

Report on the Work of the Ombudsman for Children for 2021 Summary



Zagreb, March 2022



The cover illustrations feature motifs from the Ombudsman for Children calendar for 2021: “Towards a Child and Youth Friendly Digital World”. The illustrations are by Zrinka Ostović. The calendar’s appealing illustrations and interactive messages present in a child friendly way the content of the **General Comment No. 25 (2021) on children’s rights in relation to the digital environment**, published by the UN Committee On the Rights of the Child in March 2021. The calendar can be downloaded from the Ombudsman for Children’s website at: www.dijete.hr.

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INTRODUCTION



The second year of the pandemic brought many challenges for children and adults. At the moment when this Report is being submitted we are faced with a new threat: the public focus is on the war in Ukraine and its severe consequences. While there are no signs that the conflict is abating, solidarity with and support to refugees, including many children, have been increasing.

Armed conflicts and wars jeopardise all children's rights. The protection of children and their rights is currently in an escalating crisis, not only in Ukraine, but also throughout Europe. In addition to the pandemic, Croatia is also still coping with the consequences of the devastating earthquakes from 2020, which requires an increased care of children. The prolonged emergency and crisis have brought to light a number of persisting problems related to the protection of children's rights and pointed to the necessity of a systematic resolution of a number of issues concerning children's lives.

The nineteenth Report on the Work of the Ombudsman for Children, which is submitted to the Croatian Parliament pursuant to *the Ombudsman for Children Act*, this year again includes a large number of recommendations for the protection of children's rights and interests. Some of these recommendations have been reiterated for years, as, some progress notwithstanding, much more should be done for children and their wellbeing to be made a priority under all circumstances.

Due to the continuation of the pandemic, a large number of the pandemic containment measures and their impact on the lives of children in Croatia, the Report includes an annex reporting on the influence of the prolonged coronavirus pandemic on children's rights in Croatia: Children on Hold – Children's Rights at the Time of the Pandemic 2020-2021.

The number of complaints and inquiries related to the violations of individual children's rights continued to increase in 2021, reaching 2,004 new cases. Many of them concerned the implementation of the coronavirus containment measures, which strongly marked children's everyday lives. In addition to the new 2,004 complaints, the Office also continued to act on 694 cases that were transferred from the previous years, because they have to be monitored over several years. The Office also worked on 1,226 various cases related to general initiatives and recommendations, reports, cooperation with government and international institutions, meetings, projects, visits to institutions and other regular activities. The Office staff talked to more than 1,200 complainants over the telephone and on the Office premises.

Due to the damage of the building in Zagreb where the central Office is located and the implementation of the containment measures, the staff continued to work in aggravated conditions in 2021, communicating with complainants by telephone or electronic mail.

The largest number of complaints was in 2021 again related to the area of education (478) and the exercise of parental responsibility (426). These were followed by complaints of violence against children and child neglect (269), health care rights (172), rights in judicial proceedings (141), the protection of children's safety (121), children's privacy (83), economic rights (77) and other issues.

In an effort to improve the system for the protection of children's rights, in 2021 the Office issued 86 general

recommendations, warnings and press releases, out of which 20% was related to the COVID-19 pandemic. The Office participated in the procedures of enactment or amendment of 38 regulations and 4 strategic documents and gave proposals for 129 specific changes aimed at improving the protection of children.

In 2021, the Office staff continued to hold meetings and talks with children, mostly organised through online communication platforms. Last year saw the appointment of the new, fifth generation of the Network of Young Advisors – NYA, and the establishment of another advisory body, 16+ YOUTH FORUM – 16+ YF, which comprises children over 16 years of age. I would like to thank all young advisors, previous NYA members, for their suggestions and opinions, which helped me better understand the needs of children in 2021. I would also like to welcome the new NYA members and those participating in the 16+ Youth Forum.

The National Strategy for Children's Rights in the Republic of Croatia expired at the end of 2020. However, no report has been issued on its implementation so far, so that there is almost no information on the achieved results. Despite the Office's incentives and reminders, at the time the Report was submitted a new National Plan for Children's Rights had not been adopted. The long-time lack of such a strategic document causes is a cause for serious concern, as the message being sent is that children are not a priority in our society and our country.

The Report provides more details on a series of extremely worrying trends that should be urgently addressed. Traffic accidents involving children and domestic violence increased considerably and the number of children in institutions was also on the rise. Good news is that there was an increase in adoptions in 2021. I hope that this trend will continue to rise.

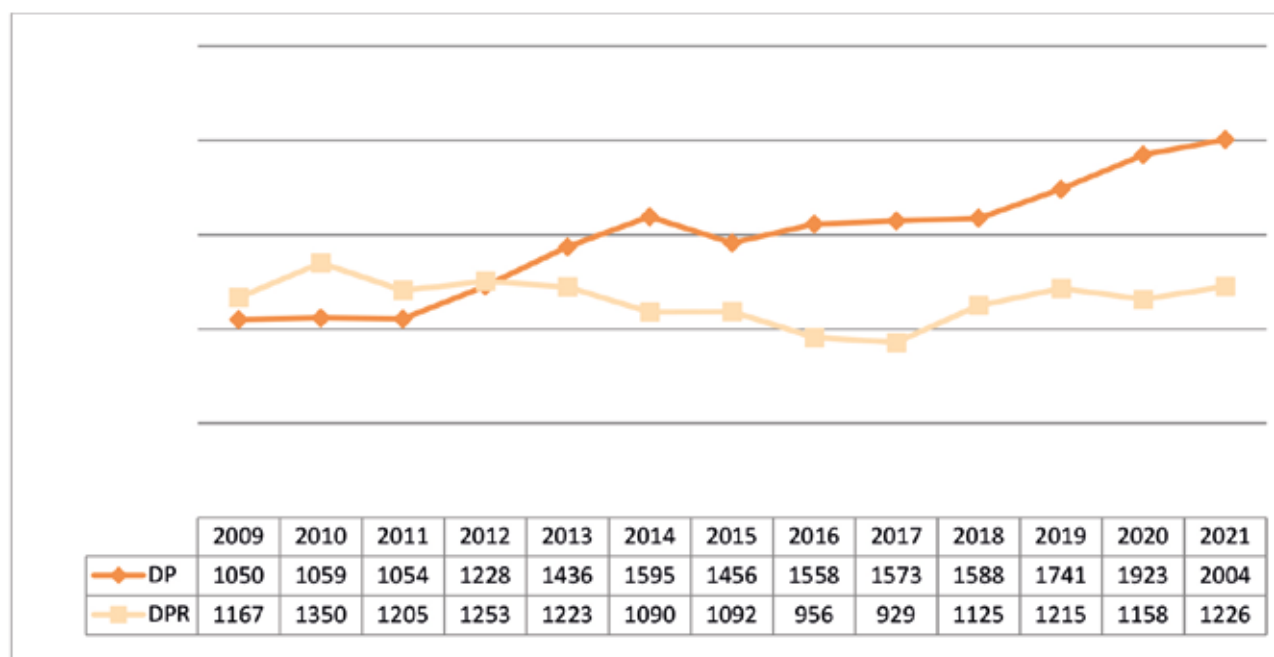
Many children are not well – this is the conclusion of several surveys on children's mental health. This is why in this Report I welcome the initiatives for the protection of children's mental health and call for further investments as children must be provided with a better, reliable and ongoing support.

The employees of the Office of the Ombudsman for Children were highly committed and dedicated to the protection and monitoring of children's rights in 2021. I would therefore like to thank my expert team of advisors and employees in Osijek, Rijeka, Split and Zagreb, which has realised the work plan and all new activities carried out to protect children in this very difficult period, characterised by continued high uncertainty.

I hope that this Report and the ensuing discussion will accelerate working processes and procedures, which will significantly improve the lives of children in Croatia.

Ombudsperson for Children
Helenca Pirnat Dragičević, LLB

Total number of complaints of violations of children's rights (DP) and other pending cases (DPR) in the period from 2009 to 2021



Complaints of violations of children's rights in the period from 2009 to 2021

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

MONITORING INDIVIDUAL VIOLATIONS OF CHILDREN'S RIGHTS

2.

In 2021, the Office of the Ombudsman for Children received a total of 2,004 new complaints, inquiries and requests related to individual violations of children's rights. The Office also processed 694 cases that were transferred, as pending cases, from the previous years, primarily because they have to be monitored over several years due to their specific and complex subject matter.

Individual violations of children's rights in 2021

INDIVIDUAL RIGHTS	Pending cases transferred from previous years	Cases opened in 2021	Number of children in 2021	
			Number of children	Child groups
Personal rights	272	825	1248	47
Rights of children as members of society	3	40	47	8
Educational rights	181	478	348	166
Health care rights	72	172	139	51
Social rights	13	48	74	3
Economic rights	33	77	125	12
Cultural rights	16	30	13	20
Protection of rights in judicial proceedings	29	141	172	11
Children's safety and protection	50	121	94	50
Discrimination	20	49	40	19
Lack of jurisdiction	5	20	19	3
Other rights		3	2	1
TOTAL	694	2004	2321	391

The complaints concerned 2,321 children (1,086 boys, 850 girls and 385 children whose gender was not indicated) and 391 child groups.

The majority of the complaints were filed by children's parents (1,097), in 681 cases by mothers, in 302 by fathers and in 114 cases by both parents. These were followed by the complaints of institutions (412). These were mostly educational institutions, schools and kindergartens, requiring advice or recommendations for action or reporting the violations of children's rights upon observing child neglect or when suspecting domestic violence. The Office was also contacted by competent ministries, agencies and inspectorates, most often by police departments that reported traffic accidents involving children, as well as by the State Inspectorate, which reported on parents' refusal of mandatory vaccination of their children and on violations observed within the monitoring of the protection of children against economic exploitation. The Office was also contacted by social welfare centres, children's homes, associations, local community representatives, seeking

help and support. In some cases the Office was contacted by Members of Parliament and some parliamentary committees, requiring the Ombudsman for Children to take action. The Office also received complaints from children's relatives and neighbours as well as anonymous complaints. In 111 individual cases, the Office initiated action at its own initiative.

The bulk of 2,004 complaints received in 2021 concerned education (478) and the exercise of parental responsibility (426). The second largest number of complaints was related to violence against children and child neglect (269), health care rights (172), rights in judicial proceedings (141), children's safety (121), the right to the protection of privacy (83) and economic rights (77). These were followed by complaints on discrimination (49), the violations of social rights (48), the violations of the rights of children as members of society (40) as well as the violations of cultural rights (30), status-related rights (28) and other children's rights (22). In addition to complaints on the violations of children's rights, there were 20 complaints requiring the resolution of the problems of adults, which falls outside the jurisdiction of the Ombudsman for Children.

2.1 Personal rights

A total of 825 complaints concerned children's personal rights.

Violations of children's personal rights in 2021

PERSONAL RIGHTS	Pending cases transferred from previous years	Cases opened in 2021	Number of children in 2021	
			Number of children	Child groups
Right to life		7	7	
Right to know the biological origin		3	3	
Right to birth registration	4	22	33	6
Right to a name				
Right to citizenship		1	1	
Right to live with parents and enjoy parental care	157	426	640	7
Adoption	1	8	11	1
Right to protection from violence	67	198	329	17
Neglect	28	71	119	2
Custody		1	1	
Foster care	3	3	3	
Right to marriage		1	1	
Right to privacy	11	83	99	14
Other	1			
TOTAL	272	825	1248	47

Right to life – The complaints about violations of the child's right to life mainly concerned serious criminal offences against children (murder, attempted murder, infanticide) or self-injury and self-harm as well as other harmful circumstances.

In 2021, as shown by the Ministry of the Interior data, 3 children were killed, 7 children committed suicide and 63 children attempted to commit suicide. There were 17 child traffic fatalities.

The year 2021 was marked by child deaths. Children died in traffic or other accidents, some children took their own lives and some of them, which is especially shocking, died due to parental neglect or domestic violence. Some of these children's deaths were not only the responsibility of parents, but also of institutions and of the society as a whole. The responses of the social welfare services and judiciary, which are responsible for children in such situations, should be faster and more efficient. Tolerating inadequate treatment of

children, giving parents second chances to “reform”, the protracted adoption and implementation of court decisions and the lack of accommodation facilities for children who have to be separated from their families – all these factors have an impact on children’s safety and their protection. The Ombudsman for Children has for a long time been pointing out the objective circumstances weighing on the work of social welfare services and judiciary, which have not yet been eliminated. However, they should not be an excuse for the lack of action or insufficient action to protect children.

2.1.1 STATUS-RELATED RIGHTS

The majority of 28 complaints of violations of children’s status-related rights concerned the children of foreign nationals, primarily the children of migrant asylum seekers (16).

As regards the status-related rights of children of Croatian nationals, most of the complaints lodged by parents were related to regulating the residence status and changing the domicile or obtaining children’s personal identification papers. Parents sometimes cannot register domicile at the address where they live because the property owner does not consent to registration, while the registered residence is cancelled by the previous owner or the police, with the person whose residence is cancelled often unaware of that. Such situations lead to the violations of basic children’s rights.

Children’s status-related rights are frequently jeopardised because of the parental conflict. Due to family dissolution and strained relationships, parents often cannot agree on the child’s domicile, which is a precondition for domicile registration. The problems arising from the inability to reach an agreement are also evident in the procedures of issuance of the child’s personal documents.

2.1.2 RIGHT TO PRIVACY

In 2021, the Office of the Ombudsman for Children acted on 83 individual cases related to the child’s right to privacy and on 71 complaints of violations of children’s rights (personal, educational, rights in judicial proceedings, health care and participation rights), which also involved the violations of the right to privacy. The Office also acted on 34 cases associated with general initiatives in the area of protection of children’s privacy and responded to inquiries from the media, public and institutions concerning children’s privacy.

The majority of the complaints concerned violations of children’s privacy in the media, including all social media, and especially social networks, followed by violations of their privacy in institutions – schools, kindergartens, social welfare institutions and hospitals – sports clubs, other places and in the family.

A large number of complaints was related to the violations of children’s privacy in the media by using their photographs or video recordings during local elections, allegedly to exploit them for political purposes in order to achieve political aims. It is for this reason that the Office issued *the Recommendation for the protection of children’s rights and interests in political campaigns* to the State Electoral Commission before the Croatian local elections.

The Office also reissued *the Recommendation on the protection of children’s privacy in proceedings conducted pursuant to the Family Act and proceedings before the European Court of Human Rights (ECHR)* to the Croatian Bar Association. Lawyers were recommended to refrain from making comments in the media and among the public when representing parents and children and to encourage their clients to apply for case anonymisation in the proceedings conducted before the ECHR.

Campaigns should be conducted and the public systematically educated on the protection of children’s privacy and risks involved in the excessive posting of children’s photos and other information on social networks. In some areas, the protection of children’s privacy and wellbeing should be additionally regulated by the codes of conduct, guidelines and action protocols.

2.1.3 RIGHT TO LIVE WITH PARENTS AND ENJOY PARENTAL CARE

The majority of 426 complaints related to this area, as many as 290, concerned **the exercise of parental responsibility**, involving 412 children and 3 child groups. **The restriction or termination of parental responsibility** was the subject of 93 complaints, involving 153 children and 4 child groups. There were 43 complaints regarding **the right to child support**, which involved 75 children.

With the outbreak of the COVID-19 pandemic, the need to support parents **with balancing their work and childcare obligations and helping their children with online classes** became a very important segment of the protection of children's wellbeing.

Social welfare centres should have **work standards** in place to provide for timely interventions and high-quality professional work with families. It is necessary to ensure a sufficient number of experts and adequate spatial and technical working conditions, strengthen experts' competencies through ongoing training and supervision, pay special attention to their mental wellbeing and the prevention of professional burnout and provide funding for the psychiatric expertise of parents and children in complex cases. The measures imposed to protect children's wellbeing and their rights should be evaluated. In case they are inefficient, other methods should be considered to improve the protection of children's wellbeing.

The Office of the Ombudsman for Children advocates the organisation of **counselling centres staffed with experts** providing assistance and support on parental issues, family relationships and growing-up challenges as well as **mobile teams** of mental health experts who will provide services in the community on an ongoing and systematic basis, especially in the areas outside county centres and large cities. Judges should be specially trained and educated in the sensitive area of family relationships.

It is necessary to improve the cooperation of all experts and systems responsible for the protection of children's wellbeing and best interests that can contribute to the identification of children's needs and developmental risks, the recognition of families' strengths and the provision of support to parents and children. *The Agreement on Interdepartmental Cooperation and Coordination in the Prevention of Violence and Other Harmful Behaviour at the Local Level*¹ provides a useful starting point and framework for cooperation in the process of establishing **interdepartmental cooperation**.

Restriction of parental responsibility – In most cases the Office acted at its own initiative after visiting homes for children without appropriate parental care, warning social welfare centres of the necessity for additional efforts to be invested in **changing the form of placement** for children placed in institutions for a long period of time, especially for those under 3 years of age. Children's homes contacted the Office requiring assistance with transferring children to other institutions because of serious problems with their behaviour and social welfare centres complained about the slow pace of judiciary bodies as regards the protection of children's rights. Social welfare centres sometimes, despite the identified risks for a child's growing up in the family, withdraw the request that a parent be deprived of the right to live with the child by a court order because of the lack of appropriate placements in child social welfare institutions. Such situations give rise to concern. The complaints related to **sending children to homes for children with behavioural problems** refer to insufficient capacities as a reason why children have to wait for placements for several months, which is especially difficult for children with combined difficulties. The Office is most often notified of difficulties related to **the termination of parental responsibility** by institutions (social welfare centres and homes) as these are long-lasting judicial proceedings.

Children without appropriate parental care – According to data from *the Research on children and young people accommodated, placed and residing in homes for children without appropriate parental care and community service centres*, **806 children without appropriate parental care** were placed in institutions in 2021, which is a significant increase from 730 in 2020. Such a significant increase might have been due to social welfare workers' concern that tragic events involving severe child injuries or fatalities in families, which were partly due to the lack of timely and expert decisions and actions in the best interest of children within the system, might be repeated. The increase was also due to an insufficient number of foster families. Despite government efforts to promote foster care, including the adoption, in February 2022, of *the Act on Amendments to the Foster Care Act*, **difficulties related to children's foster care** are even more pronounced than in the previous years. These primarily include the insufficient accessibility, that is, the lack of foster families, the characteristics and needs of foster parents, an inadequate supervision of services provided by foster families and the non-participation of children in making decisions that concern them.

Given that an extremely large number of children in alternative care was before their separation from families exposed to a number of traumatic events, experts emphasise the great **importance of working with children on overcoming traumatic experiences**.

¹ The signatories to *the Agreement*, which came into effect on 20 March 2020, are ministers from the ministries of the interior, social policy, justice, health care, education and Croatian war veterans.

Adoption – In 2021, institutions for children without appropriate parental care placed 37 children for adoption; on 31 December 2021 there were 111 more children who fulfilled conditions for adoption. Taking into account the wellbeing of a child placed with a foster family and the importance of the already developed affection and stability, the realisation of adoption within the foster family should be considered.

Child support – There were 43 written inquiries and complaints regarding child support. Citizens filing complaints voiced their dissatisfaction with the manipulative behaviour of child-support debtors and the functioning of the system for the protection of children's rights and interests, raising objections to the work of some institutions (courts, social welfare centres, the Financial Agency and the Ministry of Labour, Pension System, Family and Social Policy) or of the system as a whole. Complainants perceive the obstacles they encounter and the inefficient response of the system for the protection of children's rights and interests as "tilting at windmills". It is necessary to continue to train and raise awareness of experts at various institutions and to take more decisive actions, focusing on children and their needs, when determining criminal liability of child-support debtors. Government aid, i.e. the temporary support provided when children do not succeed in receiving the support to which they are entitled, is insufficient and time-limited. Further action is expected to protect the interests of children of work-incapacitated parents and other children who are permanently deprived of financial support.

2.1.4 RIGHT TO PROTECTION FROM VIOLENCE AND NEGLECT

In 2021, the Office of the Ombudsman for Children received 269 complaints of violence towards children and child neglect, 30 more than in 2020. Complaints about child violence and neglect involved 448 children and 19 child groups. Of these complaints, 198 were related to violence (329 children and 17 groups) and 71 to neglect (119 children and 2 child groups). There were also 54 complaints of children's sexual exploitation and abuse.²

Domestic violence and child neglect – The Office of the Ombudsman for Children received 76 complaints of violations of children's rights due to domestic violence. Unfortunately, the year 2021 saw a number of tragic incidents in which parents caused the death of their children by violence and neglect or cruelly murdered their children. These cases once again gave rise to a serious and deep examination of the efficiency of the system for the protection of children against violence in our society. The situations involving parents' abusive and neglecting behaviour towards children require urgent intervention by the society. However, practice shows that both the society in general and experts sometimes show a very high tolerance towards bad parental behaviour.

The majority of complaints of domestic violence was related to **psychological violence** against children. Social workers increasingly more often identify **the manipulative behaviour of parents** and other family members aimed at alienating the child from the other parent and with a good reason treat it as violence against the child. Some of the complaints of violence concern **conflicts between partners witnessed by children**, which resulted in actions taken by competent institutions to protect those children and sanctioning the abusive parental behaviour. The bulk of complaints related to **child neglect** entail family conflicts and unresolved problems in partner relationships, with the main aim being to portray the other parent as incompetent and neglecting.

Although the necessity of comprehensive action to prevent violence and neglect of children in the family has been recognised at the government level, it is still necessary to conduct educational campaigns and carry out preventive activities in order to raise public awareness of the unacceptability of violence against children and to encourage reporting any kind of violence and suspicion that a child has been exposed to violence.

Violence in educational institutions – Out of 51 complaints of violence in educational institutions, 43 were related to peer violence. Schools' preventive interventions and responses to violence are uneven, notwithstanding the coming into force of *the Action Plan for the Prevention of Violence in Schools*, which should have improved the situation. Not all **preventive programmes** are scientifically based and their outcomes for children are often not established. Expert service departments in kindergartens and schools are understaffed. Professional and pedagogical supervisory examinations carried out by the Croatian Education and Teacher Training Agency confirm that employees' reactions are at times neither prompt nor professional and that they

² For more details on this topic, see the section *Protection from sexual exploitation and abuse*.

demonstrate a lack of knowledge and insecurity. It often happens that schools refuse to take action when peer violence occurs outside the school building, outside school hours or online, while instructions from supervisory authorities vary. Online violence most often involves inappropriate social network communication.

Schools often fail to recognize such violence and do not take adequate measures targeting children – both victims and offenders. **Interdepartmental cooperation** as regards peer violence is insufficient and depends on the stakeholders, their expertise and understanding of the issues as well as their willingness to devote ongoing efforts to combating and preventing violence. Some schools are inept **at communication with the media** and disclose too many details on specific events and expert interventions. **Violence of adults against children** in schools reveals loopholes in child protection regulations and practice and the reluctance of the system to sanction offenders and report them to relevant authorities.

Violence in other institutions and other forms of violence – The complaints received were related to violence in correctional institutions, sports clubs, public spaces and the neighbourhood as well as to violence committed by peers, institutional staff, sports club coaches, parents of children in conflict, acquaintances and neighbours.

Children living in **social welfare homes** are the most endangered group of children as far as the violation of their rights is concerned, especially the right to protection from violence. Some institutions, and the system as a whole, show a lack of determination to protect children from violence. This requires the stepping up of the training of educational workers, more efficient interdepartmental cooperation and ongoing preventive and reactive activities aimed at protecting children from all forms of violence.

Most of the complaints of violent and other inappropriate behaviour of **coaches in sports clubs** did not result in the establishment of criminal offences or misdemeanours, although their communication with children was inappropriate. In such cases, the Office required verification of whether coaches met the requirements for working with children prescribed by the Act on Sports.

The violence of neighbours against children is most often verbal and stems from unstable relationships between adults. The complainants were instructed to report such instances of violence to the police. Some of the complaints refer to the disturbing and dangerous behaviour of neighbours with impaired mental health or mental disorders, who are irregularly and insufficiently supervised and therefore behave in such a way that poses a great threat to children. There is an absence of efficient interdepartmental cooperation in the prevention of the further endangering of children and citizens, while responsibility is transferred from one system to another.

Despite the improvements of a large number of regulations on violence and its prevention, violence is still omnipresent, which indicates that these regulations are not complied with in practice and that prevention is failing. While it is crucial to strengthen all preventive activities in the work with children and adults, even the highest-quality prevention programmes will not achieve any results if children grow up in an environment that ignores or encourages violence and intolerance in any life segment or towards any person or social group.

2.2 Rights of children as members of society

The Office of the Ombudsman for Children received 47 complaints concerning the children's right to protection from potentially harmful information and the right to participation of children capable of forming their own views on family law issues, at school and elsewhere.

The main problems in this area include the insufficient knowledge and understanding of the child's right to participation in society as well as the low qualifications of adults for communicating and working with children towards the realisation of this right. It is necessary to change social attitudes about children being passive objects formed by decisions made by adults and to create room and atmosphere allowing for the participation of children. The functioning of children's representative bodies in schools, children's homes and in the local community depends on the enthusiasm of particular professionals and their own concept of the realisation of children's participation rights. The inclusion of children in debates on public policies and strategic documents concerning them is still not implemented in a way that would ensure their meaningful participation.

2.3 Educational rights

In 2021, the Office of the Ombudsman for Children received 478 individual complaints of violations of children's rights in the area of education. These complaints involved 349 children and 165 child groups (educational groups, classes or institutions). Complaints related to the area of education again this year accounted for the largest number of individual complaints of violations of children's rights. A large number of complaints was related to the violations of children's rights caused by the consequences of the COVID-19 pandemic.

The complaints concerning **preschool education** related to the following issues: the lack of placements in preschool education programmes; the inability to enrol children in preschool education programmes due to varied enrolment criteria regarding the domicile, age and parents' employment; the inconsistency of the founders' co-financing methods; the inability to enrol unvaccinated children; the safety of buildings after the earthquakes; the frequent changes of child care workers and the transfer of children from their group to another; paying the full price of kindergarten during summer months when children do not attend kindergarten or during their long absence due to illness or self-isolation; the kindergarten working hours being out of tune with parents' needs and working hours; the children's "obligatory" nap in kindergarten as well as the inappropriate conduct of child care workers.

The complaints concerning **primary education** related to the following issues: the inability to enrol children in school; school transportation; the lack of extended stay for the 1st to 4th grade pupils; the lack of school meals; the irregularity of children's enrolment without the approval of one parent; school shifts; the changes of teachers; the lack of qualified professionals in some educational institutions, the illegal and unethical conduct of the education and other staff in educational institutions towards children as well as the violations of children's dignity during grading and while imposing pedagogical measures.

The complaints concerning **secondary education** related to the following issues: school transportation; the planning and implementation of enrolment in the first grade; the criteria for enrolment and the exercise of the right to enrol in secondary school; additional points for enrollment in the first grade and scholarships.

In the current crisis caused by the COVID-19 pandemic the educational system faced numerous challenges in the organisation of classes, which had to ensure the realisation of all educational tasks in accordance with children's needs and the protection of their health and wellbeing. The impact of the pandemic could be observed in the number of complaints submitted to the Office. The Office received complaints regarding the fact that parents could not stay with their children during their adaptation to kindergarten or could spend only a limited time with them; face-to-face or online classes; remote classes held by some teachers; the COVID-19 containment measures and their implementation in schools as well as the unprofessional and unethical conduct of some educational workers.

A large number of complaints related to **the education of children with disabilities**, mainly in the primary education system, with the most important issue being the adherence to and the implementation of an appropriate curriculum, the same as in the secondary education system. In the preschool education system, the rights of children with disabilities are the most often violated with regard to their enrolment in kindergarten, shortening the length of stay and ensuring kindergarten assistants. It is necessary to legally regulate the support of kindergarten assistants for children with disabilities and harmonise the procedures and criteria for the kindergarten enrolment of children with disabilities. Additional investments should be made in the training of educational workers in order to improve the quality of education work with children with disabilities. The Committee on Early Childhood Intervention should step up its activities towards improving the availability of a wide scope of services for children with disabilities, especially early intervention services.

2.4 Health care rights

The Office acted on 160 individual complaints, issued 8 recommendations, 1 press release and 2 public appeals on the need for adults to help children adhere to the COVID-19 containment measures.

Despite exceptional efforts made by health care workers, the COVID-19 pandemic has taken a toll on the realisation of children's health care rights, in terms of availability, conditions for the provision of such services

and uncertainty arising from the cancellation of scheduled appointments. The containment measures made some parents feel distrustful and anxious, increasing the feeling of concern. This could have been avoided to some extent if the purpose of some measures and their benefit for children had been better communicated and more clearly explained.

The other problems referred to in notifications and complaints include, as in the previous years, the insufficient number of experts in the health care system, their accessibility to children, the communication between parents and health care workers and the difficulties related to the protection of the health care rights of chronically ill children. Children have to wait very long for their specialist check-ups. Children's easy access to alcohol and tobacco products causes a number of problems as so does their exposure to the harmful effects of games of chance, in particular gambling and betting. Both children and parents should be provided with more comprehensive and thorough information on potential risks from energy drinks. It is necessary to intensify public health and media campaigns and implement ongoing preventive programmes in the education system in order to more strongly influence children and young people, as well as their parents, and help them develop healthy life habits and stay healthy.

The realisation of rights of chronically ill and non-chronically ill children requires the ongoing training of educational workers on children's needs deriving from their health condition. Health care workers should be educated on the protection of child patients' privacy.

Investments should be made on an ongoing basis to improve the accessibility of services and the protection of children's mental health at all levels. Educational workers should be educated on the method of administering psychological first aid to children, which can be achieved by improving their mental health literacy.³

2.5 Social and economic rights

CHILD POVERTY

In Croatia, 20% of children live at risk of poverty or social exclusion, which affects their wellbeing and the exercise of rights under *the Convention on the Rights of the Child*. Children who cannot be provided with equal opportunities by their parents need help from the government, which should ensure the resources, services and expert assistance they require. The Office emphasised the need to define the term *poor child* and prescribe a new (nonmonetary) social service of child mentorship. *The Council Recommendation establishing a European Child Guarantee (The Child Guarantee)* is an important document that calls upon states to adopt special measures to provide children who need help with free early and preschool education, school education and extracurricular activities, free health care, healthy diet, adequate housing and community social services.

SOCIAL RIGHTS

Social rights were the subject of 46 complaints, with most of them related to the child benefit as well as the maternity and parental benefits, the right to reduced working hours to care for the child with severe disabilities, social welfare rights in general, the status of parent-caregiver, the disability allowance, the survivor's pension, the one-time allowance, the child care leave and other social rights. There were many complaints about the lack of guidance on the possibilities to exercise rights and the long duration of the procedures of deciding on specific rights. The Office of the Ombudsman for Children issued recommendations to competent bodies and proposals in the e-consultation process regarding the improvement of the protection of children's rights to child benefits, maternity and parental benefits and survivor's pensions as well as the rights under *the Social Welfare Act*. The Office also called for the better protection of children with disabilities in all these areas.

³ Mental health literacy comprises knowledge and skills that do not belong exclusively to experts. It includes an important life skill of a considerate, compassionate and caring communicating with a suffering person, e.g., someone who has suffered a loss and is grieving or someone who is coping with depression, panic attacks or fears – psychological first aid. (Source: <https://www.hzjz.hr/sluzba-promicanje-zdravlja/mentalnozdravstvena-pismenost-nije-rezervirana-samo-za-strucnjake-ona-je-vazna-za-svakog-pojedinca/>)

ECONOMIC RIGHTS

In 2021, the Office of the Ombudsman for Children received 77 complaints related to economic rights, which involved 125 children and 12 child groups. Most of the complaints concerned the right to an adequate standard of living, children's property rights (the use of property), inappropriate advertising, illegal child labour or employment, the violations of students' rights during practical training classes, the participation of children in cultural or artistic activities and other issues.

Right to an adequate standard of living – The Office acted on complaints related to housing conditions, including those due to the earthquake, parents with children moving out of public (social) housing flats, cutting out electricity and issues concerning neighbour relations. Inadequate living conditions, seen during visits to some locations, adversely influence the physical and mental health of children and people they live with, children's school performance, the acquisition of behaviour patterns and working habits as well their overall growth and development. This requires developing an efficient strategy to ensure adequate housing for families with children at risk of poverty, ensuring government funding and envisaging a mechanism for government financial assistance to local self-government units lacking budgetary funds for social housing and accommodating children in an appropriate and stimulating setting.

Economic exploitation and hazardous labour – The Office received 7 complaints related to illegal child labour or employment, students' apprenticeship and children's participation cultural, artistic, and promotional activities. The Office also monitored the exploitation of children for begging.

Improvements should be made to the organisation of practical training, exercises and apprenticeship in order to achieve a more comprehensive protection of students. The regulations on vocational education and apprenticeship as yet do not envisage inspection bodies authorised to impose a fine for an administrative offence to the employer for a breach of the contract on the implementation of practical training classes and exercises and the contract on apprenticeship or for an unprofessional or inappropriate conduct towards a student while in apprenticeship. No implementing act has been adopted to govern children's participation in artistic, audio-visual and promotional activities. There is no comprehensive approach to the exploitation of children for begging. There is no ongoing cooperation between competent authorities and no long-term child protection measures have been planned. The Ombudsman for Children has raised these issues for years.

Property rights – The Office received 24 complaints related to the following: the protection of children's property rights during the matrimonial property division process, the long duration of inheritance proceedings in the cases when children are heirs, the issues related to inheriting debts, including inheritance proceedings conducted abroad, the impact of the contract on lifelong support of the deceased parents on the inheritance, the payment of the real property transfer tax, the acceptance of gifts (real property) with an encumbrance, the use of funds from the child's account, the attachment on funds exempt of enforcement, the use of pawnshop services and the protection of property interests of children in guardianship. The violations of children's property rights are caused by the irresponsible behaviour of parents and their lack of knowledge about the legal consequences of actions they take on behalf and for the account of their children, as well as by the absence of additional protective mechanisms and controls over the spending of funds. Children need to be better protected in inheritance proceedings and a number of various regulations need to be amended in order for the protection of their property rights to be improved.

Inappropriate advertising – The complaints related to the protection of children against inappropriate television advertisements as well as other advertisements and content, the participation of children in promotional activities, i.e., the exploitation of children for commercial purposes, children's participation in advertising spots, the impact of television and other ads for various products and services on children and advertising in educational institutions. The regulations in effect still fail to protect children from the potentially negative impacts of advertising. No major progress has been achieved in this area. The recommendations made to Croatia by the UN Committee on the Rights of the Child refer to children's exposure to inappropriate media content, such as alcohol and game of chance advertisements, as an area of concern. The new *Act on Electronic Media*, adopted in 2021, is expected to reduce children's exposure to harmful advertisements. The advances made so far include the regulation of teletext advertising and commencing activities on the protection of children from the advertisements of products with high contents of fat, salt and sugar, which is a task of the Working Group on Restricting Advertising Food Products to Children.

Child budget – Croatia is among a few EU Member States having *the child budget* in place. However, the budget has not yet fulfilled its purpose of serving as a mechanism for the monitoring and assessment of the efficiency, effectiveness, fairness, transparency and sustainability of the distribution of funds allocated from public budgets for the exercise of children's rights. Local and regional government and self-government units are still not obliged to compile child budgets. It is necessary to draw up a detailed manual for the compilation of the child budget, disclose the child budget for a three-year period and its execution on an ongoing basis, process and analyse the collected data and continuously monitor investments in children.

2.6 Cultural rights and leisure

The Office of the Ombudsman for Children received 30 complaints of violations of cultural rights. Most of these complaints concerned the protection of rights of child athletes (24), while the rest of them were lodged about the accessibility of leisure time programmes, the conditions of a playground, the conduct of a playroom staff member towards a child and the inappropriate behaviour of a religious education teacher towards children attending parish religious education classes during their free time. The lodged complaints also concerned mandatory COVID passes or other proof of vaccination, recovery or testing for adults accompanying children and the setting of the age limit for COVID passes for children. Before the summer school vacation, the Office issued recommendations to the public on the protection of children during that period and once again called upon adults to take care of children's safety and the implementation of COVID-19 containment measures during their stay in playrooms, camps and summer schools and while travelling.

There is still the lack of regulation on the spatial, technical and personnel conditions of **playrooms and other children's play areas**. There is still no implementing regulation pursuant to *the Family Act* to govern **children's participation in artistic, audio-visual, promotional, sports and similar activities** and there are no amendments to *the Associations Act* to guarantee the protection of children against child offenders. The Ombudsman for Children has repeatedly expressed concern about these issues.

2.7 Rights in judicial proceedings

In 2021, the Office of the Ombudsman for Children acted on 141 individual cases of violations of children's rights in judicial proceedings in connection with complaints over the conduct of police officers, social welfare workers, special guardians, lawyers, courts and the State Attorney Office.

The complaints concerned the inappropriate behaviour of police officers towards children or in the presence of children, the lack of action or inadequate action by social workers, the inappropriate protection of children's rights in family law proceedings, the excessive duration of proceedings, the inadequate treatment of the child witness in the proceedings as well as parents and children being ill-informed about children's rights and the ways to execute these rights. The State Attorney Office was criticised for not investing sufficient efforts into the processing of offenders, the excessive length of the proceedings prior to filing the charges, the failure to take action to protect the child victim, the failure to inform the victim and the authorities competent for the victim's protection and thus preventing the timely taking of child protection measures. The problems were caused by **the excessive length of judicial proceedings, the inefficiency of enforcement procedures and the inconsistency between penal, misdemeanour and family law decisions**. Children are also often exposed to institutional abuse: they have to sit for multiple and inadequate interview sessions and decisions are neither timely adopted nor efficient. The Office has for years been advocating **the establishment of specialised family courts**, which would be competent for all proceedings within the scope of children's family law protection, including misdemeanour and criminal proceedings and the implementation of court decisions. The Office welcomes the announced judiciary reform and the establishment of specialised family court departments at county courts.

Changes should also be introduced to the system of **special guardianship for children**. Due to an insufficient number of employed special guardians and their being overburdened with cases and working both for children and adults, the representation of children in legal proceedings is unsatisfactory. It is therefore necessary to **analyse in detail the achieved outcome** of the system as it is presently organised with regard to

the protection of children's rights, and, based on the on the results of the analysis, reform the system of representation of children in judicial proceedings.

2.7.1 PROTECTION OF CHILD VICTIMS AND WITNESSES

As shown by the Ministry of the Interior Data, 4,946 criminal offences against children were discovered and reported in 2021, which is an increase of 16% from 2020. The reported offences were committed against 5,106 children, with 3,093 of them up to 14 years of age, 1,025 at the age between 14 and 16 years and 988 at the age between 16 and 18 years.

The victim's problems with access to justice were mostly due to a lack of information and insufficient support as well as to the long duration of proceedings. **The protection of child victims has not been systematical-ly organised and children do not have an equal access to and treatment in judicial proceedings.** It is crucial to establish a system for the protection of child victims and witnesses, modelled after the system for the protection of human trafficking victims, set up operative mobile teams, and, on the pattern of the Scandinavian Barnahus, **establish an interdisciplinary centre for child victims and witnesses.** Such a centre would enable interviewing and forensically examining children, assessing their individual needs, planning their safety protection and providing all required therapeutic services, all at a single location.

The judiciary reform should aim at speeding up and increasing the efficiency of judicial proceedings to help child victims achieve a faster recovery. All child witnesses in judicial proceedings, irrespective of their age, should be ensured equal conditions for giving testimony in order to be protected from additional traumatisations. Child victims must have **the right to a high-quality representation** of their interests during criminal proceedings, which can be achieved only by adequate legal counselling. The Ombudsman for Children therefore emphasises the need to adopt a special regulation specifying the elements and criteria for appointing a legal representative, including the form of compulsory training, as the requirements for acquiring qualifications to represent a child.

2.7.1.1 PROTECTION FROM SEXUAL EXPLOITATION AND ABUSE

As shown by the Ministry of the Interior data, 804 sexual offences against children were reported in 2021, which is a considerable increase from 573 reported in 2020. Sexual abuse of a child younger than 15 years of age was the most reported offence (359), followed by exploiting children for pornography (147) and introducing children to pornography (86). These are followed by the following offences: sexual harassment (69), satisfying lust in the presence of a child (44), lewd acts (33), rape (31), grooming (24), pandering a child (6), exploiting children for pornographic shows (4) and the sexual abuse of a child older than 15 years of age (1). In 2021, there were 6 sexually abused victims of human trafficking.

A large number of cases of sexual violence against children raises concern. The responses of the judiciary to the reports of sexual offences against children are often inadequate, resulting in the long-lasting proceedings, lenient sentences for perpetrators and failure to impose safety precautions, with the result that children are discouraged from reporting such offences and perpetrators are encouraged to commit them. **As a result of lenient sentences conviction records data are kept in the Criminal Records only for a short period of time**, which makes prevention impossible. Once child sex offenders have been rehabilitated and their criminal records can no longer be verified, they are free to become foster parents, adopt children, get a job in a kindergarten, school and children's home or any other job that involves a direct contact with children. The Ombudsman for Children, considering this practice unacceptable, has been warning of this problem. Persons with a conviction record are barred from performing jobs that involve contact with children only pursuant to some special regulations, e.g., those governing the educational system, social welfare system, foster care, sports, volunteering, etc., while some areas are not regulated at all, such as child care, playrooms, sports, music and dance classes, private tuition, children's camps, etc.

The Ombudsman for Children has brought this issue to the attention of competent ministries and the Government. The Government was this year again submitted **an initiative to adopt a special regulation on the protection of children against sexual harassment and abuse.** The special regulation, coupled with other protection measures, should prescribe compulsory conviction record checks of persons coming in contact with children in all areas where activities with children are organised, sanctions for non-compliance and a body supervising the fulfilment of this obligation. This regulation should also ensure that data on previous conviction are kept for a longer period of time and provide a legal basis to enable employers, the

organisers of activities involving children and authorities implementing child protection measures to be informed of a person's conviction for a criminal offence, which makes such a person potentially threatening to children even after the rehabilitation. The Ombudsman for Children proposed the establishment of a working group for drafting a special act on the protection of children. The Ministry of the Interior gave support to the initiative, so that activities on the adoption of the act are expected to be implemented in 2022.

It often happens that the perpetrators of **child sexual harassment** go unprosecuted and are thus able to continue performing their jobs that involve coming in contact with children. Sexual harassment, inappropriate "touching" and messages to children warrant special attention, especially when practised by persons with whom children are in a regular contact and dependence relationship, such as teachers or trainers. The Ombudsman for Children therefore proposes **the licensing of persons working with children**, not only in the educational system, but also in other systems that organise activities involving children, as licence is proof that a person working with children meets the prescribed conditions and has the required competences, which provides a degree of security. The Ombudsman's initiative from 2020 to introduce a licensing system into the educational system has not yet been realised and the proposal to the Ministry of Science and Education to ban sexual harassers from working in schools has not been accepted.

Prevention and the education of children on the issues of sexual violence are very important for the protection of children against sexual violence. Unfortunately, preventive programmes are not part of the regular and compulsory curriculum and are therefore not accessible to all children under equal conditions, an issue emphasised for a long time by the Ombudsman for Children. Occasional project activities, despite their quality, cannot replace **an integral sexual education programme, comprising the prevention of sexual violence, which is lacking in our schools.**

2.7.2 PROTECTION OF RIGHTS OF CHILDREN IN CONFLICT WITH LAW

The complaints concerning this issue referred to the conduct of police officers, the actions of judicial bodies and the conditions for the execution of institutional correctional measures. Some parents sought information on the treatment of children and minors suspected of criminal offences or misdemeanours. The complaints about the actions of the police were mostly related to the rough treatment of child/minor suspects and to suspicion of biased representation in the cases when a police officer was a witness, the child's legal representative or suspect.

The measure of detention on remand for minors is implemented under conditions that are not in compliance with international standards and national legislation, while closed reformatories, envisaged by *the Juvenile Courts Act* of 2011, have not yet been established. The Office of the Ombudsman for Children also monitored the in-patient psychiatric treatment of children (minors) deprived of freedom in the Prison Hospital in Zagreb, where minors were until recently accommodated with adults deprived of freedom. The Ministry of Health has been submitted several recommendations regarding the absence of a health care institution for the forced accommodation of children (minors) who were declared mentally incompetent in the course of criminal proceedings pursuant to *the Act on the Protection of Persons with Mental Disorders*.

Having observed inconsistencies in the actions of state attorneys and juvenile judges as well as the substandard interdepartmental cooperation in the interest of the child, the Office reiterated that it was necessary to provide additional training and specialisation to all experts in juvenile crime. Most difficulties were observed in the execution of the correctional measure of referral to a correctional institution. Specialised foster care, which could replace placing minors in care, is still underdeveloped.

2.8 Safety, accidents and hazardous environment

The Office of the Ombudsman for Children received 121 complaints of violations of individual children's rights, involving 94 children and 50 child groups. Most of the complaints concerned traffic risks for children and traffic accidents involving children (76) as well as harmful environmental effects on health and other child safety threats (45). The Office also monitored issues related to missing children, children's safety in playgrounds and playrooms and risks to children arising from potentially hazardous electromagnetic radiation from devices installed in the vicinity of residential buildings, kindergartens and schools, air pollution, pyrotechnics, animal bites and machines.

Children's safety in traffic – The Office acted on 76 individual complaints related to risks to children in **road traffic**. In 2021, 1,254 children were injured and even 17 children died in traffic accidents on the Croatian roads. It is necessary to strengthen preventive activities and programmes aimed at child protection and enhance safety conditions in all types of traffic, encompassing all children, from preschool children to secondary school students, improve traffic culture by means of campaigns and the media, regularly sanction drivers who cause traffic accidents owing to top four *traffic killers*: safety belt, speed, alcohol and mobile phones, the misuse of which is especially dangerous when children are on board.

Children's safety in playgrounds and playrooms – Playrooms **are not controlled** in terms of space, equipment, persons coming in contact with children and programmes offered to children, due to **the continued absence of a regulation** governing the operation of children's playrooms and their surveillance. The Government and the ministries have been notified of the need to regulate the operation of playrooms. However, the authority competent for the drafting of such a regulation has not yet been designated. Therefore, until such regulation is adopted, parents and other persons taking care of children in play areas should act with increased caution, and owners should apply the highest security standards.

Harmful and hazardous environmental impacts and other issues – The complaints related to children's exposure to poor air quality, exceeding the permitted noise level, the impact of potentially harmful electromagnetic radiation (base stations and transmitters) from devices installed in the vicinity of residential buildings, kindergartens and schools, the repurposing of play and leisure areas, the irregular disposal of harmful waste and building materials, the opening of a new waste landfill in the vicinity of residential buildings, an illegal funfair and irregular dog keeping. It is necessary to raise awareness of the obligation to respect and promote the right to a healthy environment, include more climate change related topics in the curriculum at all education levels, run awareness raising campaigns on the risks of electromagnetic radiation for children and young people, inform local community residents on the installation and construction of the telecommunication network, step up local self government units' municipal services efforts to supervise the implementation of regulations on keeping dogs and increase action on the improvement of the environment in Croatia.

2.9 Discrimination

The Office acted on 49 complaints pursuant to *the Anti-discrimination Act*. The complaints concerning the education system (25) continued to indicate that educational workers neither understand nor recognise discriminatory behaviour and that they fail to act timely and appropriately with regard to children. Out of these complaints, 8 concerned discrimination in **social welfare**, 7 referred to discrimination in **access to goods and services**, 5 concerned discrimination in **sports**, 2 complaints were about **general discrimination** and 1 complaint related to **the judiciary** and **administration** respectively.

Efforts should be made to contain and prevent prejudice and hostilities against minority groups. Educational materials on sensitive topics should be based on the thorough knowledge of children's developmental characteristics and the methods of working with children. Teachers should be provided with high-quality training on working with such materials and guiding pupils when discussing sensitive issues such as racism, xenophobia and general prejudices against some groups. It is necessary to do the following, in a systematic and continuous manner: educate educational workers and sports personnel about children's rights and the prohibition of discrimination, include children into programmes on tolerance, non-discrimination and diversity acceptance, implement the recommendation of the UN Committee on the Rights of the Child on fostering intercultural and interreligious dialogue in local communities and schools, step up efforts to prevent discrimination of poor and sick children, national minority children, alien children and other marginalised groups, implement education on human rights and discrimination prohibition for the representatives of public authorities, especially local and regional government and self-government units.

2.10 Other rights and lack of jurisdiction

The Office received 23 inquiries and requests for assistance concerning matters that were out of the jurisdiction of the Ombudsman for Children, having been mostly related to the violations of rights of adults. The applicants were informed about ways to solve their problems or protect their rights.

CHILD PARTICIPATION

- NETWORK OF YOUNG ADVISORS AND 16+ YOUTH FORUM

3.

The Network of Young Advisors to the Ombudsman for Children – NYA – is a standing advisory body to the Ombudsperson for Children, established in 2010. The members are appointed by the children from the previous NYA generation, with the Ombudsman for Children and the Ombudsman's adult advisors monitoring their work. The mandate of the fourth NYA generation, now active, started in September 2021 and lasts until September 2024. The NYA consists of 25 members – children who are at the beginning of their three-year mandate aged between 12 and 16 and come from the whole of Croatia. Each member of the NYA promotes and argues for his or her own opinion and acts on his or her own behalf, without representing any group, school or town. There is also a new, recently established, advisory group of children older than 16 years of age: 16+ Youth Forum (16+ YF), which has 16 members. There were 3 national and 4 regional meetings of the NYA and 1 meeting of the 16+ Youth Forum.

The NYA's work was represented as an example of successful participation⁴ at the website of the Centre for Children and Young People's Participation of the University of Lancashire (UK), under the title *U Can Make Change*⁵. In celebration of the 75th anniversary of the UNICEF, the members of the fourth NYA generation, who are also the members of the UNICEF's Advisory Boards for Child Participation, Children's Rights and Corporate Social Responsibility, were appointed as **Friends of the UNICEF**.

The NYA members participated in the online meeting (focus group), organised by the **European Commission in September 2021** with an aim to make the promotion of children's participation a priority in its work. They also participated in the first session of **the Croatian National Eurochild Forum (NEF)**, organised by Our Children Society Opatija and Our Children Union of Societies Croatia. Participating in the work of **the Children's Participation Advisory Board**, established at the initiative of UNICEF Office for Croatia, the NYA representatives, based on their experience in the realisation of participation rights, actively contributed to the development of *the Guidelines for the participation of children and young people in advisory bodies, working groups and meetings*.⁶

SPECIFIC AREAS OF PROTECTION OF CHILDREN'S RIGHTS

Proposals to develop an integrated system for the protection of children's rights

4.

4.1 Rights of national minority children

Most of the complaints received were related to the exercise of rights of Roma minority children and some also addressed the exercise of the right to education of children of Serbian nationality. The rights of Roma minority children are most often violated in terms of the non-accessibility of preschool education, neglect of education, school leaving, violence and minor marriages in Roma communities. The Office of the Ombudsman for Children continued its activities on the protection of Roma children in Medimurje County.

⁴ The term participation, used in communication with children and the public, implies the participation rights of children enshrined in the UN Convention on the Rights of the Child.

⁵ <https://ucanmakechange2.org/network-of-young-advisors-nya-participation-of-children-and-the-impact-on-the-work-of-the-ombudsman-for-children-6/>

⁶ <https://www.unicef.org/croatia/izvjesca/smjernice-za-sudjelovanje-djece-i-mladih-na-sastancima>

The rights of children of Serbian nationality are most often violated in the educational system. The frequent occurrences of peer violence between Serbian and Croatian students point to the need for the development and implementation of school programmes for the prevention of nationally motivated peer violence. As regards the creation of the new educational programme in Vukovar, i.e., the potential integration of separated schools and kindergartens, the Ombudsman for Children pointed out the necessity for this process to be public, transparent and responsive to community needs (national minorities in particular) and for the conduct of a survey on children's views on the new educational model planned to be introduced in Vukovar.

4.2 Rights and needs of gifted children

Gifted children require specific attention from all those participating in their care and education as well as a different approach, depending on their specific needs. It is worrying that a large number of gifted children go unrecognised in the educational system and are not provided with adequate support to enable the development of their full potentials. We are collectively faced with a challenge and responsibility to identify gifted children, respond to their needs and ensure all the required conditions, including adjusted curricula, to stimulate the development of their personalities and talents. The absence of regulations on working with gifted children is coupled with the lack of personnel, spatial, organisational and financial conditions as well as adequate equipment in the institutions for working with this group of children. Investments at the local level should be increased to meet the needs of gifted children.

4.3 Children's rights in sports

Out of 48 cases related to this area, 24 concerned individual complaints regarding the accessibility, quality and safety of sport as a way of spending leisure time. Other cases involved the protection of privacy, protection from violence or discrimination and general initiatives on the rights of child athletes – recommendations and legislative activities as well as the promotion and advocacy of these children's rights.

Since the end of 2020, the Office of the Ombudsman for Children has repeatedly reacted to the decisions adopted by the Civil Protection Headquarters, indicating the need to revise the measures related to children's sports activities and expressing concern over the impact of these measures on children's physical and mental health. It is vital to formulate a plan and a strategy to include physically inactive children in sports and recreational activities.

The initiative to amend *the Act on Sports* submitted by the Office to the Ministry of Tourism and Sports indicated the weaknesses of provisions that must be supplemented in order to protect children and prevent offenders from continuing to perform jobs in sport in which they come into contact with children. The Office recommended the introduction of **a licensing system** for coaches and other persons working with children in sport and the professional and pedagogical supervision in the sport system as well as setting up the position of **the child safeguarding officer**. The establishment of the system of child safeguarding officers in Croatia and defining its role, scope of activities, powers and competencies are part of the project of the European Union and the Council of Europe *Child Safeguarding in Sport (CSiS)*, which is aimed at providing support to public authorities and sports organisations with setting up the position of the child safeguarding officer in sport.

4.4 Rights of children with behavioural problems

In 2021, the Office of the Ombudsman for Children acted on 62 complaints on children with behavioural problems of all degrees of complexity, ranging from risky behaviour to criminal offences.

The educational system still lacks an appropriate, systematic and expert response to the needs of children with behavioural problems who participate in inclusive regular education. Schools do not have in place any structured and planned interventions to implement when working with children with behavioural problems, but instead rely on monitoring and take action only when children behave inappropriately. *The Ordinance on*

the Method and Form of Providing Educational Support and Professional Treatment to Children at Risk of Developing Behavioural Problems and Children with Behavioural Problems has not yet been adopted. It is necessary to improve the basic and lifelong education of teachers about working with these children and employ more experts of all profiles in schools' expert service departments, including social pedagogues, educated on prevention, risk identification and treatment. Schools recognise the importance of **prevention**, but there is a frequent lack of structured and ongoing preventive programmes of proven efficiency at all levels of prevention: universal, selective and indicated. In line with the minimum prevention standards, a base should be created, containing high-quality, scientifically-based and evaluated preventive programmes, which encompass children, parents and teachers.

In the local community, **the interdepartmental cooperation** should be improved as well as the multidisciplinary approach to carrying out preventive interventions and conduct in certain cases. Interventions in **the social welfare and judiciary systems** are delayed and indecisive when, for example, a child with behavioural problems has to be separated from a family at risk.

The majority of complaints about **social welfare homes for children with behavioural problems** were filed by social welfare workers or employees of children's homes in relation to the lack of placements in the appropriate institution for children with behavioural problems. The system offers neither adequate accommodation nor treatment for children who have behavioural problems as well as mental health difficulties and disabilities. The Office of the Ombudsman for Children has several times notified the legislative and executive authorities of the difficulties with the realisation of rights of children in homes for children with behavioural problems.

4.5 Rights of children of incarcerated parents

In 2021, the Office of the Ombudsman received 18 individual complaints relating to the rights of children having parents deprived of freedom and acted on about 20 general initiatives. The Ombudsman and associates visited the Lepoglava Penitentiary, the Prison Hospital in Zagreb, the Prison in Rijeka and the Prison in Požega. The Ombudsman for Children has issued several specific and general recommendations for the protection of the rights and interests of children of incarcerated parents. Cooperation was continued with the prison system as well as with national and international organisations and associations.

The bulk of the complaints concerned limited **children's visits to parents in prison during the pandemic** due to containment measures. All visits were banned temporarily. In the periods when visits were allowed, visitors communicated over a plexiglass barrier and wore masks. Parents also complained about the compulsory vaccination of visitors accompanying children and of imprisoned parents as well as about compulsory COVID passes and the PCR testing at the visitors' expense before each visit. The complaints were also lodged about the limited number of four persons allowed for each visit and the reduced availability of video visits for children.

The focus of a large number of activities was on the rights of children of incarcerated parents. These include the cooperation with civil society organisations, the partnership with **the international network Children of Prisoners Europe (COPE)** and lectures for students and judiciary police officers. The Office of the Ombudsman for Children held a series of discussions on the rights of children of incarcerated parents and expected global and European standards with the UN Committee on the Rights of the Child, during the adoption of *the EU Strategy for the Rights of the Child* and *the Council of Europe Strategy for the Rights of the Child* as well as on the United Nations Committee on the Rights of the Child's Day of General Discussion on Children in Alternative Care. The Office also participated in the advocacy activities of the Eurochild network, of which it is a member.

4.6 Media and the protection of children's rights

This area includes monitoring the protection of children's privacy, the protection from potentially harmful media content⁷ and the realisation of the right of access to information and participation in the media. The

⁷ This area mainly involves printed and electronic media, which have clearly defined publishing and editorial responsibilities and are the focus of existing regulations on the protection of children's rights.

regulatory framework related to this area should be further improved and consistently applied, while offences should be sanctioned. Publishers and broadcasters should be obliged to educate editors and journalists on regulations, professional ethics and the protection of vulnerable groups in media reporting. They should also adopt their own codes of communication with children. The protection of children from potentially harmful content should include providing better support to parents, who bear the largest responsibility, and facilitating their supervision of the content children watch. Campaigns should be launched to raise parents' awareness of the importance of selecting appropriate content for children as well as of protecting children's privacy in social network posts and communication with the media.

Croatian Radio-Television (HRT) is obliged to broadcast high-quality content for children, stimulative for their linguistic, intellectual, emotional and social development, as well as programmes on children's upbringing, development and health and media literacy programmes for parents. Media literacy should primarily be realised in the educational system. To this end, a media literacy curriculum should be established for all levels of the system and its content should be included in teacher education programmes. The high-quality participation of children in the media and the creation of positive media content deserve a regular and ongoing support from the government, including the empowering of school media groups and digital newspapers, with one possibility being the establishment of a national child digital magazine.

4.7 Rights of children in the digital environment

The Office received complaints of violations of the children's right to protection in the digital environment relating to the following: threatening and inappropriate messages on social networks and in WhatsApp groups, inappropriate website content, children's participation in violent computer games, children's *addiction* to the internet and computer games, health problems arising from the excessive use of the internet and inappropriate content for children on TikTok and Instagram. Based on these complaints, the Office addressed the Ministry of the Interior as well as education and social welfare bodies, and advised parents and experts working with children on the methods to protect children, prevent further violations of their rights and take protective and preventive measures. The expert and general public were informed of **General Comment No. 25 (2021) on children's rights in relation to the digital environment**, published by the UN Committee on the Rights of the Child. The pandemic has led to an increase in the number of hours children spend online and, in turn, exposed children to an increased number of risks. The digital environment has gained importance in most aspects of children's lives, including formal and informal education, social contacts, games, creative activities and access to various services important to children. Adults are therefore responsible for making the internet accessible to and safe for every child as well as to ensure a support system when children's rights on the internet are violated.

4.8 Children on the move

The Office monitored the exercise and violations of rights of migrant children (children on the move), in particular with regard to their illegal individual and collective pushbacks by police officers at the border with Bosnia and Herzegovina. A number of difficulties and problems came to light, primarily concerning the reception, accommodation and housing of children in migrations. In addition to the lack of accommodation and personnel capacities, it was observed that child migrants continued to be put up in homes for children and young people with behavioural problems. Unaccompanied children should be accommodated in a specialised institution, where it would be possible, in one location, to register all unaccompanied children, assess their needs and ensure all the resources required for work and assistance. Information and organisation activities should be stepped up to implement more efficiently the provisions of *the Foster Care Act* with regard to placing unaccompanied children with foster families. Special guardians for unaccompanied children should be provided with special education and training, and given the professional status; their work should be evaluated. Children should continue to be included in the educational system and other social activities and should have access to translators and psychosocial support, as necessary. The exercise of the right to family reunification and the reunification of parents or relatives residing in the country of origin with the unaccompanied child in Croatia should be simplified.

RECOMMENDATIONS OF THE OMBUDSPERSON FOR CHILDREN

5.

In addition to several hundred recommendations related to the protection of individual children or individual cases, in 2021 the Ombudsperson **issued 86 general recommendations** with an aim of improving the protection of rights of all children or specific child groups. The general recommendations were issued with regard to the following areas: education (19), protection from violence (10), safety protection (9), health care (9), judiciary (7), protection from discrimination (6), the protection of vulnerable child groups (5), the protection of property rights (5), the protection of privacy (4), sport (3), the rights of children as members of society (3), family law protection (2), the media (2) and social and economic rights (2).

Out of a total of 86 recommendations, 9 were not accepted. There were 51 accepted recommendations, of which 36 were completely accepted (10 realised), 4 partially accepted and 11 accepted in principle. The 11 recommendations are those whose realisation, as stated by the bodies they were issued to, require major systemic changes or funding and therefore cannot be implemented under present circumstances. The Ombudsperson for Children's also gave general recommendations (5), comprising warnings and opinions on specific issues and reminding the competent bodies of the need to protect the best interest of the child.

The Office has not yet received any feedback on 21 recommendations. In some cases competent authorities respond with a delay of several months, while some of them do not reply at all even after being sent a reminder. Most recommendations were issued to the Government of the Republic of Croatia and competent ministries (73), some of them at once to several competent authorities. The recommendations were submitted to the Croatian representatives in the European Parliament, the Croatian Education and Teacher Training Agency, the Croatian Personal Data Protection Agency, the Agency for Vocational Education and Training, the State Electoral Commission, the Croatian Institute of Public Health, the Croatian Employment Service, the Croatian Pension Insurance Institute, the Croatian Chamber of Trades and Crafts, the Croatian Chamber of the Economy, the Croatian Insurance Bureau, counties, cities and communities, hospitals, educational institutions, companies and institutions.

LEGISLATIVE ACTIVITIES

6.

The Office of the Ombudsman for Children participates in the improvement of the legislative framework for the protection of children's rights by submitting proposals and opinions on draft regulations, initiating their amendments or the adoption of new regulations and by taking part in parliamentary committees' working groups. In 2021, the Office of the Ombudsman for Children participated in the procedures of enactment or amendment of 38 regulations and 4 strategic documents (national plans and strategies). The Office did not have any comments on some of the reviewed regulatory proposals undergoing the legislative procedure (14). A total of 129 specific changes were proposed with regard to the protection of children by submitting opinions on draft regulations and by initiating the enactment of new regulations or the amendment of existing regulations. The Office has repeatedly required the competent Ministry of Labour, Pension System, Family and Social Policy to prepare the National Strategy for Children's Rights, and reminded it of this obligation, as the last such strategy expired at the end of 2020 and its results have not been disclosed.

The Office **initiated the adoption or amendment of regulations proposing the adoption of new regulations on the protection of children in 9 cases** and specific amendments to existing regulations in over 23 cases.

The Office is pleased that the initiative for the adoption of a new regulation on the protection of children from violence was accepted and that an agreement was reached on establishing a working group for preparing the draft of an act within the Ministry of the Interior. However, in general it cannot be pleased with the consideration given to the proposals of the Ombudsperson for Children as a collaborator in the creation of a better legislative framework for children, because out of a total of 61 specific proposals, related to the regulations for which the adoption procedure was completed, 3 were taken notice of and only 13 were accepted.

RESEARCH ACTIVITIES

7.

7.1 Children in homes for children without adequate parental care

The Research on children and young people accommodated, placed and residing in homes for children without appropriate parental care and community service centres was carried out for the purpose of monitoring the process of deinstitutionalisation of homes for children without appropriate parental care and the development of foster care. The data show a sharp increase in the number of children accommodated and placed in homes (76 more than in 2020). Out of a total of 806 children, 244 of them are younger than 7 years of age and 117 are younger than 3 years of age. In 2021, homes and community service centres accommodated 563 children and young people (535 children and 28 young people). Out of a total of 563 children and young people accommodated or placed in care in 2021, as many as 383 were separated from their biological families, an environment in which they were supposed to feel protected and safe. The year 2021 saw 37 adoptions, 8 more than in 2020. An important segment of the protection of children's rights concerns minor pregnant women and mothers with children who, in addition to accommodation outside their own families, need counselling and psychosocial support. In 2021, 38 unaccompanied foreign children were accommodated in homes for children without appropriate parental care and community service centres.

7.2 Protection of the rights and interests of minor children in inheritance proceedings

In response to complaints about the violations of children's rights and interests during and after the inheritance proceedings related to the responsibility of heirs (children) for the debts of the bequeather and the potential conflicts of interests between children and their legal representatives in the inheritance proceedings in which they are co-heirs, the Office of the Ombudsman for Children carried out the online survey entitled ***the Protection of the rights and interests of minor children in inheritance proceedings***. The purpose of the survey was to analyse how notaries public, as court commissioners in inheritance proceedings, implement the general rule of procedure prescribed by Article 180, paragraph (2) of *the Law on Inheritance* (protection of minors) and learn of their assessment of the protection of minor children's interests in inheritance proceedings. Their responses provided for an additional information on the issues of children's participation in inheritance proceedings, the functioning of the system of the protection of minors' rights and interests, good practice examples and problems that public notaries encountered in their work. It is evident that public notaries' act non-uniformly when it comes to the potential conflict of interest between children and their legal representatives who are co-heirs in the same inheritance proceedings and in the case of suspicion that the bequeather has left debts outstanding in the estate. The collected data will inform the future initiatives of the Office of the Ombudsman for Children.

INSPECTION VISITS TO CHILD CARE INSTITUTIONS AND OTHER FACILITIES

8.

As part of the regular activities, the Ombudsperson for Children and her deputies and advisors visited institutions and other facilities organising stay for children. In 2021, they visited **50 institutions**: **10** social welfare institutions (8 homes for children without appropriate parental care and 2 institutions for children with disabilities), **4** social welfare centres, **1** shelter for the victims of domestic violence, **16** educational institutions (5 kindergartens, 10 primary schools and 1 secondary school) **1** health care institution, **6** penal institutions, **5** children's leisure time areas (playrooms and playgrounds) and **7** other locations where children reside or are temporarily or permanently accommodated. After the completion of the visits, the competent services were issued comments and recommendations, where necessary.

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

9.

During the year, the Office of the Ombudsman for Children organised about 10 thematic expert meetings, conferences or manifestations, independently or in cooperation with other organisations. A notable example of such activities the joint thematic meeting of the Education, Science and Culture Committee and the Committee on the Family, Youth and Sports devoted to the protection of children's mental health in the pandemic, which was initiated by the Office of the Ombudsman for Children.

An important publishing project is **the book "Both Sides of the Bars – What Do We Owe to Children of Incarcerated Parents"**,⁸ which, in an integrative manner, discusses the needs and rights of children of incarcerated parents from various aspects. The publications for children include the calendar **"Towards a Child and Youth Friendly Digital World"** and leaflets on the NYA and the work of the Ombudsman for Children. The Office staff members published 14 articles on children's rights in different magazines and gave 36 lectures at conferences in Croatia. The Office cooperated with numerous institutions and organisations, including in the implementation of various projects in the area of human rights, as project leaders, partners and consultants.

MEETINGS, TALKS AND COOPERATION WITH CHILDREN

10.

A very important segment of the work of the Ombudsman for Children includes meetings and conversations with children. Their main purpose is to improve children's knowledge of their rights and to encourage and

⁸ The authors are the Deputy Ombudsman for Children Maja Gabelica Šupljika and the journalist and publicist Višnja Biti, with collaborators.

empower them in the realisation of their participation rights. They also enable an insight in the children's assessment of the current state of the exercise of children's rights in the conditions of *the corona crisis* and their way of coping with the new conditions and rules, which have considerably changed their everyday lives. The meetings are described in more detail in the full Report on the Work of the Ombudsman for Children for 2021.

Due to the pandemic, most of the meetings with the members of the NYA and the 16+ Youth Forum as well as meetings, talks and consultations with children from schools, children's homes and students' homes were held online, while a smaller number of them was held face-to-face. These meeting provided valuable information on children's realisation of their rights.

INTERNATIONAL ACTIVITY

11.

International cooperation comprises the activities of the Ombudsman for Children carried out in communication or cooperation with international organisations and organisational networks, institutions and bodies or independent experts as well as lectures or other form of participation in international conferences. Due to the COVID-19 pandemic, most of these activities were carried out in the form of video conferences, virtual meetings and webinars. The most important of the numerous international activities were contacts with the organisational networks of which the Office of the Ombudsman is a member, such as the ENOC, COPE, Eurochild and others, with the main topic being the impact of the pandemic on children's rights. The bulk of these activities involved strengthening the children's position in general and children's participation in particular, the mechanisms for the protection of children and individual vulnerable groups, the adoption of *the EU Strategy for the Rights of the Child* and *the European Child Guarantee*, the key European documents aimed at strengthening the rights of children in Europe. Some of the activities included submitting the Alternative Report to the UN Committee on the Rights of the Child, with regard to the 5th and 6th periodic reports of the state on the rights of the child in the Republic of Croatia, which includes the opinions of the children with whom the Office cooperates.

OTHER ACTIVITIES OF THE CENTRAL OFFICE AND REGIONAL OFFICES

12.

The Office of the Ombudsman for Children carries out its tasks in the central office in Zagreb and in regional offices in Split, Osijek and Rijeka. This organisational structure at four locations improves the Office's accessibility to children and adults and enables the Office staff to communicate with institutions more efficiently and visit children's residences. The full Report on the Work of the Ombudsman for Children provides a detailed explanation of the method of work of the central Office and regional offices, accompanying it with data on the areas of violations of children's rights and the activities of the regional offices and the central office in 2021. The protection, monitoring and promotion of children's rights in 2021 were marked by the COVID-19 pandemic, so that meetings and conferences were mostly held online.

ORGANISATIONAL STRUCTURE AND FINANCES

13.

According to the *Ordinance on the Internal Organisation of the Office of the Ombudsman*, in addition to the Ombudsman for Children and two deputies, 23 civil servants are required for carrying out the Office's tasks. On 31 December 2021, the tasks and activities of the Office were performed by 18 civil servants (of the 23 originally envisaged) and only 2 officials (the Ombudsperson and one deputy), because one deputy started to exercise the right to maternal and parental leave in 2021.

The Office has four locations: in Zagreb, Split, Rijeka and Osijek. The business premises are owned by the Republic of Croatia and were made available for use by the Office. The budget of the Office of the Ombudsman for Children for 2021 was **HRK 5,469,689**. The budget execution rate was **99.95% (HRK 5,466,814.05)**.

CONCLUSION

14.

The year 2021 was the second year marked by the coronavirus pandemic. Children continued to adapt, as did the whole society, to emergency living conditions. The children born in the last two years know only of the life with the pandemic and containment measures and those who are about to start school in September spent almost half of their lives having to comply with containment measures. Unfortunately, the pandemic is not over yet.

The pandemic containment measures had a negative impact on children's rights in all areas of their lives: education, play and leisure time, mental and physical health, living standards and protection from violence.

From the children's perspective, living two years under the pandemic containment measures is much more difficult and challenging. The initial global research has already pointed to deviations in the development of some children born during the pandemic. The domestic research indicates that children experience increased mental health difficulties. Negative effects are also observed due to the lack of children's physical activities and socialising with peers. These difficulties should be carefully monitored and children should be provided support to overcome them.

All systemic weaknesses in the protection of children's rights came into focus during the pandemic and the organisation of the social response to the pandemic. These issues are discussed in an annex to this Report; the related recommendations are expected to contribute to the development of future responses to emergencies, which inevitably affect children. It is crucial that national and local disaster risk reduction plans give due consideration to planning the activities for the protection of children and their rights in emergencies. The Ombudsman for Children proposes creating room for children's participation in the preparation of these plans.

The nineteenth Report on the Work of the Ombudsman for Children presents an overview of the state of children's rights as seen through the work of the Office of the Ombudsman for Children, which included: **counselling complainants on children's rights, monitoring the violations of individual children's rights, analysing general phenomena, such as violence against children and other issues, compiling recommendations for measures to ensure the integral protection of children's rights, cooperation and regular meetings with children, monitoring the fulfilment of obligations of the Republic of Croatia pursuant**

to the Convention on the Rights of the Child and the application of all regulations on the protection of children's rights and interests, participation in public consultations that precede the adoption of regulations on children's rights, informing the public about the activities carried out and the state of children's rights and responding to media inquiries.

The areas of children's rights that require an urgent response from the society are listed in the text below.

The protection of children from violence and neglect calls for more efficient efforts to be invested by all departments because all forms of violence against children are on the rise. Domestic violence and sexual violence against children increased in 2021 and peer violence continues in schools and spreads to the digital environment. Unfortunately, regulations, plans and strategies adopted with a view to reducing violence against children in the family and in schools have not produced the intended results, while the institutions competent for the protection of children encountered the largest ever crisis of public confidence in 2021.

The number of children in institutions is on the rise. The goals of the deinstitutionalisation process have not been realised. What is more, the indicators are worse than at the beginning of the process. Taking into account the wellbeing of children placed in foster families and the attachment and stability already developed between them and the foster parents, it should be considered whether the adoption could be performed within the foster family, when this is in the best interest of the child.

It should be reiterated that **Croatia has not achieved the sufficient level of protection of children from sexual violence.** Legal proceedings take too long and sanctions for the perpetrators of sexual violence against children are inadequate. Such a practice discourages children from reporting offenders, encourages offenders to commit new offences and hinders prevention. Lenient sentences for offenders result in shorter data retention in criminal records and a faster onset of rehabilitation, allowing child sex abusers to get employed afterwards in jobs involving contact with children.

The Ombudsman for Children has repeatedly expressed concern about the lack of sanctioning of child sexual harassment and the inability of the competent authorities to prevent people who treat children unacceptably from coming into contact with them.

The level of children's protection should be higher. Therefore, the Ombudsman for Children has for several years advocated the development and **adoption of a single act to protect children from violence**, draw a clear line between acceptable and unacceptable behaviour towards children and determine the consequences to be borne by those responsible for protecting children. The Office of the Ombudsman for Children is also committed to **establishing interdisciplinary regional centres for child victims**. Such centres would enable interviewing and forensically examining children, assessing their individual needs, planning their safety protection and providing all required therapeutic services, all at a single location.

It is also necessary to work on restoring **public trust in the institutions dealing with the protection of children**, victims of violence, as well as on the expansion of such services to cities other than Zagreb.

In the judiciary system children often suffer institutional abuse due to multiple and inadequate interviews and the absence of timely and effective decisions. The Office has for years been advocating **the establishment of specialised family courts**, which would be competent for all proceedings within the scope of children's family law protection, including misdemeanour and criminal proceedings and the implementation of court decisions. The Office welcomes the announced judiciary reform and the establishment of specialized family departments within county courts, but the family justice system, i.e. the administration of justice in the sphere of child protection, has to be profoundly changed to ensure a high-quality judicial protection and representation of children in judicial proceedings.

The significant increase in traffic accidents involving children in 2021, in which 17 children lost their lives, is a strong warning calling for a more effective prevention in the field of **children's traffic safety**.

The alleviation of the effects of poverty, which affects children hard and in the long term, is one of the fundamental functions of the social welfare system. *The new Social Welfare Act* is expected to introduce significant changes that will **reduce the effects of poverty on children** and the adoption of *the EU Child Guarantee* is expected to help solve the problem of child poverty, which is faced by one in five children in Croatia.

Health care services, including **child mental health support services**, are insufficient, especially in small communities, and, despite the efforts of health care professionals, access to health care services has been hampered by COVID-19 protection measures. The protection of **children's mental health** (especially of children with behavioural problems) is hampered by the insufficient number of mental health professionals, shortage of accommodation, absence of multidisciplinary approach and the uneven availability of mental help services. It is also necessary to provide free psychological counselling and treatment services. –

The education system has continued to adapt to the prolonged pandemic conditions. In this regard, the Office welcomes the decision to keep schools and kindergartens open and accessible, as far as possible in the circumstances of the rapid spread of the coronavirus infection, as it was the case in the last part of the year. Many were faced with the challenge of ensuring the protection from infection and the continuity of the educational process for children. Despite the opening of schools, children were occasionally still in **remote classes** for a month or two. Children are generally not satisfied with this teaching model, so that the Office continuously required the competent ministry to step up support and monitor the quality and outcomes of remote classes. Many children followed the classes on their phones, and some did not even have this option because they did not have access to a computer or internet at home. Some children lost at least one educational year while different solutions were being sought.

The Ombudsman for Children supports the idea of **conducting a comprehensive analysis that will record the lessons learned in the pandemic** on how to protect the best interests of children in such conditions, which can help planning and preparing for any future emergencies.

The complaints of **discrimination in the field of education** continue to indicate the misunderstanding and lack of recognition of discriminatory treatment and practices demonstrated by individual educational workers and the lack of their timely and appropriate response in relation to children. Efforts should be made to address and prevent prejudice towards minority group members. The representatives of public authorities, in particular the representatives of units of local and regional government and self-government, educational workers and sport personnel, should be provided with ongoing education on children's rights and the prohibition of discrimination.

The number of children in Croatia is steadily decreasing. About 700,000 of our fellow citizens are under the age of 18, and each of them has potential that will be very much needed by our society, which faces many challenges. Croatia's sustainable future will depend on the extent to which we respect and exercise children's rights today. In order for the existing negative phenomena and trends to change, children must urgently become a priority in the decision-making, monitoring the results of existing policies and data collection.

Croatia has defined children's wellbeing indicators: key indicators for measuring the effectiveness of national policies for children. However, they are not applied in practice as a tool for monitoring and improving children's rights. Without the application of such tools it is almost impossible to expect any progress in policies and measures.

In 2022, the Committee on the Rights of the Child expects answers from Croatia regarding the submitted periodic report on the implementation of *the Convention on the Rights of the Child*, which will inform its recommendations for improvements and advancements. The Ombudsman for Children hopes that this will also be an opportunity to take a critical look at the past period and review the key data on the success of the measures, policies and laws adopted in relation to the wellbeing of children.

Therefore, and at the end of the Report, the Ombudsman for Children calls on all departments to pool their resources, identify, and address the problems and difficulties in exercising children's rights together, with a clear view of the sustainable future of our country.