# Drepturile victimelor, pe ţări

Croaţia

**Victimele infracțiunilor au o serie de drepturi în cadrul fazei de urmărire penală și al acțiunii penale, o protecție specială fiind acordată copiilor și victimelor traficului de ființe umane și ale infracțiunilor contra libertății sexuale.**

Victimele infracțiunilor au dreptul:
de a accesa servicii de sprijin pentru victimele criminalității;
de a accesa asistență psihologică și la alte tipuri de asistență profesională efectivă din partea organelor, organizațiilor și instituțiilor care oferă sprijin victimelor infracțiunilor, în conformitate cu legea;
beneficia de protecție împotriva intimidării și a represaliilor;
beneficia de protecția demnității atunci când prezintă probe în calitate de victimă;
de a fi audiate fără întârzieri nejustificate după denunțarea unei infracțiuni și, ulterior, de a fi interogate nu mai mult decât este absolut necesar în scopul procedurii penale;
de a fi însoțite de o persoană de încredere în toate acțiunile la care iau parte;
de a fi supuse unor examene medicale minime și numai dacă acestea sunt absolut esențiale în scopul procedurii penale;
de a înainta o cerere de începere a urmăririi penale sau de a introduce o acțiune în nume propriu în temeiul Codului penal (*Kazenski zakonik*), de a participa la procedurile penale în calitate de parte vătămată, de a fi informate cu privire la respingerea unei acuzații în materie penală [articolul 206 alineatul (3) din Codul penal] și la decizia procurorului (*državni odvjetnik*) de a nu lua nicio măsură, precum și de a desfășura urmărirea penală individual, fără procuror;
de a fi informate de către procuror cu privire la modul în care s-a dat curs acuzației formulate [articolul 206 litera (a) din Codul penal], precum și dreptul de a depune o plângere la un procuror-șef (*viši državni odvjetnik*) [articolul 206 litera (b) din Codul penal];
de a solicita și de a primi informații fără întârzieri nejustificate cu privire la eliberarea infractorului din închisoare sau din arestul preventiv, la evadarea sau eliberarea din închisoare a infractorului, precum și la măsurile luate pentru a asigura protecția victimei;
de a solicita și de a primi informații cu privire la orice hotărâre definitivă de încetare a procedurii penale;
alte drepturi prevăzute prin lege.

**În plus, victimele infracţiunilor de natură sexuală şi ale traficului de persoane au dreptul:**
la consultanță din partea unui consilier juridic înainte de a fi audiate;
de a avea un consultant plătit de stat;
de a fi audiate de o persoană de același sex, la secția de poliție sau la parchet (*državno odvjetništvo*), precum și de a fi audiate de aceeași persoană dacă mai are loc încă o audiere;
de a refuza să răspundă la întrebări legate de viața personală care nu au legătură cu infracțiunea;
de a solicita audierea prin mijloace audiovizuale (articolul 292 din Codul penal);
la protecția datelor cu caracter personal;
de a solicita ca audierea să aibă loc cu ușile închise.

**Copiii victime au toate drepturile menționate mai sus, precum și dreptul:**
de a avea un reprezentant plătit de stat;
la protecția datelor cu caracter personal;
la audiere cu ușile închise.
Un copil este orice persoană sub vârsta de 18 ani.
Un copil care este martor sau victimă este examinat de către judecătorul de instrucție în cadrul unei audieri probatorii, iar citația este trimisă părinților sau tutorelui acestuia.

**Acţiunea în nume propriu**

Atunci când se denunță o infracțiune, procurorul declanșează, în majoritatea cazurilor, urmărirea penală din oficiu.
Se poate intenta o acțiune în nume propriu în cazul infracțiunilor pentru care se inițiază proceduri penale pe baza unei acțiuni în nume propriu. Acțiunea în nume propriu trebuie formulată în termen de trei luni de la data la care persoana fizică sau juridică autorizată a aflat despre infracțiune și despre autorul infracțiunii.

**Acţiunile în despăgubiri**

O parte vătămată are dreptul de a introduce o acțiune în despăgubiri în cadrul procedurilor penale.
Victima unei infracțiuni se califică, de asemenea, ca parte vătămată, și are dreptul de a formula o acțiune în despăgubiri conexă în fața instanței.
O acțiune în despăgubiri poate viza:
despăgubiri pentru prejudiciile suferite, care pot fi corporale sau necorporale (durere suportată, teamă);
restituirea de bunuri – dacă partea vătămată poate dovedi că era proprietarul sau titularul legal al acestora;
anularea unei tranzacții specifice – în cazul în care infracțiunea a avut ca rezultat o tranzacție imobiliară (dacă pârâtul a obligat victima să încheie un contract).
Se poate formula o acțiune în despăgubiri în cadrul unei acțiuni penale sau al unei acțiuni civile distincte împotriva pârâtului. O acțiune în despăgubiri intentată în cadrul unui proces penal poate fi admisă numai dacă instanța constată că inculpatul este vinovat.
Acest lucru nu reprezintă o garanție că acțiunea în despăgubiri intentată este admisă.

**Drepturile părților vătămate pe parcursul cercetării și acțiunii penale**

O victimă care participă la o procedură penală ca parte vătămată are dreptul:
de a se exprima în limba maternă, inclusiv în limbajul semnelor, de a beneficia de asistență din partea unui interpret în cazul în care nu înțelege sau nu vorbește limba croată sau din partea unui interpret al limbajului semnelor în cazul în care este surdă sau surdomută.
de a introduce o acțiune în despăgubiri, precum și cereri în vederea adoptării de măsuri temporare;

de a avea un reprezentant;
de a prezenta faptele și de a aduce elemente de probă
de a participa la audierea preliminară;
de a participa la procedură și la audierea preliminară, precum și de a face o declarație finală;
de a consulta dosarul cauzei;
de a solicita o notificare din partea procurorului cu privire la modul în care s-a dat curs sesizării făcute, precum și dreptul de a depune o plângere la un procuror-șef;
de a depune o cale de atac;
de a solicita restabilirea situației anterioare;
de a primi o notificare privind rezultatul procedurii penale.
Atât înainte, cât și în orice moment pe parcursul procedurii penale, parchetul și instanța trebuie să ia în considerare posibilitatea ca pârâtul să poată despăgubi persoana vătămată pentru pierderile cauzate prin săvârșirea infracțiunii. Parchetul și instanța trebuie, de asemenea, să informeze partea vătămată că are dreptul de a se exprima în propria limbă, inclusiv în limbajul semnelor pentru surzi și surdomuți, precum și la asistență din partea unui interpret în cazul în care nu vorbește sau nu înțelege limba croată, a unui traducător sau interpret al limbajului semnelor în cazul în care este surdă sau surdomută, precum și dreptul de a face o expunere a faptelor și de a prezenta probe, de a participa la proces și la audierea preliminară, precum și de a face o declarație finală, de a accesa dosarul cauzei, de a fi informată de procuror cu privire la măsurile întreprinse pe baza acuzației și de a depune o plângere la un procuror de rang superior.

**Dreptul la despăgubiri**

Legea privind despăgubirile acordate victimelor infracțiunilor [*Zakon o novčanoj naknadi žrtvama kaznenih djela*) [*Narodne Novine* (NN; Monitorul Oficial al Republicii Croația] nr. 80/08 și nr. 27/11] prevede dreptul la despăgubiri pentru victimele infracțiunilor care presupun acte de violență săvârșite cu intenție pe teritoriul Republicii Croația sau pentru rudele acestora, în condițiile prevăzute în legea respectivă.
Aceasta stabilește dreptul la despăgubiri pentru victimele unor infracțiuni violente săvârșite cu intenție și precizează condițiile prealabile necesare și procedura prin care se poate exercita dreptul la despăgubiri, organismele care iau decizii în acest sens și participă la procesul de luare a deciziilor referitor la dreptul la despăgubiri, precum și organismele responsabile de cazuri transfrontaliere și procedurile aplicate în astfel de cazuri.
Victimele unor infracțiuni violente săvârșite cu intenție au dreptul la despăgubiri din bugetul național.
Poliției, parchetului și instanțelor judecătorești li se solicită să ofere informații asupra dreptului la despăgubiri, precum și să furnizeze formularele de cerere necesare, având, de asemenea, obligația de a oferi, la cererea victimei, indicații și informații generale despre modalitatea de completare a cererii și despre documentele justificative necesare.
Cererile de despăgubire trebuie să fie depuse la Ministerul Justiției prin formularul care poate fi descărcat de pe site-ul web al Ministerului.

Formular de cerere de despăgubire pentru victimele infracțiunilor_hr (223 Kb) PDF (223 Kb) hr

Aceste cereri trebuie să fie depuse în termen de șase luni de la data la care a fost comisă infracțiunea. Dacă există motive legitime pentru incapacitatea unei victime de a depune o astfel de cerere în termenul impus, victima în cauză trebuie să facă acest demers în termen de trei luni de la data la care respectivele motive încetează să mai existe și, în orice caz, în termen de trei ani de la data la care a fost comisă infracțiunea.
Dacă victima este minoră sau o persoană lipsită de capacitate de exercițiu și reprezentantul său legal nu a depus o cerere în termen de șase luni de la data săvârșirii infracțiunii, termenul de șase luni începe să curgă de la data la care persoana împlinește 18 ani sau de la data la care, după ce victima a devenit adult, a fost inițiată procedura penală, sau de la data la care s-a restabilit capacitatea de exercițiu a victimei.

**Au dreptul să primească despăgubiri:**

victimele unei infracțiuni săvârșite prin violență, dacă sunt cetățeni ai Republicii Croația, cetățeni ai unui stat membru al UE sau persoane care sunt rezidenți permanenți pe teritoriul Uniunii Europene, cu condiția ca infracțiunea să fi fost săvârșită pe teritoriul Croației;
victima unei vătămări corporale grave sau a cărei stare de sănătate s-a deteriorat ca urmare a comiterii infracțiunii respective asupra sa (o astfel de persoană are dreptul la compensarea costurilor ocazionate de tratamentul medical, cu condiția ca acestea să nu fie acoperite de asigurarea de sănătate obligatorie, care să nu depășească cuantumul rambursat de asigurarea de sănătate în Republica Croația, precum și dreptul la compensarea pierderii veniturilor în limita sumei de 35 000 HRK);
o persoană care este o rudă apropiată cu victima decedată [soț, soție sau partener(ă), copil, părinte, părinte adoptiv, copil adoptat, părinte vitreg, copil vitreg, partener de același sex, bunic(ă) și nepot (nepoată) în cazul în care aceste persoane au făcut parte din aceeași gospodărie ca și victima] (o astfel de persoană are dreptul la despăgubiri pentru încetarea obligației legale de întreținere de până la 70 000 HRK);
în cazul decesului unei victime, persoana care a suportat cheltuielile de înmormântare are dreptul la despăgubiri de până la 5 000 HRK;
în cazul în care o infracțiune este denunțată sau înregistrată de către poliție sau de parchet în termen de șase luni de la data la care a fost comisă, indiferent dacă infractorul este cunoscut sau nu.
Pentru a stabili cuantumul despăgubirii, se ține seama de comportamentul victimei în timpul și după comiterea infracțiunii sau de contribuția sa la provocarea unor prejudicii și de amploarea respectivelor prejudicii, precum și de următoarele criterii: persoana este o victimă imediată, a denunțat infracțiunea în fața autorităților competente și când a făcut acest lucru. În plus, se evaluează modul în care victima cooperează cu poliția și cu autoritățile competente pentru a aduce infractorul în fața justiției, ținându-se seama de eventualul rol al victimei imediate la cauzarea prejudiciului sau la accentuarea acestuia; în oricare dintre aceste cazuri, compensația la care are dreptul victima va fi redusă în consecință. O cerere de despăgubire este respinsă sau cuantumul său este redus dacă se constată că victima este implicată în criminalitatea organizată sau într-o organizație criminală. Compensația poate fi refuzată sau cuantumul său poate fi redus și în cazul în care acordarea compensației integrale ar contraveni principiului echității, moralității și ordinii publice.

**Notificarea privind eliberarea infractorului**

Atunci când un pârât este condamnat la închisoare, Serviciul pentru sprijinirea victimelor și a martorilor (*Služba za podršku žrtvama i svjedocima*) din cadrul Ministerului Justiției informează victima cu privire la data eliberării deținutului în cauză (eliberarea necondiționată și cea condiționată).

**Obligația statutară de a informa victimele cu privire la eliberarea deținuților**

În conformitate cu dispozițiile prin care Legea privind executarea pedepselor cu închisoarea (*Zakon o izmjenama i dopunama Zakona o izvršenju kazne zatvora*) a fost modificată, Serviciul pentru sprijinirea victimelor și a martorilor din cadrul Ministerului Justiției are obligația de a informa victima, partea vătămată sau familia acestora cu privire la eliberarea unui deținut care și-a executat pedeapsa.
Victimele sunt informate cu privire la eliberarea unui deținut în cazul infracțiunilor contra libertății sexuale și a moralității sexuale, contra vieții și a integrității fizice, precum și în cazul infracțiunilor care presupun acte de violență.
Informațiile de mai sus trebuie să fie furnizate victimei, părții vătămate sau familiilor acestora, indiferent dacă deținutul este eliberat în mod necondiționat sau dacă face obiectul unei eliberări condiționate.

Mai mult, atunci când se ia o decizie referitoare la oportunitatea de a autoriza eliberarea unui deținut din închisoare pentru a-i permite să se întoarcă în locul în care locuiește permanent sau temporar, penitenciarele/închisorile pot să solicite Serviciului pentru sprijinirea victimelor și a martorilor să furnizeze informații referitoare la reacția victimei sau a familiei victimei față de această posibilitate. Serviciul pentru sprijinirea victimelor și a martorilor întocmește rapoarte pentru penitenciar/închisoare pe baza discuțiilor purtate cu victima.

**Sprijinirea victimelor și a martorilor**

Sprijinirea victimelor și a martorilor pe teritoriul Republicii Croația este coordonată de Serviciul pentru sprijinirea victimelor și a martorilor din cadrul Ministerului Justiției.

Victimele și martorii pot obține sprijin și informații cu privire la drepturile lor și la procedurile aplicate de la unitatea pentru victime și martori din cadrul unei instanțe.

Astfel de unități au fost create în cadrul a șapte instanțe regionale (*županijski sudovi*), și anume la Zagreb, Zadar, Osijek, Vukovar, Split, Sisak și Rijeka. Aceste unități oferă victimelor sprijin emoțional, informații practice și informații referitoare la drepturile victimelor, precum și sprijin și informații martorilor și persoanelor care le însoțesc. Există, de asemenea, unități care oferă sprijin în cadrul instanțelor municipale și al instanțelor corecționale competente (*općinski* și *prekršajni sudovi*).

Victimele pot, de asemenea, să obțină informații despre drepturile lor și despre tipurile de asistență de care pot beneficia apelând **Centrul național de intermediere telefonică pentru victimele infracțiunilor și ale delictelor la numărul de telefon gratuit 116 006** (a se vedea site-ul web al Centrului național de apel).

Ministerul Justiției oferă, de asemenea, victimelor și martorilor sprijin și informații cu privire la drepturile lor, iar eventuale întrebări pot fi trimise prin e-mail la adresa: zrtve.i.svjedoci@pravosudje.hr sau pe site-ul web al Ministerului Justiției din Croația:https://pravosudje.gov.hr/

**Sprijin acordat victimelor și martorilor în cazuri transfrontaliere**

Serviciul pentru sprijinirea victimelor și a martorilor, care a fost instituit în cadrul Ministerului Justiției, oferă sprijin și informații atât victimelor, cât și martorilor care sunt convocați în instanță prin acordarea unei asistențe juridice internaționale (inclusiv martorilor crimelor de război).

Martorilor care sunt convocați să depună mărturie în fața instanțelor din Republica Croația sau martorilor croați care sunt convocați să se înfățișeze în fața unor instanțe străine li se trimit scrisori de informare.

Martorii crimelor de război beneficiază de protecție fizică, dacă este cazul, precum și de ajutor pentru a-și pregăti călătoria și compariția în fața organului judiciar competent (în cazul martorilor și al altor părți care sunt convocate pentru a fi audiate în cadrul unei proceduri penale privind crime de război în fața organelor judiciare competente din Republica Croația sau în afara Republicii Croația atunci când sprijinul respectiv vizează o cerere de asistență juridică internațională).

**Faceți clic pe link-urile de mai jos pentru a găsi informațiile de care aveți nevoie:**

1 - Drepturile pe care le am dacă am fost victima unei infracțiuni
2 - Denunțarea unei infracțiuni și drepturile mele pe parcursul cercetării sau al procesului
3 - Drepturile pe care le am după proces
4 – Despăgubiri
5 – Drepturile pe care le am în materie de sprijin și asistență

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## 1 - My rights as a victim of crime

**What information will I get from the authority (e.g. police, public prosecutor) after the crime occurred but before I even report the crime?**

The Code of Criminal Procedure does not regulate the contents of the information sheet the victim may be provided with after the offence has occurred and before it is reported. Everyone has the right and option to contact the Public Prosecutor's Office, where they can report a crime, deposit a statement, or make a submission on a matter falling within the Public Prosecutor's remit. Individuals contacting the Office receive information on how to report the crime and other basic information on their rights and obligations.

Police officers are required to record reports of crimes that are prosecuted *ex officio*.

Furthermore, everyone is entitled to appropriate police protection if there are reasonable grounds for such protection to be provided.

**Victim and witness support departments, which have been established by seven county courts**, provide victims with emotional support and information as to their rights (including technical and practical information). They also offer support and information to witnesses and to family members of both victims and witnesses. Information and support are provided regardless of the stage of proceedings. Victims receive information and support even if they fail to report the crime. Those departments also refer victims and witnesses to specialised civil society institutions and organisations, depending on their needs.

**I don't live in the EU country where the crime took place (EU and non-EU citizens). How are my rights protected?**

Provisions governing the rights of victims and civil parties apply equally without regard to nationality because Croatian criminal legislation applies to anyone who commits a crime in Croatia. Parties to and participants in proceedings are entitled to use their mother tongue.

**The police, the Public Prosecutor's Office and the courts** are required, under the Code of Criminal Procedure and the Victims of Crime (Financial Compensation) Act, to provide victims of crime with information on their rights under those acts. This means that the Public Prosecutor's Office and the courts are required to examine the possibilities, both before criminal proceedings and at any stage during them, for the individual charged to compensate the injured party for any loss/damage caused by the offence, and to inform the injured party – verbally in a language the victim understands and in writing in Croatian or English – of their right to use their mother tongue and to lodge a property-law claim and of their right to compensation). The Public Prosecutor's Office and the courts are also required to provide the victim, at their request, with general instructions and information on how to complete the claim and which supporting documents to submit. Information sheets containing information on the victim's right to compensation are available in Croatian and English, as is the Compensation Claim Form. These documents, in Croatian and English versions, can be downloaded from the website of the Croatian Ministry of Justice.

Any victim who reports a crime receives information on their rights from the police. After informing the victim verbally, the police officer provides the victim with information on their rights in writing and any available information on services protecting and supporting victims, including the toll-free victim support helpline number.

For individuals without any knowledge of Croatian, a rights information sheet is available from the police in other languages.

**Volunteers at the National Call Centre for Victims of Crimes and Misdemeanours (116-006)** provide emotional support, information on rights and practical information. They also refer victims to other competent services and organisations to ensure they receive any additional information and other forms of support and assistance. This helpline is toll-free, open from 8 am to 8 pm on weekdays and the staff can take calls in Croatian and English.

**If I report a crime, what information will I receive?**

(a) The victim and injured party are entitled, within two months of pressing charges or reporting a crime, to request information from the Public Prosecutor's Office on the action taken in response to the charges/report. They are informed by the Public Prosecutor's Office of the action taken within a reasonable timeframe, no later than thirty days from the date of the request, unless the request jeopardises the effectiveness of the proceedings. The decision to withhold such information must be communicated to the victim or injured party making the request.

(b) The Public Prosecutor will suspend the investigation by a decision, if:

the offence with which the individual is charged is not an offence prosecuted *ex officio*;

the circumstances exclude the charged individual's culpability, unless the unlawful act was committed in a state of mental incapacity;

the statute of limitations has expired for the crime or if the offence is subject to an amnesty or pardon, or if there are other circumstances proscribing prosecution; and

there is no evidence that the individual charged has committed the offence.

The decision to suspend the investigation is sent to the injured party and the individual charged, who will immediately be released if they had been placed in custody or on remand. In addition to the decision letter, the injured party receives information, in accordance with Article 55 of the Code of Criminal Procedure, on how to pursue prosecution themselves.

(c) After examining the report and carrying out a check in the information system of the Public Prosecutor's Office, the Public Prosecutor will reject the report by a reasoned decision if it is clear from the report that:

the offence is not an offence that can be prosecuted *ex officio*;

the statute of limitations has expired for the offence, or the offence is subject to an amnesty or pardon, or the offence has already been finally adjudicated in court, or there are other circumstances proscribing prosecution;

the circumstances exclude culpability;

there are no reasonable grounds for suspecting that the individual charged committed the offence reported; or

information in the report suggests that the report is not credible.

No appeals are allowed against the Public Prosecutor's decision to dismiss a report.

Unless otherwise provided for by the Code of Criminal Procedure, the Public Prosecutor notifies the victim of the decision to dismiss the report and the grounds for it within eight days. The Public Prosecutor will also provide information on how the victim may pursue prosecution themselves. The Public Prosecutor must promptly inform the person who made the report and the individual charged of the decision to dismiss the report, if so requested by either party.

If the Public Prosecutor cannot assess the credibility of the allegations from the report itself or if information in the report fails to provide sufficient grounds for a decision to initiate an investigation or gather evidence, it will conduct its own enquiries or instruct the police to do so.

(d) The custody supervisor must immediately release the individual arrested or detained:

if instructed to do so by the Public Prosecutor;

if the arrested individual was not interrogated within the statutory deadline; or

if detention was cancelled.

(e) The Public Prosecutor can summon witnesses and experts to assist with taking of evidence. The summons may also be sent by the investigator if authorised by the Public Prosecutor. The court can summon witnesses and experts to testify at an evidentiary hearing or attend a court hearing. The competent body sets in advance the time and place where the evidence will be taken. The person summoned is warned of the consequences of any failure to attend.

**Am I entitled to free interpreting or translation services (when I contact the police or other authorities, or during the investigation and trial)?**

**A victim participating in criminal proceedings as the injured party is entitled to:**

use their mother tongue, including sign language, and request assistance from an interpreter if they do not understand or have a sufficient command of Croatian, or from a sign language interpreter if the injured party is deaf or deafblind.

**How does the authority ensure that I understand and that I am understood (if I am a child; if I have a disability)?**

Unless otherwise provided for by a separate law, the investigating judge may take evidence from any child witness under 14 years of age. The hearing takes place without the judge or the parties being present in the same room as the child, using an audio-video device operated by a professional assistant. The hearing is assisted by a psychologist, childhood education specialist, or other professional person. The hearing may also be attended by a parent or guardian, unless this is contrary to the interests of the investigation or the child. The parties may put questions to the child witness through a professional, subject to the investigating judge's approval. The hearing session is recorded using an audio-video device and the recording is sealed and appended to the minutes. The child witness may be summoned for a second hearing in exceptional circumstances only, with the same procedure being followed.

Unless otherwise provided for by a separate law, the investigating judge may also take evidence from child witnesses aged 14-18. Questioning of children, especially if they are the victim of the offence, must be handled carefully to ensure that it does not adversely affect their mental health. Particular care is taken to protect the child.

Any witness who cannot respond to a summons for reasons of old age, illness, or disability, may be heard in their own flat or other place where they are staying. Such witnesses may be heard using an audio-video device operated by a professional. If warranted by the witness's condition, the hearing is conducted in such a way as to allow the parties to put questions without being present in the same room as the witness. If required, the hearing is recorded using an audio-video device and the recording is sealed and appended to the minutes. At the victim's request, this same witness examination procedure can be followed if they are the victim of an offence against sexual freedom or morality, a human trafficking offence or an offence committed within the family. Such a witness may be summoned for a second hearing in exceptional circumstances only, if deemed necessary by the court.

**Victim support services**

**Who provides victim support?**

Victim and witness support departments, which have been established by seven county courts (Zagreb, Osijek, Split, Rijeka, Sisak, Zadar and Vukovar) provide support for victims and witnesses giving evidence at these courts and at the municipal courts of these cities/towns. These departments also provide support at misdemeanour courts in domestic violence cases and refer victims and witnesses to specialised civil society institutions and organisations, depending on their needs.

Information and support are provided by telephone and when the victim/witness enters the court building. Information is also provided by email.

For more information, please visit the following Croatian Ministry of Justice page.

**Will the police automatically refer me to victim support?**

When informing the victim about their rights, the police officer also provides the victim with information on their rights in writing and any available information on victim-support services, including the toll-free victim support helpline number. The rights information sheet includes the contact details of:

the competent victim and witness support department;

the civil society organisations in the relevant county;

the National Call Centre for Victims of Crimes and Misdemeanours (116-006);

**How is my privacy protected?**

Competent authorities may collect personal information only for purposes laid down by law, as part of their duties laid down in the Code of Criminal Procedure.

Personal information may be processed only when specified by a law or other legal provision, and such processing must be limited to the purpose for which the information has been collected. Further processing of such information is permitted, unless it is contrary to the purpose for which the information has been collected, and provided the competent bodies are authorised to process such information for another purpose laid down by law and the further processing is necessary and commensurate with the other purpose.

Personal information relating to someone's health or sexual life may be processed in exceptional cases only, where the criminal offence is subject to a custodial sentence of five years or more and could not be detected or prosecuted in any other way, or where detection/prosecution would be fraught with disproportionate difficulties.

No processing of personal information relating to race or ethnicity, political persuasion, religious or philosophical belief, or trade union membership is permitted.

Personal information collected for the purposes of criminal proceedings may be forwarded to government bodies in accordance with a special law, and to other legal entities, only if the Public Prosecutor's Office or the court finds they require such information for a purpose laid down by law. When such information is forwarded, the relevant legal entities are reminded of their duty to protect the data of the persons concerned.

Personal data may be used, in accordance with the relevant legislation, in other criminal proceedings, in other proceedings dealing with punishable acts that are conducted in Croatia, in procedures relating to international criminal justice assistance, and in international police cooperation efforts.

**Do I have to report a crime before I can access victim support?**

The victim receives information and support from the victim and witness support department of the relevant court or civil society organisation even if they **fail to report the crime.**

**Personal protection if I'm in danger**

In accordance with Article 99 of the Police Tasks and Powers Act, unless provided otherwise by a separate law, and for the period of time there are reasonable grounds for such action, the police provide appropriate protection for the victim and any other person who has provided or may provide information relevant to the criminal proceedings, or for any person close to them, if they or persons close to them are at risk of danger from the offender or other individuals involved in the criminal proceedings. Victim protection provided by the police means 24-hour physical protection.

**What types of protection are available?**

In accordance with Article 130 of the Misdemeanours Act, the police may, temporarily and for up to eight days, order a precautionary measure against the individual reasonably suspected of having committed the offence. In practice, this usually translates into injunctions prohibiting the suspect from visiting a particular place or area (eviction from the victim's home), from approaching a particular person, or from making or maintaining contact with a particular person. Within eight days the police file charges with the competent misdemeanour court, which will then make a decision as to whether to suspend or extend the precautionary measure ordered. In addition, during the misdemeanour proceedings, the court may, under the Domestic Violence (Protection) Act, order the following measures to be taken against the offender:

compulsory psychosocial treatment;

an injunction prohibiting the offender from approaching, harassing, or stalking the victim of domestic violence;

eviction from the shared home;

compulsory treatment for substance abuse.

Under the Misdemeanours Act, the court may also apply other protective and precautionary measures designed to protect the victim from being approached or harassed by the suspect.

Furthermore, in accordance with the Code of Criminal Procedure, the court and the Public Prosecutor may, instead of remanding the individual charged in custody, order one or more precautionary measures, including an injunction to prohibit the offender from visiting a particular place or area, from approaching a particular person, from making or maintaining contact with a particular person, or an injunction prohibiting the offender from stalking or harassing the victim or another person, or eviction from the victim's home.

**Who can offer me protection?**

The victim can obtain information from the police about all their rights, including information on their right to protection, the types of protection offered, and on action to be taken by the police to protect the victim.

**Will someone assess my case to see if I am at risk of further harm by the offender?**

Once the investigation has been completed and the relevant documents have been submitted to the competent criminal justice bodies, the police do not carry out any further assessment of the victim's needs, except to carry out any of the protective or precautionary measures ordered. If reports of new circumstances are received pointing to a renewed threat from the offender, the police will take further action to protect the victim in line with its assessment and the facts of the case.

**Will someone assess my case to see if I am at risk of further harm by the criminal justice system (during investigation and trial)?**

The criminal justice system (during investigative and court proceedings) operates in such a way as to respect the victim's rights and their standing in the criminal proceedings, in accordance with the Code of Criminal Procedure. Before examining the victim, the prosecuting body conducting the investigation makes an individual assessment of the victim's situation in cooperation with bodies, organisations or institutions that provide support and assistance to victims of crime. The individual assessment includes determining the need to apply special protection measures for the victim's benefit. If such a need exists, the prosecuting body determines the protection measures to be applied (special questioning arrangements for the victim, the use of communication technologies to prevent any visual contact between the victim and the offender, and other measures laid down by law). Where the victim of a crime is a child, the need to apply special protection measures is presumed and special protection measures are determined. The individual assessment takes particular account of the victim's personal characteristics, the type and nature of the offence, and the circumstances in which the offence was committed. Special attention is paid to victims who have suffered major harm because of the gravity of the offence, victims of an offence committed because of the victim's particular personal characteristics, and victims whose relationship to the offender makes them particularly vulnerable.

**What protection is available for very vulnerable victims?**

The criminal justice system (during investigative and court proceedings) operates in such a way as to respect the victim's rights and their standing in the criminal proceedings, in accordance with the Code of Criminal Procedure. Before examining the victim, the prosecuting body conducting the investigation makes an individual assessment of the victim's situation in cooperation with bodies, organisations or institutions that provide support and assistance to victims of crime. The individual assessment includes determining the need to apply special protection measures for the victim's benefit. If such a need exists, the prosecuting body determines the protection measures to be applied (special questioning arrangements for the victim, the use of communication technologies to prevent any visual contact between the victim and the offender, and other measures laid down by law). Where the victim of a crime is a child, the need to apply special protection measures is presumed and special protection measures are determined. The individual assessment takes particular account of the victim's personal characteristics, the type and nature of the offence, and the circumstances in which the offence was committed. Special attention is paid to victims who have suffered major harm because of the gravity of the offence, victims of an offence committed because of the victim's particular personal characteristics, and victims whose relationship to the offender makes them particularly vulnerable.

### I am a minor – do I have special rights?

**Child victims of crime have the following additional rights:**

the right to a representative paid for by the State;
the right to have his/her personal information treated confidentiality;
the right to have the public excluded.
A child is any person under 18 years of age.
A child witness or victim is examined by the investigating judge at an evidentiary hearing, and the summons is sent to the child's parents or guardian.

### My family member died because of the crime – what are my rights?

Under the Victims of Crime (Financial Compensation) Act, when the direct victim dies as a result of a violent crime, the **indirect victim** (spouse, partner, parent, foster child, foster parent, stepmother, stepfather or stepchild of the direct victim or the person with whom the direct victim lived in a same-sex relationship) is entitled to financial compensation as prescribed by the Victims of Crime (Financial Compensation) Act.
If the indirect victim was supported by the deceased (direct) victim, they are entitled to compensation of up to HRK 70 000 for loss of statutory maintenance and to compensation of up to HRK 5 000 for normal funeral expenses they have incurred.
Any person whose family member lost their life as a victim of a crime is entitled, as an injured party, to participate in the criminal proceedings and claim compensation (whether in criminal or civil proceedings).

### My family member was a victim of crime – what are my rights?

'Indirect victim' means the spouse, partner, child, parent, foster child, foster parent, stepmother, stepfather or stepchild of the direct victim or the person with whom the direct victim lived in a same-sex relationship.
Grandparents and grandchildren can also be indirect victims, if one of them was the direct victim and they were permanently living together with the grandparents replacing the parents.

Non-marital and same-sex relationships are treated in accordance with Croatian law.
If the crime victim dies, indirect victims are entitled to compensation (for the loss of statutory maintenance and for normal funeral expenses).

### Can I access mediation services? What are the conditions? Will I be safe during mediation?

Croatia operates the *victim-offender mediation model* in pre-criminal proceedings for minor and young adult offenders, under the conditional opportunity principle in accordance with the Juvenile Courts Act governing the special obligation for minor and young adult offenders to engage in the mediation process through out-of-court settlement. This means that if the minor offender complies with this obligation, they do not have to stand trial.
Since 2013, Croatia has had a total of 60 mediators, who received their training in a one-year programme consisting of 170 teaching hours (comprising lectures, assignments, role-play and practical mentoring exercises, and supervision). They are the only professionals in Croatia authorised to administer restorative justice in criminal cases They received their certificates from the Croatian Ministry of Social Policy and Young People, the Out-of-Court Settlement Association, and UNICEF.
As a result, the central town of each Croatian county has an out-of-court settlement service.

### Where can I find the law stating my rights?

The Code of Criminal Procedure
The Victims of Crime (Financial Compensation) Act

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## 2 - Reporting a crime and my rights during the investigation or trial

### How can I report a crime?

Crimes can be reported to the competent public prosecutor's office in writing, verbally or by other means.
If you report a crime verbally, you will be warned of the consequences of filing false complaints. For reports filed verbally, a written record is drawn up, while reports filed by telephone or other telecommunication means are, where possible, recorded electronically and a formal note is drawn up.
Victims who report a crime receive a written acknowledgement containing the basic details of the crime reported. Victims who do not speak or understand the language used by the authorities can report the crime in their own language and are provided with an interpreter or other person who speaks and understands both the language of the competent authority and the victim's language. Victims who do not speak or understand the language used by the authorities can request to have the acknowledgement translated into their language free of charge.
If a crime report is submitted to a court, the police or the wrong public prosecutor's office, they take receipt of it and immediately forward it to the competent public prosecutor's office.
The public prosecutor immediately enters the crime report in the register of crime reports, except where the law states otherwise.
If a public prosecutor only receives news of a crime having been committed or they receive a report from the victim, they draw up a formal note, record it in the register of miscellaneous offence cases and proceed as provided for by law.
If the report contains no details of the crime, meaning that the public prosecutor is unable to identify what crime is being reported, they record it in the register of miscellaneous offence cases and ask the person reporting the crime to provide additional information within 15 days.

If the person reporting the crime fails to act on the request for additional information, the public prosecutor draws up an official note of this. Once the deadline for submitting additional information has expired, the public prosecutor must report this to a senior public prosecutor within eight days. The senior public prosecutor may order the crime report to be entered in the register of crime reports.

**How do I find out what's happening with the case?**

Two months after filing a criminal complaint or reporting a crime, the victim or the injured party may send the public prosecutor a request for information on the action taken in response to the complaint/report. The public prosecutor must reply within a reasonable period but no later than 30 days from the date of receipt of the written request, except where such a reply could undermine the proceedings. If the public prosecutor decides not to provide this information, they must inform the victim/injured party accordingly.

A victim participating in criminal proceedings as an injured party has the right to be informed of the outcome of the proceedings.

**Am I entitled to legal aid (during the investigation or trial)? Under what conditions?**

In addition to the above rights, before being interviewed victims of sexual crimes and human trafficking have the right to free consultation with a legal adviser and may be assigned a representative. The cost of the adviser/representative is paid for by the State.

Child victims have all the above rights as well as the right to a representative paid for by the State.

Crime victims have the right to primary and secondary legal aid. Such aid is provided free of charge to victims of violent crimes seeking compensation for the injury they have suffered as crime victims.

The Free Legal Aid Act makes provision for primary and secondary legal aid.

Primary legal aid covers general legal information, legal advice, submissions to public bodies, the European Court of Human Rights and international organisations in accordance with international treaties and internal rules of procedure, representation in proceedings before public bodies, and legal assistance in out-of-court dispute settlements.

**Primary legal aid can be provided for any legal matter, provided that:**

the applicant does not have the knowledge or ability to assert their rights;

the applicant has not received legal aid under special legislation;

the application submitted is not manifestly unfounded;

the applicant’s economic situation is such that paying for professional legal assistance could jeopardise their livelihood or that of members of their household.

Applicants seeking primary legal aid should contact a provider of primary legal aid directly.

**Secondary legal aid** covers legal advice, submissions in a procedure for protecting workers’ rights before the employer, submissions in court proceedings, representation in court proceedings, legal aid in amicable dispute settlements, and exemption from the payment of legal costs and court fees.

Secondary legal aid may be granted if:

the proceedings are complex;

the applicant is incapable of representing themselves;

the applicant’s economic situation is such that paying for professional legal assistance could jeopardise their livelihood or that of members of their household;

the litigation is not frivolous;

the applicant has not had their application rejected within the past six months for intentionally supplying inaccurate information; and

the applicant has not received legal aid under special legislation.

Secondary legal aid is approved without a prior assessment of the applicant’s economic situation, if the applicant is:

a child taking part in maintenance proceedings;

a victim of violent crime seeking compensation for the injury suffered as a result of the offence;

a beneficiary of maintenance payments under the special legislation governing social security rights, or

a beneficiary of a cost-of-living allowance under the Act on the rights of Croatian Independence War veterans and their family members and the Act on the protection of military and civilian war veterans.

Applicants seeking secondary legal aid must submit their application to the competent office using the dedicated form.

**Can I claim expenses (for taking part in the investigation/trial)? Under what conditions?**

Defendants found guilty are ordered by the court to cover the costs of litigation, unless they are eligible for a full or partial exemption.

When criminal proceedings are suspended or when the court acquits the defendant or drops the charges, the court’s decision/ruling must provide that the cost of the criminal proceedings under Article 145(2)(1)-(5) of this Act, the unavoidable costs incurred by the defendant and the unavoidable costs and fees of the defence attorney are to be borne by the State, except where otherwise provided by law.

**Can I appeal if my case is closed before going to court?**

Victims whose criminal complaints have been rejected may pursue criminal prosecution themselves.

If the public prosecutor finds that there are no grounds for prosecution for an offence prosecutable *ex officio* or for prosecuting any of the individuals reported, they must notify the victim of this within eight days and inform them that they may pursue prosecution themselves. This must also be done by a court if it issues a decision discontinuing proceedings because the public prosecutor has dropped prosecution in other cases.

**Can I be involved in the trial?**

Under this Act, the injured party to criminal proceedings has the right to:

use their mother tongue, including sign language, and request an interpreter, if they do not speak or understand Croatian, or a sign language interpreter, if the injured party is deaf or deafblind;

file an associated action for damages and motions for temporary injunctions;

legal representation;

present facts and adduce evidence;

attend the evidentiary hearing;

attend the proceedings, take part in the evidentiary proceedings and make a closing statement;

request access to the case file under Article 184(2) of this Act;

ask to be informed by the public prosecutor in respect of action taken on the basis of their report and file a complaint to a senior public prosecutor;

appeal;

seek restoration of the previous situation;

be notified of the outcome of the criminal proceedings.

**What is my official role in the justice system? For example, am I or can I choose to be a: victim, witness, injured party, or private plaintiff?**

Victims of crime are private individuals who have suffered physical or psychological harm, damage to property or a serious violation of their fundamental rights and freedoms as a direct consequence of a crime. Victims of crime can also mean the spouse, partner, life partner, informal life partner and descendant

(s) of the person whose death was directly attributable to the crime, or, failing that, their ascendant(s) or sibling(s). of the person whose death was directly attributable to the crime. Any person legally maintained by the deceased is also considered to be a victim of that crime.
An injured party is a crime victim or a legal person that has suffered injury as a result of a crime and participates in criminal proceedings in that capacity.
The capacity of a party to or participant in the proceedings does not depend on that person's wish, but on the role that person had in the criminal matter.
Anyone can appear in any of the above roles, depending on the circumstances laid down by law; the choice that they have concerns the rights they wish to exercise as injured party or crime victim.

**What are my rights and obligations in this role?**

**A victim of crime has the right to:**

access support services for crime victims;
effective psychological and other professional assistance and support from bodies, organisations, and institutions supporting victims of crime, in accordance with the law;
protection from intimidation and retaliation;
protection of their dignity while being heard as a witness;
be heard without undue delay after filing a criminal complaint and to subsequently be questioned no more than is absolutely necessary for the purpose of the criminal proceedings;
be accompanied by a person of trust in whatever actions they participate in;
minimal medical procedures and only if these are absolutely vital for the purpose of the criminal proceedings;
file a motion to prosecute or bring a private action under the Criminal Code, to participate in criminal proceedings as an injured party, to be informed about the dismissal of a criminal complaint (Article 206(3) of the Act) and about the decision of the public prosecutor to take no action, and to pursue prosecution individually without the public prosecutor;
be informed by the public prosecutor on the action taken on the basis of their complaint (Article 206a of the Act), and to lodge a complaint with a senior public prosecutor (Article 206b of this Act);
request and receive information without undue delay on the release of the offender from detention or remand, the offender's escape or release from prison, and on measures taken to ensure the victim's protection;
request and receive information on any final decision terminating the criminal proceedings;
other rights as provided for by law.

**A victim participating in criminal proceedings as an injured party has the right to:**

use their mother tongue, including sign language, and request an interpreter, if they do not speak or understand Croatian, or a sign language interpreter, if the injured party is deaf or deafblind;
file for damages and temporary injunctions;
legal representation;
present facts and adduce evidence;
attend the evidentiary hearing;
attend the proceedings, take part in the evidentiary proceedings and make a closing statement;
request access to the case file in accordance with the law;
ask to be informed by the public prosecutor in respect of action taken on the basis of their report and file a complaint to a senior public prosecutor;
appeal;
seek restoration of the previous situation;
be notified of the outcome of the criminal proceedings.

**In addition to the victims' rights under this Act child victims enjoy the following rights: (1) representative provided free of charge, (2) personal data protection, (3) exclusion of the public. (Article 44(1) of the Criminal Procedure Act)**

In addition to the victims' rights referred to in Article 43 of this Act, victims of sexual crimes and human trafficking enjoy the following rights: (1) free consultation before being interviewed, (2) a free representative, (3) to be interrogated, at the police or the public prosecutor's office, by a person of the same sex, and, if possible, by that same person if the interview is repeated, (4) to not reply to questions that are not related to the crime but concern the victim's private life, (5) to request to be interviewed by audio-visual means (Article 292(4) of this Act), (6) personal data protection, (7) exclusion of the public from the proceedings. (Article 44(4) of the Criminal Procedure Act)
During the investigation stage, crime victims who are private plaintiffs or injured parties may draw attention to all facts and adduce evidence that is material for ascertaining the crime, identifying the offender(s) and establishing their claims in the associated action for damages.
Both before and at all stages during the criminal proceedings, the Public Prosecutor's Office and the court must consider whether it is possible for the defendant to compensate the injured party for any loss caused by the crime. They must also inform the injured party of certain rights under law (e.g. the injured party's right to use their mother tongue, the right to file for damages, etc.).
Persons who are likely to have information on the crime, the offender or other pertinent circumstances can be summoned as **witnesses**.
Injured parties, **injured parties acting as plaintiff and private plaintiffs can be questioned as witnesses**.
A **private plaintiff** has the same rights as the public prosecutor with the exception of the rights belonging solely to a state authority.

**Can I make a statement during the trial or give evidence? Under what conditions?**

Under this Act, the injured party has the right to:
(4) draw attention to the facts and present evidence;
(5) attend the evidentiary hearing;
(6) attend the proceedings, take part in the evidentiary proceedings and make a closing statement (Article 51(1) of the Criminal Procedure Act).
A victim pursuing prosecution has the same rights as the public prosecutor with the exception of the rights belonging solely to a state authority.
A private plaintiff has the same rights as the public prosecutor with the exception of the rights belonging solely to a state authority. Private plaintiffs are subject to the same procedural provisions that apply to injured parties and plaintiffs.
At the hearing the chief judge invites all the parties to set out the evidence they intend to present at the main hearing. Each party is invited to comment on the other party's submissions.

**What information will I receive during the trial?**

During the investigation stage, crime victims who are private plaintiffs or injured parties may draw attention to all facts and adduce evidence that is material for ascertaining the crime, identifying the offender(s) and establishing their claims in the action for damages.
A victim participating in criminal proceedings as an injured party has the right to:

ask to be informed by the public prosecutor in respect of action taken on the basis of their report and file a complaint to a senior public prosecutor;
be informed that the criminal complaint has been dismissed or that the public prosecutor has decided to take no action;
receive notice of the outcome of the criminal proceedings.

**Will I be able to access court files?**

A victim participating in criminal proceedings as the injured party may access the case file.

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## 3 - My rights after trial

**Can I appeal against the ruling?**

Victims participating in criminal proceedings as an injured party may appeal the ruling.
Authorised persons may appeal against a first-instance ruling within 15 days of the date of service of a copy of the ruling.
An appeal may be lodged by either litigant, the defence attorney or the injured party.
The injured party may appeal against the ruling on the grounds of the court's decision regarding the costs of the criminal proceedings or the claim for damages. However, if the state attorney has taken over prosecution from the injured party acting as private prosecutor, the latter may appeal on any grounds on which a ruling may be challenged.

**What are my rights after sentencing?**

Victims participating in criminal proceedings as an injured party may lodge an appeal and seek restoration of the previous situation.

**Am I entitled to support or protection after the trial? For how long?**

Victims and witnesses can turn to specialised departments of county courts for information and support at any point during criminal (or misdemeanour) proceedings, but before the ruling has been issued.
If victims or witnesses turn to these victim and witness support departments **after the ruling has been issued,** the departments will provide them with information consistent with their remit, and refer them to other organisations and services specialising in victims' or witnesses' needs.
**The Independent support service for victims and witnesses of the Ministry of Justice** provides victims, injured parties or their families with information on the offender's release from prison (automatic or conditional release). This information is provided to all victims of, and injured parties following, serious offences, such as crimes against life and limb, sexual crimes, violent crimes or war crimes.
In exceptional cases, when the Service finds that a victim of prolonged domestic violence or violence against women requires coordinated additional support, it informs the coordinator of the County Team for preventing and combating violence against women and domestic violence of the interview conducted with the victim and the problems he/she faces, and asks that the County Team take appropriate action. Where appropriate, this information is also forwarded to the competent police department and the competent social welfare centre, if the victim (child/person) is deprived of legal capacity, or to the competent probation office, if the offender has been released conditionally and is required to report regularly to the probation office.
In exceptional cases, when the Service concludes on the basis of information gathered from the victim (of a crime other than those mentioned above) that the victim absolutely requires additional support and protection, it may request action from the competent police department subject to the victim's consent.
Victim support is also provided by **civil society organisations**, immediately after the offence is committed, during the criminal proceedings, and after the trial, i. e. or after a final ruling has been issued. Support and assistance provided by civil society organisations depends on their remit.

**What information will I be given if the offender is sentenced?**

A written ruling with instructions on legal remedies is served on the plaintiff, the defendant and his/her defence attorney, the injured party (if the latter has the right to appeal), the party whose property has been confiscated by the ruling and the legal entity from which the proceeds are to be confiscated.
An injured party who does not have the right of appeal will be served the ruling as provided for by law, together with a note on his/her right to seek restoration of the previous situation. The final ruling is served on the injured party on request.

**Will I be told if the offender is released (including early or conditional release) or escapes from prison?**

Under the Criminal Procedure Act, the victim who has so requested will be informed by the police, without delay, of the end of detention or remand for the offender, except where such disclosure might put the offender at risk. The victim will also be informed of the measures taken to protect him/her, where such measures have been ordered.
Penitentiaries and prisons do not inform the Service for victims and witnesses of escaped prisoners, but send a notification of the offender's escape to police only; however, these rules are scheduled to be amended soon.
Victims have the right to be informed without delay, when they so request, of the offender's release from detention or remand and his/her escape or release from prison, and of the measures taken in the interest of the victim's safety.
Victims of serious crimes, i.e. crimes against life and limb, sexual crimes, violent crimes and war crimes, are informed of the offender's automatic or conditional release.

**Will I be involved in release or parole decisions? For example, can I make a statement or lodge an appeal?**

Any statement made by the victim of a violent crime and other relevant information pertaining to the victim are taken into account when a decision is considered to potentially allow the offender the benefit of spending weekends outside a penitentiary or prison. The victim's statement forms part of the conditional release file. However, the regulations currently in force do not provide for the victim to be involved in a conditional release decision and/or appeal against that decision.

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## 4 - Compensation

**What is the process for claiming damages from the offender? (e.g. court case, civil claim, adhesion procedure)**

Under specific regulations, victims of crimes punishable by imprisonment of five or more years, who have suffered severe psychophysical trauma or have been seriously affected by the crime, have the right to a counsellor before giving testimony in criminal proceedings or filing a claim for damages; the counsellor's fees are to be borne by the government.
Claims for damages in criminal proceedings may be filed by persons authorised to pursue such claims in civil actions.
Crime victims filing a claim for damages must indicate whether they have obtained compensation or filed a claim for damages.

**The court ordered the offender to pay me damages/compensation. How do I make sure the offender pays?**

Once the decision on a claim for damages becomes final and enforceable, the injured party may request the court that issued the decision in first-instance proceedings to provide issue him/her with a certified copy of that decision, with an indication that the latter is enforceable.

If the decision does not lay down a deadline for compliance, the obligation imposed by the decision must be fulfilled within 15 days of the decision becoming final. After this deadline the fulfilment of the obligation becomes subject to enforcement.

**If the offender does not pay, can the state pay me an advance? Under what conditions?**

A victim of an intentional crime may be compensated from the State budget under a specific act. Where the victim has won a claim for damages, the amount of compensation depends on the amount awarded; the court deciding on the claim for damages will take the same action where the victim has already been compensated from the State budget, the court.

**Am I entitled to compensation from the state?**

Victims of intentional violent crimes committed in Croatia after 1 July 2013 are eligible for compensation:

if they are citizens or residents of Croatia or another EU Member State;

if they have suffered grievous bodily harm or serious deterioration of health as a result of the crime;

if the crime is reported to or filed by the police or the public prosecutor's office within six months from the date on which it was committed, regardless of whether or not the offender is known;

if they have submitted a request on an official form, along with the requisite documentation (the form can be obtained at any police station, public prosecutor' s office or municipal or county court; it is also available online, on the websites of the Ministry of Justice, the Ministry of the Interior, the Public Prosecutor and municipal and county courts.

The victim has the right to be compensated:

the costs of medical treatment in accordance with the national ceilings; this compensation is only granted where the victim cannot be compensated under a health insurance cover;

up to HRK 35 000 for lost earnings.

**Am I entitled to compensation if the offender is not convicted?**

The victim may be awarded compensation even if the perpetrator is unknown or if criminal proceedings have not been initiated.

**Am I entitled to an emergency payment while I wait for the decision on my compensation claim?**

Emergency payments are not provided for by Croatian law.

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## 5 - My rights to support and assistance

**I am a victim of crime. Who do I contact for support and assistance?**

**Victim support helpline**

The national support helpline for victims of crime and minor offences (116-006) provides emotional support, information on victims' rights, practical information and guidance as to which bodies and organisations can provide further information, assistance and support.

The helpline is a freephone service,

available in Croatian and English, weekdays from 8.00 to 20.00.

**The national support helpline for victims of crime and minor offences (116-006) is a general support service**.

More information is available on: https://pzs.hr/

Other specialised civil society organisations also provide support and assistance to victims of certain crimes and to children via telephone. More information is available on the *website* of the Croatian Ministry of Justice, where you can also find the list of these organisations by county and information on the civil society organisations included in the Network of Support and Cooperation for Victims and Witnesses of Crime (*Mreža podrške i suradnje za žrtve i svjedoke kaznenih djela*).

**List of organisations providing nationwide psychosocial and legal assistance:**

| | | |
|---|---|---|
| **116 006** | National support helpline for victims of crime and minor offences | Weekdays 8.00-20.00 |
| **116 000** | National missing children hotline<br>Centre for missing and abused children | 24/7 |
| **116 111** | Hrabri telefon helpline for children | Weekdays 9.00-20.00 |
| **0800·0800** | Hrabri telefon helpline for parents | Weekdays 9.00-20.00 |
| **0800 77 99** | Human trafficking emergency number | Every day, 10.00-18.00 |
| **0800 55 44** | Counselling centre for women who are victims of violence<br>Zagreb women's shelter | Weekdays 11.00-17.00 |
| **0800 655 222** | Emergency number for women and children who are victims of violence<br>Ženska pomoć sada women's helpline | 24/7 |
| **0800 200 144** | B.a.B.e. free legal assistance for victims of domestic violence | Weekdays 9.00-15.00 |
| **01 6119 444** | Support centre for victims of sexual violence<br>Ženska soba sexual rights centre | Weekdays 10.00-17.00 |
| **01 48 28 888** | Psychological assistance<br>TESA centre for psychological assistance | Weekdays 10.00-22.00 |
| **01 48 33 888** | Plavi telefon helpline | Weekdays 9.00-21.00 |
| **01 4811 320** | Free legal aid<br>Legal Clinic of the Faculty of Law, Zagreb | Weekdays 10.00-12.00, Wed. and Thu. 17.00-19.00 |

**Is victim support free?**

Yes.

**What types of support can I receive from state services or authorities?**

**Victim and witness support departments provide:**

emotional support;
information on rights;
technical and practical information for victims, witnesses and members of their families;
referrals to specialised institutions and civil society organisations depending on the needs of the victim/witness.

**The victim and witness support departments of county courts:**

| VICTIM AND WITNESS SUPPORT DEPARTMENTS | | |
|---|---|---|
| **Osijek County Court** | Address: | Europska avenija 7, 31 000 Osijek, Croatia |
| | Tel.: | 031/228-500 |
| | e-mail: | podrska-svjedocima@zsos.pravosudje.hr |
| **Rijeka County Court** | Address: | Žrtava fašizma 7, 51000 Rijeka, Croatia |
| | Tel.: | 051/355-645 |
| | e-mail: | podrska-svjedocima-ri@pravosudje.hr |
| **Sisak County Court** | Address: | Trg Ljudevita Posavskog 5, 44000 Sisak, Croatia |
| | Tel.: | 044/524-419 |
| | e-mail: | podrska-svjedocima-sk@zssk.pravosudje.hr |
| **Split County Court** | Address: | Gundulićeva 29a, 21000 Split, Croatia |
| | Tel.: | 021/387-543 |
| | e-mail: | podrska-svjedocima-st@pravosudje.hr |
| **Vukovar County Court** | Address: | Županijska 33, 32000 Vukovar, Croatia |
| | Tel.: | 032/452-529 |
| | e-mail: | podrska-svjedocima-vu@pravosudje.hr |
| **Zadar County Court** | Address: | Borelli 9, 23 000 Zadar, Croatia |
| | Tel.: | 023/203-640 |
| | e-mail: | podrska-svjedocima@pravosudje.hr |
| **Zagreb County Court** | Address: | Trg N.Š. Zrinskog 5, 10 000 Zagreb, Croatia |
| | Tel.: | 01/4801-062 |

The Victim and Witness Support Service (*Služba za podršku žrtvama i svjedocima*) of the Croatian Ministry of Justice:
provides a system of support for victims and witnesses
coordinates the work of the victim and witness support departments of courts
provides victims, injured parties or members of their families with information on the offender's release from prison (unconditional release or release on probation)
provides information on rights and emotional support to victims and witnesses from abroad who are invited to give evidence in Croatian courts through the international legal assistance mechanism, and to Croatian victims and witnesses who are invited to give evidence in foreign courts through that mechanism.
The Service sends victims and witnesses information letters with contact information
receives compensation claims from victims of crime, prepares material for meetings of the Committee for Compensation of Crime Victims (*Odbor za novčanu naknadu žrtvama kaznenih djela*) and provides assistance in cross-border cases

**What types of support can I receive from non-governmental organisations?**

Depending on the type of organisation and its remit, various types of assistance and support are available: psychological, emotional, legal, practical, accommodation, medical, security, and in-court support.
More information and the list of these organisations by county is available on the website of the Croatian Ministry of Justice.
Twelve probation offices are in the process of being established in Croatia. The purpose is to add a human dimension to the enforcement of criminal sanctions, ensure more efficient reintegration of offenders into society, and provide victims, injured parties and the families of victims and offenders with assistance.
The National Probation Service participates in preparations to resettle offenders in the community after they have been released from prison. This includes helping them to find accommodation and work and preparing them, as well as victims, injured parties and the families of victims, for the release. The Service also makes arrangements for the provision of psychosocial support to victims, injured parties and victims' and the offender's families.
Where the offender to be released is serving a sentence for a sexual offence, an offence against life and limb or a violent offence, the Probation Service is required to inform the victims, injured parties or their families accordingly and without delay.
The contact details of individual probation offices and the Probation Department of the Ministry of Justice are available here.
Victims of crime can contact the police by email policija@mup.hr or prevencija@mup.hr, or by dialling **192 (24/7) or +385 1 3788 111.**
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