



4.14. HR – Croatia⁹⁸

4.14.1. Key findings

In Croatia, Article 28b (1) of the Audiovisual Media Services Directive (AVMSD) were transposed verbatim in Article 96(1) of the Electronic Media Act. Further obligations for VSPs are stipulated in the Ordinance on the Protection of Minors in the Electronic Media (Article 16).

In particular, VSPs that are under the jurisdiction of Croatia are obliged to take appropriate measures regarding the protection of minors from user-generated programmes and audiovisual commercial communications that could seriously harm or are likely to harm their physical, mental or moral development.

Regarding content deemed unsuitable for individuals under 18, which includes material that could significantly harm their physical, mental, or moral development, such as violence or pornography, VSP providers are required to establish and apply a user age verification system or other technical measure to ensure that minors will not have access to such content.

4.14.2. National transposition of Article 28b (1) AVMSD

Title and type of legislation	Key excerpts of legal measures	Link
Electronic Media Act (Article 24(2) and (3))	Article 24(2) and (3) of the Electronic Media Act that also pertains to VSPs and user-generated content (UGC) according to Article 96(1) of the same act: (2) Audiovisual media services, radio programmes, and electronic publications that could seriously harm the physical, mental, or moral development of minors are not allowed, especially those that involve gratuitous violence. (3) Audiovisual media services and radio programmes that are likely to harm the physical, mental, or moral development of minors are not	Legislation

⁹⁸ The summary on Croatia incorporates feedback received from Sanja Pančić, advisor to the Director for International Cooperation and Public Relations, at the Agency for Electronic Media (AEM) during the checking round with the national regulatory authorities.



Title and type of legislation	Key excerpts of legal measures	Link
	allowed to be published, except when the media service provider has ensured, through the choice of broadcasting time, age verification tools, or any other technical measure, that minors in the transmission area will not normally hear or see them. ...	
Ordinance on the Protection of Minors in the Electronic Media (NN, 106/2022) (Article 16)	(2) Media content of category "18" referred to in Article 8 of this Ordinance, and content that can seriously harm the physical, mental or moral development of minors, such as gratuitous violence and pornography, are subject to the strictest access control measures. The service provider of the video-sharing platform is obliged to establish and apply a user age verification system or other technical measure to ensure that minors in the transmission area will not normally hear or view such content.	Legislation

4.14.3. Types of measures put in place by VSPs

All of the larger VSPs featured in this report, and this includes many which are not under the jurisdiction of Croatia but which can be accessed within the territory, have imposed a minimum age requirement of 13, with the exception of Vimeo (16 or above the minimum age required by law), BitChute (18) and Onlyfans (18). However, in Croatia, this age limit is increased to 16. This specific age requirement results from Croatia's application of the General Data Protection Regulation 2016/579. According to Croatia's Law on Implementation of General Data Protection Regulation (NN 42/2018), individuals under the age of 16 cannot provide valid consent for the processing of their personal data by information society services.

Age verification systems mostly require users to indicate their date of birth, without additional verifications, but other solutions include age verification by credit card, by the uploading of photo ID, or the use of age estimation technology. Various types of parental control measures responding to the specificities of each VSP can be found (blocking and filtering, recording of activities, limiting time of use, viewing history). X (formerly Twitter) and Vimeo have no such measures, despite being accessible to minors. Neither do BitChute and OnlyFans, as they require users to be over 18. All of the larger VSPs featured in this



report make use of flagging and reporting mechanisms as well as other content moderation tools. These are detailed in the tables in sections 3.2 and 3.3.

4.14.4. VSPs under the jurisdiction of the national regulatory media authority

N/A

4.14.5. Measures specific to adult VSPs in general

At the time of the national expert's verification, most adult VSPs accessible in Croatia only require self-declaration of age. Some platforms simply require an email address for registration.

4.14.6. Additional rules referring especially to influencers

Article 24(2) and (3) of the Electronic Media Act, which also pertains to VSPs and UGC according to Article 96(1) of the same act, stipulates that:

(2) Audiovisual media services, radio programmes, and electronic publications that could seriously harm the physical, mental, or moral development of minors are not allowed, especially those that involve gratuitous violence.

(3) Audiovisual media services and radio programmes that are likely to harm the physical, mental, or moral development of minors are not allowed to be published, except when the media service provider has ensured, through the choice of broadcasting time, age verification tools, or any other technical measure, that minors in the transmission area will not normally hear or see them. If audiovisual commercial communications related to gambling and audiovisual media services and radio programmes are broadcast in unencrypted form, the media service provider is obliged to ensure that they are preceded by an audio warning or can be recognised by visual symbols for the entire duration of their broadcast.

With regards to self-regulatory acts, the Code of Conduct for advertising and market communications of the Croatian Association of Communications Agencies (HURA) also applies to influencers and contains detailed rules on marketing aimed at minors in Article 18, with which influencers must comply.