



Trafficking in Persons Report 2017 - Country Narratives - Croatia

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CROATIA: Tier 2

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 demonstrated increasing efforts compared to the previous reporting period; therefore, Croatia remained on Tier 2. The government demonstrated increasing efforts by working with NGOs to strengthen proactive victim identification efforts for first responders among large migrant flows and identifying more victims of labor trafficking, male victims, and foreign victims within migrant flows. The government increased funding for trafficking prevention efforts and continued to provide comprehensive services to victims. However, the government did not meet the minimum standards in several key areas. Judges continued to issue light sentences for forced labor and sex trafficking, and often dismissed victim testimony as unreliable due to a lack of understanding of trafficking. The national committee to coordinate anti-trafficking activities did not meet in 2016 and a national action plan remained in development.

RECOMMENDATIONS FOR CROATIA

Vigorously investigate and prosecute suspected traffickers; punish offenders with sentences commensurate with the severity of the crime, particularly labor traffickers; train judges to ensure the judiciary understands the severity of the crime when issuing sentences and sensitize judges about secondary trauma in sex trafficking testimony; increase efforts to identify victims among vulnerable populations, including street children, migrants, refugees, asylum-seekers, and Roma; allocate adequate funding for NGO-run shelters and victim protection efforts; finalize and adopt a national action plan; integrate the labor inspectorate into anti-trafficking efforts; inform all identified victims of their right to pursue compensation and encourage them to do so; and increase capacity of border police to screen irregular migrants for trafficking indicators.

PROSECUTION

The government maintained law enforcement efforts. Articles 105 and 106 of the criminal code criminalize all forms of trafficking and prescribe penalties of one to 15 years imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government investigated seven trafficking cases, the same number investigated in 2015, involving 11 alleged perpetrators. The government prosecuted 11 defendants (five for child sex

trafficking, two for sex trafficking, and four for forced labor), compared to four defendants in 2015. Courts convicted seven traffickers (eight in 2015), five of which were appealable verdicts and two were final verdicts with sentences of one year of community service for a forced labor case and six years imprisonment for a sex trafficking case. As in past years, sentences for labor traffickers remained lower than the prescribed minimum of one year imprisonment. Government officials reported difficulties in receiving information on final verdicts due to a lack of formal procedures, electronic case management systems, and standardized databases.

The government continued to organize counter-trafficking trainings for police, mobile teams, social workers, NGOs, labor association officials, and workers from the tourism industry. The government maintained law enforcement cooperation with foreign governments, EUROPOL, INTERPOL, and the Southeast Law Enforcement Center. Experts reported that some Croatian judges lacked an understanding of the impact of psychological trauma on victims' ability to consistently and clearly relate the circumstances of their exploitation and inappropriately dismissed as unreliable victim testimony. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government maintained victim protection efforts. Police identified 30 trafficking victims (13 forced labor victims, 16 sex trafficking victims, and one victim of both), compared to 38 sex trafficking victims in 2015. However, the government made efforts to identify more victims among demographics for which it had been lacking in the past: nine victims were male, compared to zero in 2015; eight victims were foreign victims, compared to three in 2015; 11 victims were children, compared to four in 2015. The Ministry of Demography, Family, Youth and Social Policy (MDFYSP) spent approximately 400,000 kunas (\$56,740) to support two shelters and provide monthly stipends for victims, compared to 446,541 kunas (\$63,340) in 2015. The government provided shelter for one child, two females, and one male.

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 mechanism when indicators of trafficking were present. Regional mobile teams consisting of social workers and NGO and Red Cross representatives traveled to meet the victims in person and coordinate victim care and placement. The Office for Human Rights and Rights of the National Minorities (OHRNM) and the Croatian Red Cross organized two two-day regional seminars for relevant institutions involved in the national referral mechanism. Observers reported the need to continue strengthening coordination between social workers and law enforcement when approaching victims. NGOs involved in the mobile unit reported two years of training was required to join the mobile team and needed more funding to train staff in a shorter amount of time.

Croatian law entitles trafficking victims to safe accommodation, medical and psychological support, and legal aid. The government, in cooperation with NGOs, provided psychological and financial support and guardianship for children. Shelters operated in cooperation with professionals from MDFYSP and NGOs. One shelter accommodated adult trafficking victims with the capacity for five victims with separate rooms for women and men and service staff who were available 24 hours a day, seven days a week. OHRNM created a roster of pro bono legal counsel available for victims. Foreign victims are entitled to receive a renewable residence permit for a year. The government reported no trafficking victims filed for compensation but all victims were informed of their right to

compensation; however, observers reported the government did not proactively inform victims on compensation measures. The Office of the Chief State Prosecutor issued written instructions that victims not be prosecuted for crimes committed as a result of being subjected to trafficking. The government informed victims of their rights and had the option to testify via video link; cooperation was not a precondition to obtain services and temporary residence permits.

Authorities continued to screen migrants during the 2015-2016 migration wave for possible traffickers and victims, but authorities reported difficulties during the screening process as a significant portion of migrants did not possess valid travel and identification documents. The government, in cooperation with an NGO, developed indicators for identifying potential victims amongst migrants in transit and asylum-seekers and trained first responders on the indicators. NGOs reported first responders often encountered migrants and asylum-seekers who displayed multiple indicators of trafficking including debt bondage and labor exploitation.

PREVENTION

The government maintained prevention efforts. OHRRNM served as the secretariat for the senior-level national coordinating committee; the national committee did not meet in 2016 due to political instability at the highest levels of the Croatian government. The committee's working-level operational team was supposed to meet monthly; however, NGOs reported the operational team only met seven times during 2016. The labor inspectorate was not included in the national committee or the operational team despite its potential role in detecting victims of human trafficking. The government increased funding for prevention efforts to 197,000 kunas (\$27,940), compared to 78,600 kunas (\$11,150). The government did not adopt a new national action plan, but worked on finalizing a national action plan for 2017-2020. NGOs reported the government did not provide adequate financial support for the NGO-run hotline, which can only operate from 10am to 6pm due to the lack of funds. The government systematically monitored its anti-trafficking efforts and posted information on ministries' websites. The Ministry of the Interior has a specific unit for prevention activities consisting of 80 prevention officers and continued outreach programs for students and the service sector. The government continued to implement an awareness building campaign targeted towards Roma. The Ministry of Education certified the Croatian Red Cross to train teachers on indicators of trafficking. OHRRNM 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.

TRAFFICKING PROFILE

As reported over the past five years, 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. In 2016, identified victims included more from Asia, male victims, and victims exploited for labor than previous years. Migrants in transit, particularly from Afghanistan and Pakistan, are forced into debt bondage by their smugglers to pay off smuggling fees. 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. Economically marginalized Romani children from Croatia are at particular risk of forced begging in Croatia and throughout Europe. In previous years, traffickers target Croatian girls in state institutions and subjected them to sex trafficking. 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.