

Crime prevention policy	
EU- priority	Trafficking in Human Beings
Country	Republic of Croatia
Year	2018

1. Overview of the field

Definition of the crime

A criminal offence of Slavery (Article 105 of the Croatian Criminal Code)

(1) Whoever, in violation of the rules of international law, puts another person in a position of slavery or a similar position or holds him/her in such a position, buys, sells, hands over or mediates in the purchase, sale or handing over of such a person, or incites another person to sell his/her freedom or the freedom of the person he/she provides for or takes care of, shall be punished by imprisonment from one to ten years.

(2) Whoever transports people who are in a position of slavery or a position similar thereto, shall be punished by imprisonment from six months to five years.

(3) Whoever commits the offence referred to in paragraphs 1 or 2 against a child shall be punished by imprisonment from three to fifteen years.

A criminal offence of Trafficking in Human Beings (Article 106 of the Croatian Criminal Code)

(1) Whoever, by the use of force or threat, by deception, fraud, abduction, abuse of authority or of a situation of hardship or dependence, or by giving or receiving of payments or other benefits to achieve the consent of a person having control over another person or by any other means recruits, transports, transfers, harbours or receives a person, or exchanges or transfers control over a person for the purpose of exploiting his/her labour by means of forced labour or services, slavery or a relationship similar thereto, or for the purpose of exploitation of the person for prostitution or for other forms of sexual exploitation, including pornography, or for the purpose of contracting an illicit or forced marriage, or taking parts of the person's body or using the person in armed conflicts or committing an unlawful act, shall be punished by imprisonment from one to ten years.

(2) The same punishment as referred to in paragraph 1 of this Article shall be inflicted on whoever recruits, transports, transfers, harbours or receives a child, or exchanges or transfers control over a child for the purpose of exploiting his/her labour by means of forced labour or services, slavery or a relationship similar thereto, or for the purpose of exploitation of the child for prostitution or for other forms of sexual exploitation, including pornography, or for contracting an illicit or forced marriage, or for illegal adoption, or for taking parts of a child's body, or for using the child in armed conflicts.

(3) If the criminal offence referred to in paragraph 1 of this Article was committed against a child or the criminal offence referred to in paragraphs 1 or 2 of this Article was committed by a public official in the performance of his/her duties, or the said offence was committed against a large number of persons or the life of one or more persons was consciously endangered, the perpetrator shall be punished by imprisonment from three to fifteen years.

(4) The same punishment as referred to in paragraph 1 of this Article shall be inflicted on

whoever, knowing that a person is a victim of trafficking in human beings, uses the services of that person which are the result of one of the forms of exploitation set forth in paragraphs 1 and 2 of this Article.

(5) Whoever, with the aim of enabling the commission of offences set forth in paragraphs 1, 2 and 3 of this Article retains, seizes of possession, conceals, damages or destroys another person's travel document or identification document, shall be punished by imprisonment of up to three years.

(6) An attempt to commit the criminal offence referred to in paragraph 5 of this Article shall be punishable.

(7) The consent of a victim of trafficking in human beings to the exploitation shall be irrelevant to the existence of this criminal offence.

A criminal offence of Trafficking in Human Body Parts and Human Embryos (Article 107 of the Croatian Criminal Code)

(1) Whoever, for the purpose of removing body parts referred to in Article 106 of this Code, procures, possesses, transports, transfers, stores, receives or transplants a human organ, tissue, cell, embryo or foetus, provided that he/she knew or should and could have known that they originated from a person who was a victim of trafficking in human beings shall be punished by imprisonment from one to ten years.

(2) Whoever, by the use of force or threat, deception, fraud, abduction, abuse of authority or a situation of hardship or dependence, procures, possesses, transports, transfers, stores or receives a human organ, tissue, cell, embryo, foetus or dead body for the purpose of removing body parts shall be punished by imprisonment from one to eight years.

(3) Whoever, by giving of payment or other comparable benefit, procures a human organ, tissue, cell, embryo, foetus or dead body shall be punished by imprisonment from six months to five years.

(4) The same punishment as referred to in paragraph 3 of this Article shall be inflicted on whoever, with a view to gaining financial compensation, induces or helps another person to give his/her organ, tissue, cell, embryo or foetus in exchange for payment or other benefit.

(5) Whoever removes or transplants a human organ, tissue, cell, embryo or foetus, where he/she knew or should and could have known that the donor had received payment or other benefit in exchange for it, shall be punished by imprisonment of up to three years.

(6) The same punishment as referred to in paragraph 5 of this Article shall be inflicted on whoever advertises the need for or availability of a human organ, tissue, cell, embryo, foetus or dead body for the purpose of offering or requesting payment or other benefit.

Assessment of trends and developments

Trends detected in trafficking in human beings in the Republic of Croatia:

- The Republic of Croatia is no longer only a transit country but it is increasingly a country of origin and final destination of human trafficking victims.
- Along with the Republic of Serbia, Bosnia and Herzegovina and the Republic of Slovenia, the Republic of Croatia still lies on an important transit route used by smugglers, the so-called Balkan route.
- Trafficking in human beings mostly implies trafficking in females of younger age.
- Sexual exploitation is still a predominant form of abuse of victims.
- It is evident that almost all cases involve the so-called "internal" human trafficking.
- In 2017 and 2018, we have encountered an increased number of cases of labour exploitation, as well as exploitation for the purpose of committing an unlawful act (begging,

theft, burglary, fraud).

- In most cases, persons identified as victims of human trafficking are nationals of the Republic of Croatia; in 2018 (until 19 October 2018) those were nationals of Taiwan (PR China) detected as part of an extensive criminal investigation during which a total of 59 human trafficking victims, citizens of Taiwan (PR China) were identified.
- In the past, foreign victims of human trafficking were nationals of the countries neighbouring the Republic of Croatia, whereas recently they are nationals of Asian countries.
- We have detected a modus operandi involving solicitation of children via social networks by false impersonation and promises of rewards.
- It has been noticed that almost no cases of human trafficking in the Republic of Croatia resulted from organised crime, apart from the above mentioned extensive criminal investigation in relation to an organised criminal group from Taiwan (PR China).

Recent overview of statistics and research

According to the records kept by the Ministry of the Interior of the Republic of Croatia, 74 victims of human trafficking were identified in the Republic of Croatia in 2018 (until 19 October 2018), whereas 29 were identified in 2017; 30 in 2016; 38 in 2015; and 37 in 2014). Out of the total number of identified victims of human trafficking in 2018, 12 were nationals of the Republic of Croatia, 59 nationals of Taiwan (PR China), and 1 national of the Republic of Serbia, Bosnia and Herzegovina and the Slovak Republic respectively.

As regards the victims' sex, 48 male victims were identified in 2018, which is a significant increase compared to 2017 when only 16 male victims were identified. 13 female victims were identified in 2017 and 26 in 2018, which is also an increase.

3 persons (1 male and 2 female) were exploited for labour in 2018; 8 persons (8 females) were sexually exploited in 2018; and 60 persons (45 male and 15 female) were exploited in 2018 for the purpose of committing an unlawful act.

As regards minor victims of human trafficking, a total of 4 victims were identified in 2018 (2 male and 2 female). Two minor victims (male) were kept in inhumane conditions during labour exploitation of their parents in the Federal Republic of Germany, one minor victim (female) was exploited for the purpose of committing unlawful acts of begging, and sale of one minor victim (female) was advertised on social networks.

2. Crime strategy and coordination

Objectives of the crime strategy

- Improve proactive and timely identification of victims of human trafficking to provide them, in due time, with the necessary assistance and protection according to their individual needs,
- Continuous detection and combating of criminal offences related to human trafficking,
- Continuous education and training of criminal, border, intervention and other police officers, state attorneys and judges on combating trafficking in human beings, training for additional multipliers,
- Preventive activities aimed at raising the awareness of targeted groups regarding human trafficking

Role of prevention in the crime strategy on state/regional/local level

Upon an initiative of the European Commission, ever since 2007, all European Union Member States mark 18 October as the EU Anti-Trafficking Day. On that day, an increased number of preventive activities are carried out aimed at raising public awareness of the issue of human trafficking as one of the most serious forms of violation of human rights. Thus, people are made aware of the importance of timely prevention of this type of transnational organised crime. In this regard, all the relevant national authorities and institutions, as well as civil society organisations in the Republic of Croatia at all levels take preventive measures and actions to improve national referral mechanisms for preventing and combating human trafficking and identifying victims of these crimes. The need to raise the awareness and speak about this type of crime, as well as to take constructive preventive measures against it has been emphasised as one of the priorities in the Republic of Croatia, which has also been confirmed by the adoption of the National Plan for Combating Trafficking in Human Beings for the period 2018 to 2021, adopted by the Government of the Republic of Croatia in its Conclusions on 7 June 2018.

Implementation of the policy (which level is responsible for the implementation and how is the implementation coordinated?)

Stakeholders (working groups, specialised agencies, partners, etc)

National coordinator for combating human trafficking in the Republic of Croatia.

Office of the Government of the Republic of Croatia for Human Rights and Rights of National Minorities.

National Committee for Combating Human Trafficking comprising of representatives of relevant state administration authorities, civil society organisations (NGOs) and media. The National Committee is chaired by the Deputy Prime Minister of the Republic of Croatia. Within the National Committee, the coordination of work of all the authorities participating in a counter-trafficking system is carried out by the Office of the Government of the Republic of Croatia for Human Rights and Rights of National Minorities.

The National Committee is also responsible for setting up an Operational Team for combating human trafficking, as an operational body for taking action in the implementation of measures aimed at protecting the victims of human trafficking and providing assistance to them. It comprises of designated representatives of the Operational Team from all responsible institutions, namely for example: the Ministry of Foreign and European Affairs, the Ministry of Labour and Pension System, the Ministry of the Interior, the Ministry of Justice, the Ministry of Health, the State Attorney's Office, the ministry responsible for social welfare, the Croatian Employment Service, the Croatian Red Cross and civil society organisations.

When a victim of trafficking in human beings is identified and if he/she accepts to be included in the assistance and protection programme (encompassing healthcare, psychosocial protection, safe accommodation, translation and interpretation services, legal aid, etc.), the Ministry of the Interior of the Republic of Croatia requests assistance from civil society organisations and mobile teams in order to provide appropriate assistance and protection of the victim. Mobile teams comprise of specifically trained representatives of social welfare centres, the Croatian Red Cross and civil society organisations tasked with combating human trafficking. They have to be available 24/7.

Participation in European/ international networks, working groups, etc.

Participation in EUROPOL activities within the EU Policy Cycle and the EMPACT priority of Human Trafficking

Participation in the INTERPOL Expert Working Group on Trafficking in Human Beings

3. Good practices

Overview of recent good practices, prevention programs, etc.

The Crime Prevention Department within the Office of the General Police Director at the Ministry of the Interior of the Republic of Croatia actively participates in the work of the European Crime Prevention Network (EUCPN). Thus, in 2014, the project “Together” aimed at preventing trafficking in human beings won fourth place at the annual European Crime Prevention Award Conference organised by EUCPN.

The Crime Prevention Department within the Office of the General Police Director developed and carried out the national prevention project “Together” in cooperation with other competent organisational units of the General Police Directorate. The aim of the project was to raise the awareness of the prevention of trafficking in human beings through mutual cooperation with all relevant institutions and organisations, local community, civil society organisations and citizens, and to encourage the society to act in a responsible manner in order to reduce and prevent trafficking in human beings.

Considering the broad coverage of participants with different profiles participating in the implementation of this project, the preventive project “Together” should, by raising awareness, informing, educating and taking a proactive approach in the multiplication of knowledge on trafficking in human beings (THB), and identification of potential criminal hotspots, contribute to a decrease in THB in all its stages (recruitment, transport and exploitation).

Through a multidisciplinary approach, specific targeted and preventive activities directed towards eradication of THB are conducted, under coordination of the General Police Directorate’s Crime Prevention Department, by all types of police forces, namely: criminal, border (green and blue border), uniform, traffic, airport and marine police in cooperation with different government bodies, institutions, organisations, civil society organisations (CSOs), legal and natural persons, and private sector respectively.

During the evaluation of types of preventive measures which shall be implemented on a specific location, as well as during the selection of a target group which should be covered in order to achieve the best possible preventive impact, special attention was directed towards the specifics of the respective local community in relation to performed assessment of its sensitiveness to THB, factors contributing to THB, risk assessments, presumed dark

numbers of crime, geostrategic position and economic development of a specific micro location in the Republic of Croatia; where the entire territory of the Republic of Croatia is covered.

Thus, for example, in areas of the Republic of Croatia located at the external border of EU the focus is placed on transit issues. In coastal areas, the activities are directed towards prevention of exploitation of the victims during the tourist season. In rural areas with detrimental economic conditions, the focus is on the prevention of recruitment of potential victims. In urban areas of major cities, the focus is on the prevention of exploitation of victims, especially women and children, and early identification of potential victims by persons who, due to characteristics of their vocation or other circumstances, have greater probability to encounter the potential victims (for example taxi drivers, bus and truck drivers, ticket inspectors in trains and buses, service personnel in tourist facilities and petrol stations on highways, personnel in harbours, marine and airport carriers, private companies which employ foreigners with temporary residence, and similar).

The Republic of Croatia has 20 counties and each county has its potentially critical points with respect to THB.

The General Police Directorate, which organizationally encompasses 20 police administrations throughout the Republic of Croatia (each specific police administration covers the territory of a particular county), has created, in accordance with assessed strategic priorities of each police administration and defined critical points with respect to THB, 20 mutually connected components of this preventive project which are applicable and adjusted to each location. Therefore, the specific project activities are implemented through 20 components which contain targeted preventive actions, always accompanied by the application of 4 key models.