

# Croatia

## Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In October 1998, the Government of Croatia established the Council for Children as the national coordinating body of the National Programme of Action for Children.<sup>1059</sup> In May 2002, the National Commission on Trafficking in Persons met for the first time,<sup>1060</sup> and the government approved a National Strategy to Combat Trafficking on November 14, 2002.<sup>1061</sup>

Several NGOs are actively assisting children and ethnic minorities who were displaced or otherwise affected by the regional armed conflict in the early 1990s. UNICEF has education programs to improve curricula, train teachers, and address ethnic intolerance, in order to positively affect children's school attendance, particularly in areas where Bosnian or Serbian refugees are returning home.<sup>1062</sup> The Government of Croatia signed the Agreement on Cooperation to Prevent and Combat Trans-border Crime with the Southeast European Cooperative Initiative. In addition, IOM maintains an office in Zagreb and has received funding to conduct regional anti-trafficking programs. The specific goals of the IOM program are to conduct research into the problem of trafficking, raise public awareness of the issue, and hold capacity-building programs for police and potential law enforcers.<sup>1063</sup>

## Incidence and Nature of Child Labor

Statistics on the number of working children under age 15 in Croatia are unavailable. According to government officials, only a small number of children ages 15 to 18 years are employed, mainly in the textile and maritime industries.<sup>1064</sup> Reports indicate that Croatia is primarily a transit country but also a destination country for trafficking of children for prostitution.<sup>1065</sup> There were 19

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<sup>1059</sup> Council members include representatives of the ministries and state administration organizations charged with child welfare, parliamentarians, prominent experts for children's rights and child welfare, and media personnel. The Council ensures monitoring and coordination of government efforts in implementing the Programme and application of the Convention of the Rights of the Child through the year 2005. Government of Croatia, *National Report on Follow-up to the World Summit for Children, 2000*, UNICEF, 2000, [cited August 30, 2002]; available from [http://www.unicef.org.specialsession/how\\_country/index.html](http://www.unicef.org.specialsession/how_country/index.html).

<sup>1060</sup> U.S. Embassy- Zagreb, *unclassified telegram no. 1468*, June 2002.

<sup>1061</sup> U.S. Department of State official, electronic communication to USDOL official, January 2003.

<sup>1062</sup> UNICEF is also working to improve the national capacity to monitor children's rights and to increase government allocations for child social services and child protection. See UNICEF, *Consolidated Donor Report for Southeastern Europe*, January - December 2000, 73, 74 [cited September 6, 2002]; available from <http://www.unicef.org/balkans/donrep-seeur-2000.pdf>.

<sup>1063</sup> UNICEF, *Trafficking in Human Beings in Southeastern Europe*, June 2002, 119, 21, 23 [cited September 6, 2002]; available from <http://www.unicef.org/sexual-exploitation/trafficking-see.pdf>. See also IOM, *IOM Counter Trafficking Strategy for the Balkans and Neighbouring Countries*, January 2001, 2, 3.

<sup>1064</sup> USDOL, *Regulation of Child Labor in the Republic of Croatia*, 1998.

<sup>1065</sup> UNICEF, *Trafficking in Human Beings in Southeastern Europe*, 117.

criminal offenses associated with commercial sexual exploitation of children in 1999.<sup>1066</sup> According to research conducted by IOM between March and September 2001, 8 percent of the Croatian population surveyed responded that there was a case of prostitution of a foreign minor in their community; the largest percent who had heard about child prostitution in their community was in Slavonia, which borders Hungary, Former Republic of Yugoslavia, and Bosnia and Herzegovina.<sup>1067</sup>

Education is free and compulsory in Croatia.<sup>1068</sup> The Law of Primary Education (1990) requires eight years mandatory education for children to begin at 6 years of age.<sup>1069</sup> Children generally finish compulsory education at age 14, but the minimum age for employment is 15.<sup>1070</sup> In 1997, the gross primary enrollment rate was 91.3 percent, and the net primary enrollment rate was 84.1 percent.<sup>1071</sup> Primary school attendance rates are unavailable for Croatia. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.<sup>1072</sup> In general, primary school attendance is reported to be lower among ethnic Roma, many of whom do not go to school at all, or drop out around the second or third grade.<sup>1073</sup> The Office for National Minorities has launched a special program for the inclusion of Roma children in the education system in Croatia.<sup>1074</sup>

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<sup>1066</sup> Information about the origin of the victims is not specified. Davor Stier, Embassy of the Republic of Croatia, letter to USDOL official, October 10, 2000.

<sup>1067</sup> From 1996-1998, Slavonia also had the largest number of international peacekeepers. UNICEF, *Trafficking in Human Beings in Southeastern Europe*, 118.

<sup>1068</sup> *Constitution of the Republic of Croatia*, Article 65, [cited September 6, 2002]; available from <http://www.vlada.hr/english/docs-constitution.html>.

<sup>1069</sup> Steven Pavlovic, U.S. Embassy- Zagreb, electronic communication to USDOL official, July 17, 2002. See also UNESCO, *Education for All 2000 Assessment: Country Reports-Croatia*, prepared by Ministry of Education and Sport, pursuant to UN General Assembly Resolution 52/84, [cited August 26, 2002]; available from <http://www2.unesco.org/wef/countryreports/croatia/contents.html>.

<sup>1070</sup> U.S. Department of State, *Country Reports on Human Rights Practices- 2001: Croatia*, Washington, D.C., March 4, 2002, 1387-93, Sections 5 and 6d [cited December 26, 2002]; available from <http://www.state.gov/g/drl/rls/hrrpt/2001/eur/8240.htm>.

<sup>1071</sup> World Bank, *World Development Indicators 2002* [CD-ROM], Washington, D.C., 2002.

<sup>1072</sup> For a more detailed description on the relationship between education statistics and work, see the preface to this report.

<sup>1073</sup> While the 1991 Government Census counted 6,700 ethnic Roma in Croatia, government and NGO officials agree that the true number of Roma may be 30,000 to 40,000. Ethnic Roma face discrimination, particularly in the labor market and in schools. See Ruman Russinov and Savelina Danova, *Field Report: The ERRC in Croatia*, European Roma Rights Center, Summer 1998, [cited September 6, 2002]; available from [http://www.errc.org/rr\\_sum1998/field\\_report.shtml](http://www.errc.org/rr_sum1998/field_report.shtml). See also U.S. Department of State, *Country Reports- 2001: Croatia*, 1387-90, Section 5.

<sup>1074</sup> Government of Croatia, *National Report- 2000: Croatia*.

## Child Labor Laws and Enforcement

The Labor Law (No. 758/1995) sets the minimum age for employment at 15 years, and children between ages 15 and 18 may only work with written permission from a legal guardian.<sup>1075</sup> The minimum work age is enforced by the Ministry of Labor and Social Welfare.<sup>1076</sup> According to stipulations in the Labor Law and the Occupational Safety and Health Act, children under age 18 are prohibited from working overtime, at night, under dangerous labor conditions, or in any other job that may be harmful to a child's health, morality, or development.<sup>1077</sup>

The Constitution prohibits forced or bonded labor.<sup>1078</sup> There is no law specifically prohibiting trafficking of persons; however, trafficking can be prosecuted under existing laws on the Establishment of Slavery and Transportation of Slaves, the Illegal Transfer of Persons Across State Borders, and International Prostitution.<sup>1079</sup> The Criminal Code outlaws international prostitution, including solicitation of a minor, and prohibits procurement of minors for sexual purposes.<sup>1080</sup> The law also outlaws using children to make pornography.<sup>1081</sup> According to the Ministry of the Interior, from 1998 to 2000, the government prosecuted five persons under Article 175 and 21 persons under Article 178.<sup>1082</sup>

The Government of Croatia ratified ILO Convention 138 on October 8, 1991, and ILO Convention 182 on July 17, 2001.<sup>1083</sup>

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<sup>1075</sup> Children under age 15 may work or participate in artistic or entertainment functions (such as making movies) with special permission from the parent or guardian and the labor inspector, assuming that the work is not harmful to the child's health, morality, education, or development. *Croatia Labor Law (No. 758/95)*, Articles 14 (1) (2) and 15, [cited October 9, 2002]; available from <http://natlex.ilo.org/txt/E95HRV01.htm>.

<sup>1076</sup> U.S. Department of State, *Country Reports- 2001: Croatia*, 1390-93, Section 6d.

<sup>1077</sup> *Croatia Labor Law (No. 758/95)*, Articles 16 and 33 (4). See also Government of Croatia, *Safety and Health Protection at the Workplace Act*, Article 40, Article 40, [cited October 9, 2002]; available from <http://natlex.ilo.org/txt/E96HRV01.htm>. The list of "harmful activities" is determined by the Ministry of Labor and Social Welfare with the Ministry of Health. See Stier, letter, October 10, 2000.

<sup>1078</sup> *Constitution of the Republic of Croatia*, Article 23. The penalty is imprisonment for six months to five years. See also Government of Croatia, *Criminal Code*, Article 175, (January 1, 1998), [cited December 26, 2002]; available from <http://209.190.246.239/protectionproject/statutesPDF/CROATIA.pdf>.

<sup>1079</sup> U.S. Department of State official, electronic communication, January 2003.

<sup>1080</sup> The penalty for international prostitution involving a child or minor is imprisonment for one to ten years. The penalty for procuring a child is imprisonment for one to eight years. See *Criminal Code, 1998*, Articles 178 and 95.

<sup>1081</sup> The penalty for exploiting children or minors for pornographic purpose is imprisonment from one to five years. The penalty for exposing a child to pornography will be a fine or imprisonment for up to one year. *Ibid.*, Articles 196 and 97 as cited in Interpol, *Legislation of Interpol member states on sexual offenses against children*, [online] [cited August 19, 2002]; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaCroatia.asp>.

<sup>1082</sup> The IOM reports that these cases involved 24 female victims of trafficking, two of whom were minors from Romania. Unofficial police estimates suggest the number of victims of trafficking could be 10-times higher than those officially recorded. See IOM Press Briefing Notes, electronic communication to USDOL official, June 14, 2002.

<sup>1083</sup> ILO, *Ratifications by Country*, in ILOLEX, [database online] [cited September 5, 2002]; available from <http://ilolex.ilo.ch:1567/english/newratframeE.htm>.