

Report on the Work of the Ombudsman for Children for 2023 SUMMARY

Zagreb, March 2024



The cover of this Report was illustrated by Zrinka Ostović. The illustration was originally created as one of the proposals for an illustrated story about the *UN Convention on the Rights of the Child* for the 2023 calendar. This calendar also featured a story highlighting the activities of the Office of the Ombudsman for Children in protecting and promoting children's rights in Croatia.

Sadržaj

Abbreviations.....	4
1 INTRODUCTION	5
2 MONITORING INDIVIDUAL VIOLATIONS OF CHILDREN'S RIGHTS	8
2.1 Personal rights	9
2.1.1 Status related rights	9
2.1.2 Right to privacy	10
2.1.3 Right to live with parents and enjoy parental care	11
2.1.3.1 Children without appropriate parental care.....	12
2.1.3.2 Child support	12
2.1.4 Right to protection from violence and neglect	13
2.2 Rights of children as members of society	14
2.3 Education rights	14
2.4 Health care rights	14
2.5 Social and economic rights	15
2.6 Cultural rights and leisure time	16
2.7 Protection of rights in judicial proceedings	16
2.7.1 Protection of child victims and witnesses.....	17
2.7.1.1 Protection from sexual exploitation and abuse	17
2.7.2 Protecting the rights of children in conflict with the law	18
2.8 Safety, accidents and hazardous environment	19
2.9 Discrimination	20
2.10 Other rights and lack of jurisdiction	20
3 CHILD PARTICIPATION	21
3.1 Young Advisors Network and 16+ Youth Forum	21
3.2 Meetings with children.....	21
4 SPECIFIC AREAS OF THE PROTECTION OF CHILDREN'S RIGHTS	22
4.1 National minority children	22
4.2 Children with behavioural problems	22
4.3 Children of incarcerated parents	23
4.4 Children and the media	23
4.5 Children in the digital environment	24
4.6 Child athletes	24
4.7 Children on the move	24
4.8 Rights of children living on islands	25
4.9 Child protection policy	26
5 RECOMMENDATIONS OF THE OMBUDSPERSON FOR CHILDREN.....	26
6 LEGISLATIVE ACTIVITIES.....	27
7 RESEARCH ACTIVITIES	28
7.1 The opinions and attitudes of children and young people in 2009 and 2023 regarding the exercise of children's rights.....	28
7.2 Children in institutions for children without appropriate parental care.....	28
7.3 Establishment of family departments within municipal courts	29
7.4 Engaging children in parasports	29
8 INSPECTION VISITS TO CHILD CARE INSTITUTIONS AND OTHER LOCATIONS	30
9 OTHER ACTIVITIES RELATED TO THE PROTECTION AND PROMOTION OF CHILDREN'S RIGHTS.....	30
10 INTERNATIONAL ACTIVITY	30
11 OTHER ACTIVITIES OF THE CENTRAL AND REGIONAL OFFICES	31
12 ORGANISATIONAL STRUCTURE AND FINANCES	31
13 CONCLUSION.....	31

Abbreviations

COPE	Children of Prisoners Europe
CBSC	Community-based service centre
CPP	EU Children's Participation Platform
ENOC	European Network of Ombudspersons for Children
ENYA	European Network of Young Advisors of Ombudspersons for Children
EU	European Union
16+FM	16+Youth Forum
HRT	Croatian Radiotelevision
HZJZ	Croatian Institute of Public Health
HZSR	Croatian Institute for Social Work
HZZO	Croatian Health Insurance Fund
NYA	Network of Young Advisors
MPU	Ministry of Justice and Public Administration
MRMSOSP	Ministry of Labour, Pension System, Family and Social Policy
MoI	Ministry of the Interior
OBZ	Family Act
OECD	Organization for Economic Co-operation and Development
PU	Police Department
PU HZSR	Local office of the Croatian Institute for Social Work
BP	Behavioural problems
RoC	Republic of Croatia
DP	Developmental problems
PE	Physical activity and sport
UN	United Nations
UNICEF	United Nations Children's Fund
JCA	Juvenile Courts Act

1 INTRODUCTION

The Office of the Ombudsman for Children monitors, protects, and promotes children's rights. Therefore, once a year, we present our report to the Croatian Parliament to provide an overview of all our efforts in fulfilling our mandate, as mandated by the *Ombudsman for Children Act*. The twenty-first Report on the Work of the Ombudsman for Children offers a comprehensive account of our activities in 2023 and assesses the current state of children's rights in Croatia.

The end of 2023 marked the twentieth anniversary of the Office of the Ombudsman for Children in Croatia. On the occasion of the jubilee, with the support of the UNICEF Office for Croatia, we asked more than 500 children and young people across Croatia how they felt about exercising their rights. They told us what they thought about life, leisure, family, school, community and media, and the survey was presented to the public during the ceremony organised to mark the Office's jubilee. In this important survey, children and young people highlighted internet use as one of the new addictions that we need to address and help them to take control over this technology, instead of letting technology control their lives.

If we want to ensure the best possible systematic support for children and young people, we need to consider their own thoughts in every decision we make and build policies, measures and services around them. In our regular work, in 2023 we held meetings with about 1,300 children, and their messages and thoughts are presented in our Report. We have widely consulted with our young advisors from the Network of Young Advisors and the 16+ Youth Forum. We take pride in their active work internationally, especially in the framework of the new EU Children's Participation Platform and the European Network of Young Advisors (ENYA). I thank all the children for their time and insights into how they live and what they expect from us.

Unfortunately, 2023 was also marked by unfortunate events: from the case of peer violence in the neighbouring country that resonated strongly in Croatia to the continuation of the war in Ukraine and the massive and severe violation of children's rights in the Gaza Strip. We persist in underlining the need for mental health professionals (psychologists, child and adolescent psychiatrists) who can support children in dealing with and coping with difficult situations, talk to them about troubling events in both their immediate surroundings and the broader environment, especially in small communities that are struggling with limited resources.

According to data collected from ministries¹, last year, 21 children lost their lives in traffic accidents, seven children committed suicide, and seven children were murdered. In addition to these tragedies that could have been prevented, the continuous rise in domestic and peer violence, the removal of children from their family and mental health problems of children, young people and adults raises concerns about the neglect of these critical and chronic problems, highlighting the urgent need for greater investment in education, justice, social welfare, and healthcare systems.

This Report highlights positive developments, such as the new proposal for *the Protocol on the Procedure in Cases of Violence among Children and Youth*, the introduction of the Barnahus model to support all child victims of sexual abuse, and stricter sanctions for sexual and other offences. Along with acknowledging positive developments, unfortunately, we reiterate many of our concerns and suggestions from previous reports, emphasising the necessity of adopting the regulations governing the operation of children's playrooms. This service continues to operate under the radar and beyond the authorities' jurisdiction, despite being utilised by thousands of parents and children annually. We emphasise once again the necessity for reforms aimed at bolstering the protection of children and upholding their rights within social welfare, health, justice, and education systems.

In 2023, the total number of complaints about the violations of children's rights was 2,183, which is 13% more than in the previous year. Some complaints are so complex and specific that they have to be monitored over several years. This is why we have continued to work on 1,065 cases carried over from the previous

¹ At the time of preparing this Report, we did not receive feedback from the Ministry of Science and Education for the year 2023.

years. The largest growth in the number of complaints was recorded in the fields of rights in judicial proceedings (41.17%), education rights (24.47%), and personal rights (14.46%). The Office also addressed 1,316 cases encompassing general initiatives and recommendations, cooperation with national and international institutions, meetings, projects, inspection visits to institutions and other activities. In addition, the Office staff provided information and advice in 1,252 telephone conversations.

In addressing individual complaints, the Office continues to advocate for diverse approaches in working with children and families, all aimed at unlocking the potential of each child. Here, I want to acknowledge all the professionals, school officials, and local communities who prioritise children's wellbeing daily, actively seeking solutions to their problems, often stepping outside their usual scope of competence. We meet them during visits to different institutions and communities. In the realm of children's rights protection, we are increasingly acknowledging the significance of personal engagement, as relying solely on regulations may not always produce the desired results.

In 2023, the Office participated in the procedures of enactment or amendment of 28 regulations, including three strategic documents. We proposed 153 specific regulatory changes concerning child protection, providing feedback on proposed draft regulations and also spearheading the adoption of new regulations or amendments to existing ones. Unfortunately, only 13 of our proposals were accepted, with six of them being partially accepted. Despite our dissatisfaction with the acceptance rate of proposals, we remain steadfast in advocating for the best interests of children in all future regulatory and strategic proposals with unwavering commitment.

A total of 71 general recommendations, warnings, and statements were issued to competent authorities with the aim of improving the protection of children's rights, both for the general population of children and specific child groups. Most of the recommendations were accepted (64%), a quarter of the recommendations, to which authorities are legally obliged to respond, did not receive any feedback, while 11% of our recommendations were not accepted. More than a third of our recommendations are focused on education (37%). In the coming period, we will follow up with organisations to track progress on accepted recommendations.

Given the extensive nature of the report, we employed the abbreviations outlined at the beginning and ensured that the language used in the text applies equally to both genders.

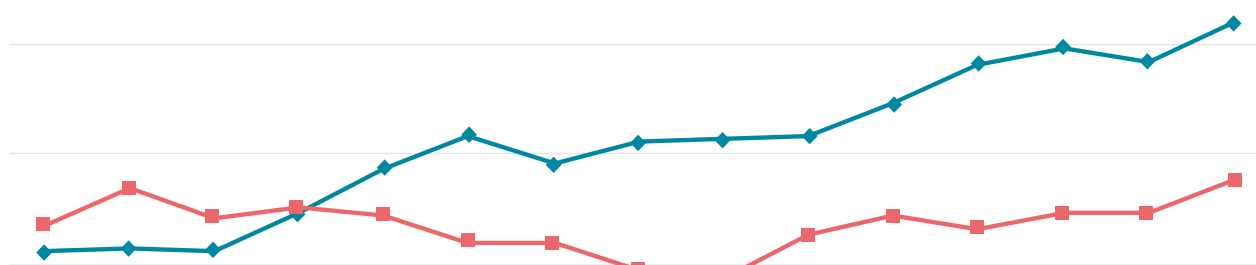
In conclusion, I extend my heartfelt gratitude to my team for their exceptional dedication and compassion in their daily work, all in the shared aspiration that every child in Croatia does not remain deprived of their rights. Their support was also crucial in the preparation of this Report.

I want to remind everyone of our shared responsibility to create a country where children and young people are seen, heard, and respected—a place where they can grow and develop safely and healthily. I sincerely hope that this Report serves as both a contribution and a guiding light towards realising the vision we hold for Croatia.

Ombudsperson for Children

Helenca Pirnat Dragičević, LLB

Total number of complaints of individual violations of children’s rights (CR) and other pending cases (OPC) in the period from 2009 to 2023



	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
◆ CR	1050	1059	1054	1228	1436	1595	1456	1558	1573	1588	1741	1923	2004	1932	2183
■ OPC	1167	1350	1205	1253	1223	1090	1092	956	929	1125	1215	1158	1226	1230	1316

Complaints concerning individual violations of children’s rights in the period from 2009 to 2023

COMPLAINTS OF INDIVIDUAL VIOLATIONS OF RIGHTS	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Personal rights	625	687	636	753	701	742	702	711	726	690	737	772	825	826	943
Rights of children as members of society	13	11	6	11	11	12	12	29	29	38	32	28	40	31	62
Education rights	187	153	159	161	262	273	239	296	310	318	391	492	478	421	524
Health care rights	35	21	25	28	107	257	184	161	155	173	137	162	172	141	97
Social rights	48	29	43	42	55	60	42	39	41	45	46	62	48	52	53
Economic rights	55	72	79	93	90	77	77	87	89	68	74	72	77	82	80
Cultural rights	11	10	8	19	26	22	37	23	32	39	34	36	30	50	38
Rights in judicial proceedings	33	38	55	61	81	62	67	96	97	72	81	115	141	139	197
Children’s safety and protection	12	12	15	13	25	26	36	51	31	81	130	116	121	121	137
Discrimination	3	3	6	16	25	24	20	18	20	38	42	35	49	31	28
Lack of jurisdiction	22	19	16	26	42	38	39	41	42	21	29	32	20	37	23
Other	6	4	6	5	11	2	1	6	1	5	8	1	3	1	1
TOTAL	1050	1059	1054	1228	1436	1595	1456	1558	1573	1588	1741	1923	2004	1932	2183

2 MONITORING INDIVIDUAL VIOLATIONS OF CHILDREN'S RIGHTS

In 2023, the Office of the Ombudsman for Children received 2,183 new complaints, enquiries and requests concerning violation of children's rights. Additionally, the Office worked on 1,065 cases carried over from previous years, mainly because they require monitoring over several years due to their specificity and complexity.

Complaints of individual violations of children's rights in 2023

INDIVIDUAL RIGHTS	Number of cases carried over from previous years	Number of cases received in 2023	Number of children	Child group
Personal rights - total	509	943	1358	59
Rights of children as members of society	9	62	19	48
Education rights	218	524	432	123
Health care rights	44	97	89	19
Social rights	18	53	116	8
Economic rights	57	80	146	6
Cultural rights	30	38	27	19
Rights in judicial proceedings	92	197	238	14
Children's safety and protection	68	137	131	33
Discrimination	13	28	19	12
Lack of jurisdiction	6	23	18	3
Other rights	1	1	1	0
TOTAL	1065	2183	2594	344

The complaints pertain to 1,152 boys, 947 girls, and 395 children whose sex was not specified. The complaints also addressed 344 child groups, predominantly concerning education (including classes or all students within educational institutions), as well as groups in kindergartens, sports clubs, social welfare institutions, and other educational settings. Additionally, children living in settlements or neighbourhoods, social media users, and other groups of children were included, depending on the issues and potential threats to their rights. Child groups vary in terms of their age structure, size, and the potential threats to and violations of their rights.

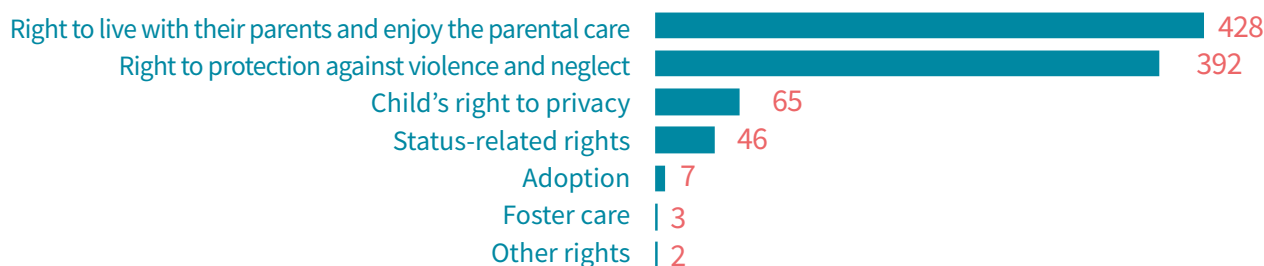
In the majority of cases (1,255) violations of children's rights were reported by parents—836 by mothers, 301 by fathers, and 118 by both parents. The second largest number of complaints was filed by institutions (430). These were predominantly educational institutions (214), including schools and kindergartens, seeking advice or recommendations for action, or reporting violations of children's rights upon observing child neglect or suspecting domestic violence. Schools report the cases of sexual violence against children, as they are legally required to report it in accordance with the *Protocol on the Procedure in Case of Sexual Violence*. A significant number of complaints were filed by ministries, agencies, inspectorates, social welfare centres, associations, and representatives from local communities.

Children (24) lodged complaints in person regarding the organisation of classes, inappropriate conduct by teachers, the behaviour of foster parents or educators, or harsh discipline in the institutions where they were accommodated. They requested assistance in either changing the institution where they were placed or returning home to live with their family. Some sought protection from domestic violence or peer violence, while others complained about police treatment. Children also sought help in cases involving high levels of parental conflict, lodging complaints about decisions made by competent authorities and the dynamics of contact with a non-resident parent.

Grandparents, other relatives of the child, neighbours, anonymous complainants, and others also contacted the office. Our office independently initiated work on 125 cases, often in response to issues raised in the media.

2.1 Personal rights

Complaints of violations of children's personal rights in 2023 by area of violation.



The largest number of complaints regarding violations of children's personal rights (943) concerned their right to live with their parents and enjoy parental care (428) and protection from violence and neglect (392). Violations of the right to privacy (65) and breaches of children's status-related rights (46) follow closely in terms of frequency. Other areas of violations of children's personal rights were represented in smaller numbers, including issues related to adoption (7), foster care (3), and other violations (2).

Right to life – Complaints about violations of the child's right to life mostly pertained to serious crimes against children (such as murder and attempted murder), suicide, self-injury, self-harm, and child casualties. According to available data from the Croatian Institute of Public Health (HZJZ), 105 children lost their lives between 2020 and 2022, with the majority of fatalities occurring in traffic accidents.

Unfortunately, in 2023, we witnessed the tragic deaths of children in various circumstances, including traffic accidents (21), instances of violence against children (6), and children who took their own lives (7).

As shown by data presented by Brave Phone for Children, the majority of calls made by children regarding mental health issues in 2023 concerned suicidality (30%), self-harm (21%) and depression (20%).

The presence of a helpline for children, capable of providing immediate psychological assistance during crisis situations, is unquestionably vital. Nevertheless, it is imperative that mental health care for children be approached with a long-term, systematic, and continuous strategy. It is essential, along with securing support for children, to prevent the underlying causes that may lead to mental health impairment, particularly focusing on issues such as peer violence, familial complexities, and other risk factors. Timely and appropriate interventions by institutions play a crucial role in prevention.

Children may also face harm due to factors such as their immaturity and curiosity (as seen in severe incidents like coming into contact with electrified lines near the railway or accidents on school construction sites). Additionally, lack of supervision, in cases such as child access to firearms or machines and incidents of drowning, can pose risks. Furthermore, peer challenges and the influence of social networks can encourage children to engage in dangerous actions, driven by the pursuit of popularity and clicks in the virtual world. The role of parents in preventing children from putting themselves in potentially dangerous situations is crucial for their protection. Equally important is the timely response of competent institutions in cases of parental neglect.

2.1.1 Status related rights

In 2023, the Office of the Ombudsman for Children received 46 complaints about children's status-related rights.

Status-related rights of the children of foreign nationals – Parents of children with foreign citizenship often encounter difficulties in navigating the regulations governing their children’s status-related rights, particularly concerning residency status, access to health care, and other rights associated with legal residence in Croatia. The current regulation, which does not provide for the possibility for children to automatically acquire the residence status of their parents, remains a subject of ongoing dispute. It often occurs that a child born in the Republic of Croatia, despite the parent holding permanent residence, is granted only temporary residence rights, valid for up to a year. Additionally, a child may be granted temporary residence for family reunification purposes if their parent holds a valid residence and work permit, provided that the parent has maintained uninterrupted temporary residence for at least one year. This regulation effectively prohibits a child from residing with a parent who has been temporarily employed in Croatia for less than a year. For years, we have been advocating for equal access to health care for all children with temporary residence in the Republic of Croatia, stressing the need for adequate funding to support this in the state budget.

The majority of complaints lodged by parents of **children who are Croatian nationals** pertain to the exercise of the children’s status-related rights, particularly in cases of high-conflict parental relationships. These issues include the **child’s right to domicile** following the family breakdown and disputes between parents regarding the child’s place of domicile. In some cases, a parent may refuse to give their consent to registering the child’s domicile at their actual residence or may object to registering it at a new address, even if the child’s relocation does not impact the parent’s contact with them. Obstructing the registration of domicile directly impacts the exercise of other children’s rights, such as their ability to enrol in kindergarten or school.

2.1.2 Right to privacy

In 2023, the Office of the Ombudsman for Children addressed 65 individual cases directly related to children’s right to privacy, along with additional 21 complaints of rights violations that included privacy infringements (these violations encompassed various areas such as children’s personal, educational, judicial, healthcare, and participation rights). The Office also addressed 15 cases related to general initiatives focused on child privacy protection, in addition to handling enquiries from the media, general public, and institutions regarding children’s privacy. The majority of complaints primarily concerned violations of children’s privacy in the media, encompassing all social media platforms, with a particular emphasis on social networks, followed by privacy violations reported within institutions such as schools, kindergartens, sports clubs, associations, and other places, as well as within families.

When reporting on any situation involving children, we urge the media to carefully consider the potential impact of their coverage on the child’s wellbeing, and make sure that media reports do not endanger the child and that they prioritise the child’s welfare. We directed the media to the recommendations issued by the Ombudsperson for Children regarding the protection of children’s privacy and guidelines for media coverage involving children.

Upon discovering that court decisions containing personal data of children were being published on the e-Bulletin Board, we promptly reached out to the Ministry of Justice and Administration and the Supreme Court of the Republic of Croatia. We have alerted authorities that this practice violates children’s right to privacy and recommended amendments to regulations to ensure the protection of children’s privacy and best interests. Additionally, we have urged for the prompt removal of all decisions violating children’s privacy from the e-Bulletin Board and recommended that they be published in a form that respects anonymity.

Complaints highlight the imperative to bolster the protection of children’s privacy in society through public campaigns and systematic education efforts targeting professionals across various fields, as well as parents and children themselves. It is essential to raise awareness about children’s vulnerability as a specially protected group in society and emphasise the principle of minimising children’s exposure to the public to safeguard their privacy and safety in the digital environment.

2.1.3 Right to live with parents and enjoy parental care

The majority of complaints received in 2023 pertained to the right to live with parents and parental care (428). Among these, 310 complaints were related to the exercise of parental care, 88 involved restrictions on the right to parental care, and 30 complaints were associated with difficulties in the child's right to claim maintenance.

Exercise of parental responsibility - In addition to **complaints about the actions of one parent**, which frequently indicate differing parenting styles or neglectful behaviours, complaints in this area often encompass the work of professionals directly involved with the family, as well as the functioning of institutions as a whole. We continue to document a significant number of cases characterised by high-conflict partnerships, which unfortunately has negative impacts on their parenting. Violations of children's rights in the realm of family relations frequently stem from the unwillingness of one or both parents to prioritise their children's interests and needs over their own. The protection of children's interests is significantly hindered by **delays in the operations of institutions** (courts, local offices of the Croatian Institute for Social Work, which prepare reports at the request of the court, the municipal state attorney's office that responds to criminal charges pressed by the offices of the Croatian Institute for Social Work, which have previously identified parental manipulation). It is crucial for professionals working with such families to react urgently, and for procedures to be uniform to ensure that the various mechanisms at their disposal can achieve results and effectively protect the best interests of the child. Continuous investment in the system is expected, including the recruitment, education, and supervision for professionals, and ensuring a balanced territorial availability of family courts and social services, along with the availability of mental health professionals.

Restriction of parental responsibility - In 2023, we addressed 88 cases concerning the restriction or deprivation of parental responsibility rights. Of the applications received, half (44) were submitted by parents dissatisfied with the choice of institution, foster family, or relative entrusted with the daily care of the children. The complaints received encompass inadequate health care, hygiene, nutrition for children, and violent behaviour by employees of institutions toward children. Parents frequently assert that their children were 'taken away' without justification. However, reports from social care services consistently reveal that child removal resulted from established cases of neglect or abuse. Despite this, many parents fail to acknowledge their responsibility for the underlying issues that prompted the involvement of social care services in their family.

Of particular concern are situations where the Croatian Institute for Social Work local offices identify the risk of children growing up in a family environment. However, due to inadequate accommodation capacities, they refrain from recommending removal and instead rely on family protection measures, which frequently fail to yield results. These are situations in which professionals are unable to formally initiate the procedure of depriving parents of the right to live with a child because of the lack of accommodation facilities. In response to these cases, we proposed an amendment to the Family Act to eliminate the requirement for pre-arranged accommodation, allowing accommodation to be provided later into the process. Our proposal was not accepted.

Additionally, there is a growing number of situations in which foster parents advocate for the removal of children from their foster homes. This is often due to their inability to adequately meet the needs of the child, exacerbated by the lack of assistance and support from the social welfare, health, and education systems.

We observe a significant delay in court proceedings concerning the deprivation of parental responsibility, often accompanied by a predominant focus on parental rights rather than prioritising the best interests of the child.

2.1.3.1 Children without appropriate parental care

According to data from the *Research on children and young people accommodated, placed and residing in homes for children without appropriate parental care and community-based service centres*, we have observed a notable rise in the number of children in institutions compared to previous years. The rise in the number of children in institutions would have been greater if the institutional capacities had not been already full. There is still insufficient space in institutions and foster families to accommodate children. Despite the efforts of social welfare professionals to promote foster care, there remains a persistent lack of interest in foster care. As a consequence, a large number of children continue to reside in endangered conditions within their biological families, overcrowded institutions, and foster families. The situation regarding the accommodation of children is **alarming**, especially for those under the age of seven. It is imperative to open new accommodation capacities (e.g. through the expansion of organised housing), and to reorganise existing facilities in institutions with available space and personnel. Importantly, these measures must be implemented without compromising the existing level of protection for children. We recommended additional employment within the social welfare system, as well as the further development of quality services and interventions for families whose actions endanger the development and rights of the child. Additionally, we emphasised the importance of providing professional assistance and support to families whose children are temporarily entrusted to another person, social welfare institution, or foster family.

In the field of protecting children's rights related to **adoption**, we intervened in seven cases, which involved four children from the DR of Congo. This case brought to light system weaknesses that had not been previously identified. These adoptions occurred 'under the radar' of a social service, which is primarily tasked with ensuring the protection of children in need of alternative care as they begin their lives in new families. In response to the Ministry of Labour, Pension System, Family and Social Policy's explanation that adopting children outside social services is permissible by law, and recognizing that foreign court rulings lack sufficient safeguards for child protection, we urgently recommended legislative changes. These recommendations were directed to the Supreme Court of the Republic of Croatia, the Ministry of Labour, Pension System, Family and Social Policy, the Ministry of Justice and Public Administration, and the Ministry of Foreign and European Affairs. As a result, the legislation was amended, prescribing procedures for intercountry adoption conducted outside the *Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption*.

2.1.3.2 Child support

In 2023, our office received a total of 30 written complaints and enquiries, along with 24 telephone and verbal enquiries, regarding the exercise of the right to child support. The reasons for contacting the Ombudsman vary: some individuals seek information and advice on obtaining child support, while others highlight difficulties in protecting this right. Additionally, some express dissatisfaction with the functioning of the system of children's rights protection as a whole or specific segments of it.

In the e-consultation procedure, we emphasised the necessity for intervention in several provisions of the Family Act aimed at improving the protection of children's interests concerning their right to child support. Similarly, in the *Preliminary Assessment Form* of the *Interim Maintenance Act*, we raised concerns regarding the amount and limited duration of interim maintenance payments. We also voiced concern about the proposed change in competence related to interim maintenance, which entails transferring responsibility from the Croatian Institute for Social Work to the Agency for Securing Employees' Claims.

Despite a decreasing trend in complaints related to child support, the challenges experienced by children and parents remain consistent year after year. The inadequate response of the system to the irresponsible behaviour of non-paying parent persists as a significant obstacle to the exercise of children's right to child support. This is evidenced by prolonged court proceedings, the non-imposition of temporary orders, difficulties in enforcement implementation, and ineffective legal system. We main-

tain our belief that there is still room for improvement both at the legislative level and in practice. Therefore, we continue to assert that the current suggestions for improvement remain valid.

2.1.4 Right to protection from violence and neglect

Data from the Ministry of the Interior (MoI) for 2023 reveal an **increase of 22.4% in criminal offences against children** compared to the previous year. A total of 434 crimes against life and limb were committed against children, and seven children died due to violence. The occurrence of 745 criminal offences related to sexual abuse and exploitation of children is of significant concern.

The Ministry of the Interior has also reported a **rise in violence against children within families**, with psychological violence being the most common form, impacting 1,148 children. A total of 7,372 violations of the *Protection against Domestic Violence Act* were recorded. We frequently receive complaints regarding various forms of violence within the context of disturbed and high-conflict parental relationships, especially in the divorce process. Parents often resort to using the child as a weapon and engage in manipulative behaviours that negatively impact the child. Furthermore, parents frequently level accusations against each other regarding various forms of abuse and neglect of the child (health, education, and the upbringing). Despite being recognised as violent, degrading, and subject to punishment, corporal punishment of children continues to be practised by some parents and close relatives.

The occurrence of cases where judges endanger victims of violence by revealing their addresses or the names of shelters for victims of domestic violence, as well as secret accommodation places, is deeply worrying. It is crucial to acknowledge the risk of potential **femicide**, especially by individuals who have a history of domestic violence convictions. Collaboration between the Croatian Institute for Social Work, the police, and the state attorney's office is essential for effectively monitoring perpetrators after their release from prison and ensuring the ongoing protection of victims of domestic violence.

We have observed an increase of about 80% in reported **violence occurring within educational institutions**, with the substantial rise in incidents of peer violence (encompassing physical, verbal, sexual harassment, and online violence). We have observed uneven and at times insufficient actions by schools in addressing violent behaviour among children, as well as in their preventive efforts. We frequently receive parental complaints due to the lack of visible results and the ongoing violent behaviour of individual children, despite measures being implemented. We have also received multiple complaints of violence committed by employees of educational institutions. There is a noticeable increase in awareness among school administrations regarding the unacceptable and punishable nature of violent behaviour by employees, along with a growing recognition of the imperative to remove such individuals from positions involving work with children.

In addition to experiencing violence within the family and school settings, children are subjected to peer violence as well as violence from adults in environments such as children's homes, sport associations, public transport, shops, streets, and neighbourhoods. In such cases, complainants most frequently seek our assistance due to their dissatisfaction with the actions or lack thereof by organisations and institutions, and because of perceived leniency in sanctions, especially concerning adults who have been violent towards children.

The data for 2023 highlight the ongoing presence of violence against children in our society, despite some progress made in regulations and practices. All systems and institutions must redouble their efforts to prevent and address any form of violence, while also tightening the sanctions imposed on perpetrators. It is crucial for institutions to promptly and firmly address any instances of violence in public spaces (including physical, verbal, sexual, and online violence). This sends a clear message about the unacceptable and harmful nature of such behaviour, not only to the victim but also to the wider community.

2.2 Rights of children as members of society

We received 62 complaints, primarily focused on safeguarding children from potentially harmful information. The remaining complaints were from adults regarding the exercise of the child's right to freedom of thought, conscience, and religion, or concerning the child's autonomy in the process of exercising their right to participation. Children submitted three complaints related to the right to participation, particularly concerning family law matters, in school, and in various other contexts.

It is crucial to facilitate the exercise of the right to participation for children in all environments and situations where they grow, develop, and learn. An ongoing challenge persists with the inadequate understanding of the child's right to participation, compounded by a lack of training among adults to effectively empower children in exercising this right. The exercise of this right for children must be meaningful, encouraging, voluntary, and safe. In doing so, it is crucial to safeguard children from manipulation, coercion, and being treated as mere decorations (especially in contexts like election campaigns or meetings where their involvement may not genuinely reflect a sincere interest in their views and opinions on relevant issues). It is essential to shield children in the participation process from inappropriate and potentially hurtful messages and reactions from adults concerning their expressed opinions.

2.3 Education rights

In the field of education in 2023, the Office received 524 individual complaints of violations of children's rights, representing an increase of 103 complaints compared to the previous year. The complaints encompassed 432 children and 123 child groups (including those in kindergartens, schools, or institutional classes). As in previous years, the largest number of complaints was received for primary education, followed by pre-school education, with the fewest complaints for secondary education. For a subset of the complaints, it was not possible to determine the precise level of education involved. There were 187 complaints related to individual violations of the rights of children with disabilities.

The majority of the complaints were filed by mothers (252), followed by institutions (88), while only three complaints were made by children themselves. As in previous years, most complaints (175) came from the City of Zagreb, the county of origin could not be identified for 87 complaints and 39 complaints originated from the Split-Dalmatia county.

Alongside violations of children's rights in the realm of education within educational institutions, children also endured other infringements of their rights: the right to protection from violence and neglect, protection against discrimination, the right to privacy, the right to participation, and health care rights.

The complaints regarding individual violations of children's rights in the area of education encompassed concerns related to the accessibility of education, safety, spatial, and organisational conditions, education personnel and curriculum programmes, the relationships of parents and staff members in educational institutions, and the adequate education of children with disabilities and gifted children.

2.4 Health care rights

The Office processed 97 complaints, issued five recommendations and participated in three legislative procedures.

The complaints and notifications received referred to difficulties with the availability of health care services resulting from problems with registering children with the paediatrician, the long wait times for health care services, the health care of children with disabilities and foreign national children. The Office was contacted by parents who were dissatisfied with the decisions enacted by the Croatian Health Insurance Fund regarding mandatory health insurance rights. Additionally, concerns were raised about the availability of

alcoholic beverages to children in nightclubs, and the negative impact of advertisements on the development of addiction to betting and gambling in children. The Office staff responded to enquiries about the mandatory vaccination of children.

We addressed the issue of health checks for athletes and the inclusion of physically inactive children in physical activities and sports.

The **protection of mental health for children and adolescents** must be systematic and continuous across the country to prevent more serious problems and the need for hospitalisation. Special attention should be paid to identifying the causes of mental health problems in children and young people, actively working to eliminate them, and addressing behaviours that endanger children's mental health.

We are committed to establishing **paediatric palliative care** standards in Croatia according to the highest European standards, with a focus on meeting the individual needs of the child and providing support for the child's family.

Ensuring children exercise their right to **vaccination** is one of the most effective preventive measures for preserving their health. Further attention should be given to comprehensively informing parents about the benefits of vaccination, with paediatricians, family doctors, and professionals from all public health institutes playing crucial roles in this effort.

The availability of **alcohol and cigarettes** to children is concerning, as is the increasing popularity of e-cigarettes, *vaping* devices, heated tobacco, and nicotine bags among children and young people. Children and their parents are also insufficiently aware of the potential risks and harmful effects associated with energy drinks.

It is important to conduct public health campaigns, media initiatives, and permanent preventive programmes within the educational system to have a stronger impact on children and parents, fostering the development of healthy lifestyle habits and preserving the health of children and young people.

2.5 Social and economic rights

Child poverty - Real-life examples of child poverty underscore the severity of the issue and emphasise the urgent need for a comprehensive approach to tackle this problem. It is imperative to align financial assistance funding for people in need with the cost of living, offer non-monetary support to address the challenges children face due to poverty, and ensure equal access to education, health care, nutritious food, adequate housing, and other community-based services for all children.

Social rights - We received 53 applications related to the social rights of children, and they mostly referred to social rights from the social welfare system, then to maternity and parental allowances, child benefits, the right to the status of parent caregiver, the right to child care leave and personal disability allowance. We proposed improvements in the regulation of rights through the *Social Welfare Act*, the *Child Benefit Act*, and other legislation.

Economic rights - In 2023, the Office received 80 complaints about children's economic rights. The majority concerned the right to an adequate standard of living (43), followed by violations of children's property rights, including the disposal of property (21), illegal child labour or employment (six), inappropriate advertising (five), violations of students' rights during work-based learning classes (three), and one complaint related to children's participation in cultural or artistic activities, as well as one complaint related to child beggars.

Right to an adequate standard of living - Parents who have little to no income due to loss of employment or illness cannot afford the costs of living or provide their children with a quality home without assistance from the state, necessitating an effective social housing policy.

Economic exploitation and hazardous labour - The regulations on vocational education and training do not include any inspection authority empowered to impose penalties or other relevant sanctions on employers for violating the rights of apprentice students. Some issues related to students doing student service jobs still lack regulation. Clear rules regarding the participation of children, whether paid or unpaid, in artistic, audiovisual, promotional, sports, and similar activities are lacking. There is neither a comprehensive approach to addressing the exploitation of children for begging nor ongoing cooperation between competent authorities, and no long-term child protection measures are currently planned.

Protection of the child's property rights - It is observed that violations of children's property rights occur due to an overly broad interpretation of the term "more valuable property" and the absence of protective mechanisms and oversight over fund expenditures. Violations also arise in cases of irresponsible and reckless actions by parents who take actions on behalf of their children without prior consultation. We recognise the necessity of implementing protocols for actions in inheritance proceedings involving children as beneficiaries, as well as establishing criteria for assessing risk factors that the Croatian Institute for Social Work would consider during the evaluation and protection of children's property rights and wellbeing. It is also necessary to consider a broader range of measures to safeguard children's property rights within the Family Act.

Inappropriate advertising - Existing regulations do not adequately protect children from the potentially negative impact of advertising. Further efforts should be made to shield children from exposure to advertising and the accessibility of gambling, alcohol, energy drinks, tobacco, related products, and food and beverages whose excessive consumption is discouraged, regardless of the location.

Child budget - In line with *General Comment no. 19* of the UN Committee on the Rights of the Child on public budgeting for the exercise of children's rights, States parties have no discretion as to whether or not to satisfy their obligation to undertake the appropriate legislative, administrative and other measures necessary to exercise children's rights, which includes measures related to public budgets. There is a need for a mechanism to monitor and evaluate the efficiency of the allocation of budgetary funds for the implementation of the *Convention on the Rights of the Child*, especially those earmarked for disadvantaged or vulnerable children.

2.6 Cultural rights and leisure time

The Office of the Ombudsman for Children received 38 complaints about the violations of cultural rights, most of them concerning the protection of the rights of child athletes (24). The number of complaints in this area has decreased compared to the previous year. Complaints highlight the necessity of providing safe and child-friendly play and leisure areas, well-maintained children's playgrounds and playrooms, as well as accessible and cost-free leisure activities for children.

There remains a deficiency in regulations aimed at achieving more comprehensive and improved protection of children against dangers and risks during play and leisure time. Despite years of recommendations from the Office of the Ombudsman for Children urging the adoption of regulations governing the operation and oversight of **children's playrooms and playgrounds**, no such act has been implemented. This issue has also been brought to the attention of the Government. Furthermore, there is still no implementing act, as required by the *Family Act*, to regulate **children's participation in artistic, audiovisual, promotional, sports, and similar activities**. The Office has repeatedly highlighted this issue.

2.7 Protection of rights in judicial proceedings

In 2023, the Office addressed 197 individual cases involving violations of children's rights in judicial proceedings, encompassing the conduct of police officers, social workers, special guardians, as well as actions taken by courts and the State Attorney's Office. These complaints pertain to instances of inappropriate conduct

by police officers towards children or in their presence, insufficient or inadequate actions by social workers, and inadequate protection of children in family proceedings due to **delays in decision-making**. Court proceedings in the realm of criminal legislation often **endure for extended periods**, causing child victims of criminal offences to endure prolonged waits for the resolution of their cases, thereby delaying their recovery. The **ineffectiveness of enforcement proceedings and the inconsistency of criminal, misdemeanour and family court decisions** are also significant issues. Therefore, there is a need for specialised and specially trained judges not only to adjudicate child protection cases under family law but also to establish the procedural, technical, and human resources conditions that ensure the expeditious handling of family court proceedings. **Special guardianship** is an important link in the protection of children in judicial proceedings. However, the Office of the Ombudsman for Children has for some time now been pointing out the numerous weaknesses of special guardianship, persisting despite efforts invested in its improvement in terms of technical conditions and personnel.

2.7.1 Protection of child victims and witnesses

According to data from the Ministry of the Interior, there were 6,409 reported criminal offences against children in 2023, marking a 22.4% increase compared to 2022. The reported criminal offences were committed against 6,913 children, of which 4,084 were under the age of 14, while 1,543 children were aged between 14 and 16 and 1,286 between 16 and 18.

The problems that victims encounter in accessing justice largely stem from delays in processing perpetrators, inadequate treatment of children in judicial proceedings, lack of information, insufficient support and protection for child victims, and lenient sentences for perpetrators. Enhancing the position of child victims necessitates the establishment of a well-organised system for the protection of child victims of criminal offences and misdemeanours. Therefore, the acceptance of our initiative by the Ministry of Justice and Public Administration and the ongoing project to introduce the Barnahus model in Croatia are crucial steps forward. This model entails a multidisciplinary and inter-agency approach, ensuring collaboration and coordination among various entities (judicial, social, health) within one child-friendly institution. Comprehensive services for the child and their family are delivered under one roof. Indeed, along with supporting and assisting child victims, it is crucial to expedite and streamline judicial processes effectively. The significance of ensuring appropriate **representation** of the child's interests during criminal proceedings is indisputable, as well as appropriate training requirements for lawyers. Therefore, we advocate for the **adoption of a special regulation** that delineates the elements and criteria for appointing a legal representative, as well as the mandatory training requirements for legal representatives to qualify for representing the child.

2.7.1.1 Protection from sexual exploitation and abuse

According to the Ministry of the Interior, 837 sexual offences against children were reported in 2023.

In 2023, the Ombudsman for Children received 120 notifications concerning the right of children to protection from sexual exploitation and abuse, primarily from educational institutions related to the implementation of the *Protocol on the Procedure for Dealing with Cases of Sexual Violence*. A significant number of **complaints regarding sexual violence in educational institutions**, particularly reports of sexual harassment of students by teachers, are of grave concern. Cases of sexual harassment often go unprosecuted, allowing the perpetrator to continue working in positions where they have contact with children and can perpetuate their threatening behaviour. Therefore, the Office believes that implementing a system of teacher licensing would enhance child protection by ensuring that educational responsibilities are entrusted only to individuals of high moral and professional calibre. We also believe that being sanctioned for sexual harassment should result in prohibition from working in school settings. Despite our proposals to supplement regulations concerning employment barriers in educational institutions, this is still not the case.

The judiciary often responds inadequately to the reported sexual offences against children: **judiciary proceedings take too long, perpetrators receive lenient sentences and precautionary measures are not imposed.**

This situation discourages children from reporting and emboldens perpetrators to commit further offences. As a result of these lenient sentences, data on convictions are retained in criminal records for only a brief period, allowing offenders to rehabilitate quickly. Once rehabilitated, their criminal records can no longer be accessed, and they are treated as non-convicted individuals whose rights cannot be restricted. We consistently advocate for measures to prevent individuals who have received a final conviction for sexual violence from coming into contact with children. Therefore, the Office maintains the position that data on convicted child sex offenders should be retained permanently. Additionally, individuals with a criminal record for specific offences should be prohibited from holding positions that involve contact with children across all areas of organised activities involving children. This should be ensured through a special regulation, which was accepted as an initiative by this Office and endorsed by the Ministry of the Interior, resulting in the establishment of a working group dedicated to this matter.

We are particularly concerned about what we consider a serious problem: **sexual predators are not subject to supervision** by competent authorities **after serving a prison sentence**. Unfortunately, precautionary measures intended to protect child victims or prevent the commission of further offences are either not imposed at all or are rarely enforced.

2.7.2 Protecting the rights of children in conflict with the law

The records from the Ministry of the Interior for 2023 reveal a 23.6% increase in perpetrators and a 26% increase in criminal offences compared to the previous year. The data underscore the necessity for a systematic interdisciplinary and inter-agency analysis of the etiology and phenomenology of crime in children and minors². This includes enhancing prevention efforts, harmonising judicial proceedings, and improving the effectiveness of juvenile sanctions.

We were contacted by children, parents, lawyers, representatives of associations, and professionals within the social welfare and justice systems. Some of the complaints involve requests to influence the actions and decisions of the judiciary, while others pertain to the conduct of police officers, judicial police officers, and employees in institutions where correctional measures are implemented. We also addressed juvenile perpetrators of criminal offences and misdemeanours by monitoring peer violence in schools, homes, and on the streets, as well as monitoring the protection of children in traffic.

In response to complaints about the conduct of **police officers**, police departments typically reported that no misconduct was identified. At times, additional training for law enforcement officers has been mandated. Violence, even when bodily injuries are inflicted, is frequently classified by the police as a misdemeanour against public order, thus disregarding the violent nature of the perpetrator's behaviour. The Ministry of the Interior also reports numerous **traffic offences and criminal offences against traffic safety** committed by children and minors. The situation highlights the need for stronger prevention efforts in this area.

The measure of **detention on remand** for minors is still carried out in special prison units located within prisons, given that closed reformatories, as envisaged by the *Juvenile Courts Act*, have not yet been established. Other international and national standards for this measure of deprivation of liberty, as envisaged by the *Juvenile Courts Act*, are also lacking. **Medical treatment of juveniles deprived of their liberty** is conducted in the Prison Hospital in Zagreb, separately from adult prisoners, in a single room, without a dedicated space. There is no health institution specifically designated for the forced accommodation of minors who have been declared mentally incompetent during criminal proceedings.³ It has been announced that such accommodation will be organised soon in "Dr. Ivan Barbot" Neuropsychiatric Hospital in Popovača.

Due to the lack of cooperation between courts and social welfare services, the referral of minors to a social welfare home for **temporary accommodation** during criminal proceedings often does not prioritise the best interests of the minors and children already placed into care in that institution. **Specialised foster care**, which could replace placing minors in care, is still underdeveloped. Many juveniles sentenced to **referral to a correctional institution** show signs of mental health problems. Some of them, in addition to this court

² In Croatian criminal legislation, the term "juvenile" refers to child offenders aged 14 to 18 who can be held criminally responsible.

³ This is a procedure in accordance with the *Protection of Persons with Mental Disorders Act* (OG 76/14).

order, have also been sentenced to compulsory psychiatric treatment as a precautionary measure. However, correctional institutions often lack continuous access to child psychiatrists, making it challenging to provide effective treatment and ensure mental health protection. Several complaints have been raised regarding the unresolved **post-institutional reception** of juveniles after their discharge from correctional institutions.

2.8 Safety, accidents and hazardous environment

In terms of child safety, the Office received 137 complaints concerning violations of children's rights, involving 131 children and 33 child groups. Most of the complaints concerned traffic risks for children and traffic accidents involving children (96) as well as harmful environmental effects on health and other child safety threats (41).

The Office also monitored issues related to missing children, the residence of foreign nationals in Croatia, children's safety in playgrounds and playrooms, and risks to children arising from different factors, such as exposure to harmful emissions affecting their health (such as smoke, gases, and unpleasant odours), as well as incidents involving dog attacks and suffering bites, and the use of pyrotechnics. Individual complaints served as the basis for proposing general initiatives aimed at improving the situation and protecting children.

Traffic safety of children – Based on information from the Ministry of the Interior and citizens, we intervened in almost 100 individual cases. We also monitored broader phenomena, provided recommendations, and contributed to legislative initiatives aimed at establishing a comprehensive system for protecting and promoting the rights and interests of children in road, rail, and maritime transport. According to the Ministry of the Interior, in 2023, 1,629 children were involved in traffic accidents. As many as 21 children were killed: 10 as passengers, seven as drivers, and four as pedestrians. The children who died were driving a moped (one child), motorcycles (three children), personal cars (two children), and one child died while operating a personal vehicle.

It is necessary to enhance traffic culture and preventive child protection activities. This includes imposing stricter and more frequent sanctions on drivers who cause accidents due to the 'big four killers' (failure to use seat belts, speeding, alcohol consumption, and mobile phone use). Additionally, there is a need to improve the quality of buses used for transporting children and improve the road infrastructure throughout Croatia.

Children's safety in playgrounds and playrooms – Examples of safety hazards in children's playrooms and playgrounds highlight the necessity of adopting regulations for their operation and supervision. It is essential to harmonize the conditions of children's playrooms and playgrounds with established standards and guidelines. We have alerted the relevant authorities to this need throughout this year.

Harmful and hazardous environmental impacts and other issues – We addressed complaints concerning the harmful effects of the environment on children's health, as well as cases endangering children's safety, such as exposure to poor air quality and improper dog care, including incidents of children suffering from dog bites. We participated in the development of the *National Portfolio on Environment and Health* in alignment with the priorities outlined in the *Ostrava Declaration*, as part of the European Environment and Health Process.

The United Nations Committee on the Rights of the Child has adopted *General Comment No. 26* on children's rights and the environment, placing particular emphasis on climate change. It emphasises the urgent need to address the adverse effects of environmental degradation, with a particular focus on climate change, concerning the enjoyment of children's rights.

We recommend taking measures to mitigate the consequences and adapt to the climate crisis. This includes integrating climate-related topics into curricula at all levels of education and conducting information-educational campaigns to raise awareness among children and young people about the risks of electromagnetic radiation. Furthermore, we suggest intensified activity of local community

wardens in supervising the implementation of regulations on keeping dogs. Additionally, we propose limiting the sale of permitted pyrotechnics to only December 31st and January 1st and prohibiting the sale of pyrotechnics to minors.

Missing children - In 2023, 2,374 children ran away from home and care institutions. Most of them are children who fled from institutions (2,006), with severe behavioural problems. Children who run away from their homes or institutions often expose themselves to danger, as evidenced by the occurrence of 15 criminal offences committed against such children. The procedure for dealing with a missing child must not only focus on locating the child within the framework of police procedures but also necessitate full professional and institutional attention to each case of a missing child. This approach aims to address the underlying reasons that led to the child's disappearance. It is important to identify families at risk early and invest efforts in changing their way of life. Additionally, addressing the root causes of children fleeing from institutions (poor conditions, inadequate treatment, and peer violence) is imperative. There is a critical need to develop a protocol, guidelines, or similar framework to define the cooperation among relevant authorities in the event of a child's disappearance, and leverage the capabilities of the Neno Alarm alert system.

2.9 Discrimination

The Office received 28 complaints under the *Anti-Discrimination Act*, prompting our subsequent action. The highest number of complaints (19) pertained to the education sector. This underscores the necessity for systematic education of educational workers on children's rights, the prohibition of discrimination, and methods of safeguarding children. Three cases were related to **access to goods and services** and **social care**, while one case each pertained to **public information and media**, **sports**, and **discrimination in general**.

It is imperative to expedite the introduction of an alternative subject for religious education in primary schools. School activities should be inclusive, ensuring equal participation for all children. Moreover, it is essential to ensure that school activities, programmes, and projects are free from content that promotes negative stereotypes, intolerance, disrespect and discrimination. Additional efforts are needed to ensure that all preschool-aged children have access to preschool education, irrespective of their parents' employment status or place of residence. Furthermore, there is a pressing need to provide education for public authorities on human and children's rights, the prohibition of discrimination, prevention methods, and protection measures, especially for vulnerable groups (children with developmental disabilities, children with disabilities, children of foreign parents, and transgender children).

2.10 Other rights and lack of jurisdiction

Members of the public are expected to give prior notice before visiting our office, even though they often arrive without doing so. They also reach out to us by phone seeking advice, guidance, or to report possible violations of children's rights. Out of the received enquiries, requests, and telephone calls, some (49) did not pertain to violations of children's rights and fell outside the jurisdiction of the Ombudsperson for Children. In such cases, we refer complaints to the appropriate institutions or provide guidance to the complainant on whom to contact.

3 CHILD PARTICIPATION

3.1 Young Advisors Network and 16+ Youth Forum

The Network of Young Advisors to the Ombudsman for Children (NYA) is a standing advisory body to the Ombudsperson for Children, established in 2010. The members are appointed by the children who served the previous term, with the participation of the Ombudsperson for Children and her adult advisors. The 16+ Youth Forum (16+ YF) is an advisory group composed of 15 members who are coming-of-age children. The work of the 16+ YF and that of the NYA are based on the same principles.

There were two in-person meetings of the Network of Young Advisors (NYA) and one meeting of the 16+ Youth Forum, along with one online meeting for all NYA members focusing on peer violence and children's mental health. Additionally, several online discussions were held with members preparing for public appearances. NYA members participated in commemorating the 20th work anniversary of the Office of the Ombudsman for Children by engaging in a panel discussion. During the discussion, they provided commentary on the results of the research titled *"Opinions and attitudes of children and young people on the situation of children's rights in Croatia"*. Additionally, they discussed these results on the show *"Outside the Box" (Izvan okvira)* on the First channel of Croatian Radio and in an interview to the weekly *Nacional*. As members of the children's jury, they actively participated in the Children's Rights Festival and contributed to discussions at the conference on the protection of children's rights in traffic. They also took part in a discussion at the round table titled *'How can supporting children's rights to participation help the positive development of children in school?'* This event was held in Zagreb as part of the 30th annual conference of Croatian psychologists.

At the international level, they remained active this year by participating in the project of the European Network of Young Advisors to the Ombudsman for Children (ENYA) and the EU Children's Participation Platform (CPP). This involvement included participating in activities at the General Assembly, consultations on preventing and combating violence against children, and the election of one NYA member to the CPP Advisory Board. The term of office for FM16+ members expired this year.

3.2 Meetings with children

The primary goal of meetings with children is to support them in gaining a better understanding of their rights and to encourage and empower them to exercise their right to participation. Our meetings with children are designed as workshops where we present them the institution of the Ombudsperson for Children and our working methods. We provide information about the UN *Convention on the Rights of the Child* and encourage them to contemplate children's rights, the relationship between rights and needs, and the distinction between rights and wishes. These concepts are explored through playful activities and group discussions. We also engage in discussions with children about the importance of responsibly exercising the rights guaranteed to them from birth, while also respecting the rights of other children and adults they encounter in society. We also aim to understand children's perspectives on the current situation regarding the exercise of their rights, identify the challenges they face in society, and explore who and how could assist in overcoming these obstacles. At these meetings, children also learn about the NYA and how to contact the Ombudsman. As a souvenir, children receive educational materials on children's rights. In 2023, a total of 63 in-person meetings and nine online meetings were conducted, involving approximately 1,300 children.

The Office collaborated with young people from correctional institutions in the work of the Advisory Committee for the Improvement of Assessment and Treatment of Children and Youth with Behavioural Problems. This initiative was part of UNICEF's 'STEP UP' ('ISKORAK') Programme, which aims to enhance assessment and interventions for children and young people within the social welfare and justice system. Additionally, the Office participated in the International Scientific Conference 'SKRB2023'. The

information we receive from children during meetings is crucial guidance for our work and helps us prioritise the topics we will address.

4 SPECIFIC AREAS OF THE PROTECTION OF CHILDREN'S RIGHTS

4.1 National minority children

This year, complaints pertain to the exercise of rights of children from the Roma national minority, particularly focusing on issues such as appropriate parental care and the living environment (housing conditions) in which Roma children grow up, lack of access to preschool education, neglect and dropping out of school, and instances of anti-Roma racism and discrimination.

4.2 Children with behavioural problems

The rights of children with behavioural problems are violated across all systems including education, health, social welfare, judiciary, as well as by police conduct and the implementation of certain correctional measures. Exercising their rights often poses significant challenges for all professionals and systems as a whole.

The work with these children in the **educational system** often lacks planned interventions and clear direction, and there is a lack of a legal framework to harmonise and enhance professional procedures for protecting the rights and interests of these children. Schools do not systematically assess the situations and needs of such children, but instead tend to address them mainly on an ad-hoc basis in case of incidents, applying one-time interventions specified by protocols and regulations. Neither risk factors are observed nor protective factors are acknowledged and developed in the child's environment. Additionally, there is no evaluation of the interventions implemented, making it difficult to ascertain the actions taken by the school and the reasons for any failures. The preventive strategy (programme) in schools is often formalised and underdeveloped. Some implemented programmes lack scientific basis or evaluation of outcomes for children, parents, or employees. There is also an insufficient number of professionals available. In some communities, there is also a lack of effective inter-agency cooperation.

In the **social welfare** system, non-institutional interventions for the provision of assistance and support are not available to all children and families, especially in small communities. Hence, early intervention is often lacking, especially for children who show signs of mental health problems.

At times, the social care system and courts are reluctant about the **removal of children with behavioural problems** from families causing them harm. The scarcity of accommodation facilities poses challenges in placing children in social welfare homes for those with behavioural problems, resulting in prolonged waiting periods, often spanning several months, before they can be separated from endangering families. There is a lack of specialised foster care for children with behavioural problems, and existing conditions prevent foster families from applying corrective measures.

Homes for children with behavioural problems are undergoing transformation into community-based service centres as part of the **transformation and deinstitutionalisation** process. We welcome the development of services aimed at preventing the removal of children from their families, although we have also noticed difficulties in this process. The accommodation capacities for children with behavioural problems requiring separation from their families have been reduced. Additionally, the line between institutions for children without adequate parental care and those for children with behavioural problems has been lost, which leads to risks of further compromising the existing insufficient differentiation in the professional

treatment of children with behavioural problems. Through years of monitoring, we have observed and alerted to numerous difficulties in the operation of homes for children with behavioural problems (now called ‘community-based service centres’), highlighting systemic deficiencies.

4.3 Children of incarcerated parents

A large number of children have one, and sometimes both, parents incarcerated, placing an obligation on all systems (except prisons), especially the education and social welfare systems, to recognise and uphold the rights and interests of these children. The deprivation of parents’ liberty exposes children to heightened risk factors in their lives, necessitating more intensive support from both relatives and professionals. The integrative European standards for the protection of the rights of children with incarcerated parents, which are continuously evolving, should remain our foundation for action in this area.

The prison system recognises the importance of upholding the rights and interests of children with incarcerated parents, and significant progress has been made in this area of child protection (child-friendly visit rooms, the introduction of video visits, and the implementation of educational and developmental programmes such as the ‘Parenting from Prison’ initiative). However, we observe that some of the standards already attained in ensuring the rights and interests of children with incarcerated parents are at risk of regression, necessitating further efforts to sustain and enhance them.

Alongside addressing individual complaints, numbering around thirty in 2023, we also engaged in various activities for children whose parents have been deprived of liberty at both national and international levels. The Office visited several penitentiary institutions, conducted training courses for prison system officials, and participated in various projects and publishing activities. At the international level, we participated in the implementation of several projects, collaborated with various international organisations, and engaged in activities through our membership in networks such as COPE and ENOC.

4.4 Children and the media

The Office of the Ombudsman for Children contributes to the protection of children’s media rights by monitoring privacy protection, safeguarding against potentially harmful media content, ensuring the application and adoption of regulations related to the media, and promoting the right of access to information and participation in the media. In addition to monitoring reports on children in the media, we receive complaints and report violations of children’s media rights to competent authorities. We also raise awareness about violations of children’s rights to privacy and make proposals and recommendations for the protection of their rights and improvement of media regulations. In public appearances, we advocate for children’s media rights, support the development of media literacy, and encourage children’s media creativity, among other initiatives. We collaborate with the media to encourage reporting on children’s rights.

In 2023, we addressed almost 90 complaints (37 concerning the protection of children’s privacy in the media and approximately 50 related to safeguarding children from inappropriate and harmful media content). In four cases, we issued a warning or recommendation directly to the media, and in three cases, we requested action from the Electronic Media Council. We forwarded two complaints to the Zagreb Police Department and one to the Croatian Personal Data Protection Agency for appropriate action, and we also informed the State Attorney’s Office of the Republic of Croatia about these cases. In one case, we forwarded a complaint and recommendation to the Croatian Journalists’ Association for action, following a notification from the Ombudsperson for Gender Equality.

Despite improvements in the regulatory framework, children’s rights are still violated or arbitrarily interpreted in the media, particularly during sensationalist reporting and the disclosure of children’s identities. Additionally, downloading and sharing videos of abuse among and against children on social networks are generally rarely and mildly sanctioned. We recommend that editors-in-chief develop their own professional standards (codes) of conduct regarding reporting on children and direct communication with them.

Through campaigns and various forms of information, parents should be supported and informed

about the importance of selecting appropriate content for their children, as well as the need to protect their children's privacy when posting on social networks and communicating with the media.

The Croatian Radiotelevision public broadcaster should continue to develop additional programmes tailored to high school-aged children. All children's programmes should be accessible for those with sensory impairments, and there should be encouragement for creating content in native languages for national minority children. We recommend creating additional opportunities for children and young people to discuss their needs, problems, habits, hobbies, life and other important topics through the media.

4.5 Children in the digital environment

Despite the numerous risks in the digital environment, it is essential to acknowledge the opportunities it provides for the exercise of all children's rights. Additionally, adults have an obligation to teach children to behave responsibly online. Children require the support of adults in achieving a balance between activities in the digital and real world.

The Office monitors the exercise of children's rights in the digital environment across various areas, including equal access to the internet, various forms of online violence, harmful content, personal data misuse, privacy violations, and health risks. We keep abreast of the challenges and latest developments in this area through media statements from parents and experts, conversations with children, media engagement, participation in conferences, examination of reports from government institutions and NGOs, and analysis of international and national regulations and documents.

In 2023, we participated in the European Commission's expert group on Safer Internet for Children, as well as in the development of the *National Programme for Children and Youth in the Digital Environment 2024-2026*. We have collaborated with the Organisation for Economic Cooperation and Development (OECD), and we also serve as the data collection coordinators for the European Commission's *Better Internet kids* portal.

4.6 Child athletes

There were 56 cases related to the protection of the rights of child athletes. These cases encompass various complaints and general initiatives aimed at protecting and promoting the rights of child athletes, including participation in gatherings, presentations, cooperation, general recommendations, and legislative activities. Complainants most frequently raise concerns about the inappropriate and violent behaviour of coaches towards children, as well as various decisions made by clubs and associations that affect children, often pertaining to their membership in sports clubs. Additionally, complaints encompass issues related to the organisation of sports competitions, violations of the privacy rights of child athletes, access to sports facilities and infrastructure, and the impact of conflict among adults on child athletes.

Given the numerous positive effects of sports and its significance in childhood, it is essential to encourage the inclusion of children in sports at all levels and ensure its availability. A well-organised and secure system that recognises and responds to cases of violations of rights and provides protection to children will contribute to motivating them. Implementing a system of licenses for individuals working with children, which evaluates both professional qualifications and pedagogical competencies while requiring sports workers to have a clean record, would provide a certain guarantee of safety. Furthermore, protocols for protecting children in cases of violence or other risk situations would ensure uniform treatment and adequate access to protection in cases of rights violations. We expect the prompt adoption of the *Ordinance on medical examinations of athletes*, which ensures the protection of their lives and health. Moreover, harmonising and standardising disciplinary procedures involving children is essential.

4.7 Children on the move

The Office also monitored the exercise and violations of rights of migrant children. There has been a notable surge in applications for international protection, particularly concerning children, alongside an increase in the number of children found crossing the border illegally and residing unlawfully

in the Republic of Croatia compared to the previous year. We have observed a trend of short stays and voluntary departure from the institutions where children are placed. A number of difficulties came to light, primarily concerning the reception, accommodation, and housing of migrant children, including challenges such as insufficient accommodation and staffing capacities. Furthermore, migrant children are still being accommodated in homes for children and youth with behavioural problems. Establishing a specialised institution would form the cornerstone of a high-quality care system for unaccompanied children, offering accommodation suited to their age and specific needs. Staff would receive education and professional training, facilitating improved record-keeping and enabling a personalised approach to enhance the quality of care. The amendments to the *International and Temporary Protection Act* have bolstered the role of a special guardian in the care of unaccompanied minors. However, there is still a need to introduce evaluation and monitoring of their work, along with standardised and regular education. To enhance the implementation of the *Foster Care Act*, it is essential to organise education for foster parents regarding the specific needs of unaccompanied children. There should be a stronger emphasis on including children in the educational system, with the provision of well-structured, systematic, and intensive Croatian course. Access to interpreters and psychosocial support should be provided as necessary.

The Office continued to monitor the rights of children fleeing from Ukraine, with particular attention to those residing in collective housing and those without parents. We monitored the integration of children into the local community, focusing on their integration into the education system and adaptation to the new environment. We also examined the availability of kindergartens and Croatian language courses, noting that children who spend time in school with their peers tend to learn the language faster. Working with students from another culture necessitates teachers' willingness and adaptation to new conditions. Preschool education is still not available across the entire territory of the Republic of Croatia, and there is also limited access to extracurricular activities. While numerous associations and organisations continue to offer psychosocial and integration support, there remains a pressing need for mental health support services to be accessible in smaller communities, towns and villages.

4.8 Rights of children living on islands

In 2023, to monitor the exercise of children's rights on the islands, we continued to visit local educational, public, and government institutions. In addition to our visits, engaging with children, childcare professionals, and parents who contacted us individually motivated us to make recommendations for enhancing the quality of life for children on the islands and ensuring the exercise of their rights. The challenges faced by children living on islands and their carers vary across spatial, safety, personnel, and organisational conditions within institutions. Additionally, disparities exist in the availability of activities for children, the availability of services, and the transportation connections between island communities and the mainland.

Through a range of activities and participation in conferences, we actively promoted the rights of children on the islands and highlighted their unique needs and challenges. To share our insights and the collected information, as well as to present our proposals for improving the quality of life for children living on islands, we organised a meeting with the Directorate for Islands of the Croatian Ministry of Regional Development and EU Funds.

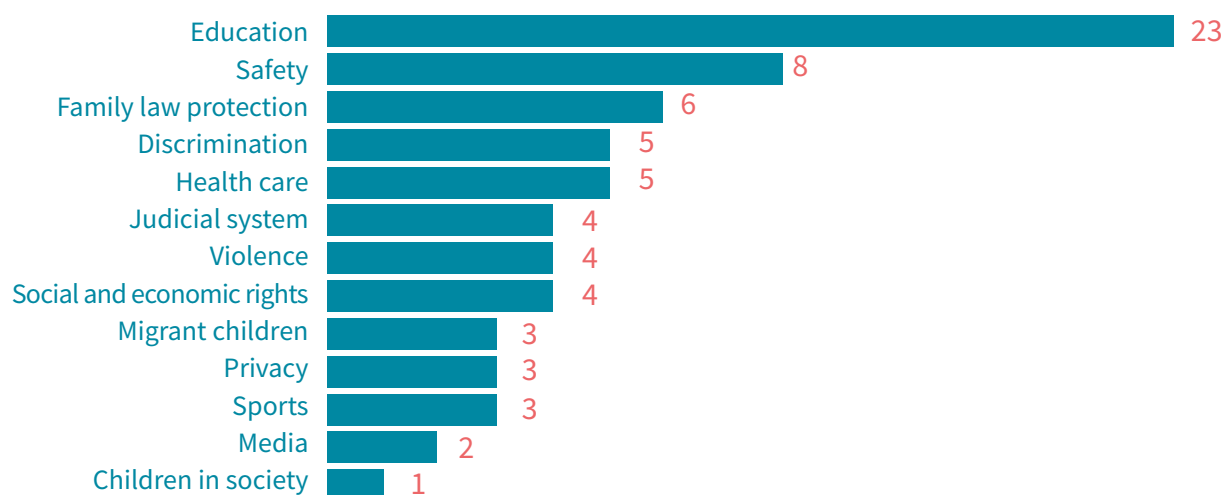
4.9 Child protection policy

The special *Child Protection Policy* was designed to safeguard the protection and best interests of children participating in our activities, while also ensuring transparency in our work. The *Policy*, developed in May 2020⁴ serves as a comprehensive document for our Office, aiming to uphold the highest standards of professional conduct, personal practice, and child safety in our activities. We consulted with the members of the new Network of Young Advisors to ensure their input in shaping the content. The *Policy* encompasses four standards of protection: policy, people, procedures, and accountability. It entails procedures concerning recruitment, the engagement of independent contractors and other personnel, the establishment of conducive environments for engaging with children, staff training, and the implementation of transparent protocols for addressing behaviour incompatible with child protection standards. The Office consistently monitors the implementation of the *Policy* and updates it as necessary to align with practical needs. At the end of 2023, this *Policy* underwent updates and improvements.

5 RECOMMENDATIONS OF THE OMBUDSPERSON FOR CHILDREN

In addition to providing hundreds of recommendations concerning individual children or specific cases, in 2023 we issued 71 general recommendations, warnings, and communications aimed at enhancing the protection of the rights of all children or specific child groups.

Recommendations of the Ombudsman for Children in 2023, broken down by areas.



The recommendations were issued to competent ministries, most of them were sent to the Ministry of Science and Education, the Ministry of Labour, Pension System, Family and Social Policy, the Ministry of the Interior and the Ministry of Justice and Public Administration, with some of them submitted to several competent authorities and the Government of the Republic of Croatia. They were also issued to government bodies, cities, counties and institutions. Out of the 71 recommendations, 10 were general reminders addressed to competent authorities to remember and protect the child's best interest. The responses to the remaining 61 recommendations varied from full acceptance to the absence of feedback. In the coming period, we will follow up with organisations to track progress on accepted recommendations.

⁴ <https://dijete.hr/en/child-protection-policy/>

Total recommendations 61					
Accepted 39 (64 %)				Not accepted 7 (11 %)	No feedback 15 (25 %)
Fully Accepted 32 (82 %)		Accepted in principle * 6 (15 %)	Partially accepted 1 (3 %)		
Realised 10 (31 %)	Not realised 22 (69 %)				

* Implementing this recommendation is not feasible under the current circumstances

6 LEGISLATIVE ACTIVITIES

The Office of the Ombudsman for Children actively contributes to improving the legislative framework for the protection of children’s rights by submitting proposals and opinions on draft regulations, initiating amendments or the adoption of new regulations, and participating in working groups and parliamentary committees. Throughout 2023, the Office actively participated in the proceedings of four committees and six working groups, offering proposals and opinions on 28 regulations, including three strategic documents.

The Office proposed 153 specific changes related to the protection of children by giving opinions on proposed draft legislation and initiating the adoption of new regulations or amendments to regulations in force. Despite our efforts, we remain dissatisfied with the rate at which the proposals put forth by the Office of the Ombudsman for Children are accepted as valuable contributions to the creation of an improved normative framework for children. Out of 141 specific proposals made, only 13 have been incorporated into completed legislation, with six of them being partially accepted.

Responses of the competent authorities of the Republic of Croatia to the proposals of the Ombudsperson for Children aimed at the improvement the legislative framework for the protection of children’s rights in 2023

Total recommendations 153			
Accepted 13 (8 %)	Not accepted 52 (34 %)	Taken note of 76 (50 %)	No feedback 12 (8 %)

7 RESEARCH ACTIVITIES

7.1 The opinions and attitudes of children and young people in 2009 and 2023 regarding the exercise of children's rights

The research was conducted on the occasion of marking the 20th anniversary of the Office of the Ombudsman for Children and represents one of the few repeated surveys on the state of children's rights in Croatia (following up on the initial survey from 2009). The survey included 516 children and young people, mostly students from 35 primary and 27 secondary schools across Croatia.

Research conclusions:

- *A significant number of children and young people are still unaware of the existence of children's rights.*
- *Children and young people believe that the right to diversity of children and young people living in poverty is the least respected of all rights.*
- *Just like in the previous survey, young people told us that they were unhappy with the way the media reported about them because they are mostly painted in a negative light, with too many prejudices, stereotypes, and misunderstandings of youth culture. They were also unhappy about television programming due to the lack of content suitable for young people and their lives.*
- *Children prefer not to watch TV content full of violence.*
- *School is a place where young people feel good, but it still poses a challenge related to declining quality of relationships with peers and teachers, as well as concerns about academic success.*
- *Children, and young people in particular, perceive their academic participation at the local, regional, and national levels as insufficient and ineffective.*
- *Young people highlight internet addiction as a significant issue among youth in Croatia.*
- *Children and young people emphasise the issue of violence against children, particularly peer-on-peer violence.*
- *The research results indicate a greater sense of helplessness among children and young people regarding their own ability to influence the improvement of respect for children's rights compared to 14 years ago.*
- *The research results indicate regional differences regarding the respect for children's rights.*

7.2 Children in institutions for children without appropriate parental care

A "Research on children and young people residing in institutional care, organised housing, and homes for children without adequate parental care, as well as community-based service centres" aimed to monitor the protection of the rights of children growing up without adequate parental care in these facilities. According to the research, there is a notable rise in the number of children living in homes and organised housing, marking an increase of 115 children compared to 2022. Out of a total of 933 children, 272 are under the age of seven, with 109 of them being under the age of three. In 2023, 612 children and young people were placed into care, comprising 591 children and 21 young people. In the observed period, 286 children were placed into care pursuant to emergency protection order, when there was a risk to their lives, health, or wellbeing, necessitating their removal from the immediate environment. This measure was applied to 145 children under the age of seven. Out of the total of 612 children and young people who were taken into care or placed in organised housing in 2023, as many as 372 were separated from their biological families. In 2023, the

number of children taken into care increased, totalling 691 children (146 more than in 2022), of which 24 were in full-day care and 667 in half-day care.

During the year, 32 children from children's homes and community-based service centres were adopted, which is seven fewer than in 2022. On December 31st, there were 156 more children in institutions who met the legal requirements for adoption.

In 2023, homes for children without appropriate parental care and community-based service centres admitted 42 unaccompanied foreign national children, which is 29 fewer than in 2022.

7.3 Establishment of family departments within municipal courts

To gain a comprehensive understanding of the situation and impact of the *Territories and Seats of Courts Act*⁵ on citizens, particularly children, as well as on the organisation of the Croatian Institute for Social Work's activities and its role within court proceedings, we created a survey for the local offices of the Croatian Institute for Social Work. This survey was conducted in late 2023. 76 out of 94 local offices of the Croatian Institute for Social Work participated in the survey.

In some counties, the responses from all or most of the local offices of the Croatian Institute for Social Work indicate significant problems they face in their daily work due to difficult territorial access to courts. Based on the conducted survey, we concluded that the establishment of family departments was a positive step forward in the family justice system. This ensures that these delicate and demanding proceedings are handled by judges who are trained and sensitive to family matters. Further education of judges and ensuring territorial accessibility of family departments to parties and professionals from local offices of the Croatian Institute for Social Work are essential. This primarily involves facilitating the mobility of family judges. At the same time, technical infrastructure, personnel, and professional capabilities of family departments at courts need to be improved.

7.4 Engaging children in parasports⁶

In collaboration with the Ombudsman for Persons with Disabilities, in 2023, we initiated an effort aimed at understanding the experiences and challenges faced by children with disabilities and their parents when it comes to participating in sports activities. 126 parents of children with disabilities took part in the survey, which was distributed to them through NGOs. The survey reveals that the majority of children, 66 in total, are not engaged in extracurricular club sports activities at all, whereas 50 of them are involved in some form of extracurricular sports activity. Parents whose children are not involved in club sports mention several reasons, including the **unavailability** of such opportunities, the **lack of interest** among children with disabilities in sports, and concerns regarding the risks associated with their participation due to the child's specific difficulties and diagnoses. Additionally, some parents mention **the lack of information about the possibilities for involving children with disabilities in sports activities**.

We conclude that despite being able to participate in sports activities according to their condition and capabilities—confirmed by their unrestricted participation in physical education classes—some children with disabilities are not engaged in sports. Taking into account that movement is a basic human need, as well as play in childhood, it is concerning to note that children with disabilities, possibly due to ignorance, misconceptions and biases, do not participate in sports activities, even in physical education class.

⁵ OG 67/18, 21/22

⁶ Parasport or disability sport is played by people with disabilities

8 INSPECTION VISITS TO CHILD CARE INSTITUTIONS AND OTHER LOCATIONS

In accordance with their legal powers, the Ombudsman for Children has the right to access premises and gain insight into the manner in which care is provided for children who reside or are temporarily or permanently placed with natural and legal persons, as well as other legal entities based on special regulations. In 2023, the Ombudsperson and their associates visited a total of **43 institutions and other places where children stay in an organized manner**. These include 9 social welfare institutions, three local offices of the Croatian Institute for Social Work, 3 shelters for victims of domestic violence, 10 educational institutions, 3 penal institutions, 2 playrooms where children spend their leisure time, 4 institutions accommodating migrant and unaccompanied children, 7 accommodation facilities for displaced persons from Ukraine, and 2 other locations where children live or are temporarily or permanently accommodated. After the visits, observations and recommendations were submitted to the competent services, as appropriate.

9 OTHER ACTIVITIES RELATED TO THE PROTECTION AND PROMOTION OF CHILDREN'S RIGHTS

This chapter presents 11 conferences and events that the Office of the Ombudsman for Children organised independently or in cooperation with other institutions. Among the events, we highlight the 20th anniversary of the Ombudsman for Children in Croatia, a technical meeting on the protection of children in the digital age, and a conference on the protection of children's rights in traffic. We have printed five publications, one of which is related to a research paper "Exercising children's rights in Croatia: opinions and attitudes of children and young people in 2009 and 2023", while the other four were reprints of previous material. To commemorate the 20th anniversary of the Ombudsman for Children in Croatia, we have also created suitable promotional materials.

We compiled a list of published texts authored by members of the Office of the Ombudsman for Children multidisciplinary team. Additionally, we outlined 11 projects in which we actively participated and four projects that we supported, highlighting our collaboration with various institutions and organisations. We delivered 58 presentations at conferences in Croatia, which included lectures and workshops tailored for professionals and students.

10 INTERNATIONAL ACTIVITY

On the international front, we have engaged in communication and collaboration with various international organisations, networks, institutions, and independent experts. Moreover, we have actively participated in numerous meetings. In 2023, some of these activities were conducted through video conferences, virtual meetings, webinars, and meetings in hybrid formats. A significant part of our international engagements entails collaborating with networks of organisations of which we are a member, such as ENOC, COPE, and Eurochild.

Alongside children who are members of the Network of Young Advisors to the Ombudsman for Children (NYA), we participated in the ENOC project of young advisors to the European Ombudspersons, convened under the ENYA network, titled 'Let's Talk Young, Let's Talk about Promoting and Protecting Children's Rights.' Along with the NYA members, we joined the activities of the *EU Children's Participation Platform*, which promotes children's engagement as active citizens and advocates for the advancement of a democratic society.

A considerable portion of our activities centred around enhancing the status of children and promoting children's participation. These efforts included bolstering children's roles as advocates for their rights, establishing mechanisms for safeguarding children and vulnerable groups (such as children from Ukraine or those whose parents are deprived of liberty), fostering the independence and empowerment of ombudsman institutions for children, and addressing different aspects of children's rights.

11 OTHER ACTIVITIES OF THE CENTRAL AND REGIONAL OFFICES

To enhance the accessibility of the Office of the Ombudsperson for Children for both children and adults, we have established regional offices in addition to our central office in Zagreb. These regional offices are located in Osijek, Rijeka, and Split. Within the regional offices, advisors advocate for children's rights based on the territorial principle. Additionally, they apply the functional principle when addressing individual complaints regarding children's rights violations and proposing protection measures. This approach aligns with the professional specialisation of advisors in the field of protecting and monitoring children's rights.

The comprehensive Report on the Work of the Ombudsman for Children offers a detailed overview of the methods employed by both the central office and regional offices throughout 2023. It is accompanied by data illustrating areas where children's rights violations occurred and outlines the Office's efforts to promote and safeguard children's rights.

11

12 ORGANISATIONAL STRUCTURE AND FINANCES

The Office is headed by the Ombudsperson for Children. The Office comprises the Expert Services Department and the General Affairs Department, each overseen by a deputy. As of December 31, 2023, the Office's tasks and activities were carried out by 19 civil servants, which is 4 fewer than the planned and established 23 positions. Additionally, there were only 2 officials present, namely the Ombudsperson and their Deputy, as one Deputy Ombudsperson resigned on November 30, 2023.

The Office operates at four locations: Zagreb, Split, Rijeka, and Osijek. These premises are owned by the Republic of Croatia and have been made available for use by the Office. The budget of the Office of the Ombudsman for Children for 2023 amounted to **EUR 921,290.00**. The budget execution rate was **99.73 % (EUR 918,842.23)**.

12

13 CONCLUSION

First of all, I would like to highlight the positive developments recorded during 2023: a reduced at-risk-of-poverty rate, the construction and establishment of kindergartens across the country, the adoption of improved regulations in the area of protecting children's rights and wellbeing, an increase in child allowance, the reopening of renovated earthquake-stricken schools, and a school meal provided for every child in every school. Another positive thing is that research has shown that children have a better understanding of their rights compared to previous years.

According to the latest population estimate from 2022, children account for only 17.3% of the whole population of Croatia. This share decreases from year to year, which is reflected in education, social welfare, and health—the three key systems tasked with caring for the wellbeing of children.

13

Every child is our greatest treasure, and we must cherish them, irrespective of their background, opportunities, or place of birth. Regrettably, this is not the case, particularly for children living in challenging circumstances.

Children with disabilities, children at risk of domestic violence, children who are victims of sexual violence, children without adequate parental care, children living in poverty, children with behavioural problems, and minority group children continue to suffer the most from violations of their rights in the education system, social welfare, justice, and health.

The Programme of the Government of the Republic of Croatia 2020 – 2024 highlighted children's social rights, protection from violence, and improved educational system as crucial elements in improving the welfare of children. However, despite diligent efforts, in 2023, the Office recorded alarming negative trends, especially concerning violence against children, child safety in traffic, and child protection. Furthermore, there was a notable increase in the number of complaints regarding the educational system, particularly the justice system, compared to the previous reporting period.

Children with disabilities cannot develop their full potential without support, and they face numerous barriers in exercising their rights within the systems of education, health, and social care. The **rise in complaints** concerning violations of the **rights of children with disabilities** underscores the urgency of implementing changes to ensure their access to education, improved healthcare, and social welfare from early childhood through adulthood.

A family home and school should be the safest place for our children. However, it appears that this is becoming less and less true, as **violence** among children and against them **is increasing**. **Violence in educational institutions** has increased **by more than 80%**, and we are also concerned about the **rise in domestic violence**.

We strongly advocate for and support the announced changes to the legal framework that should lead to **better protection of child victims of sexual violence**. We advocate for the introduction of a new criminal offence - femicide - as well as stricter sanctions for serious criminal offences against sexual freedom and the sexual abuse of children. Moreover, we support the implementation of mandatory education programmes for judges, state attorneys, and other officials responsible for enforcing these laws.

Child victims' access to justice is frequently hindered by delays in prosecuting the perpetrator, inadequate treatment of the child during court proceedings, and insufficient support and protection for them. Waiting for the outcome of a case involving a child victim can be an incredibly challenging experience, and lengthy trials can have a detrimental impact on a child's recovery, exacerbating their long-term mental suffering. To enable a child to leave the victimisation experience behind and begin recovery, cases should be resolved as soon as possible. The child victim and witness protection system must be established to ensure that each child receives treatment tailored to their age and specific needs.

Ensuring family stability and preventing child neglect and abandonment should be paramount concerns for both the state and civil society. Ideally, all efforts should be directed towards ensuring that children grow in their own families, which should serve as the primary source of care, emotional support, and socialisation for them. Children who lack such familial care should be provided with suitable alternative care. Numerous challenges and instabilities worldwide, such as crises, the global deterioration of socio-economic conditions, ineffective social protection systems, prolonged transition processes, migrations, and shifts in cultural, social, economic, and political trends, contribute to serious and detrimental consequences for family stability and the care of children within families. We are particularly concerned about the challenges faced by the increasing number of **children lacking adequate parental care**, notably the insufficient capacity for their accommodation. Children under the age of seven are especially vulnerable, and the situation regarding their accommodation is alarming. It is imperative to establish new accommodation facilities and reorganise existing ones within institutions that possess the spatial and human resources, without compromising the existing level of child protection. We are committed to increasing employment within the social welfare system, advancing non-in-

stitutional services to prevent the separation of children from their families, and promoting foster care as a temporary alternative to parental care. This includes standardised training for foster parents and ongoing support for foster families, children, and their biological parents.

Our Office's active involvement in inter-country adoption of children from the DRC has led to substantial changes to legislation and, ultimately, improved protection of the rights and wellbeing of children involved in international adoptions.

Despite data indicating a reduction in poverty, with Croatia falling below the EU average, real-life instances of **child poverty** underscore the seriousness of the issue. Child poverty diminishes the likelihood of a child to develop their full potential and access quality education, which is essential for breaking the cycle of poverty. Children who have a caring parent but find themselves homeless require urgent solutions, with local governments also playing a crucial role in addressing this issue.

Unfortunately, many systems, including education, health, social care, the judiciary, and the police, exhibit **significant weaknesses in safeguarding the rights of children with behavioural problems**. Working with this group is often a substantial challenge for professionals. Most schools face difficulties in effectively addressing the educational needs of these students. Schools typically only engage with these children on specific occasions, applying one-time interventions, mostly outlined in protocols and regulations (such as meetings, reporting to other authorities, etc.), and implementing pedagogical measures.

Discrimination persists, highlighting the necessity of educating public officials on human and children's rights, the prohibition of discrimination, methods of prevention, and providing protection to children, especially vulnerable groups (such as children with disabilities, national minority children, children of foreign parents, and transgender children).

In 2023, **traffic accidents** claimed the lives of 21 children, with an increase in the number of children sustaining injuries in such accidents. Ensuring child safety in traffic should be a top priority, given that it is the leading cause of preventable child mortality.

Seven children took their own lives, with 43 others attempting to do so in 2023. Therefore, we emphasise the need for a **greater number of professionals** who can promptly identify and offer enhanced support and assistance to children in the realm of **children's mental health**, particularly for the most vulnerable groups, such as children with behavioural issues, children deprived of liberty, and children with multiple disabilities.

The numerous outbreaks of infectious childhood diseases prevented by vaccines in neighbouring countries in 2023 serve as a compelling incentive to vaccinate children. We emphasise that the child's right to vaccination is one of the most effective measures for safeguarding their health.

In the realm of the right to health, we underscore **the significance of organising paediatric palliative care in Croatia** according to the highest European standards, prioritising the individual needs of the child and providing support to the child's family.

Professionals, as well as children themselves, are sounding the alarm about the issue of so-called **behavioural addictions**, such as excessive time spent in an online environment, social media use, online shopping, gaming, pathological gambling, and online betting. These addictions are increasingly becoming a challenge in the lives of children and their families. Quality education and support for children, young people, their parents/guardians, and teachers are crucial. Additionally, offering better access to available and free leisure activities can serve as a good alternative to the excessive time spent in the online environment.

In 2023, the number of children seeking international protection surged by nearly 250%, with a simultaneous increase in the number of unaccompanied children. For this extremely vulnerable group, it is imperative to provide support that facilitates their growth and ensures a happy life in Croatia.

In 2023, we conducted four significant surveys: one on the opinions and attitudes of children and young people regarding the exercise of their rights in Croatia, another focusing on institutions for children without adequate parental care, a third examining the work of family departments in municipal courts, and a fourth survey assessing engaging children in pasports. All this research serves as the foundation upon which we will strategise and plan our work in 2024.

In the past two decades, the Office of the Ombudsman for Children has addressed 26,235 complaints, issued 985 recommendations, proposals, or warnings to promote systemic changes, and provided suggestions for improvement for 525 laws and regulations. Over the past 20 years, we have evolved into a highly recognised institution among the public. However, further efforts are necessary to enhance understanding of the powers and role of the Ombudsman for Children.

In this Report, we also reiterate the recommendations and assessments of the situation from previous reporting periods. This reflects the persistence of accumulated problems that continue to impact our children, exacting a toll on their wellbeing. Therefore, I urge all decision-makers to thoroughly review this Report, paying special attention to the messages conveyed by children, and to prioritise urgent resolution of the issues at hand. Children grow quickly and cannot afford to wait.