



Ombudswoman's Report

Analysis of the state of human rights and
equality in Croatia

2024.

Zagreb, March 2025



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The terms used in this Report, which have a gender meaning, refer equally to the male and female gender

1. INTRODUCTION

The Ombudswoman's report contains an analysis and assessment of human rights and freedoms in the Republic of Croatia and, in some instances, violations of the rights of individuals or specific social groups. The Report also includes reporting to the Croatian Parliament under the Ombudswoman Act, the Anti-Discrimination Act, the Act on the National Preventive Mechanism for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Act on the Protection of Persons Who Report Irregularities (whistleblowers).

It also represents an incentive for systematic improvements, primarily through the recommendations of which 158 are presented here.

This introduction provides basic information on the Report and an assessment summary of certain areas covered herein, highlighting the circumstances related to cooperation.

The institution's relationship with the Croatian Parliament is of key importance - the Ombudswoman is the commissioner of the Croatian Parliament for the promotion and protection of human rights and freedoms.

This Report is submitted to the Croatian Parliament, the representative body of citizens, and the legislative powerholder of the Republic of Croatia. It presents an assessment of human rights and freedoms based on citizens' complaints in 2024 in almost all areas of life, observations gathered during field visits, analyses, research, and other sources. At the same time, recommendations are given to various stakeholders, mainly to the executive power, for improving the situation, procedures and practices, laws and other regulations, with the aim of exercising rights in the Republic of Croatia under regulations and European and international standards. Aside from providing a status overview, the Report may prove helpful to Members of the Parliament in their daily work on legislative proposals because of its analysis, data and recommendations.

In 2024, the 11th convocation of the Croatian Parliament was constituted, and the Ombudswoman hereby congratulates all members of Parliament on their election and is available for initiatives and cooperation in the field of human rights protection.

The successful cooperation continued in the new convocation, particularly in parliamentary committees which the Ombudswoman attends under her legal authority. Therefore, during 2024, she regularly participated in the parliamentary committees' work on topics relevant to protecting human rights, especially concerning the regulations in the legislative procedure, thematic sessions, and round tables.

However, at the time of submitting the present report for 2024, the Ombudswoman's reports for 2022 and 2023 had not yet been discussed at the Croatian Parliament's plenary session. The special report "The impact of the COVID-19 epidemic on human rights and equality – recommendations for strengthening resilience to future crises", submitted by the Ombudswoman in 2022, has also not yet been discussed.

Furthermore, the Government of the Republic of Croatia has not yet adopted an opinion on the Ombudswoman's Report for 2023, a prerequisite for a parliamentary debate at the plenary session.

Unlike many institutions submitting their reports to the Croatian Parliament, the Ombudswoman does not report on her institution but assesses human rights and freedoms in the Republic of Croatia. In such reports, emphasis is placed on topics and the status of a particular area concerning individual human rights, freedoms, and groups.

When highlighting human rights status in certain areas, the Report outlines legislative changes during the year, official statistical data, and the citizens' issues with accessing institutions and exercising their rights in the reporting year. From the perspective of human rights protection, the role of this institution is to outline the problems that citizens face in different systems and to present cases and omissions, illustrating the problem. To show a broader picture, it outlines problems in specific systems, including insufficient interdepartmental cooperation at the state level, problems at the local and regional level and the procedures of public bodies. Such issues could and should present a basis for discussing problems and their possible solutions.

However, by postponing the parliamentary debate on the reports, the collected data and analyses contained in the reports for a given year will lose their relevance. The data change and topics develop, whereas new legal proposals and strategic documents are adopted without a parliamentary debate on the recommendations made based on the assessment.

Therefore, the Ombudswoman indicates to the Croatian Parliament, as its commissioner for the protection of human rights and fundamental freedoms, the unacceptable attitude of the Croatian Parliament and the Government of the Republic of Croatia towards the Ombudswoman's reports and the problems that citizens are continuously bringing forward. The Report can achieve its purpose, and the institution can exercise its role defined by the Constitution of the Republic of Croatia, only if the reports are discussed in the year they were submitted.

The cooperation with the Government of the Republic of Croatia, i.e. the executive bodies, is manifested in the implementation of the Ombudswoman's report recommendations, the acceptance of opinions on legislative proposals, responding in the conduct of investigative procedures and the implementation of case measures, and in responding to inquiries that contribute to the preparation of reports.

Regarding the implementation of recommendations, the European Commission has recommended in its last three reports on the rule of law that the Republic of Croatia should improve the implementation of the Ombudswoman's recommendations.

The Ombudswoman assesses the implementation of the recommendations previously made in the Report to the Croatian Parliament. According to the available data, the competent authorities acted or are acting upon 60.96 % of the recommendations, a significant increase compared to the 2022 Report, when they acted upon 44.12 % of the recommendations. However, the competent authorities have not implemented and are not implementing 36.3 % of the recommendations, and there is no available data for the remaining 2.74 %.

The implementation of the Ombudswoman's report recommendations to the Croatian Parliament is the direction that should be chosen to make the protection of human rights and the rule of law in the Republic of Croatia more successful, following the Constitution of the Republic of Croatia, international standards and national legislation.

The vast majority of the Ombudswoman's proposals in public consultations, which in 2024 contained detailed comments on 50 laws, regulations and strategic documents, were not accepted or were just noted. The comments were aimed at achieving public interest, the rule of law, human rights, and equality, and were often based on observations from citizens' complaints. Therefore, their rejection is, to a significant extent, a missed opportunity to improve the protection of citizens' rights.

The cooperation with the authorities in responding to an investigation procedure was mainly good in 2024, emphasising that the Ministry of Health continues to stand out as non-responsive or difficult in responding. In several cases, the Government of the Republic of Croatia has not responded to the Ombudswoman's letters in which she warned of the violation of the rights of many citizens.

To improve the state of human rights protection in the Republic of Croatia, an open and continuous dialogue and cooperation is needed between the Ombudswoman, as an independent institution that can propose improvements in protection of citizens' human rights, and the executive and legislative authorities, which should consider these initiatives and decide on their implementation. This Report is another incentive in this direction.

It is important to emphasise that the analysis and assessment of the situation in the Report is based on the legal obligations and responsibilities of the Republic of Croatia in protecting the human rights of all citizens and all other persons treated by the authorities of the Republic of Croatia. Such obligations and responsibilities derive from the Constitution of the Republic of Croatia, EU law, international treaties incorporated in the legal system of the Republic of Croatia and national regulations.

It is crucial to emphasise the foundation of the law, especially human rights law and the obligations and responsibilities of the state arising from it, because of the trend of relativisation and politicisation of human rights, at the global, European and national level. Such a trend attempts to reduce human rights and suppress discrimination to the level of personal opinions and attitudes, which is legally wrong and harmful to the affected persons, as well as to protect the human rights system and the rule of law.

The Report is the result of the institution's year-long work within the aforementioned legal framework, and it is prepared **based on**:

- proceedings in 6,404 cases in 2024, which includes 4,942 new cases, which is slightly more (2.8 %) than the previous year;
- comments on 50 draft laws and other regulations and strategic documents, given in public consultations and the Croatian Parliament's committees' debates;
- information obtained from field visits to prisons, homes for the elderly, police stations, psychiatric hospitals, psychiatric wards in general hospitals, police stations and detention units, Roma settlements, foreigners reception centres and registration of applicants for international protection, areas affected by earthquakes and ecologically endangered areas;
- information from meetings with numerous public law bodies, civil society organisations and human rights defenders in the field of health, social welfare, rights of the elderly, judiciary, environmental protection, combating discrimination, rights of national minorities, freedom of expression, protection of whistleblowers, police treatment, migration and others;
- information requested to prepare this Report from numerous ministries and other state bodies, counties and cities, civil society organisations, academia, trade unions, employers' associations, professional chambers, religious communities, representatives and councils of national minorities;

- monitoring the decisions of the Constitutional Court and national courts, judgments of the European Court of Human Rights and the Court of Justice of the European Union;
- monitoring scientific papers, research, and statistical indicators related to human rights.

Over the past year, citizens have prevailingly complained about the following:

1. discrimination (420 new cases)
2. violation of the right to health (394 new cases)
3. violation of rights concerning the right to work (327 new cases).

Regarding the assessment of the situation, there is no significant improvement in any human rights and groups, compared to the previous year, meaning that the trend of stagnation continues, which is unacceptable because of a considerable number of systemic problems.

The most significant problems were found in health and social welfare, including poverty. The growing rate of poverty among the elderly and living conditions in certain homes for the elderly are particularly worrying, as are significantly overcrowded prisons. An increased level of unacceptable speech, hate speech, and various anti-minority rhetoric was detected, which can partly be linked to the fact that three elections took place during 2024. There were challenges related to the rule of law, a poor perception of the judiciary, threats to journalistic freedoms, the difficult work of human rights defenders, and a low level of citizens' trust in institutions.

During the year, the most positive activities were in the area of the right to adequate housing, primarily due to a series of legal changes and the proposal of the first strategic document of housing policy, where progress could be expected soon, and the effects of which we will monitor. Also, at the beginning of 2024, amendments to the Foreigners Act (the Act was adopted in 2025) were sent to public consultation. The amendments are aimed at improving the labour law position of migrant workers and at the same time protecting domestic workers from low labour costs.

As a short overview of certain areas covered in the Report, the following can be emphasised:

Concerning the rule of law and **the right to good governance**, of which the Ombudswoman has a unique overview through her work on complaints in various areas, citizens' problems related to communication and/or exercising their rights with public law bodies also persisted in 2024. In their complaints, citizens outlined the excessive duration of the proceedings, incomprehensible and inappropriate communication, unequal treatment, shifting responsibilities between institutions, excessive formalism and other problems. Citizens are often insufficiently informed about their rights and how to exercise them. Obstacles to real public participation in decision-making are still present; for example, almost half of the comments in e-consultations were not answered or were just noted. Obstacles to achieving transparency and impartiality are also still visible, for example, when establishing various working groups.

In addition, many departments lack employees, especially in healthcare, and they are often overloaded with administrative tasks, particularly in social welfare. Such a situation questions the exercise of guaranteed citizens' rights.

Poverty was on the rise; 20.3 % of the population of the Republic of Croatia is at risk of poverty, which is the highest recorded rate since 2012. Given this trend and a long period of price and inflation increases, it should be strongly emphasised that poverty is currently an obstacle to the exercise of rights

for many citizens. Fighting poverty is an obligation and responsibility of the state, which has defined itself as a welfare state by the Constitution. Despite this, the social welfare system is insufficiently focused on beneficiaries, and the increase in benefits remains insufficient, not covering all the people who need them. Support for the homeless is still entirely inadequate, although they represent the most vulnerable group of citizens. There are no indications that the situation will improve because the Ombudswoman's recommendations, which are the basis for changes – the National Strategy for Combating Homelessness and reliable data on the extent and causes of homelessness in the Republic of Croatia – are still not implemented. On the other hand, humanitarian and religious organisations and citizens make efforts to care for the homeless, but they are not sufficiently supported.

Among the most vulnerable are **the elderly**, who live in increasing poverty. According to the latest data, 37 % of people older than 65 were at risk of poverty, and 61.4 % of the elderly who live alone. The data can be compared from 2010 onwards, and this is the unprecedented scale of poverty among the elderly, calling for urgent, long-term, and systematic measures. Other long-standing problems are also present - the unavailability of social services that enable a dignified life and living in one's own home, and the lack of measures to support employees who need to care for their frail elderly family members. At the same time, homes for the elderly are not accessible because of insufficient capacity and high prices. Some elderly people wait too long for their first pension payment, forced to live without income or on a minimum down payment while waiting. The number of concluded life care agreements has been declining for many years, probably due to the protective measures introduced in 2024 after a long commitment by associations of the elderly and the Ombudswoman. However, there are additional steps that need to be taken to protect the elderly from the abuse of such contracts. Most of the difficulties reported by the Ombudswoman are also recognised in the 2024 Declaration of the Croatian Parliament on the Rights of Pensioners and the Elderly. However, they will only have an effect if these difficulties are genuinely in the focus of the executive and legislative authorities in decision-making.

In 2024, we have also recorded serious examples of violations of **the right to health**, which, despite the hard work of an insufficient number of health professionals, show numerous problems at the system level, including the lack of focus on patients and strict formalism regarding health insurance. The Report particularly focuses on oncology and palliative patients. Oncology patients often cannot get their health exams on time, and there were cases where such patients, in an already extremely difficult situation due to the diagnosis, had to make key decisions themselves and organise their own treatments. The number of hospital beds in palliative care has increased, a rare positive development in palliative care in 2024. However, all other problems remain. The neglect of this area is also evidenced by the fact that the National Program for the Development of Palliative Care in the Republic of Croatia 2023-2026, which was supposed to be the starting point for the necessary changes, has not yet been adopted. There is also no decision of the Constitutional Court concerning the Ombudswoman's request to assess the constitutionality of the obligation to come to the HZZO in person every three months, causing chronically and seriously ill people, mothers on maternity/parental leave, students, and other people to lose their health insurance. The dubious constitutionality was also evidenced by the record number of complaints to the institution that an amendment to a law has ever caused. We especially emphasise the problems of citizens who could not exercise the right to reimbursement for medical costs; the elderly could not obtain it because of the (otherwise very positive) pilot project of the free train, and many other patients because of the HZZO's method of calculation of distance that patients need to travel to get to the doctor. In both cases, the Ombudswoman addressed the Government of the Republic of Croatia without an answer.

Young people continued to face difficulties in housing, work and employment, including discrimination, related to access to mental health care and other issues. There has been no progress towards the introduction of systematic education on human rights, equality, and other topics that could be covered by civic education. The lack of such systematic education is visible in the low awareness of socio-political and economic issues, the possibilities for active involvement in society, and the readiness for such initiatives. During 2024, there were also changes to the status of the subject of Politics and Economy in certain vocational schools, which reduced the opportunity to acquire a range of knowledge, attitudes and skills crucial for personal, civic and social development and quality and informed participation in social life.

Housing was still a daily problem for many in 2024. High prices of purchases and rent affected the socially disadvantaged and those with regular incomes, especially young people and young families, and other groups. For example, the average young person in the Republic of Croatia leaves the family home only at the age of 31, which is 5 years later than their peers in the EU on average. In addition to prices, the problem was the uncertainty of rent resulting from the insufficient legal framework for renting and insufficient public rent. However, in 2024, there was a shift in public policies, and the first national strategic document concerning affordable housing in this area - the National Housing Policy Plan of the Republic of Croatia by 2030- was sent for public consultation. The plan was adopted in March 2025 and should, according to the announcements, enable the activation of vacant real estate, encourage long-term rentals, strengthen the legal security of the lease relationship and build state-owned apartments. However, the plan did not include social housing, which remains unresolved.

The right to work was marked by significant legal changes related to state and public services and the private sector. Complaints were prompted by persistent issues such as non-registered employment, unpaid salaries, illegalities during the conclusion of the employment agreement, discriminatory job advertisements and others. Harassment at work, i.e. mobbing, is still not adequately regulated, and unfortunately, this is not even planned until 2026 at the earliest, despite the increasing number of people seeking help. The number of migrant workers, as well as complaints from migrant workers, is increasing, and certain difficulties should be eliminated by Foreigners Act amendments (in force since mid-March 2025), including the regulation of their accommodation conditions which will now be regulated for the first time for migrant workers who are not seasonal workers. Such a legal gap was visible in 2024 in the examples which the media brought to attention.

In the protection of whistleblowers, it is still necessary to raise awareness and educate about the key conditions for the legal protection of whistleblowers, primarily the methods of reporting and the fact that the irregularity must be related to the public interest, and not to the protection of individual rights. Providing emotional support to whistleblowers has begun, which we will monitor and continue to advocate for psychosocial support and free legal aid when needed. As the body responsible for external reporting of irregularities, we prepared and publicly presented the Guide for Reporting Irregularities and continued to organise and participate in training on implementing the Act on the Protection of Persons Who Report Irregularities (Whistleblowers). A significant challenge is still the difficult work of confidential persons, who sometimes do not have adequate conditions for the unhindered performance of their tasks assigned by law. We have identified cases of employer retaliation because such persons were handling the reporting of irregularities. The length of action of some bodies responsible for investigating irregularities and individual court proceedings is also challenging.

Concerning the **judiciary**, the Report provides an overview of the work on citizens' complaints, which were 16 % less than the previous year, but it is still one of the most common reasons why citizens turn to us. The Report addresses various aspects of justice efficiency and challenges related to digitalisation, free legal aid and the victim and witness support system. We have also presented an overview of the enforcement proceedings and consumer bankruptcy situation.

The Report contains, again this year, **an analysis of case law in cases related to discrimination**, an overview of the incidence **of hate crimes**, as well as an overview **of the conduct of the European Court of Human Rights** in response to requests filed against the Republic of Croatia.

Expression in public areas shows insufficient awareness of citizens about what is (not) allowed, and it continues to happen that illegal expression remains unreported and unsanctioned, and that lawful expression is publicly marked, wrongly, as unlawful. The Digital Services Act (DSA) entered into force in 2022, but the implementing regulation of the Republic of Croatia was passed only in March 2025. Unfortunately, Ustasha symbols and salutes were used more often than in previous years due to the long avoidance of a more precise definition of such symbols, the lack of adequate legislation and consistent processing, and also thanks to certain public messages given by some politicians. Physical attacks on journalists have also been recorded regarding journalistic freedoms, and legal mechanisms for their protection are applied unevenly. In 2024, there were disputes regarding the adoption of Art. 307(a) of the Criminal Code, which introduces a new criminal offence of unauthorised disclosure of the content of an investigative or evidentiary action. Welcomed future changes should be brought by regulations adopted at the EU level - the Media Freedom Act, which should protect and strengthen media freedom and pluralism in the EU, and the Directive for the Protection of Journalists and Activists from SLAPP Lawsuits, which should strengthen the independence of both journalists and the media.

During 2024, the focus was also on **the right to public gathering**; citizens gathered for many reasons, while counter-protests accompanied some public gatherings. Sometimes, there is a lack of understanding that counter-protests represent a form of freedom of public gathering. Therefore, the state should protect the right to freedom of gathering of both groups and apply the least restrictive means to enable both gatherings to be held peacefully.

In 2024, the Artificial Intelligence Regulation, the EU's legal framework on **artificial intelligence, also entered into force**, which should reduce the risks of abuse and accidental harm, including human rights violations and discrimination. The Ombudswoman has been designated as one of the bodies responsible for protecting fundamental rights under the Regulation.

The year was marked by holding three **elections**: for members of the Croatian Parliament, members of the European Parliament and the President of the Republic of Croatia, which showed a necessity to significantly improve the electoral legislation through a broad consensus and the involvement of experts. The Report provides an overview of the exercise of the right to vote as a human right, the specific occurrence of speech and expression in the public space during the (pre-)election period, and an overview of some issues related to certain social groups, such as young people.

The conditions in which **human rights defenders** operate, including civil society organisations, journalists, whistleblowers and others, are crucial indicators of the state of the rule of law, which the European Commission also recognises through reports on the rule of law status. The state should create an environment where human rights defenders can operate unhindered, thus protecting human rights and combating discrimination. Despite this, civil society organisations' long-term institutional and

program financing working in human rights protection and non-discrimination is still challenging. The Republic of Croatia still does not have a national strategic document for creating a favourable environment for civil society activities. However, the last one expired in 2016, and a working group for its preparation was established in 2021.

In this chapter, the importance of standards for independent institutions is also presented, which the Ombudswoman, as an independent institution, regularly points out, which is also an indicator of the state of the rule of law. In this context, two EU directives on standards for equality bodies adopted in 2024 are also outlined.

The protection of the **right to a clean, healthy and sustainable environment** was contributed by the work on citizens' complaints, citizens' initiatives or on their initiative, which in 2024 related to environmental and nature pollution, improper waste management, excessive noise, light pollution, non-ionizing radiation of mobile operators' base stations and the harmful effects of climate change, the remediation of black spots, the impact of waste management centres on the life and health of citizens, and fires on the locations where waste is managed.

In 2024, we received the most significant number of complaints about **discrimination**, and as before, they were mainly related to the field of work and employment, and based on race, ethnicity, skin colour or national origin. Unfortunately, the Action Plan to Combat Discrimination was not implemented during 2024 because it was adopted only at the beginning of 2025. There is still a visible need to raise awareness and educate on the prohibition of discrimination and protection mechanisms among citizens and those who should apply it in their work, so recommendations are made in this direction.

Research and complaints continued to testify about stereotypes, prejudices and discrimination faced by members of national minorities, primarily **Serb and Roma, as well as migrants**. This was mainly present in the context of the elections, when animosity towards members of various minorities, especially the Serb national minority and migrants, was expressed and used for political purposes, which further fuelled the intolerance of some voters towards these groups. It is worrying that the Republic of Croatia still does not have an immigration or integration policy. At the same time, individual measures, such as vouchers for learning the Croatian language for migrant workers, are welcome, but insufficient. Roma continue to face systemic discrimination that leads to unequal opportunities from childhood and keeps many Roma in a vicious circle of multigenerational poverty, which includes living in segregated and traffic-isolated settlements, often in extremely poor living conditions, without electricity, water supply and sanitation. In this Report, we also point to a significant issue of *de facto* segregation in schools, for which no concrete improvements are in place.

Concerning the rights from the Constitutional Act on the **Rights of National Minorities**, there are still difficulties in exercising the right to equal representation of members of national minorities among employees in the administration and the judiciary, which is a consequence of an ineffective framework for its implementation, as well as often the right to official and equal use of language and script, which spills over from a negative attitude towards members of national minorities, primarily Serbs and Roma.

Complaints about the actions **of the police** referred to situations in which citizens felt harmed, such as failure to conduct an informative interview with all participants in the event and unprofessional communication by police officers. The investigative procedures we conducted in 2024 showed the need for the Ministry of the Interior to introduce more efficient ways of identifying police officers in case of suspected unprofessional conduct. Citizens still rarely turn to the Complaints Commission, which is why

it is necessary to ensure in the Police Act that the parties are informed about the possibility of further complaints, i.e. addressing the Complaints Commission. The Report also presents an overview of unannounced NPM visits to police stations and the detention unit.

Regarding the area of **migration and asylum**, the Report provides an overview of migration movements in the Republic of Croatia and the investigation procedures that we conducted concerning the conditions in the reception centre, access to the international protection system in foreigners' reception centres and the length of accommodation in the reception centre. We anonymously surveyed persons accommodated during our visits to foreigners' reception centres. In 2024, the Pact on Migration and Asylum was adopted at the EU level, which brought extensive changes and additional challenges for countries with an external border, such as the Republic of Croatia. The Report gives an overview of the work of the Independent Monitoring Mechanism on the Conduct of Police Officers of The Ministry of The Interior in the Area of Border Protection, Irregular Migration, and International Protection (NMN) and an overview of the situation from unannounced NPM visits to the reception centre and transit foreigners' reception centres, the Registration Centre for Applicants for International Protection and the border police station.

Long-standing problems in **the prison system** are still present, and some are further emphasised, as shown by the investigation procedures and unannounced NPM visits. Overcrowding continued to grow at an alarming rate; in two prisons, the occupancy rate was above 200 %, with a large proportion of pre-trial prisoners and an increasing number of foreigners. Although the reasons for depriving persons of liberty and their family members in 2024 varied from requests for assistance with transfers and complaints about the officials' actions, to insufficient effectiveness of legal remedies, problems with health care and inadequate accommodation are still the most common reasons for complaints. The lack of officials persists, and some long-standing normative deficiencies are also present.

People with mental disorders whose freedom of movement was restricted contacted us in 2024 mainly because of voluntary consent validity and placement in a closed psychiatric ward, i.e. the lack of patients' information that voluntary treatment will be executed in closed conditions. The Report also underlines the issue of the treatment of persons with mental disorders by police officers. Unannounced NPM visits were carried out in psychiatric hospitals and general hospitals' psychiatric wards, where the examples of good practice were found, but also problems regarding accommodation conditions, deficiencies in the preparation of an individual treatment plan and deficiency of implementation of means of coercion, which is also associated with the lack of doctors and other medical staff.

During 2024, unannounced NPM tours of three **homes for the elderly were carried out**. The purpose of the visits was to determine the conditions in which the beneficiaries, who are accommodated in the homes, live, the way they are treated, whether their needs are considered, whether adequate health care and care are provided, as well as the method of implementing enhanced care for immobile/less mobile and demented people. The lack of staff is one of the most significant problems, and the conditions in part of one of the homes can be characterised as inhumane treatment of the elderly.

2. ANALYSIS AND ASSESSMENT OF THE STATE OF PROTECTION OF HUMAN RIGHTS AND EQUALITY

2.1. Right to good governance

"I submitted my pension application in mid-December 2023, and to this day, that is, almost seven months later, despite numerous urgent requests, there is no solution for retirement."

The right to good governance is essential for exercising other human rights and freedoms, the rule of law, and building trust in institutions. It demonstrates the quality with which the institutions fulfil their mission of serving citizens and the public interest and respect the principles of conduct such as legality, speed, efficiency, independence, fairness, transparency, objectivity, impartiality, non-discrimination and equal treatment, consistency and proportionality.

It is essentially guaranteed by the Constitution of the Republic of Croatia and the General Administrative Procedure Act, which prescribes the principles of legality, proportionality in the protection of the rights of parties and the public interest, assistance to the party, determination of material truth, independence and free assessment of evidence, efficiency and economy, and access to data and data protection, and the doctrine of good administration has been developed over the years by the EU and various international organisations.

Good governance means that citizens have the right to expect to receive quality service from a state and public administration that is open, accessible, efficient, well-managed, and focused on the public interest in its actions. One of the roles of the Ombudsman institution is to monitor the extent to which the right to good governance is respected, which we do by contacting citizens directly and acting on their complaints, and proposing better practices and legal changes to make the administration more citizen-centric.

The right to good governance is a separate chapter in the previous Report, and this Report, for many reasons. First of all, due to the institution's vast scope and her work on a large number of cases related to almost all state and public administration departments, the Ombudswoman has a unique overview of their work.

Furthermore, the Ombudswoman's investigations confirm that certain problems of citizens related to communication and/or exercising their rights with public law bodies are long-standing and numerous. In their complaints, citizens often point to the silence of the administration, incomprehensible and inappropriate communication, lengthy treatment, unequal treatment, going back and forth between institutions, excessive formalism and other problems incompatible with the principles of good governance.

This chapter provides a comprehensive overview of the problems that citizens encounter in the conduct of state and public administration, while numerous examples of issues in exercising certain rights can be found in other chapters of this Report.

Complaints

According to the Constitution of the Republic of Croatia, everyone has the right to receive a response from the state and other bodies to their petitions, complaints and proposals. However, public law bodies do not always respect this constitutional obligation, nor do they respect the deadlines prescribed by the General Administrative Procedure Act and special laws.

"The first Report of illegal construction was submitted to the building inspection in 2022. A second complaint regarding the same case was re-filed in 2023. To date, we have not received any response to any of the above reports, except for the confirmation that the reports were duly received via a no-reply e-mail confirmation."

"I applied for one-time social assistance for people under temporary protection from Ukraine. But... I haven't gotten any response for 2 months. I still did not get any decisions on the allocation of aid. I called several times and went there personally, but nothing. Answer: We do not have a social worker who would lead this case. Couldn't they find a solution for the past two months?! I came to the office in person again because it was impossible to reach anyone by phone. But my case has not yet been initiated. That day, I forwarded an e-mail with a request to the Head of the Social Welfare Office, but did not receive any response. Silence. I'd like to ask you to help me do something about it. Given the situation, I hope this silence from the Office for Social Welfare does not result from intentional discrimination, which I have already begun to think about. To be left without an answer is very humiliating, as if there was no me and my request."

"Dear Sir/Madam, on June 25, my wife and I submitted a request for family reunification to the Ministry of the Interior. In addition to the fact that we called several times, sent urgent letters (requests) and on September 3, asked to be provided with a document with information on the deadline for such a request to be resolved, our request was not resolved, nor were we provided with information. Today, the competent police told us our request was not even sent. Three months after filing... Given that my wife had a job offer, which the employer will probably withdraw, and that we are tenants and live on my salary, we believe that our rights have been violated."

"In July this year, a request was submitted to the Croatian Social Welfare Institute for exercising the right to an inclusive allowance in my mother's name. My mother is old and infirm person, unable to address the institutions on her own, so I am addressing you on her behalf. Namely, to date, she has not received any response or decision regarding the request, although it is an urgent procedure and the legal deadline for issuing a decision has passed. The request was submitted in July 2024, and the legal deadline for issuing a decision is 15 and 30 days, respectively."

In 2023, the Information Commissioner received 1,179 complaints, of which 652 or 55.30 % were related to the failure to resolve requests within the legal deadline, i.e. the so-called silence of the administration. This is a higher proportion than a year earlier, when there were 640 such complaints or 41.18 %. In doing so, in 26 % of the complaints received in 2023, the commissioner determined that there was indeed silence on the part of the management.

Another problem is the long-term failure of public bodies to respond to the Ombudsman's requests for the submission of data or statements on the implementation of the issued measures, and in some cases, there are no responses at all, which we write more about in the chapter on cooperation. For example, in one case, the Ministry of Health submitted the documentation to us only after two urgent notices, although it had it four months earlier. According to the Ombudsman Act (ZoPP), if the supervising body fails to inform the Ombudsman about the established facts and measures taken within the deadline set for it, she will inform the Government of the Republic of Croatia about it. However, it is particularly worrying when we do not receive an answer from the Government of the Republic of Croatia, even after an urgent request, which was the case in 2024 in several cases related to the exercise of the rights of a larger number of citizens. Therefore, following the ZoPP, we are reporting to the Croatian Parliament.

Contrary to the principles of the General Administrative Procedure Act (ZOUP), citizens also turned to us because of excessive formalism in the authorities' responses, which is why they remain deprived of relevant information about their rights and because of the transfer of responsibilities between institutions. They also contacted us because of the unprofessional conduct of officials in public law bodies, giving incomplete or wrong information, but also the lack of readiness of the body to objectively and thoroughly consider the complaint about the conduct of its own official. Thus, the citizen complained that the clerk insulted and humiliated him, but the internal procedure did not establish a violation of the code of ethics. The turning point came after the Ombudswoman requested the submission of data on complaints against the civil servant in the past five years, which showed that a large number of identical complaints had been filed against her, and only then was she issued a warning for violating her obligations under the employment contract. This case shows the unwillingness of the authorities to objectively review and decide on a complaint about the work of a civil servant, so it can serve as an example of the need for public law bodies to establish adequate and effective internal mechanisms for receiving and monitoring complaints.

"The problem arose when we called the new clinic intending to open a sick leave and consult a doctor. In the first phone conversation, the nurse tells us that she does not have us registered as patients and that we should check why we are not visible on the list with the Croatian Health Insurance Fund. We contacted the numbers available at the HZZO several times, and each time we were told that everything was fine with them, that everything was visible, and that we had to solve it with the clinic. We went back and forth for a week and a half.

We sent an e-mail to the e-hzzo support and have not received a response. The clinic contacted the IT support, which allegedly cannot (or does not want to do anything, and their solution is that the doctor in charge of the clinic must come to the clinic to physically register with his card, so we may then be visible on the list of patients. Today we were informed by the nurse that even with the arrival of the doctor in charge of the clinic, this cannot be solved, but we must come to the clinic, fill out the application and take it to the Croatian Health Insurance Fund to request a change of doctor again.

So, we have not opened sick leave because we are not registered as patients anywhere, although the HZZO claims otherwise. The remittance had to be handed over to the employer, so I hope someone can explain why they did not receive it on time.

I must emphasise that the only bright spot in the health system is nurses and doctors, who can only try to help, even with administrative entanglements that should not be their problem. They are health professionals, not IT specialists or administrators, let them heal, and leave the rest to experts in individual fields if there are any in the entire health system."

"I asked her to stop yelling at me and that I didn't want to argue and get into conflict situations, to which she continued yelling and said that she didn't care what I needed and what she wrote and gave me a new date, and she didn't want to communicate with me."

Complaints indicate that citizens often did not receive information from the body they turned to, that it was not competent to act on their problem, or instructions on whom to turn to. As follows from the Report on the Implementation of the Ombudsman's Recommendations from the 2023 Report, many bodies have implemented or will soon implement the recommendation on the availability of clear, transparent and understandable information to citizens about the rights and procedures for exercising them. Although not all bodies have commented on the recommendation, we will not repeat the recommendation this year. However, we will continue to monitor the websites of public bodies, primarily those that have not commented to the Office for Human Rights and Rights of National Minorities in the Report on the Implementation of the Recommendations.

Also problematic are situations in which public law bodies deny citizens a particular right without conducting a procedure, but are verbally informed that they cannot exercise it, which violates their constitutional right to appeal.

The ZUP prescribes that an official in a public administration body is obliged to obtain ex officio information on facts on which official records are kept by the public law body with which the proceedings are conducted, i.e. another public law body or court. Also relevant is the "once-only" principle of the EU eGovernment Action Plan 2016-2020, which requires public administrations to reuse (repeatedly) or share data and documents that citizens have already submitted. Despite this, citizens, especially those who do not use digital services, often have to provide the same information or "visit" the counters several times, as shown by the online questionnaire of the MPUDT, to which citizens responded to analyse their administrative burden. The analysis states that, without the use of digital tools, nine visits to the counter are required to exercise the right to a survivor's pension, eight for a regular pension, four to exercise the right during unemployment, while three visits to the counter are required to exercise the right to the national allowance for the elderly. The analysis was made for the Action Plan for Reducing the Administrative Burden on Citizens for 2023-2025, which was supposed to meet the goal from the NRRP and reduce the administrative burden on citizens by at least 20% by the end of 2025. The Action Plan was adopted in March 2025.

In conclusion, public authorities should act correctly (lawfully, within deadlines, in accordance with best practices and respecting citizens' rights, admit mistakes, explain what went wrong and correct them quickly and efficiently), openly and responsibly (clarify decision-making criteria, clarify their decisions and take responsibility for the actions of officials), fairly and proportionately (listen to citizens who address them, treat everyone equally and impartially, respect differences and ensure equal access to all, avoid defensiveness when a mistake occurs, adopt measures that are appropriate and proportionate to the objectives), be citizen-centric (easily accessible, ready to cooperate with other bodies, give clear, complete and understandable information on what citizens can and cannot expect from them, including which rights they can decide on and the procedures for exercising them, as well as keep in mind the individual needs and circumstances of each person) and always work towards improvements (regularly review their policies and procedures, seek feedback, including through effective internal complaint processes, and use them to improve the quality of their work on citizens' rights).

Digitalisation

The development of digital public services is part of improving the processes and quality of public administration data, which can lead to time and cost savings, as stated in the National Public Administration Development Plan 2022-2027. The same document, as well as the Digital Croatia Strategy until 2032, rightly points out that it is necessary to provide alternative ways of communication between citizens and public bodies, in a way that suits them best. As an institution that advocates for efficient and easily accessible public administration, we welcome the development of digital services, which provide many citizens with faster services. However, following these processes over several years, we continuously warn that we must not forget people who are not computer literate or do not have access to the Internet, or those for whom the transition to digital services is difficult or impossible for various reasons, such as poor financial or health status and disability. It is necessary to work on greater digital accessibility and accessibility for citizens of different profiles, which is the direction set by the EU in the joint declaration of the European Parliament, the Council of the EU and the European Commission on digital rights and principles for the Digital Decade. It emphasised that the digital transformation should contribute to the fairness and inclusiveness of society and must not leave anyone behind. However, it must benefit everyone and include the elderly, people in rural areas, people with disabilities, marginalised people, people in vulnerable situations and others.

Data on the number of users of the e-Citizens system, which numbered more than two million at the beginning of October 2024, can serve as basic data on digital inclusion. According to MPUDT data, there were 222,686 users over 65 years of age, less than the year before, but still many times more than in 2022, when there were only 70,633.

Better regulation, with a special focus on e-consultation system

At the beginning of 2024, the Law on Better Regulation Policy Instruments entered into force. The goal is to improve the quality of laws and other regulations through a clear and transparent process of their preparation and drafting, based on the analysis of effects and addressees and the assessment of the achieved purpose and goal of the regulation. The purpose is to ensure compliance with the principles of the rule of law, legal certainty, proportionality, economy, simplicity and clarity through better regulation policy instruments. However, to achieve this goal and purpose, it is necessary to enable real and meaningful involvement of the interested public in decision-making processes, so that the professional public, citizens and civil society are truly active partners in creating public policies and adopting laws and other regulations.

Many international human rights instruments codify the right to participate. Thus, the International Covenant on Civil and Political Rights in Art. 25. Recognises three forms of the right to participate: the right to participate in the conduct of public affairs, the right to vote and the right to vote and the right of access to institutions and public (administrative) services. The right to participate is also recognised in the International Covenant on Economic, Social and Cultural Rights, whose provisions protect the right to participate in cultural life (Art. 15), as well as in the Convention on the Rights of the Child (Art. 31). In 2017, the Committee of Ministers of the Council of Europe adopted the Guidelines for Citizens' Participation in Political Decision-Making, and in 2018 the UN Human Rights Council adopted the Guidelines for States on the Effective Implementation of the Right to Participate in Public Affairs.

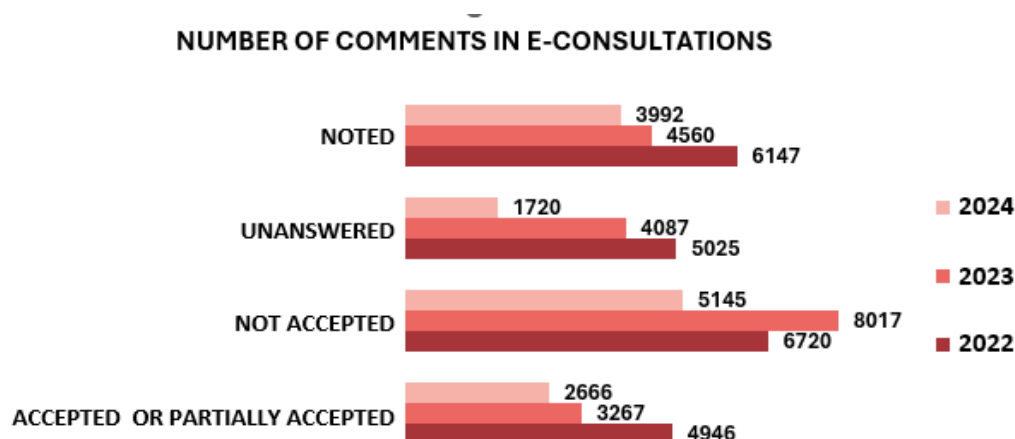
The obligation to conduct consultations with the interested public in the Republic of Croatia is prescribed by the law on the Right of Access to Information, and is elaborated in more detail by the Code of Consultation with the Interested Public in the procedures for the adoption of laws, other regulations and acts adopted by the Government of the Republic of Croatia. We believe the law should clearly regulate all forms of citizens' participation in decision-making, including their information, consultation, dialogue and active participation, for example, in working groups, councils and other forms of collegial bodies.

In addition to legal standardisation, it is also necessary for the proponents to provide quality explanations of the provisions that are proposed and/or amended, to implement the impact effects to a greater extent, including the impact on the protection of human rights, for public consultations to last as a rule for 30 days, as well as for substantive comments received in the consultation to be given more serious consideration and for them to be answered to a greater extent with arguments.

We would like to point out that the proponents often circumvent the obligation from the Rules of Procedure of the Croatian Parliament, according to which they should explain specific provisions in the explanation of the draft law, and instead repeat or retell them. Thus, during the consultation process, the public was deprived of information about why the proposer had decided on certain solutions and their expected effect. The lack of explanation of the provisions may later lead to the question of the legislator's intention, i.e., doubts in the application of the law, legal uncertainty, and unnecessary court proceedings due to different interpretations.

According to data from the Office for Legislation, during 2024, state administration bodies, in the role of expert holders, submitted 109 draft laws to the sessions of the Government of the Republic of Croatia. In only 23 of them, the need to carry out an impact assessment of regulations on the protection of human rights was identified. For example, the effects in the field of human rights protection have not been identified in the Bill amending the Civil Servants Act. However, it refers to employment and promotion procedures related to civil servants' human right to work, or in the Bill on Climate Change and Ozone Layer Protection, which refers to the human right to a clean, healthy and sustainable environment.

Data from the Office for Legislation shows that in 2024, 896 consultations were conducted through e-Consultations, in which 4,735 natural and legal persons participated with 13,523 comments. Only 2,666 or 20 % of comments were accepted or partially accepted, 5,145 or 38 % were not accepted, 3,992 or 29 % were acknowledged, and 1,720 or 13 % were unanswered. At the same time, the sum of comments that were not answered and those that were considered indicates that as many as 42% of comments were not answered in terms of content.



These data show that public consultations do not fulfil their potential and purpose because they are not truly participatory and do not allow for significant and necessary input from the interested public. On the contrary, most often the impression remains that the procedure was done pro forma and without a genuine intention to seek feedback, relevant experience and quality solutions, which is also a question of the right to good governance and the rule of law.

Also, these data correlate with the Ombudswoman's experiences from public consultations, which in 2024 included comments on 50 laws and other regulations and strategic documents, the vast majority of which were not accepted or acknowledged. The Ombudswoman's remarks aim to achieve the public

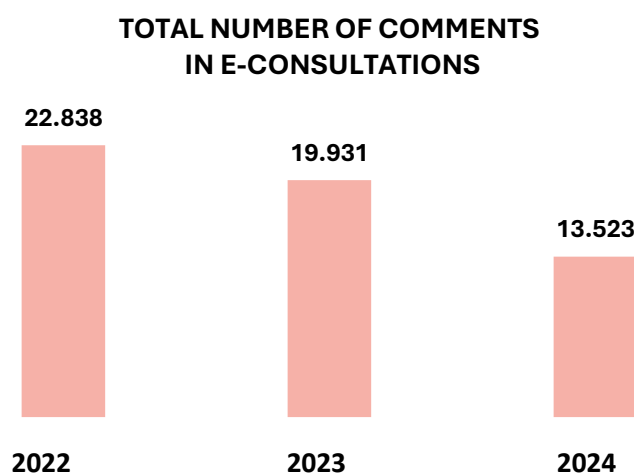
Recommendation 1 (reiterated)

To the expert holders of public consultations, to respond in a reasoned manner to a significant number of comments given in the e-Consultation

interest, the rule of law, human rights and equality; they are based on legal sources, including case law and international standards, and everything observed in handling citizens' complaints. Therefore, their circumvention is to a significant extent a missed opportunity to improve the protection of citizens' rights, including preventing their violation.

This is evident in several examples that we have reported on in previous years, when the Ombudswoman warned of possible problems in consultations and proposed changes to the provisions, which were not considered at the time, only to make then these problems visible in the implementation of the law and it was necessary to change it later.

The total number of comments in e-Consultation is declining, so in 2024, there were as many as 6,408 or 32.15% less than the year before, which may result from several circumstances. Thus, due to the upgrade of the system and integration into the e-Citizens system, e-Consultation was unavailable during part of the first half of 2024. The upgrade has changed the interface, which may not be easy and practical enough for some citizens to use, which may discourage users from participating. Future commenting is certainly deterred by the lack of an argumentative response, and all too often, any reaction to the comment.



We also received a complaint from a civil society organisation about the inability to access consultations in a certain period, as well as the fact that the person who makes comments in front of **the organisation**

does so through private access to the e-Citizens system, which mixes the private person and the organisation. The problem was also pointed out in a joint public appeal by 44 associations across the Republic of Croatia. In its statement, the MPUDT stated that the issue has been eliminated by introducing a standardised approach through the NIAS system.

According to the Act on Better Regulation Policy Instruments, public consultations should usually last 30 days, and shorter in exceptional and unpredictable circumstances, i.e. when the life and health of citizens, national security, property of greater value are threatened, when the environment, economic activity can be significantly damaged or significant economic damage is caused. The reasons for the shortening should be explained in detail, but the shortening of the deadline on several occasions during 2024 was not explicitly described, while, as a rule, the reasons of urgency did not relate to the stated circumstances. Once, the regular deadline was shortened during the procedure itself without subsequent notification of the shortening and reasons, while in the second case, the consultation was organised on two occasions, but the sum of the days on both occasions was not the required 30.

The Information Commissioner also warned about this problem, stating that public authorities still in the vast majority carry out consultations in a shorter duration, without justifying the shortening of the deadline or providing an explanation that cannot be considered a valid reason. It also found a high level of irregularities and non-compliance with the obligation of public law bodies to publish the composition of the working group that drafted the regulation, general Act or other document as part of the public consultation, if the decision of the head of the body established the working group. At the same time, it is not regulated when it is necessary to establish a working group, as well as the criteria by which its composition should be selected to ensure pluralism of experience, expertise and positions, which leaves room for arbitrary decision-making on the (non)establishment and composition of the working group. For example, no working group was established to prepare the proposal for the new Law on Constituencies for the election of members of the Croatian Parliament. However, it was a law of exceptional importance for the electoral process because it directly affects the equality of voting rights in the Republic of Croatia. Therefore, in this area, it is necessary to improve the legislative framework under the principles of good governance, primarily transparency, openness and objectivity.

Although according to the Code of Consultation with the Interested Public it is possible to include experts from the ranks of representatives of the interested public in the process of drafting laws, other regulations or acts, this issue should be regulated by law, with clearly prescribed criteria for the appointment of members of working groups, which would ensure a greater degree of trust in the work of the state administration.

Recommendation 2

Professional holders of public consultations, to conduct consultations in the prescribed duration of 30 days, and shortened only in the case of legally prescribed circumstances

Recommendation 3

The Ministry of Justice, Public Administration and Digital Transformation, to prescribe the criteria for the establishment of working groups for the drafting of regulations, general acts and other documents, as well as for deciding on their composition

Recommendation 4 (reiterated)

Expert holders of public consultations, to publish the composition of the working group that drafted the regulation, the general Act or another document

Strategic documents

During 2024, we participated in developing strategic documents through working groups and public consultations. We have repeatedly pointed out the lack of structure of content and descriptions of individual activities envisaged by the action plans as a problem, which makes it difficult to comment.

Also, it is common practice to adopt action plans too late. Thus, the first action plan for implementing the National Strategic Framework Against Cancer until 2030 was adopted only in January 2024, until 2025, and the Action Plan for Combating Discrimination for 2024 and 2025 was sent to public consultation only at the end of 2024. The Act on the System of Strategic Planning and Development Management of the Republic of

Recommendation 5

Holders of the development of strategic documents should include a more detailed description of individual implementation mechanisms (activities) within the envisaged measures in the action plans.

Recommendation 6

The Government of the Republic of Croatia shall adopt the new action plans no later than three months before the expiry of the validity period of the previous action plan.

Recommendation 7

The Office for Legislation, in addition to the decisions of the Government of the Republic of Croatia, adopts strategic planning acts and implementing acts, and the strategic planning acts themselves shall be published in the Official Gazette.

Croatia prescribes that the first action plan is adopted together with the national strategy, and all subsequent ones no later than three months before the expiry of the previous one, which should be adhered to by the holders of the development and public authorities.

Furthermore, the decisions of the government of the Republic of Croatia, which adopt strategic planning and implementing acts, are regularly published in the official gazette and thus made available to the public. However, at the same time, strategic planning and executing acts themselves are not published in the NN, which would increase their visibility. At the same time, the Act on the System of Strategic Planning and Development Management of the Republic of Croatia prescribes two ways of publishing planning acts - on the websites of the bodies responsible for their development within eight

days after their entry into force or by publication in the Official Gazette. Therefore, there is no obstacle to publishing the relevant acts that are being adopted in addition to the decisions of the Government of the Republic of Croatia on these acts, as an annexe to the Official Gazette.

2.2. Elections in 2024

The year 2024 was marked by the holding of three elections at the national level: the elections for members of the Croatian Parliament in April, the election of members of the European Parliament from the Republic of Croatia in June and the elections for the President of the Republic of Croatia in December. Therefore, in this Report, in a special chapter, we provide an overview of all the elections held, given the importance of the right to vote as a human right, the specific occurrence of speech and expression in the public space during the (pre)election period, and we present some issues related to certain social groups, such as young people. Through the presentation of the three elections held in 2024, the need to consider and improve electoral legislation and individual processes is indicated. Furthermore, the use of social networks has led to the fact that platforms have become more important channels for communication and addressing target groups,

which needs to be given additional attention in the future, as it can also lead to a greater spread of disinformation and fake news, which can pose a challenge to the integrity of electoral processes.

Parliamentary election

The elections for members of the Croatian Parliament were preceded by the repeal of the Law on Constituencies for the Election of Representatives to the House of Representatives of the Croatian State Parliament. The Act was repealed in February 2023 by the Constitutional Court of the Republic of Croatia due to the difference in the number of voters between many constituencies, i.e., a significant deviation from the principle of equal suffrage, which it had been warning about since 2010. The new Law on Constituencies for the Election of Members of the Croatian Parliament has changed the boundaries of constituencies to equalise the weight of voters' votes, but no working group has been appointed to prepare it. This has been publicly pointed out by professors of constitutional law, stating that a significant change in electoral legislation is needed, that there are significantly more voters residing in the Republic of Croatia in the voters' register than there are, according to the census, adult residents, and that the boundaries of constituencies should follow the boundaries of regional administrative units.

The campaign for the parliamentary elections was marked by the announcement that the current President of the Republic of Croatia will be a candidate in the elections for members of the Croatian Parliament and a candidate for the Prime Minister-designate. In this regard, on March 18 2024, the Constitutional Court of the Republic of Croatia warned the President of the Republic of Croatia that the announcement of his candidacy is incompatible with his constitutional position and powers and the principle of separation of powers, and that he must resign if he runs for MP or if he appears in public as a candidate for Prime Minister. On March 20, 2024, a separate opinion of Judges Abramović, Kušan and Selanec was published, questioning the scope of the Constitutional Court's powers in the electoral process and raising the question of how far the court can go in regulating political activity. Then, in a warning of April 19 2024, the Constitutional Court found by a majority of votes that the President of the Republic of Croatia did not respect the warning of March 18 because he publicly appeared as a candidate for the future Prime Minister and that, even if he resigned from the position of President of the Republic of Croatia, he could not be the Prime Minister-designate or the Prime Minister. The three judges prepared and published the Constitutional Position of April 19, 2024 on the occasion of the statement and warning to the participants in the elections held on April 17, 2024, in which they expressed criticism of how the Constitutional Court acted, considering that it exceeded its powers and questioned the legitimacy of judicial warnings and announcements during the election process.

Discussions were also sparked by the decision of the President of the Republic of Croatia to hold elections on Wednesdays, and not on Sundays, which was previously a common practice. In this regard, the Ombudswoman received an inquiry from the trade unions whether workers in the Republic of Croatia are obliged to work on election day and how those who will be ordered to work on that day will exercise their active voting rights. The Act on the Election of Members of the Croatian Parliament explicitly stipulates that the election day is a non-working day, but employers are not expressly prohibited from working that day. The State Election Commission therefore called on employers "to organise a business process on the day of the election of members of the Croatian Parliament (by shift work, in several teams, etc., depending on the nature of the work), to enable employees who work on that day to exercise their right to vote", and also stated that workers, if they know in advance that they will not be in their place of residence on election day due to business obligations, can apply for a certificate to vote outside their place of residence. Subsequently, we were not informed, neither by the trade unions nor by the workers, about cases of workers being effectively prevented from exercising their right to vote by the employers.

Elections to the European Parliament

In June 2024, the fourth European parliamentary elections will be held since the accession of the Republic of Croatia to the EU in 2013. They were in the shadow of the parliamentary elections that preceded them and the presidential elections that were held after them, which had more dynamic campaigns. The public focus on these European parliamentary elections was less than during their implementation in previous cycles, partly because they were held shortly after the parliamentary elections and lengthy post-election negotiations on forming a majority in the Croatian Parliament. Along with these, local elections were held in several cities and municipalities.

According to the official data of the European Parliament, the turnout in the Republic of Croatia was the lowest among all EU Member States and amounted to only 21.35 %. For comparison, the average turnout was 50.74 %, while in Belgium, for example, it was a high 89.01%, which is undoubtedly a consequence of compulsory voting.

Presidential election

The elections for the President of the Republic of Croatia were held during the holiday season of late 2024 and early 2025, which may be one of the causes of the lower turnout, which was 46.03 % in the first round and 44.18 % in the second round. The elections were intensively covered in the media, and in analyses and reports, attention was paid to using social networks in the campaign. The candidates' rhetoric has also been studied, especially in the polarisation of public opinion.

Before the presidential elections, ten judges of the Constitutional Court were also elected, and given the expiration of their mandate, ten judges were also crucial in the context of the elections due to the role of the Constitutional Court in the electoral process. The election of judges, in addition to the discussion on the method of election of judges, also marked the fact that the election was postponed beyond the deadline, so further talks were prompted by the decision of the Constitutional Court on the extension of (own) mandate, which further emphasised the need for the timely election of judges of the Constitutional Court, especially given the importance of the Constitutional Court in the legal order of the Republic of Croatia.

Independent fact-checking organisation Faktograf identified and corrected misinformation and fake news in real time during the campaign, allowing voters to make informed decisions based on verified information.

Speech in public space and social networks

During the pre-campaign and the campaign for the parliamentary, but also later for the presidential elections, an insulting discourse was visibly present in the public space, which sends a message to the public about the acceptability or even desirability of this way of communication, but which is detrimental to the culture of communication in the public space, whereby public personal insults concerning office holders in institutions can also harm citizens' trust in these institutions.

On the eve of the official start of the election campaign for the election of members of the Croatian Parliament, the Ombudswoman, as the plenipotentiary of the Croatian Parliament for the protection and promotion of human rights and the head of the national institution for the protection of human rights and the central body responsible for combating discrimination, issued a statement in which she emphasised the importance of political speech and the impact it can have on human rights, equality and the rule of law,

since election time is a specific period marked by political conflicts and more intense political speech than usual, which aim to attract the attention of voters. She pointed out that freedom of expression is one of the fundamental human rights, protected by the Constitution of the Republic of Croatia and the European Convention for the Protection of Human Rights and Fundamental Freedoms, that it is crucial for democracies, especially during elections, but that it is not absolute. She also stated that political communication, unfortunately, both globally and in the Republic of Croatia, often includes messages of intolerance, offensive and disparaging statements, as well as those that undermine the rule of law, and that politicians' statements can act as a "thrown match" that inflames intolerance towards different groups. She called on political parties and politicians not to spread intolerance in discussions about the key problems of citizens and the challenges facing society.

Photo - Source: Željko Lukunić/PIXSELL

Especially during the parliamentary election campaign, members of the Serb national minority, gender minorities, irregular migrants and migrant workers were the target of various forms of expression of right-wing populist political options. Due to the participation of representatives of the Serb national minority in the government, the largest party of the ruling coalition was called out for a treacherous and allegedly anti-Croat policy. In several cities, hate messages were written on SDSS posters: "Croatia needs Serbs".



Photo - Source: Facebook

Following the HDZ's objection, the Ethics Committee in the elections of deputies to the Croatian Parliament issued a warning to the Homeland Movement for a promotional poster for which it determined that its content represented the presentation of lies and insinuations, and ordered their removal and a public apology from the party for violating the Election Code of Ethics.

The Ethics Committee reacted, among other things, to the publication of the names of candidates who were alleged to be of same-sex sexual orientation, without their written consent, stating that it was an unauthorised use of personal data and a violation of privacy, and that the publication violated the Election Code of Ethics. The Ethics Committee also reacted to the exploitation of children in political propaganda and demanded that such posts be removed.

In its Report after the parliamentary elections, the OSCE ODIHR stated that the financial independence of HRT was ensured through the payment of the fee, but that the public broadcaster was still subject to the influence of the authorities due to the mechanism of appointing the Director-General and the supervisory boards, and that many of the ODIHR interlocutors believed that HRT was biased in political reporting, both in terms of content, as well as the choice of guests.

Gong called on HRT to fairly and impartially monitor presidential candidates, stating that it is evident that HRT promotes one presidential candidate in the central news show, giving him an advantage over the others. The HRT Programme Council then instructed the HRT programme management to "take responsibility in the implementation of programmes at lower programme levels". In this regard, Gong called on HRT to adopt rules for monitoring elections from the day when the party publicly announces the name of a candidate or when an independent candidate announces his candidacy, i.e. no later than six months before the month in which the elections are held, and not only after the elections are called. He pointed out that before the official start of the campaign, there is an active unofficial pre-campaign that is not subject to the rules, which undermines the equality of candidates and impartial informing of the public, as well as that when reporting on the activities of candidates who hold public office during the pre-campaign, election promotion activities should be separated from the performance of official duties.

Social networks have been the scene of various political campaigns, and political parties, candidates, and their supporters have spread content and narratives. However, since there is no obligation to provide candidates with information about their official accounts on social networks and links to them, it is difficult to monitor their communication and whether they comply with the election rules.

In this regard, the OSCE ODIHR stated in its Report after the parliamentary elections that political parties and candidates were active on social networks, mainly on Facebook and X and to a lesser extent on Instagram, with many opening TikTok accounts shortly after the elections were announced. The Report also states that ODIHR interlocutors pointed to cases of disinformation on social networks that were used to discredit political opponents, and that there were no mechanisms to prevent such actions. In consultation with the media regulator and other stakeholders, the legislator was recommended to consider regulating and financing campaign activities and political advertising in online media and social media.

In the "Analysis of Political Narratives on TikTok in the 2024 Election Campaign", Gong recommended that HAKOM actively monitor social networks and observe whether election campaigns comply with the Digital Services Act (DSA), which we write more about in the chapter on expression in the public space, and its guidelines for electoral integrity, which call for the suppression of inauthentic behaviour, *deep fakes* content and non-transparent influencers, as well as that HAKOM should work together with other relevant and supervisory authorities to prevent foreign influence on digital platforms.

During the campaign for the presidential election, Gong warned TikTok, DIP and HAKOM that a defamation campaign was being conducted from the shadows of one TikTok account towards a presidential candidate. Soon, TikTok removed the disputed account, which spread untruths in addition to critical narratives.

In May, Meta and Facebook, prompted by GONG's investigation, investigated fake profiles that supported posts on the ruling party's official Facebook page. For violating the community guidelines against coordinated inauthentic behaviour, they removed 150 profiles. During the presidential election, thousands of inauthentic followers of one of the presidential candidates were removed from TikTok, after it was determined that most of them were bots - automated programs that maintained the illusion of popularity and got closer to the younger voters.

During the campaign for the presidential elections, the Ombudswoman received a complaint stating that it was filed by the coordinators of the political platform whose candidate was the target of the aforementioned defamation campaign on TikTok, which was filed against the State Attorney's Office, the Ministry of the Interior and other institutions. Given the e-mail address from which the complaint was received and that the content raised doubts about its authenticity, the Ombudswoman, after verifying the authenticity, informed

the State Attorney's Office and the Ministry of the Interior about the case, to determine the possible existence of elements of a criminal offence.

Right to vote

Gong pointed out to us that on the day of the elections for members of the Croatian Parliament, several hundred citizens turned to them because of problems with the voters' list, most often those who could not vote when they arrived at the polling station because the Ministry of the Interior had previously, allegedly wrongly, declared their identity cards invalid. Although the problem was (partially) solved by issuing the so-called blue certificates in general administration offices, many citizens were not familiar with how to solve the problem or could not or did not have time to solve it.

Responding to the Ombudswoman's inquiry, the Ministry of the Interior replied that by analysing the records of identity cards for persons who were issued the so-called blue certificates on election day, it was determined that a total of 6,570 persons had expired identity cards on the day of the closure of the voters' register. In addition, it stated that the reason for the non-validity of identity cards is not only the expiration of the deadline, but some have become invalid because they were reported as lost, and in the case of finding them, it was not reported. In addition, some became invalid because persons changed their residence and did not apply for a new identity card, although they were required to do so. Therefore, after the expiry of the deadline for applying for the issuance of a new identity card, the status of their identity cards in the records was changed to "invalid", but the persons owned such cards and, due to the expiry date entered on them, they appeared to be valid. Furthermore, the Ministry of the Interior clarified that out of the total number of people who were issued blue certificates on election day, 2,028 of them applied for the issuance of an identity card in the period between the closure of the voters' register and the election day (from 8 to April 16 2024). 418 identity cards were made and handed over and became valid, but they could not be included in the list of valid identity cards submitted by the Ministry of the Interior to the (then) MPU, because they were not valid on the day of the closure of the voters' register. Of the total number of blue certificates issued, 471 were issued to citizens who had a valid identity card, for which the status of an invalid document due to the expiration of the deadline for delivery was recorded in the records on the information system of the Ministry of the Interior. After subsequent checks, the status of the valid document was updated in the records of the information system with these identity cards. Although the Ministry of the Interior's statement does not explicitly state this, it can be concluded that the latter data were errors in the Ministry of the Interior's registration system and were subsequently corrected.

Recommendation 8

The State Election Commission and the Ministry of Justice, Administration and Digital Transformation, to clearly inform citizens before each election in which cases they will not be able to vote with the identity cards they possess

Given the above, we recommend that the SEC and the MPUDT clearly inform citizens before future elections in which cases they will not be able to vote with the identity cards they have, to reduce public distrust in the regularity of elections.

Due to the de facto impossibility of exercising the right to vote, the Ombudswoman received several complaints, of which we single out the one of the complainant who could not exercise her right to vote because she was undergoing rehabilitation in a health institution, the complaint of the father of two seafarers who sail on ships under foreign flags, and that of a complainant from abroad who states that the exercise of

the active right to vote is challenging for him to achieve due to the distance between the place where he lives and the voting embassy located in another country.

I live in Zagreb, but I am currently undergoing treatment at the Special Hospital Krapinske Toplice, and I submitted a request through the e-citizens application to allow voting outside my residence. By inspecting the Register of Voters, I saw that I was assigned to Zabok, the premises of the City Administration, Zivtov trg 10, which is beyond all reason. If I need to travel from Krapinske Toplice to Zabok, I can theoretically travel to Zagreb on election day. Since I am in Krapinske Toplice, I asked to be allowed to vote in these elections in Krapinske Toplice. After writing e-mails and calling phone numbers, I received a new phone number from the first interlocutor and so on, and in the end, I determined that I would not be able to exercise my right to vote, that is, I could only exercise it if I travelled from Toplice to Zabok. The explanation is that each county commission has designated one place where individuals like me could vote because the ballots of their original polling stations will be distributed to the places selected in this way. I wonder how many people have submitted a request to vote outside their residence, and how many will not use this right due to the prescribed procedure.

In addition to regular polling stations, where voters vote according to their place of residence, elections are also conducted at special polling stations for voters who vote outside their constituency. Special polling stations are determined by the election commission of the constituency, based on the number of voters registered to be in a specific place outside their constituency on the day of the election, and with an assessment of the accessibility of special polling stations to voters. In the 2024 parliamentary elections, there were 121 such special polling stations in the territory of the Republic of Croatia, while in 2020, there were 109.

Having received the above-mentioned complaint and realised that not all settlements where health resorts or rehabilitation hospitals are located have designated special polling stations for voters temporarily registered for voting outside their constituency (and taking into account that not every hospital stay can be planned, but that the stay in health resorts or rehabilitation hospitals in a certain period is usually known in advance for a more extended period), we have analysed the data on the number of these voters who temporarily registered and the number of them who actually voted, for seven special polling stations: in Varaždinske Toplice, Daruvar, Lipik, Topusko, Ivanić Grad, Mali Lošinj and Zabok. Voters who were in health resorts/special hospitals for rehabilitation located in these settlements could vote at the first five special polling stations, subject to prior registration, whereas voters who were located in the Veli Lošinj Health Resort, i.e. special hospitals for medical rehabilitation in Krapinske Toplice and Stubičke Toplice, could vote at the special polling stations in Mali Lošinj and Zabok. The analysis of the data showed that voter turnout was significantly higher at special polling stations in settlements where there is a health resort/special hospital for rehabilitation, than at the special polling station in Mali Lošinj (4.2 km away from Veli Lošinj) and the special polling station in Zabok (10.8 km from Stubički, or 13.7 km from Krapinske Toplice).

Polling stations for registered voters outside the place of residence	Health centre/ Special Rehabilitation Hospital in the Area of the Special Polling Station	Total registered voters/ Total votes cast	Percentage of registered voters who voted
Varaždinske Toplice	Spec. Hospital for Med. Rehabilitation Var. Toplice	48/47	98 %
Daruvar	Spec. Hospital for Med. rehabilitation Dar. Toplice	138/128	93 %
Lipik	Spec. Hospital for Medical Rehabilitation Lipik	69/64	93 %
Topusko	Topusko Health Resort	52/47	90 %
Ivanić Grad	Spec. Hospital for Medical rehabilitation "Naftalan" Ivanić Grad	42/37	88 %
Mali Lošinj	Veli Lošinj Health Resort	54/40	74 %
Zabok	Spec. Hospital for Med. rehabilitation Krapinske Toplice Spec. Hospital for Med. Rehabilitation Stubicke Toplice	136/81	68 %

Fifty-five voters who had previously registered did not go to the special polling station in Zabok, so they took previous actions to show their intention to go to the polls, but in the end they did not do so, which is twice as many as at all five polling stations that were located in the settlement where the health institution where they were treated is located.

Recommendation 9

Election commissions of constituencies, to establish special polling stations for voters temporarily registered for voting outside their constituency in all settlements where health resorts or special hospitals for rehabilitation are located

Therefore, we recommended to the SEC to submit our reasoned letter and table with data to the election commission of the 3rd constituency (in which Zabok is located), to, based on these data, assess the need to establish additional special polling stations when holding future elections. The SEC informed us that this was submitted to the Election Commission of the III constituency.

"I am writing you this e-mail on behalf of my two children, a daughter and a son, who are seafarers - officers of the merchant fleet on foreign companies in international seas. Today, on the day of the election of the President of the Republic of Croatia, as in previous years, I cannot vote and exercise my democratic right to vote! Why? It is not only about my children, but also about thousands of seafarers without the right to vote in elections for many years. The legislator put them in the group of second-class citizens. Why? All these seafarers have a residential address in the Republic of Croatia, where they pay taxes on their salaries, real estate, etc. I think that this legislator violates fundamental human rights!"

In another case, we were approached by the father of two sailors who are members of the crews of ships under foreign flags, who could vote in Croatian embassies or consulates where polling stations have been set up with prior registration. However, since seafarers often cannot know precisely where they will be on election day, it is impossible or difficult for most to exercise the right to vote. According to the Croatian Seafarers' Union, there are approximately 9,000 seafarers.

In the third case, a Croatian citizen from Peru approached us, stating that the active right to vote is difficult for Croatian citizens from Peru, Bolivia and Ecuador to achieve, given that they can vote at the embassy in Chile, but that the vast majority of them have the cost of plane tickets, accommodation, food and travel insurance as an insurmountable economic obstacle.

Considering that many Croatian seafarers are on foreign ships where it is not possible to vote, that Croatian citizens are or reside in countries where there are no embassies or consulates of the Republic of Croatia or where polling stations have not been established, and that many people do not have easy access to polling stations in diplomatic and consular missions in the countries where they reside, as well as that a large number of our citizens are outside the Republic of Croatia, the competent authorities should consider the possibilities of facilitating the consumption of the active right to vote, such as the introduction of the institute of correspondence voting. However, the same could be considered more broadly, for citizens living in the Republic of Croatia, to make it easier for citizens to go to the polls or exercise their active right to vote, which would be good to at least analyse the advantages, disadvantages or risks of introducing such opportunities.

Elections and individual social groups: youth, women, people with disabilities and the elderly

In addition to the above, as the central body responsible for combating discrimination in the Republic of Croatia, i.e. a body focused on the situation, rights and perspective of certain groups in society, we continue to look at some specific aspects related to young people, women, people with disabilities and the elderly.

Young people in the Republic of Croatia show low political participation, which is reflected in their turnout in the elections, so it is necessary to educate them about the importance of elections and democratic processes. Regarding the above, i.e. the need for systematic education of young people within the education system, both through a separate subject and by retaining the subject of Politics and Economy in vocational schools attended by 70% of young people, we write more in the chapter Youth.

It is positive that the SEC conducted education in secondary schools, intending to familiarise young people with democratic processes. Gong and the Croatian Youth Network have carried out activities to encourage young people to participate in society actively, and they have also published special publications and analyses related to youth and elections.

In the publication "Is there a place for young people?" The Croatian Youth Network analysed the elections held in 2024 in several aspects: the election programs of political parties, their pre-election communication strategies, and the inclusion of young people on electoral lists and in the final distribution of mandates. It was concluded that the parties recognised young people as a separate segment of society but did not sufficiently emphasise their specific problems in their programs. The number and share of young candidates were low, and they were rarely at the top of the candidate lists. After the final distribution of mandates, including deputies from the ranks of minorities, the Croatian Parliament had three deputies under 31 in July 2024. Nevertheless, a certain number of young candidates won a noticeable number of preferential votes,

which showed that the voters recognised their qualities. In general, it can be concluded that young people and their needs are still politically underrepresented, as they notice - 59 % of respondents to the mentioned publication believe that their interests are not sufficiently represented in national politics.

The lack of participation of young people was also visible in the compilation of candidate lists. The Party of Ivan Pernar had the most number of young candidates in the parliamentary elections, about 30 % of all young candidates in those elections, while in the elections for the European Parliament, the list of Nina Skočak had by far the most significant number of candidates under 31 years of age.

The issue of lowering the voting age to 16 is increasingly present in public discourse across Europe. Lowering the age limit could encourage greater engagement of young people in political processes, and early participation in elections could create a habit of civic action. Some countries, such as Belgium, Austria and Malta, have already lowered the voting age to 16. In other countries, such as Germany, which lowered the voting age in the European elections in 2023, reducing the age limit in the federal elections is being discussed, while the situation is different across the federal states regarding local elections.

In the analysis "Lowering the age limit for political participation to 16 years", Gong pointed out that young people have the right to participate in decisions that affect their future. However, he also pointed out the importance of educating young people about democratic processes and political literacy, which, with appropriate educational programs, should prepare them to make informed decisions.

Concerning women as a social group and the issue of women's share in representative bodies, political parties and other authorised proponents of electoral lists are obliged to respect the principle of gender equality and apply the so-called gender quota (40%) prescribed by the Gender Equality Act and the Act on the Election of Members of the Croatian Parliament. When adopting the Gender Equality Act in 2008, the legislator stated in the explanation of the Bill that this special measure was introduced to increase the share of women in representative bodies, which is understandable because due to the unequal position of women in society, which has not yet been overcome, women are continuously significantly underrepresented in the field of political participation.

If the provisions on gender equality are violated on the lists, the list is still declared valid and competes in the elections, but the proposer is subject to a misdemeanour penalty. Despite the obligation prescribed by law, the warning of the Ombudswoman for Gender Equality that the gender quota should be respected and her proposal to apply the so-called Zip system when compiling the list, i.e. the even-odd model according to which every second person on the list of the opposite sex is on the list of the opposite sex, as well as the prescribed misdemeanour liability for violating the rules on gender equality, in the elections for members of the Croatian Parliament in 2024, 32 out of 165 valid lists, or 19.4% did not comply with the requirement of gender equality, similar to the 2020 elections, when 39 out of 192 or 20.4% of lists did not adhere to this requirement. The results of the elections for members of the Croatian Parliament in 2024 are particularly worrying, given that only 25% of women were elected, which is the focus of the Ombudswoman for Gender Equality, who monitors this issue and reports to the Croatian Parliament in her annual Report.

Concerning persons with disabilities, the focus is and should be on both active and passive suffrage. The OSCE ODIHR thus noted the low participation of candidates with disabilities in the elections for members of the Croatian Parliament and that the candidates did not specifically address people with disabilities during the campaign. Therefore, it stated that measures should be taken to facilitate the participation of persons with disabilities in the electoral process, including accessible publicity sites, information in formats accessible to persons with disabilities, sign language translation and easy-to-read materials. The Ombudsperson for

Persons with Disabilities pointed out that during election campaigns, unacceptable terminology is often used to discredit and insult political opponents, and called on politicians, political parties and the media, especially candidates, to altogether avoid emphasising the physical, psychological and other characteristics of opponents to belittle them, as well as offensive generalisations about persons with disabilities. He called on the participants of the process to highlight in their political programs activities and measures aimed at improving the position of persons with disabilities in society and increasing their visibility in the community in a positive light.

There are no separate rules regarding the elderly and facilitating the exercise of active voting rights. However, the Mandatory Instructions of the SEC on the manner of voting for voters with physical disabilities, illiterate voters, blind voters and voters who are unable to access the polling station, also include cases of elderly people who are unable to access the polling station due to illness, infirmity and immobility, and express a desire to vote. Thus, it is prescribed that the Polling Committee shall enable a voter who has informed the Election Commission promptly of the inability to access the polling station (no later than 12:00 p.m. on the election day) by having at least two members or a deputy member of the Polling Station Committee visit him or her and enable him or her to vote by secret ballot.

However, an exception is also prescribed, according to which the polling station committee will not be obliged to allow these voters to vote if other circumstances arise that would jeopardise the proper conduct of the elections at the polling station, i.e. if such voting would interfere with voting at the polling station, or if the polling station committee does not have the necessary technical conditions, which may affect the exercise of voting rights of the elderly. Special polling stations have also been designated for voters in social welfare institutions, where 91 polling stations were set up in the elections for members of the Croatian Parliament. Gong received reports of attempts to influence the will of voters in nursing homes during the first round, and the media also pointed to attempts to influence during the second round of the presidential election. As for topics of special interest to the elderly, the candidates focused on the issue of the amount of pensions and the poverty faced by the elderly.

Certain challenges

This chapter lists only a part of the issues, some of which are sporadically repeated in the run-up to each new election, such as the redefinition of constituencies and the introduction of alternatives to physical voting, but also new challenges such as the increasing use of technology and social networks that can be abused (also) for undue influence on elections.

At the EU level, the Plan for the Defence of Democracy was adopted, whose measures are aimed at protecting electoral integrity and countering disinformation, both in general and on social networks, protecting journalists and combating SLAPP lawsuits, the rule of law, fundamental rights and the fight against corruption.

The Republic of Croatia will be obliged to harmonise its legislation with the rules and recommendations arising from it, which in terms of elections relate to the strengthening of media literacy, especially among young people, the diversity of media content and the independence of the media, work on raising awareness of the importance of fact-checking, encouraging civic activism, awareness of the importance of civic participation and encouraging young people to participate in society actively. The adaptation of national rules on financing political parties will be of particular importance, including

measures to detect covert foreign interference and ensure that clear and publicly available information on funding sources is published.

We also state that the OSCE ODIHR indicated in its Report on the parliamentary elections that most of the earlier recommendations given to the Republic of Croatia remained unfulfilled, including those on the need to improve the accuracy of the voters' list, the regulation of election campaign surveillance, the adoption of measures to encourage gender representation on candidate lists, the decriminalisation of defamation and the transparency of campaign financing.

Recommendation 10

The Ministry of Justice, Public Administration and Digital Transformation, in cooperation with the State Election Commission, to prepare a comprehensive analysis of the electoral legislation to improve it, with the participation of the academic community and civil society organisations.

The need to improve electoral legislation is also pointed out by the SEC, which in 2018 drafted a single election law, which would unify the electoral institutes that are now regulated differently by individual laws. In February 2024, the SEC published a comparative overview of existing election laws and proposals for a single election law, the adoption of which would consolidate and harmonise the methods of conducting all elections (presidential, parliamentary, local and European), except for elections for councils and representatives of councils of national minorities. According to the announcements, the process of amending the electoral legislation will begin in 2026.

In addition to the above, it should be pointed out that the institute of referendum in the Republic of Croatia is still not adequately regulated, although the proposal of the Referendum Act was drafted back in 2022 and was in the parliamentary procedure. All of the above points to the need for serious engagement of political and professional actors to improve legislation and processes in the Republic of Croatia, which represent the legal framework within which the democratic expression of the will of citizens takes place.

2.3. Right to health

In this chapter, we write about health care and health insurance and pay special attention to oncology patients and palliative care. During 2024, we received complaints about the unavailability of health care, the inability to obtain information about the health condition, the behavior and communication of employees, the quality of treatment, the quality of nutrition, discrimination in access to health care, the inability to perform examinations in a medically optimal period (waiting lists), problems with the accommodation of patients who cannot take care of themselves due to their age and health condition, unavailability of the coroner service in some local self-government units, etc. We also received numerous complaints about the Compulsory Health Insurance Act amendments, which caused many citizens to lose their health insurance. During the year, we also received complaints from health professionals.

2.3.1. Healthcare

According to the OECD's 2024 Overview of the State of Health and Healthcare in Europe. People with higher incomes rate their health more positively than those with lower incomes in all EU countries. The Republic of Croatia, Lithuania, Latvia and Estonia have particularly pronounced socio-economic differences.

The lack of access to health services continues to be evident in the shortage of primary care teams. According to HZZO data, they are most lacking in four activities: general/family medicine (244 teams), health care of preschool children (67 teams), women's health care (61 teams) and dental health care (243 teams). According to HLK data, during 2024, a total of 73 doctors left the Republic of Croatia to work in the profession abroad, while the HKMS issued 222 certificates to work abroad.

Regarding the complaints and problems for which citizens turn to us, the MZ does not respond to us in some instances, sometimes for several years, despite numerous urgent requests. The county commissions for protecting patients' rights also state that they have never received any statements from the Ministry of Health, such as those related to drug policy, treatment of oncology patients, administrative relief for family doctors or reduction of waiting lists.

Recommendation 11 (reiterated)

Ministry of Health, to submit information and documentation within the deadline in cases in which the Ombudsman conducts investigations

The Ministry of Health points out that due to the complexity and extensiveness of the inquiry, and to submit a comprehensive response, the preparation of which often requires the cooperation of several organisational units of the Ministry and/or public law bodies, it was not always possible to submit the

answers within the deadline. Recognising that the answers require coordination and cooperation in some cases, it is possible to inform the Ombudswoman about what is being done so that they have information that the Ministry has started acting based on the inquiry. In addition, the problem is that the answers are often incomplete, so we must repeat the inquiries and the earlier recommendations. In addition, the Ministry of Health did not provide us with the required data to prepare this Report.

The year 2024 was also marked by the arrest of the Minister of Health, who was charged with committing corrupt crimes in cooperation with other persons. Judicial proceedings are still ongoing, and the circumstances of the event have significantly undermined the already shaken public trust in a fair, accessible and transparent health system.

This situation has restarted the debate about the work of doctors in both the public and private sectors simultaneously. In the part on the conditions for performing health care activities, the Health Care Act also regulates when a health worker can work simultaneously in both the public and private sectors. At the same time, the Ordinance on the Criteria for Granting Approval to a Health Care Worker to Conclude Jobs from the Employer's Activity prescribes that these tasks may be performed on their own account by a health care worker who duly or with qualifications, conscientiously and regularly performs tasks from the employment relationship. Therefore, we asked hospitals for information on waiting lists for doctors who have permission for additional work with private doctors, but the vast majority of them did not respond.

According to Art. 156a of the ZZZ, a health worker during the performance of the duties of a director, deputy director, assistant director of a health institution, head of a clinic, head of a clinical institute, head of an institute and head of a service of a health institution founded by the Republic of Croatia or a local self-government unit may not be the founder of a health institution or a company that performs the health care activity in which he is employed, i.e. in an activity related to the activity in which he or she is employed. However, we received a complaint stating that a specialist doctor offered a patient in a public hospital to report to his private clinic to avoid a long wait for admission to the hospital. The party states that the discharge letter indicates that the doctor is the head, but no information about a specific doctor is available on the hospital's website, unlike other doctors of that hospital. We asked the Ministry of Health to investigate the allegations in the complaint, but did not receive a reply despite the urgency.

Although we do not have data on the number of such complaints, the Croatian Health Insurance Fund confirms that citizens complain about the actions of doctors who work in the public health system and private companies at the same time. In such cases, the HZZO instructs them to submit a request for reimbursement of costs. However, we do not have information on what the HZZO considers to be proof that the patient was referred to a private health institution because it is unlikely that patients will receive a written instruction. More often, there are situations in which such a suggestion is given orally, or patients go to private health institutions due to long waiting lists. This is evidenced by the case of a complainant whose son was first verbally instructed to perform the examination privately due to long waiting lists, if possible, and later decided to have an emergency operation in a private institution, since he received an appointment in the public health system in one year and nine months.

We have also acted on a complaint about using public health system resources after a private one failed to provide an adequate service. Although in this particular case the complainant was treated more favourably, he contacted us stating that after unsuccessful treatment in a private hospital, he was referred to KB Sveti Duh, where he received an appointment for an examination and surgery in a very short time, for which the wait is several months. Since the submitted data on waiting lists confirmed the complainant's allegations, we recommended that the HZZO conduct an inspection, in which irregularities were found, and a warning was issued to the public health institution, and the contracted monthly amount of funds was reduced.

Therefore, it is essential that the Ministry of Health monitors and regularly prepares an analysis of the work of doctors outside the public health system to monitor the effects of such engagements on the quality and availability of the public health system. At the same time, it is also essential for the Croatian Health Insurance Fund to improve records of complaints about doctors who work outside the public health system.

Recommendation 12

Ministry of Health, to monitor and regularly prepare an analysis of the impact of the work of doctors who work outside the public health system on the exercise of patients' rights

Recommendation 13

Croatian Health Insurance Fund, to improve the records of complaints against doctors who work outside the public health system

After the media wrote about the case and the Centre for Peace, Nonviolence and Human Rights informed us that a gynaecologist was working at KBC Osijek who was convicted of rape and fornication in February 2024, given that there was no clear obstacle to continuing to work in such cases in health regulations, we recommended to the Ministry of Health to urgently amend the ZZZ. Shockingly, the gynaecologist continued to work even though he was convicted of committing crimes against the patient during the examination in that health institution. KBC Osijek stated that it was unfamiliar with this or the content of the verdict and invoked the presumption of innocence. Subsequently, after the Report of the second patient, disciplinary

proceedings were initiated, the gynaecologist's employment contract was terminated, and the Ministry of Health announced an inspection and confirmed that changes to the law were being made.

In addition to this case, the media reported on the work of another doctor, also convicted of crimes against sexual freedom, at the National Memorial Hospital in Vukovar.

Recommendation 14

Ministry of Health, to amend the Health Care Act to prevent employment in health care for persons convicted of certain criminal offences, work during criminal proceedings, and continue to work if they have been found guilty by a final judgment.

To prevent such cases, since health care institutions should be safe places for patients, and a relationship of trust is crucial for the adequate provision of health care, the Ombudswoman proposed amendments by which a final conviction or initiated proceedings for certain criminal offenses would be an obstacle to the employment of health care workers, and the employer would have to

remove the employee against whom criminal proceedings have been initiated for these offenses and terminate the employment contract, if a final verdict confirms the charges.

We continue to receive complaints from citizens alleging that they cannot reach out to healthcare professionals, are not obtaining sufficient information, or are being treated very harshly by healthcare professionals.

Communication problems are cited in numerous complaints, even when they are not the main reason for contacting the Ombudsman. Through examination procedures, it is often challenging to prove inappropriate and insufficient communication because it all comes down to the word of the patient against the words of the doctors, who usually deny these situations. It is positive that the Ministry of Health conducted education on communication in the health system based on the recommendation of the Ombudswoman, but it is essential to continue with it.

Patients also encounter difficulties obtaining copies of medical documentation, their own or those of deceased family members, to which they are entitled according to Art. 23 and 24. The Patients' Rights Protection Act.

Based on media reports, we also heard that hospital employees disclosed patients' protected data to some lawyers, who then got in touch with patients and thus found clients. We will write more about this case in the chapter on the right to privacy.

Based on the proposal of the Croatian Endometriosis Society for the recognition of endometriosis as a chronic disease and disability and the extension of the duration of sick leave for treatment at the expense of compulsory health insurance, in August 2024 we sent a proposal to the Ministry of Health that, given the number of women with endometriosis who have been waiting for years for changes in the approach to this disease, but also given the length of time it takes to solve the problem, Speed up your activities as much as possible. According to the available information, new meetings have been announced for the time being, at which the exact names of drugs and aids for diagnosing endometriosis and diagnostic and therapeutic procedures for treating patients should be defined. However, the Croatian Health Insurance Fund has introduced minor changes that should contribute to easier and faster disease diagnosis.

Living conditions, age, education, gender, material and health status and disability of individuals affect the availability of health care. At the same time, the realisation of health care is additionally difficult for the inhabitants of rural areas and islands. The Commission for the Protection of Patients' Rights of Zadar County points to the problems of coming to the examinations of patients from the island. Namely, the medical examination dates are not scheduled to allow the arrival of patients regarding the timetable of ferries and boat lines. The Commission for Patients' Rights of Bjelovar-Bilogora County states that the earliest train from Daruvar to Zagreb arrives at 9:30 a.m., so patients do not come for chemotherapy scheduled at 8:00 a.m.

We also acted on the availability of coroners' services. Despite the amendments to the ZZZ, the 2011 Ordinance on the Manner of Examination of the Dead and the Determination of the Time and Cause of Death is still in force, according to which the coroner's examination of a person who died

Recommendation 15

Ministry of Health, to amend the Ordinance on the manner of examination of the deceased and determining the time and cause of death

outside a health institution should be performed within 12 hours after the notification of the death. However, this treatment is not uniform, and in some counties the coroner service is available 24 hours a day, but where it is not, the coroner service is not available to citizens within 12 hours of death. Some countries point out that it is difficult to find interested doctors for the coroner service and suggest that regulations determine which category of doctors should perform this service. Coroners' fees are uneven, and they range from 27 to 60 euros per coroner. In the case of death outside a health institution, these costs are covered by the local self-government unit, while in the case of death in a health institution, the cost is covered by the Croatian Health Insurance Fund.

2.3.1. Health insurance

Effects of Amendments to the Compulsory Health Insurance Act

Amendments to the Health Insurance Act in 2023 introduced the obligation of personal periodic access to the Croatian Health Insurance Fund for all insured persons from the category of the so-called unemployed (insured under Art. 7 par. 1, item 13 of the ZOZO) who are not registered in the register of unemployed CES. Shortly after introducing this obligation, citizens who had lost their compulsory health insurance began to contact us, and by the end of 2024, we had received 129 complaints. Citizens state that they were not informed about this obligation, did not understand when they should have reported it, or could not fulfil it due to illness, disability, or other objective circumstances. Many, including the seriously ill and chronically ill, learned about the abolition of compulsory health insurance only when visiting a doctor or taking medication.

"I have a problem, due to illness I was not able to report to the Croatian Health Insurance Fund and extend the mandatory health insurance, and since I am 100% disabled and dependent on immunosuppressive therapy, I could not pick up the medication that is vital to me now, and I also cannot go for a mandatory check-up after the transplant next week."

In June 2023, the Ombudswoman submitted a request to the Constitutional Court to review the constitutionality of the provisions of the amendments to the ZOZO that prescribe the obligation to visit the HZZO in person periodically. In the request, we pointed out that some persons will not be able to perform it due to disability, health or financial condition, and since their health insurance is cancelled if they do not access the HZZO, such an obligation puts them in an unequal position. According to HZZO data, at the end of 2024, 131,633 people were obliged to visit the HZZO periodically, and in 2024, 13,184 people were deregistered from health insurance due to non-accession. Due to this obligation, many citizens risk losing their compulsory health insurance, and many have lost it so far. The decision of the Constitutional Court has not yet been issued.

Given the constitutional court procedure, we could not act on complaints, so we directed citizens to the steps they could take, and it often turned out that they did not receive such instructions from the HZZO. Many complainants stated that the HZZO verbally suggested that they get a job for a short time and then re-register as "unemployed" after the termination of employment. Thus, based on such a suggestion, one complainant got a job for a few days to acquire the status of an insured person and the maternity benefit that was abolished for her. Her status and benefits were recognised again, but after a few months, the HZZO sued her, contesting the contract and demanding the return of maternity benefits. At the same time, the HZZO does not issue a decision on deregistration from health insurance, and it did not instruct citizens to submit a request for a decision to be issued, nor were they referred to the possibility of insurance under Art. 15 of the ZOZO (as persons without means of subsistence based on the decision of the JP(R)S), although in these ways, some could regain the status of insured persons.

"Dear Sir/Madam, I am contacting you because I am currently in a state of shock and I do not know what to do, so I ask you for advice and help.... I used to report regularly, only to receive a lawsuit the other day about the nullity of my contract, which was concluded to obtain health insurance, which it is, I don't run away from it, but I was instructed to do it, I don't know by whom because I talked on the phone, and now I turned out to be the biggest criminal, a mother of three children, Alone with them..."

Croatian citizens, beneficiaries of exclusively foreign pensions who were insured as "unemployed" and now deregistered as foreign pensions, are obliged to pay contributions, even when they have a pension slightly higher or lower than the amount of contributions.

The mother of a seriously ill daughter also complained to us, who could not personally approach the HZZO, as she had informed them within the deadline. However, the Croatian Health Insurance Fund decided for a long time whether the non-accession was justified, and the complainant's daughter did not have compulsory health insurance during that time. This complaint has shown that the HZZO arbitrarily decides on the justification for non-accession for health reasons, which is not prescribed by the ZOZO, but has been introduced into the practice of the HZZO. However, it is unclear when the official at the counter decides on the justification for non-accession, and when the opinion of the Commission is sought, as was the case with the complainant. An oncology patient also complained to us that, despite her poor health, she regularly accesses the HZZO, although it was announced that such persons may be exempt from the obligation to attend in person, which shows that citizens are either not sufficiently informed or the HZZO does not act uniformly.

"I am an oncology patient in the process of chemotherapy treatment. Yesterday, due to high temperatures of over 30 degrees, I was forced to report in person to the counter of the Regional Office in Rijeka, the day after receiving chemotherapy, to fulfil my obligation to report. This situation is not only extremely unpleasant and exhausting, but also dangerous for my health, given the current condition."

From several complaints, we learned that those obliged to attend in person do not understand by when they should report, nor that they can report to any regional unit of the HZZO, which we pointed out to the HZZO, so this information is included in the certificates that are issued to these insured persons upon arrival. Based on the case of a complainant who withdrew from the records of the CES even though he did not get a job and was left without health insurance because he did not know that he was obliged to join in person, we gave recommendations to the HZZO and the CES about the need to inform all unemployed that after deregistering from the CES without employment, they must contact the HZZO within three months if they want to maintain their status in compulsory health insurance at the expense of the budget of the Republic of Croatia.

Although a significant number of citizens lost their compulsory health insurance, some of whom could have been insured as persons without means of subsistence under Article 15 of the ZOZO based on the decision of the JP(R)S, no bylaw for the implementation of this provision, which should have been adopted in October 2023, was adopted in 2024 either. At the end of that year, it was in public consultation. Since the ZOZO has expanded the circle of persons who can be insured at the expense of the budget in this part, it was essential to adopt a bylaw promptly. Its non-adoption led to uneven treatment of JP(R)S and the non-recognition of the rights of citizens who met the conditions of the ZOZO.

We have received two complaints in which persons who did not have the means to support themselves were denied insurance because they did not meet the condition of inability to live and work independently, which is no longer necessary to meet if the first condition is met.

The Ombudswoman addressed the Ombudsman several times, first recommending that the Ordinance on the Criteria and Method of Determining the Inability to Live and Work Independently and the Lack of Means of Maintenance be urgently adopted. We then recommended that until the adoption of the Ordinance, the Ministry of Labour and Social Affairs instruct JP(R)S to apply the ZOZO directly.

The Ombudswoman then turned to the MRMSOSP after collecting data from JP(R)S that confirmed the uneven practice. The data showed that a third of the JP(R)S recognised the right to insurance if the person met only the condition of lack of means of subsistence, a third if the condition of inability to live and work independently was also met, and a third

first required both conditions. However, according to the second-instance decisions of the Ministry of Internal Affairs and Social Affairs, it changed its practice.

Recommendation 16

Ministry of Labour, Pension System, Family and Social Policy, to urgently adopt the Ordinance on the criteria and method of determining the inability to live and work independently and the lack of means of subsistence

Although the MRMSOSP, as a second-instance body, changed the illegal practice, if the Ordinance had been adopted promptly or at least an instruction was given to JP(R)S, as we have proposed, the previous actions would have been uniform and citizens would not have had to challenge the first-instance decisions individually. We did not receive a response from the Ministry of Agriculture and Rural Development on implementing the recommendation, and to protect citizens' rights, we recommended equalising treatment directly to all JP(R)S.

"The very body that issued the first-instance decision pointed out that it was an omission of the legislator who no longer regulates such a case in the same way without justification, but they could not do anything else except send more urgent notices. It is undeniable that the actions of the competent Ministry violated his basic right, and even after 14 and a half months, he is struggling with poverty, misunderstanding and underestimation of his status. We ask you to do something and that this man be recognised for his rights that undoubtedly belong to him and that he can at least go for treatment."

The second change of the Health Insurance Act, for which citizens continued to contact us, is the introduction of a registration of temporary departure from the Republic of Croatia (regardless of residence) among the circumstances for the termination of compulsory health insurance. It has

Recommendation 17.

The Government of the Republic of Croatia, to urgently ensure the implementation of the Law on Compulsory Health Insurance under EU regulations, so that students retain compulsory health insurance in the Republic of Croatia when they study full-time in other EU countries, regardless of the registration of temporary departure from the Republic of Croatia

impacted our full-time students in the EU, who therefore do not have health insurance in the country of study, nor upon their return. In the procedure for many complaints, we requested the opinion of the Department of European Public Law of the Faculty of Law in Zagreb, which confirmed our position that the application of this provision leads to a violation of freedom of

movement as a right of EU citizens because it discourages students from using it. We sent the opinion, together with the recommendation to the Croatian Health Insurance Fund to recognise the status of these students in compulsory health insurance, regardless of the application of temporary departure, to the Government of the Republic of Croatia. However, we did not receive information about the implementation even after a rushed request.

Other difficulties in exercising health insurance rights

"I have to emphasise that the only bright spot in the entire health system is nurses and doctors, because they can only make an effort to help, even in administrative entanglements that should not be their problem. It's simple: they are health professionals, they are not IT specialists, and they are not administrators, let them treat, and leave the rest to experts in certain fields if there are any in this entire health system."

We continue to receive many complaints about the length of the HZZO's actions, long waiting lists for examinations or therapeutic procedures, about the lack of credibility of data on the length of waiting for a particular test or procedure, as well as about the difficulty of obtaining health care or its unavailability due to the violation of contractual obligations.

According to the Croatian Health Insurance Fund data, inspections have determined that the most common irregularities are non-compliance with working hours, failure to provide replacement during the absence of the team leader/member, improper management of medical documentation, incorrectly issued invoices, etc.

The HZZO provided us with information that it does not have data on the length of waiting lists, which it has been regularly providing us with so far, with the explanation that the Ministry of Health is now actively managing waiting lists and is continuously analysing the number of waiting days concerning the total number of orders in the system.

Regarding the length of the waiting time, the Ministry of Health states that steps have been made in the organisation of work, which they monitor and control every week in cooperation with hospital institutions, and these are: afternoon work, work in several shifts, work on weekends, engagement of external associates, intensification of collaboration with other health institutions and other, innovative models that put patients in focus. As of December 18, 2024, the average waiting time for all diagnostic procedures in the Republic of Croatia was 131 days. The Ministry of Health stated that this shows the indicator's effectiveness and sustainability (270 days). As of December 31, 2023, there were 129,820 orders on the waiting list for all diagnostic procedures in the Republic of Croatia, and on December 18, 2024, there were 116,776 orders on the list.

Data on the length of waiting times for certain examinations that the Ombudswoman has been monitoring for years through publicly available data (ergometry, colonoscopy, MRI of the brain and breast ultrasound) show a significant increase in waiting times in almost all health institutions compared to 2023. Thus, the waiting period for brain MRI was extended in 11 of the 16 institutions we monitored, with some of them significantly, for example, from 21 to 215 days (920%). Of the 13 institutions, the waiting time for breast ultrasound has been extended in 10 of them by 50 per cent or more, and the average wait for this examination is 212 days. Although the waiting time is shorter than 270 days for all the tests we monitor, it is still long, and we still do not have an explanation from the Ministry of Health on why the number of 270 days was determined and whether this indicator will be modified.

At the same time, the data of hospitals on waiting lists, which for some diagnostic procedures amount to over a year, indicate that the problem still exists. Among the record holders is the Bjelovar hospital, where the first free appointment for the first cardiologist examination is possible only in January 2028.

We welcome the efforts to reduce waiting lists, but we point out the necessity of continuously working to address the challenges of further reducing them.

Recommendation 18 (reiterated)

Ministry of Health, to take further concrete measures to reduce waiting lists

Recommendation 19

Ministry of Health, to inform citizens about the possibility of filing complaints about the waiting lists via the e-mail address provided and to introduce a phone number for submitting these complaints.

Regarding the information on the length of waiting and who to contact for it, it is positive that the Ministry of Health has opened a special e-mail address where citizens can contact them regarding waiting lists, but we notice that many are not informed that it exists, and some find this method of communication unavailable.

We continue to receive complaints about the accuracy of publicly available data on the availability of appointments and the number of days of waiting. In the 2023 Report, we recommended that the HZZO, in cooperation with the Ministry of Health, ensure the availability of accurate data on its website on the number of waiting days in individual health institutions for individual health services. However, the Ministry of Health replied that there is no more "HZZO waiting list" because a redirection to a new application (<https://liste.cezih.hr/>) has been made, on which better quality data is expected.

"...By inspecting the HZZO website, and regarding the waiting lists for the examination, I asked for an appointment at the Karlovac Hospital, since I am from Jastrebarsko, and in Zagreb, there is a wait of almost 200 days for an ultrasound examination of the carotid artery. The website had open appointments for 50 to 70 days, and I begged for some. I know the site is updated every two hours, so I also kept an eye on that, but I was shocked when I got an appointment in 400 days!? I'm not dying, it's not drama, but it's not right. If the site is already brilliantly published and I have already managed to arrange some examinations this way (e.g. Duga Resa, with a very kind lady), then I see no reason why the Karlovac hospital cannot do the same..."

Recommendation 20.

Ministry of Health, to ensure the availability of accurate data on its website on the number of days of waiting in individual health institutions for certain health services

Long waiting lists are also affected by the fact that citizens do not always cancel an appointment on time, as they are unable to respond.

Due to the problem with waiting lists, oncology patients also contact us, and it is pointed out by associations that protect patients' rights and help oncology patients,

which we write more about in a separate section.

An additional problem in the public health system is frequent device failures. In 2024, there were days when not a single linear accelerator was working in all Zagreb hospitals. During 2024, there were also several problems with the HZZO's IT system, affecting the availability of health services.

We also acted on a complaint in which it was pointed out that there were no gynaecology specialists in the Vrgorac Health Centre for three months. In the procedure, it was established that the Health Centre did not ensure the availability of women's health care after the expiration of the contract with the doctor. Although it was agreed that women's health care would be provided in Makarska, Ploče, Imotski and Split, the patients were not informed. Therefore, we recommended that the Health Centre publish information on time on the website and in a visible place in the Health Centre, where health care is provided, which was accepted.

"... There have been many times and situations that due to such a "sick" schedule of the clinic, he would be left without regular weekly therapy. On the other hand, I have to take my whole rhythm of life, ev. travel, etc. To comply and adapt to this truly unclear work schedule of the Obrovac clinic (two days a week!), to ensure minimum living conditions, sufficient therapy and EV. examinations on those two days of the week. I know that for someone who has a general practitioner daily, this problem is unclear and irrelevant, but try to put yourself in our shoes, to have a doctor only 2 days a week, in the 21st century..."

We also acted on a complaint about the difficulty exercising the right to health care at the Health Centre of Zadar County in the Obrovac Outpatient Clinic, which worked only two days a week. The HZZO conducted an inspection and issued a warning to the Ambulance.

The Ombudswoman continued her communication with the Croatian Health Insurance Fund regarding the definition of elements necessary to recognise transport costs when using health care. However, according to the Ordinance, the place from which the distance is calculated is the city, i.e. the settlement that is not part of the city, or the one that is part of the city if it is at least 20 km away from the city.

Therefore, citizens who live in locations that are more than 50 km away from the locations to which they were referred for treatment, which is a condition from the ZOZO for the recognition of transport costs, will still not receive compensation if the city to which their settlement administratively belongs is less than 50 km away from the location of treatment, and their settlement is less than 20 km from the city. That is why we repeat the recommendation.

Recommendation 21 (reiterated)

Croatian Health Insurance Fund, to amend the Ordinance on the conditions and manner of exercising rights from compulsory health insurance so that the right to reimbursement of transport costs is exercised by all those who meet the conditions prescribed by the Compulsory Health Insurance Act

For several years, it has been controversial on which day the status of a student begins in relation to the achievement of the status in compulsory health insurance. We sent a request for an opinion to the Ministry of Health back in 2022 following a complaint from a student who was denied insurance by the Croatian Health Insurance Fund on the day of enrolment at a higher education institution, stating that the status is recognised on the day of the beginning of the academic year. In 2024, we finally received the opinion of the Ministry of Education, Science and Technology, which stated that the status is acquired on the day of enrolment at a higher education institution, as determined by the Law on Higher Education and Scientific Activity. Therefore, we recommended that the Croatian Health Insurance Fund consider this when recognising the status, and we were told that this should be considered when amending internal acts.

We have again received several complaints and requests from young people, as well as students who have changed their status from full-time to part-time, who were not aware that they must contact the HZZO within 30 days if they want to maintain the status of an insured person at the expense of the state budget. Therefore, it is evident that there is still a need to inform young people about this obligation by the Croatian Health Insurance Fund and other institutions with which young people are in contact, especially the universities where they study.

2.3.2. Oncology patients

Cancer is the second cause of mortality in the Republic of Croatia. The latest available data (for 2022) show that the mortality rate in the Republic of Croatia is significantly higher than the EU average. Among the EU countries, the Republic of Croatia ranks first in terms of cancer mortality for men and eighth place for women. Data from the EC and the OECD indicate a significant presence of external risk factors for cancer. Therefore, the Action Plan for the Implementation of the National Strategic Framework Against Cancer for the period until 2025, adopted in 2024, envisages measures to raise the level of awareness of citizens and measures for prevention (screening and early detection). Activities are also planned to monitor the occurrence and treatment of cancer and to improve the organisation and quality of oncological care.

At the same time, the quality of cancer treatment, according to the EC and OECD, is lower in the Republic of Croatia than in other EU Member States, and oncological drugs are often limited to narrower groups of patients than those defined in the marketing authorisation. At the end of 2024, the Basic List of Medicines of the Croatian Health Insurance Fund was changed, so food for enteral administration, which oncology patients also use, was transferred to the Supplementary List.

Cancer patient associations highlight inequalities in access and healthcare quality in different EU countries, resulting in differences in treatment outcomes and quality of life. Based on this, in 2024, patient associations of Central and Eastern Europe adopted the Zagreb Declaration, which calls for improving prevention, early diagnosis and treatment options, optimisation of clinical outcomes, and implementing strategies and plans to fight cancer.

In 2024, oncology patients or their family members turned to us for problems in all aspects of health care provision, starting from the unavailability of timely appointments for tests and therapeutic procedures, through inappropriate communication and lack of information about the course and treatment options, to the insufficiency of orthopaedic aids that they can get through the Croatian Health Insurance Fund and others. They also addressed the obligation to personally join the HZZO to maintain the status of insured persons, which they find difficult to fulfil, the Pilot Project of the Government of the Republic of Croatia, which provided free train transport for pensioners and people over 65 years of age, due to which elderly oncology patients could not receive compensation for the cost of transport, and due to the HZZO's rejection of the costs of treatment abroad.

The aforementioned Action Plan, as part of establishing a unified system of oncological treatment, envisages the creation of a list of health institutions that provide treatment to oncology patients by the end of 2025, which will be available on the website of the Croatian Health Insurance Fund. It was the lack of publicly available information on where radiotherapy can be performed and how long it takes to wait for it, as well as how old the devices are and how long they wait for a breast ultrasound, that was the reason for one oncology patient to turn around. Since this was important information for deciding on treatment, we warned the Ministry of Health and recommended providing this information. We also asked for information about the actions carried out by the Ministry of Health to inform all oncology patients about the available health care and whether it plans to launch a website where all the information relevant to the decision on treatment would be available, but even after two urgent calls, we did not receive an answer.

We welcome the actions of the Ministry of Health based on the Ombudswoman's recommendations for improving the health care system for oncology patients. The Ministry of Health informed us that back in 2023, it informed hospitals about implementing a system for the rapid treatment of oncological and oncologically suspected patients, whereby for certain cancer sites, the first examination is ordered within seven days. Oncology coordinators have also been appointed to monitor the available appointments to meet this deadline and ensure all necessary diagnostic tests are performed.

However, we continue to receive complaints from suspected oncology and oncology patients who could not get a timely appointment for the test indicated for confirmation/exclusion, i.e. monitoring of the disease, as well as information about the long waiting period for the reading of the results and frequent device failures and radiation delays. In mid-2024, a certain part of oncology patients undergoing radiotherapy at KBC Zagreb had their therapy postponed due to a cyberattack, which is also a new threat in the context of the protection of the right to health.

We were contacted by an oncology patient who received an appointment for a breast ultrasound in nine months, and a complainant on behalf of her grandmother, an oncology patient, whose MRI result had not been read for three months.

Recommendation 22

Ministry of Health, to provide all suspected oncology patients with diagnostics as soon as possible, and timely surgical procedures, therapies and check-ups/tests for patients diagnosed with cancer

The association "We are not alone" states that all patients who have contacted them in the last six months have had tests done "through a connection" or privately. They also cite the example of their member, a patient with metastatic cancer, who was recommended an emergency MRI of the cervical spine due to terrible headaches, due to which her chemotherapy was postponed, but she received an appointment only in a year. Since she could not get an earlier appointment, she was forced to do the examination privately and paid 400 euros, which was a big blow to her small retirement income.

"I am addressing (...) on behalf of his father, a disabled man, Croatian veteran and oncology patient, who has not received an appointment for an abdominal MRI since June 2024, despite the instructions of a specialist doctor."

We acted in two complaints in which family members of oncology patients alleged inappropriate communication on the part of the competent doctors, which included rough communication of a very difficult diagnosis and comments that they could not get the drug because it was expensive, withholding information about the therapy they were receiving and about other treatment options. In these cases, the procedures are still ongoing, and the Ombudswoman issued a warning and recommendation to the management of the health institution in one case because they had not responded to the complaint about the quality of treatment for months.

"Apparently they lost control of the disease in cold blood, callously, and deliberately... After this progression, my wife (doctor) told her that she would receive chemotherapy according to the CAV protocol and the drug bisphosphonate for bone, and she did not tell her anything more about it. She didn't explain to us what kind of therapy it is, what the good and bad sides are. She didn't say anything except ask whether you agreed. We agreed, and what else could we do, scared and confused."

Many ambiguities in the functioning of public-private partnerships in Croatian healthcare and the lack of equipment in public health institutions are also reflected on the backs of oncology patients. The complainant was referred for a radiosurgical procedure to a private health institution, also the only one that performs it in the Republic of Croatia, but which was charged to him with the explanation that the quota contracted with the HZZO had been met. Since, in the course of the investigation, the Ombudswoman found that the HZZO had increased the originally agreed quota before the intervention was performed on the complainant, the question of why he was charged and whether he was charged twice is justified, in connection with which we requested a check from the HZZO and proposed to examine the possibility of reimbursement of costs to the complainant.

We conducted an investigation procedure on the complaint of a patient who could not be confirmed by the Sisters of Mercy Clinical Hospital Centre for several months after the operation, whether she had breast cancer or not. After she was diagnosed with cancer based on the results of a biopsy from the National Memorial Hospital "Dr. Juraj Njavro" Vukovar, it was not confirmed after the operation at the Sisters of Mercy Clinical Hospital, so she was not given treatment, and she did not receive a clear answer as to which of the diagnoses was wrong, nor did the Sisters of Mercy Clinical Hospital Centre proceed further to determine this. Therefore, she spent months trying to find a way to confirm or refute the initial diagnosis, which included complicated and expensive DNA analysis procedures, and was eventually recommended treatment. Internal monitoring determined that there was an unintentional omission, since part of the tissue from the operation was improperly discarded, so the biopsy did not show the presence of malignant cells, which was confirmed

Recommendation 23

Ministry of Health, to urgently develop a protocol for the treatment of health institutions in cases where patients have contradictory or unclear diagnoses, in all areas of medicine

in the procedure of the Ministry of Health, which was also reported to the State Attorney's Office. However, it was not just an omission, but an inappropriate action on the part of the hospital upon learning of the omission, which transferred to the complainant the decisions on what to do to confirm the diagnosis and ensure the key procedure. Since this kind of treatment, which led

to the untimely provision of health care, violated her right to health, the Ombudswoman warned the Sisters of Mercy Clinical Hospital Centre and recommended that the Ministry of Health define the procedure in cases of contradictory diagnoses. The case has shown a lack of understanding for oncology patients who, in addition to dealing with a difficult diagnosis, must make a diagnosis with their own efforts and resources and thus correct the system's shortcomings.

"From the addition of the findings, it follows that the diagnosis from the findings that it is a fibroadenoma is not complete, and therefore not true, when the rest of the tissue was not analysed at all, but was discarded....I believe that I, as a patient, should have been immediately informed that my tissue was thrown away and that it can no longer be determined whether there was a malignant formation in it, for which I was operated on. Instead, I was left to literally "break my head" and try to figure out for myself what happened and how now I suddenly don't have the cancer for which I was operated on."

2.3.3. Palliative care

"I am writing to you in the hope that you will read my sad life story through which my mother and I went through a full 7 months of sadness, tears and pain, where that story unfortunately ended tragically. It's about my father, who died in a nursing home... I never lost hope in my father. I know that he heard me, felt my hand, and felt my touch as I hugged, stroked, and told him that we were here and would never give up on him. And they took that opportunity away from us, and my father was transferred to another hospital. We kept asking if she was eating well or hadn't had pressure ulcers. Each time they denied it and said that everything was fine... father was discharged from the hospital and placed in a home. We went for an interview the same day my father was admitted. The home performed a complete examination of the father upon admission. My question to them was, "Please, how is my dad?" I got that look that made me numb. They showed me pictures of my father. I have never felt such pain in my heart. The pain of sadness, misery, helplessness... My legs were cut off... I started to stutter. My father had such pressure ulcers on his back, on his coccyx, on his legs... He was in the hospital for two months and had pressure ulcers up to the 4th degree!! Those wounds were terrifying.

With these words, the daughter of a palliative patient addressed us and the hospital's director. The patient was in a coma in a palliative bed for two months, and before being admitted to that hospital, he was in other hospitals where he did not get a single pressure ulcer. The complaint was accompanied by photographs of the patient taken on the first day of admission to the nursing home, which testify to the severe wounds and devastatingly poor condition of the patient who, according to the family, was not even properly fed. We have asked the Ministry of Health and the Croatian Health Insurance Fund to act appropriately and review all aspects of the treatment and care of this patient. The HZZO inspected the health services provided in previous hospitals and found no irregularities in their provision. However, since it was a palliative patient in a coma who was transferred to a more distant hospital and because of which his wife and daughter, due to poor financial and health condition, could not visit him more often, we asked for urgent help in transferring him to an institution closer to the residence of family members. Again, only the Croatian Health Insurance Fund responded and offered us accommodation in another institution. In the meantime, the patient was transferred to a home for the elderly, whose employees determined that the patient had numerous severe pressure ulcers and malnutrition. In the investigation procedure, we asked the Ministry of Health to treat the hospital, since the photographs indicated the lack of adequate treatment and care. Despite the hurries and warnings, we did not receive any feedback for a year, even though the circumstances of the event themselves required urgent action. The investigation is still ongoing.

In the 2023 Report, we wrote about the case of doctor Krešimir Crnogaća, a palliative patient who died in a hospital in Šibenik, whose partner publicly raised the issue of the availability of opioid morphine for palliative patients in hospitals. We are still waiting for the Croatian Medical Chamber's expert opinion on this palliative patient's medical care. The opinion of the Croatian Society for the Treatment of Pain of the Croatian Medical Association indicates that there is no uniform education in pain medicine, and there is a narrower specialisation in this field. As a result, palliative patients in some outpatient clinics are deprived of treatment according to the latest guidelines. On several occasions, a request for approval of a narrower specialisation in pain medicine has been submitted to the Ministry of Health, which has not yet been approved, and we are waiting for a statement on it, despite the rush.

Palliative care continues to develop very slowly. According to data from the Croatian Health Insurance Fund, 47 coordinators and 41 palliative teams have been contracted at the primary level of health care, so their number has not changed compared to 2023. With the new Public Health Service Network, the number of coordinators and mobile palliative teams has been increased to 73.

On the other hand, there has been a shift in the number of palliative beds at the secondary and tertiary levels of health care. Thus, the number of contracted beds in hospitals has been expanded. The Croatian Health Insurance Fund has accepted the offers of hospitals for 768 palliative beds and 14 beds of the Institution for Palliative Health Care Hospice "Marija Krucifiksa Kozulić", but some hospitals have not yet obtained the necessary decision of the Ministry of Health for the activity of palliative care. While some hospitals are satisfied with the increase in palliative beds, others are not, so the General Hospital "Dr. Ivo Pedišić" Sisak points to the need for more palliative beds. The same is stated by the General Hospital and Hospital of Homeland War Veterans Ogulin, the General Hospital of Šibenik-Knin County, the Zabok General Hospital and the Hospital of Croatian Veterans, the General County Hospital Vinkovci, which draws attention to the trend of increasing oncological and other chronic diseases, which leads to a greater need for palliative care, and others. The County Special Hospital for Psychiatry and Rehabilitation Insula is recording a significant increase in the number of palliative patients admitted, and if this trend continues, an increased need for palliative beds is expected in the future.

The Special Hospital for Prolonged Treatment Duga Resa emphasises that the increase in the number of palliative beds was not accompanied by additional funds from the Croatian Health Insurance Fund necessary to adapt to the increased number of beds, and the price set by the Croatian Health Insurance Fund is not proportional to the actual cost incurred by the performance of this health service.

The La Verna Association, volunteers in palliatives, states that there are still problems in the system, such as inappropriate communication with patients and family members, lack of joint care planning and monitoring and support for the patient, difficulties in exercising the right to health care at home, insufficient number of mobile palliative teams, unavailability of doctors in the mobile palliative team, discharge from the hospital on Fridays without previously planned and agreed care at the primary level health care, lack of teamwork and communication between different professionals in the same institution, and others.

Recommendation 24 (reiterated)

Government of the Republic of Croatia, to urgently adopt the National Program for the Development of Palliative Care

The lack of professional education, inpatient care, and cooperation between the health and social welfare systems is also emphasised. A special challenge is posed by palliative patients who need special care, such as patients in a coma, for whom, after hospital care, there is not enough accommodation in the social welfare system. In this regard, we state that the

National Program for the Development of Palliative Care in the Republic of Croatia 2023-2026 has not yet been adopted, and as the Ministry of Health announces its adoption at the end of 2025, we repeat the earlier recommendation.

2.3.4. Discrimination in the field of health and based on health status

During 2024, we continued to act on a complaint about the treatment of a user of the Shelter for the Homeless in Zagreb, who had severe symptoms for two days, so an ambulance was called several times. Her medical documentation was delivered to us without further clarification, and even after almost two years, we have not received an expert opinion on whether her care was following the workflows and guidelines applied to such severe patients. Given that she was an illiterate elderly patient with severely impaired health, homeless, we cannot rule out intersectional discrimination.

In September 2023, we received a statement from the Ministry of Health that a rulebook had been prepared proposing to enable blood donation to foreign citizens if they have been continuously residing in the Republic of Croatia for one year. Given that the proposed one is based on expert guidelines, these novelties will be adopted quickly. However, since the Ordinance on Special Technical Requirements for Blood and Blood Products has not been amended even after more than a year, we are again receiving complaints pointing to the very restrictive conditions of voluntary blood donation, due to which foreigners with permanent residence in the Republic of Croatia cannot be donors. According to the Ministry of Health announcements, the Ordinance should be sent to public consultation by the end of 2025.

Recommendation 25

Ministry of Health, to expand the circle of persons who can donate blood by amending the Ordinance on Special Technical Requirements for Blood and Blood Products

Recommendation 26

Croatian Health Insurance Fund, to amend the Ordinance on the conditions and manner of exercising rights from compulsory health insurance to enable the reimbursement of transport costs for treatment to persons who have public transport from other sources

During 2024, the Ombudswoman repeatedly pointed out the effects of introducing the Pilot Project of the Government of the Republic of Croatia for free train transport for pensioners and those over 65 on their exercise of rights in healthcare. Namely, concerning the provisions of the Ordinance on the conditions and manner of exercising rights from compulsory health insurance, according to which a person is not entitled to reimbursement of transport costs if he or she is entirely exempt from payment according to special regulations or other acts, the HZZO did not pay compensation for the costs of transport to the place of treatment to those elderly and pensioners for whom the train is an available means of transport. This had a significant negative impact on this group, since the covered cost of the train does not mean much when a person cannot use such transport, for example because of their health condition or the distance to the train station, and because trains do not run often or at all times of the day to be able to arrive at the scheduled treatment appointment. Therefore, despite other positive effects that the Pilot Project had, it has brought an additional financial burden to many seniors and pensioners because they have to pay the cost of transport that they actually use, which was previously partially covered through the reimbursement of compensation for transport costs from the Croatian Health Insurance Fund.

Due to the discrimination based on age caused by this positive measure aimed at the elderly, the Ombudswoman submitted an opinion and a proposal to the Government of the Republic of Croatia to

amend the Ordinance and to provide reimbursement of transport costs to persons, even when they have public transport provided from other sources. However, we did not receive a response, and the Ordinance was not amended in 2024, while the Pilot Project continued in 2025.

In addition, regarding this issue, we recommended that the HZZO issue decisions on the requests of persons for reimbursement of costs, and not notifications that were sent to them, to ensure the constitutional right to appeal and judicial control of individual acts of public bodies, which the HZZO adopted.

"The decision made is very debatable, uncommon sense, and possibly illegal, and consequently, you refer oncology patients who are immunocompromised and at risk of infections with a reduced ability to fight infections and other diseases, the so-called immunosuppressed, to public rail transport (in my case, to perform chemotherapy)."

"Given that it is almost impossible for a sick pensioner to travel by train because it takes too long, does not arrive on time, needs to eat, drink, take medication, do hygiene, and all this cannot be done if he is on the road almost all day and it is again uncertain whether he will arrive at the scheduled time, I wonder if this is calculated to make the health care of this most vulnerable group unavailable. With the entry into force of this Pilot Project on Free Transport, are these people equal before the law at all, because only they are pushed into the second-class carriages of the devastated, slow and unsafe Croatian Railway... As a pensioner and a disabled person, currently on crutches with a built-in defibrillator, I do not ask for mercy. I just want to be equal before the law and the Constitution of the Republic of Croatia."

We acted in the case of an elderly lady who lived alone and begged to be kept in the hospital for a few more days to find a solution to who would take care of her and where, but she was rejected with the inappropriate comment that the hospital is not an almshouse. She was discharged from the hospital, and support and accommodation were provided to her only after the media reported the case. Hospitals mostly employ social workers or people for discharge planning and emphasise cooperation with the social welfare system. However, insufficient capacity sometimes makes it impossible to find accommodation for elderly discharged patients without home care. Patients who require increased care after discharge stand out as a special problem. Therefore, it is necessary to strengthen cooperation between the health and social care systems to avoid these situations and ensure the required long-term care.

"This school year, I also passed the test for the assessor of the state graduation exam for the subject of Croatian language. This is not the first time I have been an evaluator, but as of this year, I have been diagnosed with Type 1 Diabetes, and I wear a glucose reading sensor. The protocol that the NCVVO issued mandates passing through a metal detector, which puts me at a disadvantage as a sensor user. I should not go through the detector because it can disrupt the sensor's operation, which is respected everywhere (public institutions, airports...). Unfortunately, in communication with the coordinator of the state graduation exam, I was told that I had to go through the detector or I could give up the assessment. I asked them to check on me by a security guard who is there all the time, correcting, but they don't agree to the same. I believe that the protocol is not in accordance with the law and prevents me from working, but also from progressing personally as a teacher, because the evaluation of the state graduation

Indirect discrimination based on health status was established in the case of the cited complainant, who, as an evaluator at the state graduation exam, had to go through a metal detector to enter the area where the assessment is performed. Given that she wears a glucose sensor due to diabetes, which the detector can disrupt, she was not allowed to go through it. That is why people with a sensor for reading glucose levels are exempt from the obligation to go through a metal detector in public institutions, airports and other similar places where it is mandatory. However, according to the allegations in the complaint and the National Centre for External Evaluation instructions, the state graduation exam evaluators were not exempt from passing through the detector under any circumstances. After we warned that this puts those who, due to their health condition, carry or have implanted devices and medical devices that must not be exposed to radiation from metal detectors at a disadvantage, the above rules were amended.

From 2019 to 2022, a research group from the University of Rijeka implemented a project focusing on access to health care for minority groups. In doing so, they analysed the hospital's internal documentation, how much it includes the prohibition of discrimination, and how

healthcare professionals and patients perceive discrimination. The analysis showed that most of the hospital's internal documentation contains general statements against discrimination without specifically emphasising the needs of individuals of different origins/identities, and that there is a lack of diversity education programs. In the academic year 2023/2024, the same group of researchers analysed the curriculum of higher education institutions of health professions in the Republic of Croatia. The analysis shows a very general mention of vulnerability and persons/groups exposed to social inequality. Only a few courses explicitly mention minority groups. Therefore, to prevent discrimination in the health care system, it is essential to provide education about the Anti-Discrimination Act and the needs of different groups protected by it.

Recommendation 27.

Ministry of Health, to provide education on combating discrimination for health professionals

2.4. Right to work

In 2024, the field of work and employment was marked by legislative activity, continued employment of migrant workers (third-country nationals), demands of employees, especially in public services, for higher wages and better working conditions, as well as reports of undeclared work and other illegalities at work and employment.

According to CBS data, the average monthly net earnings per person in paid employment in legal entities of the Republic of Croatia for November 2024 amounted to EUR 1,366, a nominal increase of 13.1 % compared to November 2023. However, despite the growth, salaries in the Republic of Croatia are still below the EU average.

In 2024, about 95,000 workers received the minimum wage. During the year, the minimum gross salary increased by 20 % and amounted to EUR 840, reaching a share of 54.12 % of the average gross wage, which is a continuation of the trend of increasing the minimum wage and in accordance with Directive (EU) 2022/2041 on adequate minimum wages in the EU, according to which this wage should amount to at least 50% of the average gross salary. Along with Poland (31.1%) and Hungary (20.4%), the Republic of Croatia (20%) ranked among the countries that achieved the highest increase in the minimum wage in 2024, but is still in the group of countries with a low minimum wage.

On January 1, 2024, the provisions of the Labour Act (ZOR) that regulate work through digital labour platforms came into force, as well as bylaws that elaborate in more detail the method of recording this type of work through the new information system, Unified Electronic Labour Records (JEER system). According to the bylaw, based on the annually collected data from the records, the Ministry of Labour and Social Affairs prepares a Report on Labour Data using a digital labour platform published on the Ministry's website no later than January 31 for the previous year. In 2024, Directive (EU) 2024/2831 on improving working conditions in platform work also entered into force, with a transposition deadline of December 2, 2026, which lays down minimum rights for persons performing platform work. The Directive aims to improve working conditions, which should be achieved by simplifying the determination of the employment status of platform workers and by making work management more transparent, fair, safe and accountable, subject to human oversight.

In 2024, Directive (EU) 2024/1760 of the European Parliament and of the Council of June 13, 2024, on sustainable business due diligence and amending Directive (EU) 2019/1937 and Regulation (EU) 2023/2859 was adopted, and the obligations under this Directive will begin to apply to the largest companies from July 26, 2027. Given that the Directive aims to strengthen the protection of human rights and the right to a clean, healthy and sustainable environment in the management and operation of companies, in October 2024 we organised a conference where we brought together the competent ministries, companies to which the Directive will apply, employers' associations, trade unions, civil society associations and the academic community, to exchange experiences so far, good practice and knowledge on the effective application of due diligence in the field of responsible business conduct.

2.4.1. Unemployment and employment

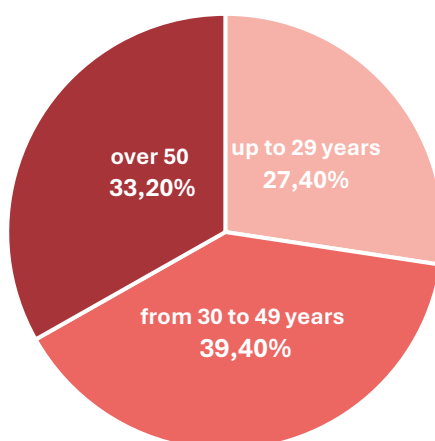
Although employment has been continuously growing for years, the Republic of Croatia still has a slightly lower employment rate than the EU average. In the third quarter of 2024, the average

employment rate in the EU, in the age group from 20 to 64, was 75.8%, and in the Republic of Croatia, 73.8 %, which indicates that there is still room for employment of domestic workers. According to the data of the Joint Employment Report of the EC and the Council, certain groups of workers, such as the elderly and low-skilled workers, still have difficulties in finding quality jobs, so it is necessary to work on their integration into the labour market.

At the end of December 2024, 91,563 unemployed people were registered in the CES, which is 20.37% or 23,419 people less than in December 2023.

UNEMPLOYED PERSONS BY AGE

Source: HZZ



In the structure of the unemployed, the share of young people up to 29 years of age slightly increased, while at the same time, the share of unemployed people over 50 years of age slightly decreased.

As of December 31, 2024, 38 persons were entitled to international protection in the CES unemployment register, of which 21 were women, while a year earlier, there were 61 people registered.

Among the job seekers, 306 people over 65 were registered, of whom 228 were pension beneficiaries. According to HZMO data, in the first 11 months of 2024, there were an average of 30,941 beneficiaries of old-age, early old-age and survivors' pensions who worked up to half of full-time, while in 2019, for example, an average of 10,098 worked for them. The continuous growth of these workers results from several factors – the legal framework enabling this kind of work, the need for workers in the labour market, an additional source of finance, etc.

In December 2024, 23,092 unemployed persons or 25.2 % of the total unemployed, exercised the right to cash benefits, slightly less than in the previous year. In its 2024 country report, the EC stressed that limited progress had been made on recommending more adequate unemployment benefits. It was pointed out that cash benefits do not provide adequate financial security for redundant workers and that the rate of entitlement to cash benefits is low for the self-employed and workers with fixed-term contracts. Precisely because of the small share of unemployed persons who exercise the right to financial compensation, in the public consultation on the Act on Amendments to the Labour Market Act, we pointed out that it is necessary to include a larger number of unemployed persons, such as workers

who, under pressure from the employer, sign agreements on the termination of employment, not knowing that they will not be entitled to financial compensation because of this, and workers whose employment contract was terminated due to misconduct, which they dispute before the court. Although the legal changes were announced for the fourth quarter of 2023, they did not come into force until January 1, 2025. According to them, people under the age of 30 will be entitled to financial compensation under more favourable conditions, as the condition of time spent at work has been reduced from nine to six months of work in the last 24 months. From the 91st to the 180th day of unemployment, the cash benefit has been increased from 30 % to 35 % of the base.

Among the citizens who tried to enter the labour market using the active employment policy measure, *Self-employment*, some complained about the disapproval of their demands. Thus, they stated that the evaluation was not done well, that their business plan was rejected due to the establishment of a business entity before applying, that the procedure takes too long, and one person applied to the CES with the desire to apply the *measure of Self-employment*. However, the CES instructed him to apply for a job vacancy during that period, which would mean losing the possibility of using the said measure. We also received a complaint stating that the beneficiary had been asked for additional documentation on costs more than a year after they were realised, but as the documentation was no longer available, he had to return part of the funds.

2.4.2. Labour relations in the economy and crafts

Complaints and inquiries were most often addressed to us by workers, both current and former, as well as citizens concerned about the violation of the rights of domestic and migrant workers.

"Dear Sir/Madam, Mr. V.H., the owner of the company H. in S., works illegally, a large part of the direct debits, and only reports 100 euros a day. I know firsthand because I worked for them for 22 days, he also does not report for full salary, but only 675 euros out of 1,000, the rest he keeps in his hands. They still owe me 55 euros, and they still threatened me that they would call the police and the inspection when I told them that I would report them...."

The complaints related to illegalities related to the conclusion of fixed-term employment contracts, unlawful dismissals, issuing a warning/warning before dismissal, undeclared work of workers (without an employment contract and/or without reporting to the competent insurance authorities), non-payment of salary, salary compensation during temporary incapacity for work, compensation for unused annual leave after termination of employment, failure to calculate the due salary or compensation, payment of salary "in hand", delay in salary payment, illegalities in keeping records of workers' working hours, illegal and unpaid overtime, violations of the right to rest, harassment at work (mobbing), failure to report an injury at work by the employer and non-payment of contributions for compulsory insurance.

We were also contacted by students who pointed out the violation of rights from the contract for the performance of student work, and that they were insufficiently familiar with the possibilities of legal protection. Following the Student Affairs Act, student centres, as intermediaries and one of the three

parties to the contract on the performance of student work, should protect the rights of students and provide them with legal assistance regarding the exercise of rights from the contract.

"I am writing this way because I believe my rights are endangered when performing student work. Namely, during my employment, a bonus was agreed upon (when I met the conditions for obtaining that bonus) that was not paid to me, and in addition, I was fired because I asked for my funds. Also, they forged my signature for one of the three student contracts."

Since the Ombudswoman does not have the authority to act towards employers in the economy and crafts, except in cases of discrimination or protection of whistleblowers under special regulations, we provided citizens with general legal information on the possibilities of protecting their rights, including the court, considering the preclusive and limitation periods.

According to the data of the Ministry of Labour and Social Affairs, the largest number of inquiries was received about the conclusion and termination of fixed-term employment contracts, payment of salary, the right to annual leave, the termination of employment contracts (legality of dismissal and notice periods), the regularity of keeping records of workers and the rights of protected categories of workers (pregnant women, parents).

According to HZMO data, in 2024, there was an average of 20.50% of workers with fixed-term employment contracts, slightly less than in the previous year. However, the unions continue to point out the illegalities in concluding these contracts.

DIRH has informed us that, under the recommendations of the Ombudsman, they have included in their Work Program for 2024 inspections of the legality of concluding fixed-term employment contracts. Labour inspectors found reasonable suspicion of 286 violations of the provisions after these contracts (11 violations more than in 2023), of which 232 violations were related to legal employers and 54 to natural persons.

Inspectors filed 83 criminal charges against responsible persons of employers, almost twice as many as in 2023 (42), of which 52 for the criminal offense of Non-payment of salary (in 2023 there were 39), 34 for the criminal offense of Violation of Social Security Rights (in 2023 there were seven) and 13 criminal charges for the criminal offense of Violation of the Right to Work (in 2023 there was one).

The inspections also determined that the employers did not submit the calculations of due and unpaid salaries, salary compensation, severance pay or compensation for unused annual leave for 710 workers within the deadlines, and inspectors initiated misdemeanour proceedings against employers and their responsible persons before the competent municipal courts.

In 2024, we also received complaints about the length of the DIRH's handling of workers' reports, which is essentially a consequence of insufficient inspectors and their burden of numerous and complex cases.

Given that the elections for the 11th convocation of the Croatian Parliament were held on Wednesday, April 17, 2024, and not on Sundays as is customary, we received inquiries from citizens about the possibility of exercising the right to vote because they were supposed to work on that day according to the schedule. We referred them to the SEC's press release, which called on employers *"to organise a business process on the day of the election of members of the Croatian Parliament (in shifts, in several*

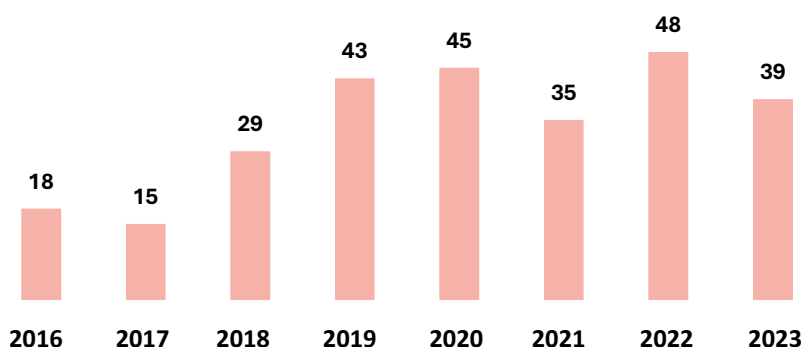
teams, etc., depending on the nature of the work), to enable employees who work on that day to exercise their right to vote." We also asked for a statement from the MPUDT, which stated that the law on the Election of Members of the Croatian Parliament does not prescribe misdemeanour sanctions, that every citizen should be provided with the opportunity to exercise the active right to vote and that they do not see the need for legal changes. Some citizens have told us they have been allowed to vote.

The data show that with the increase in the number of workers and economic activities, there are more injuries with a fatal outcome at the workplace. According to the latest available data from the Croatian Institute of Public Health for 2023, 39 people (35 men and four women) died at the workplace. After media reports about the injury of a worker who lost part of her arm, we opened a case on our initiative and asked for information about the measures taken by the DIRH. The statement showed that several inspections of the DIRH were carried out before and after cases of injuries at work, based on which they adopted several administrative measures, imposed fines and filed two criminal charges on suspicion of committing a criminal offence against public safety.

In addition to increased economic activities, it is necessary to adequately take care of the safety of workers and take measures to prevent injuries at work, primarily by risk assessment, quality implementation of preventive measures and raising awareness of the importance of occupational safety.

REPORTED FATAL INJURIES AT WORK

Source: HZJZ



Recommendation 28

Government of the Republic of Croatia, to ratify Convention No. International Labour Organisation (ILO) Regulation (ILO) of 2006 on the Promotion Framework for Safety and Health at Work

Bearing in mind that the National Plan for Labour, Safety and Employment 2021-2027 also aims to improve the state of occupational health and safety in the Republic of Croatia, and taking into account that the International Labour Organization has included occupational safety among the fundamental principles of the right to work,

the ratification of the 2006 Convention on the Promotion Framework for Safety and Health at Work (No. 187) would contribute to better safety at work. In 2022, the Convention was included among the fundamental conventions of the International Labour Organisation, and so far, it has been ratified by 16 EU Member States, and we recommend that the Republic of Croatia do the same.

As in 2023, workers working through digital labour platforms pointed to illegal actions by intermediaries, the so-called aggregators, such as taking a commission for mediation, non-payment of contributions, inability to use sick leave, denial of the right to rest and improper keeping of records of working hours. According to DIRH data, in 2024, 185 inspections of employment relationships were carried out at employers operating through digital labour platforms. Due to reasonable suspicion of committing 127 violations, labour inspectors filed 29 indictments and issued 34 misdemeanour orders. The most common illegalities are failure to register and untimely registration of workers for compulsory pension and health insurance, failure to issue a written confirmation of the concluded employment contract before the start of work when the contract has not been concluded in writing, work of third-country nationals without a residence and work permit or a work registration certificate, work of third-country nationals in jobs and with employers for which they have not been issued a residence and work permit and with whom they have not established an employment relationship.

According to the MRMSOSP Report on Platform Work in Croatia for 2024, four digital platforms were registered in the Register of Digital Labour Platforms, registering 3,048 aggregators. Of the total aggregators, 1,743 are craftsmen, and 1,305 are legal entities, i.e. companies. The performance of two types of activities was recorded: driving (taxi transport) and delivery. In 2024, 22,083 people worked through digital labour platforms. As the public has the impression that these are mostly migrant workers, it is interesting to note that, according to official data, there are 16,382 Croatian citizens and 5,104 foreign citizens, while there is no data in the system for 597 people.

2.4.3. Employment Relations in the Civil Service, Public Services and Local and Regional Self-Government

In 2024, the Law on Salaries in the Civil Service and Public Services began to be applied, based on several adopted regulations and ordinances. The Decree on Job Titles, Scheduling Requirements and Salary Calculation Coefficients in the Civil Service, which establishes unique and special positions in the civil service and the evaluation of jobs in the process of translating job titles, entered into force on March 1, 2024. In the public consultation, our proposal to include a list of general and specific competencies as integral parts of the Regulation was not accepted, but the MPUDT will publish them on its website.

The Decree on the Evaluation of the Efficiency of the Work of Civil Servants, which prescribes the procedure, criteria and manner of evaluating the work of civil servants, entered into force on January 1, 2025. Given that it was not adopted within the prescribed deadline, in the public consultation process, we pointed out the importance of adopting regulations within the prescribed deadlines to achieve the goals of strategic documents and public policies in the Republic of Croatia. At the same time, we pointed out the problems brought by the new evaluation system, which we expect to become visible in the coming period, when it will be necessary to evaluate officials according to it for the first time.

According to the Civil Servants Act, the Decree on the Employment Procedure in the Civil Service was adopted, which entered into force on October 25, 2024, except for the articles relating to internal advertisements, which will enter into force on January 1, 2026. When adopting the Regulation, we pointed out, among other things, that it is necessary to consider that when submitting applications for a public tender through the Centralized Employment System, persons of lower socio-economic status or those who live in rural areas, or who do not have access to the Internet or a personal computer, are not excluded.

The Regulation on the possibility of flexible working hours and part-time work in the civil service entered into force in January 2025. In the public consultation, we pointed out that it does not include the possibility of using a reduced number of working hours and adjusting working hours, as flexible working conditions that would enable workers with children up to the age of eight and care providers to have a better work-life balance, but this was not considered.

At the end of July 2024, a new Regulation on the Organisation and Method of Operation of the Civil Service Board came into force. Once again, we pointed out the missed opportunity to more effectively prescribe handling their complaints when adopting the new Law on Civil Servants to ensure a higher level of legal certainty for civil servants. Namely, we proposed that the appeal postpone the execution of the decision or limit the possibility of returning the case to the first-instance body for retrial no more than twice, after which it is possible to initiate an administrative dispute, which was not accepted.

At the beginning of 2025, the Decree on the procedure, criteria and method of assessing the efficiency of work of employees in public services came into force. In the public consultation, among other things, we pointed out that it did not consider the specificity of public services and that public servants are in a contractual, not a status employment relationship. Our proposals have been partially adopted, and the processes of assessment, written warning of omissions and the actions of the competent authorities have been more precisely defined.

In 2024, many complaints related to the determination of salary coefficients after applying the new Regulations for civil and public servants. Officials also complained about how jobs were translated, and new coefficients were assigned. After the initial misunderstanding of the competent authorities, the procedure was usually carried out correctly, as the complainants informed us. For example, one teacher was offered a new employment contract based on information from an existing employment contract, which did not show that she had acquired a new status in the meantime. Based on the general legal information we gave her; she requested a correction of the coefficient, and her request was accepted.

Some employees in the state and public services expressed dissatisfaction with the assigned coefficients, pointing to different situations. They stated that the coefficient of the bachelor's degree was equal to that of a secondary school diploma, that the translation should have included a position with a higher coefficient than the one they were given, that they received a lower coefficient compared to jobs performing similar work, that the new employment contracts also contain provisions that are not related to the employer's obligation to translate jobs and that change the working conditions to the detriment of the worker, and other situations.

In 2024, we also received complaints in which civil servants pointed out that the Civil Service Board repeatedly annuls the decisions of the first-instance bodies on scheduling or transferring, and that, because of this, the procedures take too long. Decisions are most often annulled because they are not sufficiently reasoned, but in new proceedings, first-instance bodies generally do not follow the instructions of the Civil Service Board and again issue insufficiently reasoned decisions. We recommended that bodies with many annulled decisions educate officials in administrative procedure.

Civil servants also approached us because of the non-transparent decision-making of employers on the submitted requests, as well as because of the unequal treatment in attending additional education. In a case initiated following a request from a police officer who was not approved to perform work outside working hours, in 2023, we recommended to the Ministry of the Interior to draft an Instruction with clear and

transparent information on the procedure for approving requests from police officers. The Ministry of the Interior replied that there is no need to adopt the Instruction since the procedure will be adequately regulated by the upcoming amendments to the Law on Police. The law that would familiarise police officers with the procedure and criteria for approving requests to perform tasks outside regular working hours was not amended in 2023 or 2024.

In 2022, we acted on the complaint of a civil servant employed by the Ministry of the Interior due to unequal treatment compared to police officers when attending the professional study of Criminology. We recommended that the Ministry of the Interior and then the Ministry of the Interior consider initiating changes to regulations, including internal acts, to ensure equal treatment of all officials during professional development and attendance at educational programs. While the Ministry of the Interior referred to the MPUDT, which regulates the rights and obligations of civil servants, the Ministry of the Interior pointed out that the Ministry of the Interior should consider the controversial issue.

In 2024, we acted on a complaint indicating that in the academic year 2024/2025, civil servants employed by the Ministry of the Interior were prevented from enrolling in the professional study program of Criminology. From the competition for the enrolment of part-time students at the Polytechnic of Criminology and Public Safety, it follows that police officers and civil servants of other state bodies can apply for the enrolment competition. Considering the specifics of the employment status of police officers and their education, which the Police Act prescribes, and since the reasons for excluding civil servants employed in the Ministry of the Interior are unclear, we continue to act on the above.

In 2024, civil servants employed in public services pointed out the impossibility of exercising the rights from the collective agreement, most often related to the approval of an adequate amount of compensation for the cost of transport to work, as a result of which we referred them to the competent commissions for the interpretation of collective agreements.

2.4.4. Harassment at the workplace (mobbing) and protection of the dignity of workers

As we have pointed out in previous reports, harassment at work or mobbing has long been recognised as a specific problem in labour relations. Complaints show that abuse sometimes lasts for several years, and that workers, due to ignorance of regulations, fear of dismissal or insufficient material resources, most often do not seek judicial protection in labour or criminal proceedings for the criminal offence of Harassment at Work.

"I am employed at the faculty in the library. For 2.5 years, I have been suffering harassment at work, which I reported hierarchically to my supervisor and colleague's superior, but I did not find understanding and protection, let alone any concrete treatment. 21.6. I report to the Dean, Vice-Dean, Mobbing Commission and the main representative of the Union. In the seventh month, I have a three-hour interview with them. I have been on sick leave since 24.6. to date (17.12.2024) I have not received a Decision on Treatment or any protection from the employer..."

Harassment (harassment) that falls under the term mobbing is physical or psychological abuse in the workplace by which one or more persons, often systematically, physically and/or mentally abuse and humiliate another person to endanger their reputation, honor and dignity, and which is not conditioned by any discriminatory basis (in which case it would be harassment as one of the forms of discrimination).

The Mobbing Association, which provides free legal and psychological assistance, states that in 2024, the number of people who reported suffering mobbing increased. While in 2023 they were contacted by 678 applicants, in 2024 there were 832, or 22.7% more. The number of whistleblowers of horizontal mobbing also increased, from 29 in 2023 to 120 in 2024, as well as the number of whistleblowers of reverse mobbing, from three in 2023 to 23 in 2024. It is pointed out that since there is no legal framework on the prohibition of harassment at work in the Republic of Croatia, in cases of violation of dignity, the worker still does not receive adequate compensation for non-material damage in long court proceedings, which demotivates many in seeking judicial protection, which is why they continue to suffer abuse, end up on long-term sick leave or terminate employment and look for a new job, which can have significant consequences for their health.

Unfortunately, the latest amendments to Art. 134 of the Labour Law, as shown by the data of the trade unions and the Mobbing Association, have not solved the problem of distrust in persons authorised to receive complaints for the protection of the dignity of workers, because the employer still appoints them, so workers tend to perceive them as biased and therefore do not address them. In 2024, DIRH labour inspectors issued 13 verbal decisions ordering employers to appoint a person authorised to receive and resolve complaints for the protection of the dignity of workers within the given deadline.

In the response of the Ministry of Labour and Social Affairs to the recommendation from the 2023 Report to propose amendments to the Labour Act and better protect the dignity of workers from harassment, the Ministry pointed out that the amendments to the Labour Act were not envisaged for 2024 nor are they planned for 2025 and that additional protection of workers from harassment at work will be considered when aligning the Labour Act with the new European directives, whose transposition deadline is June 2026. Therefore, this is an opportunity to include in the amendments to the Labour Act, planned for 2026, provisions aimed at better protecting the dignity of workers from harassment at work.

Appreciating the importance of education for recognising mobbing and distinguishing it from discrimination, in November 2024, at the request of the Croatian Chamber of Educational Rehabilitators, we held a training for members of the Chamber on the concept and occurrence of mobbing, complaints to the Ombudsman and available legal remedies.

Recommendation 29 (reiterated)

Government of the Republic of Croatia, to ratify Convention No. Article 190 of the International Labour Organisation on the Elimination of Violence and Harassment in the World of Work

Bearing in mind that the recommendation from the 2022 Report addressed to the Government of the Republic of Croatia to ratify the International Labour Organization Convention on the Elimination of Violence and Harassment in the World of Work No. 190 and the response of the IASSOP to consider the

need for its ratification, taking into account the interests and needs to achieve a secure environment, we reiterate the need for its ratification.

2.5. Discrimination in employment and at work

Complaints about discrimination in work and employment in 2024 were conditioned mainly by health, age, education, trade union membership, ethnicity, national origin, and political or other beliefs. According to the available case law, workers often sought judicial protection for discrimination based on trade union membership, age, health status and education.

Given that there is still insufficient understanding of discrimination among citizens, a significant number of complaints, although discrimination is indicated, are due to other forms of illegal conduct, such as favouring candidates in employment or mobbing. Therefore, it is still necessary to raise awareness and educate citizens about the legal regulation of the prohibition of discrimination, which is a prerequisite for its recognition and the application of adequate protection mechanisms.

2.5.1. Discrimination in employment

In 2024, we also recorded advertisements containing discriminatory employment conditions. Although some employers may not be aware of the discriminatory nature of employment conditions, this does not exempt them from liability under the ZSD, since it is not the intention that matters for the existence of discrimination, but the effect of the action. The ads contained terms of employment that were discriminatory based on race or ethnicity, skin colour, age, gender, language and other grounds. In some of the advertisements, candidates were required to own a personal car or other means of work, which we will elaborate on in more detail in the chapter on discrimination based on financial status.

We did so in response to a complaint about an advertisement looking exclusively for workers from the Philippines. We have warned the employer that conditioning the employment of persons of a certain ethnicity may constitute discrimination, if it is not a real and decisive condition for performing the position's duties, regardless of whether specific persons are not employed due to this condition. Namely, such an ad itself can act as a deterrent for candidates who are not of the required ethnicity.

In 2024, we noticed that job ads were more often published on social networks, where employers or recruitment agencies did not provide the company's name and official contact information, and quickly removed the ads, making it difficult for them to trace. Although this way of publishing advertisements allows employers to adapt to the needs of work quickly, candidates are exposed to non-transparent employment and possible illegal actions of the employer. Acting on one such advertisement, we did not come to the basic information about the legal form and responsible persons of the employment agency, which opened the question of the legal business of the entity. The DIRH could not determine the data either, as it cannot conduct supervision in such situations.

We also received a complaint about a discriminatory advertisement, among other things, based on age, which was looking for a person between the ages of 25 and 40 for a position that does not require physical strength or other age-specific characteristics. Since some of the exceptions to the prohibition of discrimination from the ZSD were not applicable in this particular case, as well as that such advertisements act as a deterrent to candidates of other age groups from applying for a job at all, we recommended that the employer harmonise the content of the ads with the ZSD in the future.

We also acted on a complaint about a job vacancy for a position in the transport profession in which candidates were required to submit a copy of their certificate of citizenship and knowledge of the Croatian language. Although the employer subsequently clarified that candidates who are not Croatian citizens can also apply for the competition, it was clear from the advertisement and the circumstances established in the investigation that the employer excluded persons of other nationalities and ethnicities who do not have Croatian citizenship from the possibility of employment because it believed

that they did not know the Croatian language. However, it had not previously verified their language knowledge, which we warned him about.

".... I received an e-mail (below) informing me that they do not consider me a candidate in the competition because they believe I do not have the appropriate professional qualifications. I consider this discrimination based on education, because when I attended and finished high school, there were no gymnasiums within the Croatian education system, but there were "centres of directed education" with different orientations.... From the scanned certificate that I am attaching, it can be seen that it was a program similar to high school education. I graduated from high school in 1980, where I obtained the professional qualification "associate in the educational process"... Only older generations of people have this profession, and if it is not taken into account in employment now, it indirectly represents discrimination based on age."

We were approached by several people who were asked for a complete gymnasium education, and who finished high school in the centres of directed education that existed before the establishment of gymnasiums. Although the content of the curricula according to which the complainants completed their secondary education was consistent primarily with the gymnasium program confirmed by the Ministry of Education, Education and Sports, these candidates were excluded from the further tender procedure. We pointed out to employers that persons who have completed secondary school cannot be conditioned for secondary education according to the regulations on directed education because it did not exist at the time of their education, and that such a formalistic interpretation of the qualification leads to discrimination based on education and age, given that the effects of such a practice are maintained on a specific age group of candidates.

Complainants who were candidates in competitions for employment in public services often pointed out the lack of transparency of the tender procedure, which is why they suspected discrimination on various grounds. They pointed out that they were unclear about the selection criteria and pointed to the lack of explanation of the selection decisions.

Recommendation 30

Ministries should acquaint public authorities within their portfolio with the content of the Constitutional Court U-III-4016/2015 decision of December 17 2019, and give them instructions on the obligation to act under Art. 156 of the Act on General Administrative Procedure in Recruitment Procedures

We also found that some public authorities do not issue decisions against which an administrative dispute can be initiated when conducting a job vacancy following a candidate's objection to the election, thus preventing judicial control. Therefore, in the case of suspicion of discrimination based on education in the competition for employment in a public social welfare institution, we determined that

there was no possibility of judicial control of access to the public service because the Constitutional Court Decision U-III/4016/2015 of December 17, 2019, was not acted upon. According to this decision, when announcing the competition results, it should be clearly emphasised that the decision on selecting the candidate with whom the employment contract will be concluded, following Art. 156 of the Administrative Procedure Act, an unelected candidate has the right to file an objection to the head of

the body, as long as the irregularities and their consequences persist. The leader must decide on the objection within eight days, after which an administrative dispute may be initiated. We recommended that the complainant body harmonise the procedure with the aforementioned decision and referred the complainant to the possibility of judicial protection.

In the procedure we conducted due to age discrimination in employment, the employer indicated to the complainant that she could file an appeal, but did not make a decision based on which she could initiate an administrative dispute. Given that the employer did not explain the decision on the selection of candidates and despite the large number of registered candidates over the age of 35, it chose only younger candidates, we recommended that in the future the procedure be harmonised with the aforementioned Decision of the Constitutional Court, as well as that it clearly explain the choice of each candidate to eliminate the suspicion of discrimination and preserve citizens' trust in the possibility of equal access to public services.

The above examples show that some public services still do not apply the Decision of the Constitutional Court, which affects the possibility of legal protection of candidates in the recruitment process. Therefore, the line ministries must inform the public authorities about Decision U-III/4016/2015.

Job seekers also pointed out that the application for the measure of active employment policy education voucher can be submitted exclusively digitally through an application made using the National Identification and Authentication System (NIAS). This implies the availability of the Internet and

Recommendation 31

Croatian Employment Service, in addition to the National Identification and Authentication System, to enable the unemployed to submit applications for active employment policy measures in other ways available to them.

the possession of a computer with certain programs, at least one active credential integrated with NIAS, and a certain level of IT knowledge. According to the CES, registration for all active employment policy measures is possible only electronically, which can lead to discrimination on several grounds, including based on financial status. While we generally welcome the digitalisation of public services when it contributes to a lower administrative burden on citizens, the services of an institution dealing with the unemployed should also be available to those citizens who do not have access to electronic means of communication or do not know how to use them.

2.5.2. Discrimination in the field of work

During 2024, several workers whose employment relationship was terminated after a temporary incapacity for work was established complained to us, pointing to discrimination due to their health condition. Since these were jobs that do not tolerate delay, such as hospitality and construction, there was a suspicion that it was easier for employers to terminate the employment contract of a temporarily incapacitated worker and hire a new one immediately, than to wait for a sick or injured worker to return to work. Given that these are scarce professions, workers were more inclined to look for a new employer immediately than to initiate proceedings against the former one. After we provided them with general legal information about the available legal remedies, they often did not contact us again.

Workers also approached us about dissatisfaction during the probationary period due to their health condition or certain difficulties, which, according to the employer, reflected on their work performance.

Although in specific cases there was no obligation on the employer to adapt the work to the worker's abilities, there was also no attempt by the employer to retain the worker.

"Otherwise, I have problems with fine motor skills, which I emphasised as my problem during the interview with the presenter. The person who taught me in an hour didn't want to teach me anymore... I was invited to the manager's office, who had not even seen my work, and was told that I was not suited for this job and that it would cause me stress. I did not feel any stress or problems at any time. I regret the missed opportunity and believe this was not even an opportunity. I don't think it's human, especially for a young person just starting to win."

Workers who find it difficult to perform work tasks due to changes in their health status have pointed this out to us. Although these were persons with full working capacity who did not have the findings and opinion of the competent authority based on which the employer would be obliged to offer them to perform other jobs or adapt them to their abilities, they pointed to the lack of understanding of the employer of their conditions. Such cases, even in the absence of suspicion of discrimination, indicate the need for a more flexible approach of employers, especially when it does not require higher expenditures, by changing working hours and similar measures that are not too burdensome for the employer, and enable the employee to remain employed by the previous employer.

The Mobbing Association pointed out the discrimination against workers with a reduced working capacity, whose employers terminated their employment contracts for personal reasons, although they could have assigned them to another, more suitable workplace.

The difficulties with employment, retention of employment and adaptation of the workplace of sick people were also pointed out by the association We Are Not Alone through the initiative "Chronic Diseases and the World of Work", which was also supported by the Ombudswoman. Namely, the association Nismo Sama conducted a 2019 study that showed that out of 420 oncology patients who participated in the study, 73 lost their jobs during or after treatment. The Association also pointed out the difficulties of people with so-called invisible and systemic diseases, such as rheumatic arthritis, in which, according to the patients, the symptoms are constantly changing, so it is not possible to state a specific and fixed way of adapting the workplace in the medical certificate. However, a more flexible approach is needed, and they also emphasised the need to educate employers on adapting jobs to workers' abilities.

For several years, we have been pointing out the problem of non-payment of salary supplements to workers absent from work due to temporary incapacity, which can lead to discrimination due to their health condition. During 2024, we pointed out to employers in several procedures that when rewarding workers, they must not treat workers who are temporarily unable to work less favourably, because work efficiency is not necessarily conditioned by the number of days of presence at work.

One trade union informed us that some employers in the real sector pay bonuses for work results according to the presence of workers at the workplace, reducing it for sick days. Although the union states that it does not intend to tie the payment of the bonus to the presence at work, it has concluded a collective agreement that prescribes this so that most workers will still be paid the bonus. Another trade union informed us that in January 2025, it filed a constitutional complaint due to the discriminatory provisions of the ordinance on

remuneration of workers in the form of a special supplement to the contracted salary, among other things, because the payment of the bonus to workers who were on sick leave is denied.

We acted on a complaint about discrimination against union members treated less favourably by their superiors because of their membership and tried to force them to resign from the union. After we found that the superiors treated the workers unfavourably because of their union membership, we recommended their education on the prohibition of discrimination. Given that the workers were unaware of the possibility of filing a complaint with the persons to protect the dignity of workers appointed by the employer, we recommended that the employer clearly inform all workers about this, which he did.

In 2024, we continued to act for non-payment of Christmas bonuses and holiday allowances to primary school employees, mostly younger, who are employed for a certain period as a substitute for absent teachers, until the beginning of the school holidays. Although the principals pointed out that they concluded employment contracts

Recommendation 32 (reiterated)

Ministry of Science, Education and Youth, to issue instructions to schools that fixed-term employment contracts, to replace employees during maternity or parental leave, sick leave or other reasons for absence from work, are concluded without interruption during school holidays

according to the instructions of the Ministry of Education because there was no need for replacements during school holidays, the Ministry of Education did not explain the reasons in its statement. It also did not respond to the recommendation from the Report for 2023 on concluding employment contracts without interruption during school holidays, and therefore, we repeat it. According to CES data, in 2024, the number of unemployed teachers increased again during the summer months, among which those aged 25 to 34 are in the lead. In July 2024, there were 1,676 unemployed teachers at the CES whose employment relationship was terminated by the expiration of their employment contracts, while in May, there were only 257. In July 2023, there were 1,013 of them, which indicates an annual increase in the number of those deprived of employment for the entire period for which replacement is needed, and thus for holiday pay and Christmas bonus.

2.6. Labour rights of migrant workers (third-country nationals)

The arrival and work of migrant workers in the Republic of Croatia affects the Croatian economy, the labour market and society as a whole. According to a survey by the Institute for Migration Research from September 2024, citizens who are satisfied with the arrival of migrant workers in the Republic of Croatia emphasise cultural diversity, the enrichment of society, and the reduction of unemployment in sectors with a labour deficit. On the other hand, 46.2% of citizens are dissatisfied with their arrival, pointing out cultural differences, anticipating an increase in the crime rate and believing that migrant workers lower the labour cost and make it difficult to hire domestic workers.

From the citizens' perception of migrant workers, it is evident that there is a lack of systematic and transparent clarification of the need for migrant workers, which is one of the foundations of their more successful integration.

At the beginning of 2024, amendments to the Foreigners Act were sent for public consultation to more efficiently conduct administrative procedures and protect the rights of third-country national workers. We welcome the regulation of the conditions of accommodation for these workers, the extension of the duration of the residence and work permit from one to three years, and the facilitated change of employer during the

duration of the residence and work permit, which were also the key problems in the complaints of migrant workers. The amendments to the Act propose that the employment contract must not contain discriminatory provisions that would put the third-country national worker in a disadvantageous position than other workers, and that the salary he receives must not be lower than the salary of other workers in the occupation for which the residence and work permit is issued, or in similar and related occupations following special laws and collective agreements. This protects foreign and domestic workers from labourers lowering the price of labour.

The law entered into force in 2025, and the Ombudswoman will continue to monitor the harmonisation of bylaws that should follow.

During 2024, we received significantly more complaints and inquiries from migrant workers than the year before, namely citizens of Bosnia and Herzegovina, Serbia, Kosovo, Albania, the Philippines, Nepal, Bangladesh, Turkey, Uzbekistan, Egypt and India, as well as those who did not state their citizenship.

They pointed out that they worked without a residence and work permit, that the employer did not pay them the agreed or promised salary, that part of their salary was paid "in hand", illegal overtime, denial of the right to vacation, non-payment of salary compensation for unused annual leave, failure to report an injury at work, failure to report to the competent insurance authorities, failure to conclude an employment contract, as well as unlawful dismissal. We also received complaints from migrant workers about harassment by their employer, based on their racial or ethnic origin. However, after we gave them general legal information or requested additional information, most did not come forward, certainly due to fear of dismissal and the obligation to return to their country.

The increased demand for labour and the growth of the number of migrant workers have led to more intensive recruitment and the growth of the number of agencies. Some migrant workers complained about high brokerage fees, which reach several thousand euros, which is why they often borrowed. They also pointed out that they were not issued the documentation for which they paid a fee, and that the intermediaries stopped communication. Given the allegations from the complaints, which some CSOs confirm, it is necessary to carry out systematic supervision of the work of mediation agencies, which is in the interest of both migrant workers and those agencies that operate legally.

CSOs also point to complaints from migrant workers about the high costs of the procedure for recognising and evaluating foreign educational qualifications for regulated professions.

Migrant workers spoke to us in English and Croatian. Most of their submissions showed poor knowledge of both languages, which sometimes made it difficult to understand the problems for which they approached us. Given that one of the prerequisites for the protection of workers' rights is knowledge of their rights and ways of protection, we have published on our website "Information for (foreign) workers - How to protect your rights in the workplace" in Croatian and in ten other languages, including the languages of the countries from which migrant workers most often come. It is positive that the Ministry of Labour and Social Affairs has published the "Guide for Migrant workers from the Labour and Safety and Health at Work Act" on its website in Croatian, English, Hindi, Nepalese and Filipino. It is also important to hold Croatian language courses for migrant workers, especially free ones. However, according to CES data, in 2024, only 104 migrant workers were included through vouchers for learning the Croatian language: 36 citizens of Nepal, 29 of the Philippines, 21 of Sri Lanka, eight of Ukraine, four of Bangladesh, three of India, and one each of China, Kosovo and Kyrgyzstan. Therefore, it is necessary to take further measures to include migrant workers in Croatian language learning courses.

"I am ... from Egypt, and I worked in Z. in ..., I worked with him from 22.11.2022 to 21.3.2024. I worked with him a lot, 10 Indians and 10 Nepalese worked with him illegally without papers and without paying taxes. He made us work longer after work, and we were not paid for January, February and March. The Indians sued him, and he owed me 8,000 euros. He told me: I didn't give you anything, do what you want", he constantly threatened me and insulted me. Please help and check with him."

Those who stated that they had suffered an injury at work, but did not know who to turn to, also turned to us for help.

"I have a problem because of an injury at work, because they refuse to admit it to me. I've tried to contact some security institutions, and it all comes down to the same story: I call for free, I ask for nothing. As a foreigner, I have no right other than to remain silent and work. I hope someone will advise me and help with the situation."

Some informed us that they were forced to leave the Republic of Croatia due to the situation they found themselves in, due to unpaid salaries. Some migrant workers reported that their employers threatened or insulted them after they demanded the exercise of their rights, such as payment of wages, or when they wanted to change employers. Several workers complained about confiscating their passports and other documents, which limited their freedom of movement, and we instructed them to report it to the police.

Given that migrant workers are often noticeably different, in 2024, the media also reported on attacks on migrant workers. In such cases, it is necessary to react promptly and condemn racist and other attacks on migrant workers. We have monitored the actions of the competent authorities regarding several such cases that potentially have the characteristics of hate crimes, which we elaborate on in more detail in the chapter on hate crimes.

"I came here to work as a waitress, but my owner wants me to do his house work like cleaning n looking after there children but i am not interested to do that job so i told him that i want to change the job because i came here as a waiter not as a dish washer or the nanny but he told me that if i want to work i have to work with him if I don't want then I have to go back to Nepal because he said he will cancel my visa and work permit."

"I came here to work as a waitress, but the owner also wants me to do household chores for him, such as cleaning and babysitting. I'm not interested in that, so I told him I wanted to change jobs because I came to wait, not wash dishes or babysit. But he told me that if I wanted to work here, I had to work for him; if I didn't want to, I had to return to Nepal because they would cancel my visa and work permit." (translation of the LNG)

Although migrant workers reported that employers violated their workers' rights or worked in jobs for which they did not receive a residence and work permit, they could not change their employer because their residence and work permit was tied to that employer, according to the previous legislation. We received a complaint from a Nepalese citizen who was employed as a waitress, but her employer assigned her to washing dishes, and after the end of the season, under the threat of returning to Nepal, demanded that she clean his house and take care of his children. It is worrying that when writing about her employer, the worker stated "my owner", which indicates dependence on the employer.

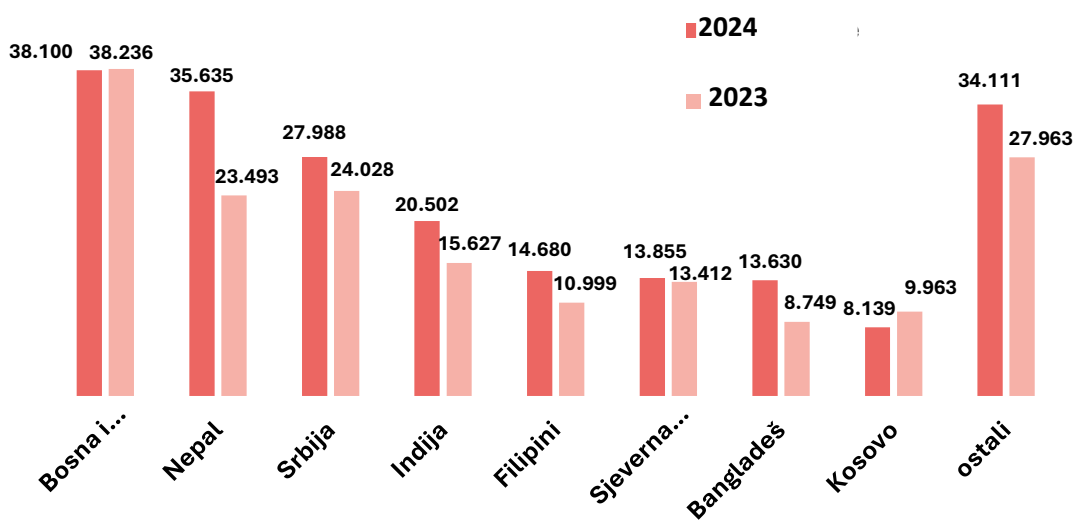
According to data from the Ministry of the Interior, in 2024, 789 residence and work permits were revoked because it was determined that the third-country national performed jobs for which he was not issued a residence and work permit.

Since the Ombudswoman does not have the authority to investigate complaints about illegalities committed by employers in the economy and crafts, except in cases of discrimination or protection of whistleblowers, we provided migrant workers with general legal information on ways to protect their rights. Considering the preclusive and limitation periods, we referred them to the possibility of judicial protection. To help eliminate the illegal treatment of migrant workers by employers who had difficulties in communication and understanding. However, this is not our legal obligation; we indicated to them that they could submit a report/petition and documentation to us, so that we could forward it to the DIRH or other competent authorities, which some migrant workers used.

According to data from the Ministry of the Interior, 206,640 residence and work permits were issued to migrant workers from third countries during 2024, which is 34,141 more permits than in 2023. Most migrant workers were from Bosnia and Herzegovina (38,100), Nepal (35,635), Serbia (27,988), India (20,502), the Philippines (14,680), North Macedonia (13,855), Bangladesh (13,630) and Kosovo (8,139). The most common occupations for which residence and work permits were issued were: high-rise construction worker, waiter, cook, assistant cook, bricklayer, civil engineering worker, cleaner, valet, assistant waiter, and carpenter.

MIGRANT WORKERS IN CROATIA PER CITIZENSHIP

Source: Ministry of Interior



To protect the rights of migrant workers in their home country and the Republic of Croatia as their country of work, we reiterate the importance of concluding international agreements on social security with the countries from which they come. In the Official Gazette - International Part, No. 2/24 of March 27, 2024, the Act on the Proclamation of the Law on the Confirmation of the Agreement between the Republic of Croatia and the Republic of Albania on Social Security was published. The aforementioned Agreement was signed on October 2, 2023. The process of concluding a contract with the Philippines is underway.

In 2024, according to DIRH data, labour inspectors most often determined the work of foreigners without a residence and work permit or a work registration certificate, work in jobs for which they were not issued a permit, and work for employers with whom they were not issued a permit and with whom they did not establish an employment relationship.

It was established that there was a reasonable suspicion that as many as 1,002 third-country nationals worked for employers without a residence and work permit or a work registration certificate, which is 424 more than in 2023. On this occasion, labour inspectors issued 253 decisions on a temporary ban on performing activities, 117 more than in 2023, of which 116 were revoked because employers paid a total of EUR 728,647 to the State Budget within the prescribed deadline. Most of the foreigners found in illegal work were citizens of BiH, Nepal, Serbia, North Macedonia, India, Kosovo and the Philippines, and illegal work was most present, as in 2023, in the hospitality and construction industries.

Acting in accordance with the Law on the Suppression of Undeclared Work, labour inspectors issued 406 decisions ordering employers to register workers, including 367 foreigners, for mandatory pension insurance and ordered employers to pay the amount of 2,650 euros for each undeclared worker. The largest number of unregistered workers was found in the catering and construction industry, and the inspectors submitted executive decisions to the HZMO, the HZZO and the Tax Administration, for their action under the Law on the Suppression of Undeclared Work.

We expect that the application of the Ordinance on the publication of data on employers who have been subject to supervision in the field of work reporting, which has been in force since December 26, 2024, and in particular the publication of the list of employers for whom the existence of undeclared work has been established, on the MRMSOSP website, will discourage employers from doing so. On March 24, 2025, the MRMSOSP website contained the data of 68 employers with undeclared work.

According to DIRH data, in 2024, due to the omissions of employers in the application of the Occupational Safety and Health Act (DIRH) and the regulations adopted based on it, labor inspectors determined that 86 migrant workers were injured in the premises or on the premises of work, which is 12.3% of the total number of injured workers. Among them are 20 workers from Bosnia and Herzegovina, ten from Nepal, seven from Bangladesh, six each from Serbia and Albania, four from the Philippines and three from India. Six migrant workers were killed, which is 20% of the total number of fatalities, of which three workers from Bosnia and Herzegovina and one each from Serbia, Egypt and Equatorial Guinea.

Following the amendments to the Foreigners Act, the conditions of accommodation of migrant workers will be regulated by the Ordinance on the Stay of Third-Country Nationals, modelled on the regulation of the accommodation of seasonal workers. During 2024, the media also pointed to the accommodation of many workers in the same residential premises and facilities that do not meet the spatial and sanitary conditions for living. Acting on our own initiative, we examined the practice of employers who convert warehouse halls

and production facilities in business and production zones into residential units for workers. In a media release on which we acted on our own initiative, it was stated that workers would be accommodated in the storage area next to the refrigerators, apartments next to the tool room and the production plant, and an attempt to convert the poultry house into a living space. The municipality in whose area these economic zones are located has informed us that it is not competent to act regarding the accommodation of workers, but that changes to the plans will prevent the construction of new buildings or the conversion of existing buildings for production and business purposes into tourist and/or residential accommodation facilities, except in the case of building plots for catering and tourist purposes. In the same case, the DIRH informed us that the relevant acts do not prescribe that the labour inspection would be competent to supervise workers' accommodation, while the building inspection did not determine workers' conversion or illegal placement. However, he pointed out that existing office buildings can be refurbished under certain conditions, i.e. adapted to new needs. The described situations confirmed the need for urgent regulation of the conditions of accommodation of migrant workers and a clear definition of the body that performs inspection supervision. The amendments to the Foreigners Act prescribe that inspection supervision over the accommodation of seasonal workers and third-country nationals who have been issued a residence and work permit is carried out by inspectors of the state administration body responsible for inspecting the work of foreigners and posted workers.

According to the amendments to the Aliens Act, when providing or mediating in the provision of accommodation, the employer must provide the migrant worker with an adequate standard of living throughout the stay and meet general health and safety standards, and the technical conditions of adequate accommodation will be prescribed by a bylaw.

We also point out the need for employers to treat workers more responsibly. According to data from the Ministry of the Interior, during 2024, 257 third-country nationals who had previously been issued a residence and work permit were refused entry into the Republic of Croatia at Franjo Tuđman Airport. Out of the total number of decisions issued, for 250 third-country nationals, decisions on refusal of entry were issued due to the revocation of residence and work permits at the request of the employer, of which the workers were not previously informed, with 32 persons expressing their intention to apply for international protection after being refused entry.

2.7. Rights of the elderly

2.7.1. Social security for the elderly

According to the latest available Population Estimate (for 2023), 22.87% of the population of the Republic of Croatia was over 65 years old. In Šibenik-Knin County, most of the population was over 65 years of age (27.9%), and over a quarter of the population over 65 years of age was also in Primorje-Gorski Kotar County (26.2%), Lika-Senj County (26%), Sisak-Moslavina County (25.3%) and Karlovac County (25.1%).

The at-risk-of-poverty rate for people over 65 years of age continued to rise again in 2024 at 37%, with 40.1% for women. For older people in a one-person household, who are continuously at the highest risk of poverty of all social groups, it was as high as 61.4%.

That is why, in the 2023 Report, we recommended that the Ministry of Youth and Social Affairs conduct a detailed analysis of the situation to develop measures to stop the growth of poverty among the elderly. The Ministry states that it is implementing the project "Evidence-Based Diagnosis of Poverty and Social Exclusion

at the Regional/Local Level", which covers many issues, from child poverty to ensuring access to quality services for children in vulnerable situations, as well as addressing the problem of homelessness, spatial segregation and the needs of vulnerable individuals of all ages, including the elderly. As part of the project, the World Bank has prepared the Report "Proposed Methodology for a System of Administrative Database for Monitoring Poverty and Social Exclusion at Subnational Levels", which proposes activities and methodology for a system of administrative database monitoring poverty and social exclusion at the county level. However, it is not clear from this response of the Ministry of Labour and Social Affairs to what extent the analysis deals with the elderly and their poverty, what are the findings of the analysis that has been conducted about poverty of the elderly, or whether and what measures the Ministry plans to take to actually stop the growth of the at-risk-of-poverty rate for the elderly.

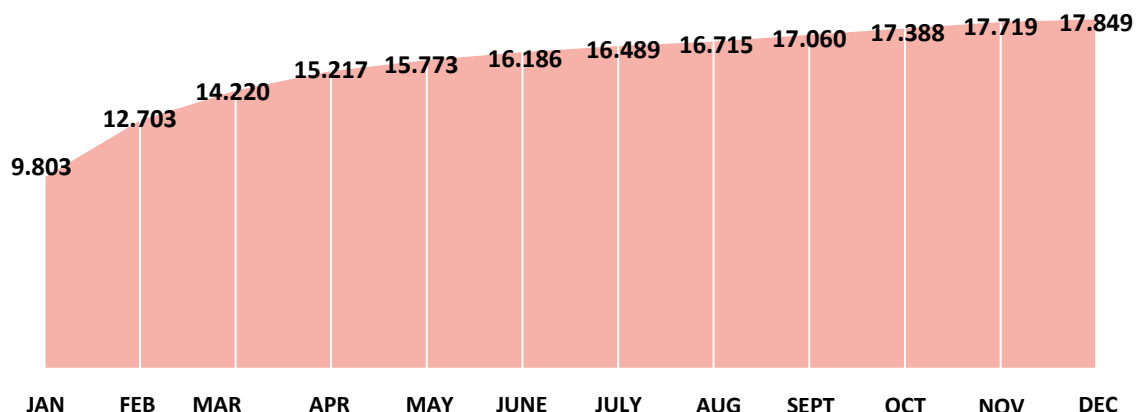
A significant factor in poverty among the elderly is low pensions. Most pensioners and the elderly find it difficult to cope with the increase in the cost of living due to low pensions, especially the accelerated increase in food prices, and they maintain a standard of living that meets the basic needs of life with the help of family members who work or from their own property, if they have it. We welcome the fact that the plan of legislative activities for 2025 envisages the adoption of a new Pension Insurance Act, which, among other things, plans to amend the formula for pension adjustment to ensure a more appropriate adjustment of pensions according to a more favourable index of consumer price growth and average gross salary in the ratio of 85:15, instead of the current ratio of 70:30. In the 2023 Report, the Ombudswoman also recommended to the Ministry of Labour and Social Affairs that the formula for pension adjustment be changed.

In 2024, pensions were adjusted through two regular adjustments of 4.19% and 7.46%. Nevertheless, pensions earned under the Pension Insurance Act (ZOMO) remained low on average – the pension for December 2024 for 1,131,542 beneficiaries of old-age, early old-age, survivor's and disability pensions earned under ZOMO amounted to EUR 508.01. As many as 415,835 beneficiaries of old-age, early old-age, survivors' and disability pensions earned under ZOMO received a net pension of up to EUR 400.

By the decisions of the Government of the Republic of Croatia from March and September 2024, most pensioners were paid one-time cash benefits of 50 euros, i.e. 60 to a maximum of 160 euros, and these payments also include pensioners who work with a pension, but their total income does not exceed the set threshold. By the decision of the Government of the Republic of Croatia from December 2024, all pensioners were paid a one-time payment of 80 euros, and this payment also includes beneficiaries of the national allowance for the elderly (persons over 65 years of age who are not pension beneficiaries).

After the amendments to the National Allowance for the Elderly Act came into force at the beginning of 2024, the number of its beneficiaries increased significantly. These changes, which we recommended, have eased the conditions for exercising the right to national allowance - the condition of residence has been reduced from 20 to 10 years, the income threshold per person in the household has been increased, and the exercise of this right has also been enabled in cases where the procedure for termination, determination of nullity or annulment of lifelong and lifelong maintenance contracts has been initiated.

INCREASE OF USERS OF NATIONAL COMPENSATION FOR THE ELDERLY IN 2024



In December 2024, 17,849 elderly people were entitled to the national allowance for the elderly in the amount of EUR 150, most in Osijek-Baranja County (1,779), Split-Dalmatia County (1,746), the City of Zagreb (1,400 beneficiaries) and Brod-Posavina County (1,370). The share of women in the number of beneficiaries has increased, so they now make up four-fifths (80.25%) of all beneficiaries of the national allowance. In comparison, until 2024 (before the entry into force of the amendments to the National Allowance for the Elderly Act), they accounted for approximately two-thirds of the beneficiaries of the national allowance (64.48%).

The amendments to the Act also introduced the possibility of delivering compensation to beneficiaries by post, which fulfilled another recommendation of the Ombudsman and, according to HZMO data, in December 2024, 6,221 beneficiaries of the national allowance received it by mail.

However, during these changes, we proposed to increase the national allowance for the elderly further, which was not done. Namely, with these changes, the benefit has been increased from 120.71 euros to 150 euros, which is insufficient to meet basic living needs and is still lower than the ZMN (for older singles), which in 2024 amounted to 195 euros. Also, to monitor price growth and inflation more adequately, it would be good to adjust the national allowance for the elderly twice a year and pensions. According to HZMO data, in 2024, 16,239 applications for the national allowance for the elderly were submitted, of which 72.45% were positively resolved. The most common reasons for negative solutions are household income that exceeds the prescribed census, failure to meet the prescribed age of life (65 years of age) and failure to meet the 10-year condition of residence in the Republic of Croatia.

"I have contacted social services several times... So far, no solution. As you can see, I am 83 years old and there is no income in the Republic of Croatia, not even the minimum guaranteed pension that the state gives to this elderly population. I also don't have health insurance, I'm not insured, and I can't go anywhere in case of a medical need."

Beneficiaries of the national allowance for the elderly also acquire the status of insured persons in compulsory health insurance. They can exercise the right to compensation for vulnerable energy buyers. Still, according to MRMSOSP data, as of December 31, 2024, only 3,144 elderly persons used the benefit for vulnerable energy buyers based on the status of beneficiaries of the national allowance for the elderly. Depending on the place of residence, they can also be covered by social programs implemented by individual local self-government units. Nevertheless, beneficiaries of the national allowance remain far below the poverty threshold.

From the complaints received, it is evident that the elderly are not informed about the rights they could exercise in the social welfare system, that they cannot come to the regional offices of the HZSR in person due to impaired health and mobility, and that communication with the HZSR is difficult for them because it is difficult for

them to reach HZSR employees on the phone. A special problem is the time needed for the actions of the HZSR and the ZOSI to decide on the right to an inclusive allowance.

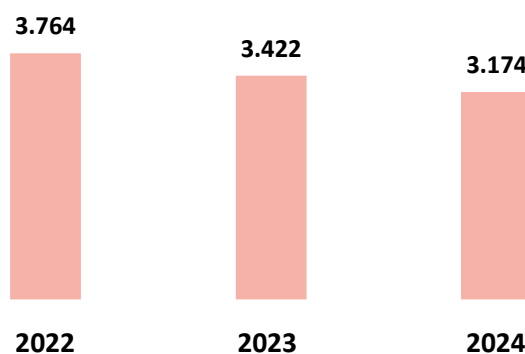
Recommendation 33

Croatian Institute for Social Work, to make additional efforts to inform the elderly about their rights in the social welfare system and to facilitate communication between the elderly and the Institute

Regarding older ZMN users, in 2024, 3,174 people over 65 exercised the right to ZMN, with a continuous decline in the number of ZMN beneficiaries compared to the previous two years. Although in general there has been a decrease in the number of beneficiaries in relation to all beneficiaries of the ZMN, specifically with regard to the elderly, the decline in the number may also be related to the increase in the number of beneficiaries of the national allowance for the elderly, given that these are mutually exclusive rights.

According to HZSR data, during 2024, 35,803 one-time benefits were paid to the elderly, who are recognised as a single person or a household that cannot meet basic living needs due to the settlement of extraordinary costs incurred due to current life circumstances.

ZMN USERS OLDER THAN 65 YEARS



Under the motto "Against Poverty", on the International Day of Older Persons (October 1), a protest of pensioners was held in Zagreb and Rijeka, at which a request was made to the Government of the

Recommendation 34.

Ministry of Labour, Pension System, Family and Social Policy, to design and implement measures to stop the growth of poverty among the elderly

Republic of Croatia that the average pension should be 60% on the average salary. MRMSOP has announced a new formula for adjustment, the introduction of a one-year allowance for pensioners (the so-called 13th pension), an increase in the added length of service from 6 to 12 months for each born/adopted child and the redefinition of the bonus for later retirement.

However, with all of the above, the problem of poverty of the elderly – both pensioners and beneficiaries of rights in the social welfare system and beneficiaries of national benefits – requires additional analyses and long-term, systematic, targeted measures to protect the standard of living of the elderly.

2.7.2. Pension insurance

At the beginning of 2024, amendments to several laws came into force intending to strengthen mandatory pension insurance based on individual capitalised savings (2nd pension pillar), the so-called mini pension reform, namely the Act on Supplementary Contributions to Pensions Earned under the Pension Insurance Act, the Pension Insurance Companies Act and the Mandatory Pension Funds Act.

Among the most important changes related to the 2nd pension pillar are: an increase in the amount of payment of a lump sum of capitalised funds up to 20% (previously it was up to 15%), equalisation of the pension supplement in both pension pillars in the amount of 27% (until then the supplement in the 2nd pension pillar was 20.25%), abolition of the entry monthly fee paid for each monthly payment to the 2nd pension pillar, reduction of the amount of the annual management fee to the total amount of capitalised savings, which will result in reduced taxation of capitalised savings of citizens, the possibility of transferring citizens from one category of pension fund to another throughout the year, and not just once a year, as well as a wider possibility of investing pension funds to achieve higher returns to citizens.

Difficulties in exercising pension insurance rights

"Dear Sir/Madam, I am addressing you because I no longer know how to speed up the procedure in pension insurance. Due to the failure to resolve my status in the pension insurance, my existence has been endangered since the 4th month of 2024, I have no income, except for working 1 hour a day (EUR 150.00) and I am also prevented from further treatment, because I have to pay for part of the therapies after a spinal cord infarction / I have not been approved for a spa."

According to HZMO data, in 2024, 63% of applications were resolved within 60 days (while for 37% of applications, the average duration of the procedure for recognising the right to a domestic pension was from 61 to 68.6 days).

HZMO notes that in some cases, the procedure duration is longer than 60 days, which is related to the conduct of a special investigation procedure according to the provision of Art. 51 of the ZUP, in which evidence is obtained depending on the circumstances and complexity of each case. Therefore, the HZMO cannot issue a decision on the payment of the pension advance if, according to the evidence available at the time of applying, it cannot determine that the insured person meets the conditions of the pension period for the recognition of the right to a pension, because in that case there is a risk of improper payment of the pension to the detriment of the budget of the Republic of Croatia.

Recommendation 35 (reiterated)

Croatian Pension Insurance Institute, to continue to make additional efforts to reduce the length of time it takes to

In this regard, we point out that Art. 101st century 2 of the ZUP stipulates that in cases of investigating procedure, an official is obliged to issue a decision at the request of a party and deliver it to the party no later than 60 days from the date of submission of the request. This means that even in cases of special investigation, the deadline of 60 days from the request submission date should not be exceeded.

In the complaints to the Ombudswoman of the so-called new pensioners, it is pointed out that the longevity of the HZMO's actions greatly complicates the life of the elderly. It is particularly problematic if, due to the length of the procedure for exercising the right to a pension, a person is in the meantime left without the right to health insurance based on the status of an insured person (based on employment) and has not been able to achieve it based on the status of a pensioner.

The HZMO states that it is not competent to conduct the procedures for applying and deregistering for health insurance, but that it is within the competence of the HZZO. However, HZMO notes that the 2013 Agreement on the Content and Manner of Submitting Data on the Status of Insured Persons in Pension Insurance introduced the connection of the HZMO and HZZO systems. In addition, it was pointed out that in the event of failure to issue a decision on the recognition of the right to a pension within 30 days of the termination of insurance, the applicant may contact the HZZO to regulate the status of the insured person in compulsory health insurance, which shifts the burden of regulating the status in question to the pension beneficiary instead of resolving it ex officio.

We acted on a complaint about the length of the procedure for exercising the right to a disability pension. The complainant stated that in November 2023, her chosen primary health care doctor submitted a proposal to assess her ability to work. She also said that she was told that she could choose between a disability and old-age pension for a long-term insured person, but also that her existence was in danger because she had been without income since April 2024, when she ended her sick leave, as well as that she was prevented from further treatment. After all, she had to pay for part of the therapies after a heart attack. HZMO justifies the length of the proceedings by the length of the expert opinion of the ZOSI, and additionally by the fact that during the proceedings, it received from the complainant a request for recognition of the right to an old-age pension for a long-term insured person. After the findings and opinion of the ZOSI, HZMO recognised her right to a disability pension in October 2024 and then rejected the application for recognition of the right to an old-age pension for a long-term insured person.

Although a decision on the right to a disability pension cannot be made without a prior expert opinion of the ZOSI, we would like to point out that the ZMO prescribes that the decision based on the findings and opinion

of the ZOSI is made no later than six months from the date of submission of the proposal of the medical doctor, i.e. the request of the insured person.

At the beginning of 2023, beneficiaries of old-age, early old-age or disability pensions were allowed to use part of their survivor's pension in addition to their own pension, and during 2024, 18,919 applications were submitted to HZMO, of which 17,686 were resolved, with an average duration of 33.8 days. HZMO also received 4,657 applications for the payment of a part of the survivor's pension under the EU Regulations on the Coordination of Social Security and International Agreements on Social Security, of which 4,019 were resolved, with an average duration of 52.7 days.

Given the reduced influx of applications for the recognition of the right to a part of the survivor's pension in 2024 compared to 2023, the average duration of the said procedure has also been reduced, but some new problems are emerging.

Thus, we received a complaint from a lady who was over 65 years old at the time of applying for a survivor's pension, but her application was rejected because at the time of her husband's death, she did not meet the age requirement, i.e. she was not 50 or 45 years old. This prevents widows and widowers from exercising the right to a part of the survivor's pension in addition to their personal pension, even though they have acquired the condition of age and pensionable service to recognise the right to one of the personal pensions.

The aim of the second pension pillar, into which the contributions of the insured are paid, which are kept in their accounts, and which are invested in assets that generate a return, is to expand the sources of financing pensions and achieve greater responsibility of the individual for their own safety in old age. In 2024, 5,077 beneficiaries decided to retire from both pension pillars, which is an increase of 100.35% compared to 2023, when 2,530 of them decided to retire. At the same time, almost the same number of pension beneficiaries are only from the 1st pension pillar – in 2023, 9,301 beneficiaries chose a pension from the 1st pension pillar, and in 2024, 9,293 did so.

Despite the information available on the pension from both pension pillars on the websites of REGOS and HZMO, it is evident from the complaints that the process of choosing a pension from the first, first and second pension pillar for future pensioners is still confusing and stressful, and that they often need additional clarification and assistance.

Recommendation 36

Croatian Pension Insurance Institute and the Register of Insured Persons, to continue undertaking activities to inform future pensioners in an easily accessible and understandable way about their rights, steps in the procedure and the effects of choosing a pension from the first or both pension pillars

The above-mentioned amendments to the Mandatory Pension Funds Act prescribe the obligation of REGOS to submit a notification of the informative calculation to the fund member to decide on the choice of pension. It is also prescribed that HANFA will regulate the minimum content of the informative calculation of pensions through an ordinance. Since it was only at the end of December 2024 that HANFA adopted the Ordinance on the minimum content of the notification on

the informative calculation of pensions, its actual effects will only be seen in the coming period. Consequently, we reiterate our recommendation to HZMO and REGOS to inform future pensioners in an easily accessible and understandable way about their rights and steps in choosing a pension from the first or both pension pillars.

During 2024, the Ombudswoman received several complaints from citizens indicating that they were not told in time that, if they chose a pension only from the 1st pension pillar, because it is more favorable for them, they would not be able to withdraw part of their capitalised savings from the 2nd pension pillar and vice versa, if they decided to retire from both pension pillars to withdraw capitalised savings from the 2nd pension pillar, By doing so, they are forced to accept a pension that is possibly less favorable for them than a pension from only the 1st pension pillar.

Although Art. 99 of the ZMO provides all pensioners, who can and want to do so, the right to work up to half of the full working time and retain the right to the payment of the full amount of the pension, one group of pensioners is prevented from doing so.

This is how a pensioner complained to us, whose pension payment was suspended for the duration of his employment until half of his full-time employment. According to the explanation of the regional and central service of the HZMO, it is stated that Art. 52 par. 1 of the ZOHBDP stipulates that beneficiaries of the lowest old-age pension, old-age pension for a long-term insured person, early old-age pension or survivor's pension based on the ZOHBDP or ZMO are entitled to the lowest pension even in the case of employment up to half of the full-time working time. Since the complainant was a beneficiary of the right to a pension in the amount of the lowest pension, the pension payment was correctly suspended because of the provision of Art. 52nd century. 1 of the ZOHBDP applies to beneficiaries with the lowest pension in payment and are granted the right to an old-age pension, an old-age pension for a long-term insured person, an early old-age pension or a survivor's pension. Since the complainant did not have sufficient retirement service to exercise the right to the lowest pension, and he met the conditions of age (65 years) and more than 100 days in the combat sector, he was granted the right under Art. 49th century. 3. ZOHBDP.

Consequently, it is not clear why the beneficiaries of the right to a pension in the amount of the minimum pension are excluded from the possibility of working up to half of the full-time and retaining the right to the payment of the full amount of the pension, so the Ombudsman continues the proceedings.

2.7.3. Homes for the elderly and disabled

There are 45 decentralised homes for the elderly and disabled in the Republic of Croatia, two state homes and 322 accommodation service providers of other founders. In addition to these, 300 family homes can operate in their current form only until December 31, 2026.

MRMSOSP states that it does not have data on the number of family homes that have harmonised their organisational form with the provisions of the FSF. The StarKA Association, which brings together providers of social services for the elderly in the private sector, estimates that about 60% of family homes have not yet complied. They state that, in addition to the cost and lengthiness of the transformation process, a special problem is that the commissions (which make decisions on the fulfilment of the criteria for the provision of social services at the JRS) interpret the provisions of the Ordinance on the Criteria for the Provision of Social Services unequally, and in some counties set conditions for family homes that are in the process of transformation that, as they state, are almost impossible to meet.

In May 2024, the Ordinance on Criteria for the Provision of Social Services from 2022 was amended, but it is not available anywhere in a consolidated text, which makes it difficult for social service providers who should comply with the Ordinance to follow it, so it would be good to publish it in a consolidated text.

Concerning the amendments to the Ordinance, the provision that prescribes that the accommodation service provider is obliged to provide users with appropriate care and supervision 24 hours a day, all days of the week, by professional, "or other workers", which de facto allows all homes for the elderly and disabled to work without a nurse in shifts, which is unacceptable given the health condition and needs of users of the 3rd and 4th level of service. "Other workers" (caregivers, social workers, etc.) are not trained to notice changes in users' health status, recognise vitally endangered conditions or provide adequate assistance.

This is because there is still a chronic shortage of nurses in the homes, and they rarely apply for the announced tenders. Due to difficult working conditions, there is also a shortage of caregivers, and those who work are overburdened and cannot devote themselves to the users to a sufficient extent. The problem of staff shortages is also evident from the complaints of family members of beneficiaries who state that their family members are not provided with adequate care and are not under continuous supervision, and the employees of the homes for the elderly also point out the lack of staff.

"We can no longer work like this because for the 9 of us, who have to alternate in 3 to 4 shifts, we have too many users to take care of 24 hours a day. Every month, for the past three years, each of us workers has worked many overtime hours, and we can no longer physically and mentally bear the pace of work and the pressure and stress, because we feel very undervalued, tired, exhausted and on the verge of all strength..."

We do humane work in an inhumane way because we have only 4 minutes per user for care. Imagine waking up in the morning and in 4 minutes you have to take a shower, wash your hair, dry your hair, brush your teeth, get dressed, change the bedding on your bed, make yourself coffee, drink that coffee, make yourself breakfast, eat that breakfast and say a few words with your family and only then go to work. And not just for one day, but every day. Impossible, right? Now imagine what it's like when we come to a disabled user and we must do all the care, meet all the hygiene needs of one person within 4 minutes. Every day, for each user, 76 plus. In addition to all the care, it is necessary to speak a few words to these users because these users are not things, they are living beings who deserve respect and understanding of each of us and for their mental health we must have more time to deal with them individually in the way they need it most. And with this way of working, it is impossible to achieve this, regardless of how we organise ourselves, because of a significant labour shortage.

Beneficiaries do not receive adequate care because we can no longer provide it, as there are too few of us, we are exhausted, and we are still trying. At the same time, we workers, with this way of working and shifts, are deprived of time for rest, deprived of time for family and hobbies and free time, and you know yourself that the worker, especially in such an institution, needs much-needed physical and mental rest.

Recommendation 37 (reiterated)

Ministry of Labour, Pension System, Family and Social Policy, to devise a long-term policy for the employment of qualified staff in homes for the elderly and disabled

Although the homes are managed by concluding contracts for additional work with professional staff and employing students, pensioners, and migrant workers as caregivers, the problem of the lack of employees in nursing homes is a burning problem that needs to be urgently addressed.

The importance of this problem has also been

recognised by the Ministry of Labour and Social Affairs, which states that through the Operational Plan of Long-Term Care, mapping the situation and identifying needs is planned and working on improving

employees' competencies. However, given the chronic shortage of professional staff in homes for the elderly, this measure is significantly delayed.

"I live in one home (founder ... County)... No one perceives us pensioners, only the mouths of the third age (what a golden age it is) and other nonsense are full... If we complain, we get the answer "if you don't like it, you know where the door is". Families help us pay, but they also have children who need to be educated. Our pensions cannot bear these impossible price increases..."

In 2024, accommodation prices in homes for the elderly and disabled continued to rise. The media reported on significant price increases in decentralised homes and on concerned users whose pensions do not cover the price increase. Prices of accommodation in the only decentralised home for the elderly and disabled in Karlovac increased by 40% in 2024, while they increased by 20% in 2023. The price of a single room in the Home for the Elderly and Disabled in Koprivnica increased by 40%, accommodation in the Home for the Elderly and Disabled in Split increased in price by 30% in 2023 and 40% in 2024, with the Split-Dalmatia County, as the founder, stating that operating costs grew faster than accommodation prices.

Several JRS founders of decentralised homes pointed out that the increase in prices was due to the increase in the cost of energy, food and wages, but also that the existing financing system, and especially the amounts of equalisation aid from the state budget, do not follow the new and increased costs of services, that it hinders regular business and prevents further investments in increasing capacity and raising the quality of service. Furthermore, they state that the Ministry of Agriculture and Rural Development has not increased the amount by which it covers the costs of beneficiaries accommodated according to the decisions of the HZSR. That is why some JRS cover the difference in price from their own funds, such as the Sisak-Moslavina County for the Home in Sisak.

Although the prices of accommodation in decentralised homes across the Republic of Croatia differ significantly, they are still incomparably more favourable than the prices announced in the newly built homes in Pazin and Dubrovnik, which are yet to open, and which, even with the subsidy of the county as the founder, will exceed 1,000 euros per user, which is too expensive for the vast majority of pensioners.

Although the prices of private homes have not been publicly disclosed for the most part, they have also increased. According to the estimate of the StarKA association, the prices of accommodation in family and private homes for the elderly and infirm increased by 10-15% during 2024, due to the increase in labour costs and food prices.

From the media reports and complaints received, it is evident that there is still illegal accommodation for the elderly, without issued decisions on the fulfilment of the criteria for the provision of social services, where the owners, motivated by earnings, accept the elderly and infirm for accommodation without disregarding the prescribed conditions, without keeping records of users and their health condition, without concluding employment contracts with employees and fire protection. In 2024, the Ministry of Labour and Social Affairs conducted 35 inspections at accommodation service providers

operating without a license, in which it was determined that at least 13 accommodation service providers who had previously been banned from working were still operating. We highlight the case of a home in Split-Dalmatia County, in which two residents died in a fire in 2020, which continued to operate illegally throughout 2024. In the last inspection, 18 users were found in the home, with a monthly accommodation price of 1,100 euros.

Given the homes that operate illegally for several years, despite multiple work bans and many fines in misdemeanour proceedings, such cases must be punished more severely, possibly by introducing a new criminal offence of illegally providing accommodation services to elderly and infirm persons with a prison sentence. Namely, it turns out that sanctioning misdemeanours, in which the provider of illegal accommodation services pays fines, is not enough. Indeed, given the high monthly accommodation prices it charges, misdemeanour fines represent a 'business model' and do not discourage further illegal work, whereby the elderly are placed in such illegal homes. The state must do more to put an end to this practice.

At the same time, families place their elderly and infirm in such illegal homes, especially when they urgently need it, and at the same time, they cannot even check whether the home works legally, or whether it has a decision on the fulfilment of the criteria for the provision of social services. Namely, the publicly available website where there is an overview of social service providers, including accommodation services (<https://mrosp.gov.hr/registar-pruzatelja/13416>), is difficult to review, demanding to use and does not offer an easy way to search for homes for the elderly and disabled.

Regarding the inspections of all providers of accommodation services for the elderly, under Art. 169 of the FSF, JRS are obliged to conduct inspections once a year at the social service providers to which they have previously issued a license, and in case of reasonable suspicion of irregularities, they must inform the Ministry of Labour and Social Affairs without delay.

According to the data provided to us by JRS in mid-2024, most of them carry out inspections in homes for the elderly to which they have previously issued a license. Still, there are significant differences in the treatment – some inspections are announced in advance, others are carried out without notice, and some JRS state that they have carried out dozens of inspections and have not noticed any irregularities.

Recommendation 38.

Ministry of Labour, Pension System, Family and Social Policy, to elaborate in more detail on the manner of performing controls carried out by counties and the City of Zagreb on social service providers

In contrast, others have noticed irregularities in at least half of the accommodation service providers. Some JRS informed the Ministry of Labour and Social Affairs of all observed irregularities, while some gave accommodation service providers deadlines for eliminating the observed irregularities, which were not specifically prescribed by the FSF.

From the above, it is evident that the officials who carry out inspections interpret Art. 169 of the ZSS.

In our explicit inquiry, most JRS stated that it is necessary to adopt an ordinance to define the manner of conducting controls and further action more clearly. Given that the FSF does not envisage that the MRMSOSP adopts such a bylaw, we recommend that the MRMSOSP at least develop guidelines that would give more detailed instructions to the JRS.

Concerning the obligation of JRS and the City of Zagreb to organise training of professional workers of service providers at least once a year, for which they have issued a decision on meeting the criteria for the provision of social services, it is evident that in some counties education is not carried out at all, and that in this sense they expect the help of the newly established Academy of Social Welfare.

In this regard, the Academy of Social Welfare states that it has informed all JRS about the possibility of mutual cooperation and has signed cooperation agreements with Brod-Posavina, Zadar and Šibenik-Knin Counties.

In addition to conducting training for professional workers of social service providers, we emphasise the importance of educating the officials who carry out controls to unify the treatment further. Although the Academy states that the officials who carry out the controls are not the target group of the training program prescribed in the activities of the Academy and that the FSF does not prescribe the implementation of training for the officials of the counties who carry out the controls, given the importance of ensuring the same level of rights of the elderly, we reiterate the recommendation to the Academy of Social Welfare to educate the officials of regional self-government units who carry out the control on the fulfilment of the criteria for social service providers, based on concluded contracts with the counties.

Accommodation is especially difficult to find for patients with Alzheimer's and other forms of dementia, because there is a chronic lack of accommodation capacities for this group of users, and most homes do not even have them. The Ordinance on Criteria for the Provision of Social Services prescribes special conditions of space and equipment and a larger number of employees. Private homes find this kind of accommodation unprofitable because, due to high costs, they would not be able to charge the users' families the actual price of the service. In the complaints we receive, it is also stated that decentralised homes are cancelling the accommodation contracts of their users, who have Alzheimer's dementia, on accommodation. It is not visible that JRS is making additional efforts to ensure capacity for this growing group of users within decentralised homes.

Recommendation 39 (reiterated)

Academy of Social Welfare, to educate officials of regional self-government units who carry out control on the fulfilment of the criteria for social service providers

Recommendation 40

Ministry of Labour, Pension System, Family and Social Policy, to design a long-term policy for the development of accommodation capacities for people suffering from Alzheimer's and other dementias

Recommendation 41

To the Ministry of Labour, Pension System, Family and Social Policy, to propose a complaint path for users of homes for the elderly and disabled, whose founder is not the Republic of Croatia, in the following amendments to the Social Welfare Act.

Given that the FSF does not prescribe a clear complaint path for users of decentralised homes, but the FSF prescribes it only for institutions founded by the Republic of Croatia, and there are only two such homes, it is necessary to regulate the rights of users further to strengthen the protection of users' rights.

Furthermore, we also point out that users of decentralised and private homes are often not familiar with the internal procedures for filing a complaint. Thus, during the visit to the Home for the Elderly and Disabled of Lika-Senj County in Gospić, we recommended that the Home adequately inform the users about the possibility and manner of filing a complaint, and in the case of signed complaints, directly deliver a written response to the applicant.



Although we write about visits to homes for the elderly and disabled in more detail in a separate chapter of this Report, we point out some of the problems observed during visits that also concern mobile users. During 2024, we visited homes in Gospić, Split and Sisak, where accommodation conditions differ significantly. The conditions in the home in Gospić are worrying, where the rooms of mobile users in the old building are very cramped and gloomy, the inventory is dilapidated, and the users use shared toilets. A minimal number of users are involved in the activities.

On the other hand, the home's space in Sisak, despite the damage caused by the earthquake, is beautifully decorated, the rooms are functional and adequately equipped, the common areas are reminiscent of the home

atmosphere, which provides users with adequate accommodation conditions. The city park in the immediate vicinity further raises the quality of life. In addition, users are offered numerous activities such as a choir, exercise, handicrafts, literary-drama, gardening groups, and prayer groups. Users also participate in creating the illustrated newsletter of the Home "Golden Fabula". The Home also organises events, concerts, exhibitions, lectures, etc.

Home for the elderly and disabled in Split offers apartments for singles and couples, providing mobile users with almost completely independent living. However, given the needs, the Home does not accept new users for accommodation in apartments, and the apartments, after they are released, are converted into inpatient capacities.

Given the conditions of accommodation in numerous decentralised homes, it is essential that the founders additionally invest in the conditions of accommodation in homes for the elderly and infirm. At the same time, given the different capacities of the counties, it would be good to consider raising the minimum financial standards for decentralised financing of homes for the elderly at the national level.

The users of the Home in Sisak are provided with primary health care through the services of a doctor who comes to the Home twice a week, but this dynamic is not enough. As in most other homes we visited, the full scope of dental care in the Home is not provided because the dentist comes for tooth extraction and repair, but not prosthetics. Immobile users are not provided with gynaecological protection, except in emergencies, when taken to the Sisak hospital.

In the Home in Split, health care is organised in the family medicine clinic, but most of the time the doctor is at the "Zenta" location, and less at the "Vukovarska" location (despite the great need), which is why we recommended that health care be organised for the same duration at both locations. A retired doctor comes to the Home in Gospić only twice a week for two hours, which is insufficient. Users do not have access to a psychiatrist, although some take psychiatric therapy. Both homes lack gynaecological and dental care for immobile users, which we recommended organising.

In some of the visited homes, the quality of nutrition is also a problem. Therefore, we emphasised the importance of adhering to the currently valid public health guidelines and the Ministry of Health Food-Gerontological Norms.

2.7.4. Violence against the elderly

Older people are often exposed to various forms of violence. Despite this, there is little research on violence against the elderly. The study indicates that this is a significant social problem that is more widespread than assumed. The number of reports is also small, among other things, because victims are afraid to report violence, they are ashamed, and they often protect the abuser, who is usually a family member.

The Ombudswoman continuously points out that from the way the data collected by the Commission for Monitoring and Improving the Work of Criminal and Misdemeanour Procedure Bodies and the Enforcement of Sanctions for Protection from Domestic Violence are presented, it is not clear when it is gender-based violence, when it is violence against the elderly, and when it is a combination. The collection of these data is not methodologically simple, and it is necessary to take into account both perspectives, i.e. to collect data for both gender-based violence and violence against the elderly. Of course, this can also lead to overlap so that older women can be exposed to intersectional discrimination and violence based on both gender and age. Therefore, it is good that we have been included in this Commission by amending the Law on Protection from Domestic Violence, so that we, as an institution that protects the rights of the elderly, continue to advocate for a more active inclusion of the age dimension in the monitoring and improvement of the work of criminal and misdemeanour procedure bodies and the execution of sanctions for protection from domestic violence.

The Council of Europe's Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) also pointed out the need to classify the data collected by all relevant stakeholders, including law enforcement and judicial authorities, according to the gender and age of the victim and the perpetrator, their relationship, geographical location and different forms of violence. They also pointed out that it is necessary to include criminal and misdemeanour proceedings, as well as categories of data that would enable the distinction between intergenerational violence and violence between intimate partners. The UN Independent Expert on the Human Rights of Older Persons points out that the lack of data on the prevalence of violence against the elderly creates significant gaps in preventing violations of their human rights. Collecting disaggregated data provides valuable information on patterns, ways to report violence, and existing supports and challenges in accessing justice. Such data should be the basis of prevention programmes and consequently contribute to more efficient and effective responses to violence against the elderly. Therefore, an independent expert states that the collection of this data should be a priority for states that will contribute to the effective prevention of violence against the elderly.

According to the Commission's data, during 2023, the Ministry of the Interior recorded 1,059 elderly people as victims of domestic violence, while the courts recorded 854 elderly victims - 567 women and 287 men. The Ministry of Labour and Social Affairs recorded 602 cases of neglect of the needs of the elderly.

Therefore, we would like to reiterate that the above data, which consist of numbers and statistics, and which are collected based on the Ordinance on the manner of collecting, processing and submitting statistical data and reports from the scope of application of the Act on Protection from Domestic Violence, do not provide a comprehensive insight into the phenomenon of violence against the elderly and its causes. Given the above, as well as the provision of Art. 20 of the ZZNO, which prescribes the obligation to collect data on the

application of the Law on Protection from Domestic Violence and the Application of the Criminal Code, based on which annual reports are compiled, we welcome the announced amendment to the Ordinance.

The complaints we receive show that property and legal interests and unresolved property disputes between family members are often related to violence against the elderly. Inheritance of real estate, division of family property and related conflicts can also lead to various forms of violence against older family members, often owners of disputed property. As a rule, the competent authorities treat such cases situationally, from

Recommendation 42

Ministry of Justice, Public Administration and Digital Transformation, to enable better monitoring of violence against the elderly by amending the Ordinance on collecting, processing and submitting statistical data and reports within the Protection from Domestic Violence Act scope.

Recommendation 43 (reiterated)

Ministry of the Interior, to educate its employees about all forms of violence against the elderly

Recommendation 44

The Academy of Social Welfare aims to educate employees in the social welfare system about all forms of violence against the elderly.

incident to incident, after which, without a detailed look at the details and causes of the conflict, they prosecute all participants in the incident. Forms that do not constitute physical violence are often not recognised by the competent authorities, and victim protection mechanisms are mainly aimed at protection against physical violence. Therefore, in the Report for 2023, we recommended the education of employees of the Ministry of the Interior and the HZSR.

According to the Ministry of the Interior's data, education is carried out in several courses at the University of Applied Sciences of Criminology and Public Safety, which we welcome. However, already employed people should also be educated, so that we will repeat the recommendation.

The Ministry of Labour and Social Affairs informed us about the implementation of education, but only about gender-based violence, noting that it is still planned to upgrade the education to include violence against the elderly.

Some civil society organisations have recognised the problem of violence against the elderly, so, for example, B.a.b.e., through the project "puSHed – protect, understand, support: Help the elderly", they carry out activities aimed at developing specific support packages for older women victims of violence.

The murder and wounding of several users and employees at the Home for the Elderly and Disabled in Daruvar in 2024 is one of the most serious crimes that occurred in social welfare institutions in the Republic of Croatia. We believe it is crucial to analyse this event in detail to prevent similar events in the future.

In this context, we note that the Council of Ministers Recommendation on combating hate crime was recently adopted. It defines a 'hate crime' as a hate crime committed with an element of hatred based on one or more real or perceived personal characteristics or status. In doing so, "hatred" includes bias, prejudice or contempt; and "personal characteristics or status" include, but are not limited to, race, color, language, religion, nationality, national or ethnic origin, age, disability, sex, gender, sexual orientation, gender identity, and expression, and sex characteristics.

The Criminal Code of the Republic of Croatia prescribes a closed circle of traits related to hate crimes. These are race, skin colour, religion, national or ethnic origin, language, disability, gender, sexual orientation or gender identity of another person. Thus, the Criminal Code does not specify age as a characteristic of a hate crime victim. The EU Agency for Fundamental Rights also advocates the extension of protected features to include all discriminatory grounds from Art. 14 of the ECHR, i.e. from Art. 21 of the Charter of Fundamental Rights of the EU, including age.

Recommendation 45

The Ministry of Justice, Public Administration and Digital Transformation, to propose an extension of the list of characteristics referred to in Art. 87th century. 21. In a way that includes the age

Therefore, the Ombudswoman recommends expanding the list of characteristics protected by the Criminal Code concerning hate crimes, in such a way as to include age.

2.7.5. Life care agreements

In 2024, amendments to the Civil Obligations Act, which came into force at the end of December 2023, came into force, which, among other things, changed the name of the contract and provided for new protection mechanisms aimed at protecting maintenance recipients, including the Register of Life Care Agreements, which were the recommendations of the Ombudsman.

The Ordinance on the Register of Life Care Agreements, adopted in May 2024, stipulates in more detail that the Register, which is established and maintained by the Croatian Chamber of Notaries, is not public and that only authorised users, namely courts, notaries, the Croatian Chamber of Notaries and the competent state attorney's offices, have the right to inspect it. Other public law bodies may obtain access upon the decision of the minister in charge of judicial affairs when they need it to perform tasks within their competence, and the MPUDT has the right to inspect when it is necessary for the performance of tasks within their competence. The register shall be kept in electronic form.

The Register contains information on the provider and recipient of life care who concluded, amended or terminated a Life Care Agreements, either with the transfer of property after death or with a simultaneous transfer of property at the stipulation of the agreement, data on the court or notary public who drafted, certified or certified the contract, data on the date and business number of the case of the court or notary public under which the contract was drawn up, confirmed or certified, information on the date of initiation of the procedure, the court and the business number of the case initiated for amendment, termination, annulment or annulment of the contract, information on the date and manner of the final termination of the procedure for amendment, termination, annulment or annulment of the contract, data on the date and termination of obligations under the contract by performance and modification of data. The above information is entered in the Register by the judge of the competent court or notary, and a fee of EUR 20 is paid for the entry of the data in the Register, which the maintenance provider is obliged to pay.

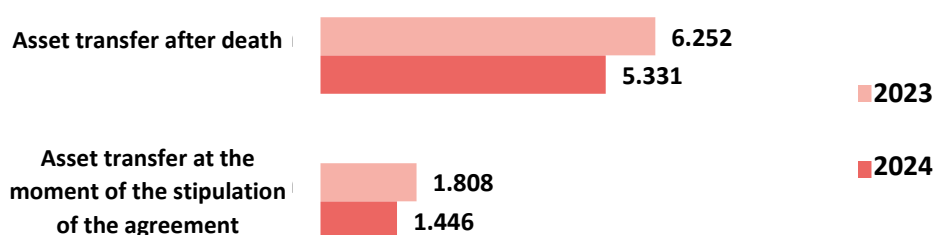
The Register started operating on July 1, 2024, and courts and notaries were obliged to enter data on concluded, confirmed or certified life care agreements, from December 30 2023, to June 30 2024, within 60 days.

According to HJK data, in 2024, 4,584 Life Care Agreements, either with the transfer of property after death or with a simultaneous transfer of property at the stipulation of the agreement were concluded before notaries and entered in the Register of Contracts.

In the same period, the courts entered 747 Life Care Agreements, either with the transfer of property after death or with a simultaneous transfer of property at the stipulation of the agreement in the Register.

Compared to the previous year, in 2024, the number of concluded Life Care Agreements with the transfer of property after death decreased by 15%, and by 20% those with simultaneous transfer of assets, which reversed the current trend of growth in the number of concluded maintenance contracts.

NUMBER OF CONCLUDED LIFE CARE AGREEMENTS



HJK states that in June 2024, it gained access to the production service of the Register of Persons under Guardianship and the Register of Persons under Special Guardianship, which will prevent abuses in the disposal of the property of persons under guardianship. However, HJK cannot check whether there are legal obstacles to concluding the contract referred to in Art. 170 of the FSF, which stipulates that a legal or natural person performing social welfare activities and a person employed in social welfare activities may not conclude a contract with a beneficiary that alienates or encumbers the user's real estate or a contract on life care and that a contract concluded contrary to the said provision is null and void.

Recommendation 46

The Ministry of Labour, Pension System, Family and Social Policy, to enable the Croatian Chamber of Notaries to inspect the records of legal and natural persons performing social welfare activities and persons employed in social welfare activities

It is important to point out that the HJK depends on the MRMSOSP, which is responsible for keeping records and collecting data in the social welfare system.

At the end of 2023, a provision was added to the Civil Procedure Act that when drafting the procedure management plan, and in particular when setting deadlines

and hearings, the court will pay special attention to the need for urgent resolution of the dispute in proceedings for amendment, termination, annulment and annulment of Life Care Agreements, either with the transfer of property after death or with a simultaneous transfer of property at the stipulation of the agreement. However, the legislator did not prescribe special deadlines for the procedure in these proceedings, nor were they separated as special procedures, as was done in disputes arising from employment relationships.

In previous reports, we have warned of the problem of the length of court proceedings for the termination of life care contracts, which in practice last for several years, which is particularly aggravating for elderly life care recipients. Thus, the first-instance procedure for terminating the life care contract based on the lawsuit of the 86-year-old life care recipient, who is in very poor health, lasted four years and four months, and the appeal procedure is currently underway.

Recommendation 47

Ministry of Labour, Pension System, Family and social policy, to continue to inform citizens, especially the elderly, on Life Care Agreements, either with the transfer of property after death or with a simultaneous transfer of property at the stipulation of the agreement

BPP provider associations point out that older people still generally do not distinguish between contracts with transfer of property after death or with a simultaneous transfer of property at the stipulation of the agreement, and they most often turn to them asking for information on the possibility of termination.

"I don't know where else can I seek help for my aunt, an 88-year-old woman who was cruelly used and deceived by her best man and woman who, after leaving the hospital after the corona, took her, weak and under medication, to a notary public and tricked her to sign a blank bought in the Official Gazette, telling her that it was a power of attorney to help with the sale of the house, And it was a gift contract! How does our country allow this? She signed, poor thing, and lost everything... The lady is 88 years old. She is more hungry than full. It's very difficult for her to endure everything that happened mentally."

During 2024, we were contacted by senior citizens who were unsure what kind of contract they had concluded, and they did not have a copy of it themselves. Members of their families also contacted us, stating that their loved ones concluded contracts to their own detriment due to their great trust in the other contracting party. When complaining about the conduct of notaries, we requested supervision of the work of notaries before whom the disputed contracts were concluded.

In doing so, we noticed that injured parties often feel discouraged and are reluctant to contact lawyers and take legal action to protect their interests, mainly due to fear of high costs and lengthy proceedings.

The White Circle of Croatia Association also states that the withdrawal from the procedure for contract termination occurs due to the complexity of proving the non-fulfilment of obligations by the other party and the slowness of the courts.

Recommendation 48

Croatian Chamber of Notaries, to point out to notaries the necessity of informing the party who is particularly vulnerable due to age or other personal characteristics, about the legal consequences of the contract that the party wishes to conclude

2.8. Age discrimination

Negative stereotypes about the elderly represent ageism that, in addition to discrimination, can also lead to violence, abuse, neglect or ignoring them. Closely related to discrimination, ageism is present in almost all segments of social life. The elderly are seen as weak, incapable, vulnerable, and a burden, and their contribution to society is not recognised.

However, age discrimination is often intertwined with other characteristics of older people, such as gender, race or ethnicity, financial status, level of education, health status or disability, which often leads to multiple or intersectional discrimination.

It is positive that the Declaration of the Croatian Parliament on the Rights of Pensioners and the Elderly recognises that the elderly have the right to dignity, respect for human rights and protection from any form of abuse, neglect and discrimination. The Declaration recognises the importance of adequate health care, the need to harmonise participation in health care costs and the price of medicines with the material possibilities of the elderly, the importance of joint action of the health and social welfare systems, the need to strengthen the palliative care system, mitigate the consequences of poverty, develop a system of institutional and non-institutional care for the elderly, enhance the insurance of pension system, education and work of the elderly.

An action plan to combat discrimination, including age-related measures, was not adopted in 2024. At the local and regional level, local self-government units, such as the cities of Požega and Vrbovec, implement various measures aimed at the elderly, such as free city transport or transport for treatment to other cities. Varaždin County has started developing a strategy called "Varaždin County – a friend of the golden age", which aims to improve the status of pensioners and their active inclusion in society. In some counties, advisory bodies of county assemblies have been established to advocate for the rights of the elderly, for example, in Istria, Primorje-Gorski Kotar and Koprivnica-Križevci Counties, as well as the Commission for Pensioners and the Elderly in the City of Varaždin. These bodies consider issues of importance for the life of the elderly in the county or city.

Accommodation of older people in long-term institutional care facilities remains a major problem, and the available capacities do not meet the needs. The system is burdened with long and non-transparent waiting lists, sometimes over 10 years.

There are great expectations from the construction of 18 centres for the elderly, which began in 2024, which should improve both the number and type of available non-institutional services. However, the shortage of labour in homes is worrying. A special problem is the care of people with dementia who need a level IV care service. In addition to insufficient capacity, solving the problem is also difficult due to accelerated inflation and the price of accommodation in such departments, which often exceeds 1,000 euros.

"I would appeal to you who can take certain steps to make it easier for children to care for sick and infirm parents. A working person can take sick leave for immediate family members; The law includes children and spouses (married, extramarital, life partner or informal life partner), but not parents. Given such a legal definition, a person cannot exercise the right to sick leave for the care of a sick parent. The law has been passed; children must take care of their sick and infirm parents first, morally, and then legally. How to? How will they care if they cannot open a sick leave to provide adequate care? So, for a spouse who is married, extramarital, informal, YES... But for a mother/father who has cared for and loved their child all their lives, that same child cannot take sick leave when the mother/father is ill and often immobile at the end of his life?"

On the other hand, for years we have been pointing out that due to the lack of appropriate measures for the reconciliation of family and professional life that would be aimed at families, especially women, who, following their constitutional obligation, take care of elderly and seriously ill family members who are dependent on someone else's care. Due to their business obligations, they still do not have the opportunity to provide them with such care, as indicated by the Commission for the Protection of Patients' Rights of Osijek-Baranja County, which turned to the Ministry of Health because Art. 39, item 5 of the ZOZO, as members of the immediate family who have the right to care by family members, the parents who would be cared for by their children are not listed.

Concerning the recommendation to consider ways to enable persons who are employed to take care of elderly and infirm family members, the Ministry of Health states that this is within the scope of the Labor Act, whereas the Ministry of Labour and Social Affairs states that with the introduction of unpaid leave of 5 days, the ZoR is harmonised with the minimum standards of the EU and that they have not

Recommendation 49

Ministry of Health, to ensure the possibility of providing care to elderly and infirm parents and other close family members through amendments to the Compulsory Health Insurance Act

noticed interest in using this Institute. However, given that citizens still do not have the opportunity to take sick leave for the care of ill parents, we again propose that through amendments to the Law on Compulsory Health Insurance, persons who are employed be provided with the possibility of providing care to elderly and infirm parents and other close family members.

According to CSO data, the number of people interested in providing services to the elderly and infirm outside institutions has decreased. According to Caritas, the minimum wage is paid for this and transport costs are not recognised, so even when financial resources are provided for this service, it is impossible to find enough home assistance service providers.

"My mother was treated on two occasions in the emergency medicine department, and during the second treatment, she died in the hospital 6 hours after admission. The fatal outcome followed the failure to treat the main problem, shortness of breath, and the failure to treat kidney failure. Instead of urgent treatment of these dangerous and deadly diseases, the doctor undertook the treatment of the then less important dehydration, which she probably misdiagnosed herself. It should also be noted that the specialisation of this doctor (gastroenterologist) was wrong; the patient should have been treated primarily by a pulmonologist, nephrologist and cardiologist. The patient died as a result of an illness that the

During 2024, we acted on complaints about age discrimination against elderly patients, alleging that they were inadequately treated, were misdiagnosed, and were denied health care because of their age, which we write more about in the chapter on the right to health. Some complainants stated that their parents died because they were not provided with adequate health care in the hospital, or because they were old. According to the reports, the hospital did not establish the correct diagnosis, there was no reaction to the acute deterioration of their health, and they were not provided with adequate treatment, which in some cases led to death. Investigations are still ongoing.

"The best friend of my late mother since I was born and a neighbour who will soon turn 82, an oncology patient who was successfully operated on by our Minister of Health ten years ago, is in a very delicate situation that is not her fault, on the contrary, she is cautious both in terms of her health and in terms of not being a burden to anyone. She is a widow and lost her son due to illness 15 years ago, and after surgery, she also has one eye and 80% of her vision in the other. When the legal deadline was, she enrolled in two nursing homes (at ... She has been enrolled for 14 years, in a nursing home ... 13 years). She lives in an apartment that can be reached by as many as 132 (one hundred and thirty-two) stairs, without an elevator. The day before yesterday, on Saturday, while shopping for groceries, she was hit by a movable door in Konzum and thrown with all her force, and she fell and broke her vertebrae and is now in the intensive care unit in ... On Saturday, she was admitted and has been practically discharged since the admission. It's the weekend, people are on vacation, and I asked the doctor on Monday to give her at least two days to stay, because she is in unbearable pain, she can't go to the toilet, she can't eat by herself. This appeal would have been unfounded, to say the least, if the lady had not really and in time made sure that she spent her old age with dignity in the four walls of a single room at the expense of no one, which would not be miles away from her birthplace on ... And this difficult situation would not have happened if she had received in time what she took care of in time. The lady also fed her state of Croatia with her work, honesty and humanity and does not deserve to be expelled as if the state did not exist.

P.S. The lady was quickly transported to the front door of her building today, despite the doctor saying yesterday that she would stay for another three to four days. Today, the new doctor, extremely ugly, noted that ... the hospital is not a charity, and now I, as an invalid, am helping the lady. Also, I was with her general practitioner, who was shocked that they sent her home so quickly, she prescribed diapers and therapy for her, and the patronage is debatable because they are on vacations"

The complaint points to the insufficient connection between the health and social welfare systems. It was necessary to find a solution for the elderly patient who would take care of her where, but despite a request to stay in the hospital for a few more days until this was resolved, it was rejected with the inappropriate comment that the hospital is not a charity. After being discharged from the hospital, she was provided with support and accommodation only after the case ended up in the media. This is not an isolated case, because hospitals state in their statements that the care of old, seriously ill patients who cannot take care of themselves after discharge from the hospital is significantly more difficult, which is why they often stay in the hospital even though the treatment has been completed.

Poverty is still a major problem that can lead to discrimination against the elderly and pensioners in the Republic of Croatia and is the cause of many other difficulties they face. Recognising the problem, many local self-government units provide funds in their budgets to pay Christmas and Easter bonuses to pensioners with the lowest pensions. However, these payments, as well as the payments of one-time financial assistance based on the decisions of the Government of the Republic of Croatia, cannot solve the poverty problem of many pensioners. Elderly people with low financial status face many issues when exercising their rights. Croatian Caritas states that disabled, sick elderly people living outside major city centres are dependent on the distribution of food packages, hygiene supplies or medicines to their doorstep, for which service CSOs, including Caritas, often do not have financial resources, so some of the elderly remain uncared for despite need.

"I am addressing you with a question of principle for all elderly or infirm people who cannot come to the bank on their own. Namely, a circular letter arrived in my mother's name - an invitation to go to the bank in person regarding the provision of personal data, because, according to the Anti-Money Laundering Act, she is obliged to deliver it to the bank. As an old (93 years old) and semi-mobile person alone (when she was still mobile) in the bank, she gave me a power of attorney on her account. She receives a pension on her account, and she, like anyone else in Croatia, cannot receive her pension in any other way than through an account - so she cannot choose not to be a client of one of the banks!

Therefore, how he receives his pension in the bank is subject to the laws and conditions of the bank that he cannot influence.

As a conscious and responsible person, while she was able, she gave me and my brother a power of attorney so that we could manage her pension and bank account. Therefore, I ask the question why the bank is not obliged to ask those clients/persons who have given a power of attorney for their own accounts to provide identification documents and data and oblige them to provide accurate information under criminal and material liability, but require it exclusively from the account holders themselves."

We acted on several complaints in which it was pointed out that banks also invite senior citizens to come to the branch in person to update information related to the Law on the Prevention of Money Laundering and Terrorist Financing. Depending on the estimated level of money laundering and terrorist financing risks (high, medium and low), the client's due diligence measures, which are determined by the bank's internal policies, also depend. Therefore, we have warned that in a bank's business relationship with a client, which, as with pensioners, is categorised as low risk, the scope, timing and type of certain and all customer due diligence measures can be adjusted. Although under the above, there is a possibility that the questionnaire will be delivered to the pensioners' home address, the complainant received such information from her bank only after she turned to us for help. Regarding the same problem, we welcome the initiative of one bank that settled the cost of the notary's exit and certified his signature on a special power of attorney authorising the proxy to conclude a contract with the bank, which solved the problem.

The unavailability and inadequacy of information on rights and services in different systems is another obstacle that can impact the exercise of the rights of the elderly, as we have been pointing out for years. Older people often do not know what forms of help, support and care they are entitled to. Different types of assistance are dispersed between various departments, and the unavailability of complete and transparent information makes them inaccessible to users. Informing users about available services should be adapted to their sensory capacities, habits and needs. As a good example, we point out the free telephone for the elderly in Vinkovci, where the Centre for Community Services experts provide counselling, support and information, as well as representation of the interests and needs of the elderly.

Given the digitalisation of public administration, the lack of digital skills among older people can be exclusive regarding access to information and services in the digital world. Therefore, in parallel with digitisation, it is necessary to invest additional efforts in digital literacy of the elderly, which is done, for example, by Slavonski Brod, whose City Library organises IT literacy workshops. It is also necessary to provide digital infrastructure where the elderly gather, including homes for the elderly and infirm, retirement societies, libraries and similar public places. In doing so, ensuring that such infrastructure, including Internet access, is also provided in remote, rural parts of the Republic of Croatia is crucial.

2.9. Young people

After the parliamentary elections in April 2024, the Central State Office for Youth (SDUDM) ceased to be a state administration body primarily responsible for youth, and this task passed under the auspices of the Ministry of Science, Education and Youth.

Although the National Youth Program was adopted until 2025, the media reported that during 2024, no single tender for young people was announced, which would allocate funds to associations working with young people in local communities.

Data from previous years, which we have written about in several previous reports, indicate a low level of interest and participation of young people in decision-making, a trend that has not changed.

One of the challenges is to inform young people about socio-political and economic topics, the opportunities available for active inclusion, and the will to participate. As we have already stated, research on the political literacy of young people has shown unfavourable results for years. Thus, according to the findings of the Youth Study of the Friedrich Ebert Stiftung Foundation and the Institute for Social Research in Zagreb from November 2024, slightly more than 38 % of young people assess their knowledge of politics as nothing or poor, and somewhat more than 36 % as mediocre. Almost 60 % of them state with certainty that they are not ready to take on any political functions, and although their activation in various forms of informal participation, such as volunteering, signing petitions and the like, has increased significantly, half of them have not participated in any of them.

At the same time, Civic Education (CSE) in the Republic of Croatia has been a cross-curricular topic since the school year 2019/2020, but no official evaluation of its implementation has been carried out so far. Although MZOM plans to adopt recommendations for the implementation of cross-curricular topics to

better connect them with subject curricula and educational areas related to the implementation of the experimental program of all-day school, it does not plan to evaluate the implementation of this cross-curricular topic or, if necessary, adjust the model and method of implementation. As we wrote earlier, some analyses, however, show that the quality of implementation varies and depends on the readiness and preparation of principals and teachers, and they need more specific training in this area.

In 2024, a proposal to introduce modular teaching in vocational education was submitted for public consultation, announcing a change in Politics and Economy (PiG) status from a subject to a module. The Ombudswoman also joined the discussions related to this topic and in the public consultation, pointing out that vocational schools in the Republic of Croatia are attended by 70 % of high school students and that the removal of the content covered by PiG or its mandatory status in the school schedule would significantly reduce the possibility for these students to acquire a range of knowledge, attitudes and skills crucial for their personal, civic and social development, quality and informed participation in social life, dealing with social changes and understanding of human rights and social diversity. Given that social inequalities are reproduced throughout education, she also underlined that the consequence of such an intervention could be the reinforcement or maintenance of existing inequalities. Following the comments received in the public consultation, at the end of July 2024, the Ministry of Health announced a public call for working group members to refine the Draft PiG curriculum proposal at level 4.2, and it was released for public consultation at the end of November. Ultimately, at level 4.2, PiG remained a compulsory general education subject with one year of teaching one hour per week in the fourth grade of vocational schools for four years or more. However, it will not have such a status in three-year vocational schools, but will be an elective module, to which the schools' curricula themselves will be able to be assigned elective or optional status.

In the past year, several elections were held in the Republic of Croatia, which (re)opened the issue of political participation of young people. The MMH research, which we write more about in the chapter Elections, shows that as a starting point, it is essential to strengthen the education of young people about, among other things, civic processes and institutions, democratic participation

and civic activism. It is equally important that political actors recognise the needs of young people and open the way for their active participation in decision-making and political processes. This could be facilitated by lowering the age limit for practising the right to vote to 16 years, in which some European countries already have practice, and we will write more about this topic and young people in the context of elections in the chapter on elections.

Recommendation 50 (reiterated)

Ministry of Science, Education and Youth, to introduce civic education as a separate and compulsory subject at all levels of primary and secondary education

As we have continuously pointed out, young people are among the most affected by the situation in the real estate market. One of the ways the state is trying to address this is by adopting the National Housing Policy Strategy, which has also recognised the needs of young people. The Action Plan for the Implementation of the National Housing Policy Plan for the Period 2025-2027 envisages the introduction of a refund of the paid real estate transfer tax and the refund of 50 % VAT for the purchase of the first property for young people, with the definition of criteria for reimbursement (by adopting an appropriate

ordinance), as well as the adoption of the Program for Housing Care for Youth in Suburban and Rural Settlements and the implementation of the Program for the Construction and Renovation of Housing Units in Assisted Areas of the Republic of Croatia for housing care for young people and young families.

Although the share of young people with employment contracts for an indefinite period has slightly increased in the last six years, according to the data of the "Youth Study", over two-fifths of them earn a salary lower than the average, and only 3.8 % of them receive a salary higher than 1,600 euros per month, while slightly less than a quarter of those who belong to the age group of 19-24 years, which are, According to the results of the study, the most affected by precariousness were fixed-term employees. The authors of the study note that today's young people, unlike earlier generations, are more likely to face underpaid short-term employment and more frequent job changes, which makes it difficult for them to find permanent employment and become independent, and thus increases their risk of poverty in the long run. The difficult situation of young people when it comes to the possibility of securing their own roof over their heads is also reflected in the statistics, so according to Eurostat data, young people in the Republic of Croatia leave their parents' home on average at the age of 31.8 years, which makes the Republic of Croatia the worst in the EU. Moreover, 43.3 % of young people in the Republic of Croatia live in overcrowded households, compared to 31.3 % of the general population in the Republic of Croatia and the EU average of 26 %. We write more about the problems of citizens in the field of housing in the chapter on adequate housing.

The pandemic and the earthquakes that took place simultaneously in 2020 and 2021 brought to the fore the mental health of young people, unmet needs and still insufficient resources in this area, and the attention of the general and professional public was additionally drawn to this issue at the end of 2024 with the tragedy at the Prečko Elementary School in Zagreb. In the 2023 Report, we looked at the results of several relevant studies on this topic. Thus, the study of the Faculty of Education and Rehabilitation Sciences in Zagreb was conducted on a sample of high school students from Osijek, Vinkovci, Rijeka, Split, Dubrovnik, Varaždin, Velika Gorica and Zagreb, their parents and teachers, carried out in three waves. Hence, it enables longitudinal monitoring and comparison of data. The third round, conducted on a sample of 3,308 adolescents, students of the now third grade of secondary schools, 944 parents and 864 teachers during the school year 2023/2024, shows that the incidence of the most severe disorders has somewhat decreased compared to the previous two rounds conducted immediately after the mentioned major stressful events. However, 26 % of young people in the sample still show moderate or fairly pronounced symptoms of depression, 27 % moderate or fairly pronounced symptoms of anxiety, and 23 % moderate or fairly pronounced symptoms of stress. The proportion of students who self-injure has not decreased, so 20 % intentionally inflict pain on themselves. 15 % are considering the possibility of suicide, and 11 % are making plans for suicide. These data must be taken seriously despite a certain downward trend in the incidence of suicide in younger age groups in the period 2019-2023, according to the data of the Croatian Institute of Public Health.

At III. Zagreb Mental Health Symposium in October 2024, it was pointed out that, when it comes to children and young people, the prevalence of mental disorders is highest at the age of 12-25 years, suicide is the leading cause of death at the age of 15-24 years, and the incidence of suicide attempts peaks in the period of middle and late adolescence. Girls and girls, young people from families of poorer socio-economic status, as well as young people from families with domestic violence, psychological problems, who have suffered in various crises, as well as young people who have difficulties with self-esteem, perceive stress more strongly and are familiar with fewer constructive strategies for coping

with stress, are at a more pronounced risk. These are also guidelines for action, which should be gender-sensitive, identify risks early and include young people who are already showing difficulties in treatment, strengthen the resilience of young people, but also develop quality policies in relevant areas and strengthen cooperation between all relevant sectors (education, health, social care, etc.).

According to the Croatian Institute of Public Health data, certain preventive measures are being implemented, and cooperation between the education and health systems is being established. Thus, since 2020, school medicine doctors have been conducting early screening of students' mental health risks as part of systematic examinations, and if the risk is identified, they refer students for further treatment. The implementation of the national program PomoziDa, aimed at educating educational workers to identify and support students with mental health problems, continues.

We especially welcome the launch of the Mental Health Empowerment Program, which implies strengthening early interventions through primary health care by returning psychological services to health centres, providing professional support without a referral, opening specialised dispensaries and establishing mobile teams. As an example of good practice, we cite the activities of the Centre for Youth Health Zagreb, which provides services to young people and their parents in prevention and coping with mental health difficulties without a referral. Such services are needed in prevention, early intervention, and follow-up after hospital treatment.

The health system continues to face a chronic shortage of health professionals in the field of mental health, which raises the question of the availability and timeliness of treatment of young people referred to the health system, especially in hospitals, so in the 2023 Report, we recommended to the Ministry of Health to increase the number of planned specialisations in child and adolescent psychiatry on an annual basis. Therefore, we welcome the information that the Amendment to the National Plan for Specialist Training of Health Professionals for the five years of July 12 2023 has identified an additional 26 required specialisations in child and adolescent psychiatry, and the Decision on the Amendment to the Decision on the Plan of Specializations and Narrow Specializations for 2024 has identified two more such specialisations, as well as the announcement that The Ministry of Health will continue to take into account the recommendation to increase the number of envisaged specialisations in child and adolescent psychiatry on an annual basis when adopting the National Plan for Specialist Training of Health Professionals for the period 2025-2029.

2.10. The right to education and discrimination based on education

A quality and inclusive education system, which implies its availability, accessibility, quality and adaptation to the needs of all social groups, with the success of participants at all levels of education, is a prerequisite for general social progress.

According to the National Plan for the Development of the Education System data, the number of people enrolling in tertiary education is expected to decrease by 2027. In 2023, 38.7 % of students who completed secondary school enrolled in colleges, below the EU average of 43.1 % and the EU target of 45 %. At the same time, young people living in cities are more involved in higher education, so the rate of young people between 25 and 34 years of age with completed tertiary education residing in cities is 20.7 percentage points

higher than those from rural areas. The highest rate of highly educated young people lives in the City of Zagreb and amounts to 54.6 %, which is, for example, twice as high as in the Pannonian region (26.1 %).

According to the data of the National Group for the Improvement of the Social Dimension of Higher Education, among the underrepresented and vulnerable groups of students, in addition to those with lower financial status, there are also groups of students whose parents are less educated, those with additional family obligations, students without parental support and from alternative care, those who have to work during their studies and who have to travel further to university. However, applying for study programs through the "Become a Student" system does not recognise the candidate's membership in one of these groups.

The system of scholarships, which, in addition to the state, is awarded to pupils and students by numerous JLP(R)S, to a certain extent, contributes to solving the problem of educational inequalities. Although generally relatively low, these scholarships increase the chances of education for socially vulnerable groups. Some measures are also implemented by universities, mainly through support for students with lower financial status, with disabilities or through measures to achieve gender equality. However, in addition to financial support, students who work, student parents, those who live on islands and in areas of the Republic of Croatia that are not connected by traffic, who have to move away from their parents' family or continue to travel to faculties daily, need other types of support such as available accommodation in student dormitories, adjustment of student obligations, better organisation of quality public transport, affordable public transport, support in family obligations, etc., so it is important to envisage them in the Plan of Measures for the Improvement of the Social Dimension of Higher Education.

Mobility to study in the Republic of Croatia is low; for example, in 2022, only 7.9 % of people with a degree from the Republic of Croatia achieved mobility. This is one of the lowest mobility rates in the EU (the EU average is 10.9 %) and is significantly lower than the EU's 2030 target of 23 %. Mobility is an additional challenge for students with lower financial status.

3.3 % of students went abroad for shorter study periods, of which 90.4 % did so through EU study programmes such as ERASMUS. Although it does not lead to a reduction in the expenditure of parents as taxpayers, national legislation has counted scholarships that are intended to facilitate mobility and that were paid to cover additional costs (which would not even exist without mobility) in the calculation of the total personal deduction of the student's parent as a taxpayer. Due to such inclusion of mobility support under the Erasmus+ programme in the calculation of the deduction applicable to income tax, proceedings were initiated before the Constitutional Court of the Republic of Croatia, which referred a request to the Court of Justice of the EU for a preliminary ruling on whether the national tax legislation is in line with Art. 18, 20 and 21 and Art. 165 par. 2 TFEU. According to the interpretation of the EU Court of Justice in the decision adopted in January 2025, the taxation of aid to encourage student mobility discourages citizens from using this benefit. It may harm student mobility within the EU under the Erasmus+ program. According to the Court of Justice of the EU, a national regulation which, when determining the amount of the basic personal deduction of the parent to which he or she is entitled for his or her dependent child, also includes the support for educational mobility received by that child under the Erasmus+ programme should be interpreted as contrary to the aforementioned provisions of the TFEU. In the Report for 2017, the Ombudswoman pointed out that Erasmus+ is financial support, non-taxable for the student as the end user. However, at the same time the payment that the student receives to the giro account is treated as his or her income, which is included in the calculation of receipts that determine whether a natural person can be a dependent member, i.e. as a tax relief for parents or guardians, which was a limitation that affects the decision of students to

apply for this program, and that universities are recording a decline in interest because of this, and that there were frequent cases of withdrawals of selected students after being informed about the tax treatment.

Art. 77 of the ZVOZD, as one of the student rights, prescribes the right to file a complaint for violation of rights. However, the Act does not prescribe to whom the complaint is to be submitted, the handling of the complaint or the deadline for responding to the complainant, the body that will further decide if the student who filed the complaint is not satisfied with the measures taken and the response, and the higher education institutions are not legally obliged to prescribe the manner of filing the complaint in internal acts. Therefore, most of them do not even have an elaborate system for filing complaints, and the bodies to which a student can file a complaint are student ombudspersons, the dean, the student union, the ethics committee, etc. Therefore, it is not surprising that students generally do not complain, so most higher education institutions did not receive a single complaint from students or other stakeholders in higher education during 2024 due to rights violations or other reasons.

Considering the level of education, the employment rate of recent graduates aged 20 to 34 was 84.4 % in 2023. Although it has increased, it is still below the EU average of 87.7 %. According to CES data, most of the unemployed during 2024 were with a three-year high school, while people with a university, master's or doctorate degree participated in the total number of unemployed with 8.6 %.

The share of the adult population involved in lifelong learning in the Republic of Croatia is currently among the lowest in the EU. The representation of the low-skilled, older and long-term unemployed and people from rural areas in the adult education system is lower than the EU average. According to data from 2022, 23.3 % of adults aged 25 to 64 in the Republic of Croatia participated in some form of education or training in the previous 12 months, which is lower than the EU average (39.5 %). People over 55 are particularly underrepresented, accounting for 13.2 % in the adult education system. According to CES data, in 2024, 6 % of the participants in vouchers were over 55 years old.

The complaints addressed to the Ombudsman also point to the incompatibility of the education system with other systems. This is confirmed by the research of the City of Karlovac on the key needs and problems of young people, according to which the education system does not follow the needs of the labour market, which reduces employment opportunities.

"We are sending you this letter regarding the unresolved legal regulation of masters of medical-laboratory diagnostics (MLD). The situation is extremely serious because the purpose and quality of education, the ability and interest of ministries for cooperation, and the management and improvement of the competitiveness of the labour market of the Republic of Croatia in accordance with the labour market in the EU are being questioned. As a consequence of the obstruction of the legal regulation of medical-laboratory activities by the Ministry of Health, the development and quality of health care in the field of laboratory diagnostics is impaired, with complete circumvention of the guidelines and recommendations of the umbrella European organisations for laboratory diagnostics and practice in EU member states without arguments."

The university graduate study programme for the qualification of Master of Medical-Laboratory Diagnostics at the University of Osijek has been carried out since 2013. However, graduates have not been able to be employed since then because the qualification is still not included in the list of regulated professions of the Government of the Republic of Croatia. According to the Faculty of Medicine, the competencies of masters of medical-laboratory diagnostics include independent work in medical-laboratory activities in institutions in the health care system, in clinical diagnostic laboratories for clinical biochemistry, laboratory haematology, human genetics, medical microbiology, immunology, cytology, histopathology, toxicology, transfusion medicine, medical genetics, nuclear medicine and molecular diagnostics, as well as the knowledge necessary for active involvement in scientific research and the transfer of knowledge and skills through work at universities and scientific institutes. Despite this, they have not had the opportunity to work in the jobs they were educated for ten years. Although the Ministry of Health points out that it has decided on this, we have not received an explanation for why masters of medical-laboratory diagnostics are not included in the list of regulated professions.

Recommendation 51

Ministry of Health and the Ministry of Science, Education and Youth, to make additional efforts to enable the employment of masters of medical-laboratory diagnostics in the health system following their competencies and acquired title.

It is completely unacceptable that study programmes are carried out at public higher education institutions, the completion of which leads to qualifications that do not provide access to the labour market. This indicates an insufficient connection between the higher education system and the system of work, i.e. work in the profession.

During 2024, we received a large number of complaints pointing to the actions of the Croatian Chamber of Physiotherapists (HKF), which refuses to issue licenses to work for bachelors of physiotherapy, who have completed their internship and passed the professional exam as physiotherapy technicians, asking them to re-intern and take the professional exam. In the proceedings for reviewing the constitutionality of judgments of administrative courts issued on lawsuits against HKF for (non)issuing a license for independent work to bachelors of physiotherapy, the Constitutional Court in its decisions U-III-4985/2019 of May 23 2023 and U-III-3478/2021 of July 12 2023 found a violation of the right to a fair trial, stating that the administrative courts did not examine whether the HKF had the right to review the acts of the Ministry of Health at all, including a certificate of passing the professional exam. Despite this and the orders of the Ministry of Health, the Croatian Chamber of Commerce still refuses to permit independent work to bachelors of physiotherapy who have already completed their internship as technicians and passed the professional exam. The number of complaints we receive because of this indicates a serious problem for which physiotherapists, whose services are in demand, ultimately suffer.

On the labour market, there is still a lack of recognition of higher education qualifications acquired in professional studies. For example, in the competition for the employment of a senior expert associate for planning, analysis, statistics and business information, a completed university study of economics was set as a condition. Given that the job title and job description refer to the usual tasks of economic and financial operations that do not include the development or application of scientific achievements, the employer should have clarified the specifics of the advertised position that would make university

education decisive for its performance. In the absence of such an explanation, excluding masters of economics who, by completing a professional graduate study, have acquired the competencies necessary to perform the profession and direct inclusion in the work process seems disproportionately aggravating. Their exclusion from the possibility of employment in certain jobs in the labour market, without a valid justification substantiating the claims that academic education is a real and decisive condition for performing the tasks of the said position, indicates a well-founded suspicion of discrimination.

We continue to receive complaints about the costs of recognising foreign higher education qualifications in regulated professions. While the Ordinance on the Amount of Compensation for the Costs of Recognition and Evaluation Procedures, the Method of Distribution of Compensation, Exemption from Payment of Fees and Other Issues of Procedure Costs Relating to the General Recognition and Evaluation of Foreign Educational Qualifications Outside Regulated Professions, determines a wider range of persons exempt from payment of costs for the procedure of their recognition, in the case of recognition of foreign educational qualifications in regulated professions, such a possibility does not exist.

As bodies responsible for recognising foreign higher education qualifications in regulated professions, Chambers charge a fee for receiving applications of 53.09 to 212.36 euros. The implementation of the supplementary measure is also additionally charged, which particularly severely affects persons with lower financial status who cannot cover this cost, such as applicants for international protection, asylum seekers, aliens under subsidiary protection, family members of asylum seekers and foreigners under subsidiary protection who are legally residing in the Republic of Croatia, as well as foreigners under temporary protection and family members of foreigners under temporary protection.

2.11. Social welfare: Poverty and human rights

2.11.1. Supporting the poorest

Poverty is deeply linked to human rights, as it is often an obstacle to accessing the rights and freedoms essential for a dignified life. It affects access to numerous human rights and requires the focus and cooperation of many departments. Poverty is also a matter of social exclusion and discrimination.

Prices of goods and services for personal consumption in December 2024, compared to December 2023 (on an annual level), increased on average by 3.4 %. On an annual level, the increase in consumer prices was recorded in various groups, including miscellaneous goods and services (6.7 %), health (5.5 %), education (5.4 %), and food and non-alcoholic beverages (5.1 %).

During 2024, the Government of the Republic of Croatia therefore continued with assistance measures to mitigate inflationary effects and the increase in energy prices. However, two packages of measures (the so-called sixth and seventh packages) omitted the beneficiaries of the ZMN, so the payment of one-time financial assistance was not envisaged for them, despite the recommendations we made in the Report for 2023. Each package of measures brought new dissatisfaction among ZMN users and new complaints from citizens.

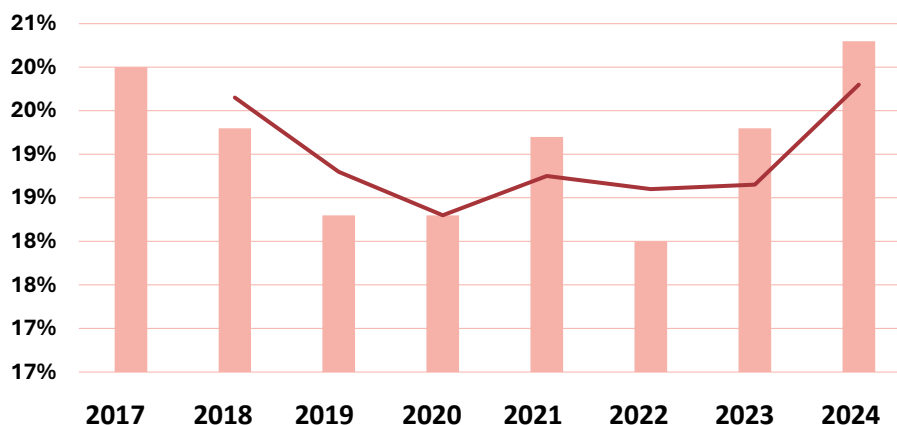
"I would ask you to ask Mr. Plenković whether people on social security of 150 euros per month are not endangered. So we are the last layer of society and don't need one-time help.... I'm 60 years old, sick, and a renter. I don't know who to turn to anymore. No one asks about how we live anymore."

The Ombudswoman warned against selectivity in providing one-off aid measures, and that this does not respect the principle of fairness.

The Commission for Fiscal Policy recognised a similar situation in its analysis of the seventh package of assistance measures, which concluded that the Republic of Croatia must face structural problems that one-time and temporary aid packages cannot solve.

According to CBS data, the at-risk-of-poverty rate in 2024 continued to rise and amounted to 20.3 %, which is an increase of 1 %. The at-risk-of-poverty rate by age and gender in 2024 was highest among people aged 65 or over at 37 %. In this age group, the gender gap is the highest, with the at-risk-of-poverty rate for women at 32.7 % and for men.

POVERTY RISK RATE IN CROATIA



The National Plan for Combating Poverty and Social Exclusion 2021-2027 envisages reducing the at-risk-of-poverty rate to less than 15 % by 2027. It predicted that the at-risk-of-poverty rate for 2024 would be 16.4 %, to drop to 15 % by 2027. At the same time, the initial value of the at-risk-of-poverty rate from 2019 was 18.3 %, so it is evident that there are no positive developments in this area.

Although we continuously warn that the ZMN is too low and insufficient to meet basic living needs, there are no significant increases in the amount. The Ombudswoman also addressed the Government of the Republic of Croatia after the increase in official salaries, to point out the need to increase the ZMN in this context, although it is not a question of comparable benefits. On that occasion, we analysed the movement of the ZMN in the period from 2014 to 2024 and determined that the base from the Decision on the basis for calculating the amount of the ZMN from 2014, which amounted to HRK 800 or EUR 106.17, did not change until 2022. Only then, with the new Decision, the base was increased to HRK 1,000 or EUR 132.72, i.e. it grew by 25 % compared to the base defined eight years earlier. Based on the Decision from 2023, which applies from 2024, this base has been increased to 150 euros, i.e. by 17 euros or 13 %. So, since 2014, there has been an absolute increase of 43.83 euros.

Therefore, at the end of the year, the Ombudswoman joined the public consultation on the Proposal of the Decision on the basis for calculating the amount of the ZMN for 2025 and reiterated that the base is increased without considering the cost of living, without clear criteria and explanation. Namely, the proposal of the decision on the new base was not substantively explained, and it contained an increase of only 10.00 euros. Therefore, it is necessary to supplement the provision of the FSF, based on which the decision on the base is made, in such a way as to introduce clear criteria that must be considered when adopting the base to protect the most vulnerable categories of citizens. As a possible solution, it is proposed to define the criteria that should be considered when adopting the base from Art. 22 of the FSF or prescribing the minimum amount of the base that should be related to the at-risk-of-poverty threshold.

The FSF stipulates that the right to ZMN will be granted to a single person or a household that does not have the means to meet basic living needs or can provide them in the amount prescribed by the ZMN itself. Thus, for example, a single person of working age will be entitled to ZMN in the amount of EUR 150 only if his monthly income is less than that amount, and if he earns some income, the amount of ZMN is paid as a difference. The at-risk-of-poverty threshold in 2024 for a one-person household was EUR 617.25 per month, so we continuously point out that the problem of poverty has not been recognised and that benefits do not allow citizens who need them to get out of it.

Of particular concern is the data from the EC Report on the impact of social transfers (other than pensions) on poverty reduction, which recognises it as "critical", as it is significantly lower than the EU average (20.9 % compared to 34.7 %). The EC, therefore, points to the importance of closely monitoring the impact of social transfers on poverty reduction, especially concerning the high cost of living.

For years, we have been pointing out the importance of analysing the decline in ZMN users. According to the MRMSOSP data, the number of ZMN beneficiaries is monitored and analysed through the data available in the SocSkrb Information System, and it is concluded that employment is one of the biggest

Recommendation 52.

Ministry of Labour, Pension System, Family and Social Policy, to define the criteria that should be taken into account when adopting the basis for calculating the guaranteed minimum benefit

Recommendation 53

Ministry of Labour, Pension System, Family and Social Policy, to expand the scope of beneficiaries of the right to a guaranteed minimum benefit

reasons for the decrease in the number of ZMN users, which is also justified by the situation on the labour market. Other reasons mentioned are the termination of the right to one's own request and the death of the user. However, we believe that the analysis should consider CBS data on at-risk-of-poverty rates and the percentages of people living at risk of poverty or social exclusion, to explain why the number of ZMN beneficiaries is decreasing from year to year, and the share of people living at risk of poverty is increasing.

	2020	2021	2022	2023	2024
At-risk-of-poverty rate %	18,3	19,2	18,0	19,3	20,3
People at risk of poverty or social exclusion %	23,2	20,9	19,9	20,7	21,7
Number of ZMN users, total rights	34.004 <i>22,715 singles</i>	30.701 <i>21,833 singles</i>	29.350 <i>20,737 singles</i>	26.274 <i>18,641 singles</i>	25.599 <i>17,991 singles</i>

Recommendation 54.

Ministry of Labour, Pension System, Family and Social Policy, to analyse why the number of beneficiaries of the guaranteed minimum benefit is decreasing from year to year, and the share of people living at risk of poverty is increasing.

The attached table shows that the at-risk-of-poverty rate is higher in 2024 than in 2023, but the number of ZMN beneficiaries has decreased again.

In 2024, the Ombudswoman continued to receive complaints concerning community service. The persons subject to this measure are working-age and partially able-bodied beneficiaries of the ZMN, whose ZMN is

terminated in the event of non-response. Local self-government units organise this work and represent an additional way of work activation of those ZMN beneficiaries who are working and partially able to work. At the same time, they must already be registered in the register of unemployed persons of the CES, which implies that they must actively look for a job. In practice, the implementation of the measure is accompanied by many problems.

The fact that the FSF did not prescribe temporary incapacity for work for ZMN beneficiaries as an exception is discrimination against all those who cannot respond due to the current illness, i.e. discrimination based on health status, which we warned the MRMSOSP about back in 2023. Based on the recommendation of the Ombudswoman, this was corrected in the amendments to the FSF from the beginning of 2025.

In 2024, we completed the complaint of a ZMN beneficiary whose compensation, together with NUKE, was revoked because he did not respond to the call to work for the common good without compensation from his local self-government unit, also due to his health condition, and he did not have information on who to inform about it. He pointed out that his health condition was long-standing and that he had previously informed the competent regional office of the HZSR, but until our inquiry, they had not sent him for an expert examination of his working capacity. However, working capacity is important in calculating the ZMN and the

exemption from the obligation to work for the common good. After he was reported to be permanently unable to work due to chronic problems and long-term diagnoses, the Ombudswoman warned the regional office of the HZSR that it did not act by the principle of timeliness from the FSF because the complainant's condition was not noticed in time, and because of this omission, he was left without compensation, which was his only means of subsistence.

Also, in 2024, we monitored the actions of the local self-government unit for which we received a complaint about discrimination based on ethnicity. Although we did not confirm discrimination, we found that the beneficiaries of the ZMN were arbitrarily and unequally called to work for the common good, i.e. some more than once, and some never, which is contrary to the constitutional principle of equality before the law. Based on the Ombudswoman's recommendation to invite all beneficiaries equally, this local self-government unit invited beneficiaries in alphabetical order in 2024, which is certainly less arbitrary, but still does not ensure equality of treatment for all beneficiaries. In the meantime, we have received another complaint about discrimination based on ethnicity when inviting ZMN users in another local self-government unit, in connection with which we are still conducting proceedings.

At the end of 2023, the Centre for Peace, Nonviolence and Human Rights Osijek and the Centre for Peace Studies proposed to the Constitutional Court of the Republic of Croatia an assessment of the constitutionality of the provisions of the FSF governing work for the common good, but the decision has not yet been made. Last year, these organisations surveyed how local self-government units implement this measure and proposed an alternative policy to abolish the measure. The system would focus on individualised work with ZMN beneficiaries, aimed at empowering them (not punishing them), to achieve their integration into the labour market.

In conclusion, although work for the common good is not considered work, it *is de facto* work, and it is work that is practically free, given the extremely low 'salary' in the form of ZMN, which is insufficient to meet the basic needs of life. Many problems in the implementation accompany this measure - from arbitrarily inviting ZMN users, so that the local or regional self-government unit

that organises this work calls some users several times, and some never, to the fact that some local or regional self-government units do not organise it at all, while others do, which will put ZMN users in an unequal position at the level of the Republic of Croatia. Also, some local self-government units do not cover the cost of transport or a hot meal, which is an additional cost for ZMN users.

Recommendation 55.

To the Ministry of Labour, Pension System, Family and Social Policy, to propose the abolition of the obligation to work for the common good for beneficiaries of the guaranteed minimum allowance in the next amendments to the Social Welfare Act

After the registration of the claim in favour of the Republic of Croatia on real estate owned by the beneficiary of the ZMN was abolished based on the recommendation of the Ombudswoman, the Ombudswoman proposed to the competent Ministry to issue instructions for improving the procedures for deleting the records of claims.

According to HZSR data, in 2024, 2,421 procedures were initiated to delete records of claims in favour of the Republic of Croatia on the user's real estate, of which 1,723 were initiated ex officio and 628 were initiated 1,723.

Recommendation 56

The Ministry of Labour, Pension System, Family and Social Policy, in cooperation with the Ministry of Justice, Administration and Digital Transformation, to obtain data from the land register on all registered entries in favour of the Republic of Croatia based on the Social Welfare Act (Official Gazette, No. 73/97, 27/01, 59/01, 82/01, 103/03, 44/06 and 79/07), the Social Welfare Act (Official Gazette, No. 33/12, 46/13 and 49/13), the Social Welfare Act (Official Gazette, No. 157/13, 152/14, 99/15, 52/16, 16/17, 130/17, 98/19, 64/20 and 138/20) and the Social Welfare Act (Official Gazette, No. 18/22, 46/22 and 119/22), and to initiate procedures for the deletion of records on their own initiative

Recommendation 57 (reiterated)

Croatian Social Welfare Institute, to speed up the procedures for approving the payment of one-time benefits

We have not received information on the number of proceedings that still need to be initiated, given that the HZSR does not keep records of registered and deleted records of claims, and registered records of claims exist on the properties not only of current users of ZMN, accommodation and organised housing, but also of a large number of former users of these rights, some of whom have died or alienated real estate. The competent Ministry should determine how many such notes are still registered and find a way to speed up the deletion of these notes in practice, without waiting for users to contact them. The passage of time and changes in the real estate market could make it even more difficult to carry out deletion procedures within a reasonable period and at no additional cost to citizens.

HZSR data in 2024 show that there were 39,485 beneficiaries of one-time benefits and 1,847 increased one-time benefits, for which EUR 17,044,124.94 was spent. According to

HZSR data, the procedure from the date of application submission to the payment of funds to the beneficiary in practice takes 15 to 30 days. Although the ZSS prescribes the procedure for recognising the right to a one-time benefit as urgent, and the deadline for issuing a decision is very short and amounts to eight days, users' complaints indicate that some procedures in practice take several months.

Thus, we received a complaint from a beneficiary who submitted a request to pay a one-time allowance on February 21, 2024, because he was in a difficult financial situation due to illness. The regional office issued a positive decision on February 26, 2024, but the compensation was not paid to it within a reasonable time. Namely, the first problem arose with the delivery of the decision, since the complainant was not at home when the first attempt at service was made, the decision was not served on him until March 12, 2024. After that, the Regional Office waited for the delivery note to be returned and for the decision to be forwarded to the accounting department responsible for payment. The referral for payment to the Croatian Post was sent only on April 25, 2024, two months after the decision was issued. By mistake of the Croatian Post, given that the funds could not be delivered at the first delivery attempt, a deadline of 100 days was placed instead of a ten-day grace period. In this case, the social worker in charge of the beneficiary, after informing the complainant that the one-time allowance had not been paid to him, did not contact the accounting department to check what had happened. Moreover, the head of the regional office stated that there was no failure on their part, but that it was a failure of the postal service. Only after receiving our letter did the Sector for Finance, Accounting and Controlling request a check from the Croatian Post, and an error in their system was noticed.

For years, the Ombudswoman has been recommending that a larger number of beneficiaries be covered by one-off benefits, which is especially topical in the context of the continuous increase in the cost of living.

Lack of time and administrative overload of employees in the social welfare system affect the quality of communication between employees and beneficiaries, especially when a new, non-everyday situation arises. The Ombudsman was thus contacted by a complainant whom the HZSR had seized due to the costs of court proceedings that the complainant had already voluntarily paid. Namely, in the court proceedings conducted by the appellant against a party of unknown domicile and residence, and therefore represented by the then CZSS Zagreb, the appellant had to pay court costs. The payment was made by her son through a current account back in 2019, of which she also attached proof, but in February 2024, FINA withheld it. After she approached the HZSR intending to submit a complaint with evidence of payment and a request for a refund to the registry department, they refused to receive it. They referred her to the Regional Office, which in turn referred her to another Regional Office. Given that they refused to serve her complaint in the second Regional Office and sent it back to the first one, she turned to the Ombudswoman. From the received statement, it is obvious that none of the employees in the Regional Offices recognised the need of the beneficiary, listened to her, allowed her to explain the problem, asked for any additional information and tried to collect information within the HZSR that would lead to a solution to the situation. The situation was resolved only after our letter to the Central Service of the HZSR. Such a transfer of competence is not in accordance with the principles of social welfare, whereby the complainant is an oncology patient, and her health condition made it difficult for her to come to institutions in person.

2.11.2. Homeless

Homeless people continue to face numerous long-standing problems and social exclusion. They continue to complain about low social benefits that do not allow them to get out of the situation in which they find themselves, about difficulties with registering for residence and obtaining personal documents, especially identity cards, and about securing health care. They are faced with a long-term stay in shelters, which should be temporary crisis accommodation, and finding a room or apartment is financially unattainable for them.

Complaints and information from service providers show a lack of interdepartmental cooperation in supporting and helping the homeless. MRMSOSP has stated that it recognises the homeless as one of the most vulnerable groups in society and that various national plans, such as the National Plan for the Development of Social Services and the

Recommendation 58 (reiterated)

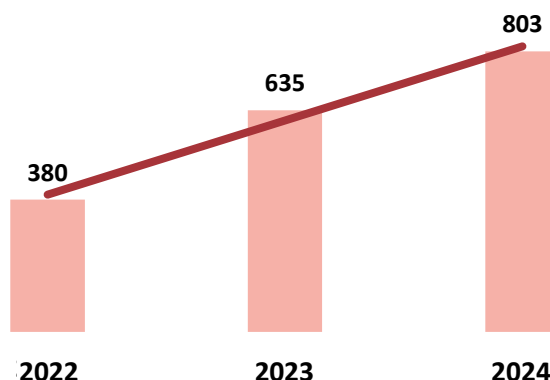
Ministry of Labour, Pension System, Family and Social Policy, to develop a National Strategy for Combating Homelessness

National Plan for Combating Poverty and Social Exclusion, cover them. However, when we look at the Report on the Implementation of the National Plan for Combating Poverty and Social Exclusion for 2023, it is unclear how the implemented measures have affected the improvement of the homeless situation. That is why we have been proposing for years the adoption of the National Strategy for Combating Homelessness, as well as a protocol that would clearly define the obligations of all stakeholders and forms of their cooperation. However, the same has not been adopted, and the Ministry of Agriculture and Rural Development states that it does not plan to develop a National Strategy.

We have previously warned that it is important to know the real number of homeless people, i.e. to have a unique record, which should be the basis for creating appropriate measures to combat homelessness, but also for the development of (new) measures, services and activities for the social inclusion of the homeless.

According to HZSR data, 803 homeless people were registered in 2024, which is a large increase compared to the official data provided by the Ministry of Agriculture and Rural Development for 2022, when a total of 380 homeless people were registered, while in 2023, a total of 635 homeless people were registered.

NUMBER OF REGISTERED HOMELESS PEOPLE PER YEARS



The submitted data do not show the gender or age structure of the homeless, and it is unclear whether the FSF definition is used to submit this data. However, this increase is not surprising given the large increase in the cost of meeting basic living needs, including housing costs. The Croatian Network for the Homeless (HMB) points out that this is a significantly larger number, so they estimate that the number of homeless people in the Republic of Croatia, according to the legal definition (who are accommodated in shelters and overnight shelters and who stay in public and other places that are not intended for housing), is at least 2,000. They also estimate that at least 10,000 people live in inadequate and unsafe housing conditions (without access to safe water for human consumption, sanitation, electricity and heat).

MRMSOSP points out that it is not easy to determine the number of homeless people to get a true picture of the situation in the Republic of Croatia. Although the Ministry of Labour and Social Affairs points out that it is necessary to count the "hidden homeless", HMB states that the Police Department of the Croatian Socialist Republic keeps in its records only homeless people who have a registered residence at their address and homeless people for whom they have issued a referral for accommodation in a shelter or overnight accommodation.

Recommendation 59

Ministry of Labour, Pension System, Family and Social Policy, to carry out a mapping of homelessness, to determine the number of homeless people and the challenges they face

Therefore, we reiterate our recommendation to the Ministry of Labour, Pension System, Family and Social Policy to map homelessness to determine the number of homeless people and their challenges.

HMB states that there is an increasing number of homeless people who are unable to work, as well as the elderly, people with mental health problems and people struggling with addictions and who mostly meet the conditions for permanent placement in an appropriate social welfare home or foster family. However, there are not enough accommodation capacities or a long wait, so they end up on the road or in shelters.

Although no official data is kept, according to the estimate of CSOs, there is a large increase in homeless women. According to HMB, about 25 % of the homeless are women, but the accommodation capacities for them are below this need. The Dom Nade Association points out that they noticed a large increase in the

number of homeless women and those at risk of homelessness in the half-day stay. For example, in the project that was implemented from July 2020 to July 2022, only four women participated, i.e. they accounted for 8 % of the homeless in their project, while in the records of the three-year project they have been implementing for the last two years, a total of 76 women out of 292 beneficiaries were recorded, which is 26 %.

This year, homeless people and service providers point to the inadequacy of benefits. On the one hand, they indicate that the ZMN is too low, and on the other hand, that decision-making processes are often lengthy.

The FSF stipulated that homeless people provided with accommodation or organised housing in a shelter were granted the right to ZMN at 50 % of the amount of ZMN. Without providing adequate compensation, this most vulnerable group of poor citizens cannot acquire the conditions to change their position and get out of homelessness. These are people without their own income, without real estate in their ownership, without a social support network, and once they leave temporary accommodation, they are at risk of homelessness again. They are in dire need of financial assistance in a higher amount, although they have a certain type of accommodation, especially if we take into account that accommodation in shelters is of a limited period, within which people should be empowered to leave the shelter, and that the amount of ZMN itself is low. At the same time, given that this is usually the only source of finance for the homeless, many decide not to seek support and accommodation in shelters, so as not to diminish it. Therefore, in the amendments to the FSF, we recommended that the amount of ZMN for homeless people provided with accommodation or organised housing in a shelter be increased, which was adopted by the latest amendments to the FSF.

Although in the 2023 report we recommended the HZSR to speed up the procedures for approving the payment of one-time benefits, there is still a lengthy process of resolving applications for exercising the right to cash benefits. The HZSR states that, although in Art. 132 par. 4 of the FSF stipulates that the Institute is obliged to issue a decision on the recognition of a one-time fee within eight days from the submission date of a valid application, and payment under the decision recognising the right is made once a week.

The HZSR also confirms that they have received complaints about the often untimely resolution of procedures, but they also state that the reasons for the length of time are excessive norms, poor spatial conditions, staff shortage, frequent administrative supervision, etc. From this, it is evident that it is necessary to strengthen the system to respond better and faster to the needs of the homeless.

Homeless people continue to have difficulties in obtaining health care due to the inability to acquire the status of an insured person in compulsory health insurance, due to the lack of personal documents, i.e. registration of residence, which we continuously warn about.

There are also more and more difficulties in finding accommodation for the homeless after discharge from hospital treatment. Namely, there are more and more homeless people with severe health impairments, who require further adequate care in a permanent form of accommodation in the social welfare system after hospital treatment, because shelters do not have the necessary support for them.

For example, the Clinic for Infectious Diseases "Dr. Fran Mihaljević" cites frequent difficulties with finding accommodation for the homeless after hospital treatment, and homeless people with HIV are a particularly big problem, given that the treatment of such patients is centralised and therapy is only available in this institution. On the other hand, the Clinic states that the HZSR responded that there is no readiness of foster parents to accept people with HIV, due to insufficient information about the transmission of such a disease,

as well as stigma. The Psychiatric Clinic "Sveti Ivan" states that every month, there is a need for accommodation for about five homeless people, and the process of finding accommodation is longer than the need for hospital treatment. The Šibenik General Hospital additionally emphasises the problem of finding accommodation for homeless women, since there are only 16 beds for homeless men in Šibenik-Knin County.

Even in situations like this, interdepartmental cooperation is important, primarily between the hospital and the Police Department of the HZSR and social welfare institutions. As hospitals state, in some situations, this cooperation is insufficient to solve the problems of homeless people. The Special Hospital for Prolonged Treatment Duga Resa also states that they are facing difficulties related to the discharge of the homeless.

"... We are in a situation to compensate for the lack of social welfare accommodation capacities and deepen the waiting list for hospital treatment for patients with a medical indication and need for treatment."

Recommendation 60 (reiterated)

Ministry of Labour, Pension System, Family and Social Policy, to develop a Protocol on Conduct that would define the obligations of all stakeholders in the protection of the rights of the homeless

These examples show that it is necessary to develop and strengthen interdepartmental cooperation, especially in the field of long-term care, to provide assistance and support to homeless women, as well as to create a Protocol on Conduct that would clearly define the obligations of all stakeholders and forms of their cooperation in the fight against homelessness, which we have been repeating

for many years. The Ministry of Labour and Social Affairs stated that "the existing normative acts define the rights and obligations of all stakeholders about the homeless, the implementation of which within the competence of the Ministry takes place following the prescribed normative framework, so there is no need to develop the required Protocol".

Service providers also point to the lack of accommodation capacities in general, and for the most vulnerable categories in particular. HMB thus states that the total capacity in the Republic of Croatia is about 450 beds, which is far below the need, given the total number of homeless people in the Republic of Croatia.

It is a legal obligation of large cities and county seats to encourage and provide temporary accommodation for homeless people in shelters and/or overnight stays. According to the data of the competent Ministry and large cities and towns in the county seat, from which we asked for information on whether they have an active shelter or overnight accommodation in their area, what their accommodation capacities are and what are the aggravating conditions for accommodation, we received data from 17 of them. Large cities and cities in the seat of counties that fulfil this legal obligation are: Dubrovnik, Split, Šibenik, Zadar, Rijeka, Karlovac, Varaždin, Zagreb, Osijek, Kaštela and Pula. However, a large number of them still do not do so, and these are: Vukovar, Slavonski Brod, Koprivnica, Bjelovar, Virovitica, Krapina, Sisak, Požega, Gospić, Velika Gorica and Samobor.

It is especially emphasised that in the east of the Republic of Croatia, there is only a Caritas shelter in Osijek.

The National Plan for the Fight against Poverty and Social Exclusion envisages investment in the infrastructure of local self-government units that will enable the development and provision of innovative social services such as social housing programs for various groups, including the homeless, for adequate accommodation/organised housing/social housing. However, the same has not come to life in practice.

In this regard, in the last Report, we recommended that local self-government units consider the possibility of caring for the homeless according to the Housing First model, successfully launched and developed by the City of Pula for the first time in the Republic of Croatia. However, it is clear from the received responses that local self-government units generally did not consider introducing this model, except Karlovac.

Regarding the aggravating conditions for accommodation, the key obstacles to entering the shelter are serious health conditions of the homeless, mental and physical, including infectious diseases, due to which the homeless cannot take care of themselves, and to which the shelters cannot provide an adequate response due to the lack of both spatial and personnel conditions, which is why they cannot provide adequate services to such people. If we consider the fact that the capacities of social institutions, including foster care, are limited, the question is what kind of support is available for the most vulnerable among the homeless.

Recommendation 61

In cooperation with the Ministry of Labour, Pension System, Family and Social Policy, local self-government units will provide accommodation and appropriate care to homeless people with severe health impairments.

Recommendation 62.

Croatian Institute for Social Work, to organise training for providers of social accommodation services related to the accommodation of homeless people with severe health impairments

Caritas of the Archdiocese of Đakovo-Osijek: "... It is increasingly difficult to respond positively to requests for accommodation for people with serious mental illnesses, treated drug and alcohol addicts, and people who have been released from prison after serious forms of crime. For such people, we believe finding another accommodation in society is necessary because our shelter can not be the last stop in solving severe social exclusion of an individual...."

"... It took us more than two months of visiting institutions (Home, HZMO - various services and branches, HZSR - various services and branches...) to prove that the gentleman, despite this Decision, was not placed in To regain the right to compensation, which is vital to him..... I have been helping Mr. (72) financially, materially, administratively and morally for almost a year as a volunteer and an interested citizen. Throughout this time, I also witnessed what homelessness does to people. Its deterioration is visible in every sense from day to day. However, in this letter I want to limit myself to the most important thing, and that is: If he is not urgently provided with a roof over his head in your Home, to which the above-mentioned Decision entitles him, he will - it cannot be said more beautifully - die of hunger, cold, disease and hopelessness..."

During 2024, we acted on a complaint regarding the inability to provide permanent accommodation for a 72-year-old homeless man who did not have accommodation despite the issued decision of the HZSR on priority accommodation in a home for the elderly in the city of Zagreb. At the same time, based on this decision, the homeless person was also deprived of the national allowance for the elderly, so he was without this financial assistance and accommodation for more than two months. A citizen and a volunteer assisted him, and thanks to her efforts and after the actions of the Ombudswoman, the gentleman was placed in a home for the elderly at the beginning of this year and was enabled to live a dignified life in old age.

2.11.3. Social welfare system

For rights and services to be accessible to all citizens, the system must be well-organised and user-centric, with adequate capacities. During 2024, employees in the social welfare system continued to point out administrative overload. With the entry into force of the Inclusive Allowance Act, which consolidated four benefits from three different systems (personal disability allowance, assistance and care allowance, increased child allowance, employment allowance) into one allowance - inclusive allowance, a new large, including administrative, job was given to employees in regional offices, who must carry out the procedure, inform beneficiaries, collect new medical documentation, copy it, submit it to the ZOSI, write new solutions, all in addition to the current daily tasks.

Employees in the system also point out the lack of accommodation as one of the key problems, not only for children, but also for the elderly, the infirm and people with mental disorders. They point out that they are faced with situations in which they have to find accommodation for the user immediately, for example, the hospital tells them at 10 a.m. that the person must leave the hospital at 3 p.m.

They continue to warn of the lack of communication, especially the impression that people who speak out publicly and point out omissions are additionally exposed to inspections that determine the mistakes and omissions of that employee and, as they state, try to discredit them. We received the requested statement of the relevant Ministry just before the submission of this Report, and it stated that the HZSR is familiar with the problems pointed out by the initiative and that, in accordance with the possibilities, they are undertaking activities aimed at raising quality standards for both employees and users of the system.

According to HZSR data 2024, 468 workers were employed in the HZSR, of which 399 were professional and 69 were other workers (drivers, professional clerks and auxiliary workers). 157 social mentors were also employed out of a total of 220 envisaged by the Plan, and 119 new professional workers were hired for the vacant positions created by the transfer of workers to the position of social mentor. It was stated that the labour shortage did not bypass the social welfare system.

The HZSR itself received three complaints from professional workers. They cited excessive norms, inadequate spatial conditions, lack of staff, overload and frequent administrative supervision for complaints.

To ensure greater mobility, the HZSR procured 41 official vehicles for the needs of regional offices in 2024, and the documentation for the procurement of an additional 64 official vehicles is underway.

Concerning complaints, according to HZSR data, 306 complaints and 221 complaints from users of the social welfare system were registered in 2024. Only two complaints were justified, while 16 were

partially justified. Beneficiaries most often expressed dissatisfaction with the work of professional workers, often due to untimely resolution of procedures, disagreement with the decisions of expert teams and the amounts of recognised rights.

Thirty-three complaints were signed with a qualified electronic signature; the rest arrived by mail or electronically with a scanned handwritten signature. However, the latter were regularly solved even without a qualified electronic signature, since the HZSR recognised that most users are not IT educated.

According to the MRMSOSP data, 1,183 complaints were received from citizens. As they state, in most complaints, no illegal conduct was found, but a lack of understanding and ignorance of legal provisions on the part of users, as well as dissatisfaction of users with the amount of fees.

Furthermore, in 2024, the Ministry of Labour and Social Affairs received only 26 complaints related to the response of the director of the social welfare institution, following Art. 147 of the ZSS. In relation to 22 complaints, the merits were examined, while four cases are still pending. Eight complaints were filed against the Ministry's response to the Commission; in 3 cases, the Commission decided on the merits of the complaint and submitted complaints for re-decision to the Ministry. In one case, the Ministry assessed the complaint as partially founded in the re-examination of the merits of the complaint, while in two cases, the Ministry did not examine the complaint in the re-examination since the omissions had already been remedied in some other way (e.g. supervision and measures ordered).

Following the Ordinance, the Ministry received only 3 complaints electronically, and all three contained a qualified electronic signature.

It is commendable that the HZSR has met its needs and enabled them to submit a complaint in a simplified way, but the website still states that a complaint submitted electronically must contain a qualified electronic signature under special regulations. Such an instruction can be a deterrent for individual users, and it is necessary to amend the Ordinance on the Manner

Recommendation 63 (reiterated)

The Ministry of Labour, Pension System, Family and Social Policy, to amend the Ordinance on the Manner of Work and Handling of Complaints in the Social Welfare System to enable the submission of complaints electronically without a qualified electronic signature

of Operation and Handling of Complaints in the Social Welfare System to enable users to submit complaints electronically and without a qualified electronic signature, and to ensure that the practice of treating all beneficiaries is uniform. The same is especially important regarding complaints in the social welfare system, for whose beneficiaries should not be assumed not only that not everyone is IT educated, but also that not everyone has the necessary equipment, and sometimes not even electricity. Consequently, we repeat the recommendation.

Regarding our recommendation to improve the information of (potential) beneficiaries of rights in social welfare, the HZSR further improved its website in 2024. Now you can find the contact details of regional organisational units and the office hours for working with clients. However, although it is separated into a separate unit and more visible, the information on how to file complaints is still not sufficiently visible because it is located at the very bottom of the website, and the address through which the complaint is submitted to the MRMSOSP and the Commission is not listed.

In 2024, the Academy of Social Welfare began its work, which should respond more adequately to the real needs of professional workers by implementing standardised professional development programs and ensuring their more timely education. Data were collected on the interests and needs of the Croatian Institute for Social Work employees, the Family Centre, the Centre for Special Guardianship and service providers founded by the Republic of Croatia.

The Academy of Social Welfare informed all counties in writing about the possibilities of cooperation with the Academy. Written cooperation agreements have been concluded only with Brod-Posavina, Šibenik-Knin and Zadar Counties. Given the low turnout of counties, the needs of employees at social service providers whose founder is not the Republic of Croatia should also be more directly examined, because they certainly need to strengthen their capacities in the context of providing services, especially if the goal is to ensure the same standard of rights for all users of the social welfare system, regardless of where they live, which was the goal of adopting the new FSF in 2022.

2.11.4. Discrimination based on financial status

"Since I meet all the other conditions and I desperately need employment, I don't know what to think about the part that says 'preferably to have her vehicle at her disposal', there is only one car in my family, and it is most often used by my sister to drive her disabled mother to daily therapies. For us, a car is not a luxury, but a necessity. I'm not an expert on discrimination, but I came across your article that says it's allowed to be put only as a possibility??? But I'm asking if any colleague who doesn't have a car will be invited to the interview at all? What are the chances that a person without a car will be selected even if they have the necessary knowledge? Why are we in our mid-twenties, still living with our parents and looking for our first job, expected to have a car? This factor will prevail as soon as it is emphasised and only in that one ad. I will sign up, but I'm not hoping for a positive outcome. I don't know if there's anything you can do. I am sending you all the other texts of the ad so that you can see that this is not required anywhere else, please anonymously."

In 2024, the prices of goods and services for personal consumption continued to rise, including basic foodstuffs, which were accompanied by an increase in prices in the area of housing and the prices of water, electricity, gas and other fuels, which had the most severe effect on citizens with lower financial status.

Discrimination based on property status is still insufficiently recognised by citizens, but also by the legal profession, and citizens rarely explicitly complain about it. We conducted procedures based on citizens' complaints and on our own initiative, and during the year, we pointed out possible structural discrimination based on property status through various activities.

In practice, the occurrence of discrimination based on this basis is often characterised by a connection with some other discriminatory basis, such as age, ethnicity or disability, so the problems faced by citizens with lower financial status are also addressed in the chapters on discrimination based on racial or ethnic origin, discrimination based on age and others. Socio-economic status prevents or hinders citizens from participating equally in various areas of social life, which we write more about in the

chapters on the right to adequate housing, the right to health, poverty and human rights, discrimination in employment and others.

In this chapter, we specifically look at discrimination based on financial status in access to education, employment, access to health care, the impact of climate change on the poorest and efforts to improve the difficult position of marginalised groups of citizens, especially the homeless.

Among other things, socio-economic status is particularly important in accessing, studying and completing higher education. On our own initiative, we started an investigation procedure due to the knowledge of the high cost of the entrance exam of a higher education institution, related to the circumstances of the time and location of its holding, which in this particular case often meant investing additional financial resources for candidates from more distant environments to organise timely access to the test. A more detailed analysis has determined that many other faculties, i.e. study programs within various public universities in the Republic of Croatia, set a paid testing of certain knowledge and skills as a condition of enrollment in addition to the state graduation exam.

Furthermore, the analysis of the data obtained has shown that the vast majority of higher education institutions already apply various measures to mitigate educational inequalities (e.g. exemption from payment of participation in study costs, awarding scholarships to students of lower socio-economic status, payment of one-time aid to various vulnerable categories of students, free textbooks, making computer equipment available, etc.). However, no institution offers the possibility of partial or total exemption from payment of the fee for testing certain knowledge and skills to candidates with poor financial status. The Plan of Measures for the Improvement of the Social Dimension of Higher Education for the period 2023-2025 prescribes the connection of the educational vertical as one of the fundamental principles, which means that social dimension policies should not only support current students, but also potential students in their preparation and transition to higher education. The plan also recognises the need for the higher education financing system to detect different starting positions of candidates and that it should contribute to covering both direct and indirect costs for students and candidates applying to student programs.

Recommendation 64.

The Ministry of Science, Education and Youth, to include in the next Plan of Measures for the Improvement of the Social Dimension of Higher Education, for socio-economically disadvantaged candidates, a measure of exemption from paying the costs of entrance exams when enrolling in faculties

We certainly welcome all efforts dedicated to improving the social dimension of higher education and, considering the autonomy of higher education institutions, in determining the enrolment procedure, we believe that candidates who take additional tests, and are socio-economically endangered, should be exempt from paying the costs of such entrance exams when enrolling in faculties.

Based on citizens' complaints and our initiative, we carried out procedures due to job advertisements published on the website of a professional chamber. There were several different advertisements, mainly for trainee positions, for which the condition of employment was the ownership or possession of a personal vehicle. Following the long-standing position, when setting conditions for employment in terms of owning and owning various equipment or means of work that do not represent a real and

decisive condition for performing the duties of the workplace, it is a practice that puts people who do not have a car, as well as those who do not have the opportunity to borrow it from a third party, in a disadvantageous position. These advertisements, therefore, have a deterrent effect on people in a disadvantaged socio-economic situation, making it difficult for them to enter the labour market and for many to get out of the vicious circle of poverty.

Recommendation 65

Ministry of Labour, Pension System, Family and Social Policy, to propose a clear provision on the employer's obligation to provide the employee with funds for work in the next amendments to the Labour Act

Therefore, we recommend that the professional chamber not publish such advertisements and that employers be informed about discriminatory practices based on financial status. We welcome the adoption of the recommendation and good cooperation with this professional chamber. Given the long-term monitoring of the occurrence of

conditions in job advertisements, for a systematic solution to this problem, we call on the Ministry of Labour, Pension System, Family and Social Policy to include a clear and unambiguous provision on the employer's obligation to provide the employee with means of work, in accordance with our recommendation during the last amendments.

Homeless people are a group of citizens who live in extreme poverty and, sometimes in combination with other discriminatory grounds, are exposed to direct and indirect discrimination, which is why we continuously warn that their difficult social position must not be further "punished". The provisions of the Law on Misdemeanours against Public Order and Peace regarding begging, vagrancy and sleeping in a public place financially sanction poverty and homelessness, which pushes people without basic means of living or a safe place to slip deeper into a vicious circle from which it is almost impossible to get out.

As a member of the working group for the amendment of the Law on Misdemeanours against Public Order and Peace, the Ombudswoman recommends to the Ministry of the Interior not to punish the aforementioned behaviour in cases where there is no alternative for citizens, following the recent recommendations of the UN Special Rapporteur on extreme poverty and human rights and the UN Special Rapporteur on adequate housing, published in the study *Breaking the Vicious Cycle: Ending the criminalisation of homelessness and poverty*. The UN rapporteurs emphasise that the criminalisation of begging or sleeping in a public place when people have no other way to survive or adequate accommodation perpetuates stereotypes, deepens the stigmatisation of citizens in extreme poverty and represents an expensive and inadequate method of solving these social problems.

In the context of climate change, it is important to emphasise that it has the greatest impact on the poorest categories of citizens. At the same time, socio-economically vulnerable citizens have the least opportunities to adapt to these changes, which is why additional efforts should be directed towards their impact on the poorest when adopting policies and measures to reduce the impact of climate change and achieve climate neutrality. Extremely high or low temperatures, as well as increasingly frequent destructive storms, can be disastrous, for example, for the homeless who have nowhere to hide, Roma families who most often live in inadequate and overcrowded conditions, or for people with impaired health who do not have the financial means to heat and cool housing units and achieve their higher energy efficiency.

At the proposal of the Ombudswoman, the Ministry of Environmental Protection and Green Transition, during the latest amendments to the Act on Climate Change and Protection of the Ozone Layer, included the principle of equality in the legal article that lays the foundations for climate change mitigation so that the measures resulting from the said law do not in a discriminatory way affect any of the groups of citizens protected by the ZSD.

"Dear Madam,

Thank you for the information, and above all, thank you from the bottom of my heart for your persistence. I'm sorry that it's again about how someone interprets the law. I would like to ask Mr. Beroš what is the difference in the fact that a child in the mother's womb is treated during pregnancy, and according to the explanation, that child is not an insured person (but is insured through the mother), while a child who dies in the mother's womb is not considered insured through the mother. I am sorry they are not sensitive to small groups of people when it is most difficult.

We would like to reiterate the lack of cooperation with the Ministry of Health and the Croatian Health Insurance Fund, about the recommendation we issued back in 2020 regarding the complaint of a woman who, in the 33rd week of pregnancy, gave birth to a stillborn child in a health institution more than 50 kilometres away from her place of residence, i.e. the place of burial of the child, but could not obtain reimbursement for the costs of transporting the body between the two locations. The Ministry of Health supported the aforementioned recommendation in principle, fully supported by the Ombudswoman for Gender Equality, who conducted the procedure in the context of the inaccessibility of women's reproductive health care, to which women from more remote and rural areas are especially exposed.

During the monitoring of the implementation of the recommendation, we were informed by the Ministry of Health that it would be considered in the next amendments to the Compulsory Health Insurance Act in 2022, which already included a time lag of two years. However, not only has the same not been implemented, but it follows from the position of the Croatian Health Insurance

Recommendation 66 (reiterated)

Ministry of Health and the Croatian Health Insurance Fund, to regulate normatively and secure funds in the State Budget and thus enable parents of stillborn children, who submit a request, to reimburse the actual costs of transporting the remains to the place of burial.

Fund that such a change through the Health Insurance Fund is not possible even in theory, since it would be contrary to the basic postulates of health insurance. To solve this problem, the HZZO again refers us to the competent Ministry, which repeats the response of the HZZO. However, in addition to analysing the estimate of possible implementation costs, we have also proposed four concrete ways to achieve it in the recent repetition of the mentioned recommendation. Given the passage of time, as well as the fact that we repeated the recommendation in the reports for 2020, 2022 and 2023, we once again call on the Ministry of Health and the Croatian Health Insurance Fund to urgently provide parents of stillborn children, who submit a request, with reimbursement of the costs of transporting the remains to the place of burial.

2.12. Right to adequate housing

2.12.1. Housing



This chapter elaborates affordable and conditional housing, social housing, energy poverty, and the right to water and housing.

Inflation, growth in real estate sales to EU citizens and the orientation towards short-term, tourist rentals affect the situation in this area. Due to high prices, especially in tourist and university seats, creditworthiness and low income, real estate is inaccessible to many, and many spend more than 30 % of their income on housing. To save money, people live in unsuitable spaces, "roommate rentals", in multigenerational communities and postpone starting their own family. Namely, young people in the EU move from their parents' home at an average age of 26.3 years, and in Croatia, only at 31.8 years. There is a shortage of publicly rented apartments for long-term rentals with an affordable market price, where the tenant can register for residence.

The competent authorities have also recognised the problems in the field of housing, so MPUGDI has drafted a proposal for the National Housing Policy Plan of the Republic of Croatia until 2030 - the first national strategic document in this area, which we will write more about later in this text.

As part of the drafting of the document, MPUGDI identified that out of a total of 2.39 million housing units in the Republic of Croatia, as many as 958,000 are not used for housing, 231,000 are used for tourism, 132,000 for activities, and 595,000 are empty. At the same time, the IMF estimated that there was a shortage of 232,750 housing units.

The Association of Cities states that buying is still considered the most reliable way to solve the housing issue and a form of investment, but it is often hindered by the availability of housing loans, high interest rates and loan contributions. According to CBS data, in the first half of 2024, the average price per m² of new apartments sold by legal entities, excluding POS, was EUR 2,473, 4.8 % more than in the second half of 2023, and 6.3 % more than in the first half of 2023. In the same period of 2024, the total average price of all apartments sold (regardless of the seller) was EUR 2,377 per m². In the first half of 2024, POS apartments accounted for 8.5 % of the square meters sold, and other sellers accounted for 91.5 %. At the same time, it is important to state that some apartments are purchased only as an investment, i.e. for tourist rental.

Solving the housing issue under more favourable conditions than the market was possible through subsidies or through POS. The state subsidised housing loans until December 31, 2023, and many

considered this measure demographically justified, as 29,170 subsidies were approved from the beginning of its implementation in September 2017 to April 2023. Others believe it favoured banks because it encouraged lending and borrowing and caused prices to rise. The implementation of POS, which critics claim has affected increased demand in addition to rising prices, continues. From the beginning of the realisation in 2001 to December 2024, 9,126 apartments were built in 83 local self-government units, in 2024, 169 in Sisak, Šibenik and Đurđevac. The sale price in 2024 ranged from 898.01 euros/m² to 1,489.50 euros/m², an average of 1,352.32 euros/m². For comparison, prices during 2022 ranged from 784.41 to 1,350.99 euros/m², and the average was 1,269.52 euros/m². There were also abuses of POS purchases, so apartments were bought and rented to tourists instead of housing.

Apartment: Zagreb, 35.00 m² (rent)

PLEASE READ THE AD. IF YOU DO NOT MEET THE CONDITIONS OF THE AD, THE APARTMENT IS NOT FOR YOU

We rent an apartment of 35 m². Only long-term rental is considered. The apartment is for one or two adults, a couple or two women. 600e per month + utilities. Rent one month in advance. Deposit 600e. We expect you to be employed and provide a confirmation of employment that you are to pay for and keep the housing unit, furniture and appliances.

The City of Split warns that the selling price of a m² in the centre exceeds 5,000 euros, and the average rental cost of a two-bedroom apartment is higher than 1,000 euros. Total average rental prices in Zagreb increased by 22 % compared to 2023, reaching 14 euros/m², while the average rent in Rijeka was 884.39 euros. A particular problem is the lack of a legal framework for renting and the possibility of enforcing rights in court within a reasonable time.

There were not enough affordable city apartments for rent, especially social rent. Cities such as Zadar, Umag and Biograd na Moru have bought apartments for rent to staff in short supply, while POS rental has not taken off significantly. The state does not announce tenders for rent; the last one was in 2016. But with all the disadvantages, renting publicly owned apartments still means more acceptable prices, a written contract and greater legal certainty.

For years, we have been pointing out that it is important to introduce order and transparency in managing state property. The information provided below refers to the area of state property management and is not related to housing care, which we write about in a separate section. Thus, as of December 31, 2024, MPUGDI managed 379 apartments, of which 205 are in use. State Real Estate Ltd. manages 7,261 apartments, of which 1,087 are empty, and the largest number of apartments requires investments. Državne nekretnine d.o.o. intends to use most of the empty apartments for the accommodation of protected tenants and the realisation of affordable housing under the proposal of the National Housing Policy Plan, while some of the apartments are already used for the temporary accommodation of earthquake victims. During 2024, 21 state apartments were sold, and five of them were given for use free of charge to solve the housing issue of families with several children or a child with disabilities in the area of the historic centre of Dubrovnik and Virovitica-Podravina County. For the care of HRVI, an agreement was concluded on the transfer of ownership of 12 apartments to the cities of Zagreb, Sisak, Osijek and Rijeka, 13 apartments for the needs of social welfare

institutions and accommodation of users of the Stančić Rehabilitation Centre, as well as to Križevci, Kotoriba, Vinkovci, Zadar, Lepoglava and Požega.

For years, the Ombudswoman has been reporting to the Croatian Parliament on the problems in exercising the right to adequate housing. She recommends the adoption of a Housing Strategy which, in addition to analysing the legal and institutional framework, should include the needs of different categories of citizens, especially vulnerable groups, and develop models of long-term, financially acceptable housing, including public rent. We pointed out that special attention should be paid to the care of vulnerable groups, care in emergencies after natural disasters, care for victims of violence, those who are threatened with eviction and do not have the means to provide accommodation for themselves. It is also necessary to strengthen the legal protection of tenants from arbitrary and unforeseen events, and to prescribe housing disputes as urgent.

At the EU level, real estate prices have grown by 49 % and rents by 24 % in the last ten years, so housing has come into focus and is a priority of the EC's work. Adopting a plan with concrete measures for the realisation of affordable housing, cooperation with the European Investment Bank is announced, and the first Commissioner for Housing has been appointed. In December 2024, the EP approved the creation of a special committee to propose solutions to housing problems in the EU.

During 2024, many laws were passed, and a proposal for a strategic document in the field of housing was drafted, which was adopted at the beginning of 2025, which for the first time significantly intervenes in the direction of ensuring the right to adequate housing, which we welcomed. At the end of 2023, the Law on the Management of Real Estate and Movable Property Owned by the Republic of Croatia was adopted, which also contains provisions on housing, and in 2024, several laws that are entirely related to or touching on the area of housing: the Act on the Management and Maintenance of Buildings, the Act on Amendments to the Local Taxes Act and the Act on Amendments to the Hospitality Industry Act. These laws should contribute to achieving the goals of the National Housing Policy Plan of the Republic of Croatia until 2030.

The plan was sent for public consultation at the end of December 2024 and adopted in March 2025. It has three goals: affordable housing, sustainable housing and space as housing, which should be achieved through financial, tax, land and environmental-energy leverage. It plans to adopt several regulations to activate empty real estate, encourage long-term rentals, strengthen the legal security of the lease relationship, build state-owned apartments, and more.

Bearing in mind the importance of the availability of conditional housing for individuals, families and society as a whole, whereby residential premises are increasingly used for work and education, and that numerous regulations regulate the current area of housing of different groups, the Ombudswoman recommended the drafting of a long-term strategic planning act. Therefore, in the public debate on the National Plan, we emphasised that, given the need for long-term planning and the fact that this is the first such document for the area of housing, it would be good to broadly and pluralistically discuss individual goals, the way they are defined and the possibility of achieving them at the plenary session, i.e. for the strategic document to be adopted in the Croatian Parliament. This would further instil confidence in the long-term direction of the citizens and achieve a greater degree of confidence that the proclaimed policy, implementation action plans and amendments to the law will lead to the solution of their problems.

Nevertheless, it is a document that provides a detailed analysis of the situation and envisages a significant number of measures to achieve the above three goals, so we welcome its adoption. It is positive that representatives of local self-government units, chambers, academia and associations were also included in the working group for drafting, which was the recommendation from the Report for 2022 and 2023.

Furthermore, although there was no legal obligation, we welcomed its presentation to the parliamentary committees.

In addition, we point out that the order in which regulations are first adopted or changed, and only then is the basic strategic document adopted, as in this case, is not the best solution. It is difficult to analyse the draft laws based on a document that was not in force at the time of their adoption, nor is its content known to the interested public, and to assess whether and how their adoption will lead to specific goals. Therefore, in the future, it would be good to pay more attention to the normative connection and the order of public presentation and adoption of acts, especially regarding the relationship between strategic documents, laws and implementing regulations. This is especially important when, for example, new taxes are introduced, which always provoke resistance in the public due to the impact on citizens' incomes. Furthermore, we would like to point out that the text of the Building Management and Maintenance Act did not contain provisions on the consent of co-owners for short-term and rental of apartments for workers at the public hearing, and the interested public did not have the opportunity to comment, and these are provisions that were later included in the Act and that caused discussions to the greatest extent.

In 1997, the Law on Ownership and Other Property Rights introduced an active approach of co-owners and managers in real estate management. However, even after several decades of implementation, the complaints we receive show that some co-owners do not understand the rights and obligations, do not know what the reserve is for, how to solve the problem with the manager, and the like. Some complainants also point to difficulties in managing and maintaining buildings in which the Republic of Croatia is one of the co-owners, especially after the earthquake. Obviously, the legal framework was insufficient, so we joined the process of adopting the Law on the Management and Maintenance of Buildings.

The law offers many concrete solutions to problems that have plagued citizens for years, such as the majority of votes needed for certain co-ownership decisions and prescribes rules on co-financing the installation of elevators. Namely, the unlimited and independent possibility of leaving an apartment in a multi-storey building and access to numerous services, especially for many elderly people, people with disabilities and those with impaired health, as well as families with small children, is one of the everyday problems, so any initiative for improvement is welcome. In adopting the Act, part of our recommendations regarding liability for damage and consent for urgent repairs, clear prescribing of conditions for the representative of the co-owner and prescribing the remediation of landslides with necessary repairs were accepted. However, the adopted legal provisions, as we have pointed out, also contain those that will cause a problem for some citizens, and refer to the prohibition of installing air conditioners on the facade of buildings and obtaining consent for short-term rental and rental of apartments for a larger number of people and for performing economic activity in residential buildings.

The ban on installing air conditioners will affect those whose apartments are exclusively on street facades and have no other installation options. The Ombudswoman warned that such a solution ignores the importance of a specific temperature in the apartment for health, especially for the elderly and small children, because heat waves are most associated with the population's morbidity and a high mortality rate. According to the WHO, the number of people exposed to extreme heat is growing exponentially in all parts of the world. Heat-related mortality for those over 65 increased by 85 % between 2000 and 2004 and 2017 and 2021, and in Europe alone, in the summer of 2022, 61,672 deaths were heat-related. The adverse effects of the weather on human health can be prevented by special public health and multi-sectoral policies and interventions, so we have proposed that it should exceptionally be possible to install air conditioners on facades when there is no other option, possibly with the consent of a body that will determine the facts. As an alternative, we proposed prescribing the obligation to co-finance the installation of devices in a place

other than the facade. The recommendations were not accepted with the explanation that citizens can acquire portable devices. However, according to many assessments, they are not the best solution because they take up space and make noise even when the units do not actively cool the space, cool only one room, and some are less efficient than others.

"I live and work at the above address, and I experienced violence and discrimination at the age of eighty. The residential building has 84 apartments, the condominium owners are tenants, and the residential building is a co-owner. ... At the end of 2022, an apartment was opened on the second floor above mine. On the fourth floor is an apartment that was opened earlier. The apartments are mostly used on weekends, on Fridays and Saturdays, with alcohol, drugs and other opiates, and probably prostitution. Guests do not follow the house rules, and the owner cleans on Sundays. Apartments are rented on a "REMOTELY CONTROLLED" basis. The apartment owner has no physical contact with the guest, nor knows who he is or how many people are there. Should the tenant's representative, a volunteer, take care of the guests as they behave, while the latter earns money through his apartment in God's peace. Regarding my problem and for the safety of other tenants, I turned to the institutions in the county and the Republic of Croatia, but there is no help or understanding to protect me and the tenants...."

Over the years, there have been frequent complaints from co-owners in apartment buildings that their ownership is endangered due to the high turnover of guests in apartments. They state that many guests do not adhere to the house rules, disturb public order and peace, make noise, destroy common property and damage elevators, paint the walls on the staircase, and mention problems with settling the costs of water and electricity consumption, municipal waste removal, that some apartment owners do not even know how many people are staying in them, and the like. It has proven that it is difficult or impossible to achieve adequate and fast protection, especially from noise, which, according to the DIRH, does not fall under the provisions of the Noise Protection Act and is within their jurisdiction. Although it is evident from the complaints that the police act to disturb public order and peace, the question is whether punishing current guests (and not the owners) can prevent future similar situations and protect co-owners in the long run. We do not have information on whether the co-owners are initiating court proceedings for damages and procedures for the dissolution of co-ownership for the reasons mentioned above, which could cause them additional costs, but at the same time represent a disproportionate reaction. Many also point out that providing catering services for household accommodation is not characteristic of multi-apartment buildings intended for housing.

The Law on the Management and Maintenance of Buildings has tried to respond to these problems, and it is prescribed to obtain prior written consent for the granting of an apartment for short-term rent from a qualified majority of co-owners, with the condition that the consent must also be given by the owners of apartments whose walls, floors or ceilings border the apartment for short-term rental, with the threat of misdemeanour sanctions. The Ombudswoman pointed out to the MPUGDI and MTS that the issue of short-term rental should be resolved (also) within the framework of the Hospitality Industry Act, and the protection of ownership should not be left solely to the citizens, co-owners, but to the competent public law bodies. The Hospitality Industry Act was subsequently amended, and the procedures and conditions for issuing and revoking the decision to approve the activity were clearer.

We also pointed out the problems of housing migrant workers or migrant workers, given that many live in poor conditions and often too many people in too few square meters. Their concerns should be addressed and thought about in the long term. A special law should regulate in more detail the hygienic and health conditions of accommodation, the necessary square footage per person, the separation of the sanitary facility from the living area and the dormitory, taking care not to cause ghettoisation. During 2024, an

amendment to the Foreigners Act was in the process, which was adopted at the beginning of 2025, and the adoption of the Ordinance regulating the accommodation of migrant workers - third-country nationals was announced.

The Act on the Management and Maintenance of Buildings and the Act on Amendments to the Hospitality Industry Act contain provisions that also apply to already existing apartments and business premises (doctor's offices, etc.), and the media have announced the initiation of proceedings before the Constitutional Court to assess constitutionality.

For years, the number of apartments for housing has decreased due to conversion into apartments for short-term rental, affecting supply and demand, especially young, seasonal and precarious workers, pensioners, and many empty apartments. Dubrovnik states that they currently have 45,000 registered accommodation units, of which 12,000 are in hotel accommodation. Split estimates that about 15,000 apartments are empty, bought as investments, and used for a few months a year. The city centres are emptying, citizens are moving to the periphery, and business and tourist spaces remain in the centre. We pointed out the problem of gentrification in 2019, and various initiatives such as 'Tenants Together' are increasingly pointing to these problems.

In the reports for 2022 and 2023, we recommended that the Government of the Republic of Croatia influence and motivate owners of private apartments to long-term rental with tax policy. At the end of 2024, a tax reform was adopted, which came into force at the beginning of 2025, which, among other things, introduced a real estate tax and a new way of taxing private renters. Real estate tax will replace the tax on holiday homes, revenues are distributed between local self-government units and JP(R)S, and will be paid by legal and natural persons for real estate that is not used. At the same time, the Ombudswoman recommended that the Republic of Croatia become a taxpayer for state-owned real estate, which should increase the revenues of local self-government units and accelerate the activation of state-owned real estate for residential purposes, which was accepted. In the case of tourist rentals, the lump sum tax is increasing, which will depend on the tourist development of the local self-government units, which should motivate landlords towards long-term rentals.

Cities are also becoming more and more active in the field of housing, so in recent years they have adopted new general acts on renting apartments, auditing the housing stock (Vinkovci, for example, states that they do it weekly) and taking measures to solve the housing problems of their citizens. Cities generally have a certain number of apartments, which they usually rent through a public tender according to criteria they determine, mainly for a certain period. Prices range from 1.02 euros/m² in Osijek, 2.65 euros/m² in Dubrovnik, and 1.23 to 2 euros/m² in Umag. For example, Imotski and Vinkovci point to an increased need to care for young people and ZMN beneficiaries, while cities affected by the earthquake, such as Karlovac, had problems caring for those waiting for reconstruction. Samobor points out that they have noticed that single mothers, victims of domestic violence and people with disabilities appear to them as vulnerable groups.

Some cities have passed acts for the care of certain groups, so Slavonski Brod has a demographic measure of renting an apartment for young families, i.e. single and single-parent families, as well as the possibility of establishing the right to build on real estate owned by the city for the construction of a family house. Varaždin sells land to young families on favourable terms, and the situation is similar in Zadar. Gospić also subsidises the housing of young families. Dubrovnik subsidises the purchase of an apartment and rent for young people, the cost of housing for social categories, and they also have a program called "Dubrovnik Housing Construction". They plan to build 50 apartments for young families, allocate city land and renovate the city-

owned housing stock within the historic centre. Knin has earmarked two of its apartments for inclusive housing. Split states that as a kind of pilot project, they are launching the construction of a residential building for affordable rental for young people and young families within the city area of Mejaši. In Šibenik, as an example of a special housing policy, they point out the exemption or reduction of the communal contribution for a residential building used for housing. Procedures for selling POS apartments in Rovinj and Zadar are also underway. Poreč is in communication with the HZSR, because there is a need for 24 social apartments in the area.

Dissatisfied with the housing policies of their cities, some citizens initiated court proceedings against their acts, so the High Administrative Court annulled the decisions on renting apartments in Zagreb, Rijeka and Split in 2024 due to procedural omissions. Zagreb and Rijeka have adopted new Decisions, which are being made in Split.

The problem related to publicly owned apartments is also the issue of legalising the status of long-term and socially deprived illegal tenants who do not have the opportunity to solve the housing issue in another/market way, as we pointed out in the reports in 2023 and 2022. Zagreb envisages the possibility of legalisation under certain conditions, some cities believe that there is no legal basis for legalisation, while Koprivnica, Zaprešić and Opatija, for example, state that they do not have illegal tenants. Slavonski Brod took over the ownership of the land on which the family houses of members of the Roma minority were built. Split states that they have started drafting new regulations on renting social and affordable apartments, and that illegal users can regulate their status through a public tender. In Samobor, the process of legalising the status of two tenants under the acts of the City is underway.

With the Law on the Management of Real Estate and Movable Property Owned by the Republic of Croatia, the state enabled the legalisation and disposal of real estate by direct agreement, but according to the determined market value of the real estate and a strictly limited circle of persons. Therefore, it is clear that the poorest will not be able to resolve their status in the property that is their only and long-term home. MPUGDI recognises the problem and states that it indirectly participates in implementing social policy measures and housing care for socially vulnerable groups by transferring apartments owned by the Republic of Croatia to the MRMSOSP or JLRPS to accommodate such persons. The state should dispose of property with the care of a good master, but at the same time, it should be borne in mind that the Constitution of the Republic of Croatia defines it as a welfare state. According to data from the State Real Estate, as of December 31, 2024, tenants use 1,170 apartments without a legal basis, 403 eviction proceedings are underway, and 1,577 procedures for rent or overhead costs. At the same time, the announcements that it is planned to adopt a Decision on the criteria and amount of rent for apartments owned by the Republic of Croatia in which there are existing users whose legal basis has ceased or fallen away, provided that the said users have not taken possession of the property without authorisation or in a violent manner. State Real Estate will directly conclude apartment lease contracts with users without conducting a public tender, i.e. a legislative framework will be created for the development and adoption of clear and binding criteria based on which the use of apartments by users without a legal basis will be legalised and enable the Company to implement contractual regulation of relations with illegal users in terms of the status of use of apartments managed by the Company.

We continue to notice that local self-government units prescribe residence for a certain duration as one of the conditions for rent, and often accept only a certificate issued by the Ministry of the Interior as proof. We have already pointed out that the condition of residence for the allocation of an apartment should be replaced by the term housing, following the example and in the manner prescribed by the Act on the Reconstruction of Buildings Damaged by Earthquakes in the City of Zagreb, Krapina-Zagorje County, Zagreb

County, Sisak-Moslavina County and Karlovac County. This Act prescribes housing as the place and address where a person has settled to exercise his/her rights and obligations related to life interests, such as family, professional, economic, social, cultural and other interests, which is evidenced by a certificate of residence or residence or other means of evidence, with a statement under material and criminal liability certified before a notary public or a public body conducting the proceedings, with a warning that giving false testimony is a criminal offense.

The position that the actual residence or residence can be proved only by one type of evidence or only by documents will harm many tenants who, for various reasons, and most often due to the will of the landlord, are not registered at the address of residence, and who will therefore be left without the

possibility of applying for city apartments and other rights in the places where they live, through no fault of their own. Consequently, we recommend that local self-government units, when prescribing the conditions and criteria for renting apartments in their ownership, and especially when conducting procedures, proving the fact of residence or residence on their territory, enable proof by all means of evidence, and not only by documents of the Ministry of the Interior.

Recommendation 67

When renting apartments in their ownership, local self-government units should enable proof of residence or residence by all means of evidence, not only by documents from the Ministry of the Interior.

One of the problems that citizens complain about and have been writing about for years is the length of the procedure for disposing of state apartments, which has extended the change of jurisdiction from MPUGDI to the State Real Estate. This is how we act on a complaint about the failure to resolve the request to purchase an apartment in Split submitted in 2014. The complainant has been in the apartment based on a lease agreement since 2012 and has duly settled all utilities. He is over 70 years old and fears that he will not live to see his claim resolved. MPUGDI never provided us with a statement on the complaint, not even after the administrative inspection was conducted. With the entry into force of the new Law on the Management of Real Estate and Movable Property Owned by the Republic of Croatia, real estate management activities have been transferred from MPUGDI to State Real Estate Ltd. The handover of the specific case was carried out in April 2024, and due to the passage of time since the application submission, the documentation for the purchase is being collected again.

We pointed out the problems with the length of the proceedings when adopting the Regulation on procedures that precede the conclusion of legal transactions for the disposal of real estate owned by the Republic of Croatia for sale, dissolution of the co-ownership community, lease or lease, exchange, and on procedures related to the acquisition of real estate and other real rights in favour of the Republic of Croatia. We recommended setting the deadlines for the procedure. State property must be put into operation, but the processes must follow transparent and pre-defined rules and be completed within reasonable deadlines.

During 2024, we also acted on complaints regarding the purchase of apartments according to the Decision on the sale of apartments owned by the Republic of Croatia from 2021. In March 2024, the Government of the Republic of Croatia amended the Decision on the sale of apartments owned by the Republic of Croatia. In August, the competent Ministry published data for the standard construction price, which is essential for calculating the price of an apartment, which accepted the recommendation from the Report for 2022 and 2023. These are 1,528 cases that Državna nekretnine d.o.o. took over from the MPUGDI, which is why further resolution delays are expected.

In April 2024, the Act on the Manner of Enforcing Judgments of the ECtHR in the group of cases *Statileo v. Croatia* (application number: 12027/10 et al.) and the decision of the Constitutional Court of the Republic of Croatia No. U-I-3242/2018 et al., entered into force, based on which, according to five models, long-standing relationships into which, through no fault of their own, protected tenants and owners of private apartments in which they live should be resolved. The USRH has already decided on its constitutionality. In cases U-I-1477/2024 and U-I-3343/2024, it did not accept the motions to initiate the constitutional review procedure, again referring to the acquired rights of protected tenants, legitimate expectations, absolute home protection, occupancy rights and others.

In a dissenting opinion, the three judges problematised the third measure of abolishing the protected lease, evicting the tenant and enabling the exercise of the right to a home by moving into an appropriate apartment rented by the Republic of Croatia under the so-called state rent with the possibility of buying that apartment under special conditions. They believe that the model is not constitutionally controversial. However, they see the problem in the implementation; they believe that the measure will be ineffective, contradictory, and partly economically irrational, without any guarantee of the deadline by which it will be implemented. We will continue to monitor the implementation of the Act.

In the Register of Apartments, which contains a centralised list and data on all dwellings in the Republic of Croatia owned or co-owned by natural and legal persons in which protected tenants live, 2,158 properties were registered, of which 25 % are not subject to the Act. The most significant number of properties (1,149) is in Zagreb, followed by 474 in Split, 201 in Rijeka, 164 in Dubrovnik, 82 in Osijek, 59 in Šibenik, 46 in Pula, 41 in Karlovac and 24 in Varaždin. Most applications were submitted (989) in Zagreb, 437 in Split, followed by Rijeka with 153 and Dubrovnik with 125. Following the establishment of the Register, the Programme of Measures for the Enforcement of ECtHR Judgments was adopted in December 2024, and the Ombudsman participated in a public consultation. With the adoption of the program, the implementation phase began, in which the appropriate program measures were operationally implemented separately for each apartment. Following the Act and the Program of Measures, the holders of the right to compensation are compensated.

According to available data, the most significant interest is in moving into a state-owned apartment; 20 payments and evictions have already been made, and by the end of 2024, another 45 should have been made. The state owns 576 empty apartments in Zagreb, Osijek, Rijeka, Split and Dubrovnik larger than 25 m² and are not in the attic or basement floors of buildings, and are intended for implementing the Act. The construction of a residential and commercial building with 152 apartments is also planned in Zagreb, as well as a residential and commercial building with 58 apartments in Split. MPUGDI also published a leaflet with detailed instructions and action steps for owners and tenants, which was one of the Ombudsman's recommendations for adopting the Act.

A complainant also contacted us again regarding purchasing an apartment owned by a school in Beli Manastir. Over the past few years, there has been much controversy about the problems of buying apartments owned by schools and health institutions in Baranja, especially regarding the criteria and price. Several initiatives of interested citizens have been sent to the Government of the Republic of Croatia to adopt criteria for the purchase. In 2018, Osijek-Baranja County proposed adopting a special regulation, but the purchase issue has still not been resolved, although many tenants have lived in apartments for over forty years. In 2012, the Ombudswoman and the State Attorney's Office pointed out that schools as institutions can make decisions on the disposal of apartments in their ownership with the prior consent of the founder, and this position was confirmed by the relevant Ministry of Education in 2014, and the then SDUOSZ in 2021. MPUGDI believes that there is no obstacle for institutions to sell apartments and that when forming the sale price, they are guided by the regulations that regulate the sale of state-owned apartments in assisted areas

and areas of special state concern. The possibility of transferring ownership from institutions to the Republic of Croatia and conducting the right to housing care procedure is also mentioned. We pointed out this situation in the 2018 and 2019 reports. Therefore, we recommend that the Government of the Republic of Croatia provide all the necessary support and participate with the founders of institutions and institutions in the area of Osijek-Baranja County in creating criteria and conditions for the sale of apartments owned by institutions to tenants who have been staying in them for years.

In the 2021 Report, we also pointed out the problems of housing care after the landslide in Gornji Kneginec in 2014, in which 85 families were left homeless. We recommended the urgent development and adoption of the Program for the care of building residents and the removal of the remains of demolished family houses and other residential buildings that were destroyed or damaged due to landslides in the Republic of Croatia, and we joined the public consultation on the Program. The main problem was that the Care Program did not consider the life situations of tenants who do not have a written lease agreement or registration at the address of the house for various reasons, most often because landlords avoid tax obligations. We

proposed that they be allowed to prove the fact of the actual lease in another way, i.e. by other means of evidence such as witnesses or documents, such as a statement certified by a notary public under material and criminal liability. We also proposed a clear prescription of disposal deadlines. However, as this was not taken into account in the public consultation, in the Report for 2023, we sent a recommendation to the MPUGDI on the need to amend the Landslide Mitigation Program and enable the proof of the fact of de facto lease by various means of evidence, which was not accepted. Insisting on proving the facts with only one means of evidence in remedying the consequences of extraordinary events is an excessive formalism, so we repeat the recommendation.

Recommendation 68

In cooperation with the founders of institutions and institutions in Osijek-Baranja County, the Government of the Republic of Croatia will create criteria and conditions for selling apartments owned by institutions to tenants residing there.

Recommendation 69 (reiterated)

Ministry of Physical Planning, Construction and State Property, to prepare an amendment to the Landslide Mitigation Program in such a way as to enable the victims to prove the fact of actual lease and other means of proof.

Social housing

Although the adoption of the National Housing Policy Plan of the Republic of Croatia until 2030 is a significant step forward in solving the housing problems of some citizens in the Republic of Croatia, it does not deal with social housing, so the opportunity to plan and regulate the area of housing for vulnerable groups in a long-term, systematic and multi-sectoral manner has been missed. Although, on the one hand, it is understandable that social housing is dealt with by the social welfare department, and not by the department in charge of housing, it is evident that social housing is also necessarily solved through various available real estate owned by the state or local self-government units and requires cross-sectoral cooperation.

The plan thus states that the at-risk-of-poverty area requires a specific set of interventions and that social housing is outside the scope of affordable housing policy, i.e., it is in the state's social policy

category. It is also stated that the FSF already defines the social rights of vulnerable groups and the elderly, and has not been considered within this document (although the Plan also mentions measures and needs to increase the capacity of homes for the elderly, so there are exceptions).

At the same time, the FSF prescribes only the obligation of local self-government units to cover housing costs for ZMN beneficiaries, as well as large cities and cities in county headquarters regarding the care of persons receiving ZMN in social housing, i.e. the obligation of LGUs to take care of families with minor children in social housing or "in other ways" in crises, so as not to separate families.

In particular, we point out that different laws have solved the housing issue for vulnerable groups. For example, housing care through the ZSZPP only applies to assisted areas and areas of special state concern. Exceptionally, only certain beneficiaries from this Act can be provided with housing in the entire territory of the Republic of Croatia, such as victims of domestic violence, personnel whose work is in special need, persons in organised accommodation facilities and beneficiaries of the Regional Housing Care Program for Persons with the status of former occupancy right holders and their family members. The ZMPZ regulates the housing of persons under international protection, while the ZOHBDR regulates the housing of veterans. Therefore, it is crucial to have a strategic document, especially since the situation on the real estate market is most affected by people with lower financial status, and in terms of groups of young people/young families, workers in precarious forms of work, pensioners, people in the social welfare system, people with disabilities, families with several children, single people, persons under international protection, migrant workers and members of the Roma minority.

Recommendation 70

Government of the Republic of Croatia, to develop the Strategy for Social Housing in the Republic of Croatia

It is clear from the handling of cases that, given the different capacities of LGUs, they are often unable to respond to the needs of citizens, and in this sense, it is important to ensure cooperation between the state and LGUs.

The obligation of local self-government units in housing crises is still unclear. Namely, in Art. 291 c. 3 of the FSF states that the LGUs are "obliged to provide accommodation" to families with minor children, to prevent the separation of children from adult family members. This obligation is envisaged for crises "when a family with minor children is left without their home and cannot provide accommodation on their own".

In the 2023 Report, we again recommended that the Ministry prescribe the obligations under this article relating to local and regional self-government units, i.e. the City of Zagreb, and the state's responsibility, and to inform them about the same. The MRMSOSP stated that the FSF clearly prescribes the obligation under Art. 291 c. 3 and states that the Decision on the criteria and benchmarks for financing housing costs and the amount of funds is being adopted.

However, it is evident from specific cases that the obligation is not clearly prescribed. First, the FSF lists "accommodation in a social apartment or in another way" under the accommodation insurance, leaving room for different solutions. Secondly, it is unclear from the provision itself how long the crisis can last, and consequently, it is unclear how long such accommodation should be provided. Thirdly, the responsibility of counties and cities in providing accommodation is ambiguous, and it is necessary to clearly prescribe what and whose obligations are and in what order they are to be acted upon. At the same time, it would be good for the provision to include the obligation of the state, due to unequal

regional development and the fact that the capacities of different cities and counties are extremely different and do not always have adequate accommodation.

Some cities and counties inform us that they do not apply this article because they do not have secured apartments or financial resources, and there were no such requests, while some state that they acted following this provision. Thus, last year, Velika Gorica placed one family in an apartment owned by the City based on a temporary accommodation contract, free of charge.

Furthermore, the stated decision, in addition to the presentation of the amount on an annual level, only defines the criterion according to which the funds are allocated to local self-government units, which is the number of ZMN beneficiaries and the amount of funds paid in the previous year. The measure is 30 % of the amount of ZMN for housing costs and EUR 160 for ZMN users who heat with wood. Therefore, we repeat the recommendation.

Recommendation 71 (reiterated)

Ministry of Labour, Pension System, Family and Social Policy, to clearly prescribe the obligations under Art. 291 c. 3 of the Social Welfare Act, which refers to local and regional self-government units, i.e. the City of Zagreb, as well as to the obligation of the state, and informs them of the same

Furthermore, concerning the aforementioned article, we also participated in adopting the Regulation on Procedures Preceding the Conclusion of Legal Transactions of Disposal of Real Estate Owned by the Republic of Croatia for Donation. We proposed that in the part of the provisions defining the purposes based on which the donation of real estate owned by the Republic of Croatia can be carried out in favour of the JLP(R)S, the purpose of the implementation of the obligation from Art. 291 c. 3 of the ZSS. In its comments to our recommendations, the MPUGDI stated that the purposes are defined by the Real Estate and Movable Property Management Act owned by the Republic of Croatia, and it is positive that the MPUGDI's opinion that these purposes already include the donation of real estate to local self-government units for the fulfilment of their obligations under Art. 291 of the FSF, and real estate was donated to them for this purpose.

"... I live in a civil union and have four minor children... We have a problem with electricity and water.. namely, we have addressed everyone, no one has helped, it has been going on for 10 years we live in a house without water and electricity, we have no bathrooms, I have one schoolboy, and now in the fall another one, the children don't even have time to wash.... It's very difficult for us. I don't know how to continue, but this centre of ours is not for nothing... We've been to the centre a couple of times, on one occasion the lady said you'd better not dig into it, people can chase you off the ground, you live like before.. But we said we couldn't do it that way, we need it... And when we asked the mayor to give us some municipal land, she replied that she couldn't, that she didn't want to have anything, that she didn't want to have anything, that she had more important problems, that we should pay a lawyer for him to chase it away or to contact the agency through them. I think if he had money, I wouldn't ask for help. I really don't know who to turn to anymore. We are really helpless, here I ask you to help us or advise us on how and what to do next..."

The problem of local self-government units not having real estate is also illustrated by the complaint of a family with four minor children living in inadequate and unsafe conditions in a dilapidated house without electricity and water in the City of Delnice. We asked the City and the County to act on possible

ways to solve this family's housing issue and provide adequate housing. However, the City points out that it lacks adequate real estate to be allocated to families. The competent regional office of the HZSR awarded one-time assistance to the family for roof repair, purchase of household appliances, septic tank repair and the like, to improve housing conditions, but the family with children still has not permanently solved the problem of inadequate and unsafe housing. We are waiting for the Ministry's response regarding the allocation of apartments to the local government.

2.12.2. Energy poverty

"According to your written answer, I do not know whether you and your authorities read the written letters sent and addressed to you. It is very irresponsible for an e-mail to be sent without a signature and knowledge of the, without stating his e-mail and contact number, because the number you provide is the number to which you, as a state-owned company, are contacted by operators who have no idea about anything, are not able to, are not allowed, etc. You, as a state-owned company, are holding on to and grasping at straws like a straw ITEM OF THIS, ITEM OF THAT, I personally ask you to state according to which item of the law you can abolish the electricity of a family in which a minor lives, and it is the main of the three factors for a normal life that are ELECTRICITY, WATER AND AIR, where YOU knowingly violate the moral ethics of the family's right to a normal life in the United States with the documentation you have attached to it. 21st century, and that is a family that can be categorised as a buyer of electricity that has been in a difficult financial situation for many years, in which a minor lives and a person with documentation from a psychiatrist with whom he is being treated and only one employed person who receives only part of his income to a protected account, based on this and the documentation provided to you, as well as to all other institutions to which an e-mail

Although Directive (EU) 2023/1791 of the European Parliament and of the Council of September 13, 2023 on energy efficiency and amending Regulation (EU) 2023/955 (the Directive) was adopted in September 2023, which introduces several measures to promote energy efficiency and clarifies the meaning of energy poverty, there is still no definition of energy poverty in the Republic of Croatia.

Regarding the definition, as an example of good practice, we pointed out the City of Zagreb, whose Energy Poverty Prevention Program for the City of Zagreb for the period until 2030 states that energy poverty manifests itself either through a complete lack of access to a particular service (e.g. unavailability of the electricity network) or as the inability of households to meet the costs associated with the use of a particular service at a level acceptable by cultural, social and health criteria (e.g. paying energy bills).

The EC has adopted Commission Recommendation (EU) 2023/2407 of October 20 2023 on energy poverty, which recognises that *"the situation of a household may be further influenced by geographical and climatic factors, household characteristics, gender, health and the specific energy and transport needs of households"*, and identifies households with high energy needs, which include families with children, persons with disabilities and the elderly, and women as particularly vulnerable, and especially single parents and elderly women. The earlier Commission Recommendation (EU) 2020/1563 of October 14 2020, on energy poverty set out a set of 13 energy poverty indicators that Member States

can consult when assessing national levels of energy poverty. We pointed out the importance of establishing accurate indicators to determine energy poverty in the public consultation on the Integrated National Energy and Climate Plan for the Republic of Croatia 2021-2030 (NECP).

The causes of energy poverty are varied, including disproportionate household income and energy prices, energy inefficiency of housing and the inability to access renewable energy sources. Socially vulnerable groups (the elderly, women, people with disabilities, the unemployed) often have greater difficulties in accessing energy due to a combination of low incomes and higher energy needs. Poor energy literacy, poor energy infrastructure, and insufficient social programs and state measures also contribute to energy poverty. Geographical distance also affects energy availability. For example, households in rural areas or in regions that do not have access to energy infrastructure face higher energy costs. According to HERA data, 29 out of 112 complaints received due to the inability to access the HEP - Distribution System Operator d.o.o. network were justified.

Energy poverty affects finances and health, quality of life and social inclusion. Namely, people affected by energy poverty often must choose between the costs of heating/cooling the spaces in which they live and other existential costs, such as food.

According to CBS data for 2024, the at-risk-of-poverty rate for Pannonian Croatia was 29.7 %, for Adriatic Croatia 21.2 %, for the City of Zagreb 9.7 % and for Northern Croatia 17.4 %. Compared to 2023, there is a noticeable increase of 3.7 % for Adriatic Croatia. At the same time, the at-risk-of-poverty rate for 2024 was the lowest in the City of Zagreb. The at-risk-of-poverty rate by age and sex was highest for people aged 65 and older and amounted to 37 %. In this age group, the gender difference was the largest, amounting to 40.1 % for women and 32.7 % for men.

As the central body for combating discrimination, we reiterate the need to work on combating energy poverty, especially among the most vulnerable groups, taking into account statistical data and life circumstances specific to individual groups of citizens.

The fight against energy poverty must be approached through cross-sectoral policies and regulations on energy, buildings and social welfare. Although there are instruments intended to mitigate and eliminate the consequences of energy poverty, a large number of citizens are not aware of this, which is why we have pointed out in previous reports the need to develop a guide that would contain all the relevant information on the rights of citizens intended to combat energy poverty, such as obtaining compensation for vulnerable customers and housing costs, as well as the possibility of energy renovation of houses, which would facilitate the exercise of these rights and contribute to the suppression of energy poverty.

There is also no single point of contact through which people affected by energy poverty can get the necessary information.

In March 2023, the Government of the Republic of Croatia adopted the Decree on eliminating disturbances in the domestic energy market, which was amended/supplemented three times in 2023 and three times in 2024. Due to the disturbances in the domestic energy market, the Regulation regulates special measures for trade in electricity, heat and gas supply, and price formation. The September 2024 amendment extended the Regulation application until the end of March 2025. According to the HERA report, the impact of the Regulation on the overall energy market and the fight against energy poverty is not yet known.

In March 2024, the Decision on subsidising part of the final gas supply price for the household category's final customers was also adopted. In September 2024, the Government of the Republic of Croatia adopted a new Decision extending its application from October 1, 2024, to March 31, 2025. In the aforementioned decision, the emphasis is on reducing the amount of bills for gas consumption for customers in the household category, which systematically changes the amount for gas consumption to a subsidised amount.

The seventh package of measures to help citizens and the economy, worth EUR 248 million, was presented by the Government of the Republic of Croatia in September 2024. The package's measures focus on two priorities: keeping energy prices low and protecting society's most vulnerable groups.

Recommendation 72

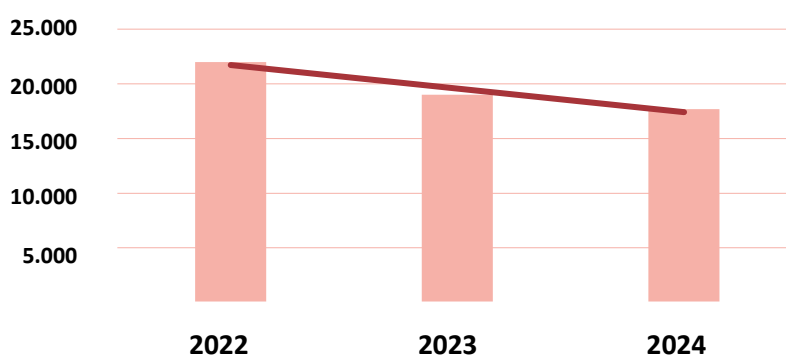
Government of the Republic of Croatia, to increase the amount of compensation for vulnerable energy buyers (NUKE)

More than 88,000 persons in the status of vulnerable energy buyers are entitled to cover the costs of electricity, gas or thermal energy. The monthly allowance is a continuation of the measure from previous packages of assistance to citizens, and despite the increase in prices,

it has not been increased, so it still amounts to 70 euros. Therefore, although the Government has extended the payment of NUKE in an increased amount, we propose that it be further increased, given the increasing costs of basic living needs.

According to HEP Elektra's data, in 2024, a temporary suspension of electricity supply due to debt was carried out at 17,691 metering points. This is less than in 2022, when deliveries were temporarily suspended at 22,000 metering points, and in 2023, when it was suspended at 19,000 locations.

ENERGY METERS TEMPORARILY SUSPENDED FROM ENERGY SUPPLY



On the official website of HEP Elektra, the conditions for assisting customers with instalment payments or deferral of debt payments and filing complaints have been published. HEP Elektra continues to act in accordance with the conclusions of the Government of the Republic of Croatia when writing off receivables from customers in the earthquake area.

Gradska plinara Zagreb-Opkrba (GPZ) has informed us that it allows customers to repay their debts in instalments, postpone the suspension of gas, conclude agreements and court settlements according to

the repayment plan in monthly instalments, to ease the position of citizens in the energy crisis and ensure the availability of gas. GPZ also states that it respects the guidelines and instructions of HERA. According to GPZ data, in 2024, gas supply was suspended at 597 metering points due to non-payment of overdue bills, while 1,947 metering points were unsuccessfully tried to suspend on two occasions.

In addition to regular monitoring of the price of energy products on the market and the adoption of measures aimed at combating energy poverty, it is necessary to continue working on the prevention of the energy crisis, especially as part of the implementation of the European Green Deal to achieve climate neutrality by 2050 in the Republic of Croatia, which aims to increase the share of renewable energy in energy consumption.

The Environmental Protection and Energy Efficiency Fund (EPEEF) informed us that in 2024, it published a public call for co-financing the energy renovation of family houses, including those damaged in earthquakes, to which 11,926 citizens applied.

According to the submitted data, local self-government units (LGUs) implement various measures to prevent or mitigate the harmful effects of energy poverty. Thus, some local self-government units co-finance the renovation of exterior joinery, connection to the gas network, the development of the main electrical design of a solar power plant for the production of electricity, some local self-government units pay one-time fees for paying bills for electricity, gas, water and other utility services, and some pay fees for financing the cost of firewood. The payment method also differs, so some local self-government units pay a one-time fee, while some pay it through smaller monthly amounts, making it difficult for users to buy firewood if they have to pay it in a lump sum.

Most of the local self-government units that provided us with the data do not have a systematic document that would contain an analysis and assessment of the current situation, i.e. the occurrence of energy poverty and identify groups of citizens living in energy poverty or at risk of it, based on which they would adopt adequate measures. A smaller number of counties have included the problem of energy poverty in social plans.

It is worrying that some local self-government units state that they do not monitor energy poverty at all and do not deal with it. Also, counties that have yet to find adequate solutions could benefit from the experience of other counties developing good practices in this area.

Thus, the County of Istria is currently implementing three EU projects related to energy poverty. A comprehensive document, "Plan for the Reduction of Energy Poverty of the Istrian County", is being drafted as part of one. The other two projects map the categories of citizens affected or at risk of energy poverty in port areas (pensioners, unemployed people, seasonal workers, single-parent households, people with disabilities and people living in rural areas in energy-inefficient households).

Although the public calls of local self-government units dealing with energy poverty are often not sufficiently directed towards end users, a positive example is the City of Križevci, which, in addition to co-financing the preparation of project documentation for the development of the project and the construction of solar power plants, also co-finances the thermal insulation of the attic of residential premises for vulnerable groups of citizens. The latter has yielded promising results in practice because the expenditures for insulation material are not large, complex construction interventions are not required, and savings on heating in the winter months are around 40 % because most of the heat of single-storey houses is lost due to uninsulated attics.

The City of Gospić partners in the international project LIFE ReHabita, which aims to offer an innovative and comprehensive strategy to combat growing poverty in Europe. As part of the project, workshops and panel discussions were held in Gospić to raise awareness of the importance of using renewable energy sources to combat energy poverty.

The City of Varaždin reported that the Regional Energy Agency North (REA) advises citizens on measures that can reduce the costs of energy products, ways of financing them, and helps in the preparation of applications for public calls of the Fund for the co-financing of energy renovation of family houses. REA is also implementing the I-PRODER project, within which the City of Varaždin has selected 50 potential users who will inspect residential buildings and report on their energy condition.

Recommendation 73

Regional self-government units to adopt comprehensive documents with an analysis of the situation and measures to combat energy poverty in their area

Given the different practices by which LGUs fight energy poverty, citizens are in an unequal position depending on their residence and largely depend on the units' capacities to apply for EU projects. Therefore, we suggest that regional self-government units monitor the occurrence of energy poverty in their area and that they adopt comprehensive documents in which, in addition to analysing

the current situation, measures to combat energy poverty are proposed and that they continuously inform citizens about it in an appropriate way.

2.12.3. Right to water and water supply

Access to safe water is necessary for preserving health and ensuring a dignified life. People without access to safe water face serious challenges that affect the quality of life, as it is essential for maintaining personal hygiene, food preparation and disease prevention.

Drinking water and sanitation are components of the right to adequate housing, which is recognised by the UN 2030 Agenda for Sustainable Development, which states that the supply of safe drinking water at an affordable price requires investments in infrastructure and sanitation.

The Constitution of the Republic of Croatia indirectly protects the right to drinking water, as in Art. 2 par. 4, indent 2 prescribes that the Croatian Parliament decides on preserving natural and cultural wealth and its use.

The legislative framework recognises the right to water. It ensures citizens' access to water through a broader legal framework, such as the Water Act, the Water Management Financing Act, the Water for Human Consumption Act, the Water Services Act, the Environmental Protection Act, and international obligations.

In 2024, the Ombudswoman continued to receive complaints from citizens that there is no water supply network in some settlements, that water supply is being suspended due to summer droughts, and due to non-payment of water consumption bills.

In the reports for 2022 and 2023, we recommended that the then Ministry of Agriculture and Rural Development instruct public water service providers to provide a minimum of 50 litres per day per

household member in the event of a suspension of water supply. Although this obligation of public suppliers arises from the Water Services Act, it is often not fulfilled, which makes everyday life much more difficult for users.

Given that with the entry into force of the Act on the Organization and Scope of State Administration Bodies, the Ministry of Environmental Protection and Green Transition (MZOZT) took over the tasks from the scope of the former Ministry of Environmental Protection and Water Management related to environmental protection, nature protection and water management, the Ministry of Environmental Protection and Green

Recommendation 74

Ministry of Environmental Protection and Green Transition, to issue an instruction to public water service providers to include an item on their water service bills informing users that in the event of a suspension of water supply, they should provide a minimum of 50 litres per day per household member, and that in the event of non-compliance with the obligation by public suppliers, users can contact the State Inspectorate of the Republic of Croatia

Transition stated that a special instruction to public suppliers for the implementation of this recommendation is in progress. It is stated that the drafting of the instruction will be preceded by a discussion between the Ministry of Education, Education and Sports and the Croatian Group of Water Supply and Sewerage to ensure its equal application concerning the specificity of 41 service areas. Namely, service areas differ in population, annual amount of water supplied, soil configuration, geographical and traffic connections, the rural area's size and layout, and the supplier's technical capabilities to provide 50 litres of safe water per capita per day. As an example, large cities are cited, such as Zagreb, where many public taps and wells have already been installed (a total of 166, and 17 new ones are planned to be installed every year) from which water can be used without restrictions and free of charge, with a public announcement of a map with the locations of taps. It was pointed out that smaller suppliers, whose area is mostly rural, do not have the technical capabilities to provide the population with the prescribed amount of water through the public water supply system and public taps, but local self-government units help them in deliveries to tanker trucks. It was also stated that special attention will be paid to remote islands where delivery is carried out by ships and tanker trucks. We are therefore continuing to monitor the implementation of this recommendation.

In 2024, we also acted on complaints about water reduction during the dry period. At the peak of the tourist season in August, Vodovod d.o.o. Zadar informed the media about interruptions/suspension of water supply in the areas of Gornje Selo 1, Kožino – Gornje Selo and part of the settlement of Vrsi.

This is how a house owner in Gornje Selo in the Municipality of Vrsi complained to us, saying that delivery was completely suspended in the summer months. During the investigation, Vodovod d.o.o. Zadar informed us that two tanks have been installed. At the same time, we have been informed that to solve the problem of water supply, the Water Supply Pipeline "Duševića mlin – Vrsi" project has been developed, but that the realisation of the project does not depend entirely on Vodovod d.o.o. Zadar, because it is necessary to secure financial resources from local self-government units or Croatian Waters and to resolve complex property relations.

Following Directive 2000/60/EC of the European Parliament and of the Council of October 23, 2000, establishing a framework for Community action in the field of water policy (Water Framework Directive), it is unacceptable for any form of water supply to be outside the control and management of water

supply. To implement the water sector reform, the Water Services Act was adopted in 2019 and the Regulation on Service Areas in 2021, which defines 41 service areas. The water sector reform aims to ensure the balanced development of water services and efficient implementation of investments, as well as to reduce the number of water service providers, to strengthen their capacities and increase the quality of service to citizens, i.e. increase access to safe water.

According to the latest available data, in the Republic of Croatia in 2023, 6 % of the population did not have the opportunity to connect to the public water supply system. In the earthquake-stricken area of Sisak-Moslavina County, 94 % of the population had the opportunity to connect to the water supply network, and 85 % were connected, which indicates that the remaining part of the population is supplied with water from systems that are outside the water supply management system. These citizens are supplied with water from local water supply systems and individual water supply (wells, cisterns, etc.), which we also write about in the section on the impact of earthquakes on exercising human rights.

According to the data of the Ministry of Education, Education and Sports, the reform of the water sector is in the final phase, i.e. out of 41 service areas where integration needs to be implemented, it has been fully or partially implemented in 36 service areas. The water reform is expected to be completed by the end of January 2025.

In addition to water availability, its price is also important, as it grew during 2024, as we were informed, for example, by the cities of Virovitica, Karlovac, Imotski and Zadar.

According to the data of Croatian Waters on water losses, the percentage of non-revenue water in public water supply systems in the Republic of Croatia in the last few years has been 50 %, and according to the data provided by public water service providers, this percentage will remain at the same level in 2024. Significant water losses are observed in public suppliers where the construction of large agglomeration projects is underway, as well as in the City of Zagreb. In 2018, Croatian Waters launched a ten-year Program of co-financing the reduction of water loss, for which EUR 4,670,000 was spent.

Water quality is also important. According to available data, in 2021, 7,955 samples were sampled as part of the state monitoring of water for human consumption within public distribution systems, of which 139 or 1.8 % were defective. In 2022, 7,873 water samples were sampled, of which 156 or 1.98 % were defective, while in 2023, out of 8,104 samples, 166 or 1.99 % were defective. Therefore, it can be concluded that there were no major changes in the number of defective samples in the period 2021-2023. However, the results of the analyses are worrying, which showed that out of 404 samples from local water supply systems, 204 are unhealthy, or 50.5 %, which is 8.37 % more than in 2022.

2.12.4. Housing

In this chapter, we provide an overview of normative activities related to housing care and address the challenges faced by citizens, especially victims of domestic violence and former occupancy right holders, as well as the remaining unoccupied beneficiaries of the regional housing care program.

In 2024, a new Regulation on the criteria for scoring applications for housing care was adopted, aligned with the 2023 Act on Housing Care in Assisted Areas (ZSZPP) amendments. For the first time, it introduces the status of the former occupancy right holder as a criterion for scoring applications for housing care. This had to be introduced because with the entry into force of the

ZSZPP of 2023, the provision based on which the Regulation on determining the status of former occupancy rights holders and members of their families and the conditions and procedure for their housing care (the Regulation) was adopted ceased to be valid. The number of points for the applicant or household member who has the status of a victim of domestic violence has also been increased, as well as the number of points for applicants of younger age, which seeks to encourage the settlement or stay of young people in assisted areas.

During the year, a decision was also made to adopt a program for constructing and renovating state-owned housing units in assisted areas of the Republic of Croatia for housing care for young people and young families. Thus, our recommendation on defining a young person, i.e. a young family, was accepted. It is also accepted that single parenthood is scored in applications at the local level, as well as that in cases of the same number of points, preference is given to people with deficient professions and professions who come to the assisted areas.

In several previous reports, we have pointed out the need to adopt regulations that would comprehensively address the issue of housing care and apply to the entire territory of the Republic of Croatia. However, the CFSP applies only to assisted areas and areas of special state concern. Exceptionally, only certain beneficiaries of this Act can be provided with housing in the entire territory of the Republic of Croatia, such as victims of domestic violence, personnel whose work is in special need, persons in organised accommodation facilities, beneficiaries of the Regional Housing Care Program, persons with the status of former occupancy right holders and their family members. However, the National Housing Policy Plan of the Republic of Croatia until 2030 should also result in adopting amendments to the ZSZPP with new models of housing care and the new Affordable Housing Act.

Challenges in exercising the right to housing care

"The CRP Sisak office was approached by the client S.B. from Barilović regarding the issue of the length of action in the housing care system, i.e. the length of waiting from the day of submission of the application until today, and it is over 10 years. During 2014, the application for housing care, allocation of basic building materials, model E1, was submitted by the party's mother, K.B. She was the holder, and the other two members were S.B. (son) and M.B. (daughter-in-law). K.B. died a few months after the application was submitted. After the death of his mother, S.B. reported the changes to the competent state administration office (now the county office of Karlovac County), where he included his mother-in-law A.V. as a member of the household, who lived with her daughter and son-in-law all the time. He received a positive decision on the right to organised installation, model E4, in August 2021, but the same has not yet been executed, and the waiting period from 2014 to today is unrealistic for the life situation in which S.B.'s family found themselves."

The lengthy process of exercising rights has been one of the most significant problems in housing care for years.

There is a big difference between the number of applications and available housing units, and the amount of funds provided in the State Budget for these needs is insufficient. Therefore, it is unsurprising that both we and associations, such as CRP Sisak, were mainly approached by the parties because of the long duration of exercising the right to housing. That is why we repeat the earlier recommendation.

This applies to all models of housing care referred to in Art. 7 of the ZSZPP, but the situation is somewhat better in terms of the housing model by donating building materials for the renovation, extension/upgrade and completion of an existing family house owned by the beneficiary or the construction of a family house on construction land owned by the beneficiary (model D), and most applicants have been provided with housing through this model. However, for the applicant to be able

to exercise the right to housing care under this model, the condition is that he is the owner of the construction land, which most are not.

Recommendation 75

Government of the Republic of Croatia, to provide additional funds and housing units for beneficiaries who are taken care of through priority lists under the Act on Housing Care in Assisted Areas

Recommendation 76

To the competent first-instance authorities, to speed up the dynamics of resolving applications for housing care

Recommendation 77

The Ministry of Physical Planning, Construction and State Property, counties and the City of Zagreb are to publish on their websites a list of available locations and models of housing care at these locations in addition to the Public Call for Applications for Housing

During the reporting period, we received information from the association related to the issue of non-publication of data on housing models available in certain local self-government units within the county for which the application for housing care relates. Namely, when applying, the applicants do not have information about the available real estate for individual models of housing care and where these properties are located, and they are obliged to state in which LGUs they want to exercise the right to housing care. Only if they ask for it will they receive information about the location of available real estate. Given the expectation that they indicate in advance the model in which the local self-

government units want to achieve housing care, this information should be publicly available. According to our knowledge, the legal predecessor of the Ministry of Labour and Social Affairs, the Housing Care Directorate, i.e. the Central State Office for Reconstruction and Housing Care, published on its website a list of locations and models of housing care at these locations, while now only the number of families planning to be provided with housing according to a certain model during the year is published.

Consequently, we recommend that the Ministry of Physical Planning, Construction and State Property, as well as the counties, i.e. the City of Zagreb, publish on their websites, along with the Public Call for Applications for Housing Care, a list of available locations and models of housing care at these locations.

The problems of former occupancy right holders who have been recognised by final and enforceable decisions for housing care by renting a state-owned apartment in the area of (most often) coastal counties, which have not been implemented, are still unresolved. According to the MPUGDI, during 2024, there were 487 final and enforceable decisions on the right to housing care of former occupancy rights holders who have not yet been assigned a residential building. At the same time, the MPUGDI stated that 273 beneficiaries did not respond to the invitation to take over the assigned housing unit, or it was difficult to get in touch with them.

During 2024, we also acted on a complaint stating that the complainant, as a member of his mother's family, the former occupancy right holder, exercised the right to housing care in 2015 by renting a state-owned apartment in the Dubrovnik-Neretva County. However, even nine years after the decision, issued

on the request from 2004, it has not been executed. In this regard, the MPUGDI stated that there are no state-owned housing units in the area of the said county, and the situation is similar in other coastal counties. MPUGDI states that beneficiaries are offered the opportunity to exercise their rights in other areas of assisted areas where they have a housing stock or according to another model of housing care, but in practice, this does not contribute to the solution of this problem.

An additional problem of the former occupancy right holders is the length of the proceedings regarding the submitted requests for the purchase of apartments, whereby the initiated procedures were sometimes completed only after receiving our letters in which we asked for comments on the reasons for the length of the proceedings.

"I'm contacting you, who knows how many times, to thank you for helping me so far. In your last letter from 2022, you wrote that the purchase of my apartment is going in the right direction, and if there are any problems in that final phase, I will contact you again. I thought it wouldn't be necessary, but unfortunately, as before, I always have to turn to you"

Several people complained to us that, after submitting a request to purchase housing units on which they exercised the right to housing, MPUGDI officials often visited them to check the use of the housing units. Although it is indisputable that MPUGDI has the right, following the Annual Control Plan, to carry out controls on the use of housing units managed on behalf of the Republic of Croatia, some users, mostly former occupancy rights holders, state that they are inspected too often, especially after applying to the purchase of an apartment, which causes them discomfort and restricts their freedom of movement.

"Dear Sir/Madam, I believe that you are familiar with my case. I am V.L., and thanks, among other things, to you, I got an apartment for two years due to domestic violence. As those two years expire, I was reminded by the office that there will be no problems with the extension because I have nothing in my name and surname, neither real estate nor movables. In the meantime, I have achieved a pension, and that's all I've accomplished. And I had problems until they transferred that below-average pension to Erste Bank in the Republic of Croatia. When I handed over that decision to Mrs. M. from the Regional Office in S., the next morning she immediately called me, to put it mildly in a RAISED TONE, how could I have been registered in ..., and what I had to do, because, as you have an insight, in 2017 I ran away ... at my brother's abusive husband's house and then I had to have an ID, because they were checking on me"

The significance of the extension of housing care for victims of domestic violence for an additional two years is evident from the complaint quoted in the introduction. The complainant had previously approached us due to the inability to exercise the right to temporary housing care by renting a state-owned apartment for two years, under Art. 45 para. 3 of the ZSZPP as a victim of domestic violence, which was recognised by the county's decision in 2022. During the use of the apartment, Art. 45 of the ZSZPP allows for the extension of the use for another two years after the expiry of two years if the reasons for which the decision was issued are still ongoing, which is determined in the procedure before the competent administrative body. According to the transitional provision, this also applies to existing beneficiaries, including the complainant.

However, it is certain that the complainant, as well as some other beneficiaries of housing care for victims of domestic violence, will not cease to have the reasons for which the original decision was issued even after the expiry of the additional period of two years, so we pointed out that such housing care should be provided as long as the circumstances for which it was approved persist. We have also proposed providing permanent housing care in a special housing facility to victims of domestic violence who have already exercised the right to housing, which we wrote about in more detail in the 2022 Report.

Regional Housing Care Program

"In December 2020, I submitted a request to Karlovac County for renting a state-owned apartment in the area of the Municipality of Vojnić for myself, my common-law wife and two daughters. I do not own or co-own another habitable house or apartment with a suitable living area in the territory of the Republic of Croatia or the territory of other countries, and the last 15 years I have not sold, donated or disposed of it in any other way before submitting the Report to the first-instance body of Karlovac County"

As of June 30, 2023, the implementation of the last approved HR9 subproject was completed, but in 2024, according to the MPUGDI's statement, there are still 14 beneficiaries left who are included in the housing care plan through the National Housing Care Program, which will be addressed as a priority by providing adequate housing units.

This is how we were contacted by a complainant who, together with his wife and two daughters, was granted the right to housing care through the said subproject by a decision from 2020, but by the time the subproject was closed, no lease agreement had been concluded or he had been assigned a housing unit. He stated that the housing units have not been purchased and that it is unclear to him how they will be provided with housing and whether they will have priority concerning applicants who are provided with housing regularly through priority lists. Regarding the specific complaint, the MPUGDI stated that it was familiar with the case of this complainant and that in a short period, he would be provided with housing in a housing unit renovated in Karlovac County.

Recommendation 78

Ministry of Physical Planning, Construction and State Property, to provide housing for the remaining uncared-for beneficiaries of the regional housing program.

Although the MPUGDI stated that the recommendation from the Report for 2023 to provide housing for the remaining beneficiaries of the regional housing care program is in implementation, i.e. that five such beneficiaries were provided with housing by the last quarter of 2024, 14 such beneficiaries are still uncared for. According to the UNHCR criteria, the Prosecutor, as

well as other persons in a similar situation, are considered an extremely vulnerable group, and it is not clear from the MPUGDI's response when they will be provided with housing.

Interdepartmental cooperation

Under Article 47, para. 2 and 3 of the ZSZPP, interdepartmental cooperation of the MPUGDI with local self-government units is carried out, aiming to increase the available housing stock and housing care for families in need. As a rule, local units offer building land equipped with basic communal infrastructure and are exempt from paying communal contributions. Available building land owned by the Republic of Croatia is also used in some situations.

According to the MPUGDI's statement, five such agreements were concluded during 2024, with the Municipality of Vrpolje and the cities of Otok, Obrovac, Drniš and Vukovar, and five more agreements are being prepared: with Novska - transfer of ownership of three apartments from the Republic of Croatia to Novska to ensure affordable housing; Cetingradom - reconstruction and extension of a multi-apartment building with ten apartments; Grubišno Polje - construction of a building with 20 apartments; Ilokom - construction of a building with 20 apartments; and Vinkovci - a program of cooperation by donating building materials. MPUGDI also stated that work on constructing a multi-apartment building in the City of Drniš with 25 apartments and a building in Novska with 20 apartments has been completed.

In addition to the above, and based on previously concluded agreements on interdepartmental cooperation, there were eight projects (12 buildings) in the design or public procurement for the selection of a designer or contractor and supervision on December 31, 2024: Knin - construction of three buildings with 84 apartments, Konavle - construction of two buildings with six apartments, Brinje - adaptation of one building with seven apartments, Vrpolje construction of one building with 20 apartments, Otok construction of one building with 20 apartments, Obrovac adaptation of one building with 10 apartments, Drniš II construction of one building with 25 apartments and Vukovar construction of two buildings with 42 apartments.

Such cooperation and agreements contribute to a faster resolution of the housing issue of users in areas where MPUGDI does not have housing units, as well as to attracting staff who are deficient in certain local areas, and it would be good if there were as many of them as possible. MPUGDI states that our recommendation is being implemented to initiate the conclusion of agreements on interdepartmental cooperation with local self-government units, especially with those in which former occupancy right holders wait for the allocation of a residential building for a longer period after the right to housing has been exercised.

2.13. The impact of the earthquake on the realisation of human rights

During 2024, we continued to monitor the reconstruction in the area of Zagreb, Krapina-Zagorje, Sisak-Moslavina and Karlovac counties after the earthquake in 2020, and in this work, we write about the problems pointed out by the victims, CSOs, and affected local self-government units. Most of the complaints relate to the length of case resolution and the renovation of family houses, and they were received mainly from the area of SMC. We also look at the legislative framework.

The new Act on the Reconstruction of Buildings Damaged by Earthquakes in the City of Zagreb, Krapina-Zagorje County, Zagreb County, Sisak-Moslavina County and Karlovac County from 2023 abolished the obtaining of numerous documentation, encourages self-reconstruction, introduces public procurement

by geographical units and block solutions, and there has been an institutional unification and acceleration of procedures.

In March 2024, the Government adopted the Decision on the Organised Temporary Accommodation of Earthquake Victims in the City of Zagreb, Krapina-Zagorje County, Zagreb County, Sisak-Moslavina County and Karlovac County, which expands the scope of persons who are provided with temporary housing during reconstruction. The Decision also enables the co-financing of utilities for owners of buildings damaged or destroyed by the earthquake who have exercised the right to temporary housing care based on regulations on housing care in assisted areas in apartments or houses owned by the Republic of Croatia. The deadlines for submitting applications for temporary and permanent housing care until the completion of the renovation have also been extended, which we especially welcome.

In September 2024, the Program of Measures for the Reconstruction of Buildings Damaged by Earthquakes in the City of Zagreb, Krapina-Zagorje County, Zagreb County, Sisak-Moslavina County and Karlovac County was sent for public consultation, which we welcome because this was not the case with the adoption of the previous Program. At the same time, the consultation period has been extended from five to 15 days. However, the proposal did not explain the reasons and objectives of the adoption or planned changes, so it was difficult to notice and monitor them, which we warned about in the consultation. The document should be nomotethically refined and clearer because it is a complex matter that interests many victims, especially regarding procedures and ways of exercising rights and obligations.

"First of all, we wish you all the best and much success privately and professionally, and my mother sends good wishes to everyone involved in the case; just before Christmas, they installed heating for her.

I started writing to you a few times in the autumn, but Life does its thing... And at the end I didn't! Sometimes I felt like a telling child... I stop, write something, then delete it, or write everything nicely and for who knows why, it disappears from the draft (and I have been using Outlook every day for over 20 years) 🤔🤔. Then I remember it at work, but I really did not have time for private matters, so Time and Life do their thing. I did not write, but I will now, she will answer, the representative will say something good. You deal with it and don't talk about it because you are getting crazy, but it also seems ridiculous and discouraging at the same time. And then again, I am not doing anything wrong, that inner voice, that something is not quite right... that something is wrong.

A total confusion of feelings and thoughts. Complicated calls, messages... to a company under supervision, with people in cc in an e-mail from the Ministry, a representative who does not respond to the e-mail, reads a message on WhatsApp but never replies, even though you offered to help collect offers... Towards the end, calling the contractors themselves and the company that is under supervision...

Thank you immensely. Without your support, I would have spent the fifth Christmas without a home..."

In the 2023 Report, we reiterated the Ministry of Industry and Trade's recommendation to communicate the deadlines and coverage of the renovation of family houses and apartment buildings in earthquake-stricken areas. Progress has been made, and the website provides much general information on reconstruction. However, citizens continue to complain about the length of the procedure and the lack of information about their cases, i.e., the course of reconstruction, so we consider the recommendation partially implemented. Some of the victims have exercised their right in the "papers", but they have been waiting for months for the start of the works, which is especially difficult for the elderly and/or those with health problems, those who are isolated by traffic and do not use the Internet. For example, the Ombudswoman acted on the complaint

of an elderly woman from Zagreb with an oncological diagnosis who has been waiting to renovate the chimney since the earthquake. After repeated appeals to the MPUGDI, the rehabilitation finally started in December 2024.

The MPUGDI states that they have received 41,360 requests related to 24,839 locations. Of these, 38,549 are renovation applications (24,801 locations) and 2,811 applications for rent financing and housing. Of the renewal requests, 20,270 have been positively resolved, 6,805 have been suspended, 1,203 are related, while another 10,271 are being processed. Requests for organised renovation dominate (24,288), while there are fewer requests for self-renovation (14,261).

Given the large number of proceedings, there are a few reconstruction-related lawsuits. Last year, the Administrative Court in Zagreb received 55 of them, four adoption judgments were issued, and the average duration of the dispute was 226 days.

The difference in the number of submitted requests for reconstruction and the location of those damaged by the earthquake may indicate that citizens submitted more applications for the same area, out of caution or misunderstanding of regulations. At the same time, likely, no request for renovation has even been submitted for certain properties, all the more so because the Government's Report on the Implementation of Reconstruction for the first half of 2024 states that 69,000 buildings were damaged. MPUGDI also has information that the users of 178 mobile housing units (hereinafter referred to as MSJ) did not submit a request for reconstruction, while it is possible that they were not the owners, but also that they were the owners of the damaged building, but for certain reasons, they did not apply.

According to data from February 2025, reconstruction for the areas affected by both earthquakes was completed on 12,879 buildings, of which 12,169 were private buildings and houses and 710 public buildings and infrastructure facilities. From the beginning of the renovation of private property in 2020 until June 30, 2024, a total of EUR 506.29 million was spent, of which 30.23 % was realised in 2024. In 2024, MPUGDI also approached the development of the concept of block renovation - a single renovation of several buildings within one street, a residential block in the city or entire settlements outside urban areas (Little Vatican in Zagreb or ulica Hrvatskog narodnog preporoda in Sisak). According to the Renovation Plan, all replacement houses should be constructed by the end of the first half of 2027, and the entire renovation should be completed by 2030. The organised construction of replacement houses dominates, and the number of transitions to the model of financial assistance for purchasing a family house or apartment is also increasing, which often proves to be the most effective and fastest way to exercise the right to reconstruction. In structural reconstruction, self-renovation is at the forefront with the payment of funds before and during the reconstruction, but this model is less common for the elderly in both areas affected by earthquakes. Self-renovation and disbursement of funds before and during renovation is an effective model, but it is not suitable for all citizens because the elderly are less likely to choose a designer, contractor and supervisor themselves.

The challenge in carrying out the renovation is still the lack of available construction operations for the increased volume of work. The highest acceptable prices of works are determined by the decision of the Government of the Republic of Croatia by the Faculty of Civil Engineering in Zagreb, by the trends in the market of services, construction materials, products and labor, which is important for the successful implementation of procurement procedures or the interest of construction operations.

Article 113a of the DIRH Act prescribes that in the process of removing a destroyed building, the building inspector ex officio shall immediately issue a decision on the removal of the destroyed building and/or part

of the building damaged by an earthquake, flood, landslide or other extraordinary event, the remains of which directly threaten the safety, health of people and other buildings or the stability of the soil on the surrounding land, without the consent of the owner/co-owner and the consent of the competent authority under the regulations governing the protection and preservation of cultural property. The decision is delivered to the owner/co-owner/manager of the building or an unknown owner by advertising on the notice board, and the notice of this is published on the DIRH website and is considered delivered on the day of publication on the notice board, which makes it enforceable. The costs of enforcing the decision are covered from the state budget. On this basis, from 2021 to the end of 2024, the DIRH executed 589 decisions on removal, of which 422 were in the SMC area, mostly in Sisak, Jasenovac and Petrinja, while eight more are awaiting execution. In other areas, 62 decisions have been executed, and eight await execution. Inspections are still being carried out. Four lawsuits have been initiated: three for damages due to the removal of a garage in Petrinja, a residential building in Majske poljane and a residential building in Hrvatska Kostajnica, and an administrative dispute over a lawsuit for the annulment of an inspection decision on the removal of a building in Zagreb. The Ombudswoman has also received complaints about the removal in the Glina area, which we are acting on.

Citizens are generally more satisfied with the renovation of public buildings than with the renovation of private houses. Although progress can be seen in the renovation of private houses, when planning organised renovation, it is necessary to focus on this renovation and accelerate it further.

We also collected data on the reconstruction and the specific problems they face from the affected local self-government units. Dvor states that only five family houses have been renovated in their area, and that the residents cannot use the self-renovation model because they are mostly elderly people with very low incomes. Velika Gorica states that they regularly visit the beneficiaries of the renovation, most are satisfied, but some complain about unprofessionally performed works, which they reported to the MPUGDI. They noticed an increased need for legal aid for people with poor financial status. Lekenik appeals to accelerate the reconstruction of severely damaged houses in increasingly deteriorating condition, which is also contributed to by occasional earthquakes, and are dangerous for citizens. They also point to the problem of access to water. The citizens of Glina also expect an acceleration of the procedures for renovating private houses and buildings. Hrvatska Kostajnica states that a large number of requests for renovation from their area have not yet been processed, as well as that the works on some buildings were not carried out according to the rules of the profession, that they worked with low-quality materials, so some renovated houses are already in need of repairs. Sunja also points to problems with reports and damage assessments, which is why some victims missed the deadline for submitting claims, while Sisak states that they have no information on whether there is a need to extend the deadline for reconstruction. The municipality of Majur warns of demographic extinction and population disappearance, that in 2021 they had 760 mostly elderly residents, about 25 dies annually, and only one or two children are born, and the reconstruction of "red and yellow" houses is slow.

Recommendation 79 (reiterated)

Ministry of Physical Planning, Construction and State Property, to prepare an analysis of the needs for the possible opening of a new deadline for submitting applications for renovation

In the 2023 Report, we recommended that the Ministry of Industry and Trade analyse whether there is a need to open a new deadline for submitting applications after completing the processing of all renewal requests. We also proposed an extension of the deadline for adopting the Program, which was rejected because citizens

had access to and relocated offices in Zagreb, Sisak, Petrinja and Glina, where they could get information and submit a request for reconstruction. On the other hand, most of the listed local self-government units indicate the need to extend the deadline for submitting renewal applications. They cite various circumstances that prevented citizens from submitting a request, including the lack of professional support and damage to previously damaged buildings. In July 2024, the media also reported on the need to set a new deadline for submitting applications for reconstruction. Therefore, we reiterate that it is necessary to prepare a needs analysis that will consider the opinions from the field to open an additional deadline for submitting applications for reconstruction.



On January 15, 2025, 1,543 mobile housing units (MSUs) or containers were deployed in the areas of both earthquakes in the areas of both earthquakes. Based on the Program for the Care of Users of Mobile Housing Units in the City of Zagreb, Krapina-Zagorje County, Zagreb County, Sisak-Moslavina County and Karlovac County, which envisages eleven models of user care, all classic container settlements have been closed. In addition to the people in them, some people in the yard containers were also taken care of in more appropriate accommodations or a renovated home. Thus, there are now a total of 2,330 people in more suitable accommodation. To accommodate citizens whose homes are being renovated, and were accommodated in MSJ, 157 state apartments were refurbished, 130 mobile energy and 131 wooden houses were built, which will later be used to expand the capacity of homes for the elderly. EUR 16.02 million was spent on co-financing the rent in the replacement facilities, and the call for co-financing is still open.

Many of the victims, for various reasons, and most often because they are engaged in agriculture, cattle breeding or growing food for their consumption in their garden, still live in containers, and we visited some of them in Marinovići, Kozaperovica and Dolnjaci, rural parts of the Glina area. They are waiting for reconstruction and clear information about the beginning of work. We also visited citizens who live in containers where they do not have sanitary ware or water, so they enter and stay in their

damaged houses. We also visited an earthquake victim whose house was removed, and in the container that was placed on him, there is no sanitary ware or water, and he has to wash it in his yard. Therefore, we

Recommendation 80

Ministry of Physical Planning, Construction and State Property, to speed up the organised reconstruction and take into account the victims who are in containers, i.e. temporary accommodation at the expense of the budget, and members of vulnerable groups, such as recipients of the guaranteed minimum benefit, persons with disabilities, the elderly and Croatian veterans

recommend that the MPUGDI accelerate the organised reconstruction. In doing so, it is necessary to consider the victims who are in containers, i.e. temporary accommodation at the expense of the budget, and members of vulnerable groups, such as ZMN recipients, persons with disabilities, the elderly and Croatian veterans.

The Arena Hostel in Zagreb accommodates seven more earthquake victims, three of whom independently bear the costs of accommodation and are in the status of hotel guests. The other tenants do not pay for accommodation, and two are waiting to be taken care of by the City of Zagreb. For the other two tenants, a solution and the possibility of taking care of them within the regulations are still being sought.

The Ombudswoman acted on the complaint of the CRP for excessive formalism in determining the right to housing care for a family from the Sisak container settlement. The complainants were required to provide certificates of all residences/residences from the countries where they had resided in the past 15 years; certificates of the competent cadastre on non/possession of real estate for all places of residence/residence abroad; certificates from the municipal court or other public register that they have/do not own real estate for all places of residence/residence; a certificate from the competent tax office on the sale of real estate abroad; a certificate from the Tax Administration on the assigned OIB for a family member, etc. The documentation could not be obtained through embassies, but only privately, for which the family does not have the funds, and in the countries where they lived, they have no relatives or someone who would help them. Their housing request was denied, although Art. 14 para. 5 and Art. 44 of the ZSZPP prescribe ex officio action, which includes obtaining documentation, which we have pointed out. The appeal procedure is ongoing.

To revitalise the SMC, the housing stock is being increased, and it is planned to build 59 multi-apartment buildings with 1,024 apartments. Through the OPCC 2014-2020, eight apartment buildings in Petrinja and four in Glina were completed and moved into.

Many victims in the SMC area are elderly people who live in places without public transport, which affects the availability of health, social and other services, so they are forced to pay for transport to neighbours or taxi services, which is an additional burden on their already low income. They live in poverty, some even in damaged houses, although they are aware that they are not safe. The testimonies of food poverty are especially shocking because this area had developed livestock breeding due to the needs of the nearby meat industry. In addition to the employees of the HZSR or local self-government units, they are assisted with various needs (chopping wood, bringing medicine and food, sometimes just for talking) by employees and volunteers of the Croatian Red Cross and others. CRP organises the provision of legal aid through its contact points, and in 2024, ADRA organised the "Banovanija" games for children from Glina and the surrounding area during the school summer holidays. The games are designed to give children, many of whom live in poverty and with the aftermath of earthquakes, the opportunity to develop social skills and form friendships.

Even before the earthquake, some of the villages of SMC did not have access to water infrastructure, but they used water from their wells, which mostly either dried up after the earthquake or the water in them was not safe to drink. Therefore, residents manage in different ways; they often bring water from the spring or neighbours, or firefighters bring it to them. It is especially difficult for those who have livestock or live in hard-to-reach terrain. In 2024, the HCK sanitised 306 wells, and 767 users gained access to water, but analyses have shown that the water is not completely safe for human consumption in many cases. The sanitation program continues in 2025, and the HCK states that in 2024, 18,900 litres of bottled water were distributed.

According to data from Croatian Waters, in 2023, 85 % of the population in the SMC area was connected to the public water supply, and 94 % had the possibility of connection. During 2024, the media reported that the wider area of Glina had major water problems during the summer, and we launched an investigation. According to Croatian Waters, the water supply system of Glina is large, complex and in poor condition; the losses are about 60 %, so the priority must be to repair the network and establish a quality system management. The City is aware of the problem, but also of its limited financial and operational capabilities, and by the end of 2025, the construction of distribution pipelines for eight settlements is planned with funds from the NPOO. Residents who do not have a public water supply are supplied with water by firefighters, but after the payment of 1.74 euros/m³ was introduced, the number. The number of people interested in water delivery decreased. Croatian Caritas has installed tanks for water that is delivered by tanker trucks at thirty locations. Until June 2022, the cost of water was financed from the Solidarity Fund, and then from a loan

Recommendation 81

The Government of the Republic of Croatia, Croatian Waters, public water service providers and local self-government units should make additional efforts to ensure water delivery to citizens in need, especially vulnerable groups.

from the Government of the Republic of Croatia to the City of Glina. They have similar problems with water in Lekenik, which also does not have the financial capacity to build a system in its entire area. Vode Banovina d.o.o. has taken over the local water supply system in the area of the City of Petrinja: Brest Pokupski and Mala Gorica, Blinja and Stražbenica, Hrvatski Čuntić and Prnjavor Čuntićki, Klinac and Donja Budičina, Hrastovica, Taborište and Budičina. Other local water supply systems are being inventoried, and the challenging procedure of determining whether there is any documentation on their construction is imminent. Given the importance of water for life and health, we recommend that the Government of the Republic of Croatia, Croatian Waters, the competent JIVUs and local self-government units make additional efforts to find opportunities to co-finance the delivery of water to needy citizens, especially vulnerable groups, as well as the possibilities of financing the construction and operation of the public water supply system.

We positively assess the continuation of assistance to citizens in earthquake-stricken areas by writing off receivables and fees for electricity and heat, which fulfils the recommendations from the 2023 Report. The write-off has been extended until the end of June 2025, with the possibility of further extension, which we welcome. We no longer receive complaints from citizens related to the write-off of receivables of HEP's services, and we do not have official information whether invoices are still submitted without the indication that the receivable has been written off, so we consider the recommendation from the Report for 2023 to have been implemented. The write-off of receivables for the RTV tax, the possibility of free train transport and exemption from toll payment on the A11 Zagreb - Sisak motorway continue.

In previous years, we have pointed out the necessity of clear and timely communication with citizens in exercising various rights, especially in extraordinary situations and crises. On the website of the Civil Protection Headquarters with information important for the inhabitants of the areas affected by the earthquake in Sisak-Moslavina, Karlovac and Zagreb Counties, there is information that patients from these areas do not pay co-payments for the services of family doctors, specialists or diagnostic examinations. Also, the HZZO has submitted instructions for action to all contractual partners in primary health care and regional organisational units on implementing health care for insured persons in earthquake-devastated areas and exemption from participation in the cost of medicines. Following this instruction, if the insured person does not have supplementary health insurance and if he or she is prescribed a drug from the Basic or

Supplementary List of Drugs, an exemption code is entered, i.e. he or she is completely exempt from costs that he or she would otherwise have to pay. The complainant addressed the Ombudswoman, stating that, despite the exemption from these costs, many residents of the earthquake-stricken areas continued to pay supplementary health insurance, because they received payment slips, and they were not clearly and unambiguously informed what the "exemption from participation" that was mentioned in the media meant.

2.14. Construction

In 2024, many amendments to laws and bylaws were adopted to improve the construction legislative framework.

Among the most important is the amendment to the Building Inspection Act, which expanded the authority of the administrative bodies of local self-government units to act on the suspension of construction. Municipal wardens are authorised to order the suspension of the construction of a building if it is being built without an executive building permit or other appropriate building act, or if it is being built without the main design following the regulation governing the construction of simple buildings.

These amendments also introduced misdemeanour fines for legal entities and their responsible persons who build without the necessary permits and for natural persons who violate the law. Special emphasis was placed on the obligation to enforce the decisions of communal wardens, and the fines should encourage investors to act faster following the issued measures. The new legislative framework enables communal wardens to take greater responsibility and react faster to illegal construction, given that there are many more communal wardens than building inspectors. There are 882 communal wardens and 105 building inspectors in the territory of the Republic of Croatia.

Furthermore, the amendments to the Construction Act introduced novelties in terms of electronic issuance of building permits and enabling faster access to information for all stakeholders in the construction process. For 2025, the adoption of a new Construction Act has been announced, which further plans to simplify the process of building family houses, i.e. the procedure for obtaining building permits, and to change the criteria for inviting parties to inspect the file when issuing building and use permits. It is planned to enable the legalisation of all buildings built by June 21, 2011, if they meet the prescribed criteria.

Recommendation 82 (reiterated)

Building Inspection, to inform citizens within the deadlines and in the manner prescribed by law about the treatment of their reports of illegal construction

In 2024, citizens again complained the most about the lack of notification of the inspection's actions regarding their reports, although they have the right to receive feedback within 30 days, if the report is not anonymous. The lack of timeliness in the actions of the building inspection, the absence of control

supervision of the imposed measures, and the length of time in executing the decision to remove illegally constructed buildings are still problems. In the interest of the right to good governance, it is necessary to inform citizens promptly about the treatment of their reports, which is why we repeat the

recommendation to the building inspection to inform citizens within the deadlines and in the manner prescribed by law about the treatment of their reports of illegal construction.

Since the Ombudswoman is not authorised to conduct inspections, we provided citizens with general legal information on available legal instruments and ways of protecting their rights.

From the content of the complaints received and the data of the DIRH, it is evident that citizens continue to report illegal construction, especially when such facilities threaten their rights, public interest and safety. According to DIRH data, in 2024, almost 9,000 applications and submissions related to construction were received, of which 3,342 were new reports on possible illegal construction. Inspectors carried out 4,228 inspections, of which 2,377 were related to illegal construction, while 1,248 were carried out in protected and non-construction areas. Out of the total number of citizens' reports, 1,543 were included in the work plans of the building inspection. However, citizens often reported works that do not represent illegal construction or are not within the competence of the building inspection, which further burdens and complicates the work of the inspection, because the number of inspectors is not proportional to the number of buildings and construction sites.

After the inspection procedures, the building inspection issued 857 measures to remove illegal buildings, and the number of investors who remove illegal buildings on their own is increasing. They usually do so only when they receive a decision on removal through a third party, so in 2024, 597 inspection procedures were suspended, of which 315 were suspended because the investors removed the illegal buildings themselves.

The building inspection is often faced with the continuation of construction even after the builders have been ordered to suspend and remove the building. In 2024, 38 decisions on fines were issued, forcing investors to suspend construction. To prevent such behaviour, it is necessary to conduct more frequent control inspections based on citizens' reports, of which 1,630 were conducted in 2024.

In 2024, many buildings that served as cottages for investors in the Adriatic counties, Istria and the Mura-Drava Regional Park, and several illegal campsites on the island of Murter were removed. Most of these buildings are built in agricultural and protected areas where a building permit cannot be obtained. In addition, 188 indictments were filed with the courts, 115 criminal charges were filed with the state attorney's offices, and 79 misdemeanour warrants were issued. Of the criminal charges, 84 were related to investors who built in protected areas, and 31 were for continuing construction.

When deciding on the execution of removal through a third party, there is a possibility of speeding up the entire procedure. Namely, the procedure currently includes the implementation of public procurement and the selection of contractors, the preparation of cost estimates, disconnection from the communal infrastructure, notifying the police, the delivery of decisions, the possibility of a suspensive effect in the event of filing an administrative lawsuit against the inspection decision, etc., which all slows down the implementation of the decision, and 340 executive or final decisions are currently ready for execution, in which fines have been imposed or it has been determined that the building cannot remain in the space or can not be obtained building permit.

To protect the public interest and economy of action, illegal buildings are not removed in the order of enforceability of the decision, but according to the importance of the location in terms of spatial plans, the number of illegal buildings in a narrower area, the endangered stability and threat to people's lives, and the construction in protected areas. In doing so, removal orders that have been enforceable for

several years are sometimes not implemented. For example, nothing has yet been done in the case we wrote about in the 2023 Report, in which the decision on removal has been enforceable for more than 10 years.

Although there are positive developments in the field of building inspection, numerous challenges point to the need for further improvement of the system, which is why we recommend that the DIRH increase the number of building inspectors in the coming period, which, along with better coordination between institutions, faster implementation of new legislative solutions, the use of digital tools and systems for supervision, will increase the efficiency of inspections and contribute to better transparency.

2.15. Property rights

During 2024, we received 214 complaints in this area, of which 110 (more than 50 %) relate to the area of housing, which is discussed in more detail in the sections of this Report on the right to adequate housing and the impact of earthquakes on the exercise of human rights.

In the area of restitution/compensation of property confiscated during communist rule (denationalisation) in 2024, we received no new complaints. However, the cases opened in 2023 and in previous years were not completed due to the length of the procedure on the request for restitution of confiscated property. These are procedures that usually last longer than 20 years. An example of a lengthy proceeding is a case in which 2020, more than 20 years after the request for return/compensation of confiscated property, the beneficiary of compensation was determined to receive compensation for confiscated agricultural land. However, she was not granted replacement land almost four years after the first-instance decision.

"Dear Sir/Madam, I would like to thank you for contacting me and for the effort invested in considering the situation. Unfortunately, the situation with this part of the procedure, concluding a settlement, has been going on for about 2 years, and at this moment, the settlement has not yet been concluded because the confirmation of the study by the competent Ministry is awaited. According to the latest information from the head, it should arrive by the end of August, and I hope the same will happen. Cordially."

The Directorate for Civil, Commercial and Administrative Law of the Ministry of Labour and Social Affairs is resolving 1,179 second-instance cases of restitution/compensation of property confiscated during communist rule and expropriation cases. In 2024, 383 cases were received on appeals against the decisions of first-instance bodies in cases of restitution/compensation, and 416 cases are pending. Four hundred seventy cases were resolved, of which 171 were returned for retrial, 241 appeals were rejected, and 58 decisions were reversed. According to the MPUDT's notification, appeal procedures in cases of reimbursement/compensation take about a year. Given the length of the resolution, the MPUDT has requested data from the first-instance authorities on the resolution of the remaining cases and is continuously requesting an update of this data.

Furthermore, the MPUDT requested the competent administrative authorities to update the data on the status of the resolution of the case of restitution of movable property to adopt the Regulation on a special type of compensation for movable property with the status of cultural property that are an integral part of collections, museums and galleries (the Regulation). According to the submitted data,

60 applications have been submitted, of which six have been positively resolved and the movable property has been returned to ownership, but not to possession, three applications have been positively resolved, 14 cases are pending, and 37 applications have been rejected or rejected by a final decision, i.e. the procedure has been suspended.

In 2024, 455 expropriation proceedings were initiated in which the MPUDT acts as a first-instance body, and three administrative disputes were initiated against the Ministry's decision before the Administrative Court in Rijeka. There are also 763 cases pending appeals against first-instance decisions in expropriation and other property proceedings, of which 591 cases were received in 2024, and 778 cases were resolved. During 2024, the MPUDT did not carry out administrative supervision. However, it was continuously carried out by requesting reports from the competent first-instance bodies and acting on the petitions for the administrative inspection and petitions sent directly by the parties to the procedure. On the occasion of the received petitions, the MPUDT requested a report on the actions taken in the procedures of restitution/compensation of confiscated property or expropriation from the first-instance authorities in 24 cases.

The cases of determining and paying compensation for real estate that were expropriated more than seventy years ago for the construction of the Mihaljevac – Gračansko Dolje tram line based on previous regulations on expropriation (the so-called old expropriation cases), which we wrote about in the Report for 2023 (on the occasion of 16 complaints from the land registry owners of these properties), according to the information of the complainant and the submitted documentation, are currently at the High Administrative Court of the Republic of Croatia regarding the appeals of ZET to the of the first-instance decision of the Administrative Court in Zagreb. We will continue to monitor the proceedings in these cases.

In addition to the above, citizens also approached us about the termination of the apartment lease agreement and the eviction of tenants, the registration of ownership rights in the land registry, the issue of common parts of the building, the usurpation of the public space of the building by a private person, vehicular access in the expropriation procedure, the (non)maintenance of an unclassified road, the conclusion of a purchase contract, the protection of the right of co-ownership of real estate that is a cultural property, irregularities related to cadastral surveys, renewal of the procedure of legalisation of real estate, donation of real estate, purchase and sale of real estate (apartment) through the mediation of an agency, public tender for the granting of permits on the maritime domain. In these cases, we gave them general legal information.

Citizens also objected to the tender procedures for the lease of agricultural land owned by the Republic of Croatia, pointing to violations of laws and bylaws.

According to DIRH data, the Agricultural Inspection conducted 1,238 inspections in 2024, slightly more (6.45 %) than in 2023. Due to the identified irregularities, 234 administrative measures were adopted, and 233 misdemeanour proceedings were initiated. In them, 55,529.94 euros were collected, and some misdemeanour proceedings are still ongoing. The most common violations were related to irregularities in implementing the Agricultural Land Act and other regulations governing agricultural land maintenance, use and disposal. According to the DIRH data, the irregularities related to the use of state agricultural land without a contract (117), as well as the use after the expiry of the contract (41). Upon finding irregularities, agricultural inspectors submitted the minutes to the Ministry of Agriculture and Rural Development under the legal obligation. The Agricultural Inspection also conducted 114

Recommendation 83 (reiterated)

The Ministry of Agriculture, Fisheries and Forestry will continuously supervise administrative procedures for allocating and using state agricultural land

inspections of the use of agricultural land for non-agricultural purposes, whereby 21 administrative measures were adopted and 31, and misdemeanour proceedings were initiated. Also, 351 inspections of the maintenance of agricultural land suitable for agricultural production were carried out, 100 administrative measures were adopted, and

30 misdemeanour proceedings were initiated.

Implementing inspection and administrative supervision over the execution of the Agricultural Land Act and its enforcing regulations is an important way of eliminating and preventing irregularities. Although we have not received data from the Ministry of Labour and Social Affairs on supervising the procedures for allocating and using state agricultural land for 2024, the competent authorities should continue their activities in this direction.

2.16. Protecting consumer rights

In the Republic of Croatia, the Consumer Protection Act regulates the protection of consumer rights when purchasing products and services and other forms of acquiring products and services on the market. The holders of consumer protection are the Ministry of Economy, the competent authority for consumer protection affairs, DIRH, the National Council for Consumer Protection, business associations, consumer protection associations, local self-government units, and other public bodies.

In 2024, we received 258 complaints from citizens, about 6 % more than in 2023. Complaints mostly relate to the consumption of warranties for certain products, service activities of operators, online stores or caterers, primarily to complaints about products or services.

Citizens often contact us as the first address in an attempt to inform and exercise their consumer rights. However, we are not the competent authority for the protection of consumer rights and do not have the authority to act on these complaints or provide legal advice to citizens and/or represent them in administrative and other proceedings. This shows that many are still not sufficiently informed on how and to whom they should turn for protection if they believe their consumer rights have been violated. The problem is that many retailers and service providers are unaware of their obligations to consumers.

Consumers who complain to us about problems with traders are advised to find detailed information about their rights on the "All for Consumers" portal (<https://szp.hr/>), which is in the domain of MG as the competent authority for consumer protection, where the e-mail address prava.potrosaca@mingo.hr and the toll-free telephone number for consumers 0800 414 414 are particularly highlighted, through which they can get help and advice in solving specific problems or guidance on the authority responsible for individual consumer area.

Consumers who contact us are also referred to DIRH. According to the DIRH data for 2024, it is evident that the number of applications is increasing. They solved 69.5 %, which was also caused by the reduced number of inspectors.

According to the Croatian Consumers' Association, 81 % of consumers complained about product defects shortly after purchase and the long duration of repair or service, during which time they are without a (replacement) product. Long-term repair and service are caused by insufficient authorised service stations, employees, and a lack of parts. Therefore, they are most often forced to buy another, i.e., a new product, which violates their rights.

The Croatian Consumer Association also points to the increase in online fraud, especially through social networks, and that, according to publicly available data from the Ministry of the Interior and CARNET, there are more than 6,000 fake websites on the Internet. The association states that its website continuously educates consumers about safe online shopping, but the number of fraud victims still increases. During 2024, a total of 11,925 consumers contacted them, of which 5,700 were written and 3,300 were by phone, almost twice as many as in the last five years.

In August 2024, MG announced a public tender intended for consumer protection associations, to award financial support to projects for promoting and protecting consumer rights in the total amount of up to 150,000 euros per year, with a maximum amount per project of 30,000 euros per year. Five consumer protection associations were selected: RZOP - Development Organisation of Consumer Protection (Selnice), Association Zvonimir (Knin), Centre for Consumer Education and Information (Bilje), Consumer - Consumer Protection Association of Croatia (Zagreb) and Split Consumer - Association for Consumer Protection (Split). They were awarded three-year financial support for the implementation of the project. On December 1, 2024, the implementation of the "Consumer Empowerment" program began, which supports projects that encourage information, education and protection of consumer rights, with a special emphasis on adapting to modern challenges in the field of consumer rights protection.

In addition, the European Consumer Centre has been established as part of the European Consumer Centres Network, which provides free advice and resolves cross-border consumer complaints in cases where the trader is based in one of the EU Member States, Norway, Iceland or the United Kingdom. For this purpose, an e-mail address has been provided: ecc-croatia@mingo.hr, as well as a website through which consumers can get acquainted with the work of the Centre and specific consumer rights in individual consumer sectors: <https://www.ecccroatia.hr/>.

2.17. Rights of Croatian Veterans

As in previous years, veterans complained the most about the (non)recognition of the status of Croatian veterans and disabled Croatian war veterans from the Homeland War, the length of the procedure, the determination of their material and other rights, problems with housing, social vulnerability and the failure to exercise the right of priority in employment.

Some veterans have not yet resolved their status and associated rights, as evidenced by the new requirements for achieving the status of Croatian veterans. Thus, 382 requests were submitted to the Ministry of the Interior, of which 184 were accepted. The Ministry of Defence did not provide us with data this year.

According to the data provided by the MHB, data from the administrative departments of the counties and the City of Zagreb in 2024 show that 914 new applications for the recognition of HRVI status were received, of which 408 were adopted. MHB, as a second-instance body in achieving the HRVI status, received 812 appeal cases in 2024, of which 231 were accepted and 581 were rejected.

Some veterans and their family members are in a difficult socio-economic situation and face problems in meeting basic life needs daily. Therefore, in 2024, the administrative bodies of the counties and the City of Zagreb issued 4,356 decisions for one-time financial assistance to socially vulnerable Croatian veterans and their family members. A total of 6,370 extraordinary one-time financial assistance applications were approved, almost 50 % more than in 2023, when 4,527 were approved. The MHB grants this assistance due to serious illness, death, natural disaster, in the case of pronounced social exclusion and threat to life and health.

Under the Act on Amendments to the Act on Croatian Homeland War Veterans and Members of Their Families, which entered into force on January 1, 2024, the amounts for personal disability allowances, special allowances, allowances for care and assistance of another person, orthopedic allowances, family disability allowances, increased and increased family disability allowances, cash benefits in the amount of family disability allowance, cash benefits in the amount of increased and increased family disability allowance, caregiver allowances and benefits for unemployed Croatian Homeland War veterans have been increased in 2024. Namely, with these amendments, the monthly amount of personal disability allowance and other rights based on damage to the body or loss of a family member is determined based on the base determined by the Government Decision each year, and for 2024 it amounts to 500 euros, while until the amendments to this Act, the amount of personal disability allowance was determined as a percentage of the budget base. In June 2024, the Government of the Republic of Croatia also adopted a Decision according to which the basis for calculating the amount of entitlements will be increased in 2025 to 520 euros.

Housing for veterans remains one of the challenges. In 2024, MHB allocated 50 apartments, 128 housing loans and 225 financial supports, and continued rehabilitating old and dilapidated apartments and organised housing construction. However, the need for housing care exceeds the existing possibilities, and 8,851 applications for housing loans and financial support are still unresolved.

In cases of granting housing loans to veterans to construct a family house in their residence, certain local self-government units do not cede building land and communal equipment free of charge, based on the obligation from Art. 87 of the ZOHBDR. The problem is that the urban plans of the local self-government do not fulfil this legal obligation.

The right of priority for veterans and their family members in employment is still difficult to exercise in practice, among other things, because veterans and their family members are not always sufficiently informed about their rights and the manner of exercising them. MHB states that during 2024, they also submitted information on the possibilities of exercising the right of priority, so they responded to 95 inquiries regarding priority in employment and forwarded eight petitions to the competent authorities, in which the parties considered that they were denied the right of priority in employment. MHB states that the largest number of inquiries regarding employment benefits refers to categories of beneficiaries who do not exercise the right under the Act (do not meet the requirements of the Act or are already employed). At the same time, the MHB does not have information on how many people exercised this right during 2024 because those obliged to apply the provisions of the ZOHBDR, which regulates priority in employment, are not obliged to report to the MHB on the above.

However, according to the DIRH data submitted for the preparation of this Report, labour inspectors of the State Inspectorate in 2024 issued 30 decisions regarding the requests of persons referred to in Art. 102 par. 1 - 3 of the ZOHBDR for implementing supervision due to violating the right of priority in employment, with 27 applications rejected and three adopted. They filed one indictment for violating the right of priority in

employment, six for failure to notify about the concluded employment contract, two for failing to invite persons when announcing the competition, and seven for failing to publish the necessary evidence for exercising the right of priority in employment.

In 2024, MHB continued the Program of Training and Employment of Veterans and Members of Their Families through the promotion of education, support for self-employment, support for employment promotion, support for the expansion of existing activities, support for the work of veterans' cooperatives, and continued to co-finance projects to address the accessibility of facilities to persons with disabilities, for which EUR 541,116.18 was allocated in 27 local self-government units, as much as 200,000 euros more than in 2023.

The need for psychosocial support programs for veterans and their family members still exists, so during 2024, 103,647 interventions were carried out in psychosocial assistance centres for 88,143 beneficiaries. At the local or county level, there are also mobile teams that go on urgent visits to the home and family of veterans in cases of pro-suicidal statements of users, suicide attempts, suicides, deaths, extremely poor socio-economic and/or health conditions, housing surveys to exercise the right to housing care or surveys to assess the possibility of exercising material rights.

The project to establish veterans' centres has made significant progress. During 2024, almost 9,000 users used the centres' services, which helped them become socially inclusive, acquire new skills and strengthen their self-confidence. Although the development of this network has progressed, MHB's analyses indicate the need for further expansion, with a plan to build new centres in Senj, Osijek, Krapina, Virovitica and Biograd na moru.

Establishing veterans' centres, which will provide long-term accommodation to veterans with serious health or material conditions, is a new step in the support system for veterans in need. In 2024, the first such centre was formally established in Pakrac, which is expected to start operating in 2026, and the construction of five more centres is

planned. Veterans' centres are designed to provide accommodation, as there are more and more helpless veterans and those who live in single-person households and are unable to take care of themselves. Given the ageing of veterans and the increased incidence of chronic diseases, 17,721 veterans were examined as part of the Program of Preventive Physical Examinations, an increase of almost 2,000 examinations compared to 2023. The Program of Preventive Physical Examinations of Croatian Homeland War Veterans for 2024 was focused on the prevention and early detection of oncological, cardiovascular and other chronic non-communicable diseases. During 2024, the burial costs of 5,789 veterans were paid.

Although significant progress has been made, it is necessary to continue investing in improving the system of protection of the rights of Croatian veterans. Continued strengthening of social, housing and psychosocial support, as well as the expansion of infrastructure for long-term care and rehabilitation, are key to improving the quality of life of Croatian veterans.

Regarding the killed and missing Croatian defenders, the issue of missing and forcibly taken away persons in the Homeland War, and the research of the locations of graves and the identification of the mortal remains of persons missing or killed in the Homeland War, we will write more in the next chapter.

Recommendation 84

Ministry of Croatian Veterans, to continue with the establishment of veterans' centres

2.18. Missing, War Crimes Trials and Civilian Victims of the Homeland War

The question of the fate of missing and forcibly taken persons in the Homeland War is still the most difficult open question of the consequences of the war in the Republic of Croatia, because the families of the missing, civilian victims and Croatian veterans, have the right to know the truth about the fate of their loved ones. According to the submitted data of the MHB for 2024, the Republic of Croatia is still looking for 1,393 missing persons and 389 mortal remains.

In its Concluding Observations of September 2024, the UN Human Rights Committee welcomed Croatia's steps towards a more effective and victim-centred approach to dealing with missing persons cases, including the adoption of the Law on Missing Persons in the Homeland War and the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance, but remains concerned about the pace of the search. While acknowledging Croatia's participation in relevant cooperation initiatives on missing persons at the regional level, he regretted the lack of comprehensive information on the measures to foster bilateral cooperation with neighbouring countries. The Committee recommended that the Republic of Croatia intensify its efforts to resolve all remaining missing persons cases by ensuring the effective implementation of the Law on Missing Persons in the Homeland War and providing financial, technical and human resources. He also recommended that the Republic of Croatia encourage regional cooperation in the search for missing persons and ensure that the perpetrators of enforced disappearances are brought to justice and, if convicted, sanctioned.

During 2024, progress was made in resolving the issue of missing persons in the Homeland War. According to the data provided by the MHB, through the efforts of the competent authorities of the Republic of Croatia, information was collected about 44 possible locations of concealed mass and individual graves from the period of the Homeland War, a comprehensive field survey of 24 locations was conducted, where the remains of at least 22 people were found and exhumed. Particularly significant is the finding of three mass graves, all in the area of Vukovar-Srijem County, with the remains of persons missing and forcibly taken away in the fall of 1991 in the area of Bogdanovci (four victims), Negoslavci (five victims) and Petrovačka dola near Vukovar (at least 10 victims), where this is the most complex and demanding location, since it is a landfill, and where research has been systematically carried out since April 2022. Individual graves were also found in the area of Negoslavci (2 victims) and Marines (1 victim). Furthermore, six final identifications of mortal remains were organised in the reporting period. The activities carried out finally identified the remains of 23 people. Funeral care was organised for the identified persons, following the family's wishes.

In addition to activities directly aimed at finding missing persons, cooperation with international organisations continued. Hence, cooperation with the International Commission on Missing Persons continued on the Joint Project of Identification by DNA Analysis, work continued on the implementation of the multilateral project "Framework Plan for Resolving the Issue of Missing Persons from the Conflict in the Former Yugoslavia" with an emphasis on meetings aimed at resolving cases of unidentified persons. In addition, cooperation with the International Committee of the Red Cross continued in the implementation of the Memorandum of Understanding between the Ministry of Croatian Veterans and the International Committee of the Red Cross on the transfer and use of information and documents on persons missing in the Homeland War in the Republic of Croatia (1991-1995), obtained from international archives. However, the biggest obstacle to finding missing persons faster and more efficiently is the lack of cooperation of the Republic of Serbia.

The UN Human Rights Committee has recognised the issue of accountability for human rights violations in the past as one of three particularly important areas (along with anti-corruption, hate speech, and hate crimes). Acknowledging the challenges that Croatia faces in terms of cooperation with neighbouring countries, the Committee reiterated its concern about the slow progress in the investigation and prosecution of war crimes. It recommended that the Republic of Croatia should continue its efforts by strengthening cooperation with prosecutors' offices in neighbouring countries to ensure that indictees are found and tried and by speeding up investigations, prosecution and trial in all cases, based on a strategy based on the principle of non-discrimination, regardless of the ethnicity of the victim or offender, and ensuring that offenders, if convicted, are sanctioned.

According to the data from the latest available Report of the Chief State Attorney of the Republic of Croatia on the work of state attorney's offices in 2023, county state attorney's offices received 24 criminal charges for war crimes committed during the Homeland War. From the previous period, eight criminal charges remained in the work of the State Attorney's Offices, so there were 32 reports due to the aforementioned criminal offences. Twenty-four were resolved by issuing a decision on conducting an investigation, six of them were dismissed due to the death of a potential suspect or the absence of reasonable suspicion, whereas two were not resolved on the merits and investigations and evidentiary actions were in progress. Twenty-two people have been charged. The competent county courts passed verdicts concerning 48 persons, of which 24 were convicted, 18 were acquitted, and six faced negative verdicts.

As the State Attorney's Office states, the characteristic of these criminal cases is the difficult collection of evidence due to the long passage of time since the commission of criminal offenses, and it is very difficult to reconstruct the events at the place of the crime, especially since a large number of witnesses no longer live in the territory of the Republic of Croatia, some of them have died, some find it increasingly difficult to recall the events, and some do not want to testify, so the testimonies are often deficient and of poor quality. In addition, it is very difficult to get material documentation.

According to the latest available Report of the President of the Supreme Court on the state of the judiciary for 2023, the average time to resolve war crimes cases is 1,108 days, more than 450 days less than in 2022, which is a shift. But the data is still worrying, especially from the perspective of victims who have been waiting for justice for years.

The UN Human Rights Committee welcomed the adoption of the Law on Civilian Victims of the Homeland War but expressed concern about reports citing overly stringent documentation requirements for granting victim status, alleged ethnic bias in its application, and the restrictive and problematic implementation of the Law on the Rights of Victims of Sexual Violence adopted in 2015. The Committee recommended that Croatia should continue its efforts to ensure that all victims and their families receive full compensation for human rights violations, including acts of sexual violence.

CSOs that actively monitor the implementation of the ZOCSDR warn of the problems they have noticed in the implementation of the ZOCSDR, primarily the length of time in resolving requests, the search for subsequent documentation, the examination of additional witnesses, the non-recognition of medical and other documentation issued by the competent authorities of other countries, and the rejection of requests under Art. 5 of the ZOCSDR, pointing out that the first-instance body only states in its decisions that the Commission gave an opinion that there is an obstacle under this Article concerning a person, without additional explanations.

According to the case law of the ECtHR in the case of *F.S. v. Croatia* of December 2023 (application no. 8857/16/20), an overview of the facts that served as the basis for a particular conclusion should be provided

to enable the applicant to adequately present his arguments during any court proceedings in which he challenges a negative decision. As a result, CSOs state that many applicants give up further proceedings after a negative decision in the first or second instance. According to the available data, the Administrative Court in Zagreb accepted the statement of claim and returned the case for reconsideration with the instruction that the party must have access to the data based on which it was rejected under Art. 5 of the ZOCSDR. The City of Zagreb has informed us that they have requested and received the opinion/interpretation of the Commission for Determining the Existence of an Obstacle under Article 5 of the ZOCSDR within the framework of resolving a specific case in the execution of the judgment of the Administrative Court in the retrial. However, we do not have further information about this.

According to the data provided by the MHB, according to the data of the administrative departments of the counties and the City of Zagreb, which decide on applications in the first instance, since the beginning of the application of the ZOCSDR on July 31, 2021, 2,871 applications for recognition of rights and status have been received, 2,147 have been resolved, of which 1,529 positive, 526 negative, 24 have been rejected, and 78 procedures have been suspended. In 2024, 190 applications for recognition of rights and status were received, and 2,955 beneficiaries used permanent rights.

Out of 2,871 applications, 1,274 were related to recognising the status of a civilian victim of the Homeland War, of which 1,082 completed cases were submitted to the Commission for the Determination of the Obstacle referred to in Art. 5 of the ZOCSDR. At 26 sessions of the Commission, 1,021 cases were resolved, and it was determined that in 943 there was no obstacle, while in 78 or 7 % of cases, the existence of an obstacle under Art. 5 par. 1 of the ZOCSDR. The Commission returned five cases for refinement to establish additional facts and verifications.

The first-instance authorities issued 485 positive decisions on recognising the status of a civilian victim of the Homeland War, 332 negative, and in 52 cases, the application was rejected or the procedure was suspended. However, the procedure itself should be accelerated because, according to the data of administrative departments in the counties, a large number of cases are at the Commission for Verification of the Existence of an Obstacle from Art. 5 of the ZOCSDR, with an average of 10 to 12 months.

Twelve lawsuits were filed before the administrative courts to acquire the status of a civilian victim and the associated rights (eight in Zagreb, four in Osijek and two in Split), while in 2024, two appeals related to the status of a civilian victim of the Homeland War were received at the High Administrative Court.

The base for calculating the personal disability allowance and other rights is determined as a percentage of the budget base, and for 2024 and 2025, it amounts to EUR 441.44.

2.19. Rights of national minorities

The Croatian legal framework guarantees members of national minorities very high international and European standards of protecting their rights, but there are still challenges in implementing legal solutions. As in previous years, the most pronounced problems in the implementation of the rights from the Constitutional Law on the Rights of National Minorities are present in the areas of the right to use the language and script of national minorities and the right to adequate representation among employees in the administration and the judiciary. While the lack of exercise of the right to equal representation of persons belonging to national minorities among employees in the administration and the judiciary mainly results

from an ineffective mechanism by which this right should be achieved, specific problems in the area of the right to official and equal use of the language and script, such as the failure to place Cyrillic-Latin markings in traffic or the failure to introduce the language and script of the Roma national minority into equal and official use in a local unit in which Roma make up more than a third are related to the specific position of the Serb and Roma national minorities, towards which there is the highest degree of prejudice.

After the parliamentary elections held in 2024, representatives of the Serb national minority are no longer part of the ruling majority, but it remains to be seen what implications this will have on the rights of this and possibly other national minorities.

Recommendation 85 (reiterated)

The government of the Republic of Croatia is conducting a media campaign to raise awareness among the general public about the contribution of members of national minorities to Croatian culture and social development.

It is positive that the Program of the Government of the Republic of Croatia 2024-2028 states that "the culture of tolerance will continue to be promoted, the policy of the rule of law and the rights of national minorities guaranteed by the Constitution, the Constitutional Act on the Rights of National Minorities and laws will be consistently implemented". The Operational Programs of National Minorities for 2024-2028 were also adopted to improve the implementation of legal solutions for protecting the rights of national minorities.

However, in 2024, there were more frequent questions about the rights of national minorities, and the level of implementation of minority rights was reached. Initiatives that aim to reduce or abolish the rights of national minorities reflect a lack of understanding of the protection of the rights of national minorities, guaranteed by laws, international treaties such as the Framework Convention on the Rights of National Minorities and the European Charter for Regional or Minority Languages, and ultimately - the Constitution of the Republic of Croatia.

Although the Report on the Implementation of the Recommendations from the Report for 2023 states that the proposal of the Implementation Action Plan for the Protection and Promotion of Human Rights for 2025 plans to implement a national media campaign to raise awareness of the contribution of national minorities to Croatian culture and social development, and lists many activities related to 2022 and 2023, Given the frequent questioning of minority rights in the public space, we repeat the same recommendation.

Cultural autonomy

In cultural autonomy, the highest degree of implementation of the UZPNM is achieved. The Ministry of Culture finances central libraries of national minorities, libraries, publishing and book purchase, music and cultural and artistic amateurism, visual arts, international cultural cooperation, protection of cultural heritage, and the like. The Council for National Minorities continuously finances the programmes of associations and institutions of national minorities, which their members have established intending to preserve, develop, promote and express their cultural identity.

During 2024, the Albanian Cultural Centre was opened in Zagreb to nurture the Albanian language, literature, theatre, music, folklore and tradition, and Serbian cultural centres were opened in Zagreb, Glina, Slavonski Brod, Osijek and Udbina to revitalise the social life of members of the Serbian national minority, increase the visibility of this community and its positive affirmation in local communities.

Unfortunately, despite these positive examples and respectable amounts provided in the state budget for the needs of national minorities, in 2024 there were also public calls that these Serbian cultural centres could be hostile intelligence centres, repeated requests to cancel or suspend the financing of the weekly "Novosti" and the cancellation of an exhibition of photographs showing a traditional cultural event of Serbian cultural and artistic societies.

The weekly "Novosti" of the Serb National Council (SNV) has been called out since its inception in 2004, and in 2024, it claims that it should deal exclusively with minority topics such as culture or identity, intensified, as well as calls to ban it and/or abolish its public funding.

"Novosti" receives a significant part of its funding from the state budget, i.e. through the public call of the Council for National Minorities to realise cultural autonomy in the field of information, publishing, cultural amateurism and events. The criteria for financing and contracting the program of cultural autonomy of national minorities do not stipulate that minority media must deal exclusively with the culture and identity of the minority, but that they contribute to the development of the Republic of Croatia.

In this regard, it should be emphasised that the Constitution of the Republic of Croatia guarantees freedom of expression, especially freedom of the press, and that in democratic societies the purpose of the press is also a critical expression of current problems. The mere fact that someone does not agree with the views expressed or that they are offensive to someone is not enough to restrict freedom of speech. Various political, social, economic or cultural topics also concern members of national minorities as citizens of the Republic of Croatia. A minority newspaper can deal with minority customs, but it can also deal with topics that go beyond minority customs, it can point to problems that oppress the minority community and those that oppress society, of which members of national minorities are a part.

The holding of the photo exhibition "Meeting on the Triangle" in the Sikirica City Gallery in Sinj, which shows the customs of Croatian Serbs and Serbs from neighbouring countries at the traditional cultural event "Village of the Triangle" in the village of Strmica, was opposed and de facto banned by the mayor of the City of Sinj, stating that he could not allow it to be held in the city institution. Although he did not respond to the Ombudswoman's letters, he stated various reasons in his public appearances, and especially often that the reason for his opposition to the exhibition was that the SNV financially supported it, and in doing so he expressed his views on the weekly "Novosti" and the leading people of the SNV. Thus, his public statements produced an effect broader than the exhibition itself.

From the rule of law perspective, it is important to emphasise that, although he stated that he could not allow a specific exhibition to be held in a city institution, the mayor did not have the legal authority to decide whether or not to hold an exhibition. Although the letter he sent to the director of the City Gallery did not formally constitute a decision banning the exhibition, the photographer and the curator decided not to exhibit in such an atmosphere. The exhibition aimed not to polarise the public but to highlight the similarities between Croats' and Serbs' customs; in the end, the exhibition was not even held in Sinj.

The mayor's actions violated the right to cultural autonomy of national minorities and had the characteristics of discrimination, and the photographer's freedom of artistic expression was restricted. This behaviour of the mayor, especially bearing in mind that he is also a member of parliament, is also worrying because it can harm future situations, namely, it can act as a deterrent to other artists in terms of their cultural creativity, to others who are considering cooperation with the SNV, and to the attitude and actions of a part of the public towards the Serb national minority and individuals belonging to this minority.

Finally, by not responding to the letters, although it is a legal obligation, and by sending public messages that he would not respond, the mayor publicly sent a message of disrespect for the institution and regulations of the Republic of Croatia.

Representation of persons belonging to national minorities in representative and executive bodies and among employees in the administration and judiciary

At the elections for members of the Croatian Parliament held in April 2024, the necessary representation of deputies from the ranks of members of national minorities, elected in a special, 12th constituency, was achieved.

The number of members of national minorities in the Republic of Croatia between the 2011 and 2021 censuses decreased by as much as 26.79 %, and their share in the total population of the Republic of Croatia was reduced from 7.67 % to 6.2 %. Due to the reduction of their share in numerous local and regional self-government units below the minimum prescribed by the UZPNM, they could lose the right to elect their representatives in numerous local and regional representative and executive bodies in the local elections to be held in May 2025.

We do not have an official census of these units. Still, an insight into the data of the 2021 Census shows that the share of members of the Serb minority has fallen below the minimum that guarantees them the right to a deputy prefect in Bjelovar-Bilogora, Požega-Slavonia, Primorje-Gorski Kotar and Virovitica-Podravina Counties. The same is the case with the Czech national minority in Bjelovar-Bilogora County. The share of members of the Serb national minority has fallen below the minimum that guarantees them the right to elect deputy mayors/mayors of Pakrac, Podgorac, Viljevo, Rasinja and Dragalić, as well as the right to elect representatives in 18 city/municipal councils, in: Kutina, Sisak, Jasenovac, Ivanska, Veliki Grđevac, Viškovo, Otočac, Brinje, Crnac, Čačinci, Lukač, Voćin, Garčin, Vladislavci, Osijek, Petlovac, Tovarnik and Fažana. The share of members of the Roma minority in Peteranec, the Hungarian minority in Erdut and the Italian minority in Višnjan also fell below the minimum that guarantees the election of representatives in the municipal council.

However, these minority rights may be retained in the aforementioned LGUs, regardless of the fall of the share of a particular minority below the prescribed minimum, if these units prescribe these rights in their statutes.

We know that in December 2024, Bjelovar-Bilogora County, by amending the statute, enabled members of the Czech and Serbian national minorities to continue to have the right to elect deputy prefects from their ranks and to seats in the county assembly. Thus, despite the decline in the share below the minimum prescribed by the UZPNM, Bjelovar-Bilogora County preserved the political representation of the Czech and Serbian national minorities and enabled minorities greater visibility and involvement in decision-making. Unfortunately, the decision of the Bjelovar-Bilogora County did not gain significant media attention, so the general public and some local self-government units in the same situation may not be familiar with it.

On the other hand, due to the increase in the share of the population, members of the Roma minority will have the right to elect the deputy prefect of Međimurje County and the deputy mayor in the Municipality of Mala Subotica. They will also have the right to elect representatives in the new six city/municipal councils, in

Cestica, Đurđevac, Hlebine, Petlovac, Mursko Središće and Domašinec. At the same time, due to the increase in the share, members of the Serb minority will be able to elect a representative in the municipal council in Berek, and members of the Bosniak minority will be able to elect a representative in the municipal council in Ston.

The UZPNM prescribes that members of national minorities shall be provided with representation among employees in state administration bodies and judicial bodies, considering their participation in the total population at the level at which the body is established. However, it can be assessed that this area of minority rights is one of the most problematic in practice. Namely, members of national minorities are significantly underrepresented in these bodies. According to the latest available data from the Ministry of Labour and Social Affairs, as of December 31, 2023, 47,367 civil servants and employees were employed in state administration bodies, professional services and offices of the Government of the Republic of Croatia, of which 1,381 or 2.92 % were members of national minorities. Their share among employees has been constantly decreasing over the last ten years.

REPRESENTATION OF MEMBERS OF NATIONAL MINORITIES AMONG EMPLOYEES IN STATE ADMINISTRATION BODIES AND PROFESSIONAL SERVICES AND OFFICES OF THE GOVERNMENT OF THE REPUBLIC OF CROATIA			
YEAR	Workforce	Employed members of national minorities	Share of persons belonging to national minorities in employment (%)
2013	52.691	1.853	3,51
2014	50.478	1.762	3,49
2015	50.375	1.713	3,40
2016	49.697	1.689	3,40
2017	49.602	1.658	3,34
2018	49.612	1.605	3,24
2019	50.026	1.579	3,16
2020	47.947	1.471	3,07
2021	47.501	1.439	3,03
2022	47.306	1.426	3,01
2023	47.367	1.381	2,92

As of December 31, 2024, 39 officials belonged to national minorities in the courts, four fewer than a year earlier, accounting for 2.35 % of the total number of officials. Among the officials in the state attorney's offices, 19 are members of national minorities, one less than a year earlier, who make up 2.35 % of the total number of officials. Among the civil servants, employees and trainees employed in the courts, there were 148 members of national minorities, 18 fewer than in the previous year, who make up 2.32 % of the total number of employed officials, employees and trainees, whereas 35 officials, employees and trainees were employed in state attorney's offices, two more than a year earlier, which make up 2.62 % of the total number of employees in these positions.

In filling positions in the state administration and the judiciary, members of national minorities have "priority under the same conditions". This advantage applies only if a candidate who is a member of a national minority and who invoked this right when applying for the competition, after testing and/or interviewing at the top of the list, is equal in points with a candidate who is not a member of a minority or who is a member of a minority but has not invoked this right. If he does not share the best result with another candidate, but is at the top of the points list, invoking the right of priority due to belonging to a national minority does not even come to the fore. In addition, if a proportional representation of a specific minority has already been achieved in the employing body, the advantage is also not applied.

To monitor the effect of invoking the right of priority in the employment of members of national minorities, the then Ministry of Justice and Public Administration, as part of the implementation of activities from the Operational Programs of the Government of the Republic of Croatia for National Minorities for the period 2017 – 2020, established a methodology for monitoring the exercise of the right of priority.

PUBLIC TENDERS AND ADVERTISEMENTS IN STATE ADMINISTRATION BODIES, PROFESSIONAL SERVICES AND OFFICES OF THE GOVERNMENT OF THE REPUBLIC OF CROATIA				
YEAR	Person Needed	They invoked the priority under the UZPNM	Employed candidates who have invoked priority under the UZPNM	
			Based on the best result in the test	With the application of the advantages of the UZPNM
2019	1.673	61	9	0
2020	350	19	2	0
2021	1.386	50	3	2
2022	2.283	83	14	0
2023	2.542	48	6	2
TOTAL	8.234	261	34	4

PUBLIC TENDERS AND ADVERTISEMENTS IN JUDICIAL BODIES				
YEAR	Person Needed	They invoked the priority under the UZPNM.	Employed candidates who have invoked priority under the UZPNM	
			Based on the best result in the test	With the application of the advantages of the UZPNM
2020	559	28	1	2
2021	890	66	7	2
2022	1.232	28	7	1
2023	1.373	21	5	2
TOTAL	4.054	143	20	7

From the collected data, it is clear that the effect of invoking the right of priority in employment under the same conditions is very symbolic and that this right will not achieve the targeted representation of members of national minorities among employees in the administration and the judiciary.

Equal and official use of the language and script of national minorities

According to the results of the 2011 Census, members of certain national minorities had the right to equal and official use of the minority language and script due to their share in the population of more than one-third in 27 local self-government units. However, the results of the 2021 Census showed that members of a particular minority accounted for more than one-third in 24 units: members of the Serb national minority in 20, and members of the Czech, Hungarian, Roma and Italian in one unit each.

Recommendation 86 (reiterated)

The Ministry of the Sea, Transport and Infrastructure, the Ministry of Justice, Public Administration and Digital Transformation and Croatian Roads to agree and adopt an action plan for the installation of bilingual traffic signs with the names of settlements and implement it in all units that have provided for the exercise of this right in their statutes

In four units, the results of the Census showed a decrease in the share of members of a particular minority below a third of the total population: in the cities of Vukovar and Vrbovsko and the Municipality of Donji Kukuruzari, members of the Serb minority, and the Municipality of Punitovci, members of the Slovak national minority. Despite this, these units had the opportunity to maintain bilingualism, which Vrbovsko and Punitovci did and are an example of good practice. At the same time, the statutes of the City of Vukovar from 2022 and the Municipality of Donji Kukuruzari from 2023 do not contain provisions on the equal and official use of the Serbian language and the Cyrillic alphabet.

The possibility of introducing the minority language and script into equal and official use, even though the share of members of the national minority does not reach a third of the unit's population, has been used to the greatest extent in terms of the Italian language in Istria.

Thus, the Report of the Committee of Experts adopted in March 2024 in the seventh cycle of monitoring the implementation of the European Charter for Regional or Minority Languages, reiterated the conclusion from the previous (sixth) Report that the legal threshold of one third for equal official use is too high and that, even when a minority reaches it, there is no legal mechanism to guarantee that it will be implemented, which is the case in the Municipality of Orehovica, where the share of the Roma population has risen above a third according to the 2021 census, but the Bayash language has not been introduced into equal and official use.

The Report of the Committee of Experts also states that the alternative option of voluntary introduction of a minority language into equal official use in LGUs by central authorities is not promoted and encouraged to a sufficient extent, and that in a significant number of LGUs in which less than a third of the total population is a member of a particular minority, but which have a sufficient number of speakers of a minority language, it has not yet been introduced into equal and official use. Thus, it was stated that 31.34 % of members of the Serb minority were in Obrovac, 21.42 % in Knin, 20.55 % in Glina, 20.13 % in Beli Manastir, 20.08 % in Darda and 15.04 % in Ogulin; 16.04 % of Czechs in Grubišno Polje; 22.17 % of Hungarians in Draž; 13.36 % of Slovaks in Ilok and 16.40 % of Ruthenians in Tompojevci. The Committee's Report also states that the largest share of Ukrainians in the local population is in Bogdanovci (7.77 %), that the Ukrainian language is not in equal official use in any unit, and that every minority language covered by Part III of the Charter (Czech, Hungarian, Italian, Ruthenian, Serbian, Slovak and Ukrainian) must be used in at least one local unit.

Since 2018, the Ombudswoman's Reports have continuously pointed out the lack of implementation of the installation of Latin-Cyrillic traffic signs with the names of settlements at the entrances and exits of

settlements in municipalities that have provided for the exercise of this minority right in their statutes, and recommendations are given for its implementation. In the Report on the Implementation of the Ombudswoman's Recommendations from the 2023 Report, the MMPI stated that Hrvatske ceste, on the order of the MMPI, analysed the statutes of municipalities and cities in which national minorities make up at least a third of the population according to the results of the 2011 census, that following the analysis, a proposal for the Action Plan for the installation of bilingual signs on the names of settlements was made and submitted for opinion and harmonisation. MPU, but no specific opinion was received from the MPU. Furthermore, the MMPI stated that, given that the 2021 census was conducted in the meantime, Hrvatske ceste conducted a new analysis of the statute and the draft statute and that they propose that a working group be formed for the comprehensive resolution of the issue in question, which would consist of representatives of the MMPI, the MPU and road managers, which would develop the Action Plan in question that would define the need, the scope, manner and obligations of placing d-language inscriptions of the name of settlements in those local self-government units that meet the prerequisites. On the other hand, the MPUDT stated that after the 2021 Census, it analysed the statutes of 24 local self-government units in which members of a particular minority make up more than a third of the population, and that it would submit this data at the request of the MMPI, the body responsible for adopting the action plan for the installation of bilingual traffic signs and its implementation. Given the evident prolongation of the realisation of this right, we reiterate the recommendation, pointing out the importance of interdepartmental cooperation.

In addition, we provide data on the right of members of national minorities to identity cards in the minority language and script, which is by far the largest use by members of the Italian minority.

ISSUED IDENTITY CARDS IN THE LANGUAGE AND SCRIPT OF THE NATIONAL MINORITY								
NATIONAL MINORITY	2017	2018	2019	2020	2021	2022	2023	2024
Italian	2.721	3.184	2.767	2.585	3.638	3.871	5.711	3.868
Serbian	118	98	85	93	131	143	154	103
Hungarian	27	36	26	36	50	46	41	29
Czech Republic	30	36	21	41	47	69	83	52
Russian	4	2	4	3	4	4	-	6
Slovakian	1	2	3	3	3	-	6	4
TOTAL								

Education in the language and script of national minorities

Over ten thousand children are involved in education in the languages of national minorities, of which about 6,800 are in primary schools and about 1,500 are in secondary schools. In Czech, Hungarian, Serbian and Italian, education is available from pre-primary to secondary education, while there is no such continuity for other minority languages. The Committee of Experts on the European Charter for Regional and Minority Languages regretted that a few minority languages are used at the pre-school level and stressed the importance of early childhood education and care for the development of language competences.

In primary schools, an equal number of children attend model A (all classes are conducted in the language and script of the national minority, with compulsory learning of the Croatian language) and model C (classes are conducted in the Croatian language with an additional two to five school hours intended for nurturing the language and culture of the national minority), while classes according to model B (classes are conducted

bilingually - the natural group of subjects are taught in Croatian, and social in the language of the national minority) is attended by only about 20 students.

In the Republic of Croatia, all schools in which classes are held (also) in the language and script of the national minority are part of the Croatian education system and use curricula for subjects like other schools in the Republic of Croatia. The choice of whether children belonging to national minorities will attend classes in the Croatian language or one of the models of minority teaching depends on the choice of their parents. Education, according to any of the minority teaching models, is available to all students, regardless of whether they belong to a national minority. There is also a significant interest in students whose mother tongue is Croatian, especially in the C teaching model. In this regard, the Committee of Experts pointed out that the participation of all students in any model of minority teaching should be welcomed and encouraged because the knowledge of minority languages by people living in a particular area, regardless of their origin, contributes to the maintenance and revitalisation of the language, as well as to the understanding and social cohesion of the local community.

Recommendation 87 (reiterated)

Vukovar-Srijem County, under the Law on Education in Primary and Secondary School, to transfer the founding rights over the primary schools in Borovo, Negoslavci and Markušica to the municipalities of the same name

The transfer of founding rights at primary schools in Borovo, Negoslavci and Markušica from Vukovar-Srijem County to the municipalities of the same name, requested in 2015, has still not been realised. Back in 2019, the then Ministry of Science and Education recommended that the Vukovar-Srijem County include the requests of these municipalities for the transfer of founding rights on the agenda of the County Assembly,

but the County Assembly did not discuss these requests or transfer the founding rights. In the Operational Programs of National Minorities for the period 2024-2028, it is stated that the Government will "take measures to support the transfer of founding rights over primary schools from regional self-government units to those local self-government units for which legal and subordinate legal conditions have been met", the Ministry of Health and the JP(R)S have been designated as the holders of this activity. However, the measures the government will take or how it will support the transfer are not specified.

It is commendable that the language and culture of the Roma national minority have been taught in primary schools in Orehovica, Podturen and Kuršanac for several years, but the lack of teaching staff prevents the expansion of teaching.

The SNV informed us that there is already a noticeable shortage of teaching staff, primarily in model C, and that it can be sensed that the problem will deepen with the retirement of teachers, as well as that it is necessary to provide the necessary materials and methodological-didactic tools in the Serbian language and the Cyrillic alphabet, which schools often lack, and which would enrich teaching and deepen the interest of students.

It is necessary to continue with the development of educational policy analyses to include significant names of members of national minorities in Croatian history, as well as dates and facts related to their contribution, in cultural, educational and other policies in the future reform of educational programs, which is also envisaged in the Operational Programs of National Minorities of the Government of the Republic of Croatia for the period 2024 - 2028.

Access to the media

In previous reports of the Ombudswoman, it was pointed out that the representation of national minorities in the public media is one of the areas in which minority rights are less well realised.

Concerning the Ombudswoman's recommendations to HRT in the 2023 Report, to provide the editorial office for national minorities with sufficient personnel and technical capacities for its work, to increase the share of programs on national minorities, to include it to a greater extent in the broadcasts of the general program, and to regularly use minority languages in broadcasts intended for national minorities, the Report on the Implementation of the Ombudswoman's

Recommendations states that in 2024, sufficient human resources are provided for the production of program content intended for national minorities and that technical capacities have been increased compared to 2023, that HRT is strengthening the presence of programs related to national minorities, i.e. expanding it to shows intended for a wider audience, as well as that members of minorities, their representatives and minority associations and institutions are regular guests in various shows.

The Council for National Minorities commends the work of Croatian Radio for fulfilling its obligations to provide information in the languages of national minorities. However, it believes that minority topics should be part of HRT's daily programs, which, in addition to promoting multiculturalism, would increase understanding between different social groups and reduce hate speech, because ignoring minority topics and insufficient knowledge of the minority world leads to disinformation and encourages negative phenomena.

Better cooperation between representatives of national minorities and HRT, by holding regular consultative meetings of the HRT Directorate and Programme Council with representatives of the Council for National Minorities, would certainly contribute to progress in media policy.

The report of the Committee of Experts points out that the insufficient presence of minority languages in the media remains one of the main problems, and among the recommendations for urgent action is the need to ensure sufficient duration, regularity and frequency of public television broadcasts for all languages covered by the European Charter for Regional or Minority Languages.

Recommendation 88 (reiterated)

Croatian Radio and Television aims to increase the share and frequency of programmes on national minorities, to include them to a greater extent in the general programmes, and to regularly use minority languages in programmes intended for national minorities.

2.12. Discrimination on the grounds of racial or ethnic origin

During our time in Croatia, we encountered several instances of blatant racism and discrimination. In Split, while walking to a restaurant for dinner, a group of young men shouted at us, calling us "monkeys" and making derogatory gestures. Shockingly, just 15 minutes later, as we approached the restaurant, another individual yelled at us, telling us to "go back to our country." Even more disheartening was that this occurred in a crowded area, and not a single person seemed to object to this offensive behaviour. Fed up with the racism we had experienced, I decided to confront the individual who had told us to leave. When I asked him why he would say such a horrible thing, he repeated his statement, using profanity. Only after I informed him that I was a tourist from Cape Town did he apologise, stating that he had assumed I was from Nepal. Deeply upset by these events, my wife and I returned to our hotel and waited for the next available flight out of Croatia. We couldn't help but wonder if this is the way the people of Croatia treat all people of colour who visit their country. Croatia is undeniably a beautiful country, but our experience has left us questioning the attitudes and beliefs of some of its people. In all my travels around the world, I have never encountered such overt and vocal racism.

"During our stay in Croatia, we encountered several cases of blatant racism and discrimination. In Split, as we walked towards a restaurant for dinner, a group of young men shouted at us, called us "monkeys", gesticulating inappropriately. Shockingly, but just 15 minutes later, as we approached the restaurant, another person was yelling at us, telling us to "go back to our country." Even more discouraging was that it all happened in a crowded space, and not a single person expressed their disagreement with this abusive behaviour. Since we were fed up with the racism we had experienced, I decided to stand up to the person who told us to leave. When I asked him why he would say such a terrible thing to someone, he repeated his statement, this time with curses. Only after I informed him that I was a tourist from Cape Town did he apologise, saying that he thought I was from Nepal. Deeply disturbed by these events, my wife and I returned to our hotel and waited for the first available flight from Croatia. We couldn't help but wonder if this is the way people in Croatia treat all people of colour who visit their country. Croatia is undoubtedly a beautiful country, but our experience has opened up many questions about the attitudes and beliefs of some of its inhabitants. In all my travels around the world, I have never encountered such open and loud racism." (translation of the UPP)

Research Attitudes towards Foreigners and Minorities in Croatian Society in 2024: Threat, Encounter, Coexistence? It showed how the ethnic and cultural picture of Croatian society is becoming more complex. The main goal was to explore the attitudes towards foreigners and selected categories of minority social groups in Croatian society. The first such survey was conducted in 2013 and repeated in 2017. A survey from 2024 shows that the immigration of economic immigrants from poorer countries, the so-called migrant workers, and asylum seekers or refugees has the least support. The largest share of respondents has negative attitudes towards Arabs and Muslims, who make up a large share of asylum seekers and refugees (the largest number of asylum seekers in 2024 were from Afghanistan, Syria and Pakistan). Ukrainians, of whom there are about 29,000 under temporary protection in the Republic of Croatia, are well received, while Russians cause fear for safety and culture in more than a third of respondents. There is still a widespread opinion that the Roma abuse the social assistance system, with which 62 % of respondents agree. At the same time, attitudes towards members of the Serb national minority have not changed compared to the last round of research.

In 2024, the Action Plan for Combating Discrimination for 2024 and 2025 was not adopted, nor was the Action Plan for the Protection and Promotion of Human Rights for 2024 and 2025. They were only in public consultation at the end of 2024, so in 2024, measures and activities were not implemented.

A new Action Plan for the Integration of Persons Granted International Protection has not been adopted, and according to information from the HRPPNM, since its draft has not been sent for public consultation by the beginning of 2025, a new document will be drafted.

As a positive thing, it can be pointed out that as part of the SYNERGY project, the HRPPNM established an Advisory Group of Third-Country Nationals and Persons with Migrant Origin of ten members, among other things, to include their perspective in improving integration policies, by making recommendations to decision-makers at all levels.

During 2024, the implementation of the Action Plan of the City of Zagreb for the implementation of the Charter of Integrating Cities for 2023 and 2024 began, which is focused on the integration of applicants for international protection, persons granted international or temporary protection and migrant workers residing in the City of Zagreb. The Welcome Centre of the City of Zagreb was also opened, the first 'one-stop shop' where these people can get the necessary information and support to get involved in society. In December 2024, the City of Zagreb also adopted an Action Plan to implement the National Plan for Roma Inclusion from 2025 to 2027. Although it is positive that it was adopted because it is one of the few such documents at the local level, some measures could have been more specific and direct, which we will elaborate on more in the section on Roma.

In the Concluding Observations of the UN Human Rights Committee on the Fourth Periodic Report of the Republic of Croatia from September 2024, the adoption of the National Plan for Roma Inclusion for 2021-2027 was welcomed. However, the Committee also expressed concern about the persistent discrimination and marginalisation of Roma, recommending that the state take additional measures to improve Roma's access to education, employment, housing and healthcare. The Committee also stated that the Republic of Croatia should take appropriate measures to raise awareness among the general public about the rights of Roma and the fight against discrimination. He also recommended that the state take additional measures to prevent hate speech and hate crimes against Roma and members of the Serb national minority.

The Delegation of the European Commission against Racism and Intolerance (ECRI) visited Croatia in April 2024 as part of the 6th round of visits to the Member States, during which it collected information on discrimination in the Republic of Croatia, including based on race or ethnicity. As part of the visit, the delegation also met with regional and local authorities representatives and visited schools attended by Roma and representatives of civil society and Roma communities.

During 2024, the Ombudswoman also pointed out that the collection of ethnically disaggregated statistical data is important for understanding and correctly addressing the problem, as well as monitoring the effect of the measures that are being implemented, and of course, with the careful collection, storage and use of this data, following European and international standards. However, according to the available data from public and state bodies, some do not collect such data.

However, in December 2024, the Croatian Parliament discussed the final proposal of the Central Population Register Act, which was adopted in March 2025. For the first time, Croatia will introduce a centralised Central Population Register, which could lead to the necessary positive changes and reduce the amount of documents that citizens must procure and submit in the procedures for exercising their rights, primarily, as announced, in the social welfare system. However, the establishment of a Register that will also contain personal data on the characteristics of citizens that are protected grounds under the Anti-Discrimination Act, including nationality, may also lead to abuses. At the same time, distrust in

data protection, fear of their misuse, and ethnic and other discrimination can deter citizens who need to provide their data. The Ombudswoman therefore pointed out that, given that the register will contain a large number of personal data of citizens, it is extremely important to precisely define the purpose of collecting data and who will be able to access them, as well as that citizens should be informed about the purposes for which they declare/provide their personal data and how this data will be used.

Recommendation 89

The Government of the Republic of Croatia should urgently adopt the migration and integration policy and clearly define the measures and their bearers.

Although in 2024 a frequent topic in public was the arrival and number of foreigners in the Republic of Croatia, both migrant workers and asylum seekers, the Republic of Croatia still has neither a migration nor an integration policy. The year 2024 was also marked by discussions about amendments to the Law on Foreigners, adopted at the beginning of

2025. They provided migrant workers with Croatian language courses through CES vouchers, which began in the spring of 2024. However, neither migrant workers nor other groups of foreigners in the Republic of Croatia have strategic or national plans for integration into society. In the amendments to the Law on Foreigners, the provision of the Act that prescribed the obligation to adopt a comprehensive immigration policy was omitted. As part of the Strategy for the Demographic Revitalisation of the Republic of Croatia until 2033, adopted in March 2024, the adoption of the National Migration Plan of the Republic of Croatia is envisaged. However, the Ministry of Demography and Immigration has not responded to adopting this strategic document.

When presenting the situation regarding the phenomena of racism and racial or ethnic discrimination, two national minorities that are particularly exposed to ethnic discrimination, Roma and Serbs (although members of other national minorities are also discriminated against), and migrants, including applicants for international protection and asylum seekers, as well as workers from third countries with work and residence permits, i.e. migrant workers, stand out.

Roma

During 2024, we drafted the Action Plan of the City of Zagreb to implement the National Roma Inclusion Plan and pointed out the importance of designing a long-term housing solution for Roma families, especially from Strug and Vrtini put. We also pointed out that only two activities are

planned in the field of housing, the first of which is very general and envisages "determining the modalities of housing care and improving the housing conditions of Roma, following the best practices of the Republic of Croatia and the EU", but it is not clear what activities will be carried out to solve problems related to the housing of Roma, such as poor conditions at the Novi Petruševac location or the unresolved issue of housing for Roma relocated in 2022 from the location of III Struga to temporary accommodation in Velika Kosnica and Hostel Arena, as well as what are the solutions for the residents of the Garden Path.

Recommendation 90.

To the City of Zagreb, to design and implement concrete activities that will ensure housing and improve the housing conditions of Roma

One of the most significant problems in the field of human rights that has not been seriously addressed for years is the segregation of Roma children in education. The UN Committee on the Elimination of Racial Discrimination of the Republic of Croatia has made an urgent recommendation to end *de facto* segregation in schools and ensure quality and inclusive education for Roma children. In 2024, the UN Human Rights Committee, on the occasion of the fourth periodic report of the Republic of Croatia, recommended intensifying efforts to address *the de facto* segregation of Roma in housing and education, reducing significant differences in educational achievement and employment rates between Roma and the general population, and guaranteeing equal access to adequate housing and basic services.

For years, the Ombudswoman has also been pointing out the (*de facto*) segregation of Roma children in primary schools, who in large numbers attend completely segregated classes or those in which they are significantly overrepresented, as evidenced by CSOs. According to data from the Ministry of Education, there were 85 such classes in the 2024/2025 school year. According to the 2022/2023 school year data, 80 such classes and 950 children attended them, given that the ECtHR established in 2010 that the Republic of Croatia had violated the provisions of the ECHR and that the problem is now of greater proportions. However, most activities from the current National Plan for Roma Inclusion are done in education. In the past year, the Ombudswoman turned to *the Government of the Republic of Croatia due to the (de facto) segregation of Roma children in education*. She stated that primary education is crucial for the continuation of education and for inclusion in social, economic and political life from which the Roma are still largely excluded. We warned that comprehensive measures should be taken urgently that will completely abolish segregated classes as soon as possible, pointing to the importance of implementing the repeatedly given recommendations to the Ministry of Education to prepare an analysis and an Action Plan for Desegregation, which, unfortunately, is being prolonged over and over again.

This plan should be adopted without delay, locally oriented, based on a realistic assessment of the problems and needs of children and their parents, developed in cooperation with experts in education and integration. It must include other areas of life, especially given that the Ministry of Education states that segregation in education stems from housing segregation. However, this should not be a justification but a factor in planning desegregation in education. Thus, for example, segregation conditioned by a larger number of Roma children enrolled in school can be reduced, among other things, by a different definition of the enrolment areas of primary schools, which is the authority of their founders. In addition, the activities must address the quality of education, as well as education according to special programs, given that the data we have collected shows worse success of children from segregated classes and overrepresentation of Roma students in special curricula.

Although MZOM informed us in July 2024 that the analysis was being prepared and would be delivered to us soon, we did not receive it by the end of 2024. MZOM reported on a series of meetings with elementary school principals about this problem during 2024, but did not provide specific results.

In 2024, Office of the Ombudsman representatives visited one of the primary schools with segregated classes. They confirmed that circumstances outside the field of education cause segregation, but also that there are organisational factors that can be easily changed, such as different definitions of enrolment areas.

Also, although it was supposed to do so by September 2024, according to the information we have, the Republic of Croatia has not yet informed the UN Committee on the Elimination of Racial Discrimination on the implementation of the aforementioned urgent recommendation to end *de facto* discrimination in schools and ensure quality and inclusive education for Roma children.

In 2024, the City of Zagreb awarded 108 scholarships to Roma pupils and students. Regarding higher education, in the academic year 2024/2025, 54 Roma students were eligible for a scholarship from the Ministry of Science. In addition to the Ministry's scholarships, an additional benefit is the Support Program for the Education of Members of the Roma National Minority, which provides accommodation

Recommendation 91 (reiterated)

Government of the Republic of Croatia, to urgently develop a plan for desegregation in education for each school in which there are segregated classes

Recommendation 92

The Office for Human Rights and Rights of National Minorities and the Ministry of Construction, Physical Planning and State Property, in cooperation with local and regional self-government units in which Roma live, implement effective models for improving the living conditions of Roma families living in unconditional real estate.

in a student dormitory for 11 students. At the same time, the Polytechnic of Health Sciences in Zagreb has a special enrollment place for one student of Roma nationality.

During 2024, the Ombudswoman's advisors visited Roma families from the Delnice area, who unfortunately live in the same bad conditions as eight years ago when we visited them for the first time, and the long-term monitoring of the living conditions of these families can serve as an example of how difficult it is to get out of the vicious circle in which they find themselves. They live in several locations, some are

equipped with communal infrastructure, and some are not, but the living conditions are poor. The facilities are mostly barracks, containers or upgraded containers and are overcrowded. They are faced with severe poverty and the inability to find a job, they live in inadequate housing, and individuals who have been recognised for some rights within the programs implemented to improve the living conditions of Roma have never been able to realise them because they do not meet the administrative conditions.

The most serious case is that of a Croatian veteran who was chronically and seriously ill, and lived in a small wooden barrack with his wife and a child who is a disabled person, in the forest, without drinking water. Unfortunately, at the beginning of 2025, the complainant passed away, and the family continues to live in the same conditions. The barracks are located on land owned by third parties, so they would not be able to receive assistance under the existing program to improve living conditions, nor would this assistance make their facility habitable. The Ombudswoman examined the possibility of housing for him based on his veteran status, but unfortunately, he does not meet the set criteria, and the CSO provided by BPP has submitted a request for housing care for this family. However, housing care procedures are lengthy, and there are no housing units in their county, so they will unlikely be provided with housing this way. The current situation shows that without more concrete help, local self-governments and the state cannot escape life in poverty, which is transgenerational. Namely, the children we met in previous years today have their own families living in poverty. At the same time, many families complained that they could not exercise their rights in the social welfare system, which

is usually their only source of income, citing discrimination against the locally competent regional office of the HZSR, in connection with which we are investigating.

During 2024, we also continued to monitor the circumstances related to the finding of the perpetrators who, after the Roma moved out of their houses due to the danger of the Draga overflow, demolished their houses in Drnj, in which they had lived for decades, with a duly registered residence. However, the perpetrators have not yet been identified.

Regarding the improvement of housing conditions and quality of life of Roma, the Ministry of Economy and Sustainable Development has signed a contract with HEP – Distribution System Operator d.o.o., which regulates the procedure for the implementation of the Program of Connection to the Electricity Network of Households in Roma Settlements within the Operational Program of the Government of the Republic of Croatia for the Roma National Minority 2021 – 2024, which plans to complete the already started activities in the next two years and initiate and implement new activities electrification of Roma settlements. The first contract with HEP-ODS was signed in 2017; to date, 84 users have been connected. The construction of a low-voltage network in the settlement of Kuršanec is underway, which will create technical conditions for connecting new users.

Research continuously shows that negative attitudes and prejudices about Roma are deeply rooted and persistent. A September 2024 survey by the Association for the Protection and Promotion of Human Rights in Sofia, although not conducted on a representative sample, points to many challenges still present in the perception of the Roma national minority. Namely, as many as 47 % of respondents agreed with the statement "It is dangerous for non-Roma to live near Roma settlements", 43 % believe that the state should reduce the help it provides to Roma, and 39 % that the Roma themselves are to blame for the problems they have. 82 % of respondents believe that Roma are not well integrated into Croatian society, and the inhabitants of Northern Croatia (where the Roma population is the largest) show a lower degree of tolerance than the inhabitants of the City of Zagreb. 54 % of respondents believe that Roma often steal, 51 % that they are not adapted to Croatian culture, 50 % believe that Roma do not care about education, and 40 % see Roma as non-workers.

Despite the great need for workers in the labour market, the number of registered unemployed Roma remains high, and at the end of December 2024, there were 3,084 unemployed people of the Roma national minority in the CES records. Although there were 3,484 in 2023, this decline does not follow the total number of registered unemployed persons from 114,982 in 2023 to 91,563 in 2024. Most unemployed Roma are aged 30-49 (1,480), and there are 811 young people up to 29 years of age. In addition, in 2024, 90.6 % of unemployed persons of the Roma national minority were without school and unfinished primary school or only with completed primary school, which shows the importance of encouraging and supporting the education of Roma children.

Employees also express prejudice against Roma in certain parts of the public sector. In 2024, the Croatian Nursing Journal published an article entitled "Nurses' Prejudices Against Roma as Patients in the Health System of the Republic of Croatia". The research concludes that nurses in the Republic of Croatia are not exempt from the general attitude towards the Roma marked by prejudices and stereotypes, whereby those surveyed with a higher level of education, the elderly and those living in Northern Croatia and Međimurje show more negative attitudes towards the Roma. The authors also propose measures to reduce prejudices and stereotypes towards members of the Roma national minority in the health system, such as education of health professionals, which we write more about (and recommend) in the chapter Right to Health.

Recommendation 93

The Academy of Social Welfare is to organise training on combating discrimination for employees of the social welfare system.

Like in previous years, in 2024, we received complaints about the discriminatory treatment of employees of the social welfare system towards Roma. We recommend that the Academy for Social Work organise training on combating discrimination.

Serbs

According to the Research *Attitudes towards Foreigners and Minorities in Croatian Society in 2024: Threat, Encounter, Coexistence?*, from 2017 to 2024, approximately the same level of distance and fear towards Serbs prevails. This was also visible during the election campaign before the parliamentary elections in April 2024, when SDSS posters with the slogan "Croatia needs Serbs" were destroyed and slogans such as "Serbs need to be on willows" were inscribed over them.

In May and June 2024, "Novosti" conducted a qualitative survey in Rijeka, Donji Labac, Petrinja, Beli Manastir, Pakrac and Knin on what it is like to be a young Serb in Croatia, whether they encounter discrimination and negative comments because of their nationality, and how they see the consequences of the war and Croatian Serbian relations in the place where they live. Although all respondents agree that today there is much less discrimination and negative comments than before, and that war is generally not a topic that burdens their generations, in Pakrac, Beli Manastir and Petrinja, participants mentioned several different experiences of discrimination during education and employment. They stated that they may not encounter problems because they "do not stand out", that they are careful how they speak in public, and that Serbs in Croatia hide their identity for fear of the reactions of their surroundings, but with the consensus that there was much more of it in the older generations. They cited examples of changing nationality in the census due to discomfort when going to the polls and the question of whether they want a minority ballot, verbal bullying at school on a national basis, to which professors react too mildly, which is why it is repeated, as well as open discrimination at work. Thus, one interlocutor pointed out that during the discussion about promotion, the superior stood up in the middle of the meeting and opposed promoting members of the Serb national minority because he did not speak "pure Croatian".

The SNV Bulletin also cites cases of discrimination in the workplace due to Serbian origin, describing how a police officer of the Vukovar-Srijem Police Department addressed his colleague from the traffic police during a joint intervention with the words: *"Your boyfriend is a Serb, Radovan. I'm really interested in how your father, the great Ustasha, came to terms with it."* *"I don't like you anymore, I'm done with you this second."* A police officer reported this incident, and the Bulletin states that the Vukovar-Srijem Police Department filed an indictment with the Municipal Court for the misdemeanour referred to in Art. 25 par. 1 of the ZSD.

In 2024, we acted on a complaint about discrimination in the area of the City of Benkovac, which stated that the only road without asphalt, even without fine gravel, but with sharp gravel, is in the village of Popovići, which Serbs inhabit. Although the maintenance of unclassified roads, such as the one in Popovići, is a significant problem in many rural areas, unmaintained roads make it difficult to reach settlements and make it difficult for residents of these settlements to access health and social services.

The UN Human Rights Committee has recognised that members of the Serb national minority are exposed to hate speech and hate crimes and recommended that the state implement measures to combat them. This

is one of the recommendations, along with recommendations in the field of anti-corruption and dealing with the past, on which the Republic of Croatia should report by July 2027 and show what it has done based on them.

The SNV Bulletin also lists examples of ethnically motivated physical violence in 2024, and a physical attack on Orthodox Christmas Eve in Vukovar on six minors was singled out, with two inflicted serious injuries and one minor injury. As stated, the four attackers, while beating and shoeing them, threatened to throw them into the Danube and mentioned knives, and it is indicated that the motive for the attack was the "ekavica" spoken by some of the attacked. In July 2024, the perpetrators were found guilty by a first-instance verdict, and the verdict cites the nationality of the victims as an aggravating circumstance when sentencing, but the attack was not qualified as a hate crime.

We are also following the actions of the police for breaking into the home of the parish priest of the Serbian Orthodox Church in Bjelovar, which is located next to the Orthodox church in Bjelovar, and stealing a large amount of money and jewellery, and two months earlier an Ustaša insignia was written on the façade of this church. It is not yet known whether these two cases are connected, and since the perpetrator's identity has not been established, criminal charges have been filed against an unknown perpetrator.

During 2024, the repeated recommendation from the Report for 2023 to the Ministry of Finance was fulfilled, to submit an instruction to the tax administrations on the exemption of former occupancy right holders from the obligation to pay real estate transfer tax when buying an apartment in which they are residential and was submitted to the tax administrations in November 2024.

Migrants

There are increasingly more foreigners in the Republic of Croatia, including applicants for international protection, persons under international protection and workers from third countries with work and residence permits, i.e. migrant workers, and unfortunately, xenophobia as a reaction among some citizens.

From 2006 to the end of 2024, the Republic of Croatia recognised 1,171 international protection statuses. According to data from the Ministry of the Interior, in 2024, there were 26,776 expressed intentions to seek international protection, and 1,419 applications for international protection were submitted. In addition, in 2024, according to data from the Ministry of the Interior, 129,881 people and 16,443 employers applied for the issuance of residence and work permits for shortage occupations, and 206,640 new or extended residence and work permits were issued, mostly for workers from BiH, Nepal, Serbia, India and North Macedonia. In 2024, about 29,000 people displaced from Ukraine who were granted temporary protection were registered in the Republic of Croatia. These data show that it is important to sensitise the public to the immigration issues of foreigners to the Republic of Croatia, in which the media play a particularly important role.

During 2024, attacks on foreigners, and especially on migrant workers, were recorded in different parts of the Republic of Croatia. Data from the Ministry of the Interior state that from January 1 to July 31, 2024, 326 criminal offences against foreigners were registered in the Republic of Croatia, with 527 victims, and there was an increase in the criminal offences of threats, endangering life and property by a generally dangerous act or means, aggravated theft, robbery and violent behaviour. According to the Ministry of the Interior, out of 527 victims, 160 were foreigners from India, Pakistan, Bangladesh and other countries, who are most often

migrant workers in the Republic of Croatia. For comparison, in 2023 there were 83, and in previous years there were many fewer.

During the 2024 election campaigns, some politicians called for the establishment of village guards, the Croatian Army to go to the borders to protect against migrants, talked about scumbags, black and small workers, who are becoming more and more numerous, about migrants with calculations who come wanting only to take social assistance, and more. PACE Resolution 2525 of the Council of Europe on the treatment of migration and asylum in election campaigns and their impact on the reception of migrants and the exercise of their rights, emphasised that hate speech and discriminatory measures cannot be part of an election program that meets the principles and standards of the Council of Europe. She further pointed out that the topic of migration and asylum cannot be limited to security issues, as such a narrative leads to an escalation of verbal and physical attacks on people of migrant origin.

During 2024, we also acted on several complaints about the so-called racial profiling at Zagreb Airport, i.e. due to allegations that police officers act primarily or exclusively towards dark-skinned people when performing border control tasks. According to the complainant, one of the police officers said "that Croatia is a homogeneous white society, that I am black and that this gives them the right to ask for my documents". In this regard, we state that the EU Agency for Fundamental Rights survey, conducted on a sample of over 6,700 people of African descent living in the EU, shows that more than half of those stopped by the police in the last five years believe that it was a racially motivated procedure. We are still conducting investigations in cases related to the conduct of police officers at Zagreb Airport.

In addition to violations of rights related to work and employment, which are discussed in the chapter on the right to work, migrant workers face language barriers, especially when accessing institutions.

Recommendation 94

Ministry of Health, to design and make available in practice a translation for communication between health care staff and patients

For example, in hospitals, they communicate with foreigners with the help of other employees in English or German, with the help of embassies, if they exist in the Republic of Croatia, or with the help of accompanying persons. Various unreliable electronic services or similar aids are also used, and sometimes conversations between parents and doctors are translated by underage children. It is extremely unfavourable for the protection

of personal privacy and confidentiality of data, as well as for the protection of workers' rights, when employers act as translators for workers who do not speak Croatian. Namely, from the received complaints and articles in the media, we notice that some employers violate the trust shown and then terminate the employment of workers with health problems, which leaves them without health insurance and status. Primary health care doctors, who should accept workers with a migrant background as patients, state that problems in communication can greatly jeopardise anamnestic and therapeutic procedures. The SINERGY project, implemented by the HRPPNM, could help solve this problem, within which a centralised electronic database of translators for the languages most commonly used by persons granted international protection and other third-country nationals, beneficiaries of which will be state and public administration bodies, LGUs and other institutions and institutions, could help solve this problem.

Migrant workers also face an additional financial burden due to the obligation to pay health insurance for their children, because, unlike Croatian citizens, they are holders of their children's health insurance, so the obligation to pay the insurance amount is a great burden for them, especially if it is a family with several children.

The CES has introduced vouchers that partially finance programs for learning Croatian as a foreign language for migrant workers, which are intended for construction, tourism and hospitality, processing and food industry, lasting at least 70 hours. Highly qualified workers of regulated professions will be able to acquire knowledge of the Croatian language through formal programs at higher levels (up

to level C1). Employers, also participate in covering the costs, but according to CES data, only 104 workers used vouchers in 2024. The introduction of vouchers for learning the Croatian language is certainly positive, but it also raises the question of the geographical availability of courses and the time at which they are conducted. In addition, they are based on the English-Croatian learning model, which excludes those workers who do not speak English.

Recommendation 95

Croatian Employment Service, to improve the model of existing vouchers for learning the Croatian language to make them more accessible to as many migrant workers as possible in the Republic of Croatia

Local self-government units, employers, associations and individuals were also involved in implementing the courses, so during 2024, they were conducted in Varaždin, Čakovec, Split, Zagreb, Otočac and other places.

In addition to language barriers, migrant workers struggle to access adequate and affordable housing. This is how a citizen approached us, stating that a real estate agency employee placed four workers from the Philippines in a space with only two beds, stating that "they are one and a half meters" so they do not need a bed.

Migrant workers, especially those whose housing is provided by their employer, are often placed in inadequate collective accommodation. Thus, information appeared in the media that 40 workers were placed in an area with only one bathroom and one kitchen. The adoption of amendments to the Law on Foreigners envisages the adoption of an ordinance on the conditions of accommodation of migrant workers, similar to the one for seasonal workers. This should ensure minimum accommodation conditions for migrant workers, which we welcomed. At the same time, when adopting the Law on the Management and Maintenance of Buildings, the Ombudswoman warned that the provisions that will seek consent when renting apartments for more than four unrelated tenants will affect the housing of migrant workers, and in practice, their ghettoisation could occur.

According to the results of a survey by the Institute for Migration Research, conducted with 400 workers originating from Asia and Africa, migrant workers are satisfied with life in the Republic of Croatia and intend to stay here at least for a while. 32.8 % intend to stay in the Republic of Croatia for up to five years, 23.5 % want to stay between six and ten years, 20.5 % until retirement, and 19.5 % stated that they want to stay in the Republic of Croatia for the rest of their lives. 43.5 % said they were very satisfied with their standard of living, while 24 % were not satisfied. 49.3 % of respondents are satisfied with their sense of security, while 2 % are dissatisfied. On the other hand, about 28 % of migrant workers said they were very dissatisfied with their sense of security in the future. Furthermore, 55 % plan to move their family to the Republic of Croatia, 28 % are undecided on this issue, only 10 % stated that they will not move their family, while 5 % stated that they do not have a family.

Amendments to the Labour Market Act were also adopted, which improved the rights of unemployed persons, so migrant workers would have the right to apply to the CES and receive financial compensation if their employment in the Republic of Croatia had been terminated without fault.

According to the data of the Coordination for Integration, an informal network of CSOs that provide support to refugees and applicants for international protection, applicants for international protection are faced with a language barrier and difficulties in accessing health and social services, education and other public services, which, according to CSOs, is also made difficult by the actions of officials at the counters. They find it difficult to communicate with doctors and other medical staff. According to CSOs, it is sometimes easier for doctors to completely deny the service than to try to agree with them about sensitive medical conditions without adequate support from the system, compared to applicants for international protection, who have limited access to health care. Since 2020, most CSOs have been prevented from operating within the reception centres for applicants for international protection.

At the same time, CSOs state that children seeking international protection over the age of 15, who have not completed primary school, are referred to adult education, which is inappropriate for adolescents. Applicants for international protection aged 17 and 18 who are not enrolled in secondary school are also referred to adult education, which is also paid, in addition to not being suitable for their age.

CSOs also state that the processing of applications for international protection takes about 500 days and that there is a lack of translators for certain languages during the procedure, which makes it difficult for them to participate in the procedure.

Furthermore, during the year, applicants for international protection accommodated in the Reception Centres reported to CSOs inadequate hygiene and accommodation conditions, cockroaches and bedbugs in the rooms, improper distribution of basic hygiene supplies, clothing, footwear and bedding, as well as a lack of information about available services and organisations that provide support to applicants for international protection outside the Reception Centre. In addition, they pointed out that they were unfamiliar with the mechanisms for reporting potential crimes, both inside and outside the centre.

The way of registering unemployed persons under international protection in the health system is still problematic, because although they have the right to health care to the same extent as all mandatory insured persons, they are not introduced into the system of compulsory insured persons and do not have an insured person's identification number (MBO), which is why their administrative management in the health system is greatly difficult. Consequently, general practitioners often refuse to admit them, and it is especially worrying that paediatricians refuse to admit children. Furthermore, according to Art. 13 par. 2 of the Voluntary Insurance Act, only persons who have established the status of an insured person in compulsory health insurance can also have voluntary health insurance, which is why they must bear the cost of participation and additional services (dental, orthopaedic aids, medicines from the B list, etc.) themselves without the possibility of contracting supplementary insurance. Only when employed do they become mandatory insured persons of the Croatian Health Insurance Fund, and only then are they introduced into the system of compulsory insured persons and receive the corresponding MBO. However, children under international protection cannot exercise this right in any way, which is particularly worrying given the lower purchasing power of unemployed persons or families under international protection, who cannot afford more complex forms of treatment such as those covered by supplementary health insurance.

In addition, persons who are not insured by the Croatian Health Insurance Fund and do not have their own MBO, cannot have their digital card, do not have the possibility of ePrescription and eOrdering services and do not have a doctor of their choice, but are re-entered into the system at each visit, and to reimburse the costs of processing these patients, doctors/pharmacies are forced to send invoices to the Ministry of Health every month, which doctors are often not familiar with.

Regarding the recommendation to the Ministry of Health to regulate the manner of exercising the right to health care, which will clearly prescribe the ways of providing services to persons under international protection and their payment, it is positive that a working group has been appointed to work on the drafting of the rulebook. The working group consists of representatives of the Ministry of the Interior, the Ministry of the Interior, the Ministry of the Interior and the Croatian Health Insurance Fund, but it is not encouraging that it was established back in 2022, and the ordinance has not yet been drafted, and the problems are still present.

CSOs also state that extending temporary residence takes more than a year, while the wait for permanent and long-term residence is even longer. Such delays lead to people being left without valid documents, which causes problems such as the inability to work, loss of apartment or blocking of bank accounts, and it is necessary to increase the capacity of the competent authorities to issue documents, speed up procedures and introduce temporary documents that would be valid while waiting for the issuance of permanent documents.

As in previous years, there are still difficulties in organising Croatian language courses, which the competent Ministry, despite the legal obligation, still does not implement. Persons under international protection are also not provided access to the basic Croatian language course offered within the CES vouchers, while, for unclear reasons, persons under temporary protection and migrant workers are allowed to do so.

Recommendation 96

Ministry of Labour, Pension System, Family and Social Policy, to include persons under international protection in the Republic of Croatia in the existing model of vouchers for learning the Croatian language

In 2024, we also recorded positive integration initiatives, such as the already mentioned newly established Welcome Centre of the City of Zagreb, the Program for Learning the Croatian Language, History and Culture for Asylum Seekers and Foreigners, which prescribes the recommended form and structure of the program, issued by the Ministry of Education, and regular public calls for financial support for the education of high school students and students with approved international or temporary protection by the City of Zagreb.

2.13. Hate crimes

Hate crimes are crimes committed because of a person's race, colour, religion, national or ethnic origin, language, disability, gender, sexual orientation or gender identity. These crimes are an important indicator of prejudice, discrimination and hatred towards minority groups in society, which is why it is important to monitor them.

In previous years, we have analysed the incidence of hate crimes based on statistical data from the Ministry of the Interior, the State Attorney's Office, the Ministry of Labour and Social Affairs and the Ministry of Public Affairs, as well as data collected by monitoring the actions of the police and judicial authorities in individual cases. Normally, we used to process data for the year we are reporting in our reports, but in recent years, we have been unable to do so. Namely, in 2021, the Protocol on the Treatment of Hate Crimes was adopted, which introduced novelties in terms of deadlines and time intervals in which the authorities collect and submit data on these crimes to the HRPPNM. Thus, when preparing the Report for 2022, we did not have all

the data for that year, but the Report for 2023 contained a supplement to the data for 2022 and an analysis of partial data for 2023. For 2024, we only have data from the Ministry of the Interior.

Therefore, below we process the consolidated data on hate crimes in 2023, submitted by the HRPPNM, which, under the Protocol, consolidates statistical data and publishes it on its website.

According to ULJPPNM, in 2023, the Ministry of the Interior acted on 62 possible hate crime offences. This data differs from the number of cases that the Ministry of the Interior informed us about and that we stated in the Report for 2023, because this data also included the criminal offence of public incitement to violence and hatred (so the total number was 85), which the HRPPNM singled out in the published statistics. The most common were the criminal offence of threat (35), followed by damage to someone else's property (17), violent behaviour (8), bodily injury (6), violation of children's rights (5), serious bodily injury (3), aggravated theft (3), injury to the reputation of the Republic of Croatia (3), domestic violence (2), and one criminal offence of extortion, endangering life and property by a generally dangerous act or means, and terrorism was recorded. There is no deviation from previous years regarding the type of crimes committed.

According to the data of the ULJPPNM, the perpetrators of these criminal offences, as in previous years, were most often motivated by the national/ethnic origin of the victim (61 cases), followed by sexual orientation (13), religion (6) and race/ethnicity (5). In cases of crimes motivated by national origin or ethnicity, 27 crimes were motivated by hatred against Serbs, 12 against Croats, seven against Ukrainians, six against Bosnians, four against Roma, three against Albanians, and one each against Slovenes and Turks.

In 2023, the State Attorney's Office acted in 22 cases, in which 33 criminal offences may have been committed, an increase compared to 2022, when it acted on suspicion of committing 17 hate crimes. As in previous years, the most common criminal offence was threat (13), followed by bodily injury (4), violation of children's rights (3), two criminal offences of damage to someone else's property, violent behaviour, domestic violence and aggravated theft, and one each of extortion, participation in a fight, endangering life and property by a generally dangerous act or means, and participation in a fight. National origin was the most common motive for the perpetrators of these criminal offences (25 cases), while sexual orientation was the motive in six cases, and religion and race or skin colour in one case each.

According to the MPUDT data submitted to the ULJPPNM, nine final verdicts were issued in 2023, seven of which relate to the criminal offence of threat and one each to damage someone else's property and bodily injury. National origin was the motive in five verdicts, and religion and race or skin colour in two verdicts each.

As we stated, compared to 2024, we only have data from the Ministry of the Interior. According to them, the Ministry of the Interior registered 75 possible hate crimes in 2024.

These are 26 criminal offences of threats, 12 criminal offences of damage to someone else's property, 11 criminal offences of serious bodily injury, 11 criminal offences of violent behavior, five criminal offences of bodily injury, three criminal offences of robbery, two criminal offences of injury to the reputation of the Republic of Croatia and one criminal offence of unlawful deprivation of liberty, intrusive behavior, domestic violence, aggravated theft and theft.

Most of the possible crimes were motivated by national origin (32), followed by race or skin colour (22), sexual orientation (13), religion (6) and gender identity of the victim (2).

We have also followed the actions of the competent law enforcement authorities in cases of possible hate crimes in individual cases that we learned about from the media. In 2024, the media often wrote about physical attacks on foreign nationals, especially migrant workers in the Republic of Croatia. In some cases, these were verbal or physical attacks in a public place, where the perpetrator and the victim did not know each other, which indicates that it is likely that the victim was attacked because she is of a certain skin colour or race. In some cases, elements of both property crimes and violence were present, so the perpetrators, most often empowered by the number and advantage of the "home field", attacked migrant workers, sometimes to gain unlawful material gain. If it was assessed that it was a property crime, it was usually not prosecuted as a hate crime, since it was considered that material gain was the primary motive for the attack. However, in any case, it would be necessary to determine what all the motives of the perpetrators are, and whether the seizure of money or other material goods is possibly another way in which the perpetrators seek to humiliate the person they have chosen as a victim because of their race or skin colour. According to information from the Ministry of the Interior, in most cases, the attackers remained unidentified, so it is uncertain whether these acts will be prosecuted.

Over the years, we have been pointing out the need for continuous education of officials and employees of bodies dealing with the prosecution of these crimes, and we have been collecting data on education and participants. In 2024, the HRPPNM, in cooperation with the Judicial Academy in Osijek, held a one-day training "Hate Crime and Hate Speech" for court officials, state attorneys' offices and police officers, which 20 participants from three counties attended. ULJPPNM plans further education for this group of participants through the project "Support for Equality – Stronger System and Effective Planning and Inclusion of National Minorities" for over four years. Following the Ombudswoman's recommendation, the Judicial Academy continued to educate on hate crime. It held three one-day workshops on hate crimes and hate speech on the topics of anti-Semitism, i.e. the motives of religion and ethnic origin and the approval of the Holocaust as a manifestation of the criminal offence of public incitement to violence and hatred. A one-day workshop, "Hate crime, criminal investigations and the quality of the reasoning of court decisions," was also held. Twenty-one participants from the ranks of judges, advisors, and deputy state attorneys attended. Hate crime education is planned to continue in 2025.

In 2024, the Council of Ministers of the Council of Ministers of the Council of Europe adopted the Recommendation on combating hate crime of May 7, 2024, which emphasises the importance of adequate support to victims and improving the efficiency of law enforcement authorities through specialised investigators and prosecutors, the establishment of effective platforms for reporting hate crimes, as well as the importance of reporting, monitoring and data collection by non-law enforcement authorities. The data collected should form the basis of policies, legislation, strategies and action plans to combat hate crime, so analysing these crimes is crucial.

Also, it is necessary to consider revising and expanding the list of protected grounds since the definition of a hate crime is from Art. Article 87 of the CC does not cover all the protected grounds listed in this Recommendation, including the basis of age, which is discussed in more detail in the chapter on age discrimination.

2.14. Case law in cases related to discrimination

In analysing the case law in cases related to discrimination, we used the statistical data of the MPUDT for civil, misdemeanour and criminal cases, which, according to Art. 14 of the ZSD should be submitted to the

Ombudswoman by February 1 for the previous calendar year; preliminary data of the Ministry of the Interior, as well as available decisions from civil and labour, misdemeanour, criminal and administrative cases.

Civil cases

According to MPUDT data, 70 new civil cases related to discrimination were received in 2024, about 105 % more than in 2023, when 34 civil cases were received. The plaintiffs most often referred to discriminatory grounds of social position (19), followed by education and political beliefs, which were raised in seven cases each; gender, trade union membership, health status and disability, which were highlighted in four cases each; while in 13 cases the discriminatory ground was stated as "other", from which it can be concluded that it is not a ground from Art. 1 of the ZSD. In the cases carried over from previous years (158), the plaintiffs most often raised discriminatory grounds of education (39), disability (21), social position (17), trade union membership and gender (14 cases each), health status and age (11 cases each), whereas other discriminatory grounds were raised in a smaller number of cases.

Despite a significant increase in this type of case, only 31 cases or 44 % have been finalised, of which six have been adopted, seven have been dismissed, and 18 have been resolved in another way (e.g. by withdrawing a lawsuit or mediation).

The most common claims in the lawsuits were for a finding of discrimination (61 cases) and damages (62), and in a slightly smaller number of cases, for the prohibition or elimination of discriminatory conduct (34). None of the claims requested the publication of the verdict in the media. Such a request may be made if the violation of equal treatment occurred through the media or information about it was published in the media, and the publication of the verdict is necessary for full compensation of damage or prevention of such conduct. Therefore, the publication of judgments is an opportunity to familiarise the general public with the established violation of the right to equality, a positive legal epilogue, and sensitise citizens to the effects of discriminatory treatment.

As in previous years, no class action has been filed in 2024. We have written about the possible reasons for the absence of this type of lawsuit in previous reports, and they are mainly related to the length of court proceedings, the uncertainty of the outcome with which it is associated and the unpredictable final cost of court proceedings. The negative trend is also supported by the fact that as many as 80 % of procedures completed in 2024 lasted longer than 12 months.

In 2024, the Constitutional Court, in Decision U-III/1107/2014 of March 5 2024, took a position denying the CSO's *locus standi* in the anti-discrimination proceedings initiated based on a class action, explaining that it is not a legal entity that is personally affected by discrimination, i.e. does not represent a specific victim or victims. In a dissenting opinion, the three judges pointed out that the said Decision weakens the effectiveness of this form of anti-discrimination protection because it discourages CSOs from actively fighting against discrimination and independent state bodies with anti-discrimination powers, such as ombudswomen.

One of the essential principles of civil anti-discrimination proceedings is that the burden of proof is shifted to the defendant once the claimant has proved the likelihood of discrimination. Its proper application is one of the prerequisites for the better success of the plaintiff in these court proceedings. By reviewing the available judgments from 2024, it is clear that the courts are increasingly correctly applying this procedural instrument, and at the moment when the plaintiff makes the existence of discrimination probable, the burden of proving that there is no discrimination is transferred to the defendant. This is supported by the

plaintiffs' slightly higher success rate in these proceedings, although there are still a few adopting judgments. Thus, in 2024, six or 19 % of all judgments issued in these anti-discrimination proceedings were passed, which is a slight increase compared to 2023, when there were five, or 14 %, or three in 2022, or 6 % of all judgments issued.

Claimants seeking judicial protection against discrimination often raise several claims in the same case. In addition to cumulative anti-discrimination claims, some plaintiffs raise an anti-discrimination claim in addition to other types of claims that are decided in a lawsuit, provided that they are related to each other and that the same court has actual jurisdiction.

In one such case, the plaintiff sought the establishment and elimination of discrimination and the annulment of the defendant's (employer's) decision to terminate the employment contract with the plaintiff. During the proceedings, the defendant denied that the termination of the fixed-term employment contract was due to the plaintiff's membership in a trade union. After hearing witnesses, the court assessed that the plaintiff's allegations that the defendant extended the employment relationship of employees who were not in the union, and that he conditioned the extension of the employment relationship of the members by resigning from the union, were plausible. The final verdict established the existence of discrimination, ordered the defendant to eliminate it by concluding a successive fixed-term employment contract with the plaintiff, and declared the decision on the termination of the employment contract null and void. In

Recommendation 97

Croatian Bar Association, to conduct training of lawyers on anti-discrimination law

Recommendation 98.

Judicial Academy, to continue implementing education of judges and court counsellors on anti-discrimination law as part of the lifelong professional development programme for judicial officials.

labour disputes, it is a challenge to prove discrimination because employers/defendants often have documentation that the plaintiffs do not have, and some witnesses find it difficult to decide to support the plaintiff with their testimony for fear of victimisation. These inequalities can be eliminated by applying the rule to reverse the burden of proof, as in the court proceedings described above.

Some claims still state discriminatory grounds that are not listed in the ZSD, such as "academic status", "public activity", "right to work and earnings" and the like, which indicates that it is necessary to continue conducting education on anti-discrimination law.

It is positive that in 2024, the Judicial Academy organised a workshop "Promoting the Right to Diversity and the Fight against Intolerance and Hatred" for criminal and misdemeanour judges of municipal and county courts. However, to create the preconditions for a better and more comprehensive application of all anti-discrimination mechanisms and tools, it is necessary to educate legal experts on their application in civil cases, which was lacking in 2024.

The sanction for discriminatory treatment should be effective, proportionate and dissuasive. In civil court proceedings, compensation for awarded non-pecuniary damage should act as a deterrent to the discriminator (defendant) so that he does not act in the future and act preventively towards everyone else.

The analysed court decisions reveal various circumstances for which the plaintiffs sought judicial protection, and most of them claimed amounts between 5,000 and 10,000 euros in the name of non-pecuniary damage. In some cases, the claim amount is probably also conditioned by the fear of losing the dispute and paying court costs, which can represent a significant financial burden if the claim is (too) high. Therefore, before filing a lawsuit, it is important to correctly identify the unfavourable treatment and the discriminatory basis on which it is conditioned, and to adequately set the amount of the claim when seeking damages. This will prevent the rejection of the claim due to improper application of the law, and at the same time enable the adoption of a judgment ordering the payment of non-material compensation for damage that is effective, proportionate and dissuasive.

Misdemeanour and criminal cases

Statistical data of the MPUDT on offences related to discrimination refer to offences prescribed by the Anti-Discrimination Act, the Gender Equality Act, Art. 5 of the Law on Misdemeanours against Public Order and Peace and Art. 39 par. 1, 2 and 5 of the Law on the Prevention of Riots at Sports Competitions.

According to MPUDT data, in 2024, 379 cases were transferred from previous years, and 222 new cases were received, the same as in 2023, when 337 cases were transferred from previous years and 216 were received.

In 2024, 238 misdemeanour cases were resolved, of which 185 were completed with convictions, which resulted in 217 sanctions. One hundred sixty-two fines, 16 prison sentences and 39 other sanctions were imposed. The remaining cases were resolved by acquittals (64) and otherwise (24).

Unlike in previous years, when the largest number of cases related to violations prescribed by the ZSD, in 2024, most of them were conducted due to violations from other regulations, a total of 152. Due to misdemeanours from the ZSD, 140 proceedings were conducted, of which 128 were for harassment under Art. 25 of the ZSD, 11 for sexual harassment under Art. 26 and one for failure to submit the information referred to in Art. 27.

The most common discriminatory grounds in newly received cases were, as in 2023, national origin (79) and gender (45). This is followed by race or ethnicity or skin colour (36), political or other beliefs (13), sexual orientation (8), religion (7), disability and age in two subjects each, and language, gender identity or gender expression and health status in one subject each. In 27 cases, 'other grounds' are mentioned.

In convictions, the most common discriminatory grounds were national origin (58) and sex (56), followed by race or ethnicity or skin colour (26), political or other beliefs (8), sexual orientation (7), religion (5), disability (1), whereas in one case no grounds were given. In 23 cases, "other grounds" are cited, indicating that many cases continue to allege discriminatory grounds that are not prescribed by law.

One hundred forty-six misdemeanour proceedings lasted over 12 months, whereas 92 were completed. At the end of 2024, 363 misdemeanour cases remained unresolved.

An analysis of the available verdicts shows that the circumstances and ways these offences were committed are similar to those in previous years. Often, the offence is committed during verbal conflicts between acquaintances or neighbours, and sometimes people connected by family ties. Many offences were committed while intoxicated, most often in public, in catering facilities.

The perpetrator is often familiar with the personal characteristics of the injured person, which he uses during a verbal attack to disturb, humiliate or scare him. Often, the offender in an intoxicated state insults and belittles those present, most often in public, so misdemeanours related to discrimination are most often in conjunction with misdemeanours in the field of protection of public order and peace. Acquisitions with misdemeanours related to protection from domestic violence are somewhat rarer. Several violations were committed by publishing photos, videos or comments on social networks (Facebook, Instagram, TikTok) on which the perpetrators published inappropriate content. For example, a photograph was published in which the perpetrator glorifies the Chetnik movement while wearing a cap with Chetnik insignia, then a video mocking a person with a disability, as well as a comment on offensive content under the announcement of the event ("scabies Gypsy ..."). It is particularly worrying that minors committed some of these offences.

Inappropriate hate speech is most common online, but there have also been individual cases of direct hate speech. Thus, the perpetrator was convicted of a misdemeanour in the field of protection of public order and peace, who shouted "za dom spremni, poglavniče" and sang the Ustasha vigil in an intoxicated state. We write about inappropriate speech in the chapter on expression in public space.

In 2024, several offences were committed against foreign nationals – workers from, for example, India, Nepal and Turkey. The victims were chosen because of their different appearance, especially the colour of their skin, and some were attacked in the workplace, which we write about in the chapters on hate crimes and migrant workers.

Judgments for misdemeanours under the ZRS or from Art. 26 of the ZSD, i.e. due to gender discrimination or sexual harassment, most often refer to cases of unwanted physical contact. Misdemeanour sanctions were also imposed due to the insufficient representation of female candidates on electoral candidate lists.

As we pointed out, most fines were imposed. Courts often applied the institute of mitigation of punishment and imposed fines below the legal minimum. In some cases, such decisions are justified by the circumstance that the offender has not previously been unpunished for misdemeanours or has not been punished for the same type of misdemeanour or misdemeanour under the same regulation, while in some cases, there was no adequate explanation. Penalties that are not mitigated are generally close to the lower end of the range of fines, which in some cases may raise the question of whether a lenient penal policy achieves general and special prevention.

Courts rarely impose a protective measure of treatment against alcohol dependence. However, committing in an intoxicated state is very common in these offences, and the influence of alcohol is included in the factual description of the act, so it would be useful to consider the application of this protective measure more often.

Juvenile offenders were most often given an educational measure – a judicial reprimand.

In 2024, as in the year before, the courts issued a series of acquittals, most often for the misdemeanour prescribed by Art. 25 of the ZSD, due to lack of evidence or lack of intention of the perpetrator to humiliate, disturb or violate the dignity of another person. At the same time, in 2024, acquittals are more common due to the lack of a factual description of the act, i.e. the prosecutor's failure to describe the perpetrator's intention under the aforementioned legal provision.

Therefore, we recommended additional training for authorised prosecutors in the 2023 Report. We recommended that the Police Academy further elaborate educational materials related to the misdemeanours prescribed by the ZSD as part of the training for police officers working on cases related to

discrimination. According to the Government's Report on the Implementation of the Ombudsman's Recommendations from the 2023 Report, in the curriculum of the Josip Jović Police School, topics related to the protection of human rights, prohibition of discrimination, hate crimes, and acceptance of diversity and tolerance are an integral part of several professional subjects. It is stated that in the academic year 2023/2024, within the framework of two study programs at the University of Applied Sciences of Criminology and Public Safety, emphasis was placed on recognising the essential elements of the misdemeanour referred to in Art. 25 and 26 of the ZSD.

Criminal cases related to discrimination refer to the criminal offences: torture and other cruel, inhuman or degrading treatment or punishment referred to in Art. 104 of the CC, violation of equality under Art. 125 of the Criminal Code, violation of the freedom of expression of national affiliation under Art. 126 of the Criminal Code, sexual harassment under Art. 156 of the Criminal Code and public incitement to violence and hatred referred to in Art. 325 of the Criminal Code. These are separately prescribed criminal offences that include a certain form of violation of personal rights and freedoms, i.e. unequal treatment of members of certain vulnerable groups.

Although a slight increase is recorded in 2024, few items remain. According to MPUDT statistics 2024, 15 new cases related to these crimes were received in courts, slightly more than in 2023, when 11 were received. At the beginning of 2024, 23 cases were unresolved, slightly more than in 2023, when 16 cases were transferred from previous years. At the end of 2024, there were 27 unresolved cases.

Most of the proceedings were conducted for sexual harassment (10) and public incitement to violence and hatred (7), which is a change compared to previous years, when public incitement to violence and hatred was the most common criminal offence. The perpetrators were most often motivated by the gender (10) and national origin (6) of the injured person.

In 2024, the courts finally resolved 11 cases, eight of which ended with a conviction, three in another way, and there were no acquittals. 13 defendants were convicted, so 13 sanctions were imposed, of which as many as 12 suspended sentences and one replacement of the prison sentence with community service. Six procedures were completed within a year, while five lasted over 12 months.

Two final judgments of municipal courts issued in 2024 have been publicly published and are available, which relate to the commission of the criminal offence of public incitement to violence and hatred and indicate the possibilities of committing this criminal offence both online and in the physical world. In one case, the perpetrator committed the criminal offence through the social network Facebook, whereas in the other, the perpetrator spray-painted a prohibited sign on a sculpture representing a monument in honour of the victims of the Holocaust, thus committing this act in conjunction with the criminal offence of damaging someone else's property. Both verdicts were convicting; one defendant was given a suspended sentence, given that he had no previous convictions, and the other was given community service.

Administrative disputes

Municipal civil and labour courts are competent to deal with lawsuits to determine discrimination, its elimination or compensation for damages, whereas administrative courts are competent to assess the legality of the actions of public law bodies, their individual decisions and the conclusion, termination and execution of administrative contracts. However, administrative courts also apply the ZSD and other sources of anti-discrimination law when making decisions, assessing the allegations of the parties who invoke discrimination, thus contributing to the economy and efficiency of court proceedings.

Although some plaintiffs invoke discrimination in administrative disputes, the ICTC does not keep specific statistical data. Therefore, we obtain data on cases where plaintiffs have invoked discrimination and court decisions directly from the courts.

As before, the High Administrative Court informed us that it does not keep special records in the eSpis system on cases in which the party has invoked discrimination and does not have accurate data on the number of such cases. Unlike in 2023, when it provided us with seven decisions in cases in which the plaintiffs invoked (also) discrimination, for 2024, it provided one decision.

During 2024, the Administrative Court in Rijeka received and completed proceedings in five cases where the plaintiffs alleged discrimination and delivered the aforementioned decisions to us. As in previous years, the administrative courts in Zagreb and Osijek stated that they did not have such cases during the year, while the Administrative Court in Split did not respond to the request to deliver decisions in cases in which the plaintiffs invoked discrimination.

From the insight into the submitted decisions, it is clear that the plaintiffs usually point out discrimination as a reason for challenging an administrative act, along with other reasons. However, often their allegations of discrimination are blanket and do not point out the discriminatory basis of the ZSD.

DECISIONS OF ADMINISTRATIVE COURTS IN CASES WHERE PLAINTIFFS INVOKED DISCRIMINATION (2024)				
	The number of court decisions served	Number of cases in which the basis from the ZSD is stated	Number of cases in which another D basis is listed	The number of cases in which no D basis is stated
High Administrative Court	1	1	-	-
Administrative Court in Zagreb	-	-	-	-
Administrative Court in Split	-	-	-	-
Administrative Court in Rijeka	5	2	1	3
Administrative Court in Osijek	-	-	-	-
TOTAL	6	3	1	3

Of the six decisions received in which they invoked discrimination, in three of them the plaintiffs failed to state the discriminatory basis from the ZSD based on which they would be discriminated against, so the court did not even examine the validity of such allegations.

In three cases, the plaintiffs cited discriminatory grounds from the ZSD. In two cases, the claims were dismissed: in the case of the plaintiff who was ordered to remove a building constructed without a

building permit and who alleged discrimination based on national origin; and in the case of the plaintiff who was considered discriminated against based on education (the basis of the ZSD) and work experience and the constitutional right to work (not the grounds of the ZSD), who challenged the regularity of the job vacancy notice, also invoking the priority in employment based on the Act on Croatian Veterans and Members of their Families, in which the admitted candidate achieved better results than him in both the test and the job interview.

It is worth mentioning the verdict that annulled the second-instance decision of the Mayor and the first-instance city administrative department by which the official in the service was made available for an indefinite period after the restructuring of the city's administrative bodies, and the case was returned to the first-instance body for retrial. In that case, the civil servant, as the plaintiff, claimed that the said decisions were illegal and that he was treated in a discriminatory manner (due to political beliefs, education and nationality), that even before the adoption of the new structure, it was decided to remove him and two other officials from the service, that the Mayor informed them of this immediately after the handover of power after the local elections, due to participation in the election campaign of his opponent, that the tasks performed by the official so far are also performed according to the new structure, regardless of the job title, and that the new conditions for the assignment are determined in a targeted and discriminatory manner so that he cannot be assigned. In this dispute, the court did not have to (additionally) determine the (non)existence of discriminatory treatment, because it accepted the claim for several other reasons. However, the court stated that the official is authorised to seek protection from discrimination before the ordinary court. He is also authorised to raise, argue, and prove this objection while continuing the administrative procedure, which will occur when executing this judgment. The court also stated that if an official objects to discrimination, the body will consider the rule on the burden of proof from the ZSD when making its decision.

To facilitate insight into and monitoring of decisions and to harmonise case law, it is necessary to keep records of cases of administrative courts in which the parties have invoked discrimination, which the Ombudswoman has also stated in previous reports. It is necessary to define the exact content of records and forms for statistical monitoring and implement them in practice.

2.15. Freedom of religion and discrimination based on religion

Freedom of religion includes the freedom of every individual to believe and to express his or her religious beliefs and affiliation to a particular religious community, both privately and publicly, through worship and other forms of expression of religious affiliation. International human rights laws, such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the European Convention for the Protection of Human Rights and Fundamental Freedoms, also recognise this right. This right includes the freedom of religion of persons belonging to recognised religions, the right to change religion, and the right of persons with non-religious worldviews not to believe or continue to seek their belief. In addition to the protection that religion enjoys as one of the fundamental freedoms, religious or other beliefs are also one of the discriminatory grounds, so this chapter also includes cases of discrimination based on religion.

In 2024, we acted on two complaints due to the rejection of a request from a religious association from 2023 to illuminate Zagreb's fountains with projections of the figures of saints and blessed on All Saints'

Day. They considered the rejection of the application to be discrimination, stating that, according to official data, most citizens of the City of Zagreb are believers of the Catholic faith. However, it follows from the City of Zagreb's statement that the projections for which technical support has been contracted are the subject of public procurement and that their number is limited, so that one projection per year is approved for individual topics of public importance. The specific request was rejected because the City of Zagreb had already envisaged celebrating important religious holidays, including All Saints' Day, with appropriate projections in its organisation, which were realised.

"On the occasion of the so-called exhibition ..., which includes performances, i.e. rituals that I believe provoke, insult and ridicule traditional Croatian social values, the Catholic Church and its believers under the guise of art, I express my civil and human protest against the insulting of the feelings of the Catholic faithful and the humiliation of their life values and beliefs."

We also acted on a complaint about showing the exhibition in a desecrated church, which hurt the religious feelings of some citizens. It was an art exhibition held in the space of a former Catholic church, long out of its sacral function, which, as a cultural asset of historical and artistic importance, is under the jurisdiction of the State Museum, which was the exhibition's organiser. Although some citizens were concerned about this event, which is why they addressed the museum with a series of messages, the museum emphasised the archaeological, anthropological and artistic significance of the controversial exhibition. It explained that the idea of the authors of the exhibition was that the beginnings of contemporary Art are found in prehistoric rituals: dance, music and fine arts.

In recent years, we have received complaints and inquiries about the "withdrawal" from the Catholic Church, i.e. the inability to record the withdrawal in the church books. In 2024, we received only one such inquiry, in which case the competent archdiocese, upon receiving the notification of the complaint allegations, indicated that it had entered a note of the complainant's withdrawal from the Catholic Church in the register of baptised persons.

"My right not to belong is violated by the Catholic Church in Croatia, which, passively, by ignoring the request for deletion from the church registers, prevents my free choice of not belonging to a religious community... I ask you, as the Ombudswoman, to protect my right not to belong to a religion and religious community and to submit your opinion on this to the said parish and archdiocese, with a request that they comply with my choice without further ado and that they provide me with a written confirmation of withdrawal as soon as possible, because they do not have my rights and my freedom of choice."

In preparing this chapter, in addition to the complaints and cases in which we have acted, we also relied on the information of religious communities, which we invite every year to cooperate and provide information. Communities that have responded to our call for cooperation, as a rule, indicate that they

are satisfied with their position and that they have not recorded cases of violation of freedom of religion or discrimination based on religion.

In 2024, a member of a Jewish community in the Republic of Croatia informed us that there were no incidents recorded in their community, but that she received a disturbing text message, which she forwarded to the competent authorities. The competent state prosecutor's office concluded that the content of the message was disturbing, rude and insolent, but that it did not contain elements of a criminal offence.

Furthermore, one religious community informed us that after the allegations made in a television show, it was at the centre of attacks on various media platforms and social networks. Namely, the show featured a person who attended this church, although he was not officially a member, and made compromising allegations about their religious community. Numerous portals carried the content presented in the show, and comments from readers followed, including those with messages of intolerance or hatred towards this religious community and Protestant churches in general. The religious community was considered discriminated against because of the inability to respond to the allegations of the guest of the show, that is, because the media did not report their response to the compromising allegations. On the one hand, the author of the disputed statements spoke about a topic of social interest, but on the other hand, the religious community was not given media space to comment, so the question arises of the realisation of the right of the public to obtain information from all parties involved. The possible groundlessness of the disputed claims pointed out by the religious community can only be determined by the court in the appropriate procedure, just as the existence of potential criminal offences or other illegalities in the activities of the religious community, which the guest pointed out, can only be determined by the criminal or misdemeanour prosecution authorities. At the same time, negative media coverage of certain religious communities and the lack of media space for some minority religious communities are challenges that some religious communities have pointed out in previous years.

During the year, incidents with possible elements of religious and/or ethnic intolerance were also recorded. In 2024, the house of the parish priest of the Serbian Orthodox Church in Bjelovar was broken into, less than two months after an unknown perpetrator damaged the façade of the local Orthodox church by writing it with graffiti calling for violence and hatred. According to data from the Ministry of the Interior, eleven stumbling blocks were damaged in Zagreb from January 5, 2021, to May 22, 2024, five of which were damaged from March to May 2024. Stumbling Stones are smaller-sized memorials erected in memory of individuals, most often of Jewish origin, who perished from the Nazi regime. The perpetrators have not yet been identified, and investigations are underway.

According to data from the Ministry of the Interior, in 2024, property crimes committed in religious buildings or churches were recorded: nine thefts, 27 aggravated thefts and five damage to someone else's property.

Freedom of religion sometimes conflicts with other freedoms or rights, especially with the freedom of speech and expression of opinions, which are intertwined with the freedom of public assembly.

In recent years, we have reported on religious prayer gatherings of men, which have been held since October 2022 on the first Saturday of every month on Ban Josip Jelačić Square in Zagreb and several other cities. On the one hand, men of faith who pray the rosary at prayer gatherings and citizens who

support them, emphasise the freedom of public expression of faith and believe it should be unhindered and protected. On the other hand, activists, artists and citizens who simultaneously gather for a public reaction to these prayer gatherings, and citizens who support them, react unfavourably to these gatherings, believe that the messages of the prayers encourage intolerance and discrimination based on gender. Concerning gender discrimination, we would like to remind you that the Ombudswoman for Gender Equality also pointed out that the media statements of some leaders of prayer activities, which refer to the advocacy of a conservative style of clothing and the statements that women "provoke men" by dressing, are particularly problematic because the victims of gender-based violence are usually women. The perpetrators are men who know how to justify violence by the behaviour or appearance of the victim. We write more about the investigation procedures we conducted regarding these prayer gatherings and simultaneous gatherings of citizens who do not support them, as well as about the freedom of public assembly in the chapter on public assembly.

In connection with these prayer gatherings, the association In the Name of the Family presented the "Report on the Violation of the Right to Freedom of Religion of Men Gathered in the Public Prayer of the Rosary in 2023" at a round table in the Croatian Parliament. By analysing the Report, we did not determine the validity of the allegations highlighted in this publication because a legally unfounded system of classification of attacks was used in its preparation, and the report's authors did not use the legal definitions of the criminal offences to which they refer. In doing so, the examples cited as attacks are mostly critical or questioning statements protected by freedom of expression.

The collision of freedom of religion and freedom of expression is often a topic of discussion, and it is a delicate balancing of two rights, i.e. freedoms. Thus, the Ombudswoman was addressed by a citizen whose religious feelings were hurt by the statement of a member of parliament who commented unfavourably that she sees many young people going to church on Sundays. This statement was made as part of a discussion on anti-gender movements and violence against women, where the MP linked going to church with research showing that young people are more conservative than their parents. In her response to the complaint, the Ombudswoman explained, among other things, the complexity of balancing freedom of religion and freedom of speech, and pointed to the practice of the ECtHR in the case of *Dubowska and Skup v. Poland* (33490/96 and 34055/96), according to which freedom of thought, conscience and religion in a democratic society implies the possibility of an open discussion of religion and related issues, as well as the acceptance of the fact that persons who do not belong to the religion can deny religious beliefs and spread doctrines unfavourable to faith.

Finally, in addition to numerous events organised by individual religious communities, events were organised during 2024 that dealt with religious freedom in general and interreligious dialogue, which are extremely important in today's world, which we consider good practice, and we supported it by attending such events. The conference "Interreligious Dialogue as a Means for Achieving Peace" in the Croatian Parliament marked "Red Wednesday" in memory of all those persecuted in the name of faith. The conference was attended by representatives of many religious communities and institutions, and it was concluded that the Republic of Croatia can serve as an example of good interreligious relations and dialogue. Also, representatives of various religious communities operating in the Republic of Croatia traditionally gathered at the solemn assembly of the Association for Religious Freedom on the occasion of marking the Day of Religious Freedom.

2.20. Justice

This chapter provides an overview of various aspects of the efficiency of the judiciary, as well as the challenges related to its digitalisation in 2024, an overview of the handling of citizens' complaints about the work of the judiciary, the situation regarding enforcement, consumer bankruptcy and free legal aid, as well as the system of support for victims and witnesses.

2.24.1. Strengthening the efficiency of the judiciary

During 2024, several different laws were amended, including those essential for the functioning of the judiciary: the Courts Act, the Criminal Code, the Criminal Procedure Code, the Protection against Domestic Violence Act and the Land Registry Act, and the Act on the Service of Court Documents and the new Administrative Disputes Act were adopted.

By the judgment of the Court of Justice of the EU in joined cases C-554/21, C-622/21 and C-727/21 *Hann-Invest* of July 11, 2024, the mechanism of unification of case law through judges-registrars and binding legal positions of court department sessions was declared contrary to EU law. The Court of Justice of the EU considers that effective judicial protection is not achieved by enabling the amendment of a court decision that is contrary to the legal understanding adopted at the session of the court's divisions, given that judges who did not make the original court decision, and sometimes persons outside the court, also participated in the adoption of the opinion, because the parties cannot present their arguments before them. On the occasion of this decision, amendments to the law are expected to harmonise the Croatian procedural legal framework with the standards of the Court of Justice of the EU.

In the 2024 Rule of Law Report, the EC cited certain positive developments in the judicial system of the Republic of Croatia, among others, that work continues on the digitalisation of the system, as well as on preserving and improving the integrity of judges and prosecutors, and that progress has been made on the salaries of judges, prosecutors and court staff. The Supreme Court issued guidelines for communication between the judiciary and the public, which were the recommendation of the Ombudswoman.

In terms of efficiency, whereas many measures have been introduced to shorten the length of court proceedings, the Report points out that the length of individual cases and the high backlog of cases (civil and commercial litigation) remain serious problems.

In its Concluding Observations on Croatia's Fourth Periodic Report on the Implementation of the International Covenant on Civil and Political Rights in September 2024, the UN Human Rights Committee made recommendations relating to the judiciary and a fair trial. Among other things, it is recommended that the transparency of the selection of members of the NJC and the DOV be increased, and any unjustified interference by other branches of government in the appointment, promotion, disciplinary responsibility, and dismissal of judges and prosecutors be prevented. It is also recommended to systematically publish court decisions, which should be easily accessible and searchable, and to continue and extend measures to shorten court proceedings. It is also recommended to strengthen the system of free legal aid, among other things, by sufficient and sustainable financing of organisations that provide this service, by ensuring the availability of the quality of this legal aid in all parts of the Republic of Croatia, and by informing the public about providers and conditions for exercising the right to BPP.

Due to long-standing dissatisfaction with working conditions and salaries, a "white strike" was held from January 22 to February 2, 2024, because by the end of 2023, the salaries and other material rights of judicial officials were not regulated under the previous agreement with the Government of the Republic of Croatia.

After an agreement was reached in February 2024 between the Government of the Republic of Croatia, the Association of Croatian Judges and the Association of State Attorney Officials on increasing the salary base for judicial officials, coefficients of county court judges and presidents of first- and second-instance judges, as well as on the substantive rights of judges and prosecutors, the Act on Amendments to the Act on Salaries and Other Substantive Rights of Judicial Officials was adopted, which entered into force on April 1, 2024.

During 2024, the Supreme Court of the Republic of Croatia has repeatedly reacted with statements regarding media coverage of court proceedings. Thus, regarding the reactions of CJA members to the verdict of the Supreme Court of the Republic of Croatia in the dispute between the presidents of the CJA and HRT, it was pointed out that the verdict should not be linked to the amendments to the Criminal Code, the results of parliamentary elections, lawsuits against journalists, the election of the Attorney General and other court proceedings that were not the subject of the Supreme Court of the Republic of Croatia's decision-making, as well as that this belittles the work of the court.

On the occasion of media reporting on the punishment of perpetrators of the criminal offense of murder of women, and the criminal policy of the courts towards violators of traffic rules, it was pointed out that sensationalist writing, which misinforms the public and undermines trust in the legal system, disturbs potential victims and encourages potential perpetrators, who get the wrong impression that they will be unpunished or punished lightly, and that this makes it difficult to prevent the imposed sentences.

This points to the need for better cooperation between the media and the judicial system. This would be facilitated by more open communication between the judicial system and the media on topics of public interest, as well as the education of journalists and editors who report on judicial topics. In 2024, five one-day workshops were held for judicial officials on the topic "The Way of Communicating with the Media and Social Networks", which were attended by 75 participants. Unfortunately, due to low interest in 2023, in 2024 the Judicial Academy did not continue training journalists and editors on the topic "Media coverage and reporting on the work of the judiciary".

According to the results of the Eurobarometer from February 2024, 37 % of the surveyed citizens in the Republic of Croatia consider the independence of courts and judges to be bad, and 32 % to be very bad. This is a small improvement compared to 2023, but the Republic of Croatia is still at the back of the EU regarding citizens' perception of the independence of courts and judges. This indicates the need for further efforts to strengthen the efficiency of the judiciary's work, especially concerning the length of court proceedings and the openness of communication with the public.

According to the data of the Supreme Court, in 2024, 60 judges were dismissed, of which 38 at their request, 17 due to reaching the age of 70, three judges died, one was dismissed due to leaving for another judicial body, and one due to permanent loss of capacity to perform judicial duties. Sixty-nine judges were appointed: 36 judges of county courts, eight commercial courts, three judges of the High Misdemeanour Court and the High Criminal Court, and two judges each of the administrative courts, the High Administrative Court, the High Commercial Court and the Supreme Court. Although 105 referee positions were scheduled to be filled for 2024, 36 positions remained unfilled. It is worrying that out of the planned 65 vacant judicial positions at municipal courts in 2024, not a single one has been filled. However, according to the DSV, appointment procedures are underway for 54 vacant judicial positions, of which 33 are in municipal courts. Therefore, it

remains to be monitored whether the filling of vacant judicial positions will continue and whether the trend of decreasing the number of judges, especially those of younger age, will continue, as warned by the President of the Supreme Court of the Republic of Croatia in his reports on the state of the judiciary.

At the beginning of 2024, the procedure for electing a new Prosecutor General was carried out, which caused numerous public, media-covered controversies, including whether the selection procedure included sufficient safeguards to ensure the autonomy of the position. After the elections in the Croatian Parliament were announced, a protest was organised, and the elected candidate took office after the expiration of the mandate of his predecessor in May 2024.

The Chief State Prosecutor is obliged to submit to the Croatian Parliament by the end of April the annual report on the work of state attorney's offices for the previous year, therefore, at the time of preparing this Report, we had access to data from the Report on the Work of State Attorney's Offices in 2023, not in 2024.

Thus, according to the latest available data, at the end of 2023, there were 1,902 employed persons in state attorneys' offices, 31 more than in 2022, of which 650 were state attorneys and their deputies. The systematisation envisages 778 deputy state attorneys, but there were 607 (78 %), slightly more than in 2022, when there were 597 (76.7 %).

There were 1,252 civil servants and employees in state attorneys' offices, 21 more than in 2022. Unlike in 2022, when there was no recruitment of new trainees, 18 were employed in 2023, which indicates that it is still insufficient, especially if we consider the age structure of employed officials in state attorneys' offices.

The DOV informed us that in 2024, it published advertisements for 123 vacancies for deputy state attorneys, four of which relate to deputy chief state prosecutor, 19 deputy county state attorneys, and 100 deputy municipal state attorneys positions. In the same period, the DOV adopted decisions on appointing 32 deputy state attorneys, 12 deputy county prosecutors and 20 deputy municipal prosecutors.

In February 2024, the Decree on Job Titles, Scheduling Requirements and Salary Calculation Coefficients in the Civil Service was adopted, which increases the coefficients of civil servants and employees in courts and state attorneys' offices. We will continue to monitor whether salary increases will change the negative trends regarding the employment of civil servants in state attorneys' offices.

2.24.2. Complaints on the work of the judiciary

The Ombudsman is not authorised to act on complaints in cases subject to court proceedings, unless there is an unnecessary delay in the proceedings or a clear abuse of power, on which point she may request a statement from the President of the court. In 2024, we received 220 complaints in the field of justice, 16 % less than the previous year, when there were 262. 81 complaints related to the work of the courts, 37.21 % less than in 2023, of which 29 were related to dissatisfaction with the outcome of the court proceedings, 25 to unnecessary delays in the proceedings, 24 to abuse of office and three to the performance of court administration tasks.

Citizens sought legal aid due to dissatisfaction with the outcome of the court dispute, to prove innocence in criminal proceedings and doubts about the regularity and legality of the court's work, impartiality and fair trial. We pointed out to them the constitutional principle of autonomy and

independence of courts in the conduct and adoption of substantive and procedural decisions and the available ordinary and extraordinary legal remedies.

Complaints about the work and behaviour of judges and how court proceedings and decision-making are conducted also show a lack of trust in the regularity and legality of the work of the courts, which is not always founded. Thus, we received a request for recusal and sanctioning of the judge because the preparatory hearing was not held due to her health problems. However, the complainant also asked for a review of the response of the President of the court, who assessed the petition to the judge's work as unfounded, whereas the judicial police intervened in court due to the way he expressed dissatisfaction with the postponement of the hearing.

Complaints due to the length of court proceedings related to labour, enforcement, inheritance, land register and criminal proceedings, and non-compliance with the court register. We have provided citizens with general legal information on the possibilities of turning to the court using urgent notices, petitions to the President of the court or the MPUDT, and the possibility of filing a request for the protection of the right to a trial within a reasonable time. According to MPUDT data, during 2024, 101 claims for compensation were filed for violation of the right to a trial within a reasonable time, and EUR 52,564.00 in compensation was awarded, of which EUR 44,914.00 is final.

We also received a complaint about the disposal of court files in the public area in front of the court building, which endangered citizens' right to privacy, whose data was contained in the court documentation, which we will write more about in the chapter on the right to privacy.

According to the DSV, nine disciplinary proceedings were initiated against judges in 2024. Fifteen decisions were made imposing one reprimand, three fines, three dismissals from judicial office, in two cases judges were acquitted of suspicion of committing a disciplinary offence, and six disciplinary proceedings were suspended. Disciplinary proceedings were conducted for the improper performance of judicial office, failure to comply with a decision made in the procedure to protect the right to a trial within a reasonable time, and other damage to the reputation of the court or judicial office. In 47 cases, the NJC was asked for permission to initiate criminal proceedings against judges, of which 37 requests were rejected, and ten pending proceedings. All requests were received from parties dissatisfied with the course and outcome of the court proceedings, who also sought permission to initiate criminal proceedings against the judges after the State Attorney's Office referred them to take over the criminal prosecution after the dismissal of the criminal complaint.

In 2024, one judge was removed from judicial office due to criminal proceedings initiated for the criminal offense of abuse of office and other criminal offenses, whereas six judges had their judicial dismissal extended every three months because criminal proceedings are ongoing for the criminal offenses of bribery, abuse of position and authority, criminal association and criminal offense in the criminal association system, and theft.

In 2024, the MPUDT acted on 1,018 petitions and complaints from citizens, of which 763 were related to the work of the courts, 94 to the work of the State Attorney's Office, 63 were criminal charges that were submitted to the State Attorney's Office, and 98 petitions were of incomprehensible or offensive content. Out of 763 petitions, in 579 the parties expressed dissatisfaction with the merits of the court decisions, in 182 due to the delay of the proceedings, and two pointed to inappropriate behaviour of

the judge, for which the report of the President of the court was requested. Nine hundred eighty-seven cases have been resolved, whereas the remaining 31 await a report from the heads of judicial bodies.

In 2024, citizens sent us 45 complaints about the work of the State Attorney's Office, 36 % more than in 2023, when we received 33 of them. Most often, they pointed to the length of the proceedings on the criminal complaint, the lack of response or dissatisfaction with the respondent to the petitions on the work of the State Attorney's Office, dissatisfaction with the decision of the State Attorney's Office and the lack of satisfactory information on the handling of cases. They also submitted criminal charges to us, on which occasion we referred them to the State Attorney's Office.

In 2024, a legal and public controversy was caused by a conflict of competences between the European Public Prosecutor's Office (EPPO) and the State Attorney's Office concerning the criminal prosecution of several persons, including a former minister, on suspicion of illegal sales of medical devices to hospitals. Under Art. Article 8 of the Act on the Implementation of Council Regulation (EU) 2017/1939 of October 12 2017 on the implementation of enhanced cooperation on the establishment of the European Public Prosecutor's Office (EPPO) adopted a decision according to which the Office for the Suppression of Corruption and Organised Crime is competent to deal with a specific case. The European Chief Prosecutor turned to the EC on this issue, believing that the national law based on which the General Prosecutor's Office adopted the said decision is contrary to European law. According to publicly available information at the time of preparation of this report, the EC is analysing the information provided by the EPPO.

In 2024, we received 12 complaints about the work of lawyers and the Croatian Bar Association, eight more than in 2023. They related to the correctness of the lawyer's representation, unethical behaviour, dissatisfaction with the ex officio defence counsel, the conduct of the lawyer who used the court decisions made in one court in another court proceeding without anonymising personal data, and the failure of the Croatian Chamber of Commerce to act against the registered lawyer. The complainants were informed that the disciplinary bodies of the Croatian Bar Association are competent to investigate violations of the duties and reputation of the Attorney's Office in connection with disciplinary complaints.

We act on our initiative regarding media coverage in which employees of a health institution disclose patient data to lawyers, who then offer legal services to patients. On this occasion, the Croatian Chamber of Commerce conducted investigations and did not determine the basis for initiating disciplinary proceedings for committing a serious violation of the duties and reputation of the Attorney's office. However, we continue to monitor the actions of the competent authorities, since media reports state that reporting patient data to lawyers dealing with compensation for damages is common in several hospital institutions. We write more about this in the chapter on the right to privacy.

In 2024, the Disciplinary Prosecutor's Office of the Croatian Chamber of Commerce received 702 disciplinary reports, 23.37 % more than a year earlier, which indicates that citizens are mostly familiar with the competence of the Croatian Chamber of Commerce in cases of disciplinary liability of lawyers. Disciplinary proceedings have been initiated in 467 cases, 185 reports have been dismissed, whereas investigations are ongoing for 61 reports. In 61 cases, disciplinary liability was established for serious violations of the duties and reputation of the legal profession, of which 39 cases resulted in a fine, 13 cases a reprimand, and nine cases disciplinary measures of loss of the right to practice law.

During 2024, 16 lawyers from EU Member States, with a place of business in the Republic of Croatia, were registered in the Directory of Foreign Lawyers Who Can Practice Legal Services in the Republic of Croatia under the name of their profession from their home country. However, the Croatian Chamber of Commerce continues to point out the problematic nature of Art. 36. e. Accordingly, lawyers from EU Member States who occasionally and temporarily provide legal services do not have to be registered in the relevant registers. He warns that these lawyers may provide legal services even though they have been banned from practising law by their parent authorities or are not insured against professional liability, of which the Croatian Chamber of Commerce has no information.

In 2024, we received five complaints about the work of notaries and the Croatian Chamber of Notaries (HJK). They requested the criminal prosecution of the notary, pointed out the unnecessary delay in the proceedings, sought legal advice due to the inability to pay the notary fee, and pointed out that the Ethics Committee of the HJK was reported due to neighbourly disputes with the notary. In one case, the party complained that she had not signed a gift agreement with her daughter at a notary, but that it was a forgery; however, the HJK found that the claims were unfounded. We provided the applicants with general legal information about the available legal remedies or forwarded complaints about the procedure to the HJK and the MPUDT.

We continued to monitor the actions of the competent authorities regarding the complaint from 2022 about the work of a notary/assessor in the solemnisation of a lifetime maintenance contract. Proceedings of a disciplinary offence referred to in Art are pending before the Notary Disciplinary Council. 145 par. 3 of the Notary Public Act, which refers to non-compliance with legal provisions on which the validity of a notarial document depends.

In 2024, HJK received 29 complaints about the work of notaries, fewer than in 2023, when there were 40. The complaints were most often related to the conduct in inheritance (13) and enforcement cases (6), one related to the lifelong maintenance contract, and the others to other irregularities in the procedure, such as the certification of signatures and the collection of invoices. The Disciplinary Prosecutor's Office of the HJK issued a first-instance decision in 20 cases, and did not assess any complaint as well-founded.

It is important to point out that in some parts of the Republic of Croatia, citizens do not have the opportunity to use notary services. Thus, notary seats in Ilok, Vis, Korčula and Glina were vacant, and there was no interest in filling them. The requests of the mayors of Glina and Korčula for announcing a competition for a notary public were forwarded by the HJK to the MPUDT for competent action.

HJK also pointed out that the notary tariff has not been increased for 30 years, but only decreased, which is why it was not possible to increase the salaries of assessors and employees, which led to the outflow of staff. However, on December 12, 2024, the Ordinance on Amendments to the Ordinance on the Temporary Notarial Tariff came into force, which regulates the tariff for drawing up a notarial deed and the amount of the point. It remains to be seen whether these changes to the tariff will also lead to an increase in the salaries of notary assessors and employees.

In 2024, the MPUDT received 21 petitions on the work of notaries and one on the work of the HJK. One direct supervision of the work of a notary public was carried out, and no specific irregularities were found in the work.

2.24.3. Digitalisation of justice

The goal of digitalising justice is transparent and efficient management of the judicial system, which reduces the number of pending court cases and shortens them, facilitates communication and ensures better and faster availability of judicial services and information.

Public e-services (e-Communication, e-Case, e-Bulletin board, e-Certificate that no criminal proceedings are being conducted, etc.) enable citizens to obtain information and solve problems faster and more efficiently, without physically going to the counter.

As part of the NPOO project "Improvement of the Court Case Management System (eFile)", the e-Communication service has been technically improved and functionally upgraded, which has been adapted for the e-Citizens service as of April 11, 2024. It is integrated with the e-Authorisation system, which enables, for example, parents to use e-services for minor children, authorised persons of legal entities to use e-services for business entities, and legal representatives to delegate their rights through e-Power of Attorney. According to MPUDT data, 90,009 e-Communication users are registered in the internal register.

In December 2024, the e-Citizens and e-Authorisations portal enabled the issuance of a Certificate that no misdemeanour proceedings are being conducted and a Certificate that a person is not deprived of the right to parental care. Virtual assistants have also been introduced for six judicial e-services (e-Communication, e-Case, e-Bulletin board, e-Enforcement, Insolvency Register, Certificate that no criminal proceedings are being conducted) and the land registry and cadastre. The project "Paperless Commercial Courts" is also underway, which would introduce a fully digital file to increase the efficiency of the court's work. Sound recording will be introduced in courtrooms to speed up court proceedings, and evaluations of the received bids are underway.

From January 1, 2025, anonymised court decisions are publicly available, providing insight into case law and are important for the transparency of court decisions, unification of case law and increasing legal certainty.

Although the advantages of the digitalisation of the judicial system are indisputable, at the same time, it is necessary to consider the possible risks and negative impacts on the rights and freedoms of certain citizens. Regarding the recommendation from the 2023 Report, the MPUDT stated that it is considering analysing the impact of digitalisation and modernisation of the judiciary to eliminate possible shortcomings in access to justice for members of vulnerable groups. Namely, digitalisation must not prevent anyone from effective access to the court, and it is necessary to ensure that all citizens, including those from a lower socio-economic position, have access to the court, regardless of whether they can use e-Communication and e-services.

According to the MPUDT report, during 2024, no problem was observed in the electronic exchange of citizens' documents with courts via the e-Communication service (sending submissions to the court, receiving documents from the court electronically and inspecting the status of the file), and not a single petition related to the implementation of the digitalisation of the judiciary was received. Although the Ministry of Labour and Social Affairs assesses the implementation of the digitalisation and computerisation of the judicial system as successful so far, we will continue to monitor whether some citizens have difficulties accessing the court.

2.24.4. Enforcement and bankruptcy of consumers

Enforcement

"After 10 years with blocked accounts and 4 years without being blocked, the agency blocks my account again. The problem is that they blocked my accounts based on a promissory note from 2008. I don't have the funds to sue, so I am contacting you to tell me who can help me."

In 2024, we received 57 complaints about enforcement, one less than the year before. Although we are usually not authorised to act on these complaints, they are important for monitoring the enforcement of regulations and recommendations for improvement.

Most often, debtors turned to us asking for legal assistance due to ongoing or threatening foreclosures, and often even after they had already been completed. Some debtors acknowledged their obligation and pointed out they could not settle it. Since it was clear that they were not familiar with the regulations, we informed them about the means of legal protection and the possibility of exercising the right to free legal aid. We also pointed out the possibility of initiating consumer bankruptcy proceedings, and debtors who were threatened with eviction from the property they live in have the right to housing care for the debtor prescribed by the Enforcement Act. In 2024, only 13 applications for reimbursement of the costs of housing care for debtors were submitted, which indicates that debtors need to be better informed about this legal possibility.

"By carrying out illegal and illicit enforcement, irreparable damage will be caused to me and my sisters, which will be measured in hundreds of thousands of euros, and for which someone will have to be held accountable. Still believing in our judicial system, I sincerely hope that this implementation of shameful, illegal and illicit enforcement of real estate will be stopped."

According to FINA data, 577 houses and 221 apartments were registered in the Register of Real Estate and Movable Property Sold in Enforcement Proceedings in 2024, and 797 electronic public auctions were conducted, of which 326 sale items ended in valid bids.

"Dear Sir/Madam, I kindly ask you to answer the below-mentioned issues. Namely, I have an employee with enforcement. ... I am threatened with seizure on my business account, because according to them, I should change the payment method of salary (now 1/4 is paid to an unprotected account, and 3/4 to a protected account). Please answer immediately, because otherwise I will hand over the termination of the employment contract to the employee to prevent the enforcement and blocking of my business account."

Employers continued to contact us about the enforcement of their employees' salaries, stating that the implementation of this obligation is too much of a burden for them, not only because of the additional work, but also because of doubts about the application of regulations and the responsibility they have in doing so. In addition, as we have already pointed out, some employers in such situations resort to terminating the employment contract of the employee-debtor to avoid liability in the event of an error in the implementation of enforcement. In such cases, we have warned employers that ignorance or uncertainty in the implementation of wage garnishment is not a justified reason for termination of the employment contract and that they can thus discriminate against workers based on financial status.

In January 2024, the Decision of the Constitutional Court of the Republic of Croatia No. U-I-331/2021 et al. of December 19, 2023, were published in the Official Gazette, whereby the provision of Art. 46 par. 3 of the Enforcement Act, which stipulated that enforcement to vacate and hand over real estate will not be carried out against a natural person who does not perform a certain registered activity and a natural person who performs a certain registered activity (if enforcement is not carried out in connection with that activity) from November 1 to April 1, unless there is a justified reason for this. The provision of Art. 72 par. 3 of the Enforcement Act, which provided for the suspension of ex officio enforcement if the bailiff did not take any action in the proceedings within one year.

Recommendation 99 (reiterated)

Ministry of Justice, Public Administration and Digital Transformation, to prepare a comprehensive analysis of the enforcement system, and based on it, to draft a proposal for a new Enforcement Act.

Although the Government of the Republic of Croatia stated in its opinion on the Ombudswoman's Report for 2022 that an analysis of the enforcement system is underway and that a proposal for a new Enforcement Act will be drafted upon its completion, we do not know what was done in this regard during 2024. However, the new Enforcement Act is not in the Plan of Legislative Activities for 2025. The Ministry of

Labour and Social Affairs states that it is collecting data on how the Enforcement Act is implemented in practice and that it will propose the drafting of a new law when, based on what has been collected, the need arises, i.e. if circumstances arise that would existentially endanger the most exposed categories of citizens or make economic business more difficult. The MPUDT also states that to draft the new Enforcement Act, it is necessary to analyse the decisions of the Court of Justice of the EU that may affect the efficiency of the Croatian enforcement system, legal certainty and the protection of the dignity of the debtor. Given that the MPUDT does not specify what specific activities it has undertaken and at what stage the analysis is, we repeat the recommendation, taking into account the aspects that the MPUDT points to, to create a basis for drafting a proposal for a new Enforcement Act.

Citizens have also complained to us about the actions of debt collection agencies. Most often, they disputed the amount of claims, pointed to incomplete information about the amount of debt and the need for legal assistance, and a lesser extent, to inappropriate communication between agencies. Under the Act on the Manner, Conditions and Procedure of Servicing and Selling Receivables (ZNUPSKP), we referred citizens to the possibility of complaining to the Croatian National Bank (CNB) if the complaint related to the conduct in the collection of receivables based on a loan, and to the Financial Inspectorate, in the case of complaints about the conduct in the collection of other receivables.

In 2024, the Financial Inspectorate received 16 complaints about the conduct of the buyer or service provider of other receivables, and assessed two complaints as well-founded, pointing out that citizens mostly complain about the absence of debts to creditors.

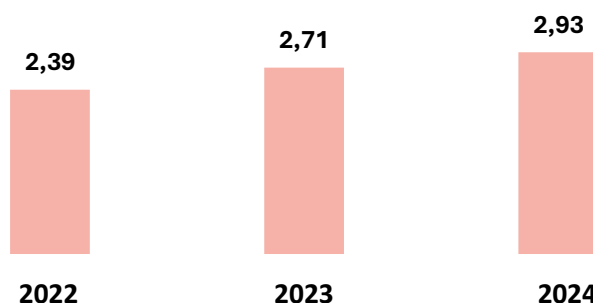
According to the CNB's data on the application of the ZNUPSKP, nine applications for authorisation as a loan servicing service provider were received, and eight were issued. The Register of Authorised Credit Service Providers is publicly available and includes contact details for submitting citizens' complaints. In 2024, the CNB received 110 complaints about the conduct of a loan purchaser or credit servicing service provider, six of which were well-founded, and the irregularities identified related to requests for the collection of debts already settled, the retention of collateral after the debt has been settled, the collection of debt from heirs in the amount of more than the value of the inherited property, and the collection of a higher amount of debt than that recorded in the business books of the loan purchaser. The CNB pointed out that many complaints allege harassment, but the supervision did not establish the validity of these allegations, as contacts with the debtor were established no more than once a month, which is in line with the ZNUPSKP.

Namely, the provision of Art. 16 par. . 3 of the ZNUPSKP stipulates that the debtor may not be contacted more than once during the same month for the same loan agreement, except when he is informed of the initiation of proceedings for forced collection or of waiver of collection, or if he is contacted with a binding offer/settlement offering debt reduction and/or instalment repayment, or if the debtor gives explicit written consent to this.

According to the Croatian Association of Debt Collection Agencies, all companies have adapted their communication with debtors. However, they believe that communication is the key to solving the problem of indebtedness and that limiting it to one contact per month puts the debtor at a disadvantage compared to the initial creditor, which is why they advocate for the amendment of the ZNUPSKP. On the other hand, the CNB considers it positive that communication with debtors is in line with the restrictions and prohibitions of the ZNUPSKP. They also consider establishing internal procedures by which these companies regulate their operations, including fair and prudent treatment of debtors concerning their financial situation and the possible referral of debtors to debt counselling.

At the end of 2024, the CNB sent guidelines on good practice concerning debtors to all authorised credit servicing service providers, so that the debtor could receive all relevant information appropriately and understandably. In the coming period, it is important to inform debtors about their rights and obligations from the ZNUPSKP, the application of which we will continue to monitor.

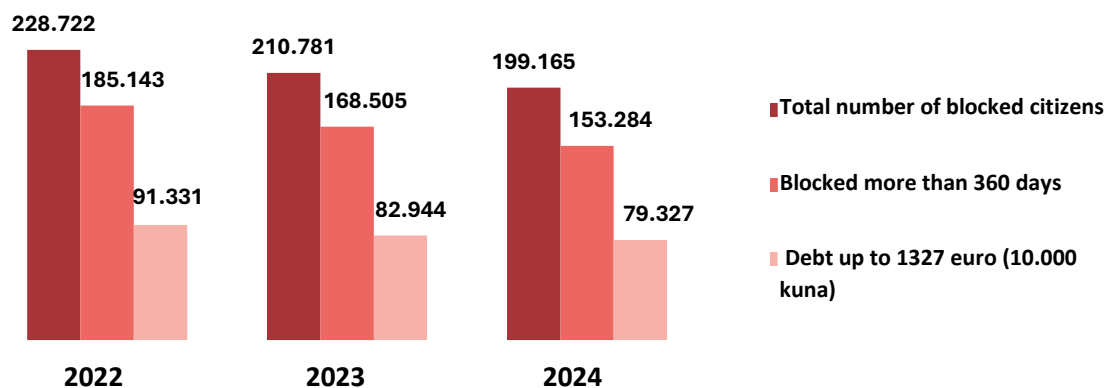
TOTAL DEBT OF BLOCKED CITIZENS 2022-2024
(in billions of euro)



According to the data on the implementation of enforcement on funds, the number of citizens with blocked accounts is decreasing, but their total debt is growing. As of December 31, 2024, there were

199,165 of them, with a debt of €2.93 billion, which is 11,616 fewer consumers and €0.22 billion more than in 2023. How difficult it is to get out of the vicious circle of foreclosures is shown by the fact that long-term blockades still prevail, and 77 % (153,284) of consumers with 88.4 % of total debt have been blocked for over a year. Their difficult socio-economic position is also indicated by the fact that 79,327 citizens were blocked because they could not settle a debt whose amount does not exceed 1,327 euros (10,000 kuna).

CITIZENS WITH BLOCKED ACCOUNTS 2022-2024

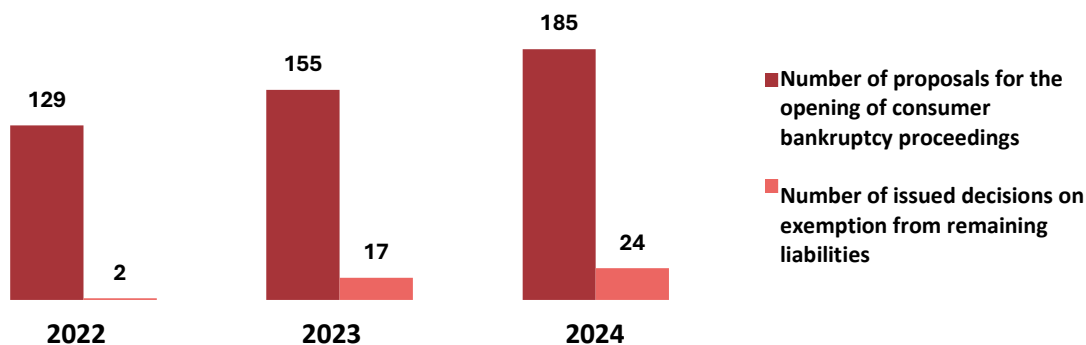


A blocked citizen, provided that his permanent monetary income was equal to or greater than 1,131.00 euros, which was the amount of the average net salary for the implementation of enforcement in 2024, at best had 754 euros per month, which was the highest amount protected from enforcement.

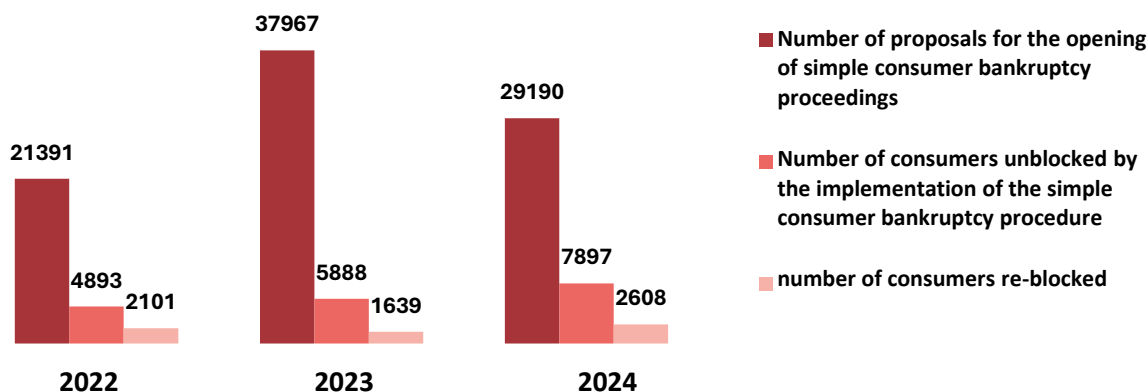
Consumer bankruptcy

In 2024, 185 proposals were received for opening consumer bankruptcy proceedings, which was 30 fewer than the year before. For the fourth year in a row, there has been a slight increase in these proposals, although they are still disproportionate to the number of blocked citizens. There were 26 decisions on the opening and closing of consumer bankruptcy proceedings, four decisions on the closure of consumer bankruptcy proceedings and 24 on the release from remaining obligations. With the implementation of the regular consumer bankruptcy procedure, six persons were unblocked, one of whom was blocked again.

REGULAR CONSUMER BANKRUPTCY PROCEDURE 2022-2024



SIMPLIFIED CONSUMER BANKRUPTCY PROCEDURE 2022-2024



29,190 proposals were filed to open a simple consumer bankruptcy procedure, the implementation of which unblocked 7,897 consumers, of which 2,608 were blocked again.

According to FINA, the number of consumers who asked for information about these procedures in 2024 is decreasing, and the MPUDT stated that it received several dozen inquiries related to these procedures. The Ombudswoman received only two requests for legal aid in connection with consumer bankruptcy proceedings, under which we provided citizens with general legal information.

Given that the indicators of over-indebtedness of citizens are still high, we still believe that it is important to identify the causes of the low interest of citizens in these procedures and to devise measures that will contribute to enabling a new beginning for a larger number of over-indebted citizens. MPUDT informed us that in 2021, the effects of the Consumer Bankruptcy Act of 2018 were analysed through the Subsequent Regulatory Impact Assessment form, and that further analyses will follow in the foreseeable future, when the conditions for this are met. However, we have no information that further analysis was conducted.

A comprehensive analysis of the structure of debtors and the causes of over-indebtedness should be the starting point for the creation of differentiated and targeted measures for the prevention and exit from over-indebtedness, which would enable citizens to resolve the situation in the long term and financial stability, and thus an adequate standard of living and protection against social exclusion.

2.24.5. Free legal aid

According to the Charter of Fundamental Rights of the EU, legal advice and representation must be provided to every person, and according to the practice of the ECtHR, the right of access to a court does not refer only to the possibility of initiating court proceedings, but also to informing and advising citizens on legal mechanisms for the protection and exercise of their rights. The Free Legal Aid Act provides for two forms of free legal aid: primary, provided by authorised providers (CSOs, legal clinics and administrative departments in counties), and secondary, which, in addition to legal representation in legally defined legal areas, also includes exemption from payment of the costs of court proceedings and expert testimony, and exemption from payment of court fees.

Citizens continuously turn to the Ombudswoman for legal advice and representation, as well as for the drafting of submissions. The Ombudswoman is not authorised to provide legal advice and represent citizens in proceedings before public law bodies and courts, so we refer them to legal aid providers. This indicates that it is necessary to continue informing citizens about the system of free legal aid, for example, through promotional activities in the media. We welcome the activity of the MPUDT in 2024, which distributed leaflets and posters with basic information about the BPP system to the UOŽ, authorised associations and legal clinics, which was the recommendation of the Ombudswoman.

In September 2024, the UN Human Rights Committee, which oversees the implementation of states' obligations under the International Covenant on Civil and Political Rights, recommended that the Republic of Croatia take appropriate measures to strengthen the BPP system to make it accessible to people with lower financial status, ensuring the sustainability of the system through adequate financing of providers, ensuring the availability of BPP in all parts of the Republic of Croatia, and raising public awareness of providers and the conditions for achieving BPP.

Primary legal aid is particularly important in proceedings before administrative bodies in which citizens exercise status rights and rights from health and pension insurance or the social welfare system. Timely consultation on available legal remedies can prevent lengthy court proceedings that generate high costs. However, there is still a problem of significant territorial fragmentation of the activities of primary legal aid providers, which leads to insufficient availability of BPP, which we have also written about in previous reports. There are 53 authorised providers registered in the Register of Primary Legal Aid Providers. However, most of them operate in the area of the City of Zagreb, whereas in some counties, such as Zadar, Šibenik-Knin, Dubrovnik-Neretva, Karlovac, Varaždin, Požega-Slavonia, Međimurje and Krapina-Zagorje, except the UOŽ, not a single provider of primary legal aid is registered.

Therefore, it is useful that during 2024, certain associations and legal clinics ensure the availability of primary legal aid to residents of rural and traffic-isolated areas through field visits, on average, once or twice a month. The Law Clinic of the Faculty of Law in Zagreb implemented the project "Distance is not a problem: decentralisation of access to justice", students of the Law Clinic of the Faculty of Law in Split provided legal aid on several occasions in Zadar, and students of the Faculty of Law in Rijeka, Pazin and Čabar.

In 2024, EUR 711,280.76 was provided for financing primary legal aid projects, which, despite an increase of 30 % compared to 2023, as some providers state, is insufficient for the continuous provision of legal aid. The maximum amount allocated to providers in 2024 was 40,560 euros, which, divided into one year, is 3,380 euros per month for all CSO costs (salary of a law graduate with a passed bar or state exam, office and overhead costs, travel expenses in the case of field visits, etc.). For this reason, the "Initiative for Improving the Functioning of the Free Legal Aid System", which brings together 22 CSOs and legal clinics, turned to the MPUDT in November 2024 with a request to increase the maximum amount of funding that can be requested in 2025.

To ensure the sustainability of the BPP system, it is necessary for the MPUDT, in cooperation with providers, to prepare a comprehensive analysis of the real costs necessary to ensure the continued availability of free legal aid. As pointed out in the publication "Legal Support to Victims of Human Rights Violations" by the Human Rights House, the analysis should include many providers, as not all provide BPP in the same volume and from the same funds. The analysis would also serve as a basis for further

allocation of financial resources, considering the movement of labour costs and prices of goods and services in the Republic of Croatia.

It was only at the end of May 2024 that the MPUDT decided on the payment of funds to providers for primary legal aid projects for the second year of project implementation. The first instalment was paid to the providers in July, and the second was made in December 2024, which did not meet the contractually defined deadlines. Therefore, we have requested a statement from the MPUDT, and the procedure is ongoing. In response to the recommendation from the Report for 2023 to announce and implement a tender for the financing of primary legal aid providers promptly and within an appropriate timeframe, the MPUDT pointed out that in the contracts for the third year of project financing (2025), the disbursement of funds is envisaged in three instalments, with the payment of the first part in the first quarter of the year, after the submission of annual reports on the implementation of projects. The MPUDT also indicated that the announcement of a new tender is planned in the first quarter of 2026. Since the timely disbursement of financial resources is essential for the continued provision of BPP, we will continue to monitor the implementation of funding for primary free legal aid providers.

Recommendation 100.

Ministry of Justice, Public Administration and Digital Transformation, to prepare an analysis of the costs necessary for the provision of primary legal aid

Recommendation 101

Ministry of Justice, Public Administration and Digital Transformation, to disburse funds to primary legal aid providers promptly

Recommendation 102

Ministry of Justice, Public Administration and Digital Transformation, to appoint members of the Commission for Free Legal Aid and to convene sessions in 2025

The BPP Commission, which consists of representatives of state bodies, the Croatian Chamber of Commerce, law faculties and BPP provider associations, gives opinions on the projects of authorised associations and legal clinics and proposals for improving the BPP system. However, the Commission did not meet in 2024. The members' two-year mandate expired in August 2024, and the MPUDT did not initiate the election of new members until December 2024.

According to the data of the UOŽ, primary legal aid in the form of general legal information and legal advice was provided to citizens from family, enforcement, labour, pension and social security rights.

Some UOŽ pointed to the need to educate officials working on BPP jobs on legal areas about which citizens turn to them, and in which regulations are often changed and case law develops. Therefore, in the Report for 2023, we recommended that the DŠJU organise specialised training for UOŽ officials in the legal areas for which citizens most often turn to them. We have been informed that the implementation of training is planned in the third quarter of 2025.

In doing so, the UOŽ points out the problem of determining the fulfilment of the conditions from Art. 10, point d) of the ZBPP, which stipulates that primary legal aid may be provided in any legal matter if the applicant's financial circumstances are such that the payment of professional legal aid could jeopardise the maintenance of the applicant and household members. Given that primary legal aid is

obtained by direct contact with the UOŽ, without submitting a formal request and documentation that would show the applicant's financial status, some UOŽ pointed out that legal aid is also sought by beneficiaries whose financial circumstances are not such that they need BPP. It is therefore necessary to elaborate the procedure for determining the financial status of primary legal aid applicants who turn to the UOŽ.

The property conditions for obtaining secondary legal aid imply that the total income of the applicant and members of his/her household per month does not exceed the amount of the budget base per household member (EUR 441.44), and that the total value of the applicant's assets does not exceed the amount of 60 budget bases (EUR 26,486.40). BPP may be granted in exhaustively listed areas, such as proceedings for the exercise of the child's right to maintenance or proceedings for compensation for

Recommendation 103

Ministry of Justice, Public Administration and Digital Transformation, to define the criteria for the provision of primary legal aid by administrative departments in the counties, under Art. 10 point d) of the Law on Free Legal Aid

Recommendation 104

Ministry of Justice, Public Administration and Digital Transformation, to define the criteria for the assessment of "specific life circumstances" when deciding on applications for secondary legal aid under Art. 13 par. 2, point f) of the Law on Free Legal Aid

Recommendation 105 (reiterated)

Croatian Bar Association, to continue updating the lists of lawyers for the provision of secondary free legal aid

victims of a crime of violence. Secondary legal aid may also be granted outside the exhaustively listed areas, in all other administrative and civil court proceedings where such a need arises from the applicant's and household members' specific life circumstances. As we have been informed by some UOŽ, the problem in deciding on these applications is the lack of criteria by which the concept of "specific life circumstances" of the applicant would be assessed.

According to the notice of the Croatian Chamber of Commerce, the recommendation from the Report for 2022 has been implemented, and the availability of lawyers to provide secondary legal aid in all courts has been ensured. The lists of lawyers for providing BPP throughout the territory of the Republic of Croatia are continuously updated. However, some UOŽ informed us about the lack of interest of some lawyers from the list to provide BPP in some areas of the Republic of Croatia, including some islands. Therefore, we recommend that the Croatian Chamber of

Commerce continue to update the lists of lawyers to provide secondary free legal aid, thus contributing to the availability of lawyers in areas without law offices.

An increase in the value of the point based on which the compensation for the BPP provided is determined would contribute to the prevention of the sometimes insufficient interest in providing secondary legal aid. In the public consultation on the Proposal of the Regulation on the Value of the Amount for Determining the Fee for the Provision of Secondary Legal Aid for 2024, we proposed that the value of the point for the calculation of the fee for the provision of secondary legal aid be as close as possible or determined in the amount of the value of the point to which the lawyer is entitled under the Tariff on Fees and Reimbursement of Costs for the Work of Lawyers (which amounts to EUR 2.00). The proposal was not adopted, and for 2024, the point's value was set at EUR 1.25 gross without VAT.

The Ombudswoman also participates in activities aimed at improving the BPP system. In October 2024, we participated in the round table "Challenges of the system of free legal aid and clinical legal education" organised by the legal clinics of the law faculties in Split and Rijeka. In December, at the Coordination for Human Rights of Split-Dalmatia County session, we presented the recommendations of the UN Human Rights Committee under the International Covenant on Civil and Political Rights related to the BPP system. In December, we held consultations in Split with BPP providers from the area of Šibenik-Knin, Split-Dalmatia and Dubrovnik-Neretva Counties, and in March 2025 in Rijeka with providers in Primorje-Gorski Kotar and Istria Counties. In addition to representatives of CSOs and legal clinics, representatives of the Boards of Directors of Šibenik-Knin, Dubrovnik-Neretva and Primorje-Gorski Kotar Counties also participated in the consultations.

2.24.6. Support for victims and witnesses

"... it is unbelievable to me that the victim is crucified in this way for 5 years in court, and that the defendant passes unscathed and that the case in May goes into the statute of limitations after five long years without a decision, I wonder if there is justice, if something can be done..."

In 2024, further steps were taken to develop the victim and witness support system, with the establishment of new support departments and amendments to the Criminal Code and the Criminal Procedure Code, which improved the position and protection of victims of crime. The extension of the right to inform the victim about the release of the defendant from pre-trial detention should be particularly emphasised, which we have pointed out in previous reports. Namely, until the adoption of these amendments, the victim was informed about the release of the defendant from pre-trial detention only if he expressly requested it, and now this right is exercised without prior submission of a request for the sending of information.

Victim and witness support departments have been established at the county courts in Pula, Varaždin and Velika Gorica and the Municipal Court in Split, so that only the County Court in Dubrovnik does not have a support department among the county courts. According to the Ministry of Labour and Social Affairs, in 2025, it should also be established at that court.

However, the departments still do not have separate waiting rooms in all courts, so witnesses and victims wait in the corridors for a hearing together with the defendants, which is extremely traumatic for some victims. This is not in line with Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime, as it does not sufficiently respect victims' rights and needs. The Directive aims to ensure that victims of crime are treated with respect, in an appropriate, professional, non-discriminatory but sensitive manner, and that they receive adequate information, support and protection.

The technical and spatial equipment of the courts is insufficient, which is why it is impossible to testify and give testimony without being in the same room with the defendant, which is also indicated by CSOs that provide support in courts. In addition, they point to the need to ensure the secrecy of the victim's address after filing a criminal complaint, to prevent further victimisation. Therefore, it is also problematic that the individual victim's needs assessment form is in the file, so the defendant can find the victim's characteristics and data by inspecting it.

The victim should be provided with assistance and support from the moment the crime is committed and even after the end of the criminal proceedings, informing him or her of his or her rights in a way that is understandable to him, in writing and orally, if necessary, several times during the proceedings, as well as how he or she can exercise his or her rights. An example of good practice is the toll-free line of the National Call Centre for Victims of Crime (NPC) – 116 006, implemented by the Association for Victim and Witness Support in cooperation with the MPUDT. The line is available 24 hours a day, and during 2024, the services of NPCs were used by 2,369 users, who were provided with emotional, legal or practical assistance, and were referred to relevant institutions or CSOs.

The support departments supported more than 5,500 people and, at the request of the individual assessment authorities, actively obtained data to carry out the procedure and make appropriate recommendations. Under MPUDT data, during 2024, an individual assessment was carried out for 4,274 victims and more than 6,000 measures were determined, which is positive because an individual assessment is a key tool for determining the real needs and interests of the victim. In doing so, it is important to actively involve victims in the process to consider their characteristics, life circumstances, the consequences of the crime they are suffering and other important circumstances when making decisions and assessing the risk. An individual approach is particularly important for particularly vulnerable groups and victims of certain crimes, such as victims of domestic violence, sexual violence, trafficking in human beings, terrorism, organised crime and hate crimes.

In the areas of 17 counties in the Republic of Croatia, support activities are performed by CSOs through the MPUDT program "Support and Cooperation Network for Victims and Witnesses of Crime", and their work is especially important in the areas of courts where victim and witness support departments have not been established. The Support and Cooperation Network does not include the Split-Dalmatia, Primorje-Gorski Kotar and Zagreb Counties and the City of Zagreb. According to the data of the CSO Women's Room, which coordinates ten partner organisations (Association for Victim and Witness Support, Centre for Civic Initiatives Poreč, Centre for Support and Development of Civil Society Delfin, Association HERA Križevci, DEŠA-Dubrovnik-Regional Centre for Community Building and Civil Society Development, Information and Legal Centre, Association Zvonimir, Women's Group Karlovac KORAK, S.O.S. Virovitica – Counselling, Empowerment, Cooperation and CESI – SOS Hotline and Counselling) provided support for 1,344 users and 11,084 different services. Of these, 254 escorts should be allocated to the courts as a person of trust and 125 escorts to the police, the state attorney's office and/or regional offices of the HZSR, 120 counselling services for social workers and 39 field visits.

According to the Law on Monetary Compensation to Victims of Crime, the victim of a criminal offence of violence committed intentionally has the right to financial compensation from the state budget. The processing of cases of financial compensation is carried out by the Victim and Witness Support Service of the ICUDT, and the Committee for Compensation to Victims of Crime decides on applications. In 2024, out of 47 applications, 12 were fully or partially adopted, in the amount of EUR 22,566.09, more than in the previous year, when seven applications out of 27 were fully or partially adopted, in the amount of EUR 7,336.08.

In recent years, we have regularly pointed out the need for continuous training of judicial officials and police officers on the rights of victims and witnesses and sensitisation to their needs, especially those who participate in the individual assessment of victims' needs and decide on their rights and interests.

Therefore, we welcome the workshops held by the Judicial Academy during 2024 on the topics of Protection of Children Victims of Sexual Abuse and Sexual Exploitation (3 workshops, 65 participants), Imposition of pre-trial detention and precautionary measures to protect the victim (4 workshops, 73 participants), Taking the

victim's testimony. and questioning the victim with special emphasis on vulnerable groups, especially victims of domestic violence, violence against children and women and sexual violence (5 workshops, 91 participants), Victim participation in deciding on the application of precautionary measures (5 workshops, 116 participants), Rights of the victim of crimes and misdemeanours in the field of domestic violence (3 workshops, 41 participants), Education on combating sexual violence and sexual harassment and on standards for the protection of the rights of children victims of sexual abuse and neglect in domestic and European legislation (2 workshops, 25 participants), Entry of victim data and individual victim assessments into the eFile (3 workshops, 43 official participants).

Recommendation 106

Judicial Academy, to continue educating judges, prosecutors and police officers on victims' rights and individual assessment of victims

In addition to an effective individual assessment of the victim and the prevention of secondary victimisation, completing the court proceedings within a reasonable time is also important. Considering the burden on judges with the number of cases and that some parties prolong court proceedings by abusing procedural means, their length can be particularly aggravating for victims and witnesses who can be traumatised by what they have seen and experienced.

According to the Report of the President of the Supreme Court of the Republic of Croatia on the state of the judiciary for 2023, the average duration of municipal criminal first-instance cases was 716 days, more than in 2022, when it was 645.

County criminal cases in the first instance lasted an average of 290 days, 13 days shorter than in 2022. The procedure of county courts when deciding on appeals against decisions of municipal courts has been extended from 154 days in 2022 to 190 days in 2023.

2.25. Procedure of the European Court of Human Rights

In 2024, the ECtHR adopted a new Rules of Procedure of the Court, which amended Rule 28, which strengthens the procedural framework for recusal of judges, and Rule 39, which sets out the conditions for the imposition of interim measures in detail. Also, the ECtHR revised the Instructions for the Procedure for the Imposition of Interim Measures, which contain detailed guidelines related to the substantive and procedural aspects of the Court's conduct to achieve greater clarity and transparency in the conduct of the procedure for the imposition of interim measures.

In October 2024, the Act amending the Act on the Ratification of the Convention for the Protection of Human Rights and Fundamental Freedoms and Protocol No. 1, 4, 6, 7 and 11 of the Convention for the Protection of Human Rights and Fundamental Freedoms, which completely withdrew the reservation that the Republic of Croatia, under Art. 64 of the Convention, when depositing the instrument of ratification regarding holding a public hearing, put the guaranteed Art. 6 par. 1 of the Convention. The reservation was made due to the provision of the then Law on Administrative Disputes, according to which the court decided in a closed session. In harmonising with the EU acquis, the Law on Administrative Disputes came into force in 2012, introducing a public hearing in administrative disputes, removing the reasons for making reservations.

To strengthen cooperation and exchange of experiences between Member States and to improve dialogue with the Council of Europe bodies responsible for procedures for enforcing ECtHR judgments, the Council of Europe established the Network of National Coordinators in June 2024, which acts as an *online* platform. This

contributes to the achievement of the objectives set out in the Reykjavik Declaration, by which the Member States of the Council of Europe reaffirmed their commitment to the Convention for the Protection of Human Rights and Fundamental Freedoms, stressing that executive national and local authorities, national courts and national parliaments are responsible for implementing the Convention and complying with ECtHR judgments. Establishing the Network of National Coordinators has fulfilled the Recommendation of the Committee of Ministers to Member States on effective domestic capacity to enforce judgments CM/Rec(2008)2 swiftly.

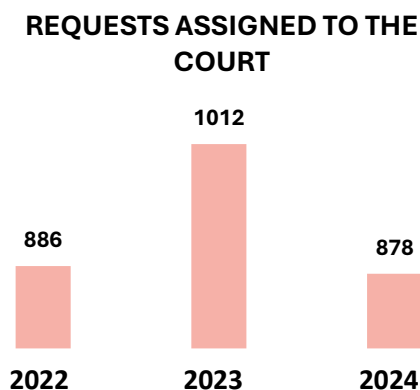
In the report "Justice Delayed and Justice Denied: Non-Implementation of European Courts' Judgments and the Rule of Law", published in September 2024 by the European Judgments Enforcement Network (EIN), the Republic of Croatia was classified in the category of "moderate", given the average enforcement of judgments of three years and four months. In comparison, the best-rated Sweden has an average execution duration of two years and seven months, whereas the worst-ranked Romania has five years and five months.

In the process of enforcing the judgment of M.H. and others, no. 15670/18, under enhanced enforcement supervision, the Ombudswoman sent a communication in 2023, Rule 9.2. We continued to participate in the enforcement procedure, and in June 2024, we submitted comments on the revised action plan to the Office of the Representative of the Republic of Croatia before the ECtHR.

Although outside the reporting period, we also state that in February 2025 we submitted an opinion on the draft action plan for the execution of the group of judgments Statileo no. 12027/10 related to the issue of protected rents, and in March 2025 we sent an opinion on the draft action plan for the execution of the judgment T.V. no. 47909/19, which refers to the violation of the right to life due to the inappropriate treatment of a person with mental disorders by the police and medical staff, and the investigation that followed.

Procedure of the European Court of Human Rights on requests against the Republic of Croatia

ECtHR data for 2024 show that 878 applications against the Republic of Croatia were assigned to the court department for decision-making, which is 13 % less than in 2023.

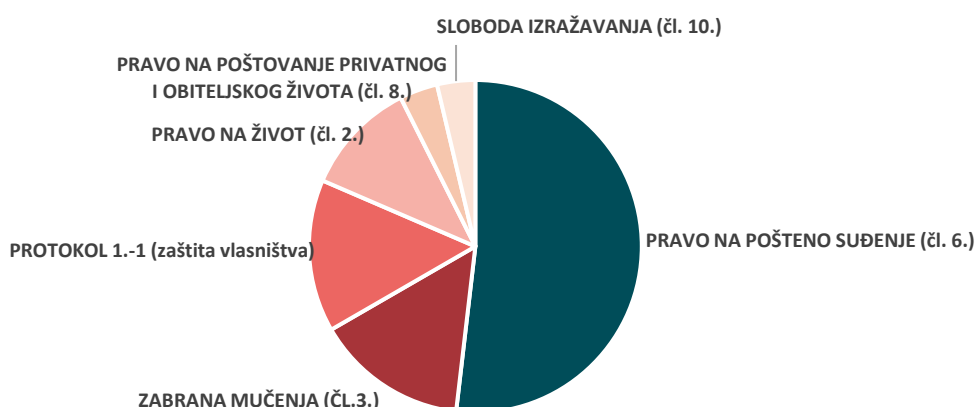


Of the total number of applications against the Republic of Croatia decided by the ECtHR in 2024, 1,084 were declared inadmissible or were deleted from the list of cases, in 23 were decided by a judgment, three were decisions on the acceptance of the unilateral statement of the Government of the Republic of Croatia on the recognition of violations (unilateral declarations) referred to in Art. 6 of the Convention (right to a fair trial), whereas 18 cases were closed by amicable settlement.

Verdicts against the Republic of Croatia in 2024

Of the 23 judgments issued by the ECtHR in 2024 concerning the Republic of Croatia, at least one violation was found in 22, whereas no violation of convention law was found in one.

Of the 27 violations of convention rights identified in 22 judgments, most relate (14) to the violation of Art. 6 (right to a fair trial), four for violations of Art. 3 (prohibition of torture) and Protocol 1, Art. 1 (protection of property), there are three violations of Art. 2 (right to life) and one violation of Art. 8 (right to respect for private and family life) and Art. 10 (freedom of expression).



Violations found by the ECtHR in a judgment may be procedural or substantive. Procedural violations include those whose convention law has been violated in the decision-making process and have no impact on the outcome of the procedure, whereas in the case of substantive violations, the procedure's outcome also constitutes a violation of the Convention.

Below is a brief overview of the content of judgments under the articles of the Convention issued by the ECtHR in 2024 concerning the Republic of Croatia, in which a violation was established:

In the case *Miljak no. 15681/18*, the ECtHR found a violation of Art. 3 of the Convention (prohibition of torture) due to the ineffective investigation of an event in which the applicant sustained serious bodily injuries during the intervention of judicial police officers. The ECtHR noted that the investigation was initiated only six months after the event, based on the applicant's criminal complaint, which the Public Prosecutor's Office dismissed without a detailed examination of all relevant facts and without questioning the applicant and the suspected prison guards. Although the applicant did not take over the criminal prosecution and did not file a constitutional complaint, the ECtHR found his request admissible because it was only in 2019 that the constitutional complaint became an effective domestic remedy for complaints due to the inefficiency of the investigation.

In the case *Vugdelija no. 14692/18*, the ECtHR found a violation of Art. 6 of the Convention (right to a fair trial). The applicant sued the insurance company before the municipal court for compensation for damages due to injuries resulting from a traffic accident. Subsequently, he increased the claim, which the county court rejected over the initially requested amount, considering that the same facts had been finally adjudicated by a previous verdict, which the Supreme Court confirmed. The ECtHR stated that the amount of non-pecuniary damage could hardly be assessed at the initial stage of the proceedings and that the applicant could not be

criticised for not immediately indicating a higher amount of compensation in the application. Therefore, it assessed the approach of the domestic courts as excessively formalistic.

In the case *Mafalani no. 3646/17*, the ECtHR found a violation of Art. 8 of the Convention (right to respect for private and family life) due to unjustified interference with the applicant's right to respect for the confidentiality of correspondence with the defence counsel, which was unlawfully supervised by the opening of the letter. According to the CPC, the ECtHR noted that correspondence between an accused person and his lawyer may not be monitored unless the judge decides otherwise and only concerning certain criminal offences.

In the case *Pisanski no. 28794/18*, a violation of Art. 10 of the Convention (right to freedom of expression). The Municipal Court fined the applicant for contempt of court because, as a lawyer, he expressed his dissatisfaction with the court's decision inappropriately and offensively. The ECtHR found that the fine for contempt of court constituted an interference with the applicant's right to freedom of expression and that the domestic courts had not considered the context in which the objections were made. Applying the relevant principles in the case of *Radobuljac v. the Republic of Croatia*, the ECtHR examined whether the interference was "necessary in a democratic society", and reiterated that a clear distinction should be made between insult and criticism, that objections must be viewed in the light of the case as a whole, including their content and the context in which they were presented, and that courts are subject to broader limits of acceptable criticism than ordinary citizens.

In Biagini's case *no. 25308/18*, the ECtHR found a violation of Art. 1 of Protocol No. 1 to the Convention (the right to peaceful enjoyment of ownership) because the applicant was ordered to pay the customs debt even though he did not import the yacht into the Republic of Croatia and pointed out that the customs could have collected the debt directly from the owner of the yacht on whose instructions the applicant acted or from the funds obtained from its sale. The ECtHR concluded that the domestic authorities had exceeded their broad discretion because their review did not satisfy the condition of a "fair balance" between the competing interests (the collection of the customs debt and the protection of the applicant's property rights), and the customs decision placed an excessive burden on the applicant.

In the case of *Firma Poljičanin-Rašica d.o.o., no. 39761/18*, the application concerned the refusal of the state authorities to allow the import of meat for which the applicant company had a valid import license. Due to the import ban and the subsequent decisions of domestic courts rejecting the claim for damages to the applicant for lost benefit, the ECtHR found a violation of Art. 1 of Protocol 1 to the Convention (right to peaceful enjoyment of property).

In Case *T.V. No. 47909/19*, the ECtHR found a violation of the substantive and procedural aspects of Art. 2 of the Convention (right to life). The applicant's common-law husband, who was a person with mental disorders, died while being taken into custody by the police, and the force used against him was not "absolutely necessary" in the circumstances. The applicant claimed that the State had failed to fulfil its positive obligation to protect his life by providing him with adequate emergency medical care, and that the investigation into his death had not been effective. Namely, the police officers, although they knew that it was a person with mental disorders, failed to apply the Instruction on the procedure of the police in bringing a person with mental disorders to a psychiatric institution. Also, the ECtHR concluded that the investigation was not quick and thorough. We also write about this case in the chapter on the protection of persons with mental disorders.

In the cases *Vlašić and Lastrić*, no. 7687/22, and *Romić and others*, no. 24501/19, the ECtHR found the applicants' rights under Art. 1 of Protocol No. 1, with the Convention (the right to peaceful enjoyment of property) and the right to a fair trial from Art. 6 of the Convention. The complainants' objections related to the 1999 Decision of the Government of the Republic of Croatia by which the shares of the applicants or their predecessors were withdrawn and cancelled. The ECtHR referred to its earlier judgment in *Project-Trade d.o.o.* and found that the interference with the applicants' property was not accompanied by sufficient procedural guarantees against arbitrariness, that the applicants did not have the opportunity to effectively challenge the Decision of the Government of the Republic of Croatia before the courts, and that the proceedings before domestic courts lasted too long.

In the case *Šplajt* no. 963/18, the ECtHR found the applicant's right to a fair trial under Art. 6 of the Convention. The applicant's employment contract was terminated due to a particularly serious breach of employment, because he had provided the media with false information about the situation in the company. However, he knew that he was thereby causing damage to the reputation of the employer. The ECtHR found that domestic courts had failed to carry out a proportionality test to determine whether interference with the right to freedom of expression was 'necessary in a democratic society'. Therefore, it independently conducted the test and concluded that the interference with the applicant's freedom of expression was "necessary in a democratic society" and was not disproportionate to the legitimate goal of protecting the rights and reputation of others (the employer), so the objection for violation of Art. 10 (right to freedom of expression) as unfounded. Given that the proceedings before the Constitutional Court lasted three years and ten and a half months, it found a violation of the right to a trial within a reasonable time.

In the case *Hrvatini* no. 15655/19, the ECtHR found that the applicant's right to a fair trial under Art. 6 of the Convention, in the administrative dispute she initiated against the decision to dismiss the director of the home for mentally ill adults. The applicant complained that she was prevented from effective judicial review of the administrative decision, that the court did not respect the principle of equality of arms when proposing evidence, that she was not heard before the court and that the court's decision was insufficiently reasoned. The ECtHR found a violation because the applicant was prevented from effectively challenging the dismissal decision before the domestic court.

In the case *Kalčiček* no. 22458/18, the ECtHR found that the composition of the panel of the Constitutional Court did not guarantee its impartiality, because the participation of the same judge in the Appeals Chamber of the Supreme Court and the Chamber of the Constitutional Court violated the right to a fair trial under Art. 6 of the Convention. The ECtHR concluded that the chambers of the Supreme Court and the Constitutional Court, where the same judge participated, examined the case's merits, so the proceedings before those courts were inextricably linked. Although that judge did not rule independently, in chambers, the ECtHR considered that this was not decisive in assessing the impartiality of the Constitutional Court.

In the case of *Hyett Perger Cvitanović* no. 57743/19, the ECtHR found a violation of the right to a fair trial under Art. 6 of the Convention. The applicant complained that due to irregularities in the lawsuit submission, she was prevented from effectively participating in the civil proceedings before the domestic court, due to the illegal appointment of a temporary representative and the fact that he was not replaced despite poor representation. The ECtHR pointed out that a fair trial requires that the person against whom judicial proceedings have been initiated must be aware of this and concluded that the domestic court had not made reasonable efforts to inform the applicant by e-mail of the proceedings against her (even though this was not an official means of service of judicial documents under the legislation of the time) or should have instructed the temporary representative to do so.

In the case *Moskalj no. 60272/21*, the ECtHR found a violation of the right to a fair trial under Art. 6 of the Convention, because the applicant was not awarded the costs of the non-contentious proceedings for the protection of the right to a trial within a reasonable time and the subsequent constitutional court proceedings. The applicant claimed reimbursement of the costs of drafting a request to protect the right to a trial within a reasonable time, an appeal and a constitutional complaint. The Constitutional Court found that there was a violation of the right to a trial within a reasonable time but rejected the request for reimbursement of the costs of drafting the constitutional complaint and other legal remedies due to the length of the proceedings. The ECtHR emphasised that there is a rebuttable presumption of violation of the right of access to a court if the costs of the proceedings exceed the amount of damages awarded.

In the case *Zdjelar no. 58566/19*, the ECtHR found a violation of the right to a fair trial under Art. 6 of the Convention, because the courts rejected the applicant's action for erroneous standing, even though at the time of its submission the legal framework was insufficiently clear, and the relevant case law was uneven. The local self-government paid compensation to the applicants for the illegal disposal of their apartment during the war, but after the Supreme Court quashed the verdict on revision due to the failed passive standing, the local self-government requested the return of the funds paid. Namely, according to the then Law on the Temporary Takeover and Management of Certain Property, the state managed the property, but it was given to the local self-government units. The ECtHR found that the relevant domestic jurisprudence was uneven in the disputed period and that it was only in September 2005 that the Supreme Court established the exclusive responsibility of the state for unlawful confiscation of property by local self-government units. Since more than three years had elapsed since the applicants filed the lawsuit, they could not bring a new lawsuit or extend it to a new defendant due to the statute of limitations.

In the case *Hrabar no. 61680/19*, the ECtHR found a violation of the right to a fair trial under Art. 6 of the Convention, the applicant who, after the traffic accident, initiated proceedings for compensation for damages against the state-owned company for non-maintenance of the local road. The applicant was awarded damages and a permanent disability annuity, but the Supreme Court reversed the judgments of the lower courts and dismissed the lawsuit in its entirety due to incorrect standing. The ECtHR concluded that the Supreme Court had dismissed the applicant's action on procedural grounds, without going into consideration of the actual basis of her claim for damages, which led to a "denial of justice" to the applicant because she was dismissed on formal grounds after 20 years of jurisprudence. Due to the statute of limitations, it could no longer file a new lawsuit against the local self-government unit, nor modify the existing one to include a new defendant.

In the case *Svrtan no. 57507/19*, the ECtHR found a violation of Art. 2 of the Convention (right to life), because the state authorities did not take the necessary actions to protect public safety and the life of the applicant's child who was killed by burst fire near the perpetrator's home. The ECtHR noted that before the unfortunate event, the police had numerous evidence that the perpetrator was violent and had received several reports that he was illegally in possession of weapons, so it is unclear why he was not questioned about this. The ECtHR also found that the applicants' action was dismissed because they had failed to prove that there had been irregularities or omissions during the previous search of the perpetrator's home, resulting in the death of their child, and pointed out that such a request by the domestic court constituted an impossible burden of proof on the part of the applicant.

In Case *Zobec No. 25930/20*, the ECtHR found a violation of Art. 6 of the Convention (right to a fair trial) because the applicant was convicted based on evidence in respect of which his rights of defence were unjustifiably restricted. The applicant argued that the misdemeanour proceedings against him were unfair because he could not examine the witness whose testimony the verdict was based on, and that the court

rejected his proposal to examine another witness without justification. The ECtHR noted that the witness's testimony was the decisive evidence based on which he was convicted, and that the court did not explain why it refused to examine the proposed witness who could challenge the testimony of the witness examined.

In the case *Pavlović no. 62744/19*, the ECtHR found a violation of the right to a fair trial under Art. 6 of the Convention. Namely, FINA rejected the applicant's claim as incomplete in the pre-bankruptcy proceedings and invited him to subsequently submit proof of the existence of the claim and its amount, which he did. Despite this, FINA rejected his claim application as incomplete, and the Ministry of Finance rejected the appeal. The ECtHR pointed out that, at the relevant time, there was no case law or documents (e.g. FINA instructions or forms) from which the applicant could conclude what he had to substantiate the claim application, which is why he could not foresee what evidence of the existence and amount of the claim should be submitted to FINA.

In the case *Šatvar no. 20497/19*, the ECtHR found a violation of the right to a fair trial under Art. 6 of the Convention. Namely, the applicant challenged the decision on dismissal before the municipal court, but the employer repealed the dismissal by a subsequent decision of the temporary administrator, which is why the applicant withdrew the lawsuit. Subsequently, the employer prevented the applicant from returning to work, so he initiated a labour dispute for judicial termination of the employment contract and compensation for damages. The Municipal Court dismissed the applicant's action and found that the decision of the temporary administrator was unlawful because he was not authorised to represent the employer, stating that his entry in the register was of a declaratory nature, as a result of which the previous decision on dismissal remained in force. In the appeal, the applicant argued that the decision of the temporary administrator was valid because he was the only person registered in the court register and authorised to represent the employer at the relevant time, and that he or any third party had no knowledge of the appointment of other members of the management board. The ECtHR concluded that the domestic courts should have responded to the applicant's argument that he, acting in good faith, could have relied on the entry in the court register, since that argument was decisive for the outcome of the proceedings.

In the case *Čehić no. 14043/19*, the ECtHR found a violation of Art. 3 of the Convention (prohibition of torture) for ill-treatment of applicants during arrest and for ineffective investigation. It was only in the constitutional complaint that the applicant pointed to abuse by the police and the failure to conduct an effective investigation, whereby the Constitutional Court did not establish a violation of rights. The ECtHR emphasised that despite the absence of a complaint from the applicant, an investigation should have been conducted if there were other indications that abuse could have occurred. He also pointed to serious doubts about the "impartiality" of police officers questioned as witnesses. Therefore, it concluded that the domestic authorities had not established all the relevant facts, so it independently established that the abuse against the applicant had taken place and that the physical force was unnecessary.

Enforcement of judgments of the European Court of Human Rights against the Republic of Croatia

According to the Representative's Office, a third of ongoing enforcement cases relate to some form of violation of the right to a fair trial, mostly excessive length of court proceedings and impartiality of judges. According to data from December 2024, presented at the meeting of the Expert Council for the Enforcement of Judgments and Decisions of the ECtHR, there are 80 cases in the process of enforcement (73 judgments and seven decisions on amicable decisions), of which 33 are leading, and seven cases have been in the process of being enforced for more than five years. Since 2022, cases of inadequate conditions in prisons have been enforced again.

Eight cases are under increased supervision by the Committee of Ministers of the Council of Europe (M.H. no. 15670/18 and seven judgments from the Statileo Group: Arambašin no. 48981/17, Hegediš no. 41306/18, Skelin-Hrvoj and Duričić no. 23414/15, Gošović no. 37006/13, Bego no. 35444/12, Statileo no. 12027/10 and Mirošević-Anzulović no. 25815/14). In April 2024, the Act on the Manner of Enforcing Judgments of the European Court of Human Rights in the group of cases Statileo v. Croatia (12027/10 et al.) and the Decision of the Constitutional Court of the Republic of Croatia No. U-I-3242/2018 entered into force, which we will elaborate on more in the chapter on the right to adequate housing.

The Office of the Representative points to the lengthy execution of judgments due to the longer time required to execute individual measures to eliminate violations against specific applicants. Namely, in a third of the ongoing enforcement cases, the execution of individual measures is pending by the conclusion of repeated/renewed proceedings before domestic courts under the judgments of the ECtHR. This is problematic because in most of these cases, general measures to prevent similar breaches in the future have already been taken and found effective by the Committee of Ministers of the Council of Europe.

In 2024, the Committee of Ministers of the Council of Europe adopted final resolutions in 36 cases, thus closing the supervision of the execution of 28 judgments:

- Mafalani (no. 3646/17), Budimir (no. 44691/15), Dragojević (no. 68955/11) and Grba (no. 47074/12) for violation of Art. 8. - the right to respect for private and family life;
- Zahirović (no. 58590/11), Šaponja and Karaula (no. 72962/16), Šplajt (no. 963/18), Idžanović (no. 67705/14), Mafalani (no. 38765/16), Salameh (no. 38943/15), Orašanin (no. 24811/16) for violation of Art. 6 – the right to a fair trial;
- Perkov (no. 33754/16), Vučković (no. 15798/20), J.I. (no. 35898/16), Katanović and Mihovilović (no. 18208/19), Hrnčić (no. 53563/16), Ladan (no. 56787/16), Bošnjak (no. 64579/16), Kopic (16789/19) and Prpić (no. 27712/19), for violation of Art. 3 – the right to life;
- Miljević (no. 68317/11), Bon (no. 26933/15), Tolle (no. 41987/13), Stojanović (no. 23160/09) and Narodni list d.d. (no. 2782/12), for violation of Art. 10 - Freedom of expression;
- Grbac (No. 64795/19) and Pascale (No. 69278/16) - for violation of Art. 1 of Protocol 1 - protection of property;
- Žaja (no. 37462/09) for violation of Art. There is no punishment without law.

In 2024, the Committee of Ministers of the Council of Europe closed the supervision of the execution of eight decisions of the ECtHR on an amicable solution in the cases: Štefičar and Staničić (no. 53678/22), Hudorović et al. (49513/20), Bičanić (12529/22), Miletić (38897/23), Mileusnić and Žic (33969/23), Žic et al. (10665/23), Dešković (46777/21) and Rivić (33977/23).

In 2024, the Republic of Croatia paid the amount of EUR 382,456 in the name of fair compensation awarded by the ECtHR under judgments and decisions against the Republic of Croatia. The amounts awarded shall be paid to the applicants within three months from the date of finality of the judgment, i.e. three months from the date of publication of the ECtHR decision.

2.26. Public expression

2.26.1. Freedom of expression and hate speech

Hate speech was still present in the physical and online world in 2024, especially on social networks and platforms. The impression that social networks are unregulated or less regulated than electronic media, i.e., a portal. However, until now, there has also been misdemeanour and criminal liability for publishing illegal content on social networks, for example, by text, video, or image. However, in 2024, there have been changes

regarding regulating social networks, including those related to hate speech. Namely, adopting a special national law regulating illegal speech on social networks was abandoned in anticipation of the European legal framework for all EU member states. Therefore, it is important that in 2024, a European regulation, the so-called Act, was adopted—the Digital Services Act (DSA). For the first time, the DSA has introduced a mandatory and systematic way to regulate illegal content online, including hate speech, and moderation to protect individuals and democratic values while respecting the right to freedom of expression and access to information. The DSA obliges very large online platforms (VLOPs) to reconcile commercial interests with the protection of users' rights and safety, and aims to make platforms such as Facebook, YouTube, TikTok, Twitter and others do more in terms of spreading illegal content.

In the procedures for detecting and prosecuting harmful content, the DSA assigns a significant role to the national coordinators of digital services (which in the Republic of Croatia is entrusted to HAKOM), the national authorities responsible for the implementation of the act and reliable whistleblowers, who must meet certain conditions to be granted this status (professional knowledge and ability to detect, identify and report, independence from VLOPs and conscientious, objective and accurate work).

However, in 2024, DSA-related challenges were visible at the EU and national levels. In addition to the challenges in determining the national competent authorities, particularly the national authorities responsible for the act's implementation, finding reliable notifiers with the expertise and interest to carry out this work has also proved challenging. Namely, this is a potentially extensive job, where they can be held responsible for a possible wrong assessment of the illegality of some content. So far, no funding has been provided for these jobs, which may discourage CSOs from applying for reliable whistleblowers, including those experienced using the Code of Conduct in Combating Illegal Hate Speech on the Internet.

By February 17, 2024, no implementing regulation had been adopted in the Republic of Croatia that would regulate who are the bodies responsible for performing the tasks prescribed by the DSA, which is why in June 2024 the EC sent a warning to the Republic of Croatia for violation, with a two-month deadline to remedy the deficiencies. Given that the national implementing regulation was adopted only in March 2025, there was

no implementation of the media campaign that would inform the public about the Regulation and the rights and obligations arising from it, which we gave in the 2023 Report, so we reiterate the recommendation for its implementation in 2025.

Recommendation 107 (reiterated)

Croatian Regulatory Agency for Network Industries, to design and implement a media campaign to raise public awareness of the impact of the Digital Services Act on the exercise of their rights

We have previously reported on possible illegalities committed with content in electronic media, especially those generated by users in comments, pointing out certain problems in the supervision of the application of the Electronic Media Act (ZEM). Namely, Art. 94 par. 3. prescribes the liability of the provider of electronic publications for user-generated content, while Art. 77 par. 1, item 12 stipulates that the Agency for Electronic Media (AEM) is responsible for conducting proceedings to determine non-compliance with or violation of the provisions of the ZEM. AEM data shows that in 2024, there were 13 complaints about such content and that no sanctions were imposed, although it was found that there were comments that needed to be removed. The portal removed the disputed comments within the legal deadline of 48 hours from the receipt of the removal request sent to them by AEM. However, it is unclear when the provider of an electronic publication will be sanctioned, i.e. whether only if it fails to act within the deadline for removing the content, or whether it will also be held liable for inadequate administration of user-generated content (e.g. when an illegal comment exists on the portal for several months from publication).

In addition, it follows from the AEM's statement that only in cases where a sanction is imposed (warning, reprimand, misdemeanour order/indictment or revocation of the concession) will a statement of reasons be made, while in cases where no violation of the provisions of the ZEM has been established, the decision does not contain an explanation. Since it is only in a small number of cases that the Council for Electronic Media (as the administrative body of the Agency) determines the violation of the ZEM, there is no argument as to why some behaviour is not illegal. The Rules of Procedure of the VEM prescribe the minimum content of the minutes of the sessions, and there is no obstacle to explaining why the VEM does not consider a certain content to be contrary to the ZEM. Publishing the minutes of the sessions with an explanation of all decisions would be a welcome step towards strengthening legal certainty.

In 2024, there were various modalities of unacceptable speech in the public space, which varied from inappropriate but allowed speech, through speech that should have been sanctioned but was absent, to illegal speech that was sanctioned or criminally sanctioned.

At the same time, "Public incitement to violence and hatred", which is a criminal offence, was sometimes referred to as content that may represent another criminal offence, such as insult or defamation, but also content that does not have the elements of a criminal offence or misdemeanour.

At the round table in the Croatian Parliament, the "Report on the Violation of the Right to Freedom of Religion of Men Gathered in the Public Prayer of the Rosary in 2023" by the association In the Name of the Family (ITA) was presented, in which 57 cases were pointed out, characterised by attacks on men-believers and marked as "prejudice or stereotypes", "untruth and slander", "discrimination", "public incitement to violence and hatred or hate crime because of religion", etc. it is a legally unfounded system of classification of events, so, for example, boiling a cauldron of actors of a private theatre in front of the praying person, with the statement "Men knelt on St. Vineyard Square and prayed for the goulash to succeed. That it's neither too rare nor too much of a charm. Women today don't need to cook, we bring them goulash because we love them as they are", marked as discrimination, while the proclamation of the feminist collective "we say to misogynists, kneelers, family members and transphobes: you will not scare us, you will not silence us. Your threats are a motivation for us to be even louder, more solidary and more courageous, marked as "public incitement to violence and hatred", which is a criminal offence. It is essential to point out that even the unintentional public misuse of legal terms can create a wrong idea of what is (un)allowed and create uncertainty among some citizens about what would be illegal hate speech, such as the criminal offence of public incitement to violence and hatred. This points to the need for all branches of government to act more intensively in public to inform citizens better, which includes freedom of expression, and when it turns into hate speech or other forms of illegal conduct.

Democracy allows citizens to express different views, provided they do not behave unlawfully. Freedom of expression is of the utmost importance and enables democracy to function by questioning the workings of government, encouraging debate and denying single-mindedness.

The restriction of freedom of expression, especially in the arts and culture, is another issue that has come to the fore in 2024. Artistic expression is a human right or freedom protected by various international treaties, but it is not absolute, but subject to restrictions that must meet the criteria of proportionality and necessity.

The events at Split's Peristyle on February 3, 2024, pointed to the need for a better understanding of artistic freedoms and balancing human rights and freedoms that can collide. Namely, two events were held at the Peristyle at the same time - a public gathering of a prayer character "Prayers of the Rosary" and an artistic performance by Arijana Lekić-Fridrih in which she planned to place red wool among the participants of the prayer as a dedication to women who fight against abusers. From the available media footage, it is clear that the attendant of the prayer gathering told the police officers before the start of both events that he would react if the artist entered the "praying area", and after she stepped into the part of the square where they

were kneeling, he tried to remove her with shouts of "this physically is private". Police officers also tried to dissuade her from entering the prayers, which prevented her from performing art.

Recognising that restrictions can be imposed if the work of art is a risk to public order, in this case, it was an artistic performance that could only be realised at the place and time of the prayer meeting, which would be silent, that is, without endangering the audibility of the outdoor Mass. According to the Ministry of the Interior statement, the artist was advised to perform the work in a different place before the performance because it was estimated that a conflict situation could arise. However, it was not considered whether the measure was appropriate to the goal, whether it was necessary to achieve that goal, and whether a less restrictive measure could have achieved it. Before the beginning of the event, police officers failed to point out to the warden of the prayer gathering the right of the artist, who announced her artistic performance to the police, to use the square where the gathering of prayers was held. After the orderly's inappropriate treatment of the artist, they did not take less restrictive measures that would still allow her to perform artistically. Failure to take measures that maintain safety at a public gathering in the least restrictive way has not protected her right to artistic expression. Therefore, we recommended to the Ministry of the Interior that, in similar situations, police officers should be guided by the necessary criteria for protecting all constitutionally guaranteed rights, such as the right to peaceful assembly and artistic expression.

Freedom of expression was also limited by disabling the use of the Cultural Centre in Benkovac to hold a forum on the public interest entitled "Public is important". The reason given was that the newly built Cultural Centre is located next to the monument to the military and civilian victims of the Homeland War, and that the topic of the gathering was "mixed marriages of Serbs and Croats" (which was not accurate information), which was allegedly objected to by a small number of locals. We found that the rejection of the request to hold the panel was based on incorrect information about the topic of the forum and on the subjective evaluation of the work of one member of the association that was supposed to organise the forum, and there was a violation of the right to freedom of expression and public assembly, as well as discrimination. Therefore, deciding on citizens' requests must not be discretionary, but based on predetermined and clear criteria under positive regulations.

In 2024, Ustasha symbols and salutes were used more often than in previous years, which was contributed, among other things, to the long-standing avoidance of a clearer definition of these symbols, the lack of more adequate standardisation, consistent processing, but also the messages sent in public by certain politicians.

According to publicly available data and videos, before the concert held on August 6 in Imotski, public and open reproduction and singing of Ustasha songs and the display of symbols related to the Ustasha movement were recorded on the streets. For example, in the recordings, citizens, including many young people, could be seen wearing T-shirts with the inscription "Through Imotski trucks are rushing", which is a verse from the Ustasha song "Jasenovac and Gradiška Stara", and the media also reported that the Ustasha song "Evo zore, evo dana / Jure i Boban" was sung on the city square. Given the above, the Ombudswoman issued a statement on the display of messages and symbols related to the Ustasha movement and the NDH.

By reviewing the video material, the police identified the perpetrator who, before the start of the concert on August 6, draped himself in the monument of Tin Ujević in the HOS flag and prosecuted him for the offense under Art. 5 of the ZPPJRM, as well as the perpetrator who played the Ustasha song "Evo zore, evo dana" through an external loudspeaker and was criminally reported for the criminal offense of public incitement to violence and hatred under Art. 325 of the Criminal Code. The police stated that on the day of the concert on August 8, they paid special attention to the use of prohibited symbols, salutes and the reproduction of music that incites hatred. Although it determined 39 violations from the domain of the Law on Explosive Substances and the Production and Trafficking of Weapons, and a total of 21 offences from the ZPPYRM, only one of them was related to Art. 5 of the ZPPJRM.

At the same time, although it is evident from media photos and publicly available videos that several visitors publicly displayed Ustasha signs and/or publicly sang Ustasha songs, police officers identified and prosecuted three perpetrators of misdemeanours and criminal offences on both days.

Despite the decision of the Constitutional Court, which clearly stated in its statement of June 5, 2020 that the salute "For the Homeland Ready" is not in line with the Constitution of the Republic of Croatia, the confusion among the public about what is legal and what is not, was also contributed to by the earlier decision of the VPS regarding the author of the song containing the Ustasha salute, which does not punish the author of the song, while the interpreter of the same song is punished (by another decision of the same court). Those who use this salute are also punished by shouting it in public spaces, displaying it on T-shirts, caps and scarves, or commenting on social networks. However, not everything is punished, which is evident from the treatment on the occasion of the aforementioned concerts in August 2024, so it is not certain when citizens will sanction the same actions and when they will not. Certain politicians who publicly display the Ustasha salute also contribute to the misunderstanding, thus sending a message to citizens that it is legal, indirectly encouraging them to do the same, i.e., expose themselves to judicial condemnation, unlike those who enjoy immunity.

Thus, in Decision Ppž-1387/2024 of February 21, 2024, the VPS assessed the defendant as unacceptable by saluting the "ZDS" on the banner placed on the Veterans' Bridge in Rijeka and that he had nothing to do with the Ustasha and stating that the abbreviation of the salute "For the Homeland Ready", which is a symbol of hatred, threat, fear and intolerance towards other nations, disturbed public, which fulfilled the characteristics of a misdemeanour under Art. 5. ZPPJRM.

Recommendation 108 (reiterated)

Office for Human Rights and Rights of National Minorities, to design and implement a media campaign aimed at raising awareness of illegal speech in public space, especially on social networks

An opportunity to increase legal certainty is establishing a working group for drafting laws that would replace the outdated ZPPJROM, which has been in force since 1977 with minimal changes. The aim of the working group, in which we participate, is to regulate this legal issue in a modernised way, considering the needs of society, the EU acquis, case law and legal standards. After adopting the new law, it would be particularly

important to conduct a media campaign to clarify to citizens what illegal speech in the public space is.

2.26.2. Freedom of journalism

In 2024, there were more legislative activities at the EU level aimed at strengthening the journalistic profession and the media, a stronger affirmation of fact-based information versus fake news, disinformation, and protecting the media from political interference.

In this sense, in addition to the previously mentioned DSA, which, in addition to combating illegal hate speech, also aims to reduce the risk of disinformation, manipulation, false and misleading information on social networks, the Media Freedom Act (ASM), with the force of a European regulation, which seeks to protect and strengthen media freedom and pluralism in the EU, also plays an important role. The ASM, which comes into effect on August 8, 2025, is a response to the risk of politicisation of the media and an insufficient level of transparency of their ownership. It establishes rules to protect the independence of the media, especially from economic, political and private influence, which is a welcome step forward in election years and campaigns.

The adoption of the Anti-SLAPP Directive should also contribute to strengthening the independence of journalists and the media, and Member States are obliged to adopt legal acts to comply with the Directive by May 7, 2026. The purpose of the Anti-SLAPP Directive is to protect persons who act publicly in matters of public interest from legal proceedings, which discourages them from doing so. The protection covers journalists and publishers, i.e. the media, as well as whistleblowers, human rights defenders, CSOs, trade unions, researchers and others.

In addition to the previous activities of the Expert Working Group for Shaping the Policy for Combating SLAPP Lawsuits at the Ministry of Culture, of which we are a member, from 2024 we are also a member of the National Coordination Committee for the Implementation of the Action Plan for the Development of Culture and Media and the campaigns of the Council of Europe and the OSCE for the safety of journalists. This committee aims to design and implement activities for the implementation of national measures aimed at improving the safety of journalists and media workers.

In 2024, there were disputes regarding the adoption of Art. 307a of the Criminal Code, which introduces a new criminal offence of Unauthorised Disclosure of the Content of an Investigative or Evidentiary Action. The biggest dilemmas concerned the balancing of the protection of the secrecy of a part of the criminal proceedings on the one hand, and the social importance of public disclosure of irregularities that may occur at this stage of criminal proceedings in cases of public interest, on the other. In the meantime, the provision has been refined so that, among other things, those who perform journalistic work cannot be perpetrators, accomplices or instigators of this act. However, journalists still fear that such standardisation acts as a deterrent to investigative journalists and their sources, which may affect the freedom of citizens to receive information. Although there is no data that this provision would apply to media workers, the State Attorney's Office has publicly pointed to the initiation of an investigation for unauthorised disclosure of the content of an investigative or evidentiary action in a case in which there was a positive conflict of jurisdiction with the EPPO, which we write more about in the section on the judiciary.

Due to increased attacks on journalists during reporting on corona measures, the amendment to the Criminal Code of 2019 introduced a new criminal offence of Coercion against a person who performs tasks of public interest or in public service. It was introduced to better protect journalists in the performance of their work tasks, so, for example, by the verdict of the Municipal Court in Šibenik K-32/2024 of September 27, 2024, the defendant was sentenced to five months in prison (one year suspended) for preventing an HRT journalist from performing tasks of public interest. Namely, the defendant first pushed the cameraman and the camera on the public road, then got in the journalist's face, insulted and shouted, and when he tried to call the police, he hit her and dropped her mobile phone.

Recommendation 109

The Judicial Academy, to design and conduct education on criminal offences committed to the detriment of journalists and other media workers in the performance of their work tasks

However, the legal mechanisms for protecting journalists are still applied unevenly. Thus, the ODO concluded that there is no criminal responsibility of the attacker who physically attacked a journalist on a work assignment in Nadin, in a public area, who identified herself as such to the attacker and was accompanied by a cameraman. Although the attacker stated that he

attacked the journalist because she was filming his real estate from a public area, a non-final misdemeanour warrant was issued against the attacker as well as the victim and a ban on approaching, establishing and maintaining contact with each other at a distance of not less than 50 m. The same indicates that journalists are still uncertain whether they will receive adequate criminal protection if they are physically attacked.

2.27. Public gathering

The right to public assembly allows individuals to express their beliefs alone or with others and point out important societal topics and events, on which they advocate legislative and other changes. The Public Assembly Act (ZJO) limits freedom of speech and public performance by prohibiting any incitement to war or the use of violence, national, racial or religious hatred and other forms of intolerance.

During 2024, citizens publicly gathered to send various messages, among other things, demanding better working conditions, a better socio-economic position of pensioners and the homeless, advocating for women's rights, patients' rights, violence prevention, environmental protection, expressing dissatisfaction with the work of the Government and related to war events, and some public gatherings were accompanied by counter-protests.

The protests were expressed by physiotherapists, educators, social welfare and emergency medicine system employees, kindergarten teachers, firefighters, city utility and commercial companies' workers, textile industry workers, drivers, partners of digital labour platforms, and farmers.

On the occasion of International Women's Day, public gatherings were organised to highlight abuse and sexual harassment in the workplace. The need to amend the Medical Act was also pointed out to remove doctors who are being prosecuted for a sexual offence from their workplaces. In September, protests were organised in several cities because of a gynaecologist who continued to work after being indicted for raping a patient.

After the tragedy, protests were organised in several cities at the Prečko Elementary School, where better protection and safety of educational institutions were demanded. After peer violence with a fatal outcome, citizens demanded adequate action from the competent authorities.

Citizens also protested against the installation of energy facilities in their settlements and the pollution of the environment by illegal business operations of companies. In Zagreb, citizens protested, demanding the revocation of the license of a company that was allowed to bring large quantities of household biowaste, while the citizens of the island of Zlarin protested against the ban on the operation of large trucks.

The journalists protested against introducing a new criminal offence, the Unauthorised Disclosure of the Content of an Investigative or Evidentiary Action. On the eve of the election of the Attorney General, opposition political deputies protested.

Before the elections, a protest was held in February on St. Mark's Square and the surrounding streets against corruption and crime, where early elections were also requested. One citizen set himself on fire in St. Mark's Square, in front of the Government of the Republic of Croatia building.

An anti-war protest was held again to demand an end to the attacks in Gaza due to the suffering of the population. The Russian activist protested SOA's treatment of asylum seekers.

As in previous years, a Pride march was held in several cities. Also, as in previous years, the March for Life was held in several cities, and the March for Freedom was held in Rijeka.

During 2024, prayer gatherings continued to be held in several cities every first Saturday of the month, with counter-protests held simultaneously.

"..., one citizen approached the counter-protesters and spat on us and then began to insult us, first saying", and then other insults.... I ask you to protect those who protest for the protection of women's rights from further belittling, insulting, spitting and subsequent public personal persecution."

Given that there is sometimes insufficient understanding of counter-protests as a form of freedom of public assembly, we hereby point out that when groups with different views gather in a certain area, it is important to enable the simultaneous holding of protests and counter-protests. It is a positive obligation of the state to protect the right to freedom of assembly of both groups and apply the least restrictive means that will allow both assemblies to be held peacefully. In its judgment in *Stankov and United Macedonian Organization Ilinden v. Bulgaria* (Nos. 29221/95 and 29225/95), the ECtHR concluded that if protests were prohibited whenever there is a possibility of conflict between opposing groups, society would be deprived of the opportunity to hear views contrary to the opinion of the majority in society.

The police should protect the safety of all participants in the gathering. In the investigation we conducted based on a complaint about insulting female protesters by a citizen during a prayer gathering in December 2023, we found that there was no adequate protection of female protesters by the police. Namely, although the competent police administration took security measures, including video recording of the public gathering, it was not carried out appropriately. Therefore, we recommended that the recording of public gatherings, when needed, be carried out continuously and cover the entire gathering area for possible further action and determination of all relevant circumstances, as well as that the recording be carried out by trained officials.

Regarding prayer gatherings, we also acted because of the unequal treatment of police officers when balancing between potentially conflicting rights to public assembly and artistic expression. Namely, an artistic performance was to be held during the prayer gathering, during which the artist was supposed to walk peacefully between the participants. However, she was physically prevented from doing so by a security guard securing a prayer gathering, while the police did not take measures to allow her the right to artistic expression. Although the organiser must provide security guards at a public gathering, they must not take on the role of police officers to assess the danger and protect the security of public

order and peace in the public space. Since police officers do not have the same knowledge of police affairs and are not trained as police officers, it is necessary to familiarise them better with their powers, as well as the powers of the police, to prevent overstepping their powers. Therefore, we recommended that an amendment to the ZJO be considered, which would make only police officers responsible for protecting security, public order and peace at public gatherings, which is also in line with international standards.

In 2024, believing that the right to freedom of assembly is abused at prayer gatherings and that prayer justifies hate speech and discrimination against women, CSOs for the Protection of Women's Rights proposed that the right to freedom of expression and public assembly be limited by more clearly prescribing the prohibition of discrimination based on all discriminatory grounds protected by the ZSD. In addition, they proposed that protests should be banned in the vicinity of other health care facilities, in addition to hospitals.

Inadequate conduct of police officers to protect the freedom of assembly of various groups was found in the provision of the March for Life in Zagreb. Protesters who wanted to express a dissenting opinion were surrounded for two hours by intervention police officers who prevented them from moving freely, during which time one protester asked for medical help. According to the practice of the ECtHR, the authorities must show a certain degree of tolerance towards peaceful assembly when protesters do not act violently to enable the right to freedom of assembly (*Annenkov and others v. Russia*, 31475/10). Therefore, the interpretation of the term "peaceful" should also include behaviours that may bother persons who oppose the ideas or claims made at a peaceful protest, and even behaviours that temporarily inhibit, slow down or prevent the activities of a third party. While the police must prevent interference with public gatherings, they must not be disproportionate and must not prevent counter-protests from taking place simultaneously, even if they are not reported.

Therefore, we recommended training police officers on the standards of the right to freedom of public assembly based on national law, the practice of the ECtHR, the Venice Commission Guidelines and Commentary No. 37 of the UN Human Rights Committee.

The Venice Commission Guidelines and Comment No. 37 of the UN Human Rights Committee indicate that a peaceful assembly should not be considered illegal if it is not reported. It should not be a reason for dispersing or arresting participants and organisers of the assembly or imposing inappropriate sanctions. Amnesty International also warned of this in its 2024 report on the right to protest *Under Protected and Over Restricted*, as well as restrictions and systematic attacks on participants in gatherings and the increasing use of invasive surveillance technology in many EU countries. Following the available practice of misdemeanour courts, in the case of failure to report peaceful gatherings and public protests, when mandatory under the ZJO, the organisers are sanctioned with misdemeanours, although with minimal fines.

We acted on the notification of a citizens' initiative to which the local self-government did not provide consent in time for a public gathering and thus prevented it from reporting the protest to the police department at the required time. It was established that the local self-government unit consented to the public gathering after three days, during which it checked whether any material claims against the gathering organiser were unjustified or unnecessary.

We also act on the complaint about the refusal of the local self-government to allow the association to hold a forum in the public area, and then in the community centre, which we write more about in the

chapter on expression in public space. The right to freedom of assembly is most often closely related to freedom of expression, and includes the right to choose the time, place and manner of assembly. Holding public events in certain places may be prohibited for security reasons or to protect the freedom and rights of others, but this must be justified, which was absent in this case.

Regarding the freedom of public assembly, the closure of St. Mark's Square has been the subject of discussion and criticism for some time. Stamp for the public and free assembly, for security reasons. In the 2022 Report, we wrote about GONG's requests to open St. Mark's Square. Mark, which has been fenced off for security reasons since October 2020. In the 2023 Report, we wrote about the Decision of the Constitutional Court rejecting GONG's proposal to review the constitutionality of the Decree amending the Decree on the designation of protected persons, facilities and spaces, according to which St. Mark's

Square is a protected property. Mark is thus closed to the public and free assembly. Given that the Square is still fenced off and the free movement of citizens is prevented in the part in front of the Government building of the Republic of Croatia and in the part in front of the building of the Croatian Parliament, which is currently under renovation, it is necessary to inform the public at least about the most general security reasons of this measure, the extent of the danger and the threat to security, taking into account the duration of the restrictions, to raise citizens' trust in public authorities.

For the second year in a row, environmental activists protested against the expansion and operation of the LNG terminal in Omišalj, and the media reported on the use of excessive force by police and security guards, which resulted in physical injuries and arrests. Activists of the civic initiative in Pula were also arrested after they tried to prevent the logging of the forest, in which security guards hired by the investor physically prevented them. While an indictment was filed against one protest participant for the criminal offence of damaging someone else's property, the Ministry of the Interior did not establish a violation of regulations or the use of force contrary to the Private Protection Act. Our action regarding this event is ongoing.

While ensuring security is of the utmost importance, the use of coercive means to overcome passive resistance in public gatherings is not appropriate when participants are not violent. Unlike police officers, security guards are not trained to ensure public order and are not educated on the proportionate use of force, including during public gatherings. Therefore, educating security guards about human rights, especially the right to public assembly, is necessary. For legal protection, but also to control the actions of security guards, the use of modern technology, such as cameras that security guards would wear during their duties, can also be helpful, which is possibly planned to be introduced for police officers.

Recommendation 110.

To the Government of the Republic of Croatia, to explain to the public the basic security reasons for fencing St. Mark's Square. Brand

Recommendation 111.

Ministry of the Interior, to introduce education on human rights, especially the right to public assembly and the proportionate use of force at public gatherings, as part of the mandatory training of security guards for obtaining a license

The Special Rapporteur on Environmental Defenders under the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) warned that states are increasingly responding with repression to peaceful environmental protests. Instead of addressing the sources of problems and reasons for civic mobilisation, they increasingly restrict the right to peaceful assembly and participation in decision-making. We write more about the above in the section on human rights defenders and the right to a clean, healthy and sustainable environment.

2.28. Right to privacy

The UN Universal Declaration of Human Rights and numerous international documents protect the right to privacy. It is an important element of the human rights protection system and is continuously changing with the development of society. Since 2015, a Special Rapporteur on the right to privacy has been operating within the UN, who provides recommendations for protecting and promoting this right and monitors global trends related to its violation by using new technologies.

Although the ECtHR has not provided a definitive definition of the right to privacy enshrined in Art. 8. ECHR (right to respect for private and family life), it is clear from its extensive case-law that the right to privacy contains several aspects, such as personal, spatial, informational and communication privacy. Therefore, this right can be violated in different ways and by different means, such as unauthorised intrusion into private space, media releases, social networks and new technologies. Unlike the ECHR, the EU Charter demarcates the right to privacy from the right to personal data protection. Although closely related, these two rights can be endangered and violated in different ways, and the right to privacy in individual cases can be endangered and violated by and resulting from the unlawful processing of personal data. Domestic regulations protect privacy by the Constitution of the Republic of Croatia, which guarantees every citizen legal protection of personal and family life, dignity, reputation and honour, and by many laws, such as the Criminal Code, the Labor Act, the Family Act, the Media Act and the Law on the Protection of Patients' Rights.

During 2024, we received the most complaints about the unauthorised collection and use of health data and possible violations of patients' privacy rights. The number of complaints about unauthorised sharing of personal data through social networks has increased, while there are fewer complaints about violating the right to privacy through video surveillance.

The Act on the Protection of Patients' Rights prescribes that the patient has the right to confidentiality of information about the state of his health, following the regulations on the preservation of professional secrecy and the protection of personal data, and that during the examination or treatment, he has the right to conditions that ensure privacy. Based on information from the media, we have initiated proceedings due to a possible violation of the right to privacy of a large number of citizens by unauthorised access to health data through the e-Karta system, to which, according to the Law on Data and Information in Healthcare, only health professionals who participate in treatment, health care and patient care and persons to whom the patient has given explicit consent have access. Also, the patient can access their e-Record data through the e-Citizens system on the Health Portal.

"Today, I accidentally saw in my e-file that my colleagues from the health centre (specifically two colleagues) accessed my medical reports, visits to doctors, even though I was not with them as a patient, nor did they have any reason to review my personal e-file. I filed a complaint with the directorate, but I seriously feel my privacy is violated, and I don't know what to do about all this."

In the case in which we acted based on a complaint, health professionals who were not involved in the patient's treatment accessed their health data through the e-Record system, which resulted in the public presentation of information about the patient's health condition. We have requested action from the AZOP, and the investigation is ongoing.

"Hello. Please help me. An employee of the hospital in V., a nurse, spread information about my malignant disease. I am neither her patient nor am I treated in her department. She made fun of her mother to whom she passed on the information. I am also attaching the criminal report I filed."

Several complaints pointed out that health professionals had unauthorisedly disclosed data on their health status and that the complainants had taken legal action to protect the right to privacy (a lawsuit for violation of personality rights and a criminal complaint for unauthorised disclosure of a professional secret).

Based on the complaint, we initiated proceedings in the case of a woman in labour whose birth was recorded by the doctor who gave birth to her, and sent the photos to a larger number of people, thus making them available to the public. We requested the competent authorities' action and were informed that disciplinary proceedings were conducted against the doctor, in which his responsibility was determined and an adequate sanction was imposed.

After a media announcement, we investigated and found that hospital employees disclosed sensitive health information to certain lawyers. Namely, the publication showed that lawyers are provided with data on patients injured in traffic accidents, to collect from insurers in out-of-court damage collection procedures. The Ministry of Health and the AZOP informed us that supervisory procedures are ongoing, and the Croatian Chamber of Commerce stated that it has not determined the elements for initiating disciplinary proceedings due to a serious violation of the duties and reputation of the attorney's office.

Due to the increase in the number of patient complaints against doctors due to the presentation of health data, as well as other media appearances of doctors contrary to the Code of Medical Ethics and Deontology, the Committee for Medical Ethics and Deontology of the Croatian Medical Chamber informed us that recommendations to doctors on public statements about the health status of patients and the ways of communicating with the public and the scope of medical secrecy have been published

on the website of the Croatian Medical Chamber. The announcement was accompanied by an identical text in the Medical Newspaper, the journal of the Croatian Medical Chamber. Further educational activities are planned on this topic.

We also asked for comments on the procedure after the cyber attack on KBC Zagreb, in which a large amount of data from the hospital information system and patients' personal data was stolen. The AZOP continues to determine all the circumstances.

The AZOP points to the problem of not implementing sufficient measures to ensure adequate personal data protection in hospitals, for which it adopted administrative acts. In 2024, the training of personal data protection officers in the field of health was carried out.

While the benefits of digitalisation and the use of AI in the health sector are undeniable, measures must be carefully implemented to mitigate possible risks and negative impacts on fundamental rights and freedoms. In this context, we participated in the public debate on the Draft Proposal of the Policy Program "Path to the Digital Decade 2030", where we also pointed out the need to improve the e-Citizens system by strengthening the mechanisms for protecting the right to privacy when accessing health data. Although the settings of the e-Citizens - Health Portal system enable citizens to manage access to health data by restricting access to certain categories of health professionals, this option is initially programmatically set to the setting of enabled access to a wide range of health professionals (for example, "all family doctors", "all occupational medicine doctors", "all dentists in the PHC",...). Therefore, citizens should exclude the above options if they want to limit the circle of authorised persons (the so-called "Freedom of Information"). *Opt-out*). Also, under the General Regulation, the controller should implement technical and organisational measures to ensure that only personal data necessary for each specific purpose of processing is processed. Such measures ensure that personal data is not automatically available to an unlimited number of health professionals without the intervention of a citizen.

Recommendation 112.

Ministry of Justice, Public Administration and Digital Transformation, to improve the settings of the e-Citizens Health Portal system by setting the initial disabling of access to health data to a wide range of health professionals

Therefore, we have recommended that the program (according to the so-called *Privacy by design* principle) set an option that provides a higher level of protection of personal data and the right to privacy. In this particular case, this would be achieved by setting the setting of the initial disabling of access to health data to a wide range of health professionals, and citizens would be able to provide access to health data with a subsequent option (the so-called "access to health data"). *Opt-in*) can independently decide which categories of healthcare professionals can

access their data. Although the proposal was not accepted, we believe that further improvement of the settings of the e-Citizens system is necessary to strengthen the protection of the right to privacy.

2.29. Artificial intelligence

The development and use of algorithms and systems based on artificial intelligence (AI) is becoming more frequent, both in the private and public sectors and in the state administration. Training on AI has begun to be implemented, and citizens are more aware of AI's opportunities and are increasingly using

its tools. In 2024, we participated in several events on AI, and the Ombudswoman also held several well-received guest lectures.

The second survey, "Perceptions of AI in the Republic of Croatia", conducted on 2,200 respondents, showed increased AI literacy from 19 % in 2023 to 24 % in 2024. While in 2023, 42 % of respondents tried or used AI tools, in 2024, 35 % did. Research has shown that most users are not interested in paying for the use of advanced AI tools. Associations with AI are still more negative than positive, although most respondents are undecided. Citizens' perception of the use of personal data in AI systems is also negative, and most of them believe that their data is already being used without permission anyway. 49 % of citizens fear the disappearance of jobs in the next five to ten years due to AI.

According to the OECD's report on the impact of generative AI (GAI) on the global labour market, AI has the potential to address labour shortages and increase productivity. However, jobs in cities will likely be more affected than those in rural regions.

A survey on the perception of AI in the Croatian media was also conducted on 45 articles published from April to September 2023 on AI in the context of innovation and transformation of society. It was concluded that the media have a positive to neutral attitude towards AI, and the benefits of AI stand out in medicine, security and education.

Following the application of AI in education, AEM has developed a handbook for teachers in collaboration with UNICEF. Universities have recognised the need for responsible use of AI tools in learning and teaching, as well as the need for education about the potential and challenges of AI, to make informed decisions in their daily work. Thus, the University of Rijeka has adopted a Policy on using AI tools and is preparing guidelines for the responsible use of AI tools. At the same time, the University of Zadar, in cooperation with the Croatian Association for AI (CroAI), conducted a training called "AI is educated", to introduce participants to the basics of AI, its possibilities and ethical challenges, especially in the context of education. The use of AI tools is increasingly present in colleges. For example, FER uses the Branka tool to facilitate the enrolment of students at the faculty, while various tools are widely used in the faculties of philosophy to help in writing and creating content. The need to launch educational programs on the application of AI was also recognised. In the academic year 2024/2025. The Faculty of Law in Zagreb has started implementing the Lifelong Learning Program "Benefits and Risks of Modern Technologies for the Elderly", intended for professionals working in the care system, and the introduction of the "AI in Law and Practice" program is also planned. The University North has introduced the course "AI in Public Relations", which enables the acquisition of knowledge about applying AI tools in communication strategies.

During 2024, AI began to be introduced and applied in government bodies. MPUDT has introduced AI systems for anonymising and publishing court decisions (the ANON system is available from January 1, 2025, at the link <https://odluke.sudovi.hr/> to increase the transparency of the judiciary's work. A system for automatic assignment of files is also used, and a public procurement of a sound recording system and automatic transcription of court hearings has been announced. The project "Predictable Court Decisions" was also announced, in which citizens can get an answer about possible success in the dispute by entering keywords and facts, to reduce the number of new cases in courts. Through the NPOO, the CES is developing a system that would speed up and automate matching employees with published

advertisements, which would better forecast employment and prevent long-term unemployment. HZMO has automated the exercise of the right to the national allowance for the elderly.

In December 2024, amendments to the Road Traffic Safety Act came into force, which, among other things, regulate the performance of the activity of automated road transport of driverless passengers, the so-called autonomous vehicles, the function of which is entirely taken over by AI. These vehicles aim to reduce the number of road accidents caused by human error and improve the mobility and quality of life of people who cannot drive, such as the elderly and infirm, people with disabilities or without a driver's license.

A digital assistant that provides customer support with the help of AI (*chatbot*) has been developed for six e-services in the judiciary and the internal needs of the Tax Administration, and is also used in the financial and insurance sectors, which has automated customer support, accelerated the time needed to obtain responses and enabled constant availability. According to the CNB, credit institutions use simple machine learning models in decision-making for fraud detection, credit risk assessment and money laundering detection, but the systems are explainable and include human oversight. The same is important because the use of these (semi-)automated systems for monitoring transactions in the fight against money laundering and terrorist financing, due to possible errors in the system, can lead to negative consequences for citizens.

To improve the efficiency of doctors' work, better outcomes of surgical procedures, and higher quality of treatment, a new robotic surgical system, "Da Vinci", based on AI, was purchased at KBC Zagreb in 2024. An application for data analysis for early screening of lung cancer and a specialised oncology system for precise preparation of the application of radiotherapy are also used, as well as a system for improving the work of pathologists. Projects from the NRRP have implemented robotic devices in the Sisters of Mercy Clinical Hospital, but automated treatment processes are not used.

Research activities in AI in medicine and biomedicine, advertising and music, robotics and the application of multi-robot systems for surveillance and intervention operations at sea were discussed at the 2nd Croatian Symposium on AI organised by the Croatian Academy of Sciences and Arts. At the symposium, the AI4Health project was presented. Cro consortium called "Artificial Intelligence for Smart Health and Medicine" was presented. It has developed AI systems for healthcare applications that speed up the entry of medical records, a system for automatic detection of anomalies in ECG signals, and to help patients adhere to therapy for chronic hypertension. At the Symposium, it was pointed out that there is a lack of education on AI, which is not only of a technical nature, and that there is a need to create multidisciplinary teams, as well as the creation of quality data.

In 2024, the AZOP and the Croatian Chamber of Economy conducted AI education for entrepreneurs to support the digital transformation of the Croatian economy.

As AI systems can have consequences on citizens' rights, it is necessary to educate officials and employees who use these tools and those in charge of implementing these systems about the risks of AI on human rights and non-discrimination.

It is very significant that on August 1, 2024, Regulation (EU) 2024/1689 of the European Parliament and of the Council of June 13, 2024, laying down harmonised rules on artificial intelligence (AI Regulation), entered into force. In February 2025, its provisions relating to prohibited practices, such as biometric categorisation, recognition of emotions in the workplace and educational institutions, social scoring and systems for manipulating human behaviour, will become binding. The EC has published non-binding guidelines to comply with the Regulation and measures related to promoting AI literacy. The deadline for the implementation of the Regulation is May 26, 2025, and the Act on the Implementation of the Regulation on AI is planned to be sent to the procedure of the Government of the Republic of Croatia by the end of the first quarter of 2025. When preparing this Report, the Ombudswoman received an invitation to appoint a member and deputy member of the working group to draft the Law.

Due to the effective exercise of the powers of the bodies specified in Art. Article 77 of the Regulation defines new mechanisms for cooperation between public authorities concerning high-risk AI systems, which protect fundamental rights, including the right to non-discrimination. The MPUDT is fulfilling the obligation under Art. 77 par. 2 of the Regulation, the EC submitted a list of bodies responsible for protecting fundamental rights, and, in addition to the

Ombudsman, as the body referred to in Art. 77 par. 2 appointed PzD, POSI, PRS, AZOP, DIP and AEM. Following the Regulation, when fulfilling their mandate, these authorities are empowered to request, access, and obtain all documentation produced or maintained under the Regulation in an accessible language and format. Given the specific knowledge and competencies required by the Regulation concerning the use of high-risk AI systems, cooperation between these institutions is required, as well as the provision of adequate human, financial and technical resources for the adequate and timely performance of obligations under this Regulation.

The Office for AI at the EC published a document to facilitate the interpretation of certain provisions of the Regulation, given that the Regulation allows companies to self-assess the level of risk to fundamental rights. This is problematic due to developers' lack of human rights expertise and the outcomes that the application of AI would have on them. For this reason, the EC is developing technical standards to facilitate compliance with the obligations under the Regulation and guidelines for assessing the risks and impacts of high-risk systems on human rights, the so-called FRIA. Given the potentially harmful effects of AI on human rights, state authorities and private companies, i.e. companies, should carry out a risk assessment when developing systems, before introducing the technology, and periodically during the use of AI. While respecting the right of citizens to access information on how they work and the risks posed by such systems, these assessments should be made public.

It is important to emphasise that the human rights impact assessment should include the so-called zero question, which refers to the purpose and goal of introducing the AI system, i.e. the question to be asked is whether AI should be used for something at all. Authorities developing and deploying a system should consider its suitability and adequacy for its intended purpose, i.e., to determine whether automation is a better option than a non-automated process, as well as the benefits and possible

Recommendation 113.

The government of the Republic of Croatia needs to provide the authorities competent to protect fundamental rights referred to in Art. 77 par. 2 of the AI Regulation to ensure the human, financial and technical resources to fulfil the obligations adequately and promptly

consequences of using it. If an AI system is unfit for purpose or does not comply with human rights, its use should be abandoned.

On October 23, 2024, the EU adopted Directive (EU) 2024/2853 of the European Parliament and of the Council on liability for defective products and repealing Council Directive 85/374/EEC, which was withdrawn by the EC in February 2025, which is worrying. The new rules explicitly covered products such as software, AI systems or product-related digital services, making it easier for consumers to seek redress in court.

From June 2024, new EU rules on making available high-value datasets to foster AI and innovation (geolocation, traffic, meteorological, environmental data, etc.) began to apply. Following the plan of legislative activities for 2025, the adoption of amendments to the Act on the Right of Access to Information is envisaged in the fourth quarter, which would transpose the said Directive.

AI systems can also help achieve sustainability goals, but at the same time, models trained with large amounts of data consume much energy and emit a large amount of CO₂, which is a concern for sustainability and environmental impact. It is therefore necessary to establish standards for measuring energy consumption, CO₂ emissions, water, using minerals for hardware and the generation of electronic waste, and to increase the transparency of AI systems, as recommended by UNESCO and the OECD.

In May 2024, the Council of Europe adopted the Framework Convention on AI, Human Rights, Democracy and the Rule of Law, the first legally binding international instrument on AI. On September 5, it was signed by seven Member States (Great Britain, Norway, Iceland, Andorra, Georgia, Moldova and San Marino), the EU, followed by the US and Israel, which are not members of the Council of Europe, and subsequently Montenegro. Given that the Convention complements the existing international

standards on human rights, democracy and the rule of law, as well as legal gaps that may arise from rapid technological progress, to harmonise with its principles and obligations, it is recommended that the Republic of Croatia ratify the Framework Convention.

Recommendation 114.

Government of the Republic of Croatia, to ratify the Framework Convention on AI, Human Rights, Democracy and the Rule of Law of the Council of Europe

Recommendation 115.

Ministry of Justice, Public Administration and Digital Transformation, to develop a National Plan for the Development of Artificial Intelligence

In November, the AI CoE Committee adopted non-binding guidelines for a structured approach to assessing the risks and impacts of AI systems on human rights, democracy and the rule of law (HUDERIA), which public and private actors can use throughout the lifecycle of an AI system, and the Committee of Experts on AI, Equality and Discrimination (GEC/ADI-AI) started drafting recommendations on the impact of AI on equality.

The recommendations are based on the "Study on the impact of AI systems, their potential to promote equality, including gender equality and the risks they can cause concerning discrimination", which we wrote about in the 2023 Report, and the results of the work of the Artificial Intelligence Committee (CAI), and in particular the Framework Convention. The deadline for making recommendations is the end of 2025.

At the national level, in 2024, the Policy Program "Path to the Digital Decade 2030" was adopted to transform society digitally, especially the digital skills of citizens and officials, public services, and increase the application of digital technologies and establish broadband infrastructure in all populated areas. In the e-Consultation, we emphasised the need to pay attention to the risks of discrimination, especially in the application of machine learning and AI, and to develop awareness of AI, benefits and potential risks to human rights. Our proposals and opinions were not accepted, with the explanation that the National AI Plan will define all AI challenges. Despite our long-term recommendations and the fact that the Regulation on AI has entered into force, the Republic of Croatia has not yet adopted the National Plan on AI.

2.30. Human rights defenders

The importance of human rights defenders, individuals and groups, and independent institutions that work to promote and protect human rights and freedoms, combat discrimination and strengthen democratic values and the rule of law, has been recognised at the European level and globally. The rights and freedoms that allow them to operate smoothly are protected by international instruments such as the UN International Covenant on Civil and Political Rights and regional instruments such as the ECHR and the EU Charter of Fundamental Rights. In the EU, in the past two years, the EC, the European Parliament and the Council of the EU have warned of their importance for preserving and building democracy, the rule of law and human rights, and the importance of ensuring the conditions for their operation. As one of the important indicators of the rule of law, the EC regularly includes the conditions for the operation of civil society and independent institutions in its reports on the state of the rule of law in the Member States, as part of which it has also made recommendations to countries in recent years. When talking about human rights defenders, we should also keep in mind the growing number of informal groups and/or initiatives that operate in physical and *online* spaces, such as social networks. However, reports of UN mechanisms, such as that of the Special Rapporteur on the right of association and assembly, the Special Rapporteur on the rights of human rights defenders, and the Special Rapporteur on environmental defenders under the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention), as well as regionally, from the report of the EU Agency for Fundamental Rights, show that human rights defenders face pressures, attacks and the narrowing of space and conditions for action. In its report on the state of fundamental rights in the EU for 2024, the EU Agency for Fundamental Rights states that about 65 % of the CSOs consulted reported threats and obstacles, i.e. negative media portrayal, verbal threats and harassment via the Internet or in person, excessive administrative burden, but also politically motivated funding cuts. This is similar to the previous year, except for an increase in *online* threats, which rose from 44 % in 2022 to over 60 % in 2023.

Given the importance of human rights defenders in protecting human rights, states must protect the rights and freedoms that enable their unhindered operation, and it is precisely the states that should provide conditions for their work. In the Republic of Croatia, the last national strategic document

Recommendation 116 (reiterated)

Government of the Republic of Croatia, to adopt the National Plan for Creating an Enabling Environment for the Development of Civil Society

aimed at creating a favourable environment for civil society activities expired in 2016, and although the working group was established in 2021, the new document has not yet been adopted. According to information from the Office for Cooperation with NGOs of the Government of the Republic of Croatia, a draft document proposal for the period 2024 to 2030 has been drafted and updated with statistical data at the end of 2024, but it has not yet passed the stage of comments from state administration bodies. At the same time, the working group has not been convened for the last two years, so it has not been able to supplement the document, possibly, nor has it been informed about the progress of the process, and it is clear that the first year of planned implementation has already passed.

Recommendation 117

Office for Human Rights and Rights of National Minorities, to continue working on the introduction of long-term institutional and program financing of activities of civil society organisations in the field of human rights protection and combating discrimination

CSOs continue to point to the insufficient functionality of the institutional framework for the development of civil society, particularly the Council for Civil Society Development, delays in announcing tenders and disbursement of funds, and defining activities eligible for funding in individual tenders that sometimes are not. correspond to the real needs on the ground, insufficiently efficient and substantive

opportunities to participate in decision-making processes, as well as insufficient funding, in particular, activities such as advocacy and monitoring of the human rights and discrimination situation and the related difficulties in maintaining the continuity of work and a quality workforce. Regarding financing, the activity from the Action Plan for Combating Discrimination for 2025 includes financing the activities of associations active in the field of combating discrimination, including advocacy. However, the tender plan does not foresee 2025. Taking into account the above and being aware of the fact that the National Foundation for Civil Society Development approves a certain number of institutional grants to CSOs on an annual basis, we recommend the continuation of activities aimed at establishing a system of long-term institutional and program financing of CSOs' activities in the field of human rights protection and combating discrimination.

In mid-May, changes were introduced in the functioning of the e-consultation portal, which, as stated by about forty CSOs to the MPUDT and the Information Commissioner in an open letter, made it significantly more difficult for associations to participate in this process, both due to technical difficulties and due to the obligation to comment through the e-citizens system by registering a person authorised to represent. CSOs stated that these changes were not previously announced or communicated to them and other legal entities directly concerned. The GONG Association reacted publicly again in August and received a response from the MPUDT with explanations on participating in the public consultation and reporting technical difficulties only in October. The Office did not systematically inform associations about these changes for Cooperation with NGOs. The potential negative effects of this situation are illustrated by the data of the Office for Legislation, according to which, with a relatively similar total number of e-consultations conducted over the last few years, the number of associations/representatives that participated in e-consultations and the number of their comments in 2024 is noticeably lower.

PARTICIPATION OF ASSOCIATIONS IN E-CONSULTATIONS <i>Data from the Office of Legislation</i>	2021	2022	2023	2024
Total consultations	823	1.028	822	896
Number of associations/representatives of the association that participated	274	371	325	127
Number of comments sent by associations	2.165	3.270	2.314	582

Although it is difficult to establish a direct correlation without a more detailed analysis, it can be assumed that there is a possibility that the changes in the system on the one hand and the lack of timely information on the other hand had a limiting effect on the possibility of participation of CSOs in public consultation procedures.

In the report Human Rights Defenders: Challenges and Obstacles from 2022, the Human Rights House recognised the problem of involving CSOs in decision-making and counselling processes, which, from their perspective, are often more formal than substantive, which weakens the possibilities of participation and negatively affects the quality of public policies. It was also pointed out that the often non-transparent practice of appointing CSOs to working and advisory bodies was pointed out that in appointments through the Council for Civil Society Development, the most qualified candidates are not always necessarily selected.

The chapter on good governance provides more information about the possibilities for citizens and CSOs related to participation in decision-making, including participation in public consultations.

As in previous years, some associations report insults and slander they receive on social networks and in private messages. CSOs dealing with women's rights, migration, LGBTIQ+ rights, dealing with the past, as well as environmental activism, are particularly often affected by such pressures.

In recent years, environmental activists have been increasingly targeted at various levels and by different types of actors, as the UN Special Rapporteur on environmental human rights defenders warns in his February 2024 report. The Special Rapporteur notes that states' responses to environmental protests and expressions of civil disobedience are increasingly repressive, in many cases disproportionate and contrary to the provisions of the Aarhus Convention and international human rights law. Analysing the situation of environmental activists in the Republic of Croatia, dr sc. Kruno Kardov from the Faculty of Humanities and Social Sciences in Zagreb concluded that advocacy and protest environmental organisations and initiatives in the Republic of Croatia are exposed to systemic repression, which is reflected in the denial of financial resources and their channeling into activities that do not question the decisions and policies of the government, in the limited possibility of participating in the shaping of environmental protection policies and plans, as well as in making decisions on specific projects, especially at the local level, as well as targeted repression in the form of SLAPP lawsuits, the

use of inspection supervision as a means of pressure and repression, but also through threats, stigmatisation, symbolic violence, restriction of access to natural areas to document the state of the environment, and the like.

During 2024, the media reported on the use of excessive force by police and security guards against activists protesting against the LNG terminal on the island of Krk, as well as the arrest of activists of the Walter civic initiative in Pula after they tried to prevent the logging of a forest that was allegedly illegally privatised. The media also reported on an unannounced inspection of the Suncokret association, which employs the leading person of the initiative that advocated for the closure of the plastics processing plant in Vrginmost. In all three cases, we initiated investigations, which are still ongoing.

We also act on the complaint of a youth organisation that deals with transitional justice and dealing with the past, whose activists were threatened after a public action on Ban Jelačić Square in Zagreb, in which they hung balls with messages in line with the theme of their work on the Christmas tree.

We were also contacted by an association that carried out activities in the correctional institution, and it was prevented from continuing its activities after its associates reported to the police that judicial police officers had violently treated one of the wards. The MPUDT informed us that the reason for the suspension of cooperation is the report that has just been filed and that the decision on the possible continuation of activities or withdrawal of consent will be made after the implementation of actions within the competence of the State Attorney's Office and the receipt of information on the status of the criminal complaint. We reminded the MPUDT of the applicable provisions of national legislation, international documents and the practice of the ECtHR. We warned of the inadmissibility of sanctioning an association for reporting a criminal offence, which, under the positive legislation of the Republic of Croatia, was also a legal obligation of its associates.

We also followed the initiation of misdemeanour proceedings against two activists of the Initiative for Free Palestine because they projected a light sign "Free Palestine" on the building of the Israeli embassy in Zagreb. The activists were acquitted, but the very initiation of misdemeanour proceedings can discourage further similar actions.

In the context of human rights defenders, it is also possible to observe the case of V.A., an asylum seeker in the Republic of Croatia, who sought asylum in the Republic of Croatia for fear of persecution for his activism in his home country. Among the reasons for refusing to grant international protection is that he violated the privacy and right to protection of personal data of other applicants for international protection by recording and publicly publishing recordings from the interior of the reception centre, and that in his publications he made unfounded claims about insufficient nutrition and health care for applicants in the Republic of Croatia, which did not show a sufficient level of respect for the institutions of the Republic of Croatia and damaged its international reputation. In July 2024, V.A. protested on St. Mark's Square in Zagreb against the treatment of international protection seekers by the security institutions of the Republic of Croatia, after which he was convicted of a misdemeanour under Art. 17 of the ZPPYRM and his freedom of movement were restricted for three months by detention in the Transit and Reception Centre for Foreigners, Trilj.

At the end of August 2024, the UN Special Rapporteurs on Human Rights Defenders, Freedom of Opinion and Expression, and Freedom of Peaceful Assembly and Association, and the UN Working Group on Arbitrary Detention sent an official note to the Republic of Croatia, expressing serious concern about

the rejection of the request for international protection of the applicant V.A. and his detention, as well as the impression that the reason for them is his practice of the right to expression and activism for the rights of asylum seekers in the Republic of Croatia. They asked the Republic of Croatia, inter alia, to clarify the factual and legal basis for rejecting V.A.'s asylum application and his detention, to clarify what steps it has taken to ensure that V.A. does not suffer any reprisals, including the rejection of his asylum application and detention, for his actions as a human rights defender and the exercise of his right to freedom of expression, and if she did not take them, to explain the reasons for such action, and to report what she had done so that V.A. would not be exposed to *refoulement*. The Republic of Croatia has resolutely rejected the claim that living conditions in the Reception Centre for Asylum seekers in Zagreb are poor and improved only after the recording was published, stating that everyone has been provided adequate material conditions for admission. She also pointed out that by filming the applicants and posting their image on the Internet, V.A. endangered their safety and the safety of their families, relatives or friends in their countries of origin, and that by his behavior and appearance in the media, he tried to influence the procedure in his case without concern for other applicants. The proceedings before the Administrative Court in Zagreb regarding the lawsuit against the decision of the Ministry of the Interior rejecting the applicant's application for international protection are still ongoing, and the Ombudswoman, under Art. 12 of the ZMZZP, participates in the hearings in the proceedings. Regarding handling V.A.'s complaint due to insufficient capacities and conditions in the shelter, we write in the part on migration.

Human rights defenders also include independent institutions for promoting and protecting human rights and the fight against discrimination.

The key importance of ombudsman institutions, which in Croatia is the institution of the Ombudswoman, in promoting and protecting human rights, the rule of law and good governance was reaffirmed in 2024 at the global level. So in December 2024, the UN General Assembly adopted a Resolution on Ombudsmen, calling for recognising the importance of these stakeholders and ensuring the conditions necessary for their optimal functioning.

To this end, in May 2024, the EC adopted two directives on standards for equality bodies, as the first legally binding instruments in the field of standards for independent bodies operating in the field of promoting equality and combating discrimination, which we hereby emphasise given that the institution of the Ombudsman is the central body responsible for combating discrimination in the Republic of Croatia, i.e. the central body for equality in the Republic of Croatia. The Ombudsman's Institution, with the active participation of Ombudswoman Tena Šimonović Einwalter herself, especially as the Chair of EQUINET, defines the minimum conditions that Member States will be obliged to ensure in terms of their mandates, independence, sufficient means of work, efficiency and availability, thus further improving the efficiency of their work and equalising the level of protection against discrimination across the EU.

Indeed, although EU law has prescribed the obligation for Member States to establish equality bodies for many years, albeit only for some discriminatory grounds, their provisions have proven insufficient. Directives 2000/43/EC, 2004/113/EC, 2006/54/EC and 2010/41/EU contained insufficiently elaborated provisions and left EU Member States a wide range of options in terms of the structure and powers of the authorities, as well as ensuring the necessary working conditions. This has led to a very different arrangement of powers, competencies and resources across the EU, which has led to uneven

levels and quality of anti-discrimination protection. In addition, various threats to the work of these bodies, such as political pressures or budget cuts, have made it clear that they need to be provided with the independence, accessibility, powers and resources needed to work effectively.

These Directives aim to lay down minimum requirements for the functioning of equality bodies, improve effectiveness and guarantee independence, and strengthen the application of the principle of equal treatment stemming from the existing anti-discrimination Directives. It also prescribes the obligation of states to ensure the independence of equality bodies, and these bodies must be free from external influence from the executive and legislative powers or any other body in performing their tasks. The independence of equality bodies also implies institutional independence, particularly regarding the legal structure, accountability, budget, staff and organisational matters. Given that adequate resources are a prerequisite for

Recommendation 118.

The Government of the Republic of Croatia, in cooperation with equality bodies, to transpose into the Croatian legal system COUNCIL DIRECTIVE (EU) 2024/1499 of May 7 2024 on standards for equality bodies in the field of equal treatment of persons irrespective of racial or ethnic origin, equal treatment in matters of employment and work between persons irrespective of their religion or belief, disability, age or sexual orientation, equal treatment between women and men in matters of social security and the access to and supply of goods or services, and amending Directives 2000/43/EC and 2004/113/EC, and DIRECTIVE (EU) 2024/1500 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of May 14, 2024 on standards for equality bodies in the field of equal treatment and opportunities for men and women in matters of employment and occupation, and amending Directives 2006/54/EC, and 2010/41/EU

efficient work, Member States are obliged to provide equality bodies with the human, technical and financial resources necessary to perform all tasks within their competence, including situations in which their competences are increased, the number of complaints, the costs of court proceedings, etc. Member States are obliged to harmonise national legislation with the requirements of the directives by June 19, 2026.

The importance of independent human rights institutions is also reflected in the fact that the EC has taken the conditions for their operation as one of the criteria of its assessment of the state of the rule of law in the EU Member States, from the very beginning of its reporting on this topic. Starting in 2022, it also makes recommendations, so in 2024, the Republic of Croatia again recommended that it further improve the implementation of the recommendations and respond more systematically to requests for information from the Ombudsman. More about implementing this recommendation is written in the Cooperation and Public Action chapter in the Promotion of Human Rights and Combating Discrimination.

2.31. The right to a clean, healthy and sustainable environment

In 2024, we acted in 254 cases opened on citizens' complaints, citizens' initiatives or our initiative. We have acted in cases for endangering the right to a clean, healthy and sustainable environment, which relates to environmental and nature pollution, improper waste management, excessive noise, light pollution, non-ionising radiation from mobile operators' base stations and the harmful effects of climate change. On our initiative, we acted in cases that related, among other things, to the remediation of

black spots, the impact of the CCE on the life and health of citizens, and fires at locations where waste is (and improperly) managed.

The Ministry of Education, Education and Sports states that the universal right to a clean, healthy and sustainable environment in the Republic of Croatia is realised through the implementation of the Decision on the adoption of the Guidelines for Improving the Effects of Public Administration in Environmental Protection and the Decision on the Implementation of Green Public Procurement from November 2024, as well as other regulations whose provisions contribute to the strengthening of this right. An example is the Ordinance on Amendments to the Ordinance on Waste Management from 2024, by which the Ministry of Education, Education and Sports began to act on the recommendation of the Ombudswoman from the 2023 Report, to elaborate further the constitutional right to a healthy life and a healthy environment through laws and other regulations.

It is necessary to continue to systematically work on preserving this constitutional right. Since 2016, the New Environmental Protection Plan and the new Strategic Plan for the Development of Public Health have not been adopted, which are important for developing health ecology and monitoring harmful environmental impacts on human health. The Ministry of Environmental Protection announces the adoption of a new Environmental Protection Act in 2025, after which the Environmental Protection Plan would be drafted. According to the Croatian Institute of Public Health data, a working proposal for the Strategic Plan for the Development of Public Health has been prepared, but is not included in the Plan of Normative Activities for 2025.

The European Network of Human Rights Bodies (ENNHRI), of which we are a member, continued to advocate for the adoption of a legally binding instrument at the level of the Council of Europe that will recognise the right to a clean, healthy and sustainable environment, to ensure the most effective protection of this right.

Climate change

"The scientific community has documented the triple planetary crisis of pollution, biodiversity loss and climate change for decades. The urgency of taking action, especially against climate change, has been explained many times, and solutions on how to do it have been extensively presented. Despite the commitment to take the necessary measures to limit global warming to 1.5°C, to restore 30 percent of all degraded ecosystems by 2030, and to reduce mortality significantly and diseases caused by air pollution, countries have not made sufficient progress in this direction since 2015, when the 2030 Agenda for Sustainable Development and the Paris Agreement were adopted. To this day, governments continue to make decisions that directly contradict scientists' clear and urgent recommendations."

Opinion of the Special Rapporteur on environmental defenders, February 2024

Extreme weather conditions, heat waves, droughts, fires, floods, loss of biodiversity and drinking water are some of the natural consequences of climate change.

The year 2024 was extremely hot throughout the Republic of Croatia, and DHMZ recorded the hottest summer in most areas since measurements began. Extremely long periods of heat in July and August primarily affected Dalmatia and Slavonia. In Slavonski Brod, only four days with a temperature lower than 30°C were recorded, and in Dalmatia, only two. The long-lasting heat was further intensified by heat waves, of which three were in the interior and four in the Adriatic. The Croatian Fire Brigade Association (HVZ) stated that due to the long dry period and high temperatures, the risk of fires in 2024 was higher than in 2023, and among the largest were fires in July in Skradin and Tučepi. Fires also broke out in landfills and facilities for the disposal/treatment of municipal waste and the collection and sorting of bulky waste. Among other extreme events, the devastating hailstorm in July in Bošnjaci, after which a natural disaster was declared, stands out.

In addition to approaching the topic from the aspect of protecting the human rights of all citizens, we also approach the topic from the aspect of equality and combating discrimination, given that the harmful effects of climate change hit the most vulnerable in society the hardest, including people of lower socio-economic status, older age, impaired health and people with disabilities.

In 2024, when drafting the proposal of the *Ordinance on the criteria for determining the area of responsibility and area of operation of volunteer fire brigade units, firefighting interventions and methods of determining firefighting equipment and the number of firefighters who must be in the fire brigade*, and [the Ordinance on the criteria for the organisation and classification of fire brigades, criteria for determining the number and type of fire brigades in the area of the local self-government unit and their operational activities in the area for which they were established](#), the Ombudswoman pointed out that the efficiency of the firefighting and civil protection system is crucial for the protection of human rights during risky events such as floods, fires or earthquakes. She reminded that the *Special Report on Human Rights in the Context of the Disaster in Vukovar-Srijem County* from 2014 provided recommendations for all risky events whose consequences may affect the exercise of human rights.

Recommendation 119

Ministry of Economy, to align the Integrated National Energy and Climate Plan for the Republic of Croatia 2021-2030 (NECP) with the achievement of the goal of climate neutrality by 2050

The Ombudswoman's proposal from November 2024 to add the "principle of equality" to the Proposal of the Act on Climate Change and Ozone Layer Protection was accepted, and the introduction of the goal of achieving carbon neutrality by 2050 is also positive, given that this is not prescribed in the existing Act or the 2021 Low-Carbon Development Strategy.

She also pointed out the importance of introducing this goal in her opinion on the Integrated National Energy and Climate Plan for the Republic of Croatia from 2021 to 2030 (NECP). She welcomed the drafting of the NECP and pointed to earlier complaints by CSOs about the lack of transparency and delays in the public debate, for which the EC reprimanded Croatia and 12 member states in November 2024. In doing so, the proposed NECP relies on natural gas, which makes it difficult to achieve the goal of climate neutrality. The public consultation report was not published during the preparation of this report.

The harmful consequences of climate change know no national borders, which is recognised by the practice of the ECtHR. In April 2024, the Grand Chamber of the ECtHR in the case of *KlimaSeniorinnen v. Switzerland* (no. 53600/20) confirmed the violation of the right to respect for the private and family life of older women from Switzerland due to the lack of implementation of sufficient measures to combat climate change. ENNHRI welcomed the verdict and, when intervening in the proceedings, underlined the responsibility of states to effectively combat climate change and protect rights under the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR).

In the case of *Duarte Agostinho and Others v. Portugal and 32 States* (No. 39371/20), including the Republic of Croatia, the plaintiffs claimed that the large forest fires, especially those of 2017, and the heat waves, were the result of the defendant states' failure to act to maintain the average temperature at a level 2°C lower than in pre-industrial times, under the obligations under the Paris Agreement. Although the request was declared inadmissible, it affected awareness of the consequences of fires caused by climate change and the responsibility of states to take effective measures against climate change, to protect the right to life and the right to respect for private and family life, guaranteed by the ECHR.

Despite the increasingly serious consequences of climate change, the Ombudswoman's recommendation given to the Croatian Parliament to declare a climate and environmental crisis and introduce an assessment of the impact of laws and budgets on the climate and human rights, which was given for the first time in the (special) [Report on the Right to a Healthy Life and Climate Change in the Republic of Croatia \(2013-2020\)](#), [has not been implemented](#).tag. In response to this recommendation, the Government of the Republic of Croatia stated that the Croatian Parliament considered this topic during the debate on the Motion for a Resolution on the Climate and Environmental Crisis, to which the Government of the Republic of Croatia gave an opinion on its rejection and was not supported by the Committee on Environmental and Nature Protection. It is pointed out that the proposal was not accepted, and this recommendation is not included in the implementation plan either.

Black dots

We continued to monitor the remediation of all eight black spots from the Waste Management Plan for 2023-2028, which we started on our initiative in 2023. These are locations where production (technological) waste has been inappropriately managed for a long time and is still highly burdened.

In the vicinity of Obrovac, the black spot "Pools of red sludge and waste alkali of the former alumina factory in Obrovac", which consists of two pools filled with the mentioned contents left over after the closure of the Jadral alumina factory, has not yet been repaired. According to data from Croatian Waters, in 2024, the Zrmanja watercourse and the aquatic environment in Obrovac were polluted due to the leaching of hydrocarbons from the damaged tanks of the abandoned factory. According to the decision of the DIRH, Croatian Waters remediated the pollution. Regarding the remediation of this black spot, the Environmental Protection and Energy Efficiency Fund (EPEEF) states that the process of establishing the facts from the legal and technological aspects is underway, because a power plant and a wind farm have been built on the site, and other energy facilities are planned.

The black spot "Coastal part opposite the factory Salonit d.d. in bankruptcy – Kosica" in Vranjic, contaminated with asbestos, has not yet been repaired. For a long time, we have been pointing out that

not only is it not fenced, but it is used as a city beach, pebbled, and has a shower and a changing cabin. A study has been prepared for the remediation, which the FZOEU will carry out. The Ministry of Education and Sports has issued a certificate of compliance of the study with the Environmental Protection Act, and the preparation and collection of other documentation is in progress. With the beginning of the remediation works, it is planned to fence off the site and mark it with black spots.

In Kaštel Sućurac, along the coast, there is an unrepaired black spot, "Location where large amounts of slag and ash are located: slag dump in the Bay of Kaštela", left over from the former Jugovinil factory. In 2024, the Ministry of Environmental Protection and Sports decided on remediation, while the FZOEU contracts the development of a Plan of additional investigative radiological and geotechnical works, necessary to determine the remediation method. The construction of a nautical tourism port is planned at the location.

At the "Location of the Laundry and Disinfection Station in Botovo", among other things, the tanker wagons for transporting chemicals were washed. This black spot has not been remediated, nor is the person liable for remediation.

The black spot "Company DIV d.o.o. - fuel oil within the TVIK screw factory in Knin" is in nature a lagoon located next to the factory, and it is contaminated with fuel oil that leaked from the tank of the former TVIK factory, untreated technological water from the DIV d.o.o. factory, and rainwater and urban wastewater. The location has not been rehabilitated, and the preparation and collection of documentation are in progress.

The location of the black spot, "Phosphogypsum Landfill – Petrokemija Kutina", is privately owned, and we have not received the requested information about the remediation. Given that the Lonjsko Polje Nature Park is nearby, the Ministry of Science, Education and Sports states that the landfill is fenced with earthen embankments that protect the surrounding area from the penetration of polluted water. According to the DIRH in the surveillance in October 2024, due to the rupture of the gypsum duct for the transport of a suspension of treated water and calcium fluoride to the phosphogypsum landfill located at the location of the ecological network, no harm to the targeted bird species was determined.

The black point "Landfill of stone aggregate ("black hill") - Biljane Donje" in the area of the City of Benkovac, which is located near family houses, has not been rehabilitated either. The FZOEU has conducted a public procurement procedure, the bid for slag removal and the R5 recovery procedure (recycling of inorganic materials) at the recoverer's location in Sisak has been selected, and a contract with the contractor is expected to be concluded. In March 2025, the Court of Justice of the EU issued a judgment in the case of EC v Croatia, C-315/23, because the Republic of Croatia did not remediate the landfill, which orders the Republic of Croatia to pay a fine of one million euros as a lump sum and 6,500 euros per day for each day of delay.

Remediation is being carried out at the black spot "Sovjak Cave near Rijeka", contaminated with tar, sludge, waste oils and other types of waste. According to the FZOEU, in 2024, a traffic-handling area and a work zone for the accommodation of temporary buildings and equipment were built, and a use permit is being obtained, after which the waste extraction from the pit can begin.

The only two marked and fenced black spots are the locations "Phosphogypsum Landfill – Petrokemija Kutina" and "Sovjak Cave near Rijeka". Following the recommendation to the (then) Ministry of

Agriculture and Rural Development to prescribe the obligation to mark black spots and to fence them off in cooperation with the FZOEU and local self-government units, the Ministry of Health stated that it would take this into account when amending the Waste Management Act.

Although some progress can be seen, in 2024, the Ministry of Environmental Protection did not carry out any remediation proceedings through a third party at the expense of the operator, which is possible based on the authority from the Environmental Protection Act, which allows the remediation of environmental damage if the operator has not carried it out according to the approved remediation program and within the given deadline. This authority is important for black spots and other locations contaminated with waste, i.e., for their remediation in the foreseeable future, which we write about below.

CCEs and landfills

In July 2024, the EC officially reprimanded (INFR(2024)2133) Member States, including the Republic of Croatia, that did not meet the waste collection and recycling targets provided for in several EU Directives.

From the end of 2024, the Ordinance on Amendments to the Ordinance on Waste Management is in force, which specifies measures aimed at completing remediation, protecting agricultural land and soil, preventing the spread of unpleasant odours, fire protection and occupational safety at waste management locations. We hope the measures will be implemented and supervised to achieve the goals of the amendments to the Ordinance.

According to the FZOEU data, the CGO of Biljana Donje is in trial operation, and the CGOs Babina Gora, Lečevica, Lučino Razdolje and Piškornica are under construction. Documentation for the Šagulje and Orlovnjak CCEs is being prepared.

We continued to act on earlier complaints from citizens about poor air quality, unpleasant odors and health threats in the vicinity of the Marišćina and Kaštijun CCEs. To get an insight into the situation, we visited the Kaštijun CCE and the Bikarac CCE, for which we did not receive any complaints. During field visits, we found that CCE Bikarac, unlike Marišćina and Kaštijun, does not have a biogas plant, but biowaste is separated from mixed municipal waste (MCW), and other waste is separated by machines and manually. Please note that CCEs under construction should use technology with the least adverse impacts on the environment and people.

The conclusion of the Ecological Study of the Impact of the Marišćina CCE on the Health of the Residents of Marčelje and the surrounding area, from 2021, pointed to the need for further implementation of continuous biological monitoring of exposure and monitoring of the health of people living in the immediate vicinity. According to the data of the National

Institute of Public Health of PGC, it did not carry out biological monitoring in 2024, and we are waiting for the PGC's response on its continuation. We are also waiting for data on the results of soil analysis

Recommendation 120 (reiterated)

The Ministry of Health, counties and public health institutes are to develop health protection programs for the locations of waste management centres, black spots, industrial plants and other interventions with emissions of pollutants into the environment, and to conduct continuous biological monitoring of the local population.

for heavy metals and on possible plans for long-term monitoring of chemical indicators in soil and agricultural crops in the vicinity of the Mariščina CCE, which PGC requested from the National Institute of Public Health of PGC, and ordered from an authorised laboratory. In previous reports, we have recommended that this be carried out near all CCEs and other similar locations. The same is partially implemented in PGC, BPŽ, SDŽ and IZ. At the same time, four counties did not comment on the recommendation, six of them stated that they are not implementing it, mainly because they do not have black spots and similar locations, six are partially implementing it, and one county is planning to implement and prepare a program for the health of citizens, in which it will be included.

We continued to monitor the situation at the Jakuševac/Prudinec landfill after the landslide in 2023, on which a thematic session was held in the Croatian Parliament to discuss sustainable waste management in the City of Zagreb.

Illegal landfills



Photo - Source: Zelena akcija

Citizens are increasingly turning to us because of the illegal landfills they encounter in their communities, and the media often report such landfills. We act in cases of illegal landfill of various waste in the forest in Ježdovac, which is partly owned by the City of Zagreb and the Republic of Croatia; illegal landfill in Kosnica near Velika Gorica, on land owned by the Republic of Croatia; as well as an illegal landfill in the area of Dugo Selo, where unknown

perpetrators cut down the forest and then buried construction and other waste. Despite the actions of DIRH, Croatian Forests, the City of Zagreb, and the City of Velika Gorica, as well as the installation of warning boards, surveillance cameras, and several remediation works, waste remains disposed of improperly. An additional problem is the lack of reception capacities of the existing landfills where waste would be disposed of during remediation.

The problem of illegal dumping of thousands of tons of waste in the former Istraplastika factory in Pazin, which was imported from Italy in 2020, has not yet been resolved. After we warned that the waste was disposed of in the area without a use permit for this purpose, that fire protection measures were not being implemented, that there was no revision of the threat assessment and fire protection plan, as well as that there was no fire service, a fire broke out in April 2024 caused by welding in the adjacent room. We point out that failure to act on warnings and recommendations does not lead to improvement, but, on the contrary, contributes to the authorities' responsibility if a fire subsequently occurs, and it is impossible to rule out future fires.

Air and soil protection

At landfills and in the vicinity of industrial plants, the risk of air and soil pollution is increased, especially in the event of fires, so stronger precautions are needed.

In 2024, several fires broke out at waste management sites. In June, a fire broke out in the warehouse of the company Eko-Flor Plus d.o.o. in Zaprešić, and the DIRH determined that the buildings in which it broke out were used without a use permit, contrary to the purpose, and that the waste was not stored following the Waste Management Study and the Waste Management Permit.

After a large fire in the plastics processing plant "Drava International" in 2023, a small-scale fire broke out in August 2024. Regarding the fire from 2023, in April 2024, the Ministry of the Interior issued a Decision on the classification of buildings, construction parts and premises of the company "Drava International" in the II A category of fire risk, and the company was ordered to implement certain preventive measures within six months, which, according to data from the Ministry of the Interior, were implemented in February 2025. In 2024, the Croatian Agency for Agriculture and Food recommended further monitoring, and the DIRH sanitary inspection determined that the 12 samples tested were under Regulation (EU) 2023/915 on the maximum permitted levels of certain contaminants in food. This partially fulfilled the Ombudswoman's recommendation addressed to the DIRH, the City of Osijek and the National Institute of Public Health of the District of Osijek to continue sampling soil, food and water to determine the consequences of the fire.

In September 2024, a fire broke out in the recycling yard at Pehlin in Rijeka, on the occasion of which the DIRH determined that part of the waste storage area was not in line with the conditions of the Waste Management Study, so a misdemeanour order was issued due to this irregularity.

"Waste from slaughterhouse activities that can be classified as waste animal tissue (KB 02 02 02), biological and chemical waste from the company's site is discharged through a flexible hose (which is removed after discharge) into a nearby stream, after which thick layers of blood and animal remains are visible on the stream, and the strong smell of ammonia that spreads and pollutes the environment has become unbearable for the local population. Not only does this environment represent unbearable living conditions, but it also potentially causes serious health problems for all of us and our children. All illegal discharges are carried out in the area of the capsulated water source... which serves as a drinking water source and is in the immediate vicinity of the slaughterhouse."



Residents of a small town in Zagreb County also contacted us about illegal waste disposal by the slaughterhouse, stating that this endangers the soil and water. During the inspection, DIRH found several violations of the Waste Management Act, the Climate Change and Ozone Layer Protection Act and the Water Act. According to the orders of the DIRH, some of the irregularities were removed, several misdemeanour proceedings were initiated, and several fines were imposed. We will continue to monitor the actions of the competent

authorities until all identified irregularities are eliminated.

In 2024, the residents of Vrginmost gathered in a civic initiative complained about the work of the factory owned by Phaten Plastic Recycling d.o.o., pointing to excessive noise, air pollution due to the melting and crushing of plastic, increased traffic of freight trucks, an inadequately prepared Waste Management Study, discharge of wastewater into nature, damage to health, fire risk and other potential dangers, on the occasion of which we visited the site. The said company also operates in Slatina, and at both locations, DIRH has identified numerous irregularities in the field of work and waste management. In July 2024, the Ministry of Agriculture revoked the waste management permit for the plant in Vrginmost, while the DIRH prohibited the performance of waste management activities for the plant in Slatina. We requested new data from the DIRH on the situation at both locations to check whether the waste management activity is still being carried out.

The citizens of Pula complained about dust and unpleasant odours from the cement plant Calucem d.o.o., but the Environmental Protection Inspection of the DIRH determined that the measured values of pollutants were below the prescribed values. Based on the request of the Environmental Protection Inspectorate, the City has issued a Decision on the implementation of special purpose measurements, which will be carried out by an authorised laboratory four times a year for a period of two weeks. Measurements began in November 2024 and will last until the end of summer 2025. The final air quality assessment will be known after the planned measurements are completed.

We continued to act on several complaints of the citizens' initiative A Place That Wants to Live, which point to air, soil and sea pollution in the area of the Vranjic-Solin basin.

Due to complaints about air pollution due to bulk cargo from the North Port, in March 2024, the NZJZ SDŽ prepared an Annual Air Quality Test Report, and the arsenic values in the UTT from October 2023 to February 2024 were below the prescribed values. In February 2024, the City of Split developed a Short-Term Action Plan with measures to reduce dust in the air to be implemented by Luka d.d., which the Environmental Protection Inspectorate determined to be implemented through supervision in April 2024. The ground part for bulk cargoes was concreted; however, closed warehouses were not built despite the plan. The City of Split requested information from the DIRH on the inspections carried out over the Port of Inc. and at the location of the North Port, but the DIRH stated that this information was an official secret. Ultimately, the High Administrative Court ruled in its judgment Us II-170/2024-

November 9 28, 2024, that air pollution is one of the priority issues in today's society and that a public authority cannot refuse a request for environmental information by invoking inspection secrecy. The verdict is a significant step forward in informing the public about environmental decision-making processes.

The civic initiative A Place That Wants to Live, from Vranjice, complained about air pollution, noise and light pollution due to the upgrade and use of the auxiliary football field at the location of the remediated asbestos waste landfill "Vranjička kave", which resulted in the scattering of asbestos and geotextiles that were used for remediation. The football field is about twenty meters from the settlement, and two more playgrounds are planned at the specified location. The investigation procedure we are conducting is underway, and to get an insight into the situation on the ground, we visited this location.



Since 2011, in Dugi Rat in the sea and along the coast, there has been a deposit of slag, left over after the closure of the ferroalloy factory. In 2024, the Ministry of Science, Education and Sports contracted an analysis of the composition of the deposited slag and other material with the Ruđer Bošković Institute, and documentation is being prepared to obtain a permit for remediation. In addition to carrying out the remediation, it is also necessary to collect data on the

possible impact of slag on the locals' health.

According to data from the European Environment Agency (EEA), in August 2024, Slavonski Brod was once again the city with the most polluted air in the EU. Air quality is influenced by various factors, from geographical location, industry in the city and its surroundings, the fact that Slavonski Brod is a traffic

and border hub, and how households are heated during the winter months. In the Report for 2017, we recommended that the Study on the Impact of Environmental Factors on the Health of the Citizens of Slavonski Brod, in addition to the analysis of the concentration of metals in blood, hair and urine and lung infections, also include the parameters of particulate matter and gases, which was accepted. The study conducted by the National Institute of Public Health in cooperation with the

Recommendation 121 (reiterated)

Ministry of Health and the Teaching Institute of Public Health of Brod-Posavina County, to evaluate and consolidate data on the health of citizens collected from 2016 to 2024 and continue to conduct biological monitoring of the citizens of Slavonski Brod in 2025

Croatian Institute of Public Health was supposed to be completed in 2020, but did not result in the preparation of a final document with consolidated results from 2016 to 2020. Data collection continued through the project "The impact of air pollution on biomarkers of exposure and effect in the human population in Slavonski Brod". A consolidating analysis with results and adopting a plan or strategy for

improving the health protection of the citizens of Slavonski Brod based on the results obtained and reducing the value of pollutants would be steps towards a long-term solution to the problem.

Protection of the sea, water and nature

In February 2024, the EC addressed Croatia and three other EU Member States due to delays in harmonising with the Marine Strategy Framework Directive, which has the key objective of preventing, protecting and preserving the marine environment. Therefore, in April, the Action Program of the Strategy for the Management of the Marine Environment and Coastal Area: Program of Measures for the Protection and Management of the Marine Environment and the Coastal Area of the Republic of Croatia until 2027 was adopted. In the public consultation, the Ombudswoman pointed out the MMPI individual pollution cases and further threats to the marine environment and coastal area so that the Programme could contribute to their faster and more efficient resolution.

According to MMPI data, in 2024, 3,729 inspections of the safety of navigation were carried out, and in 1,052 cases, a violation of regulations was found. Seven hundred ninety-one inspections of the maritime domain were carried out, and breaches of regulations were found in 71 cases.

Also, according to MMPI data, over 50 % of maritime traffic is dangerous cargo. In the continental shelf of the Republic of Croatia, there are also three hydrocarbon exploitation fields, so there is a risk of maritime accidents that can lead to marine environment pollution. Wrecks and sunken objects can threaten the safety of navigation and are a potential source of pollution to the marine environment and coastal areas.

After the sinking in the North Adriatic in 2020 of the IVAN D gas platform of the investor INA-INDUSTRIJA NAFTE d.d., in 2021, the energy inspector for petroleum mining ordered the rehabilitation of the well and related infrastructure and its removal from the seabed within a year. However, the sunken platform has not yet been removed because two remediation options are being considered: a complete one, which involves removing the platform from the sea, and a partial one, according to which the platform would remain in the sea and serve as an artificial reef. Of the currently 20 platforms in the Croatian Adriatic, IVANA D is the smallest and the only one to have sunk, but the decision to rehabilitate it is also significant because of the possible future treatment of gas platforms. Following the opinion of the Energy Inspection for Petroleum Mining of DIRH, MMPI and the Directorate of Water Management and Marine Protection of the then MGOR, the Ombudswoman advocates for complete remediation, i.e. removal of IVANA D from the seabed and transport to land for reuse, following the highest standards of marine environmental protection.

Croatian Waters lists 22 sudden water pollutions, of which 16 were caused by industry, from the public sewage system, from farms, due to the rupture of oil pipelines, the failure of tanks and plants, etc., and in six cases, the causes of pollution are unknown. In ten cases, authorised companies were hired to remediate the pollution, while the perpetrators themselves bore the remediation in other cases. At the end of 2024, the Josip Juraj Strossmayer Water Institute launched a public procurement procedure for devices to determine microplastics, a major problem for the environment and nature.

Since July 2024, we have been acting on several complaints from citizens due to the devastation of the area around the source of the Una River and irregularities in the project's approval for the construction of a small hydropower plant. In August, the Nature Conservation Inspection of the DIRH prohibited the

execution of works without an appropriate assessment for the area of the ecological network, while the Water Law Inspection prohibited further disposal and filling of materials into the watercourse and along its edges and ordered the restoration of the previous state. However, according to DIRH data from January 2025, restoring the location to its previous state has not yet been done. The Environmental Protection Inspection found that the assessment procedure for assessing the project's impact on the environment was not carried out before the amendment of the location permit. Representatives of the local community are proposing to declare this area a Nature Park, which we continue to monitor.

The Dinara Nature Park public institution has not been established, as we wrote about in the reports for 2022 and 2023.

At the end of 2022, citizens complained to us about the Veliki Siljevec quarry on Ivanščica Hill, and we continued to monitor the process of assessing its acceptability for the ecological network. At the end of 2024, the Proposal of the Act on the Proclamation of the Nature Park "Zagorske gora" was presented, including Ivanščica. The designation of these areas as nature parks should ensure protection from actions harmful to nature.

In 2024, progress has been made in preventing improper waste disposal in pits and caves, which also threatens groundwater, the main drinking water source in the Republic of Croatia. The DIRH Nature Conservation Inspection carried out 14 inspections of speleological objects, which found no irregularities. In October 2024, the FZOEU published a new public call for direct co-financing of the removal of waste discarded into the environment, which also includes speleological objects.

Recommendation 122 (reiterated)

The Ministry of Environmental Protection and Green Transition, the Ministry of Health and Croatian Waters, to prepare an analysis of the effectiveness of measures for the protection of springs and water pumping stations

Citizens disputed the health safety of water intended for human consumption in the area of the public supplier Vodovod i kanalizacije d.o.o. in the City of Karlovac. Namely, due to construction works on the renovation of communal infrastructure and the reconstruction of the water supply network, water turbidity occurred, and citizens also pointed to elevated

manganese values. The problem has been present for several years, and the public water service provider received 150 complaints in 2022, 346 complaints in 2023, and 626 complaints by the end of November 2024, of which 562 were justified. The most common cause of complaints is the yellow colour of the water, and sometimes its smell. After the flushing of the main pipeline at the end of October 2024 and the planned one-way flushing in certain parts of the city, the number of complaints decreased. Manganese was measured at its request in one household, and a tenfold increase in the permissible values was determined. According to official data, the cause is pipes in the building, but the citizens' initiative believes that the cause is increased manganese values in the water pumping station in Gaza 1. A thematic session of the Committee on Environmental and Nature Protection in the Croatian Parliament was also held, at which citizens expressed doubts about the health safety of turbid water. We continue to monitor the possible harmful effects of water turbidity on the health of citizens and to take measures to protect the water environment and water pumping stations.

Further efforts are needed to protect parts of nature outside protected areas. Although Art. 216 par. 1 point 1 of the Nature Protection Act authorises nature protection inspectors to inspect the protected

part of nature, the area of the ecological network and other parts of nature. The investigation procedures we carry out show that the supervision of "other parts of nature" is not carried out. Thus, in the case of the embankment of the seashore, despite the finding and opinion of the court expert for nature protection on the destroyed habitats of marine species (and pen shells) at the site of the project, the nature protection inspection did not inspect the recommendation of the Ombudswoman from 2022, stating that the project is located in an unprotected area.

We reiterate the importance of bees for biodiversity conservation. In 2024, there was a bee death in Konavle, on the occasion of which the veterinary inspection of the DIRH determined the presence of parasitic disease as a possible cause of death, but the agricultural inspection did not act, so it is not known whether this plague occurred due to the inappropriate use of pesticides. Continuous inspections of the proper application of plant protection products and cooperation between DIRH, the Ministry of Agriculture, Forestry and Fisheries and beekeepers are necessary to prevent future bee deaths.

Protection against noise, light pollution and non-ionising radiation of base stations

Citizens, civic initiatives, associations and local self-government units are increasingly complaining about excessive noise from industrial plants, especially due to night work, and inadequate or unimplemented noise protection measures. They express dissatisfaction with the manner and conditions in which authorised persons measure noise, i.e., measurement at a time when it is not the strongest, when not all equipment and devices that create it are used, and at measuring points that are not most exposed to noise. In addition to preventing the exercise of the right to private and family life, excessive noise also harms health. In their complaints, citizens often point out that they suffer from headaches and insomnia due to excessive noise.

"Re-measurement of noise on 31/01/2024 at three locations in ... This time, the company's metricists carried out ... The plants were silenced, there was almost no external transport, and the responsible persons did not supervise the operation of the plants. Both surveyors were with us. Falsified conditions again! I mentioned it to the surveyors, but that conversation didn't bode well."

In 2024, the Sanitary Inspection of the DIRH conducted 1,033 inspections of excessive noise, mainly in catering facilities, industrial plants and craft production plants. The frequency of the problem of excessive noise is indicated by 317 decisions ordering acoustic noise measurement, the implementation of noise protection measures and the prohibition of using noise sources until the implementation of protection measures. In some complaints, it is indicated that on the eve of the expert opinion, the owners of the buildings adjust the working conditions, which results in a measured permissible noise level. In measured excessive noise, sanitary inspectors sometimes extend the deadlines for implementing noise protection measures to continue the activity. Effective noise protection is possible if the measurements are carried out at the time and place where the noise is the strongest, in the period in which all sources of noise are used, and by, if necessary, imposing and prohibiting the performance of activities until the necessary protective measures are carried out, as well as by supervising legal persons authorised for professional noise protection activities.

Light pollution is a global problem that can harm the health of citizens, biodiversity, and the ecological system and lead to excessive electricity consumption. However, this pollution has not yet been sufficiently recognised, as the DIRH conducted 25 inspections in 2024, with 24 reports being forwarded to the municipal police for competent action.

Protection against light pollution is regulated by the Act on Protection against Light Pollution, the Ordinance on Illumination Zones, Permissible Lighting Values and Methods of Management of Lighting Systems, the Ordinance on Measuring and Monitoring the Illumination of the Environment and the Ordinance on the Content, Format and Method of Drafting the Lighting Plan and the Action Plan for the Construction and/or Reconstruction of Outdoor Lighting. Acting on complaints about light pollution, we noticed inconsistencies in the interpretation and application of these regulations by individual local self-government units and DIRHs. Therefore, we welcome the interpretation that the Ministry of Education, Education and Sports submitted at the beginning of 2025 to the DIRH, the Ombudswoman, the Association of Cities in the Republic of Croatia, the Association of Municipalities in the Republic of Croatia and municipalities, regarding the competencies of DIRH inspections and municipal wardens in the implementation of supervision.

In 2024, we received fewer complaints about the placement of mobile operators' base stations near the areas where people live or work, and their possible adverse impact on health. According to HAKOM data, all 36 measurements met the Ordinance on Protection against Electromagnetic Fields requirements, which is almost the same situation as in 2023. The DIRH Building Inspection received 11 reports, carried out eight inspections, initiated inspection proceedings against seven investors, issued four decisions on removing the base station and filed three indictments for using the base station without an operating permit, which is fewer reports and actions than in 2023.

Experiences of CSOs

CSOs play a significant role in environmental protection, but unfortunately, they still face numerous challenges in their work. The UN defines environmental defenders as individuals and groups who, in their personal or professional capacity and a peaceful manner, seek to protect and promote human rights related to the environment, including water, air, land, flora and fauna.

The Special Rapporteur on environmental defenders under the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) points out that the authorities, the media and the public should focus more attention on what environmental defenders say, i.e. on the problems they point out. Much attention has been paid to how they express their peaceful environmental activism and civil disobedience, which is their right.

Some CSOs also point to the problem of exposure to the complexity of court proceedings and the uncertainty of their outcome, as well as emotional and financial exhaustion and intimidation, all of which can have the characteristics of a SLAPP lawsuit. They also point out that in 2024, several procedures have been initiated in which public participation in environmental procedures is enabled, more precisely, the environmental impact assessment for projects that are already in operation, and the expediency of organising public consultations for the "intended intervention in the environment" is questioned, when the intervention has been done for several years. It is possible to file a lawsuit against

the decision on the project's acceptability for the environment in the administrative court, but the question arises regarding the effectiveness of such judicial protection.

Recommendation 123

Judicial Academy, to continue to educate judges in environmental law

CSOs state that there has been no improvement in the availability of information on environmental impact assessment procedures and that the authorities responsible for environmental procedures do not have the practice of publishing amended documents, such as environmental impact studies or environmental protection

studies, based on which they make their decisions. They point out the implementation of several public consultations lasting less than 30 days. They point to the need for easier access to information on environmental procedures and warn of the restrictive interpretation of public authorities on what this information entails, the frequent denial of requested information, i.e. the reference to the exercise of the right of access to information in administrative proceedings. They warn of non-compliance with the principle of urgency in resolving environmental disputes and violating the precautionary principle.

We are monitoring the actions of the citizens' initiative that in 2024 pointed out irregularities in the work of the factory of the company PhatenPlastic Recycling d.o.o. in Vrginmost, and together with Zelena akcija, repeatedly protested in front of the factory plant due to environmental pollution. We follow the treatment of environmental activists who protested against the LNG terminal on the island of Krk and the activists of the civic initiative in Pula after the attempt to prevent logging in Valkane, which we write more about in the chapter on human rights defenders.

In 2023, the Sunce Association from Split filed a lawsuit for the protection of the public interest against the then MGOR, to protect the right to a healthy life and environment of the residents of Dugi Rat due to exposure to deposited slag, and the court proceedings are ongoing.

3. Protection of whistleblowers

The Act on the Protection of Whistleblowers of 2019, as well as the currently valid Act on the Protection of Whistleblowers (ZZPN) of 2022, entrusted the Ombudsman with the mandate of the competent authority for external reporting of irregularities. The Ombudswoman also monitors the application of the ZZPN in internal whistleblowing procedures, through the notification of confidential persons on received reports of irregularities, in cases of public disclosure, which are most common through the media and case law.

Acting within the mandate entrusted to us and considering the experience gained in practice so far, there was a need for a publication containing information on reporting irregularities. Therefore, at the end of 2023, and in 2024 at the round table, we presented the Guide for whistleblowers, primarily intended for whistleblowers, but also for confidential persons to facilitate their handling of internal reports, as well as employers, trade unions, workers, CSOs and competent state authorities. The guide is printed and is available in virtual form on the website via the link - <https://www.ombudsman.hr/wp-content/uploads/2024/09/Vodic-za-prijavitelje-nepravilnosti.pdf>.

In 2024, the MPUDT started an information and educational campaign to raise awareness of the harmfulness of corruption and encourage citizens to actively participate in the fight against corruption, which fulfilled the recommendation from the 2022 Report. As the mandate to protect whistleblowers is largely related to the fight against corruption, as part of the campaign, we participated in round tables in Rijeka, Split, Osijek and Zagreb on the importance of anti-corruption policies at the local and regional level, which brought together experts and leaders of cities and municipalities.

We joined the Working Group on the Transposition of Directive (EU) 2019/1937 of the European Parliament and of the Council of October 23, 2019 on the protection of persons who report breaches of Union law (the Directive), within which the EC reported on the assessment of the state of transposition of the Directive in the Member States, exchanged information on activities in the implementation of the Directive and experiences on the functioning of national channels for external whistleblowing. The EC pointed out that in 2024, the material scope of the Directive was extended by the following regulations adopted at EU level: Regulation (EU) 2024/573 of the European Parliament and of the Council of February 7, 2024 on fluorinated greenhouse gases, Regulation (EU) 2024/1689 of the European Parliament and of the Council of June 13, 2024 laying down harmonised rules on artificial intelligence, Directive (EU) 2024/1760 of the European Parliament and of the Council of June 13, 2024 on corporate sustainability due diligence, Directive (EU) 2024/1640 of the European Parliament and of the Council of May 31, 2024 on mechanisms to be put in place by Member States to prevent the use of the financial system for money laundering or terrorist financing, and Regulation (EU) 2024/3015 of the European Parliament and of the Council of November 27, 2024 prohibiting products resulting from forced labour on the Union market.

On April 11, 2024, Directive (EU) 2024/1069 of the European Parliament and of the Council on the protection of persons engaged in public action against manifestly unfounded lawsuits or court proceedings ("strategic lawsuits against public action") or the so-called Anti-SLAPP Directive entered into force. It is important to emphasise that SLAPP lawsuits are directed against persons involved in public activities, including whistleblowers. The Ombudswoman is a member of the newly established working group at the MPUDT for transposing the Anti-SLAPP Directive into national legislation.

From September 1, 2024, providing emotional support to whistleblowers and others entitled to it under the ZZPN began, provided by the Rehabilitation Centre for Stress and Trauma (RTC) employees. More detailed information on the conditions and ways of providing emotional support can be found under the subheading of the same name.

After arranging the structure of the European Whistleblower Protection Bodies Network (NEIWA), we participated in the drafting of the Rules of Procedure and amendments to the Statute, in working groups aimed at exchanging experiences and practices in the protection of whistleblowers, and at the NEIWA General Assembly in April 2024. As members of NEIWA, we submitted examples of good practice to the Ministry of Justice of Romania to draft their guide on the protection of whistleblowers. We also participated in meetings with the OECD on the protection of whistleblowers and the strategic approach to corruption prevention, as part of implementing the access review of Croatia's compliance with OECD policies and standards.

At the invitation of the European Law Students' Association (ELSA) at the Winter School – "WELS 2024 Law & Business", we lectured on whistleblowers' protection at the EU level. Due to the continued interest in the free workshops, we organise for confidential persons from the public and private sectors, we organised a workshop in Zagreb in 2024, which we will continue in 2025.

As part of the project "Let's Move Croatia - Let's Create a Stimulating Environment for Whistleblowers", the Association POMAK has prepared a Report on the Perception of Corruption and Whistleblowers, according to which many respondents show confidence in reporting irregularities to the Ombudsman. As part of the project "Empowering Future Generations to Fight Corruption", the Miko Tripalo Centre surveyed the incidence of corruption aimed at young people, according to which 86 % of them believe that corruption is common in the Republic of Croatia, of which 86 % think that it is most present in politics. In comparison, almost 70 % of them believe that education about corruption and its consequences is not at all or is insufficiently represented in schools and universities.

At the invitation of the MPUDT, we participated in developing the Action Plan 2025-2027 to implement the Corruption Prevention Strategy 2021-2030 and in the Council for the Prevention of Corruption meeting, of which we are a member.

At the end of 2024, the Expert Working Group for Drafting the Proposal of the Act on Amendments to the Act on the System of Internal Controls in the Public Sector (ZSUKJS) prepared the appropriate legal amendments. This implements the recommendation from the Report for 2022 on the drafting of proposals for amendments to the ZSUKJS and the Ordinance on the Procedure and Reporting of Irregularities in the Management of Funds of Institutions in the Public Sector, given to separate the function of the confidential person from the ZZPN from the person for irregularities from the ZSUKJS. According to the plan of legislative activities, adopting the ZSUCJS is envisaged for the first quarter of 2025.

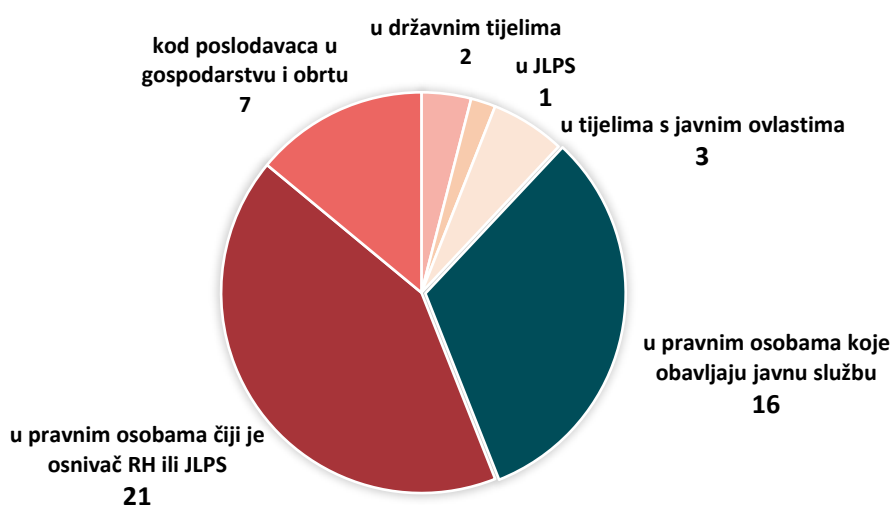
In 2024, we held several meetings with the Ministry of Labour and Social Affairs regarding the development of IT solutions for the secure submission of reports to the Ombudsman through the e-Citizens and NIAS systems, as well as a virtual assistant for navigating regulations related to corruption prevention. Work on the development of functional specifications was in the final phase at the time of preparation of this Report.

Finally, although the Ombudswoman does not give interpretations of laws and other regulations, during 2024, there were fewer individual inquiries about the application of the ZZPN, and the same was pointed out by the MPUDT, as the expert holder in the drafting of the ZZPN. Although citizens are somewhat more familiar with the existence of a legal framework for the protection of whistleblowers, there is still a misunderstanding of certain provisions of the ZZPN, both on the part of whistleblowers and on the part of the persons/bodies that apply the Act, which we write about below.

3.1. Internal reporting of irregularities

The number of notifications from confidential persons on received internal reports of irregularities increased from 38 in 2023 to 50 in 2024. Most of the notifications (21) related to irregularities in legal entities founded by the Republic of Croatia or in which the Republic of Croatia or a local self-government unit or a local self-government unit has separate or joint majority ownership, 16 irregularities in legal entities performing public service, seven irregularities in employers in the economy and crafts, three in bodies with public authority, two in state bodies and one in the bodies of local self-government units.

INTERNAL REPORTING OF IRREGULARITIES IN 2024



The notice shows that most of the reports were assessed as unfounded. We notice that irregularities outside the scope of the ZZPN continue to be reported, i.e. those that do not endanger the public interest, but violate individual rights. Certain provisions are still not understood when applying the ZZPN, both by whistleblowers and confidential persons who, although less frequently, turn to us with inquiries on how to proceed in a certain situation. Some confidential persons conduct investigations on reports that are outside the scope of the ZZPN, provide us with reports after the expiry of the 30-day deadline or that do not contain all the data necessary for effective monitoring of the application of the ZZPN. Some reports show that confidential persons acted even though the reported irregularity was subject to judicial or other competent authorities. When we noticed a lack of understanding of the ZZPN or orientation in handling the report, we pointed out the relevant provisions to confidential persons. In

the case of deficient reports, we asked for an amendment. We directed them to use the form for confidential persons, which we prepared to simplify the fulfilment of the legal obligation to submit a report on the received report and the outcome of the procedure, and to facilitate the collection of data important for monitoring the application of the ZZPN.

Confidants continue to face various challenges. Although they are obliged to examine the report and take the actions necessary to resolve it, while protecting the whistleblower, they are sometimes exposed to pressure from the employer. Thus, in 2024, we launched two investigations for possible retaliation against a confidential person. In one case, a confidential person, employed by a legal entity founded by the Republic of Croatia, reported the employer to the competent authority according to the report's content due to several identified irregularities, after which he received written warnings about the obligations arising from the employment relationship. We have established that the confidential person has suffered retaliation for acting in his capacity, while the authority responsible for supervising the implementation of the Act has initiated misdemeanour proceedings against the employer. In another case, we were contacted by a confidential person employed in a public institution, stating that due to the handling of the reported irregularities, she suffered retaliation by not being provided with the means or conditions for work, which prevented her from performing her duties, and that her employment contract was ultimately terminated. In that case, the circumstances of the appointment and dismissal of a confidential person pointed to a legal gap in the existing Act. Namely, she was appointed at the proposal of the works council under Art. 20 par. 1, item 2 of the ZZPN, but after some time, the employer dismissed her at the proposal of 20 % of the workers under Art. 20 par. 4. ZZPN. Despite the dismissal, the works council again proposed her as a confidential person, but the employer refused to appoint her because reappointment would be contrary to the purpose of the legal provisions on the appointment and dismissal of a confidential person.

Confidential persons also pointed to inadequate conditions for performing their duty. A confidential person in a public institution contacted us, stating that she had first cooperated well with the employer, but the cooperation ceased after she began to act on the reports. Her working conditions were prevented - she did not have space to work or the Internet, she conducted interviews outside the work premises, and kept the documentation at home because the employer suggested that she keep it in the office premises of other employees, which is contrary to the obligation to protect the identity of the whistleblower and the confidentiality of the data from the report.

Some confidential persons also pointed out that some employees or departments, who were supposed to investigate irregularities and provide the requested information, refused to cooperate. It is also clear from the submitted reports that some employers have not yet harmonised the Ordinance on the Procedure for Internal Reporting of Irregularities and the Appointment of a Confidential Person with the new ZZPN from 2022.

Although internal reporting aims to investigate and eliminate the identified irregularities quickly by the employer, who has the best insight into business processes, it still happens that after a confidential person finds the irregularity, the employer does not sanction the reported or applies inadequate measures. Thus, in one case, a report of irregularities due to illegal employment was found to be well-founded. However, the employer issued only a written warning to the reported person, refusing to impose a harsher sanction even after the Supervisory Board instructed him to remove the reported person from the managerial position at the proposal of a confidential person. After filing a second report

regarding the same type of irregularity, the reported person ultimately signed an amicable termination of the employment contract.

Some employers still find it difficult to find a person willing to perform the duties of a confidential person, which is a consequence of the complexity of this job and the unenviable position in which confidential persons can find themselves. Sometimes, a person has been appointed to deal with internal reports without written consent. Thus, a person employed by a legal entity founded by the Republic of Croatia stated that the employer appointed him as a "temporary" confidential person without her consent, which she opposed and did not want to perform this duty. Following the opinion of the then MPU as the expert holder of the law, the temporary appointment of a third party bridges the time required for the appointment of a confidential person and his/her deputy, and therefore, only the confidential person and his/her replacement must give written consent to the appointment. Although a temporarily appointed third party should consent to their appointment, the ZZPN does not prescribe this as a condition. In doing so, the employer who appoints a third party to temporarily perform the duties of a confidential person must continue to undertake actions to appoint a confidential person and his/her replacement.

The above indicates that it is extremely important to provide confidential persons with adequate working conditions, adequately protect them from retaliation or pressure, and to harmonise their handling of internal reports of irregularities with the regular tasks of their workplace. To establish an internal reporting channel when none of the employees is interested in performing the duties of a confidential person, the ZZPN allows the appointment of a natural person not employed by the employer. This also prevents the employer from being liable for misconduct if none of the employees want to be appointed, but the whistleblowers must have confidence in the person appointed.

The complexity of the procedures carried out by confidential persons is also evident from the case in which we acted as an external reporting channel, in which the report was previously submitted to a confidential person who had not completed the handling of the report for more than a year. We pointed out to the confidential person the obligation to submit a report to the Ombudsman and asked for information on whether she had completed the procedure on the report and in what way. The confidential person ultimately conducted the procedure and submitted a report, citing the complexity of the case, the disturbed relationship between the whistleblower and the reported person, and several court proceedings related to the reported irregularities as the reason for the lengthy proceedings.

However, we find examples of the successful functioning of the internal reporting channel. During 2024, some confidential persons received several reports on which they completed their proceedings, indicating trust in their work and a well-organised internal reporting system. Reported irregularities can allow the employer to quickly eliminate them and prevent their recurrence.

Some legal entities have developed digital platforms and established sectors dealing with compliance and integrity, through which it is possible to report irregularities. However, when establishing such platforms, it is important to bear in mind that they do not exclude the obligation to establish an internal reporting channel as prescribed by the ZZPN, and that information on the internal reporting system and appointed confidential persons should be made available to all persons in the work environment in an appropriate manner.

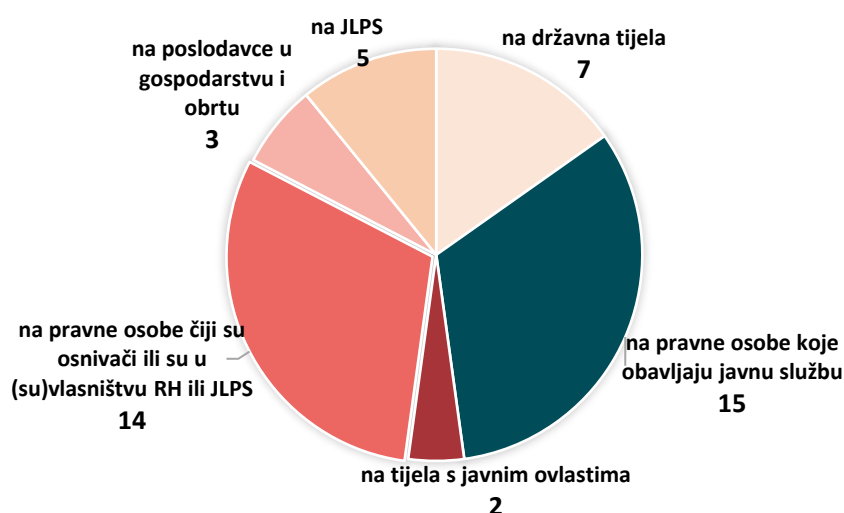
To eliminate potential irregularities, some confidential persons act more broadly than they are obliged to do by the ZZPN. Thus, the confidential person in the utility company correctly determined that the

report does not fall within the scope of the ZZPN because it was submitted by a person who cannot be the whistleblower. However, to not discourage other potential whistleblowers from failing to act, he conducted a procedure to determine whether the reported irregularities occurred. In doing so, it is important to clarify to the applicant whether the report is being acted upon based on the ZZPN or other regulations.

3.2. External reporting of irregularities

As the competent authority for external reporting of irregularities, in 2024 we acted in 46 newly opened cases - 15 related to legal entities performing public service, 14 to legal entities founded by the Republic of Croatia or in which the Republic of Croatia and/or the LGUs have separate or joint majority ownership, seven to different state bodies, five to the bodies of the LGUs, three to employers in the economy and crafts and two to bodies with public authority.

EXTERNAL REPORTING OF IRREGULARITIES IN 2024



We have also continued to act in 44 cases opened in previous years, and these are mostly cases in which proceedings are underway before the authorities responsible for acting on the content of the irregularity report, such as the State Attorney's Office, and/or an investigation is underway due to allegations of retaliation suffered by the whistleblower.

As in previous years, the actual number of external reports of irregularities is higher than the number of cases, since within some cases, there are more external reports of irregularities by the same whistleblower. Namely, one case is usually opened for each applicant for easier communication, regardless of the number of irregularities indicated in the report and their amendments. For example, in one case, several irregularities with the same employer were pointed out simultaneously, for which three different authorities were competent. Subsequently, new irregularities were pointed out for which four different bodies were competent, and nine amendments and two subsequent reports were submitted after the initial report.

Looking at the structure of cases, in 2024, whistleblowers in the so-called public sector were more inclined to report irregularities, using the internal and external reporting systems equally.

The duration of the actions of the authorities responsible for the content of reports of irregularities sometimes causes dissatisfaction of the whistleblower and can call into question the effective application of the ZZPN, as we have pointed out before. The complexity and voluminousness of some notifications and frequent additions certainly contribute to the length of procedures. However, in some cases, there are no objective reasons for the length of the proceedings, especially in the case of irregularities supervised by state administration bodies, such as ministries. Namely, in addition to the fact that whistleblowers use the safe reporting channels provided by the ZZPN to protect themselves from retaliation that they could experience in the work environment, they primarily report irregularities to identify and eliminate them, and the perpetrators to be sanctioned. Otherwise, the meaning of reporting is lost, and the purpose intended to be achieved by the ZZPN - creating an enabling environment for reporting irregularities - is missing. That is why the ZZPN enables whistleblowers to obtain timely and appropriate feedback on the actions of the authorities competent for the content of the reports. Although the ZZPN does not explicitly prescribe a time frame for implementing the procedures of these bodies, it is expected that they act promptly and deliver the notifications prescribed by the ZZPN within the stipulated deadlines, to inform the applicants about it.

In the 2023 Report, we recommended to the Government of the Republic of Croatia to issue instructions to state administration bodies on the need to act on reports of irregularities in a timely and efficient manner, when they are competent to act on the content of the report, and to provide us with notifications on the action taken and the outcome of the action within the legal deadlines. The MPUDT informed us that in 2024, it reminded state administration bodies of the obligations under the ZZPN, especially regarding establishing internal reporting channels and the need for timely and efficient handling of reports from all bodies competent according to the report's content. It also reminded them of the legal obligation to inform the Ombudsman about the received reports, the actions taken and the outcome of the handling of internal reports, as well as the content of the investigation of irregularities reported through an external channel.

Received reports can still cover, in part or in full, irregularities that do not fall within the material scope of the ZZPN, such as violations of individual employment rights or copyright violations that do not jeopardise the public interest. Reports were also submitted by persons to whom the ZZPN does not apply because they do not meet the legal definition of a whistleblower, given that they did not learn about irregularities in their work environment. We continue to receive anonymous reports, often without return contact information, so we cannot ask for additional information about the whistleblower and provide general legal information on the application of the ZZPN. It is important to emphasise that such reports cannot be treated according to the ZZPN, i.e. that persons who want protection under that Act must state their data (name and surname and contact address) in the report to the Ombudsman, which is the mandatory content of the report.

The mandatory content of the report also includes information about the irregularities themselves. They should contain clear and specific indications of the act or omission, when it occurred, who is responsible and whether there are witnesses or documentation to support them. However, reports often do not contain this, although specific and clear information on irregularities, unlike, for

example, value courts, is a prerequisite for effective action by the authorities responsible for the content of the reports after they have been forwarded to them by the Ombudsman.

Acting as the competent authority for external reporting of irregularities, we are obliged to protect the identity of the whistleblower and the information from the report from unauthorised disclosure to other persons. The whistleblower's identity, the data based on which the whistleblower can be disclosed, and other data from the report are available only to the persons in charge of receiving and further processing the reports. Although the obligation to protect the identity and data from the report also obliges persons who work on reports of irregularities in the bodies competent according to the content of the reports, whistleblowers sometimes explicitly request that the Ombudsman protect their identity when forwarding the report for further action to these bodies. In such cases, we anonymised the reports and accompanying documentation so that the whistleblower's data would not be visible, as well as data that could indicate his identity, such as his place of work, place of work, date of certain events, etc. However, the ZZPN allows the disclosure of information on the identity of whistleblowers when the whistleblowers agree to it, as well as when it is a necessary and proportionate obligation imposed by EU or national law within the framework of investigations by national authorities or within the framework of court proceedings, among other things, to protect the rights of defence of the reported person. In such a case, the person revealing the identity shall inform the reporting person in writing in advance and state the reasons for disclosing confidential information, unless this would jeopardise related investigations or judicial proceedings.

A challenge was posed by cases in which the reported persons themselves became whistleblowers and pointed out irregularities for which they considered responsible the very persons who had previously filed reports against them. In some cases, they simultaneously indicated that they were suffering from retaliation, but these were actions of the employer taken after the well-founded complaint that had previously been filed against them was established. Therefore, they failed to make it plausible that they would suffer retaliation in the work environment for reporting irregularities.

In some cases, the reported persons tried to discredit the whistleblowers by filing reports of irregularities against them, and against some whistleblowers, the employer or the reported persons tried to initiate proceedings for misdemeanours referred to in Art. 37 of the ZZPN (reporting or public disclosure of information that a person knows to be untrue), in which, according to the available information, they have not been successful so far.

In 2024, we were also contacted by applicants who submitted reports before the entry into force of the ZZPN in July 2019, indicating that the bodies to which they submitted reports did not take appropriate action or had no knowledge of it. Some also pointed out that they continuously suffer consequences in the work environment due to previously submitted reports. Given that the laws of 2019 and 2022 are not applied retroactively, these whistleblowers had, and still have, protection mechanisms provided for by other regulations, such as the Labour Act, the ZDS, the CC, etc., which were also in force at the time of filing the reports. Also, these legal protection mechanisms were applicable when it was impossible to apply the ZZPN because the whistleblowers did not use the reporting channels prescribed. However, they submitted the reports to their superiors, colleagues or other persons/bodies within the employer or directly to the authorities responsible for acting on the content of the reports. The same applied to persons who first publicly disclosed irregularities, although the conditions stipulated by the ZZPN were not met, which we will write more about in the section on public disclosure. Therefore, we regularly

pointed out the importance of using the prescribed reporting channels and other conditions for obtaining protection under the ZZPN to all potential applicants who contacted us while they were considering whether to file a report, so that they would not be left without the protection provided by the ZZPN due to procedural errors.

We also emphasised the importance of using the reporting channels prescribed by the ZZPN and informing about them in the Report for 2023 through a recommendation to the City of Zagreb to clearly state in the ZG Whistleblower platform that reporting irregularities through this way is not considered external reporting of irregularities according to the ZZPN, which was adopted.

Some whistleblowers, whose identity was known in their work environment and who reported that they were suffering revenge, indicated that they were approached by colleagues who also noticed certain irregularities, but were not ready to report them in person, but asked them to do so, believing that they had already exposed themselves and that they had nothing to lose. This indicates that there is still a fear of reporting irregularities due to possible retaliation and that it is necessary to strengthen the reporting culture and effective protection of whistleblowers.

In 2024, we conducted investigations in ten cases, seven of which were initiated in previous years, in which the applicants indicated that they were suffering retaliation, for example, that they were reprimanded, that untruths were publicly presented about them, that they were denied work tasks, they were harassed, burdened with additional jobs, they were asked for numerous statements on the performance of work tasks, They receive lower performance grades and termination of employment contracts. We have completed the proceedings in four cases and have imposed two measures - an opinion to the employer from the private sector who exposed the applicant to retaliation, and a recommendation to the employer, a public institution, which has been implemented. In the latter case, the unfavourable treatment of the whistleblower could not be brought into a causal link with the reporting of irregularities. However, it was established that the employer, despite the legal obligation, did not adequately make information on internal reporting of irregularities available to all persons from the work environment, thus making it impossible to use this reporting channel.

3.3. Public disclosure

Art. 26 of the ZZPN prescribes that a whistleblower who publicly discloses irregularities has the right to protection if, after internal and external reporting, appropriate measures have not been taken within the legal deadlines, or if the whistleblower has reasonable grounds to believe that the irregularity is an imminent or obvious danger to the public interest, as in the case of a crisis or a risk of irreparable damage, or the case of external reporting, there is a risk of retaliation or due to the circumstances of the case, there is a low chance that the irregularity will be prosecuted. Irregularity can be effectively removed.

In 2024, fewer public appearances of persons who pointed out illegal actions were noticed. At the same time, not every person who is called a whistleblower by the media after publicly speaking out about illegalities is necessarily covered by the ZZPN.

At the beginning of 2024, emergency medical workers posted a video of the poor condition of ambulances on social networks, which was then transmitted by the media. An employee who is also a trade union commissioner sent a letter to the company that purchased and equipped two defective vehicles, pointing out that the technical design of the vehicles endangered the lives of patients and employees. After the letter was delivered to the county councillors, the director of the institute and the director of the named company accused the employee at a press conference of scaring the public and causing damage to the county as the client of the vehicle, threatening him with sanctions. The employee publicly called out the county institute for a warning before dismissal after publicly pointing out irregularities.

In February 2024, the business director of the public institution stated in the media that she wanted to share information about the irregularities she had witnessed. She stated that she worked in jobs not in her job description, pointed out abuses in the allocation of state apartments to privileged employees of the institution, the conclusion of disputed contracts for work, spending public money for personal and family purposes, financial embezzlement and other illegalities. After her appearance in the media, the business director pointed out that she had received a warning before dismissal and threats of criminal prosecution if she continued to speak publicly. She also stated that the situation culminated after she gave a statement regarding a criminal complaint against her employer for illegal spending of public money, after which the deputy mayor showed interest in her medical record, given that she was on sick leave.

At the same time, the media continued to cover cases of the public pointing out illegalities, over which court proceedings were initiated with different outcomes. In some cases, the court ordered the return to the workplaces of those who pointed out illegalities, while in others, unfavourable decisions were issued for the whistleblowers, such as the director of a city company who reported corruption and influence peddling. Also, at the end of 2024, the media reported that the verdict was overturned, which determined that the dismissal of the director of the city company due to reports of serious embezzlement was legal. The media report that in the explanation of this verdict, it was pointed out that the importance of protecting whistleblowers and the social importance of combating corruption in public companies are placed before the strictly formal provision of the Companies Act, which states that the supervisory board has the right to dismiss the director at any time.

3.4. Case law

Judicial protection is one of the rights of whistleblowers under the ZZPN, so to monitor the effectiveness of this Act and the protection of whistleblowers, it is necessary to monitor and analyse court practice. We tried to collect information on court proceedings and decisions from courts, MPUDT, bodies authorised to initiate misdemeanour proceedings, whistleblowers who were parties to court proceedings and from the media.

In the 2023 Report, we recommended that the ICTYA amend the Court Rules of Procedure to assign a special designation to cases conducted based on the ZZPN and in which the parties refer to the ZZPN to keep special records and statistical data on them. The MPUDT pointed out that instead of amendments to the Court Rules of Procedure, through the information system applied in courts in cases concerning whistleblowers, they will be marked as such. Thus, in 2024, amendments to the Work Regulations in the eSpis system prescribe that in the files for the protection of

whistleblowers, it is registered that this is the specified type of case. These amendments were not enacted until December 2024, so data will only be collected for 2025. Therefore, for 2024, we collected data on these court cases from the MPUDT, courts, parties and bodies authorised to initiate misdemeanour proceedings under the ZZPN, and from the media.

According to MPUDT data, in 2024, three proceedings were initiated under the ZZPN and four were resolved, all before municipal courts.

According to the DIRH data, the Labour Inspectorate acted on the reports, which mainly related to the failure to appoint a confidential person and/or deputy for receiving reports of irregularities and conducting the procedure related to the report, as well as the failure to adopt a general act regulating the procedure for internal reporting of irregularities and the appointment of a confidential person. In 2024, labour inspectors initiated proceedings for 11 violations prescribed by the ZZPN. The Education Inspectorate conducted three inspections and ordered schools to adopt a general act regulating the procedure of internal reporting of irregularities, as well as the appointment of a confidential person, and one indictment was filed for the same circumstances.

The courts we contacted to provide data on cases in which the ZZPN applies, except for the Municipal Labour Court and the Municipal Misdemeanour Court in Zagreb, replied that they have no such cases recorded.

The Municipal Labour Court informed us that in 2024, two new cases were received to protect whistleblowers and seven were unresolved.

In 2024, the Municipal Misdemeanour Court in Zagreb decided in five cases initiated based on the ZZPN. Two final convictions were issued for failing to adopt a general act regulating the procedure for internal reporting of irregularities and the appointment of a confidential person and his/her replacement two months after the entry into force of the ZZPN, and for failing to appoint a confidential person and his/her replacement within three months of the entry into force of the ZZPN. A final acquittal verdict was also passed. The completed proceedings lasted less than six months and are ongoing in two cases.

The acquittal was passed in the proceedings initiated by the employers against a former employee, for whom he claimed that in the report of irregularities to the Ombudsman, he presented information that he knew to be untrue, thus jeopardising his reputation. The court, among other things, found that the indictment did not contain a specific description of a possible offence and the defendant was acquitted.

Although the procedures for the protection of whistleblowers and other persons exercising the right to judicial protection under the ZZPN are urgent, in some civil cases, more than a year has

elapsed from filing the lawsuit to the first hearing. This is demotivating for whistleblowers, especially since they can suffer a violation of their rights throughout the proceedings. Lengthy court proceedings also exhaust them financially, especially if they had to seek judicial protection in revenge for reporting irregularities, which they tried to protect the public, not the personal interest. At the same time, they can obtain secondary free legal aid only if they meet the conditions of the ZBPP.

Recommendation 124

Municipal, commercial and administrative courts should pay special attention to the urgent resolution of disputes in the procedures of judicial protection of whistleblowers, related persons, confidential persons, and their deputies, per Art. 28 par. 3 of the Act on the Protection of Whistleblowers

Recommendation 125 (reiterated)

Ministry of Justice, Public Administration and Digital Transformation and the Judicial Academy, to continuously train judicial officials on applying the Law on the Protection of Whistleblowers.

According to the Ministry of Labour and Social Affairs data, in 2024, three trainings were held at the DSJU, which were attended by civil servants, public servants and employees of legal entities with public authority who perform the duty of confidential persons or deputies.

The Judicial Academy held three workshops on the topic of the Law on the Protection of Whistleblowers, in Varaždin, Rijeka and Split, which were attended by 40 participants from the ranks of judges and court advisors from municipal, county, commercial and administrative courts, as well as deputies and state attorney's advisors. Two workshops were also held, in Varaždin and Zagreb, which 41 participants attended. We welcome the holding of training on the protection of whistleblowers, which needs to be continuously carried out to monitor changes in the normative framework and the development of case law at the EU and national levels.

In 2024, a second-instance decision was made in the case initiated due to the recall of the plaintiff from the director position after she reported irregularities. The first-instance verdict was reversed with the explanation that the plaintiff reported irregularities, which occurred a year earlier, after it became certain that she would be recalled from the director position because her business report was not accepted. It was assessed that it is impossible to invoke protection under the ZZPN because this would enable persons who knew about irregularities, but did not immediately report them, to prevent legal persons from making decisions on the company's management under the Companies Act. The second-instance court also found that the defendant's decision to amend the Ordinance, which abolished the plaintiff's position, was made in a lawful procedure and could not constitute a harmful act or unlawful conduct. The prosecutor announced that she would file extraordinary legal remedies against the verdict and ultimately address the Constitutional Court of the Republic of Croatia.

However, this judgment does not mean that the report of irregularities was unfounded, since the information from the report is acted upon by the authorities competent according to the report's

content, after the whistleblower dared to report regardless of the possible negative consequences for her.

In looking at actions that may indicate revenge, the Constitutional Court U-III-7286/2022 decision of October 24, 2024, is significant. In the present case, the supervisory board relieved the plaintiff of his duties as director and terminated his employment contract. In the lawsuit, he sought a declaration of nullity, alternative annulment of the decisions of the supervisory board and reinstatement, stating that his recall and dismissal occurred due to the influence of the then mayor on the members of the supervisory board, because the mayor asked him to rig public procurement procedures, which he refused. Recordings of their conversation made by the prosecutor were published in the media.

The first and second instance courts held that the decisions of the supervisory board were not contrary to the Constitution, mandatory regulations or morality, and that, according to the Companies Act, members of the company could recall members of the management board at any time. The Constitutional Court pointed to the provisions of the ZZPN on the prohibition of placing whistleblowers in a disadvantageous position, the right to protection and assistance, as well as the fact that the courts avoided commenting on the merits, reducing the case to the issue of the formal regularity of the session of the Supervisory Board. He reiterated the earlier view that excessive formalism in decision-making/judging exists when legal positions are the product of the mechanical application of positive law, without considering the context and the legal problem as a whole. The Constitutional Court assessed that the plaintiff's right to a fair trial was partly violated due to the right to a reasoned decision; the decisions of the ordinary courts were annulled, and the case was returned for retrial.

Case-law of the European Court of Human Rights

Although the first decisions relating to the Directive and the national laws of the Member States implementing the Directive have not yet been adopted, the case-law of the EAFRD relating to the infringement of Art. 10 of the Convention (right to freedom of expression) in cases of so-called whistleblowers is an important landmark for national courts and other bodies that protect whistleblowers. In 2024, a decision was made in the case of *Hrachya Harutyunyan v. Armenia*, which we briefly explain below.

Hrachya Harutyunyan v. Armenia - 15028/16, judgment of 27.8.2024.

The applicant, the former head of the Security and Administration Department of Electric Networks of Armenia, reported the alleged corrupt actions of a former colleague through an internal whistleblowing channel, which the company established with the promise of anonymity and confidentiality. However, his report was forwarded to the accused colleague, who filed a lawsuit for insult and defamation. The national courts found the applicant guilty and ordered him to apologise publicly and pay damages of 3,500 euros. As a result, his apartment and car were confiscated.

The ECtHR applied the general criteria and principles of the cases of *Guja v. Moldova* (no. 14277/04) and *Halet v. Luxembourg* (no. 21884/18) and stressed that the protection of whistleblowers also

applies to former employees, especially when they report information of public interest that they obtained at work. The ECtHR assessed that the national courts did not consider the context of whistleblower protection, but treated the case as mere defamation. The ECtHR found that the applicant had used an internal reporting channel, acting in good faith to detect irregularities, that the report had included allegations of abuse of office and corruption, which are information of public interest, but that his confidentiality had not been ensured, resulting in a violation of his rights. The sanctions against the applicants, including the confiscation of assets, were disproportionate and unnecessary in a democratic society. Therefore, the ECtHR found a violation of Art. 10 of the Convention, which guarantees freedom of expression.

3.5. Emotional support for whistleblowers

Based on of the Public Call for Financing the Emotional Support Program for Whistleblowers, published on January 8, 2024, the MPUDT concluded an Agreement on the Provision of Emotional Support and the Allocation of Financial Resources for the Emotional Support Program with the Rehabilitation Centre for Stress and Trauma (RTC), which created the prerequisites for the exercise of this right. It is a CSO providing professional psychological support and psychosocial counselling for 30 years.

The provision of emotional support to whistleblowers, related persons, confidential persons and their deputies, as one of the rights provided for by the ZZPN, began on September 1, 2024.

According to RTC data, in 2024, five people asked for emotional support by referring to the ZZPN. Two people were assessed as meeting the requirements of the Act, and support was provided to them, both live and via video call. In one case, the support was provided on a one-off basis; in the other, it was provided continuously.

Whistleblowers who contacted RTC reported emotional turmoil, stress and anxiety, depressive symptoms, feelings of helplessness, anger, frustration and rage, sleep disturbance, isolation and alienation, fears, worry, exhaustion, fatigue, physical disabilities, distrust of authority and institutions, long-term unemployment and financial insecurity, shame, stigmatisation and discrimination. Whistleblowers have also pointed out this type of problem to the Ombudswoman, which indicates that, as stated by RTC, there is a real need for emotional support, and in some cases, possibly for psychological help and support for whistleblowers. Therefore, in the procedures we conduct based on the ZZPN, we inform the applicants and confidential persons, who are also in direct contact with them, that a system of providing emotional support has been established and who provides it.

From the requests and inquiries of potential users of emotional support, it has been noticed that people who turn to the RTC are not sufficiently informed about the ZZPN and do not know what to do when reporting irregularities to enjoy the rights under the Act. We point this out in our annual reports, which we have come to by monitoring the functioning of internal reporting channels, cases of public disclosure, court proceedings and performing the tasks of the body responsible for external reporting of irregularities. That is why we continuously hold and participate in training on the application of the ZZPN and provide general legal information to all potential whistleblowers who contact us, and in 2024, we published a Guide for whistleblowers.

4. Police Treatment, Rights of Persons Deprived of Liberty and the Operation of the National Preventive Mechanism

4.1. Police system

Based on the ombudsman's mandate and the mandate of the national institution for the protection of human rights, per the powers from the Ombudsman Act, the Ombudswoman acts on complaints about police conduct and in cases initiated on her initiative. Based on the mandate of the National Preventive Mechanism (NPM), in accordance with the powers from the Act on the National Preventive Mechanism for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, it preventively visits places where there are persons whose freedom of movement is restricted, i.e. police stations and detention units. The work by objects is shown in the first part, and in the second, the insight gained through preventive visits.

4.1.1. Protection of citizens' rights in police proceedings

The complaints received related, among other things, to the conduct of police officers in determining misdemeanours, for example, in interventions in disturbing public order and peace and in determining the circumstances of traffic accidents. Citizens often complain about omissions in conducting eyewitnesses and failure to conduct informative interviews with all participants in the event. They also point out the bias of police officers during interventions and the inability to take all measures and actions to establish the facts, which results in the filing of an indictment against all participants in the event.

Citizens also point to unprofessional and impolite communication of police officers when filing reports and during interventions, as well as inadequate conduct of police officers when reporting harassment, often stating that police officers relativise the report and that there is then no appropriate reaction and treatment.

In 2024, the problem of identifying police officers suspected of unprofessional/illegal conduct has recurred, which we also pointed out in the 2022 Report, when we recommended that an effective way of identifying police officers during police treatment be introduced. A video was published in the media, from which it is evident that police officers approached the vehicle that was the subject of a police chase and flew off the road, pulled the driver out and knocked him to the ground, after which several police officers kicked the driver, which continued even after the driver was fixed on the ground. It follows from the statement of the Police Directorate that they cannot establish the identity of police officers and that they will use the video for educational purposes to point out the unprofessional behaviour of officers.

About the recommendation from the Report for 2022, the Opinion of the Government of the Republic of Croatia states that Art. 17 degrees 2 of the Law on Police Affairs and Powers prescribes that every

police officer in uniform is obliged to present himself by showing a badge and an official ID card at the request of the person to whom he or she will apply the authority, while in para. 3 stipulates that a police officer shall not present himself if the circumstances of the application of police authority indicate that this could jeopardise the achievement of their objective. It was also pointed out that the Ministry of the Interior is implementing a pilot project, e-Kiosk, the completion of which will facilitate the identification of police officers in the application of police powers.

In doing so, in essence, in the Report, we did not point out the obligation of a police officer to present himself or herself to the person about whom he or she exercises police powers. However, there is a need to identify a police officer suspected of having acted unprofessionally or illegally after the application of police powers by the authorities to determine possible liability, given that there are disputable cases when police officers remain unidentified, like the above.

Therefore, we reiterate the importance of identifying police officers who may be acting illegally. Following the standards of the European Committee for the Prevention of Torture and Inhuman or

Degrading Treatment or Punishment (CPT), the erosion of trust in police treatment can be based on impunity, i.e. the inability to identify police officers for disciplinary and criminal liability, which tacitly sends a message that such actions can be tolerated in the future. The CPT emphasises that any prohibition of torture and other forms of ill-treatment loses its persuasiveness if the officials who committed

Recommendation 126

Ministry of the Interior and the Police Directorate, to introduce an effective way of identifying police officers who are suspected of unprofessional or illegal conduct

such acts are not held accountable for their actions. Therefore, we reiterate the need to introduce an efficient way of identifying police officers in case of suspicion of unprofessional or illegal conduct to determine possible liability.

In this sense, the announcement of the project that plans the procurement and use of the so-called body cameras, as one of the possible solutions to the problem of identification of police officers, which also allows for a subsequent insight into the procedure itself, is positive. Their application can reduce the risk of violating citizens' rights and facilitate proceedings against officers who act unprofessionally, but also protect police officers in case of unfounded complaints about their work, as well as reduce the risk of attacks on police officers.

The implementation of the pilot project "E-police" in 2015 also included the wearing of cameras on the uniforms of police officers, precisely for better supervision of the treatment of citizens, but also the possibility of protecting officers from unfounded complaints. The experience from the project shows the necessity of a higher level of technical preparation and education before implementing a new project, so that police officers are trained in the proper use of cameras and are aware of their use. Otherwise, there is a risk that the result of the new project will not fulfil its purpose. In this regard, we would like to point out that in the cases in which we requested the submission of a recording of the proceedings at the time of the implementation of the project in 2015, we did not receive them, with the explanation that the proceedings were not recorded. Therefore, it is necessary to ensure that the use of so-called body cameras is mandatory in all police proceedings, to eliminate suspicion of their selective use and affect citizens' trust in the correctness of police procedures. It is also important to determine the appropriate period of retention of video recordings, especially concerning interventions

for which complaints have been received, and consider the duration of the complaint procedure determined by the Police Act and other possible procedures.

Citizens continue to complain to us that when they try to file a criminal complaint with the police, they are discouraged by being told that these are not criminal offences that are prosecuted *ex officio* or criminal offences in general. The CPC stipulates that a criminal complaint filed with the police will be received and immediately delivered to the State Attorney. The qualification of a criminal offence prosecuted *ex officio* and whether it is a criminal offence is within the competence of the State Attorney's Office. From the complaints received, it can be established that the police carry out a kind of "preliminary procedure" to assess whether it is a criminal offense for which they are prosecuted *ex officio*, which in the event of an incorrect assessment can lead to inadequate prosecution of the perpetrator and violation of the rights of victims. However, it follows from the provisions of the CPC that the assessment of whether the reported act is a criminal offence that is prosecuted *ex officio* belongs to the State Attorney, who, when this is not the case, issues a decision on the dismissal of the criminal complaint based on Art. 206 par. 1. point 1 of the ZKP. Therefore, we still consider it necessary for the police to consult with the State Attorney beforehand and record the same before assessing whether it is a criminal offence that is prosecuted *ex officio* and about the justification of the criminal complaint.

We also acted in the case of the arrest of activists of a civic initiative in Pula and the detention of several of them in a room intended for the accommodation of one person and in which the use of the sanitary facilities is not obscured from the view of other persons, which resulted in the violation of their privacy. Earlier, the police issued a statement stating that the premises were in line with the standards and that a 2018 report by the NPM confirmed this. This is true, but it is not clarified that the premises meet the standards when used to accommodate one person. We warned that such conduct is a violation of CPT standards.

Commission for the Work of Complaints

Citizens often state that they were unaware that, after receiving a response to a complaint regarding police treatment with which they are not satisfied, they have the right to file a complaint with the Internal Control Service, and then with the Commission for Work on Complaints.

The Police Act does not prescribe the obligation to inform the party about the possibility of further complaint, so citizens remain convinced that the procedure has been completed. This can also be brought into the context of the number of complaints received annually by the Commission for Work on Complaints (approx. 25), which is almost six times less than the number of complaints received by the Internal Control Service (approx. 150), and their number is ten times lower than the number of complaints received annually by police departments (approx. 1,500). In addition to the lack of information of citizens about the complaint procedure, a possible reason for the small number of cases that arrive at the Commission may also be the assessment of the Internal Control Service on non-compliance with the formal requirements, which is why they are not forwarded to the Commission, or due to the assessment that the complaint does not meet the requirements of the Police Act, which is why the Law on the State Administration System is applied.

An example is the case of a foreign citizen who complained to the Ministry of the Interior that the border police often stop him unjustifiably when crossing the state border. After the Directorate and the Internal Control Service responded to him, he requested that the case be referred to the Commission for consideration. The Internal Control Service rejected this, considering that the complaint was acted based on the Law on the System of State Administration, and not the Law on the Police, and the assessment that the submissions did not contain information on the place and time of application of police powers that violated the rights or freedoms of the complainant and his signature. Such an assessment did not consider that it is evident from one of the letters that the complaint under Art. 5a of the Police Act was sent to the head of the organisational unit of the Ministry of the Interior for consideration, which indicates that, although it may have contained formal deficiencies, this did not constitute an obstacle to the conduct of the procedure under the Police Act at that time (even without inviting the complainant to correct the formal deficiencies within a certain period). The reference to a possible formal defect became topical only when the case was to be forwarded to the Commission.

According to the Judgment of the Administrative Court in Zagreb Uszp-4/19-5 of December 2, 2021, under the General Administrative Procedure Act, the Ministry of the Interior is obliged to ensure that the ignorance or ignorance of the party and other persons participating in the procedure are not to the detriment of the rights to which they are entitled by law. Therefore, the complainants should be warned of the deficiency by a conclusion and given a deadline within which they are obliged to remedy it, with a warning of the legal consequences if they fail to do so, and not deny the right to further action for formal reasons, i.e. for legal protection under the Police Act.

4.1.2. Performing the tasks of the NPM

In accordance with the authority, to prevent torture and other cruel, inhuman or degrading treatment or punishment, in 2024, the NPM visited police stations in Zadar and Biograd and the detention unit in the Zadar Police Department unannounced. Cooperation with police officers during visits was satisfactory, there were no restrictions on implementing the mandate, and the NPM could inspect the data and records kept in written or electronic form without restrictions.

During the tours, the conditions of accommodation and transport vehicles were inspected, and official records were inspected. As in previous years, most of the recommendations are related to accommodation conditions, which are still not fully aligned with the Standards of Premises for Deprived Persons of Freedom of Movement of the Ministry of the Interior (Standards) and the applicable standards of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT Standards). After the tours, eight recommendations and one warning were sent.

Accommodation conditions

During the tours, it was found that the police stations have sufficiently spacious rooms to accommodate the OLS, with daylight and artificial light, ventilation and heating provided. However, there are still rooms without sanitary facilities and directly accessible drinking water, so OLS depends on police officers, which is contrary to the Standards.

The walls and floors of some rooms need repair, because there are tiles on part of the floor and on part of the wall, i.e. material that can be broken, which is contrary to the Standards. Since large investments are not required to eliminate the identified shortcomings, it is unclear why measures have not already been taken to align the accommodation conditions with the prescribed standards.

For several years, we have also been pointing out the need to introduce video surveillance or its upgrade in all rooms and spaces where OLS move or in which OLS are located (except for the toilet), but the corridors and rooms in which OLS move are still not fully covered by video surveillance. This would be an additional measure of protection against their possible abuse, as well as the protection of police officers from unfounded allegations of physical or psychological abuse or inhumane treatment. Therefore, introducing or upgrading video surveillance is a priority to address.

The detention unit in the Zadar Police Department does not have a promenade for the OLS to stay in the fresh air, which is contrary to the Standards which state that persons who are in police custody for 24 hours or longer should be provided with a day care and recreation in the fresh air, to the extent possible.

The detention unit does not have a room for the reception of the arrestee, so it is carried out in the room of the detention supervisor. Furthermore, the room for communication with the lawyer also serves as a room for the examination and medical examination of the arrestee. All of the above contradicts the Standards, which provide for a separate search room.

Rights of persons deprived of liberty

During the visits, we continue to notice that the OLS, although, they have the option of using the temporary BPP in accordance with the CPC, rarely call a lawyer, i.e. that most of them waive the right to a defense attorney, which is surprising because access to procedural guarantees in the first hours of police deprivation of liberty ensures a fair trial under Art. 6 of the ECHR, and at the same time it is an effective way of preventing possible violence. Therefore, further efforts should be made to inform the OLS about the importance of using BPP.

Medical assistance is provided upon request or when a person has visible injuries. It was established that police stations and the detention unit cooperate well with the Emergency Medical Service, which comes on call, or police officers take the person for examination.

Recommendation 127

Ministry of the Interior and the Police Directorate, to establish video surveillance in all police premises and areas, except for the sanitary facilities, where persons deprived of liberty are located and move

Recommendation 128

Ministry of the Interior and the Police Directorate, to ensure the conditions of accommodation in police premises for persons deprived of liberty, following the Standards of Premises in which persons deprived of freedom of movement reside.

Recommendation 129

Ministry of the Interior and the Police Directorate, that in the event of deprivation of liberty of a foreign national, a document shall be submitted to the case file showing that he or she has been provided with a translation into a language he or she understands.

Although police stations have a list of authorised interpreters and defence attorneys, it still happens that in cases of OLS of foreign nationals, the prescribed forms lack the signatures of the interpreters. In addition, the cases do not contain the prescribed forms in a language spoken or known by the OLS (Arrest Report, Letter of Rights) nor specify which language was used. Although it is explained that in the cases in question the police officer probably communicated in a language spoken by the OLS, we point out that the absence (of the signature) of the interpreter and the lack of forms in languages that the OLS understand, may raise doubts as to whether translation was provided during the arrest.

Transport vehicles

Recommendation 130

The Ministry of the Interior and the Police Directorate must equip vehicles for transporting detained or arrested persons with appropriate security equipment.

Most police stations have transport vehicles in working order. However, it is still observed that the vehicles in the part intended for OLS are not equipped with handrails and seat belts, which would reduce the risk of injury during transport to a minimum, which would be in line with CPT standards.

4.1.3. Status rights

The chapter Status Rights of Citizens deals with the topics of residence, acquisition of Croatian citizenship and regulation of the stay of foreigners.

Residence

The Residence Act defines Residence as a place where a person has permanently settled to exercise their rights and obligations related to life interests, such as family, professional, economic, social, etc. Residence is very important for determining jurisdiction in various legal proceedings. For example, for the registration in the state registers of the fact of birth, marriage or death, for the change of personal name, for non-contentious procedures carried out under the Family Act, for inheritance proceedings, etc.

The decision on the deregistration of residence ex officio, which is issued when the citizen does not live at the address of residence, has far-reaching consequences because it also terminates the validity of the identity card, leading to numerous difficulties in everyday life. For example, without a registered place of residence and an identity card, a citizen loses the right to health insurance at the expense of the state budget. It is possible to initiate an administrative dispute against the decision on deregistration of residence, and throughout the court proceedings, in the event of the inability to register residence at another address, the person is without an identity card to prove their identity. This indicates the need to look at the consequences that a citizen may face in such a situation and the need to find appropriate solutions. The consequences citizens face after deregistering their residence ex officio and annulling their identity card are evidenced by the case of a citizen who found herself in such a situation after

registering her brother, with whom she is in a property dispute over inheritance. According to the citizen, although she is a co-owner of the house and spends most of her time in it, her residence was deregistered and her identity card was cancelled, so she was limited in the use of numerous services, such as withdrawing money in a bank or entering institutions where an identity card must be presented. Ultimately, the citizen registered a new residence in the neighbouring building, which was legalised, and in the meantime, she received a house number.

"I am intimidated by the future uncertainties to which I am exposed because my right to reside on the property I co-own has been revoked, and my movement has been restricted because my identity has been invalid since ...

I'm scared because I don't know where to register my residence to issue an ID card, because the house at the address ... is no longer in my possession. Without an ID card, they cannot withdraw money at a bank or post office or access any public institution or hospital where an ID card is required for identification or proof of residence.

I am terrified because even though I spend most of my time every day at the address in the yard and part of the house that are available to me and of which I am a co-owner, this is not enough and legal for the Ministry of the Interior of the Republic of Croatia as my place of permanent residence, although I really reside there."

Citizenship

In the procedures for acquiring and determining Croatian citizenship, complainants often point out the lengthiness of administrative procedures, which also harms the exercise of other related rights, such as the right to health care, to work, etc. The position of the Constitutional Court of the Republic of Croatia in case U-III A-650/2022 of June 20 2024 is important, that the reasonableness of the length of the proceedings must always be assessed in the light of the circumstances of the individual case according to the criteria of the complexity of the case, the conduct of the applicant and the competent authorities, and the importance of the subject matter of the proceedings for the applicant.

In the 2023 Report, we wrote about the case of a citizen who applied to the acquisition of Croatian citizenship based on belonging to the Croatian people back in 2019, whose application was rejected by the Ministry of the Interior, after which the Administrative Court in Zagreb annulled the decision of the Ministry of the Interior in a judgment from November 2022 and

ordered to act on the operative part of the verdict within 60 days at the latest. However, the Ministry of the Interior issued a new decision only after 11 months, and the applicant did not become a Croatian citizen until the end of February 2024. Thus, although the court ordered the procedure to be conducted within 60 days, it was completed after almost 15 months from the court verdict, i.e. six years from the submission of the request, which is a clear example of the length of proceedings to the detriment of the citizen. Therefore, we emphasise the importance of respecting the legal deadlines for conducting the procedures for acquiring or determining Croatian citizenship.

Recommendation 131

Ministry of the Interior, to conduct the procedures for acquiring or determining citizenship within the deadlines prescribed by the General Administrative Procedure Act

Stay of foreigners

The Foreigners Act (ZOS) grants temporary residence for family reunification and life partnership with a Croatian citizen for two years. The novelty envisaged by its amendments is that it is granted for the same period in the case of family reunification or life partnership with a third-country national on long-term or permanent residence, granted asylum or subsidiary protection under the regulation governing international protection, or a third-country national who has been granted temporary residence, as well as in the case of temporary residence for immigration and return of Croatian emigrants.

In the amendments to the ZOS, i.e. the new Article 62a, which proposed the obligation of a third-country national to notify the police administration/station of the termination of the conditions based on which he was granted temporary residence within five days of the occurrence of specific circumstances, we proposed that the deadline be extended to 15 days, because the normative solution also provides for misdemeanour/financial sanctions for failure to meet the deadline, What's accepted.

Regarding the authorisation of autonomous residence, in the example we provided in the Report for 2022, we pointed out the ambiguities of the regulations. Namely, a foreign citizen with a residence permit based on her marriage to a Croatian citizen since 2018, a decision on the termination of residence due to the death of her husband was issued in 2021, and the possibility of granting an autonomous residence was not considered, with the explanation that she had not resided in the Republic of Croatia for a full three years.

Autonomous residence may be granted to a spouse or common-law partner, life or informal life partner, as well as to a child who has reached the age of majority, if he/she has been granted temporary residence for family reunification or life partnership for a continuous period of three years and if he/she meets the other conditions for granting temporary residence. Exceptionally, autonomous residence may also be granted to a third-country national if, at the time of the death of the person for whom he/she was granted temporary residence for family reunification or the purpose of life partnership, he/she has been granted temporary residence for family reunification or life partnership for a continuous period of three years and meets the conditions for temporary residence permit.

It follows from the current practice that autonomous residence is not granted to a foreign citizen who, even though he or she has been granted temporary residence for a period of three years in a row by the decisions of the competent authority, if his or her spouse/common-law partner/life partner/informal life partner dies after e.g. two years and one month of marriage/life partnership, which indicates that autonomous residence is exceptionally granted only if it is a marriage/common-law union/informal The partnership lasted three years continuously.

In addition, if a foreign citizen, to be exceptionally granted autonomous residence in the Republic of Croatia, at the time of the death of the person based on which he or she was granted temporary residence for family reunification or the purpose of life partnership, already had a previously granted temporary residence on the same basis for a continuous period of three years, it remains unclear why the basic provision on granting autonomous residence is not directly applied, because it is not clear what exception to the rule is the prescribed exception, since in both cases it is insisted that the foreign citizen must have previously been granted temporary residence in the Republic of Croatia for a continuous period of three years. In this context, we believe that the norm must present a clear distinction between the rule and the exception, i.e. it should be concluded from the exception that the

moment of death of the person based on whom the residence was granted in a specific case does not mean the automatic termination of residence and the obligation to leave the Republic of Croatia, if the marriage/common-law union/life partnership/informal life partnership lasted less than three years, Bearing in mind that the death of a Croatian citizen is an unexpected, unpredictable and extraordinary situation for which a foreign citizen should not suffer, therefore, we assume, an exception was prescribed.

In the case of family members of a Croatian citizen who fled Syria due to the state of war, we noticed that the provisions of the ZOS on family reunification were not applied. Namely, the applications of two adult daughters of a Croatian citizen for temporary residence for humanitarian reasons were rejected because it was assessed as a case of family reunification. In accordance with Art. 7 of the ZUP, which prescribes the principle of legal aid, when an authorised official learns or assesses in the course of the proceedings that a party has grounds for exercising a right, he or she shall warn him or her of the consequences of actions or omissions, and shall also ensure that the ignorance or ignorance of the party and others participating in the procedure does not harm the rights to which they are entitled by law. Therefore, it is unclear why the parties were not pointed to the possibility of repurposing the application during the proceedings to grant stays due to family reunification under Art. 64 par. 2 of the ZOS.

4.2. Asylum seekers and irregular migrants

The Ombudswoman protects the rights of applicants for international protection and irregular migrants through several mandates. Based on the Ombudsman's mandate and that of the national institution for the protection of human rights, per the powers prescribed by the Ombudsman Act, it also acts on complaints in cases that we have initiated on our own initiative. Based on the mandate from the Law on the National Preventive Mechanism for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, it preventively visits places where there are applicants for international protection and irregular migrants whose freedom of movement is restricted. The work by objects is shown in the first part, and in the second part, the insight gained through preventive visits is shown.

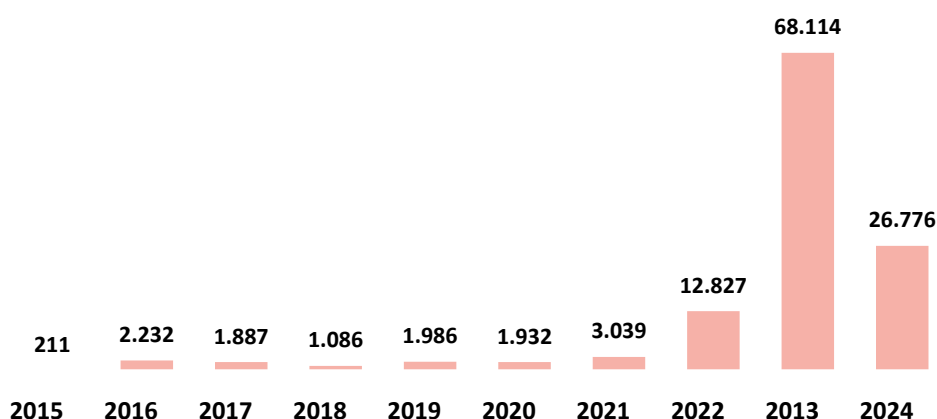
4.2.1. Protecting the rights of applicants for international protection and irregular migrants

Migration movements in the Republic of Croatia

According to data from the Ministry of the Interior, in 2024, 29,294 irregular migrants were registered in the Republic of Croatia. Of these, 5,950 people received a decision with a deadline for voluntary return, and 2,457 left the country. This means that 41.3 % of people who received voluntary return decisions left the country, which is more than in previous years (19.6 % in 2023; in 2022, 1.92 %; and in 2021, 5.63 %). Decisions on expulsion in which forced removal was ordered were received by 6,015 people.

In 2024, significantly fewer people expressed their intention to seek international protection, 60 % less than in 2023, which saw the largest increase in the number of people expressing their intention since the adoption of the first Asylum Act in 2004. In 2024, 26,776 intentions were expressed, and 1,419 applications for international protection were submitted. Eighty international protections (71 asylum and 9 subsidiary protection) have been granted. On the other hand, the procedure for 15,338 applications for international protection (regardless of the year of application) was suspended, which is in line with the trend in the past few years. Two hundred seventy-nine applicants' applications were rejected because the international protection conditions were unmet.

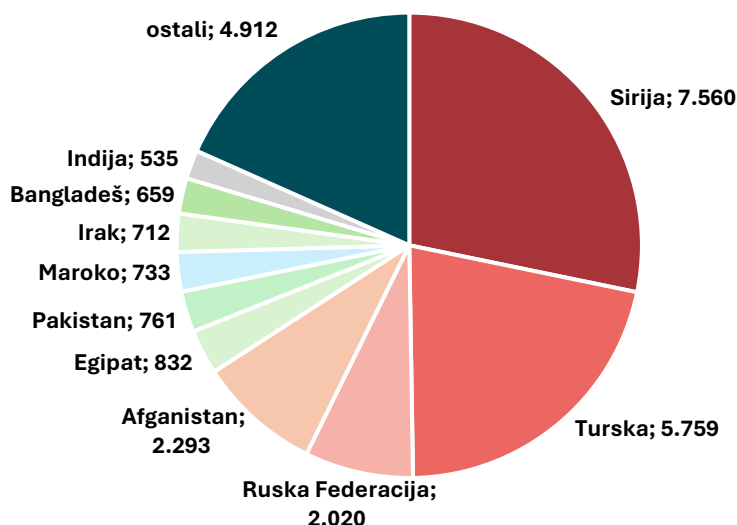
INTERNATIONAL PROTECTION SEEKERS



In most cases, intentions were expressed on the territory of the Republic of Croatia, and 3,362 were expressed during border control at the border crossing.

Most persons who intend to seek international protection in the Republic of Croatia are citizens of Syria, Turkey, the Russian Federation and Afghanistan, among whom there are 19,907 men and 6,869 women. Also, out of the total number of applicants, 4,706 are children under 13 and 2,731 are children between 14 and 17.

INTERNATIONAL PROTECTION SEEKERS STRUCTURE PER CITIZENSHIP



Despite the decrease in applicants in 2024, ensuring adequate reception capacities and material reception conditions is necessary. In addition, to ensure all reception and subsequent procedural safeguards in accordance with EU and national rules, and to identify vulnerabilities in the context of an increase in the number of applicants, an adequate number of reception officers should be recruited, as well as those dealing with international protection procedures.

In the 2023 Report, we recommended that CSOs be allowed to enter shelter facilities, which was temporarily limited by the introduction of measures during the epidemic. Although the Ministry of the Interior stated that (some) organisations are provided with access, in accordance with the needs of the applicants and appropriate spatial conditions, while others can carry out activities in their premises, interested CSOs indicate that, given the needs of the applicants who turn to them, they could more easily provide them with assistance and support in the reception facilities themselves, especially free legal aid.

In the 2023 Report, we recommended that the Ministry of the Interior increase the number of accommodation units for applicants for international protection, which should be done in cooperation with local communities, to find locations to construct new reception facilities or repurpose existing facilities. While we understand that this is a demanding process that takes a long time, it is necessary to continue making efforts that will lead to the expansion of accommodation capacities.

Recommendation 132

Ministry of the Interior, to enable a wider circle of civil society organisations to work in reception centres for applicants for international protection

This year, we have also recorded a decrease in the number of complaints about "push-back", i.e. the practice of refusing entry and removal of persons who have irregularly crossed the border without an individualised assessment of the need for protection. CSOs continue to report testimonies of people

about "push-back", and since such actions can lead to human rights violations, all allegations of these violations need to be effectively investigated.

Investigations

During 2024, we conducted several investigations on the conditions of accommodation and the exercise of rights in reception centres for applicants for international protection, access to the international protection system during deprivation of liberty in reception centres for foreigners, the length of detention of applicants, the reasons for deprivation of liberty and access to rights.

Thus, for example, we continued with the investigation initiated in 2023 regarding the complaint of the applicant for international protection, V.A., about the inadequate conditions of stay in the Reception Centre for Applicants for International Protection in Zagreb, after which we visited the reception centres in June and October of the same year. We have identified insufficient reception capacities, resulting in difficult stay conditions. Applicants were exposed to hygiene, health and other risks, especially infectious diseases due to frequent itching and bed bugs, which we wrote about in more detail in the 2023 report. In addition to sending complaints to the Ministry of the Interior and the Ombudsman, the complainant published recordings of the conditions on his YouTube channel, which was also reported by some media in the Republic of Croatia. Although the decision of the Ministry of the Interior determined that the legal conditions for granting asylum were met, his request was rejected, and one of the reasons for the refusal was the recording and public publication of recordings from the Reception Centre, which violated privacy and the right to personal data protection. The explanation also states that in public announcements, he made unfounded claims about insufficient nutrition and health care for applicants in the Republic of Croatia, which did not show a sufficient level of respect for institutions and undermined the international reputation of the Republic of Croatia. We also write about the case of this complainant in the chapter on human rights defenders. The proceedings before the Administrative Court in Zagreb regarding the lawsuit against the decision of the Ministry of the Interior rejecting the applicant's application for international protection were ongoing at the time of the preparation of this Report.

Although in 2024 the reception capacities were not as burdened as the year before due to the smaller number of applicants, complaints about accommodation conditions continued to arrive. One applicant complained that after thoroughly cleaning and painting the walls of his room in the Shelter, for reasons unknown to him, he was moved to another room, which had parasites on the bed. Another complained that as a citizen of Ukraine, he was accommodated with citizens of the Russian Federation. Procedures initiated on complaints have resulted in solving problems in individual cases. However, systematic attention should be paid to the problems of exposure to hygiene, health and safety risks, gender and age characteristics of applicants, their vulnerability, as well as measures that could affect the prevention of assaults, gender-based violence and harassment.

Migrants and their lawyers complained that they were denied access to the international protection system in reception centres for foreigners. Thus, the migrant placed in a reception centre for foreigners stated that he feared returning to his country of origin due to a possible violation of human rights, for which he asked for asylum at the reception centre, but police officers, as he stated, ignored him. Another migrant stated that he expressed his intention to apply for international protection to the police officers of the reception centre, but they did not register it, but hit him and, fearing further

injuries, he signed a document waiving his application for international protection. Both migrants could only apply for asylum after turning to a lawyer and/or the Ombudsman.

Recommendation 133

Ministry of the Interior, following the Ombudsman Act, is to submit all data, acts, and other documentation related to the submitted complaint to the Ombudsman.

Recommendation 134

Judicial Academy shall conduct training of judges of administrative courts on the prerequisites and duration of deprivation of liberty of applicants for international protection.

Recommendation 135

Ministry of the Interior, to conduct training of police officers on the prerequisites and duration of deprivation of liberty of applicants for international protection

We have also investigated an applicant for international protection placed in a reception centre for more than eight months, although Art. 54 par. 9 of the ZMPZ provides for a maximum restriction of freedom of movement of three months, with the exceptional possibility of further extension of a maximum of three months. Upon the expiration of the maximum period, instead of being released from the reception centre for foreigners, he was deprived of liberty under the Law on Foreigners (ZOS), because in the meantime, his application for international protection was denied. The High Administrative Court of the Republic of Croatia annulled the decision on deprivation of liberty, stating that the ZMPZ does not apply to him, but, given that he is an applicant for international protection until the decision on the

application is enforceable, the ZMPZ applies, based on which he was previously deprived of liberty for the maximum duration. At the same time, the Ministry of the Interior, when explicitly asked to provide us with all decisions on the deprivation of liberty of that applicant, did not provide us with the verdict of the High Administrative Court of the Republic of Croatia, which determined that the last measure of deprivation of liberty was illegal, although more than six months have passed since the verdict was issued. It should be noted that the High Administrative Court had issued a verdict with this legal understanding a year earlier. Therefore, it is necessary to educate police officers and judges of administrative courts about the prerequisites and duration of deprivation of liberty of applicants for international protection, following the practice of the High Administrative Court.

Reform of the Common Asylum System

Given the importance of a common European response to the issue of migration for the Republic of Croatia as an EU member, it should be noted that in 2024, the reform of migration and asylum policies at the EU level was finally implemented with the adoption of the Pact on Migration and Asylum (Pact). The Pact establishes a legal framework whose primary objective is to respond to the EU's long-standing challenges in migration and asylum by strengthening trust, equalising treatment and cooperating between Member States.

It is clear that EU countries start from different starting points and face different challenges. At the same time, it is unquestionable that the countries on the external borders of the EU, including the Republic of Croatia, have an extremely complex task of managing migration, as those where irregular migrants

first enter. By December 2024, all Member States had to provide an overview of the national context and existing capacities in their National Implementation Plans of the Pact and submit them to the EC. Given the extent of the changes that the Pact requires, and the challenges related to geographical circumstances, by mid-2026, when the Pact will begin to be applied, the Republic of Croatia will need to strengthen the system with additional manpower significantly, find the necessary infrastructure and operational solutions, and involve numerous stakeholders in the implementation. Given that applying the Pact as part of EU law in the coming period is a legal obligation, and it will be necessary to change the legislative framework, we consider it useful to point out the key changes it brings.

The Pact contains 10 regulations (nine Regulations and one Directive: *Regulation (EU) 2024/1351 of the European Parliament and of the Council of 14 May 2024 on the management of asylum and migration, amending Regulations (EU) 2021/1147 and (EU) 2021/1060 and repealing Regulation (EU) No 604/2013; Regulation (EU) 2024/1348 of the European Parliament and of the Council of 14 May 2024 establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU; Regulation (EU) 2024/1349 of the European Parliament and of the Council of 14 May 2024 laying down a return procedure at the border and amending Regulation (EU) 2021/1148; Regulation (EU) 2024/1359 of the European Parliament and of the Council of 14 May 2024 on crisis and force majeure situations in the field of migration and asylum and amending Regulation (EU) 2021/1147; Regulation (EU) 2024/1356 of the European Parliament and of the Council of 14 May 2024 introducing screening of third-country nationals at the external borders and amending Regulations (EC) No 1356/2024 of the European Parliament and of the Council of 14 May 2024 introducing screening checks on third-country nationals at the external borders and amending Regulations (EC) No 1356/2024 of the European Parliament and of the Council of 14 May 2024 introducing screening of third-country nationals at the external borders and amending Regulations (EC) No 1356/2024 of the European Parliament and of the Council 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817; Regulation (EU) 2024/1352 of the European Parliament and of the Council of 14 May 2024 amending Regulations (EU) 2019/816 and (EU) 2019/818 as regards the introduction of screening checks on third-country nationals at the external borders; Regulation (EU) 2024/1358 of the European Parliament and of the Council of 14 May 2024 establishing Eurodac; Regulation (EU) 2024/1347 of the European Parliament and of the Council of 14 May 2024 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted, amending Council Directive 2003/109/EC and repealing Directive 2011/95/EU of the European Parliament and of the Council; Directive (EU) 2024/1346 of the European Parliament and of the Council of 14 May 2024 laying down standards for the reception of applicants for international protection (recast); Regulation (EU) 2024/1350 of the European Parliament and of the Council of 14 December 2024 May 2024 establishing a Union framework for resettlement and humanitarian admission and amending Regulation (EU) 2021/1147*)tag. They regulate all stages of asylum and migration management, from the screening of irregular migrants upon entry into the EU, the collection of biometric data, the procedures for submitting and processing asylum applications, the rules on determining which Member State is responsible for dealing with asylum applications and cooperation and solidarity between Member States, to the rules of procedure for dealing with crisis and force majeure situations.

The treatment of irregular migrants upon entry into the EU will be significantly changed. The newspaper was introduced by the so-called Namely, all migrants who have crossed the border irregularly and those who have expressed their intention to apply for international protection during border controls will be

registered and subjected to the so-called screening checks. These include verification of identity, security aspects, health status, vulnerability of individuals and registration of biometric data.

Depending on the due diligence results, migrants will be directed to the appropriate procedures. The procedure for those who apply for asylum can be carried out at the border or within the country's territory. The border procedure will be applied to migrants who have expressed their intention to apply for international protection (intention) at a border crossing point at the external border or transit area; those arrested for irregular border crossings; landed in the territory of a Member State following a search and rescue; or transferred from another country. The border procedure is mandatory for those who threaten national security, have misled the competent authorities, or come from third countries with an international protection approval rate of less than 20 %. These provisions allow large numbers of migrants to be subjected to border procedures, while exceptions are limited. Those whose applications are rejected in the border procedure will be returned to the border procedure. For migrants whose asylum applications will still be processed within the territory, a wide use of fast-track procedures is envisaged. If migrants do not apply for asylum during the screening, they are generally referred to regular return procedures.

The pact also changes the rules for determining the member states responsible for applications for international protection. If applicants fail to fulfil their obligations, they retain all their rights to material and other reception conditions only in the Member State where they must be present.

For countries on the external border, such as the Republic of Croatia, the issue of solidarity is particularly important, with the Pact introducing a permanent and mandatory solidarity mechanism between member states, replacing the previous *ad hoc* solutions. According to the adopted provisions, states can choose between relocating applicants for international protection to their territory, making financial contributions or implementing alternative solidarity measures. Member States facing a "serious migratory situation" may request a reduction in solidarity contributions. In crisis and force majeure situations, derogations from certain rules provided for in the asylum acquis and greater solidarity between Member States are foreseen.

In short, to reconcile the different and sometimes conflicting demands of the Member States, the Pact has designed a system that will carry out several asylum and return procedures without entering the territory, allow for more frequent deprivation of liberty or restrictions on freedom of movement, and provide only basic needs for non-compliant applicants for international protection. It remains to be seen to what extent the implementation of the Covenant in practice will simultaneously maintain the levels of protection of fundamental rights guaranteed, among other things, by the Charter of Fundamental Rights of the EU, but also by international human rights standards.

Furthermore, each Member State will have to ensure an independent monitoring mechanism that monitors compliance with Union and international law, including the Charter, during the due diligence, in particular as regards access to the asylum procedure, the principle of non-refoulement, the best interests of the child and the relevant detention rules, including the relevant detention provisions of national law. The independent monitoring mechanism shall also ensure that substantiated allegations of non-compliance with fundamental rights are dealt with effectively and without undue delay in all relevant due diligence activities, investigations into such allegations are initiated where necessary, and the progress of such investigations is monitored. National institutions with the mandate of the Ombudsman and national human rights institutions, including the National Preventive Mechanisms

(where all three of these mandates in the Republic of Croatia are assigned to the institution of the Ombudsman), should participate in the functioning of the independent monitoring mechanism or may be assigned part or all of the tasks of the independent monitoring mechanism, and if one or more of these institutions are not directly involved in the independent monitoring mechanism, They should establish and maintain close relationships. The independent monitoring mechanism may also include relevant international and non-governmental organisations and public authorities independent of the due diligence bodies. Also, each Member State must provide a mechanism for monitoring fundamental rights concerning the border procedure, following the same criteria.

Likewise, each Member State will need to put in place appropriate safeguards for the independence of the Mechanism, such as respect for the Paris Principles, adopted by United Nations General Assembly Resolution 48/134, the Venice Principles, adopted by the Venice Commission of the Council of Europe, the UN General Assembly Resolution on the role of ombudspersons and intermediary institutions, good governance and the rule of law, and the Optional Protocol to the Convention against Torture and Other Cruelty, Inhuman or Degrading Treatment or Punishment (OPCAT). In September 2024, the EU Agency for Fundamental Rights issued guidelines on independent monitoring mechanisms to assist Member States in discussing the parameters and safeguards for the establishment or designation of the mechanism.

Independent Oversight Mechanism in the Republic of Croatia

In addition to the existing institutional oversight mechanisms, such as the State Attorney's Office of the Republic of Croatia, the Ombudswoman and the Internal Control Service of the Ministry of the Interior, in 2021 the Independent Mechanism for the Supervision of the Conduct of Police Officers in the Field of Illegal Migration and International Protection (NMN) was established in the Republic of Croatia, which includes the associations Academy of Medical Sciences, the Academy of Legal Sciences, the Croatian Red Cross, the Centre for the Culture of Dialogue and an independent legal expert, with whom the Ministry of the Interior signed a Cooperation Agreement in June 2021. In November 2022, a new Cooperation Agreement was concluded to continue the work of NMN between the same stakeholders.

In the 2022 report, we welcomed in principle the establishment of the NMN for additional insight into the actions of police officers in the field of illegal migration and international protection, but pointed out that after the initial phase of the introduction of the Croatian NMN, it will be necessary, if the European legal obligation is adopted, to establish a Mechanism in the Republic of Croatia following the Pact. In the meantime, with the adoption of the Pact, there has indeed been an EU obligation to establish independent monitoring mechanisms for the observance of fundamental rights, with these mechanisms having newly defined tasks, including background checks and border procedures.

The Ombudswoman, together with the EC, FRA, the Frontex Fundamental Rights Officer, IOM Croatia, UNHCR Croatia and the Ombudswoman for Children, participated in the work of the NMN Advisory Committee, with the task of providing guidelines for improving the independence and efficiency of this body. However, in the current phase of the NMN and the NMN Advisory Board development and operation, the Ombudsman institution withdrew from the NMN Advisory Board membership in March 2025. In doing so, it informed stakeholders that it will continue to cooperate with the NMN and the NMN Advisory Board appropriately, but as a stand-alone and independent national institution. Therefore, given its national role on this occasion, we report to the Croatian Parliament on the work of the NMN in protecting fundamental rights in 2024.

Although the Agreement provides for the obligation to publish a semi-annual and annual report, the Independent Oversight Mechanism (NMN) did not publish a single report in 2023. The NMN's semi-annual report, which covers the period from November 2022 to July 2024 (and observation activities were carried out from June 1 to December 31, 2023), was published in July 2024.

To improve the operation and effectiveness of the NMN, in addition to the regular publication of reports, it is necessary to define the mandate and powers currently specified in the Agreement more precisely and improve the methodology of observation and reporting.

For example, NMN does not refer to international standards in its findings, nor does it refer to the findings of international bodies and independent institutions, and it is noticeable that these findings differ significantly. Thus, as part of the visit to the Republic of Croatia in 2023, the UN SPT visited TPCS Tovarnik and emphasised concern about the fact that "although the basic legal guarantees were formally established, they were ineffective in practice" and recommended that the Republic of Croatia inform migrants in a timely and accessible way, in a language they understand, about their situation, including the legal situation. Based on the visits to the said centre, the Croatian NPM also determined that foreigners were not adequately informed about their rights, including the right to file a complaint; that complaint mechanisms involving effective investigation procedures are not ensured, while respecting the principles of independence, impartiality and confidentiality; No translation is provided. On the other hand, the NMN, based on observations in TPCS Tovarnik, a few days before the tour of the SPT, concluded that the accommodation capacities at the monitoring locations meet the requirements of the standard for a longer stay of the found persons, that police officers treat the found persons with full respect for their human rights, enabling them to communicate with an interpreter and informing them about their rights in languages they understand, and by providing them with adequate health care and psychosocial support.

Also, acting on the complaint about "push-back", the NMN concluded that the procedure prescribed by law was fully implemented and that the human rights of persons were fully respected. However, this conclusion was reached based on an insight into various official sources before the aforementioned "push-back", while the allegations of the actions of police officers after the "push-back" allegedly occurred were not examined. Therefore, insight into these data sources is not necessarily suitable or sufficient to determine the (non)existence of "push-back".

The role of the NMN in the handling of complaints remains unclear. On the one hand, the NMN website, which was established in 2024, states that "the NMN is not a prosecutorial or judicial mechanism and is therefore not authorised to resolve individual complaints. NMN is not a 'complaint mechanism'".

However, it is evident from the Report that the NMN acted on the complaints. Already in the 2022 Report, we emphasised that the NMN, as a mechanism established by the agreement, should not take responsibility for the legally established institutions responsible for investigating allegations of illegalities or irregularities in the work of the police, on the contrary, each (new) mechanism should have clearly and transparently regulated powers.

Finally, the recommendations from the semi-annual report of the NMN mainly relate to the operation and functioning of the NMN, and less to the assessment of the situation and the improvement of the protection of fundamental rights, which is the purpose of its establishment.

4.2.2. Performing the tasks of the NPM

In 2024, in accordance with the powers of the NPM, we visited the Reception Centre for Foreigners Ježevo, the Transit Reception Centre for Foreigners Tovarnik, the Transit Reception Centre Trilj, the Centre for the Registration of Applicants for International Protection in Dugi Do and the Border Police Station in Slavonski Brod.

Centre for Registration of Applicants for International Protection Dugi Dol

The Centre for the Registration of Applicants for International Protection Dugi Dol (Centar Dugi Dol) was established in the area of the Karlovac Police Department due to the increased number of applicants in that area to register applicants who will then be referred to reception centres for applicants or, according to estimates, to reception centres for foreigners. The establishment of the Centre was intended to relieve the PP/CRP in the Police Department area because they did not have sufficient capacity for the increased number of applicants. The centre was opened at the end of 2023; its housing containers can accommodate a maximum of 500 applicants.

During the visit, the representatives of the NPM were not provided with full access to all relevant data, because there were no police officers in the Centre authorised to provide such information, so the representatives of the NPM conducted a telephone conversation on the spot with the competent person, who informed them about the work of the Centre, however, even a

telephone conversation could not collect the necessary data, because the Centre did not keep special records of the treatment of detained persons. Thus, data on the number of persons or their structure (e.g. age, gender, citizenship, etc.) were unavailable. No records were kept about the time of arrival and dismissal from the Centre. According to the police officer, the Centre only recorded data on the registration of the intention to apply for international protection, took a statement on the personal data of foreigners, and made an official note on the inspection and seizure of objects. The police station keeps all other information on persons detained at the Centre at the place of arrest through the event diary, physical objects, and relevant records. The basic mechanism of protection in the event of deprivation of liberty is to keep a single and comprehensive record within which all aspects of their stay or deprivation of liberty and all actions taken in connection with it are recorded. The absence of such records makes it impossible to control the work and oversee the treatment of detained persons.

Recommendation 136

Ministry of the Interior, to keep a single and comprehensive record of detained persons in the Centre for Registration of Applicants for International Protection, Dugi Dol



Given the nature and possible length of detention, as well as the fact that families with children and other vulnerable groups are also detained in the Centre, the material conditions for the accommodation of persons were not adequate. The containers are equipped only with bunk beds without mattresses and bedding; there are no showers or hot water in the Centre, and only chemical toilets are available. Detention in such conditions, especially if it applies to children and other vulnerable groups, may violate Art. 3 ECHR.

It is particularly worrying that during the tour, it was impossible to determine the length of the applicant's stay at the Centre.

At the same time, in the Centre, which has a planned accommodation capacity for 500 people, the registration procedure for six people caught during the NPM tour did not begin in a period longer than 12 hours.

Recommendation 137

Ministry of the Interior, to harmonise the conditions of accommodation in the Centre for the Registration of Applicants for International Protection, Dugi Dol, with international standards

Therefore, after the visit, we warned the Ministry of the Interior that the conditions of accommodation should be harmonised with CPT standards (provide enough space, mattresses, bedding, access to toilets, showers and hot water, etc.), and that the representatives of the NPM, under Art. 5 of the ZNPM and Art. 20 of the Optional Protocol to the Convention against

Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, it is necessary to provide free access to all the requested data regardless of the manner of their storage, that for applicants detained in the Dugi Dol Centre, it is necessary to determine the legal basis for detention clearly, and in this regard the longest possible period of detention in the Centre, and provide them with all guarantees under international standards.

Reception Centres for Foreigners

It has been established that accommodation conditions are systematically improving in all three centres, and it is positive that the recommendations for improving the reception conditions given during previous NPM visits have been largely adopted. In the Trilj Centre, the conditions for the stay of persons

deprived of liberty in the fresh air have not yet been provided, and in the Tovarnik Centre, no canopies have been built in the yard.

Irregular migrants and applicants for international protection placed in reception centres are generally unfamiliar with the Croatian legal system, their rights and obligations, and the Croatian language. In addition, members of vulnerable groups, including children, are not exempt from deprivation of liberty in the centres.

It is of the utmost importance that accommodated persons have guaranteed access to all rights, including information about rights in a language they understand. Namely, guaranteed rights are of little importance if people are unaware of their existence. Therefore, during the visits, we focused special attention on access to the following rights: legal aid, complaint mechanisms, health care, visits, telephoning, staying in the fresh air, food, respecting religion, receiving written mail and packages, disposing of funds, information about the reasons for accommodation, the estimated duration of accommodation, contacting family and seeking international protection.

During the visits, we conducted an anonymous survey of accommodated persons to provide additional insight into their information about the possibilities of access to these rights. The questionnaires were translated into nine languages (Arabic, English, French, Russian, Turkish, Farsi, Urdu, Kurdish and Pashto). In Trilj and Tovarnik, all accommodated persons took part in the survey, 45 people in Trilj and 26 in Tovarnik, and Ježevo due to the lack of questionnaires in a language that 26 out of 46 accommodated persons understand. The questionnaires contained 20 questions, and the survey was anonymous and voluntary.

According to the results of surveys in all three centres, there is a problem in recognising vulnerable people and providing basic information about their rights. According to the answers given in the surveys, most of the respondents were not asked about possible traumatic experiences, such as whether they were victims of torture, rape or other forms of violence, which is worrying because the timely identification of such persons is key to ensuring adequate protection and assistance. In the Ježevo Centre, 82.6 % of respondents stated that they had not been asked about traumatic experiences, in the Tovarnik Centre, 61 %, and in the Trilj Centre, as much as 96.6 %, which indicates a serious lack of systematic assessment and, if necessary, support. At the same time, the structure of employees in the centres is not adequate for the implementation of these assessments, so it is recommended to employ professionals such as social workers, psychologists or social pedagogues in jobs that require such competencies, and it is necessary to develop procedures for identifying vulnerable groups.

According to the answers given in the surveys, there are also shortcomings in collecting information about their health status and the information provided about the possibility of obtaining medical care. For example, in the Ježevo Centre, 47.8 % of respondents were not asked whether they suffered from a serious physical or mental illness, in the Trilj Centre, this was stated by 96.6 %, and in the Tovarnik Centre by 61.5 %. In one centre, the only

Recommendation 138

Ministry of the Interior, to highlight information on rights in reception centres for foreigners in an accessible, visible and clear way, in writing, in several languages

Recommendation 139

Ministry of the Interior, to ensure adequate translation in reception centres for foreigners

nurse is employed part-time, while in the other, these jobs are filled by persons whose competencies do not correspond to the jobs described in the Ordinance on Internal Order of the Ministry of the Interior, such as persons with economic and administrative-legal professions.

In addition, we point out that, according to the new rules from the Pact, all persons who have crossed the border irregularly will be subjected to so-called due diligence, including health and vulnerability checks.

It is also worrying that the survey shows that the accommodated persons are not sufficiently informed about their rights during their stay in the centre. For example, according to the responses, 86.5 % of people in the Trilj Centre were not informed about the right to contact the embassy or consulate, and only 17.8 % stated that they could contact a lawyer, family or friends by phone, while the rest stated various reasons why they were not allowed to do so. The situation is similar in other centres, and it is worrying that many of the accommodated people do not even know the reasons for their placement in the centre, or how long they will be deprived of their liberty. In the Ježevce Centre, 39.1 % of respondents stated that they do not understand the staff who address them, and the situation is similar in Trilj and Tovarnik.

Therefore, we recommend that information on the rights of accommodated persons be highlighted in a visible and understandable way, using, among other things, image and audio techniques such as posters, info leaflets or video displays. In addition, it is important to provide a translation service in the centres, to enable the persons accommodated to be informed of their rights and obligations, and to prevent problems in communication with staff. Therefore, we recommended that printed rights information be translated into as many languages as possible used by foreigners and that translation be provided for all procedures carried out. Communication with staff is also a problem.

Recommendation 140

Ministry of the Interior, to introduce procedures for easier and faster access for lawyers to reception centres for foreigners

Recommendation 141

Ministry of the Interior, to provide access to international protection in reception centres

In addition, accommodated persons should be able to contact a lawyer, family and friends, and free legal aid. Access by lawyers to the centres remains difficult. Namely, lawyers who are not on the list of providers of free legal aid, and do not have a power of attorney because they are coming to clients for the first time, must announce the visit two days in advance and come as visitors, and not in the capacity of lawyers. Another problem is that due to coordinating appointments with translators, very short deadlines for filing legal remedies

may be missed. Telephone communication is also difficult, especially in the initial phase when lawyers need to obtain a power of attorney, and later, when the accommodated persons have to wait for a call from a lawyer in front of the phone booth. These conditions are contrary to international standards that guarantee unhindered access to a lawyer from the very beginning of the restriction of freedom.

According to the results of surveys, irregular migrants are not adequately informed about their right to seek asylum. In the Trilj Centre, 77.8 % of respondents stated that they had not received information about the right to seek asylum, in the Tovarnik Centre, 84.6 %, while the situation was slightly better in the Ježevce Centre (52.2 %). When asked if they could have applied for asylum, 97.5 % of those surveyed

at the Trilj Centre said no, and 96.2 % at the Tovarnik Centre. The situation is much better in the Ježevu Centre, where 17.4 % of respondents said so.

Given the survey results on access to asylum and the procedures we have carried out in response to migrants' complaints about their access being denied, we recommend providing access to international protection in the centres.

During the visits, we found that CSOs' entry to the centres is still conditioned by a signed cooperation agreement, which is the only one the HCK has, although Directive 2008/115/EC guarantees the possibility of visiting the centres for domestic and international non-governmental organisations. In all three centres, only UNHCR, whose access is based on the organisation's mandate, is allowed access without a cooperation agreement, but assists only asylum seekers, not irregular migrants. Until June 2024, the Centre in Tovarnik was visited by representatives of the HCK on two occasions, while representatives of the UNHCR visited once. On the other hand, the Centre in Trilj during 2024 had four visits by representatives of the HCK and the poor UNHCR. The situation is far better in the Ježevu Centre, where representatives of the Croatian Red Cross visit the Centre every Thursday, and representatives of the UNHCR once every three months.

Recommendation 142

Ministry of the Interior, to enable a wider circle of civil society organisations to work in the reception centres for foreigners

Given the number of applicants for international protection and irregular migrants placed in the centres during 2024, as well as their structure by age and gender, it would be good to allow a wider range of stakeholders to enter the centres, especially CSOs that provide additional support, legal assistance, organise education, workshops, playrooms for children, etc., which was also recommended in the 2022 Report.

Border Police Station Slavonski Brod

As a significant positive change, we would like to point out that during the tour of CRP Slavonski Brod, NPM representatives were given access to the Information System of the Ministry of the Interior, which was not the case in previous years. The police officer provided access to the records of irregular migrants and the Event Diary, which also records data on deterrence procedures, including the time, place, number of persons and the manner of conducting the procedure.



The accommodation conditions in four rooms for irregular migrants and applicants for international protection were not satisfactory. The rooms were intended to accommodate 40 people, but the beds had no bedding or were dirty. The walls were in poor condition, and traces of moisture were visible in the toilets.

Recommendation 143 (reiterated)

Ministry of the Interior, to harmonise the detention facilities in all border police stations with international and national standards

Therefore, we recommended the purchase of new equipment for accommodation rooms, the provision of a special room for the accommodation of vulnerable people and its equipping with appropriate facilities, such as those for children. Given that migrants cross the river in this area, their clothes are very often wet and muddy, which is why we recommend

the organisation of a reception for people that would include the provision of showers and a set of clothes before the accommodation itself.

4.3. Prison system

The Ombudswoman protects the rights of persons deprived of liberty and in the custody of the prison system through several mandates. Based on the ombudsman's mandate and the mandate of the national institution for the protection of human rights, in accordance with the powers from the Ombudsman Act, it also acts on complaints in cases initiated on its own initiative. According to the mandate from the Law on the National Preventive Mechanism for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (ZNPM), it preventively visits places where persons deprived of liberty are located.

The work by objects is shown in the first part, and in the second part, the insight gained through preventive visits is shown.

Overcrowding of the prison system, lack of officials, insufficient quality and availability of health care and normative deficiencies are just some of the problems that we continuously point out. Despite this, these problems are still present, and some are further exacerbated in 2024.

The trend of increasing the number of persons deprived of liberty (OLS), which began in 2020, is further pronounced in 2024, and the situation is alarming, especially in closed conditions. According to the position of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), overcrowding can jeopardise all efforts by the state to prohibit torture and other forms of ill-treatment, as the lack of personal space and privacy puts all prisoners at risk, especially the most vulnerable. Half of all OLS are pre-trial prisoners. According to available data, about 25 % of all OLS are in the prison system due to a certain pre-trial detention or conviction for a criminal offence under Art. 326 of the Criminal Code (Illegal entry, movement and stay in the Republic of Croatia, another EU Member State or signatory to the Schengen Agreement), many of whom are foreign citizens, which requires adapting the prison system.

According to MPUDT data, the construction of new penal authorities, standardised modular annexes and several separate infrastructure projects is planned. Although constructing new penal bodies is necessary, taking other measures besides these is important. Therefore, we reiterate that increasing accommodation capacities without comprehensive measures that include, among other things, changes in legislation, crime prevention, and better reintegration of prisoners into society, will not solve overcrowding on its own.

In addition to overcrowding, the situation is further aggravated by the lack of officials (judicial police officers, health workers, and officials treating prisoners). The data presented by the relevant minister in the Croatian Parliament during the presentation of the Report on the Condition and Operation of Penitentiaries, Prisons, Correctional Institutions and Centres for 2023 is encouraging, as at the end of 2024, 106 judicial police officers were employed for an indefinite period based on a public tender. It is also positive that there has been the largest number of judicial police officers in the system since 2007. However, it is important to point out that the existing job systematisation was made according to the accommodation capacity of the penal authorities, and the (existing) overcrowding of the prison system was not taken into account.

The quality of health care in the prison system and its availability remain major problems. The reason for this is the still-unregulated provision of health care in the prison system, according to the Health Care Act. The Ministry of Labour and Social Affairs informed us that the Draft Ordinance on Norms and Standards for the Provision of Health Care in the Prison System has been drafted, and that it has been submitted to the Ministry of Health for its opinion. The prison hospital in Zagreb does not yet have the approval of the Ministry of Health to provide health care. It is also necessary to resolve the status of the so-called outpatient clinics, i.e. health care departments that operate within the penal authorities. These and similar unresolved organisational issues significantly complicate providing adequate health care to prisoners. Due to insufficient capacity, the prison hospital in Zagreb often cannot accommodate prisoners needing hospital treatment, and there is a continuous shortage of health workers employed in penal bodies.

Normative deficiencies of the Prison Sentence Enforcement Act (ZIKZ), especially in the part relating to order and security, the Criminal Procedure Code (CPC), in the part relating to disciplinary proceedings against pre-trial prisoners and the acceleration of criminal proceedings, and Art. 44 of the Criminal Code

(CC), which refers to the execution of prison sentences in a home, which we have been pointing out for years, have not been eliminated even in 2024.

4.3.1. Protection of the rights of persons deprived of liberty

Although the reasons why the OLS and their family members turned to us in 2024 are varied, from requests for assistance regarding transfers, complaints about the actions of officials, to insufficient effectiveness of legal remedies, problems in the provision of health care and inadequate accommodation conditions are still the most common reasons for complaints.

OLS most often complain about insufficient access to health care - waiting for a medical examination, not conducting physical therapy, not referring to specialist examinations, and the like.

During 2024, doctors employed in criminal authorities were also faced with disconnection from the Central Health Information System of the Republic of Croatia (CEZIH), which we have been pointing out to the Ministries of Justice and Health for years. Until November 2024, doctors could not inspect the OLS e-Card, which often comes without medical documentation, significantly hindering the continuity of necessary health care provision. As a result, we welcome the introduced change.

Regarding the failure to refer to specialist examinations, one prisoner complained that he had unsuccessfully requested a dermatological and psychiatric examination. He believed that after getting a rash in the Penitentiary in Požega, an examination by the Penitentiary doctor was insufficient, but that he had to be taken to a dermatologist. We understand that the doctors of the penal authorities determine which examinations they will refer prisoners to and that they set priorities. However, in cases where they believe specialist examinations are unnecessary, they should inform the prisoners of the right to a specialist examination under Art. 114 of the ZIKZ. It stipulates that a prisoner has the right to request an examination by a specialist if a doctor of the penal authority has not ordered such an examination, but that he will bear the costs if the specialist determines that there is no disease or new knowledge about the disease.

Some complaints also point to public health problems in criminal justice authorities. So, a group of pre-trial prisoners complained about bed bugs in the rooms. During the investigation procedure in the Split Prison in June 2024, by inspecting the Records of Court Supervision, we determined that the pre-trial prisoners complained about bed bugs as early as April 2024. After requesting information about what had been done, we were informed that in July 2024, employees of the National Institute of Public Health and the company for disinfection and disinfection implemented bedbug control measures.

"I don't have any health problems, but by being here, problems have arisen, especially with my teeth. The first dentist I got was after 16 months of waiting, and after that I was ordered at an interval of 2-3 weeks, which was not allowed to me at that interval but after 2-3 months, the reason is unknown, but I now have big problems with my teeth and of course I'm still waiting for the appointment, it's already in the 3rd month of waiting..., but it's URGENT for me because it hurts a lot, and no one cares here... Now it's Wednesday, September 4, 2024, I'm going to write openly that my teeth hurt greatly, and I'm worried about my health, and the gentlemen here don't care. I'm writing a request for a dentist non-stop and asking all the time, some unrealistic answers are coming... this turns into torture, and this does not solve Lekadol or Brufen, it is getting worse and worse... I'm writing to you with a big headache and toothache, and I'm angry at this system for how it works and would like to ask you for help...."

For years, we have been pointing out that the lack of officials also affects the respect of certain prisoners' rights. One inmate of the Rijeka Prison complained to us because he was taken to the dentist only after 16 months of writing applications. Due to overcrowding and an increased number of admissions, the available appointments at the Health Centre of Primorje-Gorski Kotar County do not meet the needs of the Prison, but some of the agreed examinations are not realised due to insufficient judicial police officers and an increased number of court hearings.

The continuous growth in the occupancy of the accommodation capacities of the prison system and insufficient investment in the maintenance and adaptation of the premises in which the OLS reside affect the increased number of complaints about the conditions of accommodation.

"I am in a room of 21 m² with 6 (six) other people. This square footage also includes a toilet that is not fenced off from the rest of the room, so that we can see each other while we defecate, and the stench that spreads through the room is unbearable.... They brought to our room a seriously mentally ill elderly man who defecates in his pants, has dementia, and who knows what other diagnoses. To make matters worse, the nurse brought us diapers so that we could put them on the gentleman if necessary..."

Since Art. 136 of the CPC stipulates that pre-trial detention must be carried out in such a way as not to offend the person and dignity of the prisoner, special attention was drawn to the allegations of some complainants that the persons with whom they are placed in the room, and who cannot take care of themselves, have to change diapers or help them shower or provide care (cutting toenails, etc.). We have not unequivocally established the validity of these allegations, but it is indicative that we have received such complaints from various penal authorities (for example, from prisons in Zagreb, Zadar and Pula).

The way the Central Office for the Prison System (SUZS) handles complaints from pre-trial prisoners about inadequate housing conditions is additionally worrying. For example, in the investigation we found that the SUZS replied to the complainant, although the pre-trial prisoners had only 2.8 m² of accommodation space at their disposal, that he was accommodated under the Ordinance on House

Rules in Prisons for the execution of pre-trial detention, ignoring the fact that Art. 13 par. 6 of the Ordinance stipulates that for each prisoner in the dormitory there must be at least 4 m² and 10 m³ of space.

In the prison in Split, the pre-trial prisoner told us that he is in a large group of accomplices, which is why he can only walk for half an hour a day, while every third day he is granted an additional hour. Such conduct is contrary to Art. 138 degrees 1 of the CPC stipulates that pre-trial prisoners should have at least two hours of walking per day.

We continue to receive complaints from prisoners about being transported in inadequate vehicles, which are not equipped with seat belts. We have been pointing out this problem for years. We received information from the Ministry of Labour and Social Affairs that in 2023, the procurement process for special vehicles for the transport of OLS began, in which seat belts will be installed in all seats, which is positive. The vehicles should be delivered in the first quarter of 2025.

Some prisoners complain about the non-transparent approval of the benefits of staying with a spouse or common-law partner, or life or informal life partner, in a separate room without supervision (so-called marital visits). Some penal authorities are very restrictive in interpreting the conditions for entering an extramarital partner in the visit record (for example, common-law partners must have previously lived at the same address). Although benefits are not a prisoner's right, but a set of incentive measures, the criteria for granting them must be clearer.

Prisoners also complain about the lack of organised leisure time. The overcrowding of penal authorities is directly related to the possibility of organising leisure activities and certain general programs (courses, etc.) because most common areas in prisons have been converted into rooms for accommodation.

Prisoners often distrust the effectiveness of applications for judicial protection, stating that decisions on the merits are based solely on the statement of the penal authority. Although we have not been provided with data on the number of decisions of executing judges determining the application for judicial protection as well-founded during 2024 until the preparation of this report, the data from the Report of the Government of the Republic of Croatia on the Condition and Operation of Penitentiaries and Correctional Institutions for 2023 (as of January 9, 2025), according to which 147 applications for judicial protection were filed in 2023, will serve to illustrate a possible reason for distrust, according to which 147 applications for judicial protection were filed in 2023. of which 141 were rejected as unfounded.

Respecting the independence of the judiciary, in November 2023, we asked the Supreme Court of the Republic of Croatia to examine the conduct of the competent courts concerning respect for the confidentiality of communication between suspects or accused persons and their lawyers, which we wrote about in the 2023 Report. This problem is also pointed out by the ECtHR judgment *Mafalani v. Croatia* 3646/May 17 21, 2024, in which, among other things, due to unjustified interference with the applicant's right to respect the confidentiality of his correspondence with his defence counsel, a violation of Art. 8 of the ECHR. Although we have not received information from the Supreme Court of the Republic of Croatia on what has been done, the position on this issue follows from the Conclusions of the meeting of the Supreme Court of the Republic of Croatia with the presidents of the chambers of the High Criminal Court of the Republic of Croatia and the presidents of criminal departments of county

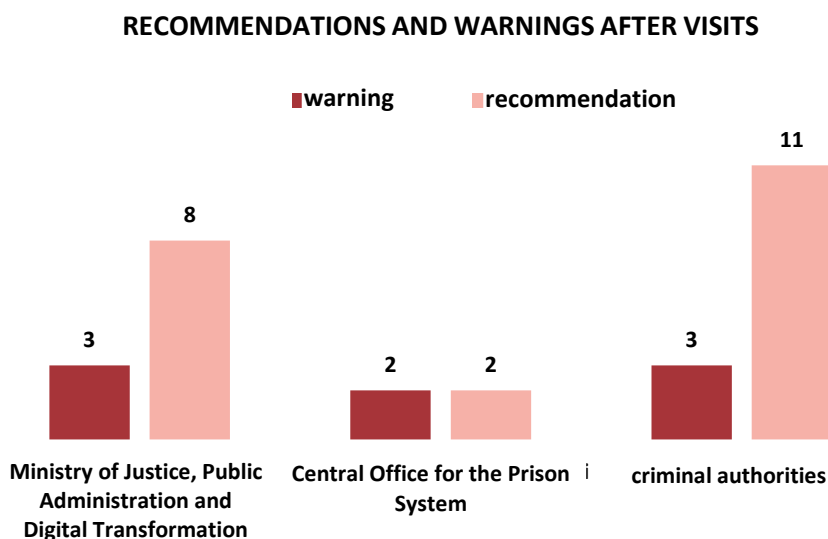
courts from March 2024, according to which Art. 139 par. 3 of the CPC on the supervision of correspondence does not apply to the correspondence between the pre-trial prisoner and the defence counsel. We believe this will further contribute to respecting the confidentiality of communications between suspects or defendants and their lawyers.

We have noticed that the complaints of pre-trial prisoners to the Ombudsman, in some cases, are submitted by the criminal authorities to the competent courts, which is contrary to Art. 139 par. 6 of the ZKP. Therefore, we recommended that the SUZS point out to all criminal authorities the need to act following the CPC, which was done consistently.

4.3.2. Performing the tasks of the NPM

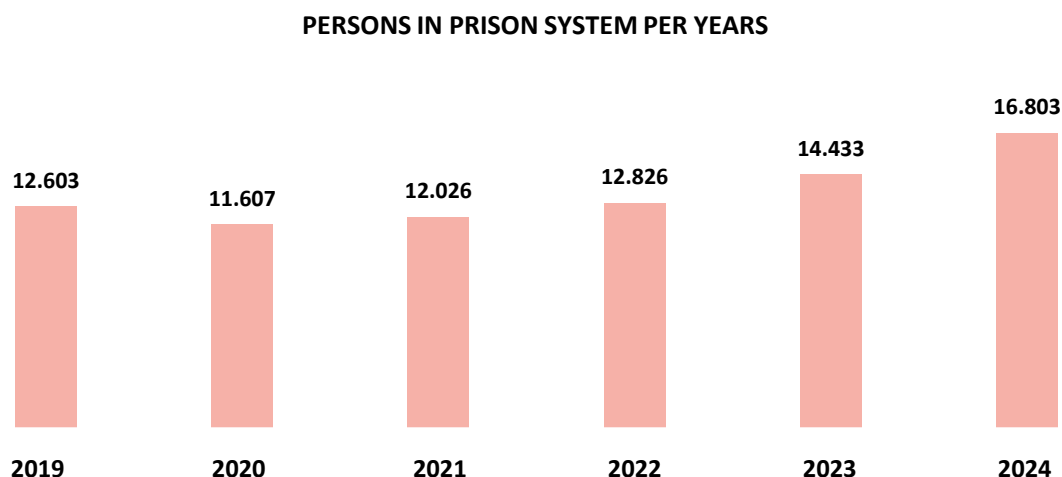
Under the powers from the ZNPM, 2024, we visited the Zadar Prison, the Penitentiary in Lepoglava and the Diagnostic Centre in Zagreb. The visits were focused on respecting the rights of the OLS in the field of accommodation conditions, performing the tasks of the prisoners' health care department, performing the tasks of the treatment department and maintaining order and security. An independent expert, a nurse with a master's degree in nursing, participated in the tour of the Penitentiary in Lepoglava.

The data was collected through interviews with managers and other officials and group and individual interviews with the OLS. Relevant records and documentation were also inspected, and anonymous OLS surveys were conducted. In the tour reports, we gave eight warnings and 21 recommendations.



Accommodation conditions

Inadequate accommodation conditions are largely the result of a continuous increase in the occupancy of accommodation capacities and are still a burning problem of the prison system. According to MPUDT data, in 2024, 2,370 more people were in the prison system than in 2023.



The occupancy of the total accommodation capacities of penal authorities on December 31, 2024, was 125 %, and in closed conditions, as much as 141 %. The most difficult situation was in prisons in Varaždin (195 %), Karlovac (205 %) and Zadar (211 %). Staying in such conditions often results in a violation of the rights of the OLS, which is supported by the decisions of the Constitutional Court that emphasise the duty of the state to ensure conditions that respect human dignity and in which the person is not exposed to discomfort or suffering the intensity of which would exceed the unavoidable level, inherent in deprivation of liberty and imprisonment (U-III Bi-7372/2022). According to the statement of the relevant minister in the Croatian Parliament on January 26, 2025, the Republic of Croatia has paid 1,260,000 euros in compensation for inadequate conditions in prisons and penitentiaries in the last four years.

The increase in overcrowding is a consequence, among other things, that many persons in the prison system have been ordered to pre-trial detention or have been convicted of committing a criminal offence under Art. 326 of the Criminal Code (Illegal entry, movement and stay in the Republic of Croatia, another EU Member State or signatory to the Schengen Agreement).

Many of these people are foreigners, who, due to different ethnicities and differences in language, culture, customs and religion, as well as other specifics, especially in overcrowding conditions, can pose various organisational, security, treatment, health and other challenges. It is indisputable that the increased number of foreign nationals requires an adaptation of the prison system, which is why we have asked the MPUDT for detailed information on the measures that are being taken or are planned to be taken to ensure that their rights are respected. As a further increase in the number of foreign nationals in the prison system is possible, we will continue to monitor the situation with special attention.

Given the continuous increase in the occupancy of the accommodation capacities of the prison system, we asked the MPUDT for information on the measures taken to reduce overcrowding and eliminate its

negative impacts on the observance of OLS rights. According to the received statement, the construction of new penal bodies in Lika-Senj, Sisak-Moslavina and Osijek-Baranja counties is planned, and at the same time, work will be done on medium-term infrastructure investments, the so-called modular construction. Namely, at the end of November 2024, Contracts were signed for the design and construction of standardised modular annexes in the Prison in Varaždin and the Penitentiary in Lipovica-Popovača, increasing the accommodation capacity by 300 places. As part of the future financial mechanism of the European Economic Area and the Norwegian financial mechanism, several separate infrastructure projects are planned: in the Penitentiary in Požega, the Prison in Požega, the Correctional Institution in Požega and the Prison Hospital in Zagreb.

When building and increasing capacity, it is necessary to consider compliance with legal and international accommodation standards, which are continuously evolving. For example, the 2024 Report of the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (A/HRC/55/52), which addresses current issues and good practice in prison management, recommends that countries use innovative architectural design to ensure adaptation to climate change when renovating old penal institutions or building new ones. It is emphasised that high temperatures and heated rooms lead to an increase in violence, mortality and suicide and facilitate the spread of infectious diseases. It should be recalled that, according to the case law of the ECtHR, staying in overcrowded rooms with excessively high temperatures can be humiliating (*Štrucl and Others v. Slovenia*, Applications No. 5903/10, 6003/10 and 6544/10 § 87).

We assess the activities of building and increasing capacity as positive and necessary, but if we consider the multi-year overcrowding, it is evident that they should have been undertaken earlier. In addition, additional accommodation capacities, without taking other appropriate measures, will not solve the problem in the long term. For example, given the share of pre-trial prisoners in the total number of OLS, it is necessary to speed up criminal proceedings by amending the criminal legislation.

According to information from the Ministry of Labour and Social Affairs, in October 2024, a Working Group was established to draft the Draft Proposal of the Act on Amendments to the Criminal Procedure Code (Zid ZKP), the aim of which is to find legal solutions to speed up and increase the efficiency of criminal proceedings. The draft proposal of the Zid CPC should be sent to the legislative procedure in the fourth quarter of 2025. However, we cannot ignore that according to the information of the MPUDT (from October 2023), in November 2022, a Working Group was also established for the preparation of the Draft Proposal of the Zid ZKP, the aim of which, among other things, was also to speed up and increase the efficiency of criminal proceedings. The fate of this Working Group, as well as its results, is not known to us.

Although the MPUDT's statement points out that electronic surveillance has been introduced into the legal system of the Republic of Croatia, in the two years since the beginning of its application, there have been 56 convicts and prisoners under the supervision of the Electronic Monitoring Service. During 2024, electronic monitoring was applied only 35 times (24 conditional releases with electronic monitoring and 11 pre-trial detention centres in a home with electronic monitoring). Therefore, it is necessary to more strongly affirm the application of alternative sanctions, i.e. substitutes for prison sentences.

It is also necessary to limit the use of short-term prison sentences. For years, we have been warning that ensuring the prerequisites for implementing Art. 44 par. 4 of the Criminal Code that prescribes the execution of a prison sentence of up to one year in a home. This has not been done in 2024 either, although more than 12 years have passed since the entry into force of the CC.

In September 2024, the UN Human Rights Committee discussed the implementation of the International Covenant on Civil and Political Rights in Croatia (CCPR/C/HRV/CO/4). It recommended, among other things, that adequate prison conditions be provided, in line with international standards, and that the overcrowding problem be addressed, inter alia, by alternative detention measures.

It must also not be overlooked that the existing detention conditions can be decisive in executing a European Arrest Warrant (EAW). Namely, in the Aranyosi and Căldăraru case (C-404/15 and C-659/15 PPU) from 2016, the Court of Justice of the EU recognised for the first time the limitation of the principle of mutual trust and recognition between Member States and required the executing judicial authority to review the conditions of detention in the issuing Member State. That judgment established a framework for the exercise of supervision, which aims to ensure compliance with Art. 4 of the Charter (Prohibition of torture and inhuman or degrading treatment or punishment). If a generalised deficiency in the issuing Member State's prison system is identified, a case-by-case and detailed assessment of the risk to which the person would be exposed shall be carried out. As the Court has stated, the review may have a major impact on the execution of the EAW and may lead the executing judicial authority to postpone or suspend the surrender procedure of the person concerned.



During visits to the penal authorities, we found that the OLS stayed in inadequate and sometimes humiliating conditions. For example, in the Diagnostic Centre in Zagreb, whose occupancy on the day of the tour was 204 % (including additional rooms of the Zagreb Prison), as many as 27 people slept on mattresses on the floor, which is unacceptable. The rooms with an area of 21.1 m² (19.12 m² without toilets) accommodate up to nine prisoners with only 2.12 m² of personal space at their disposal. The rooms with an area of 10.06 m² (8.08 m² without toilets) accommodate up to three prisoners, and have 2.69 m² of personal space at their disposal. The "R-room" (former workshop), with an area of 43.71 m² (41.79 m² without toilet), accommodates up to 20 prisoners who have only 2.09 m² at their disposal.



In addition, there is a visible lack of investment and maintenance; the walls are dirty and damaged, and the tiles in the toilet are torn. We continuously point out the inadequate accommodation conditions, and the CPT did so in the Report on the Visit to the Republic of Croatia in 2022, recommending a significant improvement in hygiene in the rooms and a reduction in occupancy (item 43). In addition, there are not enough lockers or chairs in the rooms for personal belongings.

In addition, as we have repeatedly pointed out, the toilet is not completely separated from the rest of the room. For example, in a "small" room where three prisoners are housed, the toilet is separated from the rest of the room by a wall about 50 cm high. Inmates who sleep, eat and stay there 22 hours a day report that an unbearable stench often spreads through the room. Staying in such conditions, with the lack of privacy even when using the toilet, is inappropriate for human dignity and health standards.

We also found a lack of personal space in the Zadar Prison, where as many as 71 % of all OLS were in the status of pre-trial prisoners during the visit, and each of them, under Art. 13 par. 6 of the Ordinance on House Rules in Prisons for the execution of pre-trial detention, should have at least 4 m² and 10 m³ of space. Five pre-trial prisoners were accommodated in a room of 14.68 m² without toilets, so each of them had 2.9 m² at their disposal.



According to the ECtHR, less than 3 m² per prisoner in a room is considered a lack of personal space, resulting in a firm presumption of violation of Art. 3 (*Muršić v. Croatia*, §137). According to the Constitutional Court, the right to accommodation adequate to human dignity and health standards is violated when a person has less than 3 m² of personal space (U-III Bi-1616/2023, February 1 2024).

This position is in line with Commission Recommendation (EU) 2023/681 of December 8, 2022 on the procedural rights of suspects and accused persons in pre-trial detention and on the material conditions of restriction of liberty, according to which States should guarantee that the absolute minimum personal space available to each prisoner, including in multi-bedrooms, is at least 3 m² of area.

Recommendation 144

Ministry of Justice, Public Administration and Digital Transformation, to consider other measures to reduce the overcrowding of penal authorities in addition to expanding the capacity of the prison system

It should be mentioned that during the tours, we noticed certain improvements in the material conditions of the accommodation. In the Zadar Prison, the sanitary facilities are now completely separated from the rest of the room and ventilation is adequate, iron windows have been replaced with aluminium ones, prison TV sets have been installed in all rooms, a room has been arranged for the use of the benefits of staying with a spouse or common-law partner or life or informal life partner in a separate room without supervision.

Health care for prisoners

During the tour of the Penitentiary in Lepoglava, we collected data on the organisation of health care for prisoners, and 37 prisoners filled out an anonymous survey on the provision of health care.

Nine positions with 16 executors have been systematised in the Department of Prisoners' Health Care, and 11 are currently filled. Work contracts were concluded with three medical doctors to ensure prisoners' health care. The shortage of nurses requires the occasional reassignment of other officials' duties so that all the envisaged tasks can be performed. Thus, during the tour, we found a trainee judicial police officer with a medical school degree and approval for independent work, who helps prepare therapy. Nurses are dissatisfied with the high workload and justify the identified shortcomings in their work because there are too few of them.

Prisoners who participated in the survey rated their health (perception of health status) with an average score of 2.8 (grades 1 to 5). They also complain that they wait too long for examinations ("I write to the doctor 10 times, and she doesn't call"; "I've been waiting for a psychiatrist to call me for months." Most of the prisoners who have taken or are taking substitution therapy and/or analgesics are dissatisfied with the work of the Penitentiary doctor. They state that he is "abolishing therapy on his own". After analysing the survey, an interview was conducted with a doctor, who stated that when she arrived, she analysed the type and amount of therapy prescribed to prisoners and that she reacted when she noticed the prescription of drugs that should not be taken together. She also stated that she was acting following all the instructions that the SUZS had submitted to the criminal authorities regarding the use of certain medications and that she was agreeing with the psychiatrist to reduce and gradually abolish substitution therapy for prisoners who were "barking" in therapy. We also talked about the data from the survey with the manager, who states that the reduction of substitution therapy and the abolition of this therapy have led to an improvement in safety indicators in the Penitentiary for some prisoners (for example, there are fewer physical conflicts among prisoners, etc.).

Therapy is distributed only in the morning and evening to facilitate nurses' work. For prisoners who are assessed as being able to take the therapy on their own, it is with them. They should promptly let you know when they need to replenish their therapy supply to make an appointment with a family doctor. If they do not report it promptly, they are without therapy for several days while waiting for a cure, which is unacceptable. Thus, a prisoner, a chronic heart patient, complained to us that he had been without therapy for a week. Considering the health and safety aspect, we have proposed reconsidering the decision on the independent disposal of therapy for individual prisoners.

It is necessary to ensure that vacancies in the Health Care Department are filled, and we have proposed the temporary engagement of a larger number of employees by concluding a service contract, to enable better organisation of work and ensure health care for prisoners. According to the data, job vacancies are being announced, but no one responds.

The records of examinations with the prison doctor are not updated and are kept on paper and the computer, but the data do not match. It is not visible how long the wait is for a medical examination. We recommended that nurses keep more precise records of when prisoners checked in and when they performed it.

There is no written protocol for nurses to administer prescribed medication to prisoners. The amount of medication that entered the Penitentiary is unknown because it is not recorded anywhere, which is unacceptable. It was established that when one prisoner was admitted, the nurse received a bag of medication from a judicial police officer, but did not document the type and amount of therapy received ("patient admitted, judicial police officer handed over a bag of tablets"). Subsequently, she did not have information about the medication with which the prisoner was admitted. To prevent such procedures, we proposed that a protocol be developed for the admission of prisoners and the takeover of therapy. Following our recommendation during the visit in 2018, a record of the narcotics book was established in the Penitentiary.

Recommendation 145

The Government of the Republic of Croatia has delegated the responsibility for the performance of health care or the provision of health care in the prison system to the ministry in charge of health.

Over the years, we have been monitoring the organisation of health care in the prison system, and the difficulties arising from the fact that the ministry responsible for justice is primarily responsible for its implementation. According to MPUDT data, in November 2024, doctors of the

prison system were allowed access to the CEZIH eCard, which we welcome, but they still cannot write prescriptions and referrals or enter data into the e-Card. Most organisational problems would be easier to solve if the responsibility for performing health activities, in the case of OLS health care in the prison system, were taken over by the ministry responsible for healthcare (while the MPUDT can provide the space and equipment). Finland, France, Italy, Luxembourg, San Marino, Slovenia and the United Kingdom already have such a solution, and Portugal is preparing for it.

The Treatment of Prisoners

In the Zadar Prison, the officers of the Treatment Department conduct initial interviews with all categories of OLS, where they introduce them to the relevant regulations, the daily schedule of activities, their rights and obligations, and if necessary, they are provided with psychosocial assistance and support. Such actions are an example of positive practice.

The survey on the performance of the tasks of the Department of Treatment was completed by 45 OLS, on average 42 years old (ranging from 23 to 66 years).

As the most negative prison experience, they cite "the very arrival at the Prison" and the fact that they are deprived of liberty ("every day is a bad experience because I am deprived of liberty"; "that I have to be here"; "when he unlocks the door and locks it again").

The pre-trial prisoners also cite poor accommodation conditions ("sleeping on the floor and unpleasant odors from the toilet, because when sleeping on the floor you are right next to the toilet"; "too many people in the room"; "that misdemeanour prisoners and detainees are mixed with pre-trial prisoners") and the behavior of other pre-trial prisoners, some of which are allegations and worrying ("staying in a room, for a short time, with an extremely difficult and rude prisoner; " problems in the room among prisoners"; "encounters with prisoners who, in my opinion, are mentally disturbed and perhaps should be placed in a mental institution rather than placed in prison"; "a sudden attack by an unaccountable person, who was in the process of being transferred to another institution, and his serious mental state").

They spend their time mostly in the room, unstructured ("in the cell 22 hours a day, and two hours on a walk"; "I watch TV, listen to the radio, read books"; "I drink coffee, sit and smoke tobacco"; "I think about the various traumatic situations I am burdened with"; "I'm practicing in my room"). All respondents, except for two, are satisfied with the work of the treatment officers ("all praise for the treatment"; "she is always ready to help", etc.).

With an average score of 3.9 (1 to 5), inmates rate the relationship between treatment officers and inmates more favourably than when visiting in 2017.

In the Penitentiary in Lepoglava, 24 positions with a total of 47 bailiffs in the Department of Treatment have been systematised, of which only 29 have been filled, three fewer than during the visit in 2017. Since the Penitentiary, in closed conditions, inmates who are serving long-term prison sentences, who are at high security risk and those who have been convicted multiple times, i.e. extremely demanding categories, complex in terms of treatment work, it is necessary to provide enough officials of appropriate professions (psychologists, social pedagogues, social workers). The treatment group has an average of 44 prisoners, more than at the 2017 tour, when there were 37. There are currently 18 officers working on the implementation of the prison sentence program (of which 13 lead treatment groups), and seven are missing. The lack of officials negatively impacts the respect of prisoners' rights, and it is necessary to fill systematised positions as urgently as possible.

During this tour, it was found that the presence of treatment officers in the prisoners' wards was lower than during the 2017 tour. The analysis of surveys indicates that the availability of treatment group leaders to prisoners mostly depends on which officer is in charge. Some state that they can talk to

officials whenever they need to, while others haven't seen them for a long time ("I haven't seen him in months"; "They don't talk to us, they just hand us mail"). According to information from the survey, officials are present in the department two days a week, while in 2017, they were present for three days. Most complaints were related to the duration of the interview (38 % of them state that the conversations last up to five minutes), and five state that the officials are not interested in helping and that they have not talked to them for a long time ("he is almost not in the department", "I only see him when he distributes mail", etc.). To increase accessibility, we proposed to consider organising the work of treatment officers to ensure their presence in prison wards at least three days a week.

The survey was completed by 37 prisoners, from three departments and by case-selected inmates. The relationship with the treatment officer is assessed with the highest score (4.5) by prisoners from the so-called hospital ward. They are grateful for the help in solving personal problems (taking them to the bank, help with creating a protected account, etc.), and they cannot single out a single behaviour of the treatment officer that would bother them. Inmates engaged in work rate the relationship with treatment officers at 3.6. They have high expectations from officials ("rehabilitation while serving their sentence and preparing for external life", etc.), and they also listed several problems in which they helped them ("when he had a health problem", "going to a funeral", "giving an extra 10 minutes of phone when needed", "talking about a family problem, advice, work", etc.). They state that some "clerks" invest much effort in working with prisoners. Prisoners from one of the non-working departments rated the relationship with treatment officers the worst (1.5). 67 % of them rate the relationship with a grade of 1. They state that some officials "serve only to bring letters", "treat individual prisoners as if it does not exist", and express the need for more conversations. They would like the officials to be more engaged in solving their problems ("just to make an effort to take care of the prisoners, because we depend on them, every effort they make is good for us"). They are most bothered by unprofessionalism in communication – insolence, arrogance, "betrayal" of confidential information, and insincerity and lack of interest.

Recommendation 146

The Ministry of Justice, Public Administration and Digital Transformation and the Ministry of Science, Education and Youth, to enable prisoners to complete basic adult education

There are 71 prisoners who have not completed primary school, while 149 have only completed primary school. Primary education of prisoners has not yet been organised. However, we have been informed that the possibility of conducting primary education in cooperation with an external educational institution is in

progress, under the agreement from the meeting of representatives of the MPUDT and the Ministry of Education. Please note that the successful rehabilitation of prisoners is not possible without enabling the completion of primary education, because without it, it is not possible to enrol in various vocational training courses, and it is difficult to establish employment after release from a prison sentence. Therefore, it is necessary to systematically intensify activities in prisoner training, i.e. to provide all prisoners with the opportunity to complete basic adult education, so they can more easily enter the labour market after serving their prison sentence.

Maintaining order and security

Although we have been pointing out for years the need to amend Chapter XIX of the ZIKZ, which refers to order and security, it is worrying that our recommendation has not yet been implemented. Namely, the existing deficiencies and substandard provisions may violate OLS rights, i.e., humiliating or inhumane treatment. Although the ambiguities of certain provisions are sought to be eliminated by the instructions of the SUZS, without amendments to the ZIKZ, it is not justified to expect uniformity of treatment, and thus a greater respect for the rights of the OLS.

According to the Plan of Legislative Activities of the Government of the Republic of Croatia for 2025, in the fourth quarter, it is envisaged that the Law on the Judicial Police and Authorised Officials in the Prison System will be sent to the legal procedure. Since the adoption of this Act requires amendments to the ZIKZ, according to the information of the MPUDT, the ZIKZ will be sent to the legal procedure simultaneously, which will be an opportunity to eliminate the shortcomings of Chapter XIX.

The shortcomings of the CPC in the part on disciplinary proceedings against pre-trial prisoners, which we wrote about in previous reports and pointed out in e-consultations, have not been eliminated either. The ban on visits and correspondence is still the only disciplinary punishment that can be imposed on pre-trial detainees, whose maximum duration is not prescribed. According to the data from the tour

of the Zadar Prison, this sentence was imposed in the range of 10 to 120 days. Therefore, we hereby point out that it is necessary to prescribe in more detail the disciplinary penalties for pre-trial prisoners regulated by Art. 140 of the CPC. Namely, for the sake of legal certainty and predictability of the legal norm, and considering international standards, it is necessary to prescribe several types of disciplinary penalties, their framework (minimum and maximum duration) and the procedure for their imposition. Expanding and modernising the catalogue of behaviours that constitute disciplinary offences is also necessary.

Recommendation 147

To the Ministry of Justice, Public Administration and Digital Transformation, to propose an amendment to Art. 140. To prescribe disciplinary penalties for pre-trial detention in more detail.

Special measures to maintain order and security

Taking into account the shortcomings of the ZIKZ, which is the basis for the treatment of the OLS, special attention was paid to maintaining order and safety during the tours.

During the tour of the Zadar Prison, it was determined that the measure of separation from other prisoners towards one prisoner was carried out, with shorter intervals, for four months (from August 1 to December 6, 2023). Although such action is not contrary to the regulations, it indicates the inadequacy of the provisions relating to special measures to maintain order and security. Namely, except for a special measure of maintaining order and security – placement in a specially secured room without dangerous items (it can last up to 48 hours at a time), the ZIKZ envisages three different measures to separate prisoners from the group mode of serving their sentences. There are two special

measures – separation from other prisoners (can last up to 30 days), solitary confinement (can last up to three months), and a disciplinary measure of solitary confinement (can last up to 14 days).

Although these three measures are most often carried out in the same premises and, with minor differences, essentially in the same way, the ZIKZ prescribes that solitary confinement may be applied no more than twice during a calendar year, and that the interval between the execution of two consecutive measures of referral to solitary confinement may not be less than eight days (except in the case of written consent of the prisoner). However, there is no time limit for the successive execution of separation from other prisoners.

In addition, the ZIKZ prescribes standards for the accommodation of the room in which the measure of solitary confinement is carried out and the one in which the disciplinary measure of referral to solitary confinement is carried out (it must meet health, hygiene and spatial requirements, be airy, adequately lit by daylight and artificial light, heated in line with climatic conditions, equipped with a bed and bedding, a table and a chair, and the prisoner must be provided with unrestricted access to drinking water and sanitary facilities). On the contrary, no prescribed standards exist for executing the measure of separation from other prisoners.

Following the ZIKZ, the measures of separation from other prisoners, placement in a specially secured room without dangerous items and placement in the department of increased supervision are carried out under the supervision of a doctor or nurse or technician, and the measure of solitary confinement, as well as the disciplinary measure of referral to solitary confinement, under the supervision of a doctor. However, the ZIKZ does not prescribe how often a doctor, nurse or technician must examine a person during separation, as is the case, for example, in solitary confinement and disciplinary measures of referral to solitary confinement (supervision by a doctor is mandatory at least twice a week). At the same time, during a tour of the Penitentiary in Lepoglava, one prisoner who was on the execution of a special measure of solitary confinement stated that the doctor did not examine him even once in two and a half months, which indicates the need for a clearer definition of the manner of performing this supervision.

Although the ECtHR in the case of *Vukušić v. Croatia* (application no. 37522/16, § 40), questioned the justification for tying up a person who is in a specially secured room free of dangerous goods (POPBOS), such a practice, which is not contrary to the ZIKZ, is still present. The CPT also pointed out this problem in the Report on the Visit of the Republic of Croatia in 2022, and recommended that the measure of restraint should not be applied to prisoners placed in POPBOS. In the response of the Government of the Republic of Croatia to the CPT (CPT/Inf (2023)31) to the said recommendation, it is stated, among other things, that the SUZS will warn the penal authorities that it applies the measure of restraint against persons placed in the POPBOS only in cases where it is not possible to ensure otherwise the physical integrity of the OLS and the person applying the measure.

Recommendation 148 (reiterated)

Ministry of Justice, Public Administration and Digital Transformation, to prepare a proposal for amendments to Chapter XIX of the Law on the Execution of Prison Sentences

However, this warning will not affect existing practice without clear prescribed criteria for the additional application of the measure of restraint of persons in POPBOS. First of all, it is not clear who, in such situations, should assess the risk of a possible violation of bodily integrity for which the restraint measure is

cumulatively applied. All the more so because the measure of placement in POPBOS is very often determined to prevent self-harm. For example, in the Lepoglava Penitentiary, in 2024, until the day of the visit, the measure of placement in POPBOS was determined three times, each time to prevent self-harm, while in 2023, the prevention of self-harm was the reason for determining the measure in seven, out of a total of nine cases. It should be emphasised that the legality of the procedure, i.e. the legality of the application of the measure of tying persons in POPBOS, will depend on the proper risk assessment (risk of violation of bodily integrity).

Furthermore, in some criminal authorities (for example, in the Penitentiary in Lepoglava), we have determined that data are inconsistently entered into the records of special maintenance and safety measures. For example, although in addition to the measure of accommodation in POPBOS, under the ZIKZ, the measure of enhanced supervision is mandatorily executed, this does not follow from the records, which we warned about in the Tour Report. Namely, inconsistent and incomplete data entry calls into question the correctness of the entire record, which is unacceptable because these measures can further restrict prisoners' rights.



In addition to normative deficiencies, the application of special measures to maintain order and security is also negatively affected by the conditions in which these measures are carried out in individual criminal authorities. For example, the POPBOS in the Pula Prison has not been adequately equipped since an incident occurred in 2015 during which an inmate set himself on fire and died of his injuries. Despite this, the measure of accommodation in POPBOS continues to be carried out in an identically equipped, insufficiently secure room.

Means of coercion

According to the data collected during the visits, coercive measures are rarely used, but their totality and comparison with previous years are not possible because we have not received MPUDT data for 2024 until the preparation of this Report.

To better understand the treatment of prisoners during the use of coercive measures, during our tour of the Lepoglava Penitentiary, we inspected the data and reports for 2023 and 2024. As with special measures to maintain order and security, the actions were not adequately recorded. For example, the Records of the Use of Coercive Means show that a spray gun with permitted harmless substances and a

baton were applied to one prisoner. However, according to the report submitted by the Penitentiary in Lepoglava to the SUZS and the executing judge, it follows that detention procedures were also applied that were not entered in the Register, which is inadmissible.

Furthermore, the prisoner was subsequently placed in POPBOS, where the next day, a means of coercion – a spray gun – was applied to him again. Since, according to the Records of the Use of Coercive Means, the prisoner was placed in the POPBOS at the time of the application of the sprayer, it is necessary to recall the position of the ECtHR in the case of *Perkov v. Croatia* (Application No. 33754/16) according to which "when the applicant is fully under the supervision of a representative of the State, the task of the Court is no longer to examine the severity of the injuries sustained during the proceedings, but the necessity of the treatment to which the applicant was subjected to determine whether he is the subject of the objection falls within the scope of Article 3. Convention. If such treatment is not considered strictly necessary, it constitutes degrading treatment and therefore an infringement of Article 3." (§ 31).

In the judgment of *El-Asmar v. Denmark*, the ECtHR found a violation of Art. 3 of the ECHR because the State has not proved that the application of the spray to the pre-trial prisoner in the observation room was strictly necessary. He also reiterated the concerns of international bodies about the use of nebulisers in confined spaces, in particular emphasising the position of the UN Committee Against Torture and the CPT, according to which the nebuliser is a potentially dangerous substance that should not be used in confined spaces, nor against a prisoner who has already been placed under control (§ 71).

Although the majority of judicial police officers, in the existing difficult working conditions, act professionally, prisoners, especially Roma, continue to state in interviews and anonymous surveys that they are exposed to physical or verbal violence. Such actions are unacceptable and, taking into account Art. We regularly warn about Articles 3 and 14 of the ECHR, i.e. Art. 14, 23 and 25 of the Constitution of the Republic of Croatia. This problem was also pointed out by the CPT in the Report on the visit to the Republic of Croatia in 2022, recommending the implementation of trainings to improve the skills of officials in dealing with high-risk situations, especially on ways to avoid crises and reduce tension, where the trainings should also include the prevention of discrimination and intolerance towards OLS of Roma origin (34).

In a survey during a tour of the Penitentiary in Lepoglava, all inmates from Department 1B (Department of Enhanced Surveillance) rated their relationship with the judicial police with the worst grade of 1, except for two who rated it with a grade of 3. While a few of them state that there are judicial police officers who behave professionally ("he always addresses you and strictly adheres to the rules"), most make worrying allegations and complain about their actions ("the police beat me and they didn't report it anywhere"; "They called me to the treatment department and beat me where there are no cameras"; "They beat me and insult me and are very arrogant towards all of us"; "They are very arrogant, they beat someone every now and then"; "Every month someone is beaten or slapped or in a room or where there are no cameras"). One inmate said he was taken to an area not covered by video surveillance and beaten there, which is extremely worrying.

In this context, we would like to remind you again that the UN Committee Against Torture, in its concluding observations from 2014, sent a recommendation to the Republic of Croatia on the necessity

of examining all allegations that point to possible torture and inhuman or degrading treatment, including those of verbal abuse and the use of excessive force. The CPT has also repeatedly stressed the need to create an atmosphere in which it is considered correct to report a colleague who abuses an OLS, and that it must be clear that the blame for the abuse lies not only with the perpetrators of such an act, but also with any person who knows or should know that the OLS is being abused, and does not prevent it or report it to the authorities (CPT/Inf(2004)28-part).

Violence among prisoners

Violence among prisoners is a problem that is present in the prison system and which, regardless of its frequency, needs to be dealt with continuously, systematically and comprehensively. This does not arise only from Art. 4 of the ZIKZ, which stipulates that the prisoner enjoys the protection of fundamental rights established by the Constitution of the Republic of Croatia and international treaties, but it is the duty of States, under the positive obligations from Articles 2 and 3 of the ECHR, to take appropriate preventive measures to protect the physical and psychological integrity and well-being of the OLS. Failure to do so, according to the practice of the ECtHR, often constitutes a violation of the rights under Art. 2 and 3 of the ECHR, respectively.

During the tour of the Zadar Prison, 86 % of the respondents stated that they felt safe. Five of them said that another prisoner attacked them, and seven that he threatened them. We received significantly different answers in the Penitentiary in Lepoglava at Department 1B (OPN), where as many as 71 % of prisoners stated that they did not feel safe. 40 % of them stated that another prisoner attacked them, and 47 % that he threatened them. Although these data indicate the presence of inter-prisoner violence, the situation is better than in 2017, when as many as 92 % of prisoners said that they did not feel safe in the Department. One of the possible causes is lower occupancy; in 2017, the occupancy of the Department was 79 %, and in 2024, it was 56 %.

According to information from the Ministry of Labour and Social Affairs, the adoption of a plan for the prevention of violence among prisoners, which will be based on the research report of the joint project of the SUZS and the Department of Criminology of the Faculty of Education and Rehabilitation Sciences in Zagreb "Violence in the Prison System", is expected at the end of 2025. Since we have continuously emphasised the need to adopt this plan in the Ombudswoman's reports since 2018, we will monitor its adoption with special attention.

In this context, it should be emphasised that in recent years, at the global level, the need to prevent radicalisation leading to terrorism or violence in prisons (VERLT - violent extremism and radicalisation leading to terrorism) has been pointed out. Although this phenomenon is still not present in the Croatian prison system, according to our information, it is possible, and therefore, it is necessary to work on prevention in time.

Cooperation with MPUDT (Directorate for the Prison System and Probation)

Education of prison system officials, especially on human rights of the OLS, is one of the prerequisites for the professional conduct of the judicial police. Therefore, we continued our cooperation with the MPUDT in conducting basic courses for officers of the security departments of penitentiaries and prisons. Through individual cases from the practice of the Ombudsman institution, our role in protecting the rights of the Ombudsman and preventing torture was clarified. In addition, through the presentation

of the decisions of the Constitutional Court related to violations of Art. 23 and 25 of the Constitution and the judgment of the ECtHR in cases against the Republic of Croatia in which a violation of Art. 3 of the ECHR pointed out the necessity of respecting the human rights of the OLS and the prohibition of torture.

As a rule, the requested statements are submitted by the SUZS and the penal authorities within the deadline set for this purpose, and we assess the cooperation with the MPUDT as good. However, in some cases, even when inhumane treatment has been established, the responses of the SUZS do not contain a notification of the action taken in response to the given warnings and/or recommendations – a certain practice is described in general and in principle, sometimes they only thank the recommendation. Such actions are contrary to the obligation under Art. 27 of the Ombudsman Act, according to which the authorities are obliged to inform the Ombudsman, within the time limit set by her, of the measures taken and may hinder the Ombudsman's work in protecting the rights of the OLS.

4.4. Persons with mental disorders whose freedom of movement is restricted

The Ombudswoman protects the rights of persons with mental disorders whose freedom of movement is restricted for several mandates. Based on the ombudsman's mandate and the mandate of the national institution for the protection of human rights, under the powers of the Ombudsman Act, it also acts on complaints in cases initiated on its own initiative. Based on the mandate of the National Preventive Mechanism (NPM), under the powers of the Act on the National Preventive Mechanism for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, it prevents visits to places where there are persons with mental disorders whose freedom of movement is restricted. The work by objects is shown in the first part, and in the second, the insight gained through preventive visits.

4.4.1. Protection of the rights of persons with mental disorders

Most complaints in 2024 were related to the validity of voluntary consent and placement in a closed psychiatric ward, i.e. the lack of information to patients that voluntary treatment will be carried out in closed conditions. At the same time, in the work on cases initiated on our initiative, we checked the treatment of police officers towards persons with mental disorders.

For years, we have been pointing out the problem of placing voluntary patients in closed wards, which is *a de facto* deprivation of liberty, and which was also warned by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) of the Council of Europe in the latest Report on the Regular Visit to the Republic of Croatia. The CPT noted that patients in locked wards were *de facto* deprived of their liberty and thus deprived of the procedural safeguards applicable to involuntary hospitalisation. According to the CPT, it is not a matter of voluntary accommodation if voluntary patients are in closed wards and if a decision of a doctor or medical staff is required for their movement or exit. In such situations, it is necessary to review their legal status, i.e. initiate the procedure of forced hospitalisation.

In the case of a patient who was not informed or consented to be placed in a closed ward, but signed an informed consent for voluntary hospitalisation, we warned the psychiatric institution about the consistent application of the Act on the Protection of Persons with Mental Disorders (ZZODS). The clinic considered the detention an observation that can last for 48 hours, but given that the complainant signed an informed consent, the provisions on voluntary hospitalisation apply in such situations. The ZZODS defines the voluntary nature of accommodation as the continuous commitment of the patient, who should be allowed to revoke consent if he or she requests it. According to Art. 25 of the ZZODS, a person may revoke the consent to voluntary placement at any time, but then the consequences of ceasing to use the medical procedure must be explained to them. The revocation of consent is followed by either discharge from the hospital or initiating the procedure of forced hospitalisation, but the patient cannot be considered to be under observation if he has withdrawn consent in the meantime.

Regarding the recommendation from the 2023 Report not to restrict the freedom of movement of voluntary patients and to allow them to revoke informed consent during hospitalisation, the Government of the Republic of Croatia responded. that the Croatian Institute of Public Health has produced leaflets "Rights of persons in a psychiatric institution – informed consent to

Recommendation 149 (reiterated)

Psychiatric institutions, that voluntary patients are not restricted in their freedom of movement and that they are allowed to revoke informed consent during hospitalisation

treatment" to help psychiatric institutions inform patients about their rights in an appropriate way and simple language. However, given that people with mental disorders continue to complain to us that they did not agree to accommodation in closed conditions when they signed the informed consent and that they cannot withdraw it, we reiterate the recommendation not to restrict the freedom of movement of voluntary patients and to allow them to revoke informed consent during hospitalisation.

Under the ZZODS, persons with mental disorders should be familiar with the rights, reasons and goals of accommodation, as well as the purpose, nature and consequences of the medical procedure, with information on their health status and participate in planning, treatment, as well as rehabilitation and resocialisation. Part of the complaints related to the forced treatment of voluntary patients who were not familiar with the therapy they were receiving or were not allowed access to the medical records, which is their right under Art. 14 of the ZZODS.

Regarding patients' rights, in last year's report, we recommended that the Ministry of Health educate medical staff on the obligation and manner of familiarising patients with their rights during their stay in psychiatric institutions. Concerning this recommendation, the Government of the Republic of Croatia stated that respecting the rights of persons with mental disabilities and encouraging recovery is in the focus of the Strategic Framework for the Protection of Mental Health of the Republic of Croatia, and that the development of action plans for all areas of the Strategic Framework is underway, and that the online education of the World Health Organization on the rights of persons with mental health problems has been translated into Croatian.

We also received complaints from people with mental disorders who were not satisfied with the initiation of the involuntary hospitalisation procedure or who did not want to stay in forced accommodation. In these cases, we pointed to Art. 31 of the ZZODS, according to which a person is

detained in a psychiatric institution if a psychiatrist determines the existence of reasons for forced detention, and the decision on that person is entered in the medical documentation. The county court is notified of the forced detention, which decides on forced placement. We informed the complainants that the Ombudswoman protects the rights of persons with mental disorders during their stay in psychiatric institutions, but that she cannot enter into the medical aspect, i.e. that the decision on forced detention is made by a specialist psychiatrist based on an individual assessment, while the court makes the decision on forced placement based on an expert opinion.

The tragic event at the Prečko Elementary School at the end of 2024 triggered a public discussion about the need for hospitalisation of people with mental disorders. Questions were raised about how decisions were made about forced hospitalisation, and there were noticeable concerns about community safety when treating people with mental disorders at large. Internal hospital supervision was carried out, and the Ministry of Health was inspected. Several psychiatrists publicly pointed out that psychiatric care in the Republic of Croatia is at a low level due to insufficient funds and a lack of specialists. It was also stated that there are only about 50 child psychiatrists in the Republic of Croatia, which is insufficient, as we previously pointed out during the e-consultation on the Draft Implementation Program for the Development of Child and Adolescent Psychiatry in Hospital Health Care.

After the inspection, the competent minister stated that a revision of the guidelines for the treatment of persons with mental disorders is needed. The Croatian Psychiatric Association (HPD) believes that the treatment of persons with mental disorders is carried out following a law that is similar in most European countries that emphasise the right to patient autonomy and deinstitutionalisation with the development of outpatient models of care, which would enable the return of these people to the community and their rehabilitation. Under the HPD, in the treatment of persons with mental disorders, it is not possible to predict the deterioration of the condition, the occurrence of suicidality or aggression, which is influenced by numerous factors that are independent of the psychiatric diagnosis. It is necessary to strengthen the system with sufficient medical staff, with adequate evaluation of psychiatric services, development of more elaborate protocols and strengthening the connection of care services, to reduce the risk as much as possible and ensure timely recognition of situations that require specific interventions. In this context, it should be noted that the World Health Organisation (WHO) in its Mental Health Action Plan 2013-2020 recommended reducing the frequency of hospitalisations that occur due to a lack of care in the community and increasing the availability of various mental health services in the community.

On our initiative, we initiated an investigation into a case at the Insula County Special Hospital on the island of Rab, in which, after a verbal conflict between two voluntarily hospitalised patients in the open ward escalated into a physical one, the younger patient inflicted several blows to the head of the older one, from which he died. The Special Hospital stated that the incident occurred within a minute in the rehabilitation ward with more freedom of movement of patients and that measures were taken to reduce the traumatic effect on other patients, and the Rijeka County State's Attorney's Office filed an indictment for the criminal offense of murder committed in an unaccountable state. Although these were patients in the rehabilitation department and the deterioration of the condition and aggressiveness cannot be predicted, we remind you of the obligation of the state under Art. 2 of the Convention, which requires appropriate steps to be taken to protect the lives of persons under its jurisdiction, in the specific case of persons with mental disorders undergoing hospital treatment.

Due to the importance of an effective investigation of serious crimes against sexual freedom of persons with mental disorders and their adequate sanctioning, we followed the case of a sexual assault by a driver of the Ugljan Psychiatric Hospital (PB Ugljan) on a patient, which resulted in the termination of the employment contract and court proceedings in which the perpetrator was sentenced to six years in prison.

In 2024, the ECtHR issued a judgment in *T.V. v. Croatia* (no. 47909/19), in which it found a violation of the substantive and procedural aspect of Art. 2 of the ECHR concerning the treatment of V.D., a person with mental disorders. The ECtHR found that the police officers were aware that this was a person with mental disorders, disturbed during their intervention. Despite this, they did not immediately seek medical help, as prescribed by the Instruction on the Treatment of Persons with Mental Disorders by the Police, but used a spray to calm him down and kept him in an unfavourable lying position with his chest and face facing the ground until the arrival of the ambulance. In the same position, V.D. was supposed to be transported to the hospital, which is more than an hour's drive away, without being provided with professional supervision and proper monitoring of his condition in the ambulance. Therefore, the ECtHR concluded that V.D.'s distress and subsequent actions of the state authorities resulted in a fatal outcome, which cannot be said to have been completely unforeseeable to the police and/or medical staff. The force used was not "absolutely necessary" and therefore the state did not fulfil the positive obligation to protect life from Art. 2 of the Convention in the substantive aspect. In connection with this case, we investigated our own initiative in 2017 and recommended that the Police Directorate and the Ministry of the Interior consider training police officers who would specialise in dealing with persons with mental disorders. The need for specialisation of police officers is in line with the ECtHR Decision *Shchiborshch and Kumini v. Russia* (2014), which states that police should undergo training to ensure that persons with mental disorders are treated appropriately.

As a member of the Expert Council for the Enforcement of Decisions of the ECtHR, we submitted an opinion on the draft Action Plan for the Enforcement of the judgment of *T.V. v. Croatia* and we welcomed the announcement of an amendment to the law that will define that only specially trained police officers can intervene when it comes to persons with mental disorders. Consequently, we

emphasised that it is necessary to train a sufficient number of police officers to deal with persons with mental disorders who will be deployed in all police departments in the Republic of Croatia, and that only exceptionally, in particularly urgent situations, can police officers who are not specialised act. At the same time, for the sake of careful treatment of persons with mental disorders, it is desirable to introduce additional education for all police officers.

Recommendation 150.

Ministry of the Interior, to train a sufficient number of police officers to treat persons with mental disorders who will be deployed in all police departments in the Republic of Croatia

Furthermore, although Art. 139 par. 4 of the Ordinance on the Conduct of Police Officers, it is defined that a police officer shall not use means of coercion against a child, a pregnant woman in a visible state of pregnancy, an elderly and visibly ill or infirm person, a person with mental disorders and a person with a severe disability, unless such a person endangers the life or safety of a police officer, the life or safety of another person or his or her own life, or the conditions prescribed by a special regulation are

met, It is necessary to elaborate in more detail the types of coercion and the manner of their application that can be used in exceptional situations towards people with mental disorders. In the judgment of T.V. v. Croatia, it is stated that the position in which a person was held with his face to the floor is contrary to CPT standards, since this position may be life-threatening to the person against whom the means of coercion are applied.

In 2024, on our own initiative, we launched an investigation into the case of a person with mental disorders who died during a police intervention near Garešnica. In this case, the police officers, despite knowing that it was a person with mental disorders, failed to apply the Instruction on the Procedure of the Police in Bringing a Person with Mental Disorders to a Psychiatric Institution.

In its statement, the Police Directorate stated that the police officers were aware that the person had established mental disorders, that they received the first report of violent behavior at 7:10 a.m., that they approached the residential address at 08.00 a.m. and began to intervene, that the person refused to comply with orders and became increasingly agitated, that in addition to restraints, they also used a spray with irritating substances, that physical force was used to provide active resistance, that the person with mental disorders was lying on his stomach to overcome the resistance, and that the arrival of the ambulance was requested at 8:35 a.m. because the person could not be calmed down. In the meantime, the person's condition worsened, with the arrival of the ambulance at 8:55 a.m., resuscitation began, and at 9:30 a.m., death was confirmed.

Recommendation 151.

Ministry of the Interior, to submit instructions to all police administrations and police stations on the consistent application of the Instruction on the Conduct of the Police in Bringing a Person with Mental Disorders to a Psychiatric Institution

According to the Instruction on the Procedure of the Police in Bringing a Person with Mental Disorders to a Psychiatric Institution, which police officers, acting ex officio or on call, when they determine the danger that a person will seriously and directly endanger their own or someone else's life, health or safety, must request that medical personnel come to the scene and take the necessary actions. There was enough time to call the medical staff in

this case, and there might not have been a need to use coercive means. Consequently, we recommend that the Ministry of the Interior submit an instruction to all police administrations and stations on consistently applying the Instruction on the Conduct of the Police in Bringing a Person with Mental Disorders to a Psychiatric Institution.

The treatment of persons with mental disorders by the police was one of the topics of the meeting of the Network of Independent Institutions Responsible for Complaints against the Police (IPCAN). During the meeting, the Declaration for the Treatment of Persons with Disabilities by the Police was adopted, with recommendations for the treatment of persons with mental disorders. Among other things, it is recommended to regulate in more detail the use of coercive means against persons with mental disorders, as well as to use them only exceptionally. Furthermore, police officers should exercise special care when participating in escorts to mental health institutions, especially in cases of imminent danger of self-destructive or aggressive behaviour, and assist medical staff appropriately. It is necessary to conduct training on communication with people with mental disorders, with a special emphasis on de-escalation techniques; develop protocols and guidelines for responding appropriately and effectively to

complex situations involving persons with mental disorders; and encourage police awareness of the topic of mental health, especially of officers involved in dealing with people with mental health problems.

3.1.1. Performing the tasks of the NPM

During 2024, we visited the Department of Psychiatry of the Čakovec County Hospital (OPŽB Čakovec), the Department of Psychiatry of the Bjelovar General Hospital (OPOB Bjelovar) and the Vrapče Psychiatric Clinic (Vrapče Clinic).

The purpose of the visits was to determine the conditions in which persons with mental disorders are treated, their treatment, the awareness of patients about their rights, and the legality and purposefulness of the application of coercive measures.

Accommodation conditions

The conditions for the accommodation of patients within the health system of the Republic of Croatia are prescribed by the Ordinance on Norms and Standards for the Provision of Health Care (Ordinance on Norms and Standards).



During the visit to the OPŽB Čakovec, it was found that there was enough space in the rooms in the closed and open wards, and no overcrowding or violation of patients' privacy was observed in any of the rooms. All rooms are airy and well-lit by natural and artificial light, and they have proper PVC joinery, high cleanliness, and hygienic protection.

The floors of the rooms are coated with a PVC substrate that prevents slipping, while a central heating system provides the heating of the rooms. Accommodation rooms and hallways have air conditioning installed, thus ensuring a pleasant stay even in the summer heat.

There are enough sanitary facilities in OPŽB Čakovec, which have been renovated. It was noted that the Department has a special sanitary facility for maintaining the hygiene of people with disabilities, which is spacious and allows medical staff to be operational in helping patients maintain hygiene.

As an example of good practice, we would like to point out that OPŽB Čakovec has a special single room that accommodates patients suspected of suffering from infectious diseases and has a special sanitary facility and all the necessary connections and signalling. Video surveillance and an intercom are also installed in the room, enabling communication between the patient and the medical staff.



In contrast, the isolation room is inadequate due to its small size and the inability of patients to relax. The walls do not have a protective coating and can be dangerous for isolated patients who, in a state of delusion, hallucination or aggression, may resort to self-harm.

The room has no window, so there is no natural light and fresh air, contrary to the Guidelines for the Prevention of Admission without Consent and the Application of Coercive Measures in Psychiatric Institutions of 2021 (Guidelines). Consequently, during the tour, we recommended securing an isolation room whose arrangement and inventory prevent patients from self-harming, which has a larger space and allows the isolated patient to move and access daylight and fresh air.

In OPOB Bjelovar, there are six beds in the dormitories of the closed ward, which is contrary to the Ordinance on Norms and Standards, according to which a patient room can have a maximum of four beds. This is also contrary to CPT standards, according to which high-capacity dormitories can lead to a negative therapeutic and depersonalising effect on users, where such conditions can compromise their

privacy and obstruct the creation of a supportive environment. It is therefore necessary to ensure that no more than four users are present in any such room.

The rooms in the open-air department are of adequate capacity, airy and well-lit by natural and artificial light, and of a high level of cleanliness, hygienic and sanitary protection. In addition to hospital beds and bedside tables, the rooms are equipped with tables and chairs for socialising and resting patients, but not with wardrobes.

At OPOB Bjelovar, there is a special room in which, without the possibility of observation from other patients, means of coercion can be applied or in which people suspected of suffering from infectious diseases can be placed. The room has a separate toilet and all the necessary connections and signalling. It also has video surveillance and an intercom that allows the patient to communicate with the medical staff, and screens are placed between the beds. However, when this room is used for patients with infectious diseases, there is no adequate replacement room for applying coercive measures. Therefore, restraint is also conducted in rooms where other patients are accommodated.



Due to the clinical picture of patients at OPOB Bjelovar and the need for all-day surveillance in the rooms of the closed part, video surveillance was installed, which allows medical staff to observe patients in real-time because the cameras cannot record or reproduce. In this way, health personnel can intervene towards high-risk people.

However, too widespread use of video surveillance can violate the privacy rights of people with mental disorders. According to the CPT, video surveillance should be used according to an individual assessment of the risk of self-harm or suicide.

The guide of the Association for the Prevention of Torture (APT) states that it is necessary to establish a balance between the safety and dignity of persons deprived of liberty, and the use of security methods is acceptable only when it is necessary. When using them, including video surveillance, applying a proportionality test to protect patients' privacy in psychiatric treatment is necessary.

During the visit, it was determined that patients in the closed part of OPOB Bjelovar were not allowed to stay in the fresh air and daylight. However, CPT standards require outdoor recreation (under different weather conditions, with a place where they can shelter from rain or intense sun). Inadequate infrastructure cannot be an excuse for preventing patients from accessing the courtyard area for walking/recreation. Therefore, it is necessary for all patients, regardless of the status of accommodation, to stay in the fresh air and daylight.

During the tour of the Vrapče Clinic, we found that the new Institute of Forensic Psychiatry meets CPT standards in terms of accommodation capacities and has well-equipped rooms for rehabilitation and social therapy. Such accommodation conditions directly impact patients' behaviour, so the number of incidents and the use of coercive means are reduced.



The rooms at the Institute are airy and well-lit by natural and artificial light, and the floors are covered with a PVC substrate that prevents slipping. There are enough hospital beds in the rooms with electronic control and adjustment, which makes it easier to work with patients with limited mobility. We did not notice overcrowding or invasion of patients' privacy.

The rooms have an oxygen connection, signalling for calling medical staff and wall lighting, which is in line with Art. 52 of the Ordinance on Norms and Standards. However, it has been noticed that in some

rooms, there is a lack of chairs, tables, and wardrobes. Hence, patients primarily store their clothes and valuables in common cabinets under the supervision of medical staff.

The bathrooms are equipped with shower cabins and adapted to maintain the hygiene of people with disabilities, which is in line with CPT standards that indicate the need to provide hospital equipment to provide adequate care to people who spend their time mainly in bed, as the absence of equipment can lead to unsatisfactory conditions.



An example of good practice is the existence of a room for the isolation of aggressive/agitated patients equipped with video surveillance. The walls and floors of the room have a protective spongy coating that prevents injury to isolated patients who may resort to self-harm.

This room complies with standards according to which the isolation room must allow staff to observe the condition and communicate with patients, must be well insulated, ventilated and can control the temperature outside the room, have access to a toilet and a hygiene area, and be equipped with furniture, windows and doors that cannot be destroyed or used as a tool for injury.

A new Department of Biological Psychiatry and Psychogeriatrics has been opened at the Vrapče Clinic, which is equipped and organised according to the highest standards for protecting elderly people with psychosocial difficulties.

The equipment and infrastructure of the Institute are adapted to immobile patients who need 24-hour care and who suffer from mental and somatic diseases. Special rooms intended for palliative care are equipped with mobile beds, which makes it easier for medical staff to feed and dress patients. They are also equipped with special medical chairs that make it easier to lift patients, place them from lying to sitting positions, and transport them to sanitary facilities to maintain hygiene.

The Institute also has several rooms with a special purpose that enable exercise and preservation of patients' cognitive and mental abilities, as well as a "sensory room" in which an individualised sensory approach is applied with the aim of relaxation and prevention of stress and aggression in patients.

The rooms of the Intensive Care Unit are equipped with modern apparatus, aids to help lift and transfer patients, an oxygen supply system, and defibrillators to resuscitate patients.

The Institute for Diagnostics and Intensive Care has an emergency unit in which rooms are fenced with glass partitions, and video surveillance is not installed. This is contrary to Art. 53 of the Ordinance on Norms and Standards states that the emergency psychiatry department must establish two supervised rooms of at least nine square meters with video surveillance. Therefore, it is necessary to replace the glass partitions, through which other patients can see what is happening in the rooms, with video surveillance through which only medical staff will monitor the condition of patients in the Emergency Department.



At the Institute for Extended Treatment, there are up to seven beds in some rooms, so patients are limited in movement due to the limited space, i.e. they are prevented from any form of privacy. Some beds are practically joined, which is not in line with the Ordinance on Norms and Standards and CPT standards, according to which dormitories with a large capacity have an adverse therapeutic and depersonalising effect and compromise privacy. Therefore, no more than four users should be accommodated in any room.



The problem of an excessive number of beds per room (male and female wards) also exists at the Institute for Psychotic Disorders. During the visit, we noticed numerous structural damages caused by the earthquake that must be repaired.

We especially highlight the rooms of intensified surveillance in which ten patients are accommodated, contrary to Art. 51 par. 1 of the Ordinance on Norms and Standards, according to which a patient room can have a maximum of four beds.

Based on what has been observed during the visits, it can be stated that the conditions of accommodation in most rooms of psychiatric departments of general hospitals and some institutes of the Vrapče Clinic are in line with the standards of the Ordinance on Norms and Standards and the recommendations of the CPT. Such spatial conditions create a positive therapeutic environment. However, the conditions in some rooms of psychiatric departments, general hospitals, and most institutes in Vrapče are not in line with the standards and need to be regulated to have a positive effect on the treatment of people with mental disorders. Based on the shortcomings observed during the visits, we recommended that psychiatric institutions adapt the accommodation conditions in line with national and international standards.

Informed consent, voluntary accommodation and information on rights

Upon arrival at the Department or Clinic, patients sign a consent form by which they accept the recommended diagnostic or therapeutic procedure.

On the day of the visit to the OPŽB Čakovec, there were no forcibly placed patients, but nine of them were in a closed ward where their freedom of movement was restricted, which, according to the General Comment of Article 4. Optional Protocol to the Convention against Torture and Other Cruel,

Inhuman or Degrading Treatment or Punishment (OPCAT), *de facto* deprivation of liberty. This General Comment was published by the UN Subcommittee on the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (SPT) in mid-2024 in response to emerging trends and the need for additional interpretation of what can be deprivation of liberty, including accommodation within certain institutions where persons cannot leave of their own free will, or without the permission of the competent staff. Following the above commentary, the basic condition that determines whether it is a place of deprivation of liberty is the will of the person who is detained - if he or she cannot leave the institution without permission, such a status of the person is defined as *de facto* deprivation of liberty.

Some of the patients of OPŽB Čakovec stated that they did not remember that they had signed the consent and were familiar with the reason for the placement and treatment in a psychiatric institution. Although there was a signed consent in the medical documentation, it is questionable how they were informed and whether they could have given informed consent at all due to their mental state. Some patients who signed the consent stated they were unaware they could withdraw their voluntary consent.

At OPOB Bjelovar, one patient was in the process of forced hospitalisation, and six of them were in a closed ward due to increased surveillance. According to the information of medical professionals, patients in the closed ward are informed that due to the condition in which they are, they will be in conditions of limited freedom of movement and that they can go out into the fresh air accompanied by family members or medical staff. However, the patients stated that they were undergoing voluntary treatment and that they had agreed to hospitalisation, but that they were not aware that they would be placed in a closed ward and that they could withdraw their consent.

During the visit, 543 patients were accommodated at the Vrapče Clinic, of which 470 were on voluntary accommodation according to Art. 25 of the ZZODS (written consent for treatment), two forcibly detained under Art. 28 of the ZZODS, one forcibly placed under Art. 34 of the ZZODS (by court decision), and 70 patients at the Institute of Forensic Psychiatry, who were ordered by the court to undergo forced treatment because they committed criminal offences in an unaccountable state. Some of the voluntary patients were in closed wards, with limited movement. Most of them stated that they were aware that they would be placed in a closed ward until their health condition improved, with which they agreed, but some of them stated that they were not informed about the placement in a closed ward or that they could withdraw their consent. Several patients stated that they were forced to sign a voluntary consent, and we instructed them that they could file a complaint with the Ombudsman.

If a person with mental disorders does not have complete information concerning the conditions of placement in a psychiatric institution, or the information was given to him in a way that was not understandable, the validity of such informed consent is questionable. The validity of informed consent is particularly important in determining whether a person can have a voluntary status or if involuntary hospitalisation should be initiated. Bearing in mind the expert guidelines on the validity of informed consent, it is necessary to meet the following conditions: completeness of information so that the patient can make a decision, communication of information appropriately and understandably, voluntariness of consent and the patient's ability to decide on treatment. If the patient cannot understand the information and give consent, the provisions of the ZZODS on forced detention apply.

Following the Approach of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment regarding the rights of persons institutionalised and treated

medically without informed consent from 2016, informed consent is a voluntary decision made based on a clear understanding and sufficient information about possible effects and side effects treatment and the likely consequences of abstaining from treatment.

Bearing in mind the current situation, we have warned psychiatric institutions not to restrict the freedom of movement of voluntary patients without their consent, to ensure their stay in the fresh air and to allow them to revoke their consent during hospitalisation.

At OPŽB Čakovec, leaflets with information about patients' rights are available in the living room, but most patients stated that they are not sufficiently familiar with their rights during their stay in the department. During the visit to OPOB Bjelovar, it was not noticed that information on the rights of persons with mental disorders under the ZZODS was visibly highlighted. At the Vrapče Clinic, leaflets with information can be found in each department, and information on patients' rights is also displayed on notice boards. Most patients said they knew their rights, but some could not remember. According to the medical staff, the clinic has created a written document that is given to each patient upon admission, per the ZZODS and CPT standards.

During the visit to the Institute of Forensic Psychiatry, the problem of patients who are foreign nationals who want to continue treatment in their home countries was emphasised. However, due to the lack of an agreement on their transfer or due to the lack of an adequate psychiatric institution in their home country, they are still undergoing treatment at the Vrapče Clinic.

Due to the lack of institutional support from social institutions, forensic patients sometimes remain at the Institute even though the conditions for treatment are met in large part. There is also a lack of social support for patients in the Department of Extended Treatment who do not have family help. They are kept in accommodation even after the end of treatment and cannot be provided with accommodation in social institutions because they are considered to be at risk for safety. According to the doctors, "psychiatric hospitals are becoming a substitute for social institutions and people with mental disorders are staying in closed conditions even though they meet the conditions for treatment at large."

The lack of non-institutional support slows down the process of de-institutionalisation, which was also pointed out by the CPT stating that some patients stay in psychiatric institutions even though they have no further need for hospital treatment, and recommended taking additional measures to reorganise the system of care for people with mental disorders and provide greater support in the process of de-institutionalisation. Therefore, it is necessary to provide those persons who can be treated in freedom through interdepartmental cooperation with better institutional support, i.e. the necessary accommodation in social institutions and social support, as well as further supervision and availability of mental health services in the community.

Treatment of persons with mental disorders and the right to complain

During the visit, we did not receive any complaints about the actions of the medical staff, but there were several complaints related to the quality and quantity of food and the restriction of freedom of movement.

There are no complaint boxes or complaint submission forms at OPŽB Čakovec and OPOB Bjelovar, and remarks or complaints are mostly resolved by interview. In the case of a written complaint, it is

submitted to the Quality Unit. Psychiatry departments do not have records or a Register of received complaints. During our conversations with patients, we received no complaints about the possible disabling of the submission of complaints. Considering the current situation, we recommend that psychiatric institutions create forms for submitting complaints, make them available to patients, and set up mailboxes for their submission.

An example of good practice is the Protocol for Complaints and the complaint form developed by the Vrapče Clinic, which can be inserted into the complaint boxes or submitted to the Quality Management Unit, which is in line with CPT standards.

Individual treatment plan and occupational therapy

An individual treatment plan, treatment and occupational therapy are important in the recovery process, and treatment should be based on faith in recovery and healing, excluding stigmatisation and discrimination against people with mental disorders, as indicated by the World Health Organisation.

During the visits, we found that at OPŽB Čakovec, OPOB Bjelovar and some Institutes of the Vrapče Clinic, individual treatment plans are not made according to the recommended professional standards. Treatment should be carried out according to individual assessment and conclusion, which includes bio-psycho-social methods, to ensure optimal treatment for each patient. According to Art. 14 of the ZZODS, patients should be familiar with and participate in the planning and implementation of their treatment, rehabilitation and resocialisation.

Recommendation 152

The Ministry of Health, the counties and the City of Zagreb, to ensure a sufficient number of doctors and medical staff in psychiatric departments and psychiatric hospitals

The lack of doctors and other professionals also affects regular record-keeping and preparation of an individual treatment plan. The insufficient number of specialist doctors was especially emphasised during the tour of the Vrapče Clinic, but this was also noticed in the visits to the psychiatric departments of the hospitals in Bjelovar and Čakovec. Therefore, we recommend

that the Ministry of Health, counties and the city of Zagreb provide a sufficient number of doctors and medical staff in psychiatric departments and psychiatric hospitals.

Application of coercive measures

The ZZODS regulates the use of coercive measures, and according to CPT standards, it can only be used as a last resort (*ultima ratio*) to prevent imminent danger to the patient or other persons, and only for as long as necessary. Any use of coercive measures against persons with mental disorders must be justified, and if there is no necessity, it is considered inhuman and degrading treatment, as pointed out by the Constitutional Court in Decision U-III-4484/2013 of 2023. Personnel should be trained in the use of de-escalation techniques to reduce the use of coercive measures. The frequency of their application, the manner of use, the procedure by which they are determined, and their duration are significant indicators of the quality of psychiatric treatment and the level of protection of human rights in psychiatry.

It is positive that the Ministry of Health, based on the recommendation from the Report for 2023 to educate medical staff on the use of coercive measures, recommended that psychiatric institutions organise education on communication and de-escalation techniques, as well as legal regulations and techniques for the application of coercive measures, at least once a year. The need for mandatory education of employees of health and social institutions on the application of coercive measures was also pointed out by the Commission for the Protection of Persons with Mental Disorders, which proposed amendments to the ZZODS that would define this obligation.

In 2023, 246 applications of coercive measures were recorded in OPŽB Čakovec, of which 158 in the first half of the year and 88 in the second. In the first six months of 2024, there were 205 applications of coercive measures, which leads to the conclusion that they are frequently applied.

In 2023, 47 applications of coercive measures were recorded in OPOB Bjelovar, of which 23 were implemented in the first six months, while 24 were recorded in the second six-month period. In the first half of 2024, there were 21 of them, so it can be concluded that the application of coercive measures is rarely used and that de-escalation techniques are applied, which is good practice in the treatment of people with mental disorders. However, due to the lack of medical staff, the police are called upon to intervene in the application of coercive measures, which is not in line with the Ordinance on the types and manner of application of coercive measures against a person with severe mental disorders (Ordinance on Coercive Measures) and the Instruction on the procedure of the police on bringing a person with mental disorders to a psychiatric institution. The provision of assistance by the police is justified only in exceptional situations, and in other situations, it is necessary to ensure that there is enough medical staff in the ward who can independently apply coercive measures against the patient.

At the Vrapče Clinic in 2023, coercive means were used 834 times, of which 413 were implemented in the first six-month period, while 421 measures were applied in the second six months. In the first half of 2024, 428 coercive measures were recorded. An average of two applications of coercive measures per day for five hours indicates that they are used for a short duration and that the application is interrupted when the necessity of application ceases.

According to Art. 19 of the Ordinance on Coercive Measures, a psychiatric institution is obliged to adopt a strategy for the prevention of violence in the workplace and to continuously educate health professionals to recognise the escalation of patient behaviour at an early stage and acquire the skills to act quickly in the event of an incident. The Vrapče Clinic has a Strategy for Preventing Violence at the Workplace, but OPŽB Čakovec and OPOB Bjelovar do not have one.

The Vrapče Clinic also has a Protocol on the Application of Coercive Measures, which states that they are used only when the staff cannot calm the patient down with de-escalation techniques, and according to which the reasons for their application and termination should be recorded in the medical documentation.

At OPŽB Čakovec and OPOB Bjelovar, nursing documentation is duly filled out, while medical documentation is deficient and is not kept according to Art. 15 of the Ordinance on Coercive Measures. Doctors usually enter only the reason for applying the coercive measure, and for subsequent visits to the patient, only the time of extension or interruption, without stating the reason. The doctor is obliged to write down the procedures for applying coercive measures, the mental and physical condition of the patient, the time of the visit, all interventions and the date and time of discontinuation of the measure. Within 24 hours of the end of the measure, he is obliged to enter data on the mental state, the degree

of self-control, the effect of pharmacotherapy and the implementation of the health care plan. We know that in the conditions of a shortage of doctors and the consequent increase in the scope of work, keeping medical records is an (administrative) burden, but it is necessary to keep them regularly to control the application of coercive measures. By inspecting the medical histories at the psychiatric departments of general hospitals and the Vrapče Clinic, we have determined that coercive means are also used against voluntary patients, which is contrary to CPT standards. A patient on voluntary accommodation can only be restrained if they agree. If he does not agree, and the use of coercion is necessary, it is necessary to review his legal status, i.e. initiate the procedure of forced hospitalisation.

In OPŽB Čakovec, there is a special room for applying coercive measures, which is rarely used. Coercive measures are usually carried out in the rooms where patients are accommodated, with other patients being moved to protect the privacy of the fixed patient and ensure peace of mind. In OPOB Bjelovar, a room for intensive surveillance, equipped with video surveillance, is used, and screens have been placed between the beds to protect patients' privacy. However, when this room is occupied, coercive measures are also applied in rooms where other patients are accommodated.

Recommendation 153 (reiterated)

Psychiatric institutions, to carry out coercive measures in special rooms without exposure to the eyes of other patients, with continuous monitoring of the health condition

At most of the Institutes of the Vrapče Clinic, coercive measures are applied in special rooms that do not have video surveillance, but the staff have an insight through the glazed surfaces. More patients are accommodated in these rooms, which is not in line with the recommendations of the CPT

submitted in the report after the last visit to the Republic of Croatia, which states that persons subject to coercive measures should not be exposed to the gaze of other patients, to protect their privacy. Therefore, we recommend that coercive measures be carried out in special rooms without exposure to the eyes of other patients, with continuous monitoring of the health condition by medical professionals.

3.1. Homes for the elderly: performing the tasks of the NPM

During 2024, three visits were carried out, namely the Home for the Elderly and Disabled Split (Dom Split), the Home for the Elderly and Disabled Persons Sisak (Dom Sisak) and the Home for the Elderly and Disabled Gospić (Dom Gospić) to determine the level of respect for the human rights of the elderly in institutional care.

The purpose of the visits was to determine the conditions in which the beneficiaries accommodated in the homes live, the way they are treated, whether their specific needs are taken into account, whether adequate health care and care are provided, as well as the method of implementing enhanced care for immobile/immobile and demented persons, i.e. whether their fundamental rights and freedoms, including the prohibition of torture, are respected, inhuman or degrading treatment.

Lack of staff is one of the biggest problems of the homes we visited. The Split Home mostly lacks nurses/technicians, and we can point out as a positive example that after the recommendation of the Ombudswoman from a previous visit to this institution, the employment of eight physiotherapists was

realised. In the Sisak Home, insufficient cooperation with the founder of the Home, i.e. the county, was pointed out concerning the employment of necessary staff. The lack of staff is also a problem in the Gospić Home. Only one social worker is employed at the headquarters of the Home in Gospić. However, the Ordinance on the Internal Organisation and Systematisation of Jobs envisages two social workers at the headquarters of the Home, and one executor for social work is also envisaged in the Branches of the Home in Udbina and Otočac. Many health workers have left, and interest in employment is weak.

Conditions of accommodation of infirmaries

Based on the mandate of the National Preventive Mechanism (NPM), under the powers from the Act on the National Preventive Mechanism for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, we paid special attention to the conditions of accommodation of persons whose freedom of movement is restricted, in inpatient wards of homes for the elderly and infirm.

House Split

Home Split provides housing, food, assistance and care, social work, health care, rest and recreation and other activities, depending on the users' needs, abilities and wishes. The lodge is located in three locations, in the facilities, "Zenta" and "Vukovarska" in Split and Stari Grad on the island of Hvar. The tour was focused on the facilities in Split, which are positioned on accessible terrain with unhindered access using transport and pedestrian access roads, so users with reduced mobility, as well as users who use mobility aids, can move unhindered.

In the Department of Alzheimer's and Other Dementias and the stationary part of the "Zenta" facility, living room rooms are very modestly decorated, without additional furniture or inventory, and seem depersonalised. In the rooms of this department, it was noticed that there are no exhibited paintings, photographs, souvenirs or small pieces of furniture that are the property of the users, which does not contribute to the creation of a stimulating therapeutic environment.

All rooms in the inpatient room are double, which is an example of good practice, bearing in mind the CPT standards that emphasise that dormitories with a large capacity have a negative therapeutic effect on users. The rooms are airy, have proper PVC joinery, and are well lit by natural and artificial light. Installed blinds protect from the direct penetration of the sun's rays. Concerning the mobility and safety of users, it was determined that the rooms have installed the so-called SOS bell on the wall above the head of the bed, appropriate medical connections and, if necessary, grips for people with reduced mobility/immobility, which is in line with the Ordinance on Criteria.

On the ground floor of the "Vukovarska" building, there is a stationary part where immobile or hardly mobile people are accommodated. The corridors of the stationary part are clean and tidy, well lit by artificial and natural light, and informative posters, leaflets and paintings are displayed on them. As an example of good practice, we point out that the stationary rooms in this facility are personalised since users exhibit their paintings, photographs, and souvenirs and own certain pieces of personal furniture. All rooms are heated during the winter using a central heating system and a radiator system, while air conditioners are installed to cool the rooms in the summer, but only in the corridors. Considering that

some of the rooms are located on the south side of the building and are directly exposed to the sun, it is necessary to install air conditioning in the rooms as well.

Within the Department for Alzheimer's and Other Dementias in the "Vukovarska" facility, some rooms are triple, which is contrary to the Ordinance on Criteria, which prescribes that dormitories in such accommodation units of the institution can have a maximum of two beds, and out of the total number of dormitories, at least two dormitories should be single. The rooms in this Department look dilapidated and are equipped with dilapidated furniture, and the quality of accommodation is noticeably worse than in the rooms located on the ground floor of the building. During the visit to this Department, it was noticed that some sanitary facilities have damaged inventory and floors and a lack of basic hygiene supplies, contrary to CPT standards.

House Sisak

The Sisak Home provides accommodation services – housing, food, health care, nursing, social work, psychosocial rehabilitation, physical therapy, occupational therapy, work activities, leisure activities and organised transport, half-day and full-day stay services, and home assistance services. The home suffered significant damage in the earthquake, which is still visible in some rooms.

The building of the Sisak Home is located in an accessible area near the city centre, with unobstructed pavement access that allows access to means of transport, a pedestrian access road, and secured parking.

Rooms in the infirmary of the Sisak Home are double or triple, while only one room is four-bedded. They are equipped with appropriate beds (with anti-decubitus mattresses if necessary), but providing more beds with electric lifters with anatomical functions is necessary. This is necessary because the stationary part accommodates immobile users, so lifting or turning them is difficult, especially during care and feeding. It has also been observed that the beds in the rooms are placed so that movement between them is prevented, and some beds are practically connected, making it difficult to provide the necessary care to users. Users who maintain their hygiene have bathrooms within the rooms at their disposal and can use them indefinitely, while immobile persons are transported to the bathrooms using toilet chairs and trolleys.

The Department for Alzheimer's and Other Dementias in the Sisak Home is closed; the rooms in the Department are double or single, which is in line with the Ordinance on Criteria. They are airy and well lit by natural and artificial light, while installing curtains or blinds protects from direct penetration of the sun's rays. In some rooms, water and moisture penetrated due to heavy rains, and the ceilings and floors were damaged, so they had to be arranged. Users who are in this department have the opportunity to go out to a park that has been specially arranged for their needs. For the needs of the department's users, a room for daily rest and a living room have been provided and decorated, and users can freely socialise, watch TV programs, and play board games. The room has sufficient tables and chairs, lockers and other inventory and props, which people with disabilities or mobility difficulties can easily access.

House Gospić

Gospić provides users with the satisfaction of life needs such as: housing services, food, health care, care, maintenance of personal hygiene, assistance in performing daily activities, social work services, psychosocial rehabilitation, work activities, organisation of free time, accompaniment, organised transport and counselling work. The headquarters of the Home in Gospić consists of two residential buildings connected by a corridor, i.e., the old and new objects.

Under Art. 2 of the Ordinance on House Rules, three categories of users are admitted to the Home, i.e. users of the first, second and third level of service. This Home is not registered to receive users of the fourth level of services (Alzheimer's and other types of dementia). In the event of a deterioration in the health condition of the user and the development of dementia, the beneficiaries are sent for a psychiatric examination and transferred to an institution intended for this category of users.

Dom Gospić is located in a quiet part of the city, surrounded by greenery, close to the city centre. An unobstructed pavement provides access to means of transport, a pedestrian sidewalk, and a parking lot, so the facility's location enables cooperation between the city's humanitarian associations and institutions.

The rooms in the infirmary of the old building are in extremely poor condition and dark, and they represent an example of an inappropriate and non-affirmative approach to users and are not pleasant to stay in. The rooms' condition and appearance prevent users' right to privacy and make their care and rehabilitation difficult. The double rooms' beds are arranged so it is difficult to move between them. A low level of hygiene and sanitary protection was also observed in the rooms, despite the statements of the staff that the rooms, corridors and common areas are cleaned daily. In some rooms, unclean sheets, stains on the walls, and faeces on the floor were noticed. The existing conditions of accommodation in the infirmary of the old building can be characterised as humiliating treatment of users.

The infirmary of the newer facility of the Gospić Home does not have space for the living room of the users in which their socialising and relaxation would be enabled, which supports the conclusion that the users of the stationary part generally do not leave the rooms, which is certainly reflected in their somatic and mental health. The rooms are equipped with medical beds with electric adjustment and anatomical functions and protective sides, which we point out as an example of good practice, but not all beds have anti-decubitus mattresses, although it is undeniable that there is a justified need for this, bearing in mind that these are users who stay in beds almost all the time. Although all rooms of the infirmary have their own and spacious toilets/bathrooms, it has been noticed that some bathrooms are not used for bathing but serve as mini warehouses for storing diapers, equipment, etc.

Care for immobile and demented persons (inpatient department)

Home in Split

During the tour of the "Zenta" facility of the Split Home, it was determined that 21 people with dementia are in a closed ward (Department for Alzheimer's Diseases or Other Dementias), while other users with dementia are assigned to other rooms of the inpatient because they are either immobile or have developed certain somatic diseases. Demented people are locked and can only go out into the fresh air,

accompanied by medical staff and physiotherapists. Physiotherapists come to the wards three times a week and take demented and immobile people for a walk, which is an example of good practice. In the inpatient ward, screens are used only when necessary, while care takes place with open doors and in the users' rooms, thus endangering the right to privacy of the elderly.

In the "Zenta" facility, it was pointed out that users are generally not tied up, and in the case when means of coercion should be used, to act in line with the Act on Persons with Mental Disorders (ZZODS) and the internal Protocol on the Application of Restraint. However, the Protocol on the Application of Restraints states that the family or guardian signs a form for consent to fasten with a seat belt, which is not in line with the ZZODS. According to the provisions of the ZZODS, in the case of coercive measures, a psychiatrist who supervises its application decides on the application of a coercive measure. Although there is a possibility, due to extreme urgency, that a nurse or other medical staff will make the decision, it is necessary to immediately inform the psychiatrist who will examine the person and decide on the further application of the coercive measure. This is especially important given that this Home does not have a full-time psychiatrist, but a psychiatrist is hired who comes once a month, and it is possible to contact him by phone if necessary.

In the "Vukovarska" facility, people with dementia are accommodated in rooms that are locked, and they go for walks accompanied by employees. Protective rails are installed on the beds to protect users from falling off the bed. Coercive means are used only exceptionally, when it is really necessary.

House Sisak

The Sisak Home accommodates 61 users in the third and fourth degree category; 14 are in a special department for Alzheimer's and other dementias. In this department, volunteers are also involved in implementing activities to help users with feeding and walking, which is a positive practice, especially when there is a shortage of employees. In addition to walking, users can play board games in the living room or watch TV together. A shortage of staff was found in the department for Alzheimer's and other dementias, i.e. only one caregiver was assigned to 14 users, and on the day of the visit, there was no nurse assigned to this department, but a nurse from the inpatient department came in case of need, which is not in line with the Ordinance on Criteria.

In the inpatient department of the Sisak Home, where there are immobile or semi-mobile persons, there is a physiotherapist who provides services to users in line with the daily, weekly and monthly schedule. The lifting of users and taking them out into the fresh air is not included in the work of a physiotherapist, so users who want to go outside wait for a visit from family members who take them out, that is, they do not go outside for fresh air if they do not have visitors. It is necessary to enable all interested users to participate in this activity within the employees' work schedule.

During the tour of the Sisak Home, it was determined that there is no bathing plan for the user that must be prepared and possessed by every social service provider. It has been observed that the doors of the rooms are not closed, or screens are not used when carrying out user care. During the conversation, the users emphasised that they do not mind that screens are not used; however, in line with the principles of respecting the dignity of the elderly, it is necessary to use screens and close the doors when it is performed to respect the right of dignity and privacy of users.

No complaints from users about employees' actions have been recorded, and users know there is a lack of employees to take care of them. However, there were complaints that there is no alarm system in the rooms, i.e. bells for calling, so when they call caregivers or nurses, they do not come. In the Home, no means are used to tie up users, but in case of emergency, the HMP is called or the user is taken to NPB Popovača, so there are no recorded and reported uses of the coercive measure following the ZZODS.

House Gospić

Of particular concern is the care of immobile users in the old building of the Gospić Home. During the tour, a user was found lying in a wet bed of urine, while another user used a basin under the bed to empty the container with urine. The room in which these two users were located had an extremely unpleasant smell, and it is obvious that the caregivers did not perform the tasks of helping the users with their hygiene needs and maintaining the care of the immobile. In another room, where there were two immobile users, a user was found with faeces on her feet, while another user was tearing off her dirty diaper and scattering it around the room and bed. In the third room, a user was found around whom there were many faeces. In several rooms, used and torn diapers were noticed on the floors, and it was noticed that some users urinated uncontrollably on the floor of the room, while some lay for hours on sheets wet with urine. It is additionally worrying that these people were not protected by adequate medical headgear for their still unhealed surgical wounds. What should be especially emphasised as an aggravating circumstance concerning the conditions of accommodation, care, and care services of the infirm users is the low sanitary and hygienic level of maintenance of the space in the users' rooms. We warned that inadequate care and lack of health care represent inhumane and degrading treatment and a violation of the rights of the elderly. At the same time, it has been noticed that screens are not used during the care process, or the rooms' doors are closed.

Coercive measures are not used in the Home, and in case of emergency, the HMP is called or the user is taken to the hospital in Gospić; in this sense, they do not have recorded and reported cases of using measures following the ZZODS.

Nursing and user care documentation is kept exclusively in writing, incomplete, and not up-to-date, and is filled in later. In the conversation with nurses, one can see the desire and motivation to keep documentation, but they are currently unable to keep it due to the increased volume of work, which is attributed to the insufficient number of employees.

Health care

House Split

The family medicine clinic organises health care in the Split Home, and the doctor comes to the locations "Zenta" and "Vukovarska" at certain times. According to the staff, the existing number of family doctor arrivals is not enough in the "Vukovarska" facility, and the working hours are too short (one hour), so there is often a need to call an ambulance. The Home has concluded a cooperation agreement with KBC Split, which ensures the arrival of doctors specialising in physical medicine, internal medicine, diabetologist, psychiatrist, neurologist and urologist for users' needs.

House Sisak

In the Sisak Home, health care is organised by the service of a family medicine clinic, the doctor comes to the Home twice a week, which, according to the employees and users, is not enough due to the numerous health problems of the users, and it is necessary to ensure more frequent visits of the family doctor in agreement with the Health Centre. By inspecting the therapeutic lists, it was determined that the family doctor did not sign them. Emergency medical assistance is called in emergencies, with which the Home has good cooperation. Beneficiaries are referred to hospitals in Sisak, Popovača or Zagreb for specialist examinations. The home does not have a hired psychiatrist who would come when needed, and the users are taken to the Neuropsychiatric Hospital in Popovača for examinations. The home users are provided with physical therapy, sports recreation and group gymnastics. Physiotherapists conduct exercises with users every day. Once a month, a physiatrist comes to the home and, after examining the immobile users, determines the therapy provided by physiotherapists. Physiotherapists also conduct targeted exercises with users for individual diagnoses and other forms of therapy.

The dynamics of health care and visits to users in the Sisak Home are according to "need", and there is no health care plan due to the overload of the work of the head nurse of the Home, who does other jobs if necessary, when there is sick leave or absence of nurses. During the visit, it was noticed that there are not enough employed nurses/technicians because in some situations, e.g. when dialysis of users is carried out, the nurse has to monitor the person continuously, so other users are forced to wait for medical care, which is especially problematic at night.

House Gospić

Health care in the Gospić Home is provided by the family medicine clinic, and in the office located within the Home. The family medicine team, a doctor and a nurse, are the Gospić Health Centre employees. Currently, the whole team does not come to the Home, but a doctor who works only four hours because he has retired. Arrival is usually twice a week, and if necessary, the doctor can come outside these times. The staff at the Home states that the existing health service is not enough for them. On the day of the tour, five nurses were employed in the Home, i.e. the head nurse and four shift nurses. What is particularly emphasised is the large number of departures of health workers, while there is little interest in employment. The beneficiaries are not provided with the arrival of a psychiatrist in the Home, but based on a referral, the users are taken outside the Home for examinations by a psychiatrist. The information received by the medical staff is that many users are in a depressed state and that a large number of them use psychiatric therapy, so it is necessary to ensure regular examinations by a psychiatrist.

5. Data on proceedings for 2024

5.1. General statistical data on the conduct of the Ombudsman

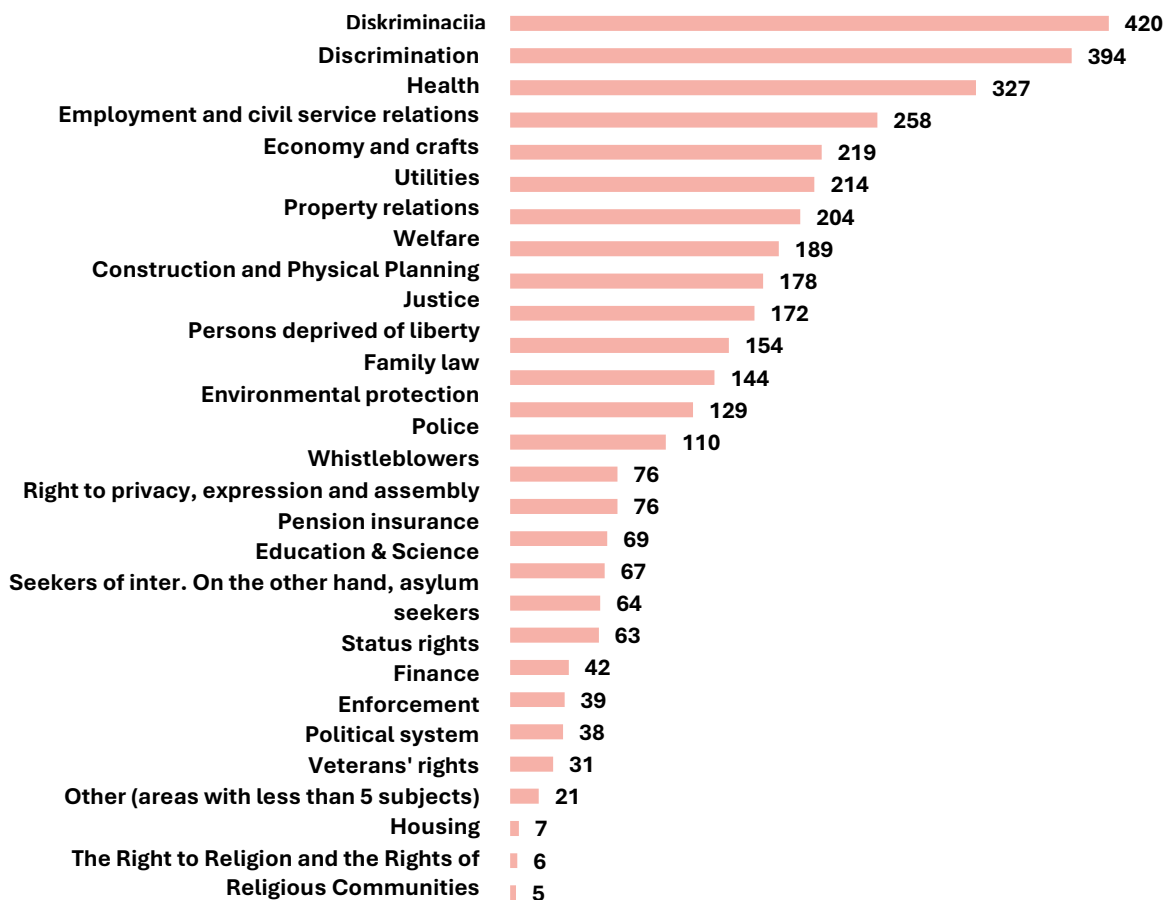
In 2024, we dealt with a total of 6,404 cases, of which 4,921 cases were opened based on a complaint from citizens or on our initiative (77 %), while 1,268 cases related to general initiatives, which include, for example, opinions on bills or visits (20 %) and 215 to office operations (3 %).

Of the cases we dealt with, 4,942 new cases were opened in 2024, 2.81 % more than in the previous year, while 1,462 cases were transferred from previous years.

Of the total number of cases opened in 2024, 3,716 new cases were opened on citizens' complaints or their initiative, 1,011 were general initiatives, and 215 cases were opened for office operations.

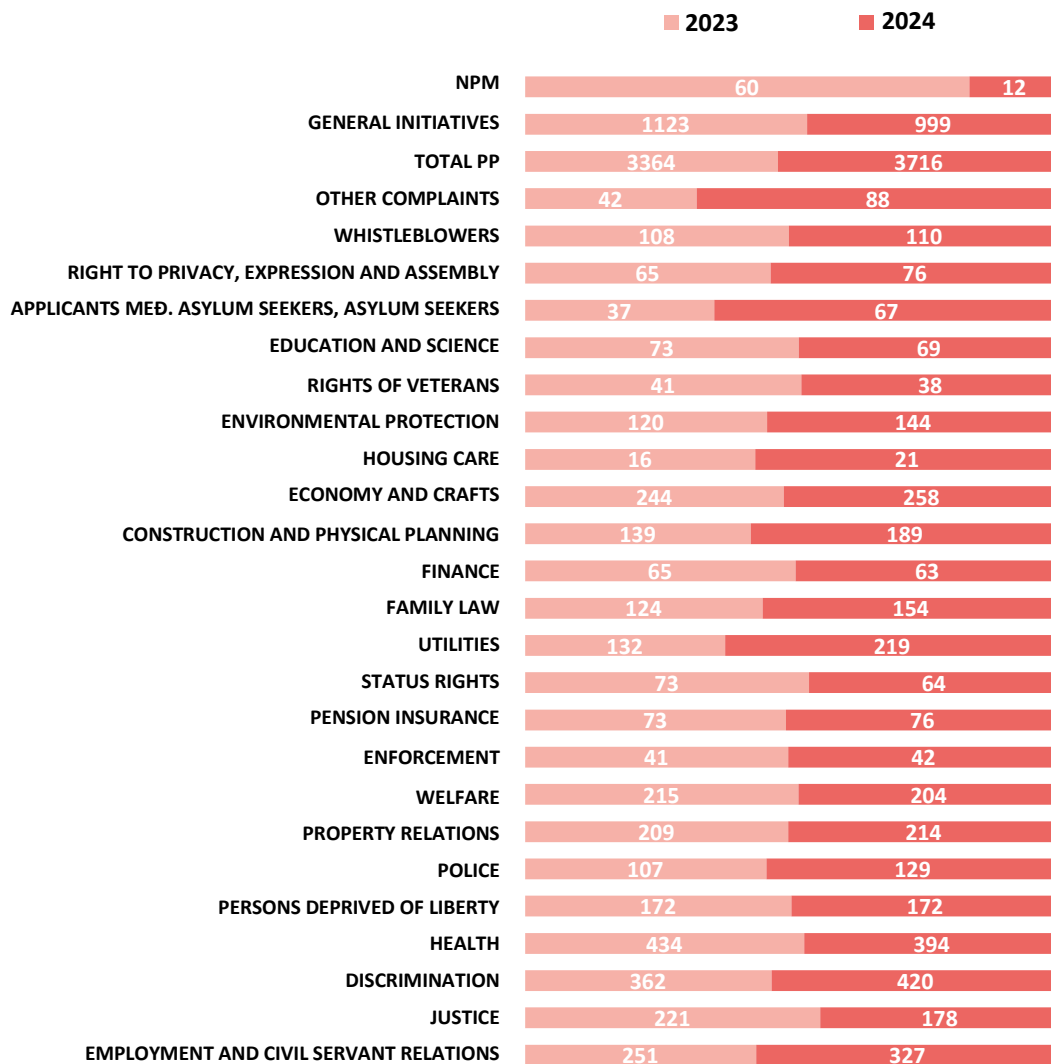
Below are the new cases opened in 2024 by citizen complaint or on their initiative (3,716).

NEW CASES OPENED IN 2024 PER AREAS



Unlike in recent years, when most cases were opened in the health care field based on citizens' complaints or their initiative, in 2024, most cases, 420, were opened in the field of discrimination, in various areas of life. The most common complaints are about health care (394), labor and civil service relations (327), economy and crafts (258), communal activities (219), property and legal relations (214), social welfare (204), construction and physical planning (189) and judiciary (178). A comparison of newly opened cases with 2023 shows that the largest increase (81 %) occurred regarding applicants for international protection, followed by utilities (66 %) and in the field of construction and physical planning (36 %).

NEW CASES, COMPARED



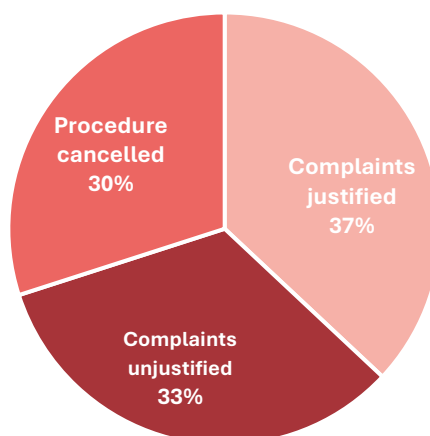
Out of 4,921 cases in which we acted on citizens' complaints or our initiative during the year, work was completed in 2,756. The remaining 2,165 cases were transferred to the following year (complaints that were received at the end of the year and the procedure is still ongoing, as well as more complex complaints in which the procedure is longer or in which we do not receive timely responses from public bodies whose actions citizens complain about or which we seek an opinion from their jurisdiction). According to the methodology we started applying in 2023, out of 2,756 cases in which work was completed in 2024, we investigated procedure in 35 %, and in 65 % of cases, it was impossible to conduct

it. Among the aforementioned 65 % (1,788) of complaints, a significant number of them were submitted to the Ombudsman after the competent public body or court had already decided on the same matter or the procedure was still ongoing, and some of the complainants did not contact us back after we asked for more information about the subject of the complaint. However, the majority of such complaints are those that were resolved by another public law body.

When we could not investigate, we forwarded complaints to the authorities responsible for dealing with them, including the Special Ombudsperson, and responded to citizens by providing them with general information. At the same time, the procedural impossibility of conducting the investigation still provides insight into the problem we learned about from the citizens' complaint. At the same time, although concerning some complaints, the Ombudswoman cannot act according to the ZoPP in a way that she investigates, they provide us with insight to report on the state of human rights, which is the obligation of the institution in terms of areas in which she is not authorized to conduct investigations.

Of the 35 % or 968 complaints in which we conducted the investigation, 37 % (358) were well-founded, 33 % (320) were unfounded, and in 30 % (290) of the cases, the investigation was initiated, but was suspended due to the withdrawal of the complainant or other objective circumstance.

PROCEDURE RESULT IN CASES WITH TEST PROCEDURE



In 358 well-founded complaints, we acted in different ways, whereby in respect of 48 a request was submitted for the initiation of proceedings for the assessment of the constitutionality of certain provisions of the Act on Amendments to the ZOZO, in 99 cases a recommendation was given, in 14 cases a proposal was made, in 13 an opinion, in 24 a warning. In 23 cases, several measures were taken at the same time. In the remaining well-founded cases, we acted differently, and most often during our proceedings, i.e. before the issuance of the measure, the public law body (i.e. the complainant) corrected its conduct.

In addition to all the complaints recorded in the statistical data presented here, we also helped citizens by answering the inquiries they asked us by phone calls or personal visits, providing them with the necessary information and inquiries, of which there were 1,246 during the last year.

5.2. Statistics on the treatment of discrimination

During 2024, we acted in 751 discrimination cases, of which 613 cases were opened based on citizens' complaints or our own initiative, and 138 cases related to general initiatives. The number of cases opened based on complaints or our initiative includes those we opened in 2024, i.e. 420 of them, and 193 cases from previous years in which we also acted in 2024 due to the complexity of the cases or in which we did not receive the necessary responses promptly. In 2024, 106 cases of general initiatives were opened, and in another 32, the work from previous years was continued.

As in previous years, the highest number of complaints is about discrimination based on race, ethnicity, skin colour or national origin, accounting for 18 % of all discrimination complaints received. Then, 9 % of complaints about discrimination based on disability were represented, which we forwarded to the Ombudsperson for Persons with Disabilities, 9 % on discrimination based on health status, 7 % on discrimination based on education and 6 % on discrimination based on sex, which we forwarded to the Ombudsperson for Gender Equality. All other grounds were represented with less than 5 %, while in 17 % of complaints, more than one discriminatory basis was stated. In 15 % of the complaints, no single basis from the ZSD was highlighted.

THE BASIS OF DISCRIMINATION	NUMBER OF COMPLAINTS	%
Race, ethnicity or colour/national origin	76	18
Disability	40	9
Health status	36	9
Education	30	7
Gender	25	6
Age	17	4
Marital or family status	17	4
Political or other belief	16	4
Social status	9	2
Property status	7	2
Faith	7	2
Sexual orientation	3	1
Trade union membership	1	0
Gender identity or expression	1	0
Multiple discrimination	73	17
We have the basics according to the ZSD	62	15
TOTAL	420	100

AREA OF DISCRIMINATION	NUMBER OF COMPLAINTS	%
Work and employment	175	42
Access to goods and services	33	8
Management	32	8
Public Information and Media	26	6
Education	17	4
Welfare	17	4
Justice	16	4
Habitation	13	3
Health insurance	9	2
Pension insurance	7	2
Healthcare	7	2
Sport	5	1
Cultural and artistic creativity	2	0
Science	2	0
Membership in trade unions, CSOs, and political parties	1	0
Complaints with multiple areas	24	6
Discrimination - general	34	8
TOTAL	420	100

Concerning the areas in which discrimination has been complained, as in all years so far, the area of work and employment is the most frequently represented, with 42 % of all discrimination complaints received. This is followed by the area of access to goods and services of that administration, each with 8 %.

73 % of all discrimination complaints were submitted to us by natural persons, with slightly more women (169) than men (137) contacting us. We also received complaints from groups (75) and complainants who could not be identified (24), and we initiated some of the procedures on our initiative (15).

GENDER AND TYPE OF COMPLAINANT	NUMBER OF COMPLAINTS
Woman	169
Man	137
Group	75
Unknown	24
Own initiative	15
Other	0
TOTAL	420

TYPE OF COMPLAINING PARTY	NUMBER OF COMPLAINTS
Natural person	85
Legal person	130
Legal person with public authority	79
State administration body	68
Judicial authority	6
Body: JLP(R)S	26
Other	26
TOTAL	420

Looking at the complainants, most complaints of discrimination related to the conduct of legal persons (130), but there is also a significant number of complaints about the conduct of natural persons (85). This is followed by complaints of discrimination by legal persons with public authority (79), state administration bodies (68), local and regional self-government units (26) and judicial bodies (6).

In conclusion, although in 2024 a higher number of complaints was received than in the previous year (by 16 %), the same areas of discrimination and discriminatory grounds are still the most prevalent. It should be noted that the number of complaints received does not reflect the actual presence of discrimination, as a large number of cases still remain unreported. Therefore, it is still necessary to work on raising citizens' awareness of the phenomena of discrimination, legal prohibition and mechanisms for protection against discrimination. In addition, it is necessary to work on raising the level of

awareness and information about discrimination as a prohibited conduct of all service providers and to educate experts who implement anti-discrimination regulations continuously.

Recommendation 154 (reiterated)

Office for Human Rights and Rights of National Minorities, to survey the presence of discrimination in the area of access to goods and services

Recommendation 155 (reiterated)

Office for Human Rights and Rights of National Minorities, to continuously inform the public about the prohibition of discrimination and protection mechanisms

Recommendation 156 (reiterated)

Office for Human Rights and Rights of National Minorities, to finance activities aimed at promoting equality and combating discrimination at the local level

In the 2023 Report, within this chapter, we made four recommendations of the HRPPNM, which informed us in the Report on the Implementation of the Recommendations that the recommendations have been fulfilled or will be fulfilled in the coming period.

Concerning the recommendation to continue educating the professional public on discrimination in line with the specific interests and needs of individual target groups, we have been informed that the realisation has been made about social workers, which we appreciate by partially fulfilling the recommendation and commending. However, at the same time, we point out that it is important to continue educating various segments of the professional public. For this

reason, in this report, we have recommended that the Ministry of Health organise education on the Social Welfare Society for health care workers and the Academy of Social Welfare to provide education for employees in the social welfare system.

Concerning the remaining recommendations, research on the presence of discrimination in the area of access to goods and services is planned for the next period of implementation of the National Plan for the Protection and Promotion of Human Rights and Combating Discrimination until 2027. In doing so, we point out that the planned activities refer to the public system, not the private one. The complaints we receive show a low awareness that the ZSD applies to both natural and legal persons in the private sector, so we have received complaints about entering cafes or ads for apartments for rent. Therefore, we repeat the recommendation. Recommendations on continuous public information on the prohibition of discrimination and protection mechanisms, as well as financing activities aimed at promoting equality and combating discrimination at the local level, are planned to be implemented during 2025 through the open Call "Prevention of Discrimination and Providing Support to Victims", which will financially support the implementation of relevant activities at the regional and local level, and the publication of the call is planned for the second quarter of 2025. Given the importance of the recommendation and that it is only in the implementation plan, we repeat the recommendation.

5.3. Aggregated data of the Ombudsperson

As the central body for combating discrimination, we present a consolidated overview of newly received complaints about discrimination from all ombudsperson institutions in this section.

GENDER AND TYPE OF COMPLAINANT	OMBUDSMAN	FOR PEOPLE WITH DISABILITIES	FOR CHILDREN ¹	FOR GENDER EQUALITY
Woman	169	73	17	379
Man	137	63	15	127
Other (transgender, non-binary, etc.)	-	-	-	6
Unknown (anonymous complaint)	24	3	2	-
Group	75	16	6	10
Own initiative	15	9	-	27
TOTAL	420	164	40	549

¹ The gender of the complainant is the sex of the discriminated child whose parents and other persons complain of discrimination.

AREA	OMBUDSMAN	FOR PEOPLE WITH DISABILITIES	FOR CHILDREN ²	FOR GENDER EQUALITY
Membership in trade unions, CSOs, and political parties	1	-	-	6
Public Information and Media	26	1	1	51
Cultural and artistic creativity	2	1	1	3
Education	17	28	31	15
Sport	5	3	1	9
Science	2	-	-	5
Justice	16	2	-	33
Management	32	1	-	112
Access to goods and services	33	42	1	12
Work	125	28	-	104
Employment	50	5	-	20
Pension insurance	7	1	1	6
Welfare	17	5	-	95
Health insurance	9	7	-	27
Habitation	13	11	-	4
Healthcare	7	18	-	44
Complaints with multiple areas	24	-	1	-
Discrimination - general	34	11	-	3
TOTAL	420	164	37	549

² The gender of the complainant is the sex of the discriminated child whose parents and other persons complain of discrimination.

BASIS	OMBUDSMAN	FOR PEOPLE WITH DISABILITIES	FOR CHILDREN ³	FOR GENDER EQUALITY
Marital or family status	17	-	16	12
Trade union membership	1	-	-	-
Age	17	1	-	1
Social status	9	-	1	-
Genetic inheritance	-	-	-	-
Property status	7	-	1	2
Disability	40	163	4	4
Language	-	-	-	-
National origin	51	-	1	-
Education	30	-	-	1
Political or other belief	16	-	-	1
Race, ethnicity or colour/national origin	25	-	2	-
Gender identity or expression	1	-	1	11
Social origin	-	-	-	-
Gender	25	-	2	473
Sexual orientation	3	-	-	25
Religion	7	-	5	1
Health status	36	-	1	5
Multiple discrimination	73	-	-	-
There is no basis for the ZSD	62	-	3	13
TOTAL	420	164	37	549

³ The gender of the complainant is the sex of the discriminated child whose parents and other persons complain of discrimination.

6. Cooperation and Public Action in the Promotion of Human Rights and Combating Discrimination

In this chapter, we provide a general overview of cooperation with institutions and an assessment of the implementation of the Ombudswoman's recommendations from the 2023 Report, as well as an overview of cooperation with CSOs and other stakeholders (where numerous forms of cooperation are presented in more detail in individual chapters), as well as an overview of international cooperation and the work of international mechanisms for the protection of human rights in relation to the Republic of Croatia (which is also presented in more detail in individual chapters). Finally, we bring you a brief overview of activities related to public relations.

6.1. Cooperation with institutions and implementation of the Ombudsman's recommendations

Relationship and cooperation with the Croatian Parliament

The Ombudswoman is defined by the Constitution of the Republic of Croatia as the plenipotentiary of the Croatian Parliament for the promotion and protection of human rights and freedoms. Therefore, the support of the Croatian Parliament and cooperation are crucial for achieving this role, primarily referring to the debate on the Reports and other issues.

During 2024, the Ombudswoman successfully cooperated with the Croatian Parliament's working bodies. Thus, the Ombudswoman and her deputies participated in discussions in parliamentary committees on regulations in the legislative procedure, especially those on which the Ombudswoman had previously given opinions in public consultation and in thematic sessions organised by individual committees and round tables.

At the time of submitting this Report, the Croatian Parliament has still not discussed the Ombudswoman's reports for 2022 and 2023, which the Ombudswoman submits to the Croatian Parliament at the plenary session. At the same time, for example, the reports of all special ombudsmen – the Ombudswoman for Children, the Ombudswoman for Gender Equality and the Ombudsperson for Persons with Disabilities – were discussed, both for 2022 and 2023. The special report "The impact of the COVID-19 epidemic on human rights and equality – recommendations for strengthening resilience to future crises", submitted by the Ombudswoman in 2022, was also not discussed. At the time of submission of this Report, in March 2025, the conditions for the discussion of the Report for 2023 had not even been met, given that the Government of the Republic of Croatia has not yet adopted an opinion on it, which is a prerequisite for discussion in the Croatian Parliament.

The Ombudswoman's Report is not a work report, as is usually the case with the reports of many institutions to the Croatian Parliament, but it is a report on the state of protection of rights and freedoms in the Republic of Croatia by the plenipotentiary of the Croatian Parliament. As the data collected and

analysed in the reports loses relevance over time, it would be necessary to discuss the report for the year it was submitted.

Relations with State Authorities and Implementation of the Ombudswoman's Recommendations

During the year, cooperation with state administration bodies, other state bodies and local self-government units continued.

During 2024, the Human Rights Council, an interdepartmental and advisory body of the Government of the Republic of Croatia for human rights issues, with which the Ombudswoman successfully cooperated, did not continue its work. At the same time, the National Plan for the Protection and Promotion of Human Rights and Combating Discrimination until 2027 envisages that the findings of the evaluation and recommendations arising from the process of monitoring and evaluation of the National Plan, in addition to being publicly available, will also be considered at the sessions of the Human Rights Council. The National Plan envisaged the adoption of Action Plans for the Protection and Promotion of Human Rights and the Action Plan for Combating Discrimination for 2022-2023 and 2024-2025. However, they were not adopted for either 2022 or 2024, which certainly affects the achievement of its goals, and it would be important to have a space within which key stakeholders can point out the challenges in developing action plans. In addition, the Human Rights Council included representatives of CSOs and the representatives of the bodies, enabled a joint discussion on human rights protection issues, and regularly discussed the recommendations from the Ombudswoman's report.

Cooperation with the Government of the Republic of Croatia, i.e. executive authorities, is important, because the recommendations from the Ombudsman's report, as well as the cases in which the institution acts on complaints, as a rule, refer to state administration bodies and they are authorized to implement the recommended changes, for example, to propose changes to the law and the like.

In the Rule of Law Report, published in July 2024, the EC again (for the third year in a row) recognized the importance of the Ombudsman's recommendations, so it sent four recommendations to the Republic of Croatia, including the need to improve the implementation of the recommendations further and respond more systematically to the Ombudsman's requests for information.

Based on the EC's recommendation, the HRPPNM has prepared a Report on the Implementation of the Ombudsman's Recommendations - Ombudswoman's Report for 2023, which is also an obligation under the Regulation on the Office for Human Rights and Rights of National Minorities. The report was published on the ULJPPNM website in March 2025. Before the start of the drafting of the report, the HRPPNM consulted with the Ombudswoman's institution. On that occasion, we pointed out that it is important that the Report, in addition to the summary numerical self-assessment of the body, also includes explanations, i.e. a description of the activities and measures that the authorities have undertaken or plan to take. This year's ULJPPNM report does indeed include explanations, which we welcome. It is especially useful for us to have feedback from the body to which the recommendation was sent regarding the implementation of a specific recommendation, i.e., information about what has been made and plans related to a specific topic, when drafting a new report.

At the same time, regarding the measurement of compliance, it is currently unclear which self-assessment the competent authority attached to each recommendation is in terms of how it fulfilled it. Therefore, it would be desirable for the HRPPNM Report on implementing recommendations to include a self-assessment or assessment of each recommendation.

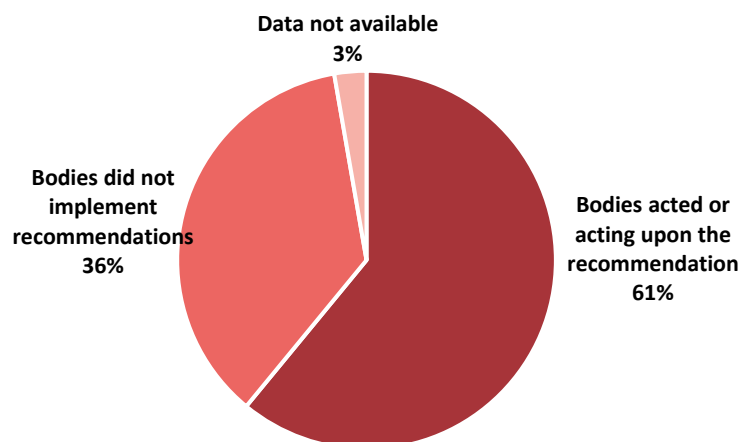
Namely, for each of the recommendations, the authorities could indicate that: 1) the recommendation has been implemented, 2) the recommendation is being implemented, 3) the recommendation is in the implementation plan, or 4) the recommendation is not implemented, is not being implemented and is not in the implementation plan.

According to the self-assessment of the competent authorities, 59 % of the recommendations have been implemented or are being implemented, 16 % are in the implementation plan, which makes a total of 75 % of the recommendations, which is an increase, because compared to the Ombudswoman's Report for 2022, the authorities stated this for 61.2 % of the recommendations. For 21 % of the recommendations, the authorities stated that they have not been implemented, that they are not being implemented or are not in the implementation plan, while 4 % of the recommendations remained without a certain implementation status.

After the submission of the self-assessment of the body, the HRPPNM revised the results. The revised data show a decrease in the share of recommendations that have been implemented or in implementation from 59 % to 58.4 %, or a decrease in the total share of recommendations that have been implemented, in implementation or the implementation plan from 75 % to 73.3 %. The share of recommendations that have not been implemented, are not in implementation, or the implementation plan has decreased from 21 % to 19.7 %, and for 5.4 % of recommendations, it is impossible to assess the implementation status.

Under the Ombudsman Act, the Ombudswoman assesses the implementation of the recommendations in the Report to the Croatian Parliament. The assessment is based on information from the competent authorities, including the HRPPNM Report on implementing recommendations, inquiries sent to them in preparing the report, complaints in which it acts, information exchanged with CSOs, participation in legislative initiatives and field visits. As in previous years, the implementation of the fulfilment of individual recommendations from the 2023 Report was assessed as: 1) the authorities acted or are acting on the given recommendation, 2) the authorities did not implement the recommendation, and 3) we have no information on the implementation of the recommendation. According to the data available to us and using the above compliance assessments, the competent authorities acted or are acting on 60.96 % of the recommendations, which is a significant increase, by 16.84 percentage points compared to the 2022 Report, when they did so on 44.12 % of the recommendations. The competent authorities do not implement 36.3 % of the recommendations, and for 2.74 %, we do not have information on their implementation from the authorities to which they are addressed.

IMPLEMENTATION OF OMBUDSWOMAN'S RECOMMENDATIONS



Thus, for example, based on the recommendations of the Ombudswoman from the Report for 2023, the Ministry of Health has ensured uniform treatment of test findings, so the results are delivered to family (general) doctors and specialists when they request them, and those for whom it is possible to patients through the Health Portal (e-Citizens); The HZZO has informed young people through its website about the obligation to report to the HZZO within 30 days of completing their education; and the counties and the City of Zagreb harmonize the conditions of accommodation in inpatient departments for all decentralized homes with the Ordinance on Criteria for the Provision of Social Services. On the other hand, some authorities have announced the implementation of some recommendations or have started activities to implement them. Thus, for example, the Ministry of Health stated that the development of action plans envisaged by the Strategic Framework for the Development of Mental Health until 2030 has begun; The Government of the Republic of Croatia has informed us again that the National Program for the Development of Palliative Care is being drafted; as well as that the text of the National Plan for Creating an Enabling Environment for the Development of Civil Society for the Period from 2024 to 2030 has been drafted. Therefore, it is necessary to continue to monitor whether these activities will result in the adoption of the document, and the recommendations will thus be implemented. These are just some examples of recommendations that have been implemented or are being implemented.

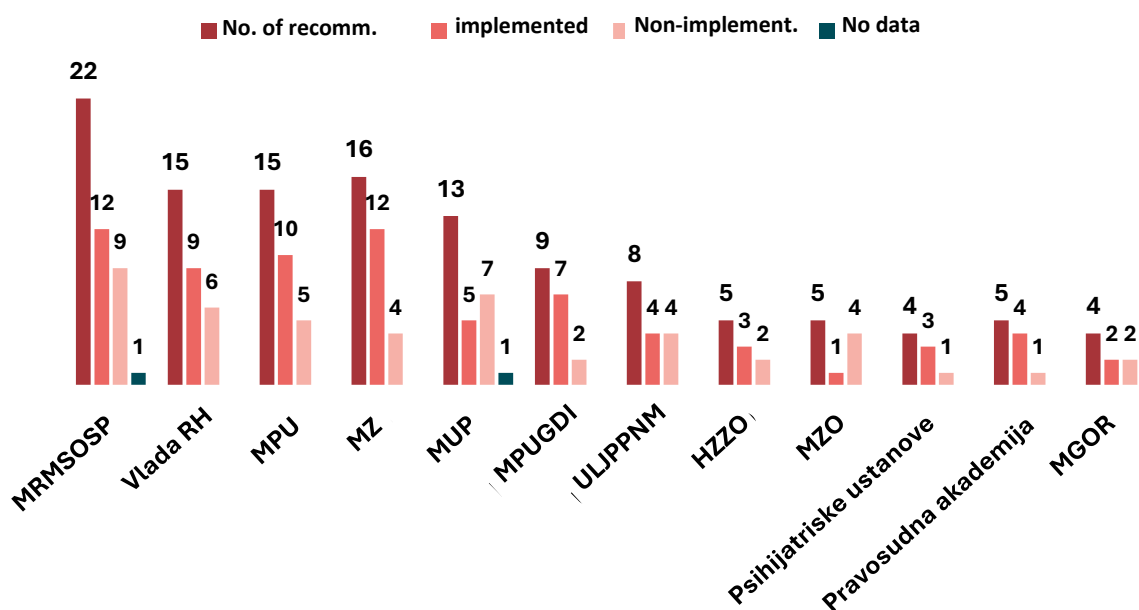
At the same time, for example, the expert holders of public consultations, despite our recommendation, still often do not publish the composition of the working group that drafted the regulation, general act or other document; The Ministry of Health and the Croatian Health Insurance Fund have not normatively regulated and provided funds in the State Budget to enable the reimbursement of the costs of transporting the remains to the place of burial to the parents of stillborn children who submit a request. For example, the recommendation given to HAKOM to design and implement a media campaign to raise public awareness of the Digital Services Act's impact on exercising their rights has not been implemented, given that the implementing regulation was adopted only in March 2025. These are just some examples of recommendations that have not been implemented.

In doing so, the competent authorities sometimes submit answers from which it is clear that they do not refer to the Ombudsman's recommendation. Thus, for example, the Ministry of Health, by amending

the Law on the Protection of Patients' Rights, did not define the body responsible for the implementation of supervision over the work of county commissions for the protection of patients' rights, but reiterated in its response that under Art. 38 of the Law on the Protection of Patients' Rights, the Commission for the Protection and Promotion of Patients' Rights was established at the level of the Ministry of Health, but that its competencies are not explicitly focused on the supervision of the work of county commissions, which the Ombudswoman did not dispute.

When looking at the bodies to which the recommendations were addressed, the largest number of recommendations were addressed to the IASSOP (22), of which 12 acted or are acting in relation to them, while in relation to nine did not act. The Ombudswoman reformulated Recommendation 26 after the reaction of the Ministry of Internal Affairs and Rural Development. Namely, according to the FSF, the Ministry of Labour and Social Affairs does not have the authority to adopt a bylaw related to the control of social service providers of regional self-government units and the City of Zagreb. However, since the unevenness of these controls affects the exercise of the rights of the elderly, for example, in family homes, it is important to find a solution to this problem. Therefore, we continue the dialogue on this issue.

IMPLEMENTATION OF RECOMMENDATIONS PER BODIES



A more detailed overview of the implementation of the recommendations from the Report for 2023 is provided in individual chapters.

Cooperation with the authorities during 2024 in conducting investigations in cases opened on complaints or our initiative can be assessed as good in principle, with some exceptions, which provided partial responses or did not submit them on time, so we had to hurry them up. Concerning non-answering or difficult answering, we single out the Ministry of Health this year as well, to which we have again sent a recommendation in this Report to respond to inquiries regularly. In addition, the Ministry of the Interior did not provide us with all the required documentation (court verdict) in one case, which was important for handling the case. Of the other bodies we sent urgent letters to, MGPUDI, MRMSOSP,

and HZSR stand out. However, unlike the Ministry of Health, these bodies usually submit answers after an urgent period.

Regarding preparing this Report, the requested comments on the draft Report were not submitted to us by the Ministry of Health, the Ministry of Defence and the Ministry of Regional Development.

During 2024, access to data on the treatment of irregular migrants in the information system of the Ministry of the Interior was improved, which we elaborate on more in the section on applicants for international protection and irregular migrants.

During 2024, representatives of the Ombudswoman continued to participate in the work of the Working Group on Hate Crimes and the Expert Council for the Enforcement of Judgments and Decisions of the ECtHR. Also, representatives of the Ombudswoman participated in the working group to draft the Law on Cemeteries, the Law on Misdemeanours against Public Order and Peace and the Law on the Protection of Persons Involved in Public Activities. Representatives of the Ombudswoman participate as members in the work of the National Coordination Committee for the Implementation of the Action Plan for the Development of Culture and Media and the campaigns of the Council of Europe and the OSCE for the safety of journalists.

Participation in public consultations

As in previous years, we participated in many public consultations on laws, bylaws and strategic documents, as many as 50 of them. We did this to point out the possible negative consequences on human rights and equality even before the adoption of regulations and strategic documents, and possible improvements to the proposed provisions, based on the insight into the highest European and international standards, but also based on the information we have on the situation in practice from citizens' complaints or field visits. By drafting opinions on laws, cooperation with executive authorities is achieved, which points out the necessary improvements to the proposal at an early stage of the legislative process. In contrast, cooperation with the Croatian Parliament is achieved by sending opinions to parliamentary committees at a later stage and presenting them before parliamentary committees.

LIST OF PUBLIC CONSULTATIONS IN WHICH WE PARTICIPATED	
BEARER	REGULATION
MF	Draft Bill on Amendments to the Tax Administration Act
	Draft Law on Amendments to the Law on Local Taxes
	Draft Bill on Amendments to the Income Tax Act
	Draft Bill on the Central Population Register
MPUDT	Proposal of the Regulation on Job Titles, Scheduling Requirements and Salary Calculation Coefficients
	Draft Proposal of the Regulation on the Evaluation of the Efficiency of the Work of Civil Servants
	Proposal of the Regulation on Work at a Separate Workplace and Telework in the Civil Service

	Regulation on the value of the amount for determining the fee for the provision of secondary legal aid for 2024 Proposal of the Regulation on the Organisation and Method of Operation of the Civil Service Board Decree on the possibility of flexible working hours and part-time work in the civil service Regulation on the Procedure for Employment in the Civil Service Draft Proposal for Amendments to the Court Rules of Procedure Draft Proposal of the Ordinance on Amendments to the Ordinance on Work in the e-File System Ordinance on the Register of Lifelong and Lifelong Maintenance Contracts
SDURDD	Draft proposal Policy Programme "Path to the Digital Decade 2030"
MPUGDI	Law on the Management and Maintenance of Buildings Decree on Procedures Preceding the Conclusion of Legal Transactions for the Disposal of Real Estate Owned by the Republic of Croatia for the Purpose of Sale, Dissolution of a Co-Ownership Community, Lease or Leases, Exchange and on Procedures Related to the Acquisition of Real Estate and Other Real Rights in Favour of the Republic of Croatia Regulation on Procedures Preceding the Conclusion of Legal Transactions for the Disposal of Real Estate Owned by the Republic of Croatia for the Purpose of Donation Program of Measures for the Reconstruction of Buildings Damaged by the Earthquake in the City of Zagreb, Krapina-Zagorje County, Zagreb County, Sisak-Moslavina County and Karlovac County Consultation with the public on the draft proposal of the Decision on the adoption of the program for the construction and renovation of state-owned housing units in assisted areas of the Republic of Croatia for housing care for young persons and young families Programme of Measures for the Enforcement of Judgments of the European Court of Human Rights in the Group of Cases Statileo v. Croatia (Application No.: 12027/10 et al.) and the Decision of the Constitutional Court of the Republic of Croatia No. U-I-3242/2018 et al.
MZ	Draft Proposal of the Act on Speech Therapy
MRMSOSP	Proposal of the Act on Amendments to the Labour Market Act Decree on the Procedure, Criteria and Manner of Assessing the Efficiency of Work of Employees in Public Services Proposal of the Ordinance on the Content and Manner of Keeping Records of Workers Employed by the Employer Proposal of the Decision on the criteria and benchmarks for financing housing costs and the amount of funds for each local self-government unit for 2025 Proposal of the Decision on the basis for calculating the amount of the remuneration for the work of foster parents and the amount of the provision allowance for 2025 Proposal of the Decision on the Basis for Calculating the Amount of Other Benefits in the Social Welfare System Proposal of the Decision on the basis for calculating the amount of the guaranteed minimum benefit for 2025
MZOZT	Act on Climate Change and Protection of the Ozone Layer Proposal of the Ordinance on Amendments to the Ordinance on Waste Management

	Draft Programme of Measures for the Protection and Management of the Marine Environment and the Coastal Area of the Republic of Croatia until 2027 Integrated National Energy and Climate Plan for the Republic of Croatia for the period from 2021 to 2030
MUP	Draft Bill on Amendments to the Law on Foreigners Ordinance on the Manner of Appointing a Confidential Person and the Procedure for Internal Reporting of Irregularities in the Ministry of the Interior
MINT	Draft Bill on Amendments to the Hospitality Industry Act, with the Final Bill
MZOM	Proposal of the key elements of the call for grants "Providing infrastructural conditions to increase the availability of early childhood education and care" Decision on adopting modules of general education subjects in secondary vocational schools at levels 4.1 and 4.2.
SDUDM	Draft Proposal of the Strategy for Demographic Revitalisation of the Republic of Croatia until 2033
ULPPNM	National Plan for Combating Trafficking in Human Beings for the period until 2030 Action Plan for the Implementation of the National Plan for the Suppression of Trafficking in Human Beings for the period until 2030, for the period from 2024 to 2026 Draft Anti-Discrimination Action Plan for 2024 and 2025 Draft Action Plan for the Protection and Promotion of Human Rights for 2024 and 2025
City of Zagreb	Action Plan of the City of Zagreb for 2025 - 2027 for the implementation of the National Plan for Roma Inclusion for 2021 - 2027 The decision to rent an apartment
HPK	Proposal of the Ordinance on Amendments to the Ordinance on the Issuance and Revocation of Authorisations Proposal of the Ordinance on Professional Supervision of the Performance of Psychological Activities Proposal of the Instruction on the Appearance and Content of Psychological Testing of Drivers
HVZ	Ordinance on the Criteria for Determining the Areas of Responsibility and Areas of Operation of Volunteer Fire Brigade Units, Fire Interventions and the Methods of Determining Firefighting Equipment and the Number of Firefighters That Must Be in the Fire Brigade Ordinance on the Criteria for the Organisation and Classification of Fire Brigades, Criteria for Determining the Number and Type of Fire Brigades in the Area of the Local Self-Government Unit and Their Operational Activities in the Area for which They Were Established

Cooperation with special ombudswomen

During 2024, cooperation with the Ombudsperson for Gender Equality, the Ombudswoman for Children and the Ombudsperson for Persons with Disabilities continued through work on cases, including forwarding complaints in line with the competencies of these institutions, mutual consultations in individual cases, and meetings and cooperation on common topics.

In cooperation with the Special Ombudswomen, the Ombudswoman prepared an alternative report to the UN Human Rights Committee and the UN Committee on Economic, Social and Cultural Rights in 2024, which she submitted in January 2025.

Cooperation with CSOs and other stakeholders

We organised and co-organised several public events during the year to protect and promote human rights and the rule of law.

In December 2024, the Ombudswoman organised the conference "Discrimination and Protection against Discrimination in Croatia: 15 Years of the Anti-Discrimination Act". The conference aimed to contribute to better protection against discrimination in Croatia by reminding people of what discrimination is, how to recognise it and how to protect oneself from it, and to open a discussion on how to improve the implementation of the Anti-Discrimination Act. Three panels were held, allowing for a look into the past, an analysis of the present, and a point of view on the necessary concrete steps in the future for a more effective fight against discrimination. The first panel was held under the title "Obstacles in achieving equality – lived experiences. The second panel, entitled "Protection from Inequalities – Situation and Next Steps", looked at the different ways in which ombudsperson institutions work to combat discrimination. The third panel, entitled "Additional mechanisms of protection against discrimination", emphasised the importance of other ways of preventing discrimination and protection against discrimination. The conference brought together representatives of state administration bodies, ombudsperson institutions, civil society organisations, and representatives of academic and judicial authorities.

In cooperation with the Human Rights House Zagreb, the Ombudswoman organised a Conference on Human Rights – Implementation of International Recommendations for the Republic of Croatia in November 2024. The conference aimed to contribute to strengthening human rights protection in Croatia by encouraging the implementation of the latest recommendations that Croatia received from UN committees. These are the recommendations of the Human Rights Committee from September 2024 and the Committee on the Elimination of All Forms of Racial Discrimination from October 2023. As part of the conference, two panels were held in which representatives of state bodies, ombudsperson institutions, and civil society organisations spoke about the recommendations of these two committees and their implementation.

Adopting the Sustainable Business Due Diligence Directive has taken a step forward in protecting human rights and the environment through new legally binding rules for Member States that apply to the largest companies. Therefore, as part of a project she implemented in cooperation with the Danish Institute for Human Rights, the Ombudswoman organised a conference in October 2024 dedicated to this Directive. The Ombudswoman organised this conference intending to raise awareness of the adoption of this Directive and bring together various stakeholders – the business community, state administration bodies, trade unions and civil society organisations, to start the discussion on the transposition of the Directive early enough and with the involvement of a wider range of interested stakeholders. A legal analysis by Associate Professor Davor Muhvić from the Faculty of Law of the University of Osijek on the rights and obligations prescribed by this Directive, also made within the project, was presented.

In September 2024, the Ombudswoman presented the Guide for whistleblowers. The aim of the Guide is, through a better understanding of the legal framework, to increase the number and quality of whistleblowing reports and contribute to the protection of whistleblowers. The guide is useful primarily

for the applicants themselves, but also for confidential persons who receive reports within employers, the employers themselves, lawyers, judges, free legal aid providers, trade unions, and others.

We continued implementing the project Support to National Human Rights Institutions in Monitoring Human Rights and the Rule of Law, implemented by the EU Agency for Fundamental Rights (FRA) in cooperation with seven European national human rights institutions. As part of the project, in February 2024, we organised a discussion at which the EC Report on the Rule of Law was presented, focusing on key recommendations for the Republic of Croatia.

In 2024, we continued to conduct workshops for confidential persons. During the year, we organised a series of trainings in human rights and the right to equality for various stakeholders, including students, judicial police, probation officers, employers, civil servants, especially those working on EU funds, trade unions, corporate lawyers and others.

We continued our cooperation with numerous civil society organisations, including the Ombudswoman's Network of Anti-Discrimination Contact Points members, by referring citizens' complaints to our institution, regularly exchanging information, and participating in various activities. In September 2024, we also organised a joint meeting with them on the institution's premises, as part of the FRED project – For Equality and Diversity, Against Racism. We continued, as observers, to gain direct insight into the problems of citizens after the earthquake and exchange information with the coordination of humanitarians of the SMC. We also continuously cooperate with numerous other CSOs, such as CSOs providing free legal aid and CSOs in the areas of protection of the rights of the elderly, young people, the homeless, migrants, veterans, support for victims and witnesses of crime, the rights of members of national minorities, environmental protection and many others. As in previous years, for this Report, numerous CSOs working on protecting human rights and combating discrimination provided us with their information and observations.

During 2024, the Ombudswoman, as a partner institution, is implementing two projects within the EU program Citizens, Equality, Rights and Values (CERV) - SURE: Strategies for Using Rights and Achieving Equality), which aims to raise awareness and capacity for the application of the Charter of Fundamental Rights and EU legal mechanisms, and to develop practical skills for the application of EU law and strategic litigation to accelerate social change, the promotion of democracy, the rule of law and fundamental rights, and the FRED project: Fostering Racial Equality and Diversity, which aims to reduce racism, discrimination and other forms of intolerance based on race, ethnic origin, skin color or religion, as well as intersectional discrimination and improve the protection of groups exposed to racism and discrimination.

Human Rights Council of the Ombudswoman

The Human Rights Council of the Ombudswoman continued to meet regularly throughout 2024. Also, as the mandate of Ivan Novosel from the Human Rights House expired, in May 2024, a public call was announced for a member of the Human Rights Council of the Ombudswoman from the ranks of representatives of civil society organisations, and Natalija Havelka, from the Centre for Peace, Nonviolence and Human Rights from Osijek, was elected as a new member. Members of the Council participated in public events organised by the Ombudswoman. As in previous years, they provided us with their information and observations for this Report.

6.2. International cooperation and international mechanisms for the protection of human rights

The Republic of Croatia and International Human Rights Mechanisms

In February 2024, the Republic of Croatia sent a voluntary Interim Report to the UN Human Rights Council on the implementation of the recommendations addressed to the Republic of Croatia in the process of the Universal Periodic Review of the Human Rights Situation in the Member States (UPR), which is an example of good practice.

In April 2024, the delegation of the European Commission for the Suppression of Racism and Intolerance of the Council of Europe (ECRI) visited the Republic of Croatia for the sixth time in a row. During the visit, it also met with representatives of the Ombudsman's institution, deputies Tatjana Vlašić and Dijana Kesonja.

In July 2024, the Republic of Croatia presented its 4th national report on implementing obligations under the International Covenant on Civil and Political Rights before the UN Human Rights Committee in Geneva. On behalf of the institution of the Ombudswoman as a national human rights institution with "A" status, at the session of the Committee, Deputy Ombudswoman Tatjana Vlašić presented information on the state of human rights and freedoms protected by the Covenant from a parallel report submitted to the Committee by the Ombudswoman in cooperation with special ombudsmen in June 2024. The Committee prioritised anti-corruption measures, dealing with the past and effectively combating hate speech and hate crime. The Republic of Croatia also received recommendations related to the desegregation of Roma in Croatian society and stronger protection of national minorities, attacks on journalists and SLAPP lawsuits, as well as the illegal use of force at the borders, which also emphasise the need for more adequate protection of the rights of persons deprived of liberty, enabling access to the asylum system in line with positive regulations and strengthening the efficiency of the judiciary and access to justice.

In July 2024, the EC published its fifth Report on the state of the rule of law in the EU and individual Member States, in the preparation of which we were involved by reporting through the European Network of National Human Rights Institutions and participating in the Commission's dialogue with stakeholders at the national level. The operating conditions of independent institutions are regularly taken as one of the measures of the degree of compliance by Member States in the Commission's Rule of Law Reports. Since 2022, the report has also contained recommendations. In the context of the Republic of Croatia, for the third year in a row, they also refer to improving the implementation of the Ombudsman's recommendations and her access to data necessary for unhindered work.

The UN Subcommittee on the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (SPT) during 2024 submitted a report on the regular tour of the Republic of Croatia conducted in 2023. In addition to recommendations on treating persons deprived of liberty, the document also contains recommendations for strengthening the National Preventive Mechanism (NPM) capacity and its greater visibility. Regarding the latter, a meeting was held with the representatives of the Ministry of Foreign Affairs.

Recommendation 157 (reiterated)

Government of the Republic of Croatia, to ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights

Recommendation 158 (reiterated)

Government of the Republic of Croatia, to ratify the European Social Charter (Revised)

Continuing the practice from previous years, and following the concluding comments and recommendations of the Human Rights Committee under the International Covenant on Civil and Political Rights addressed to the Republic of Croatia in September 2024, and the concluding comments and recommendations of the Committee on the Elimination of All Forms of Racial Discrimination from October 2023, the Ombudswoman, in cooperation with the Human Rights House Zagreb, organised a conference in November 2024 on the implementation of the

recommendations of international mechanisms addressed to the Republic of Croatia. Holding such events is important for the direct dialogue of relevant stakeholders – state bodies responsible for implementing recommendations, independent institutions, and civil society – on existing obstacles to implementation and the potential for cooperation and improvement of existing practices. In this context, we welcome the activity planned by the Action Plan for the Protection and Promotion of Human Rights for 2025, adopted by the Government of the Republic of Croatia in February 2025, aimed at improving interdepartmental cooperation and coordination of the human rights protection system, as part of which it is planned to hold thematic sessions of the Human Rights Council and multilateral meetings of the HRPPNM with state administration bodies responsible for reporting on the implementation of specific mechanisms for the protection of human rights to define possible models of coordinated institutional monitoring of the implementation of recommendations as well as the provisions of international and regional mechanisms for the protection of human rights. The planned activity also includes the development of a proposal for an institutional framework and its establishment in 2025.

For years, we have been continuously pointing out the need to ratify so far unratified international treaties, which would introduce the highest standards of human rights protection and non-discrimination into the legal system of the Republic of Croatia, primarily the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the European Social Charter (Revised). According to the Ministry of Foreign Affairs, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights is in the phase of analysis and impact assessment of ratification. Given that these instruments have not been ratified and we do not have information on when ratification could follow, we repeat the recommendations.

International activities - participation in international forums and networks

During 2024, we actively cooperated with UN, EU and Council of Europe bodies, the OSCE and similar institutions within the networks - the Global Alliance of Independent Human Rights Institutions (GANHRI), the European Network of Independent Human Rights Institutions (ENNHRI), the European Network of Equality Bodies (EQUINET), the International Ombudsman Institute (IOI), the European Network of Ombudsmen, the Mediterranean Ombudsmen Network (AOM), the South East Europe NPM Network (NPM JEE Network) and the Network of European Protection Authorities Whistleblowers

(NEIWA), through which we share experiences and good practices, improving in many areas in which we work and contributing to European and global practices.

In 2024, Ombudswoman Tena Šimonović Einwalter was elected as ECRI's First Vice-President and continued to participate in the work of the Committee on Artificial Intelligence of the Council of Europe (CAI) and the Expert Committee on Artificial Intelligence, Equality and Discrimination of the Council of Europe (GEC/ADI) on behalf of ECRI.

Deputy Ombudswoman Tatjana Vlašić continued her mandate as a European member of the Accreditation Subcommittee of the Global Alliance of National Human Rights Institutions (GANHRI SCA), thus contributing to building high standards for the work of these types of institutions around the world.

During 2024, Advisor to the Ombudsman Anica Tomšić continued to serve as a member of the SPT.

Representatives of the institution continued to participate in the work of GANHRI's group on climate change and human rights. We also continued participating in ENNHRI's working groups on legal issues, economic and social rights, business and human rights, asylum and migration, climate change, and chairing the Communication Working Group.

Even after the adoption of the EU Directives on Equality Bodies, Ombudswoman Tena Šimonović Einwalter, who played an important role in the formulation of standards and the process of adopting directives, continued to lead the Project on Standards for Equality Bodies of the European Network of Equality Bodies (EQUINET). During 2024, as part of this network, the Ombudsman's advisor also led the working group to formulate public policies, and we actively participated in the working groups on anti-discrimination law, communication, public policies, and research and data collection.

As part of our mandate as the competent authority for external whistleblowing, we continued to exchange experiences and good practices through the European Whistleblower Protection Bodies Network (NEIWA), by participating in working groups and at the General Assembly of the Network held in Valencia in April 2024, as well as by participating in the drafting of its Rules of Procedure and amendments to the Statute.

The National Preventive Mechanism cooperated with the Association for the Prevention of Torture (APT) and participated in the work and meetings of the NPM Network of Southeast Europe, meetings of the IPCAN network and meetings organised as part of the European NPM Forum. As part of the bilateral study exchange, we were visited by colleagues from the Slovenian NPM, whom we introduced to the methodology of visiting psychiatric institutions and organised several joint tours. On migration, we participated in a meeting organised by the FRA on the fundamental rights aspects of the ETIAS system; on investigations into deaths and allegations of ill-treatment during border management; and the updated FRA guidelines on the establishment of independent fundamental rights monitoring mechanisms in the context of background checks and asylum border procedures. We also participated in a meeting on the organisation of the FRONTEX Fundamental Rights Office, which aimed to encourage cooperation between FRONTEX, NHRIS and other EU bodies to strengthen the application of human rights standards in border management; as well as at a conference organised by the European Migration Network. We also met with FRONTEX Fundamental Rights Monitors and FRA representatives and representatives of the Council of Europe's Section on Action against Trafficking in Human Beings (GRETA) in the framework of their fourth evaluation visit. We also acted as part of the ENNHRI Working Group on Asylum and Migration, focusing on the newly adopted Pact on Migration and Asylum.

Throughout the year, we also exchanged experiences with related institutions and other stakeholders in the areas covered by our mandates through seminars, conferences and bilateral cooperation.

The conference in Brussels in February 2024 concluded the international project "Support to National Human Rights Institutions in the Monitoring of Human Rights and the Rule of Law", which we have been implementing since mid-2022 as partners of the EU Agency for Fundamental Rights (FRA) together with national institutions from Slovenia, Slovakia, Bulgaria, Latvia, Poland and Cyprus and with the European Network of National Human Rights Institutions. The project aimed to improve the implementation of the Charter of Fundamental Rights of the EU at the national level, during which we organised many activities: training on the application of the Charter for advisors to the Ombudsman, training for civil servants working on EU funds and training for CSOs, thus contributing to strengthening the capacities of civil servants who participate in the preparation of public policies and the use of EU funds.

Deputy Ombudswoman Dijana Kesonja spoke about the implementation of the Directive on the Protection of Whistleblowers in Croatia and the powers and experiences of our institution in this area at the hybrid conference of the European Network of Ombudsmen (ENO), i.e. a panel on the role of ombudsperson institutions in the protection of whistleblowers and the implementation of Directive (EU) 2019/1937.

In March 2024, at the Human Rights Forum, Europe's largest event in the field of human rights and equality, which brings together leaders and experts from the EU, CE, OSCE, UN, as well as representatives of academia, local authorities, civil society, the business world, and sports, the arts and religious communities, Ombudswoman Šimonović Einwalter participated in a thematic discussion on digitalisation in line with respect for human rights.

As part of the 13th World Conference of the International Institute of Ombudsmen (IOI) in The Hague in May, Ombudswoman Šimonović Einwalter presented on the impact of climate change on ensuring universal access to basic services for citizens.



The rights of older persons are an important area of our work. For years, we have been participating in the work of the UN Open Working Group on Ageing (OWWG), advocating for the adoption of a comprehensive international instrument at the global

level to protect the rights of older people. As part of these activities, the Ombudswoman participated in the OWWG session in New York in 2024, where she spoke about the role of the EU in protecting



the rights of the elderly. The last session of the OEWG concluded with recommendations to member states on recognising and addressing legal gaps in the protection of human rights of older persons, which include addressing them in national strategic documents, but also considering the adoption of a legally binding instrument at the global level for the protection of the rights of older persons. After almost 15 years of the OEWG, further global efforts on these topics will take place under the auspices of the Human Rights Council in Geneva.

At the invitation of the President of the UN General Assembly, Ombudswoman Šimonović Einwalter gave a presentation during the 78th session of the General Assembly in May at a high-level discussion on the topic "Public Accessibility and Inclusion: Developing Strategic Initiatives to Raise Awareness of the Role and Work of Ombudsperson Institutions and Mediators in the Promotion and Protection of Human Rights, Good Governance and the Rule of Law".

In October 2024, Ombudswoman Šimonović Einwalter was one of the participants in the dialogue with the new Commissioner for Human Rights of the Council of Europe, Michael O'Flaherty, on the topic of strengthening the communication of equality bodies with vulnerable groups.

We also joined the work of the 8th Regional Conference of Equality Bodies of SE Europe in November 2024 in Sarajevo.

We concluded the year by participating in a high-level conference in Slovenia dedicated to the role of ombudspersons and national human rights institutions in addressing contemporary human rights challenges, where Ombudswoman Šimonović Einwalter participated in a panel on modern challenges – population ageing, migration and environmental protection.

In cooperation with the Danish Institute for Human Rights, we also implemented a project related to the application of the Directive of the European Parliament and the Council on corporate due diligence and amending Directive (EU) 2019/1937, within which we organised a conference at the end of 2024 to gather stakeholders from relevant state administration bodies, business, academia and civil society and encouraging dialogue on various aspects of human rights protection in the corporate world, and developing an analysis That's what Direct brings.

As part of bilateral cooperation, we hosted students of the Master's program Human Rights, International Criminal Law and Transitional Justice at the Faculty of Law in Pristina, organised by the Kosovo branch of the Youth Initiative for Human Rights, to whom we presented several aspects of our work, and organised by the European Judicial Training Network, we were visited by judges and prosecutors from several European countries this year as well.

6.3. Public Relations

The promotion of human rights, as well as the continuous raising of awareness of the many problems that citizens face in everyday life, as well as the possibilities and ways of solving them, is an important part of the activities of the Ombudsman. Encouraging awareness of the importance of human rights and better knowledge of one's own and the rights of other members of society also contributes to a more active advocacy for them and the building of a more tolerant and inclusive society.

Promoting human rights is based on active communication with citizens, members of the Croatian Parliament, various institutions, CSOs and the media. The central place of promotion is the [website](#)

www.ombudsman.hr, where we publish, among other things, the current content of the institution's activities, as well as useful information, materials, and publications for citizens.

Cooperation with the media is crucial for communication with the public, and in addition to daily inquiries and complaints from citizens, the institution regularly receives many media inquiries from all areas of its mandate and competence. During 2024, there were 129 of them, and in addition to promptly responding to written inquiries, the Ombudswoman and her deputies also participated in many live television and radio appearances.

Presence in the media is also important for raising the visibility of the institution in the public, which is a prerequisite for effective communication with citizens who need to turn to us because of a problem, but also because of other stakeholders, especially to achieve systemic positive changes and solve problems that the Ombudswoman publicly points out and warns about.

In addition to the media, the institution of the Ombudswoman actively participates in many public events on topics within its scope, including sessions of the Croatian Parliament, public debates, conferences, forums, lectures, workshops and trainings throughout Croatia, as well as those at the European and international level.



We organise public events ourselves, so during 2024, in addition to a series of educations, lectures, workshops and public discussions, we organised, among other things, a conference dedicated to the 15th anniversary of the adoption of the Anti-Discrimination Act in Croatia, a conference on the EU Directive on Sustainable Business, a conference on the implementation of international recommendations addressed to the Republic of Croatia, and a presentation of Guide for whistleblowers.

We also communicate with the public via LinkedIn, regular and thematic newsletters, and the Ombudswoman's reports are digital to make them more accessible and easier for all interested persons.

7. Human Resources and Work Organisation

As of December 31, 2024, the Office of the Ombudsman employed 56 civil servants and one employee, of which 48 officials and one employee were employed at the headquarters of the institution in Zagreb, three officials in the regional offices in Split and Osijek, and two officials in the regional office in Rijeka. All employed civil servants and employees are employed for an indefinite period. Concerning professional qualifications, 51 civil servants have a university degree, three civil servants have a university degree, and two civil servants and one employee have a high school diploma.

In December 2023, following a public invitation procedure, a proposal to appoint an additional Deputy Ombudsman was submitted to the Croatian Parliament, which appointed the Deputy Ombudsman on July 12, 2024. Thus, until the end of 2024, the Office of the Ombudsman was managed by the Ombudswoman, three deputies and one deputy. The office is organised into six services.

Due to the harmonisation with the provisions of the new Civil Servants Act, a new Ordinance on Internal Order was adopted in August 2024, and in December, new decisions on the schedule for all civil servants and employees were adopted. After the visit of the SPT of the Republic of Croatia and the reports and recommendations that emerged from that visit, the Amendments to the Ordinance on Internal Order in November, the Service for Persons Deprived of Liberty and the National Preventive Mechanism were organised into two departments, one of which is intended for performing the tasks of the NPM.

After the headquarters of the Office of the Ombudsman was damaged in the earthquake, for the last five years it has been located at a temporary address (Savska cesta 41, Zagreb - Zagrepčanka building), partly in the premises owned by the Republic of Croatia, and partly in the space for which a lease agreement was concluded at the market price. The institution should have more space to work in the coming period.

Budget of the Office of the Ombudsman

The budget for 2024 amounted to EUR 2,781,789.00, and was executed in the amount of EUR 2,739,499.08, which is 98.48 % of the planned, with expenditures for employees being 99.99 %, material expenditures 91.60 % and expenditures for the acquisition of non-financial assets 98.77 % of the planned budget. Compared to 2023, the budget was higher by 17.55 %, and the increase was mostly related to employee expenditures.

The EU (CERV) projects SURE - Strategies for Using Rights and Achieving Equality and FRED - Fostering Racial Equality and Diversity started their implementation in March and April 2024, respectively, with a planned duration of 24 months. The Ombudswoman, as the central body for combating discrimination in the Republic of Croatia, is one of the project partners, and the project activities will be implemented in 2025.

8. Conclusion

The Ombudswoman's Report for 2024 is an analysis and assessment of the state of protection of rights and freedoms in the Republic of Croatia, as well as related to certain forms of violations of the rights of individuals or certain social groups, through almost 60 topics and subtopics.

The report is the result of the work of the Ombudswoman in all five mandates entrusted to the institution over the years:

- (1) ombudsman, which includes the protection of citizens from unlawful actions of public authorities, i.e. the protection of the right to good governance and the rule of law;
- (2) National Human Rights Institutions (NHRIs), with the role of protecting and promoting human rights, in particular international legal acts on human rights and freedoms accepted by the Republic of Croatia;
- (3) the central anti-discrimination body, i.e. the equality body, which includes powers in dealing with legal and natural persons in the private sector;
- (4) the National Preventive Mechanism for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, relating to Persons Deprived of Liberty (NPM); and
- (5) whistleblower protection bodies/external whistleblowing channel.

All of the above in the Report is an overview of the situation in 2024, most often as a continuation of long-standing problems, while the 158 recommendations in the Report are a direction for action to improve, i.e. strengthen the protection of human rights and freedoms, the rule of law and the suppression of discrimination in the Republic of Croatia.

The implementation of these recommendations should be based on cooperation and dialogue, and the basic prerequisite for this is an up-to-date discussion of the Report in the Croatian Parliament, which would mean in the year in which it was submitted, which has not been the case for many years. This leads to insufficient implementation of the recommendations, contrary to the recommendations that the European Commission has given to the Republic of Croatia three times in the reports on the rule of law in the Member States. The lack of timeliness makes the debate less high-quality and purposeful because the data from the report becomes obsolete, while the MPs do not have the opportunity to discuss the problems of citizens who turn to the institution and are reported on in the Report. At the same time, the Ombudswoman, as the plenipotentiary of the Croatian Parliament for the promotion and protection of human rights, does not have the opportunity to inform the Croatian Parliament promptly about the state of human rights, equality and the rule of law.

Finally, the Report is submitted with the aim that the data, examples and recommendations from this Report will be a useful source of information for Members of Parliament throughout the year, at plenary debates and committees, when working on legislative proposals, but also to all others aimed at protecting human rights in the Republic of Croatia.

Appendix: List of abbreviations

AEM – Agency for Electronic Media

AOM - Mediterranean Ombudsperson Network

APT - Association for the Prevention of Torture

AZOP – Personal Data Protection Agency

BPP – Free Legal Aid

CAI - Committee on Artificial Intelligence of the Council of Europe

CEZIH - Central Health Information System of the Republic of Croatia

CCE – Waste Management Centre

CPT - European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment

CZSS – Centre for Social Welfare

DHMZ – State Hydrometeorological Service

SEC – State Election Commission

DIRH – State Inspectorate of the Republic of Croatia

DNA/DNA – Deoxyribonucleic acid

State Attorney's Office of the Republic of Croatia

DOV – State Attorney's Council

DSA – Digital Services Act

NJV – National Council for the Judiciary

DŠJU – State School of Public Administration

CBS – Croatian Bureau of Statistics

ECRI - European Committee against Racism and Intolerance at the Council of Europe

EEA - European Environment Agency

EIN - European Judicial Enforcement Network

EC – European Commission

ECHR – (European) Convention for the Protection of Human Rights and Fundamental Freedoms

ELSA – European Law Students' Association

ENNHRI – European Network of National Human Rights Institutions

EPPO - European Public Prosecutor

EQUINET - European Network of Equality Bodies

ECtHR – European Court of Human Rights

EU – European Union

FINA – Financial Agency

FINDHR - Fairness and Intersectional Non-Discrimination in Human Recommendation

FRA - EU Agency for Fundamental Rights

FRONTEX - European Border and Coast Guard Agency

FZOEU - Environmental Protection and Energy Efficiency Fund

GANHRI – Global Alliance of National Human Rights Institutions

GDO – Attorney General

GOO – Civic Education

GPZ – City Gas Plant Zagreb

HAKOM – Croatian Regulatory Agency for Network Industries

HAZU – Croatian Academy of Sciences and Arts

HCK – Croatian Red Cross

HDZ – Croatian Democratic Union

HEP – Hrvatska elektroprivreda

HERA – Croatian Energy Regulatory Agency

Croatian Chamber of Economy – Croatian Chamber of Economy

HIV - Human immunodeficiency virus

HJK – Croatian Chamber of Notaries

HKF – Croatian Chamber of Physiotherapists

HKMS – Croatian Chamber of Nurses

HLK - Croatian Medical Chamber

HLZ – Croatian Medical Association

HMB – Croatian Network for the Homeless

HMP- Emergency Medical Care

CNB - Croatian National Bank

CJA – Croatian Journalists' Association

HOK - Croatian Bar Association

HPK – Croatian Psychological Chamber

HRT – Croatian Radio Television

HRVI – Croatian War Invalids

HVZ – Croatian Fire Brigade Association

HVZ – Croatian Fire Brigade Association

HZJZ – Croatian Institute of Public Health
HZMO – Croatian Pension Insurance Institute
HZSR – Croatian Institute for Social Work
CES – Croatian Employment Service
HZZO – Croatian Health Insurance Fund
IOI - International Institute of Ombudsmen
JIVU - Public Water Service Providers
LGUs – Local Self-Government Units
JP(R) S – Unit of Regional Self-Government
KBC - Clinical Hospital Centre
KP- Clinic for Psychiatry
CC – Criminal Code
MBO – Insured person's registration number
MF – Ministry of Finance
MG – Ministry of Economy
MGOR – Ministry of Economy and Sustainable Development
MHB – Ministry of Croatian Veterans
MKIM – Ministry of Culture and Media
MCO – Mixed municipal waste
IMF – International Monetary Fund
MMH – Croatian Youth Network
MMPI - Ministry of the Sea, Transport and Infrastructure
Ministry of Defence of the Republic of Croatia
Ministry of Agriculture, Forestry and Fisheries - Ministry of Agriculture, Forestry and Fisheries
MPU – Ministry of Justice and Public Administration
MPUDT – Ministry of Justice, Public Administration and Digital Transformation
MPUGDI - Ministry of Physical Planning, Construction and State Property
MRI – magnetic resonance imaging
MRMSOSP – Ministry of Labour, Pension System, Family and Social Policy
MSJ – Mobile Housing Units
MTS – Ministry of Tourism and Sports
Ministry of the Interior – Ministry of the Interior
Ministry of Foreign and European Affairs

MZ – Ministry of Health

MZOM – Ministry of Science, Education and Youth

MZOZT – Ministry of Environmental Protection and Green Transition

NECP - Updated Integrated National Energy and Climate Plan of the Republic of Croatia for the period 2021 - 2030

NEIWA - Network of European Whistleblower Protection Authorities

NHRI – National Institution for the Protection of Human Rights

NIAS – National Identification and Authentication System

NMN – Independent Mechanism for Monitoring the Conduct of Police Officers of the Ministry of the Interior in the Field of Illegal Migration and International Protection

NN – Official Gazette

NPC – National Call Centre for Victims of Crime

NPM – National Preventive Mechanism

NPM JEE - South East Europe NPM Network

NRRP - National Recovery and Resilience Plan

NUKE - Benefits for vulnerable energy buyers

NZJZ – Teaching Institute of Public Health

CSOs – Civil Society Organizations

ODIHR – Office for Democratic Institutions and Human Rights

OECD - Organisation for Economic Co-operation and Development

OSCE - Organization for Security and Co-operation in Europe

OIB – Personal Identification Number

OLS – persons deprived of liberty

OMWE - Recommendations of the Committee of Ministers of the Council of Europe

OPCAT - Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

OPCC – Operational Programme Competitiveness and Cohesion

OPOB – Department of Psychiatry of the General Hospital

OPUO - Assessment of the need for environmental impact assessment of the project

Elementary School – Elementary School

VAT – Value Added Tax

CRP – Civil Rights Project Sisak

PiG – Politics and Economy

POS - Socially Incentivized Housing Construction Program

POSI – Ombudsperson for Persons with Disabilities

PRS – Ombudswoman for Gender Equality

PU – Regional Office

EIA - Environmental Impact Assessment

PzD – Ombudswoman for Children

REA – Regional Energy Agency North

Republic of Croatia – Republic of Croatia

RTC – Rehabilitation Centre for Stress and Trauma

SDSS - Independent Democratic Serb Party

SDUDM - Central State Office for Demography and Youth

SDUOSZ – Central State Office for Reconstruction and Housing Care

SLAPP - Strategic Lawsuit Against Public Participation

SMC - Sisak-Moslavina County

SNV – Serb National Council

SOA – Security and Intelligence Agency

JPA - UN Sub-Committee on the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or

SUH – Union of Pensioners of Croatia

SUZS – Central Office for the Prison System

TFEU – Treaty on the Functioning of the European Union

AI – Artificial Intelligence

ULJPPNM – Office for Human Rights and Rights of National Minorities

UN – United Nations

UNHCR - United Nations High Commissioner for Refugees

UO – Administrative Department

UOŽ – Administrative Department in the County

USRH – Constitutional Court of the Republic of Croatia

UZPNM – Constitutional Act on the Rights of National Minorities

Ultrasound – ultrasound

VE – Council of Europe

VEM - Council for Electronic Media

Supreme Court of the Republic of Croatia

WHO – World Health Organization

ZEM – Electronic Media Act

ZET – Zagreb Electric Tram

ZIKZ - Law on the Execution of Prison Sentences

ZJO – Public Assembly Act

ZKP – Code of Criminal Procedure

ZMN – Guaranteed Minimum Benefit

ZMZPZ – International and Temporary Protection Act

ZNPM - Law on the National Preventive Mechanism for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

ZNUPSKP - Act on the Manner, Conditions and Procedure of Servicing and Sale of Receivables

ZOCSDR - Law on Civilian Victims of the Homeland War

ZOHBDR - Act on Croatian Homeland War Veterans and Members of Their Families

ZOO - Civil Obligations Act

ZoPP – Ombudsman Act

ZOR – Labour Act

ZOS – Law on Foreigners

ZOSI – Institute for Expertise of Persons with Disabilities

ZOZO - Compulsory Health Insurance Act

ZPPJRM - Law on Misdemeanors against Public Order and Peace

ZRS – Gender Equality Act

ZSD – Anti-Discrimination Act

ZSS – Social Welfare Act

ZSUKJS - Law on the System of Internal Controls in the Public Sector

ZSZPP - Act on Housing Care in Assisted Areas

ZUP – General Administrative Procedure Act

ZVOZD - Act on Scientific Activity and Higher Education

ZZNR – Occupational Safety and Health Act

ZZODS – Act on the Protection of Persons with Mental Disorders

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Appendix: Contributions to the Report

In alphabetical order (in Croatian version):

Agency for Electronic Media

Agency for Legal Transactions and Real Estate Brokerage

Personal Data Protection Agency

Agency for Science and Higher Education

Academy of Social Welfare

Ambidexter Club

Caritas of the Diocese of Šibenik

Caritas of the Archdiocese of Đakovo-Osijek

Caritas of Zagreb County

Centre for Civic Initiatives Poreč

Centre for the Culture of Dialogue

Centre for Peace, Nonviolence and Human Rights Osijek

Centre for Peace Studies

Centre for Support and Development of Civil Society Delfin

DEŠA – Dubrovnik – Regional Centre for Community Building and Civil Society Development

State School of Public Administration

State Inspectorate of the Republic of Croatia

State Attorney's Office of the Republic of Croatia

National Council for the Judiciary

State Attorney's Council

Faculty of Education and Rehabilitation Sciences

Institute of Economics Zagreb

Faculty of Political Science, University of Zagreb

Faculty of Humanities and Social Sciences in Osijek

Faculty of Humanities and Social Sciences in Pula

Faculty of Humanities and Social Sciences in Rijeka

Faculty of Humanities and Social Sciences in Split

Financial Agency

Environmental Protection and Energy Efficiency Fund

Secular Franciscan Order, Local Fraternity Trsat

GDCK Clay

GDCK Hrvatska Kostajnica

Gong

City of Bjelovar

City of Dubrovnik

City of Đakovo

City of Đurđevac

City of Gospić

Town of Imotski

City of Ivanić-grad

City of Karlovac

City of Knin

City of Koprivnica

City of Križevci

City of Labin

City of Makarska

City of Metković

City of Opatija

City of Osijek

City of Poreč

City of Pula

City of Rijeka

City of Rovinj

City of Samobor

City of Sisak

City of Slavonski Brod

City of Split

City of Šibenik

City of Umag

City of Varaždin
City of Velika Gorica
City of Vinkovci
City of Virovitica
City of Vodnjan
City of Vrbovec
City of Vukovar
City of Zadar
City of Zagreb
City of Zaprešić
Gradska plinara Zagreb d.o.o.
City Red Cross Society of Sisak
City Red Cross Society of Županja
HEP Elektra d.o.o.
Croatian Energy Regulatory Agency
Croatian Chamber of Notaries
Croatian Chamber of Dental Medicine
Croatian Chamber of Physiotherapists
Croatian Chamber of Medical Biochemists
Croatian Chamber of Nurses
Croatian Chamber of Health Professionals
Croatian Medical Chamber
Croatian Chamber of Pharmacists
Croatian Network for the Homeless
Croatian National Bank
Croatian Bar Association
Croatian Radio-Television
Croatian Regulatory Authority for Network Industries
Croatian Consumer Protection Association
Croatian Forests
Croatian Waters

Croatian Caritas
Croatian Red Cross
Croatian Red Cross, City Red Cross Society of Petrinja
Croatian Football Federation
Croatian Law Centre
Croatian Telecommunications Union
Croatian Institute of Public Health
Croatian Pension Insurance Institute
Croatian Institute for Social Welfare
Croatian Employment Service
Croatian Health Insurance Fund
Catholic University of Croatia
Croatian Journalists' Association
HUAN - Croatian Association of Debt Collection Agencies
Information and Legal Centre Slavonski Brod
Ivo Pilar Institute of Social Sciences
Institute of Ethnology and Folklore Research
Institute for Migration Research
Institute of Public Finance
Water Institute
Jesuit Refugee Service
KBC Dubrava
KBC Osijek
KBC Rijeka
KBC Zagreb
Merkur Clinical Hospital
Sveti Duh University Hospital
University Hospital Centre Split
Clinic for Infectious Diseases Dr. Fran Mihaljević
Psychiatric Clinic Sveti Ivan
Christian Nazarene Religious Community of Croatia

Circles – Centre for Education, Counselling and Humanitarian Action

Human Rights House Zagreb

Ministry of Demography and Immigration

Ministry of Finance

Ministry of Economy

Ministry of Croatian Veterans

Ministry of Culture and Media

Ministry of the Sea, Transport and Infrastructure

Ministry of Justice, Public Administration and Digital Transformation

Ministry of Physical Planning, Construction and State Property

Ministry of Labour, Pension System, Family and Social Policy

Ministry of Regional Development and EU Funds

Ministry of the Interior of the Republic of Croatia

Ministry of Foreign and European Affairs

Ministry of Environmental Protection and Green Transition

Ministry of Science, Education and Youth

Croatian Youth Network

Network of Associations Zagor

National Memorial Hospital Vukovar

National Foundation for Civil Society Development

National Council for Consumer Protection

Neuropsychiatric Hospital Popovača

Independent oversight mechanism

Independent Trade Union of Employees in Secondary Schools of Croatia

Civil Service Board

Attorney-at-law Grgec Martina

Lawyer Andrija Zelenika

GENERAL HOSPITAL "Dr. Anđelko Višić" Bjelovar

General Hospital Dr. Ivo Pedišić

General Hospital Dr. Tomislav Bardek Koprivnica

Dubrovnik General Hospital

Gospić General Hospital
General Hospital and Hospital of Homeland Labor Veterans Ogulin
Josip Benčević General Hospital
Karlovac General Hospital
Našice General Hospital
General Hospital Nova Gradiška
Pula General Hospital
General Hospital Šibenik
Virovitica General Hospital
Zabok General Hospital
Zadar General Hospital
General and Veteran Hospital "Croatian Pride" Knin
Pakrac General County Hospital and Croatian Veterans Hospital
Požega General County Hospital
Vinkovci General County Hospital
Municipal Civil Court in Zagreb
Municipal Misdemeanor Court in Split
Municipal Misdemeanor Court in Zagreb
Municipal Labour Court in Zagreb
Municipal Court in Bjelovar
Municipal Court in Crikvenica
Municipal Court in Čakovec
Municipal Court in Dubrovnik
Municipal Court in Gospić
Municipal Court in Karlovac
Municipal Court in Koprivnica
Municipal Court in Kutina
Municipal Court in Makarska
Municipal Court in Metković
Municipal Court in Novi Zagreb
Municipal Court in Osijek

Municipal Court in Pazin
Municipal Court in Požega
Municipal Court in Pula
Municipal Court in Rijeka
Municipal Court in Sesvete
Municipal Court in Sisak
Municipal Court in Slavonski Brod
Municipal Court in Split
Municipal Court in Šibenik
Municipal Court in Varaždin
Municipal Court in Vinkovci
Municipal Court in Virovitica
Municipal Court in Vukovar
Municipal Court in Zadar
Municipal Court in Zlatar
PGP Sisak
Information Commissioner
Commission for the Work of Complaints in the Social Welfare System
Commission for the Protection of Persons with Mental Disorders
Commission for the Protection of Patients' Rights
Commission for the Protection of Patients' Rights in Bjelovar-Bilogora County
Legal Clinic Zagreb
Faculty of Law, University of Zagreb
Faculty of Law in Osijek
Faculty of Law in Rijeka
Ombudsperson for Persons with Disabilities
Ombudswoman for Children
Ombudswoman for Gender Equality
Judicial Academy
Psychiatric Hospital Ugljan
Stress and Trauma Rehabilitation Centre

S.O.S. – consulting, empowerment, cooperation

Covenant of Churches Word of Life

Confederation of Independent Trade Unions of Croatia

Council for National Minorities

Croatian Police Union

Trade Union SKUPA

Union of Pensioners of Croatia SUH

Trade Union of Employees in Agriculture, Food and Tobacco Industry and Water Management of Croatia

SOS Children's Village Croatia

SOS Rijeka

Special Hospital for Pulmonary Diseases

Special Hospital for Prolonged Treatment Duga Resas

Serb National Council

Juraj Dobrila University of Pula

University North

University of Rijeka

University of Zadar

World Bank

Commercial Court in Bjelovar

Commercial Court in Dubrovnik

Commercial Court in Osijek

Commercial Court in Pazin

Commercial Court in Rijeka

Commercial Court in Split

Commercial Court in Varaždin

Commercial Court in Zagreb

Association "Srma"

Association Are You Syrious

Babe Association

The White Circle of Croatia Association

Association Home of Hope

Association of Volunteers and Veterans of the Homeland War of the Republic of Croatia

Association of Cities in the Republic of Croatia

Association HERA Križevci – for the protection and promotion of human rights

Brave Phone Association

La Verna Association

LORI Association

MoSt Association

Association We Are Not Alone

StarKA Association

Association Sunce

The Association of St. Jerome

Association for Victim and Witness Support

Association for Assistance and Education of Victims of Mobbing

Association ZvoniMir

UNHCR Zagreb

Administrative Court in Osijek

Administrative Court in Rijeka

Administrative Court in Split

Administrative Court in Zagreb

Office of the Commission for Relations with Religious Communities

Office for Human Rights and Rights of National Minorities

Office for Cooperation with NGOs of the Government of the Republic of Croatia

Office for Legislation of the Government of the Republic of Croatia

Office of the Representative before the ECtHR

Veteran Centre

Council of the Roma National Minority of the City of Rijeka

Council of the Roma National Minority Podturen

High Misdemeanor Court of the Republic of Croatia

High Commercial Court of the Republic of Croatia

High Administrative Court

Zagreb County

Community of Associations of Croatian Civilian Victims of the Homeland War

Joint Council of Municipalities of Vukovar

Women's Room

Women's Association Izvor

Jewish Community of Koprivnica

Bjelovar-Bilogora County

Brod-Posavina County

Dubrovnik-Neretva County

Istria County

Istria County

Karlovac County

Koprivnica-Križevci County

Krapina-Zagorje County

Lika-Senj County

Međimurje County

Osijek-Baranja County

Požega-Slavonia County

Požega-Slavonia County

Primorje-Gorski Kotar County

Sisak-Moslavina County

Split-Dalmatia County

Šibenik-Knin County

Varaždin County

Virovitica-Podravina County

Vukovar-Srijem County

Zadar County

County Hospital Čakovec

County Special Hospital Insula

Bjelovar County Court

Karlovac County Court

Osijek County Court

Pula County Court

Rijeka County Court

Sisak County Court

County Court in Split

Šibenik County Court

Varaždin County Court

County Court in Velika Gorica

Vukovar County Court

Zadar County Court

Zagreb County Court