

Amnesty International Report 2021/22; The State of the World's Human Rights; Croatia 2021

Asylum seekers were denied access to asylum; the police pushed back and abused people entering irregularly. The legal framework on gender-based violence was further improved, but cases continued to rise. Access to abortion remained severely constrained. Same-sex couples were granted the right to adopt children. Defamation lawsuits threatened the work of journalists and the media.

Refugees' and migrants' rights

Croatia continued to deny access to asylum to thousands of potential asylum seekers. Aid organizations documented around 10,000 cases of pushbacks and collective expulsions, and numerous instances of violence and abuse. In February, the Danish Refugee Council reported that two women were sexually abused, forced to strip naked, held at gunpoint and threatened with rape by Croatian police officers. The Ministry of the Interior denied the reports.

The Council of Europe Human Rights Commissioner said that the consistent allegations pointed to an established practice of collective expulsions and ill-treatment of migrants and a lack of prompt investigations. In July, the UN Special Rapporteur on the human rights of migrants also acknowledged reports of widespread pushbacks from Croatian territory along with reports of theft, destruction of property, physical abuse and assault.

In April, the Constitutional Court found that Croatia violated an Afghan family's right to asylum by forcibly returning them to Serbia in 2018 without adequately assessing the risks of such a return. In November, the European Court of Human Rights ruled that Croatia violated the European Convention on Human Rights when the same family was pushed back to Serbia in 2017. On that occasion Madina Hussiny, a six-year-old Afghan girl, was killed by a train. In December, the High Misdemeanour Court in Zagreb confirmed a lower court decision finding an Are You Syrious volunteer – who had helped the Afghan family to seek asylum – guilty of “assisting migrants in illegal crossing of the border” and ordered him to pay a fine of 60,000 HRK (around €8,000) plus court fees.

Courts in Italy and Austria also found that the chain expulsions of asylum seekers from those countries to Slovenia and further on to Croatia based on bilateral agreements were in breach of international law and subjected the victims to degrading treatment at the hands of the Croatian police.

In June, the authorities established a monitoring mechanism to investigate reports of human rights violations on Croatia's borders. However, human rights organizations warned that the body lacked independence and a robust mandate to effectively address the violations.¹

In October, a group of European media outlets published an investigative report showing footage of Croatian special police beating unarmed asylum seekers before pushing them back into Bosnia and Herzegovina.² The report prompted an internal investigation that resulted in the suspension of the police officers involved. The authorities considered it an isolated incident, but NGOs maintained that violent pushbacks from the country's borders are widespread and systemic.

In December, the Council of Europe's Committee for the Prevention of Torture said that it found numerous credible reports of serious ill-treatment of migrants and asylum seekers by Croatian police during their earlier visit to the border.³

Recognition rates of asylum seekers remained low, with only 42 people granted international protection by the end of the year.

Violence against women and girls

There were notable improvements in strengthening the fight against gender-based violence. The criminal code was amended to allow *ex officio* prosecution of gender-based violence where the victim is unable or unwilling to press charges, to criminalize “revenge porn” and to broaden the definition of “intimate partner” to include both former and current partners, in line with the standards in the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention).

The authorities, however, reported a continued increase in gender-based violence, including rape and domestic violence. The Ombudsperson for Gender Equality urged the authorities to further strengthen prevention and education programmes.

Sexual and reproductive rights

Access to sexual and reproductive services was restricted by the widespread refusal of individual doctors and some clinics to perform abortions on grounds of conscience, the prohibitively high costs of services and poor regional coverage of authorized providers. This had a disproportionate effect on those with limited resources.

LGBTI people's rights

In April, a court in the capital, Zagreb, backed the right of same-sex couples to adopt children.

For the first time in over a decade, the annual Pride event in Zagreb in July was marked by a series of physical and verbal homophobic attacks and the burning of a rainbow LGBTI flag. A journalist covering Pride was among those attacked. Several people were detained.

Freedom of expression

Journalists continued to be the target of threats and intimidation, both online and offline, and faced gagging orders and frequent lawsuits.

In September, a court in Zagreb issued a temporary injunction against the news website H-alter, barring all reporting on a local childcare clinic and its director; the website had published a series of articles alleging that the clinic favoured fathers in custody disputes even when the fathers have been found unfit. The authorities distanced themselves from the court decision.

The Croatian Journalists' Association reported that there were over 900 active criminal defamation lawsuits against journalists and media. The majority of the lawsuits were filed by politicians, public officials and even the public broadcaster itself. The Association warned that these lawsuits have an intimidating effect and pose a particular threat to smaller media outlets and independent journalists. The European Federation of Journalists urged the authorities to decriminalize defamation and ensure it is treated as a civil matter, and to put in place a framework to prevent defamation lawsuits that are simply intended to silence criticism.

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1. *Croatia/EU: Strengthen Border Monitoring System – Effective Mechanism Needed: Independent, Broad Mandate, Adequate Resources* (Index: EUR 64/4546/2021), 3 August
 2. [“EU: New evidence of systematic unlawful pushbacks and violence at borders”, 6 October](#)
 3. [“Croatia: Damning new report slams systemic police abuses at country's borders”, 3 December](#)

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