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Statement by

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United Nations Human Rights Council

16th Session

**Adoption of the Outcome Report of the
Republic of Croatia at the UPR**

Geneva, 17 March 2011

Mr. President,
Excellencies,
Ladies and gentlemen,

(welcome address)

It is my pleasure to **address** this respective forum and reiterate the particular importance that the Croatian Government attaches to the UPR mechanism and welcome once again the universal manner in which it considers human rights situation in all countries of the world. Croatia extended its full cooperation to the UPR mechanism from the beginning and will continue with its support.

Allow me also to convey our deepest condolences and our sympathies to the people of Japan stricken by the recent natural catastrophe.

The Republic of Croatia has followed and actively participated in the UPR interactive process with concerned countries. We also attach high importance to the ongoing **review of the Human Rights Council** as an excellent opportunity to closely look in all UPR abilities to reflect human rights reality.

Mr. President,

(human rights)

As it was pointed out in the Croatian statement delivered by Mr Plenković, State Secretary for European Integration, during the elaboration of our National Report before the Working Group on UPR on November 8, 2010, the Republic of Croatia since its independence passed through a **dynamic democracy transition**. An advanced and comprehensive system for the protection of human rights was established in line with the international standards. Our Constitution guarantees the protection of human rights and fundamental freedoms as well as legal protection from discrimination. The legal and institutional framework has been consequently developed. Croatia has ratified a significant number of international human rights treaties and extending a standing invitation to the special procedures. All these developments and some outstanding shortcomings have been discussed in details in November before the UPR Working Group.

(UPR report)

The UPR National Report has been approved by the Government and discussed before the Parliamentary Committee for Human Rights and National Minorities. The preparation as well as the presentation of the National UPR report in my country has attracted significant **interest amongst the public and civil societies**. Our experience indicates that transparent and comprehensive consultations with civil society organisations has effectively assisted the Government of Croatia to identify the current situation in objective manner and assess the area of possible improvement *vis-a-vis* all requirements for reporting. In this sense, I would

like to emphasise that - as we started this process of **consultations with civil society organisations** we will also conclude our first round of elaboration of the whole process with this respective segment of Croatian society as a Government partner in the human rights field. In this spirit, after the final adoption of the Report by the Human Rights Council, the Ministry of Foreign Affairs and European Integration will organise a round table with the participation of civil society organisations to discuss the UPR review concerning Croatia, including the concluding recommendations.

It is my honour to stand before the Council on this important occasion – the final adoption of our UPR report, especially in the light of the fact that, we will be engaging with both representatives of states, and for the first time in this forum, representatives of civil society and national human rights institutions alike.

Mr. President,

(recent follow-up)

Allow me to inform you on the follow-up steps taken after the presentation of the UPR by Croatia in November.

In January this year, the detailed information was sent to the Government about the adoption of the Report before the UPR Working Group, with the special emphasis on the recommendations. The Government mandated **the Ministry of Foreign Affairs and European Integration to undertake further steps**: presentation of the Report before the Parliamentary Committee for Human Rights and National Minorities and its elaboration with civil society organisations. The Ministry was designated to coordinate the responsible government bodies on the elaboration of final views regarding the recommendations whose consideration was postponed in November.

Subsequently, the recommendations, as well as UPR WG Report were presented to the mentioned Parliamentary Committee, followed by the fruitful debate among the Committee members. Croatia has also prepared the final views contained in the final Report.

Mr. President,

(interactive dialogue and cooperation)

Before I will specifically inform you about the Croatian concrete response to the recommendations, allow me to underline that my Government welcomes those as an effective tool for reviewing and improving legislation and practice, as well as identifying existing protection gaps.

Allow me, also, to thank all **46 countries** that have taken part in interactive dialog during the elaboration of our National Report, showing interest in assisting Croatia in improving its human rights record.

The interactive dialogue indicated that **the Republic of Croatia achieved an advanced level** in key areas of promotion and protection of human rights, such as: justice reform, suppression of all forms of discrimination, as well as children rights and rights of persons with disabilities. In that respect, we are optimistic to the fact that our human rights protection system has been valued positively from almost all countries. Croatian commitment to resolving all outstanding war issues, has also been confirmed - it includes adoption of the effective measures for finalisation of the refugee return, as well as ability to conduct unbiased trial for processing perpetrators of war crimes.

The Croatian delegation participated actively in the interactive dialogue and attempted to the best of its abilities to address all the subjects of relevance. We are very much willing to maintain cooperation with all interested countries, civil society organisations and all human rights mechanisms. Moreover, our responses to the UPR will soon be additionally strengthened through the consideration of several national reports before the UN **treaty bodies** (with regard to children, women and persons with disabilities), that will provide additional input for our activities in the future. It is crucial to maintain an interdependence and constant interaction among the UPR and the treaty body system in order to improve both mechanisms.

Mr. President,

(recommendations – in general)

When it comes to the recommendations, I am particularly pleased to let you know that Croatia **accepted the great majority of proposed recommendations** – among those 94, during the November review. They were mostly focused on strengthening the work of institutions, as well as on support for the most vulnerable groups and cooperation with civil society. The recommendations further strengthened our determination to enhance the human rights protection.

Finally, Croatia **was not able to accept only two recommendations**. The recommendation concerning the right to citizenship was incompatible with Croatian legislation since it has set requirements going beyond the international standards, as well as interfering with the prerogative of a sovereign state. The recommendation concerning free legal aid, remains open to interpretation due to its drafting.

(recommendations – specific)

Furthermore, Croatia partially accepted several recommendations, mostly concerning the ratification of international human rights instruments, such as the International Convention of the Rights of All **Migrant** Workers and Members of their Families. In this case, we are of the view that an effective system for the migrant rights should be seen as an integral part of the wider European human rights framework. While our Government has not yet reached a final decision concerning the signing or ratification the Convention, the broad legislative framework for the migrant protection has been enacted.

Another recommendation that Croatia only partially accepted is the recommendation aimed at the adoption of the Optional **Protocol to the ICESCR**. In fact, the inter-agency Working Group is in the process of formulating recommendations with regard to its signature and possible ratification.

● As all other postponed recommendations are accepted without any objection, allow me to provide you with some **basic information** in order to clarify our responses:

- with regards to the issue of national minorities, my Government:
 - actively promotes reconciliation,
 - continues to strengthen the Council of National Minorities, and
 - is in the process of adopting the new Action Plan for the Implementation of the Constitutional Act on the Rights of National Minorities (for biennial period);
- with respect to the completion of the process of the return of refugees which remains one of the highest Government priorities, Croatia:
 - is finalising the process of the return of private property,
 - continues to build an effective and efficient asylum system,
 - is successfully implementing the Revised Action Plan for the Housing Care Program;
 - is conducting activities for the upcoming Four-party consultations in Brussels as part of its preparation for the ministerial meeting in June and the respective Donor conference later this year;
- in relation to the war crimes, Croatia
 - fights against impunity and processes cases of war crimes, and to that respect
 - the National Strategy for investigation and processing of war crimes is adopted in February 2011;
- in the case of the issue of anti-discrimination, Croatia
 - continues to make significant efforts in awareness-raising, and

- intensifies education on discrimination for judicial officials;
- in the field of persons with disabilities,
 - a special Working Group identified the need for further harmonization with the relevant Convention with regard to the guardianship, and
 - the new Master plan was adopted to foster community-based approach for the persons with disabilities;
- concerning the issue of human trafficking, Croatia
 - accepted the majority of recommendations, and
 - ahead of every tourist season, Ministry of Interior issues detail instruction to the Police regarding possible human trafficking cases.

Croatia, finally, accepted the recommendation to establish an adequate mechanism for the follow-up to the results of the UPR, which will include the participation and cooperation of all relevant stakeholders.

Croatia remains fully committed to making all recommendations more visible, including through the Internet.

Mr. President,

(finally)

In conclusion, I would like to reiterate our sincere commitment to this **comprehensive UPR exercise**. For my country, it was a welcome opportunity to assess its action in human rights field in comprehensive manner and raise public awareness of human rights agenda on a domestic level.

While the process itself can certainly be improved, it has undoubtedly given – as we can witness from own experience – a new international impetus to the global protection of human rights.

Thank you, Mr. President.