



**Strengthening Juvenile Justice Systems in the counter-terrorism  
context: capacity-building and peer-learning among stakeholders**  
*JUST-2015-JCOO-AG-TERR*

**NATIONAL (PROJECT) REPORT**  
**REPUBLIC OF CROATIA**

**Authors of the Report:**

Associate professor **Neven Ricijaš**, PhD  
Full professor **Irma Kovčo-Vukadin**, PhD  
Assistant professor **Dora Dodig Hundrić**, PhD

Faculty of Education and Rehabilitation Sciences  
University of Zagreb  
Croatia

**Translator (from Croatian to English)**

**Maja Kuhta**

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# 1. COUNTER-TERRORISM APPROACH AND POLICIES (UNDER 18) IN YOUR COUNTRY

## 1A. Sociological background, the roots of terrorism in your country, definition of 'terrorism', 'violent extremism', 'counter-terrorism' used in your country

Terrorism hasn't been a significant problem in the Republic of Croatia<sup>1</sup>, in the sense of terrorist occurrences<sup>2</sup>, either Croatian citizens being the perpetrators of criminal offences of terrorism or having Croatian citizens as victims of such criminal offences<sup>3</sup>. Nevertheless, this does not mean that the Republic of Croatia is safe from terrorist activities and threats.

Terrorism is seen as a threat to both international and national security, therefore in 2008 the Republic of Croatia adopted the National Strategy for the Prevention and Suppression of Terrorism<sup>4</sup> which was replaced by the new National Strategy for the Prevention and Suppression of Terrorism in 2015.<sup>5</sup>

Numerous authors, both foreign<sup>67</sup> and domestic ones<sup>8 9</sup>, point to the fact that there isn't a generally accepted definition of terrorism. The definition of criminal offence of terrorism has been adopted on the territory of Europe as the combination of „objective elements (homicide, physical injuries, hostage-taking, extortion, attacks, threats to commit any of the above stated offences, etc.) and subjective elements (offences committed with the objective to seriously intimidate population, destabilise or destroy the structure of a state or an international organisation or to force a government to abstain from performing certain activities. A terrorist group has been defined as a „structured group of two or more persons established to act for a longer period of time in an organised manner for the purpose of committing criminal offences of terrorism<sup>10</sup>“. In the 2008 National Strategy for the Prevention and Suppression of

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<sup>1</sup> Solomun, D. (2007). A multidimensional but integral approach to terrorism – a guaranty of competence and elimination of uncertainty. U: Antoliš, K. (ur). Human resources in the suppression of terrorism. Collection of papers from a scientific conference (157-171), Zagreb: MUP RH.

<sup>2</sup> The only such event was the explosion of a car bomb in Rijeka which was described as the first Islamic attack on the European land. The responsibility for the attack was claimed by the Egyptian terrorist organisation al-Gama'a al-Islamiya because the Islamist terrorist Talaat Fouad Qasim was extradited to Egypt. More information at: <https://narod.hr/kultura/20-listopada-1995-rijeka-islamski-teroristicki-napad-automobilom-bombom>

<sup>3</sup> A Croatian citizen who was kidnapped in Egypt in 2015. The Egyptian branch of ISIS claimed responsibility for this event. More at: <https://www.vecernji.hr/vijesti/dzihadisti-iz-libije-oteli-su-i-ubili-tomislava-salopeka-1019529>

<sup>4</sup> OG, 139/08

<sup>5</sup> OG 108/15

<sup>6</sup> Cherif Bassiouni, M. (1988). A policy oriented inquiry of „international terrorism“. U: Cherif Bassiouni, M. (ur). Legal responses to international terrorism: US procedural aspects (xv-xvi) Dordrecht, Boston and London: Martinus Nijhoff Publishers.

<sup>7</sup> Gavin, H. (2015). Criminological and forensic psychology. London UK: Sage Publications

<sup>8</sup> Bilandžić, M. (2011). Terrorism in theories and in theoretic perspectives. Social researching, 20(3), 837-859.

<sup>9</sup> Mihaljević, B., Mihalinić, M. (2013). Anti-terrorism strategies: examples from the USA, the European Union and the Republic of Croatia. U: Korajlić, N. Collection of papers from the conference: The place and perspectives of criminal justice, criminology and security studies in contemporary circumstances (134-147), Sarajevo: The Faculty of Criminal Justice, Criminology and Security Studies.

<sup>10</sup> EU rules on terrorist offences and related penalties. Available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:133168>

Terrorism, the term terrorism was understood as a „designed, systematic, intentional use of violence or a threat to use violence against people and/or material goods as the means to provoke fear or to take advantage of fear spread within an ethnic or religious community, in the public, in the state or the entire international community, with the purpose to achieve politically, religiously, ideologically or socially motivated changes“. Apart from the definition itself, the 2008 National Strategy also defined among the main characteristics of terrorism the main subjects and intentions of terrorist activities: „One of the main characteristics of terrorism is that it is usually practised by non-state conspiracy organisations or groups which can be supported (directly or indirectly) by a state or a group of states and often by organisations whose publicly declared intention and goals are unrelated to terrorism but they use their concealed objectives and actions to support terrorist activities. Terrorism is also defined by the intention to provoke destructive political and psychological consequences which can significantly exceed the goal itself of a terrorist act, as well as the intentions of those who resort to terrorism to create an atmosphere of anarchy or to provoke excessive repressive and unselective response of the government in order to compromise it in the eyes of the public and therefore justify terrorist means and intentions“.

In the 2015 National Strategy for the Prevention and Suppression of Terrorism, the definition of terrorism somewhat changed<sup>11</sup>. Therefore, the new strategy defines terrorism as „one of the most serious criminal offences which uses planned and intentional violence and/or threatens to use violence and thereby intends to create an atmosphere of fear, in order to achieve certain political, religious, ideological and other objectives. Terrorism also completely negates the essence of democracy and the acknowledged civilisation, religious and cultural values of contemporary world, including human rights and fundamental freedoms, therefore it doesn't have and it cannot have any justifications nor can it be related to any national, religious, racial, ethnic or any other origin.“

Mr. Milardović<sup>12</sup> defines extremism as an attitude and a system of values placed on the margins of the spectre of beliefs and ideology, but nonetheless present in politics, ideologies, religions and among various social groups. With the promotion of violence, both rightist and leftist extremisms are characterised by their intention to have democracy as such and a constitutional state abolished. The right-wing extremism is marked by the ideologies promoting anti-parliamentarism, racism, anti-semitism, xenophobia, extreme nationalism and totalitarian regimes, whereas left-wing extremism is marked by the ideologies promoting societies of equality.

### **Scientific and professional interest in terrorism in Croatia**

The search of the term „terrorism“ on the portal of Croatian scientific bibliography<sup>13</sup> has resulted with 227 hits in different material formats – from books, chapters in books, scientific

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<sup>11</sup> Radaković, Đ. (2016). Analysis of the positive law National Strategy for the Prevention and Suppression of Terrorism. *Police and security*, 25(3), 244-258.

<sup>12</sup> Milardović, A. (2011). *Global village*. Zagreb: Centre for research in political science.

<sup>13</sup> <http://bib.irb.hr/>

and expert papers, invited lectures, presentations, doctorate thesis and diploma papers in which terrorism was stated as one of the key words. In many hits it is clear from the title itself that terrorism is a part of some other topic. B Bilandžić<sup>14</sup>, Blagojević<sup>15</sup> and Derenčinović<sup>16</sup> wrote books in which they analyse the problem of terrorism from a more recent perspective. In the Croatian scientific and expert sphere, terrorism is analysed as a problem mostly from a politological, sociological and legal perspective. It is interesting to see that none of the papers deal with the problem of young people in the terrorist context nor with the problem of radicalisation of young people probably because this issue is relatively new.

### **1B. The most common forms of terrorism and the profiles of youngsters suspected or accused of terrorism or violent extremism in your country**

The official sources of data on criminal offences of terrorism are the statistics of the police, state attorney's office and courts. Table 1 contains the information on **criminal charges** filed by the **police**.

**Table 1. Reported criminal offences pursuant to the 2011 Criminal Code (OG 125/11, 144/12 and 56/15, 61/15)**

Article	2013	2014	2015	2016
97. terrorism				
children				
98. financing of terrorism				
children				
99. public incitement to terrorism	1 <sup>17</sup>			
children	0			
100. recruitments for terrorism				
children				
101. trainings for terrorism				
children				
102. terrorist association				
children				
Total	1	0	0	0
children	0			

Children = criminally liable children (age 14 to 18)

<sup>14</sup> Bilandžić, M. (2010). Seed of evil: elements of terrorism sociology. Zagreb: Plejada i Synopsis.

<sup>15</sup> Blagojević, A. (2010). Human rights in the context of terrorism and antiterrorism. Osijek: Faculty of Law in Osijek.

<sup>16</sup> Derenčinović, D. (2005). Essays on terrorism and antiterrorism. Zagreb: Faculty of Law.

<sup>17</sup> A criminal complaint was filed in January 2013 against a 42 year old male at the Split-Dalmatia Police Administration for reasonable suspicion that he published on his Facebook profile and Facegroup group a video in which he publicly invited citizens to perform terrorist acts. After that, an unknown person for now, published the same video on YouTube. Source: website of the Ministry of the Interior (MUP) of the Republic of Croatia (<http://policija.hr/147319/288.aspx>. Accessed on 19.07.2017.).

In the period between 2001 and 2012, the police didn't report any terrorist-related criminal offences:

- 169. Terrorism
  - 169.a Public incitement to terrorism
  - 169.b Recruitments and trainings for terrorism
- 187 Associating to commit criminal offences against the values protected by international law
  - 187.a Preparations of criminal offences against the values protected by international law
  - 187.b Subsequent assistance to the perpetrator of criminal offence against the values protected by international law

As of 2008, the **annual reports of the Ministry of the Interior of the Republic of Croatia** contain a special reporting chapter: **Criminality of criminal offences against terrorism and extremist violence.**

Apart from the official data of the law enforcement agencies, a valuable source of information are also the reports of the **Security and Intelligence Agency (SOA)** which became public as of 2014. Therefore, with respect to the terrorist threat, the 2014 report states that the „trend of accepting radical interpretation of Islam in the countries of South East Europe has been growing“ which is visible in the „numerous 'jihadists' who leave Europe to fight in Syria and Iraq as members of radical Islamist groups. It is concluded that no Croatian citizens have been identified in the 'jihadist' troops but that the territory of the Republic of Croatia is used as a transit area. However, SOA believes that the persons who return to their home countries after having participated in the 'jihadist' troops present a significant security risk. The factor of risk associated with those persons is in the fact that they are often additionally radicalised by having participated in the armed conflict, they are traumatised by the war experience and also trained for combat.

The 2015 report states that the level of terrorist threat on the territory of the Republic of Croatia is low, however, in the context of a global growth of terrorist threats, this should not be taken for granted. With regard to the threats related to Islamist point of view, it is estimated that the degree of risk is low because according to the security estimates the „number of followers of the radical interpretation of Islam in the Republic of Croatia is small, maybe several dozen of whom most of them are not supporters of terrorist methods of action“. SOA identifies **the transit role of Croatia** as a security challenge. It was discovered that six persons who have Croatian as well as some other citizenships, spent a certain amount of time on the territory of the so called Islamic State. Prior to their radicalisation, these persons had moved out of Croatia or never even lived in Croatia. The report also mentions that in Croatia there are cases of radicalised women who go to the so called Islamic State in the capacity of wives or future wives of „jihadists“. There is also one case of a minor, a Croatian citizen, who had the intention to join the Islamic groups in Syria. „The young man became radicalised on the Internet where he entered into direct contact with the „jihadists“ from Syria who were

promoting fighting for the so-called Islamic State. In discussions with his family and as a result of psychological help that was provided to the young man, the problems and dilemmas were identified and then resolved. In the end, the minor abandoned his radical views and decided against fighting for „jihad“.

In its 2016 report, SOA points to the increased level of terrorist threat for the entire Europe, including Croatia. Particular attention is drawn to the brief description of one case when a Croatian citizen was kidnapped in Egypt in the summer of 2015. The Egyptian branch of ISIS claimed responsibility for this case.

### **1C. Description of the global political approach/trend and legislative focus in response to terrorism in your country. What are the main policies and strategies implemented?**

The main strategic framework for terrorism is the **Security Strategy for the Republic of Croatia**. The 2002 National Security Strategy of the Republic of Croatia<sup>18</sup> was in force until the end of July when it was estimated that it no longer represented a basic strategic document providing policies and instruments to achieve certain visions and national interests, and to meet security requirements which would ensure a balanced and continuous development of the state and society“ because the paradigm of security has significantly changed in the contemporary world (the Government of RoC, Draft National Security Strategy, 2017). On 14 July 2017 the Croatian Parliament adopted the new National Security Strategy<sup>19</sup> which is more dedicated to the safety of people because of the increased probability of asymmetrical threats, which points to the fact that the security paradigm valid up to that point has changed. The Strategy thus develops an „overarching concept of security, ensuring a better coordination, strategic planning, pooling of resources and a balanced development of capabilities in order to develop security policies which will guarantee, at the national level and in cooperation with allies and partners, a high degree of security for the citizens. This new concept of security assumes the passing of the Homeland Security System Act which defines the bodies of state administration competent for the interior affairs, defence, foreign affairs, civil protection, finance and justice as well as other state bodies<sup>20</sup> if necessary, as the central bodies of homeland security system. The National Security Council is established as the central body of the homeland security system (already performing duties in that respect <http://www.uvns.hr/hr>) with the objective to analyze national security risks and issues in the framework of state bodies, to develop guidelines, decisions and conclusions on the methods of protection, protection of national interests and achievement of strategic goals. The plan is also to establish an „operating body“ to coordinate the homeland security system and to ensure that the National Security Council decisions, conclusions and guidelines are implemented. Special attention is given to education, therefore the plan is to develop specialised training programs for the employees of state administration bodies, local and regional government

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<sup>18</sup> OG 33/02

<sup>19</sup> OG 73/17

<sup>20</sup> Deputy Prime Minister of Croatia and Minister of Defence Mr. Damir Krstičević, presenting the draft proposal of the National Security Strategy and the Homeland Security System Act

administration bodies, as well as for the employees of public and private sectors working in the area important for homeland security.

The strategy mentions terrorism while describing the security environment at both global and European levels, as well as on the territory of neighbouring states. Terrorism is recognized as a permanent threat to international and national security. It is evident that there is a „growing readiness and ability among terrorists to cause considerable destruction and damage, and a large number of victims.“ In the European context, the recognized challenges are the development and implementation of common European policies and processes of political radicalisation and populism. In the area of South-Eastern Neighbourhood, there is a growing trend of „increased intolerance, radicalism and extremism, especially Islamic radicalism“ and it is not probable that the causes of the above mentioned occurrences could be eliminated or mitigated in the mid-term period. Particular attention is given to recognizing the self-radicalised individuals „who are not in direct contact with terrorist organisations, but under the influence of terrorist propaganda, they could perform individual terrorist attacks“. For the Republic of Croatia, the Strategy has identified a low level of probability for a terrorist attack. The security threat is seen in the „transit of the terrorist organisation members across the Croatian territory, using also illegal migrations“. Extremist actions of individuals and groups on the territory of the Republic of Croatia are estimated to be „sporadic, without any encouragement potential and wider support from the citizens“ and also without any „potential to jeopardize public security“. Extremism among individuals within football supporters groups is cited as the example of negative practice.

In the context of defining strategic national security goals, terrorism is mentioned under the objective: „reaching the highest degree of security and protection of citizens, as well as critical infrastructures“. It is therefore described that the „fight against terrorism shall be conducted through an integrated approach and cooperation among different departments, by implementing prevention and suppression measures, protection measures, law enforcement and by strengthening international cooperation.“ It is also stated that the „Republic of Croatia shall use a comprehensive approach to prevent and suppress radicalism and extremism, including through education for democracy, non-violence and human rights. There will be zero tolerance to violence, especially to hate crime, bullying among school children and abuse of sports and other events to express radicalism, extremism and hooliganism.“

The **specific strategic document** referring precisely to terrorism is the **National Strategy for the Prevention and Suppression of Terrorism**. The first strategy was adopted in 2008, but the applicable one currently is the 2015 strategy.<sup>21</sup> The clarification of the new draft strategy presents how this document describes new dimensions of terrorist dangers which include: the phenomenon of foreign terrorist fighters, terrorists operating alone, new methods of financing terrorism including kidnapping for ransom, providing assistance and experience in the development of counter-terrorist capacities of the countries in South-East Europe, abuse of

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<sup>21</sup> OG, 108/2015

information and communications technologies, extremism and violent radicalism<sup>22</sup>. The Strategy is based on the principles and values of the Republic of Croatia Constitution, the United Nations Charter, membership in the EU and NATO and it supports the goals and values of the Global Counter-Terrorism Strategy of the United Nations and the Counter-Terrorism Strategy of the European Union, as well as other relevant international documents.

The Strategy describes the following as the basic defining characteristics of terrorism:

- Terrorism is one of the main security threats of the 21 century showing extraordinary adaptability to new circumstances;
- The main threat is seen in the global fundamentalist terrorist networks and their followers;
- Additional challenges to counter-terrorism systems are the new forms of terrorism – foreign terrorist fighters, radicalised individuals, i.e. terrorists who operate alone and independently;
- Terrorism is the cause of material damage and harm done to people, and it increases fear in public;
- Terrorist objectives are to procure and use weapons and other means of mass destruction;
- Terrorists are logistically organised in the procurement of weapons and other means of destruction;
- Terrorists develop new methods of financing own activities;
- Another point of concern is the growing abuse of information and communications technologies (especially the Internet) to communicate and disseminate terrorist ideologies, to radicalize, attract extremists and spread knowledge and information on terrorist methods and techniques;
- There is evidence of „professionalization of terrorism“ whereby persons with specific knowledge and skills are hired and paid to perform various tasks, even though they are not ideologically related to terrorism;
- Terrorists intend to attract and use individuals and groups who are marginalized in society (neglected or rejected);
- They try to win over the support for their radical views and to recruit new members through distorted interpretations of specific social, economic, religious and political issues;
- The security and resilience of terrorist organisations is protected through a decentralized organisation structure;
- Terrorist activity can be connected with other asymmetrical threats (e.g. transnational organised crime, illegal migrations, trafficking in human beings and kidnapping);

In its third chapter, the Strategy describes how significant it is to contribute to international counter-terrorism effort, and emphasizes the significance of participating in international and multilateral activities of terrorism suppression, as well as the relevance of such activities for

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<sup>22</sup> <http://www.glas-slavonije.hr/281932/1/Nova-strategija-za-prevenciju-i-borbu-protiv-terorizma>



national security. A particular emphasis in that respect is given to activities in the neighbourhood, in South-East Europe, in the framework of two components: 1) cooperation among security sectors and cooperation in borders control, and 2) overall foreign policy activities of the Republic of Croatia towards the countries in the region.

The fourth chapter of the Strategy presents the measures in the fight against terrorism, structured through four areas: 1) prevention of terrorism, 2) suppression of terrorism, 3) protection from terrorism, and 4) prosecution and sanctions.

In the Strategy, prevention of terrorism is defined as the „creation of such political, social and economic circumstances which strenghten the inner cohesion of the society and its resilience to the influence of extreme ideologies, and which eliminate any preconditions for the appearance and spreading of terrorism in all its elements and forms“. Some of the terrorism prevention measures interesting in the context of this report are the following:

- „Disabling promotion and invitation to terrorism, and incitement to terrorism in any way;
- Recognizing and preventing radicalisation and extremism that can potentially grow into terrorism;
- Encouraging researches, analyses and exchanges of experience and best practices in the area of eliminating any spread of extremist ideologies, and increasing understanding and tolerance in society;
- Developing human resources for the fight against terrorism through newly designed programs of education and training<sup>23</sup> whereby it is necessary to create organisation-related and functional preconditions for the development of scientific and expert work in this area;
- Establishing a national mechanism with key participants from the state, private and public sectors with the objective to detect, reduce availability and effect of the Internet contents promoting terrorist radicalisation, recruitment and training.“
- The suppression of terrorism in the Strategy refers to „taking measures and implementing procedures against the creation, dissemination and operation of terrorist networks and organisations, all of which assumes a timely discovery of actions such as planning, preparing, organising and/or conducting activities bearing characteristics of terrorism.“ In the context of this report's topic, one of the stated measures can be highlighted:
  - „eliminating all forms of recruitment for terrorist groups whose acts are directed against any state“.

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<sup>23</sup> In the context of education and training it is worth noting that the undergraduate study program of Sociology at the Faculty of Humanities and Social Sciences in Zagreb offers an elective subject called Terrorism and Society. The elective subject Terrorism is also offered to the students of the postgraduate specialist interdisciplinary study program of Crisis Management. Apart from at the university level, terrorism is also part of curriculum at the undergraduate and graduate level of the specialist study course of criminalistics at the Police College (e.g. Security System and National Security of the Republic of Croatia; European and International Security; Fires, Explosives and Terrorism).

- In the context of criminal prosecution and sanctioning, it is worth highlighting the following measures:
- „harmonizing the national criminal law with the international convention law and *acquis communautaire* of the European Union in order to conduct criminal procedure and to prosecute and sanction all forms of planning, preparing, organising and committing all criminal offences related directly or indirectly to terrorism including the criminal offences of cyber crime related to terrorism, as well as international restrictive measures regarding terrorism;
- Stipulating adequate criminal sanctions with the possibility to apply corresponding security measures, special obligations and other alternative measures in order to prevent radicalisation and to eliminate any existence or acts by legal persons connected to terrorism.“

The fifth chapter of the Strategy deals with human rights and freedoms, and public relations. A clearly expressed attitude states that „all of the measures of prevention and suppression of terrorism should be in line with the accepted standards of human rights and freedoms“ and that the „counter-terrorism measures should be appropriate, proportionate to the threat and in accordance with the laws“. With respect to public relations, the emphasis is placed on the importance of free and unhindered dissemination of information as one of the most efficient means for promoting understanding and tolerance. However, the openness of society and the freedom of information and communication technologies are used by contemporary terrorism for its own purposes, therefore it is important to clearly define that spreading any ideology of terrorism, criminal association and conspiracies with the purpose of committing terrorist acts, their glorification and incitement are a prohibited and legally punishable behaviour. Such behaviour, as it is stated in the Strategy, represents a „denial of fundamental human rights and freedoms of individuals and the entire community“.

The final, sixth chapter of the Strategy defines the implementation and coordination of the Strategy. The competence of the National Commission for the Prevention and Suppression of Terrorism and its activities are thereby defined. With respect to the topic of this report, we can highlight one of the National Commission's activities:

„developing cooperation with the scientific and educational community in order to improve the current measures of protection and mechanisms for the prevention and suppression of terrorism. In particular, the cooperation between academics, practitioners and policy makers shall be encouraged with the objective to identify research purposes and to direct research activities in the areas of counter-terrorism, extremism, media, propaganda, social networks and all other disciplines and fields that can help determine and eliminate causes of terrorism.“

At the implementational level, the **Action plan for the prevention and suppression of terrorism** passed in 2012<sup>24</sup> is still relevant. It outlines in detail the foundations and measures

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<sup>24</sup> OG, 136/12

of the 2008 National Strategy for the Prevention and Suppression of Terrorism. The Action Plan analyses seven functional categories of which five are directly stated in the National Strategy and two derive from the goals and requirements of the operational implementation of the National Strategy:

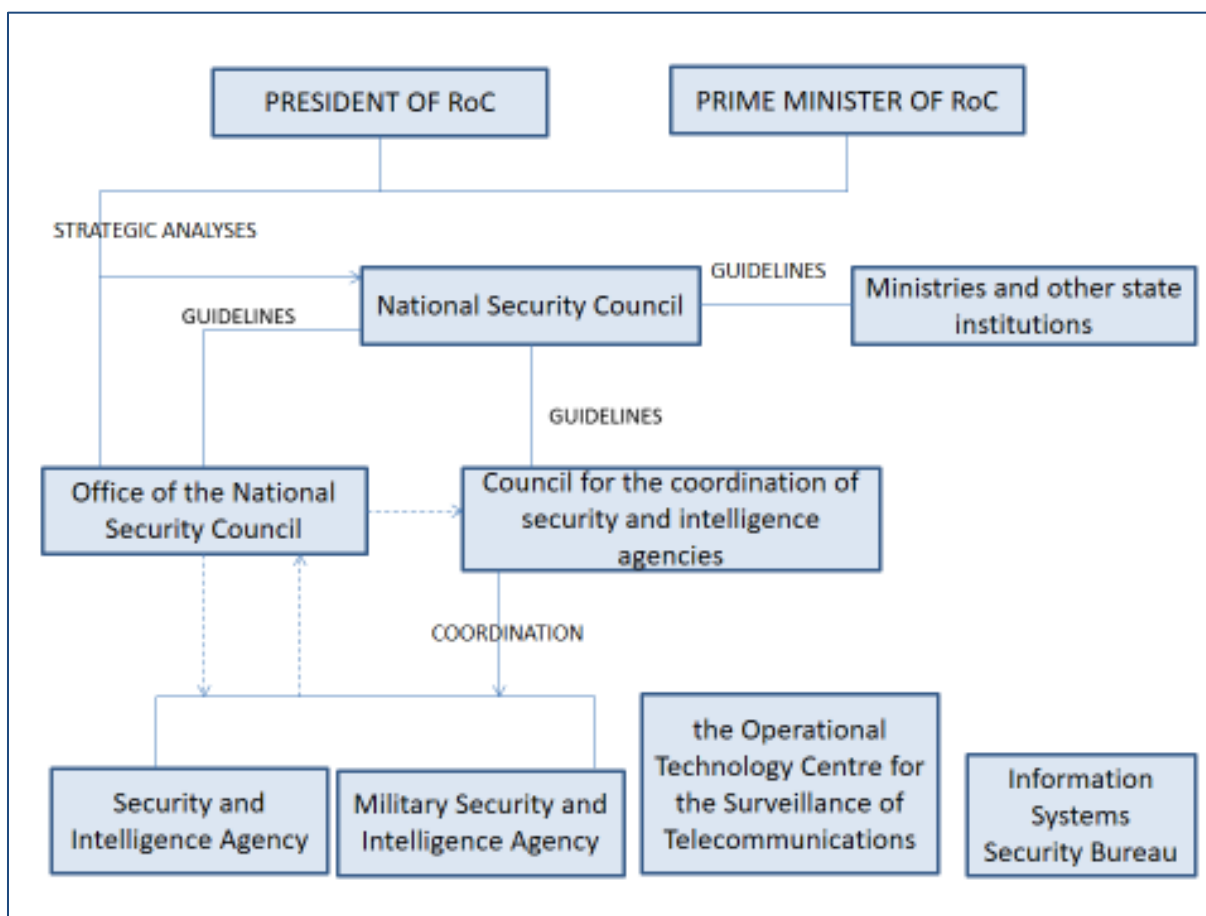
1. prevention of terrorism
2. suppression of terrorism
3. protection from terrorism (terrorist operations)
4. damage repair and recovery from terrorist attack
5. legal infrastructure, criminal procedure, prosecution
6. training and education for counter-terrorism operations
7. coordination between departments and international cooperation

The Action Plan is, just like the National Strategy, based on four main categories of activities: „1. Protection from terrorism, prevention of terrorism, intelligence information research with the objective to eliminate terrorist acts, the criminal pursuit of perpetrators of terrorist acts, and responding to perpetrated terrorist acts, i.e. functioning under the circumstances of crisis as the consequence of committed terrorist acts.“

The overall criminal justice framework regarding criminal offences of terrorism is described in Chapter 2 of this report.

In the institutional sense, the prevention and suppression of terrorism belong to the direct scope of work of the Security and Intelligence Agency and the Ministry of the Interior of the Republic of Croatia.

The President of the Republic of Croatia and the Government of the Republic of Croatia coordinate the work of security and intelligence agencies through the National Security Council. The Council for the Coordination of Security Intelligence Services operationally coordinates the work of security and intelligence agencies, whereas the administrative work for the two Councils is performed by the Office of the National Security Council (Security and Intelligence Agency, 2016).



*Diagram of the security and intelligence system of the Republic of Croatia (Security and Intelligence Agency, 2016)*

On the website of the Security and Intelligence Agency (SOA) ([www.soa.hr/kontakt/](http://www.soa.hr/kontakt/)) there is a telephone number of the SOA answering machine representing a contact point for citizens, with the following instructions:

„The contact number of the SOA answering machine is: 01/377–2222

The stated phone number is intended for the citizens and the information they might have regarding any threats posed to the national security and interests of the Republic of Croatia. The Security and Intelligence Agency guarantees complete anonymity to the citizens who submit such information.

When SOA estimates that the citizens' information is relevant for the national security, SOA employees will contact those citizens (if they leave their identification information, phone number or email address) in order to verify the credibility of such information. It is important to emphasize that each abuse, i.e. delivery of false information is subject to penalties stipulated in the positive legal regulations of the Republic of Croatia.“

Within the Ministry of the Interior, the issues related to the prevention and suppression of terrorism are in the competence of the Service for Terrorism which is a structural unit of the Anti-terrorism and War Crime Department within the Criminal Police Directorate of the General Police Directorate.

The Service for Terrorism scope of work is defined in Article 65 of the Regulation on internal structure of the Ministry of the Interior<sup>25</sup>:

The Service for Terrorism „monitors and studies the situation and types of terrorist incidents and criminal offences, international terrorism and security-related events related to terrorism; determines the most favourable methods for the prevention and identification of perpetrators of these criminal offences; provides expert assistance to police officers in police administrations; supervises the performance of tasks and assignments in the investigations of criminal offences in this area; it is directly involved in the work and investigations of the most complex criminal acts of terrorism, international terrorism and other criminal offences related to terrorism; participates in the collection of information and development of other expert materials; ensures direct cooperation with other state bodies, institutions, international organisations and police services of foreign countries in the performance of tasks in its competence“.

The cases involving children (under 18) will be dealt by the police officers of the Department for juvenile delinquency and crime committed to the detriment of youth and family of the General Crime Service of the General Crime, Terrorism and War Crime Sector. According to the Regulation on Internal Structure of the Ministry of the Interior (Art. 63), this Department „monitors and analyzes the situation and types of incidents of juvenile offending, criminal offences detrimental to children and youth as well as punishable acts committed through violent behaviour in the family; it determines the most favourable methods for preventing and detecting perpetrators in this area of punishable behaviour; provides expert assistance to police administrations; supervises criminal investigations of punishable acts in these areas; organises, coordinates and participates in criminal investigations of more complex criminal offences at the national level and within its competence; cooperates with other state authorities and civil society organisations in the suppression of juvenile delinquency and in finding the right direction in ensuring legal protection of children and youth and fighting family violence; participates in the development of normative acts; performs other tasks within its scope of work.“

On its website [www.mup.hr](http://www.mup.hr), the Ministry of the Interior (MUP) has a link to report terrorism with the following instruction:

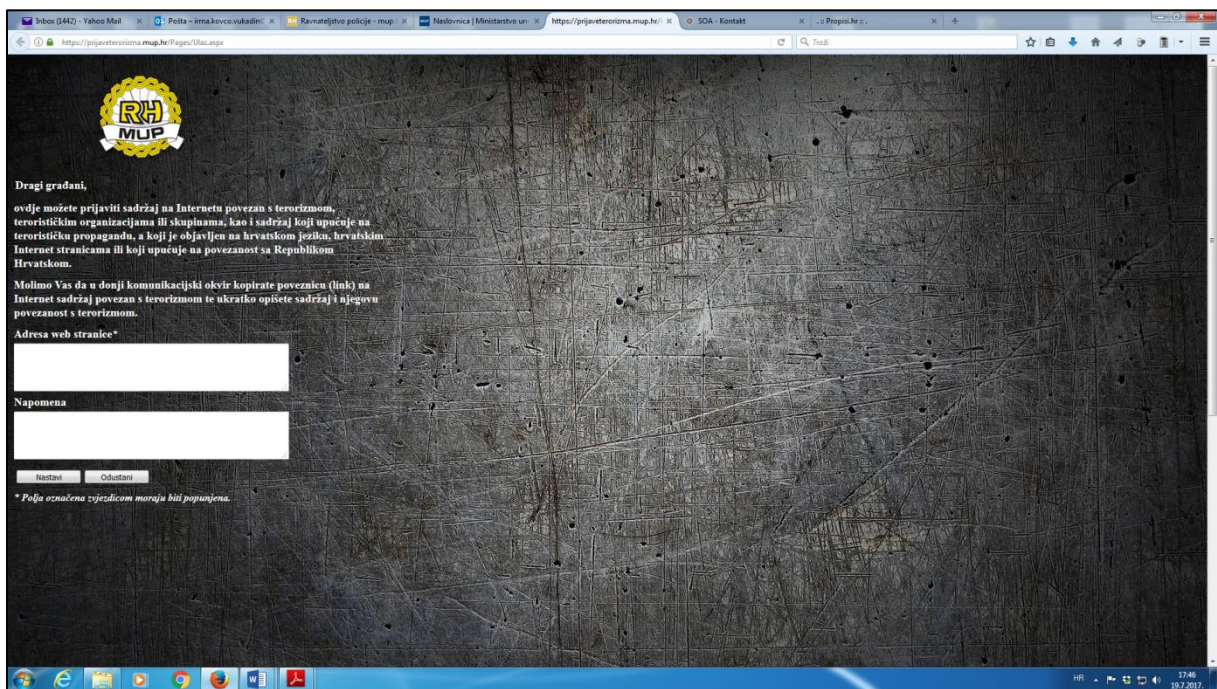
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<sup>25</sup> Official Gazette 70/2012, 140/13, 50/14, 32/15, 11/17

„Dear citizens,

You can report here any contents on the Internet connected to terrorism, terrorist organizations or groups, as well as any contents pointing to terrorist propaganda and published in Croatian, on Croatian websites or which is somehow connected to the Republic of Croatia.

In the communication space below, please copy the link to the Internet contents related to terrorism and briefly describe the contents and how it is connected to terrorism.“



The screenshot shows a web browser window with the URL <https://prijaveterorizma.mup.hr/Pages/Utaz.aspx>. The page features the MUP logo (RH MUP) and a dark, textured background. The text on the page reads: "Dragi građani, ovdje možete prijaviti sadržaj na Internetu povezan s terorizmom, terorističkim organizacijama ili skupinama, kao i sadržaj koji upućuje na terorističku propagandu, a koji je objavljen na hrvatskom jeziku, hrvatskim Internet stranicama ili koji upućuje na povezanost sa Republikom Hrvatskom. Molimo Vas da u donji komunikacijski okvir kopirate poveznicu (link) na Internet sadržaj povezan s terorizmom te ukratko opišete sadržaj i njegovu povezanost s terorizmom." Below this text are two input fields: "Adresa web stranice\*" and "Napomena". There are also "Nastavi" and "Oduštani" buttons. A small note at the bottom states: "\* Polja označena zvjezdicom moraju biti popunjena." The browser's taskbar at the bottom shows the time as 17:46 on 19.7.2017.

### 1C. General status of extremist criminality concerning juveniles (under 18)

We didn't have such cases in the Republic of Croatia.

## **2. NATIONAL LEGISLATION IN THE COUNTER-TERRORISM CONTEXT**

### **2A. Evolution of legislation in the area of counter-terrorism**

Before describing the definitions and changes in the Croatian legislation related to counter-terrorism, it is important to emphasize that the set of criminal justice regulations in Croatia contains various laws with different meanings and applications with respect to adult and juvenile perpetrators of criminal offences.

The Criminal Code fully applies to adult perpetrators of criminal offences, as does the Criminal Procedure Act. However, in relation to juvenile offenders (age 14-18), a criminal offence is defined according to the Criminal Code but the criminal procedure and sanctioning are conducted according to a special act called Juvenile Courts Act. In that respect, the sanctions listed below in the Criminal Code are valid only for adult perpetrators of criminal offences, whereas the criminal offence description itself applies regardless of the age group.

It is also important to note that the criminal justice legislation in Croatia does not apply to a child who wasn't 14 at the time the criminal offence was perpetrated. If the person is considered a child in the legal sense and if a criminal offence was perpetrated, it is the Family Act and the Social Welfare Act that apply. In Croatia, children are excluded from criminal liability.

Young adults are a special age group. These are persons between 18 and 21. In their case, a decision is made, with respect to a specific evaluation and circumstances, whether they will be prosecuted and sanctioned as adults (pursuant to the Criminal Procedure Act and the Criminal Code) or they will be prosecuted and sanctioned as minors (pursuant to the Juvenile Courts Act). Different factors influence such a decision, but they primarily depend on the type and gravity of the committed offence, the motivation for committing it and any prior convictions.

In the Republic of Croatia in the last twenty years, two criminal codes were passed which have defined the criminal offences related to terrorism and they have both been amended. The first Criminal Code was adopted in 1997 and entered into force on 1 January 1998. It was in force until 31 December 2012 (Official Gazette 110/97, 27/98, 50/00, 129/00, 51/01, 111/03, 105/04, 84/05, 71/06, 110/07, 152/08, 57/11, 143/12).

In this (old) Criminal Code, the criminal offences related to terrorism were described in Chapter XIII under the title „Criminal offences against values protected by international law“. Various criminal offences related to war such as criminal offences of genocide, aggressive war, crime against humanity, war crimes against civilian population, war crime against the wounded and sick, against prisoners of war, unlawful killing and wounding the enemy etc, as well as the criminal offences related to the abuse of narcotic drugs, racial and other discrimination, trafficking in human beings and slavery, torture and other cruel, inhuman or

degrading treatment, illegal transfer of persons across the state border, international prostitution, hijacking and aircraft or a ship, piracy on the sea and in the air, etc.

In the (old) version of the Criminal Code, three criminal offences are specifically related to the domain of terrorism, and those are: criminal offence of terrorism (Article 169), public incitement to terrorism (169.a) and recruitment and training for terrorism (Article 169.b). They are defined as follows:

### **Terrorism**

#### Article 169.

(1) Whoever aims to cause major fear among the population, forces the Republic of Croatia or a foreign state or international organization to do or not do something, or who aims to seriously jeopardize or destroy the fundamental constitutional, political or social values, the constitutional structure of state authority and legal persons with public powers, of the Republic of Croatia, a foreign state or an international organisation, who commits one of the following criminal offences:

- a) attack on life, limb or freedom of another person;
- b) kidnapping or hostage taking;
- c) destruction of state or public facility, transport system, infrastructure facility including information systems, fixed platforms located on epicontinental shelf, general goods or private property, which can endanger human life or cause considerable economic damage;
- d) hijacking of an airplane, vessel or other means of public transport or transport of goods which are likely to endanger human life;
- e) manufacturing, possessing, acquiring, transporting, supplying or using weapons, explosives, nuclear or radioactive material or device, as well as nuclear, biological or chemical weapons;
- f) researching and developing nuclear, biological or chemical weapons;
- g) discharging dangerous substances or causing fires, explosions or floods, or performing other generally dangerous actions, the effect of which is to endanger human life;
- h) interfering with or disrupting the supply of water, electricity or any other fundamental natural resource, the effect of which is to endanger human life, shall be punished by imprisonment for not less than five years

(2) Whoever threatens to commit the criminal offence referred to in paragraph 1 of this Article, shall be punished by imprisonment for one to five years.

(3) If the perpetrator, while committing the criminal offence referred to in paragraph 1 of this Article, intentionally murders one or more persons, shall be punished by imprisonment for not less than ten years or by long-term imprisonment.

(4) If the perpetration of the criminal offence referred to in paragraph 1 of this Article caused death for one or more persons, or a large scale destruction was caused, the perpetrator shall be punished by imprisonment for not less than ten years.



## **Public incitement to terrorism**

### Article 169.a

(1) Whoever aims to commit the criminal offence referred to in Article 169 of this Act and publicly expresses or promotes ideas, thereby directly or indirectly inciting terrorism and thus causing danger of committing that criminal offence, shall be punished by imprisonment from one to ten years.

(2) In order to initiate criminal proceedings for the criminal offence referred to in this Article, it is necessary to obtain the approval from the State Attorney General of the Republic of Croatia.

## **Recruitment and training for terrorism**

### Article 169.b

(1) Whoever aims to commit the criminal offence referred to in Article 169 of this Act and thus solicits another person to commit or participate in the perpetration of the criminal offence of terrorism or to join a group of people or a criminal association with the purpose to contribute to the perpetration of this criminal offence conducted by this group or criminal association, shall be punished by imprisonment from one to ten years.

(2) The punishment referred to in paragraph 1 of this Article shall apply to whoever aims to commit the criminal offence referred to in Article 169 of this Act and gives instructions on the development and use of explosive devices, fire arms or other weapons or harmful or dangerous substances, or trains another person to apply the methods and techniques to commit or participate in the perpetration of that criminal offence.

(3) In order to initiate criminal proceedings for the criminal offence referred to in this Article, it is necessary to obtain the approval from the State Attorney General of the Republic of Croatia

With the stated three specifically defined criminal offences related to terrorism, there were another three criminal offences related to the modalities of perpetrating criminal offences in the entire domain of values protected under international law and which also applied to the criminal offences of terrorism from Articles 169., 169.a, 169.b. Those criminal offences were the following:

- Associating to perpetrate criminal offences against values protected under international law (Article 187);
- Preparing criminal offences against values protected under international law (Article 187.a);
- Subsequent aid to the perpetrator of the criminal offence against values protected under international law (Article 187.b);

Since this Act is no longer in force, the new Criminal Code will be described in more detail in chapter 2B. The new Act was adopted in 2011 and entered into force on 1 January 2013. It has been amended several times (Official Gazette 125/11, 144/12, 56/15, 61/15). The main

change refers to the title of the chapter in which terrorism-related criminal offences are listed, and that is Chapter IX. Criminal Offences against Humanity and Human Dignity. The title is no longer related to the values protected by international law, but it refers generally to humanity and human dignity, regardless of international context.

In that respect, the following criminal offences are listed in this chapter of the Criminal Code which is currently in force (Official Gazette 125/11, 144/12, 56/15, 61/15):

- genocide (Art. 88.)
- crime of aggression (Art. 89.)
- crime against humanity (Art. 90.)
- war crime (Art. 91.)
- injury of an intermediary (Art. 92.)
- misuse of international symbols (Art. 93.)
- unjustified delay of the repatriation of prisoners of war (Art. 94.)
- recruitment of mercenaries (Art. 95.)
- command responsibility (Art. 96.)
- **terrorism (Art. 97.)**
- **financing of terrorism (Art. 98.)**
- **public incitement to terrorism (Art. 99)**
- **recruitment for terrorism (Art. 100)**
- **training for terrorism (Art. 101)**
- **terrorist association (Art. 102)**
- **preparing criminal offences against values protected by international law (Art. 103)**
- torture and other cruel, inhuman or degrading treatment or punishment (Art. 104)
- slavery (Art. 105)
- trafficking in human beings (Art. 106)
- trafficking in human body parts and human embryos (Art. 107)
- cloning and changing human genome (Art. 108)
- ban on mixing human reproduction cells with animal cells (Art. 109).

From the above outline, it is clear how the definitions of criminal offences in the new Criminal Code (2011) somewhat changed in relation to the old Criminal Code (1997). Financing of terrorism was added as a separate criminal offence, whereas recruitment and training for terrorism were separated in the definition and description throughout two articles. Terrorist association was defined separately.

These criminal offences will be specially described in the following chapter (2B).

### **Comparative display of the old and new Criminal Code articles referring to terrorism (Turković I sur., 2013<sup>26</sup>)**

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<sup>26</sup> Turković, K., Novoselec, P., Grozdanić, V., Kurtović Mišić, A., Derenčinović, D., Bojanić, I., Munivrana Vajda, M., Mrčela, M., Nola, S., Roksandić Vidlička, S., Tripalo, D., Maršavelski, A. (2013). Komentar kaznenog zakona. Zagreb: Narodne novine d.d.

Article (CC 1997)	Title	Article (CC 2011)	Title
169.	terrorism	97.	terrorism
169a	public incitement to terrorism	99.	public incitement to terrorism
169b	recruitment and training for terrorism	100.	recruitment for terrorism
		101.	training for terrorism
171.	taking hostages	97.	terrorism
187.	associating for the purpose of committing criminal offences against values protected by international law	102.	terrorist association
187a	preparing criminal offences against values protected by international law	103.	preparing criminal offences against values protected by international law
187b	Subsequent aid to the perpetrator of the criminal offence against values protected under international law	303.	Aid to the perpetrator after the criminal offence was committed

## **2B. National legislation connected to terrorism and/or violent extremism issues implemented in your country**

The current Criminal Code (Official Gazette 125/11, 144/12, 56/15, 61/15) places the criminal offences related to terrorism in Chapter IX Criminal Offences against Humanity and Human Dignity. In the context of this project, it is important to state that the Criminal Code is not familiar with nor does it use the terms related to violent extremism or radicalisation. These terms are not used in the Croatian criminal justice legislation, only the terms related to terrorism are used.

In that respect, the previously described criminal offences (chapter 2A) related to terrorism (from Article 97 to Article 103) have been defined as follows:

### **Terrorism**

#### Article 97 (144/12)

(1) Whoever, with the aim of seriously intimidating a population, or compelling a government or an international organisation to perform or abstain from performing any act, or seriously destabilising or destroying the fundamental constitutional, political, economic or social structures of a state or an international organisation, commits any of the following acts which may seriously damage a state or an international organisation:

1. attacks upon a person's life which may cause death;
2. attacks upon the physical integrity of a person

3. kidnapping or hostage taking;
4. causing destruction to a government or public facility, a transport system, an infrastructure facility, including an information system, a fixed platform located on the continental shelf, a public place or private property, which is likely to endanger human life or result in major economic loss;
5. hijacking of aircraft, vessel or other means of public transport or transport of goods
6. manufacture, possession, acquisition, transport, supply or use of weapons, explosives, nuclear, biological or chemical weapons as well as research into and development of nuclear, biological or chemical weapons;
7. release of dangerous substances, or causing fires, explosions or floods, the effect of which is to endanger human life;
8. interfering with or disrupting the supply of water, electricity or any other fundamental natural resource, the effect of which is to endanger human life; or
9. possessing or using radioactive substances or manufacturing, possessing or using a device for the activation, dispersal or emission of radioactive material or ionising radiation, using or causing damage to a nuclear facility resulting in the release of radioactive materials or the danger thereof, or requesting, by using force or a threat, radioactive material, a device for activating, dispersing or emitting radioactive material or a nuclear facility shall be punished by imprisonment from three to fifteen years

(2) Whoever threatens to commit a criminal offence referred to in paragraph 1 of this Article shall be punished by imprisonment from six months to five years.

(3) If extensive destruction or death of one or more persons has been caused by the criminal offence referred to in paragraph 1 of this Article, the perpetrator shall be punished by imprisonment for not less than five years.

(4) If, in the course of perpetrating the criminal offence referred to in paragraph 1 of this Article, the perpetrator intentionally kills one or more persons, he or she shall be punished by imprisonment for not less than ten years or to long-term imprisonment.

### **Financing of terrorism**

#### Article 98

(1) Whoever directly or indirectly provides or collects funds with the intention that they be used or in the knowledge that they will be used, in full or in part, in order to carry out one or more of the criminal offences referred to in Article 97 (Terrorism) , Articles 99 through 101 (Public incitement to terrorism, Recruitment for terrorism, Training for terrorism), Article 137 (Kidnapping) , Article 216, paragraphs 1 through 3 (Destruction of or damage caused to public devices), Article 219 (Abuse of radioactive substances), Article 223 (Attack upon airplane, ship or immovable platform) , Article 224 (Endangering transport system by performing a dangerous act or using dangerous means), Articles 352 through 355 (Murder, Kidnapping, Attack on or threatening a person under international protection) of this Code or any other criminal offence intended to cause death or serious bodily injury to a civilian or to any other person not taking an active part in an armed conflict, when the purpose of such an act is to intimidate a population or to compel a government or an international organisation to perform

or to abstain from performing any act, shall be punished by imprisonment from one to ten years;

(2) The sentence referred to in paragraph 1 of this Article shall be imposed on whoever directly or indirectly provides or collects funds with the intention that they be used or in the knowledge that they will be used, in full or in part, by terrorists or by a terrorist association.

(3) The funds referred to in paragraphs 1 and 2 of this Article shall be confiscated.

### **Public incitement to terrorism**

#### Article 99

Whoever publicly expresses or promotes ideas directly or indirectly inciting the commission of a criminal offence referred to in Articles 97 (Terrorism) through 98 (Financing of terrorism), Article 137 (Kidnapping), Article 216, paragraphs 1 through 3 (Destruction of or damage caused to public devices), Article 219 (Abuse of radioactive substances), Articles 223 (Attack upon airplane, ship or immovable platform), Article 224 v, Articles 352 through 355 (Murder, Kidnapping, Attack upon or threatening a person under international protection) of this Code, shall be punished by imprisonment from one to ten years.

### **Recruitment for terrorism**

#### Article 100

Whoever solicits another person to join a terrorist association for the purpose of contributing to the commission of a criminal offence referred to in Article 97 (Terrorism), Article 102 (Terrorist association), Article 137 (Kidnapping), Article 216, paragraphs 1 through 3 (Destruction of or damage caused to public devices), Article 219 (Abuse of radioactive substances), Article 223 (Attack upon airplane, ship or immovable platform), Article 224 (Endangering transport system by performing a dangerous act or using dangerous means), Articles 352 through 355 (Murder, Kidnapping, Attack upon or threatening a person under international protection) of this Code, shall be punished by imprisonment from one to ten years.

### **Training for terrorism**

#### Article 101

Whoever provides instructions in the making or use of explosive devices, firearms or other weapons or noxious or hazardous substances, or in other specific methods or techniques, knowing that the skills provided are intended to be used for the purpose of committing any of the criminal offences referred to in Articles 97 (Terrorism), Article 98 (Financing of terrorism), Article 137 (Kidnapping), Article 216, paragraphs 1 through 3 (Destruction of or damage caused to public devices), Article 219 (Abuse of radioactive substances), Articles 223 (Attack upon airplane, ship or immovable platform), Article 224 (Endangering transport system by performing a dangerous act or using dangerous means), Articles 352 through 355 (Murder, Kidnapping, Attack upon or threatening a person under international protection) of this Code, shall be punished by imprisonment from one to ten years.

### **Terrorist association**

#### Article 102

(1) Whoever organises or runs a criminal association the aim of which is to commit a criminal offence referred to in Articles 97 through 101 (terrorism, financing of terrorism, public incitement to terrorism, recruitment for terrorism, training for terrorism), Article 137 (Kidnapping), Article 216, paragraphs 1 through 3 (Distraction of or damage caused to public devices), Article 219 (Abuse of radioactive substances), Articles 223 (Attack upon airplane, ship or immovable platform), Article 224 (Endangering transport system by performing a dangerous act or using dangerous means), Articles 352 through 355 (Murder, Kidnapping, Attack upon or threatening a person under international protection) of this Code or any other criminal offence intended to cause death or serious bodily injury to a civilian or to any other person not taking an active part in an armed conflict, when the purpose of such an act is to intimidate a population or to compel a government or an international organisation to perform or to abstain from performing any act, shall be sentenced to imprisonment for a term of between three and fifteen years.

(2) Whoever becomes a member of the criminal association, referred to in paragraph 1 of this Article, or commits an act with knowledge that such act contributes to the achievement of the terrorist association's goal, shall be punished by imprisonment from one to eight years.

(3) The perpetrator of a criminal offence referred to in paragraph 1 or 2 of this Article who, by uncovering a terrorist association on time, prevents the perpetration of a criminal offence referred to in paragraph 1 of this Article or a member of a terrorist association who uncovers the association prior to committing, as its member or on its behalf, a criminal offence referred to in paragraph 1 of this Article may have his or her punishment remitted.

### **Preparing Criminal Offences against Values Protected under International Law**

#### Article 103 (OG 56/15)

Whoever prepares the commission of criminal offences referred to in Articles 88 to 91 (genocide, crime of aggression, crime against humanity) and Article 97 to 102 (terrorism, financing of terrorism, public incitement to terrorism, recruitment for terrorism, training for terrorism, terrorist association) of this Code, shall be punished by imprisonment from six months to five years.

In order to understand punishments in this domain, it is important to note that for some criminal offences both the lowest and highest possible prison sentences were stated, and in some cases only the lowest sentences. The highest prison sentence in the Republic of Croatia is 20 years (Article 44 of CC). Therefore, in cases where it says that the perpetrators shall be punished with imprisonment for not less than 5 years, that means that the possible scale of punishment ranges between five and twenty years. An example for this is the criminal offence of terrorism (Article 97, para 3) referring to massive destruction or death caused to one or several persons.

There is also the sentence of long-term imprisonment between 21 and 50 years (Article 46 of CC) but the possibility to pronounce it must be specifically stated. An example for this is also the criminal offence of terrorism (Article 97, para 4) referring to the intention of murdering one or several persons. In that case, the perpetrator shall be punished by imprisonment for not less than ten years or by long-term imprisonment.

In the context of terrorism it is important to mention that Article 81 of the Criminal Code states that the criminal pursuit in the Republic of Croatia is not subject to statute of limitations for the criminal offences of terrorism referred to in Article 97, para 4 nor for the criminal offences of murdering a person under international protection (Article 352), or other criminal offences related to genocide, crime of aggression, crime against humanity, war crime, aggravated murder and other acts not subject to statute of limitations according to the Constitution of the Republic of Croatia or international law.

With respect to the European context of the Criminal Code, it is also important to note that the Code is harmonized with various European Union acts. In the domain of terrorism, the important point is that the Code complies with the Council Framework Decision 2002/475/JHA of 13 June 2002 on combating terrorism and the Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law.

Article 98, paragraph 1 regarding financing of terrorism was drafted in accordance with Article 2, paragraph 1 of the International Convention for the Suppression of Terrorism, whereby it is stated that such financing must be performed willfully, as it is emphasized in the International Convention. The criminal offences of public incitement to terrorism, recruitment for terrorism and training for terrorism were drafted in accordance with the articles of the Council of Europe Convention on the Prevention of Terrorism (OG – International Treaties 10/07)27.

As it was previously mentioned, the Criminal Code is not familiar with nor does it use the terms „violent extremism“ or „radicalisation“. In that respect it is impossible to describe directly those criminal offences and the legal context in which they can occur and be processed. However, it is possible to explain and describe it through the modality of perpetrating such an offence describing the motivation for the committed offence, and those are the so-called hate crimes.

In the Criminal Code, hate crime is defined and described in Article 87, paragraph 21 as follows: „Hate crime is a criminal offence committed towards a person on the basis of that person's race, colour, religion, national or ethnic origin, disability, sex, sexual orientation or gender identity. Such treatment shall be considered as an aggravating circumstance unless this Act expressly stipulates a more severe punishment.“

The definition of hate crime complies with the requirements of the Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law. In a separate section and for some criminal offences, it is stipulated as a qualificatory circumstance when the offence is committed out of hate. In other cases this circumstance should be taken as aggravating. The reason for a more

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<sup>27</sup> Turković, K. i sur. (2013): Comments on the Criminal Code and other sources of the new Croatian criminal legislation, Official Gazette, Zagreb, p. 129-130

severe punishment is the discriminatory motive manifested in violence towards a member of a group, which can have grave social consequences (escalation of violence towards a particular group, group members emigrate etc.)<sup>28</sup>

The criminal offences which are characterised as hate crimes are mostly of violent nature. Even though these can be any criminal offences, some particularly refer to the situations in which they are committed out of hate. Those are the following criminal offences according to the chapters of the Criminal Code:

**Chapter X. Criminal offences against life and limb**

- aggravated murder (Art. 111.)
- female genital mutilation (Art. 116.)
- bodily injury (Art. 117.)
- severe bodily injury (Art. 118.)
- extremely severe bodily injury (Art. 119)

**Chapter XIII. Criminal offences against personal freedom**

- Coercion (Art. 138)
- Threat (Art. 139)

**Chapter XVI. Criminal offences against sexual freedom**

- Sexual intercourse without consent (Art. 152)
- rape (Art. 153)
- severe criminal offences against sexual freedom (Art. 154)

**Chapter XXX. Criminal offences against public order**

- provoking disorder (Art. 324)
- public incitement to violence and hate (Art. 325)

With respect to hate crimes, it is impossible to detect from the official statistics the actual motivation behind these crimes. Therefore, any information in that respect should be considered and interpreted cautiously. For example, a motive of an attack can be a person's religious beliefs and/or nationality, but it can also be gender identity or disability. Hate crime is cumulatively defined so without the analysis of each file (dossier) it is not possible to know the exact motivation and whether radicalisation/violent extremism is behind it.

The official data related to criminal offences of terrorism (Chapter IX of the Criminal Code – Criminal Offences against Humanity and Human Dignity, Articles 97 to 103) has been analyzed from several data sources:

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<sup>28</sup> Turković, K. i sur. (2013): Comments on the Criminal Code and other sources of the new Croatian criminal legislation, Official Gazette, Zagreb, p. 129-130



- analysis of the official data of the Croatian Bureau of Statistics which publishes annual reports on criminal complaints, charges and convictions for minor and adult perpetrators of criminal offences on the territory of the Republic of Croatia
- information obtained from the State Attorney's Office of the Republic of Croatia which cooperated in this project through delivery of official data related to terrorism and hate crimes (consent was obtained from the State Attorney-General of the Republic of Croatia, Mr Dinko Cvitan).

The analysis will cover only the official data in the last three years, pursuant to the new Criminal Code (2011) which entered into force on 1 January 2013.

At the time of writing this Report, the data of the Croatian Bureau of Statistics on criminal complaints, charges and convictions for 2016 were not available. Therefore, the data will be presented for the period between 2013 and 2015.

### **Minors (age 14 to 18)**

#### **In 2015<sup>29</sup>**

- no criminal complaints, charges or convictions for the criminal offence of terrorism (Article 97 to 103)
- within this chapter of Criminal Code, there is one criminal complaint for the criminal offence from Article 106, paragraph 1 Trafficking in Human Beings involving a male minor who was co-perpetrator but the proceedings were not initiated, i.e. the State Attorney's Office did not file a motion for sanctions.

#### **In 2014<sup>30</sup>**

- no criminal complaints, charges or convictions for the criminal offence of terrorism (Article 97 to 103) nor any other criminal offence from Chapter IX of the Criminal Code

#### **In 2013<sup>31</sup>**

- no criminal complaints, charges or convictions for the criminal offence of terrorism (Article 97 to 103) nor any other criminal offence from Chapter IX of the Criminal Code

### **Adults**

#### **In 2015<sup>32</sup>**

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<sup>30</sup> Croatian Bureau of Statistics (2015): Statistical report 1552 – Juvenile perpetrators of criminal offences, complaints, charges and convictions in 2014, ISSN 1332-165X

<sup>31</sup> Croatian Bureau of Statistics (2014): Statistical report 1529 – Juvenile perpetrators of criminal offences, complaints, charges and convictions in 2013, ISSN 1332-165X

<sup>32</sup> Croatian Bureau of Statistics (2016): Statistical report 1576 – Adult perpetrators of criminal offences, complaints, charges and convictions in 2015, ISSN 1332-1668

- one criminal complaint for terrorism (Art 97, para 1, item 1) but against an unknown perpetrator which is why proceedings weren't pursued. The criminal offence was committed on the territory of the Croatian capital, Zagreb.

### In 2014<sup>33</sup>

- no criminal complaints for the criminal offence of terrorism (Article 97 to 103)
- one male person was convicted for the criminal offence of public incitement to terrorism pursuant to Art. 99 of the Criminal Code (the complaint was filed in 2013). The act was committed on the territory of the city of Split, without any other participants and the perpetrator was sentenced to six to twelve months in prison but the sentence was replaced with community service

### In 2013<sup>34</sup>

- only one criminal complaint for terrorism for one person who was convicted in 2014

From the analysis of some other criminal offences committed by minors in the earlier period, between 2010 and 2012<sup>353637</sup>, it is clear that there are several criminal complaints for the criminal offences of racial and other discrimination, however the State Attorney's Office of the Republic of Croatia mostly did not initiate any criminal proceedings. Here, we don't have the information on the discrimination basis or whether any criminal offences were committed, therefore these offences weren't particularly severe since no criminal proceedings were initiated. Therefore, it is not possible to conclude whether any radical extremism occurred in this area.

In order to obtain the data for 2016, we cooperated with the State Attorney's Office of the Republic of Croatia and asked them to provide us with the relevant information. Regarding criminal offences of terrorism, the State Attorney's Office informed us that in 2016 there are no recorded perpetrators of the criminal offences from Articles 97 to 103 (Chapter IX) of the Criminal Code (KZ/11)<sup>38</sup>.

We also asked the State Attorney's Office to provide us with the information on criminal offences committed out of hate, which were defined in the previously described Article 87 paragraph 21 of the Criminal Code (2011). It is also important to repeat that we **CANNOT** consider these criminal offences as any form of violent extremism because the motivation

<sup>33</sup> Croatian Bureau of Statistics (2015): Statistical report 1551 – Adult perpetrators of criminal offences, complaints, charges and convictions in 2014, ISSN 1332-1668

<sup>34</sup> Croatian Bureau of Statistics (2014): Statistical report 1528 – Adult perpetrators of criminal offences, complaints, charges and convictions in 2013, ISSN 1332-1668

<sup>35</sup> Croatian Bureau of Statistics (2013): Statistical report 1505 – Juvenile perpetrators of criminal offences, complaints, charges and convictions in 2012, ISSN 1332-165X

<sup>36</sup> Croatian Bureau of Statistics (2012): Statistical report 1479 – Juvenile perpetrators of criminal offences, complaints, charges and convictions in 2011, ISSN 1332-165X

<sup>37</sup> Croatian Bureau of Statistics (2011): Statistical report 1452 – Juvenile perpetrators of criminal offences, complaints, charges and convictions in 2010, ISSN 1332-165X

<sup>38</sup> Official letter from the State Attorney's Office of the Republic of Croatia number: A-369/2017 dated 24 July 2017.

behind them is unknown and they cumulatively show a qualificatory circumstance of perpetration of some violent criminal offences. What we do know is that a form of discrimination occurred which could be on the basis of race, colour, religion, national or ethnic origin, disability, sex, sexual orientation or gender identity of another person. The records of the number of criminal complaints related to Article 87, paragraph 21 of CC/2011 are kept by the State Attorney's Office cumulatively for adults, young adults and minors and it is not possible to show the data separately, nor is it possible to display the data according to sex.

**Criminal offences committed pursuant to Art.87. para 21 CC/11 – Hate Crimes<sup>39</sup>**

	<b>2014</b>	<b>2015</b>	<b>2016</b>
<b>Reported</b>	45	41	24
<b>Dismissed</b>	5	8	9
<b>Indicted</b>	10	7	20
<b>Convicted</b>	4	3	9

The State Attorney's Office informed us in the same letter that apart from the hate crime definition, the criminal offence of public incitement to violence and hatred (Article 325, Chapter XXX of the 2011 Criminal Code) was also introduced thereby transposing into the Croatian legislation the Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law. The provision of the Article 325 CC/11 is mostly related to the so-called hate speech, even though some particular forms of hate speech are incriminating also pursuant to some other Criminal Code provisions. This criminal offence is mostly committed via Internet (Facebook) and the prevailing discriminatory bases involve religion, national or ethnic origin, sexual or gender orientation/identity. As it was previously stated, it is important to emphasize here that these criminal offences **CANNOT** be considered as a form of violent extremism since the motivation behind it is unknown – these are the cases of discriminatory speech against one group, on a certain basis of discrimination. This could for example be a hate speech case between groups of football supporters or a case of hate speech or discrimination on the bases of sex/gender or race directed towards black people or Roma, therefore a case of inciting to violence and hatred.

In the 2011 Criminal Code, this criminal offence is defined as follows:

**Public incitement to violence and hatred**

Article 325 (OG 144/12)

- (1) Whoever through the press, radio, television, computer system or Internet, at a public rally or otherwise publicly incites or makes available to the public, through leaflets, images or other material inciting to violence or hatred towards a group of people or a member of a group on the grounds of their race, religion or ethnicity, origin, skin

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<sup>39</sup> Official letter from the State Attorney's Office of the Republic of Croatia number: A-369/2017 dated 24 July 2017.

colour, gender, sexual orientation, gender identity, disability or any other characteristics, shall be punished by imprisonment for up to three years.

(2) Whoever organises or runs a group of three or more persons for the purpose of committing the offence referred to in paragraph 1 of this Article shall be punished by imprisonment from six months to five years.

(3) Whoever participates in the association referred to in paragraph 2 of this Article shall be punished by imprisonment not exceeding one year

(4) The punishment referred to in paragraph 1 of this Article shall be applied to whoever publicly approves, denies or significantly diminishes the criminal offence of genocide, crime of aggression, crime against humanity or war crime directed to a group of people or a group member on the basis of their race, religion, national or ethnic origin or skin colour by means adequate enough to incite violence or hatred towards such a group or its members.

(5) For the attempt to commit the criminal offence referred to in paragraphs 1 and 2 of this Article, the perpetrator shall be punished.

The State Attorney's Office also provided us with the data on these criminal offences through cumulative statistics for adults, young adults and minors for the last three years.

#### **Criminal offence of public incitement to violence and hatred (Article 325 of CC/11)**

	<b>2014</b>	<b>2015</b>	<b>2016</b>
<b>Reported</b>	17	36	44
<b>Dismissed</b>	6	23	26
<b>Indicted</b>	9	5	14
<b>Convicted</b>	8	8	14

#### **2C. National legislation connected to the specific needs of juveniles (under 18) suspected or accused of violent extremism or terrorism**

In the Republic of Croatia, the Juvenile Courts Act (Official Gazette 84/11, 143/12, 1448/13, 56/15) regulates all provisions related to young perpetrators of criminal offences (minors and young adults) in substantial criminal law, the provisions on the courts, on criminal procedure and on execution of sanctions, as well as the regulations on criminal justice protection of children. In that respect, the Criminal Code provisions are used only to define the criminal offences, whereas the entire criminal procedure, trial and sanctioning are executed exclusively pursuant to the special Act which will be described in more detail in this chapter.

As it was previously stated, minimal age for criminal liability in the Republic of Croatia is 14. In the legal sense, persons under 14 are considered to be children and are not criminally accountable. If they commit a criminal offence, it is not possible to react through the criminal justice system but through the system of social welfare pursuant to the Family Act and the Social Welfare Act.

The Juvenile Courts Act (JCA) distinguishes several age groups of young offenders (Articles 2 and 5 of JCA):

- Junior minor – age 14 to 16
- Senior minor – age 16 to 18
- Young adult – age 19 to 21

The sanctions imposed on minors are usually correctional measures executed within the social welfare system. The following correctional measures are imposed:

1. court reprimand,
2. special obligations (the total of 16 special obligations which will be later described),
3. referral to a correctional centre,
4. intensified care and supervision,
5. intensified care and supervision with daily stay in a correctional institution,
6. referral to a correctional institution,
7. referral to a reformatory,
8. referral to a special correctional institution

All of these correctional measures, whether executed in a community or in an institution, they are executed within the social welfare system, in an open context. Their duration in principle does not exceed two years. Only the measure of referral to a special correctional institution can last up to three years.

Only one measure, the referral to a reformatory, is executed in the system of judiciary, under closed conditions and it can last up to three years.

The purpose of possible special obligations is to direct to a specific treatment that is required for the minor. The court can select among the total of 16 special obligations. It is important to emphasize that the court can select one or several special obligations.

The court may impose the following obligations:

- 1) to apologise to the injured party,
- 2) to repair or make compensation for the damage done by the offence, according to his or her own abilities,
- 3) to attend school regularly,
- 4) not to be absent from workplace,
- 5) to become trained for an occupation that suits his or her abilities and inclinations,
- 6) to accept employment and persist in it,
- 7) to dispose with income under supervision and advice of the person monitoring the correctional measure,
- 8) to get involved in the work of humanitarian organisations or in the activities relevant for the community or the environment,
- 9) to refrain from visiting particular places or entertainment events and to stay away from particular persons who have detrimental effect on him or her,

- 10) to undergo, with prior consent of his or her legal representative, a professional medical treatment or treatment related to drug addiction or other addictions,
- 11) to get involved in individual or group work in youth counselling services,
- 12) to participate in trainings to obtain professional qualifications,
- 13) not to leave, for a longer period of time, the place of his or her permanent or habitual residence, without special approval obtained from the centre of social welfare,
- 14) to have his or her knowledge of traffic regulations tested in the competent institution for drivers' education.
- 15) not to approach or disturb a victim,
- 16) other obligations that are appropriate considering the committed criminal offence, personal and family circumstances of the minor.

Juvenile imprisonment is the only punishment that can be imposed on juvenile offenders in Croatia. It is imposed exceptionally, in the most severe cases of criminal offences. In principle, annually around 0,5% of all sanctioned minors are punished by juvenile imprisonment. Juvenile imprisonment is the punishment of deprivation of liberty that has some particularities with regard to the conditions in which it is imposed, its duration, purpose and substance (Art. 24 JCA). Juvenile imprisonment can be imposed only on a senior minor (age 16 to 18) for a criminal offence for which the Criminal Code provides a three-year prison sentence or a more severe punishment, whereby considering the nature and seriousness of the offence and because of the high degree of guilt, it would not be justified to impose a correctional measure. Juvenile imprisonment may not be shorter than six months nor longer than five years. However, in case the Criminal Code stipulates a long-term imprisonment for a criminal offence or in case of at least two concurrent criminal offences carrying a sentence of imprisonment of over ten years, juvenile imprisonment may last for up to ten years (Art. 25 JCA).

There are also security measures that can be imposed in addition to correctional measures or juvenile imprisonment, pursuant to Criminal Code provisions. Security measures are the following:

- Mandatory psychiatric treatment
- Mandatory addiction treatment,
- Mandatory psychosocial treatment,
- Prohibition to drive motor vehicles (only for senior minors),
- Prohibition to approach, disturb and stalk,
- Prohibition to access internet,
- Security supervision after the prison sentence was fully executed.

It was stated in the previous chapter that in the Republic of Croatia there are no minors who committed any criminal offences of violent extremism and/or terrorism, there are therefore no specific sanctions intended for them, nor any specific courts for such crimes. Neither are there any particular treatment programs intended for such groups of minor offenders.

However, it is important to emphasize the individual character of all types of procedures involving minors in the framework of the Croatian juvenile justice system. Indeed, Article 8 of the Juvenile Courts Act explicitly states that in the selection of a correctional measure, the court shall take into account the minor's age, his or her physical and mental development, his or her personal characteristics, seriousness and nature of the offence committed, motives for, and circumstances in which he or she committed the offence, his or her behaviour after committing the offence, and especially, whether he or she tried to prevent the occurrence of damage or made efforts to undo the damage; his behaviour towards the injured person and victim, his personal and family circumstances, whether he or she had a criminal record before committing that offence, whether he or she had been sentenced to a juvenile sanction; as well as all circumstances that may affect the choice of such correctional measure by which the purpose of correctional measures will best be achieved.

For the execution of every juvenile sanction, it is important to develop an individual program of procedure (Article 13 of the Act on execution of sanctions imposed on minors for criminal offences and misdemeanours). This Act describes how an individual program of procedure is developed following the analysis of the minor's personality and behaviour, family situation and relations, education performance and school obligations, leisure and free time activities, acquired skills, interests and habits, in particular the needs of the minor, as well as other circumstances that can significantly influence the development of personal responsibility and prosocial behaviour.

From the stated provisions it is clear that in a case of a radical and extremist behaviour of a minor, the justice system, as well as the social welfare system involved in the criminal proceedings, should estimate such characteristics in a minor and take them into consideration while developing specific programs and procedures for a minor, and selecting the sanction type.

Regarding the juvenile justice system, it is also important to note that the Criminal Code provisions on publishing judgments do not apply on minor offenders (Article 34 of JCA), i.e. the criminal offence enquiries and the procedure conducted with respect to a minor are confidential (Article 60 of JCA). Indeed, revealing the confidentiality of the proceedings involving a minor is a criminal offence (Article 75 of JCA). In that respect, the legislator has entirely ensured protection of identity and dignity of minor perpetrators of criminal offences, in the context of special vulnerability of that population, thus reducing any possible secondary victimization, labelling or discrimination by the public. The information that is published and/or used on minor perpetrators of criminal offences can be used exclusively in aggregate form, on the level of figures, without any possibility of discovering the identity of the minor.

Juvenile courts have jurisdiction in the criminal cases involving juvenile perpetrators (Article 35 of JCA). There are special juvenile divisions consisting of juvenile panels and juvenile judges. They all have to be specifically appointed to be able to judge in these cases. The same principle is used among state attorney's offices where special juvenile state attorneys are appointed. Both the juvenile judges and juvenile state attorneys must have strong inclinations

towards upbringing, needs and benefits of the youth, and must have basic knowledge of criminology, social pedagogy and social welfare for young persons (Article 38 of JCA). In that respect, the legislator particularly ensured the protection of young perpetrators of criminal offences, placing greater emphasis on the educational function of sanctioning, as opposed to the retributive and/or punitive function.

According to the information available to the authors of this report (both written and oral information), no education programs particularly directed towards juvenile perpetrators of terrorism and/or violent extremism have been conducted in the Republic of Croatia up to now, nor have there been any special treatment programs focusing on this issue. The challenges for the Croatian system in this domain (in the wider sense) are posed by the migrants who sometimes introduce themselves as minors, without any identification documents for the authorities to be able to determine the exact age. They are sometimes placed in social institutions for the juveniles with behavioural problems, which can be a security risk. Nevertheless, they perceive Croatia as a transit country on their way to other countries of western Europe so they don't remain on the territory of the Republic of Croatia for a long time.

## **2D. National policy and strategies connected to the terrorism issue implemented in your country**

The Republic of Croatia began taking systematic action with respect to terrorism **in 2008** with the adoption of the **National Strategy for the Prevention and Suppression of Terrorism (OG 139/2008)**<sup>40</sup> with the corresponding **Action Plan for the Prevention and Suppression of Terrorism** which analyzes in detail the activities and measures stipulated by the Strategy. At that time, led by the contemporary definitions of this complex phenomenon, the Republic of Croatia **understood terrorism** as a „preconceived, systematic, intentional use of violence or a threat to use violence against people and/or material goods, as means to provoke and take advantage of fear, within an ethnic or religious community, in public, in a state or the entire international community, with the objective of ensuring political, religious, ideological or socially motivated changes. One of the main characteristics of terrorism is that it is mostly practiced by non-state conspiracy organisations or groups that can be supported (directly or indirectly) by some other state or states and often by an organisation whose publicly declared intention and goals have no connections to terrorism, but through their concealed goals and activities they support terrorist actions. Terrorism also identifies itself with the intention to provoke devastating political and psychological consequences which can significantly surpass the goal itself of a terrorist act. Terrorism is also determined by the intentions of those who resort to terrorism by creating an atmosphere of anarchy or provoking an excessive, repressive and unselective response from the government, with the objective to compromise that government in the eyes of the public and thus justify terrorist means and intentions.“ (The National Strategy, Art.7). The Strategy's objective is to create preconditions to fight terrorism. It is a systematic response of the Republic of Croatia to the new security challenges and risks. Considering that fight against terrorism is a priority of almost all countries in the world, this

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<sup>40</sup> National Strategy for the Prevention and Suppression of Terrorism (OG 139/2008). Zagreb: Official Gazette.



approach also presents a contribution of the Republic of Croatia to the national and international counter-terrorism efforts<sup>41</sup>.

The **reasons** behind the development of the Strategy were of political and professional nature. Regarding the **political** reasons, those were primarily: (1) the international interest in Croatia's political and legal approach to the suppression of terrorism, especially in the context of the European Union pre-accession negotiations at that time; furthermore, the adoption of strategic framework was proposed by (2) the European Commission, (3) members of the UN Security Council Monitoring Team for the supervision of the implementation of counter-terrorism measures, (4) NATO, (5) OSCE and (6) the Council of Europe. The **professional** reasons were (1) strengthening national security, (2) creating basic guidelines for further implementation of measures, and (3) developing a political attitude of the Republic of Croatia<sup>2</sup>. The Croatian Government working group for the development of strategy consisted of a representative of the Office of the President of the Republic of Croatia, a representative of the Office of the National Security Council and representatives of the Ministry of the Interior, the Ministry of Foreign and European Affairs, the Ministry of Defence, the Ministry of Finance, the Ministry of Justice, the Ministry of Sea, Tourism, Transport and Development, the State Directorate for Protection and Rescue, the Security and Intelligence Agency, the State Attorney's Office of the Republic of Croatia. The working group had an important subgroup of the Ministry of the Interior consisting of representatives of the Police Directorate, Border Police Directorate, Special Security Affairs Directorate, Administrative and Inspection Affairs Directorate and the Police Command.

The stated National Strategy was valid until 2015 when the Croatian Government passed the Decision on the adoption of the **National Strategy for the Prevention and Suppression of Terrorism (NN 108/15)**<sup>42</sup> which is the currently valid Strategy. It is important to note that the Republic of Croatia kept the same strategic direction<sup>43</sup> in the new version of the Strategy, so the Strategy that is currently in force will be described in more detail.

The first chapter of the Strategy describes the „**Response of the Republic of Croatia to the threat of terrorism**“. It is clear that the **purpose of the document** is to define the framework of the Republic of Croatia with respect to the issues related to the fight against terrorism, providing guidelines for the upgrade of the existing mechanisms and the development of new ones for the prevention and suppression of terrorism. Furthermore, it has been stated that the Strategy is **based on the** provisions, values and principles set in the Republic of Croatia Constitution, the United Nations Charter, the international and legal obligations, as well as goals and values set in the Counter-Terrorism Strategy of the European Union and in other basic counter-terrorism documents of the UN, EU, NATO, OSCE and the Council of Europe. It is particularly emphasized also that the Strategy focuses on the protection of human rights and freedoms, the rights of refugees and humanitarian work. The **attitude** of our country is

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<sup>41</sup> Antoliš, K. (2009): National strategy for the prevention and suppression of terrorism. Police and security, 18, 1, 150-152.

<sup>42</sup> The National Strategy for the Prevention and Suppression of Terrorism (OG 108/2015). Zagreb: Official Gazette.

<sup>43</sup> Radaković, Đ. (2016). Analysis of the positive law National Strategy for the Prevention and Suppression of Terrorism, 25, 3, 244-258.

clearly defined in the Strategy. The Republic of Croatia strongly condemns terrorism in all its forms and appearances, and supports the principle of zero tolerance to it. It is clearly stated in the Strategy that the Republic of Croatia considers terrorism as one of the most serious criminal offences which deliberately uses violence and/or threats to use violence, thereby trying to provoke the atmosphere of fear in order to achieve particular political, religious, ideological or other goals. Also, as the Strategy further states, terrorism completely denies the essence of democracy and acknowledged civilisational, religious and cultural values of contemporary world, including human rights and fundamental freedoms. In that respect, it cannot be justified nor can it be related to any national, religious, racial, ethnic or other origin. Therefore, the Strategy clearly states that the intention of the Republic of Croatia is to **disable** every activity performed by terrorists, terrorist groups and persons related to them on its territory. The Republic of Croatia invests a lot of effort to have the open political, economic, social, religious, cultural and other issues resolved in accordance with applicable laws and general international law (using, of course, generally accepted democratic means). What is particularly important in the context of this report is the fact that this document clearly describes that the attitude of the Republic of Croatia is that **by strengthening the culture of peace and knowledge, tolerance and dialogue, mutual understanding and respect it is possible to remove the essential preconditions for the radicalisation of those attitudes that can potentially lead to the spreading and strengthening of terrorism.** It is also clear that **the Republic of Croatia believes that peace and security, development and human rights are mutually interconnected and supportive, and that the issue of suppression of terrorism also includes solving other global issues such as regional and global crises, conflicts and occupations, instabilities caused by the so-called weak and failed countries, wide disrespect of the rule of law principle, as well as standards of efficient protection of human rights, poverty, climate changes, undeveloped school system etc.** The Republic of Croatia is aware that terrorism is also connected to other asymmetrical threats (transnational organised crime, nuclear weapons, smuggling of drugs and weapons, document forgery, trafficking in human beings etc.) and that it has evolved with the appearance of new technologies, which means that it also represents indirect threat to peace and security. The conclusion at the end of the first chapter is that the **objective of the Strategy** is to ensure the basis (by implementing and developing all necessary national resources) for the highest possible protection from terrorism for the Republic of Croatia, and also to contribute most efficiently to international counter-terrorism efforts (supporting, in that respect, the central coordinating role that UN has in the global efforts to prevent and suppress terrorism). The Republic of Croatia is aware of the complexity of that phenomenon and recognizes, in that context, **the significant role of the academia, non-governmental associations, religious communities, private sector and media, as well as their inevitable cooperation and partnership.**

In the second chapter, **„Characteristics of contemporary terrorism as a threat to national and international security“**, the Strategy defines the basic characteristics of contemporary terrorism. Since these characteristics are in line with the applicable contemporary concepts of this phenomenon, they will not be particularly pointed out for the purpose of this report.

The next chapter **„Contribution to international counter-terrorism efforts“**, emphasizes that contemporary terrorism knows no boundaries between states since it represents a global threat and the responses to it must be international and multilateral, expressing common basic values and interests of the international community. In that context, the Republic of Croatia recognizes its own responsibility and obligation to strengthen its national security and contribute to the security of its partners and allies. The Republic of Croatia contributes to counter-terrorism measures through political and diplomatic efforts, its development assistance, participation in international peace operations, its work in south-east Europe by cooperating with other countries, through international cooperation directed to the development of counter-terrorist conventions and protocols, through the exchange of important information, experience and best practice, by strengthening cooperation in international legal aid and extradition issues, by researching new possibilities of terrorist threats and by developing adequate counter measures, as well as strengthening professional, technical, scientific and educational dimensions.

The chapter entitled **„Anti-terrorism measures“** is divided into the following topics or measures: a) prevention of terrorism, b) suppression of terrorism, c) protection against terrorism, d) damage repair and recovery from a terrorist attack, and e) prosecution and punishment. Each of these groups of measures will be briefly described below:

#### **a) Prevention of terrorism**

The Strategy lists the following measures of prevention:

- Disabling promotion and support of terrorism or incitement to terrorism in any way,
- Recognizing and preventing radicalisation and extremism that can potentially grow into terrorism,
- Preventing abuse of civil society institutions and non-profit sector for terrorist purposes,
- Encouraging research, analyses, exchange of experience and best practice with the objective to disable dissemination of extremist ideologies and to increase understanding and tolerance in society,
- Developing human resources for the fight against terrorism by designing new educational programs and trainings whereby it is necessary to create organisational and functional preconditions for the development of scientific and professional work in this area,
- Strengthening and developing all national capabilities for the prevention of terrorism,
- Establishing a national mechanism with key participants from the government, private and public sectors in order to detect and reduce availability and effects of internet contents which promote terrorist radicalisation, recruitment and training.

#### **b) Suppression of terrorism**

This group includes the following measures:

- All measures intended to disable any organisation and logistic actions with terrorist intentions
- Preventing any terrorist groups from appearing and operating on the territory of the Republic of Croatia, training its members or any entities related to terrorism whose actions are directed against the Republic of Croatia, other states and/or international organisations,
- Preventing any persons related to terrorism from crossing the territory of the Republic of Croatia,
- Disabling any transfer and procurement of weapons, explosives and other items intended for potential terrorist activities,
- Preventing any use of weapons of mass destruction or military and dual-use items for terrorist purposes,
- Disabling financing terrorist organisations, collecting funds or assisting them in any way or persons related to terrorism,
- Disabling all forms of recruitment for terrorist groups whose actions are directed against any country
- Preventing criminal activities that can be directly and indirectly related to terrorism (transnational organised crime, dissemination of chemical, biological, radiological, nuclear weapons and substances, smuggling weapons and explosives, military and dual-use items, narcotic drugs and other goods, forgery of documents and money, illegal migrations and trafficking in human beings).

### **c) Protection against terrorism**

The Strategy anticipates the following protection measures:

- Establishing the protection system of critical infrastructure while supporting and implementing the sector-specific measures of protection already in place together with plans and responsibilities,
- Establishing the system of securing continuation of critical infrastructure activities,
- Strengthening the civil protection system,
- Strengthening supervision of possible cyber attacks,
- Developing and strengthening capabilities for the protection of people and assets,
- Protection of diplomatic, consular and other offices of the Republic of Croatia abroad,
- Informing Croatian citizens and legal persons about the level of terrorist threats in the countries of their destination or where they do business,
- Protection of diplomatic, consular and other foreign offices on the territory of the Republic of Croatia, adjustments of the existing concepts in the area of national security and legal framework for the purpose of establishing a management system for extraordinary and crisis situations, therefore in case of terrorist activities,
- Strengthening the system of state border protection and supervision,
- Strengthening the supervision over armament and disarmament, as well as over the system of guarding weapons, explosives and other means that can be used to commit terrorist attacks,
- Strengthening the supervision of transport and use of dual-use items.

#### **d) Damage repair and recovery from a terrorist attack**

The following measures are stipulated here:

- Using adequate national capabilities, depending on the consequences of a terrorist act, in order to implement civil protection measures and repair damage,
- Strengthening and developing all national capacities required to repair the damage caused by an attack and re-establish the damaged systems,
- Strengthening and developing civil protection mechanisms and repairing the damage caused by the terrorist use of chemical, biological, radiological and/or nuclear weapons and substances,
- Strengthening bilateral, regional and multilateral cooperation in the area of prevention of terrorism, reaction to terrorism and providing assistance after a terrorist attack,
- Strengthening and developing procedures and methods for a quality and timely warning and for informing the media and public,
- Using the management system in extraordinary and crisis situations for the purpose of eliminating the consequences,
- Developing mechanisms and measures to provide assistance to victims of possible terrorist attacks.

#### **e) Prosecution and punishment**

The last group of measures, those directed to criminal pursuit and punishment, include the following:

- Harmonising the national criminal law with the international convention law and the *acquis communautaire* of the European Union,
- Improving cooperation and coordination in order to exchange relevant information and intelligence information between the authorities competent for detection and the law enforcement bodies at national and international levels,
- Strengthening the international police cooperation and international legal aid in criminal matters with third countries and the judicial cooperation with the EU member states,
- Strengthening the performance of financial investigations through a prompt exchange of relevant data at national and international levels,
- Stipulating adequate criminal sanctions with the possibility to apply the corresponding security measures, special obligations and other alternative measures in order to prevent radicalisation and to disable possible establishment and operations of legal persons related to terrorism,

In the following chapter entitled **„Human rights and freedom of information“** it is stipulated that the Republic of Croatia guarantees in its Constitution, laws and transposed international treaties the freedom of thought and expression, freedom of press, speech and public opinion. Furthermore, all of the measures must be in accordance with the human rights

and freedom standards, the counter-terrorism measures must be proportionate and in compliance with the laws. Therefore, accordingly, they must not result with inequality of persons with respect to race, nationality, ethnic origin, sex, social heritage or political opinion. It is also mentioned that the category of admissible rights and freedoms does not include dissemination of terrorist ideology, criminal associations and conspiracy nor any terrorist acts.

The Strategy implementation and coordination is in the competence of the National Commission for the Prevention and Suppression of Terrorism (established by the Government of the Republic of Croatia) which is in charge of developing proposals for concrete operating procedures, developing cooperation with civil society, establishing public-private partnership in the area of detecting, preventing and suppressing terrorist activities and training the business sector.

**To sum up**, we can conclude that the Strategy is harmonized with international recommendations and guidelines and based on contemporary findings in this area. With respect to the measures, there is an entire spectre, from the preventive measures to the ones directed towards criminal pursuit. In the context of this report, it is particularly important for the Republic of Croatia to recognize the importance of prevention of radicalism and extremism. The emphasis is also on the importance of recognizing and preventing these occurrences, primarily by designing educational programs in order to disable the ideology dissemination. Furthermore, in the area of law enforcement measures, the Republic of Croatia anticipates to harmonize its law with the international guidelines, to establish cooperation and coordination among various authorities and to improve adequate sanctioning.

We have also noticed that **there are no measures specifically intended for juveniles**, whether specific preventive programs or an improvement of a juvenile judiciary system. Indirectly, we see some indications of working with this specific group in the fact that the preventive measures emphasize education for the purpose of preventing radicalisation. Also in the group of measures related to prosecution and sanctioning, one of the measures is „stipulating adequate criminal justice sanctions with the possibility to apply adequate security measures, special obligations and other alternative measures to prevent radicalisation and to disable the occurrence and operations of legal persons related to terrorism“ (Measure *e*). Considering that in the Croatian justice system special obligations are a set of correctional measures intended for juvenile perpetrators of misdemeanours (the Misdemeanour Act), or of criminal offences (Juvenile Courts Act), we can see the intention of the strategy's author to recognize juveniles as a group of potential perpetrators. Furthermore, in the set of preventive measures there are those that can also refer to a group of juveniles, primarily „... developing new programs of education and training...“, „...reducing availability and effect of the Internet contents promoting terrorist radicalisation, recruitment and training...“ since we know that it is precisely the young persons who are the best target for such preventive activities. However, it would have been much better if the Strategy had separated the policies intended for juveniles and those meant for adults. We could expect that in the corresponding Action Plan the measures would be divided according to the criteria of age, but unfortunately the new Action Plan has not yet been adopted. In the last one that derived from the 2009 Strategy, there are also no measures focusing on juveniles.

## **2E. Preventive programmes or alternative measures for juveniles to counter-terrorism in your country**

In the Republic of Croatia there are no specific prevention programs nor alternative measures in the domain of counter-terrorism.

The development of such programs and/or measures is in its initial stage which is clear from some other activities and efforts in this domain, primarily conducted by the non-governmental sector.

In the fight against racism, xenophobia and ethnic exclusivism, the Centre for Peace Studies (further in the text: „CPS“) is particularly active. Within its framework of activities, the CPS conducts a program focusing on the following topics: migrations, asylum and integration, discrimination, extremism, hate speech and inter-ethnic radicalisation, racism and xenophobia, anti-fascism, inter-ethnic relations and institution capacities for the protection of human rights and equality. Throughout 2016, various activities were implemented through different methodological approaches such as intercultural mediation and social support in integration, establishing the intercultural social centre, legal aid and strategic litigation, monitoring and supporting policy changes in the Republic of Croatia and the EU, public campaigns and awareness raising, cultural production, researches and expert analyses, professional education and changes in education policies while developing intercultural education programs.

Some of the program activities conducted in the last year, in the area of activism and public media work include: participation in the initiative **Refugees Welcome** established in 2015 which provided assistance and support to refugees in the winter transit accomodation centre in the Republic of Croatia until the so-called Balkan Route was closed; the media campaign „**There is no them and us. We're all people**“; the organisation of protests. Regarding direct work and providing support to refugees, the CPS cooperates with volunteers to provide direct support to refugees (e.g. workshops in reception centres for asylum seekers), they provide support to the first migrants' association *The Africans Society in Croatia* and are implementing the **IPA RAX FREE** project with them. They have also registered a Cooperative for intercultural cooperation called **A taste of home** which offers catering service and an Arabic language course. They have also initiated a **choir** called „**Domestic guests**“ with the objective to spread interculturality in the Croatian society. The Centre for Peace Studies is also active in supporting public policies, researches and expert analyses in this area. They actively work on awareness raising and providing legal aid and strategic litigation. It is important to mention that in 2016, the CPS held three education programs for judges and three education programs for state attorneys on the topic of anti-discrimination legislation. Then, within the Peace Studies, two study courses were held: „Post-colonialism and migrations“ and „Emancipation of cultural pluralism in the times of exile“ with the mentor group (Anti)Passport: a document for everybody. <sup>44</sup>.

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[http://www.cms.hr/system/article\\_document/doc/432/Godisnji\\_izvjestaj\\_Centra\\_za\\_mirovne\\_studije\\_za\\_2016.\\_godinu.pdf](http://www.cms.hr/system/article_document/doc/432/Godisnji_izvjestaj_Centra_za_mirovne_studije_za_2016._godinu.pdf)

Furthermore, the civil society association „Pragma“ was involved in the **RAN – Radicalisation Awareness Network**<sup>45</sup>. In their work within the said Network, they organised a professional conference and presented one of the Network's fields of work – the communication and narrative in the prevention of radicalisation. The meeting took place on 23 March 2017 at the House of Europe, under the title „Communication tools and prevention of radicalisation“. This event also commemorated the European Day in Remembrance of Victims of Terrorism. The welcome speech was given by the Head of Department for political reporting and analysis at the European Commission Representation Office in Croatia. The lectures covered the following topics: Working with adolescents and identity crisis (J. Adamlje, Association *Pragma*), (Efficient) communication tools in the prevention of radicalisation (prof. Labaš, the Croatian Studies of the University of Zagreb), messages from the Network for raising awareness of radicalisation (S. Erdelja, co-manager of the RAN group for social welfare and health care). Apart from that, employees of the *Pragma* association are being educated in this field and they participate in relevant conferences and meetings ( the seminar on Lone Actors in January 2016., a training on counter-narratives and alternative-narrative campaigns etc.).

With respect to the programs, projects and activities organised by the state institutions, the Police Directorate began in 2017 to implement the National prevention project called „**Together against hate speech**“ with the **objective** to promote the culture of tolerance and non-violence, to prevent all forms of hate speech as the socially unacceptable form of behaviour, and finally to prevent crime motivated by different forms of hatred.

It is also implemented in cooperation with other competent state institutions, local and regional government units, academic and scientific community, sports organisations, clubs and associations, relevant civil society organisation, media, educational institutions, athletes, musicians, artists and other prominent members of society. The project consists of various concrete preventive activities focused on the prevention of different forms of hate speech towards certain social groups or their members because of their particular characteristics or opinion, whereby the origin of hatred is basen on some of the discrimination bases. Precisely led by this idea on the importance of a joint effort in creating a healthy social environment which promotes the fundamental human right to the freedom of speech, and simultaneously excludes and condemns hate speech, a comprehensive program was designed to cover a range of preventive topics.

The first planned activity within the presented Project was implemented in the City of Rijeka which has set a model to be followed in the future by all other Police Administrations that will implement it also in their local community.

The Project has two components:

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<sup>45</sup> <http://www.udruga-pragma.hr/sjecanje-na-zrtve-poziv-na-ucinkovito-djelovanje/>



- (1) The component „Say no to hate speech“ – in this component the prominent persons from the public, social, political, cultural and sports life, the representatives of religious communities, civil society organisations, supporters' associations, professional organisations, representatives of national minorities and other prominent members of the society send brief and clear messages against hate speech from the perspectives of their institutions. Their messages are recorded and published on *youtube* channel of the Ministry of the Interior and on the project web site
- (2) The second component focuses on the organisation of a public event in the open air during which young people send messages to the public against hate speech; it is intended primarily for pupils of primary and secondary schools, students, young people and wider public.

In the upcoming period, the project activities will be organised at the national level on the following topics: (1) prevention of hate speech at sport events, (2) hate speech towards national minorities, (3) hate speech towards members of the Roma community, (4) hate speech towards the LGBTQ persons, and (5) hate speech on the Internet and social networks.

At the County level, there will be at least one preventive activity in each county, depending on the problems present in that particular county which are likely to generate hate speech.

For project purposes of educating and promoting prevention, a flyer was created under the title „Say no to hate speech“ and distributed to all police administrations. Also, a special web site was designed under the title „No to hate speech“ which will promote the prevention of hate speech on the Internet and social networks.

We can conclude that in the Republic of Croatia, even though a systematic network of interventions doesn't exist in this domain, there are certain efforts focusing on the prevention of radicalisation, extremism and terrorism. Considering the overall sociodemographic, political and migration context, these efforts are in their beginnings and such activities are primarily directed to provide humanitarian aid, strengthen and support the refugees and migrants however they indirectly and potentially contribute to the prevention of radicalisation. It is also evident that the state institutions are primarily focused on the prevention of hate speech and discrimination in general, and not specifically to the prevention of radicalisation and extremism. Taking into account the information stated in other parts of this report, and specifically considering the fact that this type of behaviour has not spread in our country, this trend is no surprise. However, it would be wise at the government level also to strengthen the projects and programs in this domain.

### 3. ADMINISTRATIVE MEASURES IN THE COUNTER-TERRORISM CONTEXT

The European Union has developed a comprehensive *administrative system of measures* for the fight against terrorism representing the legal, political and action-related basis for:

- ✓ **prevention** (EU Strategy for the fight against radicalisation and recruitment)
- ✓ **protection** (Passanger name record data, EU list of persons and entities involved in acts of terrorism and subject to restrictive measures)
- ✓ **prosecution** (a new legislative framework for the prevention of money laundering and financing of terrorism), and
- ✓ **response to terrorist violence** (managing the consequences of attack, coordination of responses to crises, civil protection development, risk assessment development, best practice exchange in relation to providing help to victims of terrorism, cooperation with international partners) (Polović, 2017).

All member states participate in this system of measures.

Some administrative measures and activities in the context of terrorism prevention and suppression as envisaged by the Action Plan for the prevention and suppression of terrorism are as follows:

#### 1. Prevention of terrorism

1.1. Measures for disabling any promotion or invitation to terrorism, as well as incitement to terrorism in any way on national and international level

- Prohibition to enter into RoC and to distribute illicit means used to promote and invite to terrorism

1.3. Measures for prevention of abuse of legal institutions for terrorist purposes on national and international levels

- Applying regulations in the security check procedure and the procedure of assessing reliability and confidentiality of physical/legal persons who need the security clearance to be able to access classified information

#### 2. Suppression of terrorism (terror)

2.2. Measures for the prevention of using the RoC territory to maintain the existence and activities of terrorist groups, their training, as well as all other persons and entities related to terrorism, whose actions are directed against RoC, other countries and/or international organisations

- Disable any registration for the legal persons who would use the territory of RoC for terrorist activities
- adequate technical equipment and improvement of the border control and supervision system for the purpose of detecting any persons, goods or entities related to terrorism.
- Adequate and timely implementation of measures for the supervision, prohibition or prevention of movement as well as temporary or permanent residence for the persons/ foreigners in RoC, with the objective to prevent and suppress illegal migrations and other forms of illegal activities; if not treated adequately, this could present potential danger of terrorist abuse.

2.3. Measures for the control and supervision of the transit of all persons related to terrorism through the territory of RoC

- Control of persons, vehicles, documents and objects at border crossings
- Introduction of biometric passports
- Visa regime

2.6. Measures for disabling financing and collecting funds or in any way assisting terrorist organisations or persons related to terrorism

- Supervision of suspicious transactions and termination of their execution
- Implementation of guidelines and risk assesment in relation to money laundering and financing of terrorism
- Monitoring the transactions identified by the trustworthy sources that they finance or support terrorist activities and involve particular terrorist organisations

2.8. Measures for the prevention of criminal activities that can be directly or indirectly related to terrorism

- Activities of national committees for the issuance of export permits for the military or dual-use goods, as well as other committees competent for monitoring the stated problems
- Border crossing control

### **3. Protection from terrorism (acts of terrorism)**

3.2. Measures for the protection of legal persons, products and services, as well as facilities that are particularly important for the defence of RoC

3.3. Measures for the supervision of operations and movements in the facilities and plants of the crucial/vital infrastructure

3.4. Protection measures for diplomatic, consular and other offices of RoC abroad

3.5. Providing information to Croatian citizens and legal persons on the level of terrorist threats in the countries of their destination or where they do business

3.6. Protection measures for diplomatic, consular and other foreign offices and missions on the territory of RoC

3.7. Measures for the state border protection and supervision

3.8. Measures of supervision and disarmament, the system of guarding and destroying weapons, explosives and other means that can be used to commit terrorist attacks

3.9. Measures of supervision of transport and use of dual-use items

### **5. Legal infrastructure, criminal prosecution and processing**

5.1. Meeting international and legal obligations of RoC in relation to the suppression of terrorism, in particular the international restrictive measures

5.2. Law enforcement and prosecution of perpetrators, co-perpetrators, instigators, aiders and abettors and/or other persons in any way related to terrorist activities

### 5.3. Disabling the existence and operations of legal entities related to terrorism

### 5.4. Implementing the measures of freezing and confiscating assets to physical and/or legal persons related to terrorism

However, as the author Polović states (2017), „the complex legal, bureaucratic regulations as well as the declared unity and solidarity are increasingly fading before various and often opposite interests among the European Union member states which lack unity and are therefore unable to find the suitable response to multiple security challenges.“ Some disadvantages of the implementation of this system are in the poor organisation, lack of financial resources, staff and equipment, lack of cooperation and exchange of intelligence data, different attitudes towards the strengthening of security structures, i.e. towards the increase in the powers of intelligence, investigation and police authorities, as well as the supervision of internal borders (Polović, 2017). A good example of potential limitations is the fact that Croatia (following the European example) transferred one part of the public security system, e.g. security checks at airports, onto security companies (which also often secure public events, shopping centres, banks and other events/institutions at risk of being attacked).

Furthermore, none of the measures is specifically focused on juveniles which is also a disadvantage and a limitation. It is important to note that this is an old action plan. Therefore, the new action plan (based on the new Strategy) will probably introduce some corrections in line with the current UN and EU standards, with the new strategy and the applicable Croatian legal framework.

## CONCLUSION:

- the main strategic framework for terrorism is the Security Strategy for the Republic of Croatia,
- in 2008 the Republic of Croatia adopted the National Strategy for the Prevention and Suppression of Terrorism<sup>46</sup> which was replaced by the new National Strategy for the Prevention and Suppression of Terrorism in 2015,
- at the implementational level, the Action plan for the prevention and suppression of terrorism passed in 2012<sup>47</sup> is still relevant,
- the President of the Republic of Croatia and the Government of the Republic of Croatia coordinate the work of security and intelligence agencies through the National Security Council. The Council for the Coordination of Security Intelligence Services operationally coordinates the work of security and intelligence agencies, whereas the administrative work for the two Councils is performed by the Office of the National Security Council (Security and Intelligence Agency, 2016),
- the new 2015 Strategy defines terrorism as „one of the most serious criminal offences which uses planned and intentional violence and/or threatens to use violence and thereby intends to create an atmosphere of fear, in order to achieve certain political, religious, ideological and other objectives. Terrorism also completely negates the essence of democracy and the acknowledged civilisation, religious and cultural values of contemporary world, including human rights and fundamental freedoms, therefore it doesn't have and it cannot have any justifications nor can it be related to any national, religious, racial, ethnic or any other origin.“
- publicly available reports of the Security and Intelligence Agency (*SOA*) state:
  - 2014 report states that the „trend of accepting radical interpretation of Islam in the countries of South East Europe has been growing“ which is visible in the „numerous 'jihadists' who leave Europe to fight in Syria and Iraq as members of radical Islamist groups. It is concluded that no Croatian citizens have been identified in the 'jihadist' troops, but that the territory of the Republic of Croatia is used as a transit area. However, SOA believes that the persons who return to their home countries after having participated in the 'jihadist' troops present a significant security risk. The factor of risk associated with those persons is in the fact that they are often additionally radicalised by having participated in the armed conflict, they are traumatised by the war experience and also trained for combat
  - 2015 report states that the level of terrorist threat on the territory of the Republic of Croatia is low, however, in the context of a global growth of terrorist threats, this should not be taken for granted. It was discovered that six persons who have Croatian as well as some other citizenships, spent a certain amount of time on the territory of the so called Islamic State. Prior to their radicalisation, these persons had moved out of Croatia or never even lived in

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<sup>46</sup> OG, 139/08

<sup>47</sup> OG, 136/12

Croatia. The report also mentions that in Croatia there are cases of radicalised women who go to the so called Islamic State in the capacity of wives or future wives of „jihadists“. There is also one case of a minor, a Croatian citizen, who had the intention to join the Islamic groups in Syria. „The young man became radicalised on the Internet where he entered into direct contact with the „jihadists“ from Syria who were promoting fighting for the so-called Islamic State. In discussions with his family and as a result of psychological help that was provided to the young man, the problems and dilemmas were identified and then resolved. In the end, the minor abandoned his radical views and decided against fighting for „jihad“.

- 2016 report points to the increased level of terrorist threat for the entire Europe, including Croatia. Particular attention is drawn to the brief description of one case when a Croatian citizen was kidnapped in Egypt in the summer of 2015. The Egyptian branch of ISIS claimed responsibility for this case.
- within the Ministry of the Interior, the issues related to the prevention and suppression of terrorism are in the competence of the Service for Terrorism which is a structural unit of the Anti-terrorism and War Crime Department within the Criminal Police Directorate of the General Police Directorate.
- the cases involving children (under 18) will be dealt by the police officers of the Department for juvenile delinquency and crime committed to the detriment of youth and family of the General Crime Service of the General Crime, Terrorism and War Crime Sector.
- the current Croatian Criminal Code places the criminal offences related to terrorism in Chapter IX Criminal Offences against Humanity and Human Dignity. In the context of this project, it is important to state that the Criminal Code is not familiar with nor does it use the terms related to violent extremism or radicalisation. These terms are not used in the Croatian criminal justice legislation, only the terms related to terrorism are used.
- violent extremism can be explained and described through the modality of perpetrating a violent offence describing the motivation for the committed offence, and those are the so-called hate crimes within the Criminal Code (modality of violent criminal offences) - Hate crime is a criminal offence committed towards a person on the basis of that person's race, colour, religion, national or ethnic origin, disability, sex, sexual orientation or gender identity. Such treatment shall be considered as an aggravating circumstance unless this Act expressly stipulates a more severe punishment,
- one adult has been accused in 2013 for a crime in which he publicly invited citizens to perform terrorist acts (convicted in 2014 with community sanction),
- no minors/children (<18 years of age) have been accused or prosecuted in any way for terrorist crimes in the Republic of Croatia,
- there have been cases of hate crimes committed by juvenile offenders (14-18 years of age) but these criminal offences cannot be considered as a form of violent extremism because the motivation behind them is unknown and they cumulatively show a qualificatory circumstance of perpetration of some violent criminal offences,
- according to the information available to the authors of this report (both written and oral information), no education programs particularly directed towards juvenile

perpetrators of terrorism and/or violent extremism have been conducted in the Republic of Croatia up to know, nor have there been any special prevention or treatment programs focusing on this issue. There are wider social-inclusion and/or equality programs conducted by NGOs that mention and focus on topics related to terrorism/violent extremism and/or radicalisation - but more in the form of general human right, developing social tolerance and integration of immigrants.