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Human Rights Committee**Concluding observations on the fourth periodic report of Croatia***

1. The Committee considered the 4th periodic report of Croatia¹ at its (4116th and 4117th meetings,² held on 2 and 3 July 2024. At its 4140th meeting, held on 18 July 2024, it adopted the present concluding observations.

A. Introduction

2. The Committee welcomes the submission of the fourth report of Croatia and the information presented therein. It expresses appreciation for the opportunity to renew its constructive dialogue with the State party's high-level delegation on the measures taken during the reporting period to implement the provisions of the Covenant. The Committee also expresses its appreciation to the State party for its written replies (CCPR/C/HRV/RQ/4) to the list of issues (CCPR/C/HRV/Q/4), supplemented by the oral responses provided by the delegation, and for the supplementary information provided in writing.

B. Positive aspects

3. The Committee welcomes the adoption of the following legislative, policy and institutional measures taken by the State party:

- a) Amendment of the Labour Act in 2023 obliging employers to ensure equal pay for work of equal value;
- b) Act on Civilian Victims of the Homeland War, in 2021;
- c) Act on Missing Persons from the Homeland War, in 2019;
- d) Law on Protection against Domestic Violence, in 2018.
- e) Law on the Rights of Victims of Sexual Violence in the Homeland War, in 2015
- f) National Plan for Protecting and Promoting Human Rights and Combating Discrimination (2023–2027);
- g) National Plan for the Rights of the Child for 2022–2026;
- h) National Plan to Combat Poverty and Social Exclusion for 2021–2027;
- i) National Plan for the Inclusion of Roma for 2021–2027;
- j) National Plan against Trafficking in Human Beings 2018-2021;

* Adopted by the Committee at its 141st session (1-23 July 2024).

¹ [CCPR/C/HRV/4](#).

² See [CCPR/C/SR.4116](#) and [CCPR/C/SR.4117](#).

- k) National Plan for the Suppression of Sexual Violence and Sexual Harassment;
- l) National Plan for Gender Equality;
- m) National Plan for Equalization of Opportunities for Persons with Disabilities;
- n) Protocol for Procedure in Cases of Hate Crimes.

4. The Committee welcomes the ratification by the State party of the International Convention for the Protection of All Persons from Enforced Disappearance in 2022.

C. Principal matters of concern and recommendations

Implementation of the Committee's Concluding observations and Views

5. The Committee is concerned about the absence of a national mechanism to coordinate and monitor the implementation of its Concluding observations and Views on individual communications (art. 2).

6. **The State party should ensure that the Committee's Concluding observations and Views are systematically implemented. To this effect, it should expedite the establishment of a specific mechanism for coordinating and monitoring the implementation of the Concluding observations and Views issued by United Nations treaty bodies, setting a clear and specific timeline for its establishment.**

Dissemination of the Covenant

7. While noting the information provided by the State party on human rights training provided to judges, prosecutors and lawyers, the Committee is concerned about the seeming lack of specific training on the Covenant and its first Optional Protocol for legal professionals, and the lack of awareness of the Covenant and its first Optional Protocol among the general public (art. 2).

8. **The State party should provide specific training on the Covenant and its first Optional Protocol to judges, prosecutors, lawyers and public officials, including law enforcement officers. The State party should also take appropriate measures to raise awareness among the general public about the Covenant and its first Optional Protocol, including the possibility for individuals to submit complaints to the Committee, and translate and widely disseminate the Committee's Concluding observations and Views.**

Anti-corruption measures

9. While noting the legislative, institutional and policy framework in place to combat corruption, including the Act on Prevention of Conflicts of Interest adopted in 2021 and the new Law on the protection of reporters of irregularities adopted in 2022, the Committee is concerned at the reportedly inconsistent application of this framework resulting in the continued prevalence of corruption particularly in regard to publicly owned or publicly controlled companies, including at the regional and local level. While noting the statistical information provided on corruption-related indictments and judgments, the Committee is concerned about the low number of prosecutions and convictions, in particular for high-level corruption offences, the reported lack of capacity of the Commission for the Resolution of Conflicts of Interest, and the insufficient protection of whistle-blowers (arts. 2 and 25).

10. **The State party should take all necessary measures to strengthen implementation and enforcement of its legislative and policy framework on corruption. In particular the State party should:**

(a) **Take appropriate measures to strengthen and accelerate the investigation, prosecution of all cases of corruption, particularly those involving high-level public officials and politicians, and ensure that perpetrators, if found guilty, are sanctioned adequately, and that victims receive full reparation;**

(b) **Ensure effective implementation of the Act on Prevention of Conflicts of Interest adopted in 2021, notably by strengthening the capacity of the Commission for**

the Resolution of Conflict of Interest, including by providing it with the necessary human, financial and technical resources to allow it to undertake systematic and thorough verification of asset declarations and effectively pursue non-compliance with reporting obligations under the Act;

(c) Enhance enforcement measures to address corruption, including by ensuring effective confiscation of illegally obtained gain by the Office for the Suppression of Corruption and Organized Crime (USKOK);

(d) Provide effective training to law enforcement officials, prosecutors and judges on detecting, investigating and prosecuting corruption and related offences;

(e) Guarantee effective protection for whistle-blowers, including by providing targeted training for employers and persons fulfilling the role of internal reporting channel on the new Law on the protection of reporters of irregularities adopted in 2022;

(f) Ensure effective implementation of the Lobbying Act, adopted in March 2024, in order to effectively regulate communication between lobbyists and high-level public officials and politicians;

(g) Continue to implement training and awareness-raising campaigns to inform public officials, politicians, the business community and the general public about the economic and social costs of corruption and the mechanisms in place to address it.

Accountability for past human rights violations

11. Recalling its previous recommendations (para. 12), and while acknowledging challenges faced by the State party in regard to cooperation with neighbouring countries the Committee reiterates its concern at the slow pace of progress in investigating and prosecuting war crimes during the armed conflict, as well as reports indicating a continued ethnic bias in judicial proceedings, particularly with regard to the selection of cases for prosecution. While welcoming the adoption of the Civilian Homeland War Victims Act in 2021, the Committee is concerned at reports indicating excessively onerous documentation requirements for the granting of victim status and an alleged ethnic bias in its application, and is also concerned about the restrictive and problematic implementation of the law for victims of sexual violence adopted in 2015. The Committee remains concerned about the difficulties faced by individuals applying through the courts for compensation from the State party for human rights violations during the conflict, including excessive burden of proof requirements, the application of statutes of limitations, and the imposition of excessively high court fees on persons whose applications are rejected (arts. 2, 6, 7, 9 and 16).

12. **The State party should continue and enhance efforts to ensure accountability for past human rights violations, including by:**

(a) Strengthening cooperation with prosecutors' offices in neighbouring countries and territories, ensuring that accused persons are located and tried;

(b) Expediting the investigation, prosecution and trial of all cases, based on a strategy grounded in the principle of non-discrimination, regardless of the ethnicity of the victim or the perpetrator, and ensuring that perpetrators, if convicted, are sanctioned in a manner commensurate with the gravity of the acts committed;

(c) Ensuring that all victims and their families receive full reparation for human rights violations, including acts of sexual violence, and adopting, in consultation with victims and civil society organisations, a comprehensive reparations policy aimed at effectively and comprehensively implementing the existing legal framework in a non-discriminatory manner, including with regard to compensation, rehabilitation, satisfaction, restitution and guarantees of non-recurrence;

(d) Removing statutes of limitations for reparation claims, reducing the burden of proof requirements, ceasing the imposition of disproportionate legal fees on victims whose claims are rejected, and providing remedies to victims upon whom such measures have been imposed;

(e) **Considering the adoption of additional measures to address other dimensions of transitional justice in order to foster reconciliation and ensure non-recurrence.**

Missing persons

13. While welcoming steps taken by the State party towards a more efficient and victim-centred approach to the handling of cases of missing persons, including the adoption of the Act on Missing Persons from the Homeland War in 2019 and the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance in 2022, the Committee remains concerned at the slow pace of the search for approximately 1,400 persons who went missing during the armed conflict and locating the remains of approximately 400 others. While acknowledging the participation of the State party in relevant cooperation initiatives on missing persons at the regional level, the Committee regrets the lack of comprehensive information on measures taken to foster bilateral cooperation with neighbouring countries in this regard (arts. 2, 6, 7, 9 and 16).

14. The State party should:

(a) **Further strengthen ongoing efforts to resolve all remaining cases of missing persons, including by ensuring effective implementation of the Act on Missing Persons from the Homeland War and providing the necessary financial, technical and human resources for that purpose;**

(b) **Take effective steps to foster regional cooperation in the search for missing persons and ensure that perpetrators of enforced disappearances are brought to justice, and if convicted, sanctioned in a manner commensurate with the gravity of the acts committed.**

Roma exclusion

15. While acknowledging the steps taken by the State party within the framework of the National Roma Inclusion Plan (2021–2027), the Committee recalls its previous recommendations (para. 21) and reiterates its concern regarding the de facto discrimination against Roma. The Committee is particularly concerned about continued reports of de facto segregation of Roma children in the education sector, low enrolment in pre-school and high dropout rates at the primary and secondary levels. The Committee is also concerned about de facto residential segregation and the high percentage of Roma living in informal settlements with poor quality housing and very limited access to basic services, as well as the high level of unemployment and discrimination faced by Roma in access to employment (arts. 2, 7, 26 and 27).

16. Echoing the recommendations adopted in 2023 by the Committee for the Elimination of Racial Discrimination (CERD/C/HRV/CO/9-14, para. 22), the State party should intensify efforts to address the de facto segregation of Roma in housing and education, reduce the substantial disparities in educational attainment and rates of employment among Roma compared to the general population, and guarantee non-discriminatory access to adequate housing and basic services.

Discrimination on the grounds of sexual orientation and gender identity

17. The Committee is concerned about the persistence of prejudice, discrimination and hate crimes against lesbian, gay, bisexual and transgender (LGBT) persons. The Committee is concerned, in particular, about reports indicating that national strategies, policies and action plans on discrimination and gender equality lack goals and concrete activities specifically targeted towards the prohibition and prevention of discrimination, prejudice and hate crimes against LGBT persons, that transgender persons face discrimination and prejudice in access to appropriate healthcare, and that LGBT children suffer discrimination and harassment in educational institutions (arts. 2, 7, 20, 24 and 26).

18. The State party should:

(a) **Integrate in national strategies, policies and action plans on discrimination and gender equality goals and activities which are specifically targeted**

to combat discrimination, prejudice and hate crimes faced by LGBT persons, and ensure that LGBT persons can actively participate in their development and implementation;

(b) **Guarantee transgender persons' access to appropriate healthcare specific to their needs, including by providing such care under mandatory health insurance schemes;**

(c) **Effectively combat discrimination and harassment of LGBT children in educational institutions, including by providing systematic training on protection from discrimination for professionals working with children, and introducing compulsory classes on tolerance, non-discrimination and diversity in school curricula.**

Hate speech and hate crimes

19. While welcoming the adoption in 2021 of a revised protocol for procedures in cases of hate crimes as well as the State party's efforts to strengthen training on the prosecution of hate crimes, the Committee recalls its previous recommendations (para. 9) and reiterates its concern about reports of the continued prevalence of hate speech and hate crimes, particularly against members of the Roma and Serb minorities, non-citizens and LGBT persons. The Committee is concerned about the prevalence in public discourse of hate speech and historical revisionism relating to war crimes, both online and in traditional media, including by politicians and high-level officials. The Committee is additionally concerned that criminal hate speech and hate-motivated violence are mainly prosecuted as misdemeanours and therefore inadequately punished, that the number of convictions is low and that incidents are often not reported owing to a lack of trust in the relevant law enforcement agencies and judicial authorities (arts. 2, 20, 26 and 27).

20. **The State party should strengthen its efforts to combat hate speech and hate-motivated violence against minorities, particularly against members of the Roma and Serb minorities, non-citizens and LGBT persons by, inter alia:**

(a) **Ensuring that alleged hate crimes are thoroughly investigated and prosecuted and that perpetrators, if convicted, are punished with sanctions commensurate to the seriousness of the offence, and victims have access to full reparation;**

(b) **Increasing the provision of special training to law enforcement officials, prosecutors and judges on the identification and prosecution of criminal hate speech and historical revisionism and other forms of hate crimes;**

(c) **Taking effective measures to prevent and publicly condemn hate speech and historical revisionism of war crimes, in particular by politicians and public officials, including measures to ensure the dissemination of accurate accounts of historical human rights violations;**

(d) **Enhancing measures to tackle the prevalence of online hate speech, in close cooperation with Internet service providers and social networking platforms and in close consultation with the groups most affected by hate speech;**

(e) **Promoting respect for diversity and raising awareness of the prohibition of hate crimes and channels to report such crimes, including through public information campaigns.**

Gender equality

21. Recalling its previous recommendations (para.14) the Committee reiterates its concern about the persistence of stereotypes with respect to the position of women in society and notes with concern that women remain underrepresented in public and political life, as well as in the private sector, particularly in decision-making positions. The Committee regrets the lack of information received from the State party on the enforcement of article 35 of the Gender Equality Act which imposes fines for political party candidate lists which do not comply with the 40% quota for the underrepresented gender (arts. 2, 3 and 26).

22. **The State party should take all steps necessary to eradicate stereotypes regarding the roles and responsibilities of women and men in society and in the family and scale up its efforts to increase the representation of women in public and political life and in the private sector, particularly in decision-making positions. The State party should, in particular:**

(a) Assess the effectiveness of the gender quota system for political party candidate lists and consider introducing stronger measures to ensure the election of women candidates in greater numbers, at national, county and local levels;

(b) Ensure effective enforcement of the fines imposed under article 35 of the Gender Equality Act for non-compliance with gender quotas in political party candidate lists, and publish information on fines handed down;

(c) Closely monitor implementation of the provision in the Code of Corporate Governance, which obliges supervisory boards to set a target every five years for the percentage of female members on the board of directors and the supervisory board, and consider introducing stronger measures should the current provision fail to have a significant impact;

(d) Take appropriate steps to address persisting gender stereotypes in the media, including by ensuring that media outlets promote positive images of women as active participants in public and political life.

Violence against women

23. The Committee welcomes various measures taken by the State party to improve its framework for addressing violence against women, including a range of legislative measures which provide for more comprehensive definitions and stronger sanctions, such as the requirement that gender-based violence against women is taken as an aggravating circumstance in all violent crimes. However, the Committee is concerned that domestic violence is still primarily seen as isolated incidents prosecuted as a misdemeanour, resulting in lenient sanctions which do not have a deterrent effect, and that protective measures for victims are not applied consistently in both criminal and misdemeanour courts. The Committee is also seriously concerned about reports of the continued practice of ‘dual arrests’ in which victims are also arrested and occasionally sanctioned for being verbally insulting or defending themselves. The Committee is additionally concerned by reports indicating that adequate legal and psychological assistance for victims is not available in all parts of the State party’s territory and that funding to civil society organisations providing such assistance is not stable or sufficient (arts. 3, 6, 7 and 26).

24. **The State party should:**

(a) Systematically undertake prompt, impartial and effective investigations to identify the perpetrators of violence against women, prosecute and subject them to trial expeditiously and, if they are found guilty, punish them commensurately with the gravity of the crime;

(b) Abolish the practice of ‘dual arrests’ in cases of domestic violence;

(c) Ensure the consistent application of protective measures for victims of gender-based violence, in particular protection orders, in both criminal and misdemeanour courts, and effective enforcement of such measures;

(d) Provide victims and their families with effective and accessible remedies, including by strengthening the availability and accessibility of legal, social and psychological assistance and making available sufficient and sustainable funding to civil society organisations offering such assistance;

(e) Continue and expand the training of public officials, including judges, prosecutors, lawyers and law enforcement officials, on identifying, prosecuting and trying cases of violence against women, and ensure that a victim-centred approach is applied in practice;

(f) Establish a centralised data collection system on gender-based violence, which includes information on the relationship between the victim and the perpetrator.

Voluntary termination of pregnancy and sexual and reproductive rights

25. The Committee is concerned that women continue to face barriers in access to legal and safe abortion in the State Party, including financial and geographic barriers, in particular undocumented migrant women and women living outside urban centres. The Committee additionally notes with concern the significant number of doctors who refuse to perform abortion services on the grounds of conscience, and the related impact on effective access to abortion services. The Committee further expresses its concern about reports of the stigmatisation of women seeking abortion services, failures to provide women seeking abortion with adequate information and violations of women's rights in reproductive health-care settings, including failures to obtain full and informed consent for medical interventions, denials of access to pain relief and infliction of emotional and verbal abuse (arts. 6 and 7).

26. Bearing in mind paragraph 8 of the Committee's general comment No. 36 (2018) on the right to life, the State party should guarantee equal and effective access to safe and legal abortion for women and girls throughout its territory, including for undocumented migrant women and women living outside urban centres. In particular, the State party should:

(a) Take all necessary measures to ensure that the exercise of conscientious objection does not impede women and girls' effective and equal access to confidential, legal and safe abortion services and post-abortion care, including by collecting comprehensive data on and monitoring denials of access to abortion and abortion-related services;

(b) Ensure that abortion procedures and post-abortion care are covered by the national social security system, and establish appropriate mechanisms to ensure access for women and girls not covered under this scheme, including undocumented migrant women;

(c) Take appropriate measures to counter stigmatisation of women seeking abortion-related information and services, including by systematically providing training for medical professionals on sexual and reproductive health and rights;

(d) Ensure that alleged violations of women's rights in reproductive health-care settings are promptly and effectively investigated, that perpetrators are prosecuted, and if found guilty, sanctioned commensurately with the seriousness of the offence.

Conditions of detention

27. The Committee welcomes the measures taken by the State party to improve conditions of detention, in particular efforts to address overcrowding. The Committee however remains concerned at the reported persistence of overcrowding, the lack of qualified medical staff in some prisons and continued incidents of inter-prisoner violence (art. 10).

28. The State party should continue to take effective measures to ensure that the conditions of detention are in full compliance with the relevant international human rights standards, including the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules). It should, in particular:

(a) Enhance the measures designed to prevent overcrowding, particularly through the wider application of non-custodial measures as an alternative to pretrial detention and custodial prison sentences, as provided for in the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules);

(b) Continue efforts to improve the material conditions of detention, including by ensuring adequate space allocation per prisoner;

(c) Ensure access to quality health care for prisoners in all places of deprivation of liberty, including by taking appropriate measures to address the shortage of qualified medical personnel in several prison facilities;

(d) Reinforce measures to prevent inter-prisoner violence, including in facilities accommodating women, promptly and effectively investigate such violence, ensure that perpetrators are prosecuted, and if found guilty, impose sanctions commensurate to the seriousness of the offence.

Trafficking in persons

29. The Committee acknowledges the significant measures taken by the State party to address trafficking in persons, such as the adoption of the Protocol on Identification, Assistance and Protection of Victims of Human Trafficking in 2017 and amendments to the criminal procedure code allowing victims to request to testify remotely. It is however concerned about the continued prevalence of trafficking in persons, the low number of convictions of perpetrators and the low number of victims having received financial reparation (arts. 3, 7, 8 and 24).

30. The State party should strengthen its efforts to systematically identify, prevent and combat trafficking in persons, especially of those at heightened risk such as children – in particular unaccompanied and separated children - members of the Roma minority, migrants, refugees and asylum-seekers. The State party should, in particular:

(a) Enhance screening of groups at heightened risk of trafficking in persons and the identification of (potential) victims, including through systematic provision of training for border control personnel and staff working in facilities for asylum seekers and refugees;

(b) Ensure that all cases of trafficking in persons are investigated thoroughly, that perpetrators, if convicted, receive adequate and deterrent punishment, and that victims are informed, in a language they understand, about and have access to effective remedies and assistance, including receiving compensation in criminal proceedings, rehabilitation and reintegration support services;

(c) Continue and expand training for lawyers, prosecutors and judges on trafficking in persons, victim's rights, and victim-centred approaches;

(d) Continue and expand the implementation of awareness-raising campaigns on trafficking in persons for the general public as well as targeted campaigns such as for the tourism and business sectors.

Migrants, asylum seekers and non-refoulement

31. The Committee welcomes the temporary protection provided by the State party to persons fleeing the conflict in Ukraine and in need of international protection. The Committee is however concerned by reports of the denial of access to the territory of the State party and to asylum procedures for persons entering from Bosnia and Herzegovina and Serbia irregularly and their forced return without any individual screening of their claims and needs. The Committee is furthermore concerned by reports of the excessive use of force, inhuman and degrading treatment, extortion and theft of property by Croatian border control personnel notably in the context of pushbacks of migrants and asylum seekers into the territory of Serbia and Bosnia and Herzegovina, and the very limited efforts to hold those responsible to account (arts. 6-7, 9, 13 and 24).

32. The State party should ensure effective access to a fair and efficient asylum procedure for all persons in need of international protection. It should also ensure that all relevant officials, including border control personnel, receive adequate training on international standards, including on the principle of non-refoulement and the human rights of migrants, particularly children, and that all allegations of pushbacks and ill-treatment at borders are promptly, thoroughly and independently investigated and perpetrators, if found guilty, are punished with sanctions commensurate to the seriousness of the offence.

Administration of justice and fair trial

33. The Committee welcomes a number of measures implemented by the State party with a view to improving the efficiency of the judicial system and reducing the backlog of cases, including through changes to procedural regulations and the introduction of technology-based solutions. The Committee is however concerned about reports indicating a lack of transparency relating to the appointment of members of the State Judicial Council, as well as to possible undue interference in the appointment, career, discipline and removal of judges and prosecutors and the restricted publication of court decisions. It is also concerned about the lengthy duration of court proceedings and the negative impact this has on the public perception of judicial independence. While welcoming the recent increase to the budget allocation for free legal aid, the Committee remains concerned that access to free legal aid is still problematic, with reports indicating a lack of awareness among members of the public about authorised providers and eligibility criteria, insufficient and unpredictable financing for providers and the absence of registered primary legal aid providers in certain parts of the State party (art. 14).

34. **The State party should:**

(a) **Enhance the transparency of the selection of members of the State Judicial Council and of members of the High Prosecutorial Council and prevent any type of undue interference by other branches of government in the appointment, career, discipline and removal of judges and prosecutors ;**

(b) **Systematically publish court decisions and make them easily accessible and searchable;**

(c) **Continue and expand measures aimed at shortening judicial proceedings and at making judges, prosecutors and courts accountable, namely for any type of misconduct or for unjustified excessive delays;**

(d) **Take appropriate measures to strengthen the free legal aid system for all persons without sufficient means, including by providing sufficient and sustainable financing for organisations providing free legal aid services, ensuring the availability of quality legal aid services in all parts of the State party's territory, and raising awareness among members of the public about authorised providers and eligibility criteria.**

Freedom of conscience and religious belief

35. The Committee is concerned by reports of harassment, hate speech and vandalism directed against the Serbian Orthodox and Jewish minorities, and the significant number of religion-motivated cases in official statistics on hate crimes, including those prosecuted as misdemeanours. The Committee regrets the lack of detailed information provided by the State party on the status of restitution of communal property to the Serbian Orthodox Church and the Coordination of Jewish Communities (art. 18).

36. **The State party should:**

(a) **Effectively investigate all reports of harassment, hate speech and vandalism directed against members of the Serbian Orthodox minority and the Jewish minority, ensure perpetrators are punished with sanctions commensurate to the seriousness of the offence and victims are provided with full reparations;**

(b) **Take effective measures to ensure transparency in the process of restitution of communal property to the Serbian Orthodox Church and the Coordination of Jewish Communities, including through collection and publication of relevant data, and take proactive steps towards the resolution of outstanding claims**

Freedom of expression

37. While noting measures taken by the State party to enhance the safety of journalists through enhanced cooperation with organisations representing journalists, the Committee is concerned about the prevalence of intimidation and, in some cases, physical attacks against journalists and the lack of effective judicial response by the authorities. The Committee is also concerned about the continued criminalization of defamation, the vague and ambiguous

wording of related terms in the Criminal Code, and the high prevalence of strategic lawsuits claiming significant compensation of damages against journalists and their editors for alleged defamation, all of which discourage the media from publishing critical information on matters of public interest and have a chilling effect on freedom of expression. The Committee is troubled by amendments to the criminal code of January 2024 which introduce a new criminal offense of “unauthorized disclosure of the content of an investigative or evidentiary action” punishable by up to three years’ imprisonment. The Committee is concerned, specifically, that this offence appears to be incompatible with the State party’s whistleblower protection legislation, as it does not allow for a public interest defence for anyone revealing information who is not a journalist, potentially compromising journalists’ sources (arts. 6, 7 and 19).

38. **In accordance with article 19 of the Covenant and the Committee’s general comment No. 34 (2011) on the freedoms of opinion and expression, the State party should:**

(a) Ensure prompt, independent and impartial investigation of all reported cases of violations of freedom of expression, including threats and violent attacks against journalists, prosecute suspected perpetrators, try them expeditiously, and, if found guilty, punish them with penalties commensurate to the seriousness of the offence and provide victims with reparations;

(b) Ensure effective implementation of prevention and response frameworks to promote the safety of journalists, including agreements recently concluded with organisations representing journalists;

(c) Consider decriminalising defamation and, at a minimum, restrict the application of criminal law to the most serious cases;

(d) Ensure safeguards are in place to prevent the use of strategic defamation litigation to target or restrict the activities of journalists, human rights defenders and the media and discourage publication of critical information on matters of public interest;

(e) Introduce limitations on potential civil damages for defamation;

(f) Review amendments to the criminal code in January 2024 which introduce a new criminal offense of “unauthorized disclosure of the content of an investigative or evidentiary action,” with a view to ensuring the availability of a public interest defence in all cases.

Stateless persons

39. While acknowledging the significant decrease in the number of persons at risk of statelessness in part as a result of community outreach and legal counselling to affected populations across the country, many of whom have subsequently been able to access proof of nationality, the Committee remains concerned about the modest decrease in the number of stateless persons, only a small number of whom have been formally recognized as stateless. The Committee is concerned by the absence of a legal framework for identifying and resolving the status of stateless persons or those at risk of statelessness, and that stateless individuals, particularly members of the Roma minority group, face difficulties in meeting the requirements for obtaining citizenship due to a lack of personal identity documents, resources and legal aid (arts. 2, 24 and 26).

40. **The State party should take appropriate measures to facilitate access to nationality for stateless persons, in particular members of the Roma minority, including by facilitating access to identification documentation. In particular it should fully align national legislation with the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness and introduce a statelessness determination procedure resulting in identification and resolution of statelessness, through facilitated access to nationality for those found to be stateless.**

Participation in public affairs

41. The Committee is concerned about the very low representation of ethnic minorities in public administration, law enforcement and the judiciary, in particular in decision-making positions, despite provisions of article 22 of the Constitutional Act on the Rights of National Minorities of 2002 which stipulate that national minorities shall be represented in public administration and courts taking into account their overall number within the population at local level, and provide for a right of priority under the conditions laid down in the Act. The Committee is concerned that this right is rarely applied in practice and that the existing framework does not seem to be effective in increasing the representation of minorities in these professions (arts. 2, 25-27).

42. **The State party should take appropriate measures to ensure that persons belonging to national minorities are adequately represented in public administration, law enforcement and the judiciary, including in decision-making positions. The State party should, in particular:**

(a) **Adopt additional special measures to raise awareness of employment opportunities in these professions among members of minorities and employers, and provide effective incentives to encourage qualified candidates to apply and to be promoted;**

(b) **Take appropriate steps to ensure recruitment processes are free from ethnic bias, including by collecting, monitoring and publishing data on the employment of members of national minorities in these professions.**

Rights of minorities

43. With reference to its previous recommendations (para 22), and while acknowledging the various measures to ensure the availability of education in minority languages and scripts, the Committee remains concerned that persons belonging to national minorities face problems in exercising the right to use their own languages. The Committee is concerned, in particular, that due to changing demographics that result in minorities no longer meeting the required population percentage threshold in certain local government units, minorities may lose the constitutional right to the official use of their language and script in public administration, as was the case for members of the Serb minority in the city of Vukovar in 2022 (art. 27).

44. **The State party should review article 12 of the Constitutional Act on the Rights of National Minorities and relevant legislation and take appropriate measures to ensure that persons belonging to national minorities are able to effectively enjoy the right, in community with other members of their group, to use their own languages and scripts, including as official languages of public administration.**

D. Dissemination and follow-up

45. **The State party should widely disseminate the Covenant, the two Optional Protocols thereto, its 4th periodic and the present concluding observations, with a view to raising awareness of the rights enshrined in the Covenant among the judicial, legislative and administrative authorities, civil society and non-governmental organizations operating in the country, and the general public. The State party should ensure that the periodic report and the present concluding observations are translated into the official language of the State party.**

46. **In accordance with rule 75 (1) of the Committee's rules of procedure, the State party is requested to provide, by 23 July 2027, information on the implementation of the recommendations made by the Committee in paragraphs 10 (Anti-corruption measures); 12 (Accountability for past human rights violations), and 20 (Hate speech and hate crimes) above.**

47. **In line with the Committee's predictable review cycle, the State party will receive in 2030, the Committee's list of issues prior to the submission of the report and will be**

expected to submit within one year its replies, which will constitute its 5th periodic report. The Committee also requests the State party, in preparing the report, to broadly consult civil society and non-governmental organizations operating in the country. In accordance with General Assembly resolution 68/268, the word limit for the report is 21,200 words. The next constructive dialogue with the State party will take place in Geneva in 2032.
