

FOURTH EVALUATION ROUND

Measures to prevent and detect vulnerabilities
to human trafficking

EVALUATION REPORT CROATIA

GRETA

Group of Experts
on Action against
Trafficking in Human Beings



Implementation of the
Council of Europe Convention
on Action against Trafficking
in Human Beings

GRETA(2025)06

Adopted on 25 March 2025
Published on 19 June 2025



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Preamble

In accordance with Article 38, paragraph 1, of the Convention on Action against Trafficking in Human Beings ("the Convention"), GRETA evaluates the implementation of the Convention following a procedure divided into rounds. At the beginning of each round, GRETA selects the specific provisions on which the evaluation procedure is based.

The first round of monitoring of the Convention provided an overview of its implementation by States Parties. The second evaluation round examined the impact of legislative, policy and practical measures on the prevention of trafficking in human beings (THB), the protection of the rights of victims, and the prosecution of traffickers, paying particular attention to measures taken to address new trends in human trafficking, in particular trafficking for the purpose of labour exploitation, and child trafficking. The third evaluation round focused on trafficking victims' access to justice and effective remedies.

For the fourth evaluation round of the Convention, GRETA has decided to focus on vulnerabilities to human trafficking and measures taken by States Parties to prevent them, detect and support vulnerable victims, and punish the offenders. An additional focus concerns the use of information and communication technology (ICT) to commit human trafficking offences, which brings structural changes to the way offenders operate and exacerbates existing vulnerabilities.

A number of provisions of the Convention establishing substantive and procedural obligations are relevant to this topic. The concept of "vulnerability" appears in Articles 4 (definitions), 5 (prevention of trafficking in human beings) and 12 (assistance to victims) of the Convention. According to paragraph 83 of the Explanatory report to the Convention, "by abuse of a position of vulnerability is meant abuse of any situation in which the person involved has no real and acceptable alternative to submitting to the abuse. The vulnerability may be of any kind, whether physical, psychological, emotional, family-related, social or economic. The situation might, for example, involve insecurity or illegality of the victim's administrative status, economic dependence or fragile health. In short, the situation can be any state of hardship in which a human being is impelled to accept being exploited. Persons abusing such a situation flagrantly infringe human rights and violate human dignity and integrity, which no one can validly renounce."

GRETA refers to the ICAT Issue Brief No. 12/2022 on Addressing vulnerability to trafficking in persons which refers to vulnerability as "those inherent, environmental or contextual factors that increase the susceptibility of an individual or group to being trafficked". It classifies vulnerability factors in three categories: personal (e.g. age, gender, ethnicity, disability), situational (e.g. destitution, unemployment, legal status) and contextual (e.g. discriminatory laws, policies and social norms, armed conflicts, crises) factors, which interact and may increase the risk of human trafficking for certain individuals, groups and/or communities.¹ Vulnerability to human trafficking is also subject to intersectional factors, such as gender, belonging to a minority group and socio-economic status.

In addition to the thematic focus on vulnerabilities to human trafficking, GRETA has decided that each State Party will receive country-specific follow-up questions related to recommendations not implemented or partially implemented after the third evaluation round.

GRETA recalls that it has adopted the use of three different verbs - "urge", "consider", and "invite" – which correspond to different levels of urgency for bringing the State Party's legislation and/or practice into compliance with the Convention. Thus, GRETA uses the verb "urge" when it assesses that the national legislation or policies are not in compliance with the Convention or when it finds that, despite the existence of legal provisions and other measures, the implementation of a key obligation of the Convention is lacking. In other situations, GRETA "considers" that it is necessary to make further improvements to fully comply with an obligation of the Convention. By "inviting" a country to pursue its efforts, GRETA acknowledges that the authorities are already on the right track and encourages them to continue existing action.

¹ [ICAT Issue Brief No. 12 on Addressing vulnerability to trafficking in persons - Search \(bing.com\)](#)

Executive summary

This report, covering the period 2020-2024, evaluates the measures taken by Croatia to prevent vulnerabilities to trafficking in human beings (THB), detect and support vulnerable victims, and punish the offenders. In doing so, it pays particular attention to the use of information and communication technology (ICT) to commit human trafficking offences as well as to the use of technological innovations to prevent THB, protect victims, and prosecute traffickers. The report also evaluates progress made in selected areas examined by GRETA during previous evaluation rounds.

Over the years, the Croatian authorities have taken a series of steps to develop the legislative and institutional framework for action against THB. The authorities have established a National Referral Mechanism (NRM) and regularly adopt national action plans for combating THB. The National Plan for Combating Trafficking in Human Beings for 2024-2030 contains measures aimed at raising awareness of trafficking among vulnerable groups and preventing online trafficking, as well as at improving the identification and referral to assistance of victims, including by reinforcing mobile teams.

The total number of victims formally identified by the police in the period 2020-2024 has decreased considerably as compared to the period covered by GRETA's previous evaluation (from 200 to 105). Women and girls represented more than half of the identified victims, sexual exploitation being the predominant form of exploitation, followed by forced criminality, labour exploitation and forced marriage. Moreover, there has been an increase in the use of ICT for the recruitment and exploitation of victims of human trafficking. The vast majority of the victims identified during the reporting period were Croatian nationals.

The report points out that the Croatian authorities have taken certain measures to reduce the vulnerability of children to human trafficking, including the provision of annual training on the prevention of THB to schoolteachers. In addition, non-governmental organisations have conducted various activities aimed at the prevention of sexual violence against children, which notably included the development of an online information tool and a manual for children and parents as well as the operation of a hotline. Nevertheless, GRETA considers that the authorities should strengthen their efforts to raise children's awareness of the risks of THB (including recruitment and abuse through the Internet and social networks) and awareness of child trafficking among relevant professionals.

Unaccompanied and separated foreign children are a group particularly vulnerable to THB. The placement of unaccompanied children above the age of 14 in institutions for children experiencing behavioural challenges has been widely criticised, as such institutions are considered to be unable to provide unaccompanied children with the support they need and put them at risk of exploitation. Further, there have been no improvements regarding the system for the appointment of legal guardians to unaccompanied children. In particular, the guardians continue to have a heavy workload which, coupled with language barriers and lack of interpreters, prevents them from providing the necessary support to unaccompanied children. GRETA considers that all unaccompanied and separated foreign children should have access to secure, child-friendly shelters or foster care arrangements where they can be provided with comprehensive care, including psychosocial support, legal aid, education, and health services.

Activities and measures aimed at reducing the vulnerabilities related to the gender dimension of THB included the organisation of international conferences on human trafficking for sexual exploitation and the adoption in March 2024 of legislative amendments addressing violence against women, sexual abuse and abuse of children. However, GRETA notes that the gender dimension of human trafficking is not reflected in the National Plan on Combating THB and the current Action Plan. GRETA considers that the Croatian authorities should take further measures to address specifically the vulnerabilities related to the gender dimension of THB, including through awareness raising and training aimed at eliminating sexual and gender-based violence and integrating gender-sensitive approaches in anti-trafficking legislation, policies

and action plans. The authorities should also take steps to address the vulnerability of LGBTI persons to human trafficking, in close co-operation with civil society organisations.

There has been a sharp increase in the number of migrant workers from third countries (Asian countries in particular) coming to Croatia. The report welcomes the legislative and policy developments aimed at providing greater protection and guarantees against exploitation to migrant workers, including the Law on the Suppression of Undeclared Work enacted in 2023. Although only a limited number of victims of trafficking were identified among migrant workers during the reporting period, this group is particularly vulnerable due in part to their lack of family and social ties in Croatia and the language barrier, as well as insufficient oversight over employment agencies. Foreign workers are not systematically informed of their rights and the conditions of their employment. Consequently, GRETA considers that the Croatian authorities should take further steps to protect migrant workers from human trafficking, including by systematically providing them with information on their rights and the risks of THB, allocating sufficient staff and resources to the State Inspectorate and providing training on THB to labour inspectors.

GRETA welcomes the legislative changes aimed at improving asylum seekers' access to employment and the measures which facilitate the integration of persons under international protection. However, the report notes that many vulnerable persons among asylum seekers remain undetected, thus exposing them to a serious risk of exploitation and trafficking. GRETA urges the Croatian authorities to put in place procedures for the screening of asylum seekers for vulnerabilities throughout the country (including at border crossing points) and to provide targeted training on THB to the border police and other relevant officials.

Members of the Roma community, especially women and girls, are particularly vulnerable to THB for various types of exploitation, including forced marriage and forced begging. While welcoming the measures taken by the authorities to address the vulnerabilities of the Roma community, including those aimed at improving Roma children's access to education and facilitating access to employment for members of the Roma community, GRETA considers that additional steps should be taken towards the prevention of THB among this disadvantaged minority.

There have been several detected cases of persons with disabilities having been subjected to trafficking for the purpose of labour exploitation, including while in foster care. With a view to addressing the vulnerabilities of persons with disabilities to exploitation, the authorities have adopted a number of laws and policy documents and implemented measures which aim at advancing the rights of such persons and ensuring their access to services, such as the support of a personal assistant, a monthly allowance and an employment subsidy scheme. GRETA considers that the Croatian authorities should take additional preventive measures, including strengthening the monitoring of foster families and institutions caring for persons with disabilities, and conduct research into the vulnerabilities of persons with disabilities to THB. According to the Protocol on Identification, Assistance and Protection of Victims of Trafficking, the identification of victims is carried out by the police, in co-operation with non-governmental organisations, as well as the social services in case the victim is a child. However, civil society organisations met by GRETA have expressed concern that in practice the identification is carried out by the police on their own, and that this is often too closely linked to whether the case can be successfully prosecuted. In addition, there appears to be insufficient attention paid to the identification of victims of trafficking in the Roma community. GRETA once again urges the Croatian authorities to take steps to improve the identification of victims of trafficking by proactively identifying victims among foreign workers and the Roma community, as well as by putting in place a proper procedure for the identification of victims of THB among irregular migrants and asylum seekers, including by duly conducting individualised risk assessments prior to any forced return and assessing the risks of trafficking or re-trafficking on return. The authorities should also facilitate the involvement of specialised NGOs in the identification of victims of THB.

GRETA is concerned that most of the identified victims do not appear to have fully benefited from the assistance programme. In this regard, the report stresses the important role played by specialised NGOs in providing support to victims and guiding them through their recovery. GRETA therefore urges the

Croatian authorities to improve the provision of assistance to victims of THB by ensuring that victims are fully informed of the benefits of assistance and by providing specialised NGOs with adequate funding enabling them to engage more actively in victim assistance. The authorities should also ensure that child victims of trafficking are placed in appropriate accommodation and provided with specialised assistance tailored to their needs and that there is a sufficient number of places for adult victims in specialised shelters.

The Croatian Criminal Code includes “abuse of a difficult position” amongst the means used to commit human trafficking. GRETA welcomes the application of this concept in case-law, and invites the Croatian authorities to continue providing training and guidance to relevant professionals on how victims’ position of vulnerability may exist or arise and how its abuse may operate in the context of trafficking.

According to available statistics, the total number of persons convicted of THB in the period 2019 - October 2023 was 13. There have been very few prosecuted cases of THB for the purpose of labour exploitation in which the victims were foreign workers. GRETA considers that the Croatian authorities should take further measures to ensure that THB cases are investigated proactively and are prosecuted as such rather than as lesser offences, leading to effective, proportionate and dissuasive sanctions. Further, law enforcement, prosecutors and judges should receive training on THB, including on the severe impact of exploitation on victims of trafficking.

GRETA has noted that recent amendments to the Criminal Procedure Act expand the protective measures available to victims of THB in criminal proceedings. Namely, audio-visual means are now to be used as a rule in relation to all victims of trafficking, unless they specifically request otherwise. GRETA welcomes these amendments and invites the Croatian authorities to ensure that they are applied in practice.

GRETA also welcomes the awareness-raising campaigns concerning online safety which have been implemented in schools, as well as the efforts of the Safer Internet Centre and the police towards prevention of online sexual abuse of children. In order to address the routine use of ICT to recruit and exploit victims of trafficking, the Croatian authorities should develop further measures specifically aimed at preventing ICT-facilitated trafficking in human beings, including investing in capacity building and digital tools to conduct proactive investigations.

According to available information, no victims of THB were granted compensation in criminal or civil proceedings during the reporting period. GRETA once again urges the Croatian authorities to guarantee effective access to compensation for victims of trafficking by ensuring that the collection of evidence about the harm the victim has suffered is part of the criminal investigation, providing access to legal aid for victims, including victim compensation in the training of relevant professionals, and making state compensation available to all victims of trafficking.

Finally, GRETA once again urges the Croatian authorities to adopt a provision on the non-punishment of victims of trafficking for their involvement in unlawful activities, including administrative offences, to the extent that they were compelled to do so, and/or develop guidance for prosecutors. Public prosecutors should be encouraged to be proactive in establishing whether an accused person is a potential victim of trafficking and to consider trafficking in human beings as a serious violation of the rights of the victim.

General information on trafficking in human beings in Croatia (covering the period from 2020 until 28 March 2025)

Entry into force of the Council of Europe Convention on Action against Trafficking in Human Beings	1 February 2008
Previous evaluations by GRETA	<ul style="list-style-type: none"> • First evaluation report (published on 30 November 2011) • Second evaluation report (published on 4 February 2016) • Third evaluation report (published on 3 December 2020)
Co-ordination of national action against Trafficking in Human Beings (THB)	<ul style="list-style-type: none"> • National Committee for Combating THB • Operational Team of the National Committee for Combating THB • National Anti-Trafficking Co-ordinator
National Rapporteur on THB	The position of National Rapporteur has not been established yet
Specialised bodies	<ul style="list-style-type: none"> • Police investigators specialised in dealing with THB • Mobile teams for the provision of assistance to victims of THB (based in Zagreb, Rijeka, Osijek and Split)
Specialised NGOs	<ul style="list-style-type: none"> • Croatian Red Cross (CRC) • PETRA Network (co-ordinated by the NGO ROSA)
National Strategy/Action Plan	National Plan for Combating THB, covering the period 2024-2030 and accompanying Action Plan (2024-2026)
Relevant legislation	<ul style="list-style-type: none"> • Criminal Code (Article 106 criminalises THB) • Criminal Procedure Act • Free Legal Aid Act • Law on the Suppression of Undeclared Work • Law on Foreigners • Law on International and Temporary Protection • Law on Social Assistance • Act on Compensation for Victims of Criminal Offences
National Referral Mechanism (NRM)	According to the Protocol on Identification, Assistance and Protection of Victims of Human Trafficking, which constitutes the NRM, the identification of victims is carried out by the police, in co-operation with the Croatian Red Cross and other NGOs, as well as the social services in case the victim is a child. Only the police and the Operational Team (by a majority vote) can issue a decision giving a person the formal status of a victim. Upon identification, the police inform the competent mobile team in order to co-ordinate the provision of assistance to the victim.
Trafficking profile	Croatia is a country of origin, destination and transit of victims of THB. In 2020-2024, women and girls represented more than half of the identified victims, the vast majority of whom were Croatian nationals. Sexual exploitation has remained the predominant form of exploitation, followed by forced criminality, labour exploitation and forced marriage. There has been a sharp increase in the number of third-country nationals working in Croatia during the reporting period, some of whom might be vulnerable to THB. Other individuals vulnerable to exploitation and THB are members of the Roma community and asylum seekers, including unaccompanied children.

I. Introduction

1. Croatia was amongst the first countries to ratify the Council of Europe Convention on Action against Trafficking in Human Beings ("the Convention") and has been in the first group of Parties to be evaluated by GRETA under each evaluation round.

2. Over the years, the Croatian authorities have taken a series of steps to develop the legislative and institutional framework for action against trafficking in human beings (THB), as well as to strengthen co-ordination between relevant actors and international co-operation. This includes the establishment of a National Referral Mechanism (NRM) and four mobile teams for the identification and referral to assistance of victims of human trafficking. The authorities regularly adopt national action plans for combating THB. However, after three rounds of evaluation, GRETA concluded that there were continuing gaps in certain areas, such as the identification of and assistance to victims, in particular in relation to the need to institutionalise procedures for the screening of migrants for indicators of THB and proactively identify victims of labour exploitation, as well as to adapt assistance measures to the specific needs of male victims. Moreover, GRETA called on the authorities to improve the criminal justice response to human trafficking, as well as take measures to guarantee compensation to victims of trafficking and the application of the non-punishment principle to them.

3. On the basis of GRETA's third report, on 4 December 2020 the Committee of the Parties to the Convention adopted a recommendation to the Croatian authorities, requesting them to inform the Committee within a two-year period of measures taken to comply with the recommendation. The report submitted by the Croatian authorities was considered at the 32nd meeting of the Committee of the Parties (16 June 2023) and was made public.²

4. On 4 October 2023, GRETA launched the fourth round of evaluation of the Convention in respect of Croatia by sending the questionnaire for this round to the Croatian authorities. The deadline for submitting the reply to the questionnaire was 5 February 2024 and the authorities' reply was received on 5 February 2024.

5. An evaluation visit to Croatia took place from 3 to 7 June 2024 in order to hold meetings with relevant governmental and non-governmental actors, collect additional information and examine the practical implementation of adopted measures. The visit was carried out by a delegation composed of:

- Ms Biljana Lubarovska, member of GRETA;
- Ms Rita Penedo, member of GRETA;
- Ms Asja Zujo, Administrator in the Secretariat of the Convention.

6. During the visit, the GRETA delegation met Mr Alen Tahiri, Director of the Office for Human Rights and Rights of National Minorities and National Co-ordinator for Combating Human Trafficking, as well as representatives of the Ministry of the Interior, the Ministry of Foreign and European Affairs, the Ministry of Justice, Administration and Digital Transformation, the Ministry of Defence, the Ministry of Labour, Pension System, Family and Social Policy, the Ministry of Health, the Ministry of Tourism and Sport, the State Inspectorate, the Croatian Employment Service, and the Institute for Expertise, Vocational Training, Rehabilitation and Employment of Persons with Disabilities. Meetings were also held with the State Attorney's Office, the Supreme Court, the Police and Judicial Academies, and the Bar Association. Further, the delegation met with representatives of the Office of the Ombudsperson, the Office of the Children's Ombudsperson, the Office of the Gender Equality Ombudsperson, and the Office of the Ombudsperson for Persons with Disabilities.

² <https://rm.coe.int/report-submitted-the-authorities-of-croatia-on-measures-taken-to-compl/1680aba903>.

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7. In addition to holding meetings in Zagreb, GRETA's delegation travelled to Čakovec where it met with members of the mobile team against human trafficking and representatives of the regional offices of the Institution for Social Work from Čakovec, Osijek and Zagreb, the Police Administration of the Međimurje County, as well as with representatives of the local self-government.
 8. The GRETA delegation held separate meetings with non-governmental organisations (NGOs), and lawyers representing victims of human trafficking.
 9. Meetings were also held with representatives of the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM).
 10. In the course of the visit, the GRETA delegation visited the location of a future shelter for adult victims of human trafficking run by the Croatian Red Cross (CRC), as well as the reception centre for asylum seekers in Zagreb.
 11. The list of the national authorities, NGOs and other organisations with which the delegation held consultations is set out in Appendix 3 to this report. GRETA is grateful for the information provided by them.
 12. GRETA wishes to place on record the co-operation provided by the Croatian authorities and in particular by the contact person appointed to liaise with GRETA for the organisation of the visit, Ms Katarina Coha, Head of Service for Human Rights at the Office for Human Rights and Rights of National Minorities.
 13. The draft version of the present report was approved by GRETA at its 52nd meeting (18-22 November 2024) and was submitted to the Croatian authorities for comments. The authorities' comments were received on 28 February 2025 and were taken into account by GRETA when adopting the final report at its 53rd meeting (24-28 March 2025). The report covers the situation up to 28 March 2025; developments since that date are not taken into account in the following analysis and conclusions. GRETA's conclusions and proposals for action are summarised in Appendix 2.

II. Overview of trends and changes in the legislative, institutional and policy framework for action against human trafficking

14. Croatia remains a country of origin, destination and transit of victims of THB. The overall number of victims identified in the period 2020-2024 (105) has decreased considerably as compared to the previous reporting period ³ (see Appendix 1). Women and girls represented more than half of the identified victims, the vast majority of whom were Croatian nationals. Sexual exploitation has remained the predominant form of exploitation, followed by forced criminality, labour exploitation and forced marriage. As regards emerging trends in THB, while there has been a sharp increase in the number of third-country nationals working in Croatia during the reporting period, the number of identified foreign victims of THB has decreased. Moreover, there has been an increase in the use of information and communication technology (ICT) for the recruitment and exploitation of victims of trafficking in human beings.

15. There have been a number of changes in the legislative framework in Croatia since GRETA's third evaluation, which are relevant for anti-trafficking action.

16. In March 2024, the Criminal Procedure Act (CPA) was amended to expand the protective measures available to victims of trafficking in criminal proceedings (see paragraph 149).

17. Amendments to the Law on Social Assistance introduced in 2022 entitle victims of THB who are accommodated in a shelter to a guaranteed minimum allowance, in addition to the compensation for people in need that they previously received (see paragraph 117).

18. The new Law on Foreigners, which came into effect in January 2021, and the amendments to the Law on International Protection adopted in 2023, allow for easier employment of foreign workers and asylum seekers (see paragraphs 56, 57 and 76).

19. In 2021, the Government adopted the National Programme for the Suppression of Undeclared Work for 2021-2024 and the accompanying Action Plan. This was followed by the adoption of the Law on the Suppression of Undeclared Work which came into force in January 2023 (see paragraph 0).

20. The institutional framework for anti-trafficking action remains as described in the third report.⁴

21. The activities related to action against THB are led and co-ordinated by the National Anti-Trafficking Co-ordinator, who is the Head of the Government Office for Human Rights and Rights of National Minorities (OHRRNM).

22. The National Committee for Combating THB (hereafter, the National Committee) consists of representatives of ministries, public bodies, the PETRA Network, represented by the NGO ROSA, the Croatian Red Cross (CRC), and the media (Association of Croatian Journalists),⁵ and it is tasked with defining anti-trafficking policies and strategies. It continues to be chaired by the Deputy Prime Minister responsible for social welfare and human rights, and acts as an advisory body to the government. The National Committee usually meets twice a year, although the number of annual meetings was reduced to one during the COVID-19 pandemic.

³ By way of comparison, the total number of victims identified during the previous reporting period was 200, namely 38 in 2015, 30 in 2016, 29 in 2017, 76 in 2018 and 27 in 2019. Of the total, 114 were Croatian nationals and 86 foreign victims.

⁴ See GRETA's third evaluation report on Croatia, paragraphs 14-18.

⁵ See GRETA's third evaluation report on Croatia, paragraph 15.

23. The Operational Team of the National Committee for Combating THB (hereafter, the Operational Team), which ensures day-to-day co-ordination between stakeholders in handling trafficking cases, including assistance to victims of THB, meets monthly. It is composed of THB co-ordinators from relevant ministries, public agencies, including the prosecution authorities and the police, and NGOs (CRC and ROSA). Among other competencies, the Operational Team can decide on the identification of a victim of trafficking in cases in which the victim is not identified by the police (see paragraph 102).

24. The provision of assistance to victims of trafficking continues to be co-ordinated by the four mobile teams, based in Zagreb, Rijeka, Split and Osijek, which cover the entire country (see paragraphs 114 and 115). Although the mobile teams include NGOs involved in anti-trafficking action in the respective region, the role of some of these NGOs has reportedly been diminished since GRETA's third evaluation (see paragraphs 36 and 116).

25. Although at the time of GRETA's third evaluation the Croatian authorities expressed their intention to establish the position of independent National Rapporteur,⁶ there has been no progress in this regard. GRETA reiterates its view that the human rights-based approach to anti-trafficking policies advocated by the Convention requires adequate monitoring and evaluation. The key features of National Rapporteurs' mechanisms, in the sense of Article 29, paragraph 4, of the Convention,⁷ should be the ability to critically monitor the efforts and effectiveness of all state institutions, including national co-ordinators, and to that end maintain a constant exchange with civil society, the research community and other relevant stakeholders.⁸ GRETA considers that the Croatian authorities should examine the possibility of establishing an independent National Rapporteur or designating another existing mechanism for monitoring the anti-trafficking activities of state institutions, as provided for in Article 29, paragraph 4, of the Convention.

26. The previous National Plan for Combating Trafficking in Human Beings, which covered the period 2018-2021, was assessed as part of the independent evaluation of the National Referral Mechanism, prepared in 2021 by a professor of the Faculty of Law in Zagreb.⁹ The evaluation contained a number of recommendations, including the adoption of a dedicated law on THB, improving access to compensation for victims of trafficking, and including a non-punishment provision in the Criminal Code.

27. In 2022, a working group led by the OHRRNM prepared a new National Plan for Combating THB, covering the period 2024-2030, which will be accompanied by two Action Plans, respectively for 2024-2026 and 2027-2030. GRETA was informed that the delay in the preparation and adoption of the new National Plan was due to the adoption of a new law on strategic planning, which required the restructuring of the document, as well as extensive consultations with different stakeholders and the parliamentary elections which took place in April 2024. The new National Plan and the accompanying Action Plan for 2024-2026 were adopted by the Government on 31 October 2024. According to the authorities, the experiences of victims and at-risk individuals were taken into account during the preparation of the National Plan, through the participation of NGOs in the working group. An external evaluation of the National Plan will be commissioned in the last quarter of 2030.

28. The new National Plan has two main objectives, namely prevention of human trafficking and improvement of the system of identification, assistance and protection of victims of trafficking. The activities aimed at implementing these objectives include awareness raising, with a particular focus on online trafficking, providing information on THB to migrants, applicants for international protection and other vulnerable groups, training for relevant stakeholders, strengthening the system for the identification

⁶ See GRETA's third evaluation report on Croatia, paragraph 23.

⁷ "Each Party shall consider appointing National Rapporteurs or other mechanisms for monitoring the anti-trafficking activities of State institutions and the implementation of national legislation requirements."

⁸ In this context, see also the Summary report on the Consultative Meeting on Strengthening Partnerships with National Rapporteurs on Trafficking in Persons and Equivalent Mechanisms organised by the UN Special Rapporteur on trafficking in persons, especially in women and children, in Berlin, 23-24 May 2013.

⁹ Maršavelski A., *An Evaluation of the National Referral Mechanism for Combating Trafficking in Human Beings*, 2021.

of victims and providing assistance to them, and reinforcing mobile teams. The estimated budget for the implementation of the activities under is EUR 1,287,577, of which close to one half is expected to be provided through EU funds. GRETA was informed that the funding from the state budget has been secured until 2026, and that the authorities were in the process of developing project proposals for EU funding.

III. Addressing vulnerabilities to trafficking in human beings

1. Prevention of trafficking in human beings

a. Introduction

29. Prevention is crucial in combating trafficking in human beings. Article 5 of the Convention therefore requires States Parties to establish and/or strengthen effective policies and programmes to prevent THB in co-ordination between relevant public agencies, non-governmental organisations and other elements of civil society. Such policies and programmes should have a particular focus on persons vulnerable to trafficking and professionals concerned with trafficking in human beings, and shall include research, information, awareness-raising and education campaigns, social and economic initiatives and training programmes. In the development and implementation of prevention measures, States Parties are required to promote a human rights-based approach and to use gender mainstreaming and a child-sensitive approach, taking specific measures to reduce children's vulnerability to trafficking. Furthermore, Article 5 of the Convention requires States parties to take measures to enable migration to take place legally. In addition, Article 6 of the Convention places a positive obligation on Parties to adopt measures to discourage the demand that fosters all forms of exploitation of persons which leads to trafficking.

30. The Croatian authorities have indicated that factors such as a poor economic situation, social exclusion and lack of access to education increase the risk of trafficking. Members of the Roma community, particularly women and girls, are especially vulnerable to various types of exploitation, including through forced marriage and forced begging. Persons with disabilities are also vulnerable to exploitation and trafficking in human beings.

31. There has been a sharp increase in the number of migrant workers from third countries (Asian countries in particular) coming to Croatia in recent years. While certain measures have been taken to protect them from exploitation, they remain vulnerable due to the language barrier and a lack of social and family ties in Croatia (see paragraph 55). Migrants and asylum seekers, including unaccompanied children, are also vulnerable to exploitation and THB. Although most migrants transit through Croatia quickly on the way to Western European countries, there has been an increase in the number of asylum applications filed in recent years.

32. The Croatian authorities have noted an increased use of the internet in the recruitment and exploitation of victims of THB, including children. Children who leave institutional care or their family homes, have also been identified as vulnerable to trafficking in human beings.

33. The Action Plan for Combating THB (2024-2026) contains a chapter on the prevention of trafficking in human beings, which outlines three specific measures, 1) raising awareness of THB among the general public, 2) implementation of preventive activities aimed at vulnerable groups, and 3) the adoption of policy and regulatory measures towards the business sector with the aim of preventing THB. GRETA notes that the only vulnerable groups that are specifically mentioned in the Action Plan are children and youth without parental care, children with problems in behaviour and unaccompanied children in state care institutions. The measures concern the training of professionals in educational institutions and the organisation of workshops for targeted groups of children and youth.

b. Measures to prevent the vulnerability of specific groups to trafficking in human beings

34. This section examines the preventive measures taken with regard to certain vulnerable groups based on the information provided by the Croatian authorities as well as non-state actors. GRETA underlines that not every individual belonging to one of these groups is vulnerable to human trafficking per se, as there are usually additional vulnerability factors involved. The different groups selected should be viewed with due regard to the complexity and intersectionality of vulnerabilities to trafficking.

i. Children

35. In the second evaluation report on Croatia, GRETA paid particular attention to the prevention of trafficking of children, especially Roma children, unaccompanied and separated children, as well as children in institutional care. Measures aimed at reducing the vulnerability of Roma children are discussed in paragraphs 83 and 90 of this report, and the prevention of ICT-facilitated THB against children is addressed in paragraphs 158 and 159.

36. GRETA was informed that the subject of Civic Education, which is mandatory for all primary and secondary school students, foresees instruction on the topic of THB. The police continue to conduct awareness-raising activities in schools. While specialised NGOs which are members of mobile teams were regularly involved in such activities in the past, GRETA was informed that they are no longer invited by the police to participate in awareness raising in schools.

37. The CRC, in co-operation with the Education and Teacher Training Agency, provides annual training on the prevention of THB to preschool, primary and secondary school teachers. In 2023, such training was provided to a total of 543 participants during four separate training events held in several counties across the country. The Workbook for the Prevention of Trafficking in Human Beings has been included in the teaching materials since 2007, and in 2018 the CRC's manual titled 'What is the Difference if I Am Different,' which includes the topic of THB as a recognised risk in migration, was included as an auxiliary teaching aid for the Civic Education course in secondary schools.

38. The NGO Ženska soba (Women's Room) implemented a series of programmes in secondary schools aimed at the prevention of sexual violence against children, with financing from the Government and the EU. This included the preparation of a manual on sexual violence against and among children and young people,¹⁰ and the launch of the SNEP Online Tool (<https://snep.hr/>) which provides resource materials for children, parents and professionals on sexual violence and abuse, including online violence and violence in the family. The NGO Hrabri telefon (Brave Telephone) runs a free telephone (116 111) and chat line, available from 9:00-20:00 every workday, where children can talk about their problems and be provided with advice.¹¹ In the period 2021-2024, the Brave Telephone received a total of 13 calls related to human trafficking.¹²

¹⁰ <https://www.zenskasoba.hr/seksualno-nasilje-edukacijski-i-prevencijski-program/>.

¹¹ <https://djeca.hrabritelefon.hr/o-nama/>.

¹² In 2021, one call was received concerning the exploitation of children for illegal activities, and one call was related to kidnapping. In 2022, four calls were received concerning sexual exploitation, one call related to exploitation for the purpose of committing illegal acts, one call regarding child abduction, and one call related to the establishment of slavery or a similar relationship. In 2023, there was one call regarding the exploitation of children for begging. In 2024, there was one call concerning the exploitation of children for begging and two calls related to child domestic work.

39. GRETA was informed that children in institutional care, especially children placed in centres for the provision of services in the community, which accommodate children experiencing behavioural challenges, are vulnerable to exploitation and THB. GRETA's interlocutors have mentioned two investigations involving three victims who had been exploited by older children in one of the institutions. Specifically, the older children coerced the victims, using threats and force, to steal and hand over the profits from the stolen goods to them. In one of the cases, the victim was also forced to work at a construction site. A team from the Ministry of Labour, Pension System, Family and Social Policy (MoLPSFSP) visited the institution in question and met with the children and staff, and they provided guidance to the staff with regard to the prevention and recognition of THB. Further training will be provided through the newly established Academy of Social Protection to the staff in all institutions. The Action Plan for Combating THB (2024-2026) envisages information workshops to be organised for children and staff in institutions for care of children (Measure 2). In this context, GRETA refers to the recommendation of the Committee on the Rights of the Child that the Croatian authorities should "[e]xpeditiously the deinstitutionalisation of children labelled as having behavioural problems who are placed in institutions."¹³

40. Unaccompanied and separated foreign children represent a particularly vulnerable category. The Protocol on the Treatment of Unaccompanied Children from 2018 provides for an initial needs assessment to be carried out and regulates the provision of assistance to unaccompanied children. An Interdepartmental Commission for the Protection of Unaccompanied Children was established under the Protocol with the aim of improving the co-operation of bodies involved in the protection of unaccompanied children. The Commission reportedly held one meeting in 2023.¹⁴ Civil society organisations have raised as a problem the lack of centralised data on unaccompanied children in Croatia, since the police and social services keep separate records.¹⁵ According to the authorities, the decisions on the right to accommodation and the appointment of guardians for unaccompanied children are forwarded to the competent police station and the Ministry of Labour, Pension System, Family and Social Policy by the competent regional office of the Croatian Institution for Social Work.

41. According to the abovementioned Protocol, unaccompanied children under the age of 14 are placed in institutions for children without adequate parental care, while children older than 14 are placed in centres for the provision of services in the community,¹⁶ which also accommodate children experiencing behavioural challenges.¹⁷ Children older than 16 can also be placed in reception centres for asylum seekers with the approval of the legal guardian (see paragraph 69). In 2023, there were 1,113 unaccompanied children in reception centres and 374 in centres for the provision of services in the community, an increase compared to the 329 and 107 children who were accommodated in those centres in 2022 respectively.¹⁸ The increased number of unaccompanied children appears to be related to the general increase in the number of asylum seekers, who tend to stay in Croatia for a brief period of time (see paragraph 68). Although unaccompanied children can in principle be accommodated in foster families, GRETA was informed that no children have been placed in foster families during the reporting period. The placement of unaccompanied children in centres for children experiencing behavioural challenges has been criticised by the Committee on the Rights of the Child (CRC)¹⁹ and civil society organisations including the Croatian Ombudsperson for Children, which found that such institutions are

¹³ Committee on the Rights of the Child, Concluding observations on the combined fifth and sixth periodic reports of Croatia (2022), paragraph 28(b).

¹⁴ Report of the Ombudsperson for Children for 2023, p. 184.

¹⁵ Report of the Ombudsperson for Children for 2023, p. 183. See also Center for Peace Studies, Policy Brief on the Protection of Unaccompanied Children in the Republic of Croatia (2021), p. 3.

¹⁶ According to information provided to GRETA, there were 1,012 children in 23 such institutions as of August 2024.

¹⁷ While the Protocol designates the centres in Zagreb (Dugave) and Split, unaccompanied children have also been placed in other such institutions around the country in recent years due to high numbers.

¹⁸ Report of the Ombudsperson for Children for 2023, p. 181.

¹⁹ CRC, Concluding observations on the combined fifth and sixth periodic reports of Croatia (2022), paragraph 41(f).

not appropriate for unaccompanied children and cannot provide them with the support they need.²⁰ Specifically, the Ombudsperson highlighted the lack of spatial capacity, psychological support, Croatian language classes, interpreters and cultural mediators and the limited health services.²¹ Moreover, as noted above, it is of concern that some children in state care institutions have been exploited by other children (see paragraph 0).

42. There have been no improvements regarding the system for the appointment of legal guardians to unaccompanied children. The guardians, who are employees of the regional office of the Croatian Institution of Social Work (CISW), already have a heavy workload which, coupled with language barriers and lack of interpreters, prevents them from providing the necessary support to unaccompanied children. This problem was already highlighted in GRETA's second report.²² Moreover, a new guardian is appointed once the child is accommodated in a centre for provision of services in the community, which is usually in a different town from the one where the child was initially registered. According to representatives of the CISW met by GRETA, guardians have received training on THB from the CRC, the NGO ROSA and UNHCR during the reporting period. Further, GRETA was informed of a case involving 13 foreign children who had been placed under the guardianship of members of a group they were traveling in, without a proper procedure being carried out to establish the relationship between the children and the guardians. The communication with the children and other members of the group was conducted in English.

43. The Ombudsperson for Children has reported that, although asylum seeking children, including unaccompanied children, have the right to healthcare and education in Croatia they often face obstacles in accessing these rights due to complicated procedures and the language barrier.²³

44. GRETA considers that the Croatian authorities should strengthen measures to prevent trafficking of children, and in particular:

- raise children's awareness of their rights and the risks of human trafficking (including recruitment and abuse through internet/social networks), and how to report abuse, paying particular attention to children in vulnerable situations. Particular efforts should be made to preventing human trafficking of children living in and leaving residential care;
- raise awareness of different forms of trafficking in human beings which affect children, including THB for the purpose of forced criminality, among professionals working with children;
- ensure that a procedure is in place to determine the relationship between foreign children and adults accompanying them, conducted in the language/manner the child can understand, before such persons are designated as legal guardians;
- ensure that all unaccompanied and separated foreign children have access to secure, child-friendly shelters or foster care arrangements. Accommodation should be linked to comprehensive care, including psychosocial support, legal aid, education and health services, in order to reduce the risk of exploitation by traffickers targeting vulnerable children;

²⁰ See the Report of the Ombudsperson for Children for 2023, pp. 181 and 182, as well as Center for Peace Studies, Policy Brief on the Protection of Unaccompanied Children in the Republic of Croatia (2021), p. 6.

²¹ Ibid., p. 183.

²² GRETA's third evaluation report on Croatia, paragraph 197. See also the Report of the Ombudsperson for Children for 2023, p. 182.

²³ Report of the Ombudsperson for Children for 2023, pp. 183-185.

- ensure that specialised NGOs which are members of mobile teams are involved in awareness raising activities, including when such activities are conducted in schools.
- ii. Vulnerabilities related to the gender dimension of human trafficking*

45. According to the information provided by the Croatian authorities, women and girls are predominantly exposed to trafficking in human beings for the purpose of sexual exploitation. In addition, some girls may also be exposed to forced marriage. On the other hand, men are usually victims of trafficking for the purpose of labour exploitation, while there have also been cases of young boys in institutional care who have been exposed to THB for the purpose of forced criminality and labour exploitation (see paragraphs 14 and 0, as well as the table in Appendix 1). GRETA notes that the gender dimension of THB is not reflected in the new National Plan on Combating THB and the accompanying Action Plan.

46. The Croatian authorities have referred to several activities aimed at reducing the vulnerability of women and girls to THB for the purpose of sexual exploitation. In 2022 and 2023, two international conferences, entitled 'Improving the response to trafficking in persons for sexual exploitation, especially women and girls, through addressing demand in South-Eastern Europe' were organised in Dubrovnik by the OHRRNM, the UNODC, the OSCE, the Swedish Ministry of Foreign Affairs and the French Ministry for Europe and Foreign Affairs.

47. A documentary film about successful Roma women, entitled "Their Own", was shown on television and is available on the website of the OHRRNM, with the aim of helping increase young Roma women's independence and protecting them from being exposed to violence and THB.

48. Prostitution is punished as a misdemeanour and there are no programmes for the support of persons who wish to exit prostitution. GRETA was informed that the Croatian authorities are exploring the possibility of decriminalising prostitution while criminalising the purchase of sex (in this context, see paragraphs 174-177). GRETA refers to the recommendation of CEDAW that the Croatian authorities should consider measures to discourage the demand for prostitution, strengthen measures to identify and provide support to women at risk of trafficking, and analyse the factors leading to the involvement of non-national women in prostitution in order to strengthen measures to address their specific vulnerabilities to trafficking and exploitation of prostitution.²⁴

49. GRETA was informed of several legislative changes adopted in March 2024 aimed at addressing violence against women, which may constitute an additional vulnerability factor in the context of THB. The amendments introduced the criminal offence of 'aggravated murder of a female person,' increased the punishment for rape and serious offences against sexual freedom, and repealed the statute of limitations for sexual abuse and abuse of a child. Further, the fines for all forms of domestic violence were increased, and the measure of pre-trial detention was introduced in cases of violation of precautionary measures.

50. While welcoming the measures taken to address violence against women, GRETA considers that the Croatian authorities should take further measures to address specifically the vulnerabilities related to the gender dimension of human trafficking, including through awareness raising and training aimed at eliminating sexual and gender-based violence. Moreover, gender-sensitive approaches should be integrated in anti-trafficking legislation, policies and action plans, ensuring that victims of all genders receive equal access to justice and protection.

²⁴ CEDAW, Concluding observations on the combined fourth and fifth periodic reports of Croatia (2015), paragraph 21, sub-paragraphs b, c and g.

iii. LGBTI persons

51. Many LGBTI and especially transgender persons in Croatia face discrimination and limited access to employment and services, which renders them vulnerable to exploitation and possibly trafficking in human beings. According to a survey of LGBTI persons in Croatia published by the European Agency for Fundamental Rights (FRA) in 2024, 35% of respondents said they felt discriminated against in at least one area of life.²⁵ Moreover, 32% of respondents said that violence against LGBTI persons had increased. Civil society organisations have reported on the vulnerability of young LGBTI persons who have faced homelessness as a result of unemployment as well as lack of support and even violence from their families.

52. GRETA was not informed of any measures specifically aimed at addressing the vulnerability of LGBTI persons to trafficking in human beings. According to information provided by the authorities, none of the victims identified during the reporting period was subjected to exploitation on the basis of their sexual orientation and/or gender identity.

53. GRETA considers that the Croatian authorities should take steps to address the vulnerability of LGBTI persons to trafficking in human beings, in close co-operation with civil society organisations.

iv. Migrant workers

54. In the years since GRETA's third evaluation of Croatia, the number of foreign workers from third countries has gone up significantly. According to official statistics, 172,499 work and residence permits were issued to workers from third countries in 2023, 39% more than in 2022.²⁶ In the first seven months of 2024, 131,879 work permits were issued to third-country nationals. While many of the foreign workers come from the neighbouring countries (e.g. Bosnia and Herzegovina and Serbia), Croatian companies have employed an increasing number of workers from Asia (e.g. Nepal, India, the Philippines and Bangladesh) and to some extent Africa (e.g. Egypt),²⁷ predominantly in construction, food delivery and transportation (i.e. taxi drivers) industries, as well as in caregiving in homes for persons with disabilities.

55. Although only a few victims of trafficking have been identified among migrant workers (see paragraph 144), this group is particularly exposed to the risk of exploitation and trafficking, due in part to their lack of family and social ties in Croatia and the linguistic barrier,²⁸ as well as insufficient oversight over employment agencies. The 2023 report of the Croatian Ombudsperson highlights the fact that many foreign workers are placed in inadequate and crowded accommodations and calls on the authorities to adopt without delay amendments to the Law on Foreigners which would, *inter alia*, regulate the requirements for the accommodation of all foreign workers (see paragraph 57).²⁹ Workers from Nepal have spoken publicly about the exploitative conditions in which some of them work, including high fees

²⁵ FRA, EU LGBTIQ Survey III, LGBTIQ Equality at a Crossroads: Progress and Challenges, Country Data: Croatia, 2024, available at: https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwiAjcP95_GIAxUVwAIHHQ1sI44QFnoECB4QAQ&url=https%3A%2F%2Ffra.europa.eu%2Fsites%2Fdefault%2Ffiles%2Ffra_uploads%2Ffgbtiq_survey-2024-country_sheet-croatia.pdf&usq=AOvVaw2iWtHfn6zV4FrAvM2vuknP&opi=89978449.

²⁶ Ombudsperson report for 2023, p. 44. See also the official statistics of the Ministry of the Interior at <https://mup.gov.hr/gradjani-281562/moji-dokumenti-281563/stranci-333/statistika-169019/169019> (accessed on 3/9/2024).

²⁷ According to the official statistics of the Ministry of the Interior, most of the 172,499 work permits issued in 2023 (112,981 of which were for newly recruited employees) concerned nationals of the following countries: Bosnia and Herzegovina (38,236), Serbia (24,028), Nepal (23,493), India (15,627), North Macedonia (13,412), the Philippines (10,999), Kosovo (9,922), Bangladesh (8,749), Türkiye (5,067), and Albania (4,244).

²⁸ Language courses offered by the state are mostly available for persons who have been granted international protection, while migrants largely rely on NGOs to provide them with language courses. See Butković H., Samardžija V. and Rukavina I., Foreign Workers in Croatia: Challenges and Opportunities for Economics and Social Development (2022), pp. 6 and 17.

²⁹ Report of the Croatian Ombudsperson for 2023, p. 47. According to the report, amendments to the Law on Foreigners will be followed by amendments to the Rulebook on the stay of third-country nationals in Croatia, which currently only regulates the spatial and sanitary requirements for the accommodation of seasonal workers.

imposed by local employment agencies, long working hours, as well as fees for the rental of work equipment (e.g. bicycles and mobile phones) and the costs of food and accommodation which are deducted from their pay checks.³⁰ Moreover, foreign workers have been victims of a number of incidents involving verbal and physical violence from members of the public, which further contributes to their vulnerability.³¹ GRETA refers to the recent Concluding observations of the Committee on Economic, Social and Cultural Rights (CESCR), which expressed concern over reports that “migrant workers, in particular unskilled and low-wage earners in the construction, service, transportation, and food-delivery sectors, frequently experience non-payment or delayed payment of wages, denial of rest breaks, and failure to provide an employment contract,” as well as the fact that “many migrant workers do not seek remedies for labour rights violations due to fear of retaliation from employers, such as contract termination.”³²

56. The employment of third-country nationals is regulated by the Labour Act and the Law on Foreigners. The new Law on Foreigners, which came into force in January 2021 and was subsequently amended in 2022, made it easier to employ third-country nationals by eliminating the quota system.³³ The law foresees fines for both the employer and the employee in case of violation of the law.³⁴ Work permits issued to third-country nationals are valid for one year and, according to the Labour Act, workers can only work for the employer for whom the work permit was issued. GRETA's interlocutors have identified as particularly vulnerable foreign workers whose contracts are terminated early by the employer or for whom employers do not request an extension of the one-year work permit (reportedly around 30%). It is not known how many of those workers return to their home country and how many continue to work without a work and residence permit.

57. GRETA was informed that further amendments to the Law on Foreigners were adopted on 21 February 2025. The amendments, *inter alia*, increase the length of work permits for third-country nationals from one to three years and allow for a period of unemployment of 60 days during which third-country nationals can stay in Croatia to look for employment in case their previous contract is terminated. The law also allows foreign workers from third countries to change employers after one year without having to obtain a new work permit and preclude the issuance of work permits in case the employer has been sanctioned for failure to pay social benefits for employees or provide safety at work. GRETA welcomes the adoption of the amendments to the Law on Foreigners which provide guarantees against the exploitation of migrant workers.

³⁰ <https://www.jutarnji.hr/vijesti/hrvatska/video-pogledajte-kako-je-izgledao-skup-nepalaca-u-centru-zagreba-dosta-nam-je-izrabljivanje-15329587> (accessed on 4/9/2024). The Non-Resident Nepali Association (NRNA), a non-governmental organisation representing Nepalese diaspora, has a branch in Croatia.

³¹ See, for example: <https://www.jutarnji.hr/vijesti/zagreb/lov-na-strane-radnike-se-nastavlja-napadnuta-dva-taksista-cak-sedmero-ljudi-nasrnulo-na-njih-15493456>; and https://www.index.hr/vijesti/clanak/u-zagrebu-divljacki-napali-indijca-prisli-mu-zbog-cigarete-pa-ga-brutalno-prebili/2592903.aspx?index_ref=naslovnica_vijesti_ostalo_d_0.

³² CESCR, Concluding observations on the second periodic report of Croatia, adopted by the Committee at its seventy-seventh session (10-28 February 2025), paragraph 26.

³³ The law replaced the previous quota system for the employment of third-country nationals with the labour market test system, which requires employers to try to recruit locally (through the Croatian Employment Service) before they can employ third-country nationals. However, jobs which are in high demand, including those in the construction industry, are exempted from the labour market test.

³⁴ Third-country nationals can be issued fines in the range of 920 to 1,320 euros, while the fines for employers range from 6,630 to 13,270 euros.

58. In 2021, the Croatian Government adopted the National Programme for the Suppression of Undeclared Work for 2021-2024 and the accompanying Action Plan. This was followed by the adoption of the Law on the Suppression of Undeclared Work (Official Gazette no. 151/22), which came into force in January 2023. The law foresees sanctions for employers in cases where employees are working without a contract, are not registered for mandatory pension insurance or are not employed in compliance with the relevant provisions of the Law on Foreigners. Employers who violate the law are ordered to register employees with the mandatory pension insurance within three days and to pay a fine of 2,650 euros per employee. Further violations of the law incur increased fines and a prohibition to operate for a minimum of 30 days. The law also provides for the establishment of a database of employers who have been found in violation of this law.³⁵ It is estimated that undeclared work is most prevalent in construction, tourism, and agriculture.³⁶

59. The mandate of labour inspectors,³⁷ who are included in the National Committee for Combating THB, covers the enforcement of the Labour Act, the abovementioned laws and the legislation related to safety at work. The total number of labour inspector positions in Croatia is 268 (148 for labour relations and 120 for safety at work), distributed between the Central Office in Zagreb, the five regional and 29 local offices. At the time of GRETA's visit, 187 of those positions were filled (109 covering labour relations and 78 safety at work). Labour inspectors apply guidelines with a list of questions to be posed to third-country nationals regarding their contract, salary, accommodation, how they travelled to Croatia and whether they have their passports and residence permits. A separate list of THB indicators in relation to nationals of Ukraine was published on the intranet page of the State Inspectorate in 2022. GRETA was informed that the last training on THB for labour inspectors was organised in 2010. It was envisaged that internal training on THB would be provided to 20 labour inspectors in 2024, 40 in 2025, and 30 in 2026, by the State Inspectorate in co-operation with the OHRRNM, the Ministry of the Interior and the Judicial Academy. In 2025, four regional training sessions are planned for labour inspectors and healthcare workers, with a focus on foreign workers. The topic of labour exploitation is also included in the annual international conference on THB which was scheduled to take place in March 2025 in Dubrovnik.

60. Inspections of businesses which employ third-country nationals are usually conducted jointly with the police, although labour inspectors may also conduct inspections with representatives of other entities such as inspectors for road safety in relation to the employment of taxi drivers. In the period from 2020 until the end of May 2024, labour inspectors conducted a total of 1,102 joint inspections, mostly with the police. The State Inspectorate concluded a five-year memorandum of understanding with the Agency for Payments in Agriculture, Fisheries and Rural Development, concerning inspections on family farms, and has conducted 1,519 inspections at the request of the Agency between 1 January 2020 and 29 May 2024. The State Inspectorate also co-operates with labour unions, in particular those representing construction workers, and conducts inspections at their request.

61. In 2023, the State Inspectorate found that 578 third-country nationals were employed in violation of the Law on Foreigners, around 10% more than in the previous year.³⁸ It issued 136 decisions on temporary prohibition of operation and collected 418,095 euros in fines.³⁹ A further 102 decisions were issued in the first five months of 2024. Moreover, 304 decisions were issued pursuant to the Law on the Suppression of Undeclared Work in 2023, concerning 438 employees of whom 167 were third-country nationals. The total amount of fines issued during this year was 1,179,270 euros. In the first five months

³⁵ The establishment of the database requires the adoption of relevant regulations. The database will be published on the website of the Ministry of Labour, Pension System, Family and Social Policy.

³⁶ European Labour Authority, Factsheet on Undeclared Work – Croatia (March 2023), p.4.

³⁷ Labour inspectors are part of the State Inspectorate of the Republic of Croatia.

³⁸ Report of the Croatian Ombudsperson for 2023, p. 48 (in Croatian only).

³⁹ Most of the foreign workers who were found to be working without a work and residence permit were employed in the hospitality and construction industries, and were nationals of Serbia, Bosnia and Herzegovina, North Macedonia, Nepal, Albania, Kosovo, and Montenegro.

of 2024, labour inspectors issued 130 decisions concerning 249 workers and fines in the total amount of 661,210. Most cases were identified in the construction and hospitality industries.

62. GRETA was informed that communication with foreign workers represents a problem during some inspections. In cases where inspectors know the nationality of foreign workers to be encountered during the inspection, they engage a court interpreter for that language to be present during the inspection. Otherwise, they rely on the assistance of workers who speak Croatian, with the consent of other workers being interviewed.

63. The Office of the Ombudsperson has published on its website information for foreign workers on how to protect their rights in the workplace, in 12 languages.⁴⁰ The MoLPSFSP also maintains a website (<https://migracije.hr/>), which contains detailed information about social security rights for migrant workers, including third-country nationals, which is available in Croatian, English, Italian, French and German. However, foreign workers are not systematically informed of their rights and obligations, as well as the conditions of their employment, even though this is required by the Labour Act. The abovementioned report of the Ombudsperson notes that many foreign workers have trouble understanding their contracts which are usually in Croatian, and that some are under the impression that the residence and work permit they are issued actually represent a contract of employment.⁴¹

64. The Action Plan on Combating THB (2024-2026) envisages preventive measures aimed at the business sector (Measure 3), to be implemented by the MoLPSFSP, the State Inspectorate and the OHRRNM. The expected results concern the establishment of a network of businesses, the inclusion of THB in the training provided by private companies, and inter-sectoral co-operation aimed at the ratification of international agreements. The Action Plan also mentions the improvement of conditions for the employment of workers in private homes, but no specific measures are included. GRETA was informed that the OHRRNM, in co-operation with the OSCE, organised a roundtable entitled "Supply Chains: Promoting Human Rights and Social Responsibility in Light of the EU Corporate Sustainability Due Diligence Directive" on the European Anti-Trafficking Day (18 October) in 2024, which included the participation of representatives of state administration bodies and the private sector.

65. The operation of private employment agencies (i.e. agencies for mediation in employment and temporary employment agencies) is regulated by the Labour Market Act and the Ordinance on Performing Activities Related to Hiring. Employment agencies must register with the MoLPSFSP and are prohibited from charging fees to employees. Violations of the relevant legislation represent a misdemeanour and are punishable by a fine.⁴² The Croatian authorities have noted an increased number of private employment agencies which renders the supervision of their work by the State Inspectorate more difficult. As of April 2024, there were 702 agencies for temporary employment and 628 agencies for mediation in employment. The Croatian authorities have also identified as a challenge the fact that many private employment agencies do not operate at the address of their headquarters, as a result of which inspections cannot be carried out. Moreover, some agencies fail to register with the MoLPSFSP altogether. It is often difficult to prove that agencies have charged fees to employees, and many third-country nationals are required to pay fees to recruitment agencies in their home countries.

66. The Office of the Ombudsperson has stressed the importance of concluding bilateral agreements on social insurance with countries from which foreign workers originate, in order to guarantee that foreign workers will have access to health insurance, pension and unemployment benefits. GRETA was informed that Croatia has concluded such agreements with Albania, Australia, Bosnia and Herzegovina, Canada

⁴⁰ Albanian, Croatian, Bengali, English, Filipino, French, German, Hindu, Macedonian, Nepalese, Ukrainian and Turkish. See <https://www.ombudsman.hr/en/information-for-foreign-workers-in-croatia-how-to-protect-your-employment-rights/> (accessed on 2/9/2024).

⁴¹ Report of the Croatian Ombudsperson for 2023, p. 46 (in Croatian only). While welcoming the plan of the local authorities in Zagreb, Split and Varaždin to provide Croatian classes to foreign workers, the report notes that such classes should be organised on national level.

⁴² For a detailed overview of the relevant legislation, see the Croatian authorities' Reply to the 4th round questionnaire, pp. 39-44.

(and a separate agreement with Quebec), Kosovo,⁴³ Montenegro, North Macedonia, Serbia, Türkiye, and the Republic of Korea. GRETA was also informed that the Croatian Employment Service concluded a memorandum of understanding with its counterparts in Ukraine (2018) and in North Macedonia (2022). Moreover, in 2024, a Memorandum of Cooperation in the Field of the Labour Market was signed between the Department of Migrant Workers of the Republic of the Philippines and the Croatian Ministry of Labour, Pension System, Family and Social Policy.

67. GRETA welcomes the abovementioned changes in the policy and legislative framework aimed at providing greater protection for foreign workers in Croatia. Referring to GRETA's Guidance Note on combating trafficking for labour exploitation⁴⁴ and the Council of Europe Committee of Ministers Recommendation to Member States CM/Rec(2022)21 on preventing and combating trafficking in human beings for the purpose of labour exploitation,⁴⁵ GRETA considers that the Croatian authorities should take further steps to protect migrant workers from trafficking in human beings, in particular by:

- systematically providing information to foreign workers, and especially third-country nationals, in a language they can understand, about the risks of THB for the purpose of labour exploitation and the rights of victims of trafficking, as well as on workers' rights under labour laws;
- ensuring that migrant workers have access to reporting mechanisms and effective anonymous complaint mechanisms so that victims of abuse or exploitation can submit their case without fear of reprisals;
- ensuring that the living and working conditions of migrant workers meet all the requirements laid down in the legislation with a view to preventing abuse and exploitation;
- increasing the human and financial resources of the State Inspectorate so that it can be more effectively engaged in the prevention and detection of THB;
- providing training on trafficking in human beings to labour inspectors and other relevant officials, with a focus on vulnerabilities that lead to THB and on early detection of cases of THB for the purpose of labour exploitation;
- ensuring the availability of interpreters for the languages commonly spoken by workers from third countries during inspections carried out by the State Inspectorate, and avoiding the practice of using other workers as interpreters;
- enhancing inspections of premises where irregular employment may be taking place, in order to prevent and detect cases of THB for the purpose of labour exploitation;
- intensifying the monitoring of private employment agencies with a view to protecting foreign workers employed in Croatia through those agencies.

⁴³ All references to Kosovo, whether the territory, institutions or population, in this text shall be understood in full compliance with United Nation's Security Council Resolution 1244 and without prejudice to the status of Kosovo.

⁴⁴ <https://rm.coe.int/guidance-note-on-preventing-and-combating-trafficking-in-human-beings-/1680a1060c>.

⁴⁵ <https://rm.coe.int/booklet-preventing-and-combating-trafficking-in-human-beings-for-the-p/1680aa08ef>.

v. Asylum seekers and refugees

68. There has been a significant increase in the number of persons who applied for asylum in Croatia. Namely, 68,114 persons expressed their intention to apply for asylum⁴⁶ in 2023, as compared to 12,872 persons in 2022.⁴⁷ At the time of GRETA's visit, 10,219 persons had registered as asylum seekers since the beginning of 2024. The number of actual applications for asylum which were filed during this period (i.e. upon arrival in a reception centre) is much lower, due to the fact that many persons either do not report to a reception centre after expressing their intention to apply for asylum or leave the centre shortly after arrival (the average stay is between 24 hours and three days).⁴⁸

69. Asylum seekers are placed in reception centres in Zagreb and Kutina. The latter is designated for vulnerable individuals (i.e. families and victims of gender-based violence). Unaccompanied foreign children under 16 are accommodated in institutions for care of children (see paragraph 41) and asylum seekers for whom reception centres are not suitable (e.g. persons in wheelchairs) can be placed in alternative accommodation. Due to the sharp increase in the number of asylum seekers in 2023, more than 34,000 persons stayed in the reception centres during this year, resulting in overcrowding and difficulties in ensuring cleanliness and hygiene of the premises.⁴⁹ The problem was partly resolved by installing 27 containers next to the centre in Kutina. At the time of GRETA's visit, there were 529 asylum seekers accommodated in the reception centre in Zagreb (the capacity is 600) and 100 in Kutina (the capacity is 300).

70. The GRETA delegation visited the reception centre in Zagreb, which employs 25 staff, including those processing applications for asylum. The CRC and Médecins du Monde (MdM) have offices at the centre and staff who are present on a daily basis.⁵⁰ They conduct a needs assessment of newly arrived asylum seekers, which comprises a psychological and medical evaluation. Vulnerable persons, which include victims of trafficking, children/unaccompanied foreign children, persons with disabilities and mental health problems, are entitled to certain reception and procedural guarantees, under the Law on International and Temporary Protection (LITP). The first asylum interview contains questions which are aimed at detecting specific vulnerabilities and applications of vulnerable individuals are given priority. However, the Office of the Ombudsperson has noted that the detection of vulnerabilities among asylum seekers with disabilities is limited to physical disabilities. According to available statistics, 12,389 applicants for international protection were identified as belonging to a vulnerable group in 2023, most of them being children.⁵¹

⁴⁶ Pursuant to Articles 33 and 34 of the Law on International and Temporary Protection, asylum seekers must first express their intention to seek asylum in Croatia, either at the border crossing or at a police station if they are already on Croatian territory. The application for asylum is made in the reception centre where the asylum seeker is accommodated.

⁴⁷ Croatia joined the Schengen area on 1 January 2023.

⁴⁸ Reportedly, in the first 10 months of 2023, 97% of persons who expressed their intention to apply for or submitted an application for international protection left or were trying to leave Croatia in order to go to Western Europe. Moreover, 47% of persons who have expressed their intention to apply for international protection never report to one of the reception centres. See <https://asylumineurope.org/reports/country/croatia/reception-conditions/housing/conditions-reception-facilities/> (accessed on 18/09/2024).

⁴⁹ See <https://asylumineurope.org/reports/country/croatia/reception-conditions/short-overview-of-the-reception-system/> (accessed on 17/09/2024). See also a video showing the conditions in the reception centre in Zagreb, posted by an asylum seeker in September 2023, available at: <https://www.youtube.com/watch?v=mZh1Mz9MkLk> (accessed on 18/09/2024).

⁵⁰ The two organisations, as well as the UNHCR, visit the reception centre in Kutina weekly, but they do not have staff permanently present in that centre.

⁵¹ Of these, 10,634 were children, 1,516 were unaccompanied children, and the remaining individuals were victims of gender-based violence or torture. See Special reception needs of vulnerable groups (Croatia), available at: <https://asylumineurope.org/reports/country/croatia/reception-conditions/special-reception-needs-vulnerable-groups/> (accessed on 18/09/2024).

71. The CRC and MdM provide psychological and medical assistance to asylum seekers (including referral to specialised medical care), as well as Croatian language classes, educational and recreational workshops, and other types of support.⁵² GRETA was informed that there are interpreters and staff members of the two organisations who speak Arabic, Farsi/Pashto, Spanish, French and Russian. Nonetheless, it has been noted that the lack of interpreters for other languages (e.g. Kurdish and Kirundi) renders communication with some asylum seekers difficult.

72. Asylum seekers accommodated in reception centres are reportedly informed of their rights and services available by the CRC and MdM and during the asylum interview, and they have access to various information materials in the form of flyers, brochures and posters which are displayed in several places in the reception centre. It should be noted that some of the information may not be accessible to all asylum seekers, some of whom may not be able to read. The Office of the Ombudsperson has recommended to prepare videos/recorded messages explaining the rights and services available to asylum seekers, as well as to provide information on THB.

73. NGOs such as ROSA,⁵³ the Centre for Peace Studies, Are You Syrious, the Centre for Stress and Trauma (RTC), and the Jesuit Refugee Service (JRS) provide support to asylum seekers, including legal and psychological counselling, Croatian language classes, and assistance in finding employment. These NGOs also have experience in detecting and assisting victims of THB. However, NGOs other than the CRC and MdM have not had access to the reception centres since 2020, which has reportedly limited their ability to assist asylum seekers. The Croatian authorities have explained that it was necessary to limit access to reception centres to accommodate the need for more staff, in light of the increased number of asylum seekers, and that the CRC and MdM provide all of the necessary services to asylum seekers. Moreover, they observed that asylum seekers can still visit NGOs in their offices since they have free access to public transportation. However, many asylum seekers may not be aware of the support that is available outside the reception centres.

74. Of particular concern is the apparent lack of screening for vulnerabilities, as well as indicators of trafficking, at the border and in the registration centre at Dugi Dol close to the border with Bosnia and Herzegovina where asylum seekers first express their intention to seek asylum and spend 24 hours before they are supposed to report to the Porin reception centre (see also paragraph 0 regarding pushbacks). Many asylum seekers, including possible victims of trafficking, choose to continue their journey towards other EU countries thereafter and have no further contact with the authorities. GRETA is also alarmed by reports that some asylum seekers, who may include victims of trafficking, have been asked to sign a declaration on voluntary return to Bosnia and Herzegovina and/or a document agreeing to suspend the asylum proceedings. GRETA's interlocutors have underlined the need for more training on the detection of vulnerabilities and indicators of THB to be provided to professionals coming in contact with asylum seekers, especially border police officers and staff at the Dugi Dol registration centre.

75. According to official statistics, there were 22,999 persons displaced by the full-scale Russian aggression on Ukraine (3,961 men, 11,405 women and 7,633 children) in Croatia in 2023 who had been granted temporary international protection. GRETA was informed that they have been provided with accommodation and support, access to education and employment, as well as Croatian language classes by the authorities, NGOs and the UNHCR. Nonetheless, according to the Office of the Ombudsperson, some persons from Ukraine have experienced difficulties accessing services, including enrolling their children in schools and kindergartens, and have had limited access to Croatian language classes. Moreover, insufficient information has been provided to them with regard to their rights.⁵⁴ Concern has also been expressed with regard to the fact that the temporary protection for persons from Ukraine is set

⁵² The facilities include an IT room, a play room, an arts and crafts room, a library, a music room and a barber shop where asylum seekers with barber experience can provide services to other asylum seekers.

⁵³ NGO ROSA continues to run the SOS phone helpline which facilitates the detection of possible victims of human trafficking.

⁵⁴ Annual report of the Ombudsperson, pp. 153 and 154.

to expire in 2025, leaving these persons vulnerable to exploitation. The Croatian authorities have prepared a leaflet ("Dear People, Welcome to Croatia"), in Ukrainian, which includes information on the risks of trafficking and contact information of service providers, and was reportedly distributed to all Ukrainians upon arrival in Croatia. In this context, GRETA refers to its Guidance Note on addressing the risks of trafficking in human beings related to the war in Ukraine and the ensuing humanitarian crisis.⁵⁵

76. A positive development are amendments to the LITP from 2023 (Article 61), which allow asylum seekers to work three months after they filed the application for international protection, as opposed to nine months under the previous law. Moreover, according to the Labour Market Law (Article 14), asylum seekers, have the right to be registered with the Croatian Employment Service (CES) and receive assistance in finding employment if a decision on their asylum claim has not been issued within the legally prescribed deadline through no fault of their own. These services are also available to persons who have been granted temporary and international protection. Around 1,700 persons, most of whom were recipients of temporary protection, received counselling services from the CES in 2022, and 700 remained registered as unemployed at the end of the year.

77. The Croatian authorities have taken a number of measures aimed at facilitating the integration of persons who have been granted international protection. In 2022, the OHRNM published a short video on the rights of persons granted international and temporary protection, which is available on its website in Croatian with subtitles in Arabic, English, Farsi, French, Kurdish, Pashto, and Turkish.⁵⁶ In 2023, the OHRNM also published a brochure on the same topic in 12 languages,⁵⁷ as part of the project INCLuDE – Inter-Sectoral Cooperation in the Empowerment of Third-Country Nationals, which is co-financed by the EU Asylum, Migration and Integration Fund. The project also included a number of training sessions for representatives of local authorities (integration co-ordinators) and members of the Advisory Group of Third-Country Nationals and Persons of Migrant Origin which was established in 2021, as well as the adoption in December 2022 of the Protocol for the integration of persons who have been granted international protection. GRETA was informed that the authorities have initiated the preparation of a National Strategy for Asylum and Migration Management, in accordance with the relevant EU regulations, which will encompass the early integration of persons under international and temporary protection.

78. GRETA welcomes the legislative changes aimed at improving asylum seekers' access to employment, the initiation of the preparation of a National Strategy for Asylum and Migration Management, as well as the measures which facilitate the integration of persons who have been granted international protection. However, GRETA is concerned that many vulnerable persons among asylum seekers remain undetected, thus exposing them to a serious risk of exploitation and trafficking. While recognising the challenges presented by the fact that Croatia is still mainly a transit country for migrants and asylum seekers, GRETA urges the Croatian authorities to take measures to prevent asylum seekers from becoming victims of THB, in particular by:

- putting in place procedures for screening of asylum seekers for vulnerabilities throughout the country, including at border crossing points;
- providing training on trafficking in human beings to border and local police officers, as well as other relevant officials, with a focus on vulnerabilities that lead to THB and on early detection of cases of THB among asylum seekers.

⁵⁵ <https://rm.coe.int/guidance-note-on-addressing-the-risks-of-trafficking-in-human-beings-r/1680a663e2>.

⁵⁶ <https://ljudskaprava.gov.hr/vijesti/videoigrafika-ukljucivanje-osoba-pod-medjunarodnom-zastitom-u-hrvatsko-drustvo-prevedena-na-7-jezika-arapski-engleski-farsi-francuski-kurdski-pastu-i-turski/1086> (accessed on 18/09/2024).

⁵⁷ Arabic, Croatian, English, Farsi, Filipino, French, Hindi, Nepali, Pashto, Spanish, Turkish and Ukrainian.

79. Further, GRETA considers that the Croatian authorities should systematically provide information to asylum seekers, in a language they can understand, about the risks of THB as well as their rights as asylum seekers and as victims of THB, and how to contact NGOs specialised in THB which do not have access to the asylum reception centres and obtain assistance.

vi. Roma community

80. The vulnerability of the Roma to THB was already highlighted in the previous GRETA reports. Available data shows that members of the Roma national minority,⁵⁸ especially women and children, are vulnerable to different types of exploitation, including through forced marriage and forced begging. Limited access to employment, poverty⁵⁹ and discrimination which many Roma persons experience, are among the root causes of this vulnerability. According to information provided to GRETA, 46% of Roma live in isolated neighbourhoods with inadequate infrastructure and housing. Although Roma pupils' enrolment in primary education has increased to 95%,⁶⁰ Roma children and especially girls remain much more likely to drop out of school than other pupils,⁶¹ and they are less likely to attend secondary school,⁶² leaving them exposed to the risk of child marriage and unemployment. Segregation of Roma students from other children has been highlighted by the Ombudsperson who recommended that the Croatian Government take urgent measures to end this practice.⁶³ GRETA's interlocutors have also emphasised the importance of preschool education for Roma children starting from an early age. Child marriages and child pregnancies are not uncommon in some Roma communities⁶⁴ and there appears to be a lack of understanding on the part of some officials that such practices may be part of trafficking in human beings.

81. Between 2019 and 2022, the Office of Human Rights and Rights of National Minorities (OHRRNM), which co-ordinates action against THB, implemented the project "Roma Inclusion – Fulfilling Preconditions for Successful Implementation of National Minority Policies – PHASE I," co-financed by the European Social Fund, which included the preparation of five detailed studies concerning the position of the Roma in Croatian society and measures needed for their integration.⁶⁵ The findings presented in these studies were used in preparation of the National Plan for Roma Inclusion 2021-2027, which is accompanied by the Action Plan for the Implementation of the National Plan for Roma Inclusion 2023-2025.⁶⁶ The two documents contain seven objectives and measures aimed at their implementation, namely 1) combating anti-Roma racism and discrimination, 2) reducing poverty and social exclusion of the Roma, 3)

⁵⁸ According to the 2021 census, there are 17,980 Roma living in Croatia. See <https://podaci.dzs.hr/hr/podaci/stanovnistvo/popis-stanovnistva/> (accessed on 5/9/2024). However, a mapping of the Roma population conducted in 2018 estimates the number of Roma to be higher, namely 24,524.

Klasnić, K., Kunac, S., Lalić, S. (2020.): Roma Inclusion in the Croatian Society: a Baseline Data Study. Officer for Human Rights and Rights of National Minorities of the Government of Croatia, Zagreb, p. 70.

⁵⁹ According to the annual report of the Ombudsperson for 2023, p. 146, 92.4% of Roma are at risk of poverty.

⁶⁰ See ECRI's fifth report, paragraph 76, welcoming this development.

⁶¹ According to the Office of the Ombudsperson, Roma children represented 90% of drop-outs in the school year 2022/2023.

⁶² According to the National Plan for Roma Inclusion 2021-2027 (p. 27), "only 31% of young Roma aged 15 to 18 attend secondary school, and statistically significant differences were found according to gender – 36% of boys attend secondary school, while the same is true for only 26% of girls."

⁶³ Annual report of the Ombudsperson for 2023, p. 145. According to the report (p. 144), 36% of Roma pupils in 24 primary schools across Croatia attend entirely ethnically segregated classes, while 54% of Roma pupils attend classes in which the Roma represent 70% of the pupils.

⁶⁴ According to the report Roma Inclusion in the Croatian Society: A Baseline Data Study (2018), p. 22, "in the Roma population, adolescent pregnancies are exceptionally frequent, that is, as many as half of women who gave birth to at least one child had the first child while they were still adolescent."

⁶⁵ The studies built on a baseline study conducted in 2018 and covered the following topics: women, youth and children; identity, social distance and the experience of discrimination; education and employment; health care and social welfare; and special planning, housing and environmental protection. The studies are available at <https://ljudskaprava.gov.hr>.

⁶⁶ In its Fifth Monitoring Report (2018), ECRI recommended in paragraph 70 that the previous National Roma Inclusion Strategy (2013-2020) "be revised systematically to include more targeted measures and success indicators to measure its impact and to redefine its parameters and goals where necessary".

encouraging Roma participation through empowerment, 4) equal access to quality, inclusive education, 5) equal access to quality, sustainable employment, 6) equal access to quality health services, and 7) equal access to suitable desegregated housing and basic services.

82. GRETA notes that the National Plan for Roma Inclusion and the accompanying Action Plan do not contain specific measures to prevent THB. Similarly, the new National Plan for Combating THB and its Action Plan do not contain any measures specifically aimed at the Roma population. The Croatian authorities have noted that the link between these strategic documents will be ensured through the training of relevant professionals.

83. A documentary film titled "Marry when you're ready," produced by the Police Directorate and the Roma women's association Roma Heart, and an educational video entitled "Two Girls," have been used to raise awareness among young Roma girls regarding the problem of child/forced marriage and dangers of sexual exploitation. During the visit to the city of Čakovec in the Međimurje County, which has the largest Roma population in the country, GRETA was informed that the CRC regularly carries out information campaigns concerning prevention of THB in schools across the county, and the county is developing a project together with UNICEF aimed at empowering Roma girls through extracurricular activities and classes on reproductive health. In 2023, the Director of the OHRRNM took part in the Young Roma People's Congress to draw attention to the dangers facing young people, including THB. The Roma NGO Kali Sara has also implemented a project which focused on providing information on women's rights and reproductive health to young Roma women. While welcoming the efforts made to raise awareness of THB risks among the Roma population, GRETA invites the authorities to evaluate the effectiveness of these activities by measuring their impact. Future campaigns should also address new and emerging trends and forms of human trafficking.

84. GRETA notes that more work should be done in the Roma community, and in particular with parents of Roma children, to raise awareness of the fact that child/forced marriage⁶⁷ and forced begging, may constitute trafficking in human beings or other criminal offences. Moreover, the GRETA delegation has noted a lack of awareness of THB among some of the professionals working with the Roma community, including in the Međimurje County, and even a certain level of tolerance for harmful practices which are seen as part of the Roma tradition. While child/forced marriage and early pregnancy were identified as the main problem affecting Roma girls in the Međimurje County, such cases are rarely reported and investigated. Moreover, GRETA was informed that Roma women and girls from the county were involved in forced begging in Zagreb as a way of paying off a family debt. In their comments to the draft report, the Croatian authorities indicated that a total of five cases of THB for the purpose of forced marriage were investigated in the period 2020-2024. According to the authorities, the police is not aware of any cases of Roma women and girls from the Međimurje County who were forced to beg in Zagreb.

85. GRETA refers to the recommendation of the UN Committee on the Rights of the Child providing that the Croatian authorities should "[s]trengthen comprehensive awareness-raising programmes on the harmful cultural and traditional practices that perpetuate child marriage, particularly among the Roma community, and the effects of child marriage on the physical and mental health and well-being of girls, targeted at families, communities, local authorities, religious leaders and judges, paying particular attention to vulnerable groups."⁶⁸

⁶⁷ Persons between the ages of 16 and 18 can be legally married with the agreement of their legal guardian. In its Concluding observations on the combined fifth and sixth periodic reports of Croatia, the Committee on the Rights of the Child recommended that Croatia remove in its legislation all exceptions that allow marriage under the age of 18 years (paragraph 14). The same was recommended by the Ombudsperson for Gender Equality.

⁶⁸ Committee on the Rights of the Child, Concluding observations on the combined fifth and sixth periodic reports of Croatia (2022), paragraph 26(a).

86. Five Centres for Children and Families were established in the **Međimurje** County as part of the project "Phase III: Testing the Child Guarantee in Croatia," financed by the EU and implemented by UNICEF and the MoLPSFSP, which was completed in March 2023. As part of the project, Roma children and their parents benefited from family support programmes and training was provided to kindergarten teachers and Roma mediators.⁶⁹ GRETA was informed that the continuous work of the centres will be ensured through the Roma Equality, Inclusion, Participation and Integration (JUPI) project, which will commence in 2025. The centre in **Čakovec**, which is run by the State, is operational.

87. Pursuant to the National Recovery and Resilience Plan 2021-2026, the Croatian Employment Service (CES) launched a voucher system on 1 April 2022, which covers the costs of short-term education programmes for acquiring micro-qualifications or partial qualifications. All unemployed or employed persons aged 15 and older who have completed primary education are eligible to take part in the programme. Until 9 November 2023, 19,226 requests for vouchers were submitted of which 14,900 were approved. GRETA was informed that 175 members of the Roma national minority were included in education programmes in 2024. Of these, two were enrolled in adult education institution programmes, 22 were enrolled in education to gain the skills needed for employment through vouchers, 56 were enrolled in the long-term unemployed person's activation programme, 95 were enrolled in education to complete primary school, and 15 were enrolled in on-the-job training. The authorities have also organised a series of regional roundtables on the importance of education for the participation of the Roma in the labour market.

88. The Ministry of Science, Education and Youth has implemented a series of measures aimed at improving Roma children's access to education. By way of example, the Ministry provides scholarships for Roma students in secondary education, awarded through open calls. It has also co-financed preschool programmes for Roma children in the last year of preschool. However, the Ombudsperson has found that Roma students face obstacles in accessing scholarships since applications must be filed electronically and many Roma students do not have access to a computer.⁷⁰ Moreover, Roma children are often not able to participate in preschool and afterschool programmes due to a lack of transportation. GRETA was informed that there are 'Roma assistants' in schools with a significant number of Roma pupils, whose salaries are covered from the state budget. The Ministry has allocated approximately 2,500,000 euros a year for the implementation of activities related to Roma students, as well as an additional 2,000,000 euros for the implementation of a project which began in 2018 and included co-financing of the extended day programme, extracurricular activities, and training for teachers. Through the project "Roma Inclusion – Fulfilling Preconditions for Successful Implementation of National Minority Policies – Phase I", the OHRRNM has organised workshops for Roma children and parents in order to raise awareness of the importance of education and has provided training for Roma school assistants. These activities covered seven cities and involved six meetings with 317 parents, twelve creative workshops for 234 pre-schoolers, and six workshops/discussions for 172 primary school pupils. Seven regional roundtables were also held, with the participation of 357 representatives of local and regional self-government units, educational institutions, representatives of the Roma national minority, civil society organizations, and international organizations participated in these round tables.

⁶⁹ <https://www.unicef.org/croatia/en/press-releases/successful-implementation-activities-medimurje-proof-eu-child-guarantee-works> (accessed on 20/09/2024).

⁷⁰ Annual report of the Ombudsperson for 2023, p. 146.

89. While welcoming the measures taken by the Croatian authorities to address the vulnerabilities of the Roma community, GRETA considers that additional steps should be taken towards the prevention of trafficking in human beings among this vulnerable group, namely:

- raising awareness among the Roma community as well as the general public about trafficking in human beings, including for the purpose of child/forced marriage and forced begging, in order to reduce the vulnerability of the Roma, especially women and girls, to THB;
- providing training to relevant professionals, including social workers, educators, health care professionals, representatives of law enforcement, Roma assistants and local administration officials, particularly in areas with a significant Roma population, to help them recognise the signs of forced marriage and forced begging in the THB context. The training should include cultural competency to understand the nuances of Roma traditions while emphasizing human rights;
- ensuring greater access to preschool and secondary education for Roma children and their integration with children from other ethnic backgrounds;
- intensifying efforts to facilitate access to employment for members of the Roma community.

vii. Persons with disabilities

90. Persons with disabilities⁷¹ are not expressly mentioned in the Council of Europe Anti-Trafficking Convention, but their vulnerability to human trafficking is documented in reports issued by GRETA and other international bodies. Amongst the factors which render persons with disabilities vulnerable to THB are dependence on caregivers or support systems, limited access to information and resources, difficulty communicating or advocating for themselves, stigma and discrimination, as well as lack of or limited access to the labour market and decent work.⁷² Reference can also be made to the Committee on the Elimination of Discrimination against Women' (CEDAW) General recommendation No. 38 (2020), which states that women and girls with disabilities are a group particularly vulnerable to being trafficked, and calls on States to provide them with special economic and social support.⁷³

91. GRETA was informed of four cases of trafficking of persons with disabilities for the purpose of labour exploitation which were detected during the reporting period. One involved five Croatian nationals who were exploited while in foster care. The victims, all of whom were men, were provided with inadequate food and accommodation, were frequently locked and had restricted movement, and were forced to get up early and work on the family farm. If they refused, they were subjected to insults and beatings (see paragraph 133). The second case also involved abuse in foster care of three men and one woman who were victims of THB for labour exploitation. The third case involved a citizen of the United States who had a mental impairment and was held in bondage and exploited by his siblings. The person was repatriated to the U.S. in 2021. In the fourth case, the victim, a Serbian national who was deaf, was subjected to labour exploitation and forced begging, and her passport was confiscated. The victim voluntarily returned to Serbia, while criminal charges for THB were brought against three perpetrators (two men and one woman). GRETA's interlocutors have noted as an additional vulnerability factor that women with mental impairments are particularly exposed to domestic violence and that they are less

⁷¹ According to Article 1 of the UN Convention on the Rights of Persons with Disabilities, persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

⁷² See OSCE, *Invisible Victims: The Nexus between Disabilities and Trafficking in Human Beings*, March 2022, p.16.

⁷³ CEDAW, [General recommendation No. 38 \(2020\) on trafficking in women and girls in the context of global migration](#), paras. 40 and 55.

likely to report it because they are often dependent on their abuser and do not trust the system to provide them with a long-term solution. Moreover, they may have difficulty accessing the authorities and understanding the relevant procedures. GRETA notes that these factors may in turn make them more likely to be exposed to exploitation and trafficking in human beings.

92. Croatia ratified the UN Convention on the Rights of Persons with Disabilities in 2007 and was evaluated by the Committee on the Rights of Persons with Disabilities (CRPD) in 2015 which welcomed legislative and policy changes concerning the rights of persons with disabilities and recommended, *inter alia*, that Croatia fully implement the process of deinstitutionalisation of persons with disabilities.⁷⁴ The Croatian authorities have adopted a number of strategic documents aimed at advancing the rights of persons with disabilities, the most recent being the Operational Plan for Deinstitutionalisation, Preventing Institutionalisation and Transformation of Social Service Providers (2022-2027), the National Plan for the Development of Social Services (2021-2027), and the National Plan for Equal Opportunities for Persons with Disabilities (2021-2027) and the accompanying action plans.

93. The Croatian authorities have adopted a number of laws relevant for the protection of persons with disabilities. The Law on Personal Assistance, which came into force on 1 July 2023, allows persons with disabilities to have the support of a personal assistant between 42 and 352 hours a month, depending on their individual needs. However, GRETA was informed that there is a shortage of available assistants, due to low remuneration. The Law on the Inclusive Allowance, which came into force on 1 January 2024, provides for a monthly allowance for persons with disabilities of between 138 and 720 euros.

94. Further, the Law on Professional Rehabilitation and Employment of Persons with Disabilities obliges public and private employers employing a minimum of 20 employees to employ a certain number of persons with disabilities (i.e. 3% of the total number of employees).⁷⁵ Employers who do not fulfil the quota must pay compensation in the amount of 20% of the minimum salary (140 euros in 2023) monthly for each person with a disability the employer was obliged to employ.⁷⁶ The funds are used to finance the professional rehabilitation system and provide incentives to employers (e.g. salary subsidy, health insurance, transportation costs),⁷⁷ projects and programmes for the employment of persons with disabilities. GRETA was informed that 16,724 persons with disabilities were registered as employed as of 31 December 2023.

95. In 2015, the Croatian Institute for Expertise, Professional Rehabilitation and Employment of Persons with Disabilities, which implements the abovementioned scheme, established four centres for professional rehabilitation (in Zagreb, Rijeka, Split and Osijek) which assist persons with disabilities to find employment. Moreover, the Croatian Employment Service provides for a longer subsidy for unemployed persons with disabilities (24 months as opposed to 12 months for other persons). GRETA was informed that the main obstacles to accessing employment for persons with disabilities is the prejudice on behalf of some employers as well as the fact that many employers are unaware of the available incentives. Moreover, there is a lack of employers in rural areas and persons with disabilities in those areas do not have access to government support in finding employment. In this context, GRETA refers to the recent Concluding observations of the Committee on Economic, Social and Cultural Rights (CESCR), which recommended that Croatia “continue to strengthen its employment policy for persons with disabilities in order to tackle the root causes of their under- and unemployment and to implement an action plan with precise, time-bound targets for regularly measuring progress, taking into account the

⁷⁴ See CRPD, Concluding observations on the initial report on Croatia (2015), paragraph 30, recommending that “the process of deinstitutionalization include all residential institutions and foster homes for all persons with disabilities. It recommends that a legal framework be adopted to provide for entitlement to personal assistance services in the community and that a process be initiated to make local communities and mainstream services accessible to persons with disabilities.”

⁷⁵ The obligation concerns around 10,000 employers on a monthly basis.

⁷⁶ In 2023, 21,250,913 euros in compensation was paid by employers.

⁷⁷ In 2023, 938 employers used incentives in the amount of 23,998,203 euros to employ 3,074 persons with disabilities.

specific needs of persons with disabilities, including ensuring the provision of reasonable accommodation.”⁷⁸

96. Persons with disabilities can be accommodated in institutions,⁷⁹ private homes or foster families⁸⁰ who are approved by the Croatian Institution for Social Work (CISW). Representatives of the Office of the Ombudsperson for Persons with Disabilities met by GRETA criticised the slow process of deinstitutionalisation and stressed that foster families are not adequate for the accommodation of adult persons with disabilities due, *inter alia*, to the danger of exploitation and abuse and lack of supervision.

97. Persons with disabilities who are not able to exercise their rights and take care of themselves are appointed a legal guardian and can be deprived of their legal capacity by a decision of a court, pursuant to the Family Law. The Ombudsperson for Persons with Disabilities has criticised the process for the deprivation of legal capacity of persons with disabilities, namely the reliance on expert opinions without taking into account other considerations, as well as the inadequate representation of persons with disabilities by some legal guardians appointed to them.⁸¹

98. While welcoming the legislative and policy measures taken to improve the protection of persons with disabilities, GRETA considers that the Croatian authorities should take additional preventive measures, including strengthening the monitoring of foster families and institutions caring for persons with disabilities and ensuring that professionals assisting persons with disabilities, including legal guardians, are provided with training on trafficking in human beings, with a focus on vulnerabilities that lead to THB.

99. Further, GRETA considers that the Croatian authorities should conduct research into the vulnerabilities of persons with disabilities to trafficking in human beings and develop preventive measures specifically aimed at this group.

2. Measures to protect and promote the rights of victims of trafficking

100. Chapter III of the Convention provides for a series of measures to protect and promote the rights of victims. In the first place, it is of paramount importance to identify victims of trafficking correctly as identification enables them to benefit from the other measures and rights contained in the Convention. Pursuant to Article 10 of the Convention, States Parties shall ensure that the authorities competent to identify victims of trafficking have persons trained and qualified to perform the identification, and that these authorities collaborate with relevant support organisations in the identification process. Further, Article 12 of the Convention sets out the assistance measures which States Parties must provide to trafficking victims. Paragraph 7 of this article requires Parties to ensure that services are provided taking due account of the special needs of persons in a vulnerable position as well as the rights of children. Given the relevance of victim identification and assistance to the thematic focus of the fourth evaluation round of the Convention, this part of the report examines the application of these two provisions. Other provisions of Chapter III of the Convention, which have been examined in detail by GRETA during the previous evaluation rounds, are discussed in the chapter of the report entitled “Follow-up issues”.

⁷⁸ CESCR, Concluding observations on the second periodic report of Croatia, adopted by the Committee at its seventy-seventh session (10-28 February 2025), paragraph 25.

⁷⁹ According to the 2023 Report of the Ombudsperson for Persons with Disabilities, p. 325, around 8,000 persons with disabilities were placed in institutions, and more than half of them were persons with mental health difficulties.

⁸⁰ According to the 2023 Report of the Ombudsperson for Persons with Disabilities, p. 223, 1,603 persons with disabilities were placed in foster families in 2023.

⁸¹ See the 2023 Report of the Ombudsperson for Persons with Disabilities, p. 57.

a. Identification of victims of THB

101. The Protocol on Identification, Assistance and Protection of Victims of Trafficking, which constitutes the NRM in Croatia, has been revised since GRETA's previous evaluation. GRETA was provided with the most recent version dated 2020, which is available in Croatian and in English. However, there are notable differences between the two language versions. For example, Article 3 in the English version mentions foreign victims, while foreign victims are not specifically referred to in the corresponding article (4) in the Croatian version of the Protocol.

102. The Protocol specifies that the identification is carried out by the police, in co-operation with the Croatian Red Cross (CRC) and other non-governmental organisations, as well as the social services in case the victim is a child. The decision to identify a person as a victim is issued by the police or the Operational Team (by a majority vote), upon request of one of the Operational Team members (e.g. an NGO). According to the authorities, if the police does not have sufficient elements to identify a person as a victim of THB, it would forward the case to the Operational Team for a decision. Civil society organisations met by GRETA have expressed concern that in practice the identification is carried out by the police, and that it is often too closely linked to whether or not the case can be successfully prosecuted. Only three cases were considered by the Operational Team in the period 2020-2024, and only in two of these was the victim identified.⁸² There appears to be a reluctance on the part of Operational Team members to identify victims who were not identified by the police and a general mistrust towards foreign victims who are perceived as taking advantage of the system.⁸³ GRETA's interlocutors have also noted that some police representatives, including members of the Operational Team, lack the necessary understanding of THB and its traumatising effects on the victim, especially in the case of THB for the purpose of sexual exploitation. The work of the Operational Team is reportedly rendered more difficult by the recent amendments to the CPA which prohibit officials from sharing information while the investigation is ongoing. In their comments on the draft report, the authorities stated that the police have received training regarding the effects of THB on victims and data on identified victims demonstrated that foreign victims are being identified. Further, the authorities noted that the Croatian Ministry of the Interior leads and co-ordinates, together with the Belgian counterparts, the Operational Task Force (OTF RAPAX) within the framework of Europol, which is focused on THB of South American nationals, and participates in other international efforts (e.g. OTF LOTUS and EMPACT).

103. As noted in paragraph 14, there has been a decrease in the overall number of identified victims, as compared to the previous reporting period. According to the statistics provided by the Croatian authorities, the number of victims identified during the reporting period was: 15 in 2020, 19 in 2021, 29 in 2022, 21 in 2023 and 21 in 2024 (see the table in Appendix 1 for more details). The vast majority of the victims (81%) were Croatian nationals.⁸⁴ Women and girls comprised slightly more than half of the victims (59%). Approximately 43% of the identified victims were 18 or younger.

⁸² The victim was a woman from an African country employed in a diplomatic household. After arriving in Croatia, her passport, Covid-19 certificate and other documents were confiscated by her employer and she was forbidden from going out alone. In addition to taking care of her employer's children, which had been agreed in advance, she was forced to clean the house and was paid less than the agreed amount (the money was initially sent to her mother but the payments stopped after a while). The victim was exposed to humiliation and violence from her employers. She was recognised by the Operational Team, upon recommendation of the State Attorney, seven months after the procedure was initiated. The second victim was the national of the United States of America, mentioned in paragraph 91.

⁸³ GRETA was given the example of a woman from an African country who had sought support from an NGO after the police and immigration authorities were not willing to hear her case. She was subsequently interviewed by the police and asylum authorities although the latter saw her claim as a "waste of the budget" since she would probably leave the country within days.

⁸⁴ Foreign victims originated from the following countries: USA (1) identified in 2020; Nepal (4) identified in 2021; Germany (1), Burkina Faso (1), and Uganda (1), identified in 2022; Bosnia and Herzegovina (3), Brazil (4), Nepal (1) and Serbia (1) identified in 2023, Ghana (1), and Colombia (1) and Spain (1) identified in 2024.

104. The reply of the Croatian authorities to the fourth-round questionnaire mentions that the victim status of two child victims of trafficking (identified in 2020) was revoked in 2021 upon a decision of the Operational Team, in accordance with Article 14 of the Protocol on Identification, Assistance and Protection of Victims of Human Trafficking.⁸⁵ GRETA was informed that the case concerned two siblings, a boy aged 4 and a girl aged 5, who had been caught committing theft in a store together with their parents and two other family members. Police officers identified these children as victims of THB and the case was forwarded to the Operational Team, which subsequently decided to revoke the victim status for the two children. However, all rights from the social welfare system remained available to them and the competent regional office implemented measures to protect their well-being. Three suspects were charged in this case with violation of the rights of the child (Article 177(2) of the CC) and theft (Article 228(1) of the CC). While recognising that the victim status of the children was revoked on the basis of the grounds set out in Article 14 of the Protocol on Identification, Assistance and Protection of Victims of Human Trafficking, GRETA underlines the importance of ensuring that decisions to revoke the status of a victim fully take into account the particular circumstances of each case and the best interests of the child.

105. According to the Croatian authorities, particular attention is paid to indicators of THB during the vulnerability assessment and asylum interviews in reception centres (see paragraph 70). GRETA was also informed that a screening procedure is conducted in pre-removal detention centres, whereby persons subject to return are interviewed and informed of the return procedure. In case THB is detected, the return procedure is stopped and the police is informed of the case. Representatives of the Border Police,⁸⁶ the Department for Foreigners and International Protection (Ministry of the Interior) and the Ministry of Defence are provided with regular training on how to recognise trafficking in human beings by the Police Academy, the UNHCR, the EUAA and the CRC.

106. The number of foreign victims identified during the reporting period (12) appears low compared to the high number of foreign nationals present in Croatia or transiting through the country (see paragraphs 54 and 55 regarding foreign workers). Only two victims of THB were identified in the asylum procedure during the reporting period⁸⁷ and no victims were identified in pre-removal detention centres. Representatives of the Ministry of the Interior explained the low number of identified victims among asylum seekers by the fact that Croatia is mostly a transit country and asylum seekers often leave the reception centre within a few days of admission or do not report to the centre at all after expressing their intention to seek asylum at the border. The problem is compounded by the fact that there is a shortage of interpreters (see paragraph 0). Moreover, the lack of access to the reception centres for most of the specialised NGOs might also hinder the identification of victims of trafficking among asylum seekers.

⁸⁵ Article 14, paragraph 4, provides: "A person shall lose a right to aid and protection if the person's statement was based on false facts, if the circumstances on the basis of which the person had a right to aid and protection cease to exist, or if a person is behaving against the rules defined in the aid and protection programme."

⁸⁶ For example, 49 border police officers completed a 14-hour course on combating THB in 2023.

⁸⁷ Two women from Burkina Faso and Uganda, one of whom was underage at the time of exploitation, identified in 2022.

107. Although the Croatian authorities put in place a system to monitor pushbacks at its borders in 2021 (Independent Monitoring Mechanism), the effectiveness of this system has been criticised.⁸⁸ While the number of reported pushbacks at the borders with Bosnia and Herzegovina and Serbia⁸⁹ has decreased since GRETA's last evaluation,⁹⁰ this practice has continued throughout the reporting period. According to the Danish Refugee Council, which reports on pushbacks monthly, 167 persons, mostly men, reported pushbacks from Croatia to Bosnia and Herzegovina in February 2024. Of these, 11% reported being denied access to asylum, over 90% reported having been exposed to physical abuse/assault or abusive/degrading treatment and 70% reported theft, extortion or destruction of property.⁹¹ In their comments to the draft report, the Croatian authorities asserted that when investigating persons who are suspected of illegally crossing into Croatia, the border police conduct checks aimed at detecting possible victims of THB.

108. GRETA is concerned that, as a result of the abovementioned practices and the lack of screening for THB among asylum seekers in Croatia, victims of trafficking among this group may go undetected leaving them exposed to further trafficking. While recognising the challenges presented by increased migration, GRETA recalls Croatia's positive obligation under the Convention to identify victims of trafficking, to refer them to assistance, and to conduct a pre-removal risk assessment to ensure compliance with the obligation of *non-refoulement*.

109. GRETA was informed that the MoLPSFSP has forwarded to all providers of accommodation and other social services to persons displaced by the war in Ukraine a letter from the OHRRNM concerning detection of victims of trafficking among this group, as well as a document entitled "Indicators supporting the identification of victims of human trafficking from Ukraine." No victims of human trafficking have been identified among persons displaced by the war in Ukraine.

110. There appears to be insufficient attention paid to the identification of victims of THB in the Roma community, despite the fact that the Roma, especially women and girls, are exposed to child/forced marriage and forced begging (see paragraphs 80-85). Particularly striking is the fact that no victims of trafficking have apparently been identified in the Međimurje County, which has the largest Roma population in the country. GRETA was informed that there are contact police officers, who have been trained to recognise THB, present in all Roma communities in the county, but it seems that they do not engage in proactive identification of THB cases. Moreover, there appears to be a lack of understanding of THB among some representatives of local institutions who come in frequent contact with members of the Roma community and provide assistance to them, as well as a tolerance for practices which could constitute THB but are seen as part of the Roma tradition (see paragraph 84). While the representatives of mobile teams have been trained to recognise THB, they are more involved in the provision of assistance to victims of trafficking (see paragraph 116) after the victim has already been identified.

⁸⁸ According to the Center for Peace Studies report *Systematic Human Rights Violations at Croatian Borders*, pp. 11 and 12, "the mechanism's mandate seems to be limited to an administrative review of files and paper trails concerning closed cases of complaints about alleged police misconduct and an analysis of the legislative and judicial system that regulates the borders, without access to victims of alleged human rights violations during the monitoring process.... The Independent Monitoring Mechanism is ineffective because it does not have access to precisely those places where pushbacks occur –primarily green border areas where, according to relevant reports, about 90% of pushbacks in the last six years took place." See also the CPT Report on the ad hoc visit to Croatia, published in 2020, which found that the previous "Border Monitoring Project" involving the UNHCR and the Croatian Legal Centre had also been limited in scope (footnote 38).

⁸⁹ See *M.H. and Others v. Croatia*, which concerned the death of a six-year-old Afghan child, MAD.H., who was hit by a train after allegedly having been denied the opportunity to seek asylum by the Croatian authorities and ordered to return to Serbia via the tracks. It also concerned, in particular, the applicants' detention while seeking international protection. The European Court of Human Rights found in particular that the investigation into the death had been ineffective, that the applicant children's detention had amounted to ill-treatment, and that the decisions around the applicants' detention had not been dealt with diligently. It also held that some of the applicants had suffered a collective expulsion from Croatia, and that the State had hindered the effective exercise of the applicants' right of individual application by restricting access to their lawyer among other things.

⁹⁰ See GRETA's third evaluation report on Croatia, paragraph 184.

⁹¹ Danish Refugee Council, *Border Monitoring Factsheet for February 2024*, available at <https://pro.drc.ngo/resources/documents/border-monitoring-factsheet/> (accessed on 25/09/2024).

111. GRETA notes the need to raise the awareness of staff working in prisons and remand prisons to the issue of THB, due to the fact that some victims of trafficking might be detained/imprisoned as a result of the failure to carry out the identification procedure and apply the non-punishment principle. GRETA was informed that no victims of trafficking have been identified in Croatian prisons and that no training on THB has been provided to prison staff, as such training is not considered necessary.

112. GRETA urges the Croatian authorities to take steps to improve the identification of victims of trafficking, including by:

- proactively identifying victims of trafficking in human beings in the Roma community and among foreign workers;
- ensuring that a vulnerability assessment is systematically carried out in respect of all asylum seekers and that it includes the detection of possible indicators of trafficking in human beings;
- ensuring that a proper procedure is in place for the identification of victims of trafficking among irregular migrants and asylum seekers, including by duly conducting individualised risk assessments prior to any forced return and assessing the risks of trafficking or re-trafficking on return. In this context, full consideration should be given to the UNHCR's Guidelines on the application of the Refugees Convention to trafficked persons and GRETA's Guidance note on the entitlement of victims of trafficking, and persons at risk of being trafficked, to international protection;
- ensuring that decisions to revoke the status of a victim fully take into account the particular circumstances of each case and the best interests of the child, where applicable.

113. Further, GRETA considers that the Croatian authorities should:

- facilitate the involvement of specialised NGOs in the identification of victims of trafficking in human beings;
- as part of their training, sensitise police officers, asylum officers, labour inspectors, social workers, prison staff and other relevant professionals who may come across victims of THB to the severe impact of exploitation on victims, the detection of indicators of trafficking and where to refer presumed victims.

b. Assistance to victims

114. In accordance with the Protocol on Identification, Assistance and Protection of Victims of Human Trafficking, assistance to victims of trafficking is provided through the four mobile teams (based in Zagreb, Rijeka, Osijek and Split), which comprise social workers, representatives of the CRC and other NGOs assisting victims of trafficking.⁹² The Police and the MoLPSFSP have each appointed a THB co-ordinator for the referral of victims. Moreover, each mobile team has a co-ordinator (a CRC representative for adult victims and a social worker for child victims), and there are 21 THB co-ordinators in county offices of the Croatian Institution for Social Work (CISW).

⁹²

At the time of GRETA's visit, there were six NGOs, in addition to the CRC, in the mobile teams.

115. All members of mobile teams must be licensed by the OHRRNM. Licenses are renewed every two years and mobile team members are provided with THB training at the same time. GRETA was informed that representatives of NGOs were not invited to the training of mobile teams which took place in January 2024. According to the authorities, the training was only organised for new members of mobile teams, due to financial constraints. GRETA was informed that the MoLPSFSP organised in April 2022 a training for social workers entitled "Approaches in work with victims of human trafficking," in co-operation with NGO's ROSA and Women's Room (Ženska soba). Two further two-day training sessions on protection of victims of THB for around 150 representatives of the social welfare system were organised in November 2024.

116. After a victim is identified by the police, the police co-ordinator refers the person to the co-ordinator of the relevant mobile team. The OHRRNM has prepared a list of contact points in other relevant institutions (e.g. health care providers) who can be involved in the provision of assistance to the victims as needed. Although they are part of the mobile teams, the role of specialised NGOs (other than the CRC) in the provision of assistance to victims has been significantly reduced since GRETA's third evaluation. They reportedly do not receive any funding from the Government and are expected to cover their own transportation costs when acting as members of the mobile teams.

117. The type of assistance provided to victims of trafficking has been described in detail in GRETA's previous reports. Pursuant to amendments to the Law on Social Assistance introduced in 2022, victims of THB who are placed in shelters are entitled, in addition to the compensation for people in need that they previously received, to a guaranteed minimum allowance.

118. All victims are provided with assistance upon identification, according to their needs. The deadline for accepting the assistance is 60 days for adult victims and 90 days for child victims.⁹³ According to the statistics provided by the authorities, only 19 victims (approximately 23% of the identified victims), including nine foreign victims, were included in the assistance programme in the period 2020-2023.⁹⁴ NGOs met by GRETA have noted that victims are asked to decide on whether or not they wish to accept the assistance programme during the first contact with the authorities when they may not be ready to make the decision and may decline assistance as a result.⁹⁵ They have suggested that victims would benefit from counselling provided by specialised NGOs which would help them understand the scope and benefits of the assistance programme.

119. Adult victims can be accommodated in the specialised shelter for victims of trafficking run by the CRC, whose location is kept secret. The shelter has the capacity to receive five persons. Men and women are accommodated separately. Victims can stay at the shelter for up to one year. GRETA was informed that two victims stayed in the shelter in 2022 and three in 2023. At the time of GRETA's visit, the CRC was preparing to move the shelter to a new location which the GRETA delegation visited. GRETA was informed that the shelter would be opened once the necessary licenses were issued by the relevant local authorities. The new shelter is adapted to persons with physical disabilities. Although the shelter can accommodate up to 17 persons, according to the existing agreement between the CRC and the MoLPSFSP funding is provided for only five victims.

120. Female victims of THB can also be accommodated in shelters for victims of domestic violence, which exist in every county. GRETA is concerned by reports of Roma rights NGOs that some of these shelters have refused to accept Roma women because they are perceived as not being clean and because they have many children.

⁹³ Article 4 of the Protocol on Identification, Assistance and Protection of Victims of Human Trafficking. The same deadlines are mentioned in Article 81 of the Law on Foreigners, which constitutes the recovery and reflection period for foreign victims of trafficking.

⁹⁴ Mostly male (11) and victims of THB for labour exploitation (11).

⁹⁵ See GRETA's second report on Croatia, paragraph 98, where this issue was already raised.

121. Child victims are accommodated in the shelter for child victims of THB, which is run by a local CRC. GRETA was informed that several other NGOs had previously operated the shelter, in different locations, but they were not able to continue due to insufficient funding they received from the government. The average stay at the shelter is one year, after which the children can be provided with alternative accommodation and can receive accommodation support up until the age of 23. GRETA was informed that three child victims had been accommodated in the shelter since the CRC took over its operation in 2022. One victim was still in the shelter at the time of GRETA's visit. The shelter organises access to health care, including psychological support, as well as education for the children. Children who are foreign nationals are provided with 70 hours of Croatian language classes before they attend school.

122. Child victims of THB can also be accommodated in centres for the provision of services in the community, which accommodate children experiencing behavioural challenges (see paragraph 41). According to information provided by the authorities, two child victims of trafficking were accommodated at such centres in 2020 and 2021, and five victims in 2023. GRETA was informed that the staff at these institutions will be provided with training on THB through the Academy of Social Welfare. Nonetheless, GRETA notes that such institutions are not suited for child victims of trafficking and are not able to provide them with the support they need. Moreover, GRETA is concerned that child victims placed in such institutions are at risk of being re-trafficked and further victimised, as there have been reports of children in these institutions being trafficked by older children accommodated there (see paragraph 0).

123. GRETA was informed that of around 40 child victims who were provided with assistance in the period 2020-2023, most of them (29) stayed with their own families. Child victims without adequate parental care, including cases where the parents were traffickers, are appointed a guardian from the CISW. According to the information provided by the authorities, the number of child victims who were appointed a guardian was, three in 2020, four in 2021, three in 2022 and three in 2023.

124. GRETA notes that the assistance programme for victims of trafficking only distinguishes between child and adult victims of trafficking, and it does not appear to be sufficiently adapted to the needs of persons with severe disabilities, both physical and intellectual impairments, as well as other groups such as members of the LGBTI community who may need additional services and protection. There are also problems with the provision of information which is not adapted to the needs of certain victims, such as for example those with hearing impairments.

125. GRETA was informed that 22 special consultants-co-ordinators for victims of THB were appointed across regional offices of the Croatian Employment Service (CES). The consultants facilitate the registration of victims of trafficking as unemployed and provide advice to them in a separate room to protect their privacy. GRETA was informed that four female victims of THB benefited from these services in 2024. This included counselling, monthly consultation, and information about available vacancies, while one person was also provided with psychological support which included career guidance, and participated in a workshop for unemployed persons. One of the assisted persons was employed as a result of the support, one became unavailable for further support, while the two remaining victims were still registered as unemployed at the end of 2024.

126. GRETA is concerned that most of the identified victims do not appear to have fully benefitted from the assistance programme during the reporting period. In this regard, GRETA stresses the important role played by specialised NGOs in providing support to victims and guiding them through their recovery, and finds that NGOs which are members of mobile teams should be more involved in the provision of assistance to victims of trafficking. Moreover, of particular concern is the placement of child victims of THB in institutions for children experiencing behavioural challenges, since such institutions are not able to provide child victims with the support tailored to their needs and may even expose them to the risk of re-trafficking in some cases.

127. GRETA urges the Croatian authorities to take steps to improve the provision of assistance to victims of trafficking in human beings, in particular by:

- ensuring that victims are fully informed of the benefits of assistance before they are asked to consent to be included in the assistance programme and that information is provided in a manner that takes into account victims' age, maturity, intellectual and emotional capacity, literacy and any mental, physical, or other disabilities which may affect their ability to understand the information provided;
- ensuring that the assistance programme for victims of trafficking addresses the specific needs of individuals with physical, mental, intellectual or sensory impairments, and other marginalized groups, such as the LGBTI community;
- ensuring increased involvement of specialised NGOs which are part of mobile teams in the provision of assistance to victims of trafficking and providing them with sufficient funding in order to carry out these activities;
- ensuring that child victims of trafficking are placed in appropriate accommodation and provided with specialised assistance tailored to their needs;
- securing a sufficient number of places for adult victims of trafficking in specialised shelters and ensuring that access to the shelters is provided without discrimination.

3. Substantive criminal law and procedural law

128. The Convention places on States Parties a series of obligations aimed at enabling the effective prosecution of traffickers and ensuring that they are punished in a proportionate and dissuasive manner. As the implementation of these provisions of the Convention was examined in detail by GRETA during the preceding evaluation rounds, given the focus of the fourth round, particular attention is paid to the notion of "abuse of a position of vulnerability" and its application in case-law. Further, GRETA has decided to examine as part of the fourth evaluation round the application of Article 19 of the Convention on the criminalisation of the use of services of victims of trafficking.

a. Notion of "abuse of a position of vulnerability" in the law and case-law

129. Abuse of a position of vulnerability is an integral part of the international legal definition of trafficking in human beings and is central to any understanding of trafficking.⁹⁶ It is one of the means by which trafficking acts are committed and is relevant to all forms of trafficking and all exploitative purposes. Abuse of a position of vulnerability occurs when "an individual's personal, situational or circumstantial vulnerability is intentionally used or otherwise taken advantage of, to recruit, transport, transfer, harbour or receive that person for the purpose of exploiting him or her, such that the person believes that submitting to the will of the abuser is the only real or acceptable option available to him or her, and that belief is reasonable in light of the victim's situation."⁹⁷

⁹⁶ See UNODC Issue Paper *Abuse of a position of vulnerability and other "means" within the definition of trafficking in persons*, United Nations, April 2013, p. 3.

⁹⁷ UNODC [Guidance Note](#) on "abuse of a position of vulnerability" as a means of trafficking in persons in Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

130. Pursuant to Article 106, paragraph 1, of the Criminal Code (CC), “abuse of a difficult position” of the victim constitutes one of the means used in the commission of trafficking in human beings in the case of adult victims. The CC does not define “abuse of a difficult position.” Rather, it is up to the court to assess in each individual case whether the defendant(s) abused the difficult position of the victim.

131. Prosecutors met by GRETA identified four vulnerabilities that are most commonly abused in THB cases: 1) the difficult personal and health situation of the victim, e.g. in cases where the victim has suffered previous abuse, has poor social and communication skills, is homeless, or suffers from addiction or other serious health problems, 2) administrative reasons, namely unresolved immigration status in case of foreigners which leads to their isolation, 3) difficult economic situation, e.g. lack of income and dependence on relatives, and 4) social reasons, e.g. in case of persons who are socially isolated or children without parental care.

132. The Croatian authorities have referred to a number of adjudicated and ongoing THB cases involving the abuse of the difficult situation of the victim. Specifically, the abuse of a difficult situation was established as the means in three judgments issued by the Municipal Court of Rijeka in February 2020 (K-239/2018), the Municipal Court of Varaždin (K-191/2018) in June 2023, and the County Court in Bjelovar (Kz-128/2022-6) confirming the first-instance judgment of the Municipal Court in Bjelovar from March 2022 (K-477/2012-204). GRETA was not provided with the judgments in the abovementioned cases. Reportedly, in the case from Bjelovar which involved THB for labour exploitation, the court based its finding, *inter alia*, on the testimony of a psychiatric expert who found that the victim, who was 43 at the time, had a mild intellectual disability correlating with a diminished capacity to resist a person perceived as an authority, rendering the victim susceptible to manipulation and exploitation.

133. Prosecutors and police representatives met by GRETA have provided examples of ongoing THB cases which involved the abuse of a vulnerable position of the victims, most of whom were from Croatia. In one case from Zagreb, mentioned in paragraph 91, the defendants were a foster family which exploited five persons with physical and intellectual disabilities who had been placed in their care. The victims were exploited over a period ranging from one month to several years, during which time the foster family received around 80,000 euros from the state for their care.⁹⁸ At the time of GRETA’s visit, the defendants were in detention and the proceedings were ongoing. According to information provided by the Croatian authorities in their comments to the draft report, the victims in this case, as well as those in the second case involving the exploitation of persons with disabilities by a foster family mentioned in paragraph 91, were identified by the police and were informed of their rights by the police, their legal guardians and members of the mobile team.

134. Other examples of cases in which the prosecution filed an indictment for THB concerned the abuse of a difficult financial situation of the victims. In three cases from Zagreb, Rijeka and Varaždin,⁹⁹ the defendants, taking advantage of the fact that the victims were unemployed and homeless, forced them to beg and commit criminal offences (in the latter case) for the benefit of the defendants. Another case in which a victim was trafficked for the purpose of forced begging reportedly resulted in the conviction of the two defendants who were sentenced to three years’ imprisonment respectively.

135. GRETA was also provided with examples of two cases from Zagreb and Split in which the difficult financial situation of the victims (both men) was coupled with a drug or alcohol addiction, which further increased the victims’ vulnerability. In the first case, the defendant falsely promised the victim he would pay his debts and renovate his apartment. In exchange, he arranged for the victim to be employed at a farm and confiscated most of his earnings. He also collected the victim’s social benefits and forged his will so that the victim’s apartment would be inherited by the defendant’s daughter. In the second case, the two defendants forced the victim, who had a drug addiction, to steal and sell drugs for them, and regularly subjected him to threats and beatings.

⁹⁸ Reportedly, the defendants served as a foster family for persons with disabilities for 30 years. Therefore, the police interviewed all previous beneficiaries who had lived with the family in order to uncover other possible cases of abuse.

⁹⁹ In the latter case, the first instance court has issued a judgment convicting the defendants of THB.

136. GRETA was informed that the abuse of a position of vulnerability of the victim is regularly addressed through seminars on combating THB organised by the Judicial Academy. New training materials were added in 2021 that cover different aspects of trafficking cases, including the relevant legislation, procedural aspects and the rights of victims. Prosecutors and police officers from Zagreb have reportedly participated in training on THB organised in Budapest by CEPOL, which covered different types of exploitation and addressed the abuse of a position of vulnerability of the victim.

137. GRETA welcomes the application of the concept of abuse of a position of vulnerability in THB cases processed by the Croatian prosecution offices and courts, and invites the Croatian authorities to continue providing training and guidance to the relevant professionals on how victims' position of vulnerability may exist or arise and how its abuse may operate in the context of trafficking.

b. Investigation, prosecution and sanctions

138. As noted in GRETA's third evaluation report,¹⁰⁰ there are police officers responsible for dealing with THB in the organised crime offices in the 20 police districts of Croatia.¹⁰¹ They co-operate with the Regional Services of the Office for the Suppression of Corruption and Organised Crime (PNUSKOK) in Zagreb, Split, Rijeka and Osijek, and specialised child investigation officers in the case of child victims.

139. THB cases are prosecuted by the Prosecutor's Offices on municipal, district and state level. In addition, the Office for the Suppression of Corruption and Organised Crime (USKOK), which is attached to the State Prosecutor's Office and specialises in investigations related to corruption and organised crime, may be involved in the investigation of THB cases, depending on the case.

140. GRETA was informed that the Police Academy organises basic and continuous training on THB for police officers. Moreover, police officers working on organised crime receive training on THB, including on how to recognise indicators of this criminal offence. The Judicial Academy and the Police Academy organise joint trainings for police officers, prosecutors and judges. In 2021, 2022 and 2023 workshops were held for police officers, prosecutors and advisors working on THB, as well as criminal judges and officers of the Service for Victim and Witness Support of county courts. In addition, during this period the Judicial Academy and the OHRNM organised five one-day workshops on the topic of THB for representatives of the police, prosecutor's offices, and courts (on municipal and county level). Moreover, the Judicial Academy organised five regional workshops on interviewing vulnerable persons, including victims of trafficking, in which 26 prosecutors participated.

141. According to the information provided by the Croatian authorities (see the table in Appendix 1), the number of cases in which indictments were filed under Article 106 of the CC (Trafficking in Human Beings) was: three in 2020 (against seven persons), four in 2021 (against 10 persons), seven in 2022 (against 15 persons), four in 2023 (against seven persons), and seven (against thirteen persons) in 2024. GRETA was informed that most cases concerned THB for the purpose of sexual exploitation, but there were also cases involving labour exploitation, forced criminality, forced begging, and forced marriage. The total number of persons convicted of THB in the period 2019 - October 2023 was 13 (in seven cases), which represents a decrease compared to the previous period.¹⁰² Most of the cases concerned the aggravated form of THB under Article 106, paragraph 3.¹⁰³

¹⁰⁰ GRETA's third evaluation report on Croatia, paragraph 116.

¹⁰¹ THB cases are investigated on the county level, rather than on municipal level. When police officers in local police stations come across possible cases of THB, they report the case to the relevant county police administration.

¹⁰² The number of convictions in the previous period was: 4 in 2015, 0 in 2016, 5 in 2017 and 7 in 2018. See GRETA's third evaluation report on Croatia, paragraph 92.

¹⁰³ Article 106, paragraph 3 reads: "If the criminal offence referred to in paragraph 1 of this Article [trafficking in human beings] is committed against a child, or the criminal offence referred to in paragraph 1 or 2 [child trafficking] of this Article is

142. While it is not uncommon for cases which were initially qualified as THB for the purpose of sexual exploitation to be requalified as prostitution, pimping or another lesser offence at a later stage of the proceedings, GRETA notes positively the cases presented by the prosecutors met by GRETA which were investigated and prosecuted as THB. The evaluation of the previous National Plan recommended that the problem of (re)qualification of THB offences as lesser offences be addressed through additional training on THB for prosecutors and judges.¹⁰⁴

143. NGO representatives and lawyers met by GRETA have raised as an issue the fact that some psychologists who appear as expert witnesses in trafficking cases, and whose opinion has a significant impact on the court's decision, have a limited understanding of trafficking in human beings and gender-based violence. GRETA was provided with the example of a case in which the defendant was acquitted of THB due, in large part, to the report and opinion of the court expert who found that the relationship between the victim and the perpetrator was "a toxic relationship that was voluntarily maintained.... there is no doubt that due to the perpetrator's physical superiority, the injured party was in a worse position, but at the same time the accused did not take advantage of the injured party..."

144. There have been very few prosecuted cases of THB for the purpose of labour exploitation in which the victims were foreign workers. GRETA is aware of only one case concerning four nationals from Nepal who were allegedly exploited on the island of Vis between December 2020 and June 2021. The perpetrator allegedly forced the workers to work for free in his restaurant, taking advantage of their irregular immigration status and poor economic situation. He confiscated their passports and restricted their movement, and forced them to live and work in inhumane conditions. According to media reports,¹⁰⁵ the case was investigated by the police in Split and the suspect was placed in detention.

145. As mentioned in GRETA's third evaluation report,¹⁰⁶ assets obtained through the commission of THB can be seized and confiscated pursuant to a decision of the court based on a motion of the prosecutor. Financial investigations are conducted in co-operation with the Office for the Prevention of Money Laundering of the Ministry of Finance and PNUSKOK. GRETA was informed that in January 2023 the State Attorney's Office issued an instruction to prosecutors on the obligation to conduct financial investigations and seize assets in criminal cases. Nonetheless, according to the information provided by the authorities, there were no THB cases during the reporting period in which assets were confiscated from perpetrators.

committed by an official in the performance of his or her duties, or it is committed against a large number of persons, or the life of one or more persons is knowingly endangered, the perpetrator shall be punished by imprisonment from three to fifteen years." (Unofficial translation).

¹⁰⁴ In this context, GRETA refers to the recent judgment of the European Court of Human Rights in the case of B.B. v. Slovakia, in which the Court held that there had been a violation of the procedural aspect of Article 4 of the European Convention on Human Rights, finding that the criminal proceedings in Slovakia had been significantly flawed as regards the authorities' treatment of the accusations against B.B.'s alleged trafficker. The Court noted that the authorities had limited their efforts to establish the facts to those relevant to the assessment of the actions of the perpetrator as pimping. The facts on the surface had presented a plausible accusation of human trafficking, which the authorities had been under an obligation to investigate, but had failed to do. See <https://hudoc.echr.coe.int/?i=001-237439>.

¹⁰⁵ <https://www.jutarnji.hr/vijesti/crna-kronika/dosli-s-himalaja-u-potrazi-za-boljim-zivotom-zavrili-na-dalmatinskom-otoku-kao-robovi-15082674> (accessed on 12/09/2024).

¹⁰⁶ GRETA's third evaluation report on Croatia, paragraph 89.

146. GRETA was informed that proposed amendments to the Courts Act provide for specialist training for judges on the topic of violence against women and domestic violence, so that such cases can be assigned to judges who have undergone regular professional training in this area, and who have shown inclination to work on such cases.

147. GRETA considers that the Croatian authorities should take further measures to strengthen the criminal justice response to trafficking in human beings, in particular by:

- ensuring that trafficking cases are investigated proactively, including possible THB for the purpose of labour exploitation involving foreign workers;
- ensuring that human trafficking offences are prosecuted as such, rather than as lesser offences, every time the circumstances of the case allow this, and lead to effective, proportionate and dissuasive sanctions for those convicted;
- effectively trace, seize and confiscate criminal assets, by ensuring that financial investigations form part of all criminal investigations into THB offences, with a view to compensating victims. Financial investigations should be systematic, carried out simultaneously with the investigation into THB offences, and form part of a proactive approach that makes it easier to identify the proceeds of crime;¹⁰⁷
- providing training on THB to law enforcement, prosecutors, judges and expert psychologists testifying in trafficking cases, including with regard to the concept of abuse of position of vulnerability in trafficking cases and the severe impact of exploitation on victims of trafficking.

c. Protection of victims of trafficking in criminal proceedings

148. As noted in GRETA's third evaluation report,¹⁰⁸ the Criminal Procedure Act (CPA) requires, *inter alia*, that an individual needs assessment be conducted with regard to every victim of crime (Article 43.a of the CPA), in order to determine whether there is a need for special protection measures (e.g. when interviewing the victim, use of communication technologies to avoid visual contact with the perpetrator and other measures prescribed by law). The CPA and the Ordinance on the manner of carrying out an individual assessment of the needs of the victim from 2017 specifically refer to THB as an offence in case of which special protection measures may be warranted. GRETA was informed that the individual assessment is usually carried out by the police which fills out a form and forwards it to the prosecution with the case file. Further measures may be requested by the prosecution and/or ordered by the court.

149. GRETA was informed that the amendments to the Criminal Procedure Act (2024) adopted in March 2024, expand the protective measures available to victims of trafficking in criminal proceedings. Namely, whereas the CPA previously allowed the victim to request to be heard through the use of audio-visual means, such means will now be applied as a rule in relation to all victims of THB (and victims of offences against sexual freedom), unless they specifically request otherwise.

¹⁰⁷ See Le Rousseau Martin N., *The Financial Approach to Combating Trafficking in Human Beings: Review of the Implementation of Article 23(3) of the Council of Europe Convention on Action against Trafficking in Human Beings* (March 2025), p. 30.

¹⁰⁸ GRETA's third evaluation report on Croatia, paragraph 106. For a full overview of all protective measures available to victims of trafficking, see paragraphs 106-112.

150. As noted previously by GRETA,¹⁰⁹ the CPA provides for additional protective measures for child victims. For example, special protection measures are applied automatically to child victims of crime and the examination of a child is video-taped and the recording is sealed immediately and enclosed with the record. A second interview is carried out only in exceptional circumstances. Police interviews with child victims are conducted in one of 60 specially equipped rooms, which exist in all police districts (counties) and in many police stations across the country. GRETA was also informed that the Croatian authorities have initiated the process of introducing the Barnahus model in Croatia, expected to be completed by February 2026, which will require certain amendments to the legislation and the designation of an appropriate building.

151. GRETA was informed that the Ministry of the Interior, the Ministry of Justice and State Administration and the Victim and Witness Support Service Association concluded a memorandum of understanding on the implementation of a pilot project to establish a system of referral of victims of criminal acts to the Victim and Witness Support Service and the National Call Centre for Victims of Criminal and Misdemeanour Offences (116 006). The pilot project was launched on 1 February 2020 in the police districts of Zagreb, Koprivnica-Križevci, Bjelovar-Bilogora, Požega-Slavonija, Virovitica-Podravina, and Lika-Senj. The results of this pilot project will serve as the basis for further development of the system of victim referral. An information leaflet concerning the rights of victims of criminal offences has been translated into 22 languages.¹¹⁰

152. GRETA welcomes the amendments to the CPA allowing for a wider range of protective measures for victims of trafficking in criminal proceedings and invites the Croatian authorities to ensure that they are applied in practice.

d. Criminalisation of the use of services of a victim

153. As noted in GRETA's second report,¹¹¹ under Article 106, paragraph 4, of the Criminal Code, the use of services which are the object of exploitation as referred to in paragraphs 1 and 2 of this provision, with the knowledge that the person is a victim of human trafficking, is punished with the same sanctions as those provided under paragraph 1 for the offence of trafficking, i.e. a prison sentence between one and 10 years. GRETA was informed that in 2022 and 2024 the police filed charges against two men for reasonable suspicion that they committed the criminal offence under Article 106, paragraph 4.

¹⁰⁹ GRETA's third evaluation report on Croatia, paragraphs 136-138.

¹¹⁰ German, Slovenian, Italian, English, Dutch, Polish, Czech, Hungarian, French, Slovakian, Albanian, Bosnian, Montenegrin, Macedonian, Portuguese, Romanian, Russian, Serbian, Spanish, Turkish, and Chinese.

¹¹¹ GRETA's second evaluation report on Croatia, paragraph 149.

IV. Addressing human trafficking facilitated by information and communication technology (ICT)

154. Countries monitored by GRETA have reported an increased use of information communication technologies (ICT) for recruiting and controlling victims of trafficking. In 2022, GRETA conducted a study to assess the extent to which technology impacts trafficking and explore the operational and legal challenges that states face in detecting, investigating and prosecuting online and ICT-facilitated trafficking.¹¹² As highlighted by the study, the impact of technology is particularly acute in relation to the recruitment and exploitation of victims, including their control throughout the different stages of the trafficking process. This study highlighted a number of challenges to the identification, investigation and prosecution of THB cases due to the high volume of online activities and the associated high volume of digital evidence, the use of encrypted communications, nicknames and aliases, and the time-consuming process of acquiring evidence from private companies and/or other jurisdictions. At the same time, anti-trafficking stakeholders are using technological innovations to prevent human trafficking, protect victims, and prosecute traffickers. It is therefore essential to invest in human capital and technological tools to harness the potential of ICT for effectively combating human trafficking.

155. As noted in paragraph 14, there has been an increased use of ICT for the recruitment of victims for the purpose of sexual as well as labour exploitation. Victims may come in contact with traffickers through social media or fake job advertisements posted online. Children are particularly vulnerable to online grooming, which has reportedly been on the rise since the beginning of the Covid-19 pandemic. GRETA was also informed of cases of online sexual abuse of children (see paragraph 164). Civil society representatives have noted that the extent of children's exposure to online sexual abuse is underestimated and under investigated.

156. Croatia is a party to the Council of Europe Convention on Cybercrime (Budapest Convention). It signed the Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence in November 2022, however it has not yet ratified this protocol. In 2015, the Government of Croatia adopted the National Cyber Security Strategy and the Action Plan for the implementation of the Strategy.¹¹³

157. The criminal offence of 'abuse of sexually explicit images' ("sextortion") was included in the Criminal Code in 2021 (Article 144a). It proscribes the abuse of a relationship of trust and making available to a third party, without the consent of the recorded person, of a recording of sexually explicit content which was made with the consent of the recorded person for personal use, thus violating the privacy of the recorded person (paragraph 1), as well as creating a new or altering an existing recording of sexually explicit content, through the use of computer systems or otherwise, and using this recording as a real one, thus violating the privacy of the persons depicted in it (paragraph 2). The basic form of the criminal offence carries the sentence of up to one year of imprisonment. In case the sexually explicit material was shared widely through the internet, the perpetrator(s) shall be punished with up to three years' imprisonment.

158. GRETA was informed of a number of preventive activities implemented by the Croatian authorities during the reporting period. In 2021, the Police Directorate implemented the programme Safety and Protection of Children on the Internet and Social Networks, which included educational lectures, interactive workshops, information campaigns, production of multimedia content and educational and informative publications. The Police Directorate has also produced videos concerning internet safety for

¹¹² Paolo Campana, Online and Technology-Facilitated Trafficking in Human Beings, Council of Europe: <https://rm.coe.int/online-and-technology-facilitated-trafficking-in-human-beings-full-rep/1680a73e49>, published in April 2022.

¹¹³ <https://mup.gov.hr/istaknute-teme/nacionalni-programi-planovi-i-projekti/nacionalne-strategije/kiberneticka-sigurnost/222335>.

children and parents, in collaboration with the Ministry of Science and Education.¹¹⁴ Croatia also participates in EUROPOL's Say NO! campaign on child sexual coercion and extortion online. Courses entitled "Use of Information and Communications Technology," "Personal and Social Development," and "Culture and Media" are included in the primary and secondary school curricula. However, the Ombudsperson for Children has noted that instruction specifically concerning the dangers of the internet should be included in the regular curriculum in schools as well.

159. The Ministry of Science and Education has organised a number of expert meetings on the topic of media literacy for teachers, encompassing topics such as cybersecurity, digital addiction, and media literacy and critical thinking education. Training has been provided to police officers on the investigation of criminal offences against children through the internet, and police officers have also participated in seminars organised in the framework of CEPOL and EMPACT activities.

160. The Ministry of the Interior operates the Red Button application¹¹⁵ which allows individuals to report anonymously online content which they suspect is connected to sexual abuse and exploitation of children. Police representatives met by GRETA noted that the reports received through the Red Button application concerned cases of child sexual exploitation material, sexual abuse of children, as well as bullying. Although a number of reports were initially treated as possible cases of THB, further investigation concluded that they concerned other criminal offences.

161. The NGO Centre for Missing and Abused Children, based in Osijek, operates the Safer Internet Centre (CSI)¹¹⁶ on the national level, which was established through a project co-financed by the EU. The CSI aims to raise awareness about internet safety through workshops for children and youth in primary and secondary schools. The CSI also runs a helpline (0800606606) for children and parents which is available every work day from 8:00-16:00. The CSI had received 478 calls and 333 reports by the end of June 2024. In 2023, it submitted 1,572 criminal reports related to online child sexual abuse.

162. GRETA refers to the 2023 Conclusions of the European Committee of Social Rights,¹¹⁷ which mentions that the Ministry of the Interior initiated the formation of an interdepartmental working group in 2020, which developed a plan for the implementation of the Council of European Union's conclusions on combating the sexual abuse of children. The plan reportedly regulates the responsibilities of internet service providers and contains preventive intervention programmes and other measures.

163. The police officers investigating THB cases co-operate with the Cybersecurity Service of the Croatian Police. The Cybersecurity Service¹¹⁸ investigates cases of online sexual abuse based on reports received through international police co-operation and from internet service providers, and it conducts annual operations against perpetrators based on information received from the NGO Centre for Missing and Abused Children. GRETA was informed that the police regularly use Interpol's ICSE Database (Child Abuse Image Database) in investigations. Among the challenges noted by the representatives of the Cybercrime Unit are the use of encryption and VPN services by perpetrators, as well as the fact that many websites are hosted in the U.S. and that the requests for the removal of certain internet content take a long time to process through mutual legal assistance.

¹¹⁴ See <https://policija.gov.hr/vijesti/video-za-dan-oceva-virtualni-polica-jac-savjetuje-roditelje-i-djecu-kako-sigurno-na-internet/5287>, <https://www.youtube.com/watch?v=d2XTakruqfE>, and <https://youtu.be/s1ajvjOuPJY>.

¹¹⁵ <https://gov.hr/en/protecting-children-online/1236> (accessed on 01/10/2024).

¹¹⁶ <https://csi.hr/onama/>.

¹¹⁷ European Committee on Social Rights, Conclusions XXII-4 (2023) regarding Croatia, p. 15.

¹¹⁸ The Cybersecurity Service serves, *inter alia*, as the national contact point for exchanges on cybercrime on the EU level and with regard to Interpol participating states, as well as for requests for mutual legal co-operation and obtaining subscriber and Internet traffic data from Internet content providers.

164. GRETA was informed of two cases from 2022. The first involved 36 victims (14 underage), of whom 16 were identified as victims of THB (two adults). The alleged perpetrator, who was underage himself when the criminal acts began in 2016 and 21 when the case was discovered, had contacted the victims through social media posing as a rich young man and asked them to send him explicit pictures of themselves. The perpetrator promised rewards but then compelled the victims to send even more explicit content through threats and blackmail. The alleged perpetrator was charged with a number of criminal offences, including exploiting children for pornography, pimping, rape, and prostitution. According to the information provided by the authorities, the charges did not include THB. In the second case, the alleged perpetrator was a 19-year-old man who posed as a 13-year-old boy online in order to persuade an 11-year-old girl to send him explicit photos and videos of herself, using threats and blackmail. He was charged with a number of offences, including exploiting children for pornography and sexual abuse of a child under the age of 15. Although the girl was identified as a victim of human trafficking, the charges did not include THB.

165. GRETA welcomes the above-mentioned activities of the Croatian authorities and considers that they should develop further measures specifically aimed at preventing ICT-facilitated trafficking in human beings, including investing in capacity building and digital tools to conduct proactive investigations.

166. Further, GRETA invites the Croatian authorities to ratify the Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence.

V. Follow-up topics specific to Croatia

1. Compensation (Article 15)

167. In its third evaluation report on Croatia, GRETA urged the Croatian authorities to investigate the reasons for the absence of compensation claims and awards to victims of trafficking, and to make efforts to guarantee effective access to compensation for victims, including by ensuring that the collection of evidence about the harm the victim has suffered is part of the criminal investigation, ensuring access to legal assistance and legal aid for victims of THB at the outset of criminal proceedings, and reviewing the eligibility criteria for state compensation. Further, GRETA considered that the Croatian authorities should develop a system for recording claims for compensation by victims of trafficking, as well as compensation awarded to victims of trafficking.

168. There have been no changes in the legal framework for compensation of victims of THB in Croatia since GRETA's third evaluation report.¹¹⁹ With regard to access to legal assistance and free legal aid, which is of relevance for trafficking victims' ability to seek compensation, GRETA was informed that the authorities funded a three-year project (2023-2025) for the financing of authorised associations and legal clinics for the provision of primary legal aid. The project entailed a significant increase in the funding available to legal aid providers. Moreover, the remuneration for secondary legal aid providers was increased by 69%, and for expert witnesses and interpreters 62% and 60% respectively in 2023.

169. According to available information, no victims of trafficking were granted compensation in criminal or civil proceedings during the reporting period. Lawyers and NGOs assisting victims of trafficking mentioned several cases in which victims requested compensation in criminal proceedings but were referred to civil proceedings instead. Reportedly, the request for compensation was rejected by the court even in a case in which an expert opinion was presented explaining why compensation was justified.

¹¹⁹ GRETA's third evaluation report on Croatia, paragraphs 69-82.

170. Further, GRETA was informed that no requests for state compensation have been filed by victims of trafficking during the reporting period. In their report to the Committee of the Parties submitted in December 2022, the Croatian authorities explained that one of the possible reasons for the absence of compensation claims from victims of trafficking was that the criminal offence had not resulted in serious physical injury or serious damage to the health of the victim. Moreover, they noted that it is questionable whether the criminal offence of human trafficking could fall under the definition of a violent offence under the Act on Compensation for Victims of Criminal Offences.¹²⁰

171. During the fourth evaluation visit, the GRETA delegation was informed that the possibility of amending the Act on Financial Compensation for Victims of Criminal Offences to include specifically victims of trafficking is foreseen in the new National Plan for Combating THB. The National Plan envisages that a comparative study of the relevant legislation in other EU states will be prepared and will serve as a basis for amendments to the abovementioned law. The deadline for this process to be completed is the fourth quarter of 2025.

172. GRETA once again urges the Croatian authorities to make efforts to guarantee effective access to compensation for victims of THB, including by:

- ensuring that the collection of evidence about the harm the victim has suffered, including the financial gain from the exploitation of the victim and the financial loss for the victims, is part of the criminal investigation, with a view to supporting compensation claims in court (see also paragraph 147);
- enabling victims of trafficking to effectively exercise their right to compensation, by ensuring access to legal assistance and free legal aid at the outset of the criminal proceedings, and building the capacity of legal practitioners to support victims in claiming compensation;
- including compensation in training programmes for prosecutors and the judiciary, and encouraging them to use all the possibilities the law offers to uphold compensation claims by victims of THB;
- reviewing the eligibility criteria for state compensation, in particular the criterion of serious injury, ensuring that co-operation of the victim with law enforcement does not influence the award of compensation, and making state compensation available to all victims of trafficking when the offence was committed in Croatia, regardless of their nationality and residence status.

173. Further, GRETA reiterates its recommendation from previous evaluation rounds, and considers that the Croatian authorities should develop a system for recording claims for compensation by victims of trafficking, as well as compensation awarded to victims of trafficking.

¹²⁰ Report submitted by the authorities of Croatia on measures taken to comply with Committee of the Parties Recommendation CP/Rec(2020)07 on the implementation of CoE Convention on Action against THB (December 2022), p. 4.

2. Non-punishment principle (Article 26)

174. There is still no specific legal provision in Croatian law concerning the possibility of not imposing penalties on victims of trafficking for their involvement in unlawful activities to the extent that they have been compelled to do so. As noted in GRETA's third evaluation report,¹²¹ the Croatian authorities claim that Article 22 of the CC ("state of necessity"), which excludes criminal liability in case the criminal act was committed in defence of oneself or another person, would be applied in such cases. However, GRETA was not provided with any cases which could illustrate how Article 22 of the CC could be applied to victims of trafficking. Moreover, as noted by GRETA previously, this defence does not necessarily take fully into account the circumstances of trafficked people and the penalties that may be imposed on them. No guidelines have been issued for prosecutors and police regarding the application of the non-punishment principle to victims of trafficking. In their comments to the draft report, the Croatian authorities noted that the police and prosecutors have been informed of the obligation to apply the non-punishment principle under the EU Anti-Trafficking Directive 2011/36/EU and that attention is paid in practice to the application of Article 22 of the CC.

175. The draft National Plan for Combating THB (see paragraph 27) and the Action Plan for 2024-2026 (Measure 2.1) refer to GRETA's recommendation on the adoption of a non-punishment provision in the CC and envisage that the relevant authorities will conduct an analysis of relevant case-law in order to determine whether it is necessary to introduce such a provision in the CC and, if so, prepare the necessary amendments. GRETA was informed during the evaluation visit that the relevant amendments to the CC would be considered by a working group. The deadline for the implementation of the measure is the 4th quarter of 2026.

176. GRETA is not aware of any cases during the reporting period in which the non-punishment principle was applied to victims of trafficking. NGOs met by GRETA have mentioned a case of a victim of THB who appeared simultaneously as the injured party in criminal proceedings concerning THB and other offences (the defendant was acquitted of THB in the first instance) and as a perpetrator in a case concerning theft. The prosecutor reportedly considered that the charges against the victim could not be dropped until the alleged trafficker is convicted (that case is currently on appeal). The criminal proceedings against the victim are ongoing. The authorities have asserted that police officers are aware of their obligation to apply the non-punishment principle and do so in the course of the investigation within the scope of their competence.

177. GRETA once again urges the Croatian authorities to ensure compliance with Article 26 of the Convention through the adoption of a provision on the non-punishment of victims of trafficking for their involvement in unlawful activities, including administrative offences, to the extent that they were compelled to do so, and/or the development of guidance for prosecutors. Public prosecutors should be encouraged to be proactive in establishing whether an accused person is a potential victim of trafficking and to consider trafficking in human beings as a serious violation of the rights of the victim. While the identification procedure is ongoing, potential victims of trafficking should not be punished for immigration-related offences and persons forced into prostitution should not be subjected to penalties.

¹²¹ See GRETA's third evaluation report on Croatia, paragraphs 99-103.

VI. Conclusions

178. Since the publication of GRETA's third report on Croatia on 3 December 2020, progress has been made in a number of areas covered by that report.

179. A new National Plan for Combating Trafficking in Human Beings for the period 2024-2030 was adopted in October 2024, and an independent evaluation of the previous National Plan was carried out. Further, the authorities have adopted the National Programme for the Suppression of Undeclared Work and the Law on the Suppression of Undeclared Work, which foresees sanctions for employers who do not employ workers in compliance with the relevant legislation. Amendments to the Law on Social Assistance introduced in 2022 entitle victims of trafficking who are accommodated in a shelter to a guaranteed minimum allowance. The Criminal Procedure Act (CPA) was amended to expand the protective measures available to victims of trafficking in criminal proceedings. Training on trafficking in human beings has been provided to various professionals.

180. GRETA welcomes these positive developments in Croatia. However, despite the progress achieved, several issues continue to give rise to concern. A certain number of recommendations made repeatedly by GRETA in its preceding reports have not been implemented or have been only partially implemented. In this report, GRETA once again urges the Croatian authorities to take action in the following areas:

- Identification of victims (Article 10 of the Convention). The Croatian authorities should take steps to improve the identification of victims of trafficking by proactively identifying victims in the Roma community and among foreign workers, as well as putting in place a proper procedure for the identification of victims of THB among irregular migrants and asylum seekers, including by duly conducting individualised risk assessments prior to any forced return and assessing the risks of trafficking or re-trafficking on return.
- Compensation (Article 15 of the Convention). The Croatian authorities should facilitate victims' access to compensation by providing access to legal aid for victims, ensuring that the collection of evidence about the harm the victim has suffered is part of the criminal investigation, making full use of legislation on the freezing and forfeiture of assets, and including victim compensation in the training of relevant professionals. Further, the authorities should guarantee access to state compensation for victims of THB, including by making state compensation available to all victims of THB when the offence was committed in Croatia, regardless of nationality and residence status.
- Non-punishment principle (Article 26 of the Convention). The Croatian authorities should adopt a provision on the non-punishment of victims of trafficking for their involvement in unlawful activities, including administrative offences, to the extent that they were compelled to do so, and/or develop guidance for prosecutors. Public prosecutors should be encouraged to be proactive in establishing whether an accused person is a potential victim of trafficking and to consider trafficking in human beings as a serious violation of the rights of the victim.

181. Given that these recommendations have been made repeatedly, their priority implementation is requested and will be followed up as part of the monitoring of the implementation of the Convention.

182. As regards the thematic focus of the fourth evaluation round, which is on vulnerabilities to trafficking in human beings, the authorities have acknowledged the vulnerabilities related to a poor economic situation, social exclusion and lack of access to education. Members of the Roma community, particularly women and girls, persons with disabilities, migrant workers and asylum seekers are particularly vulnerable to trafficking in human beings. Certain measures aimed at preventing human trafficking have been included in the Action Plan for Combating Human Trafficking (2024-2026).

183. While welcoming the measures taken by the Croatian authorities to prevent trafficking through measures addressed at vulnerable groups and to provide assistance to victims, GRETA has identified a

number of areas of concern which require further action. The following issues should be addressed as a matter or priority:

- systematically provide information to migrant workers, and especially third-country nationals, in a language they can understand, about the risks of THB for the purpose of labour exploitation and the rights of victims of trafficking, as well as on workers' rights under labour laws;
- put in place procedures for screening of asylum seekers for vulnerabilities, and provide training on trafficking in human beings to border and local police officers, as well as other relevant officials, with a focus on vulnerabilities that lead to THB and on early detection of cases of THB among asylum seekers;
- ensure that child victims of trafficking are placed in appropriate accommodation and provided with specialised assistance tailored to their needs;
- secure a sufficient number of places for adult victims of trafficking in specialised shelters and ensure that access to shelters is provided without discrimination.

184. GRETA welcomes the awareness-raising campaigns concerning online safety which have been implemented in schools and the training provided to teachers, as well as the efforts of the Safer Internet Centre and the police towards prevention of online sexual abuse of children. In order to address the routine use of ICT to recruit and exploit victims of trafficking, the Croatian authorities should develop further measures specifically aimed at preventing ICT-facilitated trafficking in human beings, including capacity building and digital tools to conduct proactive investigations.

185. GRETA invites the Croatian authorities to keep it regularly informed of developments as regards the implementation of the Convention. GRETA trusts that there will continue to be a political commitment in Croatia to sustain the efforts to combat human trafficking by following the human-rights based approach of the Convention, and looks forward to continuing the dialogue with the Croatian authorities and civil society.

Appendix 1

Table with statistics on victims and cases of THB in Croatia in 2020-2024

The data presented in the table is not directly comparable across States Parties to the Convention due to variations in the methodologies used for data collection

Indicator		Years				
		2020	2021	2022	2023	2024
Number of identified victims (by the police)		15	19	29	21	21
By:						
Sex and age group	Women	3	4	6	9	6
	Men	7	5	4	1	14
	Girls (0-18)	4	5	19	5	1
	Boys (0-18)	1	5	0	6	0
Type of exploitation	Sexual	4*	7*	19	9*	5*
	Labour	6*	6*	3	5*	13*
	Forced criminality	4	7	7	11*	2*
	Forced marriage	1	1*	0	1*	2*
	Others	1	0	0	0	2* (bondage/similar position)
Nationality of foreign victims		United States of America (1)	Nepal (4)	Burkina Faso (1) Germany (1) Uganda (1)	Bosnia and Herzegovina (3) Brazil (4) Nepal (1) Serbia (1)	Colombia (1) Ghana (1) Spain (1)
Number of victims admitted into the assistance programme		6	5	3	5	n.a. ¹²²
Number of victims who were issued residence permits		1	4	0	0	2
Number of investigations		8 cases involving 15 suspects	9 cases involving 19 suspects	5 cases involving 7 suspects	13 cases involving 25 suspects	n.a. cases involving 5 suspects
Number of prosecutions		3 cases involving 7 defendants	4 cases involving 10 defendants	7 cases involving 15 defendants	4 cases involving 7 defendants	7 cases involving 13 defendants
Number of convictions resulting in a prison sentence (persons)		1	2	0	n.a.	4

* One or more persons were victims of two or more types of exploitation.

Appendix 2

List of GRETA's conclusions and proposals for action

The position of the proposals for action in the text of the report is shown in parentheses.

1. Topics related to the fourth evaluation round of the Convention

Measures to prevent the vulnerability of specific groups to trafficking in human beings

Children

- GRETA considers that the Croatian authorities should strengthen measures to prevent trafficking of children, and in particular:
 - raise children's awareness of their rights and the risks of human trafficking (including recruitment and abuse through internet/social networks), and how to report abuse, paying particular attention to children in vulnerable situations. Particular efforts should be made to preventing human trafficking of children living in and leaving residential care;
 - raise awareness of different forms of trafficking in human beings which affect children, including THB for the purpose of forced criminality, among professionals working with children;
 - ensure that a procedure is in place to determine the relationship between foreign children and adults accompanying them, conducted in the language/manner the child can understand, before such persons are designated as legal guardians;
 - ensure that all unaccompanied and separated foreign children have access to secure, child-friendly shelters or foster care arrangements. Accommodation should be linked to comprehensive care, including psychosocial support, legal aid, education and health services, in order to reduce the risk of exploitation by traffickers targeting vulnerable children;
 - ensure that specialised NGOs which are members of mobile teams are involved in awareness raising activities, including when such activities are conducted in schools (paragraph 44).

Vulnerabilities related to the gender dimension of human trafficking

- While welcoming the measures taken to address violence against women, GRETA considers that the Croatian authorities should take further measures to address specifically the vulnerabilities related to the gender dimension of human trafficking, including through awareness raising and training aimed at eliminating sexual and gender-based violence. Moreover, gender-sensitive approaches should be integrated in anti-trafficking legislation, policies and action plans, ensuring that victims of all genders receive equal access to justice and protection (paragraph 50).

LGBTI persons

- GRETA considers that the Croatian authorities should take steps to address the vulnerability of LGBTI persons to trafficking in human beings, in close co-operation with civil society organisations (paragraph 53).

Migrant workers

- Referring to GRETA's Guidance Note on combating trafficking for labour exploitation and the Council of Europe Committee of Ministers Recommendation to Member States CM/Rec(2022)21 on preventing and combating trafficking in human beings for the purpose of labour exploitation, GRETA considers that the Croatian authorities should take further steps to protect migrant workers from trafficking in human beings, in particular by:
 - systematically providing information to foreign workers, and especially third-country nationals, in a language they can understand, about the risks of THB for the purpose of labour exploitation and the rights of victims of trafficking, as well as on workers' rights under labour laws;
 - ensuring that migrant workers have access to reporting mechanisms and effective anonymous complaint mechanisms so that victims of abuse or exploitation can submit their case without fear of reprisals;
 - ensuring that the living and working conditions of migrant workers meet all the requirements laid down in the legislation with a view to preventing abuse and exploitation;
 - increasing the human and financial resources of the State Inspectorate so that it can be more effectively engaged in the prevention and detection of THB;
 - providing training on trafficking in human beings to labour inspectors and other relevant officials, with a focus on vulnerabilities that lead to THB and on early detection of cases of THB for the purpose of labour exploitation;
 - ensuring the availability of interpreters for the languages commonly spoken by workers from third countries during inspections carried out by the State Inspectorate, and avoiding the practice of using other workers as interpreters;
 - enhancing inspections of premises where irregular employment may be taking place, in order to prevent and detect cases of THB for the purpose of labour exploitation;
 - intensifying the monitoring of private employment agencies with a view to protecting foreign workers employed in Croatia through those agencies (paragraph 67).

Asylum seekers and refugees

- GRETA urges the Croatian authorities to take measures to prevent asylum seekers from becoming victims of THB, in particular by:
 - putting in place procedures for screening of asylum seekers for vulnerabilities throughout the country, including at border crossing points;
 - providing training on trafficking in human beings to border and local police officers, as well as other relevant officials, with a focus on vulnerabilities that lead to THB and on early detection of cases of THB among asylum seekers (paragraph 78);
- GRETA considers that the Croatian authorities should systematically provide information to asylum seekers, in a language they can understand, about the risks of THB as well as their rights as asylum seekers and as victims of THB, and how to contact NGOs specialised in THB which do not have access to the asylum reception centres and obtain assistance (paragraph 79).

Roma community

- GRETA invites the authorities to evaluate the effectiveness of these activities by measuring their impact. Future campaigns should also address new and emerging trends and forms of human trafficking (paragraph 83);

- While welcoming the measures taken by the Croatian authorities to address the vulnerabilities of the Roma community, GRETA considers that additional steps should be taken towards the prevention of trafficking in human beings among this vulnerable group, namely:
 - raising awareness among the Roma community as well as the general public about trafficking in human beings, including for the purpose of child/forced marriage and forced begging, in order to reduce the vulnerability of the Roma, especially women and girls, to THB;
 - providing training to relevant professionals, including social workers, educators, health care professionals, representatives of law enforcement, Roma assistants and local administration officials, particularly in areas with a significant Roma population, to help them recognise the signs of forced marriage and forced begging in the THB context. The training should include cultural competency to understand the nuances of Roma traditions while emphasizing human rights;
 - ensuring greater access to preschool and secondary education for Roma children and their integration with children from other ethnic backgrounds;
 - intensifying efforts to facilitate access to employment for members of the Roma community (paragraph 89).

Persons with disabilities

- While welcoming the legislative and policy measures taken to improve the protection of persons with disabilities, GRETA considers that the Croatian authorities should take additional preventive measures, including strengthening the monitoring of foster families and institutions caring for persons with disabilities and ensuring that professionals assisting persons with disabilities, including legal guardians, are provided with training on trafficking in human beings, with a focus on vulnerabilities that lead to THB (paragraph 98);

Identification of victims of THB

- GRETA urges the Croatian authorities to take steps to improve the identification of victims of trafficking, including by:
 - proactively identifying victims of trafficking in human beings in the Roma community and among foreign workers;
 - ensuring that a vulnerability assessment is systematically carried out in respect of all asylum seekers and that it includes the detection of possible indicators of trafficking in human beings;
 - ensuring that a proper procedure is in place for the identification of victims of trafficking among irregular migrants and asylum seekers, including by duly conducting individualised risk assessments prior to any forced return and assessing the risks of trafficking or re-trafficking on return. In this context, full consideration should be given to the UNHCR's Guidelines on the application of the Refugees Convention to trafficked persons and GRETA's Guidance note on the entitlement of victims of trafficking, and persons at risk of being trafficked, to international protection;
 - ensuring that decisions to revoke the status of a victim fully take into account the particular circumstances of each case and the best interests of the child, where applicable (paragraph 112);

- GRETA considers that the Croatian authorities should:
 - facilitate the involvement of specialised NGOs in the identification of victims of trafficking in human beings;
 - as part of their training, sensitise police officers, asylum officers, labour inspectors, social workers, prison staff and other relevant professionals who may come across victims of THB to the severe impact of exploitation on victims, the detection of indicators of trafficking and where to refer presumed victims (paragraph 113).

Assistance to victims

- GRETA urges the Croatian authorities to take steps to improve the provision of assistance to victims of trafficking in human beings, in particular by:
 - ensuring that victims are fully informed of the benefits of assistance before they are asked to consent to be included in the assistance programme and that information is provided in a manner that takes into account victims' age, maturity, intellectual and emotional capacity, literacy and any mental, physical, or other disabilities which may affect their ability to understand the information provided;
 - ensuring that the assistance programme for victims of trafficking addresses the specific needs of individuals with physical, mental, intellectual or sensory impairments, and other marginalized groups, such as the LGBTI community;
 - ensuring increased involvement of specialised NGOs which are part of mobile teams in the provision of assistance to victims of trafficking and providing them with sufficient funding in order to carry out these activities;
 - ensuring that child victims of trafficking are placed in appropriate accommodation and provided with specialised assistance tailored to their needs;
 - securing a sufficient number of places for adult victims of trafficking in specialised shelters and ensuring that access to the shelters is provided without discrimination (paragraph 127).

Notion of "abuse of a position of vulnerability" in the law and case-law

- GRETA welcomes the application of the concept of abuse of a position of vulnerability in THB cases processed by the Croatian prosecution offices and courts, and invites the Croatian authorities to continue providing training and guidance to the relevant professionals on how victims' position of vulnerability may exist or arise and how its abuse may operate in the context of trafficking (paragraph 137).

Investigation, prosecution and sanctions

- GRETA considers that the Croatian authorities should take further measures to strengthen the criminal justice response to trafficking in human beings, in particular by:
 - ensuring that trafficking cases are investigated proactively, including possible THB for the purpose of labour exploitation involving foreign workers;
 - ensuring that human trafficking offences are prosecuted as such, rather than as lesser offences, every time the circumstances of the case allow this, and lead to effective, proportionate and dissuasive sanctions for those convicted;

- effectively trace, seize and confiscate criminal assets, by ensuring that financial investigations form part of all criminal investigations into THB offences, with a view to compensating victims. Financial investigations should be systematic, carried out simultaneously with the investigation into THB offences, and form part of a proactive approach that makes it easier to identify the proceeds of crime;
- providing training on THB to law enforcement, prosecutors, judges and expert psychologists testifying in trafficking cases, including with regard to the concept of abuse of position of vulnerability in trafficking cases and the severe impact of exploitation on victims of trafficking (paragraph 147).

Protection of victims of trafficking in criminal proceedings

- GRETA welcomes the amendments to the CPA allowing for a wider range of protective measures for victims of trafficking in criminal proceedings and invites the Croatian authorities to ensure that they are applied in practice (paragraph 152).

Addressing human trafficking facilitated by information and communication technology (ICT)

- GRETA welcomes the above-mentioned activities of the Croatian authorities and considers that they should develop further measures specifically aimed at preventing ICT-facilitated trafficking in human beings, including investing in capacity building and digital tools to conduct proactive investigations (paragraph 165);
- GRETA invites the Croatian authorities to ratify the Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence (paragraph 166).

2. Follow-up topics specific to Croatia

Overview of trends and changes in the legislative, institutional and policy framework for action against human trafficking

- GRETA considers that the Croatian authorities should examine the possibility of establishing an independent National Rapporteur or designating another existing mechanism for monitoring the anti-trafficking activities of state institutions, as provided for in Article 29, paragraph 4, of the Convention (paragraph 25).

Compensation

- GRETA once again urges the Croatian authorities to make efforts to guarantee effective access to compensation for victims of THB, including by:
 - ensuring that the collection of evidence about the harm the victim has suffered, including the financial gain from the exploitation of the victim and the financial loss for the victims, is part of the criminal investigation, with a view to supporting compensation claims in court (see also paragraph 147);
 - enabling victims of trafficking to effectively exercise their right to compensation, by ensuring access to legal assistance and free legal aid at the outset of the criminal proceedings, and building the capacity of legal practitioners to support victims in claiming compensation;
 - including compensation in training programmes for prosecutors and the judiciary, and encouraging them to use all the possibilities the law offers to uphold compensation claims by victims of THB;

- reviewing the eligibility criteria for state compensation, in particular the criterion of serious injury, ensuring that co-operation of the victim with law enforcement does not influence the award of compensation, and making state compensation available to all victims of trafficking when the offence was committed in Croatia, regardless of their nationality and residence status (paragraph 172);
- GRETA reiterates its recommendation from previous evaluation rounds, and considers that the Croatian authorities should develop a system for recording claims for compensation by victims of trafficking, as well as compensation awarded to victims of trafficking (paragraph 173).

Non-punishment principle

- GRETA once again urges the Croatian authorities to ensure compliance with Article 26 of the Convention through the adoption of a provision on the non-punishment of victims of trafficking for their involvement in unlawful activities, including administrative offences, to the extent that they were compelled to do so, and/or the development of guidance for prosecutors. Public prosecutors should be encouraged to be proactive in establishing whether an accused person is a potential victim of trafficking and to consider trafficking in human beings as a serious violation of the rights of the victim. While the identification procedure is ongoing, potential victims of trafficking should not be punished for immigration-related offences and persons forced into prostitution should not be subjected to penalties (paragraph 177).

Appendix 3

List of public bodies, intergovernmental organisations and civil society actors with which GRETA held consultations

Public bodies

- Office for Human Rights and Rights of National Minorities (National Co-ordinator for Combating THB)
- Ministry of the Interior
 - General Police Directorate
 - Police National Office for the Suppression of Corruption and Organised Crime
 - Cybercrime Unit
 - Economic Crime and Corruption Service
 - Border Police
 - Department for Foreigners and International Protection
- Ministry of Foreign and European Affairs
- Ministry of Justice, Administration and Digital Transformation
- Ministry of Defence
- Ministry of Labour, Pension System, Family and Social Policy
- Ministry of Health
- Ministry of Tourism and Sport
- State Inspectorate
- Croatian Employment Service
- Institute for Expertise, Vocational Training, Rehabilitation and Employment of Persons with Disabilities
- Education and Teacher Training Agency
- Supreme Court
- State Attorney's Office
- Judicial Academy
- Police Academy
- Croatian Bar Association
- Office of the Ombudsperson
- Office of the Children's Ombudsperson
- Office of the Gender Equality Ombudsperson
- Office of the Ombudsperson for Persons with Disabilities

Intergovernmental organisations

- United Nations High Commissioner for Refugees (UNHCR)
- International Organization for Migration (IOM)

Civil society actors

- PETRA Network:
 - Centre for Women Victims of War – ROSA
 - NGO HERA, Križevci
 - Women's Association from Vukovar
 - Association SOS from Virovitica
 - Bolja **Budućnost** (Better Future)
 - Domine
 - Delfin - Pakrac
 - Women's Group Split
- Centre for Missing and Abused Children
- Centre for Peace Studies
- Croatian Red Cross
- Red Cross **Čakovec**
- Kali Sara
- Rehabilitation Centre for Stress and Trauma

Government's comments

The following comments do not form part of GRETA's analysis concerning the situation in Croatia

GRETA engaged in a dialogue with the Croatian authorities on a first draft of the report. A number of the authorities' comments were taken on board and integrated into the report's final version.

The Convention requires that "the report and conclusions of GRETA shall be made public as from their adoption, together with eventual comments by the Party concerned." GRETA transmitted its final report to the Croatian authorities on 17 April 2025 and invited them to submit any final comments. The comments of the authorities, submitted on 19 May 2025, are reproduced hereafter.

Comments of the Government of the Republic of Croatia on the Final Report on the Implementation of the Council of Europe Convention on Action against Trafficking in Human Beings in the Republic of Croatia with recommendations within the framework of the fourth evaluation round of the Group of Experts on Action against Trafficking in Human Beings (GRETA), May 2025

In relation to paragraph 42, which indicates that there has been no improvement in the system for appointing legal guardians for unaccompanied children, it is important to note that the guardians, who are employees of the regional offices of the Croatian Institute for Social Work, are already overwhelmed with their current workload. This, combined with language barriers and a lack of available translators, hinders their ability to provide the necessary support to unaccompanied children. This issue was previously highlighted in the second GRETA report. Furthermore, it should be clarified that a new guardian is appointed only after the child has been placed in a community service center, which is typically located in a city different from the one where the child was originally registered.

For unaccompanied children, a special guardian is appointed by the relevant regional office of the Croatian Institute for Social Work, based on the location where the child is found. This guardian is authorized to represent the child until the child is placed in a social welfare institution. This process includes screening the child and arranging for their placement, which must be preceded by a mandatory initial health check-up before the placement is finalized.

After the placement of a child, the regional office of the Croatian Institute for Social Work promptly informs the relevant regional office of the Croatian Institute for Social Work, which is responsible for the location of the institution where the unaccompanied child has been placed. This notification includes the necessary documentation, and the procedure for appointing a guardian for the child is carried out by the competent professional staff of the aforementioned regional office. As part of their responsibilities, professional workers from the regional offices of the Croatian Institute for Social Work participate in ongoing professional training and education related to the protection of unaccompanied children, which has been organized since the onset of the migrant crisis in 2015. The authorities granted to the guardians of unaccompanied children are outlined in the decisions regarding the placement of these children under guardianship, wherein they are appointed to represent the rights and interests of the child during their stay in the Republic of Croatia. Depending on the specific case, this may also involve taking actions to secure international protection, ensuring access to healthcare, facilitating inclusion in the educational system, reunifying with family members, cooperating with diplomatic and consular missions, and escorting the child to the border or handing them over to representatives of diplomatic and consular missions or social services for the purpose of returning the minor to their country of habitual residence. There is ongoing and coordinated collaboration among the regional offices of the Croatian Institute for Social Work concerning the implementation of activities and measures for the protection of unaccompanied minors.

Related to paragraph 44, which refers to ensuring that unaccompanied foreign children who are separated from their families have access to safe child-friendly or foster care facilities and that the accommodation should be linked to comprehensive care, including psychosocial support, legal aid, education and health services, in order to reduce the risk of exploitation by traffickers targeting vulnerable children.

Please note that accommodation and organized housing services are provided for all children without accompaniment. Organized housing is a social service that provides housing in a housing unit with permanent or occasional professional and other assistance and support in ensuring basic life needs and social, work, cultural, educational, recreational and other needs in order to establish and maintain their social roles, equalize their opportunities, improve the quality of life, encourage active and independent living and social inclusion, depending on the needs of the user. Accommodation is a service that provides intensive care and satisfaction of basic life needs when it is not possible to provide it in the family and by providing other social services, and accommodation provides housing and organized activities during the day with constant professional and other assistance and support in ensuring basic and additional life needs that cannot be met in the family.

Related to paragraph 50, in the part that refers to the need to ensure that victims of all genders have equal access to justice and protection, we emphasize that social welfare is provided in a way that allows the availability of benefits and services to all beneficiaries under equal conditions.

Related to paragraph 59, we appreciate your recommendations and are actively working on their implementation. Three of the four planned training sessions for labour inspectors and health workers on the topic of Trafficking in Human Beings were conducted in April, with the final session scheduled for the end of May 2025. These trainings are being held in collaboration with the OHRRNM, the Ministry of the Interior, the State Inspectorate, and the Ministry of Health.

Related to paragraph 98, this pertains to the supervision of foster families' work.

Supervision of the work of foster families is conducted by the Croatian Social Welfare Institute and the Inspection Supervision Service, under the Ministry of Labour and Pension System, Family and Social Policy. This supervision includes regular, extraordinary, and control inspections. The inspector conducting the inspection has the authority to enter the premises at any time without prior notice or permission. During the inspection, the inspector is entitled to examine buildings and other business and residential premises, review documentation, inspect goods and other items found at the service provider's location, and access business files. The inspector may also interview users, workers, and any other individuals present, as well as inspect documents that can establish the identity of individuals (such as identity cards, passports, etc.) and perform other actions in accordance with the objectives of the inspection.

The manner of conducting the inspection and its content *are prescribed by the Ordinance*. Inspection supervision is carried out by inspectors, senior inspectors and senior inspectors - specialists of the Ministry of Labour, Pension System, Family and Social Welfare. In addition, at the Croatian Institute for Social Work, the county services of the Institute perform tasks that include coordinating and implementing activities for the improvement and promotion of foster care. In addition, the Ministry of Labour, Pension System, Family and Social Policy has established a Sector for Professional Support and Improvement of Professional Work, which, among other things, has the task of performing tasks related to the protection, promotion and exercise of the rights of users of the social welfare system, i.e. other socially vulnerable groups, as well as foster care and adoption.

Related to paragraph 99, please note that research is underway conducted by a civil servant employed at the Ministry of Labour and Social Welfare, as part of the preparation of a doctoral dissertation on the topic

of the system of formal support to victims of trafficking in human beings in the Republic of Croatia, where a special aspect of victim vulnerability will be addressed.

Related to paragraph 102, which refers to the statement that there seems to be a reluctance on the part of the members of the Operational Team to identify victims who have not been identified by the police and a general distrust of foreign victims who are considered to be exploiting the system, is arbitrarily derived because each case is considered separately by the members of the Operational Team, taking into account all the specifics of the individual case. This is supported by the fact that there have been no cases in which members of the Operational Team have denied their status.

Also, we emphasize that the provision stipulating that the investigation is non-public has been included in the Criminal Procedure Act since the amendments of 2013 (before those amendments it was stipulated that the investigation was secret). The latest amendments of 2024 added a provision according to which the body undertaking the evidentiary action shall warn the persons participating in the action that the unauthorized disclosure of the contents of the investigative and evidentiary actions carried out during the non-public preliminary proceedings with the aim of making them available to the public is a criminal offence (Article 231 paragraph 1 of the Criminal Procedure Act).

Related to paragraph 107: *According to the Report, although the Republic of Croatia has put in place an Independent Monitoring Mechanism, it still carries out pushbacks at the borders with Bosnia and Herzegovina and the Republic of Serbia, and the effectiveness of monitoring by the Independent Monitoring Mechanism has also been criticised.*

We would like to point out that the Independent Monitoring Mechanism was launched in agreement with the European Commission and it aims to ensure effective independent monitoring of the actions taken by police officers, to serve as a model to all EU Member States for establishing external border monitoring within the framework of the Pact on Migration and Asylum. It is the first and only such mechanism in the EU. The Croatian police have faced accusations related to the treatment of migrants ever since 2016 when they began to arrive in the Republic of Croatia in great numbers. There are thousands of migrants at the Croatian border, which is also the external EU border and they continuously attempt to enter the EU illegally. In order to achieve this goal, they use any means, including false statements. The Croatian police provide access to the international protection system to all those who wish so, which is confirmed by the number of international protection applications made (12,872 persons made an application in 2022, and 68,114 in 2023). Accusations on the treatment of migrants coming from NGOs are based solely on the statements of migrants who are not in the Republic of Croatia, in most cases they do not contain any identity information about the alleged victims, nor the approximate place and time of the alleged incident. The competent departments at the Ministry certainly look into any such accusation to establish whether police actions were taken in accordance with law. However, due to lack of information, it is often not possible or it is very difficult to verify such accusations.

Please note that the Ministry of the Interior of the Republic of Croatia has a zero tolerance policy for any potential unlawful actions taken by police officers and a zero tolerance policy for non-processing of any criminal or misdemeanour offence committed by police officers against migrants, and we strongly condemn all such acts.

Related to paragraph 108, GRETA is concerned that, as a result of pushbacks (paragraph 107), victims of trafficking among this group of migrants may go undetected, and it also recalls the obligation of the Republic of Croatia under the Convention to identify victims and conduct a pre-removal risk assessment. We would like to point out that police officers who are responsible for border control and border surveillance tasks are obligated to carry out increased control of persons intercepted in illegal border crossing in order to determine possible elements of the criminal offence of trafficking in human beings or related criminal offences. Likewise, when conducting criminal investigations of the criminal offence of “Unlawful Entries into, Movement and Residence in the Republic of Croatia, another European Union Member State or a Signatory to the Schengen Agreement” under Article 326 of the Criminal Code of the Republic of Croatia, police officers make additional checks in order to detect and determine the indicators that might suggest that a specific case involves a criminal offence related to trafficking in human beings - migrants.

Migrants who enter the Republic of Croatia illegally are subject to the procedure laid down by the Aliens Act, which includes application of the prescribed safeguards (non-refoulement, best interest of a child, protection of vulnerable persons). On the other hand, those who attempt to cross the external border illegally but are not yet in the territory of the Republic of Croatia are subject to measures of discouragement laid down by the Schengen Borders Code, which does not exclude application of the principle of non-refoulement.

Related to paragraph 112, concerning the recommendation that decisions to withdraw victim status take full account of the specific circumstances of each case and, where appropriate, the best interests of the child. Please note that all circumstances are always taken into account in all actions, and the basic principle of work is the best interest of the child. Comprehensive assessment and planned activities include: collection and analysis of data on risk and protective factors of the individual, family and community, definition of the user's needs, initiation and encouragement of the user to change the unfavourable life situation or behaviour, and selection and acceptance of measures to improve the quality of life, assessment of the urgency of the procedure and urgent interventions, i.e. professional assistance and support aimed at protecting the best interest of the user, protection of user safety, and planning of change and development of an individual plan in cooperation with the user and other persons from his environment, and other experts important for the achievement of goals defined by the individual change plan. Assessment includes: data collection and analysis, as well as synthesis and interpretation of data on risk and protective factors in the life of an individual, family and community, for the purpose of identifying difficulties, the possibility of their reduction or elimination, assessing the causes of the difficulties that have arisen. Planning includes: development of an individual plan for changing the life situation or behaviour of users, determined on the basis of a comprehensive assessment of needs, difficulties and resources, in cooperation and partnership with beneficiaries and their families, the development of which includes activities of assessment, organization of access to rights, provision of services, coordination of all other service providers, and monitoring, review of the plan and impact of social services.

Related to Paragraph 124, which refers to distinguishing only between children and adult victims of trafficking in human beings and does not appear to be sufficiently adapted to the needs of persons with severe disabilities, physical and intellectual disabilities, as well as other groups such as members of the LGBTI community who may need additional services and protection is incorrect, as all rights and services

are provided on the basis of an individual plan drawn up on the basis of on the basis of a comprehensive assessment of needs, difficulties and resources, the preparation of which includes activities to assess, organise access to rights, and monitor, review the plan and impact of the services. In addition, the statement that there are problems with providing information that is not adapted to the needs of certain victims, such as, for example, those with hearing impairments, is also incorrect because the social welfare system prescribes that every person has the right to information about benefits and services in the social welfare system and the right to support in overcoming communication difficulties that contributes to meeting personal needs and improving the quality of life in the community.

Regarding paragraph 126, in so far as it concerns the placement of child victims of trafficking in human beings in institutions for children facing behavioural difficulties, as such institutions are unable to provide child victims with support tailored to their needs and, in some cases, may even put them at risk of re-trafficking in human beings. Please note that when deciding on the choice of a service provider, an individual plan for each child is adopted, which is made taking into account the best interests of the child. Benefits and services in the social welfare system are realized in accordance with individual needs, with individual planning being carried out. Individual planning is a method of social work in the process of planning and developing an individual plan for life change. The situation or behaviour of the user, identified on the basis of a comprehensive assessment of the needs, difficulties and resources of the user, in cooperation and partnership with the user and his family, and the development of which includes activities of assessment, organisation of access to rights and services, coordination with other service providers, monitoring and evaluation to respond to the needs of the user.

Regarding Paragraph 127, in the part relating to ensuring that victims are fully informed of the benefits of assistance before they are asked to give their consent to be included in the assistance programme and that the information is provided in a manner that takes into account the age, maturity, intellectual and emotional abilities, literacy and any mental, physical or other difficulties of the victims that may affect their ability to understand the information provided.

Please note that social welfare is designed to ensure the availability of benefits and services tailored to individual needs, with the active participation of users. It is essential that social welfare facilitates the timely identification of user needs to prevent the emergence or escalation of conditions that may threaten safety and hinder the fulfilment of life necessities, thereby promoting inclusion. Every individual has the right to access information regarding benefits and services within the social welfare system, as well as the right to support in overcoming communication barriers. This support is essential for addressing personal needs and enhancing the quality of life within the community. Beneficiaries of the social welfare system have the right to participate in the assessment of their situation and needs, as well as in decision-making regarding the utilization of services. They are entitled to receive timely information and assistance to facilitate informed decision-making. The consent of the beneficiary or their legal representative is required for benefits and services within the social welfare system. In proceedings that determine the rights and interests of a child, the child has the right to learn about the significant circumstances of the case in an appropriate manner, receive guidance, express their opinion, and be informed of the potential consequences of considering their opinion. The child's opinion is taken into account in accordance with their age and maturity. Individuals who have been deprived of legal capacity also have the right to participate and provide input in proceedings that affect their rights and interests. Users of benefits and services in the social welfare system must be ensured confidentiality and protection of personal data in accordance with relevant

regulations. Additionally, users in the social welfare system have the right to privacy when receiving compensation and services. Social welfare service providers must not infringe upon the privacy of users.

Regarding the statement that children who are victims of trafficking should be placed in appropriate accommodations and provided with specialized assistance tailored to their needs, we note that services within the social welfare system are delivered in accordance with individual requirements, facilitated through a process of individual planning. Individual planning is a method of social work that involves creating and developing a personalized plan aimed at improving the life circumstances or behaviour of the individual. This process is based on a comprehensive assessment of the individual's needs, challenges, and resources, and is conducted in collaboration with the individual and their family. The development of this plan encompasses activities such as assessment, organizing access to rights and services, coordinating with other service providers, and ongoing monitoring and evaluation to ensure responsiveness to the individual's needs.

Regarding the allegation concerning the provision of adequate accommodations for adult victims of human trafficking in specialized shelters, as well as ensuring non-discriminatory access to these facilities, we would like to clarify that the current contracted capacity adequately meets existing needs. Over the past decade, the shelter has never reached its maximum occupancy. However, should there be a need for additional accommodation capacity in the near future, the Ministry will take appropriate measures to address this issue. In response to the recommendation for ensuring non-discriminatory access to shelters, we affirm that access is granted to all individuals equally. Discrimination on any grounds is strictly prohibited. We appreciate your recommendations and are actively working on their implementation, as discussed above.

Regarding to paragraph 149 (page 38) and amendments to the Criminal Procedure Act (2024), we emphasize that the provisions governing general catalogue of victims' rights have been specified. Victim's rights have been extended in such a way that, immediately after the crime has been committed and for as long as necessary, the victim is entitled to easily accessible, confidential and free of charge access to support services for victims of crime. It expressly stipulates that the victim has the right to be accompanied by a person of trust, of his or her choice, from the reporting of the criminal offence to the final conclusion of the criminal proceedings. It provides for a new general right of the victim to the confidentiality of information the disclosure of which could jeopardise his or her security or security of the persons close to victim. The victim's rights to information, which have previously been laid down as rights exercised by the victim "upon request", are laid down in such a way that it is presumed that the victim wants to receive the prescribed information, unless the victim renounces the said right. The right to be informed extends to the notification to the victim of the release of the detainee. Also, Article 99 paragraph 4 of the Criminal Procedure Act was amended in such a way that prescribes a distance of 100 meters as the minimum distance that a court may determine when imposing a precautionary measure of prohibition of approaching a certain person. A new legal basis for arrest has been introduced so that the police are authorized to arrest a defendant for whom there are grounds for suspicion that he has acted contrary to the precautionary measure imposed against him (Article 107 paragraph 1 point 4). In addition, in order to protect the right to privacy and dignity of the victim, an obligation to anonymize the victim's personal data, as well as data on the basis of which a conclusion can be drawn about the victim's identity, has been prescribed when publishing documents on the court's notice board (Article 175 paragraph 5).

Related to paragraphs 170 and 171, Further, GRETA was informed that no requests for state compensation have been filed by victims of trafficking during the reporting period. In their report to the Committee of the Parties submitted in December 2022, the Croatian authorities explained that one of the possible reasons for the absence of compensation claims from victims of trafficking was that the criminal offence had not resulted in serious physical injury or serious damage to the health of the victim. Moreover, they noted that it is questionable whether the criminal offence of human trafficking could fall under the definition of a violent offence under the Act on Compensation for Victims of Criminal Offences. During the fourth evaluation visit, the GRETA delegation was informed that the possibility of amending the Act on Financial Compensation for Victims of Criminal Offences to include specifically victims of trafficking is foreseen in the new National Plan for Combating THB. The deadline for this process to be completed is the fourth quarter of 2026.

Regarding to paragraphs 167 and 172 of the Draft Report and ensuring access to legal assistance and legal aid for victims of THB at the outset of criminal proceedings, we emphasize that, in accordance with Article 44 paragraph 4 of the Criminal Procedure Act, the victim of the criminal offence of trafficking in human beings has the right to counselling services at government expense before being questioned (point 1) and the right to an attorney-in-fact appointed at government expense (point 2). Pursuant to Article 43 paragraph 4 of the Criminal Procedure Act, the court, the State Attorney's Office, the investigators and the police shall, already at the time of performing the first act in which the victim takes part, advise the victim in a manner he/she understands of the rights from the general catalogue that belong to each victim of a criminal offence, his/her special rights as a victim of a criminal offence of trafficking in human beings and about his/her rights as an injured party. Also, the victim shall be informed of the right according to Article 43 paragraph 2 of the Criminal Procedure Act, which prescribes that in case when the victim of a criminal offence punishable by imprisonment for more than five years has suffered severe harm as a result of a criminal offence, he/she is entitled to the professional assistance of an advisor appointed at government expense when bringing a civil claim. Also, a child victim of a criminal offence, in addition to other rights, shall have the right to an attorney-in-fact appointed at government expense (Article 44 paragraph 1 point 1 of the Criminal Procedure Act).

Regarding to paragraph 172, concerning ensuring that the collection of evidence about the harm the victim has suffered, including the financial gain from the exploitation of the victim and the financial loss for the victims, is part of the criminal investigation, we emphasize that Article 206i paragraph 1 of the Criminal Procedure Act prescribes that in case if there are grounds for suspicion that a criminal offence prosecuted ex officio was committed and that a pecuniary advantage was obtained by it, the State Attorney shall without delay conduct or order the conduct of inquiries in order to establish the value of such advantage and the location of the property thus obtained. If the pecuniary advantage obtained by means of a criminal offence was concealed by the perpetrator or if there are grounds to suspect money laundering, the State Attorney shall do whatever is necessary to locate the said property and ensure its confiscation. Also, according to the Article 207 paragraph 1 of the Criminal Procedure Act, if there are grounds for suspicion that a criminal offence prosecuted ex officio was committed, the police have the right and the duty to take the necessary measures to: find the perpetrator of the criminal offence, to prevent the perpetrator or the participant in a criminal offence from going into hiding or fleeing; discover and secure the traces of a criminal offence and objects that may be used for establishing the facts; and collect all information that might be useful for the successful conduct of criminal proceedings. In the investigation evidence and information necessary for deciding whether or not the indictment is to be preferred or the proceedings

stopped as well as evidence which it might be impossible to repeat at the trial or whose presentation might be made more difficult shall be collected (Article 215 paragraph 3 of the Criminal Procedure Act). Article 332 paragraph 1 of the Criminal Procedure Act prescribes that special evidentiary actions temporarily restricting certain constitutional rights of citizens shall be ordered by the investigating judge by a written reasoned warrant against the person suspected of having committed the criminal offence referred to in Article 334 of the Criminal Procedure Act alone or of having participated together with other persons in its commission, upon a written reasoned motion of the State Attorney. They shall be issued where the inquiries into criminal offences cannot be carried out in any other way or where this would entail disproportionate difficulty. Special evidentiary actions are: the surveillance and technical recording of telephone conversations and other remote communications; the interception, collection, and recording of computer data; entry into premises for the purpose of surveillance and the technical recording of the premises; covert tailing and technical recording of persons and objects; the use of undercover investigators and confidants; simulated selling and purchasing of objects, simulated bribe-giving and simulated bribe-taking; the provision of simulated business services or the conclusion of simulated legal transactions; supervised transport and delivery of the objects of a criminal offence. Article 334 of the Criminal Procedure Act provides that special evidentiary actions may be ordered, inter alia, for criminal offence trafficking in human beings (Article 106 of the Criminal Code).

Regarding to paragraph 177, concerning the compliance with Article 26 of the Convention through the adoption of a provision on the non-punishment of victims of trafficking, we would like to inform you that on 6 March 2025 the Minister of Justice, Administration and Digital Transformation established the Working Group on Amendments to the Criminal Code. The objective and task of the Working Group is to draft a proposal for an Act amending the Criminal Code in order to transpose Directive (EU) 2024/1712 of the European Parliament and of the Council of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims into national criminal law, including the introduction of a non-punishment clause specifically for the offence of trafficking in human beings referred to in Article 106 of the Criminal Code, as well as the introduction of a qualified form of committing the offence of trafficking in human beings when the same has been committed or facilitated by means of information and communication technologies, the act of disseminating images or videos or similar material of a sexual nature involving the victim. The Working Group is composed of representatives of the highest judicial bodies of the Republic of Croatia (Supreme Court, High Criminal Court and State Attorney's Office of the Republic of Croatia), the academic community, as well as representatives of the Ministry of the Interior and the Ministry of Justice, Administration and Digital Transformation. The expected entry into force of the Amendments to the Criminal Code is the fourth quarter of 2025. We appreciate your recommendations and are actively working on their implementation, as discussed above.