

2016 Trafficking in Persons Report - Croatia

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CROATIA: Tier 2

Croatia is a destination, source, and transit country for women and children subjected to sex trafficking and men, women, and children subjected to forced labor. Croatian women and girls, some of whom respond to false job offers online, are exploited in sex trafficking within the country and elsewhere in Europe. Traffickers target Croatian girls in state institutions and subject them to sex trafficking. Economically marginalized Romani children from Croatia are at particular risk of forced begging in Croatia and throughout Europe. In previous years, Croatian, Bosnian, and Romanian women and men have been subjected to forced labor in the Croatian agricultural sector. Women and girls from the Balkans and Central Europe are subjected to sex trafficking in Croatia. Unaccompanied foreign children, who arrived in Croatia as part of the large migration flow through the Balkan Peninsula, may be vulnerable to trafficking.

The Government of Croatia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government increased its funding for two NGO-run shelters and identified a similar number of trafficking victims compared with 2014; however, in contrast to previous reporting periods, no victims of forced labor were identified. While the government maintained its overall law enforcement efforts, these remained inadequate, with light sentencing and a large proportion of acquittals upon appeal. The government organized multiple campaigns to raise awareness of trafficking among vulnerable populations, including youth.

RECOMMENDATIONS FOR CROATIA:

Increase investigations and prosecutions of suspected traffickers, and punish offenders with dissuasive sentences; further strengthen efforts to proactively identify victims, particularly girls induced into prostitution and those subjected to forced labor; continue to train prosecutors on best practices for prosecuting trafficking cases, including methods for collecting evidence against suspected traffickers, to increase convictions; sensitize judges about secondary trauma in sex trafficking testimony; continue to inform all identified victims of their right to pursue restitution from their traffickers and encourage them to do so; devote more resources to the national anti-trafficking secretariat to enable it to effectively combat trafficking, including through larger grants

to NGOs; and continue to raise awareness of situations potentially resulting in trafficking among vulnerable populations, particularly youth.

PROSECUTION

The government displayed mixed progress on law enforcement efforts. Croatia prohibits all forms of trafficking through articles 105 and 106, which prescribe penalties of one to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. During 2015, the government investigated seven trafficking suspects, a continued decrease from 15 suspects investigated in 2014 and 39 in 2013, and initiated prosecutions of four defendants, compared with five in 2014. Eight traffickers were convicted in 2015, compared with five in 2014. Two labor traffickers received final convictions; one received a one-year suspended sentence of community service, and the other was sentenced to two years' imprisonment. Six sex traffickers received appealable verdicts. During the reporting period, convictions against an additional 12 defendants from a previous reporting period were appealed and the defendants were acquitted. Experts reported that some Croatian judges lacked an understanding of the impact of psychological trauma on a victim's ability to consistently and clearly relate the circumstances of his or her victimization and inappropriately dismissed as unreliable victim testimony that was delayed, partial, or inconsistent. Authorities continued to deliver trafficking-specific training to police, border, and traffic officers through both the Police Academy and local police headquarters. Croatian authorities collaborated with foreign governments, EUROPOL, and INTERPOL on international investigations that led to the arrest of suspected traffickers. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government sustained overall sufficient victim protection efforts, although experts remained concerned that victim identification efforts were inadequate. During 2015, police and NGOs identified 38 victims of trafficking, compared with 37 victims identified in 2014. Similar to 2014, approximately 90 percent of the identified victims were Croatian; however, all victims identified in 2015 were female victims of sex trafficking, in contrast to 20 percent of victims being male and six cases of labor trafficking in 2014. In 2015, four of the 38 identified victims were minors. Croatian law enforcement and social service personnel followed a standard operating procedure for identifying and referring victims to services, which included instructions on activating the national referral system when indicators of trafficking were present. Observers reported the procedures functioned well in practice, but first responders needed to do a better job of identifying victims, particularly in brothels and for potential forced labor in the agriculture, construction, and tourism sectors. When the referral system was activated, a mobile team consisting of a social worker, a victim specialist from the Croatian Red Cross, and usually two NGO representatives, was sent to coordinate victim care and placement. In response to the large number of migrants and refugees who transited Croatia *en route* to other European countries as part of the migration flow through the Balkan Peninsula, the government interviewed and registered all migrants and refugees and, in partnership with international organizations and NGOs, provided required care and assistance to those who needed it. Police, in partnership with an international organization, worked to identify and address vulnerable populations' risk to exploitation, especially unaccompanied minors; however, migrants frequently departed Croatia within hours of arriving, which limited the government's ability to identify vulnerable people.

Croatian law entitles trafficking victims to safe accommodation and medical, psychological, and legal aid. A specially designated social worker in each county was responsible for providing initial care and coordinating further assistance for trafficking victims. Assistance was offered to all 38 victims identified in 2015, of which one accepted. Two victims, one of whom was identified in a previous reporting period, were accommodated in shelters during 2015. In comparison, 11 out of the 37 victims identified in 2014 accepted government assistance, of which five were accommodated in shelters. The government provided 446,541 kuna (\$65,500) to two NGO-run trafficking shelters in 2015, slightly more than it provided for shelter care in 2014. One shelter was for adults, and the other was for minors. Adult victims were allowed to leave shelters without chaperones after completing a risk assessment. Victims are entitled to seek financial compensation from the state, in addition to traffickers, but the government had not disbursed any payments by the end of the reporting period. Foreign trafficking victims were offered the same care as domestic victims, as well as renewable temporary residence permits, employment assistance, skills development training, and adult classroom education. Alternatively, authorities could assist foreign victims with voluntary repatriation to their country of origin. Written instructions issued by the state attorney mandated victims to not be prosecuted for crimes committed as a result of being subjected to trafficking.

PREVENTION

The government continued robust efforts to prevent trafficking. The senior-level national committee to coordinate anti-trafficking activities met twice during the reporting period and the committee's working-level operational team met monthly, including with NGOs, to implement the 2012-2015 national plan. The labor inspectorate is not included in the national committee or the operational team, despite its potential role in detecting victims of human trafficking. The Office for Human Rights and Rights of the National Minorities, which serves as the national committee's secretariat, established a working group for drafting a new national action plan. The human rights office spent 195,750 kuna (\$28,700), a slight decrease from 2014, on awareness-raising projects implemented by NGOs, professional training, and an emergency hotline. The government systematically monitored its anti-trafficking efforts and posted information on ministries' websites. The interior ministry implemented a program in cooperation with NGOs, local communities, and the private sector to prevent trafficking of women and children; the program targeted outreach to students and those in the service sector who may come into contact with a victim. The government continued a program to teach youth – particularly girls, asylum-seekers, and migrant youth – how to recognize potentially dangerous situations leading to trafficking, such as attractive job offers and romantic invitations to travel abroad. Police also held trafficking prevention seminars around the country with high school and primary school students. The human rights office continued a campaign sensitizing the public, including potential customers, to the reality that persons engaged in prostitution may be trafficking victims. The government did not make efforts to reduce the demand for forced labor. The government provided anti-trafficking training for its diplomatic personnel.