



2026 Rule of Law Report - targeted stakeholder consultation

Civil Society Organizations’ Joint Submission – Croatia

Table of content:

| | |
|--|----|
| Introduction | 3 |
| I. Justice System | 4 |
| A. Independence | 4 |
| B. Quality of justice | 6 |
| C. Efficiency of the justice system | 11 |
| Other – please specify | 14 |
| II. Anti-corruption framework..... | 15 |
| A. The institutional framework capacity to fight against corruption (prevention and investigation / prosecution) | 15 |
| B. Prevention | 16 |
| C. Repression | 21 |
| III. Media pluralism and media freedom..... | 23 |
| A. Media authorities and bodies | 23 |
| B. Safeguards against government or political interference and transparency and concentration of media ownership..... | 24 |
| C. Framework for journalists' protection, transparency and access to documents | 26 |
| Other – please specify | 27 |
| IV. Other institutional issues related to checks and balances | 28 |
| A. The process for preparing, enacting and implementing laws..... | 28 |
| B. Independent authorities | 29 |
| C. Accessibility and judicial review of administrative decisions | 30 |
| D. The enabling framework for civil society..... | 31 |
| E. Initiatives to foster a rule of law culture | 33 |

Introduction

This joint contribution to the 2026 Rule of Law Report was prepared by the Human Rights House Zagreb, Croatian Journalist Association and Centre for Democracy and Law Miko Tripalo with contributions from following civil society organizations from Croatia: [Centre for Peace Studies \(CMS\)](#), [Zagreb Pride](#), [Udruga RODA](#), [GONG](#), [DKolektiv](#), [Center for peace, non-violence and human rights Osijek \(CZMOS\)](#), [Croatian Platform for International Citizen Solidarity-CROSOL](#), [Center for Civic Initiatives Poreč \(CGI Poreč\)](#), [Information Legal Center - IPC | Slavonski Brod](#), [Croatian Youth Network \(CYN\)](#), [Civil Rights Project Sisak \(CRP Sisak\)](#), [Politiscope](#), [POMAK - association for the promotion of good governance and work](#), [Sidro Association - Educators in the protection of children's rights](#), [Sunce - Association for Nature, Environment and Sustainable Development](#) (with support from the [Green Forum](#)), [SUZAH – Alliance of Autism Associations](#).

[Human Rights House Zagreb \(HRHZ\)](#) is a human rights organization established in 2008 as a network of civil society organizations with the goal of protecting and promoting human rights and fundamental freedoms. HRH's vision is to build a democratic, pluralistic and inclusive society founded upon the values of human rights protection, the rule of law, social justice, and solidarity. Through research, monitoring, advocacy, and education, HRH contributes to the protection, promotion, development, and advancement of human rights and fundamental freedoms. By publishing annual overviews of the state of human rights, thematic reports, and petitions, we help create better laws and public policies.

[Centre for Democracy and Law Miko Tripalo \(CMT\)](#) is an independent, non-profit policy think tank integrating academic and policy research and public discussion to produce policy solutions and affect policy reforms in the areas of democratization and rule of law. CMT works to broad public discussions and to encourage better public understanding of complex issues with the goal of carving out a permanent space for non-governmental stakeholders in the policy process. The key factor which sets CMT apart from all other organizations in Croatia is its membership, a relatively small but keen and diverse constellation of civic-minded experts who work towards policy change aimed at strengthening Croatian democracy.

[Croatian Journalists' Association \(HND\)](#) was founded on December 18, 1910, and brings together over 1,500 journalists and photojournalists. It is the oldest professional journalists' organization in Croatia and a member of both the European Federation of Journalists (EFJ) and the International Federation of Journalists (IFJ). An independent professional association, it unites journalists and media professionals to protect media freedoms, promote ethical standards, improve working conditions, and advocate for journalism as a public good, in the public interest, and as a pillar of democratic values in the media landscape.

I. Justice System

On 2025 Recommendations to Croatia

The recommendation to “Take measures to further improve the efficiency of justice, particularly as regards the length of proceedings in litigious commercial and civil cases” was made without analysing the causes of highly inefficient court system. The official statistics on the length of cases are flawed and can easily be tweaked. The recommendation in its current form does not address the causes of the inefficiencies in the system, its implementation cannot be reasonably monitored and it is too general to be useful.

A. Independence

4. Allocation of cases in courts

Centre Miko Tripalo commented on this extensively in the past. The by-laws on this issue suffer from large inconsistencies which opens widely the possibilities for abuse.¹

5. Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the Judiciary)

Despite the fact that Croatian judges are highly protected from any political pressures affecting their work, a substantial number of them, both at the local and higher levels, are still closely connected with the political elites to the extent that this affects their rulings and is linked to their corruptive behaviour. While this is a minority of judges, their entanglements sufficiently public to erode the overall public confidence in the judiciary, as it was demonstrated in the results of the public opinion poll that Centre Miko Tripalo had reported about in the previous year’s submission.²

6. Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review)

The focus of the Rule of Law Report for Croatia on judicial independence without taking into account the issue of the accountability of judges results in an unbalanced picture of the Croatian judiciary and is unproductive in terms of recommendations. Statements in the Rule of Law Report refer to the government's efforts to strengthen the accountability of judges however there is no evidence that these efforts have indeed been undertaken.

As an illustration of the seriousness of the problem of the ineffective accountability mechanisms, in 2025 at least 11 judges were under suspension of being under criminal investigation for corruption. Moreover, some judges retire or resign once a criminal investigation against them is opened to avoid possible detention during the investigative phase. Criminal prosecution cannot,

¹ More information about the research and the conference on this topic at <https://tripalo.hr/okrugli-stol-kako-se-u-sudstvu-u-republici-hrvatskoj-dodjeljuju-predmeti-u-rad/> (the third document available for download contains the research results)

² Public opinion poll conducted by IPSOS on behalf of Centre Miko Tripalo in 2024. More at <https://tripalo.hr/wp-content/uploads/2024/09/Istrazivanje-2024.pdf>

therefore, be regarded as a proof that the accountability mechanisms work. In many of these cases, the public was aware of unacceptable behaviour of these judges much earlier before they came under investigation.

9. *Significant developments capable of affecting the perception that the general public has of the independence of the judiciary*

In all important aspects the public opinion about the judiciary in Croatia is highly negative.³ Only 23% of respondents believe that judges are ruling in an unbiased and fair way. More than 2/3 of the population believes that judges are connected to local and national political and economic elites. More than 70% of the population believes that politicians influence judicial rulings. Only 17% of the population considers that judges are firmly adhering to ethical and moral norms and that they conscientiously perform their duties. More than 70% believes that judges are inclined to corruptive behaviour. Only 12% of the population thinks that disciplinary proceedings against judges are efficient; those who had direct experience with courts and legal proceedings had on average a more critical opinion on the state of the courts, and less trust in the ability of judges to adjudicate their cases.⁴

A concerning judicial practice has emerged in which courts acquitted individuals for chanting the slogan “Za dom spremni” (used by the Ustasha regime during the nazi-puppet state NDH in Croatia), thereby relativising a symbol that the Constitutional Court has repeatedly held to be unlawful and unconstitutional (as it violates Article 39, which prohibits and penalises any call for or incitement to war or the use of violence, as well as to national, racial or religious hatred or any form of intolerance).⁵ Despite the Constitutional Court ruling, lower courts began legitimising the salute without statutory authority. The High Misdemeanour Court acquitted a former army general, notorious for his Hitler-style moustache, for publicly chanting it, relying on a political policy document without legal force⁶. The Misdemeanour Court acquitted another individual for chanting the salute during a live broadcast, invoking a non-existent legal exception in a decision still not final. The court argued that prosecuting the accused would entail prosecuting hundreds of thousands of concertgoers, including high-ranking officials, highlighting the political significance of their attendance. Ultimately, the court held that whether the salute is prohibited is a political, rather than judicial, matter⁷.

The parents of children with developmental disabilities and persons with disabilities often find themselves in a situation where they have to seek the exercise of the rights guaranteed to them by law through the courts. The current length of proceedings and the high costs of litigation represent a significant obstacle to initiating proceedings against the state for the failure to provide

³ Ibid

⁴ Raw data available in the table <https://tripalo.hr/skup-stanje-u-hrvatskom-pravosudu-izvjestaj-o-vladavini-prava-kako-dalje/> (first document available for download)

⁵ With regard to Ustasha symbols, the Constitutional Court, in its decision no. U-II-6111/2013 from 2017, expressly established that the “constitutional-law positions set out therein are not limited solely to the names of streets, settlements, symbols, and the like, but also represent general positions of the Constitutional Court on the character of the NDH as a negation of the fundamental values of the constitutional order of the Republic of Croatia”. Constitutional Court of the Republic of Croatia, Constitutional Court of the Republic of Croatia Decision (Odluka Ustavnog suda Republike Hrvatske), U-II-6111/2013, 10 October 2017, Official Gazette Nr. 105/2017, para. 18, available at: https://narodne-novine.nn.hr/clanci/sluzbeni/2017_10_105_2419.html

⁶ High Misdemeanour Court of the Republic of Croatia, Ppž-1247/2025-2, 12.March 2025, available at: <https://odluke.sudovi.hr/Document/View?id=fc2bf6ce-4696-4b87-940d-007eaa53a1d5&q=odavao+po%c4%8dast+poginulim+suborcima%2c>

⁷ Zagreb Municipal Misdemeanour Court, Pp-8967/2025-3, 31 July 2025; available at:

<https://odluke.sudovi.hr/Document/View?id=22ca972e-3485-4640-87cc-17b1fbb256a3&q=pravednom%2c+legitimnom%2c+obrambenom+i+oslobodila%c4%8dkom+Domovinskom+ratu>

legally guaranteed services and support. A more efficient and financially accessible court system would increase legal certainty and the real possibility of protecting the fundamental rights of this group of citizens.⁸

B. Quality of justice

10. Accessibility of courts (e.g. court/legal fees, legal aid, language)

Primary legal aid, provided mainly by CSOs is still problematic, despite some positive changes that started in 2023 when multi-year financing was introduced. However, despite this positive development, the financing in practice remains the same - funds are disbursed yearly and even later than before (the full 2025 amount was not paid until 30 October 2025).⁹ A new three-year funding competition (2026–2028) was announced on 30 December 2025 with a total value of €1,007,500, but the maximum grant for the largest and most experienced providers remains capped at €50,000 per year.¹⁰ CRP Sisak initiated a request for an increase in the amount for financing by the Ministry of Justice, due to increasing, but the amounts for financing remain the same as last year.

CSOs note that the three-year model of financing should be included in the Act on Free Legal Aid, which still contains the regulations on one year funding of primary legal aid. A recurring structural problem is the severe delay in contract conclusion and fund disbursement. This creates serious organisational and financial instability for providers, particularly authorised CSOs entirely dependent on these funds, risking interruption of services especially in rural and underdeveloped areas. In the county of Dubrovačko-neretvanska for example, there are no registered providers at all. Field outreach work which is critical for territorial coverage receives no additional financial compensation despite its higher costs. Staffing is also a serious concern, as few young lawyers choose this work due to funding insecurity and professional burnout, while citizen demand and case complexity continue to grow.¹¹ CRP Sisak has a database of more than 29000 clients of free legal aid. However, there are still new clients that say that they did not know that there was free legal aid available. Therefore, the population is still not adequately informed of the free legal aid system. Furthermore, the geographical coverage is not adequate.¹²

The last mandate of the Commission for Free Legal Aid of the Ministry of Justice expired in August 2024. The procedure for electing the new Commission took almost a year and finished in July 2025. This shows the lack of a substantive role of this body.¹³ CSOs and legal aid providers are of the opinion that the Commission should be formed on time and be active in accordance with the Free Legal Aid Act, Articles 47, 48, 49 and 50. Moreover, stateless persons, as well as persons at risk of statelessness, should be added to the list of beneficiaries of the Act, Article 5, i.e. as beneficiaries of the free legal aid system, because they are the most vulnerable population in Croatia, and they are not covered by the Act.

⁸ Input provided by the SUZAH - Croatian Union of Autism Associations

⁹ According to CZMOS and CRP Sisak

¹⁰ CZMOS registered since 2009 and providing legal aid since 1992, assisted 1,441 people in 2024 with 5 employed lawyers, and 1,178 people in 2025 with 4 lawyers, yet remains subject to this same cap.

¹¹ According to CZMOS

¹² More from CRP Sisak on the free legal aid system at <https://www.crp-sisak.hr/2024/02/pgp-napisao-i-objavio-izvjestaj-o-primarnoj-besplatnoj-pravnoj-pomoci-u-rh-za-period-od-15-godina-od-donosjenja-zakona-2008-do-2023/>

¹³ As noted by CRP Sisak and CZMOS Osijek

Association Pomak observes serious obstacles in access to primary and secondary legal aid for whistleblowers. The existing system of free legal aid is based on means-testing, which in practice excludes many whistleblowers who were employed prior to reporting but lost their income as a result of retaliation. Whistleblowers often engage in multiple parallel proceedings (labour disputes, criminal, administrative and other proceedings), which makes effective protection almost unattainable without guaranteed free legal aid. Pomak considers that access to free legal aid should be linked to whistleblower status, rather than to financial criteria.¹⁴

In the Brod-Posavina and Požega-Slavonia counties, beneficiaries of free legal aid generally find themselves in long-term unfavourable socio-economic circumstances. Moreover, in 2025, the trend of further impoverishment of citizens and their increasingly weaker ability to navigate complex and highly formalized administrative and legal procedures, especially citizens dependent on the social welfare system, became particularly evident.¹⁵ The largest individual number of referrals provided to citizens was related to the implementation of the Inclusive Supplement Act. In the context of complaints in the social welfare system, the Ordinance on the Method of Work and Handling Complaints in the Social Welfare System is also problematic. In the social welfare system, cases in which children - brothers and sisters from the same families, entrusted to the care of social welfare institutions - are separated are of particular concern, while the maintenance of their mutual relationships is not ensured, thus violating the rights of children guaranteed by the Family Law and the Convention on the Rights of the Child.

The means test for granting secondary legal aid is set at a level that does not reflect the real living costs and socio-economic conditions of citizens. As a result, a significant number of persons who are objectively in need do not meet the formal conditions for exercising the right to secondary legal aid¹⁶, while at the same time they do not have the financial means to hire a lawyer on their own. This creates a serious gap between the legal framework and the actual availability of legal protection, especially for working people with low incomes, single-parent families and pensioners.

The legal system remains insufficiently accessible to women whose reproductive rights have been violated, largely due to lengthy, unpredictable, and often discouraging procedures. The disproportionately small number of court cases related to reproductive rights, especially when compared to the volume of complaints received by civil society organizations and Ombudswoman for Gender Equality, reflects a persistent lack of trust in the judiciary and its limited accessibility.¹⁷ Thanks to the sustained efforts of civil society organizations, the number of court cases concerning violations of women's reproductive rights has been gradually increasing, indicating a growing willingness to pursue legal action despite systemic barriers.¹⁸ Worldviews of judges influence decisions regarding women's reproductive health, especially

¹⁴ More at <https://udrugapomak.hr/> and <https://www.ombudsman.hr/hr/zastita-prijavitelja-nepravilnosti-2023/>

¹⁵ According to IPC; during 2024, Brod-Posavina County (BPŽ) recorded the highest number of requests for secondary legal aid in the country – 20.96 requests per 10,000 inhabitants. At the same time, BPŽ is in second place in terms of the absolute number of requests. Požega-Slavonia County also occupies a high 4th place. IPC, as the only active registered provider of free legal aid in the Brod-Posavina and Požega-Slavonia counties, provided primary free legal aid services to a total of 1,288 beneficiaries. More at <https://mpudt.gov.hr/izvjesce-o-ostvarivanju-prava-na-besplatnu-pravnu-pomoc-i-utrosku-sredstava-26218/26218>

¹⁶ In 2025, 83 users contacted IPC with legal problems that required the engagement of a lawyer to resolve. In 2024, Brod-Posavina County stands out as the county with the highest number of requests in relation to the number of inhabitants, with 20.96 requests per 10,000 inhabitants, while it ranks second in Croatia in terms of the absolute number of requests received,

¹⁷ As reported by Association Roda and more available in the Report on the work of the Ombudsperson for Gender Equality for 2022, page 198, paragraph 1 <https://www.prs.hr/cms/post/948>,

¹⁸ Source Association Roda

concerning abortion. Additionally, the absence of judicial practice, lack of understanding of the specificities of women's reproductive health, and expert opinions from licensed gynecologists/obstetricians, some of whom have conscientious objections, further complicate women's access to justice. This also applies to assisted reproductive technologies, where there is a lack of clear judicial practice regarding the right of couples to dispose of genetic material (frozen embryos). The Law on Medically Assisted Reproduction¹⁹ does not specify the destruction of frozen embryos, which clinics interpret according to their own beliefs.²⁰ In the context of medically assisted reproduction, there are also issues related to children's rights and access to information, which is likely to have repercussions in judicial practice in the future.

After the ratification of the Aarhus Convention, the position of environmental organizations in Croatia worsened through the introduction of the obligation to bear the costs of the other party in the event of a loss of an administrative dispute, without exceptions for environmental disputes initiated by civil society organizations for the purpose of protecting the public interest (the right of citizens to a healthy environment). If, for example, Sunce assesses that the case is a strategically important topic for its work or that it is a new legal tool being tested, it will initiate legal proceedings, and only if other citizens and/or CSOs are included in addition. In this way, the financial risk is minimized. A similar trend is present with other CSOs. The above-mentioned has the consequence of reducing case law, and contributes to the impossibility of furthering environmental legislation in Croatia, and ultimately reduces the right to access justice in environmental cases.²¹ CSOs often do not initiate disputes due to lack of confidence in the process. The problem with disputes lies in the failure to accept evidence and hear witnesses, i.e. in giving trust to the study authors without examining the other parties. For unsuccessful claimants, costs of over €3,000 can arise, requiring CSOs to weigh the risks of losing a case against the benefits of bringing one forward, even though Article 9(4) of the Aarhus Convention requires that cases be fair, equitable, timely and not so costly as to prevent their implementation. Cumulatively with other challenges, this affects the general view of CSOs on the ineffectiveness of access to justice in environmental matters in Croatia.

There are currently no systematically developed accessibility measures for persons on the autism spectrum in the Croatian judicial system. These individuals may face a number of challenges during court proceedings, especially if judges, lawyers, court officials or other participants in the proceedings are not educated about the specificities of autism. These challenges may include difficulties in understanding complex legal language, increased sensitivity to sensory stimuli in courtrooms, difficulties in spontaneous verbal expression or answering questions under pressure, as well as the risk of misinterpreting behaviour (e.g. avoiding eye contact or slower responses) as signs of unreliability or non-cooperation. Without appropriate adaptations and education of judicial officials, there is a significant risk that such individuals will not be able to participate equally in the proceedings or effectively exercise their rights.²²

Judicial developments further confirmed systemic deficiencies in Croatia's treatment of migrants

¹⁹ https://narodne-novine.nn.hr/clanci/sluzbeni/2012_07_86_1962.html, The Law on Medically Assisted Reproduction (NN 86/2012)

²⁰ At the initiative of the association Parents in Action - Roda, the first three legal proceedings are currently underway, and the outcome will determine whether clinics will destroy frozen embryos at the request of patients or retain them without their consent.

²¹ Moreover, regular funding, which is basically based on the withdrawal of money from EU funds, in most cases is not allowed to justify the costs of court proceedings, while few CSOs have enough other sources of funding to initiate court cases.

²² Input provided by SUZAH - Croatian Union of Autism Associations

and asylum seekers. Numerous 2025 administrative court rulings²³ annulled detention orders because the case files failed to show that providing an interpreter in a language the third-country national understands was impossible, or that the foreign national consented to proceedings in English (a language the Court could not confirm they sufficiently understood) thereby violating the right to have proceedings conducted in a language the individual understands. In July 2025 the ECtHR delivered its judgment in *Y.K. v. Croatia*²⁴, finding violations of Articles 3 and 13 of the ECHR. This third ECtHR ruling against Croatia highlights broader concerns about judicial protection in expulsion and detention cases. Despite the ECtHR ruling in *M.H. and Others v. Croatia*, which found that Croatia violated the prohibition of torture by detaining children for over two months in Tovarnik, children continue to be held in prison-like facilities with police presence, barred windows, and secured hallways. According to the Annual Police Activity Reports for 2023 and 2024²⁵ 195 minors were held in detention in 2023, increasing to 252 in 2024.²⁶

11. Resources of the judiciary (human/financial/material), remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year)

The strike organized by the Association of Judges resulted in the government raising judicial salaries and a significant number of judges took part, adversely affecting the judiciary's reputation and efficiency. Moreover, there was no indication that judicial pay was so inadequate as to prompt resignations: turnover, excluding mandatory retirements, remained low, and judicial posts continued to attract numerous candidates, except in the smallest villages.²⁷

12. Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)

Judges still often demonstrate limited familiarity with relevant legal provisions concerning LGBTIQ rights, including the jurisprudence of the European Court of Human Rights and specific aspects of the Croatian legal framework. In practice, appropriate legal terminology, such as sexual orientation, gender identity, and gender expression, is still inconsistently used, with alternative or imprecise terms appearing in judicial reasoning. Furthermore, in the past couple of years, CSOs and LGBTIQ representatives have not been involved as lecturers in judicial trainings, which further limits exposure to specialized knowledge and lived experience.²⁸

CSOs note the necessity to introduce systematic education for court officials and other participants in the judicial system on the specific needs of persons on the autism spectrum. The

²³ Cases before the Administrative Court in Zagreb: Us I-32/2025-2, judgment of 7 January 2025, available at: <https://odluke.sudovi.hr/Document/View?id=7b293d46-7a95-4137-8275-f3a50ae69665> ; Us I-367/2025-2, judgment of 27 January 2025, available at: <https://odluke.sudovi.hr/Document/View?id=bf9fdbc2-8ce8-49f7-8a38-d077c0bca99e&q=Us+I-367%2f2025-2> ; Us I-1430/2025-2, judgment of 23 April 2025, available at: <https://odluke.sudovi.hr/Document/View?id=bb06f29b-e917-4851-b47b-3edcdacc2506&q=+Us+I-1430%2f2025-2> ; Us I-1486/2025-3, judgment of 25 April 2025, available at <https://odluke.sudovi.hr/Document/View?id=424a0b25-50d7-47f4-b8fd-bb7a0b020eb6&q=Us+I-1486%2f2025-3> ; Us I-2059/2025-2, judgment of 2 June 2025, available at: <https://odluke.sudovi.hr/Document/View?id=424a0b25-50d7-47f4-b8fd-bb7a0b020eb6&q=Us+I-1486%2f2025-3> ; Us I-2398/2025-2, judgment of 26 June 2025 available at: <https://odluke.sudovi.hr/Document/View?id=7ee953c8-af01-42e3-8697-2adce9ded955&q=Us+I-2398%2f2025-2>

²⁴ European Court of Human Rights (ECtHR), *Y.K. v. Croatia*, No. 38776/21, 17 July 2025.

²⁵ Ministry of the Interior of the Republic of Croatia, Report on the Work of the Police in 2024, pp. 98–100, available at: https://www.sabor.hr/sites/default/files/uploads/sabor/2025-06-12/182601/IZVJ_RAD_POLICIJE_2024.pdf and Ministry of the Interior of the Republic of Croatia, Report on the Work of the Police in 2023, pp. 97-99, available at: https://www.sabor.hr/sites/default/files/uploads/sabor/2024-07-12/152102/IZVJ_POLICIJA_2023.pdf

²⁶ Input provided by CMS

²⁷ <https://www.iusinfo.hr/aktualno/dnevne-novosti/suci-odlucili-od-22-sijecnja-pravosu%C4%91e-ponovno-u-blokadi-58322>

²⁸ Input provided by Zagreb Pride

responsibility for ensuring such education lies with the public entities, which should develop and implement training programs in cooperation with individuals on the autistic spectrum, experts and civil society organizations. In addition to education, it is necessary to develop clear protocols and accessible information materials to ensure that such individuals can participate equally in court proceedings and exercise their rights. Such an approach would contribute to greater accessibility of the judicial system and reduce the risk of misunderstanding and discrimination in court proceedings.²⁹

13. Digitalisation (e.g. use of digital technology, including electronic communication and AI tools, within the justice system and with court users, procedural rules, access to judgments online)

Generally, the publication system of case law works. It came online on 1 January 2025, however the question of the case law accumulated earlier remains. Over a million decisions contained in the internal case management system was accessible to courts, but not to lawyers or the general public – and they still are not. Procedural decisions on the admissibility of evidence and on the conflict of interest of judges remain unpublished.

By the latest count, 854910 decisions are published (for all years) but this does not correspond to the figures (and it is very difficult to assess, as there are no aggregate statistics by type of cases). The appearance of decisions on ANON is lagging for several months – last decisions of the Supreme Court on ANON are from mid-October 2025. Last decisions of appellate courts are also delayed for over two months (County Court Zagreb, latest decision is from October 2025 as well). No standards, no rules, no possibility to check (as compared with CJEU or ECtHR).³⁰

The full anonymization of published rulings disregards public interest. Anonymization is done automatically (allegedly through the use of AI) but the protection of privacy is not balanced with the interest of the public, especially in the cases of public interest. It is unfortunate that EU funding incentives are used to foster more obscurity, instead of transparency in the justice system.

In Croatia, legal rules that enable audio recordings of hearings exist in civil cases since 2011 but have never come into effect, usually with the justification that technical means are not adequate. Since 2016 more than 4 million EUR was allocated towards procuring recording technology but the system never became operational. In 2022, new rules on audio-recording of hearings were enacted, but again the rules have not come into effect. In 2024, new public procurement for the equipment was announced, this time at the cost of 17,4 million EUR. This indicates that the intention to introduce recording as a means of concentrating proceedings and having more effective trials is not serious.

Despite positive developments, systematic problems persist in practice that make it difficult for victims of domestic violence, most often women, to exercise their legally guaranteed rights. One of the key problems is the inability to provide separate hearings in some municipal courts due to the lack of appropriate technical equipment. Although the legal framework stipulates the right of victims to avoid contact with the defendant and to receive special protection measures, the exercise of these rights in practice depends on the technical capacities of the court, which leads

²⁹ Input provided by SUZAH - Croatian Union of Autism Associations

³⁰ Input provided by prof. Alan Uzelac, member of Centre Miko Tripalo

to uneven application of the regulations and an unequal position for victims.³¹

16. Specialisation (of judges/specific courts/chambers within courts) and training for the judiciary to deal with commercial cases, as well as alternative dispute resolution mechanisms and mediation as regards commercial cases.

War crimes cases are being handled by judges transferred from municipal courts who are insufficiently prepared for the most serious criminal offences. CZMOS has repeatedly recommended the specialisation of judges and prosecutors for serious criminal offences and proposed the formation of dedicated war crimes teams. Based on its monitoring, it has warned that investigations are becoming increasingly difficult as much time has passed since the crimes were committed and evidence continues to erode. Regional judicial cooperation in investigating and prosecuting the most serious crimes is essential, given the movement of populations, victims and perpetrators across borders.³²

C. Efficiency of the justice system

In 2024, the average length of proceedings in the first instance courts remained among the longest in the EU with 1 147 days in litigious commercial cases (1 334 days in 2023) and 797 days in litigious civil cases (764 in 2023). Recent research on the situation in the Western Balkans shows an even more concerning picture. Average length of litigious judicial proceedings in Croatia is almost double than in those Western Balkan countries that are EU candidates (B&H, North Macedonia, Montenegro, Serbia and Albania – exc. Kosovo*). Average duration in the representative sample of first instance litigious proceedings was in other WB countries from 340 to 489 days – 1.016 in Croatia (with 95% resolved in up to 2.500 days). There is no or very weak statistical correlation of length and backlogs and the strongest correlation is established with poor case management: number of hearings, use of experts, participation of lawyers, waiting time until the first hearing.³³

The average duration of a legal proceedings in the field of reproductive rights is just over 9 months, with the longest case lasting 18 years.³⁴ Court proceedings themselves are often prolonged due to unexplained postponements of hearings, as well as the need for parties to travel to other cities where hearings are held because courts in the capital city are overburdened.

Lengthy procedures and arbitrary detentions persist in Croatia, particularly in cases involving pushbacks and the ill-treatment of refugees and migrants. Cases frequently show detention without individualized assessment of all circumstances, including whether public order could be maintained through less restrictive measures.³⁵ In 2025, delays in the implementation of

³¹ According to IPC at the County Court in Slavonski Brod and at the County Court in Sisak, audio-video equipment for the purposes of criminal proceedings, intended for victims of criminal offences in accordance with their legal rights, is provided and regularly used. At the Municipal Court in Slavonski Brod, such equipment is not available in practice. According to information received from the MPUDT, the court has been formally allocated technical equipment, but it is not in function and is not used. At the Municipal Court in Sisak, audio-video equipment is used jointly with the County Court and is available for criminal cases of the Municipal Court only in the case when it is not used for evidentiary hearings at the County Court.

³² Input provided by CZMOS

³³ Input provided by prof.dr.sc. Alen Uzelac, member of Centre Miko Tripalo

³⁴ <https://www.roda.hr/udruga/projekti/radar/izraden-prvi-pregled-sudske-prakse-i-mehanizama-zastite-reproduktivnih-prava-zena-u-rh.html>, Overview of judicial practice and mechanisms for the protection of women's reproductive rights in Croatia, page 82, Chapter 6. Conclusion and Recommendations

³⁵ As in High Administrative Court decision UsZ-3987/2024-2 of 22 January 2025, demonstrating arbitrary detention without proper

European Court of Human Rights (ECtHR) judgments and systemic follow-up continued to emerge as a recurring and significant human rights concern, as Croatia still has a significant number of ECtHR judgments pending implementation. Even after the ECtHR rulings in *M.H. and Others v. Croatia* and *Daraibou v. Croatia*, which held Croatia responsible for failing to conduct effective investigations involving refugees and migrants, there is still little evidence of meaningful implementation.³⁶

Despite clear provisions of the law and interpretations by competent institutions, employers in kindergartens and childcare institutions in Croatia continue to resist approving requests from pregnant workers for safety and health protection. They use pressure to dissuade workers from seeking this right, there are numerous reports of violations of rights, involvement of competent supervisory bodies and ultimately pregnant workers giving up their requests, because these procedures take months. Pregnant workers need protection in the workplace immediately, which is why the legal deadline for resolving this issue is only eight days, but employers know that pregnant workers cannot wait and are forcing them to give up by delaying.³⁷

While there have been two notable court rulings in 2025, one concerning discrimination based on a person's HIV status and the protection of personal data, and another related to a hate crime attack in Zagreb, both cases took over five years to conclude. The excessive length of these proceedings underscores ongoing systemic challenges in ensuring timely and effective judicial protection for LGBTIQ persons and related vulnerable groups, rather than indicating a broader positive shift in judicial practice or institutional awareness.³⁸

A general surgery specialist at Vukovar Hospital was prosecuted for attempted rape and sexual acts against nine patients and students at the Vukovar Polytechnic, where he also taught. The offences were committed in 2014 and 2015, yet he continued working unimpeded for over ten years. Only following the Centre's intervention was he reassigned to a post without direct patient contact. The conviction became final in September 2025 and he was dismissed on 27 November 2025. The second-instance court found him guilty of attempted non-consensual sexual intercourse and sentenced him to one year of imprisonment. Due to the length of the proceedings, the statute of limitations expired for nine criminal offences against eight victims, and the attempted rape charge was reclassified to a lesser offence under the law in force at the time of the crimes.³⁹

In terms of the Hann Invest decision implementation, it is questionable whether the amendments passed correspond to the conclusions of the CJEU. After amendments to CCP in December 2025, the institutional structure of registration offices and registration judges largely remained intact. Such judges or offices continue to exist at all courts, formally tasked with providing "support to judges and panels in legal research and the tracking of case law." Drafts of judicial decisions at the appellate level must still be communicated to the registration judges or registration offices.

safeguards

³⁶ Input provided by CMS

³⁷ Input provided by Association SIDRO

³⁸ Input provided by Zagreb Pride and available at: <https://zagreb-pride.net/wp-content/uploads/2025/12/AD.1.-Zagreb-Pride-godisnji-izvjestaj-za-2025.pdf> Godišnji izvještaj o radu udruge, page 6, Programski pravac #1 Zagovaranje jednakopravnosti LGBTIQ osoba

³⁹ Input provided by CZMOS

Although the amended legislation no longer expressly provides that such notification entails an interruption or suspension of proceedings, this consequence appears difficult to avoid in practice. Article 41(6) of the Law on Judicial Bodies says that (6) If the draft judicial decision departs from established case law, or if the case law of that court on the legal issue to be decided is not uniform, the registrations judge or office shall inform in writing the panel to which the case has been assigned. It is not clear what this means, whether there will be again a sort of stay with the dispatch of the judgment, and what kinds of informal institutional pressures will remain under the surface. It is probable that this solution will further complicate and prolong the proceedings.

In 2023, Sunce filed a lawsuit for the protection of collective rights and interests against the Ministry of Economy and Sustainable Development, for the purpose of protecting the rights of citizens to a healthy life and environment in the Dugi Rat area.⁴⁰ The Commercial Court in Split dismissed the lawsuit as unfounded due to lack of active standing.⁴¹ The procedure lasted more than two years, despite the nature of the case, which should be urgent. Such slowness sends the message that even when people's health is directly threatened, the system reacts sluggishly. This court decision in cases where there is no previous case law, such as the above-mentioned civil proceedings, will serve as case law for future lawsuits, legal actions, as well as strategic decision-making at the level of civil society.⁴²

CRP Sisak emphasises the length of administrative proceedings and disputes. According to the Law on Administrative Procedure, the relevant body needs to bring a decision within 30 days, or 60 days if the procedures are more complex. However, many applications of citizens whose property was damaged in the 2020 earthquake for reconstruction have not been decided yet, after five years have passed. Another example is the regulation of status of foreigners in Croatia, which can last for years, leaving foreigners in limbo. Also, a new social welfare segment – the inclusion compensation was introduced in Croatia on 1 Jan 2024 and some were approved almost immediately after the requests were submitted. Thousands have not yet received any decision.⁴³

During 2025, 11 first-instance criminal proceedings for war crimes were conducted before the Osijek County Court, all of which were either at the trial stage or had reached a first-instance verdict. Good legal practice has developed over the years, particularly in war crimes cases, but its effective application by newer judges and prosecutors remains a concern. In the past year, the High Criminal Court quashed two war crimes verdicts due to serious procedural violations — an occurrence not seen for years — pointing to inexperience among county court judges. Poor quality indictments, hasty investigations and insufficient knowledge of the elements of war crimes offences are resulting in acquittals. A persistent imbalance also remains in prosecutions: very few proceedings have been brought against members of the Croatian Army (HV) or Ministry of Interior (MUP) for war crimes, and investigations into crimes committed against Serbs and

⁴⁰ According to Sunce, the goal of initiating the civil proceedings in question was to protect the rights of the local population to a healthy and clean environment, by encouraging the remediation of the polluted area in Dugi Rat.

⁴¹ The court issued a judgment under case number: P-386/2023-14 on July 22, 2025,

⁴² As per Sunce -- The use of the legal institute of collective action in environmental protection is a pioneering step in the field of environmental protection law (with one important note – this type of action is not prescribed by the Law on Environmental Protection, but only by the Law on Civil Procedure - ZPP). Therefore, the aforementioned provisions indicate that a lawsuit for the protection of collective interests and rights must be explicitly provided for in the provisions of a special law. At the same time, the provisions of the ZPP are necessarily subsidiary in nature, which only supplement the existing system of collective protection. The court's position is that the provision of Article 167 of the Environmental Protection Act does not provide legal standing for filing the lawsuit in question, i.e. it does not refer to the protection of collective rights and interests from the thirty-second title of the ZPP.

⁴³ Input provided by CPR Sisak

other non-Croatians remain largely absent.⁴⁴

Other – please specify

Political connections of judges at the local level, not all of them but a substantial number, appear visible to the public in extremely lenient rulings against violent offenders, particularly against women, and against repeated serious traffic offenders, with penalties often significantly below the statutory minimum. Late President of the Supreme Court Radovan Dobronić found it necessary to send a letter to judges on this issue, but it does not seem that it had substantial effect. Moreover, even police officials have recently repeatedly protested the lenient sentences against such offenders.

The current procedure for electing the President of the Supreme Court has not improved the public perception of the judiciary. The candidate of the President of the Republic for this position was widely reported to have leaked to her former husband that he was under police surveillance. Her defence during the hearing in the parliamentary committee was that she had been neither prosecuted nor designated as a suspect in this case. The Public Prosecutor General sent information on the case to the parliamentary committee but classified it as confidential. The public was thus denied truthful and complete information. Nevertheless, the majority of the Supreme Court voted to support her candidacy.

The candidacy is currently stuck in parliamentary committee as the Prime Minister publicly announced that the procedure would be suspended until the opposition agrees that two, out of three new Constitutional Court judges, should come from the governing coalition (the election requires a two-third majority). This unconstitutional attempt to bind the Constitutional Court appointments to a political trade between the ruling party and the opposition amounts to backsliding of the rule of law in Croatia.

Civil society organizations are increasingly advocating for the opportunity to participate as *amicus curiae* in court proceedings, and activities aimed at strengthening this role are planned for the coming period. In Croatian practice, however, there are still very few cases in which associations have been granted *amicus curiae*.⁴⁵

⁴⁴ Input provided by CZMOS

⁴⁵ Input provided by Association Roda

II. Anti-corruption framework

A. The institutional framework capacity to fight against corruption (prevention and investigation / prosecution)

17. *List any changes as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention, detection, investigation and prosecution of corruption and the resources allocated to each of these authorities (the human, financial, legal, and technical/specialised resources as relevant), including the cooperation among domestic and with foreign authorities. Indicate any relevant measures taken to effectively and timely cooperate with OLAF and EPPO.*

In 2025, Croatia adopted amendments to the Criminal Procedure Act (April 2025) and amendments to the Law on the Office for the Suppression of Corruption and Organised Crime (USKOK) (November 2025)⁴⁶. However, these amendments were largely technical and did not introduce substantive reforms aimed at improving the efficiency of corruption investigations or strengthening institutional safeguards.

The amendments to the Criminal Procedure Act introduced general procedural adjustments applicable across criminal proceedings, including modifications to procedural deadlines and evidentiary rules. However, these changes were not specifically designed to address corruption cases.⁴⁷

In November 2025, Parliament adopted amendments to the USKOK Law⁴⁸. The adopted amendments were technical in nature, consisting primarily of textual and formal adjustments. They did not revise USKOK's mandate, internal governance, safeguards against conflicts of interest, or oversight arrangements. Beyond these adopted amendments, no comprehensive revisions of either law were enacted in 2025 that would materially affect the efficiency of corruption investigations or prosecutions.

18. *Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption.*

Concerns persist regarding the independence of the prosecution service, particularly in the context of high-level corruption cases. CMS highlights structural issues related to the concentration of discretionary power within the prosecution service, including the authority of the Chief State Attorney to determine whether complex corruption cases fall under the competence of USKOK or the European Public Prosecutor's Office (EPPO).⁴⁹ This discretionary power has been criticised for potentially undermining legal certainty and creating risks of political influence in cases involving EU funds. Despite these concerns, no legislative reforms were introduced in 2025 to limit this discretion or strengthen safeguards against conflicts of interest at senior prosecutorial levels.

⁴⁶ Amendments to the Criminal Procedure Act, Official Gazette No. 72/2025, available at: https://narodne-novine.nn.hr/clanci/sluzbeni/2025_04_72_935.html

⁴⁷ CMS

⁴⁸ Amendments to the Law on the Office for the Suppression of Corruption and Organised Crime (USKOK Law), Official Gazette No. 136/2025, available at https://narodne-novine.nn.hr/clanci/sluzbeni/2025_11_136_2017.html

⁴⁹ CMS input to the Liberties Rule of Law Consultation 2026

19. *Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators.*

Although Croatia formally committed to implementing reforms foreseen under the Anti-Corruption Strategy, key objectives were not translated into law during 2025.⁵⁰ Legislative activity remained limited to technical amendments, and structural reforms aimed at strengthening prosecutorial independence, transparency and accountability were not implemented. This gap between strategic commitments and legislative implementation reinforces previously identified systemic weaknesses in Croatia's anti-corruption framework.⁵¹

B. Prevention

20. *Measures to enhance integrity in the public sector in particular as regards high-level officials (including as regards incompatibility rules, revolving doors, codes of conduct, ethics)*

Persistent concerns remain regarding conflicts of interest and political influence within prosecutorial leadership, particularly in relation to the Chief State Attorney. These concerns relate to insufficient safeguards addressing conflicts of interest and the concentration of discretionary decision-making power in sensitive corruption cases.⁵²

21. *Measures to enhance general transparency of public decision-making (including rules on lobbying, asset and interest disclosure rules, gifts policy, transparency of political party financing).*

The implementation of the Lobbying Act revealed structural weaknesses during its first full year of implementation in 2025.⁵³ Although the Act introduced a lobbying register and reporting obligations for lobbyists, it provides only limited retrospective transparency. Lobbyists submit annual reports, but lobbying activities are not disclosed in real time. Furthermore, a major issue identified during 2025 was the absence of disclosure obligations for public officials. Ministers, senior civil servants and members of parliament are not required to disclose meetings, communications or correspondence with lobbyists. As highlighted by monitoring organisations, this creates a structural asymmetry: lobbyists are subject to registration requirements, while decision-makers are not obliged to provide reciprocal transparency. In practice, this prevents the public from knowing who influenced policy decisions, on what issues and at what stage of the decision-making process.⁵⁴

CYN contributes to assessing transparency of public decision-making by documenting cases where decisions with significant impact on young people were adopted without adequate transparency, public debate, or meaningful stakeholder involvement. A notable example concerns the reintroduction of mandatory military service in Croatia. CYN identified that the legislative process related to amendments to the Defence Act and the Act on Service in the Armed Forces was conducted without a prior public needs assessment, without published impact

⁵⁰ CMS inputs to the Liberties Rule of Law Consultation 2026

⁵¹ Inputs provided by CMS

⁵² CMS inputs to the Liberties Rule of Law Consultation 2026

⁵³ Which entered into force on 1 October 2024 as per CMS

⁵⁴ Gong: Rule of law in Croatia: the EU echoes Plenković's perspective, published on 10 July 2025, available at <https://gong.hr/en/2025/07/10/rule-of-law-in-croatia-the-eu-echoes-plenkovics-perspective/>

analyses, and without structured consultations with young people as the primary affected group.⁵⁵ This case illustrates systemic weaknesses in transparent public decision-making, particularly regarding the disclosure of relevant data, justification of policy choices, and openness of legislative processes.

Findings reported by Sunce indicate persistent problems with access to environmental information and the transparency of decision-making procedures. As in 2023 and 2024, no improvement was observed in 2025 in the availability of information related to environmental decision-making procedures. The website of the Ministry of Environmental Protection and Green Transition does not ensure easy access to information or facilitate participation in environmental procedures.⁵⁶ A further obstacle is the lack of publication of revised documentation in environmental impact assessment procedures. While initial versions of environmental impact studies are published, subsequent revisions are often not made publicly available, even though decisions of competent authorities may rely on these revised documents. This limits the ability of the public to access all relevant information and assess the legality of decisions before initiating administrative litigation. The situation is even worse at the regional level, where access to documentation and opportunities for participation in environmental procedures are often difficult or unclear. One example cited is the public consultation procedure for the Waste Management Plan of the Split-Dalmatia County (2024–2029), where information and documentation were difficult to locate on the county website. Sunce also reports shortcomings in the functioning of the e-Consultation portal (e-Savjetovanja), including insufficient transparency regarding the acceptance or rejection of comments, delays in publishing consultation reports, and inconsistencies between different versions of documents published on the platform.

22. Measures to prevent conflicts of interest in the public sector. Please specify the features and scope of their application (e.g. categories of officials concerned, types of checks and corrective measures depending on the category of officials concerned).

Monitoring organisations and international bodies (including OECD and GRECO) identified continued deficiencies in the regulation of interactions between public officials and external actors. These include: absence of clear rules on disclosure of meetings with lobbyists, weak guidance and enforcement mechanisms, insufficient safeguards against improper influence. These shortcomings increase the risk of conflicts of interest in public decision-making.⁵⁷

The OECD Public Integrity Indicators – Croatia Country Fact Sheet 2025 confirmed that while a lobbying register exists, public access to detailed, timely information on influence activities remains limited, and safeguards rely primarily on formal compliance rather than active oversight. The OECD emphasised that transparency mechanisms without real-time disclosure have reduced preventive impact and may fail to deter undue influence.⁵⁸

⁵⁵ CYN publicly reacted through advocacy actions, a roundtable discussion in the Croatian Parliament, and a public campaign highlighting the lack of transparency and exclusion of young people from the decision-making process. CYN also published a position paper outlining concerns related to opaque decision-making, insufficient information on available models of military and civilian service, and the absence of safeguards for conscientious objection

⁵⁶ Sunce recommends simplifying the system through an interactive map and simplified interface enabling citizens to access information on environmental procedures and planned projects and participate directly in the same platform.

⁵⁷ Input provided by CMS

⁵⁸ OECD: Public Integrity Indicators: Croatia Country Fact Sheet 2025, published on 15 July 2025, available at <https://www.oecd.org/content/dam/oecd/en/topics/policy-sub-issues/public-integrity/country-fact-sheets/OECD-Public-Integrity->

Furthermore, CMS noted GRECO's follow-up assessment, published on the basis of developments up to and including 2025, identified outstanding deficiencies in Croatia's regulation of interactions between public officials and third parties. GRECO noted the continued lack of clear rules on the disclosure of meetings with lobbyists and external actors, as well as weaknesses in guidance and enforcement mechanisms. These shortcomings were highlighted as risks for conflicts of interest and improper influence, particularly in policy areas involving significant financial interests.⁵⁹

Monitoring by Gong points to concerns regarding the application of conflict-of-interest rules in practice, particularly in cases involving high-level officials. In January 2025, the Commission for the Prevention of Conflict of Interest adopted a decision not to initiate proceedings in the case of the Minister of Maritime Affairs, Transport and Infrastructure, Oleg Butković, concerning tickets for the New Year's Concert of the Vienna Philharmonic in Vienna. The complainant stated that Butković claimed that the ticket, which cannot be purchased through regular sales channels but only via a lottery or sponsorship, had been "secured by a friend," and that the price of such a ticket can reach up to EUR 1,200. In January 2023, the Commission invited the Minister to provide a statement identifying the person whom he had publicly stated offered him tickets for the traditional New Year's Concert of the Vienna Philharmonic in Vienna in January 2023, the nature of his current relationship with that person, how that person had obtained the tickets (through participation in a lottery or as sponsored tickets), whether the tickets were offered spontaneously or following a prior mutual arrangement, and whether he had paid for the tickets and in what amount, together with documentation substantiating this. However, Butković did not submit a response. According to the reasoning in the Commission's decision, the request was not repeated because, pursuant to the Act on the Prevention of Conflict of Interest (ZSSI), the Commission obtains data necessary to establish the facts from public authorities. In June 2023, the Commission requested information from the Ministry of the Sea, Transport and Infrastructure on whether Minister Butković had attended the concert in the course of performing his ministerial duties, to which the Ministry responded that he had not.

The Commission based its decision not to initiate proceedings on the Minister's media statement in which he said that a friend had obtained the ticket for him and that he had subsequently paid for it, after information had been published that he had attended the concert. The Minister never disclosed who the "friend" was, nor did he provide a receipt for the ticket, yet this was considered sufficient by the Commission to discontinue the procedure.⁶⁰ In the present case, the Commission assessed the fact that the Minister ignored its request in his favour, deciding not to continue the proceedings on the grounds that "no information or relevant evidence had been obtained on the basis of which the Commission could determine that, by being enabled to attend the New Year's Concert of the Vienna Philharmonic, the obligated person, in the performance of his duties, had been placed in a relationship of dependence on the person who secured the ticket

[Indicators-Croatia-Country-Fact-Sheet-2025.pdf](#)

⁵⁹ Council of Europe Group of States against Corruption (GRECO): Fifth Evaluation Round: Follow-up Report on Croatia, 12 January 2026, available at <https://rm.coe.int/greacor5-2025-18-final-eng-add-to-the-2nd-compliance-report-croatia-pu/48802a2fb1>

⁶⁰ Pursuant to Article 42 of the ZSSI, an obligated person is required to submit a statement to the Commission within 15 days from the delivery of the notification that the conditions for initiating proceedings have been met. If the obligated person fails to submit a statement, the Commission shall continue the proceedings, giving particular consideration to that circumstance.

for him.” The identity of the “friend” who secured the ticket, for which no receipt was issued, remains unknown.

Gong considers that abandoning further proceedings on the basis of good faith in the Minister’s statements, without any supporting evidence, indicates a superficial approach by the Commission. Under the ZSSI, public officials are obliged to respond to the Commission’s allegations, and a refusal to submit a statement should not be treated as a mitigating circumstance in proceedings.⁶¹

23. Measures to ensure whistleblower protection and encourage reporting of corruption, including their application (i.e. number of reports received, and the follow-up given).

Pomak highlights key challenges in the practical implementation of the whistleblower protection system, based on its long-standing experience. Despite the formal transposition of Directive (EU) 2019/1937 into national legislation, a significant gap persists between the normative framework and its actual effectiveness. This gap discourages individuals from reporting corruption and other irregularities in the public interest.

A major concern relates to the lack of effective interim protection measures. In particular, the measure of temporary reinstatement to the workplace during court proceedings is rarely applied in practice. Whistleblowers are frequently exposed to dismissal or other forms of retaliation and may wait for years for final court decisions. During this period, they face loss of income, professional and social marginalisation, and financial exhaustion, which often leads to the abandonment of judicial protection. Although interim measures are provided for by law, there is no clear obligation for their urgent application in cases of retaliation, resulting in protection that is more formal than effective. Pomak further identifies serious obstacles in access to primary and secondary legal aid.⁶²

In addition, available support mechanisms remain insufficient. Existing forms of assistance are largely limited to short-term or informal emotional support, while experience indicates the need for structured and professional psychosocial assistance. Retaliation frequently leads to long-term stress, social isolation, stigmatisation and serious consequences for mental health, further discouraging reporting. The absence of systematic psychosocial support further discourages potential whistleblowers from reporting irregularities.

Data collected under the Whistleblower Protection Act (ZZPN) provides that confidential persons responsible for handling internal reports of irregularities must inform the competent authority in writing about received reports and the outcome of their handling within 30 days from the decision on the report. This obligation enables the collection of data relevant for monitoring the implementation of the Act.

In 2023, a total of 38 notifications were received from confidential persons regarding internal reports of irregularities.⁶³ Data submitted by confidential persons show that most reports were

⁶¹ <https://gong.hr/wp-content/uploads/2025/12/Povjerenstvo-za-odlucivanje-o-sukobu-interesa-analiza-i-preporuke.pdf>

⁶² More about free legal aid in Section 1 under issues related to the Judiciary

⁶³ As per Pomak of these: 14 notifications concerned irregularities in legal entities whose founder is the Republic of Croatia or in which the Republic of Croatia or local and regional self-government units hold majority ownership; 12 notifications concerned irregularities with employers in the private sector (companies and crafts); 8 notifications concerned legal entities performing public services; 2 notifications concerned bodies with public powers; 1 notification concerned irregularities in state bodies; 1 notification concerned irregularities in local and regional self-government bodies.

assessed as unfounded, most often because they concerned violations that fall outside the scope of the Whistleblower Protection Act and instead related to individual employment rights that do not affect the public interest.⁶⁴

In a smaller number of cases, confidential persons established that the reports were founded. These irregularities most often related to public procurement procedures and abuse of position and authority, and were forwarded for further action to competent authorities responsible for handling the reported irregularities, such as the State Attorney's Office (DORH).⁶⁵ Information provided by confidential persons also shows that some of them continue to face various challenges when handling reports of irregularities and that there is still misunderstanding of certain provisions of the Whistleblower Protection Act. Pomak concludes that whistleblower protection in Croatia remains insufficiently effective in practice, which has a negative impact on the detection and reporting of corruption.

24. Specific measures to enhance transparency, integrity and accountability in sectors with high risks of corruption, with a view to monitor and prevent corruption and conflict of interests, and where applicable measures to prevent and address corruption committed by organised crime groups.

According to CMS, several corruption cases in 2025 concerned public procurement and the use of EU funds, highlighting vulnerabilities in these sectors. For example, the European Public Prosecutor's Office (EPPO) filed an indictment against 29 Croatian citizens and one company in connection with fraud involving nearly €6 million in EU-funded public procurement contracts linked to the Faculty of Geodesy in Zagreb.⁶⁶ Other cases involved fraud related to EU-funded travel expenses and irregularities in the management of EU-funded programmes.

Sunce identifies systemic weaknesses in environmental governance and oversight mechanisms, particularly in sectors exposed to higher corruption risks. A recurring issue concerns the ex-post regularisation of projects carried out without prior environmental impact assessment procedures. Citizens have reported cases where projects were implemented without the legally required environmental procedures. After inspection, investors are frequently ordered to conduct the appropriate environmental procedure only after the project has already been implemented. According to Sunce, restoration of the environment to its previous state or compensation for environmental damage occurs in less than 1% of cases, even though inspectors have the authority to impose such measures. Instead, projects are frequently "legalised" after the fact through subsequent procedures, which undermines the preventive purpose of environmental legislation and weakens the effectiveness of environmental governance.

Sunce also notes that inspections often respond slowly to reports submitted by citizens regarding illegal waste disposal and other environmental violations, which further undermines the effectiveness of enforcement mechanisms.

⁶⁴ Input provided by Pomak

⁶⁵ Input provided by Pomak

⁶⁶ Input provided by CMS

C. Repression

26. *The legal framework on the criminalisation and sanctions for corruption and related offences, including foreign bribery*

Legal framework governing corruption investigations includes the Criminal Procedure Code and the Law on USKOK. Amendments adopted in 2025 introduced procedural adjustments but did not substantially strengthen the legal framework for combating corruption or improve mechanisms for prosecuting complex corruption offences.⁶⁷

27. *Official data on the number of investigations, prosecutions, final judgments, and the application of sanctions for corruption offences (differentiated by offence if possible). Please indicate whether the cases: involve legal persons; are related to the implementation of EU or national funds; involve high level corruption. Please indicate which data is publicly available and how policy-making is informed by the data.*

Several corruption investigations and prosecutions were reported in 2025: EPPO indictment against 29 individuals and one company in a public procurement fraud case involving €6 million in EU funds;⁶⁸ EPPO indictment of two former officials of the Ministry of Foreign and European Affairs for fraudulent travel expense claims;⁶⁹ a former Minister for Regional Development and EU Funds sentenced to seven months' imprisonment for abuse of office linked to EU programme expenditure;⁷⁰ arrest of the former Chief State Inspector Andrija Mikulić on suspicion of corruption related to illegal waste disposal and quarry fraud.⁷¹

Gong highlights developments related to a high-profile corruption case involving a former minister. Former Health Minister Vili Beroš, who was indicted in the "Mikroskopi" corruption scandal on suspicion of receiving a bribe of 75.000 euros, involving the procurement of medical equipment, which allegedly damaged the state budget by 740.000 euros, was appointed a neurosurgeon at the Sestre milosrdnice Hospital, where he worked before joining the Ministry and where he committed the crime as per the indictment. The call was open on 30 July and closed on 14 August. However, the selection of candidates has been delayed because the hospital has failed to establish the election committee. Beroš had earlier activated the official privilege 6+6, which allowed him to receive six months of full and then another six months of half salary after the termination of his ministerial duties. His contract was not formally terminated at the hospital, but the Ministry of Justice, Administration and Digital Transformation confirmed that his employment ended by force of law at the moment the benefit was activated, so he had to apply for the vacancy like other candidates. In October, KBC Sestre milosrdnice managed to form a

⁶⁷ Input provided by CMS

⁶⁸ As per CMS in HRT The voice of Croatia: EPPO indicts 29 in major public procurement fraud case, published on 5 December 2025, available at <https://glashrvatske.hrt.hr/en/domestic/eppo-indicts-29-people-and-one-company-in-major-public-procurement-fraud-case-12460761>

⁶⁹ As per CMS in European Public Prosecutor's Office (EPPO): Croatia: Former officials of Ministry of Foreign and European Affairs indicted over fraudulent accommodation expenses published on 24 July 2025, available at <https://www.eppo.europa.eu/en/media/news/croatia-former-officials-ministry-foreign-and-european-affairs-indicted-over-fraudulent>

⁷⁰ As per CMS European Public Prosecutor's Office (EPPO): Croatia: Former minister sentenced to seven months' imprisonment for abuse of office and authority, published on 2 September 2025, available at <https://www.eppo.europa.eu/en/media/news/croatia-former-minister-sentenced-to-seven-months-imprisonment-abuse-office-and>

⁷¹ As per CMS HRT The Voice of Croatia: Chief State Inspector Andrija Mikulić arrested over corruption allegations, published on 28 November 2025, available at <https://glashrvatske.hrt.hr/en/domestic/chief-state-inspector-andrija-mikulic-arrested-over-corruption-allegations-12449754>

Committee that held an interview with three registered candidates, including the former minister. Beroš was elected unanimously.⁷²

28. Potential obstacles identified in law or in practice to the investigation and prosecution of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning),

Structural obstacles to effective prosecution of corruption cases persist. These include: excessive discretionary power of the Chief State Attorney in allocating jurisdiction between USKOK and EPPO, lack of clear criteria for determining jurisdiction in cases involving EU funds, procedural inefficiencies in complex corruption investigations and absence of safeguards addressing conflicts of interest within prosecutorial leadership. These issues contribute to concerns about uneven enforcement and potential political influence in high-level corruption cases.⁷³

Findings by Pomak indicate that whistleblowers remain a crucial source of information in situations where institutions or organisations attempt to conceal illegal activities from the public. However, despite the existence of the Whistleblower Protection Act, in practice employers often find ways to avoid responsibility when whistleblowers are punished internally or through dismissal after disclosing information. Journalists participating in the whistleblowing research emphasised the fear they observe among their informal sources within institutions, which they attribute to legal developments such as amendments to the Criminal Code (“Lex AP”). These developments are perceived as discouraging employees from sharing information about corruption and other irregularities within institutions.⁷⁴

The European Commission and the European Parliament's Committee on Civil Liberties, Justice and Home Affairs (LIBE) will state the incompatibility of Croatian legislation with the conflict of jurisdiction between the State Attorney's Office (DORH) and the EPPO. After the European Parliament's Committee on Petitions accepted Gong's proposal to launch a petition due to the incompatibility of Croatian legislation with the Regulation on the European Public Prosecutor (EPPO), a decision was made to refer Gong's request to the European Commission for processing. On 25 March, Gong received a notification from the Chairman of the Committee on Petitions, Bogdan Rzonec, that the European Commission had been requested to conduct a preliminary investigation into Gong's request regarding the conflict of jurisdiction between USKOK and the EPPO, and that the matter had also been referred to the LIBE Committee because it was a judicial issue.⁷⁵

29. Information on effectiveness of criminal and non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders.

CMS further notes that, despite the existence of investigations, prosecutions and judicial proceedings, public confidence in accountability remains low. This is due to prolonged proceedings and limited visible outcomes in high-profile corruption cases.

⁷² <https://www.index.hr/vijesti/clanak/beros-i-sluzbeno-vracen-na-posao-u-vinogradsku/2717892.aspx>

⁷³ Input provided by CMS

⁷⁴ Input provided by Pomak

⁷⁵ <https://gong.hr/en/2025/03/25/gongs-demand-accepted-european-commission-to-address-jurisdictional-dispute-between-state-attorneys-office-and-eppo/>

III. Media pluralism and media freedom

On 2025 Recommendations to Croatia

In 2025, Croatia did not make substantive progress in strengthening media freedom and the media environment. While preparatory steps and policy discussions continued - particularly regarding the implementation of the European Media Freedom Act (EMFA) and the EU Anti-SLAPP Directive - these did not translate into structural improvements or effective safeguards in practice. Long-standing concerns repeatedly flagged in previous Rule of Law reporting, such as the need for a transparent and non-discriminatory allocation of state advertising, editorial independence, strong regulator independence, and effective protection of journalists from abusive lawsuits, remain largely unaddressed. The year was marked by institutional stagnation alongside increased pressures on independent and critical journalism.⁷⁶ More broadly, the media environment reflected growing hostility towards critical reporting, including delegitimising rhetoric from political actors, which contributed to a chilling effect on public-interest journalism.⁷⁷

A. Media authorities and bodies

30. Measures taken to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies.

Despite extensive evidence and repeated warnings, regulatory practice continues to show persistent inaction, selective enforcement, and overly broad interpretations of freedom of expression. For example, systematic dissemination of far-right and Ustasha-inspired content was tolerated for years, most notably through the television programme Bujica on local Z1 Television. Despite repeated regulatory proceedings over hate speech and breaches of professional standards, the programme remained on air, indicating weaknesses in the enforcement of standards. Cooperation with the programme ended only after court cases, financial penalties, and the loss of public funding. The decision was presented as a financial and legal necessity, rather than as a clear dissociation from content that promotes or normalises Ustasha ideology.

In 2025, the regulator reacted in one case of discriminatory reporting by Narod.hr, following a complaint submitted by CGI Poreč. However, this action occurred only after sanctions had already been imposed on other outlets for similar reporting. This case demonstrates that the regulator acted reactively rather than proactively; did not reassess its prior practice; did not revise its interpretation of Article 14(2) of the Electronic Media Act. The intervention, therefore, represents an isolated response rather than a systemic shift. All other complaints submitted by CGI Poreč in 2025 against Narod.hr were dismissed, including those concerning homophobic and transphobic reporting, hate speech, and the use of the Ustasha salute.

⁷⁶ Media Freedom Rapid Response (MFRR), Advocacy Mission to Croatia, February 2025; Update May 2025; Open letter concerning funding of Novosti, Centre for Media Pluralism and Media Freedom (CMPF), Media Pluralism Monitor 2025 – Croatia Country Report (Bilić, 2025), Civil Liberties Union for Europe (Liberties), Media Freedom Report 2025 – Croatia.

⁷⁷ Media Freedom Rapid Response (MFRR), Advocacy Mission to Croatia, February 2025; Update May 2025 and Civil Liberties Union for Europe (Liberties), Media Freedom Report 2025 – Croatia.

The regulator consistently characterised such content as “opinion” or “public interest”, disregarding legal prohibitions of discrimination and the documented harm caused to LGBTIQ+ persons. Moreover, the regulator’s approach contradicts the findings of the Gender Equality Ombudsperson, the decisions of the Journalists’ Ethics Council, and the results of research conducted by CGI Poreč, which demonstrate real harm to affected groups.

This lack of institutional alignment further undermines trust in the regulatory system, whose practices reflect systemic deficiencies, including inconsistent and unpredictable application of the law, selective enforcement, lack of transparency, failure to protect vulnerable groups and excessive reliance on freedom of expression to justify inaction. Such practice enables discriminatory reporting to continue without consequences, rendering legal safeguards ineffective. Given its expanded role under the EMFA and DSA, the regulator's continued failure to address discrimination raises serious concerns about its capacity to fulfil its mandate.

31. Conditions and procedures for the appointment and dismissal of the head / members of the collegiate body of media regulatory authorities and bodies.

In 2025, Croatia advanced work on a Draft/Proposal Law to implement European Media Freedom Act. The proposal foresees institutional restructuring, including transforming the Council for Electronic Media into a Council for Media within a future Agency for Media, and assigning this body tasks such as setting minimum criteria for allocation of public funds and contributing expert opinions in media concentration procedures.

However, the central weakness of the proposal remains the politically controlled appointment-and-dismissal model: Council members would continue to be appointed and dismissed by Parliament on the Government's proposal. Despite extensive objections from journalists’ associations, unions and experts during public consultation - including the Croatian Journalists’ Association and academic experts involved in the Media Pluralism Monitor - the contested provisions were not amended.

Concerns were also raised about vague grounds for dismissal and insufficient due-process guarantees. As a result, the independence of the future regulator is at risk of being compromised in advance, undermining confidence in its ability to ensure transparent state advertising and safeguard media pluralism in practice. The EMFA implementation proposal does not address several structural issues, including: political dependence of governance structures of HRT and Hina; sustainability and safeguards of public media financing; ownership transparency issues (including beneficial ownership and “silent” owners); editorial independence safeguards (including autonomy in editor-in-chief appointments); and effective and enforceable protection of journalistic sources.

Announced reforms to the HRT framework were deferred to late 2026, and reforms to the Hina framework were not advanced.

B. Safeguards against government or political interference and transparency and concentration of media ownership

33. Measures taken to ensure the fair and transparent allocation of state advertising

A key development in 2025 was the politically driven reduction in public funding for the Serbian-language weekly Novosti. The Council for National Minorities cut the outlet's budget despite an overall increase in funding. The move followed public calls from the ruling coalition partner, Domovinski pokret, to withdraw funding. The case was publicly condemned by international actors, including the Media Freedom Rapid Response (MFRR) consortium and the European Federation of Journalists (EFJ), which addressed an open letter to the Prime Minister, warning of unlawful political interference.⁷⁸

The MFRR mission report (2025) characterised the broader pattern as misuse of public funds and over-dependence of local media on state resources, creating conditions for political capture. Concerns regarding selective and non-transparent allocation of state advertising were reiterated during EMFA public consultations and reflected in the Media Pluralism Monitor 2025.⁷⁹

34. Safeguards against state / political interference

The Media Pluralism Monitor 2025 classifies Croatia as medium risk for public service media overall, but high risk for PSM governance due to appointment procedures that lack safeguards against political influence. The MFRR 2025 mission explicitly identified politicised appointments within HRT governance and recommended introducing two-thirds parliamentary majorities, stronger qualification criteria and clearer conflict-of-interest rules.⁸⁰ In 2025: HRT underwent significant workforce reductions as part of a consolidation plan; fee revenues have remained stagnant since 2010; additional state budget co-financing arrangements may increase governmental leverage; a new Hina director was appointed by parliamentary majority vote, reinforcing concerns about political dependence.

35. Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners

The Media Pluralism Monitor 2025 continues to classify Croatia's market plurality as high risk. According to the monitoring data: four audiovisual media owners control 91-97% of the audience share; three publishers control approximately 84% of the print market; oversight of ownership concentration remains fragmented among the Croatian Chamber of Economy (HGK), the Council for Electronic Media (VEM), and the Competition Agency (AZTN).⁸¹ Ownership transparency remains fragmented across multiple registers, with gaps concerning ultimate beneficial ownership and limited verification powers. The launch of the Media Ownership and Financing Platform (AEM, 2025) represents a positive step towards transparency, providing publicly accessible ownership and revenue data for electronic media. However, its impact remains partial due to uneven enforcement, incomplete sectoral coverage, and unresolved beneficial ownership challenges, particularly regarding "silent owners" under the Companies Act.⁸²

For example, the local Z1 Television case last year raised broader concerns regarding beneficial

⁷⁸ Media Freedom Rapid Response (MFRR), Advocacy Mission to Croatia, February 2025; Update May 2025

⁷⁹ Centre for Media Pluralism and Media Freedom (CMPF), Media Pluralism Monitor 2025 – Croatia Country Report (Bilić, 2025).

⁸⁰ Media Freedom Rapid Response (MFRR), Advocacy Mission to Croatia, February 2025; Update May 2025 and Centre for Media Pluralism and Media Freedom (CMPF), Media Pluralism Monitor 2025 – Croatia Country Report (Bilić, 2025).

⁸¹ Centre for Media Pluralism and Media Freedom (CMPF), Media Pluralism Monitor 2025 – Croatia Country Report (Bilić, 2025) and Civil Liberties Union for Europe (Liberties), Media Freedom Report 2025 – Croatia

⁸² Centre for Media Pluralism and Media Freedom (CMPF), Media Pluralism Monitor 2025 – Croatia Country Report (Bilić, 2025).; Croatian Journalists' Association, Annual Survey on Lawsuits against Media (January 2025); CJA & Miko Tripalo Centre research on court proceedings (2016–2023).

ownership and political influence in the electronic media sector. As Gong has been warning for years now, while the formal ownership structure is publicly available, persistent and credible public debate points to informal political influence over editorial policy, highlighting deficiencies in ownership transparency and in the effective oversight of media concentration.

The MFRR 2025 report also documented extensive misuse of public funds to influence content and warned about the over-dependence of local outlets on municipal funding. The closure of Al Jazeera Balkans, mass layoffs at N1, and the marginalisation of several national and local outlets further weakened the ecosystem of professional journalism.

C. Framework for journalists' protection, transparency and access to documents

36. Rules and practices guaranteeing journalist's independence and safety, including as regards protection of journalistic sources and communications, referring also, if applicable, to follow-up given to alerts lodged with the Council of Europe's Platform to promote the protection of journalism and safety of journalists.

While Croatian law formally recognises protection of journalistic sources, practical safeguards remain insufficient. Concerns raised by ARTICLE 19 and echoed in the MFRR 2025 report include: Criminal Code Article 307.a ("Lex AP"), penalising unauthorised disclosure of investigative content; absence of journalist-specific proportionality safeguards in surveillance laws; lack of notification obligations following surveillance; and continued criminalisation of defamation.⁸³ These gaps create legal uncertainty and may deter whistleblowers from cooperating with journalists, contributing to self-censorship.

37. Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists.

The safety environment for journalists continued to deteriorate in 2025. Journalists' organisations documented multiple incidents of threats, harassment and physical attacks.⁸⁴ The SafeJournalists database recorded 30 attacks in 2025, including physical assaults and death threats.⁸⁵ The MFRR mission highlighted political pressure at the local level and public officials' verbal abuse as persistent problems. Although police-journalist cooperation protocols exist (signed in 2023), implementation remains uneven across the country, and investigations are often slow.⁸⁶

38. Access to information and public documents by public at large and journalists (incl. transparency authorities where they exist, procedures, costs/fees, timeframes, administrative/judicial review of decisions, execution of decisions by public authorities, possible obstacles related to the classification of information).

Journalists continue to face delays, administrative silence and broad use of exceptions when

⁸³ Media Freedom Rapid Response (MFRR), Advocacy Mission to Croatia, February 2025 and ARTICLE 19, Legal analysis of Croatian legislation concerning source protection and Criminal Code Article 307.a ("Lex AP"), referenced in 2025 reporting.

⁸⁴ Media Freedom Rapid Response (MFRR), Advocacy Mission to Croatia, February 2025, SafeJournalists Network, Database on attacks against journalists (Croatia, 2025).

⁸⁵ SafeJournalists Network, Database on attacks against journalists (Croatia, 2025).

⁸⁶ Media Freedom Rapid Response (MFRR), Advocacy Mission to Croatia, February 2025 and Croatian Journalists' Association (HND), Annual Survey on Lawsuits against Media (January 2025)

requesting public information.⁸⁷ According to the Media Pluralism Monitor 2025, more than half of the complaints received by the Information Commissioner concerned administrative silence. Announced reforms to the Access to Information Act did not materialise in 2025.

39. Lawsuits (incl. SLAPPs - strategic lawsuits against public participation) and convictions against journalists (incl. defamation cases) and measures taken to safeguard against manifestly unfounded and abusive lawsuits.

According to the CJA annual survey from January 2025 there are 696 active lawsuits were reported across 10 responding outlets while 629 of those were civil damage claims. Total damages claimed in a subset exceeded €3.1 million and the average duration of proceedings was 4.3 years.⁸⁸ The transposition of the EU Anti-SLAPP Directive remained ongoing in 2025. The draft reportedly extends protections to domestic cases and introduces certain procedural guarantees. However, criminal proceedings remain excluded, defamation remains criminalised, and safeguards were not operational in 2025.⁸⁹ The MFRR mission and journalists' associations consider SLAPPs a systemic threat contributing to a pronounced chilling effect.⁹⁰

Other – please specify

Across multiple independent monitoring sources, a consistent pattern emerges that reveals that Croatia's media freedom framework in 2025 remains characterised by: political influence on the governance structures of public media services and the regulatory body; high ownership concentration with no guarantee of editorial independence; discretionary allocation of public funds; increasing hostility and attacks against journalists; and ineffective protection against abusive litigation.⁹¹ While some transparency initiatives and preparatory legislative steps were undertaken, they have not resulted in structural improvements. Without urgent reforms that ensure regulatory independence, transparent public funding, depoliticised governance of public service media, effective anti-SLAPP protection, and strengthened source safeguards, the space for independent journalism in Croatia risks further erosion.

⁸⁷ Media Freedom Rapid Response (MFRR), Advocacy Mission to Croatia, February 2025; Update May 2025; Centre for Media Pluralism and Media Freedom (CMPF), Media Pluralism Monitor 2025 – Croatia Country Report (Bilić, 2025).

⁸⁸ CJA and Centre Miko Tripalo report https://tripalo.hr/wp-content/uploads/2024/11/SLAPP_Report_final_eng-3.pdf

⁸⁹ Media Freedom Rapid Response (MFRR), Advocacy Mission to Croatia, February 2025; Update May 2025; Croatian Journalists' Association (HND), Annual Survey on Lawsuits against Media (January 2025);

⁹⁰ Croatian Journalists' Association (HND), Annual Survey on Lawsuits against Media (January 2025);

⁹¹ Media Pluralism Monitor 2025,[2] MFRR mission reports, the Liberties Media Freedom Report 2025, HND surveys, SafeJournalists data and ARTICLE 19 legal analysis

IV. Other institutional issues related to checks and balances

A. The process for preparing, enacting and implementing laws

40. Framework, policy and use of impact assessments and evidence-based policy-making, stakeholders⁹²/public consultations (including rules and practices on the transparent participation of civil society to policy development and decision-making processes, and transparency and quality of the legislative process in the preparatory, the parliamentary and implementation phase (including guidance on how to implement legislation).

Public consultations on draft laws and public policies in Croatia continue to be largely formalistic rather than genuinely participatory, limiting meaningful engagement and undermining the overall quality of policymaking. A key structural shortcoming is that consultations are typically conducted at the final stage of the process—once legislative or strategic drafts are already prepared—rather than at the early stages of policy design, when public input could have a more substantive impact.

Additional concerns persist regarding the selection of civil society representatives to working groups and advisory bodies, which remains insufficiently transparent and not consistently based on clear, merit-based criteria. Furthermore, consultations are frequently organised within shortened timeframes, leaving stakeholders with inadequate time to analyse proposals and provide informed feedback.

These shortcomings reflect broader trends identified in the CROSOL report on civic space in Croatia⁹³, which notes that although institutional mechanisms for participation formally exist, engagement is often reduced to a symbolic exercise, with limited responsiveness from public authorities to the input provided. In practice, this contributes to a perception that civil society participation has little real influence on decision-making processes, reinforcing declining trust and weakening the role of participatory governance in shaping public policies. The example of the limited use of impact assessments and weak evidence-based policymaking in areas directly affecting young people was the reintroduction of mandatory military service. This policy change was adopted without publicly available impact assessments, needs analyses, or evaluation of socio-economic consequences, including potential effects on labour market discrimination against young people. Additionally, the amendments to the Act on Youth Councils, introducing a centralised National Youth Council, were adopted without adequate consultation with youth organisations. The Croatian Youth Network warns that these changes weaken local autonomy, reduce representativeness, and undermine subsidiarity. This case demonstrates how participatory frameworks may formally meet standards while effectively restricting civil society's role in decision-making.⁹⁴

41. Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency/urgent procedure compared to the total number of adopted decisions)

⁹² This includes also the consultation of social partners.

⁹³ <https://crosol.hr/wp-content/uploads/2025/12/National-Report-on-the-State-of-Civic-Space-in-Croatia-1.pdf>

⁹⁴ Input provided by the CYN.

According to the 2024 Annual Report on Public Consultation⁹⁵s, 896 consultations were conducted via the e-Consultations portal, with 4,787 participants—marking a decrease compared to 2023. A total of 13,766 comments were submitted, of which only 1,477 were accepted and 1,272 partially accepted, while the majority were either rejected (5,288), merely noted (4,143), or left unanswered (1,586).

Beyond the low rate of accepted comments, compliance issues persist: in some cases, reports on consultation outcomes were not published despite being a legal obligation, like it was the case with the Draft Law on Amendments to the Social Welfare Act⁹⁶. Moreover, although the Act on Better Regulation Instruments requires a standard 30-day consultation period and advance planning, many authorities continue to conduct consultations within significantly shorter timeframes, often citing urgency. Consequently, only 84 consultations (around 9%) met the legal duration requirement, meaning that approximately 91% failed to comply.

44. Regime for constitutional review of laws

The case of the constitutional review of the 2023 Youth Council Act amendments shows challenges related not only to access to constitutional review, but also to the timeliness and effectiveness of constitutional adjudication in practice. In February 2024, Croatian Youth Network, together with 44 Members of Parliament, submitted a request to the Constitutional Court of the Republic of Croatia to assess the constitutionality of amendments to the Act on Youth Councils adopted in 2023. Despite the statutory deadline for the Court's response expiring in February 2025, no decision had been issued. This prolonged inactivity contributes to legal uncertainty and negatively affects trust in constitutional oversight mechanisms.⁹⁷

B. Independent authorities

45. Independence, resources, capacity and powers (including effective access to relevant data) of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions⁹⁸

In her 2024 Annual Report⁹⁹, the Ombudsperson highlighted persistent shortcomings in institutional cooperation, noting that several ministries—such as the Ministry of Health and the Ministry of the Interior—failed to respond to certain inquiries altogether, while others, including the Ministry of Physical Planning, Construction and State Assets and the Ministry of Labour, Pension System, Family and Social Policy, replied only after repeated reminders.

Concerns about the effectiveness of the Ombudsperson's work are further compounded by delays in parliamentary scrutiny: the 2022 report was discussed only in June 2025, while the 2023

⁹⁵ <https://zakonodavstvo.gov.hr/UserDocImages//dokumenti//Godi%C5%A1nje%20izvje%C5%A1%C4%87e%20o%20provedbi%20savjetovanja%202024.pdf>

⁹⁶ Input provided by the CZMOS.

⁹⁷ Input provided by the CYN.

⁹⁸ Cf. the website of the European Court of Auditors: <https://www.eca.europa.eu/en/Pages/SupremeAuditInstitutions.aspx#>

⁹⁹ *jice 2024.*, available at: <https://www.ombudsman.hr/hr/download/izvjesce-pucke-pravobraniteljice-za-2024-godinu/?wpdmdl=21926&refresh=69721dd1beb381769086417>

and 2024 reports have yet to be debated. This, according to the Ombudsperson, undermines the role and impact of the institution, amounting to an attempt to marginalise and silence an independent body.¹⁰⁰ To address this, she proposed amending the Parliament's Rules of Procedure to ensure that reports of independent institutions are discussed within the same year they are submitted. She also questioned the necessity of requiring a Government opinion prior to parliamentary debate and suggested, if such a requirement remains, introducing clear deadlines to prevent delays from blocking discussion.

These concerns are reinforced by dismissive public statements from the Prime Minister, who questioned the relevance of the issue¹⁰¹ and, following criticism by the Ombudsperson on institutional responses to hate speech and the relativisation of Ustaša crimes, stated¹⁰² that he is not obliged to heed her views and emphasised his role in her appointment.

The Croatian Personal Data Protection Agency plays a central role in protecting citizens' fundamental rights in the digital environment. It acts as the national Data Protection Authority under the GDPR, will assume responsibilities under the AI Act, and is empowered under the Digital Services Act to request the removal of unlawful online content. However, its effectiveness is seriously constrained by persistent staffing shortages. More than half of positions remain unfilled, recruitment processes often fail due to a lack of qualified candidates, and there is a critical shortage of specialised IT expertise. These challenges stem largely from an uncompetitive public-sector salary framework, which limits the Agency's ability to attract and retain experts in law and technology. Addressing this requires targeted legislative action, including exempting the Agency from standard public-sector salary rules, to ensure it has the capacity to effectively enforce EU digital legislation and safeguard fundamental rights.¹⁰³

C. Accessibility and judicial review of administrative decisions

49. Judicial review of administrative decisions: short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review).

As noted in 2025, although the Environmental Protection Act requires that environmental disputes be handled urgently and allows courts to grant suspensive effect or interim measures, these safeguards are rarely applied in practice. While administrative courts can decide on suspensive effect upon receiving a lawsuit, judges typically postpone such decisions until ruling on the merits of the case.

Because the contested decisions are enforceable, this approach often enables investors to obtain construction permits while the dispute is still pending. Even if the court later annuls the

¹⁰⁰ <https://www.ombudsman.hr/hr/poslovnikom-sabora-potrebno-osigurati-da-se-izvje-a-neovisnih-institucija-raspravljaju-na-vrijeme/>

¹⁰¹ <https://www.jutarnji.hr/vijesti/hrvatska/plenkovic-na-pitanje-novinara-kakva-je-to-tema-koga-briga-pravobraniteljica-to-je-poruka-gradanima-15570225/>

¹⁰² <https://n1info.hr/vijesti/plenkovic-pravobraniteljicu-da-ja-slusam-kao-premijer-ona-je-tamo-zahvaljujuci-meni/>

¹⁰³ Input provided by the Politiscope.

underlying decision from the EIA, screening, or SEIA process, this does not automatically invalidate the permits already issued or halt ongoing construction.

52. Implementation of final judgments by the public administration and State institutions and follow-up given to supranational judgments, including decisions from the European Court of Human Rights, as well as available remedies in case of non-implementation

For years, civil society organisations have highlighted their limited involvement in the domestic implementation of judgments, particularly their exclusion from drafting action plans in areas where they have relevant expertise. This represents a missed opportunity to develop more effective and higher-quality measures for the execution of human rights judgments.

It is also concerning that draft action plans are not submitted for public consultation through the e-Consultations platform, thereby excluding CSOs, academia, and other stakeholders from contributing to more targeted and effective measures to prevent or remedy Convention violations.

D. The enabling framework for civil society

54. Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration, transparency and dissolution rules)

In 2025, political resentment toward civil society organisations (CSOs) in Croatia intensified, particularly targeting those working on human rights, migrant protection, and dealing with the past. As also noted in the CROSOL report on the state of civic space,¹⁰⁴ these pressures escalated in the second half of the year alongside a rise in far-right rhetoric, hate speech, and polarising narratives in the public sphere.

This environment is marked by increasing attempts to delegitimise CSOs through public discourse portraying them as foreign agents, ideological opponents, or detached elites. While formal legal restrictions on freedom of association remain limited, the cumulative effect of such narratives—combined with weak institutional protection and inconsistent enforcement—has led to a shrinking space for civic action. Consequently, participation in civil society initiatives is declining, driven less by legal barriers and more by fear, stigma, and reputational risks. In line with these trends, Croatia continues to be classified as having a “narrowed” civic space by CIVICUS.¹⁰⁵

Concrete incidents further illustrate this climate. For example, during the 2025 Women’s March in Osijek, masked individuals disrupted the event with flares and verbal abuse, but the authorities have not informed the public about the perpetrators or any measures taken in response.¹⁰⁶ As highlighted in the CROSOL report¹⁰⁷, such incidents contribute to a broader chilling effect, with

¹⁰⁴ <https://crosol.hr/wp-content/uploads/2025/12/National-Report-on-the-State-of-Civic-Space-in-Croatia-1.pdf>

¹⁰⁵ <https://monitor.civicus.org/country/croatia/>

¹⁰⁶ Input provided by DKolektiv .

¹⁰⁷ <https://crosol.hr/wp-content/uploads/2025/12/National-Report-on-the-State-of-Civic-Space-in-Croatia-1.pdf>

smaller and less-resourced organisations increasingly refraining from organising public events due to concerns over intimidation, surveillance, and smear campaigns.

The Government's Council for the Development of Civil Society is intended to facilitate dialogue between public authorities and civil society, but its structure undermines this role. With a majority of members linked to public institutions, decision-making is dominated by actors aligned with the executive, often sidelining independent CSOs. Despite more frequent meetings in 2025, the Council continues to have little influence on policies affecting civil society, further weakened by the prolonged appointment of an acting director at the Office for Cooperation with NGOs.¹⁰⁸

Although it was the only civil society–related recommendation in the European Commission’s 2023 Rule of Law Report, no progress was made in 2025 on adopting a new National Strategy for an Enabling Environment for Civil Society Development. The absence of such a framework has further fragmented the sector, weakened cooperation, and limited CSOs’ ability to effectively access and use EU funding for capacity-building.

There was no progress with regard to the functioning of the Government Council on Human Rights which was, following the results of the 2024 elections, de facto discontinued by the newly formed Government. Still existing on paper, this multisectoral body, composed of the representatives of the crucial Government departments and representatives of CSOs, was instrumental in fostering dialogue between the state and civil society and pushing for the resolution of some of the long-standing structural issues, e.g., the adoption of the national human rights policy and the national gender equality policy.

56. Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation/incentive/donation systems, measures to ensure a fair distribution of funding)

Challenges related to funding and resources for civil society organisations remained unresolved in 2025. National funding continues to be insufficient and unpredictable, while EU funds managed at the national level are distributed through rigid and overly bureaucratic mechanisms that fail to reflect the evolving needs of CSOs and the communities they serve. In particular, project implementation—especially under the 2025 ESF+ calls—has become even more administratively burdensome, with excessively complex requirements and disproportionate documentation demands.¹⁰⁹ Lengthy verification procedures and delayed reimbursements further create cash flow problems and threaten financial sustainability.

Access to funding for advocacy, research, and public policy work remains particularly limited. Although CSOs are increasingly recognised by decision-makers as relevant stakeholders, many lack the financial capacity to participate effectively in decision-making processes. At the same time, national and local funding remains inadequate, with a continued lack of transparent, stable, and long-term financing mechanisms, as well as insufficient co-financing opportunities for EU-funded projects.

¹⁰⁸ Input provided by DKolektiv whose director is a member of the Government's Council for the Development of Civil Society

¹⁰⁹ Ibid.

Moreover, despite rhetorical commitments to flexibility and innovation, funding calls are often designed within narrow thematic and methodological frameworks, leading to uniform and repetitive project proposals. This undermines the core added value of civil society—its capacity for creativity, adaptability, and innovation—by reducing CSOs to implementers of predefined, top-down priorities rather than enabling them to act as genuine drivers of social change.

Although some improvements, such as the increased use of lump-sum financing, have been noted, administrative burdens and procedural obstacles remain among the most significant barriers to accessing funding and continue to hinder the effective work of civil society organisations in Croatia.

E. Initiatives to foster a rule of law culture

This can include developments related to initiatives to foster a rule of law culture, please specify which, (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society, education initiatives, etc.): ...

In 2025, there were still no meaningful efforts by the Government to engage civil society or other stakeholders in discussing the European Commission's findings and recommendations, apart from occasional participation in discussions initiated by civil society.



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