

# European Union Agency for Fundamental Rights, selection of relevant and recent passages from published reports related to Croatia

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## **Data explorers and tools**

### **Violence against women survey**

<http://fra.europa.eu/DVS/DVT/vaw.php> (data included on all EU Member States)

### **Jewish people’s experiences and perceptions of hate crime, discrimination and anti-Semitism**

<http://fra.europa.eu/DVS/DVT/as2013.php> (Croatia NOT included)

### **EU LGBT survey**

<http://fra.europa.eu/DVS/DVT/lgbt.php> (data included on all EU Member States)

### **Indicators on the right to political participation of people with disabilities**

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/comparative-data/political-participation>

### **Mapping victims’ rights and support in the EU**

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/comparative-data/victims-support-services>

### **Roma survey**

<http://fra.europa.eu/DVS/DVT/roma.php> (Croatia NOT included)

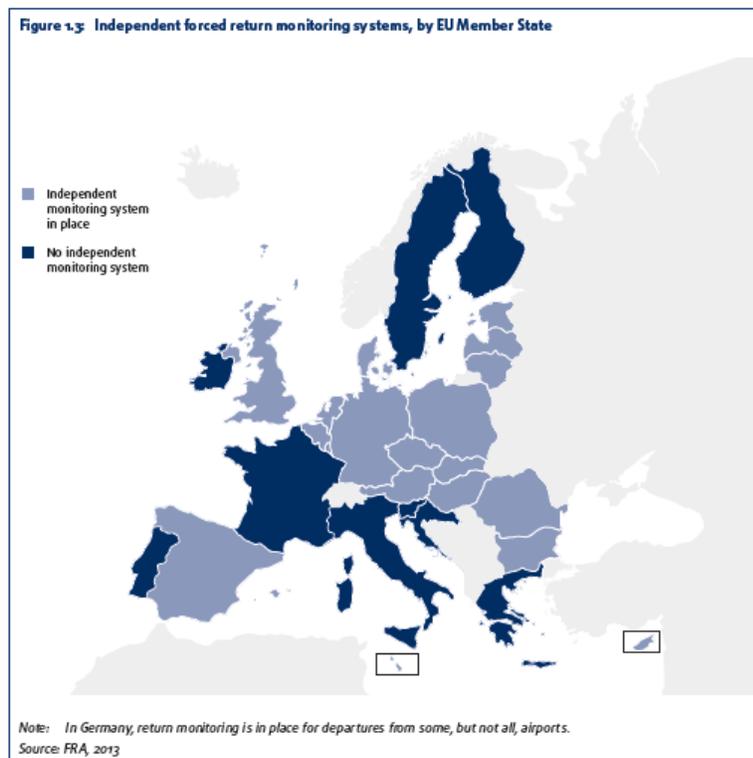
### **Country thematic study on the situation of Roma in Croatia**

<http://fra.europa.eu/en/country-data/2013/country-thematic-studies-situation-roma>

## Fundamental rights: challenges and achievements in 2013 (June 2014)

[http://fra.europa.eu/sites/default/files/fra-2014-annual-report-2013\\_en.pdf](http://fra.europa.eu/sites/default/files/fra-2014-annual-report-2013_en.pdf)

### 1 Asylum, immigration and integration



“Five Member States lack effective return monitoring systems: Croatia, France, Greece, Italy and Slovenia.” (p. 46)

### 4 The rights of the child and the protection of children

“Seven out of 28 EU Member States define forcing a person to marry against his or her will as a specific criminal offence. These states are Austria, Belgium, Croatia, Cyprus, Denmark, France and Germany.” (p. 120)

“Croatia, the Czech Republic, Hungary and Latvia adopted reforms to remove or reduce restrictions for persons with psychosocial or intellectual disabilities who have been deprived of legal capacity.” (p. 143)

#### Promising practice

### Involving NGOs in improving accessibility of buildings for persons with disabilities

In the Croatian city of Vinkovci, the Committee for the Technical Examination of Buildings includes a member representing Bubamara, an NGO that works to protect persons with disabilities. The committee runs fieldwork tests of the accessibility of new buildings, a prerequisite for these to gain use permits. The test results feed back into the engineering works, allowing the removal of any obstacles encountered and preventing these in future construction projects. The committee also raises awareness within the construction industry of how to ensure that buildings are accessible for all. Several Croatian cities have now included NGO representatives on their technical building committees, a practice recommended by the Persons with Disabilities Ombudsman.

For more information, see: [www.bubamara.hr/](http://www.bubamara.hr/) and [www.bd.undp.org/content/croatia/hr/home/presscenter/articles/2013/10/15/osoba-si-invaliditetom-i-lokalna-uprava-o-ne-pristupa-nosti-objekata/](http://www.bd.undp.org/content/croatia/hr/home/presscenter/articles/2013/10/15/osoba-si-invaliditetom-i-lokalna-uprava-o-ne-pristupa-nosti-objekata/)

“Croatian lawmakers amended the new Act on Professional Rehabilitation and Employment of Persons with Disabilities. Reasonable accommodation at the workplace is newly defined as “necessary and adequate accommodation and adjustments, which are not disproportionate or inadequate, so as to ensure the employment and work of persons with disabilities on an equal basis to others in each individual case, where necessary”.” (p. 144)

## 6 Racism, xenophobia and related intolerance

Limited data	Good data	Comprehensive data
<i>Few incidents and a narrow range of bias motivations are recorded Data are usually not published</i>	<i>A range of bias motivations are recorded Data are generally published</i>	<i>A range of bias motivations, types of crimes and characteristics of incidents are recorded Data are always published</i>
Bulgaria Cyprus Estonia Greece Hungary Italy Latvia Luxembourg Malta Portugal Romania Slovenia	Austria Belgium Croatia Czech Republic Denmark France Germany Ireland Lithuania Poland Slovakia	Finland Netherlands <u>Spain</u> Sweden United Kingdom

*Note: Spain is underlined as its official data collection on racist and related crime became comprehensive, see first paragraph below.*

*Source: FRA, 2013*

(p. 167)

## 7 Roma integration

“**Croatia** supported Roma families with pre-school and kindergarten expenses, and Romania provided disadvantaged students, including Roma, with milk and bread, financial aid and financial grants for computers. **Croatia**, Hungary, Italy and Poland supported scholarship programmes for Roma students in primary, secondary and tertiary education.” (p. 181)

“Several legal developments also reflected the extent of discrimination against Roma in employment. The **Croatian** County Court of Varaždin upheld a 2012 Municipal Court verdict, which considered a shop owner’s rejection of Roma applications on account of their ethnicity as discriminatory.” (p. 184)

“Some EU Member States, including **Croatia**, provide legal support for housing, concretely financial support to enable Roma to obtain the documentation needed to legalise housing.” (p. 185)

## 8 Access to justice and judicial cooperation

“In **Croatia**, a new amendment to the Civil Procedural Act provides for the possibility of electronic communication between the court and parties in proceedings before commercial courts. Electronic communication is bilateral, allowing both the parties and the court to send documents by electronic means.” (p. 210)

## 9 Rights of crime victims

“In **Croatia**, the amendments are extensive and include the introduction into Croatian law of definitions of female genital mutilation, forced marriage and many aggravated offences committed against a ‘close’ person. The criminalisation of non-consensual sexual intercourse was extended beyond crimes involving the use of violence or threat.” (p. 225)

“In addition, **Croatian** substantive criminal law now takes into account the long-term nature of relations of domestic violence. The fact that a violent offence has been committed against a ‘close person’, including an intimate partner, is now considered an aggravating factor.” (p. 226)

“**Croatia** also introduced changes to its criminal code in 2013, adding provisions on acts committed out of hatred and incitement to violence against groups or their members based on racial, religious, national or ethnic affiliation, skin colour, sex, sexual orientation, gender identity, disability or other traits.” (p. 229)

## The right to political participation for persons with disabilities: human rights indicators (May 2014)

<http://fra.europa.eu/en/publication/2014/indicators-political-participation-persons-disabilities>

“The **Croatian** National Strategy of Equalisation of Opportunities for Persons with Disabilities 2007–

2015 addresses political participation of persons with disabilities in Chapter 2.11, 'Participation in political and public life'. The strategy is notable for identifying measures through which the objectives can be achieved." (p. 39)

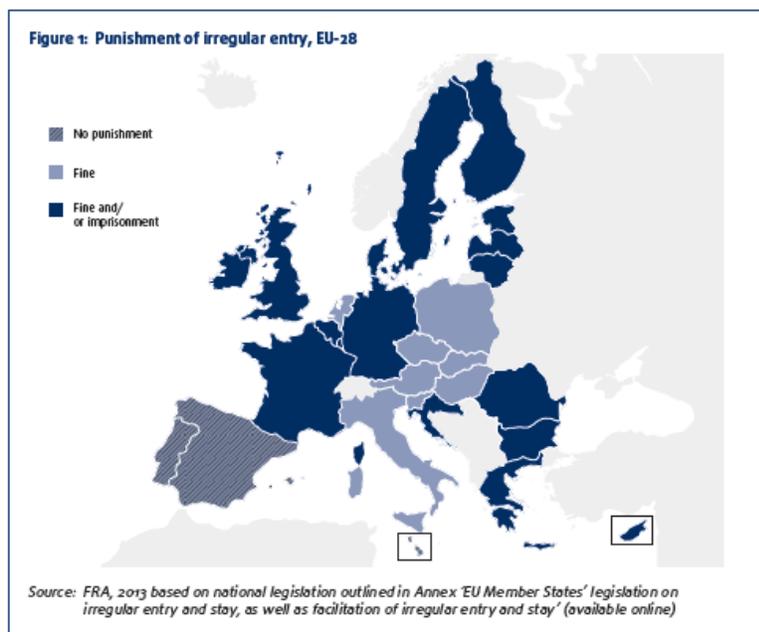
"In **Croatia**, the government assigns polling stations for people living long term in institutions. For the 2013 European parliamentary elections, polling stations were assigned for 13 institutions, selected out of 253 long-term institutions due to their remote location and other circumstances that would prevent persons with disabilities from voting at regular polling stations." (p. 44)

"The FRA analysis shows that training of election authorities and election officials on non-discrimination on the grounds of disability, accessibility and reasonable accommodation is mandatory in only one EU Member State, **Croatia**. Croatian election law mandates the National Election Committee to conduct training for election officials, although it does not require election officials to undergo the training. During its training, the election committee gives instructions on how election officials should assist voters with disabilities." (p. 52)

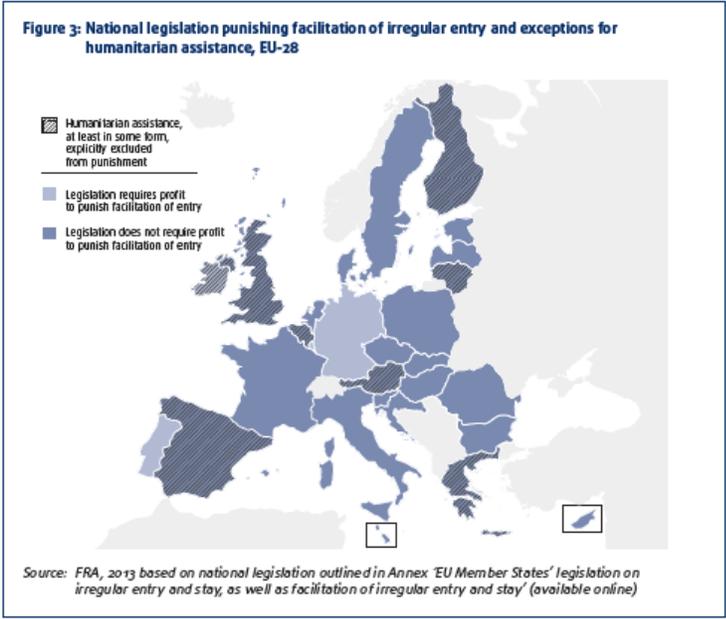
The full set of human rights indicators is available here: <http://fra.europa.eu/en/publications-and-resources/data-and-maps/comparative-data/political-participation>

## Criminalisation of migrants in an irregular situation and of persons engaging with them (March 2014)

[http://fra.europa.eu/sites/default/files/fra-2014-criminalisation-of-migrants\\_en.pdf](http://fra.europa.eu/sites/default/files/fra-2014-criminalisation-of-migrants_en.pdf)



(p. 4)



(p. 10)

**Violence against women: an EU-wide survey (March 2014)**

[http://fra.europa.eu/sites/default/files/fra-2014-vaw-survey-main-results\\_en.pdf](http://fra.europa.eu/sites/default/files/fra-2014-vaw-survey-main-results_en.pdf)

Table 2.3: Women who have experienced physical and/or sexual violence in the 12 months before the interview, by type of perpetrator and EU Member State (%)<sup>a</sup>

EU Member State	Current partner <sup>b</sup>	Previous partner <sup>c</sup>	Any partner (current and/or previous) <sup>d</sup>	Non-partner <sup>e</sup>	Any partner and/or non-partner <sup>e</sup>
AT	(2)	(2)	3	2	5
BE	4	4	6	7	11
BG	6	(5)	6	3	8
CY	(2)	(2)	3	2	5
CZ	3	(2)	4	5	8
DE	3	(1)	3	6	8
DK	4	(2)	4	8	11
EE	(3)	(1)	(2)	3	5
EL	5	3	6	2	7
ES	(1)	(1)	(2)	2	4
FI	4	(2)	5	7	10
FR	4	4	5	7	11
HR	(2)	(1)	3	3	5
HU	5	4	6	5	9
IE	(2)	3	3	5	8
IT	5	(5)	6	4	7
LT	4	(1)	4	2	6
LU	(2)	(2)	(3)	4	7
LV	6	(1)	5	(2)	6
MT	2	(4)	4	2	5
NL	4	(3)	5	7	11
PL	2	(1)	2	3	4
PT	4	(4)	5	(2)	6
RO	6	(3)	6	2	7
SE	(2)	4	5	7	11
SI	(1)	(1)	(2)	(2)	3
SK	7	(2)	6	5	10
UK	(2)	4	5	5	8
EU-28	3	3	4	5	8

Notes: <sup>a</sup> Results based on a small number of responses are statistically less reliable, so observations based on fewer than 30 responses are put in brackets and observations based on fewer than five responses are suppressed (denoted with '-').

<sup>b</sup> Out of all women who were married, living together with someone without being married, or involved in a relationship (without living together) at the time of the interview (n = 30,675).

<sup>c</sup> Out of all women who had, in the past, been married, living together with someone without being married, or involved in a relationship (without living together) at least once (n = 25,870).

<sup>d</sup> Out of all women who were married, living together with someone without being married, or involved in a relationship (without living together) at the time of the interview or at any time in the past (n = 40,192).

<sup>e</sup> Out of all respondents (N = 42,002).

Source: FRA gender-based violence against women survey dataset, 2012

(p. 34)

Table 3.5 Women who indicate that the most serious incident of violence came to the attention of the police, by type of perpetrator (%)<sup>a,b</sup>

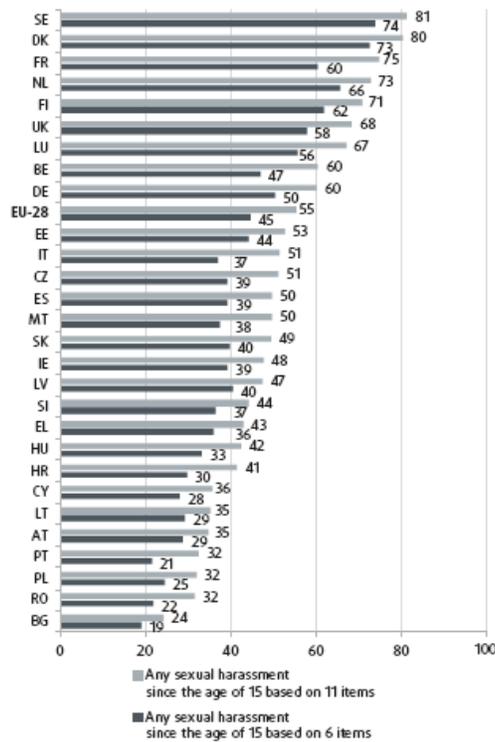
EU Member State	Partner violence	Non-partner violence	EU Member State	Partner violence	Non-partner violence
AT	19	(18)	IT	19	(18)
BE	27	21	LT	30	(17)
BG	17	22	LU	31	19
CY	(27)	(9)	LV	21	13
CZ	14	(9)	MT	28	23
DE	15	17	NL	18	21
DK	10	16	PL	28	(29)
EE	11	(11)	PT	23	(21)
EL	14	(17)	RO	23	23
ES	24	17	SE	17	14
FI	10	15	SI	(18)	(21)
FR	18	18	SK	12	14
HR	22	20	UK	25	26
HU	16	(12)	EU-28	20	19
IE	28	24	<i>n</i>	7,278	6,084

Note: <sup>a</sup> Incidents that 'came to the attention of the police' include incidents reported to the police by the victims, incidents where somebody else than the victim reported it to the police and incidents where police came to know about the incident on their own.  
<sup>b</sup> Results based on a small number of responses are statistically less reliable, so observations based on fewer than 30 responses are put in brackets and observations based on fewer than five responses are suppressed (denoted with '-').  
Source: FRA gender-based violence against women survey dataset, 2012

(p. 61)

Table 5.1: Prevalence of stalking since the age of 15 and in the 12 months before the interview, by EU Member State (%)

Figure 6.2: Prevalence of sexual harassment since the age of 15, based on full and short sets of items measuring sexual harassment, by EU Member State (%) <sup>a,b,c</sup>



Notes: <sup>a</sup> Out of all respondents (N = 42,002).  
<sup>b</sup> Full set includes all 11 items used in the questionnaire to measure sexual harassment (see Box 6.1).  
<sup>c</sup> The short set includes the following six items: 'Unwelcome touching, hugging or kissing', 'Sexually suggestive comments or jokes that made you feel offended', 'Somebody indecently exposing themselves to you', 'Sexually explicit emails or SMS messages that offended you', 'Sending or showing sexually explicit pictures, photos or gifts that made you feel offended', 'Someone made you watch or look at pornographic material against your wishes'.  
Source: FRA gender-based violence against women survey dataset, 2012

(p. 99)

## Fundamental rights: challenges and achievements in 2012 (June 2013)

[http://fra.europa.eu/sites/default/files/annual-report-2012\\_en.pdf](http://fra.europa.eu/sites/default/files/annual-report-2012_en.pdf)

### 1 Asylum, immigration and integration

“**Croatia** committed to facilitating access to civil registration and documentation to reduce the number of stateless persons and planned to pay particular attention to Roma in this process.” (p. 45)

“**Croatia** introduced several alternatives to detention in its national legislation in 2012, namely the duty to surrender documents, to deposit sureties, designated residence and regular reporting.” (p. 52)

“In September 2012, **Croatia**, for example, adopted a Croatian language curricula for asylum seekers, refugees and persons under subsidiary protection who are older than 15.” (p. 61)

#### 4 The rights of the child and protection of children

“In **Croatia**, the Foster Care Act was enacted in July 2012 and was harmonised with the Social Care Act, in an attempt to enhance the number of foster families by making the criteria they must fulfil more accessible.” (p. 127)

#### 5 Equality and non-discrimination

“In **Croatia**, seven NGOs working in the area of disability formed a coalition, Platform 19 – Coalition for the right to live in a community (*Platforma 19 – Koalicija za pravo na život u zajednici*), which contacted the relevant persons in municipalities and cities to raise awareness of deinstitutionalisation at the local level in 2012.” (p. 152)

“Conversely, in **Croatia**, the government expressed its support for the Pride parade, and peaceful demonstrations took place.” (p. 159)

#### 7 Participation of EU citizens in the Union’s democratic functioning

“On 14 December, the **Croatian** parliament passed the Act on the Voters’ Register, removing all limitations on the voting rights of persons divested of legal capacity. [...] In securing voting rights for persons divested of legal capacity, the Ministry of Public Administration has responded to criticism by the Ombudsperson for Persons with Disabilities.” (p. 223)

#### 9 Rights of crime victims

“**Croatia’s** new Criminal Code (*Kazneni zakon*), which entered into force in January 2013, expands the definition of victims. It adds that a victim of a criminal offence is not only a person who has suffered property damage or physical, mental or emotional pain because of an unlawful act but is also a person against whom a serious violation of human rights and fundamental freedoms has been committed.” (p. 259)

“**Croatian** support offices were established between 2008 and 2011 as part of an overall institutional structure to provide victim/witness support. This included the setting up of ministerial departments that supply information to victims, a National Committee for the Support of Victims/Witnesses and seven county court offices for victims and witnesses of crime. This model was praised and recommended as a promising practice to be emulated across southeast Europe.” (p. 261)

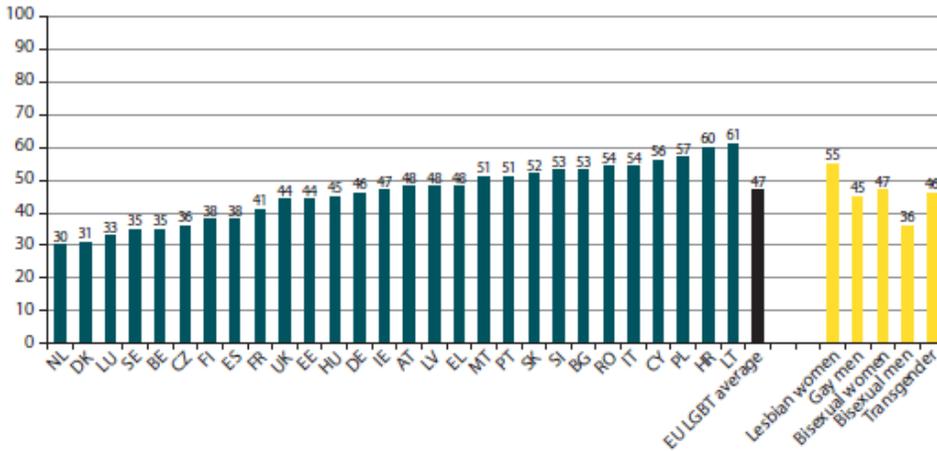
“**Croatia** took into account relevant convention provisions when drafting its new Criminal Code, with a view to the signature and ratification of the Istanbul Convention. The amended code marks a change in Croatia’s approach to domestic violence, as it no longer criminalises a specific criminal offence, but instead explicitly treats several factors as aggravating circumstances warranting more severe punishment. These include: an offence against a family member (for example, bodily injury); or a family member whom the perpetrator had already abused (aggravated murder); or a person who is especially vulnerable due to certain particular circumstances, such as age or pregnancy. In line with the Istanbul Convention’s requirements, the new Criminal Code also introduces several offences that explicitly aim at protecting women against violence and discrimination, including female genital mutilation, stalking, sexual harassment and forced marriage. The new code amends some existing gender-neutral offences

that disproportionately affect women in order to further strengthen their protection. The Croatian government adopted a decision to initiate the procedure for signing the convention in December 2012.” (p. 264)

## EU LGBT survey - European Union lesbian, gay, bisexual and transgender survey - Results at a glance (May 2013)

[http://fra.europa.eu/sites/default/files/eu-lgbt-survey-results-at-a-glance\\_en.pdf](http://fra.europa.eu/sites/default/files/eu-lgbt-survey-results-at-a-glance_en.pdf)

Figure 1: Respondents who felt discriminated against or harassed in the last 12 months on the grounds of sexual orientation, by country and by LGBT subgroup (%)



Question C2: In the last 12 months, in the country where you live, have you personally felt discriminated against or harassed on the basis of one of more of the following grounds? Answer: C. Sexual orientation. Base: All EU LGBT survey respondents.

Source: FRA, EU LGBT survey, 2012



(p. 15)

Figure 2: Respondents who felt discriminated against in the last 12 months when looking for a job and/or at work because of being LGBT, by country and LGBT subgroup (%)



Question C4. During the last 12 months, have you personally felt discriminated against because of being [LGBT] in any of the following situations?  
 Answer: A. When looking for a job; B. At work. Base: EU LGBT survey respondents who were looking for a job or who worked/were employed in the past 12 months.  
 Source: FRA, EU LGBT survey, 2012

(p. 16)

## Making hate crime visible in the European Union: acknowledging victims' rights (November 2012)

[http://fra.europa.eu/sites/default/files/fra-2012\\_hate-crime.pdf](http://fra.europa.eu/sites/default/files/fra-2012_hate-crime.pdf)

“Other cases concern racist violence by non-state actors. In the Šečić case, Semso Šečić alleged that the **Croatian** authorities had failed to undertake a thorough investigation of a skinhead attack on his person. Although it was undisputed that skinhead ideology is extremist and racist, the authorities mounted no effective investigation to establish whether ethnic hatred had motivated the attack on Mr Šečić.” (p. 17)

“A much larger group – Austria, **Croatia**, the Czech Republic, Denmark, Finland, France, Greece, Italy, Latvia, Lithuania, Malta, the Netherlands, Romania, Spain and Sweden – opted instead to make racist and xenophobic motivation an aggravating circumstance, sometimes in addition to qualified criminal law definitions.” (p. 27)

## Fundamental rights: challenges and achievements in 2011 (June 2012)

[http://fra.europa.eu/sites/default/files/fra\\_uploads/2211-FRA-2012\\_Annual-Report-2011\\_EN.pdf](http://fra.europa.eu/sites/default/files/fra_uploads/2211-FRA-2012_Annual-Report-2011_EN.pdf)

## 5 Equality and non-discrimination

“The **Croatian** Ministry of Health and Social Welfare adopted an Ordinance on the Procedure of Collecting Medical Documentation on Sex Change in October 2011. It identifies the opinion of the National Health Council as the document needed in order to change information on sex in birth records. This opinion is based on a request form by the applicant and on accompanying opinions of health and other professionals.” (p. 135)

“**Croatia** introduced new legislation in 2011 explicitly prohibiting direct and indirect discrimination against those accessing social assistance, abolishing pre-conditions requiring severe health impairments of claimants to have occurred before the age of 18. Persons with a disability or severe health impairments will now qualify for this benefit irrespective of the age at which their impairment occurred.” (p. 138)

“At the national level, the Ombudsman in **Croatia** signals evidence of involuntary placement of older persons in retirement homes, suggesting that further monitoring of the system of legal capacity restrictions is required.” (p. 143)

## 9 Rights of crime victims

“Several EU Member States strengthened victims’ rights. In **Croatia**, the new Criminal Procedure Act, which was endorsed by the Croatian parliament in 2008, entered into force in September. The new code strengthens victims’ procedural rights in line with the Council Framework Decision on the standing of victims in criminal proceedings.” (p. 219)

“In December, the Parliament adopted a resolution with regard to **Croatia’s** application to become a member of the EU. This resolution expresses deep concerns about the violence against participants in the LGBT pride march in Split in June and the inability of the Croatian authorities to protect participants. The resolution calls on Croatia to firmly address cases of hate crime directed against LGBT minorities.” (p. 229)