

# CROATIA 2013 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

The Republic of Croatia is a constitutional parliamentary democracy. Legislative authority is vested in the unicameral parliament (Sabor). The president serves as head of state and nominates the prime minister, who leads the government. Domestic and international observers stated that parliamentary elections held in 2011 were in accordance with international standards. Security forces reported to civilian authorities. Security forces did not commit human rights abuses.

During the year the most important human rights problems in the country were societal discrimination and some instances of violence directed against members of ethnic minorities, particularly ethnic Serbs and Roma, which discouraged the return of displaced persons to their homes and delayed recovery from the conflict of the early 1990s. Hostility and violence directed at lesbian, gay, bisexual, and transgender (LGBT) persons continued during the year. Corruption remained a deep-seated problem.

Other human rights problems included judicial delays; unresolved property restitution claims stemming from World War II, the Communist era, and the wars of 1991-95; public displays of profascist sentiments and vandalism of Holocaust memorials; and human trafficking.

The government took significant steps to prosecute and punish officials who committed abuses of human rights. There were no reports of impunity involving the security forces during the year.

### **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

#### **a. Arbitrary or Unlawful Deprivation of Life**

There were no reports that the government or its agents committed arbitrary or unlawful killings. Prosecutors are responsible for examining all killings, including any alleged killings by security forces.

On October 28, the Zagreb court confirmed the indictment of 93-year-old former interior minister Josip Boljkovac for participation in the 1945 killing of 21 civilian prisoners while he served as a secret service officer in Marshal Tito's Yugoslav partisan forces resisting fascist occupation.

## **b. Disappearance**

During the year there were no reports of politically motivated disappearances.

As of November 28, the government reported that 1,678 persons remained missing from the 1991-95 military conflict, including an estimated 731 ethnic Serbs. During the year the government investigated 103 possible mass and individual gravesites, exhuming 129 persons, at least 105 of whom were believed to be ethnic Serbs.

## **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The constitution and law prohibit such practices, and there were no reports that the government employed them.

### **Prison and Detention Center Conditions**

The ombudsman (a position appointed by parliament and charged with protecting citizens' legal rights) reported in 2012 that the treatment of prisoners was generally humane. According to the ombudsman's 2012 report, overcrowding in the prison system remained an acute problem.

Physical Conditions: As of December 2012 the prison system held 4,741 prisoners, including 105 minors. The maximum legal capacity to accommodate prisoners and minors was 3,921 places. Of the total number of prisoners, 207 were women, including eight female minors in a juvenile correction and education institution. During 2012 there were 13 deaths due to natural causes. Prisoners had potable water. The ombudsman recommended the government make available around-the-clock medical care and take steps to reduce overcrowding.

Administration: Recordkeeping on prisoners was adequate. Authorities used alternatives to incarceration for nonviolent offenders, the prison ombudsman was available to respond to complaints, and prisoners and detainees had access to visitors. Authorities permitted prisoners religious services. Prisoners could submit complaints to judicial authorities without censorship, and authorities investigated credible allegations of inhumane conditions. The ombudsman could only intervene in cases involving to prison conditions, and his opinion was not binding.

Independent Monitoring: The government permitted monitoring by independent nongovernmental observers. The Council of Europe's Committee for the Prevention of Torture (CPT) conducted a nine-day regular visit to the country in September 2012. In November the CPT's annual report noted that this visit included a review of residential care facilities.

#### **d. Arbitrary Arrest or Detention**

The constitution and the law prohibit arbitrary arrest and detention, and the government generally observed these prohibitions.

#### **Role of the Police and Security Apparatus**

The national police, under the control of the Ministry of the Interior, have primary responsibility for domestic security. In times of disorder, the prime minister and the president may call upon the military to provide security. The intelligence service is under the authority of the prime minister and the president. An independent oversight board monitors the intelligence service's activity. Civilian authorities maintained effective control over the security forces, including the Ministry of Interior, Ministry of Defense, and the intelligence service. The government has effective mechanisms to investigate and punish abuse and corruption. There were no reports of impunity involving the security forces during the year.

#### **Arrest Procedures and Treatment of Detainees**

There were no arbitrary, secret, or warrantless arrests. Under the law state prosecutors may hold suspects for up to 48 hours. In all cases an investigative judge must decide within 12 hours whether to extend the detention for further investigation. Authorities informed detainees promptly of charges against them, and there was a functioning bail system. The courts may release detainees on their own recognizance. Detainees generally were allowed prompt access to a lawyer of their choice or, if indigent, to one provided by the state. Suspects were not detained incommunicado or held under house arrest.

#### **e. Denial of Fair Public Trial**

The law provides for an independent judiciary, and the government generally respected judicial independence. The judiciary continued to suffer from a heavy

backlog of cases. The Ministry of Justice reported that 773,349 unresolved civil and criminal cases remained before the courts as of September 30.

### **Trial Procedures**

Defendants enjoy the presumption of innocence. The law provides that defendants be informed promptly and in detail of the charges against them (with free interpretation as necessary). The law provides for the right to a fair and public trial without undue delay, and an independent judiciary generally enforced this right. To hear cases, the legal system uses panels of judges that in some instances include lay judges rather than juries. Defendants have the right to communicate with an attorney of choice (or to have one provided at public expense). Defendants enjoy the right to adequate time and facilities to prepare a defense and have access to government held evidence relevant to their cases. Defendants have the right to confront or question witnesses against them, and present witnesses and evidence on their behalf. Defendants may not be compelled to testify or confess guilt. Defendants and prosecutors have the right to file appeals before verdicts become final.

On November 22, parliament revised the Law on Free Legal Aid, a measure supported by human rights nongovernmental organizations (NGOs), including the Center for Peace Osijek, in order to increase the number of persons eligible to receive free legal aid; expand the scope of legal problems considered eligible for legal aid; and ease the process of obtaining assistance. Nevertheless, legal experts warned that access to free legal aid for the most vulnerable groups, particularly those living below the poverty line, including returnees, was restricted due to a lack of governmental financial support. For this reason, the Ministry of Justice supported legal assistance in only 372 emergency cases in 2012, and those recipients waited several months before receiving assistance. According to the Center for Peace Osijek, 14,564 persons received assistance from NGOs, funded in part from foreign donations.

In July the Ministry of Justice, in cooperation with NGO Victim and Witness Support Service Croatia, expanded victim support by opening a toll-free hotline, standardized across Europe, to provide professional assistance in Croatian and English. According to the UN Development Program, which developed the victim support program, the support service received 1,070 calls for assistance between July and November. The government continued to take steps to prevent witness intimidation in war crimes cases.

County courts at Osijek, Rijeka, Split, and Zagreb continued to exercise exclusive jurisdiction over new war crimes cases. Cases already in progress in 15 county courts continued in those jurisdictions. Since the 2008 action plan providing for a review of all war crime indictments or continuing investigations went into effect, the Prosecutor's Office requested the reopening of trials for 95 individual defendants, 31 defendants requested the reopening of their own in absentia convictions, and two such requests came from courts. Such requests were granted in all but one case. As of July proceedings against 88 defendants were final. Four of these defendants were again convicted of the original charges, while the others, who were granted amnesty for their role in the armed rebellion, were acquitted by the court, or died before the proceeding was completed. All other cases continued at year's end.

On September 4, the Zagreb county court convicted Ljubinko Radosevic and Vojislav Grcic, who were fighters in the ethnic-Serb rebel army, of war crimes, including sexual violence. Both were sentenced to 12 years in prison in a trial court verdict for the wartime rape of a 20-year-old woman in 1991. Victims' advocates welcomed the verdict.

On December 10, the Osijek county court convicted the wartime deputy chief of the Sisak police, Vladimir (Vlado) Milankovic, of war crimes committed in Sisak against ethnic Serbs in 1991 and 1992 and sentenced him to eight years but acquitted reserve police officer Drago Bosnjak on war crimes charges. Prosecutors announced an appeal in the Bosnjak case.

On June 13, the Split county court found Bozo Bacelic guilty of killing an elderly couple in Prokljan and burning their bodies in a war crimes case stemming from the 1995 Operation Storm. The other defendants were acquitted due to the lack of evidence or procedural reasons. According to the prosecutor's war crimes database, 24 war crimes cases related to Operation Storm were listed in which perpetrators had still not been identified. Criminal reports filed by police against unknown perpetrators were submitted in three of these cases to the prosecutor's offices.

In September the Ministry of Finance and the daily newspaper *Slobodna Dalmacija* waived most of the debt that courts had ordered Vjera Solar to pay them to cover litigation costs. Solar sought nonpecuniary damages for mental suffering caused by the death of her daughter during the war and as well as slander she alleged that *Slobodna Dalmacija* committed by publishing an interview with the former deputy commander of the Sisak police Vladimir Milankovic. Documenta,

an NGO that monitored war crimes trials, stated that the cancelation of Solar's debt was the first known case under the Regulation on the Criteria, Standards, and Procedures to Write off Debts in which a victims' family member was relieved of an obligation to reimburse court costs.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

### **Civil Judicial Procedures and Remedies**

Individuals may seek damages for, or cessation of, an alleged human rights violation and may appeal decisions to the European Court of Human Rights (ECHR) after all domestic legal remedies have been exhausted or after a case has been pending for an excessive period. Continuing case backlogs raised concerns about judicial effectiveness and efficiency. Administrative remedies are available as well for alleged wrongs.

### **Regional Human Rights Court Decisions**

The country is subject to the jurisdiction of the ECHR. The government complied with the rulings of the European Court of Human Rights.

### **Property Restitution**

The government did not return the privately owned property involved in 15 unsolicited investment cases (e.g., property improvements made by the unlawful occupants) pending before the courts for several years. The court reached decisions in 14 cases, and the State's Attorney's Office agreed to assume the obligation to compensate the illegal occupant in six cases.

Serb NGOs criticized the law because it allows authorities to donate state-owned properties to ethnic-Croat settlers in war-affected areas but does not permit the government to make similar support available to ethnic-Serb returnees. Recipients of these donations were largely Croat settlers from Bosnia and Herzegovina and Kosovo. According to the Office of the UN High Commissioner for Refugees (UNHCR), no property was ever donated to an ethnic Serb.

Cases involving the restitution of property seized during World War II and the communist era also remained a problem. The law permits the restitution of

property only to individuals who were citizens in 1996 when parliament passed the law. As a result the law does not apply to persons whose property was expropriated but who left the country and became citizens of other countries.

Restitution of communal property remained a problem for the Serbian Orthodox Church and the Coordination of Jewish Communities in Croatia, the umbrella organization representing the Jewish community of Zagreb and nine smaller communities throughout the country. A number of Jewish communal claims, including the much-publicized “Chevra Kadisha” property in Zagreb, remained unresolved. Yugoslav authorities nationalized the building after World War II, and during the year it was still registered to an agricultural organization.

#### **f. Arbitrary Interference with Privacy, Family, Home, or Correspondence**

The constitution and law prohibit such actions, and the government generally respected these prohibitions.

### **Section 2. Respect for Civil Liberties, Including:**

#### **a. Freedom of Speech and Press**

The constitution and law provide for freedom of speech and press, and the government generally respected these rights. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of speech and of the press.

Freedom of Speech: While the constitution provides for freedom of speech, the criminal code sanctions individuals who act “with the goal of spreading racial, religious, sex, national, ethnic hatred or hatred based on the color of skin or sexual orientation or other characteristics.” The law provides for no less than six months’ and no more than five years’ imprisonment for hate speech. Hate speech committed over the internet is punishable by six months’ to three years’ imprisonment.

Press Freedoms: Many private newspapers and magazines were published without government interference. Observers cited the lack transparency in media ownership as a challenge to media and government accountability.

The law regulates the national television and radio networks separately from other electronic media. Independent television and radio stations operated in the

country, and two of the four national television channels were privately owned and independent. There were no reports of the government's influencing these outlets by directing its purchases of advertising. Local governments partly or fully owned approximately 70 percent of the local broadcast media, making them particularly vulnerable to political pressure. Approximately 46 percent of local radio stations depended on local authorities for financial support.

Censorship or Content Restrictions: A number of journalists reported that publishers and media owners feared losing advertisers and frequently practiced self-censorship in reporting on advertisers or those linked politically to them.

Libel Laws/National Security: Libel is a criminal offense. During the year there were no reports of new politically motivated libel cases. A large number of earlier libel cases remained unresolved due to judicial backlogs. Courts may fine, but not imprison, persons convicted of slander and libel.

On January 23, the South East Europe Media Organization expressed concern over the detention of Jasna Babic, a journalist sued for libel by a local businessman. The Zagreb Municipal Court ordered Babic's detention citing her failure to appear at 16 hearings and describing her imprisonment as "disciplinary detention." Babic was released from detention on January 24. On January 28, she apologized in court to the businessman, whereupon he withdrew the charges.

On March 13, the Croatian Journalists Association (CJA) requested changes to the Criminal Code that went into effect on January 1, and sanctioned "criminal acts against honor and reputation." In an open letter to government leaders, the CJA stated it believed these provisions should not be included in the Criminal Code but rather in the Civil Code and called the new Criminal Code a "step backwards in media freedom in Croatia."

### **Internet Freedom**

There were no government restrictions on access to the internet or credible reports the government monitored e-mail or internet chat rooms without appropriate legal authority. According to 2012 statistics from Internet World Stats, approximately 3.2 million persons, representing 71 percent of the population, used the internet.

### **Academic Freedom and Cultural Events**

There were no government restrictions on academic freedom or cultural events.



## **b. Freedom of Peaceful Assembly and Association**

### **Freedom of Assembly**

The constitution and law provide for freedom of assembly, and the government generally respected this right.

### **Freedom of Association**

The constitution and law provide for freedom of association, and the government generally respected this right. The law gives the Ministry of Justice authority over the establishment and internal governance of NGOs. While authorities applied the law equally to all organizations, some observers saw it as restrictive and controlling. For example, the law provides that organizations may not register if their statutory goals are deemed trivial or if their property is not deemed sufficient to carry out their statutory activities. The law also permits the government to influence the appointment of an organization's management body.

## **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/j/drl/irf/rpt](http://www.state.gov/j/drl/irf/rpt).

## **d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons**

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. The government cooperated with the UNHCR and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

On May 1, the government established the State Office for Housing and Status Rights (SOHSR) to oversee all problems related to refugees, returnees, and internally displaced persons. On April 19, the government amended the Law on ASSC (war-affected areas) to place the management and awarding of housing units under the SOHSR as well as the donation of construction material and land. The

SOHSR reported that more than 11,000 families in the country applied to the government for housing and fulfilled all of the criteria to receive a housing benefit. As of September 2012 the government registered the return of 389,915 refugees and internally displaced persons (IDPs) since 1995, 133,280 of whom were Serbs. During the year the UNHCR reported that 48 percent of ethnic-Serb returns were permanent, while 34 percent were either one-time or “commuter” returns who did not reside full time in the country. Seventy-five percent of the returnees were former occupancy and tenancy rights holders, holders of the right to reside in a socially owned dwelling and beneficiaries of the government’s domestic Housing Care Program (HCP). International organizations cited the poor state of the regional economy, including the lack of employment and delays in receiving permanent housing, as the main obstacles to return.

### **Internally Displaced Persons (IDPs)**

Based on a 2012 UNHCR field survey, there were no longer any IDPs in the country with any pending or outstanding needs.

### **Protection of Refugees**

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government established a system for providing protection to refugees. According to the Ministry of Interior, 928 persons applied for asylum in the first half of the year, an increase from 413 during the same period in 2012. The UNHCR reported a total recognition rate (the number of asylum-seekers granted formal refugee status and complimentary form of protection divided by the total number of cases) of 16.7 percent for persons who applied for subsidiary protection or refugee status during 2012. According to the UNHCR, 20 persons formally received protection in the first six months of 2013, of whom two received refugee status and 18 received subsidiary protection. Croatia was a transit country, and the majority of asylum seekers (approximately 85 percent) traveled onward to other EU countries. The UNHCR reported in November that the asylum system was generally fair and effective, but that there were shortcomings, including inadequate long-term programs for persons under international protection such as an appropriate social-welfare scheme and special facilities for unaccompanied children. In November the UNHCR reported that 45 unaccompanied minors applied for asylum in the first six months of the year. Since 2004 the government granted protection to nine unaccompanied minors.

The country has a well developed asylum system, and refugee status determination is conducted for all applicants. In February the government passed its migration policy to address the integration of persons granted international protection. In June parliament adopted amendments to the Foreigners' Act to introduce measures streamlining the temporary residence procedure and improving status rights for children born in the country. According to the UNHCR, reception capacity for asylum seekers remained oversubscribed due to the increased number of asylum applications.

Durable Solutions: The government continued to participate in a five-year joint regional housing program (RHP) with the governments of Bosnia and Herzegovina, Montenegro, and Serbia to help provide durable integration or return solutions for roughly 73,000 regional refugees and IDPs. According to the UNHCR, an estimated 49,056 Croatian Serbs still held refugee status in the Balkans region, 41,724 of whom resided in Serbia. These potential returnees were particularly vulnerable while awaiting permanent housing.

On December 3, the National Housing Care Coordinator signed a framework agreement with the Council of Europe Development Bank which managed the RHP fund. The agreement opened access to RHP grant money to the government. A total of 119.7 million euros (\$161.6 million) was expected to be spent in Croatia's portion of the RHP, of which the government's contribution was 25 percent or 29.9 million euros (\$40.4 million). The SOHSR closely coordinated with the UNHCR to ensure that it selected the most vulnerable beneficiaries.

During the year donors approved the first wave of subprojects to construct 29 apartments in Korenica at a cost of 1.4 million euros (\$1.9 million) beginning in 2014. In March Foreign Minister Vesna Pusic urged that no refugee who wished to return to the country "falls through the cracks."

During the year the government's program to resolve the claims of persons, mainly ethnic Serbs, who held tenancy rights in socially owned apartments prior to the war, but who lost these rights during or just after the war, continued slowly. According to the SOHSR, since 2001, 17,806 families submitted requests to the HCP, including 1,519 requests during the year, representing more than 4,500 persons. On August 31, the government closed the deadline to apply to the HCP to return to areas outside of special state concern (e.g. urban areas) but was still accepting applications to war-affected areas. A total of 13,222 HCP applications were administratively resolved (9,402 positively and 3,820 negatively). There

were 59 housing units allocated during the year. The UNHCR expressed concern over the very poor delivery of housing care to returnees.

Since 1995 the government assisted in the reconstruction of 162,626 housing units (149,643 reconstructed and 12,983 allocated building materials). During the year 842 units were reconstructed (334 through reconstruction program and 508 through the HCP).

During the year the authority to grant returnee status, the decision that activated social-welfare benefits, was transferred to county-level administrative offices. The UNHCR welcomed the move since very few cases had been decided upon in 2012. On November 1, the county-level offices became fully staffed and have thus far received 6,260 requests to regulate status, while another 9,300 cases were in transit to these offices. On December 11, the SOHSR, the UNHCR, the ombudsman, and the Ministry of Administration held a workshop to assist these offices and NGOs understand the new system better.

On November 28, the government adopted a decision to count years spent as a refugee from 1992 until a lease was signed by a returnee in order to provide prorated reduced costs for HCP beneficiaries to purchase former socially owned housing, a right from which other citizens already benefitted. According to the UNHCR, by November the government finalized no purchases from the 1,284 pending requests.

While the Law on ASSC as amended during the year no longer deems selling one's own property as a criminal offense, in 2012 prosecutions went forward against 41 ethnic-Serb beneficiaries of construction assistance for not residing in newly reconstructed houses or for prematurely selling their reconstructed houses, thus violating the previous ban on the disposal of property in less than 10 years without government approval. Prosecutors pursued nine of these cases for fraud, resulting in two trial court convictions in 2012 in which one returnee received a six-month prison sentence while the other received one-year's probation. The two cases were appealed locally and sent to the ECHR for review. In 2012 President Josipovic appealed this restriction on owners to dispose of personal property to the Constitutional Court.

### **Stateless Persons**

Citizenship is derived by birth in the country's territory or via one parent's birth in the country. According to the UNHCR, as of November there were 2,886 persons

who were stateless or at risk of statelessness, many of whom were from other states of the former Yugoslavia and who had difficulty providing documents needed to register as Croatian citizens. According to Romani NGOs, stateless Roma continued to have problems accessing state services.

### **Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government**

The constitution and law provide citizens the right to change their government peacefully, and citizens exercised this right through periodic, free, and fair elections on the basis of universal suffrage.

#### **Elections and Political Participation**

Recent Elections: Parliamentary elections held in 2011 took place in a pluralistic environment and were administered in a professional and transparent manner, according to the limited election observation mission of the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe.

Participation of Women and Minorities: There were 31 women in the 151-seat parliament and four women in the 21-seat cabinet, including the first deputy prime minister who was also the foreign minister, a deputy prime minister, and two other ministers. There were four women among the 12 Constitutional Court justices, including the president and deputy president of the court. There were 15 women among the 38 Supreme Court justices, including the vice president of the Supreme Court and president of the court's criminal department.

The law requires that political parties balance the representation of genders on their candidate lists for local and national elections as well as in elections for seats in the European Parliament. The law stipulates fines for the violation of this provision. Local NGOs continued to criticize the law on the grounds that the fines were too small to be a deterrent and that the government rarely enforced earlier laws on quotas.

The law reserves three parliamentary seats for ethnic Serb representatives; five additional seats are set aside for the 21 other recognized national minority groups. All national minority voters may choose between voting in the general parliamentary elections and voting for candidates on their declared national minority list. Ethnic Serbs and other ethnic minorities in principle can win

additional seats under this system if candidates from their minority group obtain sufficient votes in one or more of the regular voting districts. The government included a number of ethnic Serb ministers, including deputy prime ministers.

#### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for official corruption, and prosecutors and police implemented these provisions effectively. There were reports of high-level and local-government corruption during the year.

Corruption: On March 7, former minister of regional development Petar Cobankovic and a codefendant pled guilty to conspiring to defraud the state of 37.4 million kunas (\$6.8 million) in a real estate deal. A court sentenced Cobankovic to a year in prison, a sentence that was consequently reduced to community service in exchange for Cobankovic's cooperation with prosecutors. The trial of three other defendants continued before the Zagreb county court.

Former prime minister Ivo Sanader was indicted for a sixth time on September 13, for using his authority as prime minister to compel the president of the management board of the State National Electricity Company to sign contracts to sell electricity to a company in Bosnia and Herzegovina at a 649.6 million kunas (\$118.1 million) loss to the State National Electricity Company. Sanader remained in investigative detention following his 2012 conviction for corruption, for which he was sentenced to 10 years in prison. Four other corruption-related cases against Sanader continued.

The Office for the Suppression of Corruption and Organized Crime (USKOK) is the country's main body responsible for investigation and prosecution of corruption and organized crimes cases. USKOK operated effectively and independently and was sufficiently resourced. USKOK actively collaborated with civil society. Specialized departments at the four largest county courts in the country heard organized crime and corruption cases. The Ministry of Justice's anticorruption sector, an interagency Committee for Monitoring Anticorruption Measures, and parliament's National Council for the Monitoring of the Anticorruption Strategy continued to monitor the implementation of anticorruption measures. These bodies cooperated with civil society, were effective, independent, and funded adequately.

Whistleblower Protection: Public and private whistleblowers are protected by law when making disclosures of wrongdoing, although Transparency International (TI)

reported these laws were not implemented effectively to protect whistleblowers from retaliation.

Financial Disclosure: The law requires public officials to declare their assets, and most government officials complied. The law empowers the Commission for the Review of Conflict of Interest to enforce such disclosure requirements. The commission became operational in February and subsequently held 30 sessions. The law requires public officials to report potential conflicts of interest within 30 days of taking office, including ownership stakes in property and businesses. The commission issued fines in several cases, including against Goran Radman, the director general of Croatian Public Broadcasting, for failing to declare his assets within the required timeframe as well as for not declaring his membership on the supervisory boards of two companies. Officials may not keep symbolic gifts with a value greater than 500 kunas (\$91). There are administrative sanctions for noncompliance.

Public Access to Information: The law provides for public access to government information, but TI stated that the law was not effectively implemented because it does not cover all bodies financed by public resources, such as NGOs, religious groups, and sports associations. The law does provide a sufficiently narrow list of exceptions outlining the grounds for nondisclosure; there is a reasonably short timeline for the relevant authority to disclose or respond; there are reasonable processing fees; there are administrative or criminal sanctions for noncompliance; and there is an appeal mechanism for review of disclosure denials. According to TI, there was not an effective outreach campaign.

## **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights**

A variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials often were cooperative and responsive to their views.

Government Human Rights Bodies: The country has an active Office of the Ombudsman that investigates complaints of human rights abuses, and addresses them with the relevant entities involved. The law authorizes the ombudsman to initiate shortened procedures in cases where she established sufficient evidence that constitutional and legal rights were violated. Lengthy administrative procedures, including at the administrative court, were a problem across the board.

The ombudsman noted that most administrative bodies, including ministries, improved in terms of responding to her letters.

On February 15, parliament appointed Lora Vidovic as ombudsman. Prior to this appointment the Office of the Ombudsman merged with an independent NGO, Center for Human Rights, to promote human rights more effectively and coordinate with civil society as well as other specialized and independent human rights bodies.

## **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

The law prohibits discrimination based on race, gender, disability, language, sexual orientation, gender identity, or social status, and the government generally enforced these prohibitions.

### **Women**

Rape and Domestic Violence: Rape, including spousal rape, is a crime punishable by one to 10 years' imprisonment. In cases of rape under aggravated circumstances resulting in death or pregnancy, or if the victim is a minor, sentences may be between three and 15 years. Sentences in nonaggravated cases tended to be at least three years. The law criminalizes domestic violence. The Office of Ombudsman for Gender Equality reported that prosecutors and courts were reluctant to propose and adjudicate protective measures, particularly restraining orders. The ombudsman stated that police often showed lack of gender sensitivity and filed misdemeanor reports, as the law allows, against both the perpetrator and victim in cases of domestic violence. The ombudsman welcomed the openness of police to participate in training and noted that since a December 2012 agreement with her office, 480 police officers had participated in gender violence sensitivity training.

Police registered a total of 72 rapes and 11 attempted rapes through October. NGOs estimated that, for every reported rape, there were 15 unreported cases. The NGO Women's Room stated that women frequently did not report rape, particularly spousal rape, because they lacked information about available legal recourse, felt ashamed, wished to avoid social pressure or stigmatization, and feared reprisal. Women's NGOs asserted that sentences for spousal rape tended to be lenient.



Violence against women, including spousal abuse, remained a problem. There were 51 killings in 2012, of which 27 were the result of family violence. Of these victims, 12 were women killed by their male partners. The ombudsman for gender equality reported that courts adopted protective measures in 43 percent of the cases brought forward by police, for example by requiring offenders to undergo psychosocial treatment or issuing restraining orders against abusers. According to the ombudsman for gender equality, approximately half of the measures the courts imposed were not implemented because of a lack of funding for psychosocial treatment. The ombudsman also reported that prosecutors and courts were reluctant to order protective measures, particularly restraining orders. The ombudsman for gender equality stated police too frequently failed to exhibit gender awareness in cases of domestic violence. Support for safe houses, vocational training, and financial stipends for victims of domestic violence remained limited. Although the government financed most services, NGOs overseeing shelters claimed that funding was often insufficient and irregular. NGOs and local governments operated 17 shelters. Hotlines, counseling, and legal assistance were available for victims of domestic violence.

Sexual Harassment: In January parliament passed legislation criminalizing sexual harassment, which may be punished by a maximum prison sentence of one year. The ombudsman for gender equality worked on 76 sexual harassment cases in 2012 but expressed concern that complaints were often dropped due to the fear of reprisal.

Reproductive Rights: The government generally respected the right of couples and individuals to decide freely and responsibly the number, spacing, and timing of their children. Citizens generally had the information and means to do so free from discrimination, coercion, or violence.

Discrimination: Women enjoy the same legal status and rights as men, including under family law, labor law, property law, inheritance law, and in the judicial system. According to the ombudsperson for gender equality, women continued to experience discrimination in employment, including in pay and promotion to managerial and executive positions. Women generally held lower paying positions in the work force. According to the Croatian Statistics Bureau's annual report for 2012 published in April, women continued to earn on average 9.8 percent less than men in most sectors, and their average pensions were 22.5 percent less, which contributed to a greater risk of poverty among women. Despite of their higher level of education, women were also more likely to lose their jobs.

The ombudsperson for gender equality published survey results in March on discrimination against pregnant women in the workforce. According to the survey, 53.5 percent of 937 pregnant women and women with small children were given notice soon after expiry of their time-limited contracts or experienced deterioration of their work conditions and reduction of benefits upon return from maternity leave. According to the ombudsperson, government inspections were ineffective in uncovering violations and sanctioning employers. The ombudsperson continued to report that most individual discrimination complaints were related to labor and social rights, followed by family violence and complaints against the judiciary. These complaints, filed mostly by women, continued to be primarily directed against state institutions and other legal persons rather than individuals.

## **Children**

Birth Registration: Citizenship is derived by birth in the country's territory or from one of the parents. Authorities register all births at the time of birth within the country or upon registration for births abroad. There were few reports that failure to register births resulted in denial of public services, including education and health care for children.

Education: While ethnic minorities have the right to establish schools, eight ethnic-Serb elementary schools that applied for official recognition in 2012 had yet to receive it due to administrative obstacles at the Vukovar-Srijem county level. In July ethnic Serb NGOs discussed with Ministry of Science, Education, and Sports officials changes in the law on education in primary and secondary schools in order to simplify registration of their schools by assigning this authority to municipalities. As of November, the discussions had not produced conclusive results. Ethnic-Serb NGOs considered the lack of progress a sign of a lack of political will on the part of the government. The absence of official recognition made normal operation of the schools difficult.

While most of the country's schools were integrated, some schools in Vukovar remain segregated, based upon the request of the ethnic-Serb minority to exercise their legal rights to follow their own curriculum. The Center for Peace Osijek asserted in September that while they preserved minority culture and language, segregated schools also contributed to lasting marginalization and migration of students to Serbia to further their education.

Child Abuse: Child abuse, including sexual abuse, was a problem. In March the ombudsman for children reported 1,320 complaints of individual violations of

children's rights in 2012. The majority of complaints related to violations of personal rights such as the rights to live with their parents, the lack of parental care, and protection against violence and neglect. These were followed by an increased number of complaints about educational rights due to peer-to-peer violence as well as parents not providing for the basic needs of their children.

Forced and Early Marriage: While statistics were unavailable, Romani NGOs cited early and forced marriage as a problem in the Romani community. Common law marriages between persons 16 years of age and older were customary, often prompted by pregnancies. In some instances these marriages were made official when partners reached adulthood. In 2012 the ombudsman for children reported seven cases of underage pregnancies in which the mothers received government care because their families could not afford to provide for them.

Sexual Exploitation of Children: Changes to the Criminal Code that came into force in January increased the minimum age for consensual sex to 15 and set the penalty for statutory rape at one and 10 years' imprisonment. In aggravated circumstances, such as rape resulting in pregnancy or repeated sexual acts, the penalties ranged from five to 40 years' imprisonment. Filming or photographing children for pornographic material may be punished by a sentence of one to eight years in prison, while exposing children to pornography may result in fines or a sentence of up to three years in prison.

In 2012, the last year for which data were available, the Ministry of Interior registered 71 reports of sexual intercourse with minors and children. The ministry also received 195 reports of lewd behavior involving a child or minor, 35 reports of abusing children for pornography, and 30 reported cases of child pornography on the internet.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For country-specific information see [http://travel.state.gov/abduction/country/country\\_5940.html](http://travel.state.gov/abduction/country/country_5940.html).

### **Anti-Semitism**

According to the Coordination of Jewish Communities in Croatia, the country's Jewish community numbered between 2,000 and 2,500. Some anti-Semitic public comments and vandalism, including vandalism of Holocaust memorial plaques, were reported during the year. In addition, there were reports that soccer players

and fans made frequent use of the chant “Za dom spremi” (literally: for the homeland, ready!), a salute used by officials of the World War II era’s so-called “Independent State of Croatia.”

On December 1, unknown persons e-mailed photos of a bullet to the Jasenovac Memorial Museum with a message to museum officials condemning them as anti-Croatian “traitors.” The museum preserves the history of the World War II era Jasenovac concentration camp, where more than 83,000 Jews, Serbs, Roma, and Croatian opponents of the fascist regime were killed. On December 1, the daily newspaper *Jutarnji list* reported that Josip Miljak, president of the Croatian Party of Pure Rights (HcSP), sent a separate e-mail to the Jasenovac museum director stating, “people like you are just remnants of the rot on the Croatian national tissue and are condemned to extinction and madness into which you are led by your insatiable and sick hatred.” On the same date Miljak released a statement on the HcSP website acknowledging that he sent an e-mail to the Jasenovac Museum director but denying making a threat. Miljkic stated that he stood fully behind his statement, as the director “knowingly deceives the public and spreads lies about Croatia being a genocidal nation.”

On November 19, the captain of the country’s national soccer team, Joe Simunic, led fans in the profascist Ustasha chant “Za dom spremi.” On November 21, the Zagreb Prosecutor’s Office fined Simunic 25,000 kunas (\$4,500), the highest fine for a misdemeanor, for inciting ethnic hatred and public disturbance. On December 16, the Federation Internationale de Football Association (FIFA) suspended Simunic for ten matches, thereby preventing his participation in the 2014 World Cup. President Josipovic called Simunic’s act inappropriate, The government condemned his actions, with Minister of Sport, Culture, and Education Zeljko Jovanovic commenting that Simunic “need(s) a history lesson.”

### **Trafficking in Persons**

See the Department of State’s *Trafficking in Persons Report* at [www.state.gov/j/tip](http://www.state.gov/j/tip).

### **Persons with Disabilities**

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and in the provision of other state services, but the government did not always enforce these provisions effectively.

As of June 1,026 persons with disabilities had employment, while 6,298 others remained unemployed. The ombudsman for persons with disabilities reported that the highest number of complaints received by her office in 2012 related to implementation of social rights based on disability, followed by physical accessibility to employment, education, health, and pensions. The ombudsman reported that the law regulating employment for persons with disabilities was vague and difficult to implement. According to the Croatian Register of Persons with Disabilities, as of January there were 520,437 persons with disabilities in the country. The December 2012 Register of Voters Act added more than 16,000 adults under supervision to the voters list.

During the year the Open Society Institute embarked upon a three-year project with the Ministry of Social Policy and Youth to provide alternative, community-based accommodation for some 400 persons with mental disabilities in lieu of institutional settings. In July Human Rights Watch warned in an open letter to Prime Minister Zoran Milanovic that the government lacked a comprehensive effort to resolve the alternative accommodation problem. Human Rights Watch previously urged the government in 2011 to deinstitutionalize approximately 9,000 persons with intellectual or mental disabilities. According to the Ministry of Social Policy and Youth, 85 persons with mental disabilities were deinstitutionalized during the year.

In December 2012 the government changed the Election Law to allowed persons with intellectual and mental disabilities to vote. While the law mandates access to buildings for persons with disabilities, building owners and managers did not always comply, and there were no sanctions. Children with disabilities attended all levels of school, although NGOs stated the lack of legislation mandating equal access for persons with disabilities meant that many students with disabilities had unequal access to secondary and university education. According to the Office of Ombudsman for Disabilities, the lack of access resulted in fewer persons with disabilities attending school and having significantly reduced choices in schools. Most buildings were wheelchair inaccessible, and there was also a lack of sign language interpreters for the deaf, a paucity of screen reader equipment for the blind, and few academic and logistical assistants to navigate school.

## **National/Racial/Ethnic Minorities**

While constitutional protections against discrimination applied to all minorities, open discrimination and harassment continued against ethnic Serbs and Roma, particularly in the area of employment.

Serbs were the largest minority ethnic group in the country, accounting for approximately 4 percent of the population, according to 2011 census figures. During the year ethnic Serb organizations received isolated reports of physical assaults on Serbs, and the media widely reported several instances hate speech by public figures that were directed against Serbs. There were also reports of violence, including serious assaults on Serb seminarians, the denial of the legal right of the Serb minority to use the Serbian language and Cyrillic alphabet for legal and administrative purposes, and protests directed against the Serb minority when the government installed public signs using the Cyrillic alphabet. Hate speech directed against Roma, Africans, and gay men continued at many soccer matches during the year. The government repeatedly attempted to quell this behavior. On March 21, Prime Minister Milanovic urged attendees at the World Cup qualifying match against Serbia to refrain from violence, and President Ivo Josipovic condemned the use violence, vulgar remarks, and offensive language.

On March 15, parliamentarian Ruza Tomasic stated in parliament that “Croatia was for Croats, and the others (other ethnicities) were guests in Croatia.” Tomasic clarified on March 16 that she meant that “those who do not see Croatia as their homeland are guests; [that] if they are talking badly so much about it, it means that they are guests.” Prime Minister Milanovic condemned the remarks, and stated that Tomasic was “playing not with fire but with radioactive material.” Also on March 15, Zdravko Mamic, executive director of the Dinamo Zagreb soccer club, referred on radio to Minister of Education and Sports Zeljko Jovanovic as “a Serb [who] cannot lead the most important department in Croatia...He has no experience and has blood cells that predetermine him to hate anything Croatian.” Mamic was arrested and spent a night in jail on charges of violating hate speech laws and instigating violence. On May 21, Jovanovic filed a private suit against Mamic, and on June 19, state prosecutors indicted Mamic for inciting public hatred. On December 3, the Zagreb Municipal Criminal Court found Mamic not guilty of a hate crime. Prosecutors announced an appeal of this verdict.

On September 3, several hundred protestors, primarily war veterans, forcibly removed dual Latin and Cyrillic script signage that the government installed in accordance with the law and the 2011 census. The protests resulted in the injury of

five police officers and the arrest of five protesters. In Vukovar ethnic Serbs made up 34.8 percent of the population according to the 2011 census. On November 18, a group of Croatian war veterans obstructed President Josipovic, Prime Minister Milanovic, other government officials, and the diplomatic corps from participating in the Procession of Remembrance, the official commemoration of the fall of Vukovar. President Josipovic stated that he and a “good part of Croatia” were saddened by these actions, which he claimed showed that those opposed to the introduction of Cyrillic signs were more interested in creating a political incident than in honoring the victims of the 1991 destruction of Vukovar.

Societal violence, harassment, and discrimination against Roma continued to be a problem. While 16,974 persons declared themselves to be Roma in the 2011 census, officials and NGOs estimated that the Romani population was between 30,000 and 40,000.

Roma faced widespread discriminatory obstacles, including in citizenship, documentation, education, employment, and language. According to the Council of Europe, only 6.5 percent of Roma held permanent jobs in the country. The government estimated 20,000 to 30,000 Roma, more than 90 percent of the Roma believed to reside in the country, received some form of social assistance. In conjunction with Romani NGOs, the government on April 11 adopted a new National Action Plan to improve Romani education, employment, housing, and health care.

While education is free and compulsory through the eighth grade, Romani children faced serious obstacles in their education, including discrimination in schools and a lack of family support. The Ministry of Science, Education, and Sports reported in August that 5,173 Romani children were enrolled in primary school, 431 of whom were repeat students. The government sought to improve Roma’s knowledge of Croatian by increasing preschool education. There were 811 Romani children enrolled in preschools and kindergartens in the fall of 2012, up from 623 the previous year. The high rate of Romani dropouts remained a problem. In August 2012 there were 271 Romani students in eighth grade, approximately a third the number of Roma that had enrolled in first grade seven years earlier. The government continued to extend scholarships to Romani high school and university students to cover fees, transportation, and housing allowances. In the 2012-13 school year the Ministry of Education reported funding preschool education for 295 Romani children in Medjmurje county. The government promoted the employment of Roma nationally by reimbursing two years’ salary to employers who hired Romani workers.

Government funding to the National Minority Council, which included minority representatives and NGOs, remained at approximately 42 million kunas (\$7.6 million) and supported minority associations' cultural programming.

### **Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity**

The law prohibits discrimination based on sexual orientation or gender identity, but societal violence and discrimination against LGBT persons continued.

Attacks against LGBT persons and workplace discrimination were reported in several cities during the year. In one example, on August 28, a taxi driver beat a woman in Dubrovnik after she kissed her girlfriend while riding in his taxi. On September 2, local prosecutors filed charges against the suspect.

In July a judge at the Varazdin Municipal Court ruled that there had been workplace discrimination and harassment against an openly gay associate professor at the University of Zagreb's information technology department but dismissed the plaintiff's claim of victimization when he was disciplined for speaking against the university. The judge also found the plaintiff harmed the reputation and honor of those found guilty of harassment and fined him 30,000 kunas (\$5,400). The ombudsperson for gender equality and the plaintiff asked that the judge be removed for bias. As of November 8, both sides were appealing their cases.

In June government officials, including five ministers and the mayor of Split, attended LGBT pride events that were held in Split and Zagreb and attended by an estimated 500 and 15,000 participants, respectively. The government's Office for Gender Equality provided financial support for the events. In contrast to previous years, there were no counter demonstrations or hate speech reported at any of the pride events in the country. There were no arrests or injuries.

In a December referendum, voters by 65.9 percent to 33.5 percent approved an amendment to the constitution defining marriage as a life union between one man and one woman. This was the first-ever, citizen-initiated referendum vote in the country. A coalition of conservative NGOs initiated the referendum. The governing coalition actively opposed the referendum, with both Prime Minister Milanovic and Foreign Minister Pusic urging citizens to vote against it.

### **Other Societal Violence or Discrimination**



Societal discrimination against persons with HIV/AIDS remained a problem. The NGO Croatian Association for HIV (HUHIV) maintained that some dentists and general practitioners continued to refuse to treat HIV-positive patients. Once a patient was diagnosed with HIV, treatment was provided through the specialized infectious disease hospital in Zagreb. While HUHIV representatives claimed that such a centralized system was the best safeguard of patient privacy, it also reported that there were violations of confidentiality involving persons diagnosed with HIV and many faced discrimination after disclosure of their status. There was a level of self-stigmatization, which made persons living with HIV reluctant to use legal and other human rights services. There were also allegations that transplant centers refused to place HIV-positive patients on their lists of potential organ recipients.

During the year HUHIV established “Zagreb Checkpoint,” a facility providing free OraQuick tests to screen anonymously for HIV and the hepatitis C virus. HUHIV asserted that the checkpoint offered improved screening for the general population, which was needed since the very low number of HIV positive persons reported in the country did not appear to reflect the actual situation. HUHIV provided an anonymous information hotline.

According to the UN theme group on HIV/AIDS and HUHIV, some of the country’s laws contained provisions that discriminated against HIV-positive individuals by prescribing HIV testing under medical supervision for some professions and, in certain cases, restricting the employment of HIV-positive persons.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law protects the right of most workers, including police but excluding active military personnel, to form or join unions of their choice without previous authorization or excessive requirements. There are no regulations or statutory limitations blocking workers from forming or joining unions.

The law provides for the right to strike and to bargain collectively but with some limitations. Workers may strike only at the end of a contract or in specific circumstances cited in the contract after they have gone through mediation. Either side in the mediation process may decide that the process is not progressing towards a solution, and the workers may then strike. When negotiating a new

contract, the law also requires workers to go through mediation before striking. Labor and management must jointly agree on a mediator if a dispute goes to mediation. If a strike is found to be illegal, any participant may be dismissed and the union held liable for damages. The law prohibits antiunion discrimination and expressly allows unions to challenge firings in court. The law requires reinstatement if a court finds an employee to have been terminated for union activity.

Workers formed and joined unions freely, but most manual labor and retail employees were hired on fixed-term contracts, which made it difficult for them to unionize, and certain employers hired new workers for a trial period, typically three months but no more than three years. The most recent Eurostat figures, for 2012, showed that 12.8 percent of all employees were on temporary contracts. Employees with temporary contracts did not enjoy the same benefits as employees with open-ended contracts. Workers on temporary contracts generally did not form or join labor unions.

Unions were independent of the government and political parties, although Dragutin Lesar, the former leader of the Association of Independent Unions of Croatia, headed the Labor Party, which during the last national election in 2011 won six seats in parliament. While workers exercised their right to strike during the year, there were incidents of union-related harassment and firing of employees. The inefficiency of the court system seriously delayed and discouraged citizens' attempts to seek redress for antiunion abuses through the legal system. There was an adequate corps of labor inspectors.

According to the Association of Independent Unions of Croatia, the largest union association in the country, small enterprises with unions respected the rights guaranteed by the labor law, including the right to collective bargaining. Once a union is formed at one enterprise in a sector, the law obliges all companies in that sector to form unions. The law provides effective penalties and remedies if small enterprises violate the right to collective bargaining.

## **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor, and the government effectively enforced the law. While subjecting adults and children to forced begging or labor is a criminal offense, the sentences prescribed by law for violations were low (i.e., a maximum of eight years for child neglect or abuse). The government identified very few labor trafficking victims during the year.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip](http://www.state.gov/j/tip).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The minimum age for the employment of children is 15, the age at which compulsory education ended for most children. Minors between the ages of 15 and 18 who have not completed compulsory education may work only if they receive prior approval from the state labor inspectorate and if the child would not suffer physically or mentally from the work. Approval was usually requested for filming movie scenes or for theatrical rehearsals and performances. The law prohibits workers under the age of 18 from working overtime, at night, or under dangerous conditions. The Ministry of Economy, Labor, and Entrepreneurship, the ombudsman for children, and the State Labor Inspectorate are responsible for enforcing this regulation.

In 2012 the Office of State Inspectorate conducted 15,649 inspections of work places and identified 42 violations of the labor code involving 16 minors with respect to employment. Violations occurred mainly in the hospitality, retail, services, and construction sectors and involved working overtime or past curfew.

The law proscribes the worst forms of child labor, including trafficking in children. The ombudsman for children coordinated the country's efforts to prevent the exploitation of children and assist in removing children from exploitative situations. The labor inspectorate employed 120 inspectors for labor-related inspections and 99 inspectors for labor safety but was not fully staffed as required by statute.

The inspectorate forwarded all cases of suspected violations involving minors to the Office of the Ombudsman for Children. Criminal cases were prosecuted by the State Prosecutor's Office and often resulted in convictions.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at [www.dol.gov/ilab/programs/ocft/tda.htm](http://www.dol.gov/ilab/programs/ocft/tda.htm).

### **d. Acceptable Conditions of Work**

The minimum wage as determined by the government is 2,842 kunas (\$516) per month; the net minimum monthly wage is between 2,000 and 2,200 kunas (\$364

and \$400), depending on exemptions. The government's official poverty income level is 2,020 kunas (\$367) per month for single households and 4,242 kunas (\$771) per month for a four-person household. The government enforced the minimum wage. The law prohibits all forms of employment discrimination by gender and requires equal pay for equal work. The law also prohibits any form of work-related discrimination.

Nonpayment of wages and wage arrears as well as nonpayment for overtime and holiday work continued to be a problem. According to the labor inspectorate, the law does not require that records be kept of the number of persons who did not receive their salaries. Workers have the right to bring court proceedings against employers who did not issue pay slips to their employees. Numerous companies did not pay their workers. Labor experts estimated that approximately 80,000 employees were working without receiving a salary. New provisions in the Criminal Code criminalize nonpayment of wages and give employees the right to sue employers, who could be subject to a penalty of up to three years in prison. The law also allows employees to create a so-called "wall of shame," where they can publicly identify employers who do not pay wages. The law provides that employers who failed to pay wages due to economic duress were exempt from criminal prosecution.

The labor inspectorate reported the 2012 closure of 454 companies in industries such as tourism, hotels, construction, retail, and bakeries for periods of at least 30 days for labor law violations involving illegal work. Violations included employing local and foreign workers without work permits, employing workers not registered with the pension fund, and employing workers not registered with a health insurance agency. Inspectorate officials maintained that they continued to increase the rate of inspections as their staffing and funding allowed.

In 2012, the last year for which figures were available, the labor inspectorate conducted 15,665 workplace inspections and reported 12,242 violations of the labor law. The inspectorate sent 6,384 of these violations to misdemeanor courts for further action. Infractions included violations related to labor contracts, payment for work, annual leave, and unpaid and unreported overtime. In 2012 municipal prosecutors initiated six criminal proceedings against employers.

The law requires premium pay for overtime worked more than 40 hours per week. Overtime is limited to eight hours a week and 180 hours annually. The law does not address compulsory overtime. It entitles employees to at least four weeks of paid annual leave and seven days of personal leave as well as holiday leave.

The government set health and safety standards that were harmonized with EU legislation. The Office of the State Inspectorate has jurisdiction over enforcement of health and safety laws in the workplace. The law has well defined safety regulations. The law includes special protections for workers in dangerous occupations. In 2012 the inspectorate conducted 9,426 inspections involving work safety standards and initiated 2,463 requests for misdemeanor proceedings covering 4,148 alleged violations of safety standards, particularly in the construction trade. The law addresses shift and on-call work and includes protections for minors between the ages of 15 and 18. Legal protections do not cover workers in the informal economy. Changes to the Law on Safety at Work during the year increase protections for women who recently gave birth, women who were nursing, minors, persons who lost the ability to perform their jobs, and persons at risk of injury at their place of work.