if there were in the past five years any important changes concerning the child protection mandate/roles/responsibilities and outline what caused or influenced these changes (for example, a transfer of responsibility for child protection from one ministry to another ministry or a body or merging of responsibilities, etc. Please indicate notably if an integrated approach has been sought and/or achieved.

In the last five years, there have been structural changes in the social welfare system for which since 2020, the Ministry of Labour, Pension System, Family and Social Policy has been responsible. The Ministry was created by the merger of the former Ministry of Social Policy and Youth and the Ministry of Labour and Pension System. The Ministry was established by the Law on the organization and scope of state administration bodies of 2 July 2020, and in relation to social care, protection of children and families under its jurisdiction, continues to carry all the activities that were previously carried out by the Ministry of Family, Social Policy, and Youth (established by the Law on the organization and scope of state administration bodies, 2016). By the 2020 Law on the organization and scope of state administration

<sup>194</sup> Croatia, Local and Regional Self Government Act ([Zakon o lokalnoj i područnoj \(regionalnoj\) samoupravi](#)) (2001), Official Gazette (*Narodne novine*) 33/01, 60/01, 129/05, 109/07, 125/08, 36/09, 150/11, 144/12, 19/13, 123/17, 98/19, 144/20.

<sup>195</sup> Croatia, Local and Regional Self Government Act ([Zakon o lokalnoj i područnoj \(regionalnoj\) samoupravi](#)) (2001), Official Gazette (*Narodne novine*) 33/01, 60/01, 129/05, 109/07, 125/08, 36/09, 150/11, 144/12, 19/13, 123/17, 98/19, 144/20.

bodies the Ministry of Justice and the Ministry of Administration were merged, and now operate together under the joint name of the Ministry of Justice and Public Administration. The responsibilities that were previously under the Ministry of Justice, when it operated independently, have not changed.

2.1.5. Please indicate, in the table below, the major service providers at national level in the area of child protection. Include family support services /measures (i.e. counselling, financial assistance) that are part of the overall social protection/welfare system for children in risk.

<b>Service providers</b> <i>(include the name and the type of institution i.e. public authority, NGOs, religious institutions, private)</i>	<b>Type of services</b> <i>(Include counselling, care institutions, day care centres, financial assistance, legal advice, rehabilitation services for victims, education awareness –training activities, etc.)</i>	<b>Target groups</b> <i>(For example, children with disability, children in risk of or living in poverty, immigrant children, children deprived form parental care, child victims of abuse or exploitation. When relevant, please indicate if third country nationals and irregular immigrants are entitled to such services)</i>	<b>Funding</b> <i>(national budget, EU funded, other)</i>
Croatian Institute for Social Work, public	Public institution competent to act as first instance authority in areas of social welfare, protection of children in family and criminal law areas, foster care and other administrative areas. The Institute carries out tasks within its jurisdiction in the central unit, which is organized as a central service with headquarters in Zagreb and regional units (offices) (previously social welfare centres).	Children with disability, children in risk of or living in poverty, immigrant children, children deprived of parental care, children victims of abuse, exploitation and violence, children parties in the custody proceedings.  Third country nationals and irregular immigrants are entitled to services of the Croatian Institute for Social Work	National budget

Center for special guardianship, public	Public institution whose experts represent children in court proceedings	Children participating in court proceedings. Third country nationals and irregular immigrants are entitled to services of the Croatian Institute for Social Work	National budget
Family Centre, public	Independent institution established to implement activities of counselling, family support and mediation, psychosocial treatment for the prevention of violent behaviour, development of socialization skills of children and young people, especially communication skills and non-violent conflict resolution between children and young people, advisory and preventive work for children, youth, and families.	Child victim of abuse or exploitation, child with addiction and behavioural problems, minors under execution of sanctions. Third country nationals and irregular immigrants are entitled to services of the Family centre.	National budget
Social Care Homes  A social care home can be established by the Republic of Croatia, a unit of local and regional self-government, i.e. the City of Zagreb, a religious	A public institution established to provide social services, counselling, expert assessment, psychosocial counselling and support, social mentoring, early development support, assistance with inclusion in education and	Children deprived of parental care, children living in poverty (unaccompanied-separated children, children with behavioural problems, children with developmental disabilities). Children with disability, children in risk of or living in poverty, immigrant children, children deprived of parental care, child victims of	National budget, EU funded, local budget, other

<p>community, a private company, an NGO and other domestic and foreign legal or physical person.</p> <p>An exhaustive list of social care homes, public and private is available in the address book on the Ministry of Labour, Pension System, Family and Social Policy website<sup>196 197</sup> and in the 2019 Annual Statistical Report on Care Homes and Social Welfare Beneficiaries.<sup>198</sup></p>	<p>regular education programs, help at home, accommodation, organized housing and/or accommodation.</p> <p>Social care homes are established as centres for upbringing and education, centres for rehabilitation and centres for the provision of services in the community.</p>	<p>abuse, exploitation and violence, children parties in the custody proceedings, children victims and witnesses in criminal proceedings</p> <p>Unaccompanied child, foreign citizen and stateless are entitled to services of the Social care homes.</p>	
<p>Counselling centres for children</p> <p>The counselling service is provided by an expert worker of the Institute, the Family Centre, a social care home, a religious community, a private company, an NGO and other</p>	<p>The counselling service includes individual work with the user and/or his family members in order to overcome difficulties that can be solved with short-term interventions of up to three meetings, and exceptionally up to five meetings according to the expert's assessment.</p>	<p>All children, especially children victims of violence, children with behavioural problems, children in need for help in learning</p> <p>Third country nationals and irregular immigrants are entitled to services of the Family centre.</p>	<p>National budget, EU funded, local budget, other</p>

<sup>196</sup> Croatia, Ministry of Labour, Pension System, Family and Social Policy (*Ministarstvo rada, mirovinskog sustava, obitelji i socijalne politike*), Address book on the Ministry of Labour, Pension System, Family and Social Policy ([Adresar pružatelja socijalnih usluga](#)).

<sup>197</sup> Croatia, Ministry of Labour, Pension System, Family and Social Policy (*Ministarstvo rada, mirovinskog sustava, obitelji i socijalne politike*), Registers and records ([Registri i evidencije](#)).

<sup>198</sup> Croatia, Ministry of Labour, Pension System, Family and Social Policy (*Ministarstvo rada, mirovinskog sustava, obitelji i socijalne politike*), Annual Statistical Report on Care Homes and Social Welfare Beneficiaries for 2019, ([Godišnje statističko izvješće o domovima i korisnicima socijalne skrbi 2019](#)).

<p>domestic and foreign legal or physical person.</p> <p>An exhaustive list of counselling centres is available on the web page of the Ministry of Labour, Pension System, Family and Social Policy website.<sup>199</sup></p> <p>List of counselling centres for victims of violence is available on the web page of the Ministry of Labour, Pension System, Family and Social Policy website<sup>200</sup></p>			
<p>Legal counselling centres</p> <p>An exhaustive list of counselling centres is available in the address book on the Ministry of Justice and Public Administration website<sup>201</sup></p>	<p>Legal advice</p>	<p>All children</p> <p>Third country nationals and irregular immigrants are entitled to services of the Family centre.</p>	<p>National budget, EU funded, local budget, other</p>

<sup>199</sup> Croatia, Ministry of Labour, Pension System, Family and Social Policy (*Ministarstvo rada, mirovinskog sustava, obitelji i socijalne politike*), Address book on the Ministry of Labour, Pension System, Family and Social Policy ([Adresar pružatelja socijalnih usluga](#)).

<sup>200</sup> Croatia, Ministry of Labour, Pension System, Family and Social Policy (*Ministarstvo rada, mirovinskog sustava, obitelji i socijalne politike*), Address book of institutions, organization and others institution that provide assistance, support and protection to the victims of family violence ([Adresar ustanova, organizacija i ostalih institucija koje pružaju pomoć, podršku i zaštitu žrtvama nasilja u obitelji](#)).

<sup>201</sup> Croatia, Ministry of Justice and Public Administration (*Ministarstvo pravosuđa i uprave*), Organisations and legal clinics for providing primary legal aid ([Ovlaštene udruge i pravne klinike za pružanje primarne pravne pomoći](#)).



2.1.6. Please indicate if any child participation or feedback mechanisms are part of child protection services.

Child participation in child protection services is generally prescribed by Social Welfare Act<sup>202</sup> stipulating that in all procedures in which the rights and interests of the child are decided, the children have the right to find out the important circumstances of the case in an appropriate way, to get advice and express their opinion, and to be informed about possible consequences of respecting their opinion. Opinion of the child is considered in accordance with age and maturity. However, it is not completely clear how the said right works in practice and whether children are given the right to express themselves in every situation when using social services. In addition to the above, the Social Welfare Act stipulates that a user who is not satisfied with the actions or omissions of a person in social welfare activities can submit a complaint to the principal of a social welfare institution founded by the Republic of Croatia. The principal of the social welfare institution is obliged to act on the complaint without delay and to inform the user in writing about the determined or taken measures no later than 15 days from the date of the complaint. If the users are not satisfied with the measures taken and the response of the principal, they have the right to file a complaint with the Ministry of Labour, Pension System, Family and Social Policy within 15 days of receiving the notification. The last instance to which the user of social services can turn is the five-member citizens' committee.

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<sup>202</sup> Croatia, Social Welfare Act ([Zakon o socijalnoj skrbi](#)) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

2.2. Civil society organisations active in the area of child protection. Please consider also including information on the role of religious institutions and groups active in the area of child protection.

Question	YES	NO	Comments
<p>2.2.1. Is there a registry of civil society organisations operating in the child protection area?</p> <p><u>If yes</u>, briefly provide information on the legislative-regulatory framework and the responsible authority.</p>	X		<p>The Associations Act established a register of associations in which all associations operating in the territory of the Republic of Croatia are registered.<sup>203</sup> Registration and keeping of the register is regulated by the Ordinance on the content and manner of keeping the register of associations of the Republic of Croatia and the register of foreign associations in the Republic of Croatia.<sup>204</sup> Associations are classified in the register of associations according to form of association, target groups as well as activities and goals prescribed by the association's statute in accordance with the classification of activities that form an integral part of the Ordinance.</p> <p>The classification of associations serves only for statistical purposes and does not affect rights and obligations of each association.</p> <p>There is no special register in which only associations dealing with child protection would be registered.</p> <p>The Ministry of Labour, Pension System, Family and Social Policy published an Address book of social services providers.</p>
<p>2.2.2. Is there a legal obligation for the accrediting; licensing; registering; inspecting the activity of any type of civil society organisations, e. g. NGOs, charities, church organisations, etc. in the area of child protection?</p> <p><u>If yes</u>, which is the responsible authority? How frequent are reviews and inspections?</p>	X		<p>The Social Welfare Act prescribes that social welfare activities can be performed by associations and religious communities under the conditions and in the manner prescribed by the Social Welfare Act and other regulations.<sup>205</sup></p> <p>To provide social services, associations must meet the standards of space, equipment, necessary professional and other staff, content, scope, and method of providing services in accordance with</p>

<sup>203</sup> Croatia, Associations Act ([Zakon o udruqama](#)) (2014), Official Gazette (*Narodne novine*) 74/14, 70/17, 98/19, 151/22.

<sup>204</sup> Croatia, Ordinance on Ordinance on the content and manner of keeping the register of associations of the Republic of Croatia and the register of foreign associations in the Republic of Croatia ([Pravilnik o sadržaju i načinu vođenja registra udruga Republike Hrvatske i registra stranih udruga u Republici Hrvatskoj](#)) (2015), Official Gazette (*Narodne novine*) 4/15, 14/20.

<sup>205</sup> Croatia, Social Welfare Act ([Zakon o socijalnoj skrbi](#)) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/2.

		<p>the Ordinance on standards for the provision of social services.<sup>206</sup></p> <p>Fulfilment of criteria for the provision of social services is determined by the Commission appointed by the regional self-government unit. After the Commission's approval associations are entered into register of providers of social services kept by the Ministry of Labour, Pension System, Family and Social Policy. Register in electronic form, is publicly available on the Ministry's website.</p> <p>The unit of regional self-government has the obligation for social service providers in relation to which it has issued a decision on meeting the criteria, at least once a year to perform control of the fulfilment of the criteria for the provision of social services. In case of suspicion of any irregularities, the Ministry must be notified. The local and regional self-government unit is obliged to at least once a year organize the education of professional workers of social services providers for which it has issued a decision on meeting the criteria for the provision of social services.</p> <p>In addition, all welfare service providers are subject to inspection conducted by the Ministry.</p> <p>There is no special mechanism for monitoring the work of organizations dealing with child protection.</p>
<p>2.2.3. Are there cooperation agreements/partnerships between government and the civil society at national or local level?</p> <p>If <u>yes</u>, What is the prevalence of this practice?</p> <p>Please provide <u>indicative examples</u> and information regarding the main areas covered, type of services targeted, and financial aspects of such partnerships (i.e. if done in view of accessing EU funds).</p>	<p><b>X</b></p>	<p>As a body responsible for cooperation between the Government and civil society associations, the Office for Associations was established as an expert service of the Government with the purpose of creating conditions for cooperation and partnership with the non-governmental, non-profit sector, especially with associations operating in the territory of the Republic Croatia.<sup>207</sup></p> <p>Also, the National Foundation for the Development of Civil Society has been established as a public foundation with the basic purpose of</p>

<sup>206</sup> Croatia, Ministry of Labour, Pension System, Family and Social Policy (*Ministarstvo rada, mirovinskog sustava, obitelji i socijalne politike*) (2022), Ordinance on standards for the provision of social services ([Pravilnik o mjerilima za pružanje socijalnih usluga](#)), Official Gazette (*Narodne novine*) 110/22.

<sup>207</sup> Croatia, Government of the Republic of Croatia (*Vlada Republike Hrvatske*), Regulation on the Office for Associations, ([Uredba o Uredu za udruge](#)) (2012), Official gazette (*Narodne novine*) 34/12, 63/19.

		<p>promoting and developing civil society in the Republic of Croatia.<sup>208</sup></p> <p>The main purpose of the National Foundation is to provide professional and financial support to programs that promote the sustainability of the non-profit sector, cross-sector cooperation, civic initiatives, philanthropy, volunteerism, and improve the democratic institutions of society. The National Foundation is financed from the funds of the state budget, provided in a special position of the Office for Associations, from part of the income from lottery games, donations etc.</p> <p>Numerous projects of civil society organizations are co-financed through the National Foundation and the Office for Associations, and in this way, associations achieve significant financial support.</p> <p>A regulation was also adopted which establishes the criteria, standards and procedures that the competent bodies of the state administration, government offices and bodies and other public institutions, having funds from public sources, apply when financing and contracting programs and projects of interest for the common good provided by associations.<sup>209</sup></p> <p>The National strategy for creating a stimulating environment for the development of civil society was in force until 2016. A new strategy has not been adopted to this date, although a working group for creation of a new Strategy for the period 2017-2021 was established.</p> <p>In a practical sense, cooperation in certain areas takes place by project engagement of civil society organizations for the provision of certain social services for which the state does not have enough human, spatial, professional capacities, thereby expanding the quality and availability of the network of social services in various areas.</p> <p>In the same way, important cooperation is realized through the consulting of civil society organizations in the adoption of laws through</p>
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<sup>208</sup> Croatia, Act on the National Foundation for the Development of Civil Society ([Zakon o Nacionalnoj zakladi za razvoj civilnoga društva](#)) (2003), Official Gazette (*Narodne novine*) 173/03.

<sup>209</sup> Croatia, Government of the Republic of Croatia, Regulation on criteria, standards and procedures for financing and contracting programs and projects of interest for the common good implemented by associations ([Uredba o kriterijima, mjerilima i postupcima financiranja i ugovaranja programa i projekata od interesa za opće dobro koje provode udruge](#)), Official Gazette (*Narodne novine*) 26/15, 37/21.

		<p>various expert working groups, national strategies, plans and programs. Civil society organisations actively participate in the law-making process when conducting consultations on draft laws and other regulations in accordance with the prescribed procedure.<sup>210</sup></p> <p>As an indicative example, can be mentioned the Agreement between the Ministry of Labor, Pension System, Family and Social policy and ADOPTA (the adoption association), in the implementation of the project "Position of children without adequate parental care who use the accommodation service in the social welfare system" concluded in December 2022. Part of the project will be scientific research on the position of children without adequate parental care, placed in homes and alternative accommodation. The results of the research will be presented to the public and the media with the aim of raising awareness of the position of children in the social welfare system. Ultimately, the results of the project will be used as a platform for an action plan with measures to improve the position of children in the system. Furthermore, the Ministry concluded contracts with 3 NGOs, for the provision of half-day stay and organised housing for children without parental care and with bi behavioural problems; contracts with 10 NGOs for half-day stay, psychosocial support and early development support for children with developmental disabilities, contract with one NGO for accommodation for the purpose of implementation of rehabilitation programs for children with addictions, one contract was concluded for accommodation in situations of crisis for children victims of human trafficking, and contracts with 3 NGOs for the provision of accommodation in situations of crisis for victims of domestic violence. The total annual contractual</p>
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<sup>210</sup> Croatia, Act on the Right to Access to information ([Zakon o pravu na pristup informacijama](#)) (2013), Official Gazette (*Narodne novine*) 25/13, 85/15, 69/22.

			obligations for the financing of the above services amount to EUR 3,442,000. <sup>211</sup>
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### 2.3. Inter-agency cooperation in the area of child protection

Question	YES	NO	Comments
<p>2.3.1. Is there <u>coordination between national, regional, or local authorities</u> in developing and implementing policies and legislation in the area of child protection?</p> <p>If <u>yes</u>, how is this done? Please comment on the strengths and weaknesses.</p> <p>For <u>example</u>, is this cooperation – coordination regulated by the legislative framework? Does cooperation take place ad hoc, e.g. addressing specific issues and on specific thematic areas of interest or is it a key feature of the system?</p>	X		<p>The Government of the Republic of Croatia established the Council for Children as its advisory body, which currently operates under the Ministry of Labour, Pension System, Family and Social Policy.<sup>212</sup> The council consists of representatives of state administration bodies, representatives of scientific and professional institutions and other bodies and institutions, representatives of associations for the protection and promotion of children's rights, and representatives of children.</p> <p>The Ministry of Science and Education nominates a representative and a deputy representative in the Council for Children from among the members of the National Student Council of the Republic of Croatia every two years, i.e. after the expiration of the mandate of the previous members of the council. The members of the National Student Council of the Republic of Croatia are students from primary and secondary schools, so the representative in the Children's Council proposed by the Ministry of Science and Education is a child who participates in the work of the Children's Council.<sup>213</sup></p> <p>The tasks of the Council are to monitor the achievement of the goals related to the rights and protection of children and to coordinate and harmonize the work of state and other bodies in the implementation of planned measures and activities in this area, to monitor the implementation of the Convention on the Rights of the Child and other international documents related to the protection and promotion of children's rights, to monitor the application of existing regulations related to with children etc.</p>

<sup>211</sup> Croatia, Ministry of Labour, Pension System, Family and Social Policy, Letter of 14 April 2023.

<sup>212</sup> Croatia, Government of the Republic of Croatia (Vlada Republike Hrvatske), Decision on establishing the Council for Children (*Odluka o osnivanju Vijeća za djecu*) (2021), Official Gazette (*Narodne novine*) 14/21.

<sup>213</sup> Croatia, Ministry of Science and Education, Letter of 12 April 2023.

		<p>State administration bodies and offices of the Government of the Republic of Croatia that perform tasks related to the protection of children are obliged to submit reports to the Council on relevant issues within their scope, at least once a year. The Council must submit a report on its work to the Ministry of Labour, Pension System, Family and Social Policy.</p> <p>There is not much information available about the work of the Council for Children and their activities, and the general impression is that the Council as such does not fulfil its role and is not recognized as a coordinating body in this area. Issues that are important for the protection of children are in the competence of different state bodies, and the system is dispersed, without a clear structure and mutual coordination. Cooperation exists, however, it is not structured and clearly defined. Cooperation and coordination is not regulated by the legislative framework, but takes place ad hoc on current issues of mutual interest, addressing specific issues or areas.</p> <p>The Ombudsperson for children also has a coordinating and supervision role in accordance with her competences prescribed by the Ombudsperson's Act.<sup>214</sup> However, the Ombudsperson does not have the authority to issue binding decisions and acts with the power of its authority.</p>
<p>2.3.2. Is there inter-agency cooperation between the relevant actors having responsibility in the area of child protection (including civil society organisations)?</p> <p><u>If yes, please mention how this is done</u> (for examples are there standing inter-agency committees or meetings, are digital tools used?). Which actor has a leading role?</p>	<p>X</p>	<p>This type of cooperation is foreseen and should be carried out by the Council for Children and the Ombudsperson for Children, however, in practice visible and structured cooperation is lacking.</p> <p>Apart from the council for children, there are no permanent inter-agency committees that regularly hold interdepartmental meetings and discuss child protection issues. Such committees are usually established ad hoc when a critical issue arises in the specific area of protection of children's rights.</p> <p>An exception is the interdepartmental committee for the protection of unaccompanied children, which was established with the aim of improving the interdepartmental cooperation of competent authorities and other stakeholders involved in the</p>

<sup>214</sup> Croatia, Act on the Ombudsperson for Children ([Zakon o pravobranitelju za djecu](#)) (2017), Official Gazette (*Narodne novine*) 73/17.



		<p>protection of unaccompanied children.<sup>215</sup> The interdepartmental committee has the task of discussing the current situation of unaccompanied children and drawing conclusions on the improvement of cooperation and the protection of unaccompanied children. The committee is made up of representatives of the Ministry responsible for social welfare, a representative of the Ministry of Health, the Ministry of Internal Affairs, the Ministry of Science and Education, the Office for Human Rights and the Rights of National Minorities, international organizations that deal with the protection of children and the rights of refugees, associations that deal with humanitarian work, or protecting children's rights. The interdepartmental commission meets at least twice a year, and if necessary, more often. The President of the Commission can invite other representatives of public authorities, professional organizations, representatives of state-owned companies or representatives of non-governmental organizations.</p> <p>In cooperation with the Society for Psychological Aid, UNICEF had issued Guidelines for the improvement of interdepartmental cooperation in the protection of children's well-being, however, this document is not binding.<sup>216</sup></p>
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2.3.3. What are the main challenges regarding effective cooperation and coordination? (For example, lack of clarity regarding responsibilities and roles of actors, overlaps of responsibilities, and communication between organisations is not adequately structured and resourced)?

According to the available information and general experiences in practice, it can be stated that there is a lack of synergistic effect in the planning and implementation of measures and activities of all involved key stakeholders for the improvement of public policies, legislative framework and practice in the field of child protection. The importance of child protection is not recognized by all competent authorities, that is, one gets the impression that some departments are not aware that their activities and areas of competence also have an impact on child protection. As a result, the activities are too dispersed, there is a lack of integration, cooperation is uncoordinated and most often take place ad hoc. There is a lack of a single and effective coordinating body that would have the responsibility of planning, directing, and coordinating the activities of all relevant departments.

It is noticeable that experts in different institutions and bodies are overloaded with work, they have a large number of cases, there is no time allocated for cooperation and joint work with a simultaneous lack of support through education, consultation and supervision. There is also a lack of resources for action, insufficient familiarity of the health, education and justice systems with key concepts and instruments for

<sup>215</sup> Croatia, Government of the Republic of Croatia (*Vlada Republike Hrvatske*), Decision on Establishing Interdepartmental Committee for the Protection of Unaccompanied Children (*Odluka o osnivanju međuresornog povjerenstva za zaštitu djece bez pratnje*), Official Gazette (*Narodne novine*) 3/22.

<sup>216</sup> Guidelines for the improvement of interdepartmental cooperation in the protection of children's well-being (*Smjernice za unaprijeđenje međuresorne suradnje u zaštiti dobrobiti djece*).

assessing children's safety and developmental risks. The roles and responsibilities of individual stakeholders are not clearly defined. The social welfare system, which has a central role in protecting the wellbeing of children, since it is the only system that can follow the child in all stages and assess its wellbeing, is burdened with numerous problems that significantly affect the quality of work and create the impression in the public that it is a low-quality system which does not achieve its purpose.

Question	YES	NO	Comments
<p>2.3.4. Are child protection authorities engaging in <u>transnational cooperation</u> in the area of child protection, for example with regards to missing children, parental abduction, or migrant children?</p>	<p><b>X</b></p>		<p>The Republic of Croatia is engaged in transnational cooperation in the area of child protection through the general mechanisms of judicial and police cooperation in the EU and beyond and is a member of numerous international and bilateral agreements.</p> <p>The Ministry of Internal Affairs is included in international police cooperation within INTERPOL and EUROPOL, especially on the issues of combating human trafficking, including children, with the aim of exchanging information as efficiently as possible and strengthening international and regional police cooperation based on bilateral agreements.</p> <p>Also, cooperation takes place through central national bodies established by individual international conventions (for example, the Central Body under the Hague Convention on the Civil Aspects of International Child Abduction).</p> <p>Civil society organizations that deal with child protection and operate in the territory of the Republic of Croatia are included in various transnational networks of international non-governmental organizations (for example, Missing Children Europe as European Federation for missing and sexually exploited children).</p>

If yes, please briefly comment and include information on transnational agreements-protocols of cooperation as well as on the interaction between child protection authorities and other actors involved in transnational cooperation processes, for example law enforcement and judicial authorities, migration authorities, social services, Central Authorities under Brussels IIbis Regulation/Hague Convention, consular or diplomatic authorities. Are there any challenges relating to transnational cooperation? Are the challenges different for cross-border cases among EU countries or with third countries?

Please provide information on main relevant agreements – cooperation schemes in two of the following areas: missing children, parental abduction, inter-country adoption, migrant children (family tracing-family reunification –return-relocation).

Since October 8, 1991, the Republic of Croatia has been a party to the Hague Convention on Civil Aspects of International Child Abduction. In 2019, the Republic of Croatia adopted the Law on the Implementation of the Convention on Civil Law Forms of International Child Abduction, which regulates the authority and powers and the procedure related to requests submitted in the Republic of Croatia on the basis of the

provisions of the Hague Convention with the aim of ensuring the speedy return of an unlawfully abducted or retained child and establishing contacts of the child with the separated parent and with other persons to whom that right belongs, taking into account encouraging parental communication and protecting the best interests and well-being of the child. The Ministry of Labour, Pension System, Family and Social Policy performs the duties of the Central Authority under the Hague Convention.

On April 1, 2014, the Convention on the Protection of Children and Cooperation in Connection with Intercountry Adoption, drawn up in The Hague on May 29, 1993, entered into force in the Republic of Croatia. The tasks of the central authority are also performed by the Ministry of Labour, Pension System, Family and Social Policy. The Ministry has determined the Criteria for establishing cooperation with authorized bodies of other contracting states of the Convention. By determining the criteria, conditions were created for the establishment of cooperation in interstate adoption procedures in which a child from the Republic of Croatia is adopted by potential adopters living in another contracting state.

The Ministry also performs the duties of the Central Body for the Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Relation to Parental Responsibility and on Measures for the Protection of Children (Hague, 1996 ) and Council Regulation (EU) 2019/1111 on jurisdiction, recognition and enforcement of decisions in matrimonial matters and in matters related to parental responsibility and on international child abduction. The Republic of Croatia also has an established system at the international and European level in matters of cross-border maintenance based primarily on Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations, which has been in force in the Republic of Croatia since July 1, 2013. The Ministry of Labour, Pension System, Family and Social Policy performs the tasks of the Central Authority in accordance with Article 49 of the Regulation. On international level, the Republic of Croatia is signatory to The Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance (HCCH 2007 Child Support Convention) and the Protocol of 23 November 2007 on the Law Applicable to Maintenance Obligations (HCCH 2007 Maintenance Obligations Protocol) , which entered into force in relation to the Republic of Croatia on August 1, 2014, and the Convention on the realization of alimony claims abroad, New York, 1956. Law on Private International Law<sup>217</sup> in its regulations refers to the Council Regulation (EC) No 4/2009 and the HCCH 2007 Maintenance Obligations Protocol as legal sources in accordance with which court jurisdiction and applicable law are determined.

The Ombudsperson for Children pointed that until 2018 the Directorate for the Prison System and Probation of the Ministry of Justice had its member in EuroPris, i.e. its Family relations Expert Group, however, since 2018 when the group changed its name into “Children of prisoners”, the Republic of Croatia has no longer had its representative.<sup>218</sup>

#### 2.4. Developments in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of the child protection governance, coordination structures, and services in the past 8 years, incl. achievements and (persisting) gaps and challenges

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<sup>217</sup> Croatia, Law on Private International Law ([Zakon o međunarodnom privatnom pravu](#)) (2019), Official gazette (*Narodne novine*) 101/17.

<sup>218</sup> Ombudsperson’s for Children Suggestions for amendments of the document Mapping child protection systems in the EU (27) - Croatia, of 16 July 2023.

Still present is the problem of a fragmented system without a clearly established coordinating body that would encompass and supervise all aspects of the system in parallel and act in a planned and strategic manner and not ad hoc only in crisis or emergency situations or when passing certain regulations or public policies that often remain at the declarative level despite ambitious national plans and policies and planned measures and activities, implementation and actual effect in practice is often lacking.

The child protection system is not coherent, but different areas are scattered among different actors who do not have established coordinated cooperation. The impression is that the Children's Council does not perform its basic functions while it is not known why that is so. The Ombudsperson for Children performs her duties in accordance with the law, however, given her limited powers and the fact that she acts with the power of her authority and does not have the power to make binding decisions, while there is also no effective system for the execution of her recommendations, the successful work of the Ombudsperson depends on the cooperation and goodwill of the competent authorities.

There is no special registry of civil society organizations in which only associations dealing with child protection would be registered, and the opinion of the Ombudsperson for Children is that "it would be beneficial if there were associations registered only for working with children, since that would contribute to setting standards that those associations would have to meet if they were registered only for working with children".<sup>219</sup>

## 2.5. Promising practices

Please list and briefly describe any promising practice in governance, coordination structures, and services that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

As an example of positive practice, could be emphasized the Cooperation Agreement between the Ministry of Labour, Pension System, Family and Social Policy and the UNICEF office for Croatia on the basis of which the program "For a stronger family" (2017-2021)<sup>220</sup> has been implemented with the aim of protection and promotion children's rights and family support and promotion of interdepartmental cooperation between social systems care, healthcare, upbringing and education, internal affairs and justice, through three areas: 1. Improvement of services to families at risk of separation of children, 2. Strengthening of parents' competence and support for responsible parenting, 3. Support for foster parents for children, promotion of foster care and deinstitutionalization of children. The manual created within the abovementioned program "Guidelines for advancement of interdepartmental cooperation"<sup>221</sup> is commendable contribution, and it would be preferable if such or a similar document was accepted as a binding document that the competent authorities would consistently apply in their work.

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<sup>219</sup> Ombudsperson's for Children Suggestions for amendments of the document Mapping child protection systems in the EU (27) - Croatia, of 16 July 2023.

<sup>220</sup> Croatia, UNICEF, [Rezultati UNICEF-ove inicijative za unaprijeđenje sustava socijalne skrbi i međusektorske usluge za djecu i obitelji u riziku](#), article.

<sup>221</sup> Ajduković, Marina (2021), [Guidelines for advancement of interdepartmental cooperation](#).

### 3. Capacities (human and financial resources)

#### 3.1. Information on budget allocation and funding

Question	YES	NO	Comments
3.1.1. Is budget allocation on child protection incorporated into legislative and policy instruments?	X		<p>Different acts, ordinances and strategies provide for budgets for different rights or programmes, but these can be changed in line with the current budget policy.</p> <p>For example, along with the National and Action Plan for Children's Rights a tabular presentation of planned costs for individual measures and areas provided for in the National and Action Plan was adopted.</p>
3.1.2. Is the budget allocated to child protection (alternatively on children's rights or on social welfare) clearly specified in the annual national budget? Please refer to the specific budget item allocated to this in 2022?	X		<p>The budget allocated to child protection is specified in the annual national budget. The Budget for 2022<sup>222</sup> contains larger number of different items related to children. For certain items, such as the affirmation of the rights and protection of children, temporary maintenance for children, child allowance, care for children and youth with behavioral disorders, care for children without adequate parental care, funds intended for children's homes, the Ombudsperson for children funds intended for protection, monitoring and promoting children's rights, incentives to NGOs for non-institutional education of children and youth, teaching assistants for children with developmental disabilities, education of children belonging to national minorities, preschool education of children with disabilities, education of gifted children, etc. , the allocated amounts for children are clearly stated.</p> <p>On the other hand, for example, the approval of financial support for programs and projects intended for persons with disabilities refers to both adults with disabilities and children with developmental disabilities.</p> <p>Within the budget for which Ministry of Labour, Pension System, Family and Social Policy is in charge, EUR 848,080,466.28 has been allocated for the child protection system in 2022</p>

<sup>222</sup> Croatia, Ministry of Finance ([Ministarstvo financija](#)).

		<p>(activities of Chapter 5 and Chapter 60 of the State Budget).<sup>223</sup></p> <p>In 2019, National children's budget which includes a review of detailed data on financial resources allocated for children and represents a consolidated document of all budget funders was adopted for the first time in Croatia.</p> <p>It is not a special budget, but a budget that transparently allocates funds in the state budget that are aimed at realizing children's rights. Also, certain activities are not exclusively intended for children, but within the same activity funds are also planned and implemented for young people, i.e., for people over 18 years old.</p> <p>Central State Office for Demography and Youth is responsible for the consolidating role of creating the children's budget and the annual report on the implementation of the children's budget.</p> <p>Latest data available refer to 2020 and show budget items by individual ministries and state bodies that refer to allocations for children.</p>
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3.1.3. What percentage of the total state budget was allocated to child protection in the last five years? If data is not available, please provide information on the budget allocated to social protection/social welfare in general.

There is no data available which would show the total amount, that is, the percentage of the state budget that was allocated to child protection in the last five years. The children's budget shows budget items and allocations by individual ministries or bodies, without data on the total amount of funds spent and bringing them into relation with the total amount of the state budget. The last report on the implementation of the children's budget was published in 2020 for 2019.<sup>224</sup>

In 2018, the share of social protection in the GDP of the Republic of Croatia amounted to 21.7%,<sup>225</sup> in 2019 21.8%,<sup>226</sup> in 2020 24.3%,<sup>227</sup> in 2021 22.3%.<sup>228</sup> Data for 2022 are not available.

Furthermore, in 2018, 9% of total social protection expenditures related to family and children, i.e., 1.9% of GDP, in 2019, 9.1%, i.e., 1.8% of GDP, in 2020 9.2%, or 2.2% of GDP, and in 2021, 9.1%, or 2% of GDP. Data for 2022. year are not available.

<sup>223</sup> Croatia, Ministry of Labour, Pension System, Family and Social Policy, Letter of 14 April 2023.

<sup>224</sup> Croatia, Central Office for Demography and Youth (*Središnji ured za demografiju i mlade*), Children's Budget (*Dječji proračun*).

<sup>225</sup> Croatia, State Institute for Statistics (Državni zavod za statistiku), Social Protection in the Republic of Croatia in 2018 (*Socijalna zaštita u Republici Hrvatskoj u 2018.*).

<sup>226</sup> Croatia, State Institute for Statistics (Državni zavod za statistiku), Social Protection in the Republic of Croatia in 2019 (*Socijalna zaštita u Republici Hrvatskoj u 2019.*).

<sup>227</sup> Croatia, State Institute for Statistics (Državni zavod za statistiku), Social Protection in the Republic of Croatia in 2020 (*Socijalna zaštita u Republici Hrvatskoj u 2020.*).

<sup>228</sup> Croatia, State Institute for Statistics (Državni zavod za statistiku), Social Protection in the Republic of Croatia in 2021 (*Socijalna zaštita u Republici Hrvatskoj u 2021.*).

Question	YES	NO	Comments
<p>3.1.4. Is the existing budget and funding of child protection services/institutions considered sufficient <u>and</u> sustainable (as compared to only project based for a limited period of time)?</p> <p><i>(Please consider available studies, reports at national level conducted by public or private institutions, child protection organisations, civil society, human rights institutions, academic community, and other sources such as the concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.)</i></p>		X	<p>The existing budget and financing of child protection services/institutions <u>cannot</u> be considered sufficient.</p> <p>All investments from the State Budget are sustainable.<sup>229</sup></p> <p>In June 2022, the UN Committee on the Rights of the Child issued concluding remarks on the combined fifth and sixth periodic report of the Republic of Croatia and, among other things, recommended the state to ensure the allocation of sufficient financial and other resources for the implementation of laws, strategies and plans for children, allocate specific and appropriate budgets for the implementation and monitoring of strategies and plans at all levels, provide adequate financial resources for the work of the Council for Children to coordinate all activities in the field of child protection, and provide mechanisms for monitoring and evaluating the impact of budget allocations.<sup>230</sup></p> <p>In her annual reports, the Ombudsperson for Children continuously points out the shortcomings of the child protection system in certain areas, where the need for greater financial allocations and investments in certain aspects of the system has been noted, for example, in the area of gifted children, children with developmental disabilities, etc.<sup>231</sup></p> <p>In the Report for the year 2022, the Ombudsperson expresses her concern about the way in which, under the current circumstances (pandemic and energy crisis), budget funds intended for the realization of children's rights will be monitored and protected, since Croatia does not have an effective children's budget that takes into account the general principles of the Convention and budget principles of effectiveness, efficiency, fairness, transparency and sustainability. To the Central State Office for</p>

<sup>229</sup> Croatia, Ministry of Labour, Pension System, Family and Social Policy, Letter of 14 April 2023.

<sup>230</sup> UN Committee for Rights of the Child, Concluding remarks/comments on the combined fifth and sixth periodic report of the Republic of Croatia.

<sup>231</sup> Croatia, Ombudsperson for Children (Pravobraniteljica za djecu), Annual Reports ([Godišnja izvješća](#)).



		<p>Demography and Youth, which has the consolidating role of creating the children's budget and annual reports on its execution, the Ombudsperson continuously points out the need for more active and urgent action in the matter of processing the collected data submitted by those liable for children's budgets, as well as the timely publication of the annual report on the execution of the children's budget. The Central State Office has informed the Ombudsperson that it is unable to monitor the accuracy of the data submitted by the budget users and that there is no mechanism for monitoring the submitted financial indicators. Despite the publication of certain documents (Children's budget for 2020 with projections for 2021 and 2022, Children's budget for 2021 with projections for 2022 and 2023, Implementation of the Children's budget for 2019, Children's budget for 2020 - rebalance), comparing collected data and monitoring execution is not possible due to the lack of aggregated data.<sup>232</sup></p>
<p>3.1.5. Do EU funds play a substantial role in the funding of the national child protection system and/or related policies?</p> <p>Please provide information on the child protection areas and related services incl. providers that use EU funds (including what type of funds for which period of time).</p>	<p><b>X</b></p>	<p>EU funds are one of the main financial resources for the development of all segments of the Republic of Croatia - entrepreneurship, education, employment, culture, environmental protection, etc., which also includes the social welfare system in the Republic of Croatia. European funds play a particularly significant role in improving the infrastructure of social service providers for children and young people in the process of deinstitutionalization. For example, call for "Improving the infrastructure of social service providers for children and youth in support of the deinstitutionalization process" - phase 1 referred to 13 social care homes for children without adequate parental care and children and youth with behavioral problems to adapt social care homes and centers for the provision of services through infrastructure investments. The total amount of grants available was HRK 71,424,800.00, The call was opened in the period from September 1, 2016. until February 28, 2018. The aim of the call in the second phase was to improve the social infrastructure (construction, arrangement and/or reconstruction) for the implementation</p>

<sup>232</sup> Croatia, Ombudsperson for Children (Pravobraniteljica za djecu), Annual Reports ([Godišnja izvješća](#)).

		<p>of deinstitutionalization, i.e. reducing the number of users in the institutional form of care, the process of transformation and/or prevention of institutionalization and the development of a network of non-institutional services and support services in the community. The call was opened from 15 October 2019 to January 14, 2020. The contracts were signed in 2021, and their total value is HRK 621,889,627.42.<sup>233</sup></p> <p>In connection to this question, an inquiry has been sent to the Ministry of Labour, Pension System, Family and Social Policy which provided the answer as follows: <sup>234</sup>. In Croatia, funds for the implementation of social policy are provided through the state budget and the budgets of local and regional self-government units. In addition to that, other available funds such as international funds and EU funds are also secured and used for this purpose.</p> <p>In the program period 2021-2027 funds related to the child protection are provided with particular emphasis on the vulnerable groups such as children and youth at risk of poverty and social exclusion and their family members, children and youth without adequate parental care, children and youth with behavioural problems, unaccompanied children, children victims of domestic, peer or other violence, children victims of human trafficking and children with developmental disabilities. As a result of recognized challenges related to poverty and social exclusion, regional inequalities and the unavailability of social services, additional funds were provided from the ESI funds.</p> <p>Through the ESF+, financial sources for different priorities such as education and lifelong learning, health, youth employment, social innovation, material deprivation and social inclusion are secured. For this purpose, the Ministry has secured funds in the amount of 182.67 million euros (in further text: ME) for the implementation of measures and activities defined in various strategic documents, which are directly or indirectly directed to children and</p>
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<sup>233</sup> Skupnjak Drakšić, K., 2022, [Role of the EU funds in the process of deinstitutionalization of the social care institutions.](#)

<sup>234</sup> Croatia, Ministry of Labour, Pension System, Family and Social Policy, Letter of 17 May 2023.

		<p>young people and their family members for calls related to the expansion of the network of social services for children (19 ME), support for the process of deinstitutionalization and prevention of institutionalization (20 ME), technical support for the transformation of institutions (direct allocation - 1.5 ME), social inclusion of children through extracurricular activities (40.5 ME), encouragement of foster care ( direct allocation - 1 ME), integration of care for children (direct allocation - 4 ME), support for the suppression of domestic violence and sexual violence and harassment (direct allocation - 3 ME), allocation of food packages and basic material assistance (36.67 ME) and free school meals (35 ME), comprehensive diagnosis of poverty and social exclusion (direct allocation - 5 ME) and development of human resources in the social welfare system (education of experts, direct allocation - 17 ME).</p> <p>Funds related to infrastructure investments (construction, reconstruction, equipment, purchase of vehicles, etc.) are provided through the ERDF in order to further support the process of deinstitutionalization and prevention of institutionalization of children and young people and adults with disabilities (the total amount of funds provided is 86 ME, for children with disabilities and adults with disabilities 48 ME, for children and young people 18.5 ME, for the Croatian Institute for Social Work and the Family Center around 8 ME, and for financial instruments 11 ME).</p> <p>Through National recovery and resilience program 2021-2026 funds were also provided for the implementation of measures and activities aimed at the development and expansion of the family assistant service (18.8 ME, social mentoring (education of family members 111,487 ME and for the introduction of social mentoring services 13.23 ME).</p>
<p>3.1.6. Is corporate social responsibility developed at national level in relation to child protection services?</p> <p><u>If yes</u>, please provide information on major child protection national programmes and actions that are</p>	<p><b>X</b></p>	<p>In general, it can be stated that corporate social responsibility in relation to child protection services is present, but still rather undeveloped and unrecognized.</p>

<p>primarily funded by the private sector or by public-private schemes/synergies.</p>	<p>The National Foundation for the Development of Civil Society<sup>235</sup> is financed from the state budget (partly from the incomes of lottery games, donations etc.) which funds are then directed to civil society organizations for the implementation of their project activities, including organizations that deal with protection of children's rights.</p> <p>The law provides for certain tax reliefs for donations made by legal entities and natural persons, which, however, are negligible and insufficiently encouraging.</p> <p>The Income Tax Act<sup>236</sup> stipulates that donation in nature and money made for cultural, scientific, educational, humanitarian, sports, religious, environmental and other purposes are considered tax-deductible expenses if their total amount does not exceed 2% of the total Income of the business entity for the past year. Donations are possible even above 2% as a tax-deductible expense if the donation was made on the basis of the decision of the competent ministry for the financing of special programs.</p> <p>The tax relief for giving donations is also prescribed for natural persons who, by submitting an annual income tax return, can claim an increased personal deduction for the amount of donation expenses and thus reduce the tax base.</p> <p>There is also the practice of sponsoring by legal entities in the form of giving money or other means for holding certain events, supporting certain causes and institutions or specific actions and projects, which may include activities in the field of child protection, which, however, serve also for the promotion of the sponsor.</p> <p>As an example of such practice it can be mentioned that Children's homes regularly</p>
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<sup>235</sup> Croatia, National Foundation for the Development of Civil Society ([Nacionalna zaklada za razvoj civilnog društva](#)).

<sup>236</sup> Croatia, Income Tax Act ([Zakon o porezu na dohodak](#)) (2016), Official Gazette (*Narodne novine*) 115/16, 106/18, 121/19, 32/20, 138/20, 151/22.

		<p>publish lists of donors on their websites, some of which are also private companies.<sup>237 238</sup></p> <p>At the Faculty of Economics of the University of Split, as part of the Event Management course, students have the opportunity to organize a real humanitarian event instead of creating a business plan. The initiative started in 2010. Since then, 9 generations and over a hundred students have gained practical experience in organizing events and have collected and donated more than HRK 250,000 for those in need. For the last 6 years, the action has been operating under the now recognizable name "Children for Children". In 2022, all funds from the campaign went to the "Naša dica" association, and 25 students and over 150 sponsors joined the campaign, donating 420 gifts for a rich humanitarian lottery.<sup>239</sup></p> <p>A large number of examples of donations from the private sector can be found on the website of the association "RTL Helps Children". The founder of the association is RTL Television and its activities<sup>240</sup> and projects<sup>241</sup> are well known among the wider Croatian public. As an indicative example can also be presented the "Vaša pošta" Foundation of Croatian Post. It was founded with the aim of supporting children without adequate parental care in becoming independent, with the mission of promoting corporate social responsibility in creating a better and more humane world. Donors and collaborators of the Foundation, in addition to local and regional self-government units, are successful business entities from the state, public and private sectors, people from public life, journalists, athletes, artists and citizens. The Foundation's partner is Croatia Insurance Company, which donates every tenth insurance policy to children. The project is aimed at providing financial assistance to children without adequate parental care through a life insurance policy worth 6,000 euros. These funds are paid to them at the moment of starting an independent life. The value of donated policies</p>
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<sup>237</sup> Croatia, Childrens Home Zagreb, ([Dječji dom Zagreb](#)).

<sup>238</sup> Croatia, Children's home "Tić" Rijeka ([Dječji dom Tić Rijeka](#)).

<sup>239</sup> Univerity of Split, University Newsletter – Universitas (*Sveučilište u Splitu, Sveučilišni list – Universitas*).

<sup>240</sup> Association "RTL Helps Children" ([Udruga „RTL pomaže djeci“](#)).

<sup>241</sup> Association "RTL Helps Children" ([Udruga "RTL pomaže djeci"](#)).

			<p>so far amounts to more than 3 million and 84 thousand euros.<sup>242</sup></p> <p>However ,there is no official aggregated data on programmes and actions that are primarily funded by the private sector or by public private schemes.</p>
<p>3.1.7. Has the involvement of the private sector in child protection recently significantly increased? Are there projects or programmes receiving governmental funding which outsource protection services for children? Please include civil society organisations and private companies contracted by government/local authorities to provide services.</p> <p><u>If yes</u>, please explain the changes and the reasons hereof. Please provide information on the legal provisions regulating this and on the main services / groups of children that are covered. Provide information based on indicative examples.</p>	X	X	<p>There is no exact information or aggregated data on the scope of the involvement of the private sector in child protection. According to the available information, it can not be concluded neither that there was growth or decline in investment of the private sector in this area.In general, it can be noted that involvement of the private sector in this area is <u>not</u> common. The private sector is not engaged in terms of providing social services, since services in this area are provided primarily by state institutions, and if the state does not have enough capacity civil society organizations are engaged through various projects. The private sector mainly participates in the aspect of financing (donations and the like)</p> <p>Article 13 of the Social Welfare Act provides that the Government and local authorities recognize civil society organizations, professional chambers and associations, companies and other stakeholders as partners in the preparation, adoption and implementation of social programs. Article 17 of the same Act provides that social welfare activities are performed by NGOs and other legal entities. Article 189 stipulates that in carrying out its activities, the Family Center cooperates with religious communities, humanitarian organizations, NGOs and other domestic and foreign legal and natural persons that provide support to families, children, young people and other family members.<sup>243</sup></p> <p>Regarding the inclusion of civil society, the Ministry of Labour, Pension System, Family and Social Policy concluded an agreement with the Alliance of NGOs „Naša djeca“ (Our Children) providing it with financial resources in the amount of 39,816.84 euros for the implementation of a special goal from the</p>

<sup>242</sup> Croatia, Ministry of Labour, Pension System, Family and Social Policy, Letter of 14 April 2023.

<sup>243</sup> Croatia, Social Welfare Act ([Zakon o socijalnoj skrbi](#)) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

		<p>National Plan 2022 to 2026, of participation of children in decision-making at the local, regional and national level - Encouraging cities to establish and operate children's councils, in 2023. The Alliance will carry out activities on the establishment and operation of Children's City and Municipal Councils throughout the Republic of Croatia.<sup>244</sup></p> <p>In 2021, the "Croatia for Children" Foundation, founded by the Republic of Croatia<sup>245</sup>, signed contracts on (co)financing 40 selected projects and programs aimed at the welfare of children and young people. The total amount of allocated funds was HRK 2,497,518.68. A total of 87 legal entities (NGOs) applied for the Public call for co-financing of programs and projects. Beneficiaries of many projects were children with some form of disability.<sup>246</sup></p> <p>The Alliance of NGOs „Naša djeca“<sup>247</sup> is one of the indicative examples of the implementation of projects co-financed by various Ministries. One such project is "For Children's Voice in Europe". The goal of the project is to increase the knowledge and skills of children and young people in Croatia about the European Union, its values and policies for active participation in democratic processes at the level of the European Union, and it is co-financed by the Ministry of Foreign Affairs and European Integration. The peer violence prevention project implemented in partnership with several primary schools was co-financed by the Ministry of Labour, Pension System, Family and Social Policy. As a follow-up to the earthquake that hit the Banovina area in December 2020, the organisation, with the approval of the competent Ministry, started the "Together for the Children of Banovina" program in early February 2021, providing psychosocial support (support meetings for educators and parents in kindergartens), and families in collective accommodation. Activities on the program were contracted with the competent ministry. "Don't get caught" is a three-year addiction prevention</p>
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<sup>244</sup> Croatia, Ministry of Labour, Pension System, Family and Social Policy, Letter of 14 April 2023.

<sup>245</sup> Croatia, Act on Foundation Croatia for Children ([Zakon o zakladi Hrvatska za djecu](#)), Official Gazette (*Narodne novine*), 82/15, 80/22.

<sup>246</sup> Croatia, Foundation Croatia for Children ([Zaklada Hrvatska za djecu](#)).

<sup>247</sup> Croatia, Alliance of NGOs „Naša djeca“ ([Savez udruga naša djeca](#)).



		<p>program for children and young people that the Alliance implements with two partner organizations. The program is co-financed by the Ministry of Health. Information about projects is available on the association's website and in annual reports, the latest of which is available for 2021.</p> <p>Another indicative example is the non-governmental non-profit organisation "Djeca prva"<sup>248</sup>, for work with children, young people and families living in risky conditions. The association provides non-institutional social services and implements psychosocial programs and projects. "Igram do škole" is a program aimed at strengthening the socialization process of children and strengthening the role of parents in ensuring the conditions and encouraging the early development of the child. The goal of the program is to contribute to the comprehensive development of preschool children who come from socially marginalised families through inclusion in playroom activities. The program has been verified as a shorter preschool program by the competent ministry and has been integrated into state programs of preschool upbringing and education. "Prevention of unacceptable behavior of children" is a socialization program whose goal is to contribute to the prevention of unacceptable behavior and to strengthen the prosocial behavior of children. The program has been implemented since 1997 and has the approval of the competent ministry for implementation in educational institutions. In 2021 (school year 2020/21), the program was financed by the City of Zagreb. "Zauzmi stav" is a three-year addiction and addictive behavior prevention program for school children. The program began its implementation in January 2020, and is implemented with the financial support of the Ministry of Health. "Protection of the rights of children and young people in the social welfare system" is a program of integrated provision of social counseling services and psychosocial support for children and young people without adequate parental care and their parents/guardians with the aim of preventing institutionalization of children and</p>
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<sup>248</sup> Croatia, Organisation "Djeca prva" ([Udruženje "Djeca prva"](#)).

		<p>preventing/reducing social exclusion of children, young people and families at risk. It also includes strengthening the capacity of social welfare system experts and associations - providers of social services. In 2021, the program was implemented with the financial support of the Ministry of Labour, Pension System, Family and Social Policy (as a three-year program, in the financial cycle June 2020 - May 2023) and the City of Zagreb. The association also implements support programs for victims of domestic violence and foster care support. Information about projects is available on the association's website and in annual reports, the latest of which is available for 2021.</p> <p>For many years, the association of parents, Step by Step<sup>249</sup>, has been implementing the CAP program, which is aimed at preventing the abuse of children of preschool and school age, which teaches them preventive skills in cases of sexual abuse (attack by an unknown person and attack by a known adult). The program is implemented in kindergartens and schools throughout Croatia, covering 24,272 educational workers, 73,628 parents and 117,228 children and young people. The program has been verified by the competent ministry, and thus it has been introduced into the school curriculum. In addition to other sources, the program is also financed with the funds of the Government.</p> <p>The private sector is more engaged in the field of providing social services and care for the elderly.</p> <p>The above refers to the provision of accommodation services to homes for the elderly (Article 195, 196) of the Social Welfare Act and home assistance centers (Article 214), which can be established by the Republic of Croatia, a unit of local and regional self-government, i.e. the City of Zagreb, religious community, commercial company, association and other domestic and foreign legal or physical person. The home help service includes organizing food (preparation or procurement and delivery of ready-made meals), doing</p>
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<sup>249</sup> Croatia, Association of parents "Step by step" ([Udruga roditelja „Korak po korak“](#)).

			housework, maintaining personal hygiene and/or meeting other daily needs.
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### 3.2. Information on human resources, qualification requirements, and training

Question	YES	NO	Comments
<p>3.2.1. Are the allocated human resources in the area of child protection at all levels sufficient? (services, institutions etc.)?</p> <p><i>(Please consider available studies, reports at national levels conducted by public or private institutions, child protection organisations, civil society, human rights institutions, academic community, and other sources such as concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.)</i></p>		X	<p>It is not possible to talk about exact figures, because such data are not officially published or structured, thus, information can be provided in principle and based on impression and experiences in practice.</p> <p>The union of social welfare employees reported in March 2019 that the social welfare system in Croatia lacks at least two thousand professional workers, with around 7,200 workers taking care of half a million beneficiaries.<sup>250</sup></p> <p>In her report for 2022 the Ombudsperson for Children states that it was publicly discussed that there is a shortage of 700 professional workers in the field of social welfare. It is also stated that due to the insufficient number of professional workers in the field of social welfare and other bodies, their work is focused mainly on urgent cases.<sup>251</sup> Even though, the number of employments in the social welfare system, has increased in past few years the total number of professionals is still insufficient. Furthermore, it is a well-known fact that in Croatia there are not enough paediatricians, specialist children's doctors, speech therapists and defectologists, and child psychologists, which has been discussed particularly intensively recently in public. In her latest report, the Ombudsperson reported that schools often complained to her about the lack of professional associates, especially psychologists and speech therapists, and asked for support in seeking approval for their employment. In addition to professional associates, school principals also report a lack of</p>

<sup>250</sup> Croatia, [Ius Info Media Report](#), March 2019.

<sup>251</sup> Croatia, Ombudsperson for Children (*Pravobraniteljica za djecu*), Annual Reports (*Godišnja izvješća*).

		<p>technical staff, which calls into question the day-to-day functioning of the institution to the detriment of the children.</p> <p>One of the Ombudsman's recommendations based on data for 2022 is to systematically, more decisively and quickly solve the problems of insufficient number of professional workers in the health system<sup>252</sup></p> <p>The latest media reports informed the public that the criminal departments of the State Attorney's office work with reduced capacity due to a lack of manpower.<sup>253</sup></p> <p>The problem of insufficient human capacity is also particularly pronounced in the field of care and education of children with developmental disabilities, where there is a lack of assistants for children who are necessary so that children with disabilities could be integrated into the regular education system.<sup>254</sup> The Ombudsperson for persons with disabilities in her latest report states that non-competitive salaries of support service providers such as personal and teaching assistants, represent major difficulties in the daily life and functioning of people with disabilities. In addition to the lowest hourly wage on the market, people with disabilities are also threatened by the lack of labor force.<sup>255</sup></p> <p>The lack of special guardians which represent children in court proceedings and other situations of parental disputes also evident which is why special guardianship as an institute is currently not fulfilling its purpose. In her Report for 2022, Ombudsperson states that due to the objective overload of special guardians (more than 365 cases and 850 hearings per guardian) and the dislocation of parties and courts, special guardians are unable to fulfill part of their tasks.<sup>256</sup></p> <p>The Ombudsperson for children points to the lack of personnel capacity in her Office stating that out of a total of 23 available positions, only 19 are filled due to the ban on employment in</p>
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<sup>252</sup> Croatia, Ombudsperson for Children (*Pravobraniteljica za djecu*), Annual Reports (*Godišnja izvješća*).

<sup>253</sup> Media report, *Jutarnji list*, 15 March 2023.

<sup>254</sup> Croatia, Ombudsperson for Children (*Pravobraniteljica za djecu*), Annual Reports (*Godišnja izvješća*).

<sup>255</sup> Croatia, Ombudsperson for people with disabilities (*Pravobraniteljica za osobe s invaliditetom*) *Annual Reports* (*Godišnja izvješća*).

<sup>256</sup> Croatia, Ombudsperson for Children (*Pravobraniteljica za djecu*), Annual Reports (*Godišnja izvješća*).

		<p>the civil service, even though there is a need for said positions.<sup>257</sup></p> <p>Considering all that, it can be concluded that current human capacities in the area of child protection are not sufficient.</p>
<p>3.2.2. Are the allocated human resources competent in the area of child protection and appropriately trained?</p> <p><i>(Please consider available studies, reports at national levels conducted by public or private institutions, child protection organisations, civil society, human rights institutions, academic community, and other sources such as concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.)</i></p>	<p>X</p>	<p>Both the theorists and practitioner in the field of social work point to the problem of assessing the quality of the work of social workers.</p> <p>In recent expert article it is noted that in Croatia, only at the scientific level, competences in social work are recognized as an important construct. However, there is no clearly defined framework of professional competences at the national level, nor is there a developed practice of monitoring/measuring the development of competences. In Croatia, the measurement of student competencies related to educational outcomes dominates, however, there is a lack of research on practitioner populations.<sup>258</sup></p> <p>The system of training and education is however more clearly regulated by the new Social Welfare Act<sup>259</sup>, which established the Academy for Social Work as a body responsible for permanent professional development of employees in the social welfare system, the results of which, considering the shortness of time since the Law has entered into force, are still unknown.</p> <p>In practice, there are many complaints by parents in family law protection proceedings. Reports concern bias, unprofessionalism, lack of engagement or reactions to the implementation of family law protection measures, most often in cases of separation of children from families. Complaints are most common in conflicting parental relationships as a result of parents' dissatisfaction with the assessment of their parenting competences and disappointed expectations from social welfare services. It has been observed that the employees of some welfare offices in conflicting family relationships renounce their role as mediators, do not engage in counseling and insist exclusively on a judicial solution to any conflict situation between</p>

<sup>257</sup> Croatia, Ombdusperson for Children (*Pravobraniteljica za djecu*), Interview held on 17 April 2023.

<sup>258</sup> Buljevac, Opačić, Podobnik, 2020, [Professional competences of social workers](#): The basis of a helping profession's identity.

<sup>259</sup> Croatia, Social Welfare Act ([Zakon o socijalnoj skrbi](#)) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

		<p>parents, which leads to exhausting and lengthy court processes that further deepen the conflict between parents and negatively are reflected on children. Therefore, strengthening the capacity of social welfare system, along with the creation of a support network for employees in solving demanding situations, is a necessary prerequisite for quality protection of children.<sup>260</sup></p> <p>However the mere fact that there is a large number of dissatisfied users does not necessarily indicate a lack of professional competence.</p>
<p>3.2.3. Is there a <u>compulsory certification or licencing</u> process for social workers and other professionals who work for child protection?</p> <p><u>If yes</u>, briefly describe the process.</p>	<p>X</p>	<p>There is <u>no</u> compulsory certification or licensing process established specifically for social workers and other professionals who work for child protection.</p> <p>General conditions are prescribed which include obtaining an appropriate work license to perform the duties of a social worker.</p> <p>According to the Act on Social Welfare Activities,<sup>261</sup> a social worker is recognized as having the right to perform social work activities if he is a member of the Croatian Chamber of Social Workers, has business capacity, has an appropriate level of education, has passed a professional exam, meets the condition of not having been convicted of certain criminal offenses, is not subjected to criminal proceedings, and is not under sanction for domestic violence.</p> <p>The right to perform social work activities is recognized at the request of a social worker and is decided by the Chamber of Social Workers. Based on the decision of the Chamber, the social worker is registered in the Evidence of social workers. Professional workers in the field of social welfare have the right, duty and obligation to permanently improve their skills according to the annual education plan adopted by the Academy for Social Work.</p>

<sup>260</sup> Croatia, Ombudsperson for Children (Pravobraniteljica za djecu), Annual Reports (*Godišnja izvješća*).

<sup>261</sup> Croatia, Act on Social Welfare Activities (*Zakon o djelatnosti socijalnog rada*) (2019), Official Gazette (*Narodne novine*) 16/19, 18/22.

<p>3.2.4. Are there any <u>selection criteria</u> (for example qualification requirements) and <u>vetting procedures</u> for volunteers working with children in various areas?</p> <p><u>If yes</u>, please describe briefly.</p>	X	<p>The organizers of volunteering are obliged to pay special attention to the selection and education of volunteers who volunteer with children and other vulnerable groups of people in such a way that the volunteers should have basic knowledge, experience, and abilities to work with children.<sup>262</sup></p> <p>Also, in the case of volunteering with children, the organizers of volunteering are obliged to provide appropriate professional assistance and supervision of the volunteer's work.</p> <p>Volunteering in the area of providing services to children is not allowed to persons who have been sentenced to certain protective measures within the criminal or misdemeanor proceedings, persons who have been convicted or criminal proceedings are being conducted against them for certain criminal offenses, and persons against whom a misdemeanor sanction for domestic violence has been imposed. In the case of long-term volunteering, which concerns the provision of services to children, the organizer of volunteering is obliged, with the written consent of the volunteer, to obtain a certificate of information from criminal records.<sup>263</sup></p>
<p>3.2.5. Is there <u>regular training</u> on issues related to the identification, referral, and intervention for children delivered to specialists involved in this area?</p> <p><u>If yes</u>, please include information on the training of law enforcement officials (judges, persecutors, police), health and education personnel (doctors, nurses, teachers, school counsellors).</p> <p>Please provide information on the mandatory nature of training, its frequency, funding, if it relates to specific needs of children, etc.</p>	X	<p>The Courts Act stipulates that judges who are assigned to work in family departments of municipal courts need to have a strong preference for the upbringing, needs and well-being of children, basic knowledge in the field of social pedagogy, youth psychology and social work for young people, and must regularly attend professional training in those areas.<sup>264</sup></p> <p>The program and method of maintaining professional training is prescribed by the minister of justice, however the training on child-specific topics is not compulsory</p> <p>The Law on Juvenile Courts stipulates that juvenile judges and state attorneys for juveniles must have a strong preference for the upbringing, needs and livelihoods of youth and have basic knowledge in the fields of criminology, social pedagogy, youth psychology</p>

<sup>262</sup> Croatia, Volunteering Act ([Zakon o volontiranju](#)) (2007), Official gazette (*Narodne novine*) 58/07, 22/13, 84/21.

<sup>263</sup> Croatia, Volunteering Act ([Zakon o volontiranju](#)) (2007), Official gazette (*Narodne novine*) 58/07, 22/13, 84/21.

<sup>264</sup> Croatia, Courts Act ([Zakon o sudovima](#)) (2013), Official Gazette (*Narodne novine*) 28/13, 33/15, 82/15, 82/16, 67/18, 126/19, 130/20, 21/22, 60/22, 16/23.



		<p>and social work for young people.<sup>265</sup> The Ministry responsible for Justice and the Judicial Academy ensure the conditions for the professional training of persons working in the field of youth delinquency and criminal protection of children, and organize, in cooperation with courts, state attorneys' offices, scientific and educational institutions and professional associations of lawyers, occasional professional consultations, seminars, knowledge tests and other forms of additional professional training for judges, state attorneys and other professionals in this area. The Judicial Academy publishes a program of work every calendar year. In 2023, two topics related to children are foreseen - Taking the victim's statement and examining the victim and topic related to International child abduction. Two topics related to family, are Problems in the application of the Family Act in practice and Domestic violence.<sup>266</sup></p> <p>The annual report for 2022 shows that in 2022, three workshops were held on the topic of work with particularly sensitive groups (children, victims, people with disabilities) for court legal advisors, an online seminar - "Are children who commit illegal acts victims or perpetrators?" , 4 workshops on how to speed up proceedings in family law disputes, 1 workshop on domestic violence, seminar "Judicial cooperation in family matters" and 3 workshops on "Communication skills and time management for family judges."<sup>267</sup></p> <p>All funding is secured from the state budget.</p> <p>The Social Welfare Act established the Academy of Social Work with the purpose of standardizing mandatory and specialized professional training programs, organizing and conducting continuous professional training of professional workers in social welfare activities, organizing and conducting professional training of other social service providers in social welfare activities, organizing and conducting</p>
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<sup>265</sup> Croatia, Juvenile Courts Act ([Zakon o sudovima za mladež](#)) (2011), Official Gazette (*Narodne novine*) 84/11, 143/12, 148/13, 56/15, 126/19.

<sup>266</sup> Croatia, Ministry of Justice and Public Administration, [Judicial Academy](#).

<sup>267</sup> Croatia, Ministry of Justice and Public Administration, [Judicial Academy](#).

		<p>organizational, team and method supervision in the social care system.<sup>268</sup> Professional workers in the field of social welfare have the right, duty and obligation to permanently improve their skills according to the annual education plan adopted by the Academy. Continuous professional development means individual and organized professional development in the field of social work, law, social pedagogy, psychology, speech therapy, educational rehabilitation, occupational therapy, education, information and communication technologies, advisory work, management, social policy and other important areas with the purpose of achieving efficient and quality work in social welfare system. The process of licensing professional training programs is carried out by the Ministry of Labour, Pension System, Family and Social Policy during each year on the basis of a public call. The standards and procedure for licensing professional training programs for professional workers and professional associates in the social welfare system, the manner and content of the Register of licensed programs and the Register of implemented programs, as well as the content and appearance of the certificate of completed professional training are prescribed by the Minister.</p> <p>The annual professional training program<sup>269</sup> for professional workers in social welfare institutions, founded by the Republic of Croatia, provides education for professional workers in the social welfare system. Depending on the topic, they include joint education and training of professional workers of institutions that include child protection.<sup>270</sup></p> <p>In 2015, the Croatian Chamber of Social Workers adopted the Ordinance on the content, deadlines and procedure of continuous improvement and verification of expertise of social workers.<sup>271</sup></p>
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<sup>268</sup> Croatia, Social Welfare Act ([Zakon o socijalnoj skrbi](#)) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

<sup>269</sup> Croatia, Ministry of Labour, Pension System, Family and Social Policy, [The annual professional training program for 2023 \(Godišnji program stručnog usavršavanja za 2023. godinu\)](#).

<sup>270</sup> Croatia, Ministry of Labour, Pension System, Family and Social Policy, Letter of 14 April 2023.

<sup>271</sup> Croatia, Croatian Chamber of Social Workers, [Ordinance on the content, deadlines and procedure of continuous improvement and verification of expertise of social workers link to word document of Ordinance](#).

		<p>The Law on Juvenile Courts stipulates that juvenile police officers act in criminal cases against minors and criminal cases against children police officers for juvenile are competent to act.<sup>272</sup></p> <p>The Law on Police Duties and Powers prescribes that police authority over minors, younger adults and in cases of protection of children is exercised by a specially trained youth police officer.<sup>273</sup> They are specially trained to work in cases where children and minors are perpetrators of criminal acts and in cases where certain criminal acts are committed to their detriment. They must have an affinity for working with the youngest, a higher degree of education, completed the Specialist Course for Juvenile Delinquency and Crime Against Youth and Families and they have to continuously improve their skills through seminars, consultations and expert meetings at the local, national and international level.</p> <p>The Lawyer Academy is a professional body of the Croatian Bar Association whose purpose is to enable permanent professional development of lawyers and law trainees.<sup>274</sup> During each calendar year, a lawyer is obliged to complete at least twelve school hours of education. A lawyer who wants to be included in a special list of lawyers specialized in providing legal assistance to certain categories of persons, including children, is also required to complete a special education.</p>
<p>3.2.6. Are child rights and child protection topics included in the curriculum of studies for professionals other than social workers and psychologists involved in child protection systems? (Please include information regarding law enforcement officials, judges,</p>	<p>X</p>	<p>Child rights and child protection topics are included in the curriculum of studies for lawyers.</p> <p>The Faculty of Law of the University of Zagreb offers postgraduate specialist studies and postgraduate doctoral studies in family law, within which the subject of children's rights is taught.</p>

<sup>272</sup> Croatia, Juvenile Courts Act ([Zakon o sudovima za mladež](#)) (2011), Official Gazette (*Narodne novine*) 84/11, 143/12, 148/13, 56/15, 126/19.

<sup>273</sup> Croatia, Law on Police Duties and Powers ([Zakon o policijskim poslovima i ovlastima](#)) (2009), Official Gazette (*Narodne novine*) 76/09, 92/14, 70/19.

<sup>274</sup> Croatia, Croatian Bar Association (Hrvatska odvjetnička komora), Ordinance on permanent professional development of lawyers ([Pravilnik o trajnom stručnom usavršavanju odvjetnika](#)) (2022), Official Gazette (*Narodne novine*) 51/22.

<p>prosecutors, lawyers, health, and education personnel)</p> <p><u>If yes</u>, please describe briefly.</p>		<p>Also, a specialized study of Children's Rights is established.</p> <p>The Police Academy conducts a specialist course for juvenile delinquency and criminality to the detriment of youth and families.</p>
<p>3.2.7. Are there <u>joint training activities</u> involving professionals and personnel from various disciplines in place? Please provide some examples.</p>		<p>X</p> <p>Joint training activities are not regulated by the law.</p> <p>Such activities often take place as part of projects implemented by civil society associations in certain areas (for example, domestic violence). Joint training activities are also carried out by the Judicial, Police and Lawyer's Academy and Directorate for Prison System. For example, the Judicial Academy organizes seminars which involve representatives of civil society organisations with an expertise in a certain area of interest. The model of training is applied by the Police Academy.</p> <p>The Lawyer Academy organizes lectures and training for lawyers, for example in the field of family law regarding the position of children in divorce proceedings for divorce, lectured by experts in the field of child psychology.</p> <p>Since 2018 the Directorate for Prison System and Probation has included the Office of the Ombudsperson for Children in the programme of the basic course for judicial police officers.<sup>275</sup></p>
<p>3.2.8. Outline briefly the <u>main challenges and/ or gaps relating to human resources, qualification requirements and training</u> underlined the relevant authorities and/ or child protection civil society organisations.</p>		<p>The Academy for Social Work, as a body responsible for the professional training of employees in the social welfare system, was founded in 2022 and began working on January 1, 2023. Following this, the results of the newly designed system for training and education of social welfare workers is to be seen in the upcoming period.</p> <p>Trainings conducted as part of the judicial academy are planned on an annual basis. There is no long-term strategic plan on education and training of judges and state attorneys.</p> <p>The Ordinance on professional training of special guardians is still not adopted, which presents a notable gap considering that it is an institute that has been present for a long time and plays an important role in the child protection system, and currently, due to the lack of the number of personal guardians</p>

<sup>275</sup> Ombudsperson's for Children Suggestions for amendmends of the document Mapping child protection systems in the EU (27) - Croatia, of 16 July 2023.

as well as their inadequate education, it does not fulfil its purpose and it is reduced to a mere formality.

### 3.3. Developments in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of the child protection capacities in the past 8 years, incl. achievements and (persisting) gaps and challenges

Certain advances have been made regarding greater opportunities, higher quality, and more accessible programs for the professional training of social workers, judges, state attorneys and lawyers. Attention has been paid to the fact that procedures and matters concerning children are handled by specialized experts, which is particularly pronounced in the area of the judiciary, the police, and the prison officers, where certain efforts have been made in this direction for the purpose of training relevant experts to work with children and consider their rights. However, the fact that such a system of education has not been present in the field of social welfare is worrying, since social welfare workers are those who are most often in direct contact with children and families. Education and training were until recently conducted on a voluntary basis, most often through associations and chambers.

There is still a lack of specialized training for social workers who would work only with children, especially in the area of family disputes, custody proceedings etc. Part of their role in this regard should have been taken over by special guardians who, however, do not fulfil their tasks in a quality manner. It can be stated that Special Guardianship Institute does not have the capacity to perform given tasks because of the overload with court proceedings in which special guardians should represent children. This was pointed out by the Ombudsperson for Children in her annual report as an alarming issue.

The Ombudsperson also noted that despite the Recommendation of the Office of the Ombudsperson for Children, contents on child rights are not mandatory in curricula of other study programmes, such as at the Faculty of Kinesiology.<sup>276</sup>

The UN Committee on the Rights of the Child, in its concluding observations/comments on the combined fifth and sixth periodic report of the Republic of Croatia, recommended to the State to ensure that all professionals who work with children, especially the judiciary, social workers, law enforcement officers, medical personnel, teachers, officials working on migration and asylum issues, experts and staff working in all forms of alternative care as well as the media, complete mandatory training on children's rights.

Regarding the Child budget, the opinion of the Ombudsperson for Children is "that the existing child budget does not enable systematic monitoring of investment in the quality of life of children and realisation of their rights". Furthermore, "that it does not provide clear and precise data on the amount that is really allocated from the public budget for realisation of child rights in the Republic of Croatia since it shows planned expenses and costs intended for realisation of child rights only for budget beneficiaries and it does not include local and regional self-government units".<sup>277</sup>

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<sup>276</sup> Ombudsperson's for Children Suggestions for amendments of the document Mapping child protection systems in the EU (27) - Croatia, of 16 July 2023.

<sup>277</sup> Ombudsperson's for Children Suggestions for amendments of the document Mapping child protection systems in the EU (27) - Croatia, of 16 July 2023.

### 3.4. Promising practices

Please list and briefly describe any promising practice in child protection capacities that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

As promising practice can be distinguished that a lawyer who wants to be included in a special list of lawyers specialized in providing legal assistance to certain categories of persons, including children, is required to complete a special education, provided by the Bar association . Also, the Law on Police Duties and Powers prescribes that police authority over minors, younger adults and in cases of protection of children is exercised by a specially trained youth police officer.

## 4. Care

### 4.1. Prevention measures and services

4.1.1. Please provide information on the interaction between the child protection system and the social welfare and social protection system in place. Is there an inherent coordination of measures and interventions? Are responsible authorities and service providers the same or different?

In Croatia, numerous acts in force proclaim the cooperation of various systems intended for the welfare of children. For example, the National Plan emphasizes interdepartmental cooperation in the area of protecting the rights of children living in poverty, children with developmental disabilities, victims of psychological violence in divorce proceedings, children living with chronically ill parents or parents with mental health problems, children whose parents are in prison and children belonging to national minorities.<sup>278</sup> Interdepartmental cooperation in relation to the problem of all types of violence is mandatory and based on regulations and protocols in which the main actors are defined (police, judiciary, social care, health, education, NGOs), and includes joint meetings where activities on general or individual level, however in practice it often depends on individuals, on their expertise and understanding of the issue, and the will to work together and continuously. In the conclusions of the last available report of the Ombudsperson for children it is stated that there are frequent examples in which the cooperation is formal, and the institutions shift the responsibility for their actions to each other.<sup>279</sup> The Family Law contains special provisions dedicated to the cooperation of the court and social welfare authorities (Article 353).<sup>280</sup> The authority responsible for prevention measures is the Institute for social Work. In the case of repressive measures, namely grave intervention into the family, the responsibility lies with the court, acting both in contentious and several types of extra-contentious proceedings. In both types of proceedings, the Institute's district offices participate in the proceedings in three types of capacity: as party to the proceedings, as the representative of the child and as the counselling authority competent to give the opinion about the best interest of the child in particular dispute. The opinion of the Institute in most cases is accepted by the courts. Cooperation between social welfare bodies and courts is mostly established in this part, and courts in most cases accept with confidence the proposals, opinions, and recommendations of social welfare bodies. In addition, the Institute has a main coordinating role in different areas of child protection, regarding counselling, domestic violence, poverty issues, family disputes, obtaining welfare benefits, etc. District offices are organized into different departments (usually, these include department for pecuniary benefits; department for children, youth and the family; department for adults; and, in some offices, the team for foster care) and they are cooperating within the institution on each individual case when there is a simultaneous need for child protection services and pecuniary benefits.

<sup>278</sup> Croatia, Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2022), National Plan for the Rights of Children in Republic of Croatia 2022-2026 (*Nacionalni plan za prava djece u Republici Hrvatskoj od 2022. do 2026. godine*).

<sup>279</sup> Croatia, Ombudsperson for Children (*Pravobraniteljica za djecu*), Annual Report for 2021 (*Godišnje izvješće za 2021. godinu*).

<sup>280</sup> Croatia, Family Act (*Obiteljski zakon*) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.



4.1.2. Is there evidence that families are supported in their role of primary caregivers? Is the primary position of families in child caregiving and protection recognised and supported through universal and targeted services and through every stage of the intervention, particularly through prevention? Which type of support (incl. financial, medical, psycho/social advice, legal advice, care staff, care equipment, guidance and training etc.) is available to families in need.

Families are supported in their role of primary caregivers by legal provisions. The Family Act provides the principle of the primary right of the parents to take care of the child and the duty of the authorities to provide them with assistance.<sup>281</sup> Parents above all have the right, duty, and responsibility to live with their child and take care of the child and interventions are legitimate only in case of need (Article 6). The law also prescribes the principle of proportionate and mildest intervention in the family, according to which measures interfering with family life are acceptable if they are necessary and their purpose cannot be successfully achieved by taking milder measures, including preventive assistance, i.e. family support (Article 7). According to Article 129 of the Family Law, the removal of a child from the family is ordered only if it is not possible to protect the rights and well-being of the child by any milder measure. The purpose of removing a child from the family must be to protect the child's life, health and development, to ensure adequate care for the child outside the family and to create conditions for the child's return to the family, i.e. to prepare another permanent form of care for the child, and it must not last longer than necessary. In most cases, the actions and efforts of the competent authorities are aimed at preservation and family reunification, however, in the latest available report of the Ombudsperson, there is noted a significant increase in the number of children in institutions, compared to previous periods, which is attributed to the possible fear of social welfare system workers from repeating tragic events. The Family Law prescribes a cascade system of child protection measures. The social welfare office will primarily warn parents of deficiencies that have occurred once or occur rarely, and if the consequences for the child are of a milder nature, and may refer parents to health, educational and other professional programs and services to support parenting and child development. Some civil society associations and public institutions implement "school for parents" project programs in accordance with approved funds (Article 139). The Social Welfare Act foresees the provision of psycho-social assistance services, which, in addition to institutional ones, are realized through civil society associations that have a wide network but are not equally represented in all areas of Croatia.<sup>282</sup> Legal advice is provided in accordance with the Law on Free Legal Aid through administrative bodies, legal advice centres of civil society associations and legal clinics.<sup>283</sup>

4.1.3. When a child in need of care is identified, who coordinates support to the family and the child to ensure protection and prevent abuse and/ or placement of the child and how?

The district offices of the Institute for Social Work are the main stakeholders that should coordinate support to the family and the child. They are obliged to collaborate with all other relevant institutions or service providers, such as courts, police, state attorney's offices, educational and medical institutions, in line with the existing legislative framework and existing guidelines and protocols of procedures mentioned in the section on legislative and policy developments. They act primarily in

<sup>281</sup> Croatia, Family Act (*Obiteljski zakon*) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

<sup>282</sup> Croatia, Social Welfare Act (*Zakon o socijalnoj skrbi*) (2022), Official Gazette (*Narodne novine*) no. 18/22, 46/22, 119/22.

<sup>283</sup> Croatia, Free Legal Aid Act (*Zakon o besplatnoj pravnoj pomoći*) (2013), Official Gazette (*Narodne novine*) 143/13, 98/19.

accordance with the provisions of the Family Act<sup>284</sup> and the Social Welfare Act,<sup>285</sup> as well as the protocols developed in certain areas of responsibilities, such as Protocol on Procedures in Case of Domestic Violence,<sup>286</sup> Protocol on Procedures in Case of Sexual Violence,<sup>287</sup> Protocol on Identification, Assistance and Protection of Victims of Human Trafficking,<sup>288</sup> and Protocol on Treatment Accorded to Unaccompanied Children – Foreign Citizens.<sup>289</sup> After an initial assessment, they should develop the individual plan of intervention and institute appropriate proceedings before the court and report criminal acts to police or state attorney's office.

#### 4.1.4. What are the crisis emergency responses in place?

The district offices of the Institute for Social Work play the main role in emergency cases in accordance with the Social Welfare Act which provides for the initiation of urgent interventions in case of threat to safety and/or basic life needs of the child (article 79) and defines crisis situations as situations in which the life, health or well-being of the child is endangered.<sup>290</sup> The provisions of the Act provide for temporary accommodation in crisis situations granted to a child found without parental supervision or to children victims of family violence and trafficking, child with behavioural problems, an unaccompanied child - foreign citizen or stateless child and a children whose parents are temporarily unable to take care of them due to illness, unresolved housing issue or other life difficulties clearly defining the implementation of these measure and the responsibilities for the provision of this type of service. The Family Act contains procedural provisions applicable in situations when there is a danger to the life, health, or well-being of the child within the family. It stipulates that the Institute decides on urgent separation and temporary placement of the child, and when executing the decision, it can request the help of the police. The Institute is obliged to submit to the court, within seventy-two hours from the separation of the child, directly or electronically, a proposal to issue a decision on the temporary entrustment of the care of the child to another person, a foster family, a social welfare institution, or to another natural or legal person that performs social welfare activity (article 137).<sup>291</sup>

## 4.2. Identification and reporting procedures

Question	Yes	No	Comments
4.2.1. Is there an identification/	X		In line with Article 132 of the Family Act, <sup>292</sup> every person is obliged to notify a social welfare centre about any infringement of a child's personal or

<sup>284</sup> Croatia, Family Act (*Obiteljski zakon*) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

<sup>285</sup> Croatia, Social Welfare Act (*Zakon o socijalnoj skrbi*) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

<sup>286</sup> Croatia, Government of the Republic of Croatia, Protocol on Procedures in Case of Domestic Violence (*Protokol o postupanju u slučaju nasilja u obitelji*).

<sup>287</sup> Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2018), Protocol on the Procedure in Cases of Sexual Violence (*Protokol o postupanju u slučaju seksualnog nasilja*), Official Gazette (*Narodne novine*) 70/18.

<sup>288</sup> Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2017), Protocol on Identification, Assistance and Protection of Victims of Human Trafficking (*Protokol za identifikaciju, pomoć i zaštitu žrtava trgovanja ljudima*).

<sup>289</sup> Government of the Republic of Croatia (*Vlada Republike Hrvatske*), Protocol on Treatment of Unaccompanied Children (2018), (*Protokol o postupanju prema djeci bez pratnje*).

<sup>290</sup> Croatia, Social Welfare Act (*Zakon o socijalnoj skrbi*) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

<sup>291</sup> Croatia, Social Welfare Act (*Zakon o socijalnoj skrbi*) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

<sup>292</sup> Croatia, Family Act (*Obiteljski zakon*) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

<p>reporting obligation foreseen in the legislation?</p> <p>If <u>yes</u>, please provide the relevant provisions and indicate authorities and/or individuals that have identification/reporting obligations.</p>		<p>property rights, especially about all forms of physical or mental violence, sexual abuse, neglect or negligence, abuse, or exploitation of the child. The social welfare office is obliged to immediately examine the case and take measures for the protection of the child's rights. A court before which a misdemeanour or a criminal offence procedure is conducted is obliged to notify the social welfare centre about circumstances that point to the need to take measures for protection of the child's rights. The court before which misdemeanour or criminal proceedings are conducted, the state attorney, as well as the police are obliged to inform the competent centre for social welfare within twenty-four hours of the initiation of proceedings related to the violation of a child's rights (art. 132 Family Act). The decision ordering a precautionary measure in the case of criminal protection of children is also submitted to the competent social welfare authority according to the child's place of residence<sup>293</sup>. In accordance with Article 7 of the Act on Protection from Domestic Violence,<sup>294</sup> health professionals, professional workers in the field of social care, family prevention and protection, upbringing and education, as well as professional workers active in religious institutions, humanitarian organisations, and civil society organisations are obliged to report to the police or to the public prosecutor's office any domestic violence of which they become aware in fulfilling their professional duties. Failure to report violence by the aforementioned experts is a misdemeanour punishable by a fine. According to Article 204 of the Criminal Procedure Act,<sup>295</sup> everyone who has found out about a criminal act prosecuted ex officio has the obligation to report it. Failure to report the preparation or failure to report a committed criminal offense are, under certain conditions, considered criminal offenses in accordance with Article 301 and 302 of the Criminal Code.<sup>296</sup></p>
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<sup>293</sup> Croatia, Criminal Procedure Act ([Zakon o kaznenom postupku](#)) (2008), Official Gazette (*Narodne novine*) 152/08, 76/09, 80/11, 121/11, 91/12, 143/12, 56/13, 145/13, 152/14, 70/17, 126/19, 126/19, 130/20, 80/22, Article 100.

<sup>294</sup> Croatia, Act on Protection from Domestic Violence ([Zakon o zaštiti od nasilja u obitelji](#)), Official Gazette (*Narodne novine*) 70/17, 126/19, 84/21, 114/22

<sup>295</sup> Croatia, Criminal Procedure Act ([Zakon o kaznenom postupku](#)) (2008), Official Gazette (*Narodne novine*) 152/08, 76/09, 80/11, 121/11, 91/12, 143/12, 56/13, 145/13, 152/14, 70/17, 126/19, 126/19, 130/20, 80/22.

<sup>296</sup> Croatia, Criminal Code ([Kazneni zakon](#)) (2011), Official Gazette (*Narodne novine*) 125/11, 144/12, 56/15, 61/15, 101/17, 118/18, 126/19, 84/22.

4.2.2. Please describe available national and/or sub-national reporting procedures for cases of abuse, exploitation, violence, harassment, discrimination, or neglect against children in all available reporting mechanisms, including, helplines and hotlines. Include the legislative and regulatory framework, actors involved (e.g. police, child protection centres, victims support organisations), and timeframe.

Please provide details such as if there a common or different procedures or helplines/hotlines for specific issues. What is the profession of the staff receiving the reporting? Is the staff competent and trained for the purpose?

Upon receiving the notification about an infringement of a child's rights, the Institute is obliged to examine the case and take measures for the protection of the child's rights immediately. Protocols (such as the Protocol of Procedures in the Case of Domestic Violence<sup>297</sup> and the Protocol of Procedures in the Case of Sexual Violence<sup>298</sup>) describe in more details the obligations of different actors involved, particularly the police, Institute for Social Work, healthcare institutions, educational institutions, judicial authorities, and NGOs. In cases of abuse, exploitation, or neglect of children, all the institutions are obliged to notify the police and the SWI immediately, which makes an official record including all the information they have discovered. If the violence was reported to the Institute, the competent office is obliged to report it to the police. In the case of sexual violence, health workers are obliged to notify the police without delay, and if the victim is a child, parents or other legal guardians should be informed if they are not the perpetrators of the violence. If the Institute receives notification of violence from another institution, it is obliged to notify the institution about the actions taken. Immediately after receiving information indicating there is a suspicion that a child has experienced sexual harassment or sexual violence, it is the duty of the employee of the educational institution to inform the principal without delay, who reports the suspicion of the existence of a criminal offense to the police and the Institute and promptly informs the Ombudsperson for Children. If the perpetrator of sexual violence is employee of educational institution, the person who has information about the violence is obliged to inform the police and/or the State Attorney's Office. If the perpetrator is an employee of the institution or if the sexual violence took place on the premises of the educational institution, the educational institution must urgently inform the Ministry of Science and Education. Obligation of the relevant professionals to report domestic violence is regulated by the Act on Protection from Domestic Violence<sup>299</sup> and corresponding Protocol.<sup>300</sup> According to Article 204 of the Criminal Procedure Act, everyone who has found out about a criminal act prosecuted ex officio has the obligation to report it to the police.<sup>301</sup> Therefore, if the hotline/helpline (i.e. SOS line for abused and neglected children) receives information on cases of abuse, exploitation or neglect of children, they are also obliged to notify the police and the Institute immediately in accordance with the aforementioned provisions.

Question	Yes	No	Comments
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<sup>297</sup> Croatia, Government of the Republic of Croatia (*Vlada Republike Hrvatske*), Protocol on Procedures in Case of Domestic Violence (*Protokol o postupanju u slučaju nasilja u obitelji*).

<sup>298</sup> Government of the Republic of Croatia (*Vlada Republike Hrvatske*), Protocol on the Procedure in Cases of Sexual Violence (2018) (*Protokol o postupanju u slučaju seksualnog nasilja*), Official Gazette (*Narodne novine*) 70/18.

<sup>299</sup> Croatia, Act on Protection from Domestic Violence (*Zakon o zaštiti od nasilja u obitelji*), Official Gazette (*Narodne novine*) 70/17, 126/19, 84/21, 114/22.

<sup>300</sup> Croatia, Government of the Republic of Croatia (*Vlada Republike Hrvatske*), Protocol on Procedures in Case of Domestic Violence (*Protokol o postupanju u slučaju nasilja u obitelji*).

<sup>301</sup> Croatia, Criminal Procedure Act (*Zakon o kaznenom postupku*) (2008), Official Gazette (*Narodne novine*) 152/08, 76/09, 80/11, 121/11, 91/12, 143/12, 56/13, 145/13, 152/14, 70/17, 126/19, 126/19, 130/20, 80/22.

<p>4.2.3. Do children have the right to report independently?</p> <p>If <u>yes</u>, please provide information on the availability of <u>age-appropriate and child-friendly</u> reporting procedures (to whom and how children can report child rights' violations and abuse). Is the anonymity and confidentiality of the child in the reporting protected? Please comment briefly.</p>	X	<p>Violations of child rights can be reported to the Ombudsperson for Children, who is responsible to act in line with existing legislation and protocols to protect a child's interests. The violations can be reported through a phone line, post, or email, and they can also be anonymous. The Ombudsperson gives special attention to violations reported by children themselves and has opened a special email address for them. The Ombudsperson has also developed a child-friendly website at <a href="http://azanas.dijete.hr/">http://azanas.dijete.hr/</a> where children can be informed about all their rights in a child-friendly way, and where they can report a violation of their rights also in simple way.</p> <p>If a punishable act has been committed to the detriment of a child, the child can submit a report to the police by coming to the police station, by calling 192, by reporting online to the Red Button or to the e-mail address policija@mup.hr. Using the mobile application Security and trust, any person can report various events, even in situations where they are unable to make a call for security reasons.</p> <p>Both the police and the State Attorney's Office act on anonymous reports.</p> <p>Children can submit a complaint at any time to educational and health workers and employees of the Institute for Social Work.</p> <p>There are other available mechanisms for reporting violence, which are provided by NGOs, such as the Brave Telephone for Children,<sup>302</sup> the Blue Telephone helpline<sup>303</sup> and the Centre for a Safer Internet<sup>304</sup> and the National Call Centre for Victims of Crimes and Misdemeanours (116 006).<sup>305</sup> Children can request help anonymously.</p> <p>Apart from above in accordance with Article 87 of the Family Act, children who have reached the age of fourteen have the right to independently initiate proceedings before the competent authorities in connection with the realization of</p>
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<sup>302</sup> Croatia, Brave Telephone for Children ([Hrabri telefon](#)).

<sup>303</sup> Croatia, Blue Telephone helpline ([Plavi Telefon](#)).

<sup>304</sup> Croatia, Centre for a Safer Internet ([Csi.hr](#)).

<sup>305</sup> Croatia, National Call Centre for Victims of Crimes and Misdemeanours ([Nacionalni pozivni centar za žrtve kaznenih djela i prekršaja - Udruga za podršku žrtvama i svjedocima \(pzs.hr\)](#)).

		<p>their rights and interests.<sup>306</sup> In accordance with Article 359, in matters where the personal rights and interests of the child are decided upon, the court shall, at the child's request, by decision, allow a child who has reached the age of fourteen to present facts, propose evidence, submit legal remedies and take other actions in the proceedings if child is capable understand the meaning and legal consequences of those actions. Before passing the abovementioned decision, the court is obliged to request the opinion of the Institute.</p>
<p>4.2.4. Are children informed of their right to report and how they can do it? If yes, by whom and how?</p>	<p>X</p>	<p>Children are informed by public campaigns directed at children through the internet, the press, and brochures. Campaigns have been conducted with the aim of raising awareness, such as a campaign by the Ministry of the Interior and the Child Protection Centre Zagreb in 2020, marking important dates such as the European Day for the Protection of Victims of Criminal Offenses, the National Day of the Fight against Peer Violence, which is marked every year last Wednesday in February, "Pink T-shirt Day", World Child Abuse Prevention Day, etc.</p> <p>The rights guaranteed by the Convention on the Rights of the Child are taught to children in kindergartens and elementary school. Very important and noticeable are also the efforts of the Croatian Ombudsperson for Children who constantly educates children about the fact that they have unalienable rights. Children are informed in a child-friendly way through the website of the Ombudsperson for Children and a child-friendly website at <a href="http://azanas.dijete.hr/">http://azanas.dijete.hr/</a> (see 2.4).</p> <p>The duty to inform children of their rights is one of the explicitly defined functions of the ombudsperson for children. In accordance with Article 8 of the Act on the Ombudsperson for children,<sup>307</sup> the Ombudsperson informs and advises children on the manner of realization and protection of their rights and interests, and cooperates with children, encourages children to express themselves and respects their opinion, participates in public activities oriented towards improvement of the position of children and</p>

<sup>306</sup> Croatia, Family Act (*Obiteljski zakon*) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

<sup>307</sup> Croatia, Act on the Ombudsperson for Children (*Zakon o pravobranitelju za djecu*) Official Gazette (*Narodne novine*) 73/17.



		<p>proposes measures for the enhancement of the influence of children in society.</p> <p>The educational program, which aims to promote the ideas of human dignity, human rights, equality, and responsibility in schools, is called Civic Education. Civic upbringing and education are not a separate subject, but an inter-subject topic whose purpose is to train and empower children to perform their civic role actively and effectively. Civic upbringing and education include knowledge about human rights, characteristics of a democratic community and political systems. The Curriculum is published on the website of the Ministry of Science and Education.<sup>308</sup></p>
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4.2.5. What are the main challenges and/or gaps relating to identification and reporting procedures underlined by relevant authorities and/or child protection civil society organisations?

Identification and reporting procedures are legally well defined. These have been particularly well-developed in the area of domestic violence, as besides the laws, mechanisms are defined by different protocols.<sup>309, 310</sup> In her Report for 2021, the Ombudsperson for Children states that there has been an increase in reports of violence, which was also contributed to by the Ministry of Interior's campaign against violence against children in the family, and the initiatives of civil society, but that it should still be borne in mind that numerous cases of domestic violence are not reported due to fear, shame, mistrust of the system, but also the lack of recognition that certain behaviours represent violence, which is why the problem of not reporting domestic violence still exists, especially in smaller communities, where locals, due to mutual acquaintances and relatives relationships, are more reluctant to decide on reporting of violence and neglect.<sup>311</sup> This was also stated in the last available report (2022). One of the problems identified is the mutual accusation of parents in conflict divorces, although the accusations are often unfounded, which burdens the system and affects its effectiveness in situations where urgent intervention is truly needed. It is common knowledge that professionals in the social welfare system, which has a key role in protecting children's rights, are overburdened and do not have enough time to pay attention to specific cases, which resulted in untimely processing of applications and inefficient monitoring of families at risk, which led to tragic cases in the last few years.<sup>312</sup> The lack of employees and their overload is increasingly noticeable in the police, which can consequently lead to a decrease in efficiency in the processing of reports. The aforementioned problems are also noted by the employees of civil society associations, who recently have increasingly encountered users who are dissatisfied with the actions of the competent authorities when reporting

<sup>308</sup> Croatia, Ministry of Science and Education (Ministarstvo znanosti i obrazovanja), Curriculum of the inter-curricular theme Civic education for primary and secondary schools ([Kurikulum međupredmetne teme Gradanski odgoj i obrazovanje za osnovne i srednje škole.pdf](#)).

<sup>309</sup> Croatia, Government of the Republic of Croatia, Protocol on Procedures in Case of Domestic Violence ([Protokol o postupanju u slučaju nasilja u obitelji](#)).

<sup>310</sup> Government of the Republic of Croatia (Vlada Republike Hrvatske) (2014), Protocol on procedure in cases of abuse and neglect of children ([Protokol o postupanju u slučaju zlostavljanja i zanemarivanja djece](#))

<sup>311</sup> Croatia, Ombudsperson for Children (Pravobraniteljica za djecu), Annual Report for 2021 ([Godišnje izvješće za 2021. godinu](#)).

<sup>312</sup> Croatia, Ombudsperson for Children (Pravobraniteljica za djecu), [Annual Report for 2022](#).



violence pointing to the insensitivity of experts within the system, which creates a deterrent effect on reporting violence.

### 4.3. Referral procedures(s) and investigation and protection

#### 4.3.1. Please describe the referral mechanisms in place following reporting and identification procedures.

In the answer please include the legislative and regulatory framework, interagency protocols and guidelines, the actors involved and their role and responsibilities, as well as the applicable timeline. Please also specify the procedure, if different, for other groups of children (e.g. with disabilities, migrant, victim of a particular form of violence etc.)

In accordance with Article 132 of the Family Act, immediately upon receiving notification of the infringement of children's rights, a social welfare office is obliged to examine the case and to take measures for the protection of the child's rights.<sup>313</sup> Offices apply instruments for assessing general risks for the child's well-being and initiating urgent intervention in case of threatened safety and/or basic needs of users in accordance with the Ordinance on criteria for the provision of social services<sup>314</sup> and refer beneficiaries to range of social services (such as consultation, expert assessment, psychosocial counselling, social mentoring, psychosocial support) or undertakes urgent measures. If the notification comes from another authority or institution, it is obliged to notify the authority or institutions about the actions taken. The Centre informs the police about the commission of a criminal act, regardless of whether another body did so. When the police find out that a criminal offense has been committed to the detriment of a child (catalogue of criminal offenses from Article 113 of the Youth Courts Act), they will immediately inform the state attorney for youth.<sup>315</sup> The competent state attorney would have to submit to the juvenile investigation judge no later than three days after the entry of the criminal report in the register of criminal reports for criminal offenses against sexual freedom, criminal offenses against sexual abuse and child exploitation, and criminal offenses against marriage, family, and children, a proposal to hold an evidentiary hearing, for the purpose of examining the child as a witness. In relation to children, a special method of interrogation is applied using communication technologies to avoid visual contact with the perpetrator and other measures prescribed by law. In accordance with Article 12 of the Act on the Ombudsperson for Children,<sup>316</sup> state administration bodies, units of local and regional self-government, as well as corporations and natural persons, have the obligation to cooperate with the Ombudsperson and submit reports upon the ombudsperson's request and answer their inquiries. They must report immediately, at the latest within 15 days, on the performed activities concerning the ombudsperson's warning, proposal, or recommendation. Should they fail to report in due time, the ombudsperson informs the body in charge of monitoring their work.

<sup>313</sup> Croatia, Family Act (*Obiteljski zakon*) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

<sup>314</sup> Croatia, Ordinance on criteria for the provision of social services, (*Pravilnik o mjerilima za pružanje socijalnih usluga*), Official Gazette (*Narodne novine*) 110/22.

<sup>315</sup> Croatia, Juvenile Courts Act (*Zakon o sudovima za mladež*) (2011), Official Gazette (*Narodne novine*) 84/11, 143/12, 148/13, 56/15, 126/19.

<sup>316</sup> Croatia, Act on the Ombudsperson for Children (*Zakon o pravobranitelju za djecu*) Official Gazette (*Narodne novine*) 73/17.

Question	Yes	No	Comments
4.3.2. Are there applicable standards in the form of legal provisions, guidelines, protocols, interagency agreements or regulatory frameworks regarding investigation and assessment procedures following reporting and identification procedures?	X		Beside legal framework listed above there are also several protocols in place where the roles and responsibilities of different actors in these procedures are more clearly defined, e.g. the Protocol of Procedures in the Case of Domestic Violence, <sup>317</sup> the Protocol on procedure in cases of abuse and neglect of Children <sup>318</sup> , the Protocol of Procedures in the Case of Sexual Violence, <sup>319</sup> the Protocol of Procedures in the Case of Violence Among Children and Youth, <sup>320</sup> the Protocol on Treatment Accorded to Unaccompanied Children – Foreign Citizens, <sup>321</sup> Protocol on Identification, Assistance and Protection of Victims of Human Trafficking, <sup>322</sup> Protocol on Procedures during Voluntary return of Victims of Human Trafficking, <sup>323</sup> and the Protocol on Integration/reintegration of Victims in Trafficking in Human beings. <sup>324</sup>
4.3.3. Is the assessment carried out by a multidisciplinary team of professionals?	X		In district offices of the Institute for Social Work and other institutions in the social welfare system, there are multidisciplinary teams employed in different segments dealing with child protection. The multidisciplinary and interdisciplinarity of the social system is the very reason why this segment of children's protection is part of their jurisdiction. The Rulebook on the work of professional associates of the extra-legal profession in the work of youth delinquency and criminal protection of children in state attorney's offices and in courts provides the scope of professional associates of the extra-legal profession (experts in the field of social pedagogy,

<sup>317</sup> Croatia, Government of the Republic of Croatia, Protocol on Procedures in Case of Domestic Violence ([Protokol o postupanju u slučaju nasilja u obitelji](#)).

<sup>318</sup> Government of the Republic of Croatia (Vlada Republike Hrvatske) (2014), Protocol on procedure in cases of abuse and neglect of children ([Protokol o postupanju u slučaju zlostavljanja i zanemarivanja djece](#)).

<sup>319</sup> Government of the Republic of Croatia (Vlada Republike Hrvatske) (2018), Protocol on the Procedure in Cases of Sexual Violence ([Protokol o postupanju u slučaju seksualnog nasilja](#)), Official Gazette (Narodne novine) 70/18.

<sup>320</sup> Government of the Republic of Croatia (Vlada Republike Hrvatske) (2004), Protocol on the suppression of bullying among children and youth ([Protokol o postupanju u slučaju nasilja među djecom i mladima](#)).

<sup>321</sup> Government of the Republic of Croatia (Vlada Republike Hrvatske) (2018), Protocol on Treatment of Unaccompanied Children ([Protokol o postupanju prema djeci bez pratnje](#)).

<sup>322</sup> Government of the Republic of Croatia (Vlada Republike Hrvatske) (2017), Protocol on Identification, Assistance and Protection of Victims of Human Trafficking ([Protokol za identifikaciju, pomoć i zaštitu žrtava trgovanja ljudima](#)).

<sup>323</sup> Government of the Republic of Croatia (Vlada Republike Hrvatske) (2017), Protocol on Procedures during Voluntary return of Victims of Human Trafficking ([Protokol o postupanju pri dobrovoljnom i sigurnom povratku žrtava trgovanja ljudima](#)).

<sup>324</sup> Government of the Republic of Croatia (Vlada Republike Hrvatske) (2019), Protocol on Integration/reintegration of Victims in Trafficking in Human beings ([Protokol o integraciji/reintegraciji žrtava trgovanja ljudima](#)).

			social work, or psychology) in state attorney's offices and in courts. <sup>325</sup>
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4.3.4. Please provide information on who is responsible to investigate and assess the situation of the child and the family and how this is done. Please provide information and describe the role and responsibilities of judicial authorities in the reporting and referral procedure.

The social welfare centre is responsible to investigate and assess the situation about family, property, and social circumstances of the child, either ex officio in urgent situations or acting upon the order of the Court if the court proceedings is taking place. Providing information is a form of assistance to the court, which, if necessary, decides on intervention in the family upon the findings of the social welfare office. In accordance with Article 10 and 347 of the Family Act,<sup>326</sup> family procedures, including those for the protection of the rights of children, are deemed emergency procedures. During such procedures, a court must ex officio pay particular attention to protect the rights and interests of children (Art 5), persons with mental disabilities, or persons who for other reasons are incapable of looking after themselves and their rights and interests (Article 348).<sup>327</sup>

Question	Yes	No	Comments
4.3.5. Are the roles and responsibilities of the various actors and professionals involved in these procedures (including civil society organisations) clearly stated in the legislative and regulatory framework?		X	The existing legislative and regulatory framework is not sufficiently precise regarding the procedural part concerning non-contentious proceedings stipulated by Family Act, which make up the largest number of proceedings in which the courts act. Therefore, the Government has proposed the new Act on non-contentious proceedings. Regarding the roles of the court, social welfare offices and special guardians, the Family Act from 2015 resolved numerous disputes that existed in the previous legal framework, but there are still some situations of uneven case law. The role of civil society associations is not prescribed by the Family Act, but the Social Welfare Act explicitly mentions them as entities that provide social welfare services. <sup>328</sup> The Social Welfare offices consider the opinions of NGOs that have carried out certain types of treatment in the family when making their assessment, but they are not legally binding.
4.3.6. Are there any inter-agency cooperation protocols and		X	Inter-agency cooperation relies mostly on general principles of state actions regarding the family and

<sup>325</sup> Croatia, Ordinance on the work of professional associates of the extra-legal profession in the work of youth delinquency and criminal protection of children in state attorney's offices and in courts ([Pravilnik o radu stručnih suradnika izvanpravne struke na poslovima delinkvencije mladih i kaznenopravne zaštite djece u državnim odvjetništvima i na sudovima](#)) (2013), Official Gazette (*Narodne novine*) 22/13.

<sup>326</sup> Croatia, Family Act ([Obiteljski zakon](#)) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

<sup>327</sup> Croatia, Family Act ([Obiteljski zakon](#)) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

<sup>328</sup> Croatia, Social Welfare Act ([Zakon o socijalnoj skrbi](#)) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

<p>agreements in place to strengthen cooperation between actors with responsibility in the referral procedure and enhance the efficiency of their actions?</p>			<p>the protection of children’s rights. Further efforts in drafting agreements are needed.</p>
<p>4.3.7. Is it likely that procedures will differ, depending on the migration – residential status of the child concerned? <i>Please also consider potential divergences depending on main actors involved.</i></p>		<p>X</p>	<p>Considering the legal framework in the Republic of Croatia in general, which is based on respect for fundamental human rights, and the prohibition of discrimination, the treatment of children should in no way be differentiated in such a way that they are treated less favorably depending on the migration - residential status of the child concerned. There is no legal provision that would specifically refer to children, however, all bodies in Croatia are bound by the general prohibition of discrimination prescribed by the Constitution and the Anti-discrimination Act.<sup>329</sup></p> <p>Although there are no specific data for children, it should be noted that discrimination based on racial or ethnic affiliation has been the most common reason for citizens to complain to the People’s Ombudsperson since the adoption of the Anti-Discrimination Act. Members of national minorities, mostly Serbian and Roma, and migrants are especially exposed to it.<sup>330</sup></p> <p>An indicative example of the ill treatment of the Croatian authorities towards migrants is reflected in the judgment of M.H. and others v. Croatia (No. 15670/18 and 43115/18), which refers to the death of a child after the denial of the possibility of seeking asylum, inadequate accommodation during the request for international protection, as well as failure to conduct an investigation. In this case among other it was determined that the children were kept for two and a half months in a center where the level of police supervision was high and where there were no activities intended for children.<sup>331</sup></p> <p>So far there are no available studies or research conducted specifically about the question</p>

<sup>329</sup> Croatia, Anti-discrimination Act (*Zakon o suzbijanju diskriminacije*) (2008), Official Gazette (*Narodne novine*) 85/08, 112/12.

<sup>330</sup> Croatia, Ombudsperson's Office (*Pučka pravobraniteljica*), Annual report for 2022 (*Izvešće o radu za 2022. godinu*)

<sup>331</sup> European Court of Human Rights (ECtHR), M.H. and others v. Croatia (*No. 15670/18 and 43115/18*).

		whether the law treats all children equally in terms of referral/investigation procedures.
<p>4.3.8. Are affected children heard as part of the procedures?</p> <p><u>If yes</u>, are the hearings child-sensitive and designed age-appropriately and in child-friendly language? Do children receive information and support by competent and trained professionals?</p>	X	<p>Pursuant to Article 360 of the Family Act, in proceedings where the personal rights and interests of the child are decided, the court will allow children to express their opinion, in a suitable place and in the presence of an expert, if the judge considers that this is necessary given the circumstances of the case.<sup>332</sup> According to the Ordinance on the method of obtaining the child's opinion, the court is obliged to enable children who have reached the age of fourteen to express their opinion independently, and in the presence of an expert if the judge considers that this is necessary. A child under the age of fourteen has right to express opinion through a special guardian or other professional person. The court will not ask for the child's opinion if the child objects to it and when there are particularly justified reasons for this, which must be explained in the decision. Regarding the procedure for obtaining the child's opinion, the Ordinance on the method of obtaining the child's opinion is in force, which regulates in detail the methods of action of experts when obtaining the child's opinion for purposes of conducting court proceedings.<sup>333</sup></p> <p>However, in practice, there are situations in court proceedings when judges personally interview children under 14 years of age, most often in conflict custody cases. The professional who is present at such conversations is most often the child's special guardian.</p> <p>There is no minimum age requirement and the child's opinion is taken into account in accordance with age and maturity in each individual case.<sup>334</sup></p>
<p>4.3.9. Are there mental health support services available for affected children?</p> <p><u>If yes</u>, how are services working together? How is it ensured that</p>	X	<p>There are mental support services for children. One of the reported problems is that their availability is regionally uneven. At the parliamentary committee held on March 9, it was determined that in the field of mental health protection of children there are a number of difficulties related to inadequate treatment conditions, insufficient number of experts working</p>

<sup>332</sup> Croatia, Family Act (*Obiteljski zakon*) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

<sup>333</sup> Croatia, Ordinance on the method of obtaining the child's opinion (2015) (*Pravilnik o načinu pribavljanja mišljenja djeteta*), official Gazette (*Narodne novine*) 123/15.

<sup>334</sup> Croatia, Family Act (*Obiteljski zakon*) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

<p>the child is informed and can make use of these services?</p>		<p>with children, and the absence of a national strategic plan for the development of child and adolescent psychiatry.<sup>335</sup></p> <p>The Social Welfare Offices consider the opinions of mental health support services that have carried out certain types of treatment in the family when making their assessment. The Courts consider the opinions of mental health support services individually and in connection with other evidence in the court file.</p>
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4.3.10. What are the main challenges and gaps in the referral and investigation highlighted by relevant authorities, child protection, and civil society organisations? Briefly describe.

Main challenges and gaps highlighted by relevant stakeholders are inconsistent practices, insufficiently precise protocols of cooperation, lack of adequate education, which is particularly relevant for social welfare centre professionals, who are facing workload, having more than 150 duties prescribed in the legal framework. For that reason, they are sometimes unable to follow all the protocols and fulfil all cooperation requirements.<sup>336</sup> Stakeholders also point out to the inconsistency of international documents and national legal solutions<sup>337</sup>, non-implementation of previous protocols on cooperation, mistrust between professions, lack of time for cooperation and consequently lack of coordination. In addition, they emphasize that the existing protocols lack responsibility for failure to act in accordance with them. The professionals employed with relevant stakeholders consider that it is important when an error occurs, to shift the attention from the usual search for the culprit, to questioning the way in which even a tragic event can be useful for the improvement of the system. In the process of child protection, flow of information is of great importance for timely response to the threatened safety and development of the child. However, the flow of information between different departments is currently on the one hand foreseen, and on the other hand limited by numerous conventions, laws and regulations that are subject to different interpretations. As a result, experts have concerns about sharing information, that is, uncertainty about the justification of their sharing due to potential negative consequences in the form of lawsuits and the like.<sup>338</sup> As other obstacles are identified different work standards of different stakeholders, different operational goals, different priorities etc.

#### 4.4. Placement decisions – care orders

4.4.1. Following the investigation and assessment of the child’s situation, who is responsible to decide upon issuing a care order/decision and the placement of the child in alternative care?

<sup>335</sup> Croatia, Ombudsperson for Children (*Pravobraniteljica za djecu*), [Održana tematska sjednica Odbora za zdravstvo i socijalnu politiku o stanju dječje psihijatrije u Hrvatskoj](#), article.

<sup>336</sup> M. Milić Babić, N. Žganec, G. Berc, [Social worker perspective on working conditions, social attitudes towards the profession and recommendations for its advancement](#), May 2021.

<sup>337</sup> <sup>337</sup> Ilijaš A., Podobnik M., 2018, *Instability of the Social Welfare Law – How it affects social workers in social welfare offices (Nestabilnost Zakona o socijalnoj skrbi – kako utječe na rad socijalnih radnika u centrima za socijalnu skrb)*.

<sup>338</sup> Guidelines for the improvement of interdepartmental cooperation in the protection of children's well-being ([Smjernice za unaprjeđenje međuresorne suradnje u zaštiti dobrobiti djece](#)).

After investigation and assessment of child's situation in the family the court has competence to decide on issuing a decision on placement and entrusting the child to another person, a foster family, or a social care institution (Article 149 of Family Act).<sup>339</sup> The provisions of the Social Welfare Act<sup>340</sup> provide for temporary accommodation in crisis situations granted to a child found without parental supervision or to children victims of family violence and trafficking, child with behavioural problems, an unaccompanied child - foreign citizen or stateless child and a children whose parents are temporarily unable to take care of them due to illness, unresolved housing issue or other life difficulties clearly defining the implementation of these measure and the responsibilities for the provision of this type of service. The right to the accommodation service in crisis situations is granted until the conditions for return to family or foster family for a maximum of six months and exceptionally up to one year.

Question	Yes	No	Comments
<p>4.4.2. Are there legislative and or regulatory provisions clearly stating the criteria that should be taken into consideration in the assessment of the situation and in the decision-making process?</p> <p>Are there provisions specifying the criteria that should be considered when deciding to remove the child from its family? Are the principles of necessity and appropriateness considered?</p>	X		<p>There are legislative and regulatory provisions provided by the Family Act<sup>341</sup> and the Ordinance on measures to protect the personal rights and well-being of the child<sup>342</sup> that are taken into consideration in the assessment process when deciding to move child from the family. The expert worker of the social welfare office is obliged to inform the expert team consisting of a social worker, a psychologist, and a lawyer, and, if necessary, a social pedagogue or an educational rehabilitator, about the obtained information or suspicions about threat to the child's rights and well-being, in an official note. The official note is signed by an expert worker and certified by the director of the office. This is followed by an assessment of the threat to the rights and well-being of the child, the criteria of which are detailed in Article 4 of the Ordinance.<sup>343</sup> The social worker and psychologist draw up a report based on the family assessment, after which the expert team of the Institute makes a conclusion on the proposal to the court for making a decision on measures to protect the rights and well-being of the child. The</p>

<sup>339</sup> Croatia, Family Act (*Obiteljski zakon*) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

<sup>340</sup> Croatia, Social Welfare Act (*Zakon o socijalnoj skrbi*) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

<sup>341</sup> Croatia, Family Act (*Obiteljski zakon*) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

<sup>342</sup> Croatia, Ordinance on measures to protect the personal rights and well-being of the child (*Pravilnik o mjerama zaštite osobnih prava i dobrobiti djeteta*) (2015), Official Gazette (*Narodne novine*) 123/15.

<sup>343</sup> Croatia, Ordinance on measures to protect the personal rights and well-being of the child (*Pravilnik o mjerama zaštite osobnih prava i dobrobiti djeteta*) (2015), Official Gazette (*Narodne novine*) 123/15.



		<p>paramount criterion for both, the assessment and deciding upon removal is the criterion of the protection of the best interest of the child, which is one of the basic principles of the Family Act (Article 5),<sup>344</sup> as well as the principles of proportionality and mildest intervention in family life. Furthermore, for the protection of the child's welfare, taking into consideration the circumstances of a particular case, the court can issue three different measures concerning removal from the family of parents who have failed to fulfil parental duties and endangered the child (Article 149 of Family Act)<sup>345</sup>; The court, in non-contentious proceedings make adopt a decision on the temporary entrustment of the child to another person, a foster family or a social welfare institution for up to 30 days, decision on deprivation of the parent of the right to live with the child and entrusting the daily care of the child to another person, foster family or social welfare institution based on the assessment that the child's life, health and development are threatened by staying or returning to the family for up to a year, or decision on entrusting a child with behavioural problems to a foster family or a social care institution for help in upbringing. Consideration of the principles of necessity and appropriateness is prescribed by Family Act.</p> <p>In cases where the decision on accommodation is made by the Institute for social work, it is obliged to make an individual assessment determined on the basis of a comprehensive assessment of the needs, difficulties and resources of the beneficiary.</p>
<p>4.4.3. Are there provisions requiring that the views of the child should be taken into consideration in the decision-making process?</p>	<p>X</p>	<p>Pursuant to art 86 of the Family Act, in all proceedings in which a child's right or interest is decided, the children have right to be acquainted of the important circumstances of the case in an appropriate way, to receive advice and to express</p>

<sup>344</sup> Croatia, Family Act (*Obiteljski zakon*) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

<sup>345</sup> Croatia, Family Act (*Obiteljski zakon*) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

<p><u>If yes</u>, please specify if this is mandatory or left to the discretion of the responsible authorities, and if there are age-related requirements.</p>		<p>their opinion, and to be informed of the possible consequences of respecting their opinion. The child's opinion is taken into account in accordance with age and maturity.<sup>346</sup> Pursuant to art 130, the children have right to participate and express their opinion in all procedures of assessment and determination of measures to protect their rights and well-being.<sup>347</sup> In procedures in which measures to protect the rights and well-being of the child are determined, the authorities that determine the measures shall, by decision, allow a child who has reached the age of fourteen to present facts, propose evidence, submit legal remedies and take other actions in the procedure if he is capable of understanding the meaning and legal consequences those actions.</p> <p>Pursuant to Article 10 paragraph 3 of Social Welfare Act, in procedures where their rights and interests are decided, children have the right to find out the important circumstances of the case in an appropriate way, to receive advice and express their opinion, and to be informed of the possible consequences of respecting their opinion.<sup>348</sup> The opinion is taken into account in accordance with age and maturity and there is no minimum age for hearing a child.</p> <p>In most cases, children are allowed to express their opinion in front of a special guardian who is appointed to represent the child in each individual case. However, the child can also be examined by the body that conducts the procedure (social welfare center office, or court). The court can directly obtain the opinion of a child who is older than 14, independently or in the presence of an expert. The opinion of a child under the age of 14 is obtained through a special guardian who can talk to the child independently or with the help of a professional. Children always express their opinion without the presence of parents or</p>
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<sup>346</sup> Croatia, Family Act (*Obiteljski zakon*) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

<sup>347</sup> Croatia, Family Act (*Obiteljski zakon*) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

<sup>348</sup> Croatia, Social Welfare Act (*Zakon o socijalnoj skrbi*) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

		<p>guardians, or other person who takes care of them. The opinion of the child is obtained in a suitable place. A suitable place is an area outside the courtroom equipped and adapted for working with a child, in which it is necessary to ensure privacy, safety of the child and unhindered work. This can be a special area of the court, a special area of the social welfare office, the center for special guardianship, and another area determined by the court (the home of the parents, foster parents or other person with whom the child is placed). The expression of the child's opinion can also be enabled by video link, if there are technical possibilities for that.<sup>349</sup></p> <p>In adoption procedures, the consent of a children who have reached twelve years of age is required to establish the adoption. Children can revoke their consent for adoption until the decision on adoption becomes final. The declaration of withdrawal of consent is given by the child in person, and a record of that is drawn up. If children are under twelve years of age, they have the right to express their opinion about the adoption, and the children's opinion and wishes are taken into account in accordance with their age and maturity. In both cases, the children declare themselves without the presence of their parents and the people who want to adopt them (Article 191 of Family Act).<sup>350</sup></p>
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#### 4.5. Types of care with focus on alternative care

Types of care existing in the country	Yes	No	Who is offering such services? (State, regional, local authorities, civil society, religious institutions)	Please make differences between the different types of care explicit
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<sup>349</sup> Croatia, Ordinance on the method of obtaining the child's opinion (2015) ([Pravilnik o načinu pribavljanja mišljenja djeteta](#)), official Gazette (*Narodne novine*) 123/15.

<sup>350</sup> Croatia, Family Act ([Obiteljski zakon](#)) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

Foster care	X	<p>The foster care system is regulated by the state. Funds for financing foster care are provided in the state budget. Foster care can be provided by an adult person with Croatian citizenship and residence who fulfils the preconditions defined by law. The Foster Care Act<sup>351</sup> prescribes detailed conditions for the person who seeks to provide foster care (e.g., in relation to health, education, family circumstances, housing and material conditions etc.), depending on the type of foster care provided. The Foster Care Act 2018 brought innovation in types of foster care, with three possible types:</p> <ol style="list-style-type: none"> <li>1. Traditional foster care (A foster parent who performs traditional foster care has the right to a maintenance fee to cover the cost of living of the beneficiary and the right to remuneration for the care and the effort provided for the beneficiary).</li> <li>2. Kinship foster care (accommodation services for children in accordance with the law if the regional office of the Croatian Institute for Social Work of the user determines that this is in the user's interest and if the foster parent meets the prescribed general conditions.)</li> <li>3. Professional foster care/ foster care as an occupation, subdivided into: standard foster care and specialised foster care. Specialised foster care includes placement for children and young adults with behavioural problems and children in specific circumstances who are entrusted to a foster family in accordance with family law regulations. Specialised foster parents are educated professionals who can provide complex, specific care to children who are seriously ill or who have severe physical, intellectual, sensory, or multiple disabilities.</li> </ol>
Residential – institutional care	X	<p>A social welfare home can be established under the conditions prescribed by the Social Welfare Act<sup>352</sup> and the Law on Institutions,<sup>353</sup> by the Republic of Croatia, a unit of local and regional self-government, i.e. the City of Zagreb, a religious community, a trading company, an association and other domestic and foreign legal or physical entities.</p> <p>Non-state homes for children and young adults without parents or adequate parental care are the two SOS Children's Villages operating in Croatia - SOS Children's Village Lekenik and SOS Children's Village Ladimirevci.</p> <p>The Ministry of Labour, Pension System, Family and Social Policy oversees these institutions (in terms of financing, monitoring etc.)</p>

<sup>351</sup> Croatia, Foster Care Act ([Zakon o udomiteljstvu](#)) (2018), Official Gazette (*Narodne novine*) 115/18, 18/22.

<sup>352</sup> Croatia, Social Welfare Act ([Zakon o socijalnoj skrbi](#)) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

<sup>353</sup> Croatia, Law on Institutions ([Zakon o udrugama](#)) (2014), Official Gazette (*Narodne novine*) 74/14, 70/17, 98/19, 151/22.

Other forms of family-based or family-like care placements	X	<p>Other forms of family-based or family-like care placements are regulated by the Social Welfare Act<sup>354</sup>, which entered into force in February 2022. Important changes in the law refer to the work of family homes, prompted by established failures in the work of family homes for adults. As the previous law did not differentiate family homes for children and youth from family homes for adults except in the part of defining the number of beneficiaries they care for, the changes made by the new law apply to all categories of family homes. Following the above, the Social Welfare Act<sup>355</sup> abolishes the provisions on family homes. Family homes for children and young people without adequate parental care, which currently have a contract with the competent ministry on the provision of accommodation services, will continue their work until the deadline stipulated in the signed contract. However, the new Act clearly states that family homes can continue to provide accommodation services as family homes until December 31, 2026, at the latest. After the expiry of the mentioned period, if they want to continue their work, the family homes must harmonize their organizational form with the provisions of the new Social Welfare Act which stipulates that natural persons can establish a social care home.</p>
Supervised independent living arrangements for children	X	<p>Organized housing is a type of social service that provides assistance and support to individuals within a residential space (house or apartment) in providing basic, but also work, social, educational and other life needs in order to equalize their opportunities, improve the quality of life and encourage independent living (Social Welfare Act, Art. 106, Para. 1).<sup>356</sup> The right to this service is granted to a child without adequate parental care, a child with behavioural problems, an unaccompanied or stateless foreign child and a child with developmental disabilities.</p> <p>To prevent overcrowding of housing units, in Croatia the number of beneficiaries per housing unit is limited to a maximum of 8 beneficiaries, and persons who provide assistance do not live with the beneficiaries but visit them periodically.<sup>357</sup> This type of housing is provided as a service to those users who were in alternative care until they came to age of 18 and to those who are between 16 and 18 years old, if it is estimated that they are mature enough for this type of housing (Regulation on conditions for the provision of social services).<sup>358</sup></p>

<sup>354</sup> Croatia, Social Welfare Act ([Zakon o socijalnoj skrbi](#)) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

<sup>355</sup> Croatia, Social Welfare Act ([Zakon o socijalnoj skrbi](#)) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

<sup>356</sup> Croatia, Social Welfare Act ([Zakon o socijalnoj skrbi](#)) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

<sup>357</sup> Croatia, Social Welfare Act ([Zakon o socijalnoj skrbi](#)) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

<sup>358</sup> Croatia, Regulation on conditions for the provision of social services ([Pravilnik o mjerilima za pružanje socijalnih usluga](#)) (2022), Official Gazette (*Narodne novine*) 110/22.

Question	Yes	No	Comments
4.5.1. Is there data available on the number of children in care (disaggregated by type of care, gender/age, length of placement, etc)?	X		<p>Data are available in Annual statistical reports of the Ministry of Labour, Pension System, Family and Social Policy for 2020<sup>359</sup> and 2021<sup>360</sup>.</p> <p>In her Report for 2022 The Ombudsperson for children reported that total number of children and young people in accommodation and organized housing in homes for children without adequate parental care and community service centers on 31 December 2022 was 882, which is 9 more than in 2021. In the total number of children and young people are 818 children and 64 young people. Out of 818 children, 426 are girls and 392 are boys. 242 children are under the age of seven, 239 are aged 15-18, 205 are aged 11-14 and 132 are aged 8 to 10. The number of children receiving accommodation services on December 31, 2022 was 568, which is six more than in 2021, while 250 children were in organized housing, which is six more than in 2021.</p> <p>As of 31 December 2022, there were 242 children under the age of seven in child care institutions, of which 103 are under the age of three. 176 of them, were in accommodation, and only 66 in organized housing. Overall, 30.99% of children in institutions were up to the age of seven which is worrying considering that Social Welfare Act regulates that a child under the age of seven, should be placed primarily in the foster family. The number of children in organized housing on December 31, 2022 was 250, which shows that the number of children in accommodation is still bigger than in organized housing. Of 231 children in organized housing with permanent assistance, there were 126 girls and 105 boys, of which 15 at the age of 0-3, 51 at the age of 4-7, 43 at the age of 8-10, 72 at the age of 11-14 and 50 at the age of 15-18. Of the 19 children who were in organized housing with occasional help, 9 were girls and 10 boys, all aged 15-18.<sup>361</sup></p>

<sup>359</sup> Croatia, Ministry of Labour, Pensions System, Family and Social Policy, Annual statistical report on applied rights social welfare, legal protection of children, young people, marriage, families and persons deprived of business capacity, and to protect physically or mentally damaged persons in the Republic of Croatia in 2020 ([Godišnje statističko izvješće o primijenjenim pravima socijalne skrbi, pravnoj zaštiti djece, mladeži, braka, obitelji i osoba lišenih poslovne sposobnosti, te zaštiti tjelesno ili mentalno oštećenih osoba u Republici Hrvatskoj u 2020. godini](#)).

<sup>360</sup> Croatia, Ministry of Labour, Pensions System, Family and Social Policy, Annual statistical report on applied rights social welfare, legal protection of children, young people, marriage, families and persons deprived of business capacity, and to protect physically or mentally damaged persons in the Republic of Croatia in 2021 ([Godišnje statističko izvješće o primijenjenim pravima socijalne skrbi, pravnoj zaštiti djece, mladeži, braka, obitelji i osoba lišenih poslovne sposobnosti, te zaštiti tjelesno ili mentalno oštećenih osoba u Republici Hrvatskoj u 2021. godini](#)).

<sup>361</sup> Croatia, Ombudsperson for Children (*Pravobraniteljica za djecu*), Annual report for 2020 ([Izvešća o radu Pravobraniteljica za djecu](#)).

<p>4.5.2. Is there data available on the number of children placed in alternative care that disappeared and/or went missing from residential care institutions?</p>	<p>X</p>	<p>The only available data at this moment was found in the Annual report of the Ombudsperson for Children for 2020 and 2022<sup>362</sup>:</p> <p>“According to data from the Ministry of internal affairs, 757 removals of from institutions were recorded in 2020. There were more boys (475) than girls (282) escaping from institutions. Children "run away" from institutions most often due to adaptation problems in the institution (164) and avoidance of educational measures in the institution (20), while there are many (166) who did not return to the institution after the leave spent at home. In 491 cases, the reason for escaping from the institution was not determined. In three cases, a criminal offense was committed against children who were on the run from the institution.”</p> <p>“According to the data of the Ministry of Interior for 2022, 1,198 escapes of children from residential institutions were recorded, which is an increase of 36.1% compared to the previous year. Problems of adaptation, avoiding the implementation of educational measures, not returning from leave, tendency to wander, adventurism and others are mentioned as reasons for running away.”</p>
<p>4.5.3. Is there a <u>national</u> registry of foster care families?</p> <p>How many children can be fostered in one family?</p>	<p>X</p>	<p>The social welfare office of the place of the residence of foster parent manages the electronic registry in the computer program owned by the Ministry of Labour, Pension System, Family and Social Policy in accordance with the Ordinance on the content and manner of keeping the Register of Foster Parents and the Register of Accommodation Users and the content of the reporting form<sup>363</sup></p> <p><b>Traditional foster family</b> can accommodate 3 children. On an exceptional basis, one foster care family can accommodate more than 3 children (e.g. in the case of siblings, a mother with small children or in case of urgent temporary accommodation). Only one child in a foster family accommodating children with difficulties can have a severe disability. A one-person household can accommodate 2 children. On an exceptional basis, <b>a one-person kinship household</b> can accommodate more children if siblings are placed together). The social welfare office gives permission for the accommodation of more children than regularly allowed in case the foster family fulfils the conditions to accommodate more children.</p>

<sup>362</sup> Croatia, Ombudsperson for Children (*Pravobraniteljica za djecu*), Annual report for 2020 (*Izvešća o radu Pravobraniteljica za djecu*).

<sup>363</sup> Croatia, Ordinance on the content and manner of keeping the Register of Foster Parents and the Register of Accommodation Users and the content of the reporting form (*Pravilnik o sadržaju i načinu vođenja Registra udomitelja i registra smještenih korisnika te sadržaju obrasca za izvještavanje*) (2019), Official Gazette (*Narodne novine*) 63/19.



		<p><b>Standard foster care family</b> provides accommodation services for three children at the same time (more, if siblings are placed together)  Exceptionally, a smaller number of children can be placed in a foster family if it is about:</p> <ol style="list-style-type: none"> <li>1. two children under the age of three</li> <li>2. two children with a severe disability</li> <li>3. to a parent with two children of whom, one is under the age of one</li> </ol> <p>Exceptionally more than three children may be accommodated in the foster family in the case of siblings placed together, a mother with small children or in case of urgent temporary accommodation. When three children with developmental difficulties are placed in a foster family, only one of the placed children can be a child with a severe disability.</p> <p>Specialised foster care provides placement for one child with behavioural problems and for children in specific circumstances who are entrusted to a foster family in accordance with family law regulations. Exceptionally more than one child may be accommodated in the foster family in the case when siblings are placed together or when the Institute for social work assess that this is in the interest of the children and when there is the consent of the foster parents.</p>
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4.5.4. How and by whom foster families are recruited, vetted, and trained? Provide information on the legal framework and responsible authorities, recruitment requirements, selection criteria, reimbursement of costs, etc.

According to the Foster Care Act,<sup>364</sup> Foster care service is organised by social welfare offices, which are responsible for all actions ranging from establishing initial contact with potential foster parents, screening and assessing foster families, and issuing permits to place children in a family. After the placement, social welfare offices monitor and supervise foster families, and organise support services. The competent office (determined by the residence of the foster parent applicant) undertakes recruitment and screening which is preceded by psychological testing of the applicant, overall assessment of the family (e.g. motivation of potential foster parent and their family members, family relations and possible risks, personal and family capacities) and a field visit to the family home; Education of foster parents is performed in accordance with a special regulation<sup>365</sup> which provides the education process of 40 hours. Selection criteria, general and special preconditions for performing the work of a foster parent, compensation and reimbursement of costs are provided by the provisions of the Foster Act (Articles 28-33) and by Decision of the Government about the base for calculating the amount of remuneration for the work of the foster parent and the amount of maintenance<sup>366</sup>.

<sup>364</sup> Croatia, Foster Care Act ([Zakon o udomiteljstvu](#)) (2018), Official Gazette (*Narodne novine*) 115/18, 18/22.

<sup>365</sup> Croatia, Ordinance on the manner and duration of training and additional training of foster parents ([Pravilnik o načinu i trajanju osposobljavanja i dodatnog usavršavanja udomitelja](#)) (2019), Official Gazette (*Narodne novine*) 63/19.

<sup>366</sup> Croatia, Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2022), Decision on the base for calculating the amount of remuneration for the work of the foster parents and the amount of maintenance ([Odluka o osnovici za izračun iznosa naknade za rad udomitelja i iznosa opskrbnine za 2023. godinu](#)), Official Gazette (*Narodne novine*) 133/22.

The amount of maintenance is calculated individually for every beneficiary (article 29. Of Foster Care Act).<sup>367</sup>

4.5.5. Are any types of care (foster homes, residential care, other form of care arrangements) monitored once children are placed therein? If so, provide information on the applicable legislative provisions on monitoring procedures. Please specify the difference between the monitoring of different types of care. How frequently are they monitored, how and by whom?

During the placement, the Institute monitors the process of foster care and provides support to children and foster families. It also monitors the conditions of foster families through visits or other appropriate forms of communication with children, foster parents, educational and health institutions, and other organisations. In line with Article 265 of the Social Welfare Act,<sup>368</sup> as monitoring procedures are provided internal control, inspection control and administrative control. Inspection control is conducted by inspectors - specialists employed in the Ministry. The method of conducting inspection is prescribed by the Ordinance of the minister. Inspection supervision is carried out as regular, extraordinary and control (Article 271).<sup>369</sup> Regular inspection supervision is carried out in accordance with the annual supervision plan issued by the Ministry of Labour, Pension System, Family and Social Policy. Extraordinary inspection is carried in case of knowledge about some important facts that justify the inspection. Control inspection is carried out to control the execution of measures ordered by the inspector's decision. Supervision related to the professional work of regulated professions and health professionals is carried out by competent chambers, and sanitary supervision by sanitary inspection. Supervision over the provision of education services is carried out by the educational inspection of the ministry responsible for education.

According to the provisions of the Article 14, Paragraph 1 of the Law on the Ombudsperson for Children, the Ombudsperson has the right to access the premises and obtain an insight into the modes of realising care for children that spend time or are temporarily or permanently placed at individual's homes and legal entities facilities pursuant to special regulations.<sup>370</sup> The number and type of institutions which are visited are planned in the annual work plan of the Office of Ombudsperson for Children.

Question	Yes	No	Comments
4.5.6. Are children placed in foster care homes geographically <u>close to their biological families</u> , school, friends, and/or community?	X		A foster carer is selected primarily from among relatives or other persons close to the children, in their place of residence, whenever possible and when it is in his best interest of the child for the sake of the sustainability of family and other social ties and the preservation of the achieved level of his social inclusion, unless it is not in the interest of the child or there are no foster families in that area.

<sup>367</sup> Croatia, Foster Care Act (*Zakon o udomiteljstvu*) (2018), Official Gazette (*Narodne novine*) 115/18, 18/22.

<sup>368</sup> Croatia, Social Welfare Act (*Zakon o socijalnoj skrbi*) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

<sup>369</sup> Croatia, Social Welfare Act (*Zakon o socijalnoj skrbi*) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

<sup>370</sup> Croatia, Act on the Ombudsperson for Children (*Zakon o pravobranitelju za djecu*). Official Gazette (*Narodne novine*) 73/17.

<p>4.5.7. Is there a <u>national registry</u> of residential institutions for children?</p> <p><u>If yes</u>, please provide information regarding the existent number of residential institutions and their capacity (beds).</p>	X	<p>The Ministry of Labour, Pension System, Family and Social Policy keeps official records on residential institutions for children and their capacity.</p> <p>Annual statistical reports of the Ministry of Labour, Pension System, Family and Social Policy for 2021 gives information about number of residential institutions and number of the placed beneficiaries for 2021.<sup>371</sup></p> <p>There are a total of 13 state children's homes for children and young adults without parents or adequate parental care in Croatia, 10 state homes for children and young adults with behavioural problems and 25 state homes for children with developmental disabilities (Ministry of Labour, Pension System, Family and Social Policy, 2021, Statistical report).</p> <p>On 31 December 2021 the number of 269 places and the number of 390 children in state social welfare homes for children were recorded. Also, 147 places and 107 beneficiaries of organised housing were recorded. In relation to the state social welfare homes for children and young adults with behavioural problems, the number of 248 places and 212 beneficiaries was recorded. In organized housing, 81 places and 69 children were recorded. In relation to state social welfare homes for children with developmental disabilities and adults, data are not segregated in understandable way and are still to be confirmed.<sup>372</sup></p> <p>In non- state-owned residential institutions for children on 31 December 2021, number of 240 beds and 214 users was reported, and in non-state-owned institutions, for children with developmental disabilities and adults, total number of 1014 and 973 beneficiaries on long term accommodation were reported, of which 30 children.</p>
<p>4.5.8. Are there <u>accreditation and licensing procedures</u> for residential institutions in place?</p> <p><u>If yes</u>, please provide information on the</p>	X	<p>The Institute for social work issues a permission to work (licence) to foster care families for period of three years, according to the Foster Care Act.<sup>373</sup></p> <p>According to Social Welfare Act,<sup>374</sup> legal and natural persons who provide social services as a professional activity or as a craftsman can start providing social services after the decision on meeting the criteria for providing social services</p>

<sup>371</sup> Croatia, Ministry of Labour, Pension System, Family and Social Policy (*Ministarsvo rada, mirovinskog sustava, obitelji i socijalne politike*), Annual statistical report on homes and social care beneficiaries in the Republic of Croatia in 2021 ([Godišnje statističko izvješće o domovima i korisnicima socijalne skrbi u Republici Hrvatskoj u 2021. godini](#)).

<sup>372</sup> Data to be still confirmed.

<sup>373</sup> Croatia, Foster Care Act ([Zakon o udomiteljstvu](#)) (2018), Official Gazette (*Narodne novine*) 115/18, 18/22.

<sup>374</sup> Croatia, Social Welfare Act ([Zakon o socijalnoj skrbi](#)) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

legislative framework, the responsible authority and procedure.			becomes enforceable. The criteria for the accommodation service are elaborated differently, depending on the number of children (up to ten and for more than ten places for children). The fulfilment of the criteria for the provision of social services is verified by the Commission, which consists of at least three members appointed by the Ministry or the regional self-government unit or the City of Zagreb. Experts who have passed a professional or state exam are appointed to the Commission, depending on the activity for which it is necessary to determine the fulfilment of the criteria. On the established factual situation, the Commission draws up a report with a finding and an opinion. The Ordinance on the method and procedure of family assessment for foster care <sup>375</sup> establishes the procedures (interview, testing, social anamnesis) for determining the foster parent's capacity for foster care.
4.5.9. Are there <u>national applicable standards</u> relating to the operational framework of such institutions (requirements or quality standards related to the personnel, the infrastructures, the living conditions, and daily care of children)?	X		The required quality standards are prescribed by the Ordinance on standards for the provision of social services which prescribes conditions regarding space, equipment, necessary professional and other workers, content, scope and method of providing services. <sup>376</sup>

#### 4.5.10. How is the residential care staff recruited, vetted, and trained?

Social services in the social welfare system are provided by professional workers with appropriate qualifications and passed professional exams, depending on the activities of social welfare institutions or other social service providers. The Social Welfare Act prescribes conditions for employment in the social welfare system.<sup>377</sup> Persons who are for the first time employed work as interns for a period of 12 months, after which they acquire the right to take a professional exam before the Ministry. The employment is based on an employment contract after public tender. The Social Welfare Act prescribes obstacles (article 261) to the performance of work (conviction for certain criminal offenses, if a misdemeanour sanction for domestic violence has been imposed, if proceedings for the criminal offense of sexual abuse and exploitation of a child are being conducted). Professional workers in the field of social welfare have the right, duty, and obligation to permanently improve their skills

<sup>375</sup> Croatia, Ordinance on the method and procedure of family assessment for foster care ([Pravilnik o načinu i postupku obiteljske procjene za obavljanje udomiteljstva](#)) (2019), Official Gazette (*Narodne novine*) 46/19.

<sup>376</sup> Croatia, Ordinance on standards for the provision of social services ([Pravilnik o mjerilima za pružanje socijalnih usluga](#)), Official Gazette (*Narodne novine*) 110/22.

<sup>377</sup> Croatia, Social Welfare Act ([Zakon o socijalnoj skrbi](#)) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

according to the annual education plan adopted by the Academy of Social Welfare. The licensing procedure for vocational training programs is carried out by the Ministry of Labour.

Question	Yes	No	Comments
<p>4.5.11. Are children placed in alternative care allowed to <u>lodge complaints</u> against the personnel /foster parents and care workers and report abuse or violations of their rights? Are these procedures child-friendly and respective of confidentiality?</p> <p>If <u>yes</u>, briefly describe to whom and how children can lodge complaints.</p>	X		<p>Violations of child rights can be reported to the Ombudsperson for Children, who is responsible to act in line with existing legislation and protocols in order to protect a child's interests. The violations can be reported through a phone line, post, or email, and they can also be anonymous.</p> <p>However, it follows from the report of the Ombudsperson for Children that in 2021 only ten children contacted her personally: "Children contacted us personally in 10 cases. They complained about the behaviour of foster parents, special guardians and parents with whom they have personal relationships." which calls into question children's awareness of available protection mechanisms.<sup>378</sup></p> <p>Practice shows that children most often complain to employees in educational institutions.</p>
<p>4.5.12. What is the <u>assistance available to adolescents that leave alternative care</u> to live independently?</p> <p>(e.g. financial, housing, vocational, educational, employment, life skills, mental health services, social or emotional)?</p> <p>Briefly describe who is responsible for such assistance?</p>	X		<p>In accordance with the Social Welfare Act,<sup>379</sup> a young adult and young adult with behavioural problems (18-21) is recognized as beneficiary of the right to the service of organized housing, or the right to service of accommodation for the purpose of conducting psychosocial treatments. Accommodation for the purpose of conducting psychosocial treatments lasts as long as the need lasts, and for three years the longest.</p> <p>The Family Centre, as part of its activity, performs advisory and preventive work and other professional tasks related to the development of socialization skills, communication skills and non-violent conflict resolution of young people, as well as the prevention of behavioural problems and addictions of young people (Article 187 of Social Welfare Act).<sup>380</sup></p> <p>Article 85 of the Social Welfare Act envisages social mentoring as a service that is provided to a beneficiary whose right to accommodation or organized housing ends.<sup>381</sup> It is defined as professional help aimed at strengthening abilities of beneficiaries to deal more successfully with unfavourable life circumstances and better integration into the community. The service is approved according to the</p>

<sup>378</sup> Croatia, Ombudsperson for Children (*Pravobraniteljica za djecu*), Annual reports (*Izveštaja o radu Pravobraniteljica za djecu*).

<sup>379</sup> Croatia, Social Welfare Act (*Zakon o socijalnoj skrbi*) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

<sup>380</sup> Croatia, Social Welfare Act (*Zakon o socijalnoj skrbi*) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

<sup>381</sup> Croatia, Social Welfare Act (*Zakon o socijalnoj skrbi*) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

		<p>assessment of an expert worker of the Institute, in agreement with the beneficiary. The service is provided for a period of six to eight months through a minimum of ten structured meetings between the social mentor and the user.</p> <p>According to the Foster Care Act (Article 45.2.),<sup>382</sup> Social Welfare Office, is obliged to provide the younger adult with support for the purpose of inclusion in the local community within a year from the end of regular schooling in accordance with his needs.</p>
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4.5.13. What assistance is provided to families - while the child is placed to alternative care - to support the return of the child in the family? By whom? Who coordinates the assistance? Please briefly describe.

In relation to assistance to families during the placement of a child in alternative care, there are a small number of very general provisions in the Foster Care Act (art. 44, 48),<sup>383</sup> which stipulate that the social welfare office competent for the child and the foster parent prepare the child's departure to their own family together with the aim of gradual adaptation to new circumstances. The social care home and community service centre are also obliged to participate in the preparation of children for departure to their own family.

From the public statement of employees of one institution, stems that in practice the families of children in placement are not sufficiently involved in counselling work, do not receive adequate and systematic support in the direction of working on changes within family relationships, and that the children return to the families that have remained the same, and thus the efficacy of the treatment for children as well as their acquired strengths come into question.

<p>4.5.14. Is any <u>assistance</u> provided to children and families <u>upon return of the child in the family</u>? Briefly describe. Who is responsible for such assistance?</p> <p>Is there any monitoring and follow-up of such cases?</p> <p>Who is coordinating assistance and support?</p>	X	<p>There is a very general provision in the Foster Care Act according to which the social welfare office, in cooperation with the service provider, is obliged to provide monitoring and professional assistance to children and their families for at least three months after the end of accommodation or return (Article 45).<sup>384</sup> There are no reliable data which could be used to fully assess the efficiency of the centres for social welfare on this issue, i.e. to state whether they fully respect the relevant legal provision.</p> <p>The Family Act in Art 161 (paragraph 2-4) prescribes that the Institute for Social Work Centre supervises the care of children and provides them with support.<sup>385</sup> It has a duty to give the parent and child instructions and help them to remove the causes that led to the separation of the child from the family, and every three months evaluates the appropriateness of the care of the child and the behaviour of the parents and the child. Given the circumstances of the</p>
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<sup>382</sup> Croatia, Foster Care Act ([Zakon o udomiteljstvu](#)) (2018), Official Gazette (*Narodne novine*) 115/18, 18/22.

<sup>383</sup> Croatia, Foster Care Act ([Zakon o udomiteljstvu](#)) (2018), Official Gazette (*Narodne novine*) 115/18, 18/22.

<sup>384</sup> Croatia, Foster Care Act ([Zakon o udomiteljstvu](#)) (2018), Official Gazette (*Narodne novine*) 115/18, 18/22.

<sup>385</sup> Croatia, Family Act ([Obiteljski zakon](#)) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.



			<p>case, help and support can be planned so that they are more focused on strengthening the child's independence than on strengthening the parent's ability to take care of the child if this is commensurate with the child's age, level of development and needs and capabilities. The Institute encourages personal relationships between the child, parents and other members of the child's family or persons close to the child, in accordance with the child's well-being.</p> <p>Institute for social Work coordinates the support to the family and to the child.</p>
<p>4.5.15. Are decisions of placement in alternative care reviewed?</p> <p>If <u>yes</u>, please provide the applicable legislative provisions. How frequently is this done? By whom?</p> <p>Are the children's views taken into consideration?</p>	X		<p>According to the provisions of the Family Act (129 paragraph 5)<sup>386</sup> the measure of separating the child from the family must be regularly reviewed, and the parents have the right to help and support to remove the causes of the separation and return the children to the family in accordance with their well-being.</p> <p>There is no specific provision on reviewing of placement decisions decided by the Institute for Social Work.</p> <p>The children's views should be taken into consideration as described under 4.4.3.</p>
<p>4.5.16. Is there a <u>legal framework regarding adoption</u>? Briefly describe the core elements and responsible authorities, also considering differences between within-country and between-country adoptions. Is private adoption permitted in the country?</p>			<p>The legal framework for adoption is set in the Family Act<sup>387</sup> (Part IV, Articles 180. - 217.). Adoption is defined as a special form of family-legal care and protection of a child without adequate parental care, which creates a permanent relationship between parent and child. In addition, the matter of adoption and the method of conducting the procedure for establishing an adoption are regulated by ordinances<sup>388</sup> that regulate the keeping of records and case files on adoption, the suitability of adopters, the keeping of a register of potential adopters, the method of keeping records of persons</p>

<sup>386</sup> Croatia, Family Act (*Obiteljski zakon*) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

<sup>387</sup> Croatia, Family Act (*Obiteljski zakon*) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

<sup>388</sup> Croatia, Ordinance on the manner of keeping registers and case files on adoption and the content of the report on the adjustment of the child in the adoptive family (2014), (*Pravilnik o načinu vođenja očevidnika i spisa predmeta o posvojenju te sadržaju izvješća o prilagodbi djeteta u posvojiteljskoj obitelji*), Official gazette (*Narodne novine*) 106/14; Croatia, Ordinance on the conditions that must be met by civil society organizations for the implementation of the professional preparation program for adoption, the mandatory content and the method of implementing the professional preparation program for potential adopters and the conditions for the professional training of workers, as well as the method of keeping documentation in connection with the implementation of the professional preparation of potential adopters, (2014), (*Pravilnik o uvjetima koje moraju ispunjavati organizacije civilnog društva za provođenje programa stručne pripreme za posvojenje, obveznom sadržaju i načinu provedbe programa stručne pripreme potencijalnih posvojitelja te uvjetima stručne osposobljenosti radnika kao i načinu vođenja dokumentacije u vezi s provedbom stručne pripreme potencijalnih posvojitelja*), Official Gazette (*Narodne novine*) 106/14, 5/15, 28/16, 103/15; Croatia, Ordinance on elements related to eligibility and suitability for adoption, content of expert opinions on suitability and suitability for adoption, methods of determining suitability and suitability, content of reports on the child, keeping a register of potential adopters and the method of keeping a register of adoptions (2014), (*Pravilnik o elementima koji se odnose na podobnost i prikladnost za posvojenje, sadržaju stručnog mišljenja o podobnosti i prikladnosti za posvojenje, metodama utvrđivanja podobnosti i prikladnosti, sadržaju izvješća o djetetu, vođenju registra o potencijalnim posvojiteljima te načinu vođenja registra o posvojenjima*), Official Gazette (*Narodne novine*) 106/14.



deprived of the right to parental care, and the conditions that must be met by civil society organizations for the implementation of professional preparation programs for adoption. As in the former Family Act,<sup>389</sup> adoption may be established if it is in the interest of the child, until the child is eighteen years old. If the child is twelve years old, the consent of the child is required. The competent body is the Institute for Social Work, and private adoptions are not allowed. A child can be adopted by married and common-law partners jointly, one married or common-law partner if the other married or common-law partner is the parent or adopter of the child, one married or common-law partner with the consent of the other married or common-law partner, and a person who is not married or in a common-law union ( Article 185 of Family Act), i.e. the law does not provide adoption for homosexual couples. However, there is a recent decision of the High Administrative Court in which it was found that there is no obstacle to allow a gay couple to access to the register of adoptive parents, because acting contrary to this would mean discrimination based on sexual orientation. The court found that there were no justified reasons for the protection of the public interest in the specific case and also that the legitimate aim cannot be found in the protection of the interests of the child, as claimed by the oponent party ( Ministry of Labour, Pension System, Family, and Social Policy Ministry), since the interest of the specific child to be adopted will be evaluated in the adoption process and when choosing specific adopters.<sup>390</sup> So far, it cannot be claimed with sufficient certainty that the decision of the Administrative court enabled the adoption, because there are no examples of such adoptions in practice. The court reasoning in the mentioned case was focused on the issue of registration of same sex couples in the register of the potential adopters. Therefore, it is yet to be seen whether sexual orientation will be taken into account when selecting adoptive parents from the registry in each individual process of adoption.

On 1 April 2014, the Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption of 29 May 1993, entered into force in Croatia. As to the between-country adoption, on 6 June 2016 (then) Ministry of social policy and Youth has adopted the Decision on determining the criteria for establishing cooperation with accredited bodies of other Contracting States of the Convention. Croatian citizens who wish to adopt a child from another country that is not a party to the Convention after completing the procedure before the competent social welfare office to determine eligibility for adopting, independently apply for the adoption of a child to the competent authorities of the country from which they wish to adopt a child. In the interstate adoption procedure, the prerequisites for adoption must be fulfilled cumulatively in accordance with the legislation of the country of origin of the child and in accordance with the legislation of the country of potential adopters. After the end of the intercountry adoption procedure, adoptive parents must request recognition of a foreign court decision on adoption before the competent court in Croatia.

4.5.17. What are the main challenges encountered and gaps at the policy and legislative level in relation to alternative care? *Please consider available studies reports at national levels conducted by public or private institutions, child protection organisations, civil society, human rights institutions, academic community, and other sources such as concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.*

It is stated in the professional literature that frequent changes in the laws governing the social welfare system introduce uncertainty into it, lead to uneven treatment between welfare offices and generate professional stress. With changes in regulations, additional administrative burdens are continuously introduced, which has a negative impact on the workload and efficiency of experts, which is in contradiction with the comments of the UN committee on the fifth and sixth periodic reports

<sup>389</sup> Croatia, Family Act (*Obiteljski zakon*) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

<sup>390</sup> Croatia, High Administrative Court (*Visoki upravni sud Republike Hrvatske*), Decision of 20 April 2022, Reference number: Usž-2402/21.

submitted by the Republic of Croatia. It is also stated that despite the legal framework, certain services such as specialized foster care have not been developed to date, for which reason, the social workers struggle every day to find accommodation, especially in cases where there is an urgent need. Big problems also arise in cases where it is necessary to foster children with behavioural problems, because there are no specialized foster parents for them, and those who do have free housing capacity hardly or do not agree at all to foster children with any signs of behavioural problems.<sup>391</sup> In practice, numerous cases of the separation of siblings in alternative care and the dislocation of children have been observed, since foster care is not uniformly distributed in Croatia. Social workers also complain about the inadequate implementation of regulations on inspections, which are carried out vaguely and in such a way that professionals are not adequately aware of their failures. Most often, it is about pointing out on formal omissions (for example, failure to adopt a certain administrative act, mistakes in the preparation of minutes, etc.), which further demotivates social workers. The lack of specific provisions on the evaluation of the placement of children in alternative care, as well as those related to the creation of conditions for empowering parents for the purpose of returning the child to the family, is a great cause of concern. Also, statements of experts that the child's opinion is not consistently considered when making decisions about care are particularly worrying.

#### 4.6. Developments in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of the child protection care system in the past 8 years, incl. achievements and (persisting) gaps and challenges

Compared to the situation from 2014, the new Family Act (2015)<sup>392</sup> regulates the participation of children in family court proceedings and enables a fourteen-year-old child to independently, without a legal representative, initiate court proceedings for the protection of personal rights and participate in them. In all family court proceedings, a system of representation by special guardians, employees of the Centre for Special Guardianship, was introduced. The 2015 Act precisely regulated the method of giving consent to adoption, and in circumstances where a parent unjustifiably refuses to give consent to adoption, a new type of court procedure was introduced in which the court's decision can replace the consent of the parent. Before the formal establishment of the adoption, the obligation of the Institute to prepare the child for adoption and enable the realization of personal relations between the potential adopter and the child was introduced. In relation to the earlier regulations, according to which the Institute could entrust a child without the consent of the parents to another person, a home for children or another legal entity for a duration of up to 60 days, such powers are revoked, and the measure of urgent separation and placement of a child outside the family ordered by Institute can last no longer than fifteen days from the day of the child's removal, while all further decisions regarding the separation of the child are made by the court. It is expressly stipulated that when choosing a measure suitable for the protection of the child's rights and well-being, the body conducting the procedure must determine the measure that least restricts the right of the parents to care for the child.

The Ombudsperson for Children noted that "monitoring of individual cases has led to the conclusion that often after taking a child from a family there is no further intensive engagement of the Croatian Social Welfare Institute and there is a lack of work with the family aimed at ensuring the return of the child into biological family as soon as possible, which is an obligation of the Croatian Social Welfare Institute pursuant to the provisions of Article 161, Paragraph 2 of the Family Law (With professional support and in cooperation with the social welfare centre competent based on the permanent, i.e.

<sup>391</sup> Ilijaš A., Podobnik M., 2018, Instability of the Social Welfare Law – How it affects social workers in social welfare offices ([Nestabilnost Zakona o socijalnoj skrbi – kako utječe na rad socijalnih radnika u centrima za socijalnu skrb](#)).

<sup>392</sup> Croatia, Family Act ([Obiteljski zakon](#)) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

temporary residence of the parents, the social welfare centre competent based on the child's residence will monitor the care of the child and ensure support to the child. The social welfare centre shall provide parents and the child with instructions and help them eliminate causes which have led to the removal of the child from the family and every three months it shall assess the appropriateness of the care of the child and behaviour of parents and the child)."<sup>393</sup>

The Law on Social Welfare from 2013 was amended several times until 2022, when a new law was adopted. One of the novelties is removal of the family homes from the social care system. It should be emphasized that due to frequent changes, the laws are in some cases terminologically inconsistent, and even after the establishment of the Institute for Social Work, social welfare centres are in numerous laws still mentioned as the main actors in social care system. A major problem in the system recently manifested in the field of international adoptions, which came to light when eight Croatian citizens were arrested in Zambia in December of last year for allegedly illegally adopting children from the Republic of Congo. Of particular concern is the fact that, before taking over the children, Croatian citizens obtained recognition of adoption decisions made in the Republic of the Congo before the Croatian courts and based on them obtained citizenship and travel documents for the children, which is why the adequacy of the international adoption system had been reviewed and the procedures of the courts that recognised decisions were under investigation. The results of proceedings carried out both in Zambia and in the Republic of Croatia, did not identify failures in the adoption proceedings and the Croatian citizens were ultimately acquitted of all charges in Zambia and returned to Croatia with their adopted children.

#### 4.7. Promising practices

Please list and briefly describe any promising practice in the child protection care system that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

As an example of promising practice, the transformation of children's care homes to community service centres can be highlighted. In this area numerous projects are implemented through which counselling and assistance services are developed for families with children at risk of separation. One of the examples is the project "Transformation of the Children's Home Zagreb - expansion beyond institutional services" co-financed by the European Social Fund. The increase in alternative services in institutions is a positive development, but for now there is no clear data on the network, quality, and efficiency of the services, nor what are the characteristics of the children who use these services. In practice, the half-day stay service, which is carried out in a school environment, is mentioned as a positive example outside of institutional services. The service is intended for children at risk with the aim of reducing their problems and preventing the further development of behavioural problems, but there is a lack of systematic research on the quality and effectiveness of this service.<sup>394</sup> From the annual statistical report on homes and beneficiaries of social welfare, it follows that there are no children with developmental disabilities under the age of seven placed in social care institutions. In the promotion of foster care, support for foster parents and foster children, the most has been done in the Primorsko-goranska County, where a sort of foster care network has been created. With funds from the European Regional Development Fund and the European Social Fund, the arrangement and furnishing of spaces for providing services to foster families and foster children, as well as additional education and supervision of experts in the field of foster care, were financed.

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<sup>393</sup> Ombudsperson's for Children Suggestions for amendments of the document Mapping child protection systems in the EU (27) - Croatia, of 16 July 2023.

<sup>394</sup> Borčić, I., Čosić, A. (2019). Deinstitutionalization and transformation of institutions for children with behaviour problems in Croatia.

## 5. Accountability, data collection, and monitoring mechanisms

### 5.1. Accountability mechanisms

5.1.1. Are there accountability mechanisms in place regarding the functioning of the child protection system? Is there any independent monitoring or reporting mechanisms on the performance of the child protection system? What is the role of child's ombudspersons, child commissioners or other independent national human rights institutions in monitoring child protection?

The Social Welfare Act stipulates that a social welfare beneficiary who is not satisfied with the conduct of a person in social welfare system can submit a complaint to the director of the social welfare institution.<sup>395</sup> If beneficiary is not satisfied with the measures taken and the response of the director of the social welfare institution, he/she has the right to file a complaint to the competent Ministry. With the purpose of deciding in situation in which beneficiaries are not pleased with the response of the Ministry, an independent Commission was established, consisting of five citizen representatives. The members of the Commission are appointed and dismissed by the Croatian Parliament on the proposal of the Committee for Health and Social Policy of the Croatian Parliament. A member of the Commission can be a person who enjoys a professional and personal reputation in the public and has at least five years of experience in the field of family law protection, working with victims of domestic violence or within social welfare. If the Commission determines that the complaint is well-founded, the Ministry is obliged to re-decide on the merits of the complaint and inform the complainant, the social welfare institution and the Commission of the findings and the measures taken within 30 days from the date of receipt of the Commission's decision. If, during one calendar year, the Commission makes decisions on the merits of a complaint related to the work of the same professional worker, i.e., the same expert team of a social welfare institution founded by the Republic of Croatia, the Commission will propose to the Ministry to carry out supervision. The Commission submits an annual report on its work to the Croatian Parliament (Articles 147 – 159).<sup>396</sup>

In line with Article 265 of the Social Welfare Act,<sup>397</sup> as monitoring procedures are provided internal control, inspection control and administrative control. Inspection control is conducted by inspectors - specialists employed in the Ministry of Labour, Pension System, Family and Social Policy. The method of conducting inspection is prescribed by the Ordinance of the minister. Inspection supervision is carried out as regular, extraordinary and control (Article 271).<sup>398</sup> Regular inspection supervision is carried out in accordance with the annual supervision plan issued by the Ministry. Extraordinary inspection is carried in case of knowledge about some important facts that justify the inspection. Control inspection is carried out to control the execution of measures ordered by the inspector's decision.

Supervision related to the professional work of regulated professions, such as social workers and psychologists employed in the system is carried out by professional chambers, such as Croatian Chamber of Social Workers and Croatian Psychological Chamber.

Independent monitoring or reporting authority is the The Ombudsperson for Children who monitors the implementation of all regulations related to the protection of children's rights and interests, monitors violations of individual children's rights and studies the general occurrences of violations of children's rights and interests, proposes measures with a purpose of establishment of a comprehensive system for the protection and promotion of children's rights and interests and

<sup>395</sup> Croatia, Social Welfare Act ([Zakon o socijalnoj skrbi](#)) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

<sup>396</sup> Croatia, Social Welfare Act ([Zakon o socijalnoj skrbi](#)) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

<sup>397</sup> Croatia, Social Welfare Act ([Zakon o socijalnoj skrbi](#)) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

<sup>398</sup> Croatia, Social Welfare Act ([Zakon o socijalnoj skrbi](#)) (2022), Official Gazette (*Narodne novine*) 18/22, 46/22, 119/22.

prevention of harmful actions that threaten the rights and interests of children. When the Ombudsperson deems it necessary in monitoring the situation within its scope, the Ombudsperson can encourage the adoption and law amendments and other regulations.<sup>399</sup>

The Children's Council also has the duty of monitoring the implementation of existing regulations relating to children and proposing measures to improve work in bodies that have competences related to child protection and legal regulations in the field of child protection.<sup>400</sup>

5.1.2. How is the implementation of national action plans and strategies or other policy actions on child protection monitored? Briefly describe the established procedures and mention the actors involved and their roles.

The monitoring and implementation of the National Plan takes place by collecting data on the achievement of specific goals and outcome indicators, and by implementing the Action Plan, which is also a tool that is used to monitor the achievement of result indicators, that is, defined measures. Competent state administration bodies participate in the implementation of the National Plan and Action Plan.<sup>401</sup>

The evaluation procedure establishes an independent evaluation of the process of drafting the strategic planning act (preliminary evaluation), implementation (mid-term evaluation) and the achieved development effects and results after the implementation of the National Plan (post-evaluation). In addition to the evaluation that is carried out during the preparation, the mid-term evaluation of the National Plan is planned twice: at the beginning of 2024, and in 2026 after the completion of the implementation of the National Plan. The evaluation during 2024 should show the progress of achieving the results and outcomes of the National Plan and give recommendations for removing all observed obstacles and problems in the implementation, including proposals for changes or additions to the National Plan. The evaluation in 2026 should briefly assess the overall impact and effect of the National Plan, i.e., its effectiveness and efficiency in the entire implementation period from 2022-2026.

In general, evaluation and monitoring of other national plans and strategies follows the same procedure. Accompanying actions plans and reports on their implementation show concrete and measurable results while the strategies and plans are being implemented. The system of strategic planning of the Republic of Croatia and management of public policies is governed by the Law on the System of Strategic Planning and Development Management of the Republic of Croatia.<sup>402</sup>

Question	YES	NO	Comments
5.1.3. Is there a child rights assessment existing or foreseen? Please note that child rights'			Child rights assessment exists only on individual level, in relation to a particular child who is at potential risk in family with the purpose of adoption specific

<sup>399</sup> Croatia, Act on the Ombudsperson for Children ([Zakon o pravobranitelju za djecu](#)) (2017), Official Gazette (*Narodne novine*) 73/17.

<sup>400</sup> Croatia, Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2021), Decision on establishing the Council for Children ([Odluka o osnivanju Vijeća za djecu](#)), Official Gazette (*Narodne novine*) 14/2021.

<sup>401</sup> Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2022), National Plan for the Rights of Children in Republic of Croatia 2022-2026 ([Nacionalni plan za prava djece u Republici Hrvatskoj od 2022. do 2026. godine](#)).

<sup>402</sup> Croatia, Law on the System of Strategic Planning and Development Management of the Republic of Croatia ([Zakon o sustavu strateškog planiranja i upravljanja razvojem Republike Hrvatske](#)) (2017), Official Gazette (*Narodne novine*) 123/17, 151/22.

assessment stands for the measurement of the impact of proposed or adopted legislation on children as a group. It is usually done at the parliamentary or ministerial level.		X	measures for the protection of the rights and wellbeing of the child.
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5.1.4. Are there quality standards for child protection services set in the legislation (including prevention programmes)? (e.g. number of cases per case workers, requirements regarding infrastructures of residential care and number of personnel, performance, and fiscal accountability mechanisms) Please describe.

In order to provide social services, legal and natural persons must meet the standards of space, equipment, necessary professional and other staff, content, scope and method of providing services. The criteria for the social accommodation service depend on the capacity of the service provider.<sup>403</sup>

The Ordinance on standards for the provision of social services prescribe the standards of space, equipment, required professional and other workers, content, scope and method of providing social services.

Along with the Ordinance a List of social services was adopted, which contains a list of all social services and for each social service information on the minimum number of workers per number of service units/number of users. Thus, for example, for the residence service for children and young adults without parents or adequate parental care, it is prescribed that for full-day or half-day accommodation for children up to the age of 3, one nurse/midwife is needed per 60 users, 1 educator for children up to the age of three per six beneficiaries in the educational group, one social worker per sixty beneficiaries, one psychologist per sixty beneficiaries.

Quality standards of social services and guidelines for their introduction as well as criteria for determining compliance with quality standards of social services are prescribed by the Ordinance on quality standards of social services.<sup>404</sup>

Question	YES	NO	Comments
5.1.5. Is consultation with children and families foreseen and/or taking place in the process of the evaluation of services and measures and in the development of child		X	<p>Consultations with children and families are carried out on an individual level, when adopting measures for the protection of the rights and well-being of children under the competence of the Institute for Social Work and the court.</p> <p>The Family Law (Article 144) stipulates that the competent Regional Office of the Institute of Social Work, before the expiry of one year from the date of</p>

<sup>403</sup> Croatia, Ordinance on criteria for the provision of social services ([Pravilnik o mjerilima za pružanje socijalnih usluga](#)) (2022), Official Gazette (*Narodne novine*) 110/22.

<sup>404</sup> Croatia, Ordinance on quality standards of social services ([Pravilnik o standardima kvalitete socijalnih usluga](#)) (2023), Official gazette (*Narodne novine*) 31/2023.



<p>protection policies and legislation?</p> <p><u>If yes</u>, at what level is this done? Please provide indicative examples.</p>		<p>termination of the measure for the protection of the child's personal rights and interests, is obliged to assess the family situation and draw up a report on it. In the aforementioned procedure, the expert team of the competent Regional Office carries out an evaluation of the implementation of the measures, which, among other professional procedures, includes interviews with the parents and children in relation to whom the measure was imposed.<sup>405</sup></p> <p>In practice, the above is carried out in such a way that an expert team consisting of a lawyer, a psychologist and a social worker meets, and it is determined whether it is necessary to propose further family law protection measures or other measures (for example, referral to a health care institution, a school for parents, etc.), to initiate court proceedings or no further action is required. Minutes are drawn up about the course of the meeting and the conclusions reached, and signed by the members of the expert team. As for regional differences, they exist because the availability of certain non-institutional social services also varies by region (for example, not all regions have available schools for parents, psychosocial treatment, etc.)</p>
<p>5.1.6. Is the responsibility for data collection on child protection determined in the legislative framework?</p>	<p>X</p>	<p>Responsibility is regulated at the general level by the Law on the Implementation of the General Regulation on Data Protection.<sup>406</sup> There is no specific body that would be responsible for collecting data in the field of child protection.</p> <p>Each authority/institution collects data from its competences, and there is no structured data in one place within one body that would cover all relevant areas. There are several bylaws defining the kind of data that should be collected and the way the data should be collected in different procedures related to child protection. For example, Ordinance on the manner of keeping records and documentation related to the work of social welfare centres in the area of application of the Family Law on Parents and Children;<sup>407</sup> Personal data collected are first and last name, date and place of birth and residence of the</p>

<sup>405</sup> Croatia, Family Act (*Obiteljski zakon*) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

<sup>406</sup> Croatia, Law on the Implementation of the General Regulation on Data Protection (*Zakon o provedbi Opće uredbe o zaštiti osobnih podataka*) (2018), Official Gazette (*Narodne novine*) 42/18.

<sup>407</sup> Croatia, Ordinance on the manner of keeping records and documentation related to the work of social welfare centres in the area of application of the Family Law on Parents and Children (*Pravilnik o načinu vođenja očevidnika i dokumentacije u svezi s poslovima centra za socijalnu skrb u području primjene obiteljskog zakona o roditeljima i djeci*), Official Gazette (*Narodne novine*) 155/05, 81/06, 75/14, 5/15, 28/16, 103/15)



		<p>child, names and surnames of parents, parents' date of birth and their residence. Also collected are anamnestic data (such as reasons of inability of parents to care for the child, reasons for measures of warning and control over parental care, reasons for instituting court proceedings for deprivation of parental care etc.)</p> <p>According to the Ordinance on the content and manner of keeping the Register of foster parents and the register of placed beneficiaries and the content of the reporting form<sup>408</sup>, information is collected about the foster parent, the foster parent's family members, the child and the parents. Data collected in relation to the child are personal name, personal identification number, date of birth, sex, residence, information about the foster parent, information about social welfare office competent for the child and foster parent, type of foster care and type, degree and severity of impairment if child has any.</p> <p>The Ordinance on keeping records and the documentation of social service providers and the method and deadlines for submitting reports<sup>409</sup> regulates that provider of accommodation, organized housing and residence services is obliged to keep the user's register book, file of user's personal documents, book of daily records, records of accommodation of unaccompanied children - foreign citizens in the Republic of Croatia and records of received requests. The aforementioned documentation contains data such as personal name, father's/mother's name, personal identification number, date and place of birth, gender, citizenship/country of origin of unaccompanied children - foreign citizens in the Republic of Croatia, place of residence, personal name of parents /legal representative - address and phone number, parents' marital status, occupation and employment information, etc. The provider is also obliged to keep user files, work plans and programs, reports and</p>
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<sup>408</sup> Croatia, Ordinance on the content and manner of keeping the Register of foster parents and the register of placed beneficiaries and the content of the reporting form ([Pravilnik o sadržaju i načinu vođenja Registra udomitelja i registra smještenih korisnika te sadržaju obrasca za izvještavanje](#)), Official Gazette (*Narodne novine*) 63/19.

<sup>409</sup> Croatia, Ordinance on keeping records and the documentation of social service providers and the method and deadlines for submitting reports ([Pravilnik o vođenju evidencije i dokumentacije pružatelja socijalnih usluga, te načinu i rokovima za dostavu izvješća](#)) (2015), Official Gazette (*Narodne novine*) 100/15.

			records. The user's file consists of the user's personal list and documentation submitted to the service provider by the social welfare office before the start of service provision and documentation such as birth certificate, social anamnesis, health documentation, for unaccompanied children, a certificate of an initial health examination, finding and opinion of the expert body (if any), school documentation, etc.
<p>5.1.7. Is there a single authority responsible for monitoring data collection and centralised coordination and data sharing at national level?</p> <p><u>If yes</u>, Is there a national database (a joint database for monitoring and tracking children) for collecting data in the child protection area at the national, regional, or local level?</p>		X	<p>The Personal Data Protection Agency is an independent supervisory body that oversees the implementation of the Personal Data Protection Regulation. The Agency's activities relate to all areas and all types of personal data, including the processing of personal data in the field of child protection.</p> <p>There is no special body that would be solely responsible for monitoring collection data in the area of child protection.</p> <p>The Socskrb application was introduced, which electronically linked offices of the Institute for Social Work in a single register which contains data on beneficiaries of rights and social welfare services. It was planned that this application will connect social welfare system database with databases of other relevant bodies, but this has not yet been fully realized.</p>
5.1.8. Are there common indicators in place to monitor the performance of the child protection system?		X	
5.1.9. Are there data protection protocols in place and adhered to?		X	<p>There is no unique protocol or guidelines for the protection of children's personal data.</p> <p>Each institution/body has a regulation on the protection of personal data that it applies in its work, which also applies to personal data of children.</p> <p>At the request of interested legal and natural persons, the Agency for the Protection of Personal Data provides opinions and recommendations on possible data violations.</p> <p>The Agency for the Protection of Personal Data has issued a Guide for employees in educational</p>

		<p>institutions with the purpose of protection personal data of children.<sup>410</sup></p> <p>Also, the Personal Data Protection Agency issued recommendations on the implementation and application of the general regulation on the protection of personal data in educational institutions.<sup>411</sup></p>
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5.1.10. Are there any gaps in the data collection system related to child protection in the country, which have been identified by relevant child protection authorities/institutions, civil society organisations or other institutions active in the child protection field? Is there a systematic and consistent collection of data related to child protection at national, regional, or local level? Please mention if efforts are made to address these gaps.

The Republic of Croatia does not have a single database on children, but the data that is collected is scattered between different authorities and levels, it is not unified or segregated according to relevant criteria, which continues to be the main gap in the data collection system related to child protection. There is no systematic and consistent collection of data related to child protection, nor is there a body that would be responsible and that would supervise and coordinate the collection of such data.

The UN Committee on Children's Rights welcomed the establishment of the SocSkrb database in Croatia, which improved data on child protection as well as data on social protection of children and families. Referring to its general comment 5 (2003) on general measures for the implementation of the Convention, the Committee, however, again recommended that the Republic of Croatia must link different data systems and develop a comprehensive system for collecting data on persons under 18, segregated by age, sex, disability, place of residence, ethnic and national origin, and socioeconomic and migration background.<sup>412</sup>

## 5.2. Developments in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of child protection accountability in the past 8 years, incl. achievements and (persisting) gaps and challenges.

It can be stated with satisfaction that The Social Welfare Act introduced a system of filing complaints about the conduct of professional workers in institutions founded by the Republic of Croatia. It is a system that includes three instances, starting from the director of the institution, through the Ministry and up to the Commission for Complaints, consisting of five citizens. The introduction of this kind of supervision is evaluated very positively because it opens the way to reconsidering existing solution, and civil supervision itself can contribute to citizens' trust in the work of institutions. However, given that the Commission has only recently started its work, it remains to be seen its results in practice.

The Ombudsperson for children adequately performs her duties, however, with very limited powers, since she acts solely with the power of her authority, she does not have the authority to make binding

<sup>410</sup> Croatia, Agency for the Protection of Personal Data (*Agencija za zaštitu osobnih podataka*), Guide for employees in educational institutions (*Vodič za zaposlenike obrazovnih ustanova*).

<sup>411</sup> Croatia, Agency for the Protection of Personal Data (*Agencija za zaštitu osobnih podataka*), Recommendations on the implementation and application of the general regulation on the protection of personal data in educational institutions, (*Primjena Opće uredbe o zaštiti osobnih podataka u školama*).

<sup>412</sup> UN Committee for the Rights of Children, Concluding remarks/comments on the combined fifth and sixth periodic report of the Republic of Croatia.

decisions and depends on cooperation with relevant stakeholders. The UN Committee on the Rights of the Child has recommended to the Republic of Croatia to strengthen the legislative framework that governs the scope of the Ombudsperson for children with an emphasis on her independence, and to ensure adequate implementation and monitoring in connection of the Ombudsperson's recommendations.

The Children's Council as a body that should perform the coordinating and supervision role of the child protection system and in some way unite currently scattered system in order to be effective, does not fulfil its purpose and does not perform its duties. This represents a big gap in a system that is despised and burdened with various structures, jurisdictions, bodies and regulations, and it lacks a single body that would bring together all departments and authorities, conduct complete supervision, identify critical areas and enable strategic planning and coordinated actions in the area of child protection.

The system of information exchange within the social care system was improved through the introduction of the SocSkrb application. Additionally, the new Social Welfare Act and the establishment of the Croatian Institute for Social Work centralized the social care system and within that system the exchange of information functions both on the national and regional level. Previously existing duplication of activities and interventions in this system is reduced to minimum.

However, in general, the problem of data exchange is still present in interagency cooperation. Legal framework for the cooperation of the health, education and justice system with the social welfare system in the exchange of data that is key for assessment of the risk and safety of the child is still unclear and insufficiently precise. There are doubts related to the sharing of data and information between individual departments and uncertainty about justification of their sharing due to potentially negative consequences in terms of violation of personal data protection regulations.

An indicative example was given in the interview with the Ombudsperson for Children, who pointed out the lack of information exchange between social services, kindergartens and schools, which in practice causes situations where schools do not have official information about which families are being monitored when enrolling children. An often highlighted problem is the problem of protecting children in situations of domestic violence, where there is no exchange of information between civil and criminal courts. In the working group for amending the criminal legislation in the area of victim protection it was recently highlighted that family courts do not have access to the Register of perpetrators of criminal acts and misdemeanors of domestic violence and often are unaware of pronounced restraint orders, adopted decisions and verdicts in criminal proceedings. In her reports, the Ombudsperson for Children has been warning for years that there is no prescribed obligation for judicial bodies (investigating judge, state attorney's office, court) to inform the employer, i.e. institution or person that organizes activities with children, of the fact that against a certain person who comes into contact with children, criminal proceedings have been initiated. From all of this, it appears that there are still gaps in exchange of data and information.

### 5.3. Promising practices

Please list and briefly describe any promising practice in child protection accountability that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

As examples of good practice, the cooperations of civil society organisations with social welfare offices, as partners in projects, which include the exchange of information about beneficiaries within the implementation of project activities, can be singled out. Indicative example is the cooperation within the three-year program "Protection of the rights of children and young people in the social welfare system" (2021), through which the multi-year cooperation in the provision of social services between the CSO "Children First" and the Social Welfare Office Križevci was formalized, through the creation of a

Protocol on behavior and cooperation of the mentioned partner organizations. Protocol defines the procedures and responsibilities in the implementation of social counseling and assistance services, and elaborates the forms, methods and contents of cooperation between partner organisations.<sup>413</sup>

In order to prevent violence among children and youth, in accordance with the Protocol on the suppression of bullying among children and youth, in 2020 the Ministry of Science and Education created a web form for records of individual cases of violence in educational institutions available to school employees. On the website of the Ministry, it is stated in connection with the above that by computerizing and automating the processes of data collection with the help of electronic forms, the quality of the data entering the system is increased and an increase in the efficiency of the system as a whole achieved. The data obtained in this way can later be processed in various registers and records of the Ministry and be a quality basis for reporting.<sup>414</sup> On 19 May 2023 the Ministry of Science and Education, in cooperation with the Ministry of the Interior, created Guidelines for the actions of school institutions in cases of threats with unwanted consequences, which were sent to the principals of all schools. The goal of the guidelines is to eliminate risky situations that could endanger the safety of students and school employees. The Ministry warns school staff that in preventing and solving violence, they need to cooperate with institutions at the local level, where city and municipal teams for the prevention and combating against violence have been established.<sup>415</sup>

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<sup>413</sup> Croatia, Organisation "Djeca prva" ([Udruženje Djeca prva](#)).

<sup>414</sup> Croatia, [Ministry of Science and Education](#).

<sup>415</sup> Media Report, [Dnevnik.hr, 19 May 2023](#).

## 6. General education, promotion, and awareness raising

### 6.1. Education on child rights

6.1.1. Does education on child rights form part of the (national) formal school curricula? If yes, please provide details such as in which types of school and targeting which grade(s) (age group), as part of which school subject and for how many periods in a pupil's school career.

Human rights are not taught as a separate subject in Croatian schools. The educational program, which aims to promote the ideas of human dignity, human rights, equality, and responsibility, is called Civic Education. The decision on the adoption of the Curriculum for the cross-curricular subject of civic education for primary and secondary schools in the Republic of Croatia<sup>416</sup> declares that Civic Education is an inter-subject topic whose purpose is to train and empower students to perform their civic role actively and effectively. Civic upbringing and education include knowledge about human rights, characteristics of a democratic community and political systems. The curriculum is published on the website of the Ministry of Science and Education. It is carried out as an integrated content through several school subjects and in lessons held by the class teacher with the students throughout primary and secondary education. In elementary school, from the 1<sup>st</sup> to the 4<sup>th</sup> grade, children's rights topics are covered through different subjects, such as the Croatian language and Nature and society. As part of the history course in elementary (7<sup>th</sup>, 8<sup>th</sup> grade) and secondary school (1<sup>st</sup>, 4<sup>th</sup> grade), the history of human rights and children's rights is covered. In secondary school, sociology usually covers a variety of topics about society, including social norms and values, rights, and social equality.<sup>417</sup>

In addition to the above, some schools, in cooperation with their founders, organize the implementation of the content of civic education in the form of optional extracurricular activities, but there are no aggregated official data of the modality of implementation of such method and the amount of hours.<sup>418</sup> There are examples of individual units of local self-government, such as the City of Varaždin, which from this school year (22/23) has foreseen the possibility of involving children in extracurricular civic activities and has prepared textbooks for students from the third to eighth grade of elementary school for the said subject.<sup>419</sup> In the Proposal for the Framework Curriculum for Extracurricular Activities "Association of Active Citizens — (ZAG)" for the City of Zagreb of 22 March 2022, the time provided for the implementation of the program is up to 70 hours during one school year.<sup>420</sup> Starting from the school year 2016/2017, the City of Rijeka enables students in the upper grades of primary school (grades five to eight) to attend the Civic Education course. Classes are held once or twice a week, up to 70 hours per year. The City of Rijeka Civic Education project was recognized and awarded in March 2017 by the Association of Cities as best practice in local self-government. In the same year, the Association of Cities declared the "Rijeka model" as the best in the "City of Citizens" category. In the analysis of education, and training policies in EU member states In

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<sup>416</sup> Croatia, The decision on the adoption of the Curriculum for the cross-curricular subject of civic education for primary and secondary schools in the Republic of Croatia ([Odluka o donošenju kurikuluma za međupredmetnu temu Građanski odgoj i obrazovanje za osnovne i srednje škole u Republici Hrvatskoj](#)) (2019), Official Gazette (*Narodne novine*) 10/19; Curriculum for the cross-curricular subject of civic education for primary and secondary schools in the Republic of Croatia ([Kurikulum međupredmetne teme Građanski odgoj i obrazovanje za osnovne i srednje škole.pdf](#)).

<sup>417</sup> Croatia, Ministry of Science and Education, Letter of 12 April 2023.

<sup>418</sup> Croatia, Ministry of Science and Education, Letter of 12 April 2023.

<sup>419</sup> Croatia, [City of Varaždin, Official web page, 24 August 2022](#).

<sup>420</sup> Croatia, Proposal for the Framework Curriculum for Extracurricular Activities "Association of Active Citizens — (ZAG), ([Prijedlog okvirnog kurikuluma izvannastavne aktivnosti Zajednica aktivnih građana — ZAG Za osnovne i srednje škole u gradu Zagrebu](#)).

2018, in the part dealing with Croatia, the European Commission highlighted the "Rijeka model".<sup>421</sup> For the aforementioned program, the City of Rijeka created a manual for students and a special civic education website.<sup>422</sup>

6.1.2. Please provide an overview of the most important national and/or sub-national implemented programmes and activities aiming at educating children, parents, teachers, and/or society at large about child rights and/or child protection at national or sub-national level. By which actors were those commissioned, funded, and implemented?

The most important national implemented program is the Curriculum for the cross-curricular subject of civic education for primary and secondary schools. In October 2021, the Mayor of the City of Zagreb passed a Decision on the establishment and appointment of the Committee for Extracurricular Activities 'Civic Education' in primary and secondary schools of the City of Zagreb. In March 2022, the Proposal for the Framework Curriculum for Extracurricular Activities "Association of Active Citizens — (ZAG)" was adopted for primary and secondary schools in the city of Zagreb.<sup>423</sup> One of the goals of the Framework Curriculum is to raise awareness of the importance of fundamental democratic values and understanding of the values of peace and non-violence, human rights and freedoms, equality, tolerance, and solidarity as fundamental democratic values. In April 2022, a public call for expressions of interest for cooperation in the implementation of the pilot project of extracurricular civic education activities with the purpose of teacher education was published.<sup>424</sup> In Zagreb, there are currently two models of implementing civic education: ŠIZ - School and Community and ZAG - Community of Active Citizens. ZAG as an optional subject is intended exclusively for secondary schools, while ŠIZ as an extracurricular activity is intended for both secondary and primary schools, although it is primarily aimed at primary schools. Currently, within the first year of the experimental phase, 28 schools - 25 primary and three secondary schools, 42 teachers and a little less than 700 students - are included in the ZAG.

In the report of the Ombudsperson for Children for 2021, it is stated that the Education and Teacher Training Agency conducted 179 professional trainings (for teachers) in the field of civic education. The Ombudsman expressed dissatisfaction that in 2019, all legal foundations for the implementation of civic education and education for human rights as a compulsory, elective or optional subject were abolished.<sup>425</sup> At the moment, only its cross-curricular implementation in primary and secondary schools is mandatory, which makes it difficult to monitor implementation and outcomes, even though the recommendation of the UN Committee on the Rights of the Child, addressed to Croatia in 2014, is that it is necessary to strengthen education about human rights in the educational system. There is no specific information on how human rights education activities are aimed at parents, which is also confirmed through an interview with the Ombudsperson.<sup>426</sup> However the web page of the Ombudsperson for children has numerous useful publications intended for children and professionals in the field of education, that can be useful for parents as well.<sup>427</sup>

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<sup>421</sup> Croatia, City of Rijeka, [Official web page](#).

<sup>422</sup> Croatia, City of Rijeka, [Official web page of Civic Education project](#).

<sup>423</sup> Croatia, Proposal for the Framework Curriculum for Extracurricular Activities "Association of Active Citizens — (ZAG), ([Prijedlog okvirnog kurikulumu izvannastavne aktivnosti Zajednica aktivnih građana — ZAG Za osnovne i srednje škole u gradu Zagrebu](#)).

<sup>424</sup> Croatia, Public call for expressions of interest for cooperation in the implementation of the pilot project of extracurricular civic education activities (2022), Javni poziv za iskazivanje interesa za suradnju u provedbi pilot projekta izvannastavne aktivnosti građanskog odgoja i obrazovanja "Zajednica aktivnih građana", [Javni poziv iskaz interesa za suradnju građanski odgoj i obrazovanje.pdf](#).

<sup>425</sup> Croatia, Ombudsperson for Children (*Pravobraniteljica za djecu*), Annual reports, ([Izvešća o radu Pravobraniteljica za djecu](#)).

<sup>426</sup> Croatia, Ombudsperson for Children (*Pravobraniteljica za djecu*), Interview held on 17 April 2023.

<sup>427</sup> Croatia, [Ombudsperson for children \(Pravobraniteljica za djecu\)](#).



## 6.2. Promotion and awareness raising

6.2.1. Please provide information on awareness raising and/or promotion campaigns or relevant activities on child rights (possibly including on the EU Charter of Fundamental Rights) and/or protection issues targeting the general public or children in general at national or sub-national level. Please provide information on the most recent and representative awareness raising campaigns, including information on the target groups, the thematic areas covered, the actors involved, funding, the method of dissemination chosen and the impact of the campaign, if assessed.

Awareness-raising and promotion campaigns on human rights in Croatia are most often carried out by civil society associations and UNICEF. The Croatian Bar Association, on the recommendations of the Ombudsperson for Children, organized the seminar "Manipulation of children and the system in divorce proceedings and children's participation in parental care proceedings" for the purpose of sensitization and education of lawyers. The seminar was held as one time activity.<sup>428</sup> Through the LMS platform, lawyers are also provided with daily access to education on the topic "Child-friendly Justice".

At the beginning of April 2020, the Ministry of the Interior presented the "Behind the Door" campaign. The goal of the campaign is to make all citizens aware of the violence taking place in their vicinity.<sup>429</sup> The action plan for the prevention of violence in schools 2020-2024<sup>430</sup> envisages a media campaign promoting non-violence and activities based on empathy, inclusion, and a common system of values. Many schools in the Republic of Croatia are holders of the long-awarded status in the UNICEF projects School without Violence and Place of Zero Tolerance for Violence, but the role that schools play in this sense has been neglected over time. For this reason, each school is expected to come up with ways to popularize the zero-tolerance rate of violence and a communication strategy how to promote the culture of non-violence.

In Croatia, a COPE campaign called "The crime is not mine, but the punishment is carried out." The campaign carried out in 2022 focused on two key stakeholders: the police and the judiciary. The Office of the Ombudsperson for Children joined the campaign - by supporting and participating in COPE's activities, visits to prison facilities, supporting the rights of children of prisoners, as well as promoting its latest publication dedicated to children "On Both Sides of the Bar - What We Owe to Children Whose Parents Are in Prison".

The Office of the Ombudsperson for Children traditionally joins the worldwide campaign called "19 Days of Activism for Prevention of Violence and Abuse Against Children & Youth November 1-19".<sup>431</sup> During 2022, the "Croatia for Children" Foundation implemented the campaign "Make a small step big" with the aim of raising public awareness of children's rights and the opportunities available to society to protect children's rights.<sup>432</sup>

The Ministry of science and Education in their letter of 12 April 2023 informed very generally about cooperation with numerous civil society organizations on of the Charter and its principles.<sup>433</sup> However, the impression is that the activities carried out, in general, put the emphasis on the

<sup>428</sup> Croatia, Ombudsperson for Children (*Pravobraniteljica za djecu*), Interview held on 17 April 2023.

<sup>429</sup> Croatia, Ministry of Interior, "Behind the Door" campaign, [Ravnateljstvo policije - Iza ovih vrata živi Mia](#).

<sup>430</sup> Croatia, Ministry of Science and Education (*Ministarstvo znanosti i obrazovanja*) (2020), Action plan for the prevention of violence in schools 2020-2024 ([Akcijski plan za prevenciju nasilja u školama 2020-2024](#)).

<sup>431</sup> Croatia, Ombudsperson for Children (*Pravobraniteljica za djecu*), [Campaign "19 Days of Activism for Prevention of Violence and Abuse Against Children & Youth"](#).

<sup>432</sup> Croatia, [Ombudsperson for Children \(Pravobraniteljica za djecu\), Official web page](#).

<sup>433</sup> Croatia, Ministry of Science and Education, Letter of 12 April 2023.

Convention on the rights of the child, while there is no specific information on awareness raising the European Charter, which was also confirmed by the Ombudsperson.<sup>434</sup>

6.2.2. Are there any awareness raising activities regarding complaint mechanisms at national or sub-national level, e.g. for the Optional Protocol to the Convention on the Rights on a communications procedure<sup>435</sup>? Please briefly describe.

The leading role in the implementation of activities related to the Optional protocol in Croatia is carried out by the UNICEF office, which published a short guide "Stand up for your rights" intended for children, teenagers and organizations dealing with children's rights.<sup>436</sup> The Guide is not available in minority languages. It seems to be understandable to children in secondary education.

A brochure created by the cooperation of civil society associations and the National Foundation for the Development of Civil Society is also available on the Internet.<sup>437</sup> The same publication in the Croatian language was printed with the funds of the Central Coordination Committee of the action "Cities and municipalities - friends of children" - participants of the Action.

6.2.3. Are there any awareness raising or training activities at national or sub-national level on digital literacy, privacy and online safety for children, parents, teachers, and other relevant professionals?

The Ombudsperson created a calendar for 2022 "Let's build a digital world tailored to children and young people!", with the aim of reaching as many children as possible with the messages of the General Comment. In 2021, Data Protection Agency held educational workshops for elementary school students on the importance of personal data protection when using the Internet and modern technologies.<sup>438</sup> Significant activity in this area is carried out by civil society associations that conduct research and campaigns and publish their results, and the Centre for a Safer Internet plays a leading role in publishing educational materials, providing individual advisory assistance and implementing the Safer Internet Days campaign. In 2023 Safer Internet Days were marked in February, in organisation of the Centre for a Safer Internet, which operates as part of the Centre for Missing and Abused Children association. The goal of the campaign is to reach children and youth, parents and guardians, teachers, educators and professional associates, industry, decision makers and politicians. In the spirit of the slogan "Together for a better Internet", all interested schools, organizations and institutions that conduct group activities with children and young people are invited to hold workshops with the help of free educational materials prepared by the Centre's experts. The Agency for Electronic Media, through the Medijskapismenost.hr portal, conducts media training for teachers and parents, publishing other materials on the topic of children's safety on the Internet.<sup>439</sup> Still, according to the Report of the Ombudsperson for Children, although numerous one-time preventive activities are carried out for the prevention of certain behavioural problems - violence, addiction, excessive use of the Internet and others, there is a lack of structured programs for these problems in schools.

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<sup>434</sup> Croatia, Ombudsperson for Children (*Pravobraniteljica za djecu*), Interview held on 17 April 2023.

<sup>436</sup> Croatia, UNICEF, "Stand up for your rights", Campaign ([Založi se za svoja prava! | UNICEF Hrvatska](#)).

<sup>437</sup> Croatia, Brochure Stand up for your rights ([Brošura- Založi se za svoja prava](#)).

<sup>438</sup> Croatia, Data Protection Agency (*Agencija za zaštitu osobnih podataka*), Educational workshops for elementary school students on the importance of personal data protection when using the Internet and modern technologies ([Edukativne radionice za osnovnoškolce o važnosti zaštite osobnih podataka na internetu - Agencija za zaštitu osobnih podataka](#)).

<sup>439</sup> Croatia, Agency for Electronic Media (*Agencija za elektroničke medije*), Educational materials ([Obrazovni materijali za preuzimanje - Medijska pismenost](#)).

### 6.3. Promising practices

Please list and briefly describe any challenges and promising practice regarding child rights and/or child protection outreach activities/measure targeting relevant groups of society or society at large that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

Promising practices in this area partly overlap with content under 6.2. Beside that, it is worth to mention that City of Rijeka Civic Education project was recognized and awarded in March 2017 by the Association of Cities as best practice in local self-government. In the same year, the Association of Cities declared the "Rijeka model" as the best in the "City of Citizens" category. In the analysis of education, and training policies in EU member states In 2018, in the part dealing with Croatia, the European Commission highlighted the "Rijeka model".<sup>440</sup> For the aforementioned program, the City of Rijeka created a manual for students and a special civic education website.<sup>441</sup>

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<sup>440</sup> [Croatia, City of Rijeka, Official web page.](#)

<sup>441</sup> [Croatia, City of Rijeka, Official web page of Civic Education project.](#)

## 7. Child participation and community engagement

### 7.1. Complaint procedures

Question	YES	NO	Comments
7.1.1. Are there independent child complaints procedures (e.g. an ombuds institution) that are fully compliant with the Paris Principles <sup>442</sup> in place, with an ability to hear, review and enforce individual complaints from children?	X		<p>The Ombudsperson for children receives complaints from children and on behalf of children. Applications can be submitted orally, by phone, in person, by post, by e-mail and by a special e-mail for children: <a href="mailto:mojglas@dijete.hr">mojglas@dijete.hr</a>. The ombudsman for children acts independently and autonomously, guided by the principles of justice and morality. No one may give instructions and orders to the Ombudsperson in her work. The Ombudsperson and her deputies may not belong to any political party or participate in political activities. (Article 4).<sup>443</sup>In this regard, the procedure before the Ombudsperson is in compliance with the Paris principles. The Ombudsperson can hear and review individual complaints, however the recommendations of the Ombudsperson are of an advisory nature and thus not enforceable.</p> <p>Children who have reached the age of fourteen have the right to independently initiate proceedings before the competent authorities in connection with the realization of their rights and interests in accordance with (Article 87 of the Family Act).<sup>444</sup> In matters where the personal rights and interests of the child are decided upon, the court will, at the request of the child, with the prior opinion of the Institute for Social work, by decision allow children who have reached the age of fourteen to present facts, propose evidence, submit legal remedies and take other actions in the procedure if they are able to understand the meaning and legal consequences of those actions. Along with the child from the paragraph, the legal representative of the child is authorized to take actions in the procedure. If the actions of the child and the legal representative contradict each other, the court will assess whether to take</p>

<sup>442</sup> Paris Principles - GANHRI

<sup>443</sup> Croatia, Act on the Ombudsperson for Children (*Zakon o pravobranitelju za djecu*) Official Gazette (*Narodne novine*) 73/17.

<sup>444</sup> Croatia, Family Act (*Obiteljski zakon*) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

		into account the actions of the child or the legal representative of the child (Article 359). <sup>445</sup>
7.1.2. Are there specialised Courts and compliant procedures with international standards in place for children in contact with the law and for children to access justice and seek redress and remedies for violations of the child protection rights?	X	<p>The provisions of the Juvenile Courts Act<sup>446</sup> stipulate that youth departments consisting of juvenile councils and juvenile judges are established in municipal courts (at the seat of the county courts) and in county courts (Article 37). Juvenile judges in the municipal courts have and use specialised chambers or hearing rooms for children in contact with law.<sup>447</sup> A juvenile council also operates at the High Criminal Court. According to the Juvenile Courts Act judges must have a strong preference for the upbringing, needs and interests of children and have basic knowledge in the fields of criminology, social pedagogy, youth psychology and social work for children.</p> <p>With the entry into force of Amendments to the Law on Courts<sup>448</sup> and the Amendments to the Law on Territories and Seats of Courts, in March 2022, specialized departments for dealing with cases that are handled according to the provisions of the Family Law began with work.<sup>449</sup> In this way, an effort was made to ensure more effective family legal protection of children. In the specialized family departments, are appointed judges who have a strong preference for the upbringing, needs and benefits of children and basic knowledge in the fields of social pedagogy, youth psychology and social work. They have obligation to regularly attend professional training (Article 37. Act to courts). The Law on Courts also provides for the employment of professional associates (for example, defectologist and pedagogic professions) who help judges in their work on cases in which they need professional knowledge.</p> <p>The Family Law from 2015 established the public institution Centre for Special Guardianship, which ensures the independent performance of special</p>

<sup>445</sup> Croatia, Family Act (*Obiteljski zakon*) (2015), Official Gazette (*Narodne novine*) 103/15, 98/19, 47/20.

<sup>446</sup> Croatia, Juvenile Courts Act (*Zakon o sudovima za mladež*) (2011), Official Gazette (*Narodne novine*) 84/11, 143/12, 148/13, 56/15, 126/19.

<sup>447</sup> Croatia, Ombudsperson for Children (*Pravobraniteljica za djecu*), Interview held on 17 April 2023.

<sup>448</sup> Croatia, Courts Act (*Zakon o sudovima*) (2013), Official Gazette (*Narodne novine*) 28/13, 33/15, 82/15, 82/16, 67/18, 126/19, 130/20, 21/22, 60/22, 16/23.

<sup>449</sup> Croatia, Law on Territories and Seats of Courts (*Zakon o područjima i sjedištima sudova*) (2018), Official Gazette (*Narodne novine*) 67/18, 21/22.

			<p>custody duties in the area of representation of children in proceedings under the Family Law. Subsequently, the Law on the Centre for Special Guardianship<sup>450</sup> entered into force, by which the status, activity, and organization of the Centre are regulated. The special guardian represents children in proceedings before courts and other authorities for the protection of certain personal and property rights and interests of the child, when there is no agreement between the parents or when there is a conflict of interest between the parents and the child, as prescribed by Article 240 of the Family Law. The duties of a special guardian are performed by a lawyer who has passed the bar exam and is employed by the Centre.</p>
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## 7.2. Feedback mechanisms

Question	YES	NO	Comments
7.2.1. Are there government support fora such as children's groups established at local/community level, and is a formal mechanism in place through which national/sub-national/local government receive and respond to the feedback and ideas from children and children's groups who have received child protection services?	X		<p>Children's participation exists at the national and local level and at the level of public institutions whose children are direct beneficiaries (kindergartens, schools). A student councils established in schools, consist of representatives of students from each class. The representative of the student council participates in the work of the school body when deciding on the rights and obligations of students, without the right to decide (Article 71).<sup>451</sup></p> <p>1. The National Council of Croatian students is a representative body of all primary and secondary school students at the national level, established by the Ministry of Science and Education.<sup>452</sup> It is an advisory body to the Ministry of Science and Education. The Council prepares and submits proposals to the minister responsible for education on issues important to students, their work and the achieved results in education. The Ministry encourages students to take care of their obligations, rights and to represent students in the aforementioned activities; encourages the</p>

<sup>450</sup> Croatia, Law on the Centre for Special Guardianship ([Zakon o Centru za posebno skrbištvo](#)), Official Gazette (*Narodne novine*) 47/20.

<sup>451</sup> Croatia, Act on Education in Elementary and Secondary School ([Zakon o odgoju i obrazovanju u osnovnoj i srednjoj školi](#)) (2008), Official Gazette (*Narodne novine*) 87/08, 86/09, 92/10, 105/10, 90/11, 5/12, 16/12, 86/12, 126/12, 94/13, 152/14, 07/17, 68/18, 98/19, 64/20, 151/22.

<sup>452</sup> Croatia, The National Council of Croatian students, ([Nacionalno vijeće učenika Republike Hrvatske](#)).

		<p>development of student cooperation at the level of cities and counties and other countries; strengthens the structure of the student council in the Republic of Croatia and student representation and promotes democracy, transparency and representativeness among students. The Ministry of Science and Education considers the proposals of the National Council of Students of the Republic of Croatia and acts on the proposals in such a way as to take care of the rights and progress of students and through the modernization of the education system contributes to the progress of student achievements.<sup>453</sup></p> <p>Considering the fact that the Council is the advisory body to the Ministry, it appears that the views of the council are not binding for the Ministry.<sup>454</sup> In 1998, the Government of the Republic of Croatia established the Council for Children as its advisory body, which operates under supervision of the Ministry responsible for children, now the Ministry of Labour, Pension System, Family and Social Policy. The council consists of representatives of state administration bodies, representatives of scientific and professional institutions and other bodies and institutions, representatives of associations for the protection and promotion of children's rights, and representatives of children.</p> <p>3. According to the Law on Youth Councils<sup>455</sup>, youth councils are established as advisory bodies of local and regional self-government units for the purpose of promoting and advocating the rights, needs and interests of young people at the local and regional level. They are established at the municipal, city and county level and at the level of the City of Zagreb. Their members and deputy members are elected by the representative bodies of local and regional self-government units. Local and regional self-government units provide financial resources for the work and work program of youth councils, as well as premises for holding sessions.</p> <p>Youth councils enable young people to participate in the procedure and process of official decision-making by government</p>
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<sup>453</sup> Croatia, Ministry of Science and Education, Letter of 12 April 2023.

<sup>454</sup> Croatia, Ombudsperson for Children (*Pravobraniteljica za djecu*), Interview held on 17 April 2023.

<sup>455</sup> Croatia, Act on youth councils (*Zakon o savjetima mladih*) (2014), Official Gazette (*Narodne novine*) 41/14.



representatives. Their work is based on the interests and needs of young people to propose changes from their own perspective that will satisfy them and other young people in the community where they live. The activities of the youth council include any form of political, economic or social participation that will find good ground in the community and respond to the needs and aspirations for affirmation of young people. The work of the youth council represents a long-term, i.e. strategic and planning approach to encouraging the overall participation and quality of life of young people.

4. The Network of Young Advisors (MMS) of the Ombudsperson for Children is a permanent advisory body that has been operating since 2010. Members of the network participate in initiatives of UNICEF, Eurochild and the European Commission focused on children's participation. MMS members are advisers and associates of the Ombudsperson who convey information about the work of MMS to the Ombudsperson and their peers and introduce them to children's rights and their protection. As part of their advisory role, they inform the Ombudsperson of their views on the position of children in society and the problems that children face in the environments in which they live and propose ways to solve them. They exercise their advisory role in direct contact with the Ombudsperson and staff of her Office and through a closed electronic forum, where they exchange opinions. The Forum of Young People Over 16 (FM 16+) also acts as an advisory body to the Ombudsperson. The Youth Forum 16+ is based on the same principles as the work of the MMS.

5. The Association of Societies "Our Children" of Croatia<sup>456</sup> is a voluntary, non-governmental, non-profit and humanitarian association of citizens that has been active since 1950 in the field of children's activities in their free time, spreading knowledge, experience, creativity, humanity and volunteerism. The Alliance currently consists of 95 basic organizations "Our Children" operating in the cities and municipalities of Croatia, acting in the area of realizing children's rights from the UN Convention on the Rights of the Child. The Alliance of Societies Our Children of Croatia initiates and expertly designs topics and activities

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<sup>456</sup>Croatia, Association of Societies "Our Children" of Croatia ([Savez Društava "Naša Djeca" Hrvatske](#)).

			<p>for children and adults related to children's participation with the aim of sensitizing adults about the importance of respecting children's opinions and the active participation of children in the local community.</p> <p>In addition, in July 2020 UNICEF published Guidelines for the quality participation of children in public policies and decision-making.<sup>457</sup></p> <p>According to the opinion of the Ombudsperson for Children, the right to participation is one of the most frequently violated rights in Croatia, and precisely participation is the leading topic and activity of her Office for 2023. One of the planned activities is a meeting of the Ombudsperson with the National Council of Students.<sup>458</sup></p>
7.2.2. Are community-based mechanisms functional across the country where necessary and per applicability and per protocols and procedures? Is their effectiveness monitored by independent accountability mechanisms?	X		<p>The work of the youth council is supervised by the Central State Office for Demography and Youth. The annual report for 2021<sup>459</sup> states that by the end of July 2022, twenty Croatian counties and the City of Zagreb have submitted reports on the work of youth councils in their county to the Central State Office for Demography and Youth. The collected reports show that in 2021, 73 out of a total of 127 established youth councils were active in the Republic of Croatia. Youth councils were active in the City of Zagreb and 12 Croatian counties, then in 38 cities and 22 municipalities. A total of 54 youth councils did not fully operate in accordance with the provisions of the Act, so they cannot be considered active but only established councils. In accordance with the Law on Youth Councils, the Central State Office for Demography and Youth considers active those councils that have held at least one session in six months, adopted a work program and achieved concrete results of their activities in cooperation with the representative and/or executive body or participated in different program activities.</p>

<sup>457</sup> Croatia, UNICEF, Guidelines for the quality participation of children in public policies and decision-making ([Smjernice za sudjelovanje djece i mladih u savjetodavnim tijelima, radnim skupinama i na sastancima | UNICEF Hrvatska](#)).

<sup>458</sup> Croatia, Ombudsperson for Children (*Pravobraniteljica za djecu*), Interview held on 17 April 2023.

<sup>459</sup> Croatia, Central State Office for Demography and Youth, The annual report on monitoring and implementation of the Law on Youth Councils for 2021 ([Godišnje izvješće o praćenju provedbe Zakona o savjetma mladih u 2021. godini](#)).

### 7.3. Promising practices

Please list and briefly describe any challenges and promising practice regarding child participation and community engagement that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

In relation to the legal regulation, it is possible to conclude that there are provisions that create prerequisites for exercising the right to children's participation. Summarizing the reports and documents that deal with the participation of children and young people in the Republic of Croatia in different ways, it is possible to single out some obstacles to the realization of active participation: a large number of set goals (in strategies and regulations) related to participation, the absence of clear mechanisms for monitoring and evaluating the law and strategy, the absence of sanctioning mechanisms in case of non-compliance with legal provisions and strategic measures, and the absence (or very little) of information related to laws and provisions concerning children in a child-friendly form.<sup>460</sup> In her reports, the Ombudsperson continuously points to insufficient knowledge and understanding of the child's right to participation, and to the low level of training of adults to communicate and work with children to exercise their participatory rights. The latest available report indicates that there is a need to change social attitudes about children as passive objects of adult decision-making and to create a space and atmosphere for child participation. The functioning of children's representative bodies in schools, children's homes and the local community depends on the enthusiasm of individual experts, but also on the way in which they themselves experience the realization of children's participatory rights. The inclusion of children in discussions about public policies and strategic documents related to them has not yet taken root in a way that would ensure meaningful participation of children. In the edition "Participation of children in school"<sup>461</sup> a study was presented on the topic of children's participation in the education system, and 2720 students participated, during which it was concluded that the concept of participation is relatively incomprehensible and unknown to children of primary school age. Children and adults believe that the right of children to participate in school activities is extremely important, with adult attitudes being pronouncedly positive. Participation is considered to be important because of the uniqueness of children's perspective and the experience of children that both the adults and the children recognize and appreciate as qualitatively different from adults' perspective. Children believe that participation of children in school activities can improve school life for everyone. Although they consider participation important, children emphasize that they do not believe their opinion can lead to changes at school or affect the outcome of certain decisions. Children are rarely involved in the discussions about relevant topics because adults often think that children are not competent enough to participate in them. Children believe that their participation would become significant if a shift were made from symbolic to relevant, and from putting forward always the same, good students who frequently participate, to encouraging and including all students, especially those who are not likely to get involved of their own accord. As the good example can be distinguished that the Ministry of Labour, Pension System, Family and Social Policy concluded an agreement with the Alliance of NGOs „Naša djeca“ (Our Children) providing it with financial resources in the amount of 39,816.84 euros for the implementation of a special goal from the National Plan 2022 to 2026, for the implementation of the special goal of participation of children in decision-making at the local, regional and national level - Encouraging cities to establish and operate children's councils, in 2023. The Alliance will carry out activities on the establishment and operation of Children's City and Municipal Councils throughout the Republic of Croatia.<sup>462</sup>

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<sup>460</sup> Croatia, UNICEF, Analysis of the state of children's participation in Croatia ([Analiza stanja dječje participacije u Hrvatskoj](#)).

<sup>461</sup> Croatia, Ombudsperson for Children (*Pravobraniteljica za djecu*) (2019), Participation of Children in Schools ([Participacija djece u školi](#)).

<sup>462</sup> Croatia, Ministry of Labour, Pension System, Family and Social Policy, Letter of 14 April 2023.