

## I. EXECUTIVE SUMMARY

1. Since 2015, despite advances in recognizing and preserving some basic rights, Croatia has failed to protect numerous fundamental human rights and meet its obligations under domestic and international law. The Advocates has received direct information about the human rights violations that are detailed in this report, including the fact that certain vulnerable populations in the State are experiencing on-going systematic discrimination. Additionally, LGBTI individuals have been targeted as part of misinformation campaigns to prevent the ratification of the Council of Europe Convention on Prevention and Combating Violence against Women and Domestic Violence (the “Istanbul Convention”), and they do not enjoy the same family rights as heterosexual persons. There has also been a recent and notable increase in violence by State and non-state actors towards migrants crossing the border into Croatia and pervasive efforts on the part of State and non-state actors to discourage and even prevent journalists from exercising their freedom of expression. Moreover, civil society organizations that support marginalized groups and persons are ostracized, targeted and denied crucial funding to support minorities and unrepresented persons.

## II. BACKGROUND AND FRAMEWORK

2. Croatia is party to numerous international treaties, conventions and similar legal agreements. For example, in 2018, Croatia ratified the Istanbul Convention.<sup>1</sup> Croatia also ratified the Council of Europe Framework Convention for the Protection of National Minorities in 1997.<sup>2</sup>

### A. 2015 Universal Periodic Review of Croatia

3. During the country’s 2015 Universal Period Review, the Croatian government noted five recommendations and accepted 162 recommendations.<sup>3</sup> The accepted recommendations included ratifying and acceding to the Istanbul Convention, addressing issues related to criminalized defamation and the freedom of expression, addressing concerns of gender discrimination in the workplace, strengthening human rights protections for LGBT persons, improving the rights of minorities, and improving policies and measures to protect migrants.<sup>4</sup>

#### 1. *Ratifying and acceding to the Istanbul Convention*

#### **Status of Implementation: Accepted, Partially Implemented**

4. Croatia accepted several recommendations to ratify and accede to the Istanbul Convention.<sup>5</sup> While Croatia ratified the Istanbul Convention in 2018, it has not yet fully implemented the Istanbul Convention.<sup>6</sup>

#### 2. *Decriminalize defamation and promote freedom of expression*

#### **Status of Implementation: Accepted, Not Implemented**

5. Croatia accepted recommendations to decriminalize defamation and support the freedom of expression.<sup>7</sup> However, Croatia has not fully de-criminalized defamation, and there have

been pervasive efforts on the part of both State and non-state actors to discourage and even prevent journalists from exercising their freedom of expression.<sup>8</sup>

### *3. Reducing gender discrimination and promoting gender equality in the workplace*

#### **Status of Implementation: Accepted, Partially Implemented**

6. Croatia accepted several recommendations to adopt legislation pertaining to gender discrimination in the workplace and to implement programs to change society's perception of women, including removing barriers affecting employment.<sup>9</sup> While the Labour Act and the Gender Equality Act 2008 provide certain protections against employment-related and political gender discrimination, women still face discrimination in the job market and in elections, and gender stereotypes are a "common phenomena" in Croatian media.<sup>10</sup>

### *4. Strengthen LGBTI rights*

#### **Status of Implementation: Accepted, Partially Implemented**

7. Croatia accepted recommendations to strengthen human rights protections for lesbian, gay, bisexual and transgender persons.<sup>11</sup> While same-sex unions are recognized under Croatian law, LGBTI persons do not enjoy the same adoption and social welfare rights as married couples. Hate crimes and discrimination targeting LGBTI persons continue to be a problem in Croatia, and manifest stereotyping of, and prejudice against, those who take a non-traditional view on "gender" continues unabated.<sup>12</sup>

### *5. Strengthen the rights of minorities*

#### **Status of Implementation: Accepted, Partially Implemented**

8. Croatia accepted several recommendations regarding eliminating employment discrimination and other forms of discrimination against minorities, including the Roma and Serbian minority.<sup>13</sup> Although ministry officials have taken steps to expand educational resources for Roma, Serbs and Roma remain subject to discrimination in the public and private spheres, including in the form of hate speech, discrimination in the workplace and discrimination when acquiring housing.<sup>14</sup>

### *6. Protect the rights of migrants and asylum seekers*

#### **Status of Implementation: Accepted, Not Implemented**

9. Croatia accepted recommendations to adjust and improve its policies and measures according to new situations in order to protect migrant rights and increase the efficiency of the asylum granting process.<sup>15</sup>

#### **B. Domestic Legal Framework**

10. The Constitution of the Republic of Croatia was adopted on December 22, 1990.<sup>16</sup> The Constitution recognizes 20 national minorities in its preamble, including both Serbs and Roma.<sup>17</sup> The Constitution also enumerates numerous basic rights, including Article 38, which ensures the freedom of thought and expression.<sup>18</sup> Article 33 of the Constitution recognizes the right to seek asylum in Croatia.<sup>19</sup>

11. With respect to domestic law in Croatia, the Gender Equality Act 2008 establishes a framework for the protection and promotion of gender equality as a fundamental value and defines and regulates methods of protection from discrimination on grounds of sex and

equal opportunities for women and men, and the Labour Act regulates employment in Croatia.<sup>20</sup> The Croatian Government's National Roma Program develops and implements policies to specifically address barriers to Roma Inclusion in Croatian society.<sup>21</sup>

12. In regards to Croatian criminal law, Articles 147 – 151 and 349 of the Croatian Criminal Code outline several key provisions of Croatia's Criminal Code with respect to defamation, including laws on shaming and insult. There are also civil laws addressing defamation.<sup>22</sup>

### **III. IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS**

#### **Right or area 7.1. Context, statistics, budget, cooperation with civil society**

13. Members of civil society in Croatia report that the State is directing funding, including funding from the European Union, away from organizations whose objectives and policies do not align with those of the State, which has led to the censorship of programs whose messages do not align with the State's agenda and views.<sup>23</sup> This practice has forced numerous civil society organizations to reduce staff, reduce programming and/or to shut down permanently.<sup>24</sup>
14. Croatia has cut funding to non-governmental organizations operating in Croatia in the past five years, resulting in civil society organizations feeling uncertain about their status and ability to operate.<sup>25</sup> For example, while Croatia previously allocated approximately 10-14% of the income from its national lottery to fund civil society organizations, in 2016 this funding was reduced to 5-6%.<sup>26</sup> In instances where civil society organizations have been denied government funding for their projects, there has been a lack of transparency regarding the reasons for such denials despite efforts on the part of the organizations to acquire information about their applications and the funding decisions.<sup>27</sup>

#### **Right or area 8. Non-discrimination**

##### *LGBTI Discrimination*

15. Numerous civil society organizations, journalists, academics, clergy and others have reported manifest stereotyping of, and prejudice against, those who take a non-traditional view on "gender", including a notable backlash to the implementation of the Istanbul Convention due to widespread misinformation campaigns regarding the term "gender" and so-called gender ideology.<sup>28</sup> This has had a significant impact on LGBTI rights. Critics of the Istanbul Convention claim that the definition of gender in the Istanbul Convention is a "Trojan horse infiltrating" Croatian traditional society, and opposition groups have utilized hate speech and anti-LGBTI propaganda, including asserting claims that passing laws in accordance with the Istanbul Convention will result in mandatory same-sex marriage, to oppose the implementation of the Istanbul Convention.<sup>29</sup>
16. Others who oppose the Istanbul Convention have seized on different evocative rhetoric, stating that "Communism is coming to Croatia in different forms. It is flying under new flags, like the rainbow flag for Pride."<sup>30</sup> Prominent government officials have expressed that "radical right forces have entered the space [of the Istanbul Convention ratification] with lies and manipulation. They created a riot...." yet the government has taken no steps

to counteract these unfounded attacks, nor have they fully implemented the Istanbul Convention.<sup>31</sup>

17. In addition to such propaganda, members of the LGBTI community have reported feeling unsafe attending public events, including Pride events, and have reported that they fear walking the streets at night due to threats of violence.<sup>32</sup> There are approximately 30 hate crimes against LGBTI persons identified by Croatian police each year.<sup>33</sup>
18. LGBTI persons have been denied the opportunity to foster and adopt children under Croatian law, and members of the government report that some fostered children have been removed from the homes of same-sex couples after such children spent a meaningful amount of time with the family, strictly because the couple was same-sex.<sup>34</sup> On the issue of adoption by LGBTI individuals and same sex couples, one member of parliament confided that Croatia is “going backwards” with respect to LGBTI rights.<sup>35</sup>

### *Minority Discrimination*

19. Croatia has robust obligations with respect to protecting minority populations under various instruments and treaties, including the Framework Convention for the Protection of National Minorities and bilateral contracts with neighboring nations.<sup>36</sup> In the Fifth Report submitted by Croatia pursuant to paragraph 2 of the Framework Convention for the Protection of National Minorities (the “Fifth Report”), Croatia stated that “[t]he Republic of Croatia continuously upgrades its system for protecting national minority rights as part of its legislative and legal framework, attempting to accord maximum consideration to the views of national minorities.”<sup>37</sup>
20. However, the benefit of these continuous upgrades is not universally enjoyed across minority groups in Croatia. In the opinion of one ministry official who works extensively with minority populations, the discrimination against Serbs is second only to discrimination against Roma.<sup>38</sup>
21. Serbs and Roma remain subject to pervasive discrimination in the public and private spheres, including in the form of hate speech and discrimination in the workplace.<sup>39</sup> A ministry official confirmed that discrimination in the workplace is one of the biggest challenges facing the Roma community, with the general population “self-identifying that they are discriminating against Roma.”<sup>40</sup> Twenty-eight percent of employers say they will not hire Roma.<sup>41</sup> Roma also continue to face discrimination with respect to acquiring housing.<sup>42</sup> The Office of the Ombudsman attributes this disproportionate discrimination to general prejudice toward Roma by the majority population, and to their “segregation and ghettoization”<sup>43</sup>
22. The office of the Ombudsman reports that national minorities are the group that is most affected by hate crimes.<sup>44</sup> Public officials and members of parliament have reported a threatening atmosphere for Serbs in Croatia.<sup>45</sup>

### **Right or area 13.1. Liberty & Security – general**

23. Activists, members of civil society and journalists have been subject to acts of physical violence and threats of physical violence, including death threats, for their work in Croatia.<sup>46</sup> More than 70 incidents of threats of violence towards journalists have been formally reported over the last five years, and 18 cases of physical violence has been reported over that same period of time.<sup>47</sup> Prosecution of individuals responsible for such threats or physically violence has been inconsistent, and some perpetrators have received insufficient sentences in light of their crimes.<sup>48</sup>
24. In addition, members of civil society have also reported incidents of harassment and threats of violence, including death threats, directed towards them and their organizations because of their work promoting basic human rights.<sup>49</sup> Some civil society actors have specifically faced backlash due to their work in Croatia, including slander and threats of violence.<sup>50</sup>

### **Right or area 14.3. Freedom of opinion and expression**

25. The leading political parties exert considerable influence over public broadcasters in Croatia. In 2016, when the Croatian Democratic Union came to power, HRT replaced 70 editors and journalists over one weekend.<sup>51</sup> Journalists report that, “when we had a change in government, we also had a change in the editorial department and how we work.”<sup>52</sup>
26. Specifically, journalists report an increasing level of censorship by editorial boards of public television and radio in Croatia, which is the major source of news for many Croatians.<sup>53</sup> One journalist described a “change in attitude by editorial boards that both censors its employees more and is shrinking from support for a pluralistic society.”<sup>54</sup> Another journalist confirmed that “journalists are increasingly fired from public television” for no reason other than their public examination of government practices and policies.<sup>55</sup> Investigative journalism has been declining as journalists are discouraged from reporting on certain topics, as determined by the State.<sup>56</sup> One journalist reported that “[HRT] tries not to report on important things. It tries to diminish the [scandals] of the governing party.... The main information news has become a living room for the Prime Minister. There are no critical questions or shows. No critical opinions.”<sup>57</sup> In addition to censoring public media outlets, the State has also cut funding for the minority media and programs that report on minorities and minority interests, further limiting the availability of alternative programming and media.<sup>58</sup>
27. The State continues to systematically silence journalists who are critical of the State. Hrvatska radiotelevizija (“HRT”), a large public broadcasting company in Croatia, has filed more than 30 lawsuits against its own journalists and other media outlets and has engaged in notable layoffs of journalists who are critical of the State.<sup>59</sup>
28. In addition to such direct attacks on journalists by the State, the State has failed to protect journalists from, and has even promoted, censorship and efforts to eliminate critical journalism by permitting more than 1,100 lawsuits to be brought against journalists by politicians and public figures under charges of “mental anguish” and “damage to honor and reputation,” despite such journalists presenting factual information and acting ethically under the journalism code of ethics.<sup>60</sup> These charges carry with them significant monetary

penalties, which dissuades journalists from exercising their freedom of expression, and defamation remains subject to criminal penalties as well.<sup>61</sup>

### **Right or area 32. Members of minorities**

29. In the Fifth Report, Croatia outlines its National Strategy for Roma Inclusion from 2013-2020, which emphasizes the issues of education, social integration, employment and housing.<sup>62</sup> According to a ministry official, significant progress has been made in enrolling Roma children in primary education, but significant gaps remain with respect to preschool and secondary school.<sup>63</sup> With respect to the Serbs, minority groups remain underrepresented in the government.<sup>64</sup>

#### **Right or area 29.1. Discrimination against women**

30. Civil society reports that Croatian women are frequently directed into lower paying jobs that are “more suited to their genders,” and civil society organizations have reported an underrepresentation of women in senior work place roles.<sup>65</sup> Additionally, when interviewing female candidates, employers frequently inquire about a woman’s family status and/or family planning, which results in women being passed over for positions that they are otherwise qualified to hold.<sup>66</sup>
31. Article 35 of the Gender Equality Act requires that proposed candidate lists for elections contain at least 40% women.<sup>67</sup> In practice, the penalties for non-compliance are so low, political parties often do not comply. Particularly in local elections, even if a complaint is filed for non-compliance, courts often impose a light fine or no penalty at all because they find that the violation is “negligible” and requires no need for punishment. Additionally, the Women’s Network of Croatia has highlighted the practice of allowing a “preferential vote,” whereby voters are allowed to choose a preferred candidate lower on the list than a female candidate. This also reduces the number of women elected even if the list itself satisfies the 40% rule. The Ombudsperson for Gender Equality has recommended changing the law to disallow or exclude non-compliant candidate lists.<sup>68</sup>
32. Additionally, there have been numerous reports of female journalists who have been verbally threatened and had their employment terminated as a result of gender discrimination.<sup>69</sup>

### **Right or area 35. Refugees & internally displaced persons (IDPs)**

33. In the last few years, news media and non-governmental organizations have documented and reported numerous occurrences of Croatian police violently assaulting and robbing undocumented migrants crossing the border into Croatia, including those who are seeking asylum.<sup>70</sup> Members of civil society familiar with migrant issues have witnessed firsthand such injuries and have spoken directly with the individuals impacted by this violence.<sup>71</sup>
34. The government denies that there is any overstepping, and otherwise praises law enforcement for their efforts.<sup>72</sup> Croatian national officials including the President have referred to migrants crossing the borders as moving in an “army formation” and stating that some level of force is required at the border to address the migrant issue.<sup>73</sup> This discourse is feeding negative trends in public opinion, where, according to the Croatian government’s own studies, the Croatian populace harbors increasingly negative views of migrants in their

country, believing that they are “stealing jobs.”<sup>74</sup> A psychologist who works with integration issues stated that the Ministry of Interior in particular is “acting as a bad cop” in painting migrants as enemies, or not pushing back against stereotypical rhetoric that has nothing to do with why migrants and refugees are entering the country or seeking the protection of its laws.<sup>75</sup>

35. Additionally, migrants and asylum-seekers have been refused access to their attorneys while in government detention, despite repeated requests from lawyers and detainees to have access to counsel.<sup>76</sup>
36. With respect to the treatment of unaccompanied migrant children who are detained, non-governmental organizations have raised concerns that such children are being placed in facilities, such as orphanages and child public care institutions that generally treat children with behavioral difficulties, meaning that they are not suitable for unaccompanied foreign children.<sup>77</sup> They also report that such facilities often lack interpreters, employees do not have the capacity or resources to adequately care for and support unaccompanied migrant children, and the detained children have been subject to hostility from other children.<sup>78</sup>
37. Civil society organizations report that refugees – especially women with children – often have to wait for over two years to receive their asylum determinations from the State.<sup>79</sup> Such a determination is required for asylum-seekers to receive certain housing and education benefits, including enrolling children in kindergarten. The delay and inability to integrate into Croatian society takes a serious psychological toll on asylum-seekers.<sup>80</sup>
38. The national government indicated that it is taking steps to review integration policies at the local level, but has yet to outline concrete actions or a timeline for this review and any implementation of required changes.<sup>81</sup>
39. Croatian civil servants have reported that access to Croatian language lessons for individuals granted asylum is limited and often difficult to obtain.<sup>82</sup> Without access to language training, many migrants are unable to find work or otherwise participate in Croatian society.

#### IV. RECOMMENDATIONS

40. **This stakeholder report suggests the following recommendations for the Government of Croatia:**
  - Enhance safeguards for the allocation of public funds to civil society organizations, including policies ensuring the independence of decision makers and separation of allocation decisions from political influence.
  - Establish policies and procedures to ensure that civil society organizations that are denied government-derived funding receive prompt and transparent disclosure about such funding decisions, including information detailing why such funding was denied, and establish an appeals process for civil society organizations to challenge such decisions.
  - Fully implement the Istanbul Convention, including passing all laws necessary to fulfill Croatia’s obligations under the Istanbul Convention.

- Develop and implement a civil education program on the Istanbul Convention with a focus on dispelling myths about the Istanbul Convention.
- Pass laws permitting LGBTI persons to foster and adopt children, granting them the same rights that are granted to heterosexual individuals with respect to fostering and adoption.
- De-criminalize defamation.
- Strengthen and enforce laws that protect journalists from physical harm, including training judges and police officers on how to address hate crimes perpetrated against journalists.
- Enhance safeguards protecting the independence of the media and adopt standards setting out transparent policies and procedures for ensuring the independence of public broadcasters from political persuasion and interference.
- Support public-awareness campaigns and education about refugees and migrants in schools and communities and promote awareness of the positive contributions of refugees and migrants to the economy and society.
- Allocate resources to train border guards, immigration officers and police to sensitize them to racism, racial discrimination, xenophobia and related intolerance and ensure that they carry out their duties in a non-discriminatory manner in accordance with international human rights standards related to migrants and refugees.
- Ensure all officials working on issues related to migrants and refugees are given clear guidance on how to act in accordance with international human rights standards related to migrants and refugees.
- Grant representatives of the Ombudsman prompt access to migrant facilities and promptly provide materials that are requested by the Ombudsman's office in connection with the review of the treatment of migrants.
- Ensure that unaccompanied migrant and refugee children are detained for the shortest duration possible, are held separately from adults in facilities that are appropriate to their age, have access to adequate education resources and are placed in facilities with the resources necessary and sufficient to address their specific needs as migrants or refugees and minors (e.g. access to counsel, free legal aid as needed and interpretation services).
- Ensure that migrants and refugees who are in custody or held by police or immigration officials, who are in detention or who are in government controlled-housing are notified of their right to counsel and granted access to an attorney, are provided with free legal aid, as needed, and interpretation services.
- Ensure that migrants and refugees who have applied for status to stay in Croatia can access basic services, including housing and education for children, even if their application has not yet been fully processed.
- Ensure timely adjudication of all asylum applications and place migrants and refugees in suitable, independent living spaces within 3 months of their asylum application being filed.
- Increase opportunities for migrants and refugees to access Croatian language learning and other employment education programs.

- Develop additional programs and policies to educate the public about minority issues and combat perpetuated stereotypes about the Roma and other minority populations in Croatia.
- Assess policies and programs in place to promote the enrollment of Roma in pre-school and secondary education opportunities and establish task force to develop additional policies and programs to increase enrollment by 50% in the next three years.
- Monitor and assess claims of discrimination against minorities in the acquisition of housing, and address such discriminatory behavior in public education campaign addressing minority stereotypes and discriminatory practices.
- Enact legislation barring employers from asking about a person's family status or family planning, or other similar questions, during job interviews.
- Amend the Gender Equality Law to exclude candidate lists that do not comply with the 40% female candidate requirement of Article 35.
- Monitor lawsuits filed against journalists by politicians and State-affiliated persons for political motivation or personal attack and make findings publicly available.
- Assess civil defamation laws and enforcement of such laws to determine if any legislative changes are necessary to deter frivolous or malicious lawsuits brought against journalists.
- Monitor employment dismissals of journalists by public broadcasting companies, such as HRT, to assess whether such dismissals are proper, valid and free from political motivation and make findings publicly available.
- Provide additional funding for minority media outlets and media that features or represents minority viewpoints within the State.

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<sup>1</sup> *Croatia ratifies European treaty despite conservative protests*, April 13, 2018, <https://www.reuters.com/article/us-croatia-politics-rights/croatia-ratifies-european-treaty-despite-conservative-protests-idUSKBN1HK1KL>.

<sup>2</sup> *Country-specific monitoring of the implementation of the Framework Convention for the Protection of National Minorities*, <https://www.coe.int/en/web/minorities/country-specific-monitoring>.

<sup>3</sup> *Report of the Working Group on the Universal Periodic Review: Croatia*, (July 20, 2015), U.N. Doc. A/HRC/30/14. Also available online at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/159/96/PDF/G1515996.pdf?OpenElement>.

<sup>4</sup> *Report of the Working Group on the Universal Periodic Review: Croatia*, (July 20, 2015), U.N. Doc. A/HRC/30/14

<sup>5</sup> *Report of the Working Group on the Universal Periodic Review: Croatia*, (July 20, 2015), U.N. Doc. A/HRC/30/14

<sup>6</sup> Interview with Attorney, Zagreb, July 3, 2019; Interview with Representative of Non-Governmental Organization, July 3, 2019; Personal Communication from NGO to The Advocates for Human Rights, via email, Aug. 30, 2019 (on file with authors).

<sup>7</sup> *Report of the Working Group on the Universal Periodic Review: Croatia*, (July 20, 2015), U.N. Doc. A/HRC/30/14. Also available online at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/159/96/PDF/G1515996.pdf?OpenElement>.

<sup>8</sup> Anja Vladisavljevic, *Croatia journalists take to streets over court pressures*, March 1, 2019, <https://balkaninsight.com/2019/03/01/croatia-journalists-take-to-streets-over-court-pressures/>; Interview with Journalist, Zagreb, July 4, 2019; Interview with Journalist, Zagreb, July 4, 2019; Interview with Journalist, Zagreb, July 4, 2019; Interview with Journalist, Zagreb, July 3, 2019; Organization for Security and Co-operation in Europe,

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*Defamation and Insult Laws in the OSCE Region: A Comparative Study*, by Scott Griffen (March 2017), 75 (accessed August 28, 2019, <https://www.osce.org/fom/303181?download=true>).

<sup>9</sup> *Report of the Working Group on the Universal Periodic Review: Croatia*, (July 20, 2015), U.N. Doc. A/HRC/30/14. Also available online at:

<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/159/96/PDF/G1515996.pdf?OpenElement>.

<sup>10</sup> Nada Bodiřoga-Vukobrat and Adrijana Martinovic, *Gender Equality Policies in Croatia – Update*, (July 2017), available at [http://www.europarl.europa.eu/RegData/etudes/STUD/2017/596803/IPOL\\_STU\(2017\)596803\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2017/596803/IPOL_STU(2017)596803_EN.pdf).

<sup>11</sup> *Report of the Working Group on the Universal Periodic Review: Croatia*, (July 20, 2015), U.N. Doc. A/HRC/30/14. Also available online at:

<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/159/96/PDF/G1515996.pdf?OpenElement>.

<sup>12</sup> *Croatia rally: Traditionalists reject European gender treaty*, March 24, 2019, <https://www.bbc.com/news/world-europe-43528212>; Igor Ilic and Daria Sito-Sucic, *Croatians protest against European treaty they say threatens traditional family*, March 24, 2018, <https://www.reuters.com/article/us-croatia-protests/croatians-protest-against-european-treaty-they-say-threatens-traditional-family-idUSKBN1H00GW>; Interview with Attorney, Zagreb, July 3, 2019; Interview with Representative of Non-Governmental Organization, Zagreb, July 3, 2019; Interview with Catholic Priest, Zagreb, July 5, 2019; Interview with Member of Parliament, Zagreb, July 5, 2019; Interview with Member of Parliament, Zagreb, July 3, 2019; Interview with Journalist, Zagreb, July 4, 2019; Interview with Ministry Official, Zagreb, July 4, 2019; Sonia Elks, *Croatia faces pressure to include LGBT+ couples as boosts foster homes*, November 28, 2018, <https://www.reuters.com/article/us-croatia-lgbt-foster/croatia-faces-pressure-to-include-lgbt-couples-as-boosts-foster-homes-idUSKCN1NX212>; Interview with Member of Parliament, Zagreb, July 5, 2019.

<sup>13</sup> *Report of the Working Group on the Universal Periodic Review: Croatia*, (July 20, 2015), U.N. Doc. A/HRC/30/14. Also available online at:

<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/159/96/PDF/G1515996.pdf?OpenElement>.

<sup>14</sup> Interview with Member of Parliament, Zagreb, July 5, 2019; Interview with Ministry Official, Zagreb, July 4, 2019; Interview with Ministry Official, Zagreb, July 4, 2019; Freedom House, “Freedom in the World 2018 – Croatia profile,” accessed on August 28, 2019, <https://freedomhouse.org/report/freedom-world/2018/croatia>.

<sup>15</sup> *Report of the Working Group on the Universal Periodic Review: Croatia*, (July 20, 2015), U.N. Doc. A/HRC/30/14. Also available online at:

<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/159/96/PDF/G1515996.pdf?OpenElement>.

<sup>16</sup> The Constitution of the Republic of Croatia, January 15, 2014, available at [https://www.usud.hr/sites/default/files/dokumenti/The\\_consolidated\\_text\\_of\\_the\\_Constitution\\_of\\_the\\_Republic\\_of\\_Croatia\\_as\\_of\\_15\\_January\\_2014.pdf](https://www.usud.hr/sites/default/files/dokumenti/The_consolidated_text_of_the_Constitution_of_the_Republic_of_Croatia_as_of_15_January_2014.pdf).

<sup>17</sup> The Constitution of the Republic of Croatia, January 15, 2014

<sup>18</sup> The Constitution of the Republic of Croatia, January 15, 2014

<sup>19</sup> The Constitution of the Republic of Croatia, January 15, 2014, art. 33.

<sup>20</sup> Act on Gender Equality (July 15, 2008), also available at:

[https://www.prs.hr/attachments/article/126/Act%20on%20Gender%20Equality%20\(Official%20Gazette%2082\\_08\).pdf](https://www.prs.hr/attachments/article/126/Act%20on%20Gender%20Equality%20(Official%20Gazette%2082_08).pdf); Labour Act (September 21, 2004), also available at:

[http://www.vsrh.hr/CustomPages/Static/HRV/Files/Legislation\\_\\_Labour-Act.pdf](http://www.vsrh.hr/CustomPages/Static/HRV/Files/Legislation__Labour-Act.pdf).

<sup>21</sup> Government of the Republic of Croatia, *National Roma Inclusion Strategy from 2013 to 2020*, (Zagreb: November 2012), 19.

<sup>22</sup> Media Laws Database – Croatia, “Criminal Defamation,” accessed September 30, 2019, <http://legaldb.freemedia.at/legal-database/croatia/>.

<sup>23</sup> Interview with Representative of Non-Governmental Organization, Zagreb, July 5, 2019; Interview with Representative of Non-Governmental Organization, Zagreb, July 3, 2019; Interview with Representative of Non-Governmental Organization, Zagreb, July 3, 2019; Interview with Representative of Non-Governmental Organization, Split, July 4, 2019.

<sup>24</sup> Interview with Representative of Non-Governmental Organization, Zagreb, July 3, 2019.

<sup>25</sup> Interview with Representative of Non-Governmental Organization, Zagreb, July 5, 2019.

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- <sup>26</sup> Interview with Representative of Civil Society Foundation, Zagreb, July 3, 2019.
- <sup>27</sup> Interview with Representative of Non-Governmental Organization, Zagreb, July 3, 2019.
- <sup>28</sup> *Croatia rally: Traditionalists reject European gender treaty*, March 24, 2019, <https://www.bbc.com/news/world-europe-43528212>; Igor Ilic and Daria Sito-Sucic, *Croatians protest against European treaty they say threatens traditional family*, March 24, 2018, <https://www.reuters.com/article/us-croatia-protests/croatians-protest-against-european-treaty-they-say-threatens-traditional-family-idUSKBN1H00GW>; Interview with Attorney, Zagreb, July 3, 2019; Interview with Representative of Non-Governmental Organization, Zagreb, July 3, 2019; Interview with Catholic Priest, Zagreb, July 5, 2019; Interview with Member of Parliament, Zagreb, July 5, 2019; Interview with Member of Parliament, Zagreb, July 3, 2019; Interview with Journalist, Zagreb, July 4, 2019.
- <sup>29</sup> Interview with Member of Parliament, Zagreb, July 5, 2019; Interview with Catholic Priest, Zagreb, July 5, 2019.
- <sup>30</sup> Interview with Academic, Zagreb, July 4, 2019.
- <sup>31</sup> Interview with Local Government Official, Split, July 5, 2019.
- <sup>32</sup> Interview with Ministry Official, Zagreb, July 4, 2019.
- <sup>33</sup> Interview with Ministry Official, Zagreb, July 4, 2019.
- <sup>34</sup> Sonia Elks, *Croatia faces pressure to include LGBT+ couples as boosts foster homes*, November 28, 2018, <https://www.reuters.com/article/us-croatia-lgbt-foster/croatia-faces-pressure-to-include-lgbt-couples-as-boosts-foster-homes-idUSKCN1NX2I2>; Interview with Member of Parliament, Zagreb, July 5, 2019.
- <sup>35</sup> Sonia Elks, *Croatia faces pressure to include LGBT+ couples as boosts foster homes*, November 28, 2018, <https://www.reuters.com/article/us-croatia-lgbt-foster/croatia-faces-pressure-to-include-lgbt-couples-as-boosts-foster-homes-idUSKCN1NX2I2>; Interview with Member of Parliament, Zagreb, July 5, 2019.
- <sup>36</sup> Interview with Ministry Official, Zagreb, Croatia, 4 July 2019.
- <sup>37</sup> Advisory Committee on the Framework Convention for the Protection of National Minorities, *Fifth Report submitted by Croatia, Pursuant to Article 25, paragraph 2 of the Framework Convention for the Protection of National Minorities – received on 2 April 2019* (April 2, 2019), 3. Also available online at <https://rm.coe.int/5th-state-report-croatia-english-language-version/168093c1ec>
- <sup>38</sup> Interview with Ministry Official, Zagreb, Croatia, July 4, 2019.
- <sup>39</sup> Interview with Member of Parliament, Zagreb, July 5, 2019; Interview with Ministry Official, Zagreb, July 4, 2019; Interview with Ministry Official, Zagreb, July 4, 2019; Freedom House, “Freedom in the World 2018 – Croatia profile,” accessed on August 28, 2019, <https://freedomhouse.org/report/freedom-world/2018/croatia>.
- <sup>40</sup> Interview with Ministry Official, Zagreb, Croatia, July 4, 2019.
- <sup>41</sup> Interview with Ministry Official, Zagreb, July 4, 2019.
- <sup>42</sup> Interview with Ministry Official, Zagreb, July 4, 2019.
- <sup>43</sup> Government of the Republic of Croatia, *National Roma Inclusion Strategy from 2013 to 2020*, (Zagreb: November 2012), 108.
- <sup>44</sup> Interview with Ministry Official, Zagreb, July 4, 2019.
- <sup>45</sup> Interview with Minister of Parliament, Zagreb, Croatia, July 5, 2019.
- <sup>46</sup> Anja Vladislavljevic, *Croatia ‘Failing to Defend Journalists Against Threats,’* June 26, 2018, <https://balkaninsight.com/2018/06/26/croatian-authorities-failed-to-protect-journalists-from-threats-06-26-2018/>; Interview with Journalist, Zagreb, July 4, 2019; Interview with Journalist, Zagreb, July 4, 2019; Interview with Journalist, Zagreb, July 3, 2019.
- <sup>47</sup> Interview with Journalist, Zagreb, July 4, 2019; Interview with Journalist, Zagreb, July 4, 2019.
- <sup>48</sup> Interview with Journalist, Zagreb, July 4, 2019.
- <sup>49</sup> Interview with Representative of Non-Governmental Organization, Zagreb, July 3, 2019; Interview with Representative of Non-Governmental Organization, Zagreb, July 5, 2019; Interview with Representative of Non-Governmental Organization, Zagreb, July 3, 2019.
- <sup>50</sup> Interview with Representative of Non-Governmental Organization, Zagreb, July 3, 2019; Interview with Representative of Non-Governmental Organization, Zagreb, July 5, 2019.
- <sup>51</sup> Interview with Journalist, Zagreb, July 4, 2019; Interview with Journalist, Zagreb, July 4, 2019.
- <sup>52</sup> Interview with Journalist, Zagreb, July 4, 2019.

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- <sup>53</sup> Interview with Journalist, Zagreb, July 4, 2019; Interview with Journalist, Zagreb, July 4, 2019; Interview with Journalist, Zagreb, July 4, 2019.
- <sup>54</sup> Interview with Journalist, Zagreb, July 4, 2019.
- <sup>55</sup> Interview with Journalist, Zagreb, July 4, 2019.
- <sup>56</sup> Interview with Journalist, Zagreb, July 4, 2019; Interview with Journalist, Zagreb, July 4, 2019; Interview with Journalist, Zagreb, July 4, 2019.
- <sup>57</sup> Interview with Journalist, Zagreb, July 4, 2019.
- <sup>58</sup> Interview with Journalist, Zagreb, July 4, 2019.
- <sup>59</sup> Interview with Journalist, Zagreb, July 4, 2019; Interview with Journalist, Zagreb, July 4, 2019; Interview with Journalist, Zagreb, July 4, 2019.
- <sup>60</sup> Anja Vladislavljevic, *Croatia journalists take to streets over court pressures*, March 1, 2019, <https://balkaninsight.com/2019/03/01/croatia-journalists-take-to-streets-over-court-pressures/>; Interview with Journalist, Zagreb, July 4, 2019; Interview with Journalist, Zagreb, July 4, 2019; Interview with Journalist, Zagreb, July 4, 2019; Interview with Journalist, Zagreb, July 3, 2019; Organization for Security and Co-operation in Europe, *Defamation and Insult Laws in the OSCE Region: A Comparative Study*, by Scott Griffen (March 2017), 77-78 accessed August 28, 2019, <https://www.osce.org/fom/303181?download=true>
- <sup>61</sup> Anja Vladislavljevic, *Croatia journalists take to streets over court pressures*, March 1, 2019, <https://balkaninsight.com/2019/03/01/croatia-journalists-take-to-streets-over-court-pressures/>; Interview with Journalist, Zagreb, July 4, 2019; Interview with Journalist, Zagreb, July 4, 2019; Interview with Journalist, Zagreb, July 4, 2019; Interview with Journalist, Zagreb, July 3, 2019; Organization for Security and Co-operation in Europe, *Defamation and Insult Laws in the OSCE Region: A Comparative Study*, by Scott Griffen (March 2017), 77-78 (accessed August 28, 2019, <https://www.osce.org/fom/303181?download=true>).
- <sup>62</sup> Advisory Committee on the Framework Convention for the Protection of National Minorities, *Fifth Report submitted by Croatia, Pursuant to Article 25, paragraph 2 of the Framework Convention for the Protection of National Minorities – received on 2 April 2019* (April 2, 2019), 10. Also available online at <https://rm.coe.int/5th-state-report-croatia-english-language-version/168093c1ec>
- <sup>63</sup> Interview with Ministry Official, Zagreb, July 4, 2019.
- <sup>64</sup> Advisory Committee on the Framework Convention for the Protection of National Minorities, *Fifth Report submitted by Croatia, Pursuant to Article 25, paragraph 2 of the Framework Convention for the Protection of National Minorities – received on 2 April 2019* (April 2, 2019), 85. Also available online at <https://rm.coe.int/5th-state-report-croatia-english-language-version/168093c1ec>; Interview with Member of Parliament, Zagreb, July 5, 2019; Interview with Ministry Official, Zagreb, July 4, 2019; Interview with Ministry Official, Zagreb, July 4, 2019; Freedom House, “Freedom in the World 2018 – Croatia profile,” accessed on August 28, 2019, <https://freedomhouse.org/report/freedom-world/2018/croatia>
- <sup>65</sup> Interview with Journalist, Zagreb, July 4, 2019; Interview with Ministry Official, Zagreb, July 5, 2019.
- <sup>66</sup> Interview with Ministry Official, July 5, 2019; Interview with Representative of Non-Governmental Organization, Zagreb, July 3, 2019.
- <sup>67</sup> Act on Gender Equality (July 15, 2008), also available at: [https://www.prs.hr/attachments/article/126/Act%20on%20Gender%20Equality%20\(Official%20Gazette%20082\\_08\).pdf](https://www.prs.hr/attachments/article/126/Act%20on%20Gender%20Equality%20(Official%20Gazette%20082_08).pdf).
- <sup>68</sup> Personal communication from NGO to the Advocates for Human Rights, October 2, 2019 (on file with authors).
- <sup>69</sup> Interview with Ministry Official, Zagreb, July 5, 2019.
- <sup>70</sup> ‘Beaten and robbed’: How Croatia is policing its borders, July 29, 2019, <https://www.bbc.com/news/av/world-europe-49132735/beaten-and-robbed-how-croatia-is-policing-its-borders>; *Injured migrants allege Croatian police brutality, pushback*, August 7, 2019, <https://www.aljazeera.com/news/europe/2019/08/injured-migrants-allege-croatian-police-brutality-pushback-190807154913976.html>.
- <sup>71</sup> Interview with Representative of Non-Governmental Organization, Zagreb, July 3, 2019.
- <sup>72</sup> Interview with Representative of the President’s Office, Zagreb, July 5, 2019.
- <sup>73</sup> Interview with Member of Parliament, Zagreb, July 5, 2019.

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<sup>74</sup> Interview with Ministry Official, Zagreb, July 4, 2019.

<sup>75</sup> Interview with Psychologist, Zagreb, July 3, 2019.

<sup>76</sup> Interview with Attorney, Zagreb, July 3, 2019.

<sup>77</sup> Croatian Law Centre, “AIDA Country Report: Croatia 2017,” European Council on Refugees and Exiles (ECRE), March 2018, accessed on September 30, 2019, <http://www.asylumineurope.org/reports/country/croatia>.

<sup>78</sup> Croatian Law Centre, “AIDA Country Report: Croatia 2017,” European Council on Refugees and Exiles (ECRE), March 2018, accessed on September 30, 2019, <http://www.asylumineurope.org/reports/country/croatia>.

<sup>79</sup> Interview with Representative of Non-Governmental Organization, Zagreb, July 3, 2019.

<sup>80</sup> Interview with Representative of Non-Governmental Organization, Zagreb, July 3, 2019.

<sup>81</sup> Interview with Ministry Official, Zagreb, July 4, 2019.

<sup>82</sup> Interview with Representative of Non-Governmental Organization, Zagreb, July 3, 2019; Interview with a Journalist, Zagreb, July 3, 2019.