**UN – High Commissioner for Human Rights – Questionnaire on child, early and forced marriages**

*I. A comprehensive report to the General Assembly on progress made towards ending*

*CEFM, including in the context of the COVID-19 pandemic*

**1. What measures have been taken to implement the recommendations of the last report of the Secretary-General on the issue of child, early and forced marriage (A/75/262)?**

1. **Ensure that COVID-19 recovery measures are transformative and promote inclusive, gender-equal and sustainable economies and societies. Measures should address inequality, exclusion and poverty, which are among the root causes of child, early and forced marriage** (izA/75/262).

From the very onset of the COVID-19 pandemic, Croatian Institute of Public Health issued a great number of recommendations with a view to limiting the spread of the infection. The recommendations are either general or apply to target groups in the population, among others also to children.

**2. What legislative actions have you taken to address the root causes of child, early and forced marriage? Any examples of legislation enacted, beyond the minimum age of marriage, such as laws repealing or amending provisions that enable perpetrators of rape, sexual abuse or abduction to be exempted from prosecution and punishment by marrying their victims?**

In the Republic of Croatia, from the police point of view, early and forced marriages involving children and the related types of sexual abuse of children, child pregnancies and a wide range of violent behaviour and humiliation suffered by those victims fall under the category of crimes against children with particularly serious consequences.

Any suspicion of such unlawful behaviour obligates the police to respond immediately in order to identify the victim, urgently provide protection to the victim, detect the criminal offence and identify and prosecute the perpetrators of such criminal offences before the competent judicial authorities. In the Republic of Croatia, such procedures are within the competence of a special branch of the criminal police dealing with juvenile delinquency and crimes against children and youth.

Early and forced marriages with children as unlawful behaviour are primarily covered by the following criminal offences: Trafficking in Human Beings (Art. 106) and Enabling Non-Marital Cohabitation with a Child (Art. 170) under the Criminal Code (Official Gazette, No 125/11, 144/12, 56/15, 61/15, 101/17, 118/18, 126/19 and 84/21).

In addition to the above crimes, it should be pointed out that victims also often suffer a wide range of sexual abuse (criminal offences of sexual abuse and exploitation of a child under Title XVII of the Criminal Code) and violation of rights (Violation of the Rights of a Child, Art. 177 of the Criminal Code).

**3. What measures have you adopted to support girls that are already married or in informal**

 **unions? Do those measures contribute to:**

**a. Ensure their free, active and meaningful participation in decision-making on all issues affecting them, particularly when developing and implementing coordinated responses and strategies to prevent and eliminate child, early and forced marriage?**

As part of a broader national initiative (with the participation of the Ombudswoman of the Republic of Croatia and the Ombudsman for Gender Equality), all police administrations which receive any information about minor pregnancies and early non-marital cohabitation among members of the Roma national minority in the Republic of Croatia **are obligated to carry out criminal investigations as a priority and an emergency in order to legally protect children whenever their well-being is threatened, either by voluntary or forced marriage/non-marital cohabitation or by some related crime**.

Likewise, all police administrations have been ordered to contact and cooperate on a local level with persons responsible for such cases within the social welfare, health and education systems, as well as with associations and civil society organisations whenever they conduct such criminal investigations in order to ensure that the institutions take efficient and harmonised actions and that the victimisation of the child is immediately stopped.

**Moreover, special attention is paid to the training of police officers.** The Police Academy, as an educational organisation unit of the Ministry of the Interior, carries out continuous training of police officers on human rights, in particular the rights of children, as part of educational programmes on all educational levels (basic police training, university level education and life-long learning). The Police Academy has been implementing a *Specialised training on juvenile delinquency and crimes against youth and family* (continuously since the year 2000) and a seminar on *Conducting interviews with children - victims of crimes,* in cooperation with specialised organisational units and other representatives of the expert and scientific community. The topic of *forced child marriages* is covered on the 3rd year of undergraduate professional study programme in Criminal Investigation, as part of the course on *Criminal methods of investigating juvenile delinquency and crimes against children.*

As regards more common occurrences of early and even forced marriages and minor pregnancies in the Roma minority population in the Republic of Croatia, the expert services of the Ministry of the Interior carry out targeted preventive activities in cooperation with their partners aimed at enhancing integration and the living conditions of the Roma national minority, including the prevention of early and/or forced marriage, in line with the *National Roma Inclusion Strategy 2013-2020*, and the *National Roma Inclusion Plan 2021-2027,* and the accompanying Action Plans.

 **d. Ensure their access to health services, including services related to sexual and**

 **reproductive health?**

Pursuant to the Compulsory Health Insurance Act, in Croatia all persons up to the age of 18 or until the end of regular schooling - including girls who are married or in informal unions - who have Croatian citizenship or are foreigners with permanent residence, are equally elligible for the compulsory health insurance system: there are no differences among the insured of the compulsory health insurance in relation to ethnic, religious or any other affiliation, including marital status, and the spectrum of the right to health care is the same for all children. Health care is completely free for all children up to the age of 18, and this also includes the rights under supplementary health insurance (normally, a minimum charge for specific health services). Accordingly, the legislative framework clearly prescribes and assumes no discrimination based on the marital status of minors in the Republic of Croatia, because all insured persons under compulsory health insurance are equal in their rights, and children also enjoy additional protection consisting of higher-standard health services for which other insured persons are charged extra payment.

The problem of adolescent pregnancies in the Republic of Croatia is almost negligible. Adequate education related to sexual and reproductive health is provided through the health care system (compulsory health education lectures from within the scope of school medicine and individual counseling in the gynecological service) and through the educational program (education in primary and secondary schools). In the Republic of Croatia, 99.9% of births take place in maternity hospitals with professional support, and very rarely outside maternity hospitals, and mothers receive health services regardless of their age (prenatal and postnatal care, professional birth monitoring, emergency obstetric care and postpartum care).

Induced abortions in the Republic of Croatia are legally allowed for minors, too, and girls under 16 do not need the consent of their parents or guardians to subject to the procedure. Thanks to preventive and educational campaigns aimed at promoting sexual health care among young people, the frequency of abortions among minors in Croatia has been steadily declining for years. Miscarriages are only sporadically recorded among minors.

As a party to the UN Conventions (on the rights of persons with disabilities, the elimination of all forms of discrimination against women and the rights of the child) the Republic of Croatia is among the countries committed to ensuring and protecting human rights and fundamental freedoms. Consequently, the implementation of the principles and standards contained in the Conventions is in force in the Republic of Croatia, thus ensuring equal fundamental freedoms and rights of girls regardless of marital status.

**e. Ensure their food and nutrition security, and their access to safe and affordable drinking water?**

It is estimated that in the Republic of Croatia about 91% of the population is connected to public water supply, while about 1.5% is connected to local water supply. Given such a high percentage of population connected to public water supply, it can be said that the population of the Republic of Croatia including children under 18 have access to safe and healthy water for human consumption in their own homes and during their stay in kindergartens and schools.

Within the state monitoring coordinated by the Croatian Institute of Public Health and conducted by the County Institutes of Public Health and the *Dr. Andrija Štampar* Teaching Institute of Public Health, 7,451 samples of the water for human consumption were taken from the public distribution systems to monitor Group A parameters and 699 samples were taken for monitoring Group B parameters. The total number of the samples of water for human consumption in the public distribution network in the Republic of Croatia that were non-compliant under one or more indicators was 237 or 2.9%. 166 samples (2.0%) were chemically non-compliant and 93 (1.4%) were microbiologically non-compliant. When from the total number of non-compliant samples (237) we deduct the non-compliant samples that were found compliant when a valid decision on permissible deviation from the prescribed maximum permitted concentrations was submitted (51), the resulting final number of non-compliant samples is 186 or 2.3%.

In addition to the state monitoring, during the COVID-19 pandemic, the activities of official controls of water for human consumption in 2020 included preventive control of a large number of facilities that had been temporarily closed due to the pandemic. On re-opening, samples of the water at such such facilities (kindergartens, schools, doctor's offices - May/June 2020) were taken to monitor the parameteras of the A analysis, internal network parameters and additionally the parameters of *Legionella* spp.

All this indicates that a system has been established within the Republic of Croatia to monitor and ensure the provision of water that is safe for human consumption to all residents, and selecting sampling locations in the facilities for vulnerable groups, especially children, only goes to show that child care is comprehensively implemented.

**4. What actions do you take to support girls and women affected or at risk of child, early and forced marriage: especially those who have fled such a marriage or whose marriage has dissolved, and to support widowed girls or women who were married as girls?**

The procedure and mechanism for early identification of vulnerable persons, including women who are victims of early and forced marriage are foreseen under the Act on International and Temporary Protection (Official Gazette, No 70/15 and 127/17). Specially trained police officers and employees of other competent authorities take continuous actions to identify personal circumstances of international protection applicants, from the moment they make an application for international protection until they receive a decision on their application. Special needs can be identified and reported at any stage of the procedure. Officers in charge of such cases have received special training to deal with women and gender-based violence, including women who are victims of early and forced marriage. During the interview, female international protection applicants are asked specific questions about this topic in the presence of a female interpreter and the officer in charge of their case. Applications for international protection lodged by women which are founded on gender-based violence have priority in a decision-making process. In case of any suspicion of human trafficking, notification is sent to the criminal police which is in charge of identifying human trafficking.

**6. What progress is made in gathering data disaggregated by sex/gender, age, geographical**

 **location, socioeconomic status, disabilities, educational level and other factors, in**

 **particular on the situation of already married girls and girls in informal unions?**

From 2021 (including the reporting year 2020), the Croatian Institute of Public Health collects data from primary health care (family medicine, preschool children's health care, women's health care and dental health care) on an individual level, which enables more detailed analyses, merging with other databases/registers and, potentially, data from other sectors that collect data in the same way. In this way, the development of indicators can be improved and a more precise insight into the health status of the population in the Republic of Croatia can be obtained, including distribution by sex, age, place of residence and potentially other data contained in non-health databases.

**9. Please share data end evidence on the impact of the COVID-19 pandemic on the trend of child, early and forced marriage.**

Given the current circumstances (the *migrant crisis* that Croatia has been continuously facing since 2015 and the arrival of irregular migrants via the so-called Balkan migratory route leading from the countries in the Middle East to the countries in Western Europe, as well as the *crisis situation caused by the COVID-19 pandemic*), it is evident that they create favourable conditions for the victimisation of children and vulnerable groups in every way, including early and forced marriages, and that they cause serious and long-term consequences. Accordingly, police services of the Republic of Croatia have adjusted their operational and tactical focus with the aim of ensuring better recognition of threats and timely prevention of victimisation, as well as providing assistance to vulnerable persons.

The Republic of Croatia started to keep records on CEFM victims (child, early and forced marriage) in 2021 when we identified a total of six cases of early and forced marriage among female international protection applicants which occurred in their countries of origin. Given the fact that such records of adverse traditional practices have been kept since 2021, we cannot accurately determine the correlation between the COVID-19 pandemic and the total number of girls and women who are CEFM victims, nor the upward or downward trend in child, early and forced marriages in relation to the COVID-19 pandemic.

**10. What measures are taken to mitigate the impact of COVID-19 on girls and women survivors of CEFM and at risk? For instance, have you continued or enhanced provision of protection and support services for survivors of gender-based violence, and adapted essential health-care services, including sexual and reproductive health-care services?**

When accommodating international protection applicants, special consideration is given to vulnerable groups, including victims of gender-based violence and CEFM victims. In accordance with the Act on International and Temporary Protection and the Ordinance on material reception conditions (Official Gazette, No 135/15), all international protection applicants are provided with free accommodation, food, clothes and financial aid.

In accordance with the Ordinance on the standards of health care, international protection applicants and aliens under temporary protection are entitled to health care, which includes reproductive and gynaecological health care of women. Furthermore, vaccination against SARS CoV-2 is available to applicants under the same conditions as to Croatian citizens and records are kept thereof with special focus on vulnerable groups.

In order to mitigate the negative impact of the COVID-19 pandemic on girls and women identified as victims of adverse traditional practices such as early and forced marriages in the countries of origin, as well as on other male/female international protection applicants identified as SGBV victims (Survivors of gender-based violence), psychosocial assistance has been provided, as well as support from psychologists from humanitarian organisations such as Médecins du Monde and the Croatian Red Cross, including, where necessary, psychiatric treatment.

Continuous assistance and support is provided to this category of persons in order to empower them and help them integrate into Croatian society as best as possible. With a view to protecting all international protection applicants against sexual and gender-based violence, the Ministry of the Interior has drafted a Standard Operating Procedure (SOP) for preventing and responding to sexual and gender-based violence in reception centres for international protection applicants in Croatia, in cooperation with several international organisations and national NGOs. The purpose of SOP, which contains actions to be taken by all actors involved in the prevention and protection against sexual and gender-based violence, as well as their roles and responsibilities, and which is applied in accordance with the existing national protocols, is to establish a clear and efficient system for the referral of international protection applicants who have experienced sexual and gender-based violence to the national mechanism. This SOP also foresees the activities of the Coordination Group for sexual and gender-based violence, which evaluates and plans the activities aimed at prevention and capacity building in order to ensure efficient and effective prevention and protection against these forms of violence. While recognising the special importance of preventive measures, information materials are drafted and published in order to raise the awareness on how important it is to recognise all forms of violence so that timely response and further actions could be taken. When dealing with victims who are exposed to these types of violence, the principle of the best interest is applied and complied with, and the international protection procedure is carried out under the principle of urgency of the procedure.

**II. A report to the Human Rights Council on progress, gaps and challenges in addressing CEFM and measures to ensure accountability**

**3. Statistical data on the enforcement of legal measures, including, when relevant,**

**a. If CEFM is prohibited and/or criminalised, the number of cases prosecuted, who initiated the legal action (prosecutorial authorities, victims, or others) and who is prosecuted (children, parents, other relatives or others); as well as data on the number of cases investigated, and cases that result in a conviction; and**

**b. The number of CEFM annulled and other civil or administrative related procedures.**

According to the official records of the Ministry of the Interior, the following criminal offences against children have been recorded in the Republic of Croatia in the last three years:

- **Trafficking in Human Beings**:

2018 (2 criminal offences); 2019 (11 criminal offences) and 2020 (2 criminal offences);

- **Enabling Non-Marital Cohabitation with a Child**:

2018 (21 criminal offences); 2019 (22 criminal offences) and 2020 (15 criminal offences).

Statistical data related to the above mentioned criminal offences, that is, to criminal offences potentially related to them:

- **Violation of the Rights of a Child**:

2018 (1,096 criminal offences); 2019 (1,661 criminal offences) and 2020 (2,208 criminal offences);

- **Sexual Abuse of a Child under the Age of Fifteen**;

2018 (232 criminal offences); 2019 (435 criminal offences) and 2020 (235 criminal offences);

*- Criminal offences of* ***sexual abuse and exploitation of children under Title XVII*** *of*the Criminal Code (total): 2018 (488 criminal offences); 2019 (702 criminal offences) and 2020 (468 criminal offences).

**Additional**

We would also like to point out additional efforts and investments made by the General Police Directorate with a view to raising the awareness about minor marriages, in particular in the Roma community, and the importance of reporting them to the authorities.

The General Police Directorate carries out preventive activities in cooperation with the relevant partners aimed at enhancing integration and the living conditions of the Roma national minority, including the prevention of early and/or forced marriage among the Roma population, in line with the *National Roma Inclusion Strategy 2013-2020*, and the *National Roma Inclusion Plan 2021-2027,* and the accompanying Action Plans.

Thus in 2017, an educational documentary entitled “**Marry When You Are Ready**” was produced in cooperation between the General Police Directorate and the Association of Roma Women “Roma Heart” and with the financial support from the EU. The documentary covers the topic of early marriage of Roma girls between the ages of 9 and 15. In addition to the preventive activities that are focused on Roma national minority, this documentary is also used with the aim of raising the awareness of the experts and the public about this topic by organising public forums, debates, workshops and public events to celebrate thematic days.

Finally, we would like to point out the preventive project “**I Have a Choice**” which is implemented by competent police administrations in cooperation with educational institutions and other partners with the aim of increasing the social inclusion of social minorities into community with a special emphasis on raising the awareness and empowering minor Roma girls so that they would not become victims of crime, particularly violent crime.