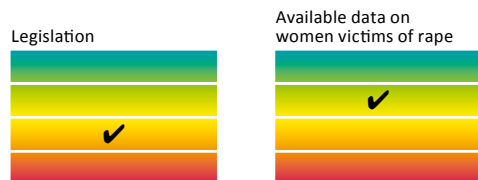


## NATIONAL ANALYSIS

# Croatia



Expert  
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### Legislation

The new Croatian Penal Code (introduced in January 2013) made some changes towards harmonisation with the Istanbul Convention, though some elements are still lacking, as follows:

Within the text of the articles concerning rape (art. 152, 153, 154), there is no explicit explanation such as the one in the CoE Convention (engaging in non-consensual vaginal, anal or oral penetration of a sexual nature of the body of another person with any bodily part or object). Instead, the comments on Article 152 'Non-consensual sexual intercourse' in a special edition of the Penal Code explain what is considered to be non-consensual intercourse. The comments state that "a sexual act of equal qualification" is considered to be vaginal, anal or oral penetration with a bodily part or object.

Rape is still defined by the use of force:

#### Rape (Article 153)

(1) Whoever commits a criminal offence under Article 152 paragraph 1 of this Code by using force or threatening to attack the life or limb of the person concerned or a third party, shall be sentenced to imprisonment for a term of one to ten years.

(2) A perpetrator who was mistaken as regards consensus under paragraph 1 of this Article, shall be sentenced to imprisonment for a term of six months to five years.

The Penal Code defines also aggravating circumstances for acts qualified as "non-consensual intercourse" or rape (against a family member, a particularly vulnerable person, motivated by hatred, etc.)

In the current judicial system investigation and prosecution depend on the victim's statement when there is no other/ very little material evidence. With regard to marital rape, a woman may choose not to testify out of fear, leading to the dismissal or suspension of proceedings.

### Available data on women victims of rape

The Croatian Bureau of Statistics has been publishing a brochure on *Women and Men in Croatia* annually since 2006. This provides data in Croatian and English. The statistics below are from the 2013 edition for 2012 (page 52) ([www.dzs.hr/Hrv\\_Eng/menandwomen/men\\_and\\_women\\_2013.pdf](http://www.dzs.hr/Hrv_Eng/menandwomen/men_and_women_2013.pdf)):

**Victims of criminal offences against sexual freedom and morality**, by type of criminal offence, 2012. Data refer to criminal offences reported to the police.

Source: Ministry of the Interior:



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#### Sex distribution%

	Total	Women	Men	Women	Men
Total:	568	511	57	90,0	10,0
Rape	81	76	5	93,8	6,2
Sexual intercourse with a helpless person	12	10	2	83,3	16,7
Sexual intercourse by abuse of position	10	10	–	100,0	0,0
Sexual intercourse with a child	71	63	8	88,7	11,3
Lewd acts	195	178	17	91,3	8,7
Satisfying lust in front of a child or a minor	63	49	14	77,8	22,2
Panderin	44	44	–	100,0	0,0
Abuse of children or juveniles in pornography	35	30	5	85,7	14,3
Introducing pornography to children	16	11	5	68,8	31,3
Child pornography on computer system or network	30	29	1	96,7	3,3
Incest	3	3	–	100,0	0,0

The Ministry of the Interior, Department for strategic planning, analysis and development, provides additional information in its annual report Overview on Basic safety Indicators and the Work Results in 2012, Zagreb, January 2013 (page 24). ([www.mup.hr/UserDocImages/statistika/2013/statistika\\_2012\\_3.pdf](http://www.mup.hr/UserDocImages/statistika/2013/statistika_2012_3.pdf))

#### Useful Contacts

Women's Council Centre  
0800 55 44  
azkz@zamir.net  
[www.azkz.net/index.php?id=13](http://www.azkz.net/index.php?id=13)

Centre for Women War Victims - ROSA  
08007799  
cenzena@zamir.net  
[www.czzzr.hr](http://www.czzzr.hr)

Women's Room  
01/61 19 444  
savjetovaliste@zenskasoba.hr  
[www.zenskasoba.hr](http://www.zenskasoba.hr)

