

Country session: Croatia CRC

Date of session: 19th and 20th May (90th session)

Context

The review was delayed due to the Covid-19 pandemic, which disrupted the normal planning of the CRC sessions.

Croatia is the 6th country reviewed under the Simplified Reporting Procedure.

Background information

OHCHR press release [here](#)

Webcast: [first part](#) and [second part](#)

[Audio file](#)

Reporting

Reporting methodology

Standard reporting procedure

Simplified reporting procedure

Concluding Observations with urgent measures

State report

Common core document	
Updated document	26 July 2011
Initial	18 February 1998

CRC	
No. of report	5th & 6th
Due date	15 June 2019
Submission	15 June 2020
Annex	July 2020

Public reports from children's rights defenders

Written inputs	
NGOs	<ul style="list-style-type: none"> • Border Violence Monitoring Network • Coordination of Associations for Children • Human Rights Watch • Refugee Rights Europe • StopIGM.org • Juvenile Justice Advocates International



State delegation

[The State delegation](#) was very large and high level. It was led by the Director-General of the Directorate-General for Family and Social Policy of the Ministry of Labour. The other members were representatives of the Ministry of Labour, Pension System, Family and Social Policy; the Ministry of Science and Education; the Ministry of Health; the Ministry of Interior; the Ministry of Justice and Public Administration; the Ministry of Foreign and European Affairs; the Office for Human Rights and Rights of National Minorities; and the Permanent Mission of Croatia to the United Nations office at Geneva.

Committee's Task Force members

Name & Last Name	Country
Benyam Dawit Mezmur (coordinator)	Ethiopia
Rinchen Chopel	Bhutan
Sophie Kiladze	Georgia
Velina Todorova	Bulgaria

Dialogue description

i. Character of the dialogue

The atmosphere of the dialogue was constructive and cooperative. The dialogue dealt with focused and in-depth discussions, both on legislative and technical areas. The State delegation provided detailed answers to the Committee, however, the Committee had to raise follow-up questions as certain questions remained unanswered or partially answered.

ii. General assessment made by the Committee

The Committee acknowledged with appreciation that several progresses in the legislative, institutional and policy spheres have been made to promote the protection of children's rights in the country, including the ratification of the Optional Protocol on a Communications Procedure (OPIC). As an example, the Committee noted also the progresses made in relation to Roma children and the National Anti-discrimination plan for 2017 – 2022. However, the Committee indicated that more need to be done to face the remaining challenges.

iii. Main issues discussed:

- **Definition of the child:** The Committee raised concern and ask the delegation to provide data about child marriage, which is legally permitted by the legislation when the authorization of the guardian is given. Moreover, the Committee noted that child marriage is largely practiced among Roma children, and asked information about measures to address it. The delegation expressed its concern on the 50 per cent rate of underage pregnancies of Roma girls, and on the high rate of extramarital unions among Roma children. It explained that therefore, the conclusion of marriage in legal terms is very difficult to monitor. The delegation indicated being aware of this issue, and that the new National Plan for the Inclusion of Roma for the period 2021-2027 is also made to address this concern. The Committee underlined that the legislation allows children marriage in exceptional cases, and therefore does not affect Roma children only and asked about measures to ban child marriage.
- **The views of the child:** The Committee expressed its concern about reports that in Croatia, vulnerable children have no opportunities to express their opinions on matters affecting them. The Committee asked about measures to ensure a meaningful child participation, including of most marginalized and disadvantaged children. The delegation answered that the promotion of child participation is one of the strategic objectives of the National Strategy for the Rights of the Child. Moreover, it added that child participation is quite considerable at a national, regional and local level, mentioning as an example the Children Forum where 15 years old children can participate in the process of adoption of decisions affecting them and advocate for issues of their interests.
- **Non-discrimination and education:** The Committee noted with appreciation that important progresses have been made to tackle discrimination in the country, including through the National Anti-discrimination plan for 2017 – 2022. It also welcomed the awareness-raising campaigns made by the Office of the Ombudsman to promote non-discrimination. However, the Committee noted that non-discrimination seems to not be implemented in practice in many areas, including education. The delegation explained that different legislative efforts have been made to fight discrimination. In relation to Roma people, the delegation explained that according to the Ombudsman's report on discrimination, which predominantly focused on

racial and ethnic discrimination, it was noted that not many Roma children were enrolled in preschool. This is also because parents consider that children are too young to leave the house. This is why major campaign to emphasize the importance of preschool among Roma communities was launched, including the campaign “Start the Wheel of Education” to raise awareness among the importance of education.

- **Children with disabilities:** The Committee noted that there is still a high number of children placed in institutional care, in particular children with disabilities. The Committee asked whether the government plans to develop a foster care system and in particular, a specialized one for children with disabilities. The Committee further asked about the latest data and about what the government considers are the remaining challenges to address. The delegation indicated that all children with developmental issues are registered, and that the delegation has however no exact data on the rate of abandonment of those children. It indicated that actions are being intensified in these areas.
- **Health:** The Committee noted with concern the unequal access to health care services in the rural areas and in the islands and asked about measures planned to face those gaps. The Committee also noted the growing number of parents who refuse standard routine vaccination, as well as the lack of State financial support to the promotion of breastfeeding and to face child obesity. The delegation informed that in the framework of the European project, enhancement of health care is being made, with a special focus on the remote and deprived areas and in particular through medical and technical equipment development. Moreover, the Committee asked information about the access to adequate mental health. The delegation indicated that the government is preparing an action plan for the prevention of child suicide, including early detection of suicide and of mental health disorders.
- **Migrants, asylum seekers and refugees children:** The Committee expressed concern about the situation of migrant and asylum-seeking children, which are usually accommodated in unsafe reception centers or also in detention centers. While welcoming the adoption of the Protocol on the Treatment of Unaccompanied Children in 2018 and the establishment of the Interdepartmental Commission for the Protection of the Unaccompanied Children, the Committee asked about data on unaccompanied minors, information on accommodation policies for migrant children and on plans to improve the guardianship practices. The delegation indicated that upon entrance in the country, children are informed about their rights in a very comprehensive way and that a particular attention is given to the identification of children victims of sexual crimes and human trafficking. The delegation explained that Croatia is mainly a transit country for migrants, therefore, many unaccompanied minors run away from the institutions where they are placed. The delegation also informed that the freedom of movement is not limited in any way, so it is not appropriate to talk about detention centers. Moreover, the Delegation indicated that there is a high rate of unaccompanied minors among Ukrainian refugees, and that they were provided with a Croatian custodian. Among other discussions on this issue, the delegation also underlined that Croatia has zero tolerance to illegal use of force of the police, in particular used against migrant populations. It indicated that new measures have been taken in this respect and that an independent authority was appointed to supervise the police, which led to different disciplinary measures, including fines and end of service.
- **Children with incarcerated parents:** The Committee indicated that according to the information received, there is a high number of children with a parent or both parents incarcerated in the country. The Committee asked how the social care system addresses the specific needs of those children and what kind of support is provided. The Committee also asked whether online meetings were organised between the child and the parent. The delegation answered that close contact between children and incarcerated parents is legally required by law, for the best interest of the child. The delegation explained that since the pilot project of 2018, video visits or audio conversation are possible. The duration of those calls has been extended with the Covid-19 pandemic. Therefore, all visits are promoted, unless the best interest of the child requires avoiding them, for example for safety purpose.

Recommendations of the Committee

In its [Concluding Observations](#), the Committee drew the State party's attention to the need for urgent measures concerning the following areas:

- **Definition of the child:** The Committee recommends harmonizing the terms used to describe a child in its national legislation. It also recommends that the State party removes in its legislation all exceptions that allow child marriage.
- **Non-discrimination:** the Committee urges the State party to ensure the full implementation of relevant existing laws prohibiting discrimination, including by strengthening public education campaigns to address negative social attitudes towards children of ethnic minorities, particularly Serbian minority and Roma children, children with disabilities, refugee, migrant and asylum-seeking children, and LGBTI children. The Committee also recommends monitoring the implementation and the impact of the National Anti-Discrimination Plan for 2017-2022 and the National Programme for the Protection and Promotion of Human Rights for 2019-2024. Moreover, the Committee urges to systematically undertake awareness raising, education and trainings on the issues of discrimination.
- **Respect for the views of the child:** Among other measures, the Committee recommends the State party to promote meaningful and empowered participation of children, particularly children in marginalised and disadvantaged situations. The Committee also recommends ensuring that information on child-related laws and policies are available in a child-friendly language and to strengthen the Network of Young Advisors of the Ombudsperson for Children. The Committee also expects the State to implement monitoring and accountability mechanisms related to child participation.
- **Violence, including abuse, sexual abuse and online violence:** The Committee urges the State party to formulate, with the involvement of children, a comprehensive policy for preventing, combating and monitoring all forms of violence against children, including domestic violence, bullying and sexual exploitation and abuse. The Committee also urges to ensure that all cases of abuse of children are promptly reported and investigated. Among other measures, the Committee also recommends strengthening child-friendly and comprehensive support to children victims of violence, and to provide sustainable funding for the child helpline service.
- **Children of incarcerated parents:** The Committee recommends that the State party ensure personal relations between children and their incarcerated parents, including through regular visits and the provision of adequate services.
- **Children with disabilities:** The Committee urges the State party to adopt a human rights-based approach to disability, set up a comprehensive strategy for inclusion and take immediate measures to ensure that all children with disabilities, in particular those in rural areas, smaller towns and islands have access to health care. The Committee also invites the State to prevent abandonment and subsequent institutionalization of children with disabilities. Finally, among other recommendations, the Committee expect the State to organize systematic and comprehensive collection of data.
- **Health and health services:** The Committee recommends the State party to systematically provide and enhance the quality and coverage of specialised child and maternal health services, particularly in rural areas. The Committee also expect the State party to strengthen measures to increase the vaccination rate and to ensure the availability of quality specialized outpatient health care for all children.
- **Education:** Among other measures, the Committee recommends the State party to ensure full integration of Roma children into mainstream education and introduce effective measures to prevent early dropout, particularly of Roma girls in high schools.
- **Asylum-seeking, refugee and migrant children:** the Committee recommends the State party to end the practice of forced returns of families and children. The Committee also requires the State to improve reception conditions for asylum seeking, refugee and migrant children, including undocumented and separated children and ensure consistent application of the 2018 Protocol on Treating Unaccompanied Children and strengthen the work of the Interdepartmental Commission for Unaccompanied Children. Moreover, the Committee stresses to ensure that children's views are duly taken into account in all

decisions concerning them and to ensure that migrant, asylum seeking, and refugee children are not placed in guarded detention centers. Finally, among other measures, the Committee also expects the State to adopt measures for the implementation of the 2019 Foster Care Act which foresees the possibility of accommodation of unaccompanied children with foster families.

- **Administration of child justice:** Among other recommendations, the Committee urges the State party to ensure that detention is used as a measure of last resort and for the shortest possible period of time and to promote non-judicial measures, such as diversion, mediation and counselling. Moreover, the Committee expects the State to ensure, for the few situations where deprivation of liberty is justified, that children are never detained together with adults.

The Committee drew the State party's attention to the recommendations concerning the following areas:

- General measures of implementation: **Legislation; Comprehensive policy and strategy; Coordination; Allocation of resources; Data collection; Independent monitoring; Cooperation with civil society**
- General principles: **best interests of the child; Right to life, survival and development**
- Civil rights and freedoms: **Name and nationality; Access to appropriate information; Right to privacy**
- Violence against children: **Corporal punishment; Harmful Practices**
- Family environment and alternative care: **Family environment; Children deprived of a family environment**
- Basic health and welfare: **Mental health; Adolescent health; Impact of climate change on the rights of the child; Standard of living**
- Education, leisure and cultural activities: **Rest, leisure, recreation and cultural and artistic activities**
- Special protection measures: **Children belonging to minority groups; Sale, trafficking and abduction; Children victims and witnesses**
- Follow-up to the Committee's previous concluding observations and recommendations concerning the implementation of the Optional Protocol to the Convention: **Optional Protocol on the involvement of children in armed conflict**
- Ratification of international human rights instruments
- Cooperation with regional bodies

Sustainable Development Goals

Throughout its Concluding Observations the Committee referred to the following targets:

- target 16.9 to provide legal identity for all including through birth registration
- target 16.2 to end abuse, exploitation, trafficking, violence and torture against children
- target 3.8 to achieve universal health coverage
- target 3.4 to reduce by one third premature mortality from non-communicable diseases through prevention and treatment and promote mental health and well-being
- targets 3.5 and 3.7 to strengthen the prevention of treatment of substance abuse; to ensure universal access to sexual and reproductive health care services
- targets 1.5 and 13.3 to build resilience of the poor and those in vulnerable situations, reduce their exposure and vulnerability to climate-related extreme events and other economic social and environmental shocks and disasters; to improve education, awareness raising and institutional capacity on climate change mitigation, impact reduction.
- target 1.3 to implement nationally appropriate social protection systems and measures for all
- target 4.5 to eliminate gender disparities in education



- target 8.7 to eradicate forced labour, modern slavery and human trafficking, and secure the prohibition of worst forms of child labour, including child recruitment and use of child soldiers

Next State report

CRC	
No. of report	7 th to 8 th
Due date	7 th October 2027

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