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G R E T A

Group of Experts on Action
against Trafficking in Human Beings

Reply from Croatia to the questionnaire for the evaluation of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings

Fourth evaluation round

Thematic focus: Addressing vulnerabilities to trafficking in human beings

Adopted by the Group of Experts on Action against Trafficking in Human Beings (GRETA) on 30 June 2023

Reply submitted on 5 February 2024

Introduction

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 of the Convention 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 of trafficking, 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 the vulnerability of children to trafficking. The third evaluation round focused on trafficking victims' access to justice and effective remedies.

GRETA has decided that the fourth evaluation round of the Convention will focus on vulnerabilities to human trafficking and measures taken by States Parties to prevent them, detect and support vulnerable victims, and punish the offenders. This includes a focus on the use of information and communication technology (ICT), which brings structural changes to the way offenders operate and exacerbates existing vulnerabilities.[1]

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.[2] Vulnerability to human trafficking is also subject to intersectional factors, such as gender, belonging to a minority group and socio-economic status.

[1] Paolo Campana, Online and Technology-Facilitated Trafficking in Human Beings, Council of Europe, April 2022.

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

Applying a socio-ecological approach to the analysis of vulnerability to human trafficking demonstrates how different risk factors influence vulnerability, and how protective factors may reduce the risk of victimisation by increasing resilience.[3] The socio-ecological model considers the complex interplay between individual, relationship, community and societal factors. It helps to understand how anti-trafficking strategies should: (a) reduce the vulnerability of individuals, (b) work with the communities (which may also include relationships) concerned to ensure that their practices or current dynamics do not exacerbate or contribute to vulnerabilities to human trafficking and, (c) change a number of system-driven or structural elements (such as policies) so that they do not facilitate but discourage an environment conducive to human trafficking.

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.

The reply to the questionnaire should be submitted in one of the official languages of the Council of Europe (English and French), and preferably also in the original language. Where appropriate, in order to avoid unnecessary repetition, the reply may refer to information contained in the report submitted by the national authorities on measures taken to comply with the Committee of the Parties' recommendation concerning the implementation of the proposals made in GRETA's third evaluation report. States Parties should provide links, copies or extracts of relevant legislation, regulations, national action plans and case law mentioned in the reply to the questionnaire, in the original language and, wherever possible, also in one of the official languages of the Council of Europe.

A variety of stakeholders and civil society representatives should be effectively consulted in the preparation of the reply to the questionnaire, to ensure that the information provided is as comprehensive as possible.

[3] https://www.avoiceforcentraloregon.com/uploads/1/3/9/9/139904528/socio_ecological_model_and_trafficking.pdf

Part 1 – Addressing vulnerabilities to trafficking in human beings

I. PREVENTION (Articles 5, 6 and 7)

1. Do you have specific data/research/analysis of what makes people vulnerable to trafficking in human beings (THB) in your country? Please provide information on the categories/groups of people identified as being at risk of becoming victims of human trafficking, and how they are addressed in the national anti-trafficking strategy and/or action plan. Have you identified geographical regions or economic sectors in your country as particularly vulnerable to THB, and how do you address them in your strategy or policy?

The Republic of Croatia (hereinafter: RC) does not have access to specific data and research on what makes people vulnerable to trafficking in human beings in the RC. However, in the light of criminal investigations conducted thus far, as well as other countries' experiences, we can assert that overall there are some factors that encourage THB and represent individuals'/groups' vulnerability to becoming victims of trafficking. These are:

- Economic – people living in economically unstable conditions are often more likely to accept questionable jobs or offers promising them a better future, very often abroad, thus becoming easy and attractive prey to human traffickers.
- Social – people at risk of social exclusion, discrimination or violence are more likely to become victims of human trafficking. The aforementioned include migrants, displaced people, people without adequate access to education and healthcare and members of marginalised groups. People who are forced to leave their homes due to conflicts, persecution, natural disasters, or frequently due to unfavourable economic circumstances, are often at greater risk from human trafficking, especially if the individuals in question have no legal status in the country where they are resident. Women and children are certainly among particularly vulnearble groups, as they are more frequently and easily at risk of violence and exploitation.
- Educational – people with no access to education, or functionally semi-/illiterate find it more difficult to understand their rights and are less aware of the dangers involved in THB.

Lately, the problem of online security has also grown in visibility, as in the digital age, human traffickers use the Internet both to recruit, but also exploit victims through social networks, classified ads websites or dating apps, due to the anonymity they can enjoy there. In addition, insufficient awareness of the actual methods and the forms human trafficking actually takes in the world today also make individuals more vulnerable to being victimised as they cannot recognise warning signs, are not aware of their own victimisation, or do not know who to turn to for help.

The key groups frequently targeted by human traffickers are: children who, due to their mental and physical underdevelopment, are unable to protect themselves or make decisions about their own actions. They can be victimised for the purpose of sexual exploitation (including pornography), labour exploitation, or committing illegal acts (most often theft and beggary); women (both young and adult), who are very often victims of sexual exploitation, forced/illicit marriage and labour exploitation; displaced people, forced to flee their homes due to conflicts, persecution, natural disasters, or frequently due to unfavourable economic circumstances, are often at greater risk from human trafficking, especially if they have no appropriate legal status in the country where they are resident, or are undocumented and thus more susceptible to exploitation as fear of deportation discourages them from reporting the perpetrators; socially excluded people, including the homeless, people with mental or physical disabilities, and people living in poverty, also represent a vulnerable group due to insufficient social support and sources of income. People with disabilities can also fall victim to various

forms of abuse and exploitation, due to their dependence on other people or due to prejudices around disability, etc.

We would also highlight children fleeing institutions or their family homes as an especially vulnerable group. In situations where such young individuals are found, youth engagement police officers pay special attention to establishing the circumstances of the child's disappearance and likelihood that in the course of their escape they may have become a victim of a criminal offence. Furthermore, there is awareness of the fact that for girls, marrying at a young age also carries a risk that the relationship thus established will be that of enslavement or similar for the girl – forced labour or servitude, sexual exploitation, prostitution or other illicit acts. Therefore, during criminal investigations on grounds of suspected commitment of the criminal offence of enabling extramarital life with a child, special attention is also paid to the aforementioned circumstances.

The RC is in the process of adopting a new National Plan for Combating Trafficking in Human Beings for the period up to 2030 and the accompanying Action Plan for 2024-2026. The new National Plan defines specific goals concerning combating human trafficking in the RC in order to upgrade the already established referral system for combating human trafficking and adapt to new trends in THB. In defining goals, measures and activities, the key points of the 2021 European Union Strategy on Combating Trafficking in Human Beings were taken into account, as were the recommendations of the Group of Experts on Action against Trafficking in Human Beings (GRETA) and the US State Department. Thus, the following goals were defined: "Preventing human trafficking", "Improving the system of identification, assistance and protection of victims of human trafficking" and "Improving cooperation at the regional and international level". Concerning the categories/groups of people recognised as at-risk, the new National Plan envisages activities that will:

- sensitise and inform the public about new forms of online recruitment and new types of exploitation, with special emphasis on women and children;
- sensitise all bodies involved in the national referral system with the aim of avoiding the revictimization and stigmatisation of victims;
- inform migrants, asylum seekers, persons who were granted international protection and other vulnerable groups about THB;
- develop public-private initiatives with companies in high-risk sectors and environments;
- improve the tools for monitoring human trafficking;
- improve the existing normative framework with the aim of protecting victims of THB, as well as identifying, prosecuting and adequate sanctioning of perpetrators of the criminal offence of human trafficking;
- reinforce the system for identifying victims of THB;
- to empower mobile teams;
- monitor the process of discovering, prosecuting and sanctioning the criminal offence of human trafficking and related criminal offences;
- provide assistance and protection to victims of THB;
- design educational materials aimed at police officers, public prosecutors and judges, to be used for the target groups' ongoing training on the topic of human trafficking (police officers, judges, public prosecutors, members of the armed forces, diplomatic and consular staff, employees of the Croatian Employment Service (CES), representatives of civil society organisations and employees of social welfare and healthcare institutions).

We cannot single out specific geographical areas within the territory of the RC that might be considered particularly vulnerable to incidences of criminal offences related to THB, although we can state that this kind of criminal offence is most frequently reported in larger cities (Zagreb, Rijeka, Split). The reasons for this may be to do with population density, an actual increased number of committed and reported criminal offences, but also with greater sensitivity among the police and citizens with regard to these and related problems.

As for sectors of the economy that we might cite as especially vulnerable to incidences of THB, we can single out housekeeping and domestic service, exploitation on human traffickers' agricultural estates, while, in line with the observed issues and international trends, particular attention is paid to jobs related to caring, housekeeping, elderly care and care for the infirm, construction work and sites, transport work, agricultural smallholdings, beauty and body care salons, manual car washes, hotels, restaurants, bulky waste collection sites, etc.

2. What specific measures are taken to reduce children's vulnerability to THB by creating a protective environment for children? Please provide information in the following areas:

a. protecting children's rights from attitudes, customs, behaviour and practices that can have an adverse effect (including child, early and forced marriage, and illegal adoption);

The RC has invested significant effort in raising awareness about the problem of under-age marriage, especially when it comes to the Roma community, and the importance of reporting cases of it to the relevant authorities. In line with the current National Plan for Roma Inclusion 2021-2027 and the accompanying Action Plans, the General Police Directorate, in collaboration with the relevant partners, has carried out preventative activities focussed on enhancing integration and improving the living conditions of members of the Roma national minority, which includes preventing early and/or forced marriage among the Roma population. An educational documentary film, *"Marry when you're ready"*, produced by the Police Directorate in collaboration with the Roma women's association "Roma Heart" with financial support from the European Union, is used to educate and sensitise. The film addresses the problem of early marriage among Roma girls aged 9-15, and is thus aimed at preventing criminal offences against them, including the offence of human trafficking and the offences of sexual abuse and sexual exploitation of children.[4] In addition to preventative activities aimed at members of the Roma national minority, the film is also used to sensitise both members of the relevant professions and the broader public to the issue in hand, through organising public panels, debates, workshops and public events to mark topical days.

In addition, there is the ongoing preventative project "I have a choice", implemented by the Police Directorate, in cooperation with the competent police departments, educational institutions and other partners. The goal of the project is to increase the social inclusion of minority social groups in the wider community, with a special emphasis on raising awareness among under-age Roma girls and empowering them so that they do not fall victim to criminal offences, including the offence of human trafficking and criminal offences involving sexual exploitation or abuse. Furthermore, we stress that criminal investigations into punishable offences against children are conducted meticulously, with the aim of establishing the circumstances that might indicate that any specific incident might be a case of a THB-related criminal offence, with a particular focus on facts that might indicate that younger children are entering into marriage or cohabitation – under-age persons in extramarital relationships, under-age pregnancies etc.

Likewise, this year the director of the Office for Human Rights and the Rights of National Minorities hosted pupils from the Ivan Meštrović primary school as part of a pilot-project on civic education, in his capacity as the national coordinator. The goal of the primary schoolchildren's visit was to become acquainted with various topics from the field of protection and promotion of human rights, as well as for children and young people to become acquainted with the phenomenon of human trafficking in a way that is appropriate for their age. Among the numerous project activities, it should be highlighted that the OHRRNM director took part in the Young Roma People's Congress in the town of Medulin from 22 to 24 September 2023, where he used a number of examples to draw attention to a number

[4]The preventative and educational material is available at:
https://www.youtube.com/watch?v=ZNUb-X3tMHQ

of perils faced by young people which he encounters in his official capacity as the national coordinator for combating THB.

b. developing children's life skills (including media literacy and online safety skills), knowledge and participation;

In the RC, the programme for the cross-curricular Civic Education subject,[5] mandatory for all levels and programmes in primary and secondary education (for all primary and secondary school pupils), foresees instruction for pupils about the prevention of THB. Likewise, pupils develop their media literacy through a number of teaching subjects and cross-curricular topics in primary and secondary schools, such as the Croatian language, computer science, mathematics, as well as the cross-curricular modules on the Use of Information and Communications Technology, and Personal and Social Development. This way, they develop critical thinking and evaluation, as faced with all kinds of information, it is important to be able to recognise those that are verified and accurate. The curricular area of Culture and Media encompasses developing a critical attitude towards media messages, understanding the influence of media and their messages on the society and the individual, creating media messages and responsibly circulating them.

Likewise, in addition to maintaining a free Helpline and *Hotline*, a form for reporting inappropriate online content – both universal activities in all member states of the international organisation Insafe – the Safer Internet Centre Croatia also operates the Information and Support Centre, whose primary role is to raise awareness and inform the public about the ways new technologies can be misused, as well as about ways to protect oneself on the Internet. One of the Information and Support Centre's activities is to develop the necessary skills to safely and responsibly use the Internet and modern technologies, as well as knowledge about them, by means of workshops for children and young people held in primary and secondary schools across the RC. The workshops encompass topics such as recognising sexual harassment (sexting, circulating inappropriate content, how to distinguish flirting from harassment, etc.), as well as the especially important topic of consent and personal feelings that arise when participating in various online activities, which may determine whether a specific activity constitutes harassment, depending on age.

c. putting in place a system for monitoring and reporting cases of abuse;

Key to preventing violence in schools and the society is the effectiveness of the programmes (including the theoretical groundwork, various approaches and developmental appropriateness) focussed on risk factors and developing children and young people's social skills, as well as on shaping their attitudes and values. It is important to teach them how to recognise potentially dangerous situations and to use effective reactive strategies to protect themselves, support their peers, family members and other members of society, and to ask trusted adults for help. Experiences from practice in education confirm that professional assistants most frequently intercede and intervene when violence breaks out, so they also receive information about instances of domestic violence, whether directly from the victims of such violence, or by an intermediary. There is a number of clues that children, that is, pupils use as early as preschool, to warn about problematic family relations, and the educators, teachers, professors and professional assistants in educational institutions receive continuous professional training to recognise various forms of violence and act on it when it occurs. In 2013, primarily with the aim of protecting the rights, safety and health of children and young people, the *Ordinance on the procedures for educational staff in school institutions in taking measures to protect the rights of pupils and reporting all violations of such rights to the competent bodies* was adopted. Staff are under legal obligations they have to abide by, in line with the *Protocol on the*

[5] https://narodne-novine.nn.hr/clanci/sluzbeni/2019_01_10_217.html (Croatian only)

procedures in cases of certain kinds of violence, including recording incidents through the Web Form for registering individual cases of violence, maintained by the Ministry of Science and Education (MSE). School prevention programmes presuppose strategies to improve connections between parents and schools, as well as other institutions in the community, since comprehensive cooperation among all stakeholders and coordinated activities are a prerequisite for working efficiently. Coordination among schools, parents and pupils, as well as all competent authorities, professional institutions and civil society organisations is significant in reducing the incidence of unacceptable behaviours in schools and the society as a whole.

Furthermore, the Ministry of the Interior (MoI) of the Republic of Croatia maintains an application called "Red Button" (https://redbutton.gov.hr/online-prijava/7), through which it is possible to report any kind of abuse, with the option of maintaining anonymity. Anyone can submit a report, including victims of offences, whether adult or minor. When a report is made, steps are immediately taken to establish the victim's identity and offer assistance, support and protection to the victim, as well as to establish what kind of criminal offence had been committed, and to find and prosecute the perpetrator.

In addition to this, any suspicion of punishable offences may also be reported by dialling 192, by e-mail to policija@mup.hr, or to the e-mail addresses of the regional police departments (https://policija.gov.hr/policijske-uprave/104), as well as by reporting to a local police station/department in person. A criminal offence or suspicion that a punishable action may have been committed may also be reported via an application for e-reporting suspicious events (https://policija.gov.hr/aplikacije-za-e-dojave-sumnjivih-dogadjaja/172) The MoI registers all the citizens' reports in its information system, acts on them, and enters the results of what has been established, regardless of whether it has been established that any punishable actions have been committed.

Likewise, in August 2018, the RC Government adopted the *Protocol on the treatment of unaccompanied children*. Among other things, the Protocol contains annexes such as the form for initial assessment of the needs of an unaccompanied child; a schematic outline of the needs of an unaccompanied child; a schematic outline and legislative framework for procedure in cases where a child is suspected to be, or identified as, the victim of THB; an address book for all parties involved in working with unaccompanied children; and a request form for approving free legal aid. All of these serve as practical tools in working with unaccompanied children. The Protocol is binding for all the relevant actors in the unaccompanied child protection system, such as social workers, special guardians, police officers, school personnel, doctors and many other, meaning that they have to act in line with its provisions, always guided by the child's best interest.

The identification of the unaccompanied child is followed by a preliminary interview and gathering information about the child, that is, a so-called initial assessment of the needs of the unaccompanied child, which is carried out by filling out the form in Annex 1 to the Protocol. This involves assessing the child's needs, and the type and level of risk, using the available assessment methods. In addition, it has been stipulated that it is necessary to monitor the risk indicators that might suggest whether the child is potentially a human trafficking victim, and in case of reasonable suspicion, a police officer must initiate proceedings under the national referral mechanism for cases when victims of THB are identified.

Unaccompanied children who did not request international protection can regulate their status and realise their rights in line with the Foreigners Act. When it comes to individuals recognised as victims of THB, and who had been granted temporary residence, such individuals acquire the right to safe accommodation, healthcare, financial assistance, education and work, in line with the Foreigners Act. If during the course of the procedure of granting international protection it is assessed that the child in question is a victim of THB, this is to be reported to the competent body of the Police Directorate.

d. providing training to child care professionals, legal guardians, education professionals;

In collaboration with the Croatian Red Cross (CRC), and within its purview, the Education and Teacher Training Agency regularly and continuously carries out educational activities for professionals employed in the educational system on the subject of preventing human trafficking. Such education is intended for workers in preschool and school institutions. In addition to the aforementioned regular educational activities, during 2023, the Education and Teacher Training Agency also organised professional development activities around the topic of cross-curricular and collaborative planning of cross-curricular topics, using a cascading system of professional development activities to circulate the concepts of cross-curricular and collaborative planning among teachers/professors for all the subjects at the school and county levels of county expert councils. At the state- and intercounty level, professional development activities have been organised for contemporary models and methods of learning and teaching Civic Education, as well as topics from the national programmes for whose implementation the Education and Teacher Training Agency is responsible. Expert meetings are regularly organised each year, both for teachers in preschool education institutions and for educational workers in primary and secondary schools.

Among expert meetings held in 2023, the following should be highlighted:

- Preventing human trafficking and migrations, presentation of the "Kutić humanosti" [A little corner of humanity] project and the CRC programme, "Sigurnije škole i vrtići" [Safer schools and kindergartens], 13 April 2023, online, 311 participants
- Intercounty expert conference: Migrations and integration of persons under international protection; Preventing human trafficking; Gender equality; Presentation of the programme: Safer schools and kindergartens, and Interdisciplinary field training at the CRC Education Centre; for the Karlovac and Sisak-Moslavina counties, 12 April 2023, online, 111 participants
- Migrations and integration of persons under international protection; Preventing human trafficking; Gender equality; Presentation of the programme: Safer schools and kindergartens, and Interdisciplinary field training at the CRC Education Centre; for the Požega-Slavonija and Brod-Posavina counties, 11 October 2023, online, 82 participants
- the Varaždin County County Professional Council for Civic Education in connection with other cross-curricular topics; Topics: Migrations – promoting tolerance, culture of non-violence and peace, Preventing Human Trafficking, Erasmus+ contribution to European civic participation, 4 January 2023, Varaždin, 39 participants

To develop pupils' competences – knowledge, skills and attitudes, teachers and pupils can use the following instructional materials and recommended methods:

- Vježbaj oprez smanji rizik. Radna bilježnica za učenike od 1. do 8. razreda osnovne škole [Practice precaution, reduce the risk. Workbook for primary school pupils from year 1 to year 8] (2007) MSE, Zagreb.
- Sigurni koraci. Radna bilježnica za rad na prevenciji trgovanja ljudima [Safe Steps. Workbook for work on preventing THB], MSE, Zagreb 2007
- Pomozi medi Jurici na putu do škole [Help Jurica the little bear on his way to the school], Croatian Red Cross, Zagreb 2007
- Neću biti rob(a)1 [I won't be a slave/commodity], Croatian Red Cross, Zagreb 2007
- Neću biti rob(a)2, Croatian Red Cross, Zagreb 2008
- Mišica Milica [Milica, the little mouse], Croatian Red Cross, Zagreb 2009

- Trafficking in Human Beings in Croatia: An Assessment Focusing on Labour Exploitation, International Centre for Migration Policy Development (ICMPD), 2010
- in 2017, the Croatian Red Cross published a textbook for teachers, professional assistants and volunteers, "What's the difference if I'm different". The textbook was approved in 2018 as an auxiliary instructional material for Civic Education for years 1-4 of all types of secondary schools. The textbook deals with the topic of Trading in Human Beings, which is recognised as an additional migration risk.

The recommended methods for work are: developing communication skills; methods of role-playing, simulation, and using characters from literature (Pinocchio); pupil research on human trafficking – gathering information from the media, on the internet, from the CRC and the MoI – designing questionnaires, interviewing, showing films about human trafficking etc.

There were also expert meetings on the topic of media literacy, encompassing topics related to skills for safe internet use, as well as other competences:

- Digital addiction, 14 April 2023, Šibenik and online (hybrid), 169 participants
- Cybersecurity, 14 April 2023, online, 273 participants
- Cybersecurity – 2023, 31 August 2023, online, 1363 participants
- Developing media and cultural literacy in teaching Croatian language, 23 February 2023, Tituš Brezovački primary school, Zagreb, 69 participants
- Media literacy and critical thinking education, 12 October 2023, Lipik, 76 participants
- Nation-wide expert conference for philosophy, logics, and ethics teachers: "Contemporary approaches to the topics and methodology of teaching philosophy"; one of the topics covered: Critical thinking and media manipulation. 20 and 21 February 2023 in Zagreb with the option of attending online, 121 participants
- County professional council for CE in correlation with the cross-curricular topic for the Krapina-Zagorje County primary schools, Media Literacy; teacher capabilities and the communication channel towards the pupils, Dražen Hoffman, Implementing media literacy in the work of librarians, Ludina primary school, Sveti Križ Začretje, 28 participants
- Osijek-Baranja County professional council for CE; Topic: Information and media space, 29 August 2023, Osijek, 8 participants
- County professional council for CE in correlation with cross-curricular topics for the Osijek-Baranja County primary schools: Social Dimension; Information and the media landscape, Judicial authority in democratic society and legal literacy among pupils-citizens – report from a national expert conference, 29 August 2023, Osijek, School of Hospitality and Tourism, 11 participants
- County professional council for CE in connection with other cross-curricular topics in Krapina-Zagorje County primary schools; Topics: Disinformation and critical reading of media content – Types of media, What makes us susceptible to disinformation?, How to recognise false news?, 3. April 2023, Tuhelj, 13 participants.

The new National Plan for Combating Trafficking in Human Beings for the period up to 2030, that is, its accompanying Action Plan, envisages education for professional staff in social welfare institutions, health coordinators and representatives of civil society organisations in the field of providing assistance and protection to victims of THB.

The MoI and the CRC hold regular trainings for those employed in reception centres for seekers of international protection in order to ensure that staff are sensitive to signs that might indicate human trafficking among children and adults.

e. access to education and health care for vulnerable children, including from minority groups, unaccompanied migrant children, and children of migrant workers;

With respect to members of minority groups, that is, members of the Roma national minority, the activities taking place concern the inclusion of children and pupils in the education system, from the earliest age, through primary education and keeping them in the system, to secondary and higher education. In order to facilitate access to education, a number of measures are being implemented for children and pupils from the Roma national minority (for instance, co-financing parents' shares in the financial cost of preschool education/kindergarten, preschool programmes, provision of Croatian language instruction, day care, instruction outside the classroom, summer schools, etc.). The vulnerability of Roma children and families has been recognised both in the national plans, and in international documents' recommendations.

All the aforementioned measures contribute not only to children's inclusion in the educational system, but also to keeping them in education. Annual reports on the implementation of the measures and the accompanying activities show that the activities being carried out match the need to ensure access to a high-quality and inclusive educational system from an early age, which aims to reduce initial inequalities, eliminate discrimination, reduce the challenges faced by children from vulnerable social groups, and promote emotional, social, psychological and physical development of all children, as well as that significant positive shifts in the field of education for members of the Roma national minority have been achieved. As is the case with other vulnerable social groups, the social, economic and cultural factors present in the lives of children/pupils who are members of the Roma national minority require that their specificities be recognised, and reasonable adaptations made, which may seemingly afford them advantage over other pupils, but essentially bringing them on to an equal footing when it comes to their chances of developing their full personal and educational potential. Consequently, in order to stimulate Roma children/pupils' inclusion and forestall their early abandonment of education, on top of the Croatian language tuition for pupils unacquainted or inadequately acquainted with the Croatian language, extended day care, instruction in nature/outside the classroom, graduation trips, summer schools and extracurricular activities, pupils from the Roma national minority also receive extra points when enrolling in secondary schools.

The MSE is a co-signatory to the Protocol on the Integration/Reintegration of Victims of Trafficking in Human Beings. The Protocol came into force on 1 April 2019, and contains a chapter on Education, Reskilling and Upskilling, whose Article 9 stipulates: "In accordance with the legal requirements, victims shall be included in primary, secondary and/or tertiary education. Victims older than 15 who have not completed primary education shall be allowed to continue primary education in accordance with the conditions provided by the ministry responsible for education. Victims who are foreign nationals will be allowed to participate in secondary education in accordance with the laws and by-laws of the ministry responsible for education. Financing of the costs of attending primary and secondary education referred to in paragraphs 1 and 2 of this Article shall be covered by the ministry responsible for education.

f. birth registration for all children born in the country.

A child born in a healthcare institution is registered with the register office by the institution itself, in written form. A child born outside a healthcare institution may be registered by: its father, the owner of the accommodation unit in which the child has been born, its mother when she is able to, a midwife or doctor who assisted with the birth, or any individual who has become aware of the child's birth. When reporting the birth of a child outside a healthcare institution, medical documentation about the

birth or proof of maternity must be presented to the registrar. The deadline for reporting the fact of the birth by a healthcare institution or a person aware of the birth is 15 days from the child's birth.

3. What measures are taken in your country to address vulnerabilities related to the gender dimension of human trafficking?

The RC has recognised women and girls as an exceptionally vulnerable group with regard to THB, given the statistical data. In cooperation with the United Nations Office on Drugs and Crime (UNODC), the Ministry for Europe and Foreign Affairs of the Republic of France, the Ministry for Foreign Affairs of the Kingdom of Sweden and the Organization for Security and Co-operation in Europe (OSCE), the Office for Human Rights and the Rights of National Minorities of the Government of Croatia organised a two-day international conference entitled "Improving response to trafficking in persons for sexual exploitation, especially women and girls, through addressing demand in the South-Eastern Europe" in spring 2022 and 2023. The conferences were organised with the goal of strengthening cooperation among the countries of South-Eastern Europe in combating sexual exploitation, especially of women and girls, but also with the goal of raising awareness among all the stakeholders in the system about the challenges and problems regarding this form of THB. In addition, in the course of his active participation in the informal network of South-Eastern European national coordinators, the national coordinator regularly highlights the problem of the gender dimension of THB, likewise fostering the exchange of good practice among South-Eastern European countries.

As part of the ESF project "Roma Inclusion – Fulfilling Preconditions for Successful Implementation of National Minority Policies – PHASE I", the OHRRNM produced and widely distributed a documentary film about successful young Roma women, "Their own", which portrays Roma women beyond the usual stereotypes and traditional gender roles. The film was shown on public television, and is now available on the UHRRNM YouTube channel, in Croatian and English. These and related activities were aimed at motivating young Roma women to enter education and other areas, and to shatter stereotypes and prejudice about Roma women among the majority population, which certainly contributes to increasing young Roma women's self-confidence and independence, which in turn reduces the likelihood of them being exposed to any kind of violence, and thus also to some forms of human trafficking.

In addition, recognising the importance of protecting women and girls, the Draft for the new National Plan for Combating Trafficking in Human Beings for the period up to 2030 dedicates an entire distinct Objective to preventing THB. Under this Objective, public campaigns aimed at raising public awareness about the phenomenon of THB and cybersecurity, primarily focussed on women and girls as victims of human trafficking, will be organised and carried out by the 4th quarter of 2026.

4. What specific measures are taken to reduce the vulnerability to trafficking of persons from disadvantaged minorities? Please provide information on policies and measures in the following areas:

a. research;

From March 2019 to September 2022, the UHRRNM implemented the project "Roma Inclusion – Fulfilling Preconditions for Successful Implementation of National Minority Policies – PHASE I", co-financed by the European Social Fund. Within the framework of the project, further analysis was carried out on previously collected data. These data, along with recommendations for relevant public policies, were published across 5 sectoral publications, which were also publicly presented:

1. Inclusion of the Roma in Croatian society – women, youth and children

2. Inclusion of the Roma in Croatian society – Identity, social distance and the experience of discrimination
3. Inclusion of the Roma in Croatian society – education and employment
4. Inclusion of the Roma in Croatian society – spatial planning, housing and environmental protection
5. Inclusion of the Roma in Croatian society – healthcare and social welfare

b. information, awareness-raising and education campaigns;

We note that along with the abovementioned preventative and educational project "I have a choice", aimed at strengthening the social inclusion of minority social groups into the community, with a special emphasis on sensitising and empowering under-age Roma girls not to fall victim to criminal offences, the Police Directorate, in collaboration with other relevant stakeholders, has also been systematically implementing a preventative action entitled "Together". The action comprises preventative activities focussed on the issues relating to human trafficking whose aim is to sensitise, inform and educate, as well as to identify potential criminal hotspots in order to reduce the number of victims of THB, with a special segment intended to reducing demand for sexual exploitation of children and minors in the process of human trafficking.

Likewise, regarding the topic of THB and reducing demand in the context of sexual exploitation, the Police Directorate, in cooperation with the Centre for Education, Counselling and Research – CESI, uses the preventative and educational video, "Two Girls", when carrying out educations, with the aim of raising awareness about this set of issues and educating pupils in the final years of secondary school. The video addresses the topic of combating human trafficking, with special emphasis on combating sexual abuse and sexual exploitation of young people who move to a new place of residence (such as for work, further education and similar).[6]

In the course of the project mentioned under (a), the OHRRNM also produced 4 topical videographics:

- a videographic for the presentation of the findings of thematic publications;
- a videographic about the importance of education;
- a videographic about the position of Roma women, youth and children, and
- a videographic as a presentation of the National Plan for Roma Inclusion 2021-2027

c. socio-economic initiatives targeting underlying and structural causes;

The UHRRNM is planning a number of projects under the framework of the Efficient Human Resources Programme 2021-2027 (JUPI – Jednakost, uključivanje, participacija i integracija Roma – Roma Equality, Inclusion, Participation and Integration), directly connected to the Roma national minority.

The social innovation project JUPI PILOT plans to establish five Community centres. The centres have planned activities for continuous professional work with the Roma community on community development , as well as securing continuous support for good practice developed during "Phase III: Testing the Child Guarantee for children in Croatia", a pilot project implemented by the UNICEF office in Croatia, in cooperation with the Ministry of Labour, Pension System, Family and Social Policy (MLPSFSP). The main purpose of the centres will be to work on empowering the population in five selected localities, including counselling and strengthening the Roma population's personal skills; work on solving problems in the community and securing prompt and functional communication of

[6]The preventative and educational video material can be accessed at: https://www.youtube.com/watch?v=GVoyExZz6w0

the needs of the population of the localities to the key stakeholders in the wider local communities (local and regional self-governments, public institutions and similar) in solving local difficulties; work on improving relations between the Roma and the majority population in the wider community. It is expected that the aforementioned intervention (centres) will, among other things, also affect the incidence and frequency of violence against women and domestic violence in the selected localities, which will also be evaluated (both at the level of individual localities and at the level of the pilot project overall). It is envisaged that the work of the centres in the community will improve the accessibility of high-quality, evaluated programmes of parental support for parents at risk of poverty and social exclusion, such as the implementation of the "Let's grow together" programme, as well as educational activities on the topic of women and girls' reproductive health. In order to allow comparison and monitoring of the work of the pilot-centres, the basic programme and methods of the centre's work will be modelled after the community centres in developed EU countries, such as the Netherlands or the United Kingdom.

d. education, vocational training and job placement programmes.

In the RC, the Croatian Employment Service maintains its regular activities, such as individual counselling and consultation, vocational guidance activities for all unemployed individuals, and participation in active labour market policies (the policies are targeted at incentivising employment-seeking, incentivising self-employment, acquiring first work experiences, education and training, activating the most difficult-to-employ groups, and preserving jobs and staying in employment – all in line with the overall objective of increasing the employment rate). During 2022, the active labour market policies implemented within the remit of the CES covered a total of 56,546 beneficiaries, which is a 16.9% increase on 2021, when the participants numbered 48,371. 25,064 of the total number of beneficiaries of the measures had actively participated in them during the previous year, while 31,482 beneficiaries were newly-involved during 2022. In order to sensitise employers to employ members of sensitive groups, among them victims of human trafficking, CES representatives participated in various activities including roundtables, panel discussions for employers, and presentations of active labour market policies, both at the national and the regional level. In order to acquaint the wider public with the options of using employment and education support, as well as other CES services intended for various target groups, regular collaboration with electronic and print media has been organised. In line with the planned activities, 22 special consultants-coordinators for victims of THB were appointed, in all the regional CES services and offices. This improves the quality of work with this sensitive group, by providing adequate and prompt services. Things are made easier for the victims by allowing them to register directly with the coordinator in a separate room, rather than at the information desk, where other unemployed people have to apply. In their work, the coordinators adhere to the principles of confidentiality, and are sensitised to the THB victims' state. The CES records show that from 1 January to 31 December 2022 no single individual identified as a THB victim had registered.

CES regional offices and services continuously implement measures and activities related to preparation for employment in order to stimulate the recruitment of unemployed victims of THB, in line with the National Plan for Combating Trafficking in Human Beings 2018-2021. The CES was responsible for implementing the measures within the section on Monitoring the process of detecting, prosecuting and sanctioning THB-related criminal offences, in the fields of assistance and protection for victims of trafficking, and education.

The National Recovery and Resilience Plan 2021-2026 envisages the establishment of a voucher system for acquisition of skills in demand on the labour market. The voucher system finances short-term formal education programmes for acquiring micro-qualifications or partial qualifications. The vouchers are allocated exclusively for green and digital skill acquisition programmes. 300 million HRK are to be earmarked for the needs of the voucher system, and that 30,000 beneficiaries will take part by 2026, 40% of whom should be members of vulnerable groups. Eligible for participation in the model in question are all unemployed or employed people aged 15 or older and have completed

primary education, excluding people who are currently in regular education or in the higher education and science system, and those receiving pensions in line with the general regulations that govern pension insurance. The system was successfully launched on 1 April 2022. By 9 November 2023, a total of 19,226 requests for vouchers were submitted, and 14,900 vouchers were approved.

As regards stimulating the education of Roma youth and children, with an emphasis on educating Roma women, a total of 7 regional roundtables on the topic of Roma education were held as part of the ESF project "Roma Inclusion – Fulfilling Preconditions for Successful Implementation of National Minority Policies – PHASE I", with representatives of public administrative bodies, local and regional self-government, representatives and members of the Roma national minority council, and representatives of public institutions, civil society organisations, as well as other interested stakeholders. The aim of the roundtables was to draw attention to the need for synergistic engagement by all the stakeholders and for increased effort precisely in the field of education as a key precondition for participation in the labour market, economic emancipation and inclusion of the Roma national minority in the social life of the wider community on an equal footing.

The roundtables touched on the current level of participation of members of the Roma national minority in preschool, primary and secondary education, as well as the strategic measures stimulating their participation in the education system at all levels. Examples of good practice abroad, as well as models of financial support provided by international organisations, were also singled out for discussion.

There were also 6 discussions held on the topic of the importance of education with parents from the Roma national minority. The goal of the discussions was to better inform the parents about the importance of education for individuals' overall life outcomes, and about the rights and benefits the education system holds for children of members of the Roma national minority. Roma parents obtained very useful information and advice, considered the importance of education in the life of every individual, as well as for creating a better future to their families. Likewise, 6 workshops for preschool Roma children were held with the aim of increasing the inclusion of Roma children in the preschool education system. The activities of the creative workshops were focussed on stimulating interest among the children to attend kindergarten, offering them various kinds of educational content that is being used in the preschool education system. The workshop activities were adapted to the interests and needs of the children involved, and stimulated comprehensive development and learning through play. The majority of children and parents expressed their satisfaction and desire for the workshop to happen again.

In addition, there were 6 workshops for primary school age children about the importance of education. The participants were pupils from 5th to 8th year of primary school. With these workshops, intended for primary school age Roma children, we wanted to encourage, motivate, inform, and create a positive attitude and disposition towards education in general, as well as towards the subsequent educational process that follows after primary school – secondary education, university, etc. Likewise, 3 trainings and 1 seminar for young Roma were also held, where the participants learned about human rights, combating discrimination and anti-Roma racism and discrimination. In the subsequent discussion, they communicated their own experiences of discrimination and inequality that they faced in many areas of life. Through working in groups, the participants became acquainted with the substance of the national Roma policy and, applying the knowledge they acquired, pondered the options of monitoring and advocating the implementation of the National Plan for Roma Inclusion at the local level. An analysis of the evaluation questionnaires the participants filled out at the end of the training showed an exceptionally high level of satisfaction. The trainings were an opportunity for young members of the Roma national minority from all over Croatia to network and, with the guidance and support of qualified facilitators, an opportunity to exchange experiences and develop plans for working together on improving the position of the Roma national minority in local communities, as well as at the national level.

As part of its duties in the Commission for Monitoring the Implementation of the National Plan for Roma Inclusion 2021-2027, the OHRRNM regularly approves funds on the basis of the Criteria for determining financial assistance for improving the conditions and quality of life of members of the Roma national minority in the RC. This way funding is secured for the education of members of the Roma national minority who did not complete their education within the regular system of education.

The MSE co-finances the preschool programme for members of the Roma national minority. The National Budget reserves funds to pay for educators, didactic materials and children's meals. In cases where a preschool institution does not have the requisite space to implement the preschool programme, the programme is carried out in primary schools. Monitoring and evaluation of the achievement of the objectives and tasks related to Roma children's participation in preschool is done in cooperation with schools and kindergartens. The preschool programme, that is, a programme to prepare children for primary school, has proven to be essential for members of the Roma national minority, has yielded good results and indicates that preschool education groups should be organised for all Roma children. An ever-increasing number of children from the Roma national minority are enrolling in preschool programmes. From 2014, the preschool programme became mandatory for all children for the year before they start attending primary school. Children from the Roma national minority can also attend two-year programmes, primarily in order to improve their knowledge of the Croatian language and provide them with the necessary competences so that they are ready to attend primary school. The Ministry also co-finances the parents' share in the basic costs of preschool education for integrated children, that is, children who attend regular kindergarten programmes, in order to bridge the gap between the socio-economic circumstances in which the children live and the chances they have for successful integration during their continued education.

The Ministry regularly announces an open call for "Programme, professional and financial support for Roma children's education", with the aim of enhancing the conditions for improving the educational achievement, socialisation and social inclusion of members of the Roma national minority. One of the activities being carried out as part of the approved projects is securing transport from the home to the kindergarten/preschool for Roma children living in remote, isolated settlements.

The MSE maintains a database on the primary and secondary education of members of the Roma national minority. Data obtained from county administrative departments in charge of education and the Zagreb City Department for Education are rounded out, that is, processed once every year, taking into account the data for the end of the previous school year and the beginning of the current one. The data is used to monitor pupil enrolment in the first year of primary school, extended day care participation, provision of additional Croatian instruction, dropping out and abandoning education, as well as the number of Roma pupils in each class in primary school. Also monitored are pupil enrolment in three-, four- and five-year secondary school programmes, as well as dropping out and abandonment of secondary education.

The Ministry funds all pupils from the Roma national minority regularly attending secondary schools, as well as all Roma students, by awarding scholarships through open calls. The MSE co-finances the costs of residential accommodation for pupils and students, keeping collective records about the number of pupils/students, that is, based on the total amount being spent on co-financing. The MSE issues recommendations for providing residential accommodation for Roma pupils on request. Along with secondary school scholarships, securing residential accommodation is one of the preconditions for increasing the number of Roma pupils successfully completing secondary education.

The Ministry finances literacy programmes and training for first jobs for members of the Roma national minority, in order to secure the conditions for developing competencies and achieving competitiveness in the labour market. Literacy and first job training programmes are carried out on a regular basis. The MSE exclusively finances the completion of primary education and training for first jobs for the education of adult members of the Roma national minority.

In addition, the Office is planning the implementation of the JUPI project (education and Phase 2), which includes the continuation of the national campaign, “Set the wheel of knowledge in motion”. In addition to raising awareness among the wider public and the professional community about the importance of education for members of the Roma national minority, the goal of the campaign is also to motivate members of the Roma national minority to greater participation in preschool education, as well as in secondary and higher education, using the means of a media campaign and motivational workshops with parents and children, as well as contests for the best Roma pupils. The campaign also involves regional trainings for Roma assistants and nation-level expert meetings with the objective of enhancing the stakeholders’ understanding of the factors contributing to positive outcomes in education, but also of promoting the existing good practice of inclusive education at both the national and the EU level.

5. What specific measures are taken to reduce the vulnerability to THB of persons with disabilities? Please provide information in the following areas:

a. deinstitutionalisation, including community and family-based services for children and support for independent living;

With the aim of recognising equal rights for children and all persons with disabilities to life in the family and the community, the RC continuously takes effective and appropriate measures that facilitate full inclusion and participation in the community for children and adults with disabilities. To that end, it has continued the process of deinstitutionalising the beneficiaries, preventing their institutionalisation, and transforming the service providers. In order to increase the regional availability of the services of community support, and reduce the number of institutionalised beneficiaries, an Operational Plan for Deinstitutionalisation, Preventing Institutionalisation and Transformation of Social Service Providers in the RC from 2022 to 2027, which places the emphasis on institutions founded by the Republic of Croatia, was adopted. This document operationalizes the measures and activities associated with this process over the following period, which were planned both in the National Plan for the Development of Social Services for the period 2021-2027 and the National Plan for Equal Opportunities for Persons with Disabilities 2021-2027 and the accompanying action plans.

The process of deinstitutionalisation has a priority focus on the groups of beneficiaries who were traditionally accommodated in homes established by the RC, children and persons with disabilities, while the priority for the other groups of beneficiaries is to develop the services of community support, with the aim of better integrating the beneficiaries in community life and allowing them to stay in their own household for as long as possible.

b. monitoring institutions and foster families accommodating persons with disabilities;

Foster care is a form of extra-institutional accommodation service that provides care and support for the beneficiary in a stimulating and positive family environment, with a long tradition in the RC. A foster family must meet the legally-stipulated residential, social and other conditions. These conditions are evaluated by the relevant regional offices of the Croatian Institute for Social Work, according to the foster family’s place of residence, and the families are handled by expert teams comprising a social worker, psychologist, lawyer and doctor, and other professionals where necessary. The foster families receive compensation for meeting the accommodated persons’ needs. The Croatian Institute for Social Work (CISW) issues the official decisions to place beneficiaries in foster families. A foster carer must be psychologically and physically fit, capable of caring for and protecting the beneficiary and meeting their needs. If the guardian or another family member has had their parental responsibilities removed, if the family relationships are dysfunctional, if the guardian or a family

member behaves in a socially unacceptable way, or if the guardian or another family member's mental impairment or illness might imperil the beneficiary's health or other interest, their family cannot be a foster family. The foster carers' work is supervised by the CISW, in line with its public powers, and the inspection service of the ministry in charge of social care system. Foster carers must attend educations. To regulate this issue, an Ordinance on the mode and duration of training and additional qualification of foster carers, which defines the mode and duration of training and additional qualification of foster carers, was adopted. Carer training is carried out as part of the procedure of issuing a decision on approving the provision of foster services, and is carried out by regional CISW offices in whose jurisdiction the applicant is resident. Foster carers for specific categories of users (temporary placement of a child or younger adult with behavioural issues, or a child of a foreign citizen found on RC territory without the supervision of its parent or another adult responsible for its care) receive additional training. The annual education comprises individual and/or group lectures and workshops, as well as examples from practice.

c. procedure for the selection and appointment of legal guardians and monitoring of their work;

The provisions of the Family Act prescribe the institute of guardianship for adults, that is, under this Act, guardianship for adults implies guardianship over an adult person deprived of their legal capacity. The Act prescribes the basic principles, as well as the prerequisites, scope, procedure and substance of deprivation of legal capacity. The principles have been prescribed so as to ensure that persons with disabilities are protected, if possible, by other means and measures, specified in special regulations, before a decision on the removal of legal capacity and guardianship is made, while in the administering of guardianship care it is necessary to strive for the smallest possible reductions of the ward's rights, and to take account of the personality, current or previously expressed personal views, as well as the protection of the dignity and wellbeing of the ward as a person under guardianship when acting on behalf or towards the ward. The same basic principles stipulate the necessity of stimulating independent decision-making by the ward and simultaneous support in decision-making, as well as participation in community life, where the guardian has the duty to accept the desires and personal attitudes of their ward unless they are contrary to the ward's wellbeing.

An adult incapable of taking care of any of their rights, needs or interests due to mental disturbances or for other reasons, or who jeopardizes the rights and interests of other individuals towards whom they have a duty of care will be deprived of their legal capacity by a court in a noncontentious procedure. Before adopting a decision on removing legal capacity, the court will obtain an official opinion from an expert witness from the appropriate branch of medicine, about the health of the person against whom the procedure of removing legal capacity has been initiated, and about the effect on their capability to protect any of their individual rights or groups of rights, or on their jeopardizing of the rights and interests of other people. The provisions in question furthermore stipulate that the court's decision on removing legal capacity determines which activities and affairs the person in question is incapable of carrying out independently, be it with regard to their personal situation or their property. The person deprived of their legal capacity will retain their legal capacity to administer those affairs that have not been cited in the decision, and can independently engage in them.

The provisions of article 317, paragraph 1 of the Social Welfare Act ("Official Gazette" no. 18/22, 46/22, 119/22 and 71/23) stipulate: "(1) Social welfare centres established under the provisions of the Social Welfare Act ("Official Gazette" no. 33/12 and 46/13) or the Social Welfare Act ("Official Gazette", no. 157/13, 152/14, 99/15, 52/16, 16/17, 130/17, 98/19, 64/20 and 138/20) cease to operate on 31 December 2022", while paragraph 5 of the same article stipulates that on 1 January 2023, the CISW takes over the duties of the centre for social welfare, among other things, the first instance resolution in the administrative area of social welfare, family law and criminal law protection

and other rights in accordance with the provisions of the Act and special regulations, therefore including the area of guardianship for adults.

A provision of article 235 of the Family Act stipulates that anyone may inform a social welfare centre (now the regional office of the CISW), about the need to provide protection to individuals who, due to psychological difficulties or other reasons, are incapable of taking care of any of their rights, needs or interests, or who jeopardize the rights and interests of other persons to whom they have a duty of care. In addition, the same provisions stipulate that whether at the request of the CISW or *ex officio*, healthcare institutions and selected general practitioners, that is, family doctors are bound to provide the regional office in question with information about psychological difficulties or other reasons why an individual may not be able to take care of their rights and interests, as well as that before these data are obtained, it is necessary to acquire the consent of the individual whose data are being supplied, or the consent of their legal representative.

The provisions of article 236 of the Family Act determine the powers of the regional CISW office in the procedure of removing legal capacity, determining thus that the regional CISW office recommends to the court that it should institute proceedings to remove legal capacity once it has assessed that an individual who, due to psychological difficulties or other reasons, is incapable of taking care of any of their rights, needs or interests, or who jeopardize the rights and interests of other persons to whom they have a duty of care, should be deprived of legal capacity. After the proceedings in question are instituted, the regional CISW office will appoint a special guardian, unless the person has already empowered someone to represent them. The special guardian is a person qualified to practice law, employed at a Special Guardianship Centre, except in cases where the person against whom proceedings for removing legal capacity are being pursued had by means of a notarial act determined the person they wish to represent them in the proceedings to deprive them of legal capacity (anticipated order), in which case the regional CISW office will appoint this person the legal guardian, provided they meet the other preconditions to be appointed guardian as stipulated in the Family Act.

A provision in paragraph 1, article 237 of the Family Act stipulates that within 30 days from a final court decision depriving a person of their legal capacity, the regional CISW office must issue a decision placing the person in question under guardianship, and appointing the guardian.

The provisions of article 239 of the Family Act determine the termination of guardianship for adult persons in the following ways: “(1) The court can decide in a noncontentious procedure that the scope of deprival of legal capacity can be reduced for a person who had been deprived of their legal capacity, that is, that their legal capacity be reinstated. (2) Guardianship for adults is terminated when a decision to reinstitute legal capacity is final, or when the ward dies.”

The provisions in article 238 of the Family Act stipulate that: “A person cannot be a guardian if: 1. their parental responsibilities have been removed; 2. they have been deprived of their legal capacity; 3. their interests are contrary to the interests of the ward; 4. they cannot be expected to properly perform their guardianship duties, in view of their behaviour, attributes and relations with the ward; 5. the ward had entered into a life care contract or support until death contract with them; and 6. the ward had entered into a life care contract or support until death contract with their married or unmarried domestic partner.

The provisions in article 496 of the Family Act stipulate that: “(1) Proceedings for the removing of legal capacity may be instituted by a court *ex officio*, social welfare centre (now a regional CISW office), the spouse of the individual against whom the proceedings are being pursued, their consanguineal relatives or second-line collateral relatives. (2) Proceedings to reinstate legal capacity may be initiated by a court *ex officio*, by persons from paragraph 1 of this article, the guardian with

the authorisation of the social welfare centre (now a regional CISW office), or the person about whose legal capacity the proceedings will be conducted."

A provision of article 497 of the Family Act stipulates that proceedings to deprive or reinstate legal capacity fall under the jurisdiction of the court which has local jurisdiction for the person against whom the proceedings are being conducted.

When it comes to children, guardianship is a form of protection of a child without parental care, a person deprived of their legal capacity, or a person who for other reasons cannot protect their rights and interests.

The Family Act distinguishes guardianship over children, over adults, and special guardianship. The tasks of guardianship are carried out by regional CISW offices, guardians and special guardians. The Family Act stipulates the prerequisites for appointing a guardian for a child or for an adult. The regional office must acquaint the person it intends to appoint as guardian with the meaning of guardianship, the rights of the ward, and the duties, authorities and rights of the guardian. The same must be done for the ward, unless this is impossible, about which the regional office must compose a memorandum.

A person cannot be a guardian if their parental responsibilities have been removed; they have been deprived of their legal capacity; their interests are contrary to the interests of the ward; they cannot be expected to properly perform their guardianship duties, in view of their behaviour, attributes and relations with the ward; the ward had entered into a life care contract or support until death contract with them; and the ward had entered into a life care contract or support until death contract with their married or unmarried domestic partner.

A child will be placed under guardianship if their parents are deceased, disappeared, unknown, or if for at least a month their whereabouts have been unknown, if they have been deprived of their parental responsibilities or of their legal capacity in an aspect which prevents them from providing parental care, if they are underage, if they did not acquire legal capacity through marriage, if they are absent or prevented and unable to care for their child, and have not entrusted the provision of parental care to a person fulfilling the conditions to be a guardian or given their consent to the child's adoption, as well as in other cases where stipulated by the provisions of the Family Act or special regulations, or where this is necessary in order to protect the rights and interests of the child.

A decision on placing a child under guardianship and appointing a guardian is issued by the competent regional CISW office.

A regional CISW office with jurisdiction for the place of residence of an adult person it determines is incapable of taking care of their own needs, rights and interests, or jeopardizes the rights and interests of other people to whom they have a duty of care, whether due to psychological difficulties or for other reasons, recommends *ex officio* that a relevant Court initiate proceedings for the removal of legal capacity.

The competent regional office appoints a special guardian for the person against whom the proceedings to remove legal capacity have been instituted. The decision to appoint a special guardian determines their duties and authorities, which will generally be limited to representing in the proceedings of removal of legal capacity and taking expeditious measures necessary to secure the property or to safeguard the health of the person for whom the proceedings are being conducted.

In its Decision on partial removal of legal capacity, the court will determine the measures, activities and affairs the person in question is incapable of engaging in, for instance: making use of their

property, salary or other pecuniary income; managing their property; making employment decisions; issuing statements or undertaking actions regarding marriage, parental care, and other personal situations.

A person partially deprived of their legal capacity can independently engage in affairs not specified in the court decision on the partial removal of legal capacity.

The competent regional office will place the person deprived of legal capacity under guardianship and will appoint them a guardian within 30 days from the final court decision.

The guardian is obliged to take measures to equip the ward for independent life and work, to conscientiously look after the personal and property rights and duties of their ward, as well as their wellbeing, in line with the decision on removal of legal capacity.

Before taking any measures to protect the person of the ward or their property interests, the guardian must always consider the ward's opinion, desires and feelings and take them into account, unless this is contrary to the ward's wellbeing.

The guardian will seek to involve an adult ward in everyday life and leisure activities, depending on the ward's health and abilities, and will represent their ward in engaging in affairs and actions for which the ward has been deprived of legal capacity.

When acting as the ward's representee, the guardian is obliged to accept the ward's opinion and desires, unless doing so is contrary to the ward's wellbeing.

The guardian is obliged to submit a report about their work and the state of their ward's property every six months, and whenever the competent regional CISW office requests. The guardian must provide a copy of the report about their work and the state of their ward's property to their ward, if the ward is 14 or older.

The report is submitted in written form, or orally, for the record.

In their Report, the guardian must specify how they cared for the ward's person, their health, the protection of their rights and wellbeing, as well as information on managing and handling the ward's property, about the ward's incomes and expenditures, and include any necessary annexes proving the level of income and state of the property for the period for which the report is submitted.

d. access to adequate accommodation, education and work;

The RC has established a specialised, comprehensive and interdisciplinary system that primarily cares about the interest of trafficking victims, starting from early identification to providing assistance, from the medical, psychological, social and legal, all the way to securing safe accommodation and voluntary return to the land of one's origin. The Protocol on Identification, Assistance and Protection of Victims of Human Trafficking stipulates which bodies participate in the provision of assistance and protection, as well as what rights do the victims of THB have. Thus, THB victims have the right to safe, that is, temporary accommodation, until a final decision on accepting the programme of assistance and protection, which involves humanitarian, psycho-social, medical and legal help. If the victim of human trafficking accepts the assistance and protection programme, they gain the right to the service of accommodation at a national shelter for victims of human trafficking. The deadline for accepting the programme is 60 days for an adult, and 90 days for a child. When the victim is a child, a legal

representative decides on whether to enter the assistance and protection programme, with the prior opinion of the child victim.

Regional coordinators have to inform both adult and child victims of THB about the assistance and protection programme. Together with the regional coordinator, the Croatian Institute for Social Work draws up an individual plan of changes to the living situation, the victim's behaviour based on a comprehensive assessment of needs, difficulties and resources with the aim of overcoming unfavourable living circumstances, in agreement with the beneficiary and their family members. Assistance and protection for THB victims within the jurisdiction of the social care system include providing information about social welfare rights and the procedures to realise these rights, as well as accommodation services and other rights, in line with the regulations pertaining to social welfare.

We also stress that during police procedures or possible retaliation, as well as after judicial proceedings, accommodation with a provider of social welfare services can be secured for a THB victim. The list of providers of such services is available to the Ministry coordinator as well as the regional coordinator, who undertakes the necessary measures to protect the victim.

All the procedures implemented as part of assistance and protection programmes are secret. When a victim accepts an assistance and protection programme, accommodation in a shelter, they enter into a Nondisclosure Agreement and sign a Contract on using the shelter for victims of human trafficking. Under the Nondisclosure Agreement they commit to keep the address and telephone number of the shelter, information on its employees and information on themselves and other people sheltered there, as a secret, both during their stay at the shelter and after leaving it. The victims also sign a Contract on using the shelter for victims of human trafficking, with which they commit to respecting the rules of conduct, about which they have to be informed in advance, and to cooperating with shelter employees. Professional assistants in regional CISW offices, coordinators and employees at shelters for THB victims are obliged to protect all the victims' data as a professional secret.

In the RC, a number of measures and activities are being implemented with the objective of successful integration of people with disabilities in the labour market. It is especially important to highlight the quota system for employing people with disabilities, the implementation of professional rehabilitation services, and granting of various kinds of stimuli for employing people with disabilities.

Pursuant to the Act on Vocational Rehabilitation and Employment of Persons with Disabilities ("Official Gazette", no. 157/13, 152/14, 39/18 and 32/20), the quota system compels all public and private sector employers employing a minimum of 20 employees to also employ a certain number of people with disabilities (more precisely, 3% of the total number of employees).

Other than through employment, the quota obligation can also be met in a number of alternative ways – for instance, by offering apprenticeships to disabled persons, financially supporting their regular education, entering into business partnership agreements with sheltered workshops that employ persons with disabilities.

Employers who do not fulfil the quota, either through employment or in any of the alternative ways, have to pay a financial compensation, amounting to 20% of the minimum salary (in 2023, this was 140 euros), and is paid monthly, for each person with a disability the employer was obliged to employ. The funds paid as compensation are strictly earmarked, to be used exclusively to finance the vocational rehabilitation system, as well as stimuli, projects and programmes to employ people with disabilities.

In addition to being bound by the quota system, public sector employers also have to give preference to persons with disabilities when hiring.

Among other things, vocational rehabilitation services include: assessment of work performance, professional support and monitoring at the workplace, education, training for specific jobs. All the services are based on an individual approach, and their aim is to enable persons with disabilities to work, taking into account their capabilities and potentials, but also the needs of the labour market.

In order to protect the rights of people with disabilities to vocational rehabilitation, the Act on Vocational Rehabilitation and Employment of Persons with Disabilities (https://www.zakon.hr/z/493/Zakon-o-profesionalnoj-rehabilitaciji-zapo%C5%A1ljavanju-osoba-s-invaliditetom) also determines the rights of people with disabilities to vocational rehabilitation, employment and work, and regulates the employment and work of people with disabilities in the open labour market and under special conditions. A provision in art. 9, para. 1 of the Act stipulates that when hiring, public administrative bodies, judicial bodies, public authorities and other state bodies, local and regional self-government bodies (hereinafter: public administrative bodies), public services, public institutions, extrabudgetary and budgetary funds, legal entities under full or majority ownership of the Republic of Croatia, legal entities under full or majority ownership of units of local and regional self-government, and legal entities vested with public authority must give preference to persons with disabilities, under equal conditions. Compliance with the provision is monitored by the administrative inspectorate for public administrative bodies, and by the inspectorate authorised by special regulations to conduct inspections with regard to hiring (labour inspection, education inspection) for the specified legal entities. If the relevant inspection establishes that an employment contract has been signed in violation of the right to preference in hiring persons with disabilities, it will issue a Decision establishing the violation of the right to preference in hiring. A final decision establishing the violation of the right to preference in hiring is legal grounds for terminating an employment contract whose signing has violated this right. Legal entities must sign an employment contract with the person whose right to preference in hiring has thus been found to have been violated within eight days from the termination of the contract whose signing violated their right to preference in hiring. If the legal entity does not sign an employment contract with the person whose right to preference in hiring has thus been found to have been violated within this deadline, it will be considered that the employment contract has been signed *ex lege*. Meanwhile, art. 9 of the Act somewhat differently regulates the procedure of administrative inspection. As for legal entities' hiring, if they do not give preference to a person with disability when hiring; if within 15 days of signing an employment contract with the chosen candidate they fail to inform the person with disability who applied for the job, whether the opening was announced in an open call or in a notice, invoked the right to preference in hiring, and met the conditions stated in the open call; as well as if they do not sign an employment contract with the person whose right to preference in hiring was found to have been violated within eight days from the termination of the contract whose signing had violated their right to preference in hiring, article 41 of the Act, lines 1, 2 and 3 of paragraph 1, and lines 3 and 4 of paragraph 2, treats this as a misdemeanour offence and prescribes the penalties. For employers who are legal entities, the prescribed penalty is a fine in the amount of 663.61-3,981.68 EUR, while for employers who are natural persons, as well as for individuals who hold responsibility within a legal entity or a public administrative body, the prescribed penalty is a fine in the amount of 132.72 to 663.61 EUR. In addition, art. 41, para. 1, line 5 of the Act deems it a misdemeanour offence if the minimum duration of the period of notice prescribed by the general labour law is not increased by a month for a person with a disability unless the person was themself at fault for the termination; if the person with a disability is not allowed to enjoy the right to at least five weeks of paid annual leave; if the employer does not secure adequate forms of reasonable adaptation with regard to adapting the organisational, psychophysical and social aspects of the workplace and the work environment, as well as adaptations related to efficiency and duration of work, depending on the work capabilities, characteristics and individual needs of the person with a disability being hired.

The Institute for Expertise, Vocational Rehabilitation and Employment of Persons with Disabilities (hereinafter: IPD) guarantees stimuli for hiring persons with disabilities, earmarked for co-financing the cost of salaries; contributions to the mandatory health insurance fund; travel and education expenses; the cost of workplace adaptation and adaptations of the working conditions for the person with a disability. In addition to these regular stimuli, every year additional funds are allocated for hiring people with disabilities through open calls (these funds are earmarked for purchasing new technologies and equipment, investing in the persons with disabilities' knowledge, and constructing or expanding working facilities).

In addition to IPD stimuli, active labour market policies under the purview of the Croatian Employment Service should also be highlighted. The conditions and criteria for people with disabilities' participation in such measures are more favourable than for other unemployed groups. More funds are available and the subsidies are paid over a longer period (a subsidy for a person with a disability is paid out for 24 months, while for other unemployed groups this period is 12 months).

Improving the system for hiring people with disabilities has been recognised as a distinct objective within the framework of the National Plan for Equal Opportunities for Persons with Disabilities 2021-2027. The key measures for achieving this objective are high-quality preparation of persons with disabilities for employment (their participation in vocational rehabilitation services and vocational guidance services) and the continued implementation of active labour market policies for persons with disabilities.

e. access to information and reporting/complaints mechanisms which are accessible to persons with disabilities.

The right to access information is a fundamental human right, protected by the Constitution of the RC, the European Convention on Human Rights, the EU Charter of Fundamental Rights and the Act on the Right of Access to Information (OG 25/13, 85/15 and 69/22). The National Plan for Equal Opportunities for Persons with Disabilities 2021-2027 is an act of strategic planning with which the Republic of Croatia has continued to design a policy for people with disabilities, guided by the UN Convention on the Rights of Persons with Disabilities, as well as the other contemporary international standards as the framework for further development of the rights of persons with disabilities.

Social welfare is an organised activity in the public interest whose goal is to aid socially vulnerable persons, as well as persons in disadvantageous personal or family situations. It encompasses prevention, assistance and support for individuals, families and groups, with the aim of improving the quality of life, and fostering change and empowering the beneficiaries so that they may become actively involved in the life of the community.

According to article 9 of the Social Welfare Act ("Official Gazette", no. 8/22, 46/22, 179/22, 71/23), every person has the right to information about the benefits and services in the social welfare system and the right to support in overcoming communication difficulties, which contributes to fulfilling personal needs and improving the quality of life in the community.

Social services are provided according to quality standards. For this reason, the Ordinance on Quality Standards in Social Services was adopted ("Official Gazette", no. 31/23). The right to objections and complaints is one of the seventeen prescribed quality standards. The beneficiaries, families and other stakeholders may complain about decisions made by competent authorities or their individual employees, and request and receive decisions on the complaints about the provision of services, without fear of consequences and with full confidence that they will receive replies to all their complaints.

The aforementioned Ordinance stipulates that everyone has the right to file a complaint if they believe that their rights as citizens and beneficiaries of the services have been violated. The service provider therefore has the responsibility to set up an objections and complaints procedure, which must be

clear and transparent, and guarantee that objections and complaints are resolved within a reasonable period of time. The service provider must ensure that all the beneficiaries of its services are well-informed about the complaints procedure, while the staff must be acquainted both with the procedures, and the beneficiaries' rights.

Meanwhile, the new Ordinance on the Manner and Conditions of Performing The Activities of Electronic Communication Networks and Services (OG 86/2023) provides for special kinds of services and equipment adapted to people with disabilities, as well as a person tasked with providing assistance, free of charge, which is often a prerequisite for access to information and support mechanisms.

In line with the EU directive on the rights of victims of crime (2012/29/EU) and the UN Convention on the Rights of Persons with Disabilities (CPRD), persons with disabilities who fall victim to misdemeanour or criminal offences have the right to an individual assessment, which is also a tool for securing their participation in the criminal proceedings. In this regard, the right to accompaniment by a person of trust also needs to be highlighted.

The National Plan for Equal Opportunities for Persons with Disabilities 2021-2027 has determined that legal protection and protection from abuse for people with disabilities are mid-term development priorities:

- ensuring regional availability of the service of temporary accommodation for victims of domestic violence, adapted to persons with disabilities both in the sense of architectural and information and communication accessibility, and in terms of the available support services;
- developing a programme of psychosocial support services and other forms of protection for persons with disabilities who become victims of violence;
- continuing to ensure that courts and institutions for persons deprived of their liberty are accessible
- continuous improvement of programmes of education and professional training for judicial staff, healthcare workers and social welfare workers.

6. How do you ensure in practice that an assessment of the vulnerability and special needs of asylum seekers is carried out at an early stage? What procedures are followed when vulnerability to THB is detected? Please provide information on policies and measures in the following areas:

a. provision of comprehensive and accessible information, in a range of relevant languages, on the rights of asylum seekers, indicators of THB, rights of victims of THB, and contacts of relevant organisations;

Pursuant to the Act on International and Temporary Protection ("Official Gazette", no. 70/15, 127/17 and 33/23), the procedure of recognising the personal circumstances of the applicants who need to be given appropriate support through special procedures and reception guarantees, including, among others, victims of torture, rape or other serious forms of psychological, physical and sexual violence, is conducted continuously by specially trained police officers, employees of the MoI and other competent bodies, from the moment of the expression of intention to apply for international protection to the delivery of the decision on the application. During the official interview with the applicant who has been recognised as a THB victim, the official conducting the interview and the translator will be of the same sex as the applicant.

In line with the Protocol on Identification, Assistance and Protection of Victims of Human Trafficking, the system for combating human trafficking in the RC is based on a human-rights system, where

newly-identified victims are guaranteed first forms of aid and protection, temporary accommodation in reception centres, legal, medical and other forms of care and protection, safe accommodation and return. Representatives of public administrative bodies, the Croatian Red Cross and civil society organisations are also involved in the process of identification and the system of assistance and protection on a partnership basis. Accordingly, all the activities in the domain of provision of assistance and protection to THB victims can be realised only through joint and coordinated work. Upon their arrival to a reception centre for seekers of international protection, a specially trained CRC psycho-social support team will carry out an initial assessment of the needs of the seeker of international protection, and acquaint them with their rights, obligations and available services. Depending on their needs the applicants will be referred to the relevant stakeholders. In the course of the needs assessment, special attention is paid to recognising indicators suggesting human trafficking. Any suspicion is reported to the MoI. If the seeker of international protection is recognised as a THB victim, they will be apprised of their rights as a victim of human trafficking. In addition, informative posters are placed inside the reception centres to allow victims to self-identify and know who to turn to.

The identification of victims of human trafficking (hereinafter: victims) is carried out by the MoI, in cooperation with the CRC and civil society organisations. Identification can be performed during official proceedings and interviews conducted by the MoI, the CRC and other civil society organisations that are in contact with seekers of international protection. If the victim is a child, the MoI will cooperate with the ministry in charge of affairs related to social welfare, as well as civil society organisations, during the procedure of identification.

Once a potential case of human trafficking is suspected, the MoI coordinator for combating human trafficking will immediately inform the responsible head of coordination of mobile teams. The body in charge of the process (the MoI) must immediately deliver a written notification about the completed identification to the national coordinator for combating human trafficking.

Mobile teams consist of specially trained representatives of social welfare centres, the CRC and civil society organizations engaged in providing assistance and protection to victims of human trafficking. Individuals engaged in the mobile teams receive an authorization for such work after completing specialized trainings organized by the OHRRNM in cooperation with other state bodies, the CRC and civil society organizations.

The mobile teams' obligations are:

- coming to the site of the identification and providing initial forms of assistance and protection to newly identified victims of human trafficking;
- conducting an initial interview with the victim immediately following the identification, and informing the victim about their right to make use of the assistance and protection programme;
- filling out and presenting to the victim the Form confirming the party has been informed as to the available assistance and protection programme for victims of human trafficking (which is contained in the Protocol);
- transporting the victim to a temporary reception facility and accommodating them there;
- providing assistance and protection to the victim until the victim is accommodated at a safe accommodation unit;
- transporting the victim to an official safe accommodation unit, if the victim has accepted the offered programme of assistance and protection.

b. access to legal assistance and representation;

Each year, the Ministry of Justice and Public Administration issues a tender to grant funds to authorised associations and law schools to operate legal clinics providing primary legal aid, in line with the provisions of the Free Legal Aid Act ("Official Gazette", no. 143/13 and 98/19). In their projects, authorised associations and law schools plan for provision of primary legal aid (provision of legal information) to vulnerable social groups such as victims of violence and domestic violence, victims of sexual abuse, seekers of international protection, persons granted international protection, foreigners – irregular migrants, unaccompanied children, and others. In 2023, the funds earmarked for projects for the provision of primary legal aid have been increased by 100% in relation to 2022. In addition to the increase in the total funds earmarked for primary legal aid provision projects and the maximum amount that can be granted for any single project, three-year project financing for the period from 1 January 2023 to 31 December 2025 is also under way, which should allow providers of primary legal aid to stabilise and strengthen their capacities to make sure their services are adequately provided and available to their beneficiaries.

In line with the Act on International and Temporary Protection, all seekers of international protection who do not possess sufficient funds or precious objects are entitled to equality in exercising the right to free legal aid, which encompasses help in drafting lawsuits, representation in first-instance administrative disputes and waiver of court costs for first-instance administrative disputes.

All the victims in the system of assistance and protection shall have access to humanitarian, psycho-social, healthcare and legal assistance, as well as safe accommodation on the basis of a previously designed individual programme of assistance and protection. An individual assistance and protection programme for victims regardless of their age is designed by the organisation tasked with caring for the victim, in cooperation with the competent social welfare centre.

The Croatian Bar Association regularly carries out trainings for lawyers specialising in providing legal assistance to THB victims through its Judicial Academy, and also maintains a List of lawyers specialising in providing legal assistance to THB victims, which is available at the CBA website, www.hok-cba.hr.

c. access to decent accommodation, health (including psychological) care, work and education.

Seekers of international protection are accommodated in reception centres for seekers of international protection, but they can also stay in private lodgings. Every individual identified as a THB victim has the same rights under the National Referral Mechanism of the Republic of Croatia, regardless of their status or country of origin. The broad spectrum of rights includes safe accommodation, access to healthcare, legal aid, the labour market and education system, as well as to the services and rights within the system of social welfare.

After the victim's status has been approved, the competent mobile team will offer them the option of safe accommodation, where the victim can stay until their final decision on whether to accept the assistance and protection programme, about which they will inform the mobile team. Until their final decision on whether to accept the assistance and protection programme, the victim can also reside in lodgings of their own choosing, if the prerequisites defined by the law have been met.

The assistance and protection programme comprises healthcare and psycho-social protection, safe accommodation, humanitarian aid, translation and interpretation services, legal aid and other necessary forms of assistance. The assistance and protection programme must be implemented expeditiously and in confidentiality.

The provision of initial forms of assistance and protection includes:

- organising emergency medical care
- securing transport and safe accommodation
- securing nourishment and rest
- ensuring personal hygiene needs are met
- securing essential/basic footwear and clothes
- securing other forms of assistance, depending on the victim's individual needs.

Pursuant to art. 14 of the Labour Market Act (OG 118/18, 32/20, 18/22), asylum seekers and seekers of international protection and their family members if the ministry responsible for internal affairs has not made a decision on the application for international protection within the deadline prescribed by law, and the applicant's actions did not influence the reasons for not making the decision, as well as foreigners under subsidiary or temporary protection, along with their family members, may be registered with the Institute. Thus, the specified categories of persons, as well as seekers of international protection, may freely access both the services provided by the Employment Service to which they have the right as unemployed persons and jobseekers, and the RC labour market.

With regard to international protection seekers' access to labour, after registering with the CES, they participate in regular activities to provide assistance and support for swifter employment and more successful integration in the national labour market. They have the right to an employment counsellor, who assists them through individual counselling, establishes what kind of employment support they need, and consults with them about the jobs they will help them find in the labour market.

Every person consults with their counsellor about which jobs they are interested in and capable of doing, what special knowledge and skills they possess, which languages they speak, and are accordingly referred to appropriate employers. The Institute can also refer a person for some form of education, such as education, training and retraining. An interpreter is available for meetings with the employment counsellor.

On 31 December 2022, there were 700 persons from the categories listed above who were registered as unemployed with the CES (of those, 555 were female); of those, 55 were seekers of international protection (31 of them female); five were persons under subsidiary protection (3 of them female); five were family members of persons under subsidiary protection (4 of them female); two were seekers of international protection with the right to work (both female); and 633 were persons under temporary protection (515 of them female). From 1 January to 31 December 2022, a total of 1706 persons with the aforementioned statuses participated in individual counselling activities; 84 of those were asylees, 8 persons under subsidiary protection, eight family members of persons under international protection, two seekers of international protection and 1604 persons under temporary protection.

Persons under international and temporary protection also participated in active labour market policies with the aim of more successful and quicker integration in the labour market. A total of 186 persons participated in active labour market policies during 2022.

7. What specific measures are taken to reduce the vulnerability to THB of migrant workers (including seasonal workers, seconded/posted workers, domestic workers, diplomatic household employees)? Please provide information on policies and measures in the following areas:

a. provision of comprehensive and accessible information, in a range of relevant languages, on migration and labour laws, worker protection and contacts of relevant organisations;

As part of the INCLuDE – Inter-Sectoral Cooperation in the Empowerment of Third-Country Nationals project, co-financed by the EU Asylum, Migration and Integration Fund, the OHRRNM published a brochure, "The Rights of Persons Granted International and Temporary Protection". The brochure contains information on the available mechanisms for the protection and promotion of human rights and combating discrimination in the RC, with special emphasis on protecting labour-related rights. The brochure is available in twelve languages: Arabic, English, Farsi, Filipino, French, Hindi, Croatian, Nepali, Pashto, Spanish, Turkish and Ukrainian, which includes, among others, languages most often used by foreign workers, such as Nepali and Filipino. The printed edition of the brochure was distributed to non-governmental organisations, some were delivered to the MoI, and it is also available online on the OHRRNM website: https://ljudskaprava.gov.hr/vijesti/izdana-brosura-prava-osoba-pod-medjunarodnom-i-privremenom-zastitom/1149. In order to facilitate access to information about their rights, the Ombudswoman's office prepared an overview of the most common problems foreign workers in the RC contact the Office about, as well as general legal information about what they can do to protect themselves. The information is available in the Croatian, English, German, French, Ukrainian, Macedonian, Albanian, Turkish, Nepali, Bengali, Hindi and Filipino languages.

Labour relations in the RC are regulated by the provisions of the Labour Act ("Official Gazette", no. 93/14, 127/17, 98/19, 151/22 and 64/23), unless otherwise determined by another law or international agreement concluded and ratified in line with the Constitution of the RC, which has been published and is in force. The provisions of the Labour Act equally apply to all employment relations, regardless of whether the worker is a person with a Croatian or foreign citizenship (which includes all foreign nationals, that is, both citizens of the EEA and the Swiss Confederation, third country nationals, and stateless persons).

Similarly, other sources of labour law (for instance, provisions of collective agreements or labour ordinances) in force for any specific employer apply equally to all the workers employed by the employer, regardless of citizenship.

Although it is the fundamental source of labour law in the RC, guaranteeing all workers a minimal range of labour rights, and, on the other hand, establishing a framework within which workers and employers can negotiate and agree better working conditions, the Labour Act (OG 93/14, 127/17, 98/19, 151/22 and 64/23) is not the only statute regulating workers' rights in the RC. There are many other laws and bylaws regulating and additionally elaborating other rights pertaining to labour relations (such as the Occupational Health and Safety Act and others), as well as a number of international sources ratified by the RC, such as the international conventions of the International Labour Organisation.

On the other hand, the Law on the Suppression of Undeclared Work ("Official Gazette", no. 151/22) determines what is considered undeclared work, regulates the measures for combating undeclared work, activities to stimulate declaring work, keeping records of inactive persons, and responsibilities for violations of the provisions of the Law. The Law in question also applies to third country nationals who are not legally resident, in conformity with the statute regulating the conditions for entry, movement, stay and work of foreigners who are third country nationals.

Compliance with the aforementioned laws is monitored by the competent inspectors with the Labour Inspection Department of the Croatian State Inspectorate (https://dirh.gov.hr/), whom special regulations authorize to supervise work and employment, and the supervision of the legality, regularity and timeliness of calculations, declarations and payments of public contributions is carried out by officials whom special regulations authorize to perform tax supervision duties (https://www.porezna-uprava.hr/en/Pages/default.aspx).

Consequently, we can conclude that the Croatian labour law is highly developed and in no way lags behind other EU member states' legal systems, and that as such, it offers adequate and efficient protection in the struggle against migrant workers' vulnerability to human trafficking.

All the labour regulations in force are published in the "Official Gazette", the official journal of the RC (https://www.nn.hr/). Information about labour regulations can also be found on the website of the Ministry of Labour, Pension System, Family and Social Policy (https://mrosp.gov.hr/en), and the Ministry's special website dedicated to migrations (https://migracije.hr/), which provides detailed information for each category of migrant in the fields of healthcare, including maternity benefits and parental benefits, pension insurance, child allowances, employment and unemployment benefit, applicable legislation, short-term benefits based on workplace injuries and occupational disease, information on education, social welfare, residence and work, and the Republic of Croatia in general. Information can be found in the Croatian, English, German, French and Italian languages.

b. provision of clear employment contracts;

The Labour Act ("Official Gazette", no. 93/14, 127/17, 98/19, 151/22 and 64/23) stipulates that the employment relationship is established on the basis of an employment contract. If the employment contract has not been concluded in written form, the employer must issue a letter of engagement to the worker before the commencement of work. Otherwise, the employer will be considered to have committed the gravest offence, which carries with it a large pecuniary fine, both for the employer who is a natural person and the responsible person in an employer who is a legal entity. The employer must submit to the worker a copy of the employment contract before the commencement of work when it is concluded in written form, and submit a copy of the registration for compulsory pension and health insurance within eight days from the expiry of the deadline for registering for compulsory insurance under a special regulation, as failing to do so is also considered one of the gravest offences committed by the employer.

Provisions in art. 229, para. 1, lines 3 and 4 determine sanctions for the misdemeanour offence of not issuing a letter of engagement and not providing the worker with a copy of the employment contract. These are categorised among the gravest offences committed by the employer, and the penalty ranges form 8090.00 to 13,270.00 EUR for an employer who is a legal entity, and from 920.00 to 1320.00 EUR for an employer who is a natural person and for the responsible person in a legal entity.

Likewise, if the employer concludes a contract with the worker for the performance of work which, given the nature and type of work and the employer's authorities, has the characteristics of the kind of work for which employment relationship is established, it is considered that he or she has concluded an employment contract with the worker, unless the employer proves otherwise.

According to article 15 of the Labour Act, an employment contract concluded in written form, that is, a letter of engagement, must contain information on:

- the contracting parties, their personal identification numbers and places of residence or registered office;
- the place of work, and if due to the nature of the work there is no permanent or main place of work or it is variable, information on the various places where the work is performed or might be performed;
- the title of the job post, that is, the nature or type of work for which the worker is employed or a short list or description of tasks;
- the date of conclusion of the employment contract and the date of commencement of work;
- whether the contract is concluded as an open-ended or a fixed-term contract, and the date of termination or the expected duration of the contract in the latter case;

- the duration of paid annual leave to which the worker is entitled, and in case such information cannot be provided at the time of concluding the contract or issuing the letter of engagement, the manner of determining the duration of said leave;
- the procedure in case of dismissal and the notice periods that the worker or employer must comply with, and, if such information cannot be given at the time of concluding the contract or issuing the letter of engagement, the manner of determining the notice periods;
- gross salary, including the gross amount of the basic, that is, contracted salary, supplements and other remuneration for work performed, and the periods within which such and other remuneration based on the employment relationship to which the worker is entitled are to be paid out;
- the duration of the working day or week in hours;
- whether full-time or part-time work is contracted;
- the right to education, training and advanced training referred to in Article 54 of the Act, if any;
- the duration and conditions of the probationary period, if contracted.

Furthermore, article 16 of the Act prescribes the additional data that a fixed-term employment contract for permanent seasonal work must contain; article 17a prescribes the additional data an employment contract must contain in cases of work at an alternative place of work or working remotely; while article 18 prescribes additional information an employment contract must contain in cases of posting workers abroad.

Article 46, para. 3 and 5, prescribe the additional data an employment contract for the temporary performance of work concluded with the worker by a temporary employment agency as the employer must contain.

If the aforementioned employment contracts do not contain the prescribed substance, pursuant to art. 226, para. 1, lines 7, 8, 9, 10, 13 and 21 of the Labour Act, in the course of a labour inspection supervision, the labour inspector will issue an oral decision contained in the inspection report, ordering the employer to offer the employee with whom they have entered into a written employment contract that does not contain all the elements prescribed by the Labour Act an amendment to the contract that will contain the missing elements, that is, to supplement the issued letter of engagement that does not contain the elements prescribed by the Act.

c. access to decent work and housing, health care, social services and education;

According to provisions in the Labour Act (“Official Gazette”, no. 93/14, 127/17, 98/19, 151/22 and 64/23), one of the basic obligations of the employer in the employment relationship is to guarantee the worker working conditions that allow them to work in a manner that is safe and does not endanger the health of the worker, in accordance with special legislation and other regulations (above all, the Occupational Health and Safety Act and the bylaws and accompanying ordinances adopted under the Act that additionally elaborate on all the duties of the employer in implementing occupational health And safety measures).

According to the provisions of article 3 of the Occupational Health and Safety Act (OG, no. 71/14, 118/14, 94/18 and 96/18, hereinafter: OHSA), a workplace is every place where the employees and persons at work have to be, or have to go to, or have access to during work due to the work they perform for the employer, as well as any space, that is, room used by the employer for performing work that is under their direct or indirect supervision. Likewise, a worksite is a temporary or mobile workplace, such as a construction site, a forestry site, a shipbuilding area, and places where temporary maintenance, demolition and repair work, agricultural work and work on exploration and exploitation of mineral resources is performed. In line with provisions in article 41 of the OHSA, the

employer must ensure that the workplaces being used are at all times safe, well-maintained, adapted for work and in good condition, in accordance with occupational health and safety rules.

The minimum safety and health requirements are prescribed by the Ordinance on Occupational Health and Safety in the Workplace (OG, no. 105/20) and the Ordinance on Occupational Health and Safety on Temporary Construction Sites (OG, no. 48/18).

When carrying out inspection supervision in the field of occupational health and safety, the competent inspector will issue an oral decision, in line with the provision in article 91, para. 1, line 1 of the OHSA, prohibiting the employer, until such time as the identified deficiency has been remedied, from using the means of work and personal protective equipment, or a building or its components, premises, plants, devices and other work equipment that is defective or for which the employer is unable to provide documentation stipulated by the OHSA and other regulations.

Furthermore, the Labour Act clearly stipulates that before a worker commences work, the employer must enable the worker to become acquainted with the regulations relating to employment relations, as well as with the organisation of work and occupational health and safety. By the same token, the employer must inform the worker of the dangers of the work they will perform, and train them to work in a manner that ensures the protection of the life and health of the worker and prevents accidents. If despite everything the worker suffers damage at work or in connection with work, the employer must indemnify the worker in accordance with the general regulations of the law of obligations.

In line with the statutes regulating mandatory health insurance, the employer must initiate a process to determine and recognise a workplace injury. This is done by submitting a printed form, “Workplace injury report”, to the regional office or local subsidiary of the Croatian Health Insurance Fund (CHIF) with jurisdiction for the place of residence or temporary residence of the insured person, or for the location where the employer is headquartered.

If the employer does not file a Workplace injury report, this has to be done by a chosen GP, on the injured person’s request or on the recommendation of the responsible occupational medicine specialist contracted by the CHIF to carry out specific health protection for workers, who has jurisdiction over the location where the employer, that is, organiser of certain activities and tasks, is headquartered. The worker themself can also file a request for recognising a workplace injury and determining their rights under mandatory health insurance, by submitting the Workplace injury report form.

Furthermore, in line with the provisions of the Act, the employer must provide the worker, in accordance with the possibilities and needs of the work, schooling, education, training and advanced training. On the other hand, the worker is obliged, in accordance with their abilities and needs of the work, to attend school, education, training and advanced training for their work.

When changing or introducing a new method or organisation of work, the employer must, in accordance with the needs and possibilities of the work, provide the worker with training or advanced training for their work. The employer must provide the worker with the training in accordance with what is necessary for performing the contracted work and at their own expense, whereby the time spent in training is included in the worker’s working hours and, if possible, takes place during the worker’s defined working hours.

If the employer has assumed the obligation to accommodate and provide food for the workers, they must take care to protect the life, health and morals, as well as the religion of the workers in the performance of this obligation.

d. possibility to change employers;

The conditions for the entry, movement and the work of foreigners who are third country nationals in the Republic of Croatia are currently regulated by the provisions of the Foreigners Act ("Official Gazette", no. 133/20, 114/22 and 151/22).

A worker can terminate the employment contract with a previous employer with a written agreement on termination of employment, which determines the date with which the employment contract is terminated, after which the worker may enter into an employment contract with their new employer. If the employer fails to agree to a consensual termination of the employment contract, the worker may, in line with the provision in art. 115, para. 4 of the Labour Act, terminate the employment contract, with a statutory or contractual period of notice, without stating the reason (regular termination), while, in line with art. 122, para 7. of the Act, the period of notice may not exceed one month, if they have a particularly important reason for the termination. Once the notice period has expired and the employment contract has been terminated, the worker can enter into an employment contract with a new employer.

Furthermore, if the worker has a legitimate reason for terminating an open-ended or fixed-term employment contract, they may terminate the contract with an extraordinary notice, without the obligation to comply with the prescribed or agreed notice period (extraordinary notice, art. 116 of the Labour Act). Thus, for instance, art. 92, para. 6 of the Labour Act stipulates that due to non-payment of their salary, the worker may terminate the employment contract. It should be noted that the provision in art. 120 of the Labour Act stipulates that a termination must be in written form, that the employer must state in written form the reasons for the dismissal, that a notice of termination must be submitted to the person being dismissed. Thus, art. 229, para. 1, line 47 of the Act determines that if the notice of dismissal is not in written form, is not reasoned or is not delivered, a fine ranging from EUR 8090.00 to EUR 13,270.00 will be imposed on the employer who is a legal entity. In practice, we have had cases where employees dissatisfied with their employers – or for other reasons – simply fail to turn up at work, and leave to work for another employer, leaving their old employer to terminate their employment contracts for unjustified absence from work.

In addition, when it comes to changing employers for third country workers, also necessary are a residence and work permit issued for the new employer. According to art. 90, para. 1 of the Foreigners Act ("Official Gazette", no. 133/20, 114/22, 151/22. Hereinafter: FA), a request to be issued a residence and work permit can be submitted by a third country national, in line with art. 58 of the FA, or by the employer at a Police Department or police station at the place of intended residence or work of the third country national, or the employer's headquarters. According to article 88., para. 3 of the FA, a third country national may perform in the RC only those activities for which they have been issued with a stay and work permit or a work registration certificate, and only with the employer for whom they were issued a stay and work permit or a work registration certificate and with whom they have entered into an employment relationship, unless provided for otherwise by the FA, while para. 4 of the article of the Act stipulates that an employer may employ or benefit from the work of a third-country national only for those activities for which the national has been issued with a stay and work permit or a work registration certificate, unless provided for otherwise by the Act.

Furthermore, art. 240, para 1 of the FA prescribes that when carrying out an inspection supervision, the competent inspector of the authority referred to in article 239, para. 1 of the FA (labour inspector) will issue an oral decision on the record prohibiting for 30 days the employer, either a legal entity or a natural person – from performing the activities, or a third-country national from providing services on behalf of a foreign employer at supervised business facilities or premises, if they establish that the third-country national worked for the employer during the supervision in contravention of the provisions of the FA that lay down the obligation to obtain a residence and work permit or a work registration certificate.

In addition, the inspector must bring charges/misdemeanour warrant against the employer on the grounds of reasonable suspicion that a misdemeanour offence as per art. 247, para. 2, lines 1 and 2 of the FA has been committed, if they establish that the employer employs or is benefiting from the work of a third-country national who does not have a residence and work permit or a work registration certificate; or employs a third-country national to perform activities for which they have not been issued with a residence and work permit or a work registration certificate. The prescribed fine for the offence in question ranges from 6630.00 to 13,270.00 EUR for an employer who is a legal entity, from 1320.00 to 6630.00 EUR for the responsible person in a legal entity, and from 1320.00 to 1990.00 EUR for an employer who is a natural person. Provisions in art. 250, para. 1 and 2 of the FA stipulate that a fine in an amount ranging from 929.00 EUR to 1320.00 EUR will be imposed on a third-country national working in the RC without a residence and work permit or a work registration certificate, or who performs activities other than those for which his residence and work permit or work registration certificate was issued or who works for an employer other than the one for whom his residence and work permit or work registration certificate was issued, and with whom he has not entered into an employment relationship.

e. access to confidential complaints mechanisms;

The provisions of the Labour Act ("Official Gazette", no. 93/14, 127/17, 98/19, 151/22 and 64/23) guarantee the protection of the worker's dignity. The procedure and measures for protecting the dignity of workers from harassment and sexual harassment are regulated by special legislation, collective agreements, agreements concluded between works councils and employers, or a working regulation.

An employer who employs at least 20 workers has to, with the prior written consent of the person for whom they propose the appointment, appoint one person, and an employer who employs more than 75 workers has to appoint two persons of both sexes who have the same authority as the employer to receive and resolve complaints related to the protection of the dignity of workers. Such individuals may be workers or persons not employed by the employer. The employer must inform the workers about the appointments within 8 days.

The employer or the person appointed as described above must examine complaints and take all necessary measures appropriate to the individual case in order to prevent the continuation of harassment or sexual harassment, if they determine that it exists, within the period laid down in the collective agreement, an agreement concluded between the workers' council and the employer, or a working regulation, and no later than eight days from the submission of the complaint.

If the employer fails to take measures to prevent harassment or sexual harassment within the 8-day deadline, or if the measures taken by the employer are evidently inadequate, the worker who is being harassed or sexually harassed has the right to stop working until protection is provided, provided that they have requested protection before the competent court within a further period of eight days.

If there are circumstances for which it is not justified to expect that the employer will protect the dignity of the worker, the worker will not be obliged to submit a complaint to the employer and has the right to stop working, provided that he or she has requested protection before the competent court and notified the employer thereof within eight days from the date of the interruption of work.

During the interruption of work, the worker is entitled to salary compensation equal to salary they would have earned if they had worked. All information determined in the procedure for the protection of the dignity of workers is secret.

Finally, The Labour Act ("Official Gazette", no. 93/14, 127/17, 98/19, 151/22 and 64/23 – Ruling of the Constitutional Court of the RC) additionally stresses that workers resisting conduct that constitutes harassment or sexual harassment does not constitute a breach of an obligation arising from an employment relationship, nor does it constitute grounds for discrimination.

In consequence, if the employer failed to act in line with the aforementioned provisions, a labour inspector conducting a labour inspection supervision must issue an oral decision on the record, ordering the employer pursuant to art. 226, para. 1, lines 18 and 32 of the Labour Act to adopt and publish a working regulation to regulate the procedure and measures for the protection of the dignity of workers, if these issues are not regulated by a general law or other statute; to appoint a person who is likewise authorised to receive and resolve complaints related to the protection of the dignity of workers and to inform workers about the appointment. In addition, the inspector must bring charges/issue a misdemeanour warrant against the employer on the grounds of reasonable suspicion that a misdemeanour offence as per art. 228, para 1, line 24 of the Labour Act has been committed, if the inspection supervision establishes that the employer did not treat the information established in the procedure for protecting the dignity of workers as secret. The penalty prescribed for the aforementioned offence ranges from 4110.00 to 7960.00 EUR, or 530.00 to 790.00 EUR for an employer who is a natural person or the responsible person in a legal entity.

Likewise, a labour inspector will also monitor compliance with the Act on the Protection of Persons Reporting Irregularities ("Official Gazette", no. 46/22, hereinafter APPRI), and will bring charges/issue a misdemeanour warrant against an employer if during the inspection supervision they establish that the employer did not adopt a statute to regulate the procedure for internal reporting of irregularities and the procedure for appointing a person of confidence and their deputy within two months from entry into force of the APPRI (23 April 2022); that they did not set up a system for internal reporting of irregularities; that they do not safeguard the information received in reports from unauthorised disclosure; that they did not appoint a person of confidence and their deputy (persons to whom irregularities are reported) in the way prescribed by art. 20 of the APPRI within three months from entry into force of the APPRI; that they have not secured the conditions for keeping records of each received report in accordance with the APPRI; that they have not taken measures to eliminate the established irregularities. Such actions by the employer are misdemeanour offences for which art. 35, para. 1, lines 1, 2, 3, 4, 5, 6 and 7 of the APPRI determine fines, ranging from 1327.23 EUR to 3981.68 EUR for an employer who is a legal entity, and from 132.72 to 1327.23 EUR for the responsible person in a legal person, or the natural person of a sole trader. Furthermore, a fine for a legal person ranges from 3981.68 to 6,636.14 EUR, and from 398.17 to 3981.68 EUR for the responsible person in a legal person and the natural person of a sole trader, if the employer prevents or attempts to prevent the reporting of irregularities; institutes malicious proceedings against those reporting irregularities, persons connected to them and persons of confidence and their deputies; reveals without consent or tries to reveal the identity of the person reporting irregularities or the person thus reported, that is, information on the basis of which their identity can be uncovered, as well as other information cited in the report on irregularities; if they take or try to take revenge or threatens revenge against the person reporting irregularities, persons connected to them and persons of confidence and their deputies for reporting irregularities or publicly revealing them; does not protect the person reporting irregularities from revenge and does not take necessary measures to stop the retaliation and remedy their consequences; influences or tries to influence the actions of the persons of confidence or their deputy in the course of taking measures they are authorised to take to protect those reporting irregularities, all of which are punishable offences according to art. 36, para. 1, lines 1, 2, 3, 4, 5 and 6 of the APPRI. In addition, art. 38, para. 1, lines 1, 2 and 3 of the APPRI also determine fines for offences by the persons of confidence and their deputies for not protecting the identity of the person reporting irregularities and the information acquired in the report from unauthorised disclosure, that is, disclosure to other persons, unless this is in violation of the law, as well as any individual participating in the procedure for reporting irregularities if they fail to protect the information they learn about from the report, or if they use and reveal them for other purposes than those necessary for the proper continuation of the procedure, as well as for the persons of confidence and their deputies if they abuse their authorities to the detriment of the person reporting irregularities, for which the prescribed fines range from 398,17 to 3981.68 EUR.

In line with the provisions in art. 57, para. 2 of the State Inspectorate Act ("Official Gazette", no. 115/18, 117/21 and 67/23. Hereinafter: SIA), in the performance of inspection duties, the inspector must safeguard the identity of the petitioner. Provisions in para. 2, 3, 4 and 5 of the article stipulate that the inspector, or another civil servant, has no obligation to safeguard the identity of a petitioner participating in the procedure as a stakeholder in order to protect their rights and legal interests if that is impossible, or if a special regulation prescribes it, and that the inspector and another official must safeguard as an inspection secret all the personal and other confidential information they learn of in the course of performing their duties, in accordance to the statutes regulating data protection and secrecy. They remain bound to safeguard the secrecy and confidentiality of the information even after they have ceased to work for the State Inspectorate. Furthermore, para. 6 and 7 of the SIA article stipulate that the State Inspectorate must safeguard as inspection secrets all the documentation (note, minutes, draft decision, decision, conclusion, misdemeanour warrant, criminal charge, work instruction, party statement, petition, complaint) and all the other information and evidence established, that is, produced in relation to the inspection proceedings, and that the State Inspectorate can only give the documentation and information gathered or established during the inspection supervision, as well as the identity of the petitioner, to state administrative bodies and other state bodies, upon their reasoned written request, in proceedings that are under their jurisdiction.

f. right to join trade unions and to engage in collective bargaining;

The Labour Act (OG, no. 93/14, 127/17, 98/19, 151/22 and 64/23) guarantees workers their right to associate. The workers have the right to exercise their free choice to found a trade union and to become its member, under conditions that can only be defined in a statute or rules of the union in question, without any previous approval. A union can be founded by a minimum of ten adults, legally capable natural persons. Membership in a union is voluntary, and a worker freely decides on whether to join the association or to leave it. It is also stipulated that no-one may be put at a disadvantage because of their membership in an association, that is, participation or non-participation in its activities, and acting contrary to the provision in question represents discrimination as defined in a special regulation, that is, the Anti-Discrimination Act ("Official Gazette", no. 85/08 and 112/12). Article 25 of the Anti-Discrimination Act stipulates that whoever, with the aim of intimidating another person or creating a hostile, degrading or offensive environment on the grounds of, among other things, trade union membership, hurts another person's dignity, will be charged a fine for misdemeanour amounting from 663,61 EUR to 3,981.68 EUR, as will the responsible person in a legal entity, state body, legal entity vested with public authority and local or regional self-government unit, while the fine for a sole trader or self-employed person performing any other independent activity in relation to their craft or activity will range from 1,327.23 EUR to 26,544.56 EUR, from 9,981.68 to 39,816.84 EUR for a legal entity.

The activity of a workers' association may not be temporarily prohibited, nor may the association be dissolved by a decision of the executive authority, but only by a decision of the competent court. A workers' association, that is, a trade union, must have articles of association based and adopted on the principles of democratic representation and democratic expression of the will of the members, while the purpose of the association defined in the articles of association must be the conclusion of collective agreements. Employers and their associations may not supervise the establishment and operation of trade unions or their higher-level associations, nor may they finance or otherwise support trade unions or their higher-level associations in order to exercise such supervision. Acting in contravention of this provision is punishable under art. 228, para. 1, line 32 of the Labour Act, so a fine ranging from 4110.00 to 7960.00 EUR will be imposed on employers who are legal entities, and a fine ranging from 530.00 to 790.00 EUR on employers who are natural persons and the responsible persons in legal entities. Equal fines are prescribed for employers who do not act in accordance with art. 189 of the Labour Act, that is, in accordance with the instructions of the trade union, and with the prior written consent of the worker who is a member of the trade union, the employer does not calculate and withhold from the salary of the worker the trade union membership fee and regularly

pay it into the account of the trade union, which is punishable according to art. 228, para. 1, line 33 of the Labour Act.

Furthermore, it is expressly stipulated that a worker may not be placed in a more disadvantageous position to that of other workers due to membership in a trade union, and it is especially not allowed to:

- conclude an employment contract with a particular worker under a condition that they do not enter into a trade union, or under a condition that they leave the trade union;
- terminate the employment contract or otherwise put the worker at a disadvantage in relation to other workers due to his or her membership in the union or participation in union activities outside working hours, and with the consent of the employer also during working time.

Membership in a union and participation in union activities may not be a circumstance on which the employer bases the decision on concluding an employment contract, changing the work assigned to a worker or their place of work, vocational education, promotion, payment, social expenditures and termination of the employment contract. The employer, the director or any other body, and the employer's representative may not use coercion in favour of, or against any trade union.

As far as collective negotiation is concerned, as stated above, the purpose of workers' association, that is, of the establishment of trade unions, must be the conclusion of collective agreements. The collective agreement regulates the rights and obligations of the parties that have concluded that agreement, and may also contain legal rules governing the conclusion, content and termination of employment relationships, social security issues and other employment relationship issues or issues related to employment relationships. The legal rules contained in the collective agreement apply directly and compulsorily to all persons to whom the collective agreement applies in accordance with the provisions of the Labour Act.

With regard to collective negotiations, the provision in art. 169., para 1 of the Labour Act stipulates that an association/union may be a party to a collective agreement only if it is incorporated and registered in accordance with the provisions of the Labour Act. A labour inspector conducting labour inspection supervision must issue an oral decision in the inspection report ordering the employer, pursuant to art. 226, para. 2, lines 34 and 35 of the Labour Act, to inform the worker by written notice on the conclusion of a collective agreement, or its amendment or cessation in line with art. 201, para. 4, and to publish the collective agreement in the prescribed manner (in line with art. 202, para. 1 and 2 of the Act), within the prescribed deadline, if the employer failed to do so. Moreover, the labour inspector will bring charges or issue a misdemeanour warrant against the employer if it is found that the employer failed to act in accordance with art. 201, para. 1 and 2 of the Act, that is, if they failed to submit each collective agreement or change to a collective agreement to the ministry in charge of labour, or fails to submit it within the prescribed deadline, which is punishable under art. 228, para. 1, line 34 of the Labour Act.

g. legal avenues for regularising their stay in the country.

The conditions of residence and work of third-country nationals are defined by the Foreigners Act (OG 133/20, 114/22 and 151/22), and elaborated in more detail by the Ordinance on the Residence of Third-country Nationals in the Republic of Croatia (OG 20/22 and 155/22).

A third-country national may stay in the Republic of Croatia on a short-term stay (up to 90 days during any period of up to 180 days), a temporary stay (up to a year), long-term residence (unlimited), or permanent residence (unlimited).

Temporary stay may be granted to a third-country national for the following purposes: family reunification, secondary education, university studies, research, humanitarian grounds, life partnership, work, work of a posted worker, stay of long-term residents in another EEA Member State, for other purposes, and stay of digital nomads.

Temporary stay on humanitarian grounds may be granted to a third-country national in the following cases: if as a human trafficking victim they have accepted the assistance and protection programme; if they are a minor who has been abandoned or is a victim of organised crime or has for other reasons been left without parental protection, guardianship or accompaniment; if they are a member of the Croat people who is a foreign citizen or is stateless, and has a certificate issued by the state administration authority for Croats abroad; a third country national who had been a refugee for at least 10 years prior to submitting the request, or who has been included in the reconstruction or return or housing programme for refugees from the RC, which is substantiated by a certificate issued by the state administration authority in charge of housing; if they cooperate with the competent authorities and it is indispensable that they participate in criminal proceedings brought against the employer who had employed them illegally; if there are serious, justified reasons of a humanitarian nature.

A third country national does not have to enclose proof of means of subsistence and proof of health insurance to their application for temporary stay.

A third-country national may work in the RC on the basis of an issued residence and work permit or a work registration certificate, unless provided for otherwise by the Act. A third-country national may perform in the RC only those activities for which they have been issued with a residence and work permit or a work registration certificate, and only with the employer for whom they were issued a residence and work permit or a work registration certificate and with whom they have entered into an employment relationship.

8. Do labour inspectorates and other authorities checking workplace conditions possess a comprehensive mandate, and adequate human, financial and technical resources, to conduct regular, proactive workplace inspections in all economic sectors, with a particular emphasis on high-risk sectors prone to exploitation? How do labour inspectors co-operate with other authorities and trade unions? Is there a separation between labour inspection and immigration control functions?

The Decree on the internal structure of the State Inspectorate ("Official Gazette", no. 97/20, 119/20 i 104/21) established regional State Inspectorate offices in Osijek, Rijeka, Split, Varaždin and Zagreb, along with the Central Office in Zagreb. With the subsidiaries of the regional offices in larger cities, this makes up a total of 37 offices. Labour inspectors are deployed at 27 subsidiaries. The Decree on the internal structure of the State Inspectorate and the Ordinance on the Internal Organisation of the State Inspectorate have classified a total of 268 labour inspector jobs (148 of which were in the field of labour relations, and 120 in the field of workplace protection). As of 8 November 2023, 187 of these labour inspector jobs were occupied (109 in the field of labour relations, and 78 in the field of workplace protection).

In line with the provisions of the State Inspectorate Act ("Official Gazette", no. 115/18,117/21 i 67/23), the State Inspectorate cooperates with numerous public administrative bodies, and the cooperation is based on cooperation agreements, the RC Government's Conclusions, as well as directly, depending on the specificities of the legislative field. The most significant of these are:

- cooperation with the MoI on data exchange and performing joint inspection supervisions with regard to the work of foreigners and workplace injuries;
- cooperation with the MLPSFSP on data exchange;
- cooperation with the Tax Administration on data exchange and on non-payment of workers' salaries;
- cooperation with the Agency for Payments in Agriculture, Fisheries and Rural Development on implementing the Memorandum of Understanding concluded by the Agency and the State

Inspectorate in the procedure to establish the level of compliance with EU regulations and standards in the field of workplace protection in implementing IPARD and EAFRD programmes;

- cooperation with the Croatian Chamber of Trades and Crafts in the procedures to grant licences for provision of the practical modules in apprenticeships (practical instruction for apprentices and pupils in vocational schools);
- cooperation with the Croatian Institute of Public Health on data exchange, expert meetings and educations;
- cooperation with the Croatian Health Insurance Fund on data exchange;
- cooperation with the Croatian Pension Insurance Institute on data exchange;
- cooperation with EU member states' labour inspections; labour inspectors regularly participate in the EU Senior Labour Inspectors' Committee (SLIC), on data exchange through a Knowledge Sharing Site and the IMI system, inspector exchange and implementing EU campaigns;
- with the Croatian Employers' Association, trade unions, in employers' workplace protection Committees (which consist of representatives of the employer, the workers and occupational medicine), and
- in work groups for drafting bills.

With regard to conducting inspection supervisions, we note that art. 58 of the SIA prescribes that a labour inspector conducts inspection supervisions and institutes proceedings *ex officio*, or exceptionally at the request of a party concerned, if thus stipulated by a special law. If the petition has led to inspection supervision, the inspector will notify the petitioner, as well as the union, about the established facts and measures undertaken. Furthermore, the provision in art. 223, para. 3 of the Labour act stipulates that the worker, the workers' council, the trade union and the employer may require the labour inspector to carry out an inspection supervision. We note that inspection supervisions are also conducted on the basis of media disclosures, on request by other public bodies (the State Attorney's Office, ministries and others), etc. The tasks of the labour inspection and immigration control are mutually separated so that labour inspections are always conducted by inspectors with the State Inspectorate, and immigration control by the MoI.

9. How are employment and recruitment agencies regulated and monitored? Are all stages of the recruitment process, including advertisements, selection, transport, and placement, subject to regulation? Are recruitment fees and related costs prohibited from being borne by workers or jobseekers?

The work of legal and natural persons performing the activities related to employment, the so-called agencies for hiring mediation, is regulated by the Labour Market Act ("Official Gazette", no. 118/18, 32/20 and 18/22) and the Ordinance on performing activities related to hiring ("Official Gazette", no. 28/19). After a company or sole proprietorship has been registered, the persons involved must register with the Ministry of Labour, Pension System, Family and Social Policy.

Legal or natural persons may work on the condition that they have been registered in line with the special regulation (that is, in line with the provisions of the Companies Act for legal entities and the Sole Proprietorship Act for natural persons) and entered into the register maintained by the ministry in charge of labour. An agency may enter into both an open-ended and a fixed-term employment contract for temporary work with the worker.

The contract in question, like every other contract (with certain exceptions), must contain the following information:

- that the contract is entered into in order to assign the worker to do temporary work for the user;
- an indication of the kind of jobs for which the worker will be assigned;
- the obligations of the agency towards the worker for the duration of their assignment;

An agreement on the assignment of a worker between the agency and the user must be in writing, and, along with the general terms and conditions of the agency, it must contain information on:

- the number of assigned workers the user needs;
- the period for which the workers are assigned;
- place of work;
- the jobs which the assigned workers will perform;
- the method and period in which the user must issue an invoice to the agency for the payment of the salary, and the regulations that apply to the user in salary setting, and
- the person entitled to represent the user in dealing with the assigned workers.

In the case of assigning workers to a user based abroad, the agreement on the assignment of a worker between the agency and the user must also contain information on:

- the legislation that applies to the assigned worker's employment relationship;
- the assigned worker's rights based on this or other laws of the Republic of Croatia, which the user must guarantee to the assigned worker;
- the obligation to pay the expenses of return to one's country.

An assignment agreement between an agency and a user cannot be entered into for:

- replacing workers for a user against whom a strike is being held;
- jobs previously performed by workers for whom the user had carried out a collective redundancy procedure up to six months previously;
- the performance of work which occupational health and safety regulations define as work with special working conditions, which the assigned worker does not satisfy;
- assigning a worker to another agency.

The Labour Act (OG, no. 93/14, 127/17, 98/19, 151/22 and 64/23) limits the uninterrupted period for which a worker can be assigned to a maximum of three years.

Thus, both the agency and the user may not contract for the use of the labour of the same assigned worker for the same work for an uninterrupted period of more than three years, unless this is necessary to replace a temporarily absent worker, if it is necessary to complete work on a project that involves financing from EU funds, or if there are other objective reasons permitted by special legislation or a collective agreement, in which cases the time during which a worker can be assigned is not legally limited.

Before assigning a worker to a user, the agency must issue the worker a referral, which must contain the following information on:

- the name, seat and personal identification number;
- job title, that is, the nature or type of work, or a short list or description of the tasks for the performance of which the worker will be assigned;

- the duration of the assignment.

Before assigning the worker, the agency must ensure the professional competence of the worker to be assigned, when such an obligation is prescribed pursuant to the regulations on occupational health and safety for the jobs for which the agency assigns the worker to the user, unless this obligation has been assumed by the user in the contract on the assignment of workers. The user must inform the worker about the risk assessment, unless the agency has assumed this obligation under the contract on assignment.

The agency must pay the assigned worker the agreed salary for the work performed for the user even in the event that the user does not issue an invoice to the agency for the payment of the salary.

An assigned worker is entitled to salary compensation by the agency:

- if they have an open-ended employment contract during the period when they were not assigned to a user
- if they have a fixed-term employment contract, and the user's need for their work has ceased before the expiry of the period to which they have been assigned before the expiry of the employment contract.

In relation to the assigned worker, the user is considered to be an employer in terms of obligations to apply the provisions of the Labour Act and other laws and regulations governing occupational health and safety and special protection of certain groups of workers.

When concluding the contract, the user shall fully and truthfully inform the agency in written form of the working conditions of the workers employed with the user in jobs to be performed by the assigned worker. The user must inform the works council at least once a year about the number of the assigned workers and reasons for taking them over, as well as the assigned workers about the vacancies for which they are eligible. Thus, the user must inform the assigned agency workers about any vacancies for which they are eligible, so that the agency workers are able to enter into a (classical) employment relationship with the user.

When performing the work of assigning, the agency may not charge the worker a fee for his or her assignment to the user, or a fee in case the assigned worker and the user enter an employment contract.

The contracted salary and other working conditions (working hours, vacations and leave, occupational health and safety measures, protection against discrimination etc.) of the assigned worker may not be determined in an amount that is smaller than the salary or less favourable than the working conditions of the worker employed by the user on the same jobs that the assigned worker would have accomplished had they concluded an employment contract with the user (so-called equal treatment principle).

The Law on the Posting of Workers to the Republic of Croatia and Cross-Border Implementation of Decisions on Fines (OG, no. 128/20 and 114/22) allows the posting of agency workers for a limited period of time to the RC, in the context of temporary and occasional cross-border provision of services, under conditions and in the manner prescribed by the Law.

Regardless of the legislation applied to the agency worker's employment relationship, a foreign agency must secure equal working conditions and equal rights for foreign and local agency workers, unless doing otherwise is more advantageous to the workers. The user with whom the posted agency worker will do work cannot be a local agency for temporary employment. Hence, so-called double worker assignment is forbidden – that is, a foreign agency is not allowed to post a worker to work through another temporary employment agency, which would then assign the worker to the end-user.

The stages of the hiring process, including advertising vacancies, choosing workers, transport and labour market intermediation, are not regulated by the aforementioned statutes, but are part of the agency's business process.

The Labour Market Act expressly determines that legal and natural persons will perform activities related to employment for jobseekers free of charge, and that they will act impartially in relation to jobseekers and employers.

Supervision of the legality of the activities related to employing legal and natural persons is carried out by the labour inspection department of the State Inspectorate.

Among other things, the Labour Market Act (OG, no. 118/18, 32/20, 18/22) regulates the intermediary labour market. With regard to intermediation, labour inspectors monitor whether a legal entity or natural person working temporarily or occasionally in the RC performing activities related to employment, and is seated in another EEA signatory state, has informed the ministry responsible for labour about this; whether a legal entity performs other activities, in addition to employment-related activities, other than market research and public opinion polling, management consulting and assigning workers to users for temporary work in accordance with a special regulation or the Labour Act. Furthermore, labour inspectors monitor whether jobseekers are charged for the employment-related activities; whether employment-related activities, that is, temporary work intermediation for regular pupils are being performed before their registration with the ministry responsible for labour; whether the number under which it is registered in the official records of the ministry responsible for labour is specified on its legal transactions, business documents, on every statement and notice. All of the above is punishable as a misdemeanour offence under art. 95, para. 1, lines 1, 2, 3, 4 and 5 of the Act, prescribing a fine from 5308.91 to 13,272.28 EUR for a legal entity, from 663.61 to 2654.46 for a natural person, and 530.89 to 1327.23 EUR for a responsible person.

Moreover, in relation to performing employment intermediation activities regulated by the Act, labour inspectors will also bring charges or a misdemeanour warrant against an employer who is a legal person if they do not report their need for a worker using the proper form if the law mandates that a vacancy must be filled by means of a public call. The prescribed fines range from 1327.23 to 3318.07 EUR for a legal entity, and 265.45 to 1061.78 EUR for the responsible person in a legal entity.

Likewise, art. 92, para 3 of the Act stipulates that, while conducting an inspection supervision, the responsible inspector with the central state administrative body specified in para. 1 and 2 of the article will issue a decision to temporarily – until the irregularities discovered have been eliminated – prohibit legal and natural persons from engaging in activities related to employment, and secondary schools from performing work related to intermediation for temporary work for regular pupils where the schools perform such activities, that is, work in contravention of art. 4, para. 2, 4, 5, 6, 7 and 11 of the LMA.

LMA provisions also govern temporary and occasional seasonal work in agriculture, so labour inspectors supervise, and based on their findings bring charges/misdemeanour warrant against the employer on grounds of reasonable suspicion that misdemeanour offences defined in art. 94, para. 1, 5, 6, 7 and 8 of the LMA have been committed, if a seasonal worker in agriculture has been employed for work that is not considered temporary or occasional seasonal agricultural work; if the seasonal work contract for the performance of temporary or occasional seasonal agricultural work is not agreed before work has commenced on every work day; if the employer employs a seasonal agricultural worker for a duration longer than ninety days of a single year; if the employer enters into a seasonal work contract for the performance of temporary or occasional seasonal agricultural work with a person exempted by art. 78, para. 6 of the LMA, with minor, or with a person using maternity or parental entitlements in line with a special regulation. The fine prescribed ranges from 6636.14 to 13,272.28 EUR for a legal entity, and 1327.23 to 3981.68 EUR for an employer who is a natural person or the responsible person in a legal person.

With regard to performing the work of agencies for temporary employment, that is, the work of assigning workers to users for temporary performance of jobs – activities regulated by the Labour Act – while conducting a labour inspection supervision, the responsible labour inspector must issue an oral decision contained in the inspection report, ordering the employer, pursuant to art. 226, para. 1, lines 19, 20, 21 and 22 of the Act, to submit to the ministry, as prescribed in terms of content, way and deadline, the statistical data on the performance of activities of worker assignment; the user and agency who signed a contract on worker assignment that does not contain all the elements prescribed by the Act to change the contract so that it contains the previously missing elements, that is, to complete the issued letter of engagement that does not contain all the elements prescribed by the Act; supplement the referral of the assigned worker that does not contain the information prescribed by the Act with the missing data. Likewise, pursuant to art. 226, para. 2, line 8 of the Act, while conducting a labour inspection supervision, the labour inspector must issue an oral decision contained in the inspection report, prohibiting the agency from performing the jobs of assigning workers to users, if it is not registered under a special regulation, or registered in the records of the ministry responsible for labour.

In addition, the labour inspector will bring charges/misdemeanour warrant against the employers on grounds of reasonable suspicion that a misdemeanour offence as defined by art. 228, para. 1, line 12 and 13 of the Labour Act, that is, if the employer (agency) assigns the same worker to the user for the performance of the same work for an uninterrupted period of more than three years, except in prescribed cases; if in legal transactions, business documents, on every statement and notice it does not indicate on each letter or contract the number under which the agency is registered in the records of the Ministry. The fine prescribed ranges from 4110.00 to 7960.00 EUR for a legal entity, and 530.00 to 790.00 EUR for a natural person and the responsible person in a legal person. Pursuant to art. 228, para. 3 of the Labour Act, the offence defined in paragraph 1, line 1 of the article will be punished with a fine ranging from 4110.00 to 7960.00 EUR if the user is a legal entity and has used the work of the same assigned worker to perform the same work for an uninterrupted period of more than three years, except in prescribed cases, that is, a fine ranging from 530.00 to 790.00 EUR for a natural person, as determined by art. 228, para. 4 of the Act, while paragraph 5 of the Labour Act determines that if the offence has been committed in relation to a minor, the amount of the fine is doubled.

Furthermore, a labour inspector will bring charges/misdemeanour warrant against the employers on grounds of reasonable suspicion that a misdemeanour offence as defined by art. 229, para. 1, lines 20, 21 and 22 of the Labour Act was committed if during the inspection supervision they establish that an employer performs the jobs of assigning workers to users without being registered as an agency in the Ministry records; if they perform the jobs of assigning workers to the user before being registered with the appropriate Ministry records or if, when performing the work of assigning workers to a user, charges the worker a fee for being assigned to the user, that is, a fee in the event the assigned worker and the user enter an employment contract; if they assign a worker without having entered a contract on assignment, or enters such a contract in cases where they may not do so. The aforementioned offences will be punished with a fine ranging from 8090.00 to 13,270.00 EUR for an employer who is a legal entity, from 920.00 to 1320.00 EUR for an employer who is a natural person and for the responsible person in a legal entity. Likewise, a labour inspector will bring charges/misdemeanour warrant against the user on grounds of reasonable suspicion that a misdemeanour offence as defined by art. 229, para. 7 or 8 of the Labour Act, in connection to paragraph 1 of the Act, was committed, if the user that is a legal or natural person does not keep working time records for the assigned workers for the period in which they were assigned to them, if they had assumed such an obligation with the contract on the assignment of workers. If so, the fine prescribed will range from 8090.00 to 13,270.00 EUR for the user that is a legal entity or the responsible person in a legal entity, or 920.00 to 1320.00 EUR for the user who is a natural person. The provision in art. 229, para. 9 and 10 of the Labour Act also penalises the user that is a legal entity who fails to fully and truthfully, in writing, inform the agency about the working conditions of

workers employed by the user in the jobs to be performed by the assigned worker. Thus, the user that is a legal person and the responsible person in a legal entity will be fined from 8090.00 to 13,270.00 EUR, and the user who is a natural person from 920.00 to 1320.00 EUR respectively. If these offences are committed in relation to a minor, the amount of the fine is doubled.

We note that in line with art. 50 of the Labour Act, in relation to the assigned worker, the user is considered to be an employer in terms of the obligation to apply the provisions of the Labour Act and other laws and regulations governing occupational health and safety and special protection of certain groups of workers, and that in line with art. 46, para. 6 of the Act, the contracted salary and other working conditions of the assigned worker may not be determined in an amount that is smaller or less favourable than the salary or less favourable than the other working conditions of workers employed by the user on the same jobs that the assigned worker would have accomplished if they had concluded an employment contract with the user.

10. How do you prevent and sanction abuses of legal constructions such as self-employment, letter-box companies, sub-contracting, and posting of workers, which may be used to commit THB?

In connection to abuses of the legal concept of self-employment, we note that the provision in art. 11 of the Law on the Suppression of Undeclared Work (OG, no. 151/22, hereinafter: LSUW), which came into force on 1 December 2023, after the previous GRETA report, determines that if during the inspection, the competent inspector determines that there exists a contractual relationship between the client and the executor of the work of a self-employed person, and there are circumstances that indicate the existence of a covert employment relationship, they will inform the Ministry of Finance and the Tax Administration. The provision in art. 18 of the Act stipulates that the contractor is jointly and severally liable for the obligations that their subcontractor has towards their employee as an employer, for claims on due and unpaid wages for work performed or services provided, to which the employee is entitled. An employee to whom the subcontractor as an employer has not paid the salary for the work performed or the services provided or part of the salary for the work performed or the services provided on the due date may demand payment from the contractor within three months after the expiration of the period in which the employer, according to the general statute regulating labour relations, is obliged to submit the salary statement for the salary that they are obliged to pay, but which they did not submit. The contractor is liable to the worker up to the amount of the contracted salary for the work performed, i.e. the services provided in order to fulfil the contract concluded between the contractor and their subcontractor. The contractor who paid the salary to the subcontractor's worker based on the liability determined in accordance with this article has the right to demand from the subcontractor the entire amount paid on behalf of the subcontractor. Art. 19 of the Act provides that the contractor is exempted from their responsibility if they have taken appropriate actions to request and receive the following from their subcontractor before the beginning of, or during, the work or the provision of services: a list of all workers employed in the execution of the contract on the provision of services between the contractor and subcontractor; identification data for each individual worker, the date of the beginning and end of the work and services; for the duration of the contract between the contractor and subcontractor, for each individual worker, at least once a month; proof of payment of salary and contributions for mandatory insurances paid on the previous month's salary.

The provision in art. 1 of the Law on the Posting of Workers to the Republic of Croatia and Cross-Border Enforcement of Fines (OG, no. 128/20, 114/22, hereinafter: LPWRC) stipulates that to protect the worker, regardless of which national law applies to the posted worker’s employment relationship, it regulates the working conditions and rights of workers posted to the RC from another EEA signatory state, the Swiss Confederation or a third country to do temporary work as part of short-term service provision, unless otherwise determined by the Law.

The provision in art. 46, para. 1, lines 1, 2, 3, 4, 5, 6, 7 and 8 of the Law determine misdemeanour fines for a foreign employer who is a legal entity if: before the commencement of the posting they do not submit a full and accurate declaration about the posting; reports any change to the information contained in the posting declaration within the prescribed deadline of no more than 3 days; in the declaration they failed to confirm, or untruthfully confirmed, for each third country national that the posted worker who is a third country national is legally employed; they do not authorise or appoint a person who will safeguard the documentation prescribed in the RC, or make any documentation requested by a competent body available at such a request; does not issue the person appointed to safeguard the documentation prescribed in the RC with a written confirmation of authorisation; does not authorise or appoint a person tasked with receiving and servicing documents; does not issue the person tasked with receiving and servicing documents with a written confirmation of authorisation; after the conclusion of the posting does not provide a competent RC body requesting documents on the posting (defined in art. 21 and 22 of the LPWRC) with the requested documents within a month from the delivery of the request. The fine prescribed for the aforementioned offences ranges from 4110.00 to 6630.00 EUR for a foreign employer who is a legal entity, and from 1320.00 to 2650.00 EUR for the responsible person in a foreign employer who is a legal entity, and a foreign employer who is a natural person. Article 47 of the LPWRC stipulates that for each third-country national, the user for whom the service is intended in the RC, and who allowed the provision of the service, that is, used the work of the posted worker if they knew or could have known that the posted worker was not legally employed, will be punished with a fine ranging from 4110.00 to 6630.00 EUR if the user is a legal entity, while the responsible person in the legal entity, or the user if they are a natural person, will be fined between 1320.00 and 2650.00 EUR. Furthermore, art. 48 of the LPWRC determines the fine for violations by local users if they fail to inform a foreign agency about the salary and other working conditions applying to their workers, if they do not do this in writing, or if they do not do this at the latest before entering into the contract on cross-border posting of workers, in the amount of 1320.00 to 3980.00 EUR if the user is a legal person, or 660.00 to 1320.00 for the responsible person in a user that is a legal entity and the local user if they are a natural person. Likewise, article 49 of the LPWRC determines fines for violations by foreign agencies in the amount of 1320.00 to 3980.00 EUR if they fail to confirm, or fail to confirm in written form to a local user that it has been informed as to the working conditions of the local users' workers, and in the amount of 660.00 to 1320.00 EUR for the responsible person in a foreign agency that is a legal entity, or a foreign agency who is a natural person. Pursuant to the LPWRC, the labour inspection with the State Inspectorate conducts mutual assistance and administrative cooperation with the member states' relevant bodies through the Internal Market Information System (IMI), established by the EU Regulation no. 1024/2012, on administrative cooperation through the Internal Market Information System ("IMI Regulation"), and, upon request from the member states' relevant bodies, serves the service provider with a notice on the decision on the fine ordering the service provider established in the RC to pay a pecuniary penalty or other administrative pecuniary sanction, made by a competent body or confirmed by a member state's administrative body or court for violations of the regulations on posted workers' guaranteed rights, or other regulations on posted workers in the country in question, which cannot lead to proceedings before the court with real jurisdiction for criminal issues. In addition, it delivers requests to the Financial Agency (Fina) to institute enforcement proceedings on the financial assets of the service provider for the purpose of repayment of financial penalties including administrative or court charges, other charges, expenses and fees, as well as other constituent elements of the penalty.

With respect to workers posted by an employer in the RC to work abroad, as part of temporary and occasional cross-border service provision, to a company affiliated to the employer as defined by the special regulation on companies, provisions of art. 229, para. 1, lines 6 and 7 of the Labour Act defined it as a misdemeanour offence if the worker is posted without the worker's written consent, and if they fail to provide the worker with a copy of the registration for mandatory health insurance

during their work abroad before the worker has left abroad, if they are obliged to provide such insurance under a special regulation.

11. How do your country's migration legislation and policies seek to prevent THB by enabling lawful migration and legal employment opportunities accompanied by decent work conditions?

Article 6 of the LSUW stipulates that when during the inspection procedure, the responsible inspector determines the existence of undeclared work under art. 3, para. 2 of the Act, it will be considered that the worker who performed such work was continuously in full-time employment with the employer for the duration of the six months up to the day on which the inspection was carried out and the fact of undeclared work was established, unless the information available to the inspector during the inspection unambiguously shows that the previous duration of the employment relationship was shorter or longer. Moreover, art. 7 of the LSUW stipulates that in the course of the inspection, if the competent inspector determines that the worker performed undeclared work for the employer, they will enter information about the worker, the period in which the worker performed undeclared work in accordance with article 6 of the LSUW, and a description of the tasks that the worker performed. Pursuant to art. 7, para. 2 of the LSUW, within eight days from the date of establishing the existence of undeclared work under art. 3, para. 2, line 1 of the LSUW, the competent inspector shall issue a decision ordering the employer to submit an application to register the undeclared worker for mandatory pension insurance starting from the day determined by the minutes as the start of the worker's employment, or which, in accordance with art. 6 of the Act, is the assumed day of commencement of employment, and to pay 2,650.00 EUR for each undeclared worker to the benefit of the national budget of the Republic of Croatia, in accordance with the instructions on the method of contributions to the budget revenue, mandatory contributions and income for financing other public affairs. Consequently, if subsequent inspections again establish that the same employer is using undeclared work within a period of six years from the first time the fact of undeclared work has been established, the responsible inspector will proceed in accordance with para. 2 of art. 7 of the LSUW, and the amount of the payment obligation will increase to 6630.00 EUR for each undeclared worker, as stipulated by art. 7, para. 3 of the Law. Article 7, para. 4 of the LSUW stipulates that within three days from receiving the decision under art. 7, para. 2 and 3 of the LSUW, the employer is obliged to submit an application to register the undeclared workers for mandatory pension insurance and pay the amount referred to in para. 2 and 3 of art 7. of the Law. Furthermore, art. 7, para. 5 of the LSUW stipulates that if the same employer is found to be using undeclared work for the third and every subsequent time within a period of six years from the first time the fact of undeclared work has been established, in line with art. 6 of the Law, the competent inspector will, in addition to proceeding in accordance with art. 7, para. 3 of the Law, issue an oral decision contained in the inspection report, prohibiting the employer from performing activities in the facility or space under supervision. The decision under art. 7 para 5 of the LSUW will be revoked within three days from the date of submission of evidence to the inspector in charge on the payment of the amount referred to in art. 7, para. 3 of the LSUW, but not before 30 days have passed since the ban on performing the aforementioned activities. Meanwhile, decisions under art. 7 para 5. of the LSUW are executed immediately by sealing business premises, plants, devices and other equipment for work or in another suitable way, without issuing a writ of enforcement. Article 7, para. 9 of the LSUW stipulates that an appeal against decisions under art. 7, para. 2, 3 and 5 is not allowed, but an administrative dispute can be initiated, while art. 7, para. 10 of the LSUW stipulates that the enforceable decision under art. 7, para. 2 and 3 will be submitted to the competent authority authorized to determine the right to pension insurance, to the competent authority authorized to determine the right to health insurance and to the competent authority authorized to calculate taxes and contributions for mandatory insurance according to where the employer is headquartered.

Article 8, para. 1 of the LSUW stipulates that if the employer fails to submit an application for mandatory pension insurance within the deadline referred to in art. 7, para. 4 of the Law, the

competent authority authorized to determine the right to pension insurance will, on the basis of the delivered enforceable order (art. 7, para. 2 and 3 of the Law), issue *ex officio* a decision on the recognition of the status of the insured person, starting from the day specified as the commencement of their employment in the aforementioned decision.

With regard to a third-country national who has been found to be doing undeclared work as defined by art. 3, para. 2 and 4 of the LSUW, when the application is established on the basis of art. 7, para. 2 and art. 8, para. 1 of the Law, the mandatory pension insurance ends with the day for which the existence of undeclared work was determined during the inspection supervision of the employer.

Article 10, para. 1 of the LSUW stipulates that within eight days from the date of enforcement of the decision under art. 7, para. 2 and 3 of the LSUW, for each month of the assumed period of work as defined by article 6, the employer is obliged to pay full-time wages in the amount equal to the monthly gross median salary in the RC, as well as the contributions for mandatory insurance, paid on top of the salary.

12. How do your country's law and policies to discourage demand that leads to THB address particular vulnerabilities and groups at risk of THB?

As part of its measures to combat violence against women and protect children's rights, the Government of the Republic of Croatia sent amendments to three laws to the Croatian Parliament. The amendments are to the Criminal Code, introducing the new criminal offence of aggravated murder of a female person (femicide), for which the prescribed punishment is from a minimum of 10 years' imprisonment to long-term imprisonment, the Criminal Procedure Act, and the Law on Protection from Domestic Violence.

In addition, the proposed amendments to the Criminal Procedure Act determine the victim's right to appeal a decision to determine, extend or revoke precautionary measures. With regard to investigative detention, if a victim appeals, the court will have to consider it. In case the precautionary measures are violated, the court must issue a decision on replacing the precautionary measures with investigative detention.

The grounds for arrest are expanded, so the police will be able to arrest the defendant when there is reason to suspect that they have violated a precautionary measure, or when the victim reports a violation of a precautionary measure. The victim will be involved in the procedure, and when issuing the decision on the precautionary measures, the court will have to take into account the victim's statement about the danger to their safety. The victim will have the right to appeal the decision. Victims for whom special precautionary measures were determined, especially victims of criminal offences against sexual freedoms and domestic violence, will be interviewed through audio-visual devices. The victim will be informed when the perpetrator is released, and the court will do this immediately after such a decision is adopted, through the police.

The amendments to the Criminal Code increase the punishment for the criminal offence of rape. Thus, the punishment for the basic form of rape is increased to three to eight years' imprisonment, rather than one to five. For the aggravated form, the increase is to 5-12 years instead of 3-10. And the punishment for a serious criminal offence against sexual freedom is increased to 5-12 years instead of 3-10.

The statute of limitations for the serious criminal offences of sexual abuse and abuse of a child is repealed, as it is for criminal prosecution and execution of sentence for the criminal offence of aggravated murder of a female person.

The proposed Amendments to the Law on Protection from Domestic Violence increase the fines for all forms of violence against women, and prescribes imprisonment as the only and exclusive punishment for violations of protective measures. Courts will be able to impose a minimum of ten

days in prison. Furthermore, the misdemeanour of sexual harassment is erased, and transferred into the sphere of criminal liability.

The proposed Amendments to the Courts Act provides for specialist training for judges for cases 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.

13. How do your country's legislation and practice ensure that there is an individual assessment of protection needs at the borders prior to any refusals of entry or expulsions?

Police officers performing tasks of border control and security must implement measures of intensified control of individuals caught illegally transiting the state border, in order to establish if elements of the criminal offence of human trafficking or related offences are present. Likewise, while conducting criminal investigations into the criminal offence of Unlawful Entry into, Movement or Residence in the Republic of Croatia, art. 326 of the RC Criminal Code, police officers conduct additional checks to recognise and establish indicators that might suggest that any specific case is in fact a case of a criminal offence related to THB – among migrants.

Border guards pay particular attention to minors, whether travelling accompanied or unaccompanied. Minors crossing an external border shall be subject to the same checks on entry and exit as adults, as provided for in the Schengen Borders Code. In the case of accompanied minors, the border police officers check that the persons accompanying the minors have parental care over them, especially where minors are accompanied by only one adult and there are serious grounds for suspecting that they may have been unlawfully removed from the custody of the person(s) legally exercising parental care over them. In the latter case, the border guards carry out a further investigation in order to detect any inconsistencies or contradictions in the information given.

In the case of minors travelling unaccompanied, border police ensure, by means of thorough checks of travel documents and supporting documents, that the minors are not leaving the territory against the wishes of the person(s) having parental care over them. Always when dealing with unaccompanied minors, this should always be in conformity to the Standard Operational Procedures and the Protocol on the Treatment of Children Separated from their Parents. The Protocol in question regulates the treatment of unaccompanied children and children separated from their parents – foreign nationals who find themselves in the RC, taking into account the principle of the child's best interest. State administrative bodies, civil society organisations and foreign diplomatic and consular missions, who collect the necessary findings, data and information for successfully handling unaccompanied children, are all involved in the process of identification and the system of assistance and care for unaccompanied children.

As part of educations focussed on border police officers and police officials employed in reception centres for foreigners, the Croatian Red Cross holds lectures focussed on early identification of THB victims to help recognise potential victims of THB in the migrant population.

14. What measures are taken to prevent THB in sports? What sectors and categories/groups of people have been identified as being at risk?

We have no information about this issue.

15. Have you identified online practices that may increase the risk of becoming a victim of THB for different forms of exploitation? What mechanisms have been developed to prevent the misuse of information and communication technology for THB purposes? What is the practical effect of their implementation?

The development of modern communication technologies is exposing children to ever greater risk of becoming victims of various forms of abuse and violations of children's rights, especially sexual abuse and exploitation on social networks. In order to strengthen the capacities of police officers conducting criminal investigations in the field of protection of children under criminal law, and thus also into criminal offences committed in the digital sphere against children, the Ministry of the Interior of the Republic of Croatia has suggested, as part of ISF FOND activities for the period 2021-2027, the purchase/renovation/organisation/building capacity for expert work and training, with the aim of securing an appropriate environment not just for children, but also for adult vulnerable victims, during the experts' execution of their work. This would also encompass training for professionals about children's rights, the mechanisms for reporting criminal offences, identification of victims, accomplishing cross-sectoral support and assistance in child victims' recovery. The aforementioned is based on the example of good practice in BARNAHUS in Sweden, the so-called Children's Hut, where the child victim can receive both a gynaecological and a general health check-up, where the child can be interviewed and given psychological support. The MoI has suggested building/setting up 5 regional centres for protecting child victims, primarily victims of sexual abuse and exploitation, and highly traumatised children, including children with mental health issues and suicidal tendencies, which would employ teams of experts (police officers for youth and victims, child psychologists, psychiatrists, gynaecologists/urologists, paediatricians, social workers), who could take all the actions related to a child victim in a single place, thus preventing further, secondary victimisation, provide adequate help and support for the child. With the objective of realising this proposal, the MoI has sent a letter formally inviting the Ministry of Justice and Public Administration of the Republic of Croatia (MOJPA) to operationalize the initiative to set up children's houses in the RC. We have received feedback that the MOJPA has accepted the initiative and started the activities to apply for EU funding for the project.

Furthermore, the MoI frequently conducts operational actions based on the collected reports on suspicion of sexual abuse and exploitation of children by means of modern communication technologies (the operative actions NUBES and NEMEZIDA), in the process identifying children who are victims of the criminal offences of sexual abuse and exploitation, gathering evidence, and identifying and prosecuting perpetrators. The police has invested significant effort in identifying the victims themselves, strengthening police officers capacities and skills in identifying and discovering various forms of behaviour that endanger children, as well as identifying perpetrators. In that sense, Interpol's ICSE Database (Child Abuse Image Database) is actively used.

In order for police officers to be able to follow the constant changes, new modalities and digital tools as means of committing this kind of crime, continuous police officer trainings are being carried out and new tools for identifying the perpetrators and securing evidence monitored. Every year police officers are educated about young people's problems in the digital space through the Specialist Course on underage delinquency and criminality to the detriment of youth and family, seminars on "Investigating sexual criminal offences against children through the Internet", and participation in international educations in the framework of the CEPOL programme and the EMPACT activities.

In the contemporary digital world, people (most usually the young) are often unaware that their behaviour on the Internet may increase the risk of them becoming victims of THB, that is, the very different forms of exploitation by means of social networks. Social networks favour and permit victim recruitment, but can also be seen as a place of victim exploitation.

We can list the following as the most frequent forms of activities that may lead to an increased risk of THB:

- sharing too many personal information on social networks or forums that may allow human traffickers to follow, target and profile individuals, future targets and victims;
- casual and non-selective accepting of friendship requests or communicating with unfamiliar persons on social networks may lead to manipulation and abuse by human traffickers;

- participating in online activities offering quick and decent profit, such as online betting or illegal work, may increase exposure to the risk of THB.

Trusting false information on social networks may lead to involvement in suspicious activities that involve human trafficking;

- accepting attractive business offers advertised without references, accepting well-paid jobs without previously discussing qualifications, contracts, work experiences and similar with the responsible person;
- sharing explicit photographs or videos may lead to extortion and forced involvement in other and future sexual activities or THB in the form of sexual exploitation (including pornography);
- various available dating applications are often used to recruit and solicit victims, especially children and minors. A lack of caution and recklessness when meeting unfamiliar people through such apps may be extremely dangerous;
- publishing location data on social networks may allow human traffickers to identify their potential targets – the victims – and follow their movement. A lack of privacy/limited access to data on social networks may allow unfamiliar people to follow one's profile, photographs, and thus information about the user;
- a lack of awareness about the possible threats on social networks may lead to careless behaviour and opening doors to human traffickers. Awareness, education and careful behaviour on social networks are key to preventing the risk of human trafficking and other forms of abuse.

Over the last few years, a large number of criminal investigations in the field of Internet-based child abuse have been conducted in the RC, a category of criminal offence that has seen an increasing trend. The most frequently recorded manifestations of violence on the Internet, both against and among young people, are:

- sending or publishing offensive, disturbing, malicious messages;
- creating entire pages, blogs, forums whose goal is to ridicule, harass or spread hate against individuals or groups;
- publishing photographs of the victims in which they are being subjected to their peers' derision;
- publishing parts of personal messages with the aim of mocking and humiliating;
- publishing selfies sent by the victim to an individual publishing them in open groups;
- publicising personal information and details from the victim's life;
- spreading rumours, gossiping;
- stealing user data on social networks or the user's other accounts;
- publishing false data/impersonation/using others' photographs and recordings as one's own;
- sending inappropriate content;
- threats, blackmail;
- luring children, recruiting, sexual exploitation by means of a webcams, online chats and messengers;
- acquiring, distributing, showing and accessing child pornography content.

The criminological studies carried out show that young people, especially girls, are not sufficiently aware and informed about self-protecting behaviour in communication with the virtual world. Police experience has often showed that victims often take and share photos that show them only in their erotic underwear, sexually explicit behaviour or naked, with persons whom they often consider friendly and trustworthy because, in the victim's conviction, they share an emotional or intimate

relationship. Taking selfies is an omnipresent trend; publishing such photos is not a Croatian specificity. Among young people selfies are an absolute hit, but among adults as well. Popular magazines run advice on how to shoot selfies, public personalities post their selfies on their profiles, which brings them plenty of likes. Young people see this, perceive it, copy, and make their own selfies. The problem emerges when the selfie becomes sexually provocative and published on one of social networks. In Croatian police practice we have recorded cases where perpetrators discovered their victims precisely through social networks; the selection criterion was exactly the photos the victims published on their profiles. Most children have smartphones with high quality cameras; applications for free exchange of content (Skype, Viber, WhatsApp, Facebook messenger, Snapchat) offer unlimited opportunities for young people to communicate and exchange photos and videos, often unaware of the possibility that their shots could be used malevolently.

Numerous criminological studies indicate that young people, especially girls, communicate ever more frequently through web cameras, even with strangers, and either voluntarily or under pressure or manipulation consent to sexually explicit behaviour watched by the other person via a web camera. The content collected this way ends up in peers' private collections, exchanged through social networks and other applications for exchanging messages, or get sold on the developed market of closed child pornography pages on the Internet.

Sextortion is defined as sexual blackmail, where sexual information or images are used to extort sexual services and/or money from the victim (www.interpol.int). Very sophisticated groups of organised crime are increasingly active; they recruit so-called agents who find victims with whom they establish relations of trust to make them perform online sexual shows, after which they become victims of cruel acts of blackmail. With underage victims without financial resources, the blackmail is directed at extorting more pornographic material. Such cases were observed on the territory of the Republic of Croatia.

Perpetrators of the criminal offences of acquainting children with pornography, using children for pornography, and sexual harassment are often also perpetrators of the criminal offences of enticing children for satisfying their sexual needs, as well as sexual abuse of a child younger than 15. There is an observable trend is of perpetrators transferring criminal offences from the virtual world to the real one; by communication with affected children they create relationships of trust or intimate connection, after which they meet their victims in the real world and use them for crime by bodily contact.

After many years of policing practice in monitoring various manifest forms and ways of perpetrating various criminal acts against children by means of the Internet, the police can point out several basic guidelines for self-protecting behaviour for young people:

- the basic, initial and the most efficient message we can give to young people, as well as to all the rest, is: do not do anything in the virtual world that you wouldn't do in the real one;
- do not take for a fact everything an unfamiliar people say about themselves, especially if their claims cannot be verified. New friends should be accepted carefully; with those you don't know personally, be cautious when exchanging messages and content, guarding your privacy, not disclosing details about your friends and family members;
- anything that gets published or exchanged, even within a closed group or in a personal message, can become accessible to the broader public; so it is important to think carefully before sending intimate, private content;
- communication with a person asking for things which disturb you, make you insecure, scared, or put you under pressure, should be cut off immediately;
- unfamiliar persons can present themselves as friends, win someone's trust in order to take control over their behaviour; they can use the data they get for threats, blackmail,

manipulation, and emotional violence, to force a person to behave in a way they do not wish to;

- some Internet users are smart manipulators who can easily convince a young person to voluntarily get involved in sexualised behaviour; therefore, before sending a photo or turning on a web camera, it is necessary to think over what the recipient would do with the photo or video – both now and in the future.

It is important to send young people a clear message that, if they have sent or exchanged something for which they feel regret, it is not too late to ask for help. To get help, one can approach a police station and/or police department where youth police officers work who are specially educated and capable of helping, giving support and information.

Furthermore, on the official website of the MoI there is a page on the topic of combating trafficking in human beings, as well as a page which contains advice for children and adults about domestic violence, sexual abuse and exploitation of children, and other violations of children's rights. It is possible to report all kinds of abuse of children through an online application, the Red Button (link: https://redbutton.gov.hr/online-prijava/7).

Croatian police pay great attention to cases of missing children; they take part in disseminating and initiating good practices not only in searching for missing children but also in preventing children's disappearances, especially of vulnerable categories, which has been done so far by establishing the NENO national system, the Red Button application, the promotion of the EUROPOL campaign #DontBeACatch and participation in the European network of experts working on cases of missing children (PEN MP), or the activities of Amber Alert. On 30 November 2022, the NENO Alarm was established, which is an alert system about a missing child, to increase the likelihood of quickly finding and protecting of a missing child by mobilising citizens' support. It is the alert system which the MoI established with the META company, as a part of the AMBER ALERT initiative. In the case of a high risk disappearance of a child, including suspicion of a criminal offence of trafficking in human beings, the Ministry will notify the Meta company, which will issue a warning, i.e. a NENO Alarm for all users of the Facebook and Instagram social networks – in the circle of 160 km from the place where the missing child was last seen. The warning includes the basic data on the missing child and the link to their profile on the web page of the National Missing Persons Registry. The system is activated only exceptionally, in highly risky disappearance cases when the child's life could be immediately threatened, or in cases of long-lasting disappearance with an additional concern of a possible victimisation.

16. What measures are taken to raise awareness of the risks of technology-facilitated THB, including among children, parents, teachers, child care professionals and social workers? What technology-based initiatives exist in your country to disseminate information to groups/communities at risk of THB?

In addition to the points mentioned earlier under question 15, it is noteworthy that the Police Directorate, in collaboration with other relevant partners, implements the preventive programme Safety and Protection of Children on the Internet and Social Networks which aims to enhance public awareness regarding potential dangers and risks associated with using the Internet, mobile phones, and other forms of communication technology. The aforementioned preventive programme encompasses a range of activities, including educational lectures, interactive workshops, information campaigns, public forums, panel discussions, roundtables, public events, production of multimedia content, educational and informative publications. Additionally, it involves the application of pertinent preventive and educational content crafted by the Council of Europe, the European Crime Prevention Network – EUCPN, UNICEF, and other reputable institutions and civil society organizations with the primary objective to prevent the abuse and exploitation of children.

Aside from that, in pursuit of preventive and educational initiatives targeting children and young people, the Police Directorate collaborates with the Ministry of Science and Education to consistently create preventive video content. This includes virtual police officers offering guidance to children and parents, emphasizing the significance of proper Internet protection.

It is crucial to emphasise here that the aforementioned preventive-educational programme aims, among other things, to prevent trafficking in human beings.

Links to preventive-educational videos:

https://policija.gov.hr/vijesti/video-za-dan-oceva-virtualni-policajac-savjetuje-roditelje-i-djecu-kako-sigurno-na-internet/5287

https://www.youtube.com/watch?v=d2XTakruqfE

https://youtu.be/s1ajvjOuPJY

Finally, we would like to point out that the Police Directorate, in collaboration with the Croatian Red Cross, created a leaflet entitled "Dear People, Welcome to Croatia" on the occasion of the arrival of displaced persons from Ukraine to the RC, with the purpose of this initiative being to prevent them from becoming victims of human trafficking. The leaflet provides essential advice for the safety of displaced persons from Ukraine and includes important telephone numbers. Please note that the mentioned flyer is available on the website Croatia for Ukraine: https://hrvatskazaukrajinu.gov.hr/UserDocsImages//dokumenti/UA//MUP-Letak-Ukrajina-vazni-brojevi-UA.pdf as well as in printed form, in the Ukrainian language. We also emphasise that the mentioned leaflet is provided free of charge and distributed to displaced persons from Ukraine upon their arrival in the Republic of Croatia. Furthermore, we highlight the fact that the Croatian police systematically participates in all key EU and international initiatives dealing with crime prevention, and is involved in all current campaigns, preventive projects and interventions at the EU and international level (EUROPOL, EMPACT, Council of Europe, EUCPN – European crime prevention network, UNICEF, etc.).

The CRC, in cooperation with the Education and Teacher Training Agency, conducts training sessions for education professionals on the prevention of trafficking in human beings. The training sessions are designed for professionals employed in the preschool and school system. Additionally, educational workshops are conducted directly with children of primary and secondary school age. Trainings are also provided for employees of the MoI and the CRC working in shelters for applicants for international protection and they aim to enhance employees' sensitivity to indicators of human trafficking among both children and adults.

17. How do you cooperate with ICT companies and Internet service providers, including content hosts and social media, in preventing THB?

Due to its numerous advantages, the Internet has also become a favourite tool for exchanging unwanted or illegal content and engaging in a series of punishable behaviours which has led to the emergence of new scientific areas of study aimed at combating such behaviours, commonly referred to as cybersecurity and cybercrime.

The numerous requests from the criminal procedure authorities of the Republic of Croatia for the removal of specific pages with illegal content from the accommodation service provider (referred to as "the server") could not be fulfilled. This is because the server hosting the website is located in the USA, and it is not possible to determine the location of the server or the persons responsible for its administration.

In relation to the nature of the services provided by social networks, article 14 of the Directive on electronic commerce enables the development of mechanisms for removing illegal content from the Internet by prescribing that "member states shall ensure that the service provider is not liable for the information stored at the request of a recipient of the service, provided that: (a) the provider does not have actual knowledge of the illegal activity or information and, as regards claims for damages, is not aware of facts or circumstances from which the illegal activity or information is apparent; or (b) the provider, upon obtaining such knowledge or awareness, acts expeditiously to remove or to disable access to the information. This provision does not affect the possibility for a court or administrative authority, in accordance with the legal system of the member state, to require the service provider to terminate or prevent an infringement. It also does not affect the possibility for a member state to establish procedures governing the removal or disabling of access to information."

The Electronic Commerce Act (OG, no. 173/03, 67/08, 36/09, 130/11, 30/14, 32/19) prescribes the non-liability of service providers through several provisions. In Article 16, the Act stipulates that the service provider transmitting electronic messages submitted by the service user is not responsible for the content of the sent message and its referral. This exemption applies as long as the service provider did not initiate the transmission, did not select the data or documents being transmitted, did not exclude or alter data in the content of messages or documents, and did not choose the user for the transfer. In addition to the above, in the provisions governing the issues of temporary data storage (caching), The Electronic Commerce Act stresses the non-liability of service providers for the communication of data stored by users, just as in the part governing issues of data storage (hosting), where the non-liability of service providers is also prescribed. It is also essential to point out Article 21 of the Electronic Commerce Act, which, in addition to specifying the non-liability of service providers, states that the service provider is not obliged to monitor the data they store, transmit, or make available, nor are they required to investigate circumstances indicating the unlawful conduct of users. Therefore, in addition to the general abolition of service providers' liability for transmitted content, Article 21 exempts service providers from the obligation to monitor the content they distribute. The aforementioned legalization of service providers' non-liability in this day and age, when social networks are often abused to spread illegal content, simply does not follow the development of society in the field of information and communication technologies.

In addition to all exclusions of liability that pertain to the intermediary in providing certain information society services, the intermediary also has specific obligations imposed on them. It is obligated to notify the competent state authority immediately upon learning, if it establishes a well-founded suspicion that the user, by using its service, is undertaking illegal activities and/or providing illegal data. The intermediary is also obliged to present all data based on the appropriate judicial or administrative act, which authorises the disclosure for the purpose of prosecution of the perpetrator of a criminal offence or protection of the rights of third parties.

18. How are policies and practices aimed at preventing THB informed by the experiences of victims and at-risk individuals?

The UHRRNM is the coordinating authority for the preparation of the National Plan for Combating Trafficking in Human Beings for the period up to 2030. The working group also includes representatives of civil society organizations that work directly with victims of trafficking. They play a crucial role by proposing goals, measures, and activities that directly influence the development of this public policy, especially in proposing measures and activities reflecting the experiences of victims and their needs. Therefore, the activities outlined in the draft Action Plan for Implementing the National Plan for Combating Trafficking in Human Beings (2024-26) include issuing a public call to civil society organizations dedicated to human rights protection, with a specific focus on providing assistance and support to victims of trafficking in human beings. The call aims to secure funding for projects and programmes aligned with the goals of the national plan, especially the continued

support for national shelters for victims, sustaining national SOS phone lines, and conducting public campaigns dedicated to combating human trafficking and aiding victims of human trafficking.

At the same time, international conferences dealing with human trafficking suppression have, through presenters' papers, facilitated the exchange of best practices through the presentation of anonymised individual cases, with particular emphasis on the experiences of trafficking victims who have gone through or are going through criminal and compensation proceedings.

I. IDENTIFICATION OF VICTIMS AND PROTECTION OF THEIR RIGHTS (Articles 10, 11, 12, 14 and 16)

19. Among the victims of THB identified, were any subjected to exploitation on the basis of their sexual orientation and/or gender identity (LGBTI+: lesbian, gay, bisexual, transgender or intersex), especially teenagers and young adults? If yes, did any of them report on police misconduct?

There were no victims of trafficking in human beings who were subjected to exploitation on the basis of their sexual orientation and/or gender identity (LGBTI+: lesbian, gay, bisexual, transgender or intersex), especially teenagers and young adults, that is, those who filed reports of unprofessional police conduct.

20. What specific measures are taken to ensure that trafficked persons who are migrant workers, including in an irregular situation, are identified as victims of THB and have access to the rights provided for in the Convention? Is there cooperation with specialised NGOs, trade unions, and employers to enhance the identification and protection of potential victims within these at-risk groups?

In the process of identifying victims of THB, officers with the Police Directorate, Criminal Police Directorate, cooperate with the relevant ministries involved in the referral system for combating human trafficking, civil society organisations, the Croatian Red Cross, and international organisations. Consequently, when identifying victims, the standard operating procedure is applied in accordance with the applicable *Protocol for the identification, assistance, and protection of victims of trafficking in human beings,* regardless of whether the victim is a Croatian national, a foreigner with a regulated status in the RC, or an illegal migrant.

In accordance with the aforementioned Protocol, police officers offer a programme of assistance and protection to all victims.

According to the agreement achieved with the civil society organisations, the CRC, and the National Coordinator for combating trafficking in human beings in the RC, police officers with the Criminal Police Directorate, when identifying victims of THB, request the assistance of mobile teams (the CRC, the Ministry of Labour, Pension System, Family, and Social Policy), to secure the appropriate and individualised aid and protection.

Further, in accordance with article 79, para. 1, line. 1 of the Foreigners Act (Official Gazette 133/20, 114/22, 151/22), temporary residence for humanitarian reasons is approved to a third country citizen if as a victim of trafficking in human beings, they accepted the assistance and protection programme.

21. What measures are in place to encourage victims of THB to report their situation to the authorities and/or civil society organisations?

There is a series of measures to encourage victims of THB to report their situation. One of the measures is a public campaign to acquaint the public with these issues through the media, publicise preventative programmes in the media, as well as publish the results of criminal investigations into the issues s related to trafficking in human beings, in an effort to encourage victims and other people who possess any kind of information to report criminal acts. On the official website of the MoI a page was published about the topic of combating human trafficking, as well as a page with advice for children and adults about the problems of family violence, sexual abuse, and exploitation of children and other violations of children's rights. Online reporting of all kinds of child abuse has been enabled via an online application, the Red Button (link: https://redbutton.gov.hr/online-prijava/7).

Furthermore, any suspicion of criminal acts can be reported by a telephone call to number 192, by email to policija@mup.hr or to regional police departments' email addresses (https://policija.gov.hr/policijske-uprave/104), and by a personal visit to any police station/department. A crime or suspicion of a criminal act can also be reported through the application for electronic reporting of suspicious events: https://policija.gov.hr/aplikacije-za-e-dojave-sumnjivih-dogadjaja/172. All reports from citizens are registered in the MoI information system. They are followed up and the findings are registered independently on whether punishable acts were found or not.

Furthermore, victims of THB can also report their situation through an SOS line for victims of human trafficking established in October 2002 by the Centre for Women War Victims; in 2003, the line received a free telephone number, 0800 77 99, and became a part of the National Plan for Combating Trafficking in Human Beings.

22. What specific measures are taken in your country to detect/identify and refer to assistance possible victims of THB at the borders? What measures are taken in your country to identify victims of THB during the examination of asylum applications and prior to the return of persons whose applications are rejected?

The Ministry of the Interior runs continuous educations for border police officers aimed at raising their awareness of the importance of the crime of human trafficking, and recognising indicators of elements of such crime. Officers of the border police of the RC also participate in education organised by the Croatian Red Cross, trainings of other organisations (Frontex, Cepol, ILEA), and share their knowledge and skills in their fieldwork.

Workers at reception centres for seekers of international protection consistently implement the Protocol for the Identification, Assistance, and Protection of Victims of Human Trafficking. According to the Protocol, Ministry workers are those who take the first steps in identifying victims of THB, in collaboration with the Croatian Red Cross and civil society organisations. If the victim in question is a child, officers have to carry out the identification in cooperation with the ministry in charge of social care.

Once they have been received in the centre, all seekers of international protection receive information on their rights in the asylum system, the procedure of granting international protection, and all organisations outside the MoI system that can be approached for assistance and support. The information is accessible in writing, in languages that can be reasonably expected to be spoken and/or understood by the seekers. All workers at the reception centres for seekers of international protection are available at any time to provide any information to seekers, at the same time honouring the principle of confidentiality, privacy and data protection, particularly in communication with vulnerable groups, including victims of human trafficking.

The MoI workers who are in close contact with seekers of international protection for whom there are indications that they might be victims of THB have received specialist training by the EU Agency

for Asylum (EUAA) – "Trafficking in human beings" and other trainings on similar subjects, such as the EUAA training on "interviewing children and interviewing vulnerable persons". Employees working on approving international protection are continuously educated and trained. Education on prevention of human trafficking will be continued in the future; the number of experts qualified to work with potential victims of human trafficking will increase.

All seekers of international protection who approach the personnel employed in international protection in relation to human trafficking, or whom the employees recognise as potential victims of human trafficking, receive information on their rights; further formal identification of persons as victims of THB is transferred to the crime police.

23. What measures are taken in your country to identify victims of THB in immigration detection centres and prisons?

As part of the education for border police officers and officers employed in reception centres for foreigners, the Croatian Red Cross gives lectures on the topic of identification of human trafficking victims. The CRC workers also make weekly visits to the reception centres for foreigners and conduct interviews with beneficiaries. In these interviews special attention is paid to indicators of human trafficking; potential risk groups are informed about the risks of THB.

24. What services are available in your country to provide specific assistance to particularly vulnerable victims, such as:

a. *persons with disabilities;*
b. *LGBTI+ persons;*
c. *victims with children;*
d. *victims with severe mental and physical trauma;*
e. *homeless persons;*
f. *other.*

The social care system is an integral part of the mechanism for combating THB; as such, it operates on the national, regional, and local levels. On the national level, the Ministry coordinator is involved, who is at the same time a member of the Operative Team of the OHRRNM's National Committee for Combating Human Trafficking. On the regional and county level, 4 regional coordinators (Zagreb, Rijeka, Osijek, Split), and 21 county coordinators responsible for assistance and support for victims of THB were appointed to the regional offices of the Croatian Institute for Social Work. The national and regional coordinators are responsible for keeping a 24-hour on-call service and coordinating activities in the social welfare system for each individual case of human trafficking victim, and, if action under the remit of other systems is necessary, involving the coordinators from other systems or ensures their action.

The system of social care also encompasses two national shelters for victims of THB, one dedicated to accommodating adult victims, and the other for underage THB victims. The shelters are run by nongovernmental organisations committed to combating human trafficking; funds for their operation are secured within the system of social care. For each victim, provided they meet the required conditions, safe accommodation, psycho-social assistance and protection, as well as legal aid and protection, are provided.

An individual plan of action is developed for each THB victim on the basis of a comprehensive assessment of needs, difficulties, and resources, in agreement with the victim of human trafficking.

If it is in the interest of the THB victim, and if their needs dictate specific forms of assistance, the victim is accommodated with providers of social services best suited to satisfy the victim's need.

All victims of trafficking have a right to compensation as defined by the Social Welfare Act (OG, no. 18/22, 46/22, 119/22, and 71/23.): compensation against poverty (guaranteed minimum compensation, one-off compensation) and fees pertaining to particular categories (personal disability compensation, aid and care supplement, the status of a carer parent and home-care worker status).

Victims of human trafficking also have a right to social services: initial social assistance; the service of comprehensive assessment and planning; consultation; expert assessment; psychosocial consultation; social mentoring; family mediation; psycho-social support; early development support; help at home; help with inclusion in educational programmes; stay; organised housing and accommodation.

In general, in relation to dealing with victims of criminal offences, including the identified victims of THB, since 2014, in accordance with the ten provisions of the Criminal Procedure Act in force at the time, police officers provide victims of crime with written information on their rights, taking into account the special categories of victims of crime, the so-called vulnerable groups; with a special focus on victims of criminal acts against sexual freedom and THB, who receive special treatment and receive information about a wider range of rights.

In cooperation with the Ministry of Justice of the Republic of Croatia, the Service for Victim and Witness Support, in line with the establishment of minimum standards, rights, support, and protection of victims of crime, in addition to the regular forms related to information on the victim's rights, police officers give each victim the contact data of the Service for Victim and Witness Support and the National Call centre for victims of criminal and misdemeanour offences in the territory under their jurisdiction. Apart from these contact data, each organisational unit of the police (police department) provides the victim with the names and contact data of state administrative bodies as well as the civil society organisations dealing with victim support and protection in the jurisdiction of the given police department, which are recognised by the police departments as serious partners in the protection of specific categories of vulnerable victims (for example, social welfare centres/institutes, civil society organisations operating within the county teams for prevention and combating domestic violence and violence against women, and protection of children under criminal law).

The Criminal Procedure Act (OG, no. 152/08, 76/09, 80/11, 121/11, 91/12, 143/12, 56/13, 145/13, 152/14, 70/17, 126/19, 126/19, 130/20 and 80/22) regulates the field of protection of a special kind of witnesses, including above all the victims of crime related to human trafficking. Apart from the general rights defined by art. 43 and 43a of the Criminal Procedure Act, specific provisions grant additional rights to victims of human trafficking, and children as a particularly vulnerable group, as defined in art. 44, including:

- legal representative at the expense of budget funds;
- secrecy of personal data;
- exclusion of the public;
- the court, the state attorney, investigator and police have a duty to treat a child who was a victim of crime with special consideration, keeping in mind the age, personality, and other circumstances to avoid harmful consequences for the child's upbringing and development. When dealing with a child victim, the relevant institutions are to be guided by the child's best interest;
- if the victim's age is unknown, but there is a likelihood that they are younger than 18, it is presumed that they are a child;
- victims of criminal acts against sexual freedom and victims of criminal acts of trafficking in human beings also have the following rights
    - to consult with a counsel before being interviewed, at the expense of budget funds;

- to be legally represented at the expense of budget funds;
- to be interviewed by a person of the same sex in the police station and the public attorney's office and, if possible, to be interviewed by the same person in case of a repeated interview;
- to refuse to answer questions not related with the criminal act which refer to the strictly personal life of the victim;
- to demand to be interviewed via an audio-visual device;
- to secrecy of personal data;
- to demand the exclusion of the public from the trial;

- victims whose special needs for protection have been established also have the right:
  - to consult a counsel before the interview, at the expense of budget funds.

It should be pointed out that a victim has a right to a special method of interviewing conducted by the investigating judge in charge; on such occasions, the interview is video-recorded, which excludes direct contact between other parties to the criminal procedure and the child victim, i. e. there is no possibility of face-to-face contact between witnesses and the child, nor is it possible to cross-examine the child; only in exceptional cases it is possible to repeat an interview with the child as a witness.

In connection with this, we furthermore point out that the police deal with children or minors with special care, keeping in mind their age, personality, and other circumstances, to avoid harmful consequences for the child's upbringing and development, guided above all by the child's best interest.

If the victim's age is unknown, but there is a likelihood that they are younger than 18, it should be presumed that they are a child.

The procedure is conducted in the presence of a parent or guardian, respecting the child's dignity and privacy, guided by the child's best interest.

For the purpose of prevention and combating trafficking in human beings, especially women and children, as well as while conducting criminal investigations, coordinated action among youth police officers and those working in the field of organised crime specialising in combating human trafficking has been established.

Youth police officers are specially trained; they secure the conditions for identifying different forms of threats to children's rights and supporting child victims, starting with securing specially equipped rooms adapted to interviewing children; the possibility of interviewing children in children's homes; securing, in accordance with the child's wish, the presence of a trusted person along with the guardian; the presence of a worker of the social welfare institute/centre (when a parent or guardian is not available or if they are a suspect); protection of child's privacy; and securing the secrecy of investigation.

Police officers also make individual assessments of a victim's state in order to establish their specific needs for protection; in accordance with the assessment they take protective measures for the victim; they deliver the form containing the assessment to the judicial body which conducts the legal procedure. When the victim of the criminal act is a child, it is to be assumed that there is a need for special measures of protection; therefore, it is necessary to establish which specific measures need to be implemented.

Regarding the way how police officers ensure that children victims of THB are treated in a way that is sensitised for children, who are protected before, during, and after the court proceedings, in accordance with the Council of Europe guidelines, and which measures are taken to ensure a limited number of interviews, we note that, in the framework of the project "Strengthening capacities in the area of combating sexual abuse of children and providing police support to vulnerable victims of

crime", the MoI has equipped 60 rooms for interviewing children throughout Croatia, partially funded using its own resources. The rooms are specially equipped with furniture adjusted to children; interviews with traumatised children are conducted by specially trained youth police officers who successfully completed the training on the methods of conducting informative interviews with children based on the principles of good police practice.

The police has a strong and systematic impact on the development and strengthening of the system of victim support, which also improves the willingness of victims to report criminal acts and talk about them. As part of the continued proactive approach, an Agreement was signed between the Ministry of the Interior, the Ministry of Justice and State Administration, and the Victim and Witness Support Service Association about cooperation on the implementation of the pilot project to establish a referral system / referring victims to the Victim and Witness Support Service / National Call Centre for Victims of Criminal and Misdemeanour Offences 116 006.

The project has been implemented since 1 February 2020 for the purpose of developing and strengthening the system of support for victims and witnesses of crime; the goal is to establish the practice of the Service/NCC personnel contacting the victim (with their agreement) after the crime is reported to the police. Participants selected for the pilot project were the following: the VII police station of the Zagreb PD, Koprivnica-Križevci PD, Bjelovar-Bilogora PD, Požega-Slavonia PD, Virovitica-Podravina PD, and Lika-Senj PD. Recognising the need to refer the children-victims, in partnership with the Hrabri telefon (Brave Telephone) association, another pilot project of referring children was started within the EU CERV programme 2022-DAPHNE in the area of „Combating all forms of violence and supporting victims of violence". The results of the activities implemented during the pilot projects will be the basis for further strategic planning of development of the system of victim referral, for the purpose of securing timely assistance and support to the victims.

Along with the aforementioned systems of assistance and support for particular vulnerable groups, the Republic of Croatia has the institution of the Ombudsperson, introduced in the Croatian political and legal system by the 1990 Constitution; since then, the constitutional provisions regulating the status of the institution were changed to broaden its competences and strengthen its authority. Special ombudsperson institutions were subsequently introduced as institutions in their own right: the Children's Ombudsperson and the Gender Equality Ombudsperson in 2003, while the special Ombudsperson for Persons with Disabilities has been active since 2008. Everybody has the option to file complaints with the Ombudsperson and special ombudspersons, regardless of whether the complainant has a direct legal interest in the legal matter of the complaint (*actio popularis*); neither the initiation of the procedure nor its conduct require strict procedural rules which could extend it or cause reservations on the side of people who consider approaching the institution.

25. How do you support the (re)integration of victims of THB? What processes are in place in your country to provide assistance to victims of THB exploited abroad after their return?

Each person identified as a victim of THB has equal rights in the National Referral System of the RC, regardless of their status or country of origin. The Programme of Assistance and Protection of Victims of Human Trafficking is implemented within the referral system. The National Referral System itself includes non-governmental organisations, the Red Cross, and the relevant ministries. The broad spectrum of rights includes safe accommodation, access to healthcare, legal aid and support in giving testimony, access to the labour market and education, various services and rights within the welfare system. The mutual cooperation of stakeholders within the referral system enables access to the services needed, reduces additional traumatisation of victims, and facilitates reintegration into the society.

When a precautionary measure or a special duty for the purpose of victim protection has been issued, and the victim is about to leave RC territory, or lives abroad, the investigating judge with the relevant county court will issue, upon the victim's request (its guardian or representative), a European

Protection Order and send it to the competent body in the country where the protected person intends to stay or reside.

The request can also be submitted to the relevant institution of a EU member state where the protected person intends to stay or reside. Thus, the measures imposed on the perpetrator to protect the victim may also be valid in another EU member state where the victim is staying, regardless of the whereabouts of the perpetrator, i.e. the person against whom the measure was issued.

The RC will equally honour measures of protection issued by the courts of other EU member states when the victim resides or stays in Croatia.

The process of return and referral includes certain steps to secure a safe and dignified return of trafficked persons. In cases where the aforementioned steps were not implemented fully and in an appropriate and careful manner, victims faced problems in the process of return and referral. Adequate and appropriate assistance and protection are of key significance for the quick stabilisation, long-term recovery and integration/reintegration of trafficked persons into society. Assistance and protection can be received both in the country of transit, destination, and origin.

26. If there is a provision in your country's law that provides for the possibility of issuing a residence permit owing to the victim's personal situation, how is this interpreted in practice? Please provide examples.

Under the Protocol for the identification, assistance, and protection of victims of THB, victims of THB have a right to temporary residence based on their status.

27. What measures are in place to ensure that the identity, or details allowing the identification, of a child victim of trafficking are not made publicly known?

The identity of a victim of THB is classified information and is handled accordingly. When informing the media about a crime investigation, personal data or any other data that could lead to the identification of the victim are never disclosed. The aforementioned Criminal Procedure Act also protects all findings resulting from a crime investigation/inquest, as well as the secrecy of the victim's personal data; the public is excluded from the proceedings.

28. What measures are in place aimed at encouraging the media to protect the private life and identity of victims?

Education of journalists' umbrella organisations, as well as implementation of information campaigns to raise awareness on potential risks in cases of violation of privacy and identity of the victim. The role of the media is of extraordinary importance; it can be of key significance in prevention of abuse, development of public consciousness, debate, and public policies for the protection of victims, alerting the public, and pressure on institutions in cases of violation of victims' rights, while individual media reports can encourage victims to report abuse, which could lead to an increase in reporting.

The Croatian journalists' code of honour also prescribes the protection of human private life "from sensationalistic disclosure and any other unjustified disclosure to the public" with the term "obligation" in the context of honouring "everyone's right to privacy" (art. 14), while "particular attention, caution and accountability are required when reporting suicides, accidents, personal tragedies, illnesses, deaths and acts of violence" (art. 15). In such cases, "a journalist should avoid interviewing and portraying persons who are directly or indirectly affected by these events", except in cases of

preponderate public interest; in this case, the journalist is obliged to “take into account the honour, reputation and dignity of the persons they report about” (art. 15). (Croatian journalists' code of honour, 2009.)

29. Have there been cases of diplomatic households (of your country's diplomats abroad and of foreign diplomats in your country) employing domestic staff in conditions which could be forced labour or human trafficking? If yes, how was the issue of diplomatic immunity addressed? How were the victims identified, assisted and protected?

In diplomatic missions and consular offices of foreign countries in the RC, as well as in the diplomatic missions and consular offices of the RC abroad, there were no reported cases which would indicate forced labour or human trafficking.

The preparations of diplomatic and consular personnel deployed to work in the diplomatic network of the Republic of Croatia include the regular programme of education at the Diplomatic Academy of the Ministry of Foreign and European Affairs on combating human trafficking with the purpose of awareness-raising and sensitisation about the problems and broadening the consciousness about the dangers of human trafficking.

30. What specific steps are taken in your country to identify victims of THB amongst persons recruited and exploited by terrorist/armed groups?

No such cases have been recorded.

31. Are there requirements in your country's legal framework for the detection and removal of THB-related Internet content, and what are the sanctions for non-compliance? Is there a code of conduct for providers? If a person is detected as a presumed victim of THB in the process, how is this person referred to assistance?

I. INVESTIGATION, PROSECUTION, SANCTIONS AND MEASURES (Articles 4, 18, 19, 23, 24, 27, 28 and 30)

32. Is the abuse of a position of vulnerability part of the human trafficking offence in your country's law? How are the concepts of “vulnerability” and “abuse of a position of vulnerability” defined in law? Have they been subject to judicial interpretation? If yes, please provide relevant case-law.

The “Abuse of a Difficult Position,” as stipulated in Article 106 of the Criminal Code (OG no. 125/11, 144/12, 56/15, 61/15, 101/17, 118/18, 126/19, 84/21, 114/22, and 114/23), constitutes one of the methods of committing the criminal offence of trafficking in human beings. The Criminal Code neither employs nor defines the terms “exposure” (or “vulnerable or helpless position”) and “abuse of a vulnerable position.” The previously mentioned term utilised by the Criminal Code (“difficult position”) serves as a legal standard that the Criminal Code also does not explicitly define. Instead, it is left to judicial practice to assess the existence of such a position and determine whether it has been misused to achieve any of the legally prescribed consequences of the criminal offence of human trafficking under Article 106 of the Criminal Code.

The aforementioned encompasses victims who, for specific reasons, find themselves in a vulnerable, helpless, or exposed position. In practice, this is determined to demonstrate the presence of dependence, supervision, or control over an individual.

For instance, the conviction verdict of the Municipal Court in Bjelovar, case number K-477/2013-204, upheld by the verdict of the County Court in Bjelovar, case number Kz-128/2022-6, includes in its factual description the "exploitation of the victim's mild mental retardation" at the age of 43 for forced labour and service. During the court proceedings, a psychiatric examination of the victim revealed an intellectual deficit characterised by a higher level of suggestibility and gullibility, correlating with a diminished capacity to resist a person perceived as an authority, rendering the victim susceptible to manipulation and exploitation.

33. Is the special vulnerability of the victim considered as an aggravating factor for the offender's sentence?

The victim's difficult position, exploited in the commission of the criminal offence of human trafficking, undoubtedly affects the punishment of the perpetrator. This is reflected in the severity of the violation of protected rights and the manner in which the criminal offence was committed – circumstances explicitly outlined in Article 47, Paragraph 1 of the Criminal Code as factors influencing the type and extent of punishment.

The special sensitivity of the victim's position is taken into consideration during sentencing, with the state attorney's office highlighting it as an aggravating circumstance. Article 47 of the Criminal Code on Sentencing stipulates that, among other factors, the court evaluates circumstances that influence the choice of the type and extent of punishment – whether to be more lenient or more severe (mitigating and aggravating circumstances). These circumstances are not fully predetermined by the law; they are listed in a way that allows the court to consider specific factors, such as:

- severity of endangerment or violation of protected property, motives for committing of the criminal offence, degree of violation of the perpetrator's duties, method of commission and effects of the criminal offence, relationship with the victim, and others.

For the non-violent criminal offence of human trafficking referred to in Article 106, paragraph 2, where the victim is a child (a person under the age of eighteen), the Criminal Code prescribes a punishment corresponding in type and measure to that prescribed in paragraph 1 (one to ten years in prison). This is because, to fulfil the element of the criminal offence referred to in paragraph 2, it is not required that the perpetrator use a threat, deception, fraud, or any other incriminating means as prescribed in paragraph 1. Article 106, para. 3 of the Criminal Code prescribes an aggravated form of committing the criminal offence of trafficking in human beings, punishable by a prison sentence of three to fifteen years. As an aggravated form of commission, it includes the involvement of an official person, commission in relation to a larger number of persons, or knowingly endangering the life of one or more persons. The qualified form is also established when the perpetrator commits a criminal offence against a child with the intent to exploit them, using force, threat, or any other incriminating means, as prescribed in Article 106, paragraph 1 of the Criminal Code.

For instance, in the aforementioned verdict of the County Court in Bjelovar, case number Kz-128/2022-6, it is highlighted in relation to the affirmation of the first-instance verdict in the sentencing decision: "The court of first instance considered the severity and danger of the committed criminal offence, classified under crimes against humanity and human dignity. The extended incrimination period of over a year was considered, during which the first and second defendants deliberately and consensually exploited the mental insufficiency and personal characteristics of the injured party who, despite being 43 years old at the time, was naive, credulous, and susceptible to manipulation and exploitation. This brought to the forefront the extremely negative traits of both their personalities, indicating a high degree of guilt for both defendants."

34. According to national case-law, what forms of vulnerability are mostly abused by offenders in human trafficking cases? Please provide specific examples that show how

the concept of "abuse of a position of vulnerability" is used in practice. What are the challenges in its application? Is it sufficient to prove the existence of a position of vulnerability of the victim, or must it also be proven that the defendant knew or should have known of the victim's vulnerability, and intentionally manipulated the victim on this basis?

See answer to question 33.

35. Is the concept of "abuse of a position of vulnerability" addressed in criminal justice training? Is there any specific guidance on applying this concept? Please provide copies of guidance and/or training materials that shed light on how this concept should be applied in practice.

The concept of "abuse of a sensitive position" is regularly discussed in seminars on combating THB organised by the Judicial Academy for judicial officials and employees. Additionally, new teaching material from 2021 is now available.

36. What procedures and measures exist in your country to take into account the specific needs of vulnerable victims at the different stages of criminal proceedings?

The Criminal Procedure Act (OG, no. 152/08, 76/09, 80/11, 121/11, 91/12, 143/12, 56/13, 145/13, 152/14, 70/17, 126/19, 126/19, 130/20 and 80/22) prescribes special rights for victims of the criminal offence of trafficking in human beings throughout the entire criminal procedure, with the majority of these rights outlined in Chapter V – Victim, Injured Party, and Private Prosecutor.

The rights of the victim of a criminal offence are outlined in article 43 of the Act. In paragraph 4, it is prescribed that the court, the state attorney's office, the investigator, and the police are obligated, during their first involvement, to inform the victim in a manner comprehensible to them about their rights as an injured party. This includes additional rights for active participation in the evidentiary proceedings if, in accordance with article 46 of the Act, the victim decides to register in the criminal proceedings as an injured party. Article 43a of the Act specifically stipulates the obligation for the authority conducting the investigation, which includes the aforementioned institutions (police, state attorney's office, court), to collaborate with authorities such as organizations or institutions that offer assistance and support to victims of criminal offences. This collaboration involves conducting an individual assessment of the victim.

Victim and witness support departments are established in the headquarters of specific county courts, covering the jurisdiction of multiple courts while, additionally, associations that aid victims actively participate. Victims are, during their initial involvement in criminal proceedings at the state attorney's office, and previously in the police, provided with a written instruction outlining their rights. This instruction also includes guidance on which authorities and support institutions the victim can contact.

The individual assessment of the victim includes determining whether there is a need for the application of special protective measures in relation to the victim and, if so, what special protective measures should be applied; the Act lists, as an example, particular measures such as a special way of interviewing the victim, the use of communication technologies to avoid visual contact with the perpetrator, and other measures prescribed by law. When the victim of a crime is a child (that is, a person under the age of 18), it will not be determined separately but, according to the Act, it is presumed that there is a need for the application of special protection measures, and it is only necessary to determine exactly which special protection measures should be applied.

Moreover, regardless of the victim's status, for a person under the age of 14, article 292 of the Act specifically stipulates that, as a witness (which includes the status of a victim), they are examined by the investigating judge (thus not by the police, investigator, or the public prosecutor). This is done in

a manner where the person is located in a separate room without the presence of the judge and other parties, with the participation of a professional (such as a psychologist, pedagogue, etc.) and with the presence of a parent or guardian, unless this is contrary to the child's best interest. The investigating judge interviews the witness using an audio-visual device; the evidentiary action is recorded, and the parties can ask the witness questions with the approval of the investigating judge, which the expert needs to facilitate. The recording is attached to the record and is used as evidence in the proceedings. According to the explicit legal provision, the child can be re-examined only in exceptional circumstances and in the same manner (article 292, paragraph 1 of the Act).

Additionally, all persons between the ages of 14 and 18 are examined as witnesses before the investigating judge. The Act mandates the obligation to examine such individuals with special consideration to avoid adversely affecting their psychological state. Depending on the circumstances and with special care to protect the child, the examination can be conducted in the manner previously described, via video link. In practice, the court decides on this, and the state attorney can propose it, while this method of interrogation can also be requested by the victim or witness themselves (article 292, paragraph 2 of the Act).

The aforementioned presents the forms of interrogation that ease the position of every child witness (a person up to the age of 18), while the victim at that age has additional rights as per the aforementioned article.

Furthermore, to ensure the clear implementation of the individual assessment of the victim, the Ordinance on the Method of Carrying Out Individual Victim Needs Assessment was adopted, in effect since 2017. Additionally, the form of the individual assessment became a mandatory part of the case file compiled by the state attorney's office. This is in line with the rule that the individual assessment of the victim is carried out in front of every institution with which the victim comes into contact, which invariably includes the police, and also the state attorney's office, which, in practice, is the first point of contact for the victim with the criminal procedure authorities.

According to article 43a, paragraph 2 of the Act, when undertaking an individual assessment of the victim, particular consideration is given to the personal characteristics of the victim, the type and nature of the criminal offence, and the circumstances of the commission of the criminal offence. In doing so, special attention is paid to victims who suffered significant damage due to the severity of the crime, victims of a crime committed based on certain personal characteristics of the victim, and victims whose relationship with the perpetrator makes them particularly vulnerable. The concept of the particular vulnerability of the victim is not additionally defined, allowing it to be applied and evaluated in practice in accordance with the special circumstances of the case. Pursuant to article 43a, paragraph 3 of the Act, the aforementioned individual assessment of the victim includes especially victims of terrorism, organised crime, human trafficking, gender-based violence, violence in close relationships, sexual violence, sexual exploitation, hate crimes, and victims with disabilities. Therefore, the Act itself already encompasses categories of victims that primarily meet the conditions for determining particular vulnerability, and this includes victims of human trafficking and other victims expected to have particular sensitivity due to the type of criminal acts. However, particular vulnerability of the victim can also be determined in other criminal acts, depending on the personal characteristics of the victim (e.g., age, illness, sensitive mental state, etc.). Article 43a, paragraph 4 expressly states that the individual assessment of the victim is carried out with the participation of the victim, accounting for their wishes, including the wish not to use special protection measures prescribed by law. Also, paragraph 5 stipulates that the authority conducting the procedure will reduce the number of interviews with the victim, for whom a special need for protection has been determined, to the minimum possible extent. The state attorney may propose that such a witness be interviewed at an evidentiary hearing.

The interviewing of the witness at the evidentiary hearing is prescribed by article 292 of the Act, which also regulates the previously described special way of interviewing children (persons up to the

age of 18). Article 292, paragraph 3, prescribes the possibility of interviewing sensitive witnesses, who, due to age, health conditions, or disability, cannot respond to the summons, in such a way that they can be examined in their own apartment or another place of residence. Furthermore, there is the provision that such witnesses can be interviewed through audio-visual devices operated by an expert. If the condition of the witness requires it, the interview will be conducted in a manner that allows the parties to ask questions without being present in the room where the witness is located. If necessary, the interview will be recorded by an audio-visual recording device, and the recording will be sealed and attached to the record.

In the aforementioned way, specified in para. 3 of article 292 of the Act as a possibility for certain categories of sensitive witnesses, the Act, based on article 292, para. 4, further prescribes the obligation to conduct the examination in such a way (that is, via a video link, without the presence of other parties in the room) if the victim has made a request for the interrogation to be carried out in such a way. In accordance with an explicit legal provision, this pertains to the examination of a victim as a witness in cases involving criminal offences against sexual freedom, human trafficking, or offences committed within a family. A witness of this nature may only be re-examined under exceptional circumstances, as determined by the court, as expressly stipulated in article 292, para. 4 of the Criminal Procedure Act. Similarly, as specified in paragraph 3 of article 292 of the Act, the examination of a victim for whom special protection needs have been established under article 43a of the Act will be conducted upon their request.

In this manner, the fulfilment of the victim's rights is guaranteed at every stage of the procedure through the application of articles 43 and 43a of the Act. This obligation to inform the victim of their rights extends from the initial involvement of the victim and encompasses the actions of the court, the state attorney's office, as well as the investigator and the police. Additionally, as per the mentioned article 43.a of the Act, an individual assessment of the victim must be conducted prior to interviewing the victim, which ensures that the victim can exercise their rights in good time, as stipulated.

Moreover, in accordance with article 44 of the Act, additional rights are specified for a child as a victim, as well as for a victim of a criminal offence against sexual freedom and a victim of human trafficking. Additionally, further rights are outlined for a victim for whom, based on an individual assessment under article 43.a of the Act, special protection needs have been identified. The rights outlined in article 44 of the Act include:

"In addition to the rights granted to victims under this article and other provisions of this Act, a child victim of a criminal offence also has the right to:

1. legal representation at the expense of budget funds,
2. confidentiality of personal data,
3. exclusion of the public.

The court, the state attorney's office, the investigator, and the police are obligated to treat a child victim of a criminal offence with special consideration, accounting for the age, personality, and other circumstances to prevent harmful consequences for the upbringing and development of the child. In handling a child victim, the competent authorities will prioritise the best interests of the child.

In cases where the victim's age is unknown, it will be presumed that the individual is a child if there is a likelihood that they are under eighteen years of age.

A victim of a criminal offence against sexual freedom and a victim of a criminal offence of human trafficking have, in addition to the rights belonging to victims under article 43 of this Law, the right to:

- speak with a counsellor before the interview, at the expense of budget funds,
- legal representation at the expense of budget funds,
- be interviewed by a person of the same gender at the police station and the state attorney's office, and if possible, to be interviewed by the same person in the case of re-examination,

- withhold answers to questions that are not related to the criminal offence and pertain to the strictly personal life of the victim,
- demand an interview through an audio-visual device (article 292, para. 4 of the Law),
- confidentiality of personal data,
- demand the exclusion of the public from the discussion.

A victim for whom special protection needs have been determined in accordance with article 43a of this Act has, in addition to the rights belonging to victims under article 43 of this Act, the right to:

- speak with a counsellor before the interview, at the expense of budget funds,
- be interviewed by a person of the same gender at the police station and the state attorney's office, and if possible, to be interviewed by the same person in the case of re-examination,
- withhold answers to questions that are not related to the criminal offence and pertain to the strictly personal life of the victim,
- demand an interview through an audio-visual device (article 292, para. 4 of the Law),
- confidentiality of personal data,
- demand the exclusion of the public from the discussion."

Based on the aforementioned provision, it is evident that additional protection for victims of human trafficking is specifically ensured due to their status as victims of human trafficking. This protection applies regardless of the outcome of the individual assessment, treating them as particularly sensitive victims. In addition, there is the possibility of cumulating the victim's rights on different grounds since they are not mutually exclusive. This is also evident from the provisions of article 44, para. 4 of the Act, where the special rights of victims of human trafficking are prescribed at all stages of the proceedings, considering that they also apply to the proceedings of the police and the state attorney's office and before the court.

On the basis of the individual assessment of the victim's needs in accordance with the Criminal Procedure Act and the Ordinance on the Method of Carrying Out Individual Victim Needs Assessments, a victim for whom special protection needs have been determined may, in addition to the rights belonging to victims under article 43 of the Criminal Procedure Act, exercise the following rights: to speak with a counsellor before the interview, at the expense of budget funds; to interviewed by a person of the same gender at the police station and the state attorney's office, and if possible, to be interviewed by the same person in the case of re-examination; to withhold answers to questions that are not related to the criminal offence and pertain to the strictly personal life of the victim; to demand an interview through an audio-visual device; to confidentiality of personal data and to demand the exclusion of the public from the discussion.

37. If you have criminalised the use of services of a victim of THB, how is this provision applied in practice? Please provide any relevant case-law.

The use of the services of victims of trafficking in human beings is criminalised in Article 106, paragraph 4 of the Criminal Code, which states: "The penalty from paragraph 1 of this article shall be imposed on anyone who, knowing that a person is a victim of trafficking in human beings, uses their services, which result from one of the forms of exploitation mentioned in paragraphs 1 and 2 of this Article." Judicial practice does not indicate the existence of decisions referring to this form of committing a criminal offence.

38. What technology-based tools and initiatives exist in your country to support investigations and enhance prosecution of THB cases? What training is provided to law enforcement officials, prosecutors and judges on THB facilitated by information and communication technology?

Article 334 of the Criminal Procedure Act prescribes a catalogue of offences from the Criminal Code (OG, no. 125/2011, 144/2012, 56/2015, 61/2015, 101/2017, 118/2018, 126/2019, 84/2021, 114/2022, 114/2023), in relation to which special evidentiary actions can be carried out, among which is the criminal offence of human trafficking. Special evidentiary actions are determined by article 332, para. 1 of the Criminal Procedure Act. It is stipulated that if criminal offences are being investigated and cannot be conducted in any other way or would only be possible with disproportionate difficulties, the investigating judge, at the written, reasoned request of the state attorney, can determine special evidentiary actions against a person. This is done through a written, reasoned order when there are grounds for suspicion that the person themselves committed or, together with others, participated in the criminal offence referred to in article 334 of the Criminal Procedure Act. These actions temporarily restrict certain constitutional rights of citizens. Below, special evidentiary actions based on the use of technology in their implementation will be listed: 1) surveillance and technical recording of telephone conversations and other remote communications, 2) interception, collection, and recording of computer data, 3) entry into premises for the purpose of surveillance and technical recording of premises, 4) secret monitoring and technical recording of persons and objects.

The Judicial Academy conducts professional training sessions for judicial officials on combating human trafficking. These workshops have been held since 2018 in collaboration with the Police Academy.

In 2018, two two-day workshops were conducted for criminal judges, court advisors of county courts, deputy state attorneys, and state attorney advisors specialising in human trafficking, along with police officers from across the Republic of Croatia. A total of 74 participants partook in the workshops. Additionally, a handbook was created on the topic, covering the following issues: recognising human trafficking, legislative framework, differentiation in relation to related crimes (slavery, prostitution, illegal entry, movement, and residence in the RC), detection, prosecution, and sanctioning of perpetrators, as well as the position, rights of victims, and practical examples.

In 2019, two two-day workshops were conducted for criminal judges, court advisors of municipal and county courts, deputy state attorneys, and state attorney advisors specialising in human trafficking, along with police officers from across the Republic of Croatia, with a total of 107 participants.

In 2021, one two-day workshop in cooperation with the Police Academy was held for criminal judges of municipal and county courts, state attorneys, deputies, and advisors specialising in human trafficking, along with police officers and officers from the Service for Victim and Witness Support at county courts, with a total of 23 participants. Additionally, three one-day workshops in cooperation with the Governmental Office for Human Rights and Rights of National Minorities were conducted for criminal judges, advisors of municipal and county courts, deputies, and state attorney advisors at the municipal and county level, with a total of 33 participants.

In 2022, one two-day workshop in cooperation with the Police Academy was held for criminal judges of municipal and county courts, state attorneys, deputies, and advisors specialising in human trafficking, along with police officers and officers from the Service for Victim and Witness Support at county courts, with a total of 16 participants. Additionally, two one-day workshops in cooperation with the GOHRRNM were conducted for criminal judges, advisors of municipal and county courts, deputies, and state attorney advisors at the municipal and county level, with a total of 33 participants.

In 2023, one two-day workshop will be held in cooperation with the Police Academy.

Currently, no information and communication technology-related training is provided.

39. In what ways, if any, does your country utilise provisions from the Council of Europe Cybercrime Convention (Budapest Convention) to fight THB? If not, why is that the case?

Croatia uses an established network of 24/7 contact points for the exchange of information.

In the Republic of Croatia, the criminal and substantial law has been harmonized with the provisions of the Cybercrime Convention through the amendments to the Criminal Code from 2011 which entered into force on 1 January 2013. By this amendment, the criminal offences against computer systems, programs and data were separated from the Chapter of criminal offences against property into a new and special Chapter XXV entitled „Criminal offences against computer systems, programs and data". The following amendments were made in 2012 and 2015 and they included, among other things, the provisions of criminal offences related to child pornography.

The same process of implementation of Budapest Convention provisions was conducted in the procedural provisions because the Convention stipulated that the Convention provisions would apply always when the subject of investigation is a criminal offence described in the Convention, in investigations of any criminal offence committed through a computer system and while collecting evidence on criminal offence in electronic format.

Thus, the Convention Articles 16 and 17 on urgent protection and preservation of data are implemented in Article 263 of the Criminal Procedure Act (hereinafter CPA), which also contains the implemented provisions on the delivery order from Article 18 of the Convention; Article 18 of the Convention on search and confiscation of stored computer data in Articles 252 and 257 of the CPA, and Article 20 of the Convention on real-time computer data collection and interception of content data in Article 332, paragraph 1, items 1 and 2 of the CPA. All these provisions are also used in relation to the criminal offence of THB.

Part II – Country-specific follow-up questions

40. Please provide information on measures taken in your country in respect to the following recommendations made in GRETA's previous reports:

- *make efforts to guarantee effective access to compensation for victims of THB;*

Police officers with the Ministry of Interior of the Republic of Croatia, according to provisions of the Criminal Procedure Act (CPA), the Act on Police Affairs and Authority (Official Gazette no. 76/09, 92/14, and 70/19), and the Act on the Simplification of Data Exchange Between EU Member States' Institutions in Charge of Enforcing Laws (Official Gazette 56/15) and others, independently or on a state attorney's orders, consistently implement the provisions of these acts in searching for and identifying assets acquired through criminal acts, both by utilising available databases and collecting data from state administration bodies or legal entities vested with public authority in the RC, and by exchanging information and data through international police cooperation, including data exchange through Asset Recovery Offices (ARO), in order to create the conditions for freezing and seizure of assets by competent bodies in the further stages of the procedure and to secure financial compensation for victims of human trafficking. Financial compensation for victims is defined by art.

43, paragraph 3 of the Criminal Procedure Act. In the course of a criminal investigation the victim receives the "Request Form for financial compensation for victims of criminal offences".

Furthermore, in order to improve the system, conditions and criteria of financial compensation for victims of criminal offences based on the Act on Financial Compensation for Victims of Criminal Offences, including issues of compensation for victims of human trafficking, will be reconsidered by analysing regulations defining financial compensation in EU member states, including considering a possible increase in the number of persons covered by the Act. According to the draft Action Plan for the implementation of the National Plan for Combating Trafficking in Human Beings for the period until 2030, in order to modernise the current legislative framework, the creation of a comparative account regulations defining the issues of financial compensation in EU member states is envisaged. The drafting of Amendments to the Act on Financial Compensation will also be initiated. The foreseen deadline for the implementation of this activity is the 4th quarter of 2025.

- *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, to the extent they were compelled to do so, and/or development of guidance;*

In the framework of the new National Plan for Combating Trafficking in Human Beings for the period until 2030 and the new Action Plan whose enactment is expected by the end of the first quarter of 2024, activities on revising and analysing provisions of the Criminal Code are foreseen in order for the Code to adequately include a provision on non-punishment of victims of human trafficking.

- *protect vulnerable victims and witnesses of THB and prevent intimidation during the investigation, as well as during and after the court proceedings;*

Article 43, para. 1, line 3 of the Criminal Procedure Act stipulates as one of the fundamental and general rights of victims the right to protection from intimidation and retaliation. Furthermore, paragraph 12 stipulates the right of a victim to request to be heard via audio-visual connection; the right shall be granted to a victim with specific protection needs (established by an individual assessment of the victim, e.g. by a specific method of examining, using communication technologies to avoid visual contact with the perpetrator, and other measures stipulated by law). Individual victim assessment is defined by art. 43.a of the Criminal Procedure Act; it specifically includes victims of trafficking in human beings as a special category of victims. Apart from the rights victims are entitled to by art. 43 of the Act, they are also entitled to consult an adviser (at the expense of the budget funds) before being interrogated; to be legally represented (at the expense of the budget funds); when interrogated at a police station and a state attorney's office, to be questioned by a person of the same gender; in case of repeated interrogation, to be questioned by the same person if possible; to be allowed to refuse to answer questions not related to the crime, which refer to the strictly personal life of the victim; to demand to be interrogated via an audio-visual device; to secrecy of personal data and to demand exclusion of public from the trial.

The specific method of interrogation of victim as a witness of a criminal act of trafficking in human beings is defined by article 292, paragraph 4 of CPA. To the victim's request, she/he can be heard in their home or other place of residence, or via an audio-visual device operated by a qualified person. If required by the victim's situation, the interview shall be arranged so that the parties may ask their questions without being present in the same room as the witness. Such witness may be re-interviewed only in exceptional case, if the court deems it necessary. Under Art. 292, paragraphs 1 and 2 of CPA, stipulates the following conditions of interview of a child younger than 14 years conducted by investigating judge: The child will be interviewed without the judge and parties being present in the

same room with the child; the interview will be carried out through an audio-visual device handled by a qualified assistant. The child will be interviewed with the assistance of a psychologist, pedagogue or another expert; if does not interfere with interests of the process or the child, a parent or guardian will be present. Parties may ask the child-witness questions approved by the investigating judge, through the qualified person. The interview will be both audio and video recorded; the audio-visual record will be sealed and attached to the written record. Only exceptionally the may child be reinterviewed, in the same way as the first time. Paragraph 2 of the same article defines that a child above 14 and below 18 years of age can be interviewed as a witness, with the interview to be conducted by an investigating judge. Especially in case of a child injured by a criminal offence, special care will be taken lest the interview be harmful to the mental state of the child. Depending on the circumstances, taking particular account of the child's protection, the interview can be carried out in the way stipulated previously, in paragraph 1.

As part of the criminal investigation, police officers assess victims individually, in accordance with the aforementioned Criminal Procedure Act and the Ordinance on conducting individual victim assessment (Official Gazette, no. 106/17). The existing *"Form on the Procedure of Individual Assessment of the Victim's Need for Protection"* and *"Information on Victim's Rights"* are filled out and submitted to the competent state attorney's office as part of the file, to secure the timely exchange of information and enable comprehensive assessment of a crime victim in each individual case.

Under article 43a of the Criminal Procedure Act, before interviewing the victim, the body that conducts the interview shall carry out the individual assessment of the victim in cooperation with the bodies, organisations, and institutions engaged in assisting and supporting victims of crime. The individual assessment includes checking if there is a need for special measures for the protection of the victim; if yes, what special measures to apply (special method of interviewing, use of communication technologies to avoid visual contact with the perpetrator, as well as other measures to protect the victim as defined by the Act; for example, the presence of a trusted person, the right to effective psychological aid and other kinds of professional assistance, protective measures under article 99 of the aforementioned Act on Police Affairs and Authority, and other). If the victim of crime is a child, the need for special measures of protection will be assumed and appropriate special measures be established.

Before starting the interview with the victim about the circumstances of the criminal act, it will be ascertained if the victim needs to be interviewed by a person of the same gender and whether the presence of a person of victim's trust should be secured; with due respect to the victim's dignity, their mental state should be taken into consideration (whether there is a need for urgent medical aid), as well as the victim's concern for dependent persons (to be taken care of by a competent centre for social care).

When informing the victim about their rights, the victim's position on the intended invocation of a certain right in the subsequent phases of the criminal procedure will be recorded in the *Information on Victim's Rights* form; the concluding section of the *"Form on the Procedure of Individual Assessment of the Victim's Need for Protection",* victim's needs in the following phase of the procedure will be stated, e.g. a specific way of conducting an interview, the victim's wish to be informed about the release of the alleged perpetrator from custody or pre-trial detention, the defendant's escape, or the perpetrator's release from prison, as well as measures taken for the victim's protection, whether she/he needs to be accompanied by a trusted person or to receive professional aid from for victim and witness protection personnel, and similar.

Furthermore, the concluding section of the *"Form on the Procedure of Individual Assessment of the Victim's Need for Protection"* lists the protection measures granted to the victim at the police station; for example, being interviewed by a person of the same gender, the presence of a trusted person, notification of the competent centre for social welfare about how the children are taken care of during the victim's medical treatment; implementation of protective measures under art. 99 of the Act on

Police Affairs and Authority, arrest of the suspected perpetrator and their handing over to the custodial officer etc.

Individual assessment of a victim's need for protection is carried out for all victims of criminal acts; in the forms related to victims not considered as needing protection, if such victims are not vulnerable or victims of specially classified criminal acts, it is only indicated that there is no need for special protective measures, without additional explanations.

However, with regard to victims whose vulnerability is established due to personal characteristics or having been exposed to specially classified criminal acts (art. 7 of the aforementioned Ordinance), but who do not show a need for protection, the form should contain a specific explanation i.e. it should be specified what kind of vulnerability was established; it should also be stated that the assessment was made with the personal characteristics of the victim in mind. The explanation of the form is always filled in for children and victims for whom the need for special protective measures was determined.

In general, procedures for victim/witness protection in the RC can be classified in several categories:

- protection of victims of criminal offences and other persons;
- procedural measures of witness and victim protection;
- witness protection programmes.

Seen from the viewpoint of the protection of witnesses/victims, the specified procedures form a comprehensive whole. Differentiation between them stems from differences of specific threats to an individual witness/victim; its goal is to enable an adequate protection procedure.

Protection of victims of criminal offences and other persons

Provisions of art. 170 to 176 of the Ordinance on Police Officers' Procedures (OG 20/2022) define the general rights of victims, stating that the police pays special care to victims of criminal offences and takes appropriate care of the rights and interests of the victim, the protection of privacy, as well as of victims' specific needs . It is the duty of a police officer, when making the first contact, to acquaint the victim in an understandable and appropriate way with their legal rights, as well as with the way they can exercise their rights. When acquainting the victim with their rights, special care is taken of specific kinds of victims whose rights are specifically prescribed (child victim, victim of a crime against sexual freedom, victim of the crime of human trafficking, victim of the crime of violence, victim who is a foreigner, victim with a disability, victim of terrorism, victim of hate crime, victim of gender based violence). After giving the oral information, the police officer gives the victim a written information on their rights, as well as the information available on services for protection and support for victims, free phone numbers for support, regardless of whether the victim wishes to report the criminal offence or not. In order to establish specific needs for protection, a police officer makes an individualised assessment of the victim, and takes victim protection measures in accordance with the assessment.

The decision on granting protection is based on the assessment of threats against the person made by the organisational unit which had received a report or otherwise learned about the person being in danger. The head of the police department or the head of a department in the General Police Directorate presents the General Police Director the explained proposal to implement measures of protection. After learning about the threat, the head of the department in question shall give the order to implement measures of protection of the threatened person for the maximum duration of 48 hours, and immediately inform the GPD. Based on the explained opinion of the Operative group for the implementation of protective measures, the GPD makes a proposal to the Minister of the Interior to decide on the implementation of protective measures. The responsibility lies with the competent police department. On the basis of the elaborated opinion of the Group, the GPD makes a proposal to the Minister to extend or end the protection.

Procedural measures of witness and victim protection

Procedural measures of witness and victim protection are defined by the aforementioned Criminal Procedure Act; they consist of a special method of interviewing and participation in the measures of protection of the witness and closely related persons outside the procedure. They are undertaken precisely so as to protect certain categories of witnesses and victims of crime who are vulnerable and threatened.

Inclusion of the victim as a witness into the protection programme

A victim of a criminal offence may also be included in the Witness protection programme, based on the Witness Protection Act (OG, no. 163/03, 18/11 i 73/17) if proving the criminal offence might entail disproportional difficulties or could not be realised in another way, i. e. without the testimony of the person in question as a witness who due to potential threats would not testify freely in the criminal procedure, for the following criminal acts:

1 against the Republic of Croatia,

2 against values protected by international law,

3 organised crime, and

4 acts legally punishable with 5 years in prison or more.

The State Attorney General may, on the basis of the recommendation of the relevant state attorney or the threatened person, submit a request to the Commission for inclusion of the threatened person into the Programme of Protection. *Inter alia*, the proposal of the competent state attorney to the State Attorney General must include a description and assessment of the threat to the person in danger.

The witness protection programme involves measures and activities which could be long-term; they are organised and implemented by a special organisational unit for witness protection within the Police Directorate of the MoI (established in March 2004).

The basic condition for inclusion of a witness into the Protection Programme, from the standpoint of the person to be included, is the principle of voluntary consent; from the standpoint of the state, it is the importance of the testimony as evidence in the criminal procedure.

Procedure and mode of inclusion of a witness into the Protection Programme

The Protection Programme consists of measures and activities organised and implemented by the Witness Protection Unit and the body in charge of the prison system with the ministry responsible for judicial affairs, on the basis of the Witness Protection Act, with the aim of protecting the persons involved. Persons allowed to request inclusion into the protection programme are the State Attorney General, a judge, and the person directly exposed to threats.

Measures for the protection of persons at risk are the following:

1. corporeal and technical protection,
2. relocation,
3. measures of concealing identity and property,
4. change of identity.

When providing protection to persons under threat it is possible to implement one or more measures. The decision on the kind of measures to be implemented is made by the witness protection unit, with the exception of the change of identity, on which the Commission decides. The witness protection unit organises and carries out the measures independently; measures for persons in prison are

organised and implemented in collaboration with the Prison System Directorate of the ministry responsible for the judiciary.

Providing assistance to a person included in the Programme

The Witness Protection Unit will provide the requisite psychological, social, and legal assistance for the individual involved. Through economic and social support, they will assist the individual until they achieve independence. The economic and social support provided to a vulnerable individual should not surpass the amount sufficient to cover living expenses and facilitate integration into a new living environment. In the event of enrolment in the Witness Protection Programme, the victim will receive timely updates on the progression of their case. This includes information about developments such as the defendant's escape, the release of a convict from serving a prison sentence, or the protective measures implemented on behalf of the victim through the Witness Protection Unit. In the Republic of Croatia, there have been no instances of inclusion in the Witnesses Protection Programme for the Victims of Trafficking in Human Beings. The reason for this is that no such request has been submitted thus far.

- *adopt measures to ensure that the identity of child victims of THB is not made publicly known.*

The identity of a victim of human trafficking is classified information and is treated accordingly. When information about a criminal investigation is disseminated in the media, personal details or any other information that could potentially lead to the identification of the victim, particularly in the case of a child or a minor, is never disclosed. Additionally, in accordance with the aforementioned Criminal Procedure Act, all information obtained during a criminal investigation or the examination of criminal offences, including the confidentiality of the victim's personal data and the exclusion of the public during the procedure, is safeguarded.

We also highlight the application of Article 7, Paragraph 1 of the Media Act (Official Gazette No. 59/04, 84/11, 81/13, 114/22) as a special provision, which stipulates that every person has the right to the protection of privacy, dignity, reputation, and honour, that is, their personal data may not be published unless there is a justified purpose and legal basis for their publication (e.g., publishing the name and surname of a child when the child's well-being is at risk or revealing the name and surname of a witness in court proceedings, etc.).

In the Republic of Croatia, the Personal Data Protection Agency was established on the basis of the Personal Data Protection Act adopted in 2003, which for the first time regulated the issue of personal data protection in the Republic of Croatia. The Agency started operating in 2004.

41. Please provide information on developments in your country since GRETA's third evaluation report concerning:

- *emerging trends of trafficking in human beings;*

In 2022, an extensive criminal investigation named NEMEZIDA 7 was conducted, resulting in the identification of 16 female victims of human trafficking who were citizens of the Republic of Croatia, while one male individual, also a citizen of the RC, was criminally reported as part of the investigation. The case revolved around the sexual exploitation of victims, particularly through pornography distributed via social networks. The investigation was focused on combating criminal acts of sexual

abuse and exploitation of children/minors, while it was established that the suspect, by assuming false identities on social networks, recruited and coerced victims into engaging in inappropriate behaviour, such as sending explicit photos and videos. The perpetrator promised rewards but then compelled the victims to send even more explicit content through threats and blackmail. All victims identified in this case have been informed of their rights as victims of human trafficking.

In the implementation of the so-called Dublin Procedure, wherein, in collaboration with other EU member states, responsibility for evaluating requests for international protection is established, the Ministry of Interior did not encounter cases of human trafficking. If, during the Dublin procedure, it is determined, or if there are indications that the person is a victim of human trafficking, the competent authority for combating trafficking in human beings and the Department for International Protection Procedure would be informed. In case the responsibility of the Republic of Croatia is established, and if it involves an unaccompanied child, the competent social welfare centre or the appointed special guardian would also be notified.

- *the legislation and regulations relevant to action against THB;*

The Dublin Procedure is regulated in accordance with the Dublin III Regulation (*Regulation (EU) No. 604/2013 of the European Parliament and the Council of June 26, 2013, on establishing criteria and mechanisms for determining the member state responsible for considering an application for international protection submitted by a citizen of a third country or a stateless person*), which is directly applied in the Republic of Croatia. It is stated in recital 13 of the Regulation that, in accordance with the United Nations Convention on the Rights of the Child of 1989 and the Charter of Fundamental Rights of the European Union, the best interests of the child should be a primary concern of the Member States when applying this Regulation. When determining the best interests of the child, member states must, above all, consider the welfare and social development of the minor, the issues of protection and safety, the opinion of the minor in accordance with their age and maturity, including their background. Additionally, special procedural guarantees should be established for unaccompanied minors due to their particular vulnerability.

Article 6, para. 3, line (c) of the Regulation pertains to protective measures for minors and stipulates that when evaluating the best interests of the child, member states closely collaborate with each other and particularly consider various factors, one of which is related to safety and protection, especially when there is a risk that a minor is a victim of human trafficking.

The Act on International and Temporary Protection specifies that its provisions are implemented in accordance with the principle of the best interests of the child, also prescribing special procedural and reception guarantees designed to offer suitable support to applicants based on their personal circumstances, including but not limited to age, sex, sexual orientation, gender identity, disability, serious illness, mental health, or the consequences of torture, rape, or other severe forms of psychological, physical, or sexual violence. These measures aim to facilitate the exercise of rights and obligations under that Act. Upon their request, the applicant will be provided with legal and procedural information regarding the granting of international protection. This information will be presented, considering the circumstances of the specific request, in a language that the applicant can reasonably be expected to understand and communicate in.

- *the institutional and policy framework for action against THB (co-ordinating bodies, specialised entities, national rapporteur or equivalent mechanism, involvement of civil society, public-private partnerships);*

The system for combating human trafficking in the Republic of Croatia is founded on the principles of respecting the fundamental human rights of victims of human trafficking. It involves the provision of assistance and protection, including safe accommodation, psycho-social support, health care, legal assistance, and the right to a secure return to the country of origin.

Since 2002, the Republic of Croatia has actively developed its National Referral System to combat human trafficking. Over the years, it has established a comprehensive system encompassing activities from the moment of identifying a victim of human trafficking to their full integration into society, with special emphasis placed on the protection of victims of human trafficking and the prosecution of perpetrators. The national referral system of the Republic of Croatia institutionally comprises three main elements: the National Committee for Combating Trafficking in Human Beings, the Operational Team of the National Committee for Combating Trafficking in Human Beings, and the National Coordinator for Combating Trafficking in Human Beings. The National Committee, established by the Government of the Republic of Croatia in 2002, functions as a multidisciplinary and interdepartmental authority responsible for adopting national strategic and operational plans and programmes. The operational team, also an interdepartmental authority, was established with the aim of swiftly and efficiently addressing issues at the operational level. Led by a national coordinator, the team convenes at least once a month. The National Committee is chaired by the Deputy Prime Minister of the Republic of Croatia responsible for social activities and human rights.

In alignment with international and European legal standards, and as part of longstanding endeavours to establish a comprehensive system in the fight against human trafficking, the Government of the Republic of Croatia has adopted three protocols in this area: the Protocol for the Identification, Assistance, and Protection of Victims of Trafficking in Human Beings; the Protocol on the Voluntary and Safe Return of Victims of Trafficking in Human Beings; and the Protocol on the Integration/Reintegration of Victims of Trafficking in Human Beings. These protocols, in conjunction with the Standard Operating Procedures of the ministry responsible for social welfare affairs and the ministry responsible for exercising rights within the healthcare system, govern the comprehensive treatment of victims of human trafficking.

Furthermore, it is worth noting that, for the purpose of protection and ensuring effective and continuous assistance to victims, two shelters for victims operate in the Republic of Croatia – one for adult victims and the other for child victims. Additionally, there is a free SOS phone line, managed by civil society organizations, which constitutes an integral part of the national referral system of the Republic of Croatia.

- *the current national strategy and/or action plan for combating trafficking in human beings (objectives, main activities, budget, bodies responsible for the implementation, monitoring and evaluation of results);*

In developing a system to combat human trafficking, the Government of the Republic of Croatia has adopted five general strategic documents to date, and one specifically addressing children as a particularly vulnerable group:

- National Plan for Combating Trafficking in Human Beings 2002
- National Plan for Combating Trafficking in Children (October 2005 – December 2007)
- National Programme for Combating Trafficking in Human Beings from 2005 to 2008
- National Plan for Combating Trafficking in Human Beings for the period from 2009 to 2011
- National Plan for Combating Trafficking in Human Beings for the period from 2012 to 2015
- National Plan for Combating Trafficking in Human Beings for the period from 2018 to 2021.

The Republic of Croatia is currently in the process of formulating a new National Plan for Combating Trafficking in Human Beings for the period up to 2030, with the accompanying Action Plan for the implementation of the National Plan for Combating Trafficking in Human Beings, covering the period from 2024 to 2026. This initiative establishes a strategic framework for the ongoing development of the system for combating trafficking in human beings, aiming to empower officials engaged in this system, enhance the identification and prosecution of this criminal offence, and further provide assistance and protection to victims, ensuring their inclusion in society.

The national plan encompasses three objectives:

- Prevention of human trafficking
- Improvement of the system of identification, assistance, and protection of victims of human trafficking
- Strengthening cooperation at the regional and international levels

As part of the measures aligned with the identified goals, the following activities will be undertaken:

- raise public sensibility and awareness, particularly focusing on new emerging forms of online recruitment and new types of exploitation, with special emphasis on women and children;
- sensitise all authorities within the national referral system to prevent re-victimisation and stigmatisation of victims;
- inform migrants, applicants for international protection, persons granted international protection, and other vulnerable groups about human trafficking;
- develop public-private initiatives with companies operating in high-risk sectors and environments;
- enhance tools for monitoring human trafficking;
- improve the existing normative framework to protect victims of human trafficking and to detect, prosecute, and appropriately sanction perpetrators of the criminal act of human trafficking;
- strengthen the system for identifying victims of human trafficking;
- reinforce mobile teams;
- monitor the process of detection, prosecution, and sanctioning of the criminal offence of human trafficking and related offences;
- provide assistance and protection to victims of human trafficking;
- create educational materials aimed at police officers, state attorneys, and judges;
- conduct continuous training for target groups on the topic of human trafficking, including police officers, judges, state attorneys, members of the armed forces, diplomatic and consular staff, employees of the Croatian Employment Service, representatives of civil society organizations, and workers in social and health care institutions;
- direct the coordination of activities at the national level, manifested through regular sessions of the National Committee for Combating Trafficking in Human Beings and regular meetings of the Operational Team, including regular reporting to the national coordinator on all activities undertaken and the implementation of the National Plan itself;
- strengthen regional and international cooperation of the Republic of Croatia in combating human trafficking through bilateral meetings with other countries and participation in regional and international conferences.

A sum of EUR 1,270,745 has been allocated for the implementation of the activity. Towards the end of 2026, a formative evaluation of the National Plan is scheduled, focusing on assessing the implementation of the document according to the following criteria: importance (relevance), efficacy (effectiveness), compliance (coherence), competency (efficiency), and regularity (consistency). The findings of the evaluation will serve as an analytical basis for the creation of the next operational document, i.e., the Action Plan for the implementation of the National Plan for Combating Trafficking in Human Beings by 2030, covering the period from 2027 to 2030. In the final quarter of 2030, an

external evaluation of the National Plan for Combating Trafficking in Human Beings is planned with the aim of assessing the effects of the implemented measures and their associated activities on the expected outcomes. The results of the external evaluation, combined with the findings from the formative evaluation, will form the basis for the development of a new strategic planning act for the post-2030 period.

To achieve the objectives set by this National Plan, adequate cooperation of all key stakeholders and institutions will be ensured, primarily the Office for Human Rights and the Rights of National Minorities, the Ministry of the Interior, the Ministry of Justice and Administration, and the Ministry of Labour, Pension System, Family and Social Policy and key non-governmental organizations.

- *recent case-law concerning THB for different forms of exploitation.*

We currently lack recent judicial precedents specifically addressing trafficking in human beings for various forms of exploitation.

Part III - Statistics on THB

42. Please provide the following statistics, per year starting with 2019, where available disaggregated as indicated below:

- *Number of presumed victims and identified victims of THB in the sense of having been recognised by a state institution or mandated NGO as bearers of rights to services provided for by the Convention (with breakdown by sex, age, nationality, form of exploitation, internal or transnational trafficking, and body which identified them).*

In 2019 27 victims of trafficking in human beings were identified in the territory of the Republic of Croatia, as presented in detail in the following tables:

Table 1: Number of victims of trafficking in human beings in 2019 by country of origin

COUNTRY	Number
Republic of Croatia	24
Bosnia-Herzegovina	3
TOTAL	27

Table 2: Number of victims of trafficking in human beings in 2019 by citizenship and sex

Victims identified, by citizenship and sex	M	F
Republic of Croatia	8	16
Bosnia-Herzegovina		3
TOTAL	8	19

Table 3: Number of victims of trafficking in human beings identified in 2019 by age

Victims identified, by age	Number
0-18	17
19-30	6
31-40	1
41-50	1
other	2
TOTAL	27

Table 4: Number of victims of trafficking in human beings identified in 2019 by age and sex

Victims identified, by age and sex	M	F
0-18	7	10
19-30		6
31-40		1
41-50		1
other	1	1
TOTAL	8	19

Table 5: Number of victims of trafficking in human beings identified in 2019 by form of exploitation

form of exploitation	Number
Sexual	12
Labour	5*
Commitment of illicit acts	8*
Illicit/forced marriage	1
Slavery	1
Sexual – attempted*	1*
TOTAL	28*

* a victim experienced both labour exploitation and having to perform of illicit acts of begging

* attempted sexual exploitation of one under-age victim through social networks

Table 6: victims of human trafficking identified in 2019 by form of exploitation and sex

Exploitation by sex	M	F
Sexual	5	7
Labour		5*
Commitment of illegal acts	2	6*
Illicit/forced marriage		1
Slavery	1	
Sexual – attempt*		1*
TOTAL	8	20*

* one victim experienced labour exploitation, as well as having to commit illicit acts of begging

* there was an attempt at the sexual exploitation of one underage victim through social networks

All victims were identified by MoI police officers.

In 2020, 15 victims of trafficking in human beings were identified in the territory of the Republic of Croatia; presented in more detail in the following tables:

Table 7: Number of victims of trafficking in human beings identified in 2020, by country of origin

COUNTRY	Number
USA	1 (11 June 2021, returned to USA)
Republic of Croatia	14
TOTAL	15

Table 8: Number of victims of trafficking in human beings identified in 2020, by citizenship and sex

Victims identified by citizenship and sex	M	F
USA	1	
Republic of Croatia	7	7
TOTAL	8	7

Table 9: Number of victims of trafficking in human beings identified in 2020, by age

Victims identified by age	Number
0-18	5
19-30	5
31-40	2
41-50	2
other	1
TOTAL	15

Table 10: Number of victims of trafficking in human beings identified in 2020, by age and sex

Victims identified by age and sex	M	F
0-18	1	4
19-30	2	3
31-40	2	
41-50	2	
other	1	
TOTAL	8	7

Table 11: Number of victims of trafficking in human beings identified in 2020, by form of exploitation

form of exploitation	Number
Sexual	4*
Labour	6*
Committing illegal actions	4
Illicit/forced marriage	1
Slavery	1
TOTAL	16*

*one victim experienced both sexual and labour exploitation on the territory of the Federal Republic of Germany

Table 12: Human trafficking victims identified in 2020 by form of exploitation and sex

Sexual exploitation	M	F
Sexual		4*
Labour	4	2*
Committing illegal actions	3	1
Illicit/forced marriage		1
Slavery	1	
TOTAL	8	8*

* one victim experienced both sexual and labour exploitation on the territory of FR Germany

All victims were identified by MoI police officers

NOTE:

On February 2, 2021, on the initiative of the National Coordinator of the Republic of Croatia for combating trafficking in human beings, who is also the Director of the Office for Human Rights and Rights of National Minorities of the Government of the Republic of Croatia, an online meeting of members of the Operative Team of the National Committee for the Suppression of Trading in Human Beings of the Government of the Republic of Croatia took place; among other matters, the present members of the Operative Team present at the meeting voted on terminating the status of victims of trafficking in human beings under the article 14 of the Protocol on Identifying, Assistance, and Protection of Victims of Trafficking in Human Beings, with regard to two identified victims of trafficking in human beings (children), identified in 2020 by the Ministry of Interior; it was decided at the meeting that the children no longer enjoy the status of victims of trafficking in human beings. According to the decision, the reasons for the right to assistance and protection ceased to exist.

In 2021, 19 victims of trafficking in human beings were identified, as shown in detail in the following tables:

Table 13: Number of identified victims of trafficking in human beings in 2021 by country of origin

COUNTRY	Number
Republic of Croatia	15
Nepal	4
TOTAL	19

Table 14: Number of victims of trafficking in human beings identified in 2021, by citizenship and sex

Victims identified by citizenship and sex	M	F
Republic of Croatia	6	9
Nepal	4	
TOTAL	10	9

Table 15: Number of victims of trafficking in human beings identified in 2021, by age

Victims identified, by age	Number
0-18	10
19-30	3
31-40	3
41-50	2
other	1
TOTAL	19

Table 16: Number of victims of trafficking in human beings identified in 2021, by age and sex

Victims identified by age and sex	M	
0-18	5	5
19-30		3
31-40	3	
41-50	1	1
other	1	
TOTAL	10	9

Table 17: Number of victims of trafficking in human beings identified in 2021, by form of exploitation

form of exploitation	Number
Sexual	7*
Labour	6*
Committing illegal acts	7
Illicit/forced marriage	1*
TOTAL	21*

* one victim was exploited both sexually and for labour, as well as for illicit/forced marriage

Table 18: Victims of trafficking in human beings identified 2021 by form of exploitation and sex

Exploitation by sex	M	F
Sexual	1	6*
Labour	5	1*
Committing illegal acts	4	3
Illicit/forced marriage		1*
TOTAL	10	11*

* one victim was exploited both sexually and for labour, as well as for illicit/forced marriage

All the victims were identified by MoI police officers.

NOTE:

One victim was identified in 2020 (a US citizen, male); on 11 June 2021 he was returned by aircraft to his country of origin (USA) in accordance with the Protocol on proceeding in voluntary and safe return of victims of trafficking in human beings.

Furthermore, one identified victim, an underage male, citizen of the Republic of Croatia, 12 years of age, was exploited repeatedly in 2021, forced to commit illegal acts of thievery, by the same person (citizen of RC, female, 31 years old); she was reported again for a criminal offence due to committing two acts of "trafficking in human beings" under article 106, para. 3 of the Criminal Code; the victim was not registered again in the statistics of unidentified victims in the same year.

29 victims of trafficking in human beings were identified in Croatia in 2022, as presented in detail in the following tables:

Table 19: Number of victims of trafficking in human beings identified in 2022, by country of origin

COUNTRY	Number
Republic of Croatia	26
FR Germany	1 (returned to FR Germany on Aug 02 2022)
Burkina Faso	1
Uganda	1
TOTAL	29

Table 20: Number of victims of trafficking in human beings identified in 2022, by citizenship and sex

Victims identified by citizenship and sex	M	F
Republic of Croatia	3	23
FR Germany	1	
Burkina Faso		1
Uganda		1
TOTAL	4	25

Table 21: Number of victims of trafficking in human beings identified in 2022, by age

Victims identified, by age	Number
0-18	19
19-30	7
31-40	1
41-50	
other	2
TOTAL	29

Table 22: Number of victims of trafficking in human beings identified in 2022., by age and sex

Victims identified, by age and sex	M	F
0-18		19
19-30	2	5
31-40	1	
41-50		
other	1	1
TOTAL	4	25

Table 23: Number of victims of trafficking in human beings identified in 2022, by form of exploitation

form of exploitation	Number
Sexual	19
Labour	3
Committing illegal acts	7
TOTAL	29

Table 24: Victims of trafficking in human beings identified in 2022, by form of exploitation and sex

Exploitation, by sex	M	F
Sexual		19
Labour	3	
Committing illegal acts	1	6
TOTAL	4	25

All the victims were identified by MoI police officers.

NOTE:

On 2 August 2022, one victim identified in 2022 (a citizen of FR Germany, male) was returned to FR Germany as the country of origin, in accordance with the Protocol on proceeding in voluntary and safe return of victims of trafficking in human beings.

In 2023, until December 31, 2023, 21 victims of trafficking in human beings were identified in the territory of RC, as presented in detail in the following tables:

Table 25: Number of victims of trafficking in human beings identified in 2023, by country of origin

COUNTRY	Number
Republic of Croatia	12
Bosnia-Herzegovina	3
Brazil	4
Nepal	1
Republic of Serbia	1
TOTAL	21

Table 26: Number of victims of trafficking in human beings identified in 2023, by citizenship and sex

Victims identified by citizenship and sex	M	F
Republic of Croatia	7	5
Bosnia-Herzegovina		3
Brazil		4
Nepal		1
Republic of Serbia		1
TOTAL	7	14

Table 27: Number of victims of trafficking in human beings identified in 2023, by age

Victims identified, by age	Number
0-18	11
19-30	5
31-40	3
41-50	
other	2
TOTAL	21

Table 28: Number of victims of trafficking in human beings identified in 2023, by age and sex

Victims identified, by age and sex	M	F
0-18	6	5
19-30	1	4
31-40		3
41-50		
other		2
TOTAL	7	14

Table 29: Number of victims of trafficking in human beings identified in 2023, by form of exploitation

form of exploitation	Number
Sexual	9*
Labour	5*
Committing illegal acts	11*
Illicit/forced marriage	1*
TOTAL	26*

** one person, underage, female, citizen of Bosnia-Herzegovina, 15 years old at the time the exploitation took place, was identified as a victim of attempted exploitation in 2019 by forced marriage*

** two female persons, citizens of Brazil, 31 and 34 years old respectively, were identified as victims of attempted sexual exploitation; they were also victims of the crime of extortion*

** one victim, female, citizen of the RC, was identified as exploited sexually and for labour, as well as by being forced to commit illegal acts of thievery*

** one person, underage, male, citizen of RC, was identified as a victim of exploitation for labour, as well as by being forced to commit illegal acts of thievery*

** one person, underage, female, citizen of BH, was identified as a victim of exploitation for labour as well as by being forced to commit illegal acts of thievery and begging*

** one person, female, citizen of the Republic of Serbia, was identified as a victim of exploitation for labour as well as by being forced to commit illegal acts of begging*

** one person, underage, male, citizen of RC, was identified as a victim of exploitation for labour, as well as by being forced to commit illegal acts of thievery*

Table 30: Victims of trafficking in human beings identified in 2023, by form of exploitation and sex

Exploitation, by sex	M	F
Sexual		9*
Labour	2*	3*
Committing illegal acts	6*	5*
Illicit/forced marriage		1*
TOTAL	8*	18*

** one person, underage, female, citizen of BH, 15 years old at the time of the exploitation in 2019, was identified as a victim of attempted exploitation for a forced marriage*

** two persons, female, citizens of Brazil, age 31 and 34, respectively, were identified as victims of attempted sexual exploitation, as well as by a criminal act of extortion*

** one person, female, citizen of RC, was identified as a victim of sexual and labour exploitation, as well as for committing illegal acts of thievery*

** one person, underage, male, citizen of RC, was identified as a victim of labour exploitation, as well as for committing illegal acts of thievery*

** one person, female, citizen of BH, was identified as a victim of labour exploitation, as well as for committing illegal acts of thievery and begging*

** one person, female, citizen of the Republic of Serbia, was identified for labour, as well as for committing illegal acts of begging*

All the victims were identified by MoI police officers.

- Number of victims of trafficking in human beings identified in the procedure of asylum requests (disaggregated by sex, age, citizenship, and form of exploitation).

On the territory of the REPUBLIC OF CROATIA, in 2022, two victims of trafficking in human beings were identified in the process of requesting asylum (filng requests for international protection), presented in detail in the following tables:

Table 31: Number of victims of trafficking in human beings identified in the process of requesting asylum in 2022, by country of origin

COUNTRY	Number
Burkina Faso	1
Uganda	1
TOTAL	2

Table 32: Number of victims of trafficking in human beings identified in the process of requesting asylum in 2022, by citizenship and sex

Victims identified, by citizenship and sex	M	F
Burkina Faso		1
Uganda		1
TOTAL		2

Table 33: Number of victims of trafficking in human beings identified in the process of requesting asylum in 2022, by age

Victims identified, by age	Number
0-18	1 (underage at the time of exploitation)
19-30	1
TOTAL	2

Table 34: Number of victims of trafficking in human beings identified in the process of requesting asylum in 2022, by age and sex

Victims identified, by age and sex	M	F
0-18		1 (underage at the time of exploitation)
19-30		1
TOTAL		2

Table 35: Number of victims of trafficking in human beings identified in the process of requesting asylum in 2022, by form of exploitation

form of exploitation	Number
Sexual	2
TOTAL	2

Table 36: Victims of trafficking in human beings identified in 2022, by form of exploitation and sex

Exploitation, by sex	M	F
Sexual		2
TOTAL		2

Both victims were identified by MoI police officers.

NOTE:

One person, female, citizen of Burkina Faso, 17 years old at the time of exploitation, was identified as a victim of sexual exploitation in the area of Ankara, Turkey, in the period from November 2018 to April 2019.

- *Number of victims of trafficking in human beings who received assistance (disaggregated by sex, age, nationality, form of exploitation, and internal or transnational trafficking.*

Police officers of MoI of RC offered the programme of assistance and protection to all the victims identified, in accordance with the Protocol on Identification, Assistance, and Protection of Victims of Trafficking in Human Beings.

Age	Sex	Citizenship	Type	Trafficking	Year
	F	Croatian			2019

38	M	Croatian	labour	internal	2019
21	F	Serbian	forced marriage	internal	2019
21	F	Croatian	sexual	internal	2019
45	F	Croatian	committing illegal acts		2019
20	F	Croatian		international	2019
61	M	Croatian	labour	internal	2019
	F	Croatian	forced begging	internal	2020
57	F	Croatian	labour	internal	2020
31	F	Croatian	sexual	internal	2020
50	M	Croatian	labour	internal	2020
56	M	Croatian	forced begging	internal	2020
31	M	American	labour	internal	2020
44	F	Croatian	forced begging	internal	2021
31	M	Nepalese	labour	internal	2021
42	M	Nepalese	labour	internal	2021
40	M	Nepalese	labour	internal	2021
38	M	Nepalese	labour	internal	2021
24	M	German	labour	internal	2022
	M	Croatian	labour	internal	2022
63	M	Croatian	labour	internal	2022
24	M	Croatian	committing illegal acts	internal	2023
32	F	Bosnian	sexual	internal	2023
21	F	Nepalese	sexual	internal	2023
52	F	Croatian	labour, sexual	internal	2023
59	F	Serbian	labour		2023

➢ *Number of child victims of trafficking in human beings who were appointed with legal guardians.*

- 2020 – three children
- 2021 – four children
- 2022 – three children
- 2023 – three children

➢ *Number of victims of trafficking in human beings granted a recovery and reflection period (disaggregated by sex, age, nationality, form of exploitation).*

All the identified victims were granted a period of time to make their decision on whether to accept the assistance and protection programme.

Under the Protocol on Identification, Assistance and Protection of Victims of Human Trafficking, the victim must decide whether or not they will accept the program of assistance and protection within 60 days from the day of their status is approved. In case the victim is a child, the decision about accepting the assistance and protection programme is made by the child's guardian with the child's previously expressed opinion and with consent from the centre of social welfare, within 90 days from the day of identification. The assistance and protection programme includes medical and psycho-social protection, safe accommodation, humanitarian aid, translation and interpretation services, legal aid and other necessary kinds of assistance.

The assistance and protection procedure also requires expedience and confidentiality in the process. In the period beginning with 2019, only one victim used the period of reflexion before accepting the Programme of assistance and protection and entering the National shelter for adult victims of trafficking in human beings. It was a female person, 47 years of age, a Croatian citizen who was exploited for labour.

- *Number of victims of trafficking in human beings granted a residence permit, with an indication of the type of the permit (for the purpose of co-operation in the investigation/proceedings, on personal grounds, other) and its duration (disaggregated by sex, age, nationality, form of exploitation).*

- *Number of persons given a refugee status or subsidiary/ complementary protection on the grounds of being victims of trafficking in human beings (disaggregated by sex, age, nationality, form of exploitation).*

In 2019 4 victims of trafficking in human beings were identified during the procedure of approving international protection; they were younger persons, female, from Congo and Ivory Coast; form of exploitation: prostitution. In the period 2020-2023 no victims of trafficking in human beings were identified in the course of requests for international protection.

- *Number of victims of trafficking in human beings who were granted compensation and who effectively received compensation (disaggregated by sex, age, nationality, form of exploitation, with an indication of whether the compensation was provided by the perpetrator or the state, and the amount awarded).*

Regarding the state compensation i.e. financial compensation under the Act on Financial Compensation for Victims of Criminal Offences (OG, no. 80/08 and 27/11) no requests were received from victims of trafficking in human beings.

- *Number of victims of trafficking in human beings who received another form of financial support from the state, with the indication of the amount received.*

Victims of trafficking in human beings have a right to guaranteed minimal compensation, one-off compensation and other compensations and services from the social welfare system, provided they meet the conditions defined by the Social Welfare Act (OG 18/22, 46/22, 119/22 and 71/23). Information on the number of victims who received some form of financial aid cannot be presented

as in order to preserve the secrecy of their identities, the victims are not registered in the database as victims of human trafficking.

- *Number of victims of trafficking in human beings who received free legal aid.*

In 2019, the Croatian Law Centre association reported that four (4) potential victims of trafficking in human beings, among persons who requested international aid, were given primary legal aid. Data on requests approved for secondary legal aid (legal aid in court proceedings) are kept in the information system of free legal aid, according to the types of proceedings (property proceedings, employment, family, property distress, and other administrative and civil court proceedings), rather than the status of the beneficiary of free legal aid, i. e., whether the beneficiary of free legal aid is a victim of a violent criminal offence, or a victim of trafficking in human beings; therefore we do not have data on the number of victims of trafficking in human beings to whom the secondary legal aid was approved.

- *Number of victims of trafficking in human beings who were returned or repatriated to/from your country (disaggregated by sex, age, country of destination, form of exploitation).*

In 2019, three victims, female, were returned. Country of destination – Bosnia-Herzegovina (Federation). One victim, citizen of the United States of America, male, identified in 2020 as a victim of enslavement, was returned by aircraft to his state of origin on June 11, 2021. One victim, citizen of FR Germany, male, identified in 2022 as a victim of labour exploitation, was returned on 2 August 2022 to FR Germany as his state of origin.

- *Number of investigations into cases of trafficking in human beings (disaggregated by type of exploitation, with an indication of the number of victims concerned).*

In the territory of the Republic of Croatia, 68 criminal investigations were conducted in the period from 2019 to 31 December 2023; a total of 108 victims of trafficking in human beings were identified, as presented in detail in the following table:

YEAR	NUMBER OF CRIME INVESTIGATIONS	form of exploitation	NUMBER OF VICTIMS
2019	9	sexual	13
	3	labour	4
	5	illegal acts	7
	1	slavery	1
	1	labour and illegal acts	1
	1	forced marriage	1
TOTAL	20		27
2020	3	sexual	3
	3	labour	5

	3	illegal acts	4
	1	slavery	1
	1	sexual i labour	1
	1	forced marriage	1
TOTAL	12		15
2021	4	sexual	6
	2	labour	5
	6	illegal acts	7
	1	sexual and labour; forced marriage	1
TOTAL	13		19
2022	4	sexual	19
	3	labour	3
	5	illegal acts	7
TOTAL	12		29
2023	5	sexual	7
	3	illegal acts	7
	1	labour and illegal acts	2
	1	sexual, labour and illegal acts	1
	1	forced marriage	1
TOTAL	11		18

Available data show the number of persons investigated for a criminal offence under Art. 106 of the Criminal Code / 11 for the period 2019-2022, and the data on the number of cases where investigation was opened for the criminal offence under art. 106 of the Criminal Code for the period 2020-2022.

The available data show that:

- in 2019, investigations were opened against 7 persons in 4 cases
- in 2020, investigations were opened against 15 persons in 8 cases
- in 2021, investigations were opened against 19 persons in 9 cases
- in 2022, investigations were opened against 7 persons in 5 cases

- *Number of prosecutions in cases of trafficking in human beings (disaggregated by type of exploitation, with an indication of the number of victims and defendants concerned).*

In the period from 2019 to 31 October 2023, 22 criminal cases were opened on criminal offences of trafficking in human beings. (2019 – 3 cases, 2020 – 5 cases, 2021 – 2 cases, 2022 – 5 cases, 2023 – 7 cases). Out of this number, 7 cases have been closed and 15 are still pending.

- *Number of convicted perpetrators of trafficking in human beings (disaggregated by sex, age, nationality, form of exploitation).*

In the period from 2019 to 31 October 2023, 8 cases were closed, against a total of 13 defendants. 9 defendants in 5 cases were found guilty; 4 defendants in 3 cases were acquitted.

Number of persons charged with the acts described in art. 106 of the Criminal Code ("Trafficking in human beings"), sentenced to prison:

- committed to serve prison sentence in 2018: 4 males, Croatian citizens, 53, 34, 52 and 55 years of age; paragraph 1.
- committed to serve prison sentence in 2019: 2 males from China; 28 and 39 years old; paragraphs 1 and 3
- committed to serve prison sentence in 2020: 1 female, Croatian citizenship; 30 years old; paragraphs 1 and 3
- committed to serve prison sentence in 2021: 2 males; Croatian citizenship; 59 and 69 years old; paragraph 1, paragraph 3
- committed to serve prison sentence in 2022: 0.

In addition, we present the following data – Number of persons kept in custody during probable cause investigation into perpetration of the criminal offence described in art. 106, "Trafficking in human beings" of the Criminal Code:

- committed in 2018: 4 males; citizens of PR China, 2 Croatian citizens; paragraphs 1 and 3
- committed in 2019: 4 males and 2 females; two of unknown citizenship; 2 male citizens of the Republic of Serbia; two Croatian citizens; two – paragraphs 1 and 3, others – paragraph 3
- committed in 2020: 2 males and 1 female; Croatian citizens; paragraph 1
- committed in 2021: 6 males, 4 females; 1 male citizen of BH, others – Croatian citizens; 1 male – paragraph 3, others – paragraph 1
- committed in 2022: 2 males and 1 female; Croatian citizenship; 1 female – paragraph 2, others – paragraph 1
- committed in 2023: 5 males and 2 females; 1 male citizen of PR China, others – Croatian citizenship; 2 females – paragraph 2, 2 males – paragraph 1 and 5, 2 males – paragraphs 1 and 3, 1 male – paragraph 1.

➢ *Number of convictions for trafficking in human beings, with an indication of the form of exploitation, whether the victim was adult or child, the type and duration of the penalties, and whether they were effectively enforced or suspended.*

➢ *Number of judgments in cases related to human trafficking resulting in the confiscation of assets.*

There were no cases which included decisions on seizure of criminal profits.

➢ *Number of convictions of legal entities for trafficking in human beings.*

No case involved a legal entity.

Institutions that participated in the preparation of this Report:

1. Office for Human Rights and Rights of National Minorities
2. Ministry of the Interior
3. Ministry of Justice and Administration
4. Ministry of Labour, Pension System, Family and Social Policy
5. Ministry of Foreign and European Affairs
6. Ministry of Science and Education
7. Ministry of Health
8. Ministry of Tourism and Sport
9. State Attorney's Office of the Republic of Croatia
10. Supreme court of the Republic of Croatia
11. State Inspector's Office
12. Croatian Bar Association
13. Croatian Employment service
14. The Center for Missing and Abused children
15. National School of Judiciary
16. Croatian Red Cross
17. Centar for Women War Victims – Rosa

Sources:

1 Decision to adopt the programme for the cross-curricular topic of Civic Education for primary and secondary schools in the RC
2 Foreigners Act
3 Combatting Trafficking in Human Beings
4 Act on Amendments to the Family Law
5 Act on Amendments to the Social Welfare Act
6 Act on Amendments to the Vocational Rehabilitation and Employment of Persons With Disabilities Act
7 Act on Amendments to the Criminal Code
8 Criminal Procedure Act
9 Ministry on Justice and Administration
10 The Law On The Right Of Access To Information
11 Act on Amendments to the Act on International and Temporary Protection
12 Free Legal Aid Act
13 Act on Amendments to the Labour Act
14 Labour Market Act
15 Act on Amendments to the State Inspectorate Act
16 Act on Protection of Persons Reporting Irregularities
17 Combatting Discrimination
18 Act on Amendments to the Anti-Discrimination Act
19 Companies Act
20 Crafts Act
21 Occupational Health and Safety Act
22 Act on Amendments to the Law on the Posting of Workers to the Republic of Croatia and Cross-Border Implementation of Decisions on Fines
23 Law on Suppression of Undeclared Work
24 Electronic Commerce Act
25 Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code) (codification)
26 Act on Ratifying the Convention on Cybercrime