

Croatia

Incidence and Nature of Child Labor

Statistics on the number of working children under age 15 in Croatia are unavailable.¹²⁴⁴ There is also limited information on the nature of child labor in Croatia. Reports indicate that Croatia is primarily a transit country, and to a limited extent is also a destination country for trafficking of children for commercial sexual exploitation.¹²⁴⁵

Education is free and compulsory in Croatia.¹²⁴⁶ The Elementary Education Law (1990) requires 8 years mandatory education for children to begin at 6 years of age.¹²⁴⁷ Children generally complete compulsory education at age 15. However, most Croatian children remain in school until age 18.¹²⁴⁸ In 2001, the gross primary enrollment rate was 95.6 percent, and the net primary enrollment rate was 88.5 percent.¹²⁴⁹ Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. Recent primary school attendance statistics are not available for Croatia. In general, ethnic Roma children face many obstacles to continuing their schooling, such as discrimination in schools and lack of family income to continue studies.¹²⁵⁰

Child Labor Laws and Enforcement

The Labor Law sets the minimum age for employment at 15 years, and children ages 15 to 18 may only work with written permission from a legal guardian.¹²⁵¹ The minimum work age is enforced by the

¹²⁴⁴ LABORSTAT, *Croatia: 1A-Total and economically active population by age group (Thousands)*, Geneva, [Database] 2004 [cited August 31, 2004]; available from <http://laborsta.ilo.org>.

¹²⁴⁵ This information refers to foreign women and girls, as there is no confirmed evidence about Croatian nationals being trafficked. See UNICEF, UNOHCHR, OCSE/ODIHR, and Barbara Limanowska, *Trafficking in Human Beings in Southeastern Europe: 2003 Update on Situation and Responses to Trafficking in Human Beings in Croatia*, November 2003, 124 and 31; available from http://www.osce.org/documents/odihr/2003/12/1645_en.pdf.

¹²⁴⁶ *Constitution of the Republic of Croatia*, (December 1990), Article 65; available from http://www.oefre.unibe.ch/law/icl/hr00000_.html.

¹²⁴⁷ Embassy of the Republic of Croatia to the U.S., Measures Taken in the Republic of Croatia to Eliminate Worst Forms of Child Labour, letter to USDOL official, 2004. See UNESCO, *Education for All 2000 Assessment: Country Reports-Croatia*, prepared by Ministry of Education and Sport, pursuant to UN General Assembly Resolution 52/84; available from <http://www2.unesco.org/wef/countryreports/croatia/contents.html>.

¹²⁴⁸ U.S. Department of State, *Country Reports on Human Rights Practices- 2003: Croatia*, Washington, D.C., February 25, 2004, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2003/27831pf.htm>.

¹²⁴⁹ World Bank, *World Development Indicators 2004* [CD-ROM], Washington, D.C., 2004.

¹²⁵⁰ U.S. Department of State, *Country Reports- 2003: Croatia*, Section 5.

¹²⁵¹ *Croatia Labor Act (No. 758/95)*, Articles 14 (1) (2) and 15; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/41244/64963/E95HRV01.htm>. The labor law has been amended several times. According to the Embassy of the Republic of Croatia, 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. See Articles 14 and 15, Labor Law (No. 38/95, 54/95, 65/95, 17/01, 82/01 I 114/03) as cited in the Embassy of the Republic of Croatia to the U.S., Report for the period until 2003, made by the Government of the Republic of Croatia, in accordance with article 22 of the Constitution of the International Labour Organization, on the measure taken to give effect to the provision of the Worst Forms of Child Labour Convention, 1999 (No. 182), letter to USDOL official, 2004, 1, 6.

Ministry of Economy, Labor, and Entrepreneurship.¹²⁵² 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.¹²⁵³ The fine for employing an underage person unlawfully is USD 1,687 to 6,749.¹²⁵⁴ The Family Law contains provisions for the protection of the rights and welfare of children.¹²⁵⁵ The Children's Ombudsman coordinates government efforts to promote and protect the interests of children and is obligated to report any findings of exploitation to the State's Attorney's Office.¹²⁵⁶ The Constitution prohibits forced or bonded labor.¹²⁵⁷

The Criminal Code also outlaws international prostitution, including solicitation of a minor, and prohibits procurement of minors for sexual purposes.¹²⁵⁸ The law also forbids using children for pornographic purposes.¹²⁵⁹ In July 2004, the Criminal Code was amended, introducing the trafficking of persons as a separate criminal act with a minimum prison sentence of 5 years when a child or a minor are involved.¹²⁶⁰

¹²⁵² In January 2004, the Government of Croatia was restructured including what was once the Ministry of Labor and Social Welfare. The labor mandate is now integrated into the Ministry of Economy, Labor, and Entrepreneurship. The social welfare mandate is integrated into the Ministry of Health and Social Welfare. See U.S. Department of State official, electronic communication to USDOL official, September 9, 2004. The Ministry of Labor and Social Welfare has been designated the national focal point for the protection of children from sexual abuse and reports on monitoring of the implementation of the Stockholm Action Plan for the suppression of child prostitution, child pornography and the trafficking of children for sexual purposes. The Children's Council within the State Institute for the Protection of the Family monitors and promotes the application of the Convention on the Rights of the Child. See Embassy of the Republic of Croatia to the U.S., Report for the period until 2003 on the measure taken (No. 182), 8-9.

¹²⁵³ *Croatia Labor Act (No. 758/95)*, Articles 16 and 33 (4). See also Government of Croatia, *Safety and Health Protection at the Workplace Act, 1996*, (June 28, 1996), Section 40; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/45063/65037/E96HRV01.htm>. The list of jobs where minors are not allowed to be employed is determined by the Ministry of Labor and Social Welfare with the Ministry of Health. See *Regulations concerning jobs at which a minor may not be employed and jobs at which a minor may be employed only after the prior determination of the minor's health capacity* (Official Gazette No. 59/02), as cited in Embassy of the Republic of Croatia to the U.S., Report for the period until 2003 on the measure taken (No. 182), 1, 7.

¹²⁵⁴ *Safety and Health Protection at the Workplace Act*, Section 109. The fine is 10,000 to 40,000 Croatian Kuna. For currency conversion, see FXConverter, [online] [cited May 19, 2004]; available from <http://www.oanda.com/convert/classic>. From January 2002 to April 2003, labor inspectors found five minors (of legal working age) working in dangerous work. Inspectors cited 117 violations affecting 99 minors employed in various industries. See Embassy of the Republic of Croatia to the U.S., Report for the period until 2003 on the measure taken (No. 182), 19.

¹²⁵⁵ Embassy of the Republic of Croatia to the U.S., Report for the period until 2003 on the measure taken (No. 182).

¹²⁵⁶ The Ombudsman has no legal authority to impose penalties, but works closely with the police and the district's attorney's office to follow-up on abuse allegations. See U.S. Embassy- Zagreb, *unclassified telegram no. 1527*, August 2004. See also Embassy of the Republic of Croatia to the U.S., Report for the period until 2003 on the measure taken (No. 182), 10-11.

¹²⁵⁷ *Constitution of the Republic of Croatia*, Article 23.

¹²⁵⁸ Article 178 (1) of the Criminal Code indicates that international prostitution pertains to, "Whoever procures, entices or leads away another person to offer sexual services for profit within a state excluding the one in which such a person has residence or of which he is a citizen" and Article 178 (2) indicates, "Whoever, by force or threat to use force or deceit, coerces or induces another person to go to the state in which he has no residence or of which he is not a citizen, for the purpose of offering sexual services upon payment...." The penalty for international prostitution involving a child or minor is imprisonment for 1 to 10 years. The penalty for procuring a child is imprisonment for 1 to 8 years. See Government of Croatia, *Criminal Code*, as cited in The Protection Project Legal Library, [cited May 11, 2004]; available from <http://209.190.246.239/protectionproject/statutesPDF/CROATIA.pdf>.

¹²⁵⁹ The penalty for exploiting children or minors for pornographic purposes is imprisonment from 1 to 5 years. The penalty for exposing a child to pornography will be a fine or imprisonment for up to 1 year. See *Ibid.*, Articles 196-97 as cited in Interpol,

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

The Government of Croatia is implementing its National Plan of Action on Trafficking through a National Committee for the Suppression of Trafficking in Persons.¹²⁶¹ The trafficking action plan calls for training programs for all professionals working with groups at high risk of trafficking, including children, and schools are to develop curricula on the issue.¹²⁶² Since 2003, women and children taken into custody as illegal migrants are screened as potential trafficking victims.¹²⁶³ The local Social Welfare Center is informed and provides assistance to detainees suspected of being underage.¹²⁶⁴ The Government has provided space for a shelter for victims of trafficking; IOM provides assistance and support to victims.¹²⁶⁵ The government also conducted in-service police training on trafficking-recognition, funded a national hotline for victims of trafficking, and funded two NGOs to carry out awareness-raising activities on trafficking in persons.¹²⁶⁶

Selected Child Labor Measures Adopted by Governments		
Ratified Convention 138	10/8/91	✓
Ratified Convention 182	7/17/01	✓
ILO-IPEC Member		
National Plan for Children		✓
National Child Labor Action Plan		
Sector Action Plan		

Legislation of Interpol member states on sexual offenses against children, [online] [cited May 11, 2004]; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaCroatia.asp>.

¹²⁶⁰ U.S. Embassy- Zagreb, *unclassified telegram no. 1527*.

¹²⁶¹ The Plan was approved in November 2002. UNICEF, UNOHCHR, OCSE/ODIHR, and Barbara Limanowska, *2003 Update on Situation of Trafficking in Human Beings*, 125. The Government of Croatia primarily relies upon NGOs to carry out most activities in the National Plan of Action. The U.S. Department of State assessed that the Government of Croatia has not provided sufficient financial support for anti-trafficking activities or adequate institutional support for the National Committee for the Suppression of Trafficking in Persons. See U.S. Department of State, *Trafficking in Persons Report 2004: Croatia*, Washington, D.C., 2004; available from <http://www.state.gov/g/tip/rls/tiprpt/2004/33192.htm#croatia>.

¹²⁶² Unaccompanied children are recognized as a particularly vulnerable group needing special attention. In 2002, a local NGO Center for Social Policy Initiatives, in cooperation with the Ministry of Labor and Social Welfare (MLSW), established a National Task Force for the protection of separated children. MLSW identified 227 separated children in Croatia in 2002, of which 194 were boys and 33 were girls. See UNICEF, UNOHCHR, OCSE/ODIHR, and Barbara Limanowska, *2003 Update on Situation of Trafficking in Human Beings*, 126, 32-34. The IOM is heading a project to develop a preventative education module on counter-trafficking, in partnership with the Ministry of Education and local NGOs for high school students. See IOM, *High School Preventive Education on Trafficking in Human Beings in Croatia (HSPE)*, [online] 2004 [cited May 19, 2004]; available from <http://www.iom.int/iomwebsite/Project/ServletSearchProject?event=detail&id=HR1Z022>.

¹²⁶³ This was reported in the National Committee for the Suppression of Trafficking in Persons, *Country Report – Croatia*, May 2003 as cited in UNICEF, UNOHCHR, OCSE/ODIHR, and Barbara Limanowska, *2003 Update on Situation of Trafficking in Human Beings*, 127-28.

¹²⁶⁴ *Ibid.*, 128.

¹²⁶⁵ U.S. Embassy- Zagreb, *unclassified telegram no. 1527*. See also UNICEF, UNOHCHR, OCSE/ODIHR, and Barbara Limanowska, *2003 Update on Situation of Trafficking in Human Beings*, 128-29, U.S. Department of State, *Trafficking in Persons Report: Croatia*.

¹²⁶⁶ U.S. Department of State, *Trafficking in Persons Report: Croatia*. See also U.S. Department of State, *Country Reports- 2003: Croatia*, Section 6f.

In June 2004, a working group on child trafficking was established.¹²⁶⁷ The Child Trafficking Prevention Program is being implemented by the Center for Social Policy Initiatives, a national NGO. Modules have been developed on child trafficking, child exploitation, sexual exploitation of children, child pornography, and the worst forms of child labor. Teachers have been trained to use the program and a pilot project is underway in 5 elementary schools in Zagreb.¹²⁶⁸ The government also works with international organizations to assist trafficking victims, and cooperates with other governments in the region.¹²⁶⁹ In 2003, the Ministry of Justice reported 6 criminal charges for procurement or pimping of children, 37 for exploitation of children for use in pornography, and 19 for allowing children access to pornography.¹²⁷⁰

The Office for National Minorities has a special program for the inclusion of Roma children in the education system in Croatia.¹²⁷¹ A school feeding program is available to children.¹²⁷²

Croatia participates in a regional program implemented by ILO-IPEC on combating child labor in the Stability Pact Countries, with a special focus on the worst forms of child labor.¹²⁷³

¹²⁶⁷ The working group includes representation from the National Human Rights Office, the Children's Ombudsman, Ministry of Interior; Ministry of Science and Education; Ministry of Health and Social Welfare; and the District's Attorney's Office. See U.S. Embassy- Zagreb, *unclassified telegram no. 1527*.

¹²⁶⁸ UNICEF, UNOHCHR, OCSE/ODIHR, and Barbara Limanowska, *2003 Update on Situation of Trafficking in Human Beings*, 134.

¹²⁶⁹ U.S. Department of State, *Country Reports- 2003: Croatia*, Section 6f.

¹²⁷⁰ U.S. Embassy- Zagreb, *unclassified telegram no. 1527*.

¹²⁷¹ According to the 2003 National Program for Roma, the primary obstacles to Roma access to primary school is a weak knowledge of the Croatian language. In response, the government has committed funding to support additional Croatian language teachers and pre-school instruction for Roma children. See *Ibid*.

¹²⁷² U.S. Department of State, *Country Reports- 2003: Croatia*, Section 5.

¹²⁷³ Participating countries are Albania, Bulgaria, Bosnia-Herzegovina, Former Yugoslavia Republic, Croatia, Macedonia, Moldova, and Romania. The program's completion date is January 31, 2007. See ILO-IPEC Official, *Active IPEC Projects as of August 25, 2004*, USDOL Official, 2004.