

**MEDIA RELEASE**

**THE CASE OF IVANA POJATINA VS. THE REPUBLIC OF CROATIA FILED AT THE  
EUROPEAN COURT OF HUMAN RIGHTS IN STRASBOURG  
For the denial of the right to have a home birth with a skilled attendant.**

In preparing for the birth of her fourth child, Ivana Pojatina did not want to repeat the bad hospital birth experiences she had had with her first three children. She felt that the safest place for the birth of her fourth child was her own home with a skilled attendant, in her case a midwife. However, despite the rights guaranteed to her by the Constitution of the Republic of Croatia and the Convention on Human Rights, Ms. Pojatina was denied the right to a home birth with a skilled attendant since the healthcare system in Croatia forbids any licensed healthcare worker from attending a birth outside of a hospital. As a result, in January 2012 Ms. Pojatina decided to file a lawsuit against the Republic of Croatia at the European Court of Human Rights in Strasbourg.

Even though our grandparents and even parents were born in their own homes, it has taken only one generation of children born in hospitals to have the basic human right to a dignified birth and start to life to be taken away. Although the percentage of women who chose this form of birth is small, most countries allow, or at least don't forbid, skilled attendants.

In Croatia the women who chose home birth and their babies face a number of difficulties. More often than not their rights are violated, they are threatened, belittled and emotionally blackmailed by healthcare workers and state employees. We are aware of cases where the police and social services have been called in, where families have been threatened with the removal of the child, even dangerous vaginal exams for women immediately after birth in order to confirm that the woman had indeed given birth. This is often followed by separation of the mother and child in hospital and later difficulties with registering the birth and obtaining a birth certificate.

These types of cases became more frequent after the former Minister of Health Darko Milinović stated that he considered skilled assistance at a home birth to be **medical quackery**. Since then there are practically no paediatricians that are willing to examine a newborn born at home or issue a letter of confirmation that they examined the child, often required to register the birth. Who is responsible for this? The parents of a newborn child who have the best intentions in mind when they take the child to be examined by a paediatrician or the paediatrician who forgets the part of the Hippocratic Oath that says help those who need it or perhaps the lawmaking body that is blackmailing parents in trying to regulate the issue of the (im)possibility of home birth with a skilled attendant?

RODA – Parents in Action fully supports Ms. Pojatina's case at the ECHR and included a written statement with the case explaining the currently unacceptable situation in Croatia with regard to the protection of the rights and dignity of women, their children and families during pregnancy, birth and postpartum.

For more information please contact:

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