



DESIRE

Demand
for Sexual
Exploitation
In Europe



Croatia

Iva Jovović

Brussels, 13.12.2018.

DISCLAIMER: This document contains materials for which the DESIRE consortium members of Grant **HOME/2015/ISFP/AG/THB/4000008408** are copyright owners. HOME/2015/ISFP/AG/THB/4000008408 project has been funded with support from the European Commission. This publication reflects the views only of the author, and the European Commission cannot be held responsible for any use which may be made of the information contained therein.



Terminology

Sex work is not defined in Croatian legislation

Various laws use different terminology

Criminal law; criminal offenses of prostitution, childbirth, trafficking in persons, crimes against humanity, war crimes

Misdemeanours against Public Order Protection Act; prostitution

A sex worker is a term that reduces the stigma of persons providing sexual services



DESIRE
Demand
for Sexual
Exploitation
In Europe

Sexual work as a misdemeanour and criminal offense

Misdemeanours against Public Order Protection Act

Providing prostitution

Enabling prostitution

Criminal law

- Prostitution
- Sexual exploitation of children
- Trafficking in human beings
- Crimes against humanity (forced prostitution, sexual slavery)
- War crime



DESIrE
Demand
for Sexual
Exploitation
In Europe

Sex workers/clients

Sex workers are punished for the misdemeanour if they provide sexual services.

In that context they are offenders, where the object of protection is public order and peace, while users usually stand as prosecution witnesses and are not prosecuted.

The users, however, may be prosecuted in criminal cases where they used sexual services of persons they knew to be victims of special criminal offences related to sexual exploitation.



DESIRE
Demand
for Sexual
Exploitation
In Europe

Victims of sexual exploitation

The clients of persons used for sexual exploitation may be convicted for a crime if they use the sex services by knowing these persons are victims of trafficking in human beings, with the punishment of imprisonment ranging from one up to ten years.



DESIRE
Demand
for Sexual
Exploitation
In Europe

Social Discourse of Sex Work in Croatia

- The intention of society is to eradicate sex work
- In the pursuit of social intent, dominates the repressive system
- Lack of social policies/services for getting out of sex work
- Affirmative actions directed only to the victims of trafficking detected
- Media monitoring is often highly stigmatizing
- There are different views by civil society organizations
- There are no organizations of sex workers by sex workers



DESIRE
Demand
for Sexual
Exploitation
In Europe

Statistical data

- 7,000 sex workers and workers in Croatia and 100,000 clients
Assessment of Judge B. Žigante Živković, 2016.
- Police data data from 2010 to 2016:
817 offenses of prostitution (+13 acts of international prostitution under previous regulations)
- 80 criminal offenses under the previous regulations
- 1,372 violations of prostitution, predominantly female perpetrators
- 53 breaches of prostitution



Controversy

In 2012 the Croatian Government drafted the new law that would, among criminalizing sex workers, additionally criminalize their clients for misdemeanour; however, the draft never passed the Parliament due to disagreements between policy makers. When the issue of criminalizing clients appeared, the minister of interior affairs whose ministry drafted the law without public consultation, was challenged by the PM at the session of the Government.

The media reported that PM was not satisfied that Croatia follows examples of Sweden and Norway, while other European countries like Austria and Germany did not follow that model, and that there was no prior public discussion on the issue.



DESIRE
Demand
for Sexual
Exploitation
In Europe

Challenges

- Legalization
- Decriminalization of the direct provision of sexual services
- Criminalization of users
- Social Policies for Leaving Sex Work
- Reducing Sex Work Demand

