

ECRI REPORT ON CROATIA

(sixth monitoring cycle)



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FOREWORD

The European Commission against Racism and Intolerance (ECRI), established by the Council of Europe, is an independent human rights monitoring body specialised in questions relating to the fight against racism, discrimination (on grounds of “race”, ethnic/national origin, colour, citizenship, religion, language, sexual orientation and gender identity), xenophobia, antisemitism and intolerance. It is composed of independent and impartial members appointed on the basis of their moral authority and recognised expertise in dealing with racism, xenophobia, antisemitism and intolerance.

In the framework of its statutory activities, ECRI conducts country monitoring work, which analyses the situation in each of the member States of the Council of Europe regarding racism and intolerance and draws up suggestions and proposals for dealing with the problems identified.

ECRI’s country monitoring deals with all member States on an equal footing. The work takes place in 5-year cycles. The reports of the first round were completed at the end of 1998, those of the second round at the end of 2002, those of the third round at the end of 2007, those of the fourth round in the beginning of 2014, and those of the fifth round at the end of 2019. Work on the sixth round reports started at the end of 2018.

The working methods for the preparation of the reports involve documentary analyses, a visit to the country concerned, and then a confidential dialogue with the national authorities.

ECRI’s reports are not the result of inquiries or testimonial evidence. They are analyses based on information gathered from a wide variety of sources. Documentary studies are based on a large number of national and international written sources. The in situ visit provides the opportunity to meet with the parties directly concerned (both governmental and non-governmental) with a view to gathering detailed information. The process of confidential dialogue with the national authorities allows the latter to provide, if they consider it necessary, comments on the draft report, with a view to correcting any possible factual errors which the report might contain. At the end of the dialogue, the national authorities may request, if they so wish, that their viewpoints be appended to the final ECRI report.

The sixth round country reports focus on three topics common to all member States: (1) Effective equality and access to rights, (2) Hate speech and hate-motivated violence, and (3) Integration and inclusion, as well as a number of topics specific to each one of them.

In the framework of the sixth cycle, priority implementation is requested again for two specific recommendations chosen from those made in the report. A process of interim follow-up for these two recommendations will be conducted by ECRI no later than two years following the publication of this report.

The following report was drawn up by ECRI under its own responsibility. Unless otherwise indicated, it covers the situation up to 20 November 2024; as a rule, developments since that date are neither covered in the following analysis nor taken into account in the conclusions and proposals therein.

SUMMARY

Since the adoption of ECRI's fifth report on Croatia on 21 March 2018, progress has been made and good practices have been developed in a number of fields.

Civic education has been introduced to schools as a cross-curricula topic and some local and regional authorities have developed supplementary projects for teaching it as a separate elective subject.

In the field of combating hate speech, efforts have been made to raise awareness among the general public about the value of diversity and the negative consequences of hate speech. There have also been cases of counter-speech and citizens' initiatives aimed at removing hateful messages displayed in public.

Several measures have been taken to increase the capacity of law enforcement officials to tackle hate crimes. They included a number of workshops and training, often organised in cooperation with civil society.

In the field of integration and inclusion of migrants, some policies have been adopted and implemented at local level, while at national level there have been integration programmes based on projects co-financed from EU funds and implemented by civil society organisations.

Efforts have been taken to integrate into schools Ukrainian children who arrived in Croatia after February 2022 as a result of the Russian Federation's war of aggression against Ukraine. They included a facilitated procedure for benefitting from language classes.

There have also been significant efforts made by the authorities to improve the living conditions of Roma, in particular concerning support for the legalisation of buildings accommodating Roma families, the development of infrastructure and the increased number of community centres providing social services to the residents of Roma settlements.

As regards Roma inclusion, some measures aimed at increasing the number of Roma completing secondary education and continuing their studies in higher education institutions have been implemented. They include a system of stipends and financial awards. In the field of basic health prevention and awareness, outreach activities have been developed by civil society organisations.

ECRI welcomes these positive developments in Croatia. However, despite the progress achieved, some issues give rise to concern.

The cross-curricular character of teaching of civic education posed certain challenges related to the implementation of its programme and there are still significant gaps in the teaching of subjects related to sexual orientation, gender identity and sex characteristics.

LGBTI persons continue to face prejudice and discrimination in everyday life. Furthermore, the process of legal gender recognition continues to be unnecessarily complicated, lengthy and over-medicalised.

Hate speech is commonly present in political speech, public spaces and online. The groups most targeted by negative narratives are LGBTI persons, Roma and ethnic Serbs. A significant amount of racist hate speech is linked to the display of symbols of the fascist and ultranationalist Ustaša regime during the Second World War and the use of its slogans, including by young people. Many hate speech incidents also occur during or in relation to sport competitions, especially football matches.

The capacity of the police to address hate-motivated violence remains significantly diminished by underreporting and low level of trust in law enforcement agencies on the part of people belonging to groups of concern to ECRI.

At the time of the ECRI visit to Croatia, there was no action plan related to the integration and inclusion of beneficiaries of international protection and other migrants and the measures that were envisaged to be adopted in the future did not refer to the integration and inclusion of foreign workers into Croatian society.

Many Roma still reside in segregated settlements. Moreover, the life expectancy of Roma, particularly Roma women, is significantly lower than that of the general population. Roma face significant barriers in accessing health care.

There are accounts of racial profiling by law enforcement officials, targeting especially Roma, migrants and people of African descent.

In this report, ECRI requests that the authorities take action in a number of areas and makes a series of recommendations, including the following.

The authorities should further strengthen human rights and equality education, in particular by: i) intensifying initial and ongoing training for teachers on human rights, including on equality, diversity, and inclusion issues; ii) ensuring that school curricula at all levels of education include LGBTI equality issues in a manner which is sensitive, age-appropriate and easy to understand and that discussions on LGBTI equality are evidence-based and place particular emphasis on equality, diversity and inclusion.

The authorities should also ensure that the process of legal gender recognition is quick, transparent and accessible and that it is not contingent on abusive requirements, such as medical procedures and/or mental health diagnoses.

When it comes to combating hate speech, the authorities should intensify their efforts to raise awareness of the dangers of racist and LGBTI-phobic hate speech, especially among children and young people. In this connection, the authorities should take targeted measures aimed at increasing digital media literacy and at raising awareness among children and youth about the hateful and illegal character of using symbols and slogans of fascist regimes in the public sphere.

The authorities should develop and adopt a comprehensive national strategy or action plan for the integration and inclusion of beneficiaries of international protection and other groups of migrants. The development of the strategy or the action plan should include consultations with civil

society organisations and other stakeholders and sufficient financial resources should be allocated to the future implementation of the strategy or action plan.*

In the area of inclusion of Roma, the authorities should take the necessary measures to enable Roma desegregation in housing, in particular by developing comprehensive programmes supporting the voluntary relocation of Roma inhabitants of segregated settlements to areas where they can mix with the rest of society. In doing so, the authorities should ensure close cooperation with the regional and local authorities and work with rental agencies, associations of private landlords and local communities to overcome any prejudices against Roma in the housing market.

The authorities should also, as a matter of priority intensify their efforts to provide quality health care to the Roma population by employing a significant number of Roma mediators in the field of health care and developing and implementing an outreach programme regarding access to the health care system and raising health awareness, especially among Roma women and girls.*

The authorities should take preventive measures to address the emergence and development of any racial profiling practices among law enforcement officials by: i) introducing legislation clearly defining and prohibiting racial profiling by law enforcement officials; ii) organising initial and ongoing trainings for law enforcement officials on this subject; iii) introducing an effective system of recording identity checks by law enforcement officials with the aim of detecting and addressing any racial profiling practices.

* The recommendations in this paragraph will be subject to a process of interim follow-up by ECRI no later than two years after the publication of this report.

FINDINGS AND RECOMMENDATIONS

I. EFFECTIVE EQUALITY AND ACCESS TO RIGHTS

A. Equality bodies¹

1. The Ombudsperson has been designated as the central equality body in Croatia.² Its mandate covers all cases of discrimination except for those that fall within the remit of specialised ombudspersons. When it comes to grounds of discrimination of relevance to ECRI, those specialised institutions include the Ombudsperson for Gender Equality, who is competent for cases of discrimination based on gender identity and sexual orientation and the Ombudsperson for Children, who deals with cases of discrimination against all children, irrespective of the discrimination grounds.
2. In its fifth report on Croatia (§§ 17-18), ECRI indicated that the powers and status of the Ombudsperson were mostly in line with its General Policy Recommendation (GPR) No. 2 on equality bodies to combat racism and intolerance at national level and GPR No. 7 on national legislation to combat racism and racial discrimination. It recommended granting the Ombudsperson the right to bring civil cases concerning an individual person. Regrettably, no change has been brought to the relevant legal framework. Neither has the power to initiate civil cases concerning an individual person been granted to any of the specialised ombudspersons.
3. In its previous report on Croatia (§§ 19-20) ECRI also noted that all ombuds institutions were obliged to submit their annual reports to the Parliament, which cast a vote for their approval. In addition, specialised ombudspersons were to be dismissed if the Parliament was to reject their annual reports.³ ECRI regrets to note that the authorities have still not amended the legislation to suppress the legal provisions on the vote and risk of dismissal of special ombudspersons as a result of it.
4. ECRI strongly recommends that the authorities review the legislation pertaining to the Ombudspersons and specialised ombudspersons and bring forward legislative amendments so that i) the Ombudsperson, the Ombudsperson for Gender Equality and the Ombudsperson for Children are granted the right to bring civil cases concerning an individual person and ii) the reports of the Ombudsperson, the Ombudsperson for Gender Equality and the Ombudsperson for Children are not voted on by the Parliament and the legal provisions providing for the dismissal of specialised ombudspersons in case of parliamentary rejection of their annual reports are repealed.

¹ The term “national specialised bodies” was updated to “equality bodies” in the revised version of GPR No. 2, which was published on 27 February 2018.

² The Ombudsperson is a multi-mandate institution that also acts as National Human Rights Institution, National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and the institution entrusted with external reporting of irregularities within the Whistleblowers’ Protection Act.

³ This possibility is not only theoretical. For instance, the annual report of the Ombudsperson for 2015 was rejected in 2016 and even though the rejection did not have consequences for the Ombudsperson’s mandate, it was interpreted as an attempt to exercise political pressure on the institution and a way to diminish importance of the recommendations formulated in the report. The same year the Parliament rejected the annual report (for 2015) of the Ombudsperson for Children, as a result of which the specialised ombudsperson lost her position (European network of legal experts in gender equality and non-discrimination (2024): 88).

5. The Ombudsperson as well as the ombudspersons for Gender Equality and for Children enjoy a high level of trust among civil society. However, knowledge about the exact competences of these institutions among the general population is still insufficient.⁴ In this context, ECRI welcomes that the Ombudsperson's Office conducts outreach activities through its regional offices (in Split, Osijek and Rijeka), as well as through *in situ* visits to different parts of Croatia, including to Roma settlements and municipalities where Roma and representatives of other minority groups live. At the same time, it notes that such outreach activities, as well as other actions aimed at promoting equality and research, require sufficient funding. It emerged from the ECRI findings during the visit that the offices of all ombuds institutions spent large proportions of their budgets on salaries and overheads, with little funds left for promotion and research. ECRI encourages the authorities to ensure that the financial means provided to the Ombudsperson and specialised ombudspersons are sufficient to effectively fulfil their roles in combating racism and intolerance, including through research, awareness-raising and outreach activities.

B. Inclusive education⁵

6. In its GPR No. 10 on combating racism and racial discrimination in and through school education, ECRI recommends that human rights education is an integral part of the school curriculum at all levels and across all disciplines. In this context, ECRI notes that, in 2019, Croatia introduced a reform about teaching civic education, including basic knowledge on human rights, democracy and society. Civic education is a cross-curricula topic, which should be taught as an obligatory element of various school subjects in primary and secondary education. The authorities also organised a number of training sessions and seminars on subjects related to its teaching.⁶ ECRI considers that the introduction of civic education into schools is a positive development.⁷
7. That said, according to civil society organisations, the cross-curricular character of civic education posed challenges related to a lack of sufficient time dedicated to it, lack of coordination between different teachers involved in the programme, differences in the level of implementation between schools and a lack of sufficient materials and suitable training for teachers.⁸ In this context ECRI invites the authorities to review the implementation of the curriculum of civic education and address any shortcomings.
8. Some local or regional authorities have developed supplementary programmes for teaching civic education as a separate elective subject in schools in their respective cities or counties. Many of those are based on the Rijeka model of civic education⁹ that was made available to other municipalities and has already been implemented in further 12 cities and four counties. The programme has been highly praised by

⁴ For example, according to the research conducted in 2022, only 3.9% of respondents in Croatia were able to name the Ombudsperson as a central body for the elimination of discrimination and promotion of equality. See, Ombudsperson of the Republic of Croatia (2022): 25. It is worth noting however that according to the data collected by the EU Fundamental Rights Agency the awareness of the existence of an equality body among persons belonging to groups of concern varies significantly depending on the group. For instance, the percentage of persons who are aware of the existence of at least one equality body in Croatia among LGBTI persons it amounts to 91% (EU FRA (2024b): 52), whereas among Roma it is 47% (EU FRA (2022): 32).

⁵ This section deals with education policies that aim to combat exclusion and marginalisation through an inclusive education devised for all, and to create an inclusive society respectful of diversity in accordance with sections II and III of ECRI's GPR No. 10 on combating racism and racial discrimination in and through school education. It relates to education for all children and young people. Specific measures for the education of migrants and children belonging to minority groups are dealt with under the heading of integration and inclusion.

⁶ Similar activities are also organised by civil society organisations, see e.g. GONG (2023): 27, GONG (2024b): 21-22.

⁷ See also ECRI (2021a): 5.

⁸ See for instance: Kovačić, M., N. Baketa, M. Bajkuša (2023); Pažur, M. (2023): 9.

⁹ For more information on this programme see also [website of the city of Rijeka](#). Other examples include programme implemented in secondary schools in Zagreb as of school year 2022/2023, which nonetheless focuses more on problems of local communities and assuring that voice of the youth can be heard in the local community. See, Hornstein-Tomić, C., Kurilić, M. (2023, April 23).

civil society and other interlocutors met by the ECRI delegation during the visit. It also received a positive evaluation from children to whom it was offered.¹⁰ ECRI considers the implementation of this model to be **a good practice**.

9. On the same positive note, a number of one-time lectures, film screenings, exhibitions and meetings aimed at raising awareness about the Holocaust, commemorating its victims and combating antisemitism were organised in schools within the framework of the Croatian Presidency of the International Holocaust Remembrance Alliance (IHRA) from 1 March 2023 to 1 March 2024. Many of these events included cooperation with local Jewish communities.¹¹ ECRI considers these activities **a promising practice**.
10. There are gaps in the teaching of subjects related to sexual orientation, gender identity and sex characteristics. According to various interlocutors met by the ECRI delegation during the visit, subjects of sexual and gender diversity are not sufficiently covered by the curricula of sexual education or general teaching about health. More broadly, the need to respect the diversity and human rights of LGBTI people is often omitted in school education.¹² As a consequence, approximately one third of students in final grades of secondary school consider homosexuality to be a disease and view gay and lesbian persons coming out as potentially harmful for children. Almost half of young persons are of the opinion that homosexual persons should not manifest their sexual orientation in public.¹³
11. This situation has a significant impact on LGBTI students. In the 2023 survey of the EU Fundamental Rights Agency (EU FRA) on the situation of LGBTI persons in Europe, 70% of LGBTI respondents from Croatia indicated that during their education they experienced ridicule, teasing, insults or threats because they were LGBTI.¹⁴ At the same time, 57% of LGBTI persons hid being LGBTI when in school.¹⁵ While some general policies regarding prevention of violence in schools exist, in the opinion of interlocutors met by the ECRI delegation during the visit, teachers and schools are not sufficiently prepared to address bullying and harassment based specifically on the grounds of being LGBTI.¹⁶
12. ECRI recommends that the authorities further strengthen human rights and equality education, in particular by: i) intensifying initial and ongoing training for teachers on human rights, including on equality, diversity, and inclusion issues; ii) ensuring that school curricula at all levels of education include LGBTI equality issues in a manner which is sensitive, age-appropriate and easy to understand and that discussions on LGBTI equality are evidence-based and place particular emphasis on equality, diversity and inclusion.

C. Irregularly present migrants

13. In its GPR No. 16 on safeguarding irregularly present migrants from discrimination, ECRI calls for the creation of effective measures (“firewalls”) to ensure the

¹⁰ See Pažur, M. (2023); Kalebić Maglica, B. et al. (2020).

¹¹ See, e.g., Lika online (2024, January 26); Radio Stubica (2024, February 15); Radio Moslavina (2024, February 15).

¹² See also, Human Rights House Zagreb (2023a): 17. According to a study published in 2022, 41% of high school students never heard LGBTI topics mentioned in class positively and 31% heard such a positive mention only once. By contrast, 37% of them repeatedly encountered mention of LGBTI topics in a negative context and 28% heard such mention at least once (Štambuk, M. (2022): 28-30).

¹³ Baketa, N., Bovan, K., Matic Bojic, J. (2021): 20.

¹⁴ EU FRA (2024b): 59. According to another study, 45% of LGBTI students reported having often experienced verbal violence, 9% physical violence and 25% online harassment when in high school, another 16, 9 and 13% respectively reported having experienced those forms of violence once. Approximately 20% of respondents experienced some form of violence or harassment at least once from their teachers or other school staff (Štambuk, M. (2022): 35-36).

¹⁵ EU FRA (2024a): 3.

¹⁶ See, also, Štambuk, M. (2022): 2 and IGLYO (2022): 51. As a consequence, according to 2022 study conducted by a civil society organisation LORI, LGBTI students are less likely to discuss their sexual orientation or gender identity with teachers than their peers (see Štambuk, M. (2022): 25).

fundamental human rights of irregularly present migrants in fields such as education, health care, housing, social security and assistance, labour protection and justice.¹⁷ Such firewalls should separate the activities of immigration control and enforcement from the provision of services, so that migrants who are irregularly present in Croatia do not refrain from accessing their rights due to fear of deportation.

14. According to Eurostat, in 2023, 67 950 persons (non-EU citizens) were found to be irregularly present in Croatia, while in 2022, 43 830 cases were recorded; in 2021, 13 540; in 2020, 22 240 and in 2019, 13 630.¹⁸ In the past, Croatia was considered by irregularly present migrants as a transit country rather than destination. However, the recent increase in number of foreign workers and the fact that their residence permits are linked to their employment, increases chances of having more migrants in Croatia finding themselves in an irregular situation, especially following job loss.
15. It emerged from the findings during the 2024 visit that irregularly present migrants have access to emergency health care and education for their children. However, there are no “firewalls” protecting them from being reported to the immigration authorities. The relevant provision of the Aliens Act obliges public officials and private individuals to inform the police about migrants irregularly staying or working in Croatia, even if it does not foresee sanctions for failure to comply.¹⁹ In consequence, public institutions, including emergency health services, are legally required to notify the police about the irregular status of migrants seeking their support.²⁰ In this context, ECRI strongly encourages the authorities to take action with a view to bringing their legislation in line with its GPR No. 16.

D. LGBTI equality²¹

16. On the Rainbow Europe Map and Index reflecting European countries’ legislation and policies guaranteeing the human rights of LGBTI people, Croatia ranks 17th out of 49 countries, with an overall score of 50.03%.²² Same-sex partnership has been legally recognised,²³ and discrimination based on sexual orientation and gender identity is prohibited in all key areas of life. However, the anti-discrimination legislation does not cover the ground of sex characteristics.²⁴ ECRI invites the authorities to take action to remedy this shortcoming.
17. ECRI regrets to note that LGBTI persons are still confronted with prejudice and discrimination in their everyday life. According to the survey conducted in 2023 in 27 EU countries, only 28% of LGBTI persons in Croatia were fairly or very open about being LGBTI and 78% of respondents often or always avoided holding hands with their same-sex partner in public.²⁵ According to the same survey, 34% of LGBTI respondents from Croatia felt discriminated against due to being LGBTI in at least one area of life in the year before the survey; 18% felt discriminated against when looking for a job or at work; and 65% indicated that they hid being LGBTI at

¹⁷ See §§ 3, 4, 11 and 12 of the GPR No. 16 and §§ 3, 4, 11 and 12 of its Explanatory Memorandum.

¹⁸ Eurostat (2023).

¹⁹ Article 221 of the Aliens Act, Official Gazette of Croatia No. 133/2020, 2 December 2020.

²⁰ See also European Network on Statelessness (2023): 25. However, in the area of education, the authorities informed ECRI that in case of reporting related to the enrolment of children to schools, the relevant units of the Ministry of Science and Education would make an effort to provide the child’s family with support regarding the regularisation of their status.

²¹ For terminology, see ECRI’s [glossary](#).

²² ILGA Europe (2024b).

²³ Law on Life Partnership of Persons of the Same Sex, Official Gazette of Croatia No. 92/14, 15 July 2014.

²⁴ Anti-Discrimination Act, Official Gazette of Croatia No. 85/08, 15 July 2008.

²⁵ EU FRA (2024a): 1.

work.²⁶ At the same time, only 13% of LGBTI persons in Croatia believed that their national government effectively addressed prejudice and intolerance against LGBTI people.²⁷

18. At the level of policy planning, there is no specific policy or action plan aimed at ensuring LGBTI equality. Some general measures aimed at awareness-raising and combating discrimination have been included in the National Plan for the Protection and Promotion of Human Rights and Suppression of Discrimination for the period 2023-2027. However, they are not specifically tailored to the needs of LGBTI persons.²⁸ ECRI encourages the authorities to significantly develop and strengthen measures for the equality of LGBTI persons contained in the National Plan for the Protection and Promotion of Human Rights and Suppression of Discrimination through specific programmes of actions.
19. The legislation does not prohibit practices aiming at converting or changing the sexual orientation or gender identity of LGBTI people (so-called “conversion practices”). Reportedly, such practices are still being advertised and conducted, especially on young LGBTI persons.²⁹ ECRI encourages the authorities to bring forward legislation enforcing a comprehensive and effective legal prohibition, including on advertising and promotion, on all such practices.
20. In relation to the situation of transgender persons, the Ministry of Health compiled a list of specialists with experience in treating transgender patients that has been made available to all interested persons. ECRI trusts that this list will be regularly updated.
21. However, ECRI notes that access to quality healthcare for transgender patients remains challenging due to insufficient awareness of their needs amongst most health care professionals, lack of clear rules on the coverage of gender-affirming health care by the public health insurance³⁰ and the unavailability of certain types of surgical treatments in Croatia.³¹ In this context, ECRI learned that the authorities are planning trainings for health workers on the special needs of transgender patients. It invites the authorities to develop such training and to clarify the rules on reimbursement of gender-affirming health care with a view to ensuring that transgender people have safe, affordable, and timely access to necessary gender-affirming treatments.
22. It emerged from ECRI’s findings during the visit that the procedure for legal gender recognition continues to be unnecessarily complicated, lengthy and over-medicalised.³² While it does not require surgical intervention, it is still obligatory to provide medical opinions from a psychologist, psychiatrist and

²⁶ EU FRA (2024b): 28, 30 and 41. According to another survey, the last number is even higher among transgender, intersex and non-binary persons, 76% of which considered that it was necessary to hide their status at work (Zagreb Pride (2022): 18).

²⁷ EU FRA (2024b): 81. High level of social prejudice against LGBTI persons is also confirmed by surveys among general population. For instance, according to 2023 Eurobarometer, 25% of Croatians would feel uncomfortable working alongside an LGBTI colleague; 63% would feel uncomfortable if their child was in a romantic relationship with a transgender or intersex person while 57% would feel uncomfortable if it was a person of the same sex as their child; 38% would feel uncomfortable having a transgender or intersex person in the highest elected political position whereas 30% would feel uncomfortable if it was a gay, lesbian or bisexual official. In case of all questions the number of persons not at ease with LGBTI persons is the highest from all minority groups enumerated in the survey. See European Commission (2023b).

²⁸ For more details, see also Ombudsperson for Gender Equality (2024): 140 and 144.

²⁹ ILGA Europe (2024a). According to the research conducted by EU Fundamental Rights Agency 24% of LGBTI persons in Croatia experienced some form of conversion practices in the past. See EU FRA (2024b): 93.

³⁰ See especially Ombudsperson for Gender Equality (2024): 145 and Zagreb Pride (2023b): 128-129. See also ECRI (2018a): §§109-110.

³¹ Human Rights House Zagreb (2023b): 116-117; ILGA Europe (2023a).

³² In this connection, trans identities were depathologised by the World Health Organisation in 2019.

endocrinologist,³³ as well as a report on personal and family circumstances issued by the regional centre for social welfare. On the basis of those documents, an opinion about legal gender recognition should be issued by the National Health Council within 30 days. However, civil society and other independent bodies reported that in practice there are significant delays in collecting the necessary documentation and obtaining the opinion of the Council.³⁴

23. ECRI recommends that the authorities, in line with its General Policy Recommendation No. 17 on combating intolerance and discrimination against LGBTI persons, ensure that the process of legal gender recognition is quick, transparent and accessible and that it is not contingent on abusive requirements, such as medical procedures and/or mental health diagnoses.

24. As regards intersex persons, ECRI notes that Croatian law does not prohibit non medically necessary sex assignment treatment and/or surgical intervention on the sex characteristics of children (so-called “sex-normalising” surgeries). While there is no official data on the number of such procedures performed, civil society actors indicated that performing them is still common within the medical community.³⁵ They also indicate that there is no sufficient awareness of this issue among the relevant authorities, medical community and parents and that the issue of intersex patients is mostly absent from public policies and health programmes.³⁶ Some civil society organisations try to partly fill in this vacuum by publishing materials addressed to parents of intersex children and general public.³⁷

25. ECRI recommends that the authorities take action to protect the human rights of intersex persons, in line with ECRI’s General Policy Recommendation No. 17 on combating intolerance and discrimination against LGBTI persons, by (i) taking action towards the development and adoption of a specific legislation banning medically unnecessary “sex-normalising” surgeries and other non-therapeutic treatments until such time as an intersex child is able to participate in the decision, based on the principle of free and informed consent; (ii) providing appropriate training to all healthcare professionals and policy makers, which emphasises that intersex persons have the right to bodily integrity and diversity.

II. HATE SPEECH AND HATE-MOTIVATED VIOLENCE

A. Hate speech³⁸

Legislation and policies

26. Croatian criminal legislation on hate speech was analysed in detail in ECRI’s fifth report on Croatia (§§ 1-7). Most findings and recommendations contained in that report remain highly relevant.³⁹ It should be recalled that while the main provision related to hate speech remains Article 325 (1) of the Criminal Code (CC),⁴⁰ in practice hate speech is also often qualified and sanctioned as a misdemeanour. In this respect, some legal changes were introduced in 2023, when a maximum

³³ An opinion of an endocrinologist is not required in all cases. It does not have to be presented if a person applying for legal gender recognition bases their application on the fact that they have been living “as another gender”.

³⁴ Zagreb Pride (2023b): 96.

³⁵ ILGA Europe (2023a). See also, UN Committee on the Rights of the Child (2022): § 26 (b) and (c).

³⁶ Human Rights House Zagreb (2023b): 117.

³⁷ See, e.g., Transaid (2020).

³⁸ See definitions of hate speech and hate crime in ECRI [glossary](#).

³⁹ See especially ECRI (2018a): § 7.

⁴⁰ Article 135(1) of the CC sanctions incitement to violence and hatred against a group of persons or a member of such a group on account of their “race, religion, national or ethnic origin, descent, colour, language, gender, sexual orientation, gender identity, disability or any other characteristics” through press, radio, television, computer system or network or at a public gathering.

sanction for “disturbing the peace” by the use of symbols and salutes that express or incite to hatred was raised to a fine of 4,000 EUR.⁴¹

27. From 2017 to 2022, measures against hate speech were included in the National Plan to Combat Discrimination. For the period ranging from 2023 to 2027, such measures are part of the broader National Plan for Promoting Human Rights and Combating Discrimination,⁴² which is implemented through anti-discrimination action plans adopted on a yearly basis.⁴³ The National Plan contains specific objectives related to improving mechanisms for combating hate crimes, awareness-raising and encouraging a culture of remembrance of the victims of genocide. ECRI welcomes the consultation of civil society organisations on the development of anti-discrimination action plans and encourages the authorities to work closer with them in the implementation of those plans, especially when it comes to awareness-raising activities.

Data collection

28. In its fifth report on Croatia (§ 23), ECRI recommended that the authorities further refine their national data collection system for hate speech incidents, by revising the way data are collected on the criminal offence of incitement to violence and hatred as well as on the application of provisions related to misdemeanours. In 2021, a revised Protocol for the Procedure in Cases of Hate Crime was adopted.⁴⁴ It contains new rules on gathering information about criminal forms of hate speech, other hate crimes and hate-motivated misdemeanours, and it provides guidelines to law enforcement officials about elements that can be useful in identifying a potential case of criminalised hate speech or other hate crime. An important role in the implementation of the Protocol is given to a Working Group for Monitoring Hate Crimes composed of representatives of state institutions responsible for combating hate crime, academia and civil society organisations, which is notably entrusted with hate crime data analysis and making any necessary recommendations for action in countering hate crime. ECRI welcomes the adoption of revised Protocol and encourages the authorities to make the disaggregated data resulting from the new reporting rules available to the public at regular intervals.

Hate speech in public discourse and online

29. ECRI notes with serious concern that hate speech is commonly present in political speech, public spaces and online in Croatia. The groups most targeted by negative narratives are LGBTI persons, Roma and ethnic Serbs. Recent examples of LGBTI-phobic speech included attacks on transgender persons, as well as healthcare professionals working with them. In 2023, a controversy around an arrest of Croatian citizens (including a transgender man) in Zambia resulted in a series of hateful comments against the whole transgender community, including inappropriate statements made by a member of the Parliament.⁴⁵
30. Most notable cases of anti-Roma hate speech included statements made during a protest held under the slogan “I want a normal life” in June 2019 in Čakovec, in the Međimurje county. During a rally that gathered approximately 1 000 persons, speakers, including local politicians, referred to what they called “irresponsible, dangerous and criminal behaviour of Roma”, pointing to the police and other public institutions, which – according to them – failed to protect the local community against Roma.⁴⁶

⁴¹ Law on Amendments to the Law on Offenses Against Public Order and Peace, Official Gazette No. 47/2023, 3 May 2023. See also Croatian Parliament (2023, April 21).

⁴² Government of the Republic of Croatia (2023b).

⁴³ So far only the first such plan – for 2023 – has been adopted. See Government of the Republic of Croatia (2023a).

⁴⁴ Office for Human Rights and the Rights of National Minorities (2021b).

⁴⁵ See Ombudsperson for Gender Equality (2024): 164.

⁴⁶ Atanasov A., Kovačević N., Spitalszky A., Vukasović Ravlić Ž. (2021): 11.

31. A significant amount of racist hate speech continues to be linked to the display of symbols of the fascist and ultranationalist Ustaša regime during the Second World War and the use of its slogans, including the salute 'Za dom spremni' ('ready for the homeland') in public spaces and during public events.⁴⁷ ECRI is particularly concerned that a significant number of such incidents is reported to occur among young people, who are often unaware of the illegality and the negative connotations of those symbols.⁴⁸ This includes cases of school graduation parties and trips, where students and recent graduates chant fascist slogans and take photographs displaying fascist salutes.⁴⁹
32. People belonging to the Serb and Bosniak minority groups are said to be also impacted by cases of historical revisionism, trivialisation of war crimes and positive portrayals of war criminals. Some examples include controversial statements by the President of Croatia about the genocide in Srebrenica,⁵⁰ the awarding of decorations and state honours to military formations and individuals accused of war crimes,⁵¹ and the presence of murals and graffiti of convicted war criminals in public spaces.⁵²
33. Many hate speech incidents occur during or in relation to sport competitions, especially football matches. For instance, in 2023, a group of football fans were sentenced to short-term prison sentences for singing fascist songs at the football match between Croatia and Türkiye.⁵³ There have also been cases of Croatian football fans presenting fascist symbols or chanting anti-Serb messages when attending games of Croatian teams abroad.⁵⁴ Incidents of anti-Serb messages being displayed during football matches occurred also during children's and youth tournaments.⁵⁵
34. Hate speech is reportedly omnipresent online. In a 2021 survey conducted mainly among young persons, 62% of respondents indicated that in the previous year they encountered hate speech online with lower numbers of respondents indicating that they were faced with it on TV, at school or in newspapers.⁵⁶ Another study, carried out in relation to the 2024 electoral campaign found that social media platforms most popular among young people were used by politicians and their supporters to spread polarising narratives, including with anti-LGBTI and anti-migrant content.⁵⁷

⁴⁷ Croatian courts have confirmed on a number of occasions that the salute constitutes an incitement to hatred, manifests racist ideology and disparages victims of crimes against humanity and that its usage should be penalised (Ombudsperson of the Republic of Croatia (2023a): 155). See also, a decision by the ECtHR, [Šimunić v. Croatia \(dec.\)](#), no. 20373/17, 22 January 2019 in which the Court rejected the applicant's claim that sanctioning him for the usage of the "ready for the homeland" slogan during a sport competition had violated his freedom of expression.

⁴⁸ See, for example, results of the political literacy study that indicates that 44.7% of students of final years of secondary schools consider it acceptable to use and display the Ustaša salute on monuments and insignia from the 1990's war in Croatia (Baketa, N., Bovan, K., Matic Bojic, J. (2021): 30).

⁴⁹ See, e.g., Salvia, V. (2023, November 14); Danas (2022, May 26); Vecernji.hr (2019, May 22); Vecernji.hr (2018, May 22).

⁵⁰ See, e.g., Jutarnji List (2022, November 10) and Youth Initiative for Human Rights (2021, December 8).

⁵¹ See, e.g., Human Rights House Zagreb (2023b): 49-50; Human Rights House Zagreb (2022b): 45; Youth Initiative for Human Rights (2022, July 21). See also Vladisavljevic, A. (2021, April 27).

⁵² Youth Initiative for Human Rights (2022, September 23); Grozdanić, D. (2021, September 17).

⁵³ Tesija, V. (2023, October 16).

⁵⁴ See for instance The Guardian, (2024, June 20); Kurtic, A. (2022, September 15).

⁵⁵ Serb National Council (2022): 31-32; Serb National Council (2024): 14-15.

⁵⁶ Human Rights Zagreb (2022a): 20-21.

⁵⁷ GONG (2024a): 22-33. See also the results of the monitoring by the Human Rights House Zagreb that show that online hate speech identified in social media includes mostly remarks based on sexual orientation, gender identity and ethnic origin, as well as cases of glorification of fascist regimes. The results of this monitoring are available at the [website of SafeNet project](#).

35. ECRI strongly recommends that the authorities intensify their efforts to raise awareness of the dangers of racist and LGBTI-phobic hate speech, especially among children and young people. In this connection, the authorities should take targeted measures aimed at increasing digital media literacy and at raising awareness among children and youth about the hateful and illegal character of using symbols and slogans of fascist regimes in the public sphere.

Responses to hate speech

36. ECRI is pleased to note that efforts have been made to raise awareness among the general public about the value of diversity and the negative consequences of hate speech. The authorities organised or supported some media campaigns, including one focusing on creating a positive image of beneficiaries of international protection and underlining their potential contribution to society and the economy.⁵⁸ Special attention was also given to combating hate speech in sports. For instance, a media campaign organised by the Croatian Football Federation included the production of videos presenting football players from different national and ethnic backgrounds conveying the message “We Are All One Family”.⁵⁹ As part of this campaign, the Federation committed to assigning all funds obtained from fines imposed on sport clubs for manifestations of racism to the implementation of projects aimed at preventing racist behaviour. ECRI considers such campaigns and activities as **good practices**.
37. However, ECRI is concerned by reports of public funding being allocated to persons and organisations spreading LGBTI-phobic hate speech, targeting especially transgender persons. In 2023, the Electronic Media Agency awarded funds from the Fund for the Promotion of Pluralism and Diversity of Electronic Media⁶⁰ to an association preparing online publications on the portal that had been producing transphobic content, as well as hate speech targeting other LGBTI persons and migrants. The financing was awarded for texts that referred to “an epidemic of transsexuality” and warned about its potential dangers for children, as well as described homosexual acts as “deviant behaviour”.⁶¹ ECRI invites the authorities to ensure that organisations spreading negative stereotypes about groups of concern to ECRI or promoting discrimination and hate do not receive financial and other forms of support by public bodies and consider, while duly respecting the right to freedom of association, holding such organisations accountable.

⁵⁸ The campaign in question, organised within the framework of the INCLuDE project, consisted of indoor and outdoor advertising, media articles in the written press and online publications, as well as videos showing real-life stories of beneficiaries of international protection living in Croatia, (see for instance a video “[Prostor bliskosti; Semih, Safaa, Muhammed](#)”) and explaining the scope of their rights (see a video “[Inclusion of persons who have been granted international protection in Croatian society](#)”).

⁵⁹ The videos are available on the [website of the Croatian Football Federation](#). Prevention of racist and intolerant behaviours was also a part of broader programme “[Be a fan, not a vandal](#)” implemented by the Ministry of Interior and targeting especially children.

⁶⁰ According to the information from the authorities, the Fund is aimed at financing different programmes on local and regional level to contribute to the promotion and protection of human rights.

⁶¹ For more see Šimičević, H. (2023, April 16), (2023, June 10) and (2024, March 8). Publications of the portal in question were also condemned by the Ombudsperson for Gender Equality. See Ombudsperson for Gender Equality (2024): 164-166. The authorities informed ECRI that, on 4 July 2024, the Agency for Electronic Media ordered a return of 18% of the financing grant for this series of articles (621.14 euros out of the total financing of 3 450.79 euros). According to the Agency’s decision, the return of funds was ordered because it was established that some articles focused on targeting individuals rather than analysing general trends. At the same time, articles referring more generally to the “epidemic of transsexuality”, the “imposition of gender ideology in Croatia and the world” and its potential dangers for children were considered by the Agency as consistent with the purpose for which the funds had been awarded.

38. Statements calling out and condemning hateful remarks have been made by the relevant ombudspersons. For instance, the Ombudsperson for Gender Equality has unequivocally condemned press publications stigmatising LGBTI persons and health professionals working with them,⁶² whereas the Ombudsperson reacted to cases of the use of fascist salutes and symbols in the public sphere.⁶³ Other cases of counter-speech have originated in grassroot movements. For instance, there have been some citizens' initiatives aimed at removing hateful graffiti and messages displayed in public.⁶⁴
39. Regarding politicians, some good examples of counter-speech have been reported. For instance, the President of Croatia denounced the public display of slogans and symbols related to the Ustaša regime.⁶⁵ Many high-level politicians have also taken part in the commemorations of victims murdered during the Second World War in the Jasenovac concentration camp.⁶⁶ However, according to civil society interlocutors met by the ECRI delegation during the visit, political hate speech targeting groups of concern to ECRI, in particular Roma, Serbs and LGBTI persons, often remains unchallenged.
40. When it comes to self-regulation, the new Code of Conduct for the Members of the Parliament contains a prohibition on spreading national, religious, racial hatred or intolerance based on *inter alia* sexual orientation or in any other way inciting to violate or violating human rights.⁶⁷ It does not however contain clear sanctions for the violation of those provisions.
41. ECRI recommends that public figures, including high-level officials and politicians on all sides, are strongly encouraged to take a prompt, firm and public stance against the expression of racist and LGBTI-phobic hate speech and react to any such expression with counter-speech and alternative speech, as well as to promote understanding between communities, including by expressing solidarity with those targeted by hate speech. Elected bodies and political parties should adopt appropriate codes of conduct that prohibit the use of hate speech, call on their members and followers to abstain from engaging in, endorsing or disseminating it, and provide for sanctions. In this respect, ECRI refers to its General Policy Recommendation No. 15 on combating hate speech, Recommendation CM/Rec(2022)16 of the Committee of Ministers to member States on combating hate speech and the Charter of European political parties for a non-racist and inclusive society as endorsed by the Parliamentary Assembly of the Council of Europe in its Resolution 2443 (2022).
42. According to several interlocutors met by the ECRI delegation during the visit, media outlets are often unprepared to effectively counter hate speech, including online. On occasion, they may provide platforms for discriminatory remarks or contribute to the stereotypical depiction of persons belonging to groups of concern to ECRI.⁶⁸ Furthermore, media articles related to issues or events of high relevance

⁶² Ombudsperson for Gender Equality (2022, December 8). The Ombudsperson for Gender Equality has also criticised cases of high-level politicians revealing or commenting on the sexual orientation of their political opponents, especially when doing it with the aim to discredit those opponents in the eyes of their electorate. See, e.g., Ombudsperson for Gender Equality (2024, January 14) and (2024, January 16).

⁶³ Ombudsperson of the Republic of Croatia (2024, August 7).

⁶⁴ Human Rights Zagreb (2022a): 28-29.

⁶⁵ HRT (2024, August 7).

⁶⁶ Government of the Republic of Croatia (2024, April 21); Croatian Parliament (2023, April 23). Jasenovac Camp was an extermination camp established by the Ustaša regime during Second World War. In Jasenovac, the majority of victims were ethnic Serbs, Jews, Roma, and some political dissidents.

⁶⁷ Code of Ethics for Members of the Croatian Parliament, Official Gazette No. 140/2022, 2 December 2022.

⁶⁸ Serb National Council (2024): 10-14; Ombudsperson of the Republic of Croatia (2023a): 154.

to those groups often meet with hateful comments posted on internet websites of traditional newspapers or online publications, as well as social networks.⁶⁹

43. ECRI recommends that the authorities, with due regard for the independence of the media, take measures aimed at promoting equality and diversity, raising awareness of the adverse effects of hate speech, and preventing and combating misinformation and negative stereotyping in traditional and online media, including by encouraging the development and provision of training programmes for journalists, editors and online content moderators on inclusive reporting and on preventing and combating hate speech.

44. The revised Protocol for the Procedure in Cases of Hate Crime provides that victims of criminal hate speech, as well as other forms of hate crime, should be treated in a manner that avoids secondary victimisation. They may seek the support of one of the victim and witness support units organised in county courts or of the network of civil society organisations that provide support to victims of crimes in counties where no such units have been created. However, according to several interlocutors to whom the ECRI delegation spoke during the visit, employees of those services often lack targeted training and expertise related to working with victims of hate speech and hate-motivated violence. Against this background, ECRI notes with satisfaction the implementation of the “Stand up for victims’ rights” projects, led by civil society organisations with the support of the city of Zagreb, which resulted in the publication of materials addressed to victims of different forms of racism and intolerance and providing them with information about organisations where they can seek specialised support.⁷⁰

B. Hate-motivated violence

45. The main provision governing hate crime remains Article 87 (21) of the CC, according to which it shall be considered as an aggravating circumstance if a criminal offence is committed on account of race, colour, religion, national or ethnic origin, language, disability, gender, sexual orientation or gender identity of another person. In addition to this general provision, the CC also contains explicit penalty enhancements for a number of specific crimes in case they were committed out of hatred.⁷¹

46. According to data reported by Croatia to the Office for Democratic Institutions and Human Rights of the Organisation for Security Cooperation in Europe (OSCE-ODIHR), the number of hate crimes (including cases of criminal hate speech) reported to the police amounted to 80 in 2022, 101 in 2021, 87 in 2020, 48 in 2019, and 33 in 2018.⁷² The number of cases that were prosecuted corresponded to 24 in 2022, 57 in 2021, 138 in 2020, 117 in 2019 and 23 in 2018, whereas criminal sentences were rendered in 14, 11, 18, 10 and 8 cases respectively. In 2022, the most common types of hate crimes reported to the police included damage to property (29 cases), threats/threatening behaviour (25), physical assault (10), incitement to violence (8) and theft or robbery (6). The highest number of cases (20) were classified as racist and xenophobic, 15 were considered as anti-Christian,⁷³ 14 as other hate crimes based on religion or belief, 11 as involving

⁶⁹ See for instance in the context of Pride Parades: Zagreb Pride (2023a): 4.

⁷⁰ Stand up for victim’s rights (2021a), (2021b), (2021c) and (2021d).

⁷¹ For instance: murder (art. 111), bodily injury, serious bodily injury and severe bodily injury (art. 117-119), coercion (art. 138), threats (art. 139), serious criminal offences against sexual freedom (art. 154) and inciting violent riots (art. 324). See also OSCE-ODIHR (2024a).

⁷² According to the authorities, such data partially varies from the records of the Ministry of the Interior, which point to a total of 59 hate crimes in 2022 and 51 in 2019.

⁷³ It is worth noting that some crimes classified as anti-Christian may also target Serbian national minority, traditionally linked to the Serbian Orthodox Church.

an anti-LGBTI motive, 10 as anti-Muslim, 6 as anti-Roma and 2 as antisemitic.⁷⁴ However, during the visit, all interlocutors met by the ECRI delegation underlined that the official data do not fully reflect the actual number of hate motivated violence cases as many instances remain unreported or are not classified as hate incidents or hate crimes.

47. Hate-motivated violence cases that have been recorded tend to target mostly ethnic Serbs, Roma and LGBTI persons, with instances of violence against foreign workers and other migrants on the rise. Many cases of anti-Serb physical attacks happen around football matches or other sport events, as well as in relation to the commemoration of Croatian victims of the 1991-1995 war.⁷⁵ Some hate incidents also relate to attempts to eradicate signs of the presence of the Serb culture and population in Croatia, for instance by smashing graves containing Cyrillic script or damaging property of the Serbian Orthodox Church.⁷⁶ Violence against Roma includes cases of physical threats and attacks,⁷⁷ as well as a case of destruction of a building belonging to Roma, in order to discourage them from living in particular area.⁷⁸
48. According to civil society reports, there has also been a resurgence of anti-LGBTI attacks in recent years. For instance, in 2021, organisers of the Zagreb Pride informed that for the first time in ten years the participants of Pride events had been confronted with cases of hate-motivated violence, including physical and arson attacks.⁷⁹ In the same year, civil society actors reported an incident in which two gay men were assaulted and subjected to homophobic slurs after having been seen hugging on a square at night.⁸⁰ Furthermore, independent actors indicated that there had been a rise in violence against migrants and persons with a migration background, especially from non-European countries.⁸¹
49. It emerged from the findings during the ECRI visit to Croatia that one of the main obstacles in the development of adequate responses to racist and LGBTI-phobic hate crimes remains the insufficient capacity of law enforcement officials to properly identify and investigate the hate element in cases reported to them, as well as the lack of adequate guidance and training for prosecutors and judges. ECRI notes that Croatia was found, by the European Court of Human Rights, in violation of the European Convention on Human Rights in several judgments due to the ineffectiveness of investigations into hate crimes against members of groups of concern to ECRI. While earlier cases concerned mainly Roma hate crime

⁷⁴ OSCE-ODIHR (2024a). Two cases were also considered hate crimes based on gender, which remains outside of ECRI's scope of monitoring.

⁷⁵ See OSCE-ODIHR (2024b). For instance, in 2019 the UNHCR reported a case when a Serb teenage boy was physically assaulted at the bus station by a group of six masked perpetrators, resulting in minor injuries. The incident occurred two days after the mayor publicly criticised Serb students at the victim's school for not standing up when the Croatian national anthem was sung at a football match.

⁷⁶ See, e.g., Serb National Council (2020): 22 and Serb National Council (2022): 47-48.

⁷⁷ Reference can be made, for instance, to the 2022 case of a taxi driver in Zagreb, who was attacked and beaten up because of his Roma background (Ombudsperson of the Republic of Croatia (2023a): 144).

⁷⁸ This is a 2019 case of an uninhabited building bought by a Roma family being set on fire in order to force the family to reconsider the purchase. The perpetrator publicly expressed his anti-Roma bias and threatened to repeat the arson attack (OSCE-ODIHR (2024b)).

⁷⁹ TPortal (2021, 4 July). Other acts of violence occurred in relation to awareness-raising activities and events gathering members of the LGBTI community. For instance, in 2020, the civil society organisation LORI reported that a city hall building displaying LGBTI rights awareness campaign posters had been vandalised with homophobic graffiti calling for the death of gay men. In 2023 the same organisation recorded a case of a young woman, who had been physically assaulted, followed, and subjected to threatening behaviour by a group of men as she had walked towards an LGBTI festival wearing a rainbow flag. See, OSCE-ODIHR (2024b).

⁸⁰ One of the victims had to be hospitalised and required surgery. See OSCE-ODIHR (2024b).

⁸¹ Ombudsperson of the Republic of Croatia (2024): 188. For instance, in 2023, two Black men were reportedly physically assaulted by a security guard at a night club due to their skin colour. See OSCE-ODIHR (2024b).

victims,⁸² recent judgments point to the lack of proper investigation of anti-LGBTI motives of violent attacks.⁸³

50. In this context, ECRI welcomes that several measures have been taken to increase the capacity of law enforcement officials to tackle hate crimes. Subjects related to the detection and investigation of hate crimes have been included in the programme of initial training of police officers and there have been a number of workshops and training sessions organised, often in cooperation with civil society actors, as part of the continuous training of law enforcement officials. Some of those events included exchanges between police officers, prosecutors and judges.⁸⁴ ECRI encourages the authorities to continue their efforts to provide law enforcement officials, as well as prosecutors and – where appropriate – judges, with comprehensive training on combating criminal forms of hate speech and hate-motivated violence and involving civil society organisations, as well as members of groups most at risk of being targeted by hate, in the delivery of such training.
51. ECRI also notes that the capacity of the police to address hate-motivated violence is significantly diminished by the underreporting of such incidents and the low level of trust in law enforcement agencies on the part of people belonging to groups of concern to ECRI, especially migrants and Roma (in this respect, reference is also made to section IV.A). ECRI welcomes the efforts made by the authorities to recruit more police officers with a Roma background,⁸⁵ including by actively approaching Roma communities and advertising recruitment to police schools among Roma. It encourages the authorities to take further action, through a strong recruitment, retention and promotion policy, to ensure that the composition of the police force reflect the diversity of the society in Croatia.

III. INTEGRATION AND INCLUSION

A. Migrants

Data and policies

52. According to the results of the last census, in 2021, there were 29 515 foreigners living in Croatia.⁸⁶ However, data on persons seeking international protection in Croatia and migrating to Croatia for economic reasons indicate that this number increases rapidly. For instance, in 2023, 68 114 persons expressed their wish to apply for international protection (in comparison to 12 872 in 2022 and 3 039 in 2021) and 52 persons were granted such protection (in comparison to 21 in 2022 and 68 in 2021).⁸⁷ Moreover, 4 956 persons applied for temporary protection on the basis of the fact that they were displaced by Russia's war of aggression against Ukraine (in addition to 19 275 persons registered for such protection in 2022).⁸⁸ In the same year, the Ministry of Interior issued 112 981 resident and work permits for the new employment of foreigners.⁸⁹
53. The implementation of the Action Plan for the Integration of Persons who have been granted International Protection ended in 2019. The authorities informed

⁸² See, e.g., [Šečić v. Croatia](#), no. 40116/02, 31 May 2007 and [Škorjanec v. Croatia](#), no. 25536/14, 28 March 2017.

⁸³ [Sabalić v. Croatia](#), no. 50231/13, 14 January 2021 and [Beus v. Croatia](#), no. 16943/17, 21 March 2023.

⁸⁴ See also, Council of Europe, Committee of Ministers (2022a).

⁸⁵ According to the information provided by the authorities, currently there are eight Roma police officers in Croatia.

⁸⁶ At the same time the number of citizens of Croatia residing in the country amounted to 3 842 318, See, Croatian Bureau of Statistics (2021b): table 2.

⁸⁷ See, AIDA (2024a): 7-8; AIDA (2023): 7 and AIDA (2022): 7 respectively, as well as data submitted by the authorities.

⁸⁸ AIDA (2024b): 5.

⁸⁹ In addition, 40 660 permits were extended and 18 858 issued for seasonal workers. While the majority of the permits were issued to workers from other countries in the Balkans, over a third were issued to citizens of Nepal, India, Philippines, Bangladesh and Türkiye (see [statistics published by the Ministry of Interior](#)).

ECRI that they were working on the development of a new action plan. However, at the time of the ECRI visit to Croatia, it had not yet been adopted. Moreover, the scope of the planned document was to be limited to the beneficiaries of international protection, whereas no policy measures were envisaged for the integration and inclusion of foreign workers into Croatian society.⁹⁰ Given the rapid increase in number of such migrants arriving to Croatia, ECRI is of the opinion that the future policy document on integration and inclusion should have a broader scope and include the needs of foreign workers and other categories of migrants residing in the country.

54. At local level, some policies concerning the integration and inclusion of migrants have been adopted and implemented. In 2023, the city of Zagreb adopted its second integration plan for foreigners, which enumerates measures aimed at supporting foreigners residing in the city in obtaining information about their rights and accessing social welfare and health care, education and employment. It also aims to raise awareness among various stakeholders and the general public on issues related to international protection and work-related migration and to strengthen the institutional framework related to the implementation of integration policies.⁹¹ According to information received by ECRI, a few other municipalities are planning to develop similar policy documents. This is a positive development. ECRI encourages the adoption and implementation of local integration and inclusion plans dealing with various groups of migrants. It notes, nonetheless, that the responsibility for designing and implementing integration policies should not be placed only on local authorities and that, in order for those policies to be effective, there has to be coordination and complementarity between measures taken at national and at local level.
55. ECRI also positively notes that, despite a lack of comprehensive policy planning on the integration and inclusion of migrants, the national authorities have taken action, based on projects co-funded from EU funds and implemented by civil society organisations. For instance, in the period between March 2020 and March 2023, 152 persons benefited from a programme aimed at providing individualised integration support for beneficiaries of international protection. However, after the expiry of the funding, the programme was discontinued.⁹² In this context, ECRI stresses that, while cooperation with civil society and effective use of the EU funds are important elements of successful integration policies, they cannot be considered as viable alternatives to long-term policy planning, appropriate budgetary allocations and the development of public officials' capacity to provide integration-related services to groups of concern to ECRI.
56. ECRI recommends, as a matter of priority, that the authorities develop and adopt a comprehensive national strategy or action plan for the integration and inclusion of beneficiaries of international protection and other groups of migrants. The development of the strategy or the action plan should include consultations with civil society organisations and other stakeholders and sufficient financial resources should be allocated to the future implementation of the strategy or action plan. In developing such a document, the authorities may draw inspiration from the Council of Europe's Model Framework for an Intercultural Integration Strategy at the National Level.

Access to information

57. It emerged during ECRI's visit to Croatia that there is insufficient information on the scope of migrants' rights and procedures applicable to them. Against this

⁹⁰ See also, Ombudsperson of the Republic of Croatia (2024): 151.

⁹¹ City of Zagreb (2023). The scope of this document is broader than that of the previous local integration plan implemented in Zagreb, which was focused on asylum seekers and beneficiaries of international protection (see, City of Zagreb (2022)).

⁹² In April 2024, the authorities informed ECRI that they were in the process of preparing a new edition of this programme and were committed to resuming it.

background, ECRI welcomes an initiative by the city of Zagreb to open the Information Centre for Refugees and Migrants, which is supposed to serve as a one-stop-shop providing information on different procedures and services available to migrants.⁹³ ECRI considers it a **promising practice**.

Education of migrant children and language courses for adults

58. Children who are beneficiaries of international protection, as well as other migrant children residing in Croatia, can access primary and secondary education free of charge. In order to allow for their integration into the education system, schools are obliged to provide them with up to 140 hours of preparatory language classes. However, the organisation of those classes requires approval from both the municipal and national authorities, which results in a few-months-long waiting period for the classes to start. ECRI was also informed that the classes are often organised in a different school than the one that the child attends, which may cause them to miss part of their regular classes.⁹⁴ Moreover, ECRI learned that the number and intensity of classes offered were insufficient, and that there were no educational materials adapted to teaching Croatian as a foreign language to children, which made it more difficult to conduct preparatory classes in an efficient manner,⁹⁵ and that there were no teaching assistants for migrant children employed in Croatian schools.
59. In contrast, ECRI is pleased to note that the procedure of organising preparatory language classes was simplified for Ukrainian children who arrived in Croatia after February 2022 as a result of the Russian Federation's war of aggression against Ukraine. For this group of children language classes were automatically considered as approved and could start within a few days.⁹⁶ ECRI encourages the authorities to draw on this initiative and to develop similar solutions for other foreign children who enrol into Croatian schools without sufficient knowledge of the language.
60. Acquiring language proficiency in Croatian also poses a significant challenge to adult beneficiaries of international protection and foreign workers. According to the relevant legislation,⁹⁷ beneficiaries of international protection are obliged to attend state-organised Croatian language, history and culture classes. However, in practice, such classes have not been provided since September 2022.⁹⁸ and they had earlier been offered only at A1 and A2 levels, thereby not allowing their participants to achieve the necessary level of language proficiency for most jobs.⁹⁹ Civil society organisations and local authorities attempt to remedy the situation by organising or financing some language classes for both beneficiaries of international protection and foreign workers.¹⁰⁰ However, the availability of those classes is still insufficient. ECRI therefore welcomes the practice of the Croatian Employment Service to provide foreigners in search of work with vouchers allowing them to take language classes with one of the private language schools.

⁹³ Tesija, V. (2024, September 19). See also information about the scope of services offered by the centre in the UNHCR's [website](#).

⁹⁴ In addition, according to information received from the authorities, asylum-seeking children who reside in reception centres have access to some activities provided by the Croatian Red Cross and aimed at supporting them in schools, including additional language classes and other forms of assistance in preparation for school.

⁹⁵ Human Rights House Zagreb (2023b): 132-134; Croatian Law Centre (2024): 33; AIDA (2024a): 150.

⁹⁶ Ombudsperson of the Republic of Croatia (2023a): 120.

⁹⁷ Article 74 of the Law on International and Temporary Protection, Official Gazette of Croatia No. 70/2015, 24 June 2015.

⁹⁸ AIDA (2024a): 148; Ombudsperson of the Republic of Croatia (2024): 150.

⁹⁹ Ombudsperson of the Republic of Croatia (2023a): 120; Gregurović, S., Klempić Bogadi, S. (2022): 23.

¹⁰⁰ Ombudsperson of the Republic of Croatia (2024): 152; Human Rights House Zagreb (2023 b): 132.

61. ECRI strongly recommends that the authorities take the necessary measures to allow migrant children and adults to obtain a sufficient level of language proficiency in Croatian for successful integration and inclusion into the education system and the job market. The authorities should in particular improve the system of language instruction and support for children in schools, develop adequate learning materials and provide a sufficient number of language and integration classes for adults.

62. On a positive note, there have been some initiatives aimed at fostering the integration and inclusion of refugee schoolchildren through sports in the context of extracurricular activities. For instance, in 2022, the Croatian Football Federation made a financial commitment to support a project aimed at providing refugee children with possibilities to train in football, learn sports terminology in Croatian and join local sport clubs together with their Croatian peers.¹⁰¹

Access to health care

63. Beneficiaries of international protection reportedly face persistent problems in access to health care services. According to the relevant legislation, they are entitled to the same level of services as Croatian citizens registered with public health insurance. Nonetheless, in practice, they are often refused services or charged for them directly since healthcare professionals are not sufficiently familiar with related health insurance matters and applicable procedures.¹⁰² In addition, civil society organisations reported cases of discrimination of migrants by doctors or other healthcare professionals, including cases of denial of care based on harmful stereotypes regarding migrants being a source of diseases, especially during the Covid-19 pandemic.¹⁰³

64. The possibility for all migrants to receive adequate health care is also impeded by the lack of interpreters or cultural mediators employed in the public health system, and the absence of any other solution to meet interpretation needs between doctors and foreign patients.¹⁰⁴ In this respect, ECRI welcomes a pilot initiative, developed by civil society actors and supported by the authorities, to create a network of interpreters who would provide support to persons under international or temporary protection.¹⁰⁵ It encourages the authorities to build upon this initiative to address the issue of language barriers in the health sector.

65. ECRI recommends that the authorities ensure that all health care providers are familiar with applicable administrative procedures and make appropriate interpretation services available in the health sector for beneficiaries of international protection and other migrants.

B. Roma

Data and policies

66. During the 2021 census, 17 980 inhabitants (0.46% of the general population) declared themselves as Roma.¹⁰⁶ However, some estimates indicate that the actual number of Roma in Croatia may be higher, amounting to between 25 000 and 40 000 people.¹⁰⁷ Roma remain one of the groups with the highest level of social

¹⁰¹ For more on the “New Neighbours” project [see the website of the Network for Dialogue](#).

¹⁰² Gregurović, S., Klemić Bogadi, S. (2022): 18. The procedure for processing the costs of health care provided to beneficiaries of international protection is complicated, as this category of patients generally do not have a proper health insurance or identity number and the costs of their care have to be charged directly to the Ministry responsible for health. See also, AIDA (2024a): 152-153.

¹⁰³ Human Rights House Zagreb (2023b): 131.

¹⁰⁴ Abdoulie, J. et al. (2023): 27; Ombudsperson of the Republic of Croatia (2024): 150-151.

¹⁰⁵ AIDA (2024a): 154.

¹⁰⁶ Croatian Bureau of Statistics (2021a): table 1.

¹⁰⁷ Atanasov A., Kovačević N., Spitalszky A., Vukasović Ravlić Ž. (2021): 3.

distance from the majority of the population¹⁰⁸ and one of the groups most exposed to discrimination in everyday life.¹⁰⁹ They are also at a significantly higher risk of poverty and social exclusion than the rest of population.¹¹⁰

67. After the expiry of the National Roma Inclusion Strategy 2013-2020, a National Plan for Roma Inclusion 2021-2027 was adopted in June 2021.¹¹¹ It envisages actions and measures to be taken in seven main thematic areas: i) combating anti-Roma racism and discrimination, ii) reducing poverty and social exclusion, iii) ensuring Roma participation in public life, ensuring effective access to iv) quality education, v) employment, vi) health services and vii) desegregated housing. ECRI welcomes that the preparation of the National Plan was preceded by a comprehensive study collecting data on the socio-economic situation of the Roma community¹¹² and that the National Plan thoroughly refers to those data, using them as indicators for setting goals and for measuring the future rate of success of the policies and measures envisaged. ECRI also positively notes that the National Plan was prepared in consultation with civil society organisations and other partners and that it acknowledges the role of anti-Roma racism as one of the key obstacles to the inclusion of Roma in society. It trusts that strong coordination mechanisms, especially between national, regional and local authorities, will be established to ensure its effective implementation.

Housing situation

68. The housing situation of Roma remains a matter of concern, despite some modest progress. According to the results of a survey conducted in 2021, 55% of Roma lived in housing deprivation (in comparison with 69% in 2016), 84% lived in overcrowded households and 20% did not have access to running water in their dwellings.¹¹³ Access to water supply, electricity and a proper sewerage system is problematic in ethnically segregated settlements.¹¹⁴ Many of those settlements are in areas characterised by high levels of air and water pollution and face problems regarding garbage disposal.¹¹⁵ Moreover, in some instances, Roma are still subject to forced evictions without being provided with adequate alternative housing solutions.¹¹⁶
69. ECRI welcomes the significant efforts made by the authorities to improve the living conditions of Roma, in particular concerning support for the legalisation of buildings accommodating Roma families, the development of infrastructure and the increased number of community centres providing social services to the residents of Roma settlements.¹¹⁷ Against this background, ECRI notes with satisfaction that the National Plan for Roma Inclusion 2021-2027 considers ensuring access of

¹⁰⁸ According to the data collected by the Eurobarometer in 2023, 20% of Croatians would feel uncomfortable working alongside a Roma colleague; 43% would feel uncomfortable if their child was in a romantic relationship with a Roma person; and 28% would feel uncomfortable having a Roma person in the highest elected political position. European Commission (2023b).

¹⁰⁹ In a 2023 survey by the Eurobarometer, 59% of respondents in Croatia indicated that discrimination of Roma in the country is widespread. (European Commission (2023b)). See also the results of field visits by Roma mediators, which indicated that on occasion Roma are being excluded from hospitality establishments (Ombudsperson of the Republic of Croatia (2023a): 115-116).

¹¹⁰ According to a survey conducted in 2021 survey, 86% of Roma in Croatia were at risk of poverty and 29% lived in severe material deprivation. The corresponding numbers among the general population amounted to 18% and 7% respectively. On the positive note, the number of Roma living in severe material deprivation decreased significantly in comparison with a similar survey conducted in 2016 (when it amounted to 76%). See, EU FRA (2022): 25-27.

¹¹¹ Office for Human Rights and Rights of National Minorities of the Government of the Republic of Croatia (2021a).

¹¹² Kunac, S., Klasnić, K., Lalić, S. (2018); see also ECRI (2021a): 6.

¹¹³ EU FRA (2022): 52, 54 and 55.

¹¹⁴ Kunac, S., Klasnić, K., Lalić, S. (2018): 208. According to the data cited by the Ombudsperson of Croatia, approximately 46% of the Croatian Roma still live in such segregated settlements (Ombudsperson of the Republic of Croatia (2023b): 22).

¹¹⁵ Office for Human Rights and Rights of National Minorities of the Government of the Republic of Croatia (2021a): 34.

¹¹⁶ Ombudsperson of the Republic of Croatia (2023a): 117-118.

¹¹⁷ European network of legal experts in gender equality and non-discrimination (2024): 53-54.

Roma to suitable desegregated housing as one of its objectives. Yet, it is concerned that, according to many independent interlocutors met during the visit, progress has been insufficient¹¹⁸ and that providing housing for Roma in areas inhabited by the majority population still meets with opposition from local populations.¹¹⁹ As a result, in the areas where many Roma live, segregation in housing increases in practice.¹²⁰

70. ECRI recommends that the authorities take the necessary measures to enable Roma desegregation in housing, in particular by developing comprehensive programmes supporting the voluntary relocation of Roma inhabitants of segregated settlements to areas where they can mix with the rest of society. In doing so, the authorities should ensure close cooperation with the regional and local authorities and work with rental agencies, associations of private landlords and local communities to overcome any prejudices against Roma in the housing market.

Education

71. ECRI notes that there is still a significant gap between school attendance and attainment rates between Roma children and other pupils. Significant progress has been achieved regarding attendance in primary education with 95.2% of Roma children aged 7-14 attending school. However, the situation changes dramatically when it comes to secondary education with only 31.1% of Roma children (26.3% of girls and 35.9% of boys) aged 15-18 attending any type of secondary education.¹²¹ Roma who drop out of school often have difficulties finding employment. Consequently, 49% of young Roma (aged 16-24) are neither in employment nor in education (in comparison to 12% among the general population).¹²²
72. ECRI positively notes that the authorities adopted some measures aimed at increasing the number of Roma completing secondary education and continuing their studies in higher education institutions, including the development of a system of stipends for children continuing education and one-time financial awards at graduation from secondary school.¹²³ However, it considers that more should be done to tackle the root causes of school absenteeism and drop-out,¹²⁴ including by supporting children at earlier stages of education and working directly with parents. In this context, an important role is played by Roma assistants in schools, who do not only support children in education, but also constitute a direct link between schools and Roma communities.¹²⁵ Against this background, ECRI regrets that no new recruitment of Roma assistants working in schools on a permanent basis has been made since 2014.
73. Another negative factor for Roma inclusion in the field of education is the persisting problem of school segregation.¹²⁶ According to research conducted in the school

¹¹⁸ In this context, reference is made to the assessment of the Commission of the European Union, according to which measures in the area of desegregation in housing of Roma contained in the National Plan for Roma Inclusion should be more specific and lack an allocated budget, indicative timelines and source of funding. (European Commission (2023a): 30).

¹¹⁹ See, e.g., European network of legal experts in gender equality and non-discrimination (2024): 54-55; Ombudsperson of the Republic of Croatia (2024): 146; and Atanasov A., Kovačević N., Spitálszky A. and Vukasović Ravlić Ž. (2021): 11-12.

¹²⁰ See, Šlezak H. (2023).

¹²¹ Kunac, S., Klasnić, K., Lalić, S. (2018): 98 and 103.

¹²² EU FRA (2022): 45.

¹²³ See also UNICEF Croatia (2022): 40.

¹²⁴ According to the 2018 study commissioned by the authorities, the main reasons for children dropping out of education at this stage include the parents' financial situation, poor educational results at earlier stages of education and entering marriage or becoming a parent (Kunac, S., Klasnić, K., Lalić, S. (2018): 104).

¹²⁵ See also ACFC (2021): §§ 191, 196-198 and UNICEF Croatia (2022): 41.

¹²⁶ ECRI (2018a): § 78; ECRI (2012a): §§ 67-74; ECRI (2006): §§ 143, 145.

year 2022/2023, approximately 36% of Roma children attended completely ethnically segregated classes, and 54% attended classes where Roma constituted more than 70% of pupils.¹²⁷ To a significant degree, the proportion of Roma children in schools results from spatial segregation in respective municipalities. That said, in some parts of the country, it is also a result of the tendency by schools with lower share of Roma students to place them in separate classes and parents belonging to majority population to enrol their children into schools where there are no or few Roma children.¹²⁸

74. On a positive note, during its visit to Croatia, the ECRI delegation visited a primary school in Orehovica where long-term investment into infrastructure, the presence of Roma assistants and the commitment of the school management and teachers to providing conditions for the inclusion of Roma children resulted in the absence of segregated classes and above-average educational attainment of Roma students.
75. ECRI also welcomes the increasing number of Roma children attending the obligatory preschool programme¹²⁹ and encourages the authorities to explore the possibility of extending its length, especially for children who struggle with fluency in Croatian.
76. ECRI also notes that kindergarten education for Roma children is free of charge. It is nonetheless concerned with the shortage of places in kindergartens, lack of awareness of parents on the significance of early childhood education and the fact that in some municipalities enrolment in kindergarten is conditional on both parents being employed, which is often not the case in Roma families. Consequently, only 4.4% of Roma children aged three and 9.9% of children aged four attend early child education.¹³⁰
77. In this context, ECRI notes a joint initiative of civil society and some municipalities with a significant Roma population to create Play Hubs where children who do not attend kindergarten may play and participate in learning activities a couple of times a week.¹³¹ The Play Hubs are open to both Roma and majority population children and allow for inclusion and language learning activities. They also support families and older children by creating a space for meetings with parents and helping children already attending school with their homework. ECRI considers Play Hubs a **good practice**.
78. To conclude, ECRI considers that further action is required to create proper conditions for the inclusion of Roma children at various levels of education from kindergarten to secondary education.
79. ECRI strongly recommends that the authorities develop and implement a set of measures to facilitate Roma children inclusion by (i) ensuring the effective enrolment of Roma children in kindergarten and preschool education; (ii) establishing an effective drop-out monitoring mechanism at primary and secondary level to ensure the attendance of Roma children and reduce the drop-out risks, including among Roma girls; (iii) developing stronger policies aimed at ending segregation in schools and ensure their effective implementation and (iv) developing and adopting, in cooperation with civil society actors and Roma

¹²⁷ Ombudsperson of the Republic of Croatia (2024): 144. The study indicates a rise in school segregation in comparison with earlier data. See also EU FRA (2022): 40, which points to the same tendency.

¹²⁸ Ombudsperson of the Republic of Croatia (2023b): §§ 25 and 26; ACFC (2021): § 189.

¹²⁹ Kunac, S., Klasnić, K., Lalić, S. (2018): 95-96.

¹³⁰ For children aged 5, this percentage raised to 30.5% with 13.7% of children attending preschool at that age. See, S. Kunac, K. Klasnić, S. Lalić (2018): 96. In total only 31.1% of Roma children aged 3-6 attends some form of kindergarten or preschool education, in comparison with 82.8% among general population (see Office for Human Rights and Rights of National Minorities of the Government of the Republic of Croatia (2021a): 25).

¹³¹ Currently such PlayHubs operate in Sisak (in Sisak-Moslavina County) and in Orehovica, Kuršanec, Držimurec Strelec and Pribislavec (all in Međimurje County). For more on this initiative see the website of the [Romani Early Years Network](#).

communities, targeted measures aimed at supporting Roma children throughout their education, including by ensuring an adequate number of Roma assistants in schools.

Employment

80. Roma still face significant challenges in finding employment. According to estimates provided by the authorities, at the end of December 2023, they constituted 3.03% of unemployed persons in Croatia.¹³² The main obstacles to employment of Roma include the level of education, knowledge of Croatian language and structural forms of discrimination on the labour market as many employers are said to refuse to employ Roma or consider that doing so could harm their business.¹³³ The Croatian Employment Service offers unemployed Roma access to education and training programmes, as well as individualised counselling and other activities aimed at professional activation.¹³⁴
81. It emerged from ECRI's findings during the 2024 visit to Croatia that the problem of underrepresentation of Roma in public administration persists. At the end of 2023, ten persons with a Roma background were employed as civil servants and government employees at national level and four at the level of local and regional authorities.¹³⁵ In this context, ECRI encourages the authorities to take more resolute measures aimed at providing proportional representation of Roma in public administrations and to promote employment of Roma among private business owners.

Health care

82. The life expectancy of Roma women in Croatia is 15.7 years lower than that of the general population and life expectancy of Roma men is 10.7 years lower than that of the general population.¹³⁶ Therefore, providing all Roma with quality healthcare, including preventive programmes and health education, remains a pressing issue. The main barriers in accessing health care include the lack of education, the language barriers, experiences of discrimination by healthcare professionals and the lack of public transport to health centres from more remote settlements. In addition, 11% of Roma do not have health insurance,¹³⁷ mainly due to the failure to fulfil administrative requirements related to registration with the public health insurance.¹³⁸
83. ECRI regrets to learn that the employment of Roma mediators in health care system had been discontinued due to resistance from the medical community and concerns regarding medical confidentiality. ECRI considers that such concerns can and should rather be addressed through appropriate safeguards and training of the mediators and healthcare staff.

¹³² See also results of 2021 survey which indicate that 41% of Croatian Roma aged 20-64 declared paid work as their main occupation (EU FRA (2022): 43).

¹³³ A 2022 study conducted by the Ombudsperson of Croatia concluded that 55% of respondents believe that most of the Roma live on social welfare and do not want to work, slightly more than 25% indicate that Roma working in the service industry would deter clients and almost the same percentage of respondents indicate that if they were a business owner, they would have a problem hiring a Roma person (Ombudsperson of the Republic of Croatia (2023a): 114). For more on this study see also Ombudsperson of the Republic of Croatia (2022): 17-20).

¹³⁴ According to the data collected by the Croatian Employment Service, in 2023 only, 458 Roma were newly included in employment, including due to those measures. Most of them (310 persons) were employed through financing or co-financing in public works.

¹³⁵ Data provided by the authorities. At national level, only 0.02% of public servants were Roma. See also Ombudsperson of the Republic of Croatia (2024): 134.

¹³⁶ EU FRA (2022): 48.

¹³⁷ EU FRA (2022): 50 and Office for Human Rights and Rights of National Minorities of the Government of the Republic of Croatia (2021a): 35. In this context see also UN CERD (2023): § 22 (e).

¹³⁸ Those include *inter alia* strict time limits for registration for persons who are unemployed and not in education, when they reach the age of 18. See also, ACFC (2021): §§ 246-248.

84. ECRI recommends, as a matter of priority, that the authorities intensify their efforts to provide quality health care to the Roma population by employing a significant number of Roma mediators in the field of health care and developing and implementing an outreach programme regarding access to the health care system and raising health awareness, especially among Roma women and girls.

85. The gaps in the provision of sufficient support to Roma communities to access health care are partly filled by the outreach activities conducted by civil society organisations, including *Médecins du Monde*. Mobile teams of doctors, other medical professionals and social workers present in Međimurje county provide basic health prevention and awareness activities directly in Roma settlements, as well as assist inhabitants of those settlements in booking medical appointments and other issues related to health care. ECRI considers that presence of such teams is a **good practice** and it should be further supported.¹³⁹

C. Ethnic Serbs

86. According to the results of the 2021 census, ethnic Serbs constitute the biggest minority group in Croatia with 123 892 people (i.e. 3.2% of population).¹⁴⁰ This group includes a significant number of persons who fled Croatia during the 1991-1995 war and have returned since. Ethnic Serbs continue to experience problems related to the reconstruction of their properties and the lack of adequate infrastructure in the areas inhabited mostly by returnees. Despite some progress, at the end of 2023, there were still over 1 000 households that needed re-electrification after the loss of electricity during and after the war.¹⁴¹ Some villages also continued to be deprived of access to the water supply network.¹⁴² In addition, there have been reports of illegal landfills being placed in the proximity of houses belonging to ethnic Serbs and of inaction of the authorities responsible for removing them, as well as of plans to set up nuclear waste facilities in a municipality with a large Serb population.¹⁴³ The housing situation of ethnic Serbs has also deteriorated as a result of the 2020 earthquake that hit Sisak-Moslavina County where many ethnic Serbs live.¹⁴⁴

87. ECRI recommends that the authorities redouble their efforts to provide all areas and settlements inhabited mostly by ethnic Serbs, including returnees, with access to electricity and running water and adequate protection from adverse impact of landfills and other environmentally hazardous activities.

88. On a positive note, the authorities have also been creating and funding Serb cultural and community centres in areas where such facilities have not been present since 1995. In the view of the interlocutors met by the ECRI delegation during the visit, such centres serve whole communities by offering their activities to ethnic Serbs as well as to majority population, and should be regarded as a **promising practice**.

89. ECRI notes that the level of employment of ethnic Serbs in public service remains low.¹⁴⁵ At the end of 2023, Serbs constituted 1.83% of civil servants at national level and 1,61% at local and regional level.¹⁴⁶ In this context, the relevant legislation provides for a preference in employment in the civil service for persons belonging

¹³⁹ The project includes some support from local authorities, including limited financial support and – where available – a possibility to use premises of social centres managed by the local authorities.

¹⁴⁰ Croatian Bureau of Statistics (2021a): table 1.

¹⁴¹ Ombudsperson of the Republic of Croatia (2024): 148.

¹⁴² Serb National Council (2024): 29.

¹⁴³ Serb National Council (2024): 29-30.

¹⁴⁴ European network of legal experts in gender equality and non-discrimination (2024): 52-53.

¹⁴⁵ In this respect, see also the work of the Advisory Committee on the Framework Convention for the Protection of National Minorities, in particular ACFC (2021): §§ 232-237.

¹⁴⁶ Data submitted by the authorities. See also Ombudsperson of the Republic of Croatia (2024): 134.

to national minorities in case of equal results in a recruitment procedure.¹⁴⁷ However, such preference is rarely applied in practice and does not contribute to a significant increase in the number of ethnic Serbs working in public administrations.¹⁴⁸ ECRI encourages the authorities to introduce stronger measures aimed at promoting the employment of ethnic Serbs in public service and providing them with equal opportunities for career development.

IV. TOPICS SPECIFIC TO CROATIA

Racial profiling by law enforcement officials

90. During its visit to Croatia, the ECRI delegation heard many accounts of racial profiling by law enforcement officials that impacts especially Roma, migrants and people of African descent. Those accounts concern identity checks inside the country's territory as well as cases of stop and search by border police officers, especially at the Zagreb airport.¹⁴⁹
91. In this context, ECRI notes that the Croatian law does not contain a clear prohibition of racial profiling by law enforcement officials.¹⁵⁰ The authorities do not collect appropriately disaggregated data on police stop and account/search activities and do not seem to be aware of the scale of the issue. They do not seem to have considered the existence of racial profiling as a form of potential institutional racism, nor to sufficiently address the issue in the training of law enforcement officials. ECRI reiterates that racial profiling has considerably negative effects, generating a feeling of humiliation and injustice among affected groups and resulting in stigmatisation and alienation. It is also detrimental to overall security, as it erodes public trust in the police and contributes to underreporting of crime.
92. ECRI recommends that the authorities take preventive measures to address the emergence and development of any racial profiling practices among law enforcement officials by: i) introducing legislation clearly defining and prohibiting racial profiling by law enforcement officials and guaranteeing that police action, in particular the use of stop and account/search powers, be based on the existence of a reasonable suspicion that is founded on objective criteria; ii) organising initial and ongoing trainings for law enforcement officials, including border police officers, on racial profiling and on the use of the reasonable suspicion standard; and iii) introducing an effective system of recording identity checks by law enforcement officials with the aim of detecting and addressing any racial profiling practices.

¹⁴⁷ Article 22 of the Constitutional Act on the Rights of National Minorities, Official Gazette of Croatia No. 155/2002, 23 December 2002.

¹⁴⁸ Ombudsperson of the Republic of Croatia (2024): 135.

¹⁴⁹ See also ENAR and Centre for Peace Studies (2024, June 24).

¹⁵⁰ See also UN CERD (2023): § 18.

INTERIM FOLLOW-UP RECOMMENDATIONS

The two specific recommendations for which ECRI requests priority implementation from the authorities of Croatia are the following:

- (§ 56) ECRI recommends that the authorities develop and adopt a comprehensive national strategy or action plan for the integration and inclusion of beneficiaries of international protection and other groups of migrants. The development of the strategy or the action plan should include consultations with civil society organisations and other stakeholders and sufficient financial resources should be allocated to the future implementation of the strategy or action plan. In developing such a document, the authorities may draw inspiration from the Council of Europe's Model Framework for an Intercultural Integration Strategy at the National Level.
- (§ 84) ECRI recommends that the authorities intensify their efforts to provide quality health care to the Roma population by employing a significant number of Roma mediators in the field of health care and developing and implementing an outreach programme regarding access to the health care system and raising health awareness, especially among Roma women and girls.

A process of interim follow-up for these two recommendations will be conducted by ECRI no later than two years following the publication of this report.

LIST OF RECOMMENDATIONS

The position of the recommendations in the text of the report is shown in parentheses.

1. (§ 4) ECRI strongly recommends that the authorities review the legislation pertaining to the Ombudspersons and specialised ombudspersons and bring forward legislative amendments so that i) the Ombudsperson, the Ombudsperson for Gender Equality and the Ombudsperson for Children are granted the right to bring civil cases concerning an individual person and ii) the reports of the Ombudsperson, the Ombudsperson for Gender Equality and the Ombudsperson for Children are not voted on by the Parliament and the legal provisions providing for the dismissal of specialised ombudspersons in case of parliamentary rejection of their annual reports are repealed.
2. (§ 12) ECRI recommends that the authorities further strengthen human rights and equality education, in particular by: i) intensifying initial and ongoing training for teachers on human rights, including on equality, diversity, and inclusion issues; ii) ensuring that school curricula at all levels of education include LGBTI equality issues in a manner which is sensitive, age appropriate and easy to understand and that discussions on LGBTI equality are evidence based and place particular emphasis on equality, diversity and inclusion.
3. (§ 23) ECRI recommends that the authorities, in line with its General Policy Recommendation No. 17 on combating intolerance and discrimination against LGBTI persons, ensure that the process of legal gender recognition is quick, transparent and accessible and that it is not contingent on abusive requirements, such as medical procedures and/or mental health diagnoses.
4. (§ 25) ECRI recommends that the authorities take action to protect the human rights of intersex persons, in line with ECRI's General Policy Recommendation No. 17 on combating intolerance and discrimination against LGBTI persons, by (i) taking action towards the development and adoption of a specific legislation banning medically unnecessary "sex normalising" surgeries and other non-therapeutic treatments until such time as an intersex child is able to participate in the decision, based on the principle of free and informed consent; (ii) providing appropriate training to all healthcare professionals and policy makers, which emphasises that intersex persons have the right to bodily integrity and diversity.
5. (§ 35) ECRI strongly recommends that the authorities intensify their efforts to raise awareness of the dangers of racist and LGBTI-phobic hate speech, especially among children and young people. In this connection, the authorities should take targeted measures aimed at increasing digital media literacy and at raising awareness among children and youth about the hateful and illegal character of using symbols and slogans of fascist regimes in the public sphere.
6. (§ 41) ECRI recommends that public figures, including high-level officials and politicians on all sides, are strongly encouraged to take a prompt, firm and public stance against the expression of racist and LGBTI-phobic hate speech and react to any such expression with counter-speech and alternative speech, as well as to promote understanding between communities, including by expressing solidarity with those targeted by hate speech. Elected bodies and political parties should adopt appropriate codes of conduct that prohibit the use of hate speech, call on their members and followers to abstain from engaging in, endorsing or disseminating it, and provide for sanctions. In this respect, ECRI refers to its General Policy Recommendation No. 15 on combating hate speech, Recommendation CM/Rec(2022)16 of the Committee of Ministers to member States on combating hate speech and the Charter of European political parties for a non-racist and inclusive society as endorsed by the Parliamentary Assembly of the Council of Europe in its Resolution 2443 (2022).

7. (§ 43) ECRI recommends that the authorities, with due regard for the independence of the media, take measures aimed at promoting equality and diversity, raising awareness of the adverse effects of hate speech, and preventing and combating misinformation and negative stereotyping in traditional and online media, including by encouraging the development and provision of training programmes for journalists, editors and online content moderators on inclusive reporting and on preventing and combating hate speech.
8. (§ 56) ECRI recommends, as a matter of priority, that the authorities develop and adopt a comprehensive national strategy or action plan for the integration and inclusion of beneficiaries of international protection and other groups of migrants. The development of the strategy or the action plan should include consultations with civil society organisations and other stakeholders and sufficient financial resources should be allocated to the future implementation of the strategy or action plan. In developing such a document, the authorities may draw inspiration from the Council of Europe's Model Framework for an Intercultural Integration Strategy at the National Level.
9. (§ 61) ECRI strongly recommends that the authorities take the necessary measures to allow migrant children and adults to obtain a sufficient level of language proficiency in Croatian for successful integration and inclusion into the education system and the job market. The authorities should in particular improve the system of language instruction and support for children in schools, develop adequate learning materials and provide a sufficient number of language and integration classes for adults.
10. (§ 65) ECRI recommends that the authorities ensure that all health care providers are familiar with applicable administrative procedures and make appropriate interpretation services available in the health sector for beneficiaries of international protection and other migrants.
11. (§ 70) ECRI recommends that the authorities take the necessary measures to enable Roma desegregation in housing, in particular by developing comprehensive programmes supporting the voluntary relocation of Roma inhabitants of segregated settlements to areas where they can mix with the rest of society. In doing so, the authorities should ensure close cooperation with the regional and local authorities and work with rental agencies, associations of private landlords and local communities to overcome any prejudices against Roma in the housing market.
12. (§ 79) ECRI strongly recommends that the authorities develop and implement a set of measures to facilitate Roma children inclusion by (i) ensuring the effective enrolment of Roma children in kindergarten and preschool education; (ii) establishing an effective drop-out monitoring mechanism at primary and secondary level to ensure the attendance of Roma children and reduce the drop-out risks, including among Roma girls; (iii) developing stronger policies aimed at ending segregation in schools and ensure their effective implementation and (iv) developing and adopting, in cooperation with civil society actors and Roma communities, targeted measures aimed at supporting Roma children throughout their education, including by ensuring an adequate number of Roma assistants in schools.
13. (§ 84) ECRI recommends, as a matter of priority, that the authorities intensify their efforts to provide quality health care to the Roma population by employing a significant number of Roma mediators in the field of health care and developing and implementing an outreach programme regarding access to the health care system and raising health awareness, especially among Roma women and girls.
14. (§ 87) ECRI recommends that the authorities redouble their efforts to provide all areas and settlements inhabited mostly by ethnic Serbs, including returnees, with

access to electricity and running water and adequate protection from adverse impact of landfills and other environmentally hazardous activities.

15. (§ 92) ECRI recommends that the authorities take preventive measures to address the emergence and development of any racial profiling practices among law enforcement officials by: i) introducing legislation clearly defining and prohibiting racial profiling by law enforcement officials and guaranteeing that police action, in particular the use of stop and account/search powers, be based on the existence of a reasonable suspicion that is founded on objective criteria; ii) organising initial and ongoing trainings for law enforcement officials, including border police officers, on racial profiling and on the use of the reasonable suspicion standard; and iii) introducing an effective system of recording identity checks by law enforcement officials with the aim of detecting and addressing any racial profiling practices.

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APPENDIX: GOVERNMENT'S VIEWPOINT

The following appendix does not form part of ECRI's analysis and proposals concerning the situation in Croatia.

ECRI, in accordance with its country-by-country procedure, engaged into confidential dialogue with the authorities of Croatia on a first draft of the report. A number of the authorities' comments were taken on board and integrated into the report's final version (which, in line with ECRI's standard practice and unless otherwise indicated, could only take into account developments up until 20 November 2024, date of the examination of the first draft).

The authorities also requested that the following viewpoint be reproduced as an appendix to the report.

Observations provided by the Croatian authorities concerning the ECRI's sixth-cycle report on Croatia

The Government of the Republic of Croatia appreciates that progress and good practices have been recognized by ECRI in a number of fields. The Croatian Government attaches great importance to the promotion and protection of human rights and fundamental freedoms, on national level as well as internationally. There is a clear understanding that special attention must be given to the fight against discrimination and intolerance in the society, and Croatia is fully determined to take into consideration the issued recommendations in order to further improve the situation in this field.

In reference to **paragraph 66** and the number of Roma in Croatia we emphasise that The Government Office for Human Rights and Rights of National Minorities conducted a significant research which established that the Roma population in Croatia is no higher than 25 000. According to the 2021 official Census, Croatia has 3 878 981 inhabitants, of which 0,46 % are Roma (less than 18 000).

Regarding Chapter III, Part B, which refers to members of the Roma population (**paragraphs 82-85**), we wish to emphasize our continuous efforts to improve the provision of health services to the Roma population and the employment of a significant number of Roma mediators in the field of health, as well as the establishment of the “outreach” programmes to raise awareness about health, especially among women and girls belonging to the Roma population. Two important strategic documents in this area are the Action Plan for the Suppression of Discrimination for 2024 and 2025 and the Action Plan for the Protection and Promotion of Human Rights for 2024 and 2025, which contain several activities aimed at increasing the level of protection and improvement of health of the Roma in the Republic of Croatia.

In reference to **paragraph 32** we would like to emphasize that the legislative framework in Croatia guarantees and regulates a wide range of rights of national minorities, including their guaranteed representation in the Croatian Parliament. Thus, representatives of minorities actively participate in the political decision-making processes at local, regional and national level. In this vein, out of eight seats reserved for national minorities, the Serb national minority has three guaranteed seats in Parliament. Particularly in the preceding period, national minority rights have been additionally improved in most fields. Croatia continuously upgrades its system of protection of national minorities through continuous dialogue with national minority representatives at all levels. In Croatia, there is a long tradition of coexistence of people belonging to different religious, cultural or national groups. The Croatian Parliament recognized Islam as an equal religion already in 1916, as the second parliament in Europe to do so. The representatives of the Islamic community in Croatia, mostly comprised of Bosniaks, in many occasions pointed out that there is a general satisfaction among Muslims with their status in Croatia and their integration in Croatia is often described as one of the brightest examples in Europe.

Regarding **paragraph 86** of the draft report, we underline that the end of the Homeland War in Croatia in 1995 marked the beginning of the process of rebuilding and reconstruction. Croatia has invested enormous political, financial, and general societal efforts in the process of rebuilding both our country and the fabric of our society. Croatia suffered enormous war damage during the aggression, the consequences of which are still felt. The direct war damages in Croatia amounted to more than 37 billion euros, which at the time represented 160 per cent of Croatia's pre-war GDP. This figure does not include even larger indirect damages, such as economic stagnation and under-development. More than 250 thousand housing units were destroyed during the aggression, which represented 15 per cent of Croatia's total national housing stock. Croatia had invested more than 3 billion euros in their reconstruction, especially in the formerly occupied territories of

Croatia. This in turn allowed for hundreds of thousands of refugees and internally displaced persons to return to their homes.

More recently, while efforts were ongoing to ensure adequate infrastructure in certain rural and less inhabited areas, two devastating earthquakes hit Croatia in 2020. Until March 2025, more than 3.5 billion euros were invested in reconstruction of private and public buildings and infrastructure, out of which 1.49 billion in areas where also many members of the Serb minority live.

During the period from 2020 to 2024, 103 regional projects and activities were co-financed by the Government in areas lagging behind other areas in the country in terms of development (so-called assisted areas), with a total value of EUR 3.5 million, with the view of providing sustainable return of the population to the aforementioned areas. The Government continuously increases the amount of financial support for the so-called assisted areas every year in order to improve the standard of living in those areas.

Regarding the **paragraphs 81 and 89** of the draft report, we wish to point out that on 31 December 2023 there were 47 367 civil servants and employees employed in state administration bodies, professional services, and offices of the Government of the Republic of Croatia, out of which 1,381 or 2.92% were members of national minorities. Pursuant to the Civil Servants Act ("Official Gazette", No. 155/23 and 85/24), from 1 November 2024, all public tenders for employment for an indefinite and fixed term are published on the website of the Ministry of Justice, Public Administration and Digital Transformation, in the Centralized Employment System, and the notification is published on the website of the employing state body. The provisions on the admission, rights, obligations and responsibilities of civil servants are applied accordingly to the admission and termination of service and the rights, obligations and responsibilities of employees. The Ministry of Justice, Public Administration and Digital Transformation through the Centralized Employment System enables candidates to invoke the right of priority based on belonging to a national minority, in accordance with the provisions of Article 22, Paragraph 2 of the Constitutional Act on the Rights of National Minorities ("Official Gazette", No. 155/02, 47 /10, 80/10 and 93/11). Candidates who claim priority on this basis are not obliged to prove their nationality and have priority over other candidates only under equal conditions. The Ministry of Justice, Public Administration and Digital Transformation informs members of national minorities about the aforementioned right by means of answering the inquiries received by e-mail, by telephone, as well as by publication on its website.

As regards the finding in the **paragraph 57** relating to insufficient information on the scope of migrants' rights and procedures applicable to them, we would like to point out that, when their application for international protection is received, all applicants for international protection are provided with the "Information form for international protection applicants on their rights, obligations and the procedure for granting international protection" in the presence of an interpreter and generally in the language and script used by the applicants. This information form contains explanations of their rights and obligations during the procedure. Likewise, leaflets related to the procedure for granting international protection, which were designed as a result of cooperation between the Ministry of the Interior, UNHCR and the Croatian Law Centre are displayed in all visible places in reception centres. Some of these leaflets are designed in such a way that information can be read via QR codes.

Regarding Chapter III, **paragraphs 63-65**, related to access to health care, we wish to point out that every year an increasing number of persons seeking international protection are present in Reception Centres housing applicants for international protection. The necessary medical examinations are performed by doctors from an international

organisation (*Médecins du Monde* ASBL / *Dokters van de Wereld* VZW), which is financed through the “6P - Support in providing health care to international protection seekers” project under the Asylum, Migration and Integration Fund. The project holder is the Ministry of Health, and the project ensures the possibility of continuous, individualised, language specific and culturally aware support for providing health monitoring and care in shelters. Activities carried out as part of the project relate to the first medical exam of newly arrived applicants for international protection, providing individual psychological/psychotherapeutic consultations and managing individual cases, arranging specialist psychiatric examinations along with providing transportation and escorts, arranging appointments for specialist and diagnostic medical exams by referrals issued by the primary health care doctor of the competent health care centre. Furthermore, activities also include providing transportation and escorts to specialist and diagnostic medical exams, continually providing medical consultations in reception centres for international protection seekers, providing information on access to health care, information on hygiene and prevention of infectious diseases, information on family planning, producing information leaflets and posters as well as providing interpreters when using health services.

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The European Commission against Racism and Intolerance (ECRI) is a unique human rights monitoring body which specialises in questions relating to the fight against racism, discrimination (on grounds of “race”, ethnic/national origin, colour, citizenship, religion, language, sexual orientation and gender identity), xenophobia, antisemitism and intolerance in Europe; it prepares reports and issues recommendations to member States.