

CROATIA (2018-2019)
THE ELIMINATION OF ALL FORMS OF FORCED OR COMPULSORY LABOUR
Protocol of 2014 (P029) to the Forced Labour Convention

REPORTING	Fulfillment of Government's reporting obligations	Yes.	
	Involvement of Employers' and Workers' organizations in the reporting process	<p>2019 AR: Yes, a copy of the report was sent to the following organisations: the Croatian Employers' Association (HUP), the Union of autonomous Trade Union of Croatia (SSSH), the Independent Trade Unions of Croatia (NHS), and the Association of Croatian Trade Unions (MHS).</p> <p>2018 AR: Yes, a copy of the report was sent to the following organisations: the Croatian Employers' Association (HUP), the Union of autonomous Trade Union of Croatia (SSSH), the Independent Trade Unions of Croatia (NHS), the Association of Croatian Trade Unions (MHS), and the Croatian Association of Trade Unions (HURS).</p>	
OBSERVATIONS BY THE SOCIAL PARTNERS	Employers' organizations	No.	
	Workers' organizations	No.	
EFFORTS AND PROGRESS MADE IN REALIZING MEASURES TARGETED BY THE PROTOCOL	Ratification	Ratification status	Croatia has not yet ratified the Protocol of 2014 (P029) to the Forced Labour Convention.
		Ratification intention	<p>2019 AR: The Protocol is currently unlikely to be ratified as the priority is to finish the ratification procedure for Convention No. 144.</p> <p>2018 AR: The Protocol is unlikely to be ratified. The Government will take into consideration the ratification of the Protocol, but its first priority will be ratifying other ILO conventions.</p>
	Existence of a policy and/or plan of action for the suppression of forced or compulsory labour	<p>2019 AR: Yes. The latest National plan for suppression of trafficking in human beings covers period from 2018 to 2021.</p> <p>2018 AR: There are plans of actions and a national policy for the suppression of forced labour as well as for combatting trafficking in persons for the purposes of forced or compulsory labour. Three National plans were adopted so far. The latest National plan for suppression of trafficking in human beings covers the period from 2012 to 2015. The areas covered by the National Plan for Combating Trafficking in Human Beings for the period from 2012 to 2015 are the following: 1) The legislative framework; 2) Identification of THB victims; 3) Detection, prosecution and sanctioning of perpetrators of the criminal offence of THB; 4) Providing assistance and protection to THB victims; 5) Prevention; 6) Education; 7) International cooperation; and 8) Coordination of activities. Three Protocols were also adopted: Protocol on identification, help and assistance to victims of trafficking in human beings (in 2008 and amendments in 2010), Protocol on voluntary repatriation (2009) and Protocol on integration/reintegration of victims of trafficking in human beings (2011). Several memorandums of understanding were also adopted: Memorandum on cooperation between Office for Human Rights and Rights of National Minorities and network PETRA (2007), Cooperation Agreement between the Ministry of Interior, former Ministry of Health and Social Welfare and NGOs on providing help and assistance to victims of human trafficking (2008) and Memorandum on cooperation regarding the SOS help line between Office for Human Rights and Rights of National Minorities, Ministry of Interior and network PETRA (2010). The Government report that the National Committee for Combatting THB (hereafter, the National Committee), established in 2002 with the task of defining anti-trafficking policies and strategies in Croatia, saw its terms of reference renewed in 2012. The Operational Team of</p>	

	<p>the National Committee for Combatting THB (hereafter, the Operational Team) ensures day-to-day coordination between stakeholders in handling trafficking cases, including assistance to victims of THB. It is composed of representatives of the above-mentioned ministries, represented by their THB coordinator, as well as public agencies and NGOs.</p>
<p>Measures taken or envisaged for systematic and coordinated action</p>	
<p>Measures taken or envisaged to prevent forms of forced labour</p>	<p>2019 AR: The measures taken include: a) Information, education and awareness raising activities targeting especially people in vulnerable situation and employer; b) Strengthening and broadening of the coverage of legislation, particularly labour law; and c) Capacity building for the competent authorities.</p> <p>2018 AR: The measures taken or envisaged include: a) <i>Information, education and awareness raising targeting especially people in vulnerable situation and employers:</i> the Government indicates that 1) within the framework of the project “Together”, awareness-raising activities have been organised at the local level targeting the general public and groups potentially at risk, in particular at schools, and communicating on human trafficking and the risks of being trafficked. The campaigns were carried out by the Police Directorate in co-operation with NGOs, including the Croatian Red Cross. It reached several thousand persons; 2) Also, the Croatian Red Cross organises workshops in the two reception centres for asylum seekers and provides information about risks of exploitation and human trafficking. In 2014 the Croatian Red Cross organised two information seminars for asylum seekers and refugees on the dangers of human trafficking. The participants received advice on how to avoid risks and where to turn to for help; 3) In 2014, the Education and Teacher Training Agency, in co-operation with the Croatian Red Cross, organised seminars and workshops on THB for elementary and high school teachers and head teachers throughout Croatia, which is included in civic education classes; and 4) Further, the Croatian Red Cross organised several awareness activities on human trafficking in schools in 2012, 2013 and 2014; b) <i>Regulation and supervision of the labour recruitment and placement process:</i> the Government reports that the Croatian Employment Service has become part of the European Network of Public Employment Services (EURES), offering employment mediation services for job seekers. They also provide individual counselling and information about migration risks and THB and have published information on the Croatian Employment Service’s website on how to detect false job offers. As part of the campaign “Together”, EURES presentations were used in workshops targeting jobseekers and EURES officials participated in radio broadcasts on human trafficking; c) <i>Education/vocational training:</i> according to the Government, training is provided to victims of THB to ensure their access to the labour market. The Employment Service has taken special measures to facilitate the integration into the labour market of victims of trafficking as a vulnerable category of workers, including by subsidising jobs from 75% to 100% of earnings, alongside other vulnerable categories; employers who benefit from these subsidies are not informed of the particular vulnerability of the persons concerned; d) <i>Capacity building for the competent authorities:</i> the Government indicates that the following activities took place: 1) Workshops, conferences, seminars; and 2) In 2014, a training session on the identification of victims of trafficking was organised for 27 officials from the Croatian Employment Service jointly by the Ministry of the Interior, the Croatian Red Cross, the PETRA NGO network and the Government Office for Human Rights and Rights of National Minorities. Leaflets on THB were produced by the Croatian Employment Service, in cooperation with the Croatian Red Cross, for dissemination amongst the unemployed and young persons (10 000 copies); e) <i>Promotion of freedom of association and collective bargaining to enable at-risk workers to join workers’ organizations;</i> and f) <i>Basic social security guarantees:</i> according to the Government, persons who accept the individualised assistance and protection programme are to be provided with safe accommodation adapted to their age and needs. Accommodation may be provided in a shelter for victims of THB or, when the personal circumstances of the victim so require, in social welfare institutions. Other measures include psychological and social rehabilitation, material assistance for personal needs, access to emergency medical care, medical assistance, interpretation services for foreign victims, and free legal aid.</p>

<p>Measures taken or envisaged to protect victims of forced labour</p>	<p>2019 AR: The measures taken include: a) Training of relevant actors for identification of forced labour practices; b) Appropriate accommodation; and c) Specific measures for children and migrants.</p> <p>2018 AR: The following measures have been taken or envisaged: a) <i>Training of relevant actors for identification of forced labour practices:</i> workshops, conferences, seminars; b) <i>Legal protection of victims:</i> rights of victims in the criminal procedure are stipulated by Articles 43 to 47 of the Criminal Procedure Code. Also, the Croatian Law Centre provides free assistance. The Croatian Law Centre (www.hpc.hr) provides free legal aid to asylum seekers and trafficking victims. In the area of asylum, their activities also include advocating for higher standards of protection, monitoring the conduct of police officers who deal with irregular migrants and implementing training programmes for police officers regarding the protection of human rights of irregular migrants and access to the asylum system; c) <i>Material assistance for victims;</i> d) <i>Medical and psychological assistance for victims:</i> all victims who are in the aid and protection program receive all necessary psycho-social, medical and legal aid based on the previously produced individual aid and protection program. Individual aid and protection program for victims who are Croatian citizens, regardless of their age, is produced by civil society organization authorized by the Operative Team of the National Committee in cooperation with the competent centre for social welfare. Individual aid and protection program for foreign citizens, regardless of their age, is produced by the organization which runs the safe house in which the victim lives in cooperation with the competent centre for social welfare; e) <i>Measures for the rehabilitation and social and professional reintegration of victims:</i> during the course of the integration/reintegration process: i) the Ministry of Health and Social Welfare shall be in charge of health protection and insurance and for exercising social welfare rights; ii) the Croatian Employment Service shall be in charge of providing employment mediation, professional orientation and training as per the labour market needs; and iii) the Ministry of Science, Education and Sports shall be in charge of THB Victims' inclusion into training programmes at all levels; f) <i>Protection of privacy and identity:</i> the Act on Protection of Witnesses is applied; g) <i>Appropriate accommodation;</i> h) <i>Specific measures for children:</i> specific measures in the criminal procedure for children who are victims are stipulated by the Article 44 of the Criminal Procedure Code; and i) <i>Specific measures for migrants:</i> the main policy documents that deal with migrant protection and integration are the Migration policy of the Republic of Croatia for the period 2013-2015 and, more specifically, the Action Plan for the Removal of Obstacles to the Exercise of Particular Rights in the Area of the Integration of Foreigners 2013-2015.</p>
<p>Measures taken or envisaged to facilitate access to remedies</p>	<p>2019 AR: The measures taken include: a) Information and counselling for victims regarding their rights; b) Free legal assistance; c) Cost-free proceedings; d) Access to remedies and compensation; and e) Provision of penalties such as the confiscation of assets and criminal liability of legal persons.</p> <p>2018 AR: Various measures have been taken or envisaged: a) <i>Information and counselling for victims regarding their rights:</i> by Ordinance on the Work of Departments for Assistance to Victims and Witnesses Established on County Courts, the system of assistance to victims and witnesses is stipulated; b) <i>Free legal assistance:</i> victims have the right to talk to a counsel at the expense of the budget funds before the interrogation, according to the Article 45 of the Criminal Procedure Code; c) <i>Cost-free proceedings:</i> according to the Ordinance on Remuneration of Expenses of Court Procedure, victims as witnesses have the right to reimbursement of travel expenses to the court, and other rights, under stipulated conditions. According to Article 148 of the Criminal Procedure Code, when the court finds the defendant guilty, it shall state in the judgment that he must pay the costs of criminal proceedings; d) <i>Development of forced labour indicators;</i> e) <i>Access to remedies and compensation:</i> the Crime Victims Compensation Act is applied; f) <i>Capacity building and enhanced resources for the competent authorities, such as labour inspection, law enforcement, prosecution services and judges;</i> g) <i>Provision for authorities not to prosecute victims for acts which they have been compelled to commit;</i> and h) <i>Provision of penalties such as the confiscation of assets and criminal liability of legal persons:</i> Article 5 of the Criminal Act states that no one may retain a pecuniary advantage acquired through illegal means (principle of Confiscation of Pecuniary Advantage). The Law on liability of legal persons for criminal offenses is also applied.</p>

	Non-prosecution of victims for unlawful acts that they would have been forced to carry out	
	Cooperation with other Member States, international / regional organizations or NGOs	<p>2019 AR: The Government cooperates with other member States, International and regional organizations as well as non-governmental organizations. It also participates in the implementation of international and regional operational actions and projects aimed at identifying victims and combating trafficking-related crime (Interpol, Europol, SELEC, Agency for European Border and Coast Guard (FRONTEX), regional and international police cooperation based on bilateral agreements).</p> <p>2018 AR: The Government cooperates with other member States as well as with international and regional organisations. It reports that the project “Introduction of Requirements for Establishing Joint Investigation Teams to Fight Trafficking in Human Beings in Southeast Europe” was launched with the aim of fighting organized crime and other forms of cross-border crime as effectively as possible, which should also have immediate effects on internal and external security in Southeast Europe. The project was supported by the Europol and Eurojust. Within the 8th Ministerial Conference on cooperation in the field of border security in Southeast Europe, which was held in Ljubljana on 28 February 2011, a Memorandum of Understanding was signed, the signatories of which committed themselves to support the project entitled: Introduction of Requirements for Establishing Joint Investigation Teams to Fight Trafficking in Human Beings in Southeast Europe (JIT THB). Other participating countries included: Albania, Bosnia-Herzegovina, Bulgaria, Monte Negro, Croatia, Macedonia, Moldova, Romania, Serbia and Slovenia. The mentioned Project was focused on strategic activities, which will primarily ensure a logistic platform, which is necessary for future operational activities through joint investigation teams. The topics covered by the mentioned Project included: a) An overview of the entire legislative framework relevant for setting up joint investigation teams; b) Organisational workshops focused on preparation and implementation of JITs; c) Overview of the existing information exchange systems, experiences of the EU member states, Europol and Eurojust and the PCC SEE Secretariat; d) Presentation of the topic of THB, legal regulations of the issue of THB in individual countries; e) Role of the police, judicial bodies and the NGOs in establishing and implementation of JITs; f) Reaching agreement on communication channels for JITs in general; and g) Specific management issues concerning JITs. Croatian authorities collaborated with foreign governments, EUROPOL, INTERPOL and SELEC-a (South East Law Enforcement Centre) on international investigations that led to the arrest of suspected traffickers. The Government further reports that FRONTEX (the European Agency for management of operational cooperation on the external borders of European Union member states) created the Anti-trafficking Training for Border Guards – Trainer’s Manual. The Manual has been translated into Croatian, sent to all police directorates and is used to train police officers on a regional and local level. Also, several officers from the border police attended courses for trainers in relation to combating trafficking in human beings organized by FRONTEX. Finally, the Government indicates that the European Multidisciplinary Platform against Criminal Threats (a European multidisciplinary platform against crime) organized a joint action day against labour exploitation in the period from 30 May to 5 June 2016 in EU member countries. The Republic of Croatia also participated, and supervision was carried out jointly by labour inspectors and Ministry of Interior officials.</p>
	Promotional activities	
	Special initiatives/Progress	
CHALLENGES IN REALIZING MEASURES TARGETED BY THE PROTOCOL	According to the social partners	<p>Employers’ organizations</p> <p>Workers’ organizations</p>
	According to the Government	<p>2019 AR: The main difficulty is the lack of awareness.</p> <p>2018 AR: The main difficulties are: a) <i>Lack of awareness:</i> general public in</p>

		<p>Croatia is not aware that the problem of forced labour still exists. But after explaining the problems of child beggars, child labour, trafficking and other forms of exploitation, people realize that these problems are even more serious than in previous times; b) <i>Lack of information and data</i>: the relevant institutions and ministries gather relevant information and collect data. However, there is space for improvement, especially by introducing higher level of digitalisation in state administration; c) <i>Social values, cultural traditions</i>: there is still need to change some cultural traditions in certain categories of population in order to eradicate behaviour that could be characterised as some kind of forced labour; and d) <i>Challenges linked to migration policies</i>: there is need for a global approach at regional and international level. Actions and measures need to be synchronised, otherwise, the problems will shift from one region or country to another.</p>
TECHNICAL COOPERATION NEEDS	Request	2018-2019 ARs : The Government does not need technical cooperation.
	Offer	