

**ISO: HR**

**COUNTRY: Republic of Croatia**

**MINISTRY:** Ministry of Justice

**OFFICE:** Service for Victim and Witness Support

**NOTES:** The Service for Victim and Witness Support is the central body for coordination and development of victim and witness support system. There are also victim and Witness Support Offices at the courts. There are 7 Victim and Witness Support Offices at the courts (County courts in Zagreb, Osijek, Sisak, Vukovar, Zadar, Split i Rijeka).

There is an Online portal of General Police Directorate is not dedicated to victims of terrorism only, but for all kind of security related information. <http://www.policija.hr>

**PHONE:** + 385/1/3714 756

National Call Centre for Victims of Crime- 116 006.

Victims of terrorism can get information about their rights according the Act on Liability for Damage caused by Terrorist Acts and Public Demonstrations on 116 006 victim helpline from Monday to Friday from 8AM to 8PM.

**MAIL/CONTACTS:** <https://pravosudje.gov.hr/kontakti-16/samostalni-sektor-za-podrsku-zrtvama-i-svjedocima-6383/6383>

**ADDRESS:** Ulica grada Vukovara 49, HR - 10 000 Zagreb

**WEB SITE:**

[www.mprh.hr](http://www.mprh.hr),

<https://pravosudje.gov.hr/>

<https://pravosudje.gov.hr/kontakti-16/samostalni-sektor-za-podrsku-zrtvama-i-svjedocima-6383/6383>

**Name of the law:** Crime Victims Compensation Act

**link to the law**

**Specific Law:** NO

## FOLLOW UP:

Required competent services of the Ministry of Justice inform that the Republic of Croatia is preparing national legislation in order to transpose the Directive on Combating Terrorism and provide implementation of the Directive in practice by 8<sup>th</sup> September 2018.

In the meantime the Ministry of Justice provides EPAVT with an overview of the Victim and Witness Support System and Victim's Notification Scheme in Croatia

## SHORT OVERVIEW AND BACKGROUND of victim and witness support system

2006 Service for Victim and Witness Support at the Ministry of Justice

2008 Victim and Witness Support Offices at County courts in Zagreb, Zadar, Vukovar and Osijek

2011 Victim and Witness Support Offices at County courts in Sisak, Rijeka and Split

2011 National Committee for Monitoring and Development of Victim and Witness Support System

2013 Crime Victims Compensation Act - provision of compensation to victims

2013 Provision of information to victims about the release of the offender

2013 National Information Centre for Crime Victims: 116-006

2016 - Financial support to NGO's – Lottery funds

### **I Ministry of Justice RoC:**

- Service for Victim and Witness Support - Central body for coordination of development of victim and witness support system

### **II Courts**

Victim and Witness Support Offices at the courts

There are 7 Victim and Witness Support Offices at the courts (County courts in Zagreb, Osijek, Sisak, Vukovar, Zadar, Split i Rijeka).

They provide emotional support, practical information and information about their right to victims and witnesses.

They provide support also at Municipal and Misdemeanor (minor offence) courts. Support is provided by office's employees (they are employees of the court) and volunteers.

They provide support from the investigation phase till the end of court procedure

- Legislation: Courts' Act , Rules of Procedure of the Court, Ordinance on the work of the Victim Support and Witness Support Office, Law on Volunteering, Criminal Procedure Act

#### I Service for Victim and Witness Support:

- Legislation: Regulation on the internal organization of the Ministry of Justice, Crime Victims Compensation Act, Law on the Enforcement of Prison Sentence, Criminal Procedure Act

National responsibilities of the Service for Victim and Witness Support, (MoJ) :

- ☐ Coordination of victim and witness support system in general
- ☐ International and national cooperation (with police, social service, probation service- Sector for Probation MoJ, Prison System Directorate – MoJ, NGO's)
- ☐ Coordination of Victim and Witness Support Offices at the courts. Organization and provision of education/ training and psychological supervision for employees and volunteers of Support Offices at courts
- ☐ Provision of information and support to victims and witnesses:
  - information about the rights in written form (informative letter) sent to victims and witnesses that are summoned over the mutual international legal assistance (Croatian citizens who are summoned to testify abroad and foreign witnesses summoned to testify in Croatia).
  - information and psychological support provided over the phone
  - referral to other relevant services
  - logistical support, transportation, police escort and protection, hotel accommodation as well as all the necessary information and support provided to victims and witnesses in war crime cases
- ☐ Provision of information to victims about the release of the offender from the prison:
  - Legislative framework: Criminal Law from 1997, Criminal Law from 2011, Law on the Enforcement on Prison Sentence (NN 56/13 Art. 164)
  - Provision from 1.2.2013.
  - Information is provided to victims according the catalogue of criminal offenses for:
    1. criminal offenses against life and body (attempted murder, murder, aggravated murder, serious bodily injury, threat)
    2. criminal offenses against sexual freedom (rape, sexual intercourse with a child, abuse of children or juveniles in pornography, sexual intercourse with helpless person, lewd acts... )
    3. criminal offenses with elements of violence (robbery, domestic violence, threats, child and minor abuse, causing a traffic accident... )
    4. war crimes

- Procedure: prison informs the Independent Sector about the date of release (through the official Form ) – data about the prisoner and data about the victims

- If the prison doesn't have the data about the victims – Court completes Form and delivers it by fax to Independent Sector

- Procedure of informing the victims: victims are contacted by the phone (two weeks before prisoners' release). If there is no possibility to contact victim by the phone there is going to be sent official letter. In case of Criminal offense with deadly consequences – contacting the member of the victims' family named in Form. Minor victim – contacting the parents or the person who has a custody.

- Social service helps with informing the victims:

1. minor victims/victims incapable for work – when we are not able to find the phone number of parent/guardian,

2. adopted/fostered child or victim incapable for work, suited in institution

- **Information provided to victims:**

1. name/surname of the prisoner,

2. date of release, conditional release/regular expiration of the conviction

- Provision of emotional support and referral to relevant organizations

- Victim 's Referral to the police

- Victims are not informed if:

1. Victim is a foreign citizen

2. Victim is a legal entity (ie.company, firm, institution etc.)

3. Victim passed away, but not as a consequence of the criminal offense

4. Victim received official letter but didn't contact the Office within 14 days

5. Official letter returned undelivered

☒ Contacting victims on the request of the prison in order to determine victim's attitude towards the criminal offence when deciding whether to allow the prisoner to use benefits of going out of the prison to their address of residence (the reports on the victim's attitude can be requested by the prison from MoJ, police, social welfare centres)

- Provision of compensation to victims:

- Processing the requests for compensation according the Crime Victims Compensation Act

- Administering professional, administrative and technical tasks for the Committee of Compensation

- The victim may exercise his/her right to compensation for:

1. the cost for medical treatment
2. loss of earnings up to the amount of kn 35.000,00
3. close blood relatives of a deceased victim is entitled to compensation for loss of statutory maintenance of up to kn 70.000,00
4. for funeral expenses up to the amount of kn 5.000,00 (for the person who paid for it)

☐ Coordination of National Committee for Monitoring and Development of Victim and Witness Support System that is in charge of delivering National strategy for Victim and Witness Support. Members of National Committee are representatives of the following Ministries : police, health, social welfare, war veterans; representatives of prosecutor's office; The Government Office for Human Rights; NGO's representatives and independent professionals.

☐ Monitoring the work of the National Call Centre for Victims of Crime - 116 006, organized in cooperation of Ministry of Justice and Victim and Witness Support Service (relating the Commission Decision 2007/116/EC, on reserving the national numbering range beginning with '116' for harmonized numbers for harmonized services of social value)

☐ Financial support to NGO's – Lottery funds

## Act on Liability for Damage caused by Terrorist Acts and Public Demonstrations

The Republic of Croatia is responsible on the principles of social solidarity, equal bearing of the public burden and fair and quick compensation for the damage caused by Terrorist Acts and Public Demonstrations.

The claim for damages caused by Terrorist Acts and Public Demonstrations shall be submitted by the injured party to the State Attorney's Office of the Republic of Croatia.

The responsibility for the compensation for damages according to this Act shall exist independently of whether the damaging party is determined, prosecuted or found guilty.

According to this Act, the injured parties are those persons to whom damage is inflicted, as well as persons to whom damage is caused by prevention of a harmful act or providing assistance to victims.

(1) There is no right to compensation for the injured parties that have caused damage by participating in the organization, execution, encouragement, assistance or preparation of a harmful act, injured parties who, notwithstanding of the specific harmful act, are members of a terrorist organization or group that caused the damage, or the persons who have unjustifiably denied information relevant for the prevention and arrest of perpetrators.

(2) Persons who, upon official or working duty, have been involved in the prevention or elimination of the consequences of harmful acts are entitled to compensation in accordance with the general regulations if the damage incurred during the prevention or elimination of harmful acts.

The injured party is entitled only to the compensation of the damages resulting from death, bodily injury or damage to health.

The injured party is entitled to compensation of 60% of the estimated damage, where the total compensation of damages cannot exceed HRK 350,000.00.

Material damage that resulted from the reasons mentioned in this Act shall be compensated on the whole territory of the Republic of Croatia in the form of reconstruction of damaged or destroyed material assets, in accordance with the provisions of the Reconstruction Act.