U.S. DEPARTMENT of STATE

Croatia

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The Republic of Croatia is a constitutional parliamentary democracy with a population of 4.4 million. Legislative authority is vested in the unicameral Sabor (parliament). The president serves as head of state and commander of the armed forces, cooperating in formulation and execution of foreign policy and directing operations of the intelligence service; he also nominates the prime minister, who leads the government. Parliamentary elections on November 25 were conducted in accordance with electoral legislation, although out-of-date registers of voters living abroad created a problem. Civilian authorities generally maintained effective control of the security forces.

The government generally respected the human rights of its citizens; however, there were problems in some areas. The judicial system suffered from a case backlog, although the number of unsolved cases awaiting trial was somewhat reduced. Intimidation of some witnesses in domestic war crimes trials remained a problem. Courts continued to hold in absentia group trials for war crimes in both Vukovar and Rijeka. The government made little progress in restituting property nationalized by the Yugoslav communist regime to non-Roman Catholic religious groups. Societal violence and discrimination against ethnic minorities, particularly Serbs and Roma, remained a problem. Violence and discrimination against women continued. School officials continued to segregate Romani students into substandard schools. Trafficking in persons, violence and discrimination against homosexuals, and discrimination against persons with HIV/AIDS were also reported.

The chief state prosecutor and his counterparts in Bosnia and Herzegovina, Serbia, and Montenegro agreed in July to create parallel inventories of war crimes cases in coordination with the Office of the Prosecutor for the International Criminal Tribunal for the former Yugoslavia (ICTY). During the year the government provided evidence in 10 war crimes cases involving 16 suspects to Serbian authorities for prosecution and transferred evidence in one high profile case that involved several suspects to Montenegro.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings.

During the year eight persons, including three mine removal experts, were involved in mine related explosions. Two civilians and one mine removal expert were killed by landmines.

b. Disappearance

There were no reports of politically motivated disappearances.

In February the government and the International Committee of the Red Cross (ICRC) reported that 2,144 persons remained missing from the 1991-95 military conflict, including 1,100 persons sought by Serbia. During the year the government exhumed the bodies of 191 persons and identified the remains of 76 persons found earlier.

To date the government has exhumed 4,322 bodies and identified 3,446 missing persons. In 2006 Serbia and Montenegro provided the Croatian government a list of approximately 400 members of the military allegedly missing on Croatian territory. The government Office for Missing Persons stated that at least 46 persons on the list actually disappeared in Bosnia and Herzegovina and that the identities of 14 persons on the list had already been established, and that it had initiated search procedures for 93 persons on the list. In May the government unearthed a mass grave near Petrinja in central Croatia containing remains of 160 persons, mostly ethnic Serbs who died during Operation Storm in 1995. The government exhumed the remains of an additional 31 persons of mixed ethnicity at different locations across the country.

During the year the government had not determined the origin of the remains discovered in 2006 of six persons in a grave in Trokut Novska and at least 100 persons in two caves in the Plitvice area. The government handled all exhumations and identifications, while the ICTY monitored only the sites related to cases it investigated. The International Commission on Missing Persons assisted in the recovery and identification of remains.

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

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

Prison and Detention Center Conditions

Prison and detention centers did not meet international standards and suffered from overcrowding and poor hygienic conditions. The prison population increased by approximately 9.7 percent, of which a high percentage were persons in pretrial detention.

In July the European Court of Human Rights (ECHR) ruled that the government did not provide sufficient treatment for Ksenija Testa, a female inmate at Pozega penitentiary, who was stricken with hepatitis. The court found that, owing to overcrowding and disrepair of the women's prison, she was held in an “unsanitary and unsafe environment.” The court concluded that the prison subjected Testa to inhuman and degrading treatment and awarded her $21,900 (15,000 euros) in damages.

Prison overcrowding due to the incarceration of pretrial detainees worsened during the year. In 2006 the government's human rights ombudsman found overcrowding and substandard basic hygienic conditions in the country's prisons. Prisons in Varazdin, Osijek, and Split held twice their stated capacity.

In 2006 the Prison System Administration reported deterioration of the conditions in prisons and detention centers. Problems cited included overcrowding, poor staffing, corruption, and an increasing number of young inmates.

The government permitted visits by independent human rights observers, including the ICRC. In May the Council of Europe's Committee for the Prevention of Torture carried out an 11-day visit to Croatia.

d. Arbitrary Arrest or Detention

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

Role of the Police and Security Apparatus

The intelligence service is under the authority of the prime minister and president. The national police have primary responsibility for national security; in times of disorder, the prime minister and the president may call upon the military to provide security. An independent oversight board monitors intelligence service performance.

Police corruption and dereliction of duty were problems.

In June 2006 two individuals beat Dutch photographer and journalist Ad van Dendern, who they suspected of taking inappropriate pictures of children. In August 2006 the photographer reported the Split police to the European Parliament for mistreatment and failure to grant protection. Police began disciplinary proceedings against the officers in August 2006. No further information on this case was available.

During the year police and intelligence officials, the chief state prosecutor, and the Office for Organized Crime and Corruption carried out a major operation against high-level corruption and organized crime in which authorities arrested seven officials of the Croatian Privatization Fund, including three fund vice-presidents. An investigation was ongoing and broadened by year's end.

During the year the Interior Ministry renewed its focus on community policing by employing crime prevention strategies and best practices.

Arrest and Detention

Police normally obtained arrest warrants by presenting evidence of probable cause to an investigative magistrate; however, police can make arrests without a warrant if they believe a suspect might flee, destroy evidence, or commit other crimes. The police have 24 hours to justify an arrest to a magistrate.

Police must provide detainees access to an attorney of their choice within 24 hours of arrest. An attorney is appointed by the magistrate to represent an indigent detainee if the case involves a crime for which the sentence is over 10 years' imprisonment. The government generally enforced this in practice. The magistrate must decide whether to extend a detention for further investigation within 48 hours of an arrest. Investigative detention generally lasted up to 30 days; however, trial courts could extend the period up to 12 months in certain cases. The courts may release detainees on their own recognizance pending further proceedings, although held most criminal suspects in custody pending trial. The option of posting bail after an indictment is available but detainees did not commonly exercise the right. Detention centers also allowed visits by family members.

According to the Office of the Chief State Prosecutor the average length of pretrial detention was between four and five months. The law allows six months pretrial detention, but a court can extend it to 12 months in certain cases, primarily war crimes and organized crime cases, at the state prosecutor's request.

In a high profile case, Mitar Arambasic, an ethnic Serb, was extradited to Croatia in January 2006, based on a 1997 in absentia war crimes conviction, for which he successfully requested a retrial. In 2006 Arambasic's attorney filed a complaint with the Constitutional Court arguing that any further detention was excessive since the defendant spent three years in detention prior to extradition. The Constitutional Court found that the previous detention period was not part of the pretrial detention, citing the extradition of Arambasic's codefendant, Dragan Arnaut, from Russia as part of the reason for the delay. The trial began in March in the Split County Court. In May the presiding judge requested arrangements for testimony of witnesses from Serbia. The Split court extended Arambasic's detention every two months; Arambasic's attorney unsuccessfully challenged the court's June detention extension in the Supreme Court. The trial was ongoing at year’s end.

Amnesty

The law provides for amnesty except for war crimes. In practice, when investigations failed to substantiate original charges of war crimes, courts convicted the defendants on reduced charges, thereby facilitating amnesty. This practice resolved the case for the court without further investigation and allows the defendant to go free, but disregarded the future repercussions that a criminal record could have on potentially innocent defendants, particularly with regard to employment.

During the year the Organization for Security and Cooperation in Europe (OSCE) reported that courts granted amnesty to Tihomir Golic and Dragoljub Stork, two Serb returnees. In May the Slavonski Brod County Court granted Tihomir Golic amnesty and released him in June. In 2002 the court convicted Dragoljub Stork in absentia and sentenced him to 15 years' imprisonment. The Supreme Court annulled the verdict in 2006 and remanded the case for retrial. In March the deputy county prosecutor reduced the charges against Stork, who was arrested in 2006, to armed rebellion. The court invoked amnesty and released Stork.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary. The Judiciary continued to suffer from a heavy backlog of cases. The Ministry of Justice reported 1,014,646 unresolved cases before courts. The public perceived the judiciary to be one of the main sources of corruption in the country.

The judicial system consists of municipal and county courts, commercial and misdemeanor courts, an administrative court, and the Supreme Court. The Constitutional Court determines the constitutionality of laws, governmental acts, and elections. A parallel commercial court system adjudicates commercial and contractual disputes. The State Judicial Council appoints, disciplines, and, if necessary, removes judges. Parliament appoints the chief state prosecutor, who appoints chief state attorneys at the county and municipal level; the State Prosecutorial Council, a disciplinary body appointed by parliament, appoints and disciplines deputy prosecutors.

During the year Serb leaders continued to express concern about discrimination in the appointment of judges and reported that, on occasion, the State Judicial Council either refused candidates or left positions vacant rather than appoint ethnic Serbs to the bench. A leading Serb parliamentarian, Milorad Pupovac, stated in September that minority employment in both the judiciary and the police was a problem and that minorities continued to face difficulties in finding employment as judges. According to government data, 42 out of 1,930 judges, or 2.2 percent, were ethnic Serbs, while 1.8 percent were from other minorities. Of the 7,787 judicial employees, 96.1 percent were Croat, 2.4 percent were Serb, and 1.5 percent belonged to other national minorities.

Trial Procedures

The constitution and law provide for the right to a public trial, and an independent judiciary generally enforced this right. The legal system uses panels of judges, which in some cases include lay judges, rather than juries, to make convictions. Defendants have the right to counsel, to be present at trial, to confront or question witnesses against them and present witnesses and evidence on their behalf. Defendants have access to evidence relevant to their cases, enjoyed the presumption of innocence, and the right to appeal.

Excessive court delays remained a problem, and the Constitutional Court awarded damages to persons who had experienced unreasonable court delays. In previous years the Supreme Court noted that such delays threatened the integrity of the legal system and called into question the court's ability to provide effective legal remedies.

Many observers questioned the impartiality of war crime trials in jurisdictions where the crimes occurred, since external factors could influence judges, prosecutors, and witnesses there. The Supreme Court changed the venue for several war crimes trials. Defendants did not have a role in the proceedings which determined whether the

venue would be changed. Using legal provisions unique to courts designated to accept war crimes case transfers, the Supreme Court transferred cases pending in several courts to a single court. For example, in April the president of the Supreme Court granted the request of the chief state prosecutor to transfer two separate indictments against then-Yugoslav Defense Minister Veljko Kadijevic and others from Bjelovar and Vukovar county courts to the Osijek County Court, where a third indictment against Kadijevic was also pending. The court transferred the case on the grounds that the charges against Kadijevic were similar, hence trying them in one court would conserve judicial resources.

The Croatian government officially protested the ICTY's verdicts for three individuals charged with involvement in the deaths of 193 individuals at the Ovcara farm outside Vukovar in 1991. In November, the Osijek State Prosecutor issued an indictment against Miroslav Radic, the one member of the "Vukovar Three" who had been acquitted by the ICTY, charging him with other crimes connected to the siege of Vukovar.

During the year the OSCE reported that, of cases decided, the Supreme Court reversed trial court verdicts and remanded for retrial 58 percent of individual appeals, reflecting a continued upward trend in reversal rates. During the year the OSCE monitored 36 cases at the Supreme Court involving appeals of trial court verdicts for 78 individuals (49 ethnic Serbs, 28 ethnic Croats, and one ethnic Bosniak). Of these, the court decided on 10 appeals involving 31 persons (18 Croats, and 13 Serbs), confirming five trial court verdicts involving 13 individuals, and reversing five trial court verdicts involving 18 individuals. One of the appeals had been pending for 53 months. The other appeals were pending for periods ranging between five months and 38 months. The OSCE Mission reported that Supreme Court delays in deciding some appeals continued. As of the end of the year, seven war crimes appeals had been pending for over three years. The longest pending cases tended to be prosecution appeals of acquittals and defense appeals of in-absentia convictions.

Courts tried almost half of defendants for war crimes in absentia, with one group trial in Rijeka fully in absentia and two partially in absentia in Vukovar. Two trials in the Vukovar County Court involving crimes committed by Serb paramilitaries against civilians in Lovas and Miklusevci were ongoing at year's end after four and three years, respectively.

During the year State prosecutors continued to review all open war crimes cases, eliminating unsubstantiated charges. In May the chief state prosecutor issued a report indicating that, since 1991, the state initiated war crimes proceedings against 3,666 persons. More than 98 percent of the charges involved persons associated with Yugoslav Army or Serb paramilitaries, while less than 2 percent involved members of the Croatian armed forces.

Since constitutions in most countries involved in the 1991-95 conflict prohibit extradition of that country's citizens, the chief state prosecutor signed agreements with counterparts in Montenegro and Serbia to enable the transfer of evidence in such cases, thereby allowing suspects to be tried where they lived rather than where the crime was committed. During the year the Chief State Prosecutor's Office worked with counterparts in Serbia and Montenegro to transfer investigative materials and evidence needed for prosecution of persons suspected of war crimes by Croatia. The office stated that it had provided evidence in several cases to Serbian prosecutors. The Croatian chief state prosecutor also transferred investigative materials and evidence to Montenegrin authorities related to allegations of torture of Croat prisoners in the Morinj prison camp in Montenegro.

Cases before domestic courts included several partially in absentia trials with large groups of defendants. Persons convicted in absentia regularly made use of their right to a retrial. Voluntary return was the only way that persons who had been convicted in absentia could challenge the conviction under the law.

Limited witness and victim protection and support services were a problem, particularly in high-profile war crime and organized crime cases. Although the need for witness support was widely acknowledged by the judiciary and the Justice Ministry, the legal and organizational framework and funding for such services were inadequate. A 2007 UN Development Program (UNDP) survey on support to victims and witnesses of crimes stated that Croatian regulations remained inadequate, particularly with regard to the provision of free legal aid, payment of compensation for damage, and protection of witnesses and their privacy. In 2005 the Ministry of Justice established a witness support unit, while the Ministry of Interior had an established witness protection unit. The Ministries of Justice and Interior have separate units to support and protect witnesses. In addition to assisting witnesses involved in interstate cases, the witness support unit provided assistance to some witnesses in local court cases. In April the Justice Ministry established a witness waiting room in the Osijek County Court and trained volunteers to provide support services in several courts. The OSCE reported that the failure of witnesses to appear to testify continued to delay a number of trials, requiring repeated efforts to locate and bring witnesses before the court.

Croatian courts opened two trials or retrials of persons for war crimes during the year.

During the year authorities indicted independent parliamentarian Branimir Glavas for war crimes. Parliament lifted Glavas's immunity, allowing two separate investigations by Osijek and Zagreb prosecutors to proceed into allegations of detention, torture, and killing of Serb civilians in Osijek in 1991. Glavas and his attorneys aggressively challenged the investigations in the media, and Glavas's attorney publicly accused police of witness tampering. In April the Osijek Municipal Court sentenced a senior member of the political party associated with Glavas, the Croatian Democratic Union of Slavonia and Baranja, to six months' imprisonment for making a death threat against an Osijek-based journalist who wrote extensively about Glavas. Upon the request of the chief state prosecutor, in 2006 the Supreme Court president allocated the investigation one of two cases against Glavas to the Zagreb County Court to prevent potential witness tampering during the investigation phase. Upon completion of both investigations, in early May the chief state prosecutor requested the two cases be adjudicated in the same court. The request was based on the explanation that a combined trial in Zagreb would prevent potential pressure against witnesses if a separate trial remained in Osijek. In late May the president of the Supreme Court accepted the chief state prosecutor's request, and the cases were merged under the jurisdiction of the Zagreb County Court. The trial of Branimir Glavas and six codefendants began in mid-October in the Zagreb County Court and remained ongoing at year's end.

In July authorities extradited Antun Gudelj from Australia to Croatia for the 1991 murder of several persons, including Josip Reihl-Kir, prewar chief of police in Osijek. Gudelj was convicted in absentia in 1994, extradited for retrial from Germany in 1996, and granted amnesty by the Supreme Court in 1997. In 2001 the Constitutional Court invalidated the amnesty. The retrial of Antun Gudelj for the 1991 war related killings of the Osijek police chief and two local Serb officials commenced in mid-October at the Osijek County Court. The OSCE reported that half of the witnesses scheduled for November hearings failed to appear to testify. Rejecting Gudelj's request to be released from detention, the Osijek County Court, determined that release with bail was not an option for Gudelj due to the gravity of the charges against him. The trial was ongoing at the year's end.

During the year there were developments in a number of war crimes cases discussed in previous years' reports.

In February the Supreme Court upheld the 2006 Split County Court conviction of eight soldiers (four of whom were tried in absentia) in the 1992 torture and murder of ethnic Serb civilians in Lora prison and upheld their six- to eight-year sentences.

In March the Karlovac County Court acquitted Mihajlo Hrastov, a former member of the Karlovac special police, for a third time of killing 13 unarmed Yugoslav Army soldiers in 1991. Consistent with the two previous acquittals that the Supreme Court overturned since 1992, the court found that Hrastov killed the soldiers in self defense as part of a legitimate military action. In May state prosecutors lodged an appeal at the Supreme Court. The appeal was pending at year's end.

In April the Supreme Court overturned the acquittal of four soldiers charged with killing two elderly Serb civilians near Sibenik in 1995 and remanded the case to a different panel of judges for retrial. The court accepted the Sibenik County state prosecutor's request for detention of the defendants; three defendants were in custody, and one was at large at year's end. The chief state prosecutor requested that the Supreme Court president relocate the case to one of four county courts designated to accept war crimes case transfers.

During the year the Vukovar County Court ordered the detention of five former Croatian soldiers for the 1992 murder of the Olujic family, whose members were ethnic Serbs, in the village of Cerna. In January the court indicted the defendants, who were all members of the war-time Croatian Defense Army. At year's end the defendants remained in detention, and the trial was ongoing.

In May Serbian authorities arrested 12 persons suspected of participating in the torture and killing of numerous Croat civilians in Lovas. The court did not indict the 12 by year's end. The Vukovar County Court requested Serbian authorities to provide more details about the arrested persons.

The Vukovar County Court trial, which began in 2003, of 16 former members of a Serb paramilitary unit, 14 in absentia, for genocide and war crimes in the town of Lovas in Eastern Slavonia was ongoing at years end. During the year police arrested one suspect; only two defendants were present at the hearings. In 2005 OSCE trial monitors cited the trial as an example of genocide charges being brought for acts that were not of the gravity associated with international genocide verdicts. The indictment alleged that defendants took actions intended to exterminate ethnic Croats.

The trial continued in Vukovar of 25 persons accused of war crimes against civilians from Miklosevci, a mainly Ruthenian-populated village. The defendents were 15 Serbs, five Ruthenians, four persons of unknown ethnicity, and one Roma. Seven defendants were present at the hearings, while the courts tried 18 in absentia. Prosecutors accused the defendants of genocide, murder, and intimidation of non-Serbs in 1991 and 1992**.**

During the year the state prosecutor worked with counterparts in Bosnia and Herzegovina, Serbia, and Montenegro to investigate alleged war crimes that were videotaped near Dvor na Uni in 1995 and to identify perpetrators. The prosecutor determined the videotape contained evidence of crimes against civilians and prisoners of war.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

There was an independent and impartial judiciary in civil matters.

Property Restitution

During the year the government worked towards completion of its program to return illegally occupied homes to their owners; however, the property law implicitly favors ethnic Croats over ethnic Serbs by giving precedence to the right of temporary occupants, who were mainly ethnic Croats, to that of original owners, predominantly ethnic Serbs. Owners generally could not repossess their property unless someone secured housing for the temporary tenants. At year's end the OSCE estimated that 17 private houses belonging to ethnic Serbs remained occupied, along with approximately 100 agricultural land plots with unclear ownership title. Restitution of property seized during World War II and the communist era remained an issue. Croatian law does not permit the restitution of property to individuals who were not Croatian citizens at the time the law was passed. Many claimants have since acquired Croatian citizenship, but still cannot file claims. The government agreed to correct this situation with new legislation, but did not take action on this matter during the year.

Restitution of communal property remained a problem for all major religious groups except the Islamic Community. The government has not returned any property to the Serbian Orthodox community, the second largest claimant of property in the country. The government also has not returned Jewish properties, including some buildings in Zagreb, although it did return one property in Osijek.

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

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

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution and law generally provide for freedom of speech and the press; however, media remained under government influence.

In June 2006 parliament increased criminal penalties for "hate speech" to no less than six months' and no more than five years' imprisonment. Hate speech committed over the Internet is punishable by six months' to three years' imprisonment.

A wide range of private newspapers and magazines were published without government interference. The privately owned Tisak distributed approximately 75 percent of the print media. Political parties, private companies (some foreign owned), and the government owned or influenced various newspaper and magazine outlets. Foreign newspapers and journals were available in urban areas throughout the country; however, they remained largely inaccessible to many persons due to their high cost. Despite the four-year-old media law, media ownership was not fully transparent, making it possible for political or other interests to conceal their influence on media outlets.

The government owned and operated the national television (HTV) and radio (HRT) network. The appointment of Hloverka Novac-Srzic, a journalist often criticized for openly favoring the ruling center-right Croatian Democratic Union (HDZ) in the 1990s, HTV editor in September was strongly criticized by the Croatian Journalist Association and independent journalists. Independent television and radio stations operated in the country, and two of the three national television stations were private.

Local governments partly or fully owned approximately 70 percent of the media, making local broadcast media particularly vulnerable to political pressure. Approximately 46 percent of local radio stations depended on the financial support of local authorities.

In October police in Zagreb arrested freelance journalist Zeljko Peratovic, searched his apartment, and seized some computer equipment, his mobile phone, and some documents. Police charged Peratovic with posting classified documents on his Web site; he was released the next day. At year's end the case remained in the investigative stage, and authorities had not announced an indictment. By year's end the police had not returned the seized items to Peratovic. Human rights groups protested the arrest and seizures and asserted that they endangered media freedom. The president and prime minister expressed regret over the incident, indicating that they wished that it could have been handled differently.

In April the Croatian Journalists Association (CJA) and Trade Union of Journalists of Croatia issued a statement protesting the removal of Croatian Radio Karlovac editor, Milorad Bozic, as a politically motivated decision in an election year. The CJA noted that the station replaced Bozic with a journalist who had advocated voting for the Croatian Democratic Union in local elections.

In July the Electronic Media Council initiated legal proceedings against local Zagreb television station Z1 and eight other local television stations for airing the Croatian Democratic Union's general convention. The Electronic Media Law only permits television stations to broadcast programs that political parties sponsored during election campaigns. Violations are subject to fines of up to $200,000 (one million kunas).

War crime topics remained a sensitive issue for media, and journalists faced pressure because of their reporting. In April *Jutarnji List* journalist Ivan Zvonimir Cicak reported that he had received death threats from Boro Gotovina, the brother of detained war crimes suspect, Ante Gotovina. The CJA requested an immediate investigation of the threats against Cicak. The press reported that the police reacted in accordance with the law and police practice.

In March *Nova TV* journalist Robert Valdec reported that he had received anonymous death threats because of his program's dramatization of crimes committed in the early 1990s. The CJA urged authorities to investigate these threats. Police investigated the threats but made no arrests in the case, according to the press.

In April the Osijek Municipal Court found Davor Boras, president of the Croatian Democratic Council of Slavonia and Baranja, guilty of making death threats against *Feral Tribune* journalist Drago Hedl in May 2006 and sentenced him to a suspended six months' prison sentence, with three years probation.

According to the press, Joso Mraovic, who is on trial for sexual assualt, verbally attacked and threatened journalists from the Rijeka daily newspaper *Novi List* at a press conference in Gospic on August 10. The Rijeka state prosecutor has requested an investigation of the incident. At a later proceeding at the Rijeka County Court in December, Mraovic threw animal bones at and allegedly verbally assaulted journalists. The county branch of the CJA expressed outrage with the incident.

In October two NGOs, Croatia's Women's Network and Women Infoteka, initiated legal proceedings against the Government Office for Gender Equality before the Administrative Court. The NGOs claimed that the government denied information about state funding of NGO projects in violation of the Access to Information Law.

Libel is a criminal offense; in recent years there were no reports of politically motivated libel cases. However, a large number of libel cases from previous years remained unresolved due to judicial backlogs. Courts may fine, but not imprison, persons convicted of slander and libel.

Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail. Internet access was widely available and used by citizens throughout the country.

Academic Freedom and Cultural Events

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

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

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

Freedom of Association

The constitution and law provide for freedom of association, and the government generally respected this right in practice; however, the law grants discretionary power to the Ministry of Justice over the establishment and internal governance of foundations. While it was applied equally to all organizations, the law itself is restrictive and controlling. For example, the law provides that organizations may not register if their statutory goals are deemed trivial or if their property is not deemed sufficient to carry out their statutory activities. The law also permits the government to influence the appointment of an organization's management body.

c. Freedom of Religion

The constitution and law provide for freedom of conscience and religion and free public profession of religious conviction, and the government generally respected these rights in practice. There is no official state religion; however, the Roman Catholic Church has a historic and close relationship with the state that was not shared by other religious groups. The Vatican signed a concordat with the country granting it a number of benefits. The Serbian Orthodox Church, Islamic community, and other smaller Christian denominations subsequently reached similar agreements, but the government had not signed such an agreement with either the Coordinating Committee of Jewish Communities in Croatia or the newly registered Jewish religious community, Bet Israel.

The law requires a group to have at least 500 members and to have been registered as an association for five years to register as a religious community. Registered communities have the status of a legal person and enjoy tax and other benefits. Some international groups have criticized the restrictiveness of the government conditions for registration of new religious communities. However, all religious groups in the country prior to the 2003 passage of the law were in the process of registering without conditions. By year's end, a total of 42 religious communities registered, and 13 additional communities were awaiting registration. The Montenegrin Orthodox Church and Bet Israel registered in 2006.

In 2005 the Church of the Full Gospel, the Alliance of Churches Word of Life, and the Protestant Reformed Christian Church challenged in the Constitutional Court the government's refusal to conclude agreements that would provide them benefits similar to those provided by agreements with other churches. The government maintained that the three churches did not meet government requirements to have a minimum number of members and to have been continuously active in the country since 1941. In June the Constitutional Court rejected the appeal, claiming that the case was outside its jurisdiction because the disputed government's decision did not fall into the category of laws that the court adjudicates. In November The Church of Full Gospel and the associated churches filed a lawsuit against the government before the Human Rights Court in Strasbourg.

The government required schools to provide religious training, although attendance was optional. Because 85 percent of the population is Roman Catholic, the Catholic catechism was the predominant religious teaching in public schools. Schools that met the quota of seven students per class of a minority faith allowed separate religion classes to be held for the students.

The government made little progress restituting property nationalized during the World War II era to most major religious communities, with the exception of the Roman Catholic Church, which had considerable success in receiving restituted property in 2006**.** In May 2006 the prime minister and the Zagreb archbishop agreed to sign a contract under which government property would cede as compensation for an unspecified Catholic Church property in Zagreb. In the same year, Prime Minister Ivo Sanader signed a contract with Zagreb Archbishop Josip Bozanic to hand over the King Tomislav army barracks complex as an exchange for over 200 previously church owned apartments in Zagreb. In 2006 a Roman Catholic group received a property to be used as a home for mentally disabled children. In the same month the government returned a property on the Island of Mali Losinj to the Sisters of the Holy Cross. In addition an abandoned hospital building was returned to the Djakovo diocese. In the previous year the City of Zagreb returned theater property to the Franciscan monastery, while the City of Varazdin returned a monastery building to the order of Ursuline nuns. The Serbian Orthodox Church, the second largest claimant of property after the Catholic Church, reported that its joint subcommission had difficulty in convening in 2006 despite repeated requests to meet with the government. Subsequently the Serbian Orthodox Church Metropolitan Jovan Pavlovic met with the prime minister to discuss accelerating property restitution, but made no progress by year's end. The church stated in September that resolution of most of its outstanding issues, including property restitution, had stalled. There was no progress returning nationalized property to the Coordinating Committee of Jewish Communities in Croatia in Zagreb; however, one property was returned in Osijek in April. In 2006 the prime minister announced partial government funding for the reconstruction of the synagogue in Zagreb, which was destroyed during World War II. The Islamic community had no property claims.

After years of delays, an acceptable site to build a mosque in Rijeka was found in cooperation with local authorities, and in June local authorities adopted a zoning plan for construction. In November a mosque was opened in the village of Bogovolja near the town of Karlovac.

Societal Abuses and Discrimination

Societal violence and physical abuse of religious minorities were problems.

In September the media reported that individuals threw stones at a house of the Orthodox parish priest in Vinkovci, the seventh such attack since the end of the war in 1995. Some stones fell into the room where the priest's three children slept, but there were no injuries. The police arrived quickly but allegedly refused to file criminal charges on grounds that the material damage was minimal. The priest also complained that the city mayor failed to publicly condemn repeated attacks against his property.

Incidents involving harassment of clergy and desecration and vandalism of Serbian Orthodox Church property continued to occur sporadically. Orthodox Church sources from the Dalmatian hinterlands assessed that violence was at similar levels as in the past year, claiming that police performance was mixed depending on the area.

In February the fence of the Serbian Orthodox cemetery in Biljane Donje near Zadar was torn down. The unidentified perpetrators lit fires and used a bulldozer to pile rubble on two sites prepared for future tombs.

The press reported in August that offensive graffiti, such as "Kill the Serb" and "Serbs should hang," was written in large letters near a Catholic church in Sinj at the time of the procession on the Feast of the Assumption of Mary on August 15. A police investigation did not yield any results.

Also in September unidentified vandals broke into the St. George Church in Knin, stealing a small amount of money and removing a copper lightning rod from the belfry. This church was vandalized twice in 2006. The police investigated but did not identify suspects in any of the attacks.

Police had no suspects in 2006 and 2005 cases of vandalism or theft from Orthodox churches in Zadar, Bjelovar, the village of Toranja, Novi Pavljani, Knin, Split, and Osijek.

Serbian Orthodox clergy in Dalmatia and ethnic Serb leaders continued to remark that the positive overtures of the central government stood in contrast to that of local authorities, law enforcement, and judiciary, who persistently discriminated against Serbs. For example Serbian Orthodox clergy who arrived from Serbia, Bosnia and Herzegovina, and Montenegro continued to face bureaucratic obstacles in obtaining a longer-term residency permit that entitled holders to benefits such as health care and pensions. The priests were required to renew their status at relatively short intervals that interrupted their stay, preventing them from accumulating the years of residency needed for a more permanent status.

The Jewish community has approximately 2,000 members, and anti-Semitic acts were rare, but in February a sugar company in Pozega produced and locally distributed sugar packets with an image of Adolf Hitler and offensive jokes about Holocaust victims in concentration camps. The state prosecutor's office and the police were still investigating the case at year's end.

In June Jewish community leaders expressed outrage at a display of pro-Ustasha symbols among audience members at a Zagreb concert by popular ultranationalist singer Marko Perkovic. Following the event, the head of the Simon Wiesenthal Center, Efraim Zuroff, wrote a letter to the president protesting the open display of World War II-era fascist symbols, banners, and uniforms by fans at the concert. The Coordination of Jewish Communities in Zagreb also criticized the event and the government's limited response to the display of the symbols. In a July concert in Split by the same performer, police prevented fans wearing Ustasha insignia from entering the stadium.

In 2006 police pressed charges against a 21-year-old student for sending two threatening e-mails to the Zagreb Jewish Community. In the messages the author denied the Holocaust and expressed hope for "the Iranians to complete a nuclear bomb as soon as possible and launch it on Haifa and Tel Aviv," after which celebrations would be held in Zagreb's streets.

Also in 2006 two youths wearing shirts with Nazi insignia verbally and physically assaulted Avi Eliezer Aloni, the rabbi of the Jewish community in Zagreb, yelling "Jews out." Police were still investigating at year's end.

For a more detailed discussion, see the *2007 International Religious Freedom Report*.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Statelessness

The constitution and law provide for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

The law prohibits forced exile, and the government did not employ it.

Refugees returning to the country as citizens of another former Yugoslav Republic rather than as Croatian citizens encountered obstacles obtaining permanent residency status. The law permitted former habitual residents who returned and applied by June 2005 to be reinstated to their prewar status as habitual residents without further requirements, such as meeting housing and financial criteria, and could subsequently apply for citizenship. However, this provision was not consistently applied; causing uncertainty and delaying integration of returnees. In July the parliament adopted the Law on Foreigners, which includes a clause that exempts refugees from rigid requirements under the previous law. The law was scheduled to enter into force in January 2008. Prior to the adoption of this law, temporary measures existed that allowed former habitual residents to regularize their status on humanitarian grounds, but the police did not apply them uniformly. The UNHCR estimated there were approximately 800 potential claimants in Bosnia and Herzegovina and 234 in Serbia.

The OSCE reported the arrests of three Serb returnees during the year. Sasa Pocuca was arrested in April for crimes allegedly committed in the Knin Prison in 1991. Milan Pekic was arrested in February for allegedly committing war crimes against civilians in Bacin in 1991, but was released from detention in June. An investigation was ongoing at year's end. Tihomir Golic was arrested in May.

The government did not take steps to recognize or "convalidate" legal and administrative documents issued by entities not under Croatian control during the 1991-95 conflict. Without such documents, citizens, almost exclusively ethnic Serbs, experienced a wide range of problems, including accessing pensions and disability insurance and establishing work experience.

By November the UNHCR registered a cumulative total of 142,594 minority returns to the country, including 2,050 persons returning up to that point in the year. The UNHCR noted that the number of returnees diminished during the year due to the difficulty of their locating permanent housing. Approximately 12,000 former tenancy rights holders who applied for housing represented the bulk of potential returnees. International organizations that monitored the return of refugees considered the decline in returnees to be within expectations, since most of the remaining refugees willing to return were former tenancy rights holders who were waiting to be provided housing. According to a 2006 UNCHR study, approximately 60 percent of returns were sustainable, and the remainder were either one-time or "commuter" returns. Refugees were also deterred from returning to Croatia by the poor state of the regional economy, ethnic incidents in return areas, and slow implementation of return programs. Hostility of residents to returning ethnic Serb refugees continued to be most pronounced in the Zadar hinterland region in Dalmatia.

Limited access to housing, slow resolution of some bureaucratic obstacles, and lack of employment opportunities hampered the ability of refugees to return to the country. Repossession of Serb houses was almost complete, and reconstruction of Serb houses continued. In May the government adopted a procedure to resolve the problem of some 14,000 long pending appeals by returnees who were declared ineligible. Under the procedure, such persons, mainly ethnic Serbs, would be allowed to apply for another housing program with less strict criteria, which would provide them with construction material. An estimated one-fifth of houses returned to their owners

were looted beforehand. In 2005 the government adopted a protocol for looted properties but completed instructions for its implementation only in March of this year. At the end of 2005 the government selected 400 properties as eligible for damage repair of which 253 were undergoing renovation by year's end.

There were cases of persons attempting to use the courts to recover alleged investments they had made while illegally occupying property. There were 24 such cases pending in the courts. Although the government adopted a process in 2006 to resolve the cases out of court with investors, it remained reluctant to actively offer settlements to investors before they reached courts.

The government slowly began to resolve the claims of persons who, prior to the war, held tenancy rights in socially owned apartments. Claimants, who were mainly ethnic Serbs, were unable to return to their prewar apartments. Approximately 12,616 claims were submitted, 4,425 of which were in urban areas. According to the UNHCR, by July the government provided housing in approximately 43 humanitarian cases identified by the international community. By year's end the Real Estate Agency (APN) had purchased 408 apartments outside the areas of special state concern, and claimed to have delivered 307 to individuals or families. By November the UNHCR and the OSCE verified that 133 families had moved into the apartments. Outside the urban areas, the government allocated housing to 4,477 former tenancy rights holders, or slightly more than half the program applicants. About 3,000 families were waiting for housing to be provided through the program.

Internally Displaced Persons (IDPs)

Authorities took an inconsistent and nonuniform approach to minority IDPs, hampering their return. A significant number of IDPs remained in the country, although not all were under the government's direct care. By November 2,954 (1,644 of Serb ethnicity) IDPs had registered with the UNHCR.

The government allowed free access to all displaced persons by domestic and international humanitarian organizations and permitted them to provide assistance.

Protection of Refugees

The law generally provides for the granting of asylum in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system for providing protection to refugees. In practice, the government provided protection against "refoulement," the return of persons to a country where there is reason to believe they feared persecution. In July the parliament adopted a law on asylum, which observers believed was in line with asylum provisions of the UN refugee convention. Croatia was generally considered a country of transit by persons seeking protection and a significant number of asylum seekers often left the country before courts made first or second instance decisions.

During the year 195 persons applied for asylum, out of which 66 persons were rejected, 80 persons were dismissed and 44 persons appealed.

In 2006 the government temporarily established a reception center for asylum seekers in Kutina, near Zagreb. A permanent reception center was scheduled to be established in Zagreb County.

A government appeals commission conducted substantive reviews of cases of asylum seekers whom it initially rejected; however, the UNHCR expressed continued concern that the government commission influenced appointments. The UNHCR closely followed cases of individuals whom the government deported or whom authorities returned to their country of origin.

There were no reports of persons requesting temporary protection during the year.

Section 3 Respect for Political Rights: the Right of Citizens to Change Their Government

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

Elections and Political Participation

Parliamentary elections were held on November 25, producing no immediate winner. In December, President Mesic gave the mandate to form a government to Ivo Sanader, the incumbent prime minister, whose HDZ won a plurality of seats. At year's end, coalition negotiations were still ongoing between the HDZ and its potential partners, including ethnic minorities. While no significant irregularities were reported, the local NGO Citizens Organized to Monitor Elections (GONG) estimated that registrations of approximately 20 percent of voters abroad (mainly in Bosnia-Herzegovina) were outdated on Election Day.

Political parties could operate without restriction or outside interference.

Of 153 elected members, 31 were women. There were four women in the 15-seat cabinet, including a deputy prime minister, the minister of justice, and the foreign minister. There were four women among the 10 Constitutional Court justices, and 18 women among the 41 Supreme Court justices.

There were 10 members of minorities among the 153 members of parliament. Eight were elected under special arrangements guaranteeing seats to minority representatives. The law requires that ethnic minorities have representation in local government bodies if the census shows that a minority group constitutes at least 5 percent of the local population. While authorities generally implemented this provision, the government did not take updated voter lists into account in calculating the number of elected minority representatives, as required by law. Use of the voters' lists could have resulted in greater minority representation due to the return of refugees since the 2001 census.

At year's end, the Constitutional Court had still not reached a decision on the 2005 government instruction to local authorities to exclude voters' lists in determining the proportion of minorities in these communities. The National Minorities' Council asked the government to withdraw the instruction on grounds that it contradicted the law. The Serb community and NGOs expressed similar concerns, and GONG challenged the instruction in the Constitutional Court.

Government Corruption and Transparency

The law provides criminal penalties for official corruption; however, the government did not implement the laws effectively, and officials sometimes engaged in corrupt practices with impunity. The European Commission's 2007 Report and the World Bank's worldwide governance indicators both reflected that corruption was a problem.

In a survey conducted in January, Bura, a network of NGOs combating corruption, found that individuals country-wide have encountered corruption in almost every facet of daily life. Over 45 percent of the respondents had personal experience with corruption in the health care system, while 33 percent had encountered corruption with police, almost 29 percent in the judiciary, over 27 percent in local government, and over 26 percent in education.

During the year the former prefect of Pozega-Slavonia County was convicted of defrauding the county of $55,600,000 (278 million kunas). The court sentenced him to four and a half years in prison.

In June the government's Office for the Prevention of Corruption and Organized Crime (USKOK) was involved in its largest anticorruption action to date. Seven persons employed by the Croatian Privatization Fund were arrested on allegations that they accepted bribes and sold state-owned companies without legal bids. At year's end,

one suspect was still at large.

USKOK continued to improve its capacity and authority to manage criminal investigations. In August changes to the law came into force that expand USKOK's jurisdiction, making it responsible for prosecuting the criminal act of the abuse of power or position by a government official.

During the year USKOK continued its 2005 investigation of possible large-scale illegal sales of refugee Serb houses to the government's Agency for Refugee Property (APN). In September the Administrative Court ruled in favor of an appeal by the NGO Association for Civil Alternatives and Ethnic Relations (ACAER) which had requested access to contracts the APN made with home owners, and mediating agencies in purchasing refugee Serb houses. ACAER, which mediates on behalf of defrauded home owners, filed the appeal in 2005, anticipating that the opening of APN files would enable them to initiate another 1,000 court procedures in which their clients would seek compensation. Since 2004, the ACAER, which was contacted by 1,200 parties who suspected fraud had occurred, collected documentation and initiated lawsuits in the name of 72 persons whose property has been sold without their knowledge. By year's end there had been 11 first instance decisions and one final verdict in an owners' favor. One local NGO that represented ethnic Serb refugees and assisted them in filing charges complained that the agency had violated the law by refusing to allow refugees access to files, including to contracts that might reveal fraud. The NGO provided legal assistance to more than 250 individuals whose houses were allegedly sold without their knowledge or at prices different from those in specified contracts. The NGO also asserted that the state prosecution was slow to respond to related charges that it filed in 2005 against the head of the APN. The USKOK investigated allegations that some APN employees, along with intermediary agencies based in Serbia, were accomplices to this fraud. In November the Zagreb Municipal Prosecutor's Office charged former APN manager Damir Rajcic with unlawful operation of the APN and causing damage to the budget exceeding $2 million (10 million kunas).

The law requires public officials to declare their assets. Most government officials complied, although there were questions as to thoroughness and effectiveness of the system and imprecision as to the types of assets covered.

The law provides the right of public access to government information; however, NGOs complained that the law was not implemented efficiently or effectively.

In April GONG expressed concern that the parliamentary report on implementation of the 2003 Access to Information Law did not reflect reality and that some state institutions had not been functioning transparently. GONG also noted that the government provided inaccurate statistics on the number of information requests it had received and answered and that some state institutions had not filed any of the required reports.

During the year NGOs strongly critized a confidentiality law passed by parliament in July expanding the government's ability to deny requests for public information on confidentiality grounds. Freedom of information advocates asserted that the law potentially could block public access to nearly all government information. Groups critical of the draft law included the Croatian Journalists Association, GONG, Transparency International Croatia, and the OSCE.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

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

The office for cooperation with NGOs and other government ministries and offices was active in coordinating and promoting NGO and governmental efforts on human rights and civil society. The Human Rights Center received both UN and government funds during the year.

While threats against NGOs were generally rare, in March unknown vandals wrote insulting graffiti and placed pro-Ustasha material in the mailbox of Center for Peace Studies. Police investigated the incident.

The Office for Human Rights was the primary government body responsible for developing, coordinating, and implementing the government's human rights policies. While the office did not have authority to directly investigate alleged human rights abuses, it cooperated effectively with NGOs and the international community to conduct awareness campaigns to promote gender equality and women's rights, encourage general tolerance, and prevent trafficking in persons. The office also served as a liaison body between governmental offices and citizens who reported different violations and complaints. The office awarded project grants to NGOs to address various human rights problems. It was adequately funded and enjoyed the cooperation of other government agencies.

During the year the Office of the Chief State Prosecutor prosecuted war crimes committed by ethnic Croats, including several high profile cases and continued its cooperation with the ICTY. Trends indicated that the Office of the Chief State Prosecutor, courts and the police were generally handling war crimes cases in a more balanced and fair manner. During the year the trial involving high-ranking military officers Mirko Norac and Rahim Ademi, who were accused of responsibility for the killing of Serb civilians in 1993, started in the county court in Zagreb. Generals Ademi and Norac were the highest-ranking Croatian officers to be tried for war crimes in the country to date. Norac was serving a 12-year sentence, while Ademi was not in detention but had restricted movement. The trial was ongoing at year's end.

Although Serbs continued to represent the majority of individuals prosecuted, international trial monitors reported that Serb defendants generally had a better chance of receiving a fair trial than in the past. The state prosecutor continued to work closely with the ICTY.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on gender, age, race, disability, language, or social status; however, discrimination against women, ethnic Serbs, and Roma continued.

Women

Rape, including spousal rape, is a crime punishable by three to ten years' imprisonment; however, according to NGOs, many women did not report rape or spousal rape. The law provides longer sentences for sexual violence against persons with disabilities. In rape cases under aggravated circumstances that result in death or pregnancy or if the victim is a minor, sentences may be between three and 15 years. Due to social pressure and stigmatization, rape and sexual violence were underreported. Some NGOs that specialized in sexual violence remained concerned that there appeared to be no uniform application of rape kits or a uniform gynecological protocol for the treatment of rape victims. The availability of victim assistance services, such as rape crisis centers, varied widely from community to community.

In the first half of the year, 60 rapes and 17 attempted rapes were reported to police. NGO officials estimated that for every reported rape, there were three unreported; on average 100 to 140 cases of sexual violence and rape occur annually. Other leading women's NGOs estimated that the number of unreported rapes was much higher. The NGO Women's Room stated that women frequently did not report rape and spousal rape because they lacked information about available legal protections, felt ashamed, feared reprisal, or, in case of spousal rape, were concerned over the economic consequences. Victims were often reluctant to report rape, particularly spousal rape, because it was difficult to prove in court and because medical staff, police, and judiciary were not trained to treat such victims. Women's NGOs asserted that sentences for spousal rape tended to be lenient.

Violence against women, including spousal abuse, continued to be a problem. According to 2006 UNDP data, there was a rising trend of reported cases of family violence.

The law provides that persons other than the victim, including the police, may initiate a domestic violence case, which is treated as a misdemeanor. Penalties range from $200 to $2,000 (1,000 to 10,000 kunas) or up to 60 days in prison. Under the criminal law, perpetrators can face up to three years in prison for the same acts. Police officials tended to classify domestic violence against women as misdemeanors, resulting in minimal sentences. Minimum sentences were particularly common in cases of

rape. NGOs complained that the courts were slow to schedule hearings, issued few convictions, and administered only minimum prison sentences and fines in family abuse cases. Police officers in most urban areas were trained to handle family violence and to provide quick intervention, secure victims' safety, and remove perpetrators from families; in rural areas police officers were generally less trained in handling family violence cases.

In 2006 police began keeping gender-specific statistics; however police officials in rural sections of Dalmatia were known to leave reports of domestic violence against women stuffed in desk drawers rather than forwarding them to judicial authorities.

Support for victims of violence was limited. In general, private donations financed most services, with limited government contributions. During the year Croatia actively participated in the Council of Europe's campaign to combat violence against women, raising awareness of the problem using both billboard and television advertisements. The government continued a program to increase employment opportunities for victims of violence, single parents, and unemployed mothers of three or more children.

There were 10 shelters operated mainly by NGOs and financed by donations for victims of domestic violence. The shelters could accommodate 225 adults and 57 children and were available to both women and children who were victims of family violence. Hot lines, counseling, and legal assistance were available to victims of domestic violence.

Prostitution is illegal but widespread. Women's organizations claimed that prostitutes were abused, stigmatized, publicly humiliated, and have to pay fines.

The law prohibits sexual harassment in the workplace; however, it remained a problem. In 2006 the International Unions' Confederation conducted a regional survey that showed approximately 18 percent of women reported harassment at work. According to trade unions, the problem was most pronounced in the textile and leather, trade, and catering industries. The ombudsman for gender equality and unions reported that they worked on sexual harassment cases, although many women were reluctant to take action for fear of reprisal.

Women generally held lower paying positions in the work force. During the year the government’s Office for Gender Equality, Central Bureau of Statistics, and the Faculty of Sociology carried out research that revealed 61.2 percent of the unemployed population were women, an increase from 57 percent in 2006. Salaries differed for women and men with the same qualifications. For example, in education, health care, and public administration, women received approximately 20 percent less than men. In May a senior official noted in a public address that because women were paid less than men for the same job, their inequality later extends to the pensions they received upon retirement. In a May conference on gender equality organized by the government's gender equality office, it was estimated that the average monthly gross salary for women was $1,161 (5,806 kunas) and $1,298 (6,492 kunas) for men. Women were generally employed in the four most poorly paid sectors of the economy (textiles, education, social care, and services).

Women experienced discrimination in finding employment. Employers often asked women humiliating questions about marital status, number of children, and plans to have more children. A March meeting of the parliamentary Equal Rights Committee and NGOs concluded that the position of women on the labor market had not improved. Women between the ages of 40 and 50 faced the highest risk of discrimination.

The government cooperated with NGOs to promote gender equality; however, NGOs remained concerned that the budget for such programs was small and unstable. NGOs complained that while the government organized conferences and events to raise public awareness, it did not make significant substantive changes towards the promotion of gender equality.

The Office for Gender Equality is responsible for implementing the Gender Equality Law and formulating the government's gender policy; the ombudsman for gender equality monitored implementation of the law, including the submission of mandatory action plans for state institutions and public companies. During the year the government distributed several publications designed to raise public awareness and familiarize the public with both UN and EU strategies for promoting gender equality.

In 2006 the government adopted a national gender equality policy for 2006-10 that was drafted with the participation of prominent women's NGOs. The policy addressed women's status with regard to human rights protection, securing equal treatment for women in the labor market, introducing gender-sensitive education, suppressing violence against women, and increasing women's participation in the political process.

The ombudsman for gender equality took an active role in raising the profile of women's human rights.

Children

The government was generally committed to the rights and welfare of children.

Education is free and mandatory through grade eight; the majority of students continued their education until the age of 18, with Roma being the only notable exception. Romani children faced serious obstacles to continuing their education, including discrimination in schools and a lack of family support. An estimated 10 percent of Romani children graduated secondary school, while up to 39 percent were illiterate. According to a 2005 UNDP-financed survey, 17 percent of Romani children over the age of 12 completed primary education, compared to 74 percent of non-Romani children living close to Romani settlements.

Since 2004 the number of Romani children in preschool education programs increased from 345 to 707, while the number of those attending primary and secondary school tripled from 1,013 to 3,010. The Ministry of Education ascribed the increase to incentives from the government’s action plan Decade for Roma which included a $100 (500 kunas) monthly scholarship for high school students and a $200 (1,000 kunas) monthly scholarship for university students. International organizations and local NGOs reported that school authorities continued to provide segregated, lower quality classes for Romani students in the northern part of the country. In February the Constitutional Court rejected a complaint by the parents of 15 Roma children that the creation of separate classes for Romani students in several elementary schools in the northwestern county of Medimurje was discriminatory. The court found that segregated classes were in accordance with "accepted and legitimate educational principles aimed at adjusting the elementary school curriculum to the abilities of pupils who lack the requisite Croatian language and social skills" and that the ethnic or racial origin of the students was not the motivation for segregation. The court cautioned that, if the students remained in segregated classes in higher grades without sufficient justification, by which time it was presumed they should have learned Croatian, it might violate the constitution. A similar complaint remained pending at the ECHR at year's end.

In 2006 the Council of Europe Human Rights Commission noted that the government continued efforts to promote preschool education with the aim of integrating Roma children into the school system. Parents of non-Roma children sometimes opposed government desegregation efforts. In June, to stimulate cooperation and help create an atmosphere of tolerance, the Osijek Red Cross continued a project that allowed children from 30 ethnically mixed schools in Osijek-Baranja and Vukovar-Sirmium Counties to participate in literary and art workshops. In 2006 the Ministry of Science, Education of Sports established a special department for educational needs of ethnic minorities.

Child abuse, including sexual abuse, was a problem. In 2006 courts finalized 47 convictions for crimes committed against children, 29 for sexual abuse against minors, nine for charges of lewd behavior involving a minor, seven for abuse of minors for pornography, one for Internet child pornography, and one for exposure of children to pornography.

In April the ombudsman for children published over 1,000 copies of the Convention on the Rights of the Child in two Roma languages, Romany Chib and Limba d'Bjas.

There were no nationwide statistics on child marriages among Roma, but social welfare services in Medjimurje County, where a substantial Romani minority resided, reported that common law marriages were customary among partners at the age of 16 and above. According to their estimates, as much as 60 percent of female teenagers entered such marriages, which were often prompted by pregnancies. These marriages were in some cases made official when partners reached adulthood.

Trafficking in Persons

The law prohibits trafficking in persons; however, Croatia was a source, destination, and transit country for trafficked women and children.

The country is mainly a transit country for women and girls trafficked to other parts of Europe for prostitution and labor exploitation and increasingly a source and destination country for trafficked women. Women from Serbia, Moldova, Bosnia and Herzegovina, and other countries were trafficked through Bosnia and Herzegovina and Serbia into Croatia, where some remained to work as prostitutes while others were trafficked onward. Women were transported mainly by vehicles. In January 2008 the government reported that 15 trafficking victims were identified during the year; nine victims were Croatians, three were Serbians, two were Bosnians, and one was a citizen of Moldova. One of the victims was a minor. Since 2002, 69 victims have been identified. During the year the government reported that the victims cooperated with police investigations and NGOs.

Recent trends indicated that 20- to 30-year-old women were most at risk of being trafficked. Anecdotal information indicated that transnational and domestic organized crime groups were responsible for trafficking. Victims were subject to violence, intimidation, withholding of documents, and threats by traffickers.

The law defines trafficking in persons as a crime separate from slavery and provides penalties between one and 10 years' imprisonment for traffickers. The minimum penalty for trafficking crimes committed against a minor is five years' imprisonment. If a criminal organization committed the crime and it resulted in death, the penalty is five years' to life imprisonment. During the year parliament amended the trafficking law to provide criminal sanctions of three months' to three years' imprisonment for using the services of trafficked persons.

The Ministry of Interior arrested and instituted criminal proceedings against 20 persons during the year. The government also reported one final trafficking conviction in which the defendant was sentenced to three years imprisonment. The government also reported ongoing investigations against five individuals.

The government has a national committee for the suppression of trafficking in persons and a national coordinator for trafficking issues, who is also the head of the government's human rights office. Agencies responsible for the suppression of trafficking included the ministries of foreign affairs, justice, interior, health, social care, and education, and the Office of the State Prosecutor. Police participated in international investigations through the Southeastern European Cooperative Initiative (SECI) regional center in Bucharest. During the year police participated in an international investigation in conjunction with Swiss police codenamed "Operation Blonde" that resulted in the identification of eight alleged perpetrators and seven trafficking victims. Police also cooperated with law enforcement officials in Slovenia and Serbia throughout the investigation. In March officers from the Organized Crime Department met with their Slovenian counterparts and civil society groups to discuss improving regional cooperation. The Interior Ministry reported active police participation on two International Center for Migration Policy Development antitrafficking projects. The police continued to cooperate with both short- and long-term advisors from Germany and Austria. In addition, police had an active role in the Mirage working group from the SECI regional center and reported strong cooperation with EUROPOL and Interpol in combating trafficking in persons.

There were no reports that government officials were involved in trafficking.

During the year the government did not deport or punish victims of trafficking and cooperated with NGOs and with the International Organization for Migration (IOM) mission to offer all necessary assistance to victims. While the law criminalizes international prostitution and unauthorized border crossings, it exempts trafficking victims from prosecution. Similarly, the law allows authorities to charge foreign prostitutes with a misdemeanor and initiate deportation proceedings if they do not fulfill legal requirements for their stay in the country, but exempts trafficking victims from deportation.

The government has a legal framework to provide for victim assistance, and there were support services available for trafficking victims. The government continued to finance shelters for adult and minor trafficking victims. The Croatian Red Cross, in cooperation with the government, operated four reception shelters for victims. The government offered assistance to all victims. The government provided services jointly with local NGOs and the IOM. During the year 30 social workers responsible for reception centers were trained on trafficking.

In July the parliament adopted the Law on Foreigners that regulates the status of foreign victims of trafficking. The law defines methods of identification and the scope of assistance and the respective bodies which are responsible for offering victim assistance. The law establishes a "reflection period" for adult victims of 30 days and for minor victims of 90 days. The law specifies different forms of assistance which should be offered to foreign victims, including safe accommodation, financial support, education and training, assistance with regard to work, etc. The law also provides for temporary residence permits, initially from six months to one year, which can be extended based on a subsequent needs assessment. In addition, a New Law on Social Assistance was adopted by the government and forwarded to the parliament for consideration defining procedures and scope of assistance for domestic trafficking victims.

The government continued to broadcast public awareness campaigns produced during the previous years and continued to support an NGO hot line, alternative shelters, and two traditional shelters. One government information campaign targeted children as potential trafficking victims, while the other targeted adults.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities in employment, education, access to health care, and in the provision of other state services; however, discrimination occurred.

The government maintained 10 counseling centers that offered assistance to persons with disabilities and their families. During the year the Employment Institute trained its employees across the country to work with persons with disabilities, and facilitated the employment of 1,037 persons with disabilities.

In May the government adopted the National Strategy for Persons with Disabilities (2007-15). Parliamentarian Vesna Skulic criticized the lack of transparency in the management of the government's fund for professional rehabilitation and employment and the lack of progress in employing persons with disabilities outside Zagreb. Skulic also criticized the lower quality education that children with disabilities often received in specialized schools. The practice of placing personal assistants with persons with grave disabilities remained a pilot project.

In May the UNDP issued a report stressing the need for reducing dependence on institutional care, especially for children with disabilities and adults with intellectual and physical difficulties. In March the government signed a joint memorandum on inclusion, which listed priorities that would lead to de-institutionalization of patients with mental disabilities. The number of such persons in institutions has not decreased during the year despite some efforts to develop community based alternatives. In June the government passed the Foster Care Act to reduce the placement of children with disabilities in government institutions, while increasing the compensation provided to foster care families.

The law mandates access to buildings for persons with disabilities; however, the government did not always enforce these provisions, and the law did not mandate that facilities be retrofitted. As a result, access to public facilities was limited.

In September a man with cerebral palsy, who was unable to use his arms or hands, was not allowed to take an oral entry exam at the Psychology Department of the Zadar Faculty of Philosophy, which effectively denied him entrance to the faculty. The applicant appealed his denial of admission to the Ministry of Education. The ministry, which had earlier granted him permission to take the oral exam, promised to investigate this decision, but there were no conclusive results at year's end.

In August the Administrative Court confirmed the state attorney council's 2006 decision to dishonorably dismiss the deputy state prosecutor in charge of children and youth for disregarding evidence and terminating a 2004 investigation into charges of neglect of children and sexual abuse in a home for mentally incapacitated children operated by the charity Caritas.

National/Racial/Ethnic Minorities

While constitutional protections against discrimination applied to all minorities, open discrimination and harassment continued against ethnic Serbs and Roma.

According to the NGO Serb Democratic Forum, one of the most serious ethnically motivated incidents during the year took place in July at the home of Serb returnees in Gornji Vrhovci, a village in the Pakrac area. Two young men visited a father and his adult son in their yard and asked them for a drink. During the conversation the visitors turned violent, verbally abusing and slapping both the father and the son on the face. Then they locked their hosts into the bathroom, started fires in the house, and left. The house owners managed to escape and put out the fire. Most of the furniture burned and the victims had injuries that required hospitalization. The police quickly apprehended the suspects, whom they later released pending trial. The first hearing was scheduled for December, but was postponed as one of the suspects was still in the hospital.

Five minors were arrested in early October after they vandalized six newly reconstructed and uninhabited houses belonging to Serb owners in the villages of Ceranje Donje and Pristeg. The Serb Democratic Forum (SDF), the largest Serb NGO in the country, commended the police for the fast identification of culprits, which they saw as an expression of the government's growing political will to improve its record in curbing interethnic violence.

In September a bomb went off underneath a parked car belonging to Serbian citizens vacationing in the coastal town of Omis. The bomb destroyed the front of the car but caused no injuries. The police questioned several suspects but did not immediately identify culprits. The media speculated on a connection between the incident and the location of the car, which was parked in front of a building mainly inhabited by Croatian war veterans.

Other ethnically based incidents occurred around the country; however they were usually sporadic in nature, involving primarily verbal abuse, threats, and occasional acts of graffiti and vandalism. For example, near Pakrac a Serb farmer complained that he was verbally abused and threatened by his neighbor following a dispute over a fence. In July graffiti glorifying the Ustasha regime and its leader Ante Pavelic appeared on an otherwise uninhabited Serb house in Plaski on the night when the family was preparing the house for the wake of the deceased mother. An additional example of ethnically based violence occurred in August, when a group of young men attacked a Serb returnee's house in Smilcic near Benkovac.

Four persons from the Croat village of Skabrnja detained in 2006 for throwing stones at and attempting to set fire to the homes of three Serb returnee families in the village of Biljane Donje, near Zadar, were released after the Serb families dropped charges.

Police investigated but made no arrests in other ethnically motivated attacks against Serbs reported in 2006 that resulted in injury or involved attempted arson, theft, and vandalism in Smokovic, Zemunik Donji, and Ostrovica. Police investigated but had no suspects in the 2006 vandalism of a monument to Croation war victims in Lovas near Osijek.

At year's end police had not identified any suspects in connection with the 2005 killing of an elderly Serb in Karin; the 2005 beatings of two elderly Serbs in Ostrovica; and the 2005 killings of two Serbs in Lipik.

Leading human rights NGOs and the UNHCR noted that violence against ethnic Serbs remained at the same level of frequency as in 2006, but that the number of grave incidents declined due to improved police performance in investigating and identifying culprits. The Croatian Helsinki Committee Executive Director Ranko Helebrant stated that ethnic incidents had not diminished in number, but that local police were more prompt and vigorous in processing reported cases and in using all available instruments to identify culprits. The SDF noted better police performance in places where ethnically motivated incidents had occurred over the past two years. According to Igor Palija, SDF spokesperson, the police were more professional in their conduct and responded to calls related to such cases, which was not common practice in the past. However, the SDF criticized local authorities, particularly in Zadar hinterlands, for showing little will to support interethnic reconciliation.

Disputes over the ownership of agricultural land were almost always a factor prompting ethnic incidents in the region. Ethnic Serbs in the Zadar area encountered difficulties in repossessing their land for a combination of reasons, including investments by temporary users, unregulated cadastre books, and slow court processing. According to police statistics, in areas of more intense refugee return, agricultural land issues remained the primary cause of interethnic incidents.

Discrimination continued against ethnic Serbs in several areas, including the administration of justice, employment, and housing. Ethnic Serbs in war-affected regions continued to be subject to societal harassment and discrimination. A 2006 European Commission report noted that there was gross under-representation of Serbs in local and regional governments, state administration, and judicial bodies. Local authorities sometimes refused to hire qualified Serbs even when no Croats applied for a position.

Five years after the Constitutional Law on National Minorities was passed, authorities have not implemented its provision on proportional minority employment in the public sector in places where a minority constitutes at least 15 percent of the population. Ethnic Serbs, the largest minority, were most affected by the slow implementation of the law. During the year government ministers participated in several discussions organized by the OSCE on implementation of the Law. In May the government adopted the Civil Service Employment Plan, which sets a goal of bringing the percentage of minority hires in state administration to the level of minorities in the general population. During the year the Central State Administration Office prepared for the first time a plan to employ minorities in state administration; with targets to hire 286 minorities in the central administration, and 50 minorities at regional offices. Of approximately 21,200 civil servants employed at the national level, around 3 percent were ethnic minorities, while minorities made up 7.5 percent of the population. Members of minorities accounted for almost 4,000, or 6 percent, of civil servants at the county level. The State National Minority Council received $7.4 million (37 million kunas) for its activities during the year, a 25 percent increase from 2006.

The law provides that minority participation is to be taken into account when appointing judges in regions where minorities constitute a significant percentage of the population. According to an OSCE report, as of May, members of minorities made up approximately 4 percent of the country's judges, with Serbs comprising only 2.5 percent. The report noted that minorities needed to invoke their minority status during the recruitment process to benefit from this provision of the law.

Human rights and Serb NGOs noted several cases of ethnic Serb judges who, although fully qualified, were unable to secure positions in areas with a significant Serb minority population, and the government appointed persons without experience or from other towns instead. In 2005 one ethnic Serb judge appealed the State Judicial Council's decision when it turned down his bid for the position at the Municipal Court in Gvozd. The administrative court wrote in its response that the applicant indicated his Serb ethnicity, but did not indicate that he was a minority member, and thus failed to invoke his minority rights. An appeal was pending at year's end**.** The same judge applied for and was refused a position at the Vojnic municipal and misdemeanor courts; his case was pending before the ECHR.

Members of the Serb community complained about an HTV show broadcast after the evening news on the Day of the Homeland Thanksgiving in August that contained elements of hate speech. The documentary contained voiceovers stating that "Serbs were people without faith" and posed specious rhetorical questions over footage of elderly Serb women such as "where are your butcher sons?"

Some discrimination occurred against minorities in schools. In 2006 local authorities in Vukovar and the Ministry of Education integrated four secondary schools that previously held separate classes for over 2,000 ethnic Croat and Serb children. With the exception of one school that continued to divide students into separate shifts according to language and ethnicity, all of Vukovar's primary schools had integrated joint shifts.

Societal violence, harassment, and discrimination against Roma continued to be a problem. While only 9,463 persons declared themselves to be Roma in the 2001 census, an OSCE report issued in 2006, estimated the country's Roma population to be much larger. Officials and NGOs estimated that the Romani population was between 30,000 and 40,000. In 2006 the ECHR agreed to review a complaint against the country for allegedly failing to adequately investigate skinhead violence against Roma.

Roma faced many obstacles, including language, lack of education, lack of citizenship and identity documents, high unemployment, and widespread discrimination. Many

Roma women in particular had only limited Croatian language skills. Romani NGOs estimated that 25 percent of Roma did not have citizenship documents and thus could not obtain social benefits, employment, voting rights, and property restitution. According to the Council of Europe, only 6.5 percent had permanent jobs, while the Ministry of Social Welfare estimated that 20,000 to 30,000 Roma were receiving some form of social assistance. A 2006 UNDP report on social exclusion estimated that, while Roma constituted less than 1 percent of the population, they accounted for 13.6 percent of the recipients of social assistance.

On occasion ethnic Croats were targets of interethnic violence. In September the media reported interethnic incidents directed against Croats in Vukovar when vandals sprayed graffiti in Cyrillic script on the wall of the post office and a movie theater. Some of the graffiti read "the Republic of Serb Krajina" and "we will do Ovcara Again," alluding to a mass war crime against ethnic Croats. The police investigation was still underway at the year's end.

In 2006 the National Council for National Minorities filed a complaint against the city of Daruvar over an alleged violation of the Law on National Minorities and the Law on the Use of the Minority Language and Script. There were no updates on the case by year's end. While the Czech minority comprised approximately 20 percent of the local population, the script on the street signs and on public buildings largely remained in Croatian.

Other Societal Abuses and Discrimination

There was some societal violence and discrimination against homosexuals.

During an annual Gay Pride parade in July in Zagreb, approximately 20 participants claimed that antigay groups followed them during and after the parade and beat some of them on side streets away from the event. Among the persons beaten at the event or later were Italian Senator Gianpaolo Silvestri and citizens from other European countries. Despite over 500 police protecting some 300 participants, a group of young persons attempted to throw five or six Molotov cocktails into the event. Police arrested a 25-year-old-man and charged him with a hate crime for the incident. In October the state prosecutor indicted the suspect. This was the first time that someone was indicted for a hate crime since this type of crime was introduced into the Criminal Code in June 2006.

Societal discrimination against homosexuals was frequently present in the form of insults, stereotypical jokes and societal prejudices. According to a 2006 national survey conducted on a random sample of 200 sexual minority members, 14.4 percent of interviewees had experienced physical violence over a period of 36 months. More than 56 percent had been exposed to insults or threats. More than half had a friend or partner who had been the victim of violence because of their sexual orientation. Such violence and harassment most frequently occurred in open public places and the perpetrators usually did not know the victim. The survey found that 22 percent of persons who experienced violence because of their sexual orientation reported it to the police, but that for one in four or these, going to police resulted in further embarrassment, humiliation, and inappropriate police behavior towards the victims.

Police investigated but made no arrests in the 2006 attack by a dozen persons on two homosexual British tourists in a bar in which one of the tourists sustained a concussion, ear injury, and loss of teeth. Police also investigated but made no arrests in the 2006 attack by at least three persons on two German homosexual tourists in Split while they walked on the waterfront holding hands; one of the victims sustained a nose fracture and the other a slight chest injury.

Societal discrimination against persons with HIV/AIDS remained a problem. The Croatian Association for HIV (HUHIV) reported that there were instances of dentists and general practitioners refusing to treat HIV positive patients and that some hospitals postponed surgeries because doctors were reluctant to operate. If an HIV patient did not go through the infectious disease hospital, he or she often waited for treatment, and surgery was sometimes delayed indefinitely. There were allegations that transplant centers refused to put HIV patients on their list of potential organ recipients.

According to HUHIV representatives, the lack of public assistance, such as hot lines, for HIV-positive patients was a problem. According to the UN theme group on HIV/AIDS, analysis of laws regarding HIV indicated that they contain discriminatory provisions. The group cited legal provisions that require testing under medical supervision for certain professions and in certain cases involving prisoners, and restrictions on HIV-positive persons with regard to employment. According to the analysis, most cases of discrimination occurred outside the scope of the law or was due to insufficient enforcement of privacy laws, lack of consistent adequate medical care, and discrimination in school or the workplace.

Section 6 Worker Rights

a. The Right of Association

Workers are entitled by law to form or join unions of their own choosing, and workers exercised this right in practice. Approximately 50 percent of workers were members of unions; however, not all the unions were associated with each other and this percentage could vary. Unions generally were independent of the government and political parties.

The law prohibits antiunion discrimination and expressly allows unions to challenge firings in court. However, in general, the inefficiency of the court system seriously hampered citizens' attempts to seek redress through the legal system.

b. The Right to Organize and Bargain Collectively

The constitution and law protect collective bargaining and the right to organize, and workers exercised these rights in practice.

The law provides for the right to strike, with some limitations, and workers exercised these rights during the year. Members of the armed forces, police, government administration, and public services were not permitted to strike. Workers may only strike at the end of a contract or in specific circumstances mentioned in the contract after they have gone through mediation. When negotiating a new contract, workers are required to go through mediation before they can strike over a new contract. Labor and management must jointly agree on a mediator if a dispute goes to mediation. If a strike is found to be illegal, any participant may be dismissed, and the union held liable for damages.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits all forced or compulsory labor, including by children; however, there were reports that children were occasionally trafficked for commercial sexual exploitation and labor.

d. Prohibition of Child Labor and Minimum Age for Employment

There are laws and policies to protect children from exploitation in the workplace and provide for acceptable working conditions. While the government for the most part implemented these laws and policies effectively, child labor remained a problem.

In 2006 the State Inspectorate recorded 130 violations of labor-related laws involving 59 children under the age of 17. Of the total violations, four involved children under the age of 15. The violations occurred in the hospitality, tourism, retail, industrial, agricultural, construction, and media sectors.

The minimum age for employment of children is 15 years. The Ministry of Economy, Labor, and Entrepreneurship, in conjunction with the ombudsman for children and the

State Inspectorate, is responsible for enforcing this regulation. Minors under the age of 15 may work if they receive prior approval from the Labor Inspectorate and if it is determined that the child will not suffer physically or mentally from the work. Approval is usually requested for filming movie scenes or play rehearsal. The law prohibits workers under the age of 18 from working overtime, at night, or under dangerous conditions.

There were reports that children were occasionally trafficked for commercial sexual exploitation and labor.

The law proscribes the worst forms of child labor. Recent changes to the criminal code criminalize trafficking in children for purposes of sexual exploitation and labor. The national ombudsman for children coordinates the country's efforts to prevent the exploitation of children and to assist in removing children from exploitative situations. The State Labor Inspectorate has 97 inspectors whose duties include inspection for illegal employment of minors. The inspectorate forwards all cases of violations involving minors to the office of the ombudsman for children.

e. Acceptable Conditions of Work

Minimum wage, as determined by the government, is $420 (2,100 kunas) per month; the net wage is between $280-$300 (1,400-1,500 kunas), depending on exemptions, and does not provide a decent standard of living for a working family. Government statistics from August indicated the average wage was $948 (4,743 kunas), and the minimum cost of living for a family of four in rented housing was 1,154 (5,774 kunas). The Labor Inspectorate enforces the minimum wage, while the Ministry of Finance determines the level.

Nonpayment and late payment of wages continued to be a problem, as was nonpayment of overtime or for work on holidays. According to the State Labor Inspectorate, it is no longer required by law to record the number of persons who did not receive payment of salaries and that workers have the right to bring court proceedings against those employers who did not issue pay slips to their employees. At least 2,581 employees did not receive payment for their work in 2006.

The Labor Inspectorate reported that, in 2006, 401 employers were shut down for a period of at least 30 days. Violations of labor law included illegally employed workers and foreigners who did not have work permits, workers who were not registered with the pension fund, and workers who were not registered with a health insurance agency.

The law provides for a standard workweek of 40 hours. Workers are entitled to a 30-minute daily break, one day off out of seven, and a minimum of 18 days of paid vacation annually. The law provides that workers are entitled to time-and-a-half pay for overtime and limits overtime to 10 hours per week. The labor inspectorate must be notified if overtime work by an employee continues for more than four consecutive weeks, for more than 12 weeks during a calendar year, or if the combined overtime of employees of an employer exceeds 10 percent of the total working hours in a particular month. In 2006 the inspectorate processed 15,418 violations of labor law. After processing, the inspectorate sent 6,360 violations to misdemeanor courts for proceedings. Infractions included violations related to labor contracts, payment for work, annual leave, and unpaid and unreported overtime. Pregnant women, mothers of children under three years of age, and single parents of children under six years of age may work overtime only if they freely give written consent to perform such work.

The government set health and safety standards, which the Health Ministry enforced; the ministry's inspectorate has jurisdiction over enforcement of health and safety laws at the workplace. In practice, many industries often did not meet worker protection standards. In 2006 the inspectorate initiated 1,680 requests for misdemeanor proceedings covering a total of 3,427 violations of safety standards. During 2006 misdemeanor courts issued 898 violations, of which one was declared a criminal act and referred to court. Under the law, workers may remove themselves from hazardous conditions and have recourse through the courts if they believe that they have been dismissed wrongfully for doing so; however, according to the state inspectorate, workers did not exercise this right in practice and normally only reported employers after they had left their job.

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