



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### Concluding observations on the combined fifth and sixth periodic reports of Croatia\*

#### I. Introduction

1. The Committee considered the combined fifth and sixth periodic reports of Croatia<sup>1</sup> at its 2608th and 2609th meetings,<sup>2</sup> held on 19 and 20 May 2022, and adopted the present concluding observations at its 2630th meeting, held on 3 June 2022.

2. The Committee welcomes the submission of the combined fifth and sixth periodic reports of the State party,<sup>3</sup> under the simplified reporting procedure, which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses appreciation for the constructive dialogue held with the high-level and multisectoral delegation of the State party.

#### II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the progress achieved by the State party in various areas, including multiple legislative efforts such as the amendments to the Family Act, the Social Welfare Act, the Foster Care Act, the Child Allowance Act, the Act on Maternity and Parental Benefits, the Criminal Code and the Act on Protection from Domestic Violence; the adoption of the Act on the Implementation of the Convention on the Civil Aspects of International Child Abduction in 2019, the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) in 2018 and the adoption of the National Strategy for Protection against Domestic Violence 2017–2022. It also notes with appreciation the ratification in 2017 of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.

#### III. Main areas of concern and recommendations

4. The Committee reminds the State party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would like to draw the State party's attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: non-discrimination (para. 16); abuse and neglect (para. 25); children with disabilities (para. 31); health and health services

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\* Adopted by the Committee at its ninetieth session (3 May–3 June 2022).

<sup>1</sup> [CRC/C/HRV/5-6](#).

<sup>2</sup> See [CRC/C/SR.2608](#) and [2609](#).

<sup>3</sup> [CRC/C/HRV/5-6](#).



(para. 33); education, including vocational training and guidance (para. 39); administration of child justice (para. 45).

5. **The Committee recommends that the State party ensure the realization of children's rights in accordance with the Convention, the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography, throughout the process of implementing the 2030 Agenda for Sustainable Development. It urges the State party to ensure the meaningful participation of children in the design and implementation of policies and programmes aimed at achieving all 17 Sustainable Development Goals as far as they concern children.**

## **A. General measures of implementation (arts. 4, 42 and 44 (6))**

### **Legislation**

6. **While noting legislative work undertaken by the State party in several areas of the Convention, the Committee recommends that the State party ensure its full compliance with the Convention, including by allocating sufficient human, technical and financial resources and by improving accountability and the monitoring of children's rights.**

### **Comprehensive policy and strategy**

7. **The Committee welcomes the adoption of the new National Plan for the Rights of the Child for 2022–2026, the National Plan to Combat Poverty and Social Exclusion for 2021–2027 and the new National Plan for the Inclusion of Roma for 2021–2027, and recommends that the State party:**

(a) **Allocate specific and adequate budgets for the implementation and monitoring of the strategies and plans at all levels as well as for evaluations of them to inform future interventions;**

(b) **Apply the Child Well-being Indicators, developed under the National Strategy for the Rights of the Child, for the monitoring and advancement of children's rights.**

### **Coordination**

8. **While noting that the State party re-established a Children's Council in February 2021 which is tasked with monitoring the implementation of the Convention and with coordinating the implementation of national strategic documents for children, the Committee recommends that the State party:**

(a) **Conduct an independent evaluation of the previous Council for Children to inform and strengthen the role and functioning of the newly established Children's Council;**

(b) **Provide it with sufficient authority, and the necessary human, technical and financial resources, to coordinate all activities relating to the implementation of the Convention at the cross-sectoral, national, regional and local levels.**

### **Allocation of resources**

9. **The Committee welcomes the development of the Children's Budget – Projection 2019. Recalling its general comment No. 19 (2016) on public budgeting for the realization of children's rights, the Committee recommends that the State party:**

(a) **Further strengthen measures to ensure the disbursement of funds during financial and economic crises, and emergencies such as natural disasters and the coronavirus disease (COVID-19) pandemic;**

(b) Implement a mechanism to monitor and assess the efficiency of budget allocations for the implementation of the Convention, particularly for children in disadvantaged and vulnerable conditions.

#### Data collection

10. The Committee welcomes the introduction of the SocSkrb database, which has improved child protection data as well as social protection data on children and families. Recalling its general comment No. 5 (2003) on general measures of implementation of the Convention, the Committee reiterates its recommendation that the State party link various data systems and develop an integrated data-collection system for persons under 18, disaggregated by age, sex, disability, residence, ethnic and national origin, and socioeconomic and migration background.

#### Independent monitoring

11. Recalling its general comment No. 2 (2002) on the role of independent national human rights institutions, the Committee recommends that the State party:

(a) Strengthen the legislative framework governing the Ombudsman for Children including with a focus on its independence, in particular by amending the 2017 Ombudsman for Children Act, which stipulates that the rejection by Parliament of the annual report of the Ombudsman for Children may result in the early impeachment of the Ombudsman for Children;

(b) Ensure adequate monitoring, implementation and follow-up of the recommendations issued by the Ombudsman for Children.

#### Dissemination, awareness-raising and training

12. While welcoming the systematic specialization and training on children's rights of police officers, including on discrimination against Roma, and of county courts, and social services officers and welfare officers, the Committee regrets that the State party has not taken adequate measures to ensure that its previous concluding observations are widely available and fully implemented. The Committee therefore recommends that the State party:

(a) Intensify systematic dissemination of the Convention and the Committee's concluding observations among the general public and professionals working with and for children, and ensure their implementation;

(b) Ensure that all professionals working with and for children, in particular the judiciary, social workers, law enforcement officials, health-care personnel, teachers, immigration and asylum officers, professionals and staff working in all forms of alternative care, as well as the media, receive mandatory training on children's rights.

#### Cooperation with civil society

13. The Committee recommends that the State party further strengthen its efforts to systematically involve civil society and other organizations working for and with children in developing, implementing, monitoring and evaluating policies, plans and programmes concerning children's rights, and in preparing periodic reports to the Committee.

### B. Definition of the child (art. 1)

14. The Committee recommends that the State party harmonize the various terms used to describe a child as well as the definition of the term "child" in line with article 1 of the Convention in its national legislation. It also recommends that the State party remove in its legislation all exceptions that allow marriage under the age of 18 years.

## C. General principles (arts. 2–3, 6 and 12)

### Non-discrimination

15. The Committee is seriously concerned about:

(a) De facto discrimination against children of ethnic minorities, particularly children of Serbian and Roma backgrounds, children with disabilities, and migrant, asylum-seeking and refugee children, particularly with regard to education and health-care services;

(b) Discrimination and harassment against lesbian, gay, bisexual, transgender and intersex children in educational settings.

16. The Committee urges the State party to:

(a) **Ensure 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 minority Serbian and Roma children, children with disabilities, refugee, migrant and asylum-seeking children, and lesbian, gay, bisexual, transgender and intersex children;**

(b) **Continuously monitor 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;**

(c) **Systematically undertake awareness-raising and education on the issues of discrimination, intolerance and hate speech against children belonging to ethnic minorities, refugee, asylum-seeking and migrant children, children with disabilities and lesbian, gay, bisexual, transgender and intersex children;**

(d) **Ensure systematic training on protection from discrimination for professionals working with and for children, and introduce compulsory classes on tolerance, non-discrimination and diversity in school curricula.**

### Best interests of the child

17. Recalling its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recommends that the State party:

(a) **Consistently apply the right of the child to have their best interests taken as a primary consideration in all legislative, administrative and judicial proceedings and all decisions concerning children, including in custody disputes, in placing unaccompanied migrant and refugee children in institutions, and regarding children labelled as having behavioural problems and child victims and witnesses of crimes, as well as in all policies, programmes and projects that are relevant to and have an impact on children;**

(b) **Develop procedures and criteria to provide systematic training and guidance for all relevant professionals to assess and determine the best interests of the child in every area, particularly regarding education, disability, alternative care, migration and asylum, and justice, and to give this principle due weight as a primary consideration;**

(c) **Establish compulsory processes for ex ante and ex post impact assessments of all laws and policies relevant to children on the realization of the right of the child to have his or her best interests taken as primary consideration.**

### Right to life, survival and development

18. While welcoming the 2019 amendments to the Road Traffic Safety Act aimed at improving road safety and traffic culture, the Committee recommends that the State party:

(a) **Implement additional measures to prevent traffic accidents, including additional educational programmes on road safety and accident prevention in all school**

curriculums, public campaigns to increase traffic awareness among children, parents, teachers and the public in general, and strict enforcement of relevant traffic laws, including with regard to the use of mobile phones and their link to accidents;

(b) Ensure the systematic collection of data to assess trends in road traffic accidents, including the causes and the associated morbidity and mortalities from traffic accidents.

#### **Respect for the views of the child**

19. Recalling its general comment No. 12 (2009) on the right of the child to be heard, the Committee recommends that the State party:

(a) Promote meaningful and empowered participation of children, particularly children in marginalized and disadvantaged situations, within the family, communities, schools and other settings, and include children in decision-making in all matters related to them, including environmental matters;

(b) Ensure that information on child-related laws and policies is available in child-friendly language;

(c) Further strengthen and promote the Network of Young Advisers to the Ombudsman for Children and implement monitoring and accountability mechanisms relating to child participation;

(d) Reinforce measures to ensure that professionals working with and for children, including future professionals, systematically receive appropriate training on children being heard, and take into account children's views in all decisions affecting them.

### **D. Civil rights and freedoms (arts. 7–8 and 13–17)**

#### **Name and nationality**

20. Taking note of target 16.9 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Ensure that there are no legal and administrative obstacles to obtaining Croatian citizenship following home births and online confirmation of birth through the E-Citizen application, including for children of minority groups;

(b) Consider ratifying the 1997 European Convention on Nationality and the 2009 Council of Europe Convention on the avoidance of statelessness in relation to State succession.

#### **Access to appropriate information**

21. While welcoming the adoption of the Ordinance on the Protection of Minors in Electronic Media and the development of the Recommendations for Protecting Children and the Safe Use of Electronic Media, the Committee regrets that the budget for child-focused television production was further reduced in 2018, and recommends that the State party ensure:

(a) Adequate resources for quality television programmes for children, including for children belonging to minority groups and children with visual and hearing impairments;

(b) Comprehensive obligatory curriculums for media literacy in schools, with appropriate content covering how to address harmful content for children, also with regard to fake news and hate speech;

(c) Effective complaint mechanisms for the protection of children from harmful media content, including pornography, and advertising for alcohol, gambling and betting, and define and apply appropriate sanctions against violators.

**Right to privacy**

22. Recalling its general comment No. 25 (2021) on children's rights in relation to the digital environment, the Committee recommends that the State party develop regulations and safeguarding policies for all traditional media and for the business sector in the digital environment to protect the privacy of children, and that it undertake campaigns to raise awareness, especially among children and parents, on this issue.

**E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)****Corporal punishment**

23. Recalling its general comment No. 8 (2006) on corporal punishment, the Committee recommends that the State party:

- (a) Explicitly prohibit by law all forms of violence against children, including corporal punishment, in all settings, including in the family;
- (b) Promote positive, non-violent and participatory forms of child-rearing and discipline;
- (c) Conduct awareness-raising campaigns and parenting education programmes for parents and professionals working with and for children to promote attitudinal change, within the family and the community, with a view to eradicating corporal punishment.

**Violence, including abuse, sexual abuse and online violence**

24. The Committee welcomes the adoption of the fourth National Strategy for Protection against Domestic Violence 2017–2022 and other initiatives, but remains seriously concerned about:

- (a) The lack of a comprehensive policy on the protection of children against violence;
- (b) High levels of violence against children, particularly domestic violence which represents 84 per cent of all cases of violence against children;
- (c) The high level of violence in educational settings, committed by peers and adults, also due to inadequate implementation of the Protocol for Procedure in Cases of Violence among Children;
- (d) The persisting practice of bullying, including online, and its underreporting;
- (e) The absence of adequate support for child victims of all forms of violence;
- (f) The absence of reporting on sexual exploitation and abuse, including online, apart from the statistical information.

25. With reference to its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence and its general comment No. 25 (2021) on children's rights in relation to the digital environment, as well as target 16.2 of the Sustainable Development Goals, the Committee urges the State party to:

- (a) 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, including online;
- (b) Strengthen awareness-raising and education programmes – including campaigns – with the involvement of children, in order to formulate a comprehensive strategy for preventing and combating child abuse;
- (c) Ensure that comprehensive policies are in place, and that standards and accountabilities are created for the prevention of child sexual abuse and exploitation in the travel and tourism industry;

(d) Strengthen measures to eradicate all forms of violence against children, particularly domestic violence;

(e) Introduce effective measures nationwide to prevent violence in educational settings; and in particular, provide systemic support to educational facilities to fully implement the Protocol for Procedure in Cases of Violence among Children and to achieve behavioural change among pupils and teachers;

(f) Ensure that all cases of abuse of children, including sexual abuse, bullying and online violence, are promptly reported and investigated, applying a child-friendly and multisectoral approach with the aim of avoiding the revictimization of the child, that perpetrators are prosecuted and duly sanctioned, and that reparations are provided to victims, as appropriate;

(g) Strengthen child-friendly and comprehensive support, including trauma-focused therapy, for children who are victims of all forms of violence irrespective of where they live;

(h) Consider as a standard procedure the acceptance of audiovisual recordings of the child's testimony as the main evidence, followed by cross-examination without delay in child-friendly facilities;

(i) Provide sustainable funding for the child helpline services and ensure that the services are accessible, confidential, child-friendly and effective.

#### **Harmful practices**

26. The Committee recommends that the State party:

(a) Strengthen comprehensive awareness-raising programmes on the harmful cultural and traditional practices that perpetuate child marriage, particularly among the Roma community, and the effects of child marriage on the physical and mental health and well-being of girls, targeted at families, communities, local authorities, religious leaders and judges, paying particular attention to vulnerable groups;

(b) Ensure that intersex children are not subjected to unnecessary medical or surgical treatment, in line with the rights of the child to bodily integrity, autonomy and self-determination;

(c) Investigate incidents of surgical and other medical treatment of intersex children without informed consent, and provide redress to victims of such treatment, including appropriate compensation.

#### **F. Family environment and alternative care (arts. 5, 9–11, 18 (1)–(2), 20–21, 25 and 27 (4))**

##### **Family environment**

27. The Committee recommends that the State party:

(a) Strengthen the court system by ensuring that every court has judges who specialize in family cases, supported by a pool of experts trained in family law;

(b) Develop a comprehensive system of social services at all levels and covering both universal and specialized services for families and children, and expand community and family-based services for children and families at risk, particularly in underdeveloped and rural regions, including through family centres established within the Social Welfare Centres;

(c) Provide the Social Welfare Centres with adequate human, financial and technical support to effectively deliver quality services and efficient casework for children and families in vulnerable situations;

(d) **Develop a regulatory framework for the contracting out of social services to non-State service providers for children and families at risk, which includes assessment, monitoring, and quality control mechanisms as well as budget allocations for specific services;**

(e) **Enhance the legislative and policy measures to encourage fathers to assume their parental role;**

(f) **Strengthen parenting support programmes designed to build parenting skills and competencies; and develop services for highly disputed divorce and separation cases, as well as to facilitate child–parent contact after divorce and when children are in care;**

(g) **Promote and ensure access to and the enforcement of child support payments.**

#### **Children deprived of a family environment**

28. **While concerned about the slow progress in deinstitutionalization and transformation processes in the past 10 years, the Committee draws the State party’s attention to the Guidelines for the Alternative Care of Children and recommends that the State party:**

(a) **Adopt a clear strategy to expedite the deinstitutionalization of children, particularly children with disabilities and children under seven years of age, by strengthening the development of relevant community-based services;**

(b) **Expedite the deinstitutionalization of children labelled as having behavioural problems who are placed in institutions;**

(c) **Ensure sufficient alternative family-based and community-based care options for children who cannot stay with their families, including by allocating sufficient financial resources for foster care;**

(d) **Extend and strengthen support for the family foster care system in all regions, particularly in urban areas;**

(e) **In line with the new Foster Care Act of 2018, provide adequate support for specialized foster care for children labelled as having behavioural problems, children with severe disabilities and seriously ill children;**

(f) **Regularly monitor and review placement in institutions and foster care, and facilitate the reunification of children with their families when possible or seek other options to promote permanency;**

(g) **Develop transparent and efficient adoption procedures to ensure that the best interests of children are paramount and that where suitable, adoptions are concluded without undue delay.**

#### **Children of incarcerated parents**

29. **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 and appropriate support to their carers while parents are in prison.**

### **G. Children with disabilities (art. 23)**

30. **The Committee welcomes the establishment of the Managing Authority for Early Childhood Interventions, in 2019, and a new National Plan for the Equalization of Rights of Persons with Disabilities for 2021–2027. It is, however, concerned about:**

(a) **Insufficient family and community-based care options for children with disabilities;**



- (b) Inadequate and unequal access to health care, inclusive education and social services by children with disabilities, particularly in rural areas, smaller towns and islands;
- (c) The high rate of child abandonment and subsequent institutionalization of children with disabilities;
- (d) The slow rate of deinstitutionalization of children with disabilities taking place;
- (e) No disaggregated data collection taking place at the central level on children with disabilities.

31. **Recalling its general comment No. 9 (2006) on the rights of children with disabilities, the Committee urges the State party to adopt a human rights-based approach to disability, set up a comprehensive strategy for the inclusion of children with disabilities, and:**

- (a) **Strengthen family and community-based care, services and support for children with disabilities and their families, and accelerate efforts for deinstitutionalization;**
- (b) **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, including early detection and intervention programmes, specialized health care and age-appropriate rehabilitation;**
- (c) **Ensure that all children with disabilities have access to inclusive education in mainstream schools and early childhood education, and that schools and early childhood education are equipped with trained teachers, accessible infrastructure and teaching materials adapted to the needs of children with disabilities;**
- (d) **Prevent the abandonment and subsequent institutionalization of children with disabilities;**
- (e) **Consider adopting national protocols or guidelines for cross-sectoral collaboration in health care, education and social services to facilitate early detection of disabilities;**
- (f) **Organize the systematic and comprehensive collection of data on children with disabilities.**

## **H. Basic health and welfare (arts. 6, 18 (3), 24, 26, 27 (1)–(3) and 33)**

### **Health and health services**

32. The Committee welcomes the improved access to health-care services for children, including to maternal health care, and the opening of the human milk bank in 2019. However, the Committee remains concerned about:

- (a) The unequal access to specialized health services for children in rural areas and on the islands;
- (b) Inadequate maternity care services;
- (c) The growing number of children in need of palliative paediatric care, especially outpatient palliative care, and insufficient financial support;
- (d) The growing number of parents who refuse standard routine vaccination of their children;
- (e) The limited availability of and access to specialized outpatient health care, such as paediatricians, orthodontic care, speech therapists, psychologists, occupational therapists and psychiatrists for children in socially and economically disadvantaged situations, including children with disabilities and Roma children, particularly in the poorer regions of the country and remote areas and islands;
- (f) Insufficient monitoring and information on breastfeeding and the lack of State financial support for the promotion of breastfeeding;

- (g) Childhood obesity and poor diets lacking fruits and vegetables.

33. Recalling its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health and target 3.8 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Systematically provide and enhance the quality and coverage of specialized child and maternal health services, particularly in rural areas and on the islands;

(b) Expand and secure stable financial support for the provision of palliative paediatric care, especially outpatient palliative care for children;

(c) Strengthen measures to increase the vaccination rate, including by conducting routine pro-vaccination campaigns, and ensure that health professionals and staff are trained to work with children and establish effective communication with their parents and family;

(d) Ensure the availability of and equitable access to quality specialized outpatient health care for all children, including those in socially and economically disadvantaged situations, especially Roma children and children with disabilities, particularly in poorer regions of the country and remote areas;

(e) Strengthen support, including financial support, to promote best practices regarding breastfeeding, and monitor the implementation of the International Code of Marketing of Breast-milk Substitutes;

(f) Address child obesity, including by promoting healthy lifestyles, diets that consist of a daily intake of fruits and vegetables, and exercise, and establish an interconnected weight screening system to monitor progress in reducing the number of overweight girls and boys.

#### Mental health

34. The Committee notes the establishment of the Commission for Child and Adolescent Psychiatry in 2016. Taking note of target 3.4 of the Sustainable Development Goals, the Committee recommends that the State party ensure access to interdisciplinary expert inpatient and outpatient mental health services and programmes, including to child and adolescent psychologists and psychiatrists, which are not conditioned on parents' consent.

#### Adolescent health

35. The Committee notes the efforts of the State party to prevent substance abuse and the measures taken under several action plans and strategies. Recalling its general comment No. 4 (2003) on adolescent health, its general comment No. 20 (2016) on the implementation of the rights of the child during adolescence, and targets 3.5 and 3.7 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Ensure that all adolescents have access to comprehensive, age-appropriate, scientifically based and gender-stereotype-free education on sexual and reproductive health and rights, including information on preventing adolescent pregnancy and high-risk sexual behaviour, and on the issues of sexual orientation and gender identity, family planning, and contraceptives, as well as on the prevention and treatment of sexually transmitted infections;

(b) Ensure full access to sexual and reproductive health-care services, including abortion, tailored to address the needs of adolescent girls, including those with disabilities;

(c) Renew the expired policies and strategies aimed at addressing alcohol and drug abuse;

(d) Address the incidence of drug use by children and adolescents by, inter alia, providing children and adolescents with accurate and objective information and

life skills education on preventing substance abuse – including of tobacco and alcohol – and develop accessible and youth-friendly addiction treatment;

- (e) Develop self-harm and suicide prevention programmes.

#### **Impact of climate change on the rights of the child**

36. Taking note of targets 1.5 and 13.3 of the Sustainable Development Goals, the Committee recommends that the State party:

- (a) Adopt urgent mitigation measures in line with greenhouse gas emission targets and deadlines compliant with the international commitments set forth in the Paris Agreement;

- (b) Place the rights and participation of children at the centre of national and international climate change adaptation and mitigation strategies;

- (c) Increase children's awareness and preparedness for climate change and natural disasters by incorporating the subject into the school curriculum and teachers' training programmes.

#### **Standard of living**

37. While noting the amendments to the Child Allowance Act in 2018, which expanded the beneficiaries of child allowance, and taking note of target 1.3 of the Sustainable Development Goals, the Committee recommends that the State party ensure an adequate and sustainable standard of living for all children within its territory, particularly those in the most vulnerable situations. It also recommends that the State party:

- (a) Analyse the results of the expired National Strategy for Combating Poverty and Social Exclusion 2014–2020 and the National Strategy for Child Rights 2014–2020, and adopt new strategies;

- (b) Strengthen measures to prevent and mitigate effects of child poverty, particularly in the recovery from the COVID-19 pandemic;

- (c) Improve access to, and ensure the sustainability of existing policies on: adequate housing, safe drinking water, adequate sanitation and environmental protection, including within Roma communities;

- (d) Expand social services aimed at improving education outcomes for children from poor households.

## **I. Education, leisure and cultural activities (arts. 28–31)**

#### **Education, including vocational training and guidance**

38. While welcoming the fact that the State party's spending on education is above the European Union average, and that the number of children in early childhood education has increased, the Committee is concerned about:

- (a) The insufficient capacities of staff in the ministries and agencies tasked with providing support to teachers, and the inadequate training of teachers;

- (b) The persistently high dropout rates of Roma children, particularly girls;

- (c) The lack of guidelines on civic education in primary and secondary schools;

- (d) The negative impact of the COVID-19 pandemic on access to distance learning and learning outcomes, particularly for children from poor households, children with disabilities, children labelled as having behavioural disorders and Roma children;

- (e) The number of hours of preparatory lessons of Croatian language for asylum-seekers being considered inadequate;

- (f) Increasing inequalities in access to quality early childhood education, particularly for children of unemployed parents, Roma children and children with disabilities;
- (g) The fact that the attendance rate at preschools has not improved in recent years;
- (h) Geographical disparities in access, prices and subsidies, as well as the criteria for enrolment in early childhood education, due to full dependency of preschool programmes on local budgets.

39. **Taking note of target 4.5 of the Sustainable Development Goals, the Committee recommends that the State party:**

- (a) **Increase the capacities of staff in the ministries and agencies responsible for education, support teachers and improve the quality of teachers' training;**
- (b) **Ensure the full integration of Roma children into mainstream education and introduce effective measures to prevent early dropout, particularly of Roma girls in high schools;**
- (c) **Conduct systematic teacher training on civic education as a cross-cutting theme and prepare the guidelines for the preparation of quality teaching content;**
- (d) **Undertake efforts to address the shortcomings on learning outcomes that have been experienced as a result of the COVID-19 pandemic, particularly for children from poor households, children with disabilities, children labelled as having behavioural problems and Roma children;**
- (e) **Review the adequacy of the number of hours of preparatory lessons of Croatian language for asylum-seekers, which is considered inadequate;**
- (f) **Expand the availability of early childhood education, particularly for children of unemployed parents, Roma children and children with disabilities;**
- (g) **Strengthen the role of the central Government in reducing regional inequalities in early childhood education, including by setting up an effective organization of networks of kindergartens.**

**Rest, leisure, recreation and cultural and artistic activities**

40. **Recalling its general comment No. 17 (2013) on the right of the child to rest, leisure, play, recreational activities, cultural life and the arts, the Committee recommends that the State party provide children, including those with disabilities and children in marginalized and disadvantaged situations, with safe, accessible, inclusive and smoking-free spaces for play, socialization, recreation and cultural and artistic activities, and with public transport to access such spaces.**

**J. Special protection measures (arts. 22, 30, 32–33, 35–36, 37 (b)–(d) and 38–40)**

**Asylum-seeking, refugee and migrant children**

41. **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 Unaccompanied Children, the Committee is concerned about forced returns (“pushbacks”) of migrant families and children. Recalling joint general comments No. 3 and No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families/No. 22 and No. 23 (2017) of the Committee on the Rights of the Child on the human rights of children in the context of international migration, and general comment No. 6 (2005) on treatment of unaccompanied and separated children outside their country of origin, the Committee recommends that the State party:**

- (a) **End the practice of forced returns (“pushbacks”) of families and children in situations of migration and ensure that they are individually identified and registered**

and protected against refoulement, including through effective access to asylum procedures;

(b) Ensure consistent application of the 2018 Protocol on the Treatment of Unaccompanied Children and strengthen the work of the Interdepartmental Commission for the Protection of Unaccompanied Children;

(c) Improve reception conditions for asylum-seeking, refugee and migrant children, including undocumented and separated children; uphold the best interests of the child as a primary consideration; and provide free legal aid, interpretation services and other appropriate forms of assistance;

(d) Strengthen referral, case management and guardianship frameworks for unaccompanied and separated children;

(e) Ensure that children's views are duly taken into account in all decisions concerning them, including in the administrative procedures, and provide support to families with migration backgrounds to prevent family separation;

(f) Ensure that asylum-seeking children, refugee and migrant children and families with children are not placed in guarded detention centres, such as residential institutions for children labelled as having behavioural problems;

(g) Ensure that asylum-seeking, refugee and migrant children, including unaccompanied and separated children, receive appropriate protection and adequate family- and community-based services, and have access to education, health care and psychosocial support;

(h) Adopt measures for the implementation of the Foster Care Act, which provides for the possibility of accommodating unaccompanied children with foster families.

#### **Children belonging to minority groups**

42. The Committee recommends that the State party continue its efforts to remove barriers that hinder Roma children from accessing health care, education, social services and social reintegration programmes.

#### **Sale, trafficking and abduction**

43. The Committee welcomes the adoption of the National Plan for Combating Human Trafficking for 2018–2021, the Protocol for Identifying, Assisting and Protecting Victims of Human Trafficking and the Protocol on Conduct during Voluntary and Safe Return of Human Trafficking Victims. Taking note of target 8.7 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Improve the identification of potential child victims of sexual exploitation and trafficking, particularly among children in disadvantaged or vulnerable situations, such as children forced to beg, migrant children, children labelled as having behavioural problems running away from institutional care, and Roma girls who are potential victims of trafficking for the purpose of marriage;

(b) Provide child victims of trafficking with services specific to their needs, and ensure that all child victims are referred to appropriate services;

(c) Allocate adequate resources for the implementation of the above recommendations and provide financial support to civil society organizations working with child victims.

#### **Administration of child justice**

44. The Committee notes the adoption of the Juvenile Courts Amendment Act in 2020. It is, however, concerned that:

(a) Court procedures are prolonged, and there is insufficient training of professionals;

(b) The number of children in prisons or closed correctional facilities, which generally suffer from inadequate accommodation and insufficient professional and psychiatric treatment, has increased between 2014 and 2019;

(c) Separate reformatory institutions for children to serve their detention, as envisaged in the Juvenile Courts Act, have not been established;

(d) Non-judicial measures, such as diversion, mediation and counselling, are not sufficiently used in practice, also due to the insufficient number of organizations available for implementing alternative measures.

**45. Recalling its general comment No. 24 (2019) on children's rights in the child justice system and with reference to the United Nations Global Study on Children Deprived of Liberty, the Committee urges the State party to bring its child justice system fully into line with the Convention and other relevant standards. In particular, the Committee urges the State party to:**

(a) **Expedite court procedures involving children and provide appropriate education and training to all professionals working with and for children in the administration of child justice;**

(b) **Ensure that detention is used as a measure of last resort and for the shortest possible period of time and is reviewed on a regular basis with a view to its withdrawal;**

(c) **For the few situations where deprivation of liberty is justified as a measure of last resort, ensure that the children are never detained together with adults, in accordance with the Juvenile Courts Act, and that detention conditions are compliant with international standards, including with regard to access to education and to health services;**

(d) **Promote non-judicial measures, such as diversion, mediation and counselling, for children accused of criminal offences and, wherever possible, the use of non-custodial sentences for children, such as probation or community service;**

(e) **Provide adequate resources for organizations offering diversion.**

#### **Child victims and witnesses**

**46. Welcoming the National Strategy for the Development of Support Systems for Victims and Witnesses (2016–2020) and the amendments to the Criminal Procedure Code to transpose Directive 2012/29/EU, the Committee recommends that the State party:**

(a) **Allocate adequate resources and provide training to all professionals involved in the criminal justice system for the implementation of the new legislation;**

(b) **Ensure that child witnesses or victims are promptly and adequately informed about the judicial process, and that they receive all appropriate psychological, social assistance and other support;**

(c) **Ensure that all interviews, examinations and other forms of investigation involving children are conducted by trained professionals who proceed in a child-sensitive and respectful manner, in a language that the child uses and understands, in a suitable environment that accommodates the special needs of children, according to their abilities, age, intellectual maturity and evolving capacity, and that the necessary procedural accommodations are in place to enable children with disabilities to participate in the judicial process.**

## **K. 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**

47. Recalling its previous concluding observations on the report of the State party submitted under article 8 of the Optional Protocol,<sup>4</sup> the Committee recommends that the State party:

(a) Establish mechanisms for the early identification of refugee, migrant and asylum-seeking children from conflict areas, collect disaggregated data on such children and strengthen the physical and psychological support provided to them;

(b) Take measures to provide children who are identified through such procedures with appropriate assistance for their physical and psychological recovery and social reintegration;

(c) Strengthen measures to ensure that all national military personnel involved in United Nations peacekeeping operations receive training in respect of children's rights, particularly in the context of armed conflict.

## **L. Ratification of international human rights instruments**

48. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the following core human rights instruments:

(a) The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;

(b) The International Convention for the Protection of All Persons from Enforced Disappearance;

(c) The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

49. The Committee urges the State party to fulfil its reporting obligations under the Optional Protocol on the sale of children, child prostitution and child pornography, given that the related report has been overdue since 13 June 2004.

## **M. Cooperation with regional bodies**

50. The Committee recommends that the State party continue to cooperate with the Council of Europe and the European Union on the implementation of the Convention and other human rights instruments and the children's rights strategies of these bodies, both in the State party and in other Council of Europe member States.

## **IV. Implementation and reporting**

### **A. Follow-up and dissemination**

51. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented and that a child-friendly version is disseminated to, and made widely accessible for, children, including those in the most disadvantaged situations. The Committee also recommends that the combined fifth and sixth periodic reports, the

<sup>4</sup> [CRC/C/OPAC/HRV/CO/1](#).

written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

## **B. National mechanism for reporting and follow-up**

52. The Committee recommends that the State party strengthen the Division for Human Rights in the Ministry of Foreign and European Affairs and ensure that it has the mandate and adequate human, technical and financial resources to effectively coordinate and prepare reports to international and regional human rights mechanisms and to coordinate and track national follow-up to, and implementation of, treaty obligations and the recommendations and decisions emanating from such mechanisms. The Committee emphasizes that such a structure should be adequately and continuously supported by dedicated staff and should have the capacity to consult systematically with the Ombudsman for Children and civil society.

## **C. Next report**

53. The Committee invites the State party to submit its combined seventh and eighth periodic reports by 7 October 2027 and to include therein information on the follow-up to the present concluding observations. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines<sup>5</sup> and should not exceed 21,200 words.<sup>6</sup> In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the Committee cannot be guaranteed.

54. The Committee also invites the State party to submit an updated core document, not exceeding 42,400 words, in accordance with the requirements for the common core document contained in the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents<sup>7</sup> and paragraph 16 of General Assembly resolution 68/268.

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<sup>5</sup> [CRC/C/58/Rev.3](#).

<sup>6</sup> General Assembly resolution 68/268, para. 16.

<sup>7</sup> [HRI/GEN/2/Rev.6](#), chap. I.