

 Republic of Croatia
Ombudsman for children 

ANNUAL UPDATE

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COMPLAINTS AND CASE WORK

In 2007, the Office of the Ombudsman for Children worked on 1,737 new cases, 847 of which were about individual violations of children's rights and 890 were general initiatives. Judging by the number of complaints received, two sub-groups again stood out, as was the case in the previous years: the right to live with parents and to enjoy parental care (236 complaints or 28%) and the right to protection from violence (235 complaints or 28%).

Along with 847 new cases involving individual violations, we also continued to work on 347 individual cases carried over from the previous period, because it is often necessary to follow the case and undertake measures over a long period of time. This means that in 2007 a total of 1,194 individual cases were being dealt with.

From 1 January 2008 to 20 August 2008, the Office received 609 new complaints of individual violations of children's rights and proceeded upon 614 new general initiatives.

REGIONAL OFFICES

In 2007, the number of individual complaints and general initiatives was 63% higher than in 2006, which was, no doubt, the result of our presence in the regions and the increased visibility of our Office in general.



When it comes to the three regional offices of the Ombudsman for Children, it should be emphasised that the share of complaints filed in individual regions in the total number of complaints is more or less uniform (Split 13.2%, Osijek 12.4%, Rijeka 12.8%). The highest number of complaints received per month was in Rijeka (22.3%), then in Split (18.2%) and in Osijek office (17.5%).

Consequently, it is quite clear that the setting up of regional offices of the Ombudsman for Children, which has brought the Ombudsman closer to children, adults and local communities, is already showing results less than a year after its inception. We think the further strengthening of the regional offices is necessary, since more field work and higher visibility have led to an anticipated increase in the number of complaints received, but also an increase in self-initiated procedures.

LEGISLATION AND POLICY RECOMMENDATIONS

In line with our statutory powers, we have participated very actively in the activities of parliamentary committees, by giving opinions and proposals regarding the adoption of new

legal regulations and amendments to the existing ones, to ensure that the principle of the best interests of the child is built into laws to the highest possible degree.

The laws about which we provided our opinions include: the Act on the Enforcement of Sanctions Imposed on Juveniles for Criminal Offences and Misdemeanours, the Free Legal Aid Act, the Consumer Protection Act, the Audiovisual Activities Act, the Blindness Allowance Act, the Act on the Ombudsperson for Persons with Disabilities, the Criminal Procedure Act, the Maternity Benefits Act, the Road Traffic Safety Act, the Courts Act, the Act on Education in Primary and Secondary Schools, the Trade Act (*sale of alcohol to children), the Suppression of Discrimination Act.

It should be pointed out that the Ombudsperson's comments and proposals on several laws were fully accepted (the Act on Education in Primary and Secondary Schools, the Free Legal Aid Act), whereas some other laws are still in parliamentary procedure and we hope that our comments and proposals will be adopted.

The Ombudsperson put forward proposals about amendments to the Constitution of the Republic of Croatia, aimed at strengthening the position of children and their rights and improving conditions for their protection, and at regulating the institution of the Ombudsperson for Children in constitutional-law terms.

The Office has produced an opinion on the Draft Programme of Activities of the Government of the Republic of Croatia and the United Nations Fund for Children 2007-2011 and sent proposals which it considers will increase the efficacy of international and national protection of children. We have also participated in the adoption of the National Strategy for Protection from Violence within the Family 2008-2010 by providing proposals and expert opinions.

We have organised several public debates (forums, round tables, expert debates) on the topics we found important, thus focusing the attention of the expert and wider social community on these problems and possible ways of resolving them. The topics we discussed were as follows:

- ✗ Safeguarding children's privacy in the media
- ✗ Database of sexual offenders against children
- ✗ Rights of children whose parents are in prison
- ✗ Needs and rights of children with behavioural problems
- ✗ Treatment and rights of children involved in sports
- ✗ The application of the Family Act's provision on the taking of measures of family-law protection
- ✗ Children's right to proper nutrition

In addition to this, we gave many recommendations for the improvement of the protection of children and their rights to various bodies and institutions, relating to various issues and aspects of the child's life (Children and the advertising industry, Environmental protection of children, Proper nutrition, Protecting children from pornography, Protecting children in traffic, Protecting children from corporal punishment, Manipulating children for political ends - Message to politicians concerning election campaigns: Children may not have the right to vote, but they have rights, Right to be adopted, Advertising in schools, Recommendation on the specialisation of lawyers to represent children, Recommendation

on introducing a course on violence against and among children in universities, etc). Some recommendations are repeated year after year, either because no changes have been made or because changes have not been satisfactory enough.

Motivated, unfortunately, by a number of cases of child suicide in a relatively short space of time, and horrified by the way in which the media reported on these suicides or suicide attempts by children and young people, the Ombudsperson issued a strongly worded message and warned that devoting publicity to these events was extremely dangerous and could have far-reaching harmful consequences. At the same time, she emphasised that the role of the media could be important in identifying depression and child suicide as a wider social problem, and indicated the obligation of society and the state to do everything in their power to protect children and help parents provide adequate care for their children. This message and an appeal for urgent action were also sent to experts within the health and social services and the educational system, and to professionals researching the development and maturation of children and young people from the

psychological, psychiatric, educational, sociological and other points of view. They were asked to make their expert and scientific knowledge available to the public with the aim of protecting children, and to demand the creation of effective prevention programmes in society through their professional associations. We appealed to parents to make every effort to establish mutual trust with their children, and to become better informed and seek the advice of experts when confused or unsure how to deal with children's problems.

The Ombudsperson urged the Government of the Republic of Croatia, the competent ministries and state bodies to ensure the full implementation of the National Action Plan for the Rights and Interests of Children 2006-2012, which specifically requires the drafting and implementation of a programme for the prevention of suicide and lays down the obligation to ensure the accessibility of services offering psychological assistance and confidential advisory centres for children and young people.

INFORMATION AND PUBLICATIONS FOR CHILDREN AND ADULTS

In the preceding period, we intensified promotional activities, publishing material which aims to inform children and adults in an illustrated, recognisable way about topics linked to protecting the rights and interests of children, and the activities of the Office of the Ombudsperson for Children'.

We printed a booklet, *Convention on the Rights of the Child and the Act on the Ombudsperson for Children*, in the original and in child-friendly language.



We also printed a brochure on children's rights to protection from violence and another on children's rights to judicial protection, a memory card game for children, a bookmark, wall and pocket calendars, greetings cards and document folders.



rights to protection from violence

brochure



rights to judicial protection



memory cards



bookmark



wall calendar

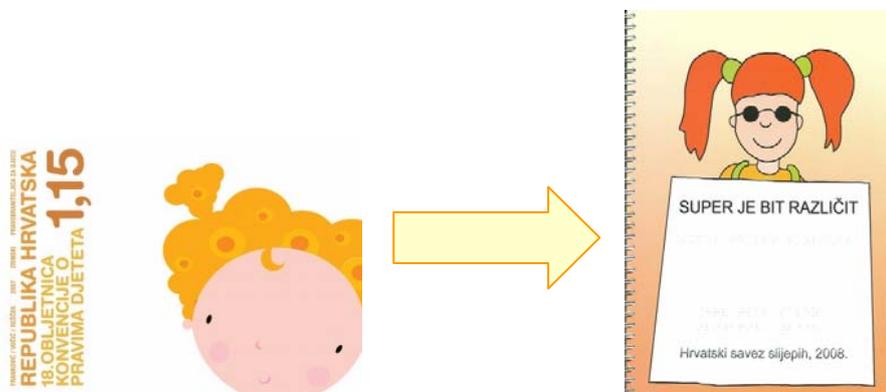


pocket calendars

We published a collection of essays entitled *Unaccompanied Children*, which was the result of a series of lectures held last year for experts concerned with this problem (judges, police officers, social workers, etc.). This was distributed free of charge to misdemeanour courts, police stations, social welfare centres, homes for children with behavioural problems and others who encounter any aspect of protecting these children in their work. We also printed the ENOC Statement concerning unaccompanied children in this collection.

On the occasion of the 18th anniversary of the Convention on the Rights of the Child, we launched the publication of supplementary postage stamps, in order to turn public attention to the importance of that document and the need to raise the level of protection of children's rights. The stamps went on sale between 1 November and 31 December 2007 and all those involved in their production and distribution offered their services free of charge, in

order to maximise income from sales. A total of 28,660 stamps were sold and the money raised was earmarked for printing a tactile picture book for children with sight impairment. A picture book by the author Đurđa Miklaužić, *It's great to be different*, was chosen. The theme of the book concerns children's rights and differences between people and it is suitable for blind and severely sight impaired children of pre-school and school age.



In the weekly magazine specialized for educators and teachers, on the back page, a colored announcement (attached in Croatian and English translation) were published, with the title: World Day for Prevention of Child Abuse and messages: There is not any justifiable violence. Each violence can be prevented. We published the same leaflet which was disseminated on 16th of November to the all libraries in Zagreb, and to the representatives of around

60 cities and municipalities that were present at the Annual Conference of the Child-Friendly Cities and Municipalities. It was also sent to the Polyclinics for the protection of Children in Zagreb (a recipient of the ISPCAN Best Multidisciplinary Team in the world in 2007) that have displayed it in its premises, where many children and adults can see it. Messages that are intended to motivate the adults for the preventive actions are emphasized, and so are

messages that encourage children to ask for help if they are subjected to violence.



A topical magazine is soon to be published for families, nursery schools and primary schools, completely dedicated to the institution of the Ombudsperson for Children and children's rights. The guest editor will be the Ombudsperson for Children and all the articles will be written by Office staff.

Short texts on children's rights and the work of the Office of the Ombudsperson for Children, and posters with the text of the Convention on the Rights of the Child in child-friendly language were published in children's magazines, and in order to continue to encourage the creation of quality media content for children and affirm children's media creativity, the Ombudsperson initiated a form of more intensive co-operation with children. This was in the form of magazines whose contents affirm social and cultural values

important to children, so they should be affirmed as media for informing children and allowing their authentic voices to be heard in society, in accordance with Articles 12, 13 and 17 of the Convention on the Rights of the Child.

The Office's co-operation with children's magazines also focussed on encouraging children to speak and write more about their own needs and rights. To this end, the Office is becoming more involved in school magazines which are written and edited by pupils themselves. On 20 November 2007, International Day of the Convention on the Rights of the Child, a children's press conference was organised, attended by children who form the editorial staff in 15 primary schools in Croatia. The young journalists showed great interest in children's rights and in the powers and opportunities to act granted to the Ombudsperson for Children, and later wrote about these things in their magazines. The results of this co-operation can be seen already in the increased presence of topics relating to children's rights in these publications.

The activities of the Office of the Ombudsperson for Children were monitored closely in the media in 2007. There was a good response to invitations to press conferences, meetings, debates and discussions organised by the Office in Zagreb, Split, Rijeka and Osijek, which led to a good public response.

The increasing interest of the press in the various activities of the Office has contributed to the higher profile of the institution of the Ombudsperson for Children in the public eye, and has also paved the way to providing better information and education for the public on children's rights in general. Unfortunately, this has its downside, in that other institutions which serve to protect children and which are competent to undertake the appropriate measures, i.e. those referred to because they are qualified to provide expert opinions in particular fields, tend to enjoy increasingly less recognition.

COMMUNICATION WITH CHILDREN IN INSTITUTIONS

It would seem to be important to emphasise that during the preceding period the Ombudsperson for Children and her associates visited a large number of institutions in which children are accommodated permanently or temporarily (children's homes, homes for children with behavioural problems, homes for children with developmental difficulties, hospitals, prisons, safe houses for the victims of violence, etc.). During these visits we talked to children and listened to their accounts of living in such institutions and the way in which their rights were exercised during their stay. We also talked to the professional staff and made suggestions or warnings with the aim of improving the quality of the children's stay, and thus also standards concerning their rights.

IMPORTANT INTERNATIONAL ACTIVITIES

We continued to participate in meetings of the informal network of Ombudspersons for Children in Southeastern Europe. After three years and with the assistance of the "Save the Children Norway", we expect the network to be formalised this year, for which purpose a working group has been formed in order to draft the founding document of the network.

Representatives from institutions in Greece, Croatia and the Autonomous Province of Vojvodina are involved.

In Florence we participated in a preparatory meeting of the Global Network of Ombudspersons for Children and then went on to attend the second session of the Global Network in New York. We were also present at the "World Fit for Children + 5" special session of the UN General Assembly dedicated to children, a meeting held five years after the first session when the action document "A World Fit for Children" was adopted.

Engaged by the UNICEF Montenegro, the Ombudsperson for Children as a consultant for child protection talked to advisors and officials of the competent governmental bodies and UNICEF in Podgorica.

Experts that work in the social welfare and educational systems from several regions of the Russian Federation visited the Office of the Ombudsperson for Children, during their study trip. As a part of the development projects, Member of Parliament and the NGO representative from the Republic of Iraq visited our Office, as well as delegation from Kosovo included in a project entitled "Increasing participation in education".

In Strasbourg the Council of Europe organised a seminar for ENOC member states on topics concerning the protection of children's rights, through the prism of Council of Europe activities. We were among the twelve participating states.

In June 2008 in Paris, the first meeting of the Working Group for the drafting of Council of Europe Guidelines for integrated strategies to combat violence against children was held, which will be proposed to the Council of Ministers for adoption in the form of a Recommendation. One of the members of this working group is the Deputy Ombudsperson for Children.

The Ombudsperson for Children participated as a guest speaker at the official ceremony to launch the Council of Europe's campaign against the corporal punishment of children, entitled "Raise your hand against smacking".

We were delighted and honoured to welcome to our Office Ms. Yanghee Lee, the Chairperson of the UN Committee for the Rights of the Child, and, Ms. Nevena Vučković Šahović member of the Committee, during their visit to Zagreb on the occasion of the launch of the Council of Europe's campaign against corporal punishment.