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Prava žrtava kaznenih djela (po zemljama)

Žrtve kaznenih djela imaju niz prava u prethodnom i kaznenom postupku, a posebno se štiti djecu te žrtve kaznenih djela protiv spolne slobode i trgovanja ljudima

Žrtva kaznenog djela ima:

- pravo na pristup službama za potporu žrtvama kaznenih djela,
- pravo na djelotvornu psihološku i drugu stručnu pomoć i potporu tijela, organizacije ili ustanove za pomoć žrtvama kaznenih djela u skladu sa zakonom,
- pravo na zaštitu od zastrašivanja i odmazde,
- pravo na zaštitu dostojanstva tijekom ispitivanja žrtve kao svjedoka,
- pravo da bude saslušana bez neopravdane odgode nakon podnošenja kaznene prijave te da se daljnja saslušanja provode samo u mjeri u kojoj je to nužno za potrebe kaznenog postupka,
- pravo na pratnju osobe od povjerenja pri poduzimanju radnji u kojima sudjeluje,
- pravo da se medicinski zahvati prema žrtvi poduzimaju u najmanjoj mjeri i samo ako su krajnje nužni za potrebe kaznenog postupka,
- pravo podnijeti prijedlog za progon i privatnu tužbu sukladno odredbama Kaznenog zakona, pravo sudjelovati u kaznenom postupku kao oštećenik, pravo biti obaviještena o odbacivanju kaznene prijave (članak 206. stavak 3. ovoga Zakona) i odustajanju državnog odvjetnika od kaznenog progona te pravo preuzeti kazneni progon umjesto državnog odvjetnika,
- pravo na obavijest od državnog odvjetnika o poduzetim radnjama povodom njezine prijave (članak 206.a ovoga Zakona) i podnošenje pritužbe višem državnom odvjetniku (članak 206.b ovoga Zakona),
- pravo da na njezin zahtjev bez nepotrebne odgode bude obaviještena o ukidanju pritvora ili istražnog zatvora, bijegu okrivljenika i otpuštanju osuđenika s izdržavanja kazne zatvora te mjerama koje su poduzete radi njezine zaštite,
- pravo da na njezin zahtjev bude obaviještena o svakoj odluci kojom se pravomoćno okončava kazneni postupak,
- druga prava propisana zakonom.

Žrtva kaznenog djela protiv spolne slobode i kaznenog djela trgovanja ljudima, pored prethodno navedenih prava, ima i dodatna prava:

- prije ispitivanja razgovarati sa savjetnikom, na teret proračunskih sredstava,
- na opunomoćenika na teret proračunskih sredstava,
- da ju u policiji i državnom odvjetništvu ispituje osoba istog spola te da ju, ako je to moguće, u slučaju ponovnog ispitivanja ispituje ta ista osoba, uskratiti odgovor na pitanja koja nisu u vezi s kaznenim djelom, a odnose se na strogo osobni život žrtve,
- zahtijevati da bude ispitana putem audio-video uređaja (članak 292. stavak 4. ovoga Zakona),
- na tajnost osobnih podataka,
- zahtijevati isključenje javnosti s rasprave.

Ako je dijete žrtva kaznenog djela, pored navedenih prava žrtve ima i dodatna prava:

- opunomoćenika na teret proračunskih sredstava,
 - tajnost osobnih podataka,
 - isključenje javnosti.
- Djeca su sve osobe koje nisu navršile 18 godina.
- Djecu svjedoke i žrtve ispituje sudac istrage na dokaznom ročištu, a poziv djetetu svjedoku upućuje se preko njegovih roditelja ili skrbnika.

Privatna tužba

- Po prijavi kaznenog djela, u većini slučajeva, postupak će voditi državni odvjetnik po službenoj dužnosti.
- Za kaznena djela za koja se kazneni postupak pokreće po privatnoj tužbi moguće je podnijeti privatnu tužbu. Tužba se mora podnijeti u roku od tri mjeseca od dana kada je ovlaštena fizička ili pravna osoba saznala za kazneno djelo i počinitelja.

Imovinskopравни zahtjev

- Prijedlog za ostvarivanje imovinskopravnog zahtjeva u kaznenom postupku može podnijeti oštećenik.
- Žrtva kaznenog djela je, ujedno, i oštećenik koji pred sudom ima pravo postaviti imovinskopравни zahtjev.
- Imovinskopравни zahtjev može obuhvaćati:
 - potraživanja s osnove naknade štete koja može biti materijalna ili nematerijalna (pretrpljena bol, strah);
 - povrat stvari - ako oštećenik odnosno žrtva može dokazati da je bila vlasnik ili zakonski držatelj te stvari;
 - poništanje određenog pravnog posla - ako je zbog kaznenog djela nastao pravni posao imovinskopravnog karaktera (ako vas je okrivljenik silom naveo na sklapanje nekog ugovora).
- Imovinskopравни zahtjev je moguće podnijeti u kaznenom postupku ili u posebnoj građanskoj parnici protiv okrivljenog. Ako se zahtjev podnosi tijekom kaznenog postupka, pretpostavka za njegovo prihvaćanje uvjet je da sud okrivljenika proglasi krivim.
- U građanskoj parnici to nije preduvjet za uspjeh imovinskopravnog zahtjeva.

Prava oštećenika tijekom istrage i u kaznenom postupku

- Žrtve kaznenih djela u svojstvu privatnih tužitelja i oštećenika imaju pravo u tijeku istrage upozoriti na sve činjenice i predlagati dokaze koji su od važnosti za utvrđivanje kaznenog djela, pronalaženje počinitelja kaznenog djela i utvrđivanje njihovih imovinskopravnih zahtjeva.
- Žrtva koja u kaznenom postupku sudjeluje kao oštećenik ima prava:
 - služiti se vlastitim jezikom uključujući i znakovni jezik gluhih i gluhoslijepih i na pomoć tumača ako ne razumije ili se ne služi hrvatskim jezikom odnosno prevoditelja ili tumača znakovnog jezika ako se radi o gluhom ili gluhoslijepom oštećeniku;
 - podnijeti prijedlog za ostvarivanje imovinskopravnog zahtjeva te privremenih mjera osiguranja;
 - imati opunomoćenika;
 - upozoravati na činjenice i predlagati dokaze;
 - prisustvovati dokaznom ročištu;
 - prisustvovati raspravi i sudjelovati u dokaznom postupku te iznijeti završni govor;
 - izvršiti uvid u spis predmeta;

zatražiti obavijest od državnog odvjetnika o poduzetim radnjama povodom vaše prijave i podnijeti pritužbu višem državnom odvjetniku; podnijeti žalbu;

zatražiti povrat u prijašnje stanje;

dobiti obavijest o ishodu kaznenog postupka.

Državno odvjetništvo i sud dužni su prije i tijekom kaznenog postupka u svakom stadiju postupka ispitati postoji li mogućnost da okrivljenik oštećeniku popravi štetu uzrokovanu kaznenim djelom. Također su dužni upozoriti oštećenika na određena prava propisana zakonom (npr. pravo oštećenika da se služi vlastitim jezikom, pravo na podnošenje prijedloga za ostvarivanje imovinskopravnog zahtjeva itd.)

Pravo na novčanu naknadu

Zakonom o novčanoj naknadi žrtvama kaznenih djela (NN br.80/08 i 27/11) propisano je pravo na novčanu naknadu koju ima žrtva kaznenog djela s elementima nasilja počinjenog s namjerom na teritoriju Republike Hrvatske, odnosno njihovi srodnici pod uvjetima određenim tim Zakonom.

Dakle, prethodno navedenim Zakonom uređuje se pravo na novčanu naknadu žrtvama kaznenih djela nasilja počinjenih s namjerom, pretpostavke i postupak za ostvarivanje prava na naknadu, tijela koja donose odluke i sudjeluju u postupku odlučivanja o pravu na naknadu, te se određuju tijela i postupak u prekograničnim slučajevima.

Žrtva kaznenog djela nasilja počinjenog s namjerom ostvaruje pravo na novčanu naknadu iz sredstava Državnog proračuna.

Policija, državno odvjetništvo i sudovi dužni su dati informaciju o pravu na naknadu, dati potrebne obrasce za podnošenje zahtjeva te su na traženje žrtve dužni dati opće upute i informacije o načinu ispunjavanja zahtjeva te o potrebnoj popratnoj dokumentaciji.

Zahtjev za novčanu naknadu podnosi se Ministarstvu pravosuđa na obrascu kojeg je moguće preuzeti sa stranica Ministarstva.

[Obrazac zahtjeva za novčanu naknadu žrtvama kaznenog djela_hr](#) PDF (223 Kb) [hr](#)

Zahtjev se mora podnijeti najkasnije u roku šest mjeseci od dana počinjenja kaznenog djela. Ako žrtva zbog opravdanih razloga nije mogla u tom roku podnijeti zahtjev, onda mora podnijeti najkasnije u roku tri mjeseca od dana kada su prestali postojati ti razlozi, a najkasnije u roku tri godine od dana kada je počinjeno djelo.

Ako je žrtva maloljetnik ili osoba lišena poslovne sposobnosti, a njezin zakonski zastupnik nije podnio zahtjev u roku od šest mjeseci od dana počinjenja djela, rok od šest mjeseci počinje teći od dana kada osoba navrší 18 godina ili od dana kad je po nastupanju punoljetnosti žrtve pokrenut kazneni postupak ili od dana kad je osobi vraćena poslovna sposobnost.

Pravo na novčanu naknadu može ostvariti:

žrtva kaznenog djela s elementima nasilja ako je državljanin Republike Hrvatske, odnosno državljanin države članice Europske unije ili na njenom teritoriju ima prebivalište, te ako je kazneno djelo počinjeno na teritoriju RH;

žrtva koja je pretrpjela teške tjelesne ozljede ili joj je narušeno zdravlje kao posljedica kaznenog djela (ima pravo na naknadu troškova liječenja, pod uvjetom da nije obvezno zdravstveno osigurana i to do visine zdravstvenog osiguranja u Republici Hrvatskoj, te naknadu izgubljene zarade do iznosa od 35.000 kn); osoba koja je bliski krvni srodnik preminule žrtve (bračni i izvanbračni drug, dijete, roditelj, posvojitelj, maćeha, očuh, pastorak i istospolni partner, baka, djed i unuk ako su sa žrtvom živjeli u zajedničkom kućanstvu) ima pravo na naknadu zbog gubitka zakonskog uzdržavanja do iznosa od 70.000 kn); u slučaju smrti žrtve osoba koja je platila pogrebne troškove ima pravo na naknadu u iznosu do najviše 5.000 kuna;

ako je kazneno djelo prijavljeno ili evidentirano u policiji ili državnom odvjetništvu u roku od šest mjeseci od dana počinjenja kaznenog djela, neovisno da li je počinitelj poznat ili ne.

Pri utvrđivanju visine naknade u obzir se uzimaju ponašanje žrtve tijekom i nakon kaznenog djela ili njezin doprinos nastanku i obujmu štete, da li se radi o neposrednoj žrtvi, te da li je ista i u kojem roku prijavila kazneno djelo nadležnim tijelima. Nadalje, ocjenjuje se suradnja žrtve s policijom i nadležnim tijelima kako bi se počinitelja privelo pravdi, te se uzima u obzir ako je neposredna žrtva pridonijela nastanku štete ili većoj šteti, iz kojeg razloga će imati pravo na srazmjerno nižu naknadu. Zahtjev će se odbiti ili naknada umanjiti ako se utvrdi da je žrtva uključena u organizirani kriminal ili u zločinačku organizaciju. Naknada se može odbiti ili umanjiti i kada bi davanje potpune naknade bilo suprotno načelu pravednosti, morala i javnom poretku.

Obavijest o otpustu počinitelja

Kada je optuženik osuđen na kaznu zatvora, Ministarstvo pravosuđa, Služba za podršku žrtvama i svjedocima žrtvu će informirati o datumu otpusta (o redovnom i uvjetnom otpustu) zatvorenika s izdržavanja kazne zatvora.

Zakonska obveza obavještanja žrtve o otpustu zatvorenika

Sukladno odredbama Zakona o izmjenama i dopunama Zakona o izvršenju kazne zatvora obveza Ministarstva pravosuđa Službe za podršku žrtvama i svjedocima) je obavijestiti žrtvu, oštećenika ili njihovu obitelj o otpustu zatvorenika s izdržavanja kazne zatvora.

Žrtvu se obavještava o otpustu zatvorenika u slučajevima kada se radi o kaznenim djelima protiv spolne slobode i spolnog čudoređa, protiv života i tijela ili kaznenog djela s elementima nasilja.

Navedena informacija žrtvi, oštećeniku ili njihovoj obitelji daje se u slučaju redovnog i uvjetnog otpusta s izdržavanja kazne zatvora.

Također, prigodom odlučivanja o pogodnosti izlaska zatvorenika u mjesto prebivališta ili boravišta, kaznionice/zatvori mogu zahtijevati od Službe za podršku žrtvama i svjedocima podatke o reakciji žrtve ili obitelji žrtve vezano za utvrđivanje mogućnost korištenja pogodnosti izlaska. Služba za podršku žrtvama i svjedocima na temelju razgovora sa žrtvom izrađuje izvješća koje dostavlja kaznionici/zatvoru.

Podrška svjedocima i žrtvama

Podršku žrtvama i svjedocima u Republici Hrvatskoj koordinira Služba za podršku žrtvama i svjedocima, uspostavljena u Ministarstvu pravosuđa.

Žrtve i svjedoci mogu dobiti podršku i informacije o svojim pravima i postupcima na sudu, i to u Odjelima za podršku žrtvama i svjedocima.

Odjeli za podršku žrtvama i svjedocima su osnovani na 7 županijskih sudova i to u Zagrebu, Zadru, Osijeku, Vukovaru, Splitu, Sisku i Rijeci. Odjeli pružaju emocionalnu podršku, praktične informacije i informacije o pravima žrtvama, kao i podršku i informacije svjedocima te osobama u njihovoj pratnji. Odjeli pružaju podršku i na nadležnim općinskim i prekršajnim sudovima.

Informacije o pravima i vrstama pomoći žrtve mogu dobiti i na **besplatni broj 116 006 Nacionalnog pozivnog centra za žrtve kaznenih djela i prekršaja** na web stranici Nacionalnog pozivnog centra.

Ministarstvo pravosuđa, također žrtvama i svjedocima osigurava informacije o pravima i podršku, a upiti se mogu uputiti na: e-mail adresu:

zrtve.i.svjedoci@pravosudje.hr ili web stranicu Ministarstva pravosuđa Republike Hrvatske: <https://pravosudje.gov.hr/>

Podrška žrtvama i svjedocima u prekograničnim predmetima

Služba za podršku žrtvama i svjedocima, uspostavljena u okviru Ministarstva pravosuđa, pruža podršku i informacije i žrtvama i svjedocima pozvanim na sud putem međunarodne pravne pomoći (uključujući i svjedoke ratnih zločina).

Svjedocima pozvanim svjedočiti na sudove u Republiku Hrvatsku ili domaćim svjedocima koji su pozvani na sudove u inozemstvu šalju se informativna pisma.

Svjedocima ratnih zločina osigurava se fizička zaštita kad je to potrebno, te pomoć u pripremanju odlazaka i organizaciji pristupa nadležnom pravosudnom tijelu (za svjedoke i druge sudionike koji su pozvani na ispitivanje u kaznenim postupcima ratnih zločina pred nadležnim pravosudnim tijelima u Republici Hrvatskoj, kao i izvan Republike Hrvatske kada je takva podrška predmet zamolbe za međunarodnom pravnom pomoći).

Kliknite na poveznice u nastavku kako biste pronašli informacije koje trebate:

- 1 - Prava koja uživam kao žrtva kaznenog djela
- 2 - Prijavljivanje kaznenog djela i moja prava tijekom istražnog ili sudskog postupka
- 3 - Moja prava nakon suđenja
- 4 - Naknada
- 5 - Moja prava na potporu i pomoć

Posljednji put ažurirano: 12/06/2020

Verziju ove stranice na nacionalnom jeziku održava odgovarajuća država članica. Prijevod je napravila služba Europske komisije. Moguće promjene u originalu koje su unijela nadležna nacionalna tijela možda još nisu vidljive u drugim jezičnim verzijama. Europska komisija ne preuzima nikakvu odgovornost za informacije ili podatke sadržane ili navedene u ovom dokumentu. Pogledajte pravnu obavijest kako biste vidjeli propise o autorskim pravima države članice odgovorne za ovu stranicu.

Zbog povlačenja Ujedinjene Kraljevine iz Europske unije države članice trenutačno ažuriraju dio nacionalnih sadržaja na ovim internetskim stranicama. Ako još uvijek ima sadržaja koji ne odražava povlačenje Ujedinjene Kraljevine, to je nenamjerno te će biti izmijenjeno.

Izvorna jezična inačica ove stranice nedavno je izmijenjena. Naši prevoditelji trenutačno pripremaju jezičnu inačicu koju vidite.

1 - My rights as a victim of crime

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

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

Police officers are required to record the report of a crime that is prosecuted *ex officio*.

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

Victim and witness support departments, which have been established by seven county courts, provide emotional support and information to victims, witnesses, and their families on their rights (including technical and practical information). Information and support are provided regardless of the stage of proceedings. The victim will receive information and support even if he/she fails 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 regulating the rights of victims and civil parties apply equally without regard for nationality because Croatian criminal legislation applies to anyone who commits a crime within Croatia's borders. Parties to and participants in proceedings are entitled to use their mother tongue.

The police, the State Attorney's Office and the courts are required, under the Code of Criminal Procedure and the Victims of Crime (Financial Compensation) Act, to provide information to victims of crime on their rights under those acts. This means that the State Attorney's Office and the courts are required to examine the possibilities, both before criminal proceedings and during any stage thereof, for the individual charged to compensate the civil party for any loss/damage he/she may have suffered as a result of the offence, to inform the civil party of his/her right to use his/her mother tongue and to lodge a property-law claim (the right to compensation), verbally, in a language understood by the victim, or in writing, either in Croatian or in English. The State Attorney's Office and the courts are also required to provide the victim, at his/her 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 Claim for Compensation 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 will receive information on his/her rights from the police. After informing the victim verbally, the police officer will hand out information in writing on the victim's rights and any available information on services protecting and supporting victims. The latter include a number for the freephone victim support helpline.

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

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 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 civil party are entitled, within two months of pressing charges or reporting a crime, to request information from the State Attorney's Office on the action taken in response to the charges/report. They will be informed by the State Attorney's Office of the action taken within a reasonable time, 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 civil party making the request.

b) The State Attorney will suspend the investigation by a decision:

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

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

if 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

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

The decision to suspend the investigation is sent to the civil party and the individual charged, who will immediately be released if he/she has been placed in custody or on remand. In addition to the decision letter, the civil party will receive information, in accordance with Article 55 of the Code of Criminal Procedure, on how to pursue prosecution him/herself.

c) After examining the report and carrying out a check in the information system of the State Attorney's Office, the State Attorney will reject the report by a reasoned decision if it follows from the report itself:

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

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

that the circumstances exclude culpability;
that there is no reason to believe that the suspect committed the offence reported; or
that information in the report suggests that the report is not credible.

No appeals are allowed against the State Attorney's decision to dismiss a report.

Unless otherwise stipulated by the Code of Criminal Procedure, the State Attorney will inform the victim of his/her decision to dismiss the report and provide his/her reasons for doing so within eight days. The State Attorney will also provide information on how the victim may pursue prosecution him/herself. The State Attorney will promptly inform the person who made the report and the individual charged of his/her decision to dismiss the report, if so requested by either party.

If the State Attorney cannot assess the credibility of 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, the State Attorney will conduct enquiries him/herself or instruct the police to do so.

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

if instructed to do so by the State Attorney;

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

if detention was cancelled.

e) The State Attorney will summon a witness or expert in writing to assist with evidence gathering. The summons may also be sent by the investigator on the State Attorney's instructions. The court will summon a witness or expert to testify at an evidentiary hearing or attend a court hearing. The competent body will set in advance the time and place where evidence will be gathered. The person summoned will be warned of the consequences of any failure on his/her part 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 civil party is entitled to:

use his/her mother tongue, including sign language, and request assistance from an interpreter if he/she does not understand or use Croatian, or from a sign language interpreter in case the civil 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 stipulated by a special law, the investigating judge will hear any child witness under 14 years of age. The hearing will take 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 will be assisted by a psychologist, educator, or another 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 will be recorded using an audio-video device and the recording will be 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 stipulated by a special law, the investigating judge will hear any child witness aged 14-18. The child, especially if he/she is the victim of the offence, will be treated with consideration to ensure that the examination does not adversely affect the child's psyche. Particular care will be 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 his/her own flat or other dwelling. Such witnesses may be heard using an audio-video device operated by a professional. If warranted by the witness's condition, the examination will be conducted in such a way as to allow the parties to put questions to him/her without being present in the same room as the witness. If required, the hearing session will be recorded using an audio-video device and the recording will be sealed and appended to the minutes. This examination procedure will be followed if so requested by the victim of a sexual or human trafficking or domestic violence offence appearing as the witness. 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 to 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:

 <https://pravosudje.gov.hr/o-ministarstvu/djelokrug-6366/iz-pravosudnog-sustava-6372/podrska-zrtvama-i-svjedocima/6156>

Will the police automatically refer me to victim support?

When informing the victim of his/her rights, the police will hand out information in writing on the victim's rights and any available information on services supporting victims. The latter includes a number for the freephone victim support helpline. 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 operations set out by the Code of Criminal Procedure.

Personal information may be processed only when specified by a law or another regulation, and such processing must be limited to the purpose for which the information has been collected. Any 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, which is subject to a five-year custodial sentence or a stricter one, 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 State Attorney'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 will be reminded of their duty to protect the information of the persons to whom it relates.

Personal information may be used, in accordance with the regulations, 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 will receive information and support from the victim and witness support department of the relevant court or civil society organisation even if he /she fails to report the crime.

Personal protection if I'm in danger

In accordance with Article 99 of the Police Tasks and Powers Act, the police will, unless stipulated otherwise by a special law, and for the period of time there are reasonable grounds for such action, ensure 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 an individual reasonably suspected to have 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), approaching a particular person, or making or maintaining contact with a particular person. Within eight days the police will file charges with the competent misdemeanour court, which will then make a decision as to whether to suspend or extend the precautionary measure instigated. 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 resort to 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 State Attorney 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 his/her rights, including information on his/her 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 will no longer assess 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 his/her status in the criminal proceedings, in accordance with the Code of Criminal Procedure. Before examining the victim, the prosecuting body conducting the investigation will assess the victim's situation in cooperation with bodies, organisations or institutions that provide support and assistance to victims of crime. Assessing the victim's situation includes determining the need to apply special protection measures for the victim's benefit. If such a need exists, the prosecuting body will determine 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 will be presumed and special protection measures will be determined. The assessment of the victim's situation 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 will be 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 his/her status in the criminal proceedings, in accordance with the Code of Criminal Procedure. Before examining the victim, the prosecuting body conducting the investigation will assess the victim's situation in cooperation with bodies, organisations or institutions that provide support and assistance to victims of crime. Assessing the victim's situation includes determining the need to apply special protection measures for the victim's benefit. If such a need exists, the prosecuting body will determine 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 will be presumed and special protection measures will be determined. The assessment of the victim's situation 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 will be 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?

If the victim of a crime is a child, he/she has the following additional rights in addition to the victim's ordinary rights:

the right to be represented by an authorised person, with the cost of such representation being funded from the government budget;

the right to have his/her personal information treated confidentially;

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 his/her parents or guardians.

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** (the 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.

The indirect victim who was supported by the deceased (direct) victim is entitled to compensation of no more than HRK 70 000 as a result of the loss of statutory maintenance and to compensation of no more than HRK 5 000 in respect of normal funeral expenses where he/she has paid them.

Any person whose family member lost his/her life as a victim of a crime is entitled, as the civil 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?

The indirect victim is considered to be 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.

The indirect victim is also considered to be the grandfather, grandmother, or grandchild, if one of them is the direct victim, provided that the three shared a joint household for an extended period and that the grandfather and grandmother stood in for the parents.

Cohabitation and same-sex relationships will be interpreted according to Croatian regulations.

If the victim of a crime has lost his/her life, indirect victims are entitled to compensation (as a result of the loss of statutory maintenance and in respect of 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. This is part of the conditional discretion system. In so doing, it observes the provisions of 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. In other words, if the minor offender complies with this obligation, he/she will be spared from standing 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, roleplay and practical mentoring exercises, and supervision). They are the only professionals in Croatia authorised to administer restorative justice in criminal cases and 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 operates its own 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 do I report a crime?

Crimes can be reported by filing a criminal complaint in written, verbal or other form with the competent state attorney's office.

Individuals filing a criminal complaint verbally are warned of the consequences of filing false complaints. Verbal complaints are recorded. Complaints filed by telephone or other telecommunication means are recorded, where possible, and an official note is drawn up.

When filing a complaint, victims are provided with a written acknowledgement of receipt of the complaint, which contains the basic details of the crime.

Victims who do not speak or understand the language used by the competent body may report the crime in their own language and are provided with an interpreter or another person who speaks and understands both the official and the victim's languages. Victims who do not speak or understand the language used by the competent body may request to have the acknowledgement translated into their language at the body's expense.

All criminal complaints received by courts, the police, or state attorney's offices outside the area of jurisdiction are immediately forwarded to the competent state attorney's office.

The state attorney duly enters the criminal complaint in the register of criminal complaints at the time of its receipt, except in cases exempted under law.

Where the state attorney has only heard news of a crime or received a report from the victim, he/she draws up an official note, records it in the register of miscellaneous offence cases and proceeds as provided for by law.

If the criminal complaint contains no details of the crime, i.e. if the state attorney cannot identify the offence reported, he/she records it in the register of miscellaneous offence cases and asks the person filing the complaint to provide additional information within 15 days.

If the person filing the complaint ignores the request for additional information, the state attorney draws up an official note of this. Once the deadline for submitting additional information has expired, the state attorney must report this to a senior state attorney within eight days. The senior state attorney may order the criminal complaint to be entered in the register of criminal complaints.

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 state attorney a request for information on the action taken in response to the complaint/report. The state attorney 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 harm the proceedings. If the state attorney decides not to provide this information, he/she must inform the victim/injured party thereof.

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

Child victims have all of the above rights as well as the right to an authorised representative, the cost of which is borne 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 in the course of proceedings so that they may obtain compensation for the harm/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 in every legal matter:

- if the applicant does not have the knowledge or aptitude to assert his/her rights;
 - if the applicant has not received legal aid under separate regulations;
 - if the application submitted is not manifestly unfounded;
 - if the applicant's economic situation is such that the payment of legal aid would jeopardise his/her subsistence or that of the members of his/her 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 awarded:

- if the proceedings are complex;
- if the applicant is incapable of representing him/herself;
- if the applicant's economic situation is such that the payment of legal aid would jeopardise his/her subsistence or that of the members of his/her household.;
- if litigation is not excessive;
- if the applicant has not had his/her application rejected within the past six months for intentionally supplying inaccurate information; and
- if the applicant has not received legal aid under separate regulations.

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 harm/injury suffered as a result of the offence;
- a beneficiary of maintenance payments under separate regulations on 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 on a 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 by, and compensation due to, 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 state attorney finds that there is no basis for prosecuting an offence prosecutable *ex officio* or a reported individual, he/she must inform the victim about this within eight days and instruct the victim that they may pursue prosecution themselves. The same must be done by a court that has stopped proceedings because the state attorney had 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 his/her mother tongue, including sign language, and request an interpreter, if he/she does 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 move to introduce 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 state attorney in respect of action taken on the basis of his/her criminal complaint and file a complaint to a senior state attorney;
- appeal;
- seek restoration of the previous situation;
- receive notice 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 natural persons who have suffered physical or psychological harm, property damage or a serious violation of his/her fundamental rights and freedoms as a direct consequence of the crime. The spouse, partner, life partner, informal life partner, descendant(s), or in the absence of the latter, ascendant(s) or sibling(s) of the person whose death is directly attributable to the crime, and any person(s) legally maintained by the deceased is also considered to be victim of that crime.

An injured party is a crime victim or a legal person that has suffered damage as a result of the crime and participates in criminal proceedings in the capacity of an injured party.

The capacity of a party to or participant in the proceedings does not depend on that person's wish, but on the role the person played in the specific criminal matter. Anyone can appear in any of the above roles, depending on the circumstances laid down by the regulations; the choice that they have concerns the rights they wish to exercise as an 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 his/her dignity while giving evidence as the victim;
- be heard without undue delay after filing a criminal complaint and to subsequently be interrogated no more than is absolutely necessary for the purpose of the criminal proceedings;

be accompanied by a person of trust in whatever actions he/she takes part;
endure 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 state attorney to take no action, and to pursue prosecution individually without the state attorney;
be informed by the state attorney on the action taken on the basis of his/her complaint (Article 206a of the Act), and to lodge a complaint with a senior state attorney (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 his/her mother tongue, including sign language, and request an interpreter, if he/she does 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 move to introduce 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 Code;
ask to be informed by the state attorney in respect of action taken on the basis of his/her criminal complaint and file a complaint to a senior state attorney;
appeal;
seek restoration of the previous situation;
receive notice of the outcome of the criminal proceedings.

In addition to the above rights, victims of sexual crimes and human trafficking have additional rights as listed in point 12.

If the victim of a crime is a child, he/she is has additional rights, as listed in point 13, in addition to the abovementioned victims' rights.

During the investigation stage, crime victims who are private plaintiffs or injured parties may draw attention to all facts and introduce 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 any stage during the criminal proceedings, the State Attorney's Office and the court must consider the possibility that the defendant may compensate the injured party for any loss caused by the offence. They must also inform the injured party of certain rights under law (e.g. the injured party's right to use his/her mother tongue, the right to file an associated action for damages, etc.).

Persons who are likely to have information on the offence, the offender or other pertinent circumstances can be summoned as **witnesses**.

The following may be asked to stand witness: the injured party, the injured party as a prosecutor, and the private plaintiff.

A private plaintiff has the same rights as the state attorney 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?

The injured party in criminal proceedings has the rights listed in point 25.

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 introduce evidence that is material for ascertaining the crime, identifying the offender(s) and establishing their claims in the associated action for damages.

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

ask to be informed by the state attorney in respect of action taken on the basis of his/her report and file a complaint to a senior state attorney;
be informed that the criminal complaint has been dismissed or that the state attorney 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 Independent 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 domestic violence and violence against women 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 Independent service concludes on the basis of information gathered from the victim (of a crime other than those mentioned above) that the victim requires urgent 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 has the right to 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 is also informed of the measures taken to protect him/her, where such measures have been ordered.

Penitentiaries and prisons do not inform the Independent support service for victims and witnesses of escaped prisoners, but send a notification of the offender's escape to police only; however, the law is soon to be amended.

Victims have the right to be informed, on 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.

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 victim's rights 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: <http://pzs.hr/>

Other specialised civil society organisations also provide support and assistance to victims of certain crimes and to children via telephone. More information and the list of these organisations by county is available on the website of the [Croatian Ministry of Justice](#).

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 Centre for missing and abused children	24/7
116 111	<i>Hrabri telefon</i> children helpline	Weekdays 9.00-20.00
0800 0800	<i>Hrabri telefon</i> parents helpline	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 victims of violence Zagreb women's shelter	Weekdays 11.00-17.00
0800 655 222	Emergency number for women and children victims of violence <i>Ženska pomoć sada</i> women's helpline	24/7
0800 200 144	<i>B.a.B.e.</i> a free legal assistance for victims of domestic violence	Weekdays 9.00-15.00
01 6119 444	Support centre for victims of sexual violence <i>Ženska soba</i> sexual rights centre	Weekdays 10.00-17.00
01 48 28 888	Psychological assistance TESA centre for psychological assistance	Weekdays 10.00-22.00
01 48 33 888	Blue Phone	Weekdays 9.00-21.00
01 4811 320	Free legal aid Legal Clinic of the University of Law	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 their family members;

referrals to specialised civil society institutions and organisations depending on the needs of the victim/witness.

The victim and witness support departments of county courts provide:

VICTIM AND WITNESS SUPPORT DEPARTMENTS		
Osijek County Court	Address:	Europska avenija 7, 31 000 Osijek, Croatia
	Tel.:	031 228 500
	Email:	podrska-svjedocima@zsos.pravosudje.hr
Rijeka County Court	Address:	Žrtava fašizma 7, 51000 Rijeka, Croatia
	Tel.:	051 355 645
	Email:	podrska-svjedocima-ri@pravosudje.hr
Sisak County Court	Address:	Trg Ljudevita Posavskog 5, 44000 Sisak, Croatia
	Tel.:	044 524 419

	Email:	podrska-svjedocima-sk@zssk.pravosudje.hr
Split County Court	Address:	Gundulićeva 29a, 21000 Split, Croatia
	Tel.:	021 387 543
	Email:	podrska-svjedocima-st@pravosudje.hr
Vukovar County Court	Address:	Županijska 33, 32000 Vukovar, Croatia
	Tel.:	032 452 529
	Email:	podrska-svjedocima-vu@pravosudje.hr
Zadar County Court	Address:	Borelli 9, 23 000 Zadar, Croatia
	Tel.:	023 203 640
	Email:	podrska-svjedocima@pravosudje.hr
Zagreb County Court	Address:	Trg N.Š. Zrinskog 5, 10 000 Zagreb, Croatia
	Tel.:	01 4801 062

The Independent Victim and Witness Service of the Croatian Ministry of Justice provides information on rights and emotional support in addition to specific information relating to victim and witness support. Support is also provided to victims and witnesses invited to give evidence in Croatian courts through the international legal assistance mechanism, and to Croatian victims and witnesses invited to give evidence in foreign courts through said mechanism. The Independent Service sends victims and witnesses information letters with contact information, and informs them of the offender's release from prison (automatic and conditional release). It is also responsible for determining the level of financial compensation awarded to victims of crime.

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 a more efficient reintegration of offenders into society, and provide victims, injured parties and their respective families with assistance.

The National Probation Service will participate 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 the victim(s), injured party(ies) and their family(ies), for the offender's release.

The Service also makes arrangements for the provision of psychosocial support to victims, injured parties and the victims' and 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 victim(s), injured party(ies), and their family(ies) in an appropriate manner 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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