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ANNUAL REPORT

CROATIA

[← Back to Croatia](#)

CROATIA 2020

Asylum-seekers were denied access to asylum; the police pushed back and abused people entering irregularly. The legal framework on gender-based violence was improved, but cases continued to attract minor penalties. Access to abortion remained severely constrained. Same-sex couples were granted the right to foster children. The government withdrew amendments to allow all phones to be tracked in response to the COVID-19 pandemic. Journalists continued to be threatened for their work.

Refugees, asylum-seekers and migrants

Many asylum-seekers entering the country irregularly continued to be denied access to asylum. Aid organizations documented over 15,000 cases of pushbacks and collective expulsions, frequently accompanied by violence and abuse. In May, in one of the most serious incidents, 16 migrants reported being handcuffed and restrained, tied to a tree, and then severely beaten and tortured by police in black uniforms and balaclavas.¹ Several men suffered serious injuries and trauma. The UN refugee agency, UNHCR, and the Special Rapporteurs on the human rights of migrants and on torture urged Croatia to immediately investigate the reports, while the European Commission announced a monitoring mission to look into Croatia's border activities. In August, the Council of Europe's Committee for the Prevention of

Torture conducted a rapid reaction visit to Croatia to examine the treatment of migrants and asylum-seekers by the Croatian police. The report was not published by the end of the year.

Due to COVID-19 restrictions, access to asylum-seekers' accommodation centres was restricted, forcing NGOs providing free legal aid and psycho-social support to stop their work. Refugees who had received international protection as well as those whose applications had been rejected were not allowed to stay in the centres during lockdown. They received no government support, and some were left homeless.

In November, Parliament adopted changes to the Law on Foreigners that, according to NGOs, could restrict the rights of asylum-seekers and migrants and potentially criminalize legitimate acts of solidarity.

Violence against women and girls

In January, legal amendments harmonizing the definition of rape in criminal legislation with international standards and increasing penalties for crimes of gender-based violence entered into force. According to government statistics, the number of reported rape cases more than doubled as a result of the changes as they significantly expanded the scope of the offence. Proceedings continued to be lengthy, lasting between three and five years.

Due to the reclassification of domestic violence offences, the number of criminal prosecutions for such offences rose sharply. Nevertheless, in the majority of cases, domestic violence continued to be treated as a minor offence attracting minor penalties. Police and courts remained reluctant to enforce protective measures.

Sexual and reproductive rights

Women continued to face significant barriers in accessing sexual and reproductive health services and information. The widespread refusal of individual doctors and some clinics to perform abortions on grounds of conscience, as well as prohibitively high costs of services and poor regional coverage of authorized providers, presented an insurmountable obstacle to women of lower social economic status. According to a survey conducted by women's rights organizations, many clinics suspended abortion services during the COVID-19 pandemic lockdown.

A new law on abortion was not adopted by the end of the year. The deadline to replace an outdated law set by the 2017 Constitutional Court ruling expired in February 2019. Ahead of the July parliamentary elections, some candidates from conservative parties, including the ruling Croatian Democratic Union (*Hrvatska demokratska zajednica*), condemned abortions and advocated for stronger restrictions on accessing the care, including for rape victims.

Right to privacy

In April, the government withdrew amendments to the Law on Electronic Communications which would have allowed the location of all mobile phones to be tracked as a part of COVID-19 contact tracing. Civil society

and constitutional experts were highly critical, warning that such powers extended beyond protecting public health and included no safeguards against potential abuse.

Discrimination

Roma continued to face discrimination in all walks of life, including education, health, housing and employment. For many Roma communities living in informal settlements, access to food and hygiene products was particularly constrained because of COVID-19 as the local authorities failed to provide the necessary support.

Due to a continued lack of access to electricity, the internet and family capacity, many Roma children were unable to access any remote learning during school closures, thereby further deepening educational gaps between Roma and non-Roma pupils.

Lesbian, gay, bisexual, transgender and intersex (LGBTI) people

In a landmark ruling in January, the Constitutional Court decided that same-sex couples have the right to be foster parents on the same terms as anyone else who meets the legal requirements. Same-sex couples continued to be barred from adopting children.

Freedom of expression

Journalists investigating corruption and organized crime continued to face threats and intimidation.

According to the Croatian Journalists' Association (*Hrvatsko novinarsko društvo*), over 900 lawsuits were filed against journalists and media outlets for "violation of honour and reputation". The European Federation of Journalists warned that such lawsuits had a chilling effect on journalists and the media.

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1. [Croatia: Fresh evidence of police abuse and torture of migrants and asylum-seekers \(News story, 11 June\)](#)

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