

Croatia

The Government has implemented several programs targeting disadvantaged groups, including Roma and Sinti children and low income families. However, no social programs targeting children engaged in relevant worst forms of child labor could be identified. Children, particularly from the Roma community, continue to be exploited in the worst forms of child labor in agriculture and forced begging.

Statistics on Working Children and School Attendance

Children	Percent
Working	Unavailable
Attending School	Unavailable
Combining Work and School	Unavailable



Prevalence and Sectoral Distribution of the Worst Forms of Child Labor¹³⁹⁴

There have been incidences of children being exploited in the worst forms of child labor.¹³⁹⁵ A majority of the cases involve Roma children working in agriculture.¹³⁹⁶ These children may be exposed to unsafe/unhealthy conditions at work, including long hours in extreme heat; inadequate access to water, nutrition, or sanitation; and use of harmful pesticides.

Reports indicate that there is forced begging, among Roma children¹³⁹⁷ even though the number of Roma children begging in public has somewhat decreased in recent years. Children working on the streets may face a variety of unsafe conditions, including severe weather, accidents caused by proximity to vehicles, exposure to toxic fumes, and vulnerability to criminals.

Reports also indicate trafficking of women and children. Croatia is a destination, source, and transit country for children trafficked for the purposes of commercial sexual exploitation.¹³⁹⁸

Laws and Regulations on the Worst Forms of Child Labor

Croatia updated its Labor Act in 2010 and established stronger provisions regarding child labor.¹³⁹⁹

The Labor Act sets the minimum age for employment at 15.¹⁴⁰⁰ Minors under the age of 15 may work if they receive prior approval from the state labor inspectorate and if it is determined that the child will not suffer physically or mentally from the work.¹⁴⁰¹ However, minors are not allowed to be hired for employment without explicit approval from their legal guardian or parent and only if it does not interrupt their education.¹⁴⁰²

The Labor Act sets out a list of conditions that are prohibited for children under age 18. These include working overtime, at night, and in any dangerous conditions that may be harmful to the physical and moral wellbeing of children.¹⁴⁰³ Labor regulations do not permit children to work beyond 40 hours a week. Persons who are younger than 18 are prohibited from working beyond 8 hours a day, and if a minor is working more than 4.5 hours, the minor is entitled to take a 30-minute break.¹⁴⁰⁴ The minor is also entitled to have a break from an everyday work week with a rest in between lasting at least 48 hours. Regulations stipulate that a minor employee, if exposed to the harmful effects of work, should have 5 weeks of annual leave made available to her/him.






The law has been amended to be fully harmonized with EU labor laws regarding child labor and includes regulations on minimum age for employment, and

prohibition of employment of minors in any type of work that is hazardous to the health, safety, and disposition of the minor. However, the Labor Act does not spell out the list of hazardous activities that threaten health or work that is harmful to children or sectors that prohibit child labor. This provision includes new duties for labor inspectors that allows them to oversee minors at their place of employment to determine whether or not the minor is in danger and, upon making such a determination, in consultation with a physician if needed, can prohibit the minor from such employment. The Labor Act considers it a grave violation if a minor is hired without explicit permission from the legal guardian or parent. Fines can range between HRK 31,000.00 to 60,000.00. An employer is considered to be in violation of the Labor Act for failing to follow the order from the labor inspector prohibiting a minor from working on the premises.¹⁴⁰⁵ Employers are considered to be in violation if they are employing minors in situations that may be harmful to their health and moral status. It is also considered a serious violation when an employer takes on a minor employee without ascertaining through a medical doctor the minor's physical ability and health status to perform the job.¹⁴⁰⁶

Croatia's criminal law treats trafficking for the purpose of commercial sexual exploitation as a serious offense.¹⁴⁰⁷ Similarly, the code criminalizes international prostitution. The impending amendment to Croatia's criminal law to be finalized in December of 2010, will essentially combine trafficking and international prostitution. As it stands now these are treated separately in Articles 175 and 178, respectively.¹⁴⁰⁸ Combining it together will possibly increase the number of identifications for trafficked persons including children.

Article 213 of the criminal law specifies that to forcibly engage a minor to beg or to force a child into prostitution is a serious offense.¹⁴⁰⁹ Violations to this rule are punishable by imprisonment for one to 5 years. Article 214 of the criminal law stipulates that entering into any kind of sexual act with a minor is considered an offense and violations to this rule can result in imprisonment for 3 years. Violations to Article 178 (international prostitution) results in a stricter punishment if it involves a child; imprisonment can range between one to 10 years.¹⁴¹⁰

According to the Defense Act of 2002, the minimum age for conscription and voluntary recruitment into the military is set at 18.¹⁴¹¹

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	No
	Minimum Age for Work	15
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	15
	Free Public Education	Yes

Institutional Mechanisms for Coordination and Enforcement

The Council for Children coordinates activities to promote and protect the rights of the child.¹⁴¹² The Office of the Ombudsman for Children coordinates the monitoring and compliance of laws and other regulations related to the rights and interests of children, including coordinating with the Ministry of the Economy, Labor and Entrepreneurship to ensure that ILO Conventions 138 (minimum age) and 182 (worst forms of child labor) are implemented.¹⁴¹³ The State Labor Inspectorate joins efforts to enforce laws related to the minimum age for employment.¹⁴¹⁴

The Inspectorate has 111 inspectors whose duties include inspection for illegal employment of minors. In 2009, the State Labor Inspectorate recorded 153 violations of child labor laws involving 73 children under the age of 17. Violations were found mainly in the hospitality, tourism, retail, food, industrial, services, and construction sectors, and they involve overtime or poorly written work contracts. Labor inspectors file misdemeanor charges against employers

found to be in violation of the labor law.¹⁴¹⁵ The Ombudsman for Children handles all cases of labor violations that are referred to from the labor inspectorate.¹⁴¹⁶

The National Committee for Combating Trafficking in Human Beings coordinates all anti-trafficking activities. The head of the Office of Human Rights serves as the coordinator of the committee, which includes representatives from the Ministry of Foreign Affairs, the Ministry of Health, and the Ministry of Justice. The Office of Human Rights is the lead agency for monitoring anti-trafficking efforts and serves as a liaison for all international activities related to trafficking.¹⁴¹⁷

The Croatian Police Academy trained 1,315 police officers on trafficking issues.¹⁴¹⁸ The Government maintains two databases that track perpetrators and victims of trafficking. The database allows for identification of minors based on age.¹⁴¹⁹

Government Policies on the Worst Forms of Child Labor

The Government has incorporated child labor issues into related policy frameworks. It adopted a National Action Plan for the Rights and Interests of Children 2006-2012 to strengthen services provided to vulnerable children. The plan has as one of its goal to provide resources for the prevention of the worst forms of child labor, including resources for investigation of child labor and exploitation.¹⁴²⁰ It also brings together a network of multilateral donor organizations and local NGOs to improve the well being of children and help those who are victims of the worst forms of child labor and trafficking.¹⁴²¹ The Council for Children acts as the coordinating body for all such activities.

The Government participates in the Decade of Roma Inclusion 2005-2015, a regional intergovernmental initiative to provide free basic primary education to all Roma children.¹⁴²² There continues to be high dropout rates among Roma children and only 3.5 percent of Roma children graduate from high school (compared with 85 percent of the general student population).

Social Programs to Eliminate or Prevent Worst Forms of Child Labor

In 2009, the police conducted several outreach campaigns, to address trafficking in persons and forced begging among the Roma community. This involved distributing educational leaflets to about 2,500 Romani people, printed in the Roma language.¹⁴²³ Other programs that provide services, including medical care, housing, shelter, and legal clinics are offered to victims of trafficking through the International Red Cross, and IOM in cooperation with the Government of Croatia.

In addition, the Government has implemented several programs targeting disadvantaged groups, including Roma and Sinti children and low income families. In 2008, the Government, as part of an OSCE program, implemented initiatives to support early education for Roma and Sinti children.¹⁴²⁴ Croatia's newly reformulated social welfare policy also includes the Assistance for Maintenance Program, which provides monthly payments to low income families to raise their income level.

The goal of this program is to address severe poverty among families.¹⁴²⁵ Research has not identified evidence of these programs' impact on the worst forms of child labor.

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

IN THE AREA OF LAWS AND REGULATIONS:

- Amend the Labor Act to include a list of hazardous activities and sectors where children may not work.

IN THE AREA OF PROGRAMS:

- Conduct a comprehensive national study to better assess the extent and types of worst forms of child labor in the country.
- Develop programs aimed at increasing the school completion rate of Roma children.
- Assess the impact that social programs may have on addressing the worst forms of child labor. Consider whether children in the worst forms of child labor should be a specific target of social programs.

¹³⁹⁴ Data provided in the chart at the beginning of this country report are not available from the data sources that are used by USDOL. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. For more information on sources used for these statistics, the definition of working children, and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section.

¹³⁹⁵ U.S. Embassy- Zagreb, *reporting*, November, 2010.

¹³⁹⁶ U.S. Department of State, “Croatia (Tier 1),” in *Trafficking in Persons Report- 2010*, Washington, DC, June 14, 2010; available from <http://www.unhcr.org/refworld/country,,,HRV,,4c1883fc23,0.html>.

¹³⁹⁷ Amnesty International USA, *The exclusion of Romani children*, 2010; available from <http://www.amnestyusa.org/document.php?id=ENGEUR050032006&lang=e>.

¹³⁹⁸ International Trade Union Confederation, *Internationally Recognized Core Labor Standards in Croatia, Report for the WTO General Council Review of the Trade Policies of Croatia* Geneva, March 24-26, 2010; available from http://www.ituc-csi.org/IMG/pdf/CLC_Croatia.pdf. See also U.S. Department of State, “Trafficking in Persons Report- 2010: Croatia.”

¹³⁹⁹ International Trade Union Confederation, *Internationally Recognized Core Labor Standards in Croatia*.

¹⁴⁰⁰ Government of the Republic of Croatia, *Labour Act, General Provisions*, (2009); available from <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/84016/93988/F806760027/HRV84016%20English.pdf>.

¹⁴⁰¹ Ibid.

¹⁴⁰² Ibid.

¹⁴⁰³ Ibid.

¹⁴⁰⁴ Ibid.

¹⁴⁰⁵ Ibid.

¹⁴⁰⁶ Ibid.

¹⁴⁰⁷ Government of the Republic of Croatia, *Criminal Code*, (2004); available from http://www.vsrh.hr/CustomPages/Static/HRV/Files/Legislation__Criminal-Code.pdf.

¹⁴⁰⁸ International Center for Migration Policy Development, *Trafficking in Human Beings in Croatia, An Assessment Focusing on Labor Exploitation*, 2010; available from http://www.icmpd.org/fileadmin/IIMS-documents/Croatian_English_2010-09-29_Final_small.pdf.

¹⁴⁰⁹ Government of the Republic of Croatia, *Criminal Code*.

¹⁴¹⁰ Ibid.

¹⁴¹¹ Coalition to Stop the Use of Child Soldiers, “Croatia,” in *Child Soldiers Global Report 2008*, London, 2008; available from <http://www.childsoldiersglobalreport.org/content/croatia>.

¹⁴¹² UN Economic and Social Council, *Recommendation for funding from other resources without a recommendation for funding from regular resources*, UNICEF Executive Board, 2006; available from <http://www.unicef.org/about/execboard/files/06-PL59-Croatia.pdf>.

¹⁴¹³ Government of the Republic of Croatia, *Summary Report About the Work of the Ombudsman for Children*, Zagreb, 2007; available from [http://www.crin.org/docs/Sazetak%20izvjesca%20o%20radu%20za%202006\(Eng\).pdf](http://www.crin.org/docs/Sazetak%20izvjesca%20o%20radu%20za%202006(Eng).pdf). See also UNICEF, *Working Group Document on Status of Children in Croatia*, 2008; available from http://www.unicef.org/videoaudio/PDFs/Croatia_WFFC5_Report.pdf. See also Government of the Republic of Croatia, *The Law on the Ombudsman for Children*, (2003); available from http://www.crin.org/docs/FileManager/ombuds_law_croatia_2003.doc.

¹⁴¹⁴ International Trade Union Confederation, *Internationally Recognized Core Labor Standards in Croatia*.

¹⁴¹⁵ U.S. Embassy- Zagreb, *reporting, November, 2010*.

¹⁴¹⁶ U.S. Department of State, “Croatia,” in *Country Report on Human Rights Practices- 2009*, March 11, 2009; available from <http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136025.htm>.

¹⁴¹⁷ Government of the Republic of Croatia, *National Plan for Combating Trafficking in Human Beings for the period from 2009-2011*, National Committee For Combating Trafficking in Human Beings, 2009; available from www.ljudskaprava-vladarh.hr/lgs.axd?t=16&id=1326. See also U.S. Department of State, “Trafficking in Persons Report- 2010: Croatia.”

¹⁴¹⁸ U.S. Embassy- Zagreb, *reporting, November, 2010*.

¹⁴¹⁹ Ibid.

¹⁴²⁰ UN Economic and Social Council, *Recommendation for funding from other resources without a recommendation for funding from regular resources*. See also Government of the Republic of Croatia, *Summary Report About the Work of the Ombudsman for Children*.

¹⁴²¹ UN Economic and Social Council, *Recommendation for funding from other resources without a recommendation for funding from regular resources*.

¹⁴²² Ibid.

¹⁴²³ U.S. Department of State, “Trafficking in Persons Report- 2010: Croatia.”

¹⁴²⁴ Right to Education Project, *European Court Ruling on Roma Children in Croatia*, 2010; available from <http://www.right-to-education.org/node/953>.

¹⁴²⁵ Zora Raboteg-Šarić, *Children’s Welfare in the Context of Social and Economic Changes in Croatia*, Norwegian University of Science and Technology, Trondheim, 2004; available from <http://www.sv.ntnu.no/iss/an-magritt.jensen/card/Childrens%20Welfare/Volume%20II/Croatia.pdf>.