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Croatia

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List of abbreviations

CoE	Council of Europe
EU	European Union
ICTY	International Criminal Tribunal for the Former Yugoslavia
ILO	International Labour Organization
IPA	Instrument for Pre-Accession Assistance
JAP	Joint Assessment of Employment Policy Priorities
MP	Member of Parliament
NGO	Non-governmental organization
OG	Official Gazzete of the Republic of Croatia
SOS (telephone line)	Emergency help line
TV	Television
UN	United Nations
UPR	Universal Periodic Review

I. Methodology and consultation

1. Universal Periodic Review of human rights (hereinafter UPR) is the universal United Nations (hereinafter UN) mechanism for the review of the human rights situation in all Member States, submitted every four years.
2. This report has been prepared on the basis of the guidelines of the Human Rights Council resolution 5/1 and the General Guidelines for the preparation of information under the UPR (A/HRC/6/L.24).
3. The Government of the Republic of Croatia (hereinafter Croatia) has established a Working Group¹ for the preparation of the National Report in accordance with the UPR procedure of the UN. The coordinators of the preparation of the report are: the Ministry of Foreign Affairs and European Integration, the Ministry of Justice and the Government Office for Human Rights.
4. The National Report has been presented to civil society. The reference framework for the preparation is a combination of the above-mentioned General Guidelines and the rights and freedoms contained in the Universal Declaration of Human Rights as well as emphasis in particular national priorities.

II. Normative and institutional framework for the promotion and protection of human rights

5. In Croatia the normative and institutional framework for the protection and promotion of human rights is highly developed. This is supported by the fact that the international bodies that monitor the system of protection and promotion of human rights in Croatia, particularly in the process of the accession of Croatia to the European Union, frequently point out that normative and institutional framework is adjusted to all required international standards. The greatest challenge in this area is related to better and more efficient implementation of the existing normative framework and strengthening administrative and financial capacities of the institutional framework. Special attention is also to be paid to streamlining the institutional framework for the promotion and protection of human rights to make it even more efficient.

A. Constitutional and legal provisions on the protection of human rights

6. According to the Constitution Croatia is a sovereign, democratic and social state in which protection of human rights and fundamental freedoms is based on the principles of equality before law, non-discrimination and gender equality. In Article 3 the Constitution indicates the respect for human rights as the „highest value in the constitutional order“ and it is in this spirit that all other provisions of the Constitution are to be interpreted. In Chapter III on the „Protection of Human Rights and Fundamental Freedoms“ there is a

¹ The bodies involved in the preparation of the report were: Ministry of Foreign Affairs and European Integration, Ministry of Justice, Ministry of Public Administration, Ministry of the Interior, Ministry of Regional Development, Forestry and Water Management, Ministry of Health and Social Welfare, Ministry of the Economy, Labour and Entrepreneurship, Ministry of Science, Education and Sport, Ministry of the Family, Veterans' Affairs and Intergeneration Solidarity, Government Office for Human Rights, Government Office for National Minorities, Government Office for Gender Equality, Government Office for Cooperation with NGOs, Attorney General's Office.

detailed elaboration of civil and political, and economic, social and cultural rights. Under the Constitution, freedoms and rights of citizens may only be restricted by law to protect the rights and freedoms of others and the legal order, public morality and health, and every such restriction must be proportionate to the nature of the necessity in each respective case.

7. The national system for human rights protection is based on the Constitution and the national legislation, and the international instruments for the protection of human rights to which Croatia is a party. Pursuant to Article 140 of the Constitution: “International agreements concluded and ratified in accordance with the Constitution and made public and which are in force, are part of the internal legal order, ranking above laws in their legal effect“. Courts are authorised to directly apply international treaties in deciding matters related to the protection of human rights of individuals. In Article 5 the Courts Act prescribes: “Courts shall administer justice on the basis of the Constitution and laws. Courts also administer justice on the basis of the international treaties that are part of the legal order of the Republic of Croatia.”

8. Croatia has ratified many international and regional treaties concerning human rights and regularly submits reports to treaty bodies concerning the implementation of these instruments and their recommendations.²

9. Croatia is a party to 88 instruments of the Council of Europe (CoE) to whose monitoring mechanisms regularly submits reports.³

10. Human rights protection is regulated in detail through many laws that must be in conformity with the provisions of the human rights treaties to which Croatia is a party.⁴

² Croatia is party to: the International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention on the Rights of the Child; the Convention on the Rights of Persons with Disabilities; to which no reservations have been made. Croatia has signed the International Convention for the Protection of All Persons from Enforced Disappearance, and its ratification is being considered right now. Croatia is also a party to all the protocols to the above-mentioned instruments and the special Working Group is considering the signature/ratification of the Optional Protocol of the Covenant on Economic, Social and Cultural Rights.

³ Croatia is a party to these instruments of the Council of Europe (CoE): the Convention for the protection of Human Rights and Fundamental Freedoms; the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment; the European Charter for Regional and Minority Languages; the Framework Convention for the Protection of National Minorities; the Council of Europe Convention on Action against Trafficking in Human Beings; Convention for the Protection of Human Rights and dignity of the human being with regard to the application of biology and medicine; the Convention on Contact concerning Children, and the European Convention on the Exercise of Children's Rights (both ratified); and the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (signed).

⁴ The legislation aimed at the protection and promotion of human rights include: the Constitutional Act on the Rights of National Minorities; the Anti-discrimination Act; the Gender Equality Act; the Law on Same Sex Civil Unions; the Free Legal Aid Act; the Right to Access Information Act; the Criminal Code; the Labour Act; the Aliens Act; the Asylum Act; the Act on Protection from Domestic Violence; the Law on Maternity Allowance and Parental Support; the Family Act; the Law on Social Care; the Criminal Procedure Code; the Execution of Prison Sentence Act; the Preschool Education Act; the Law on Upbringing and Education in Elementary and Secondary Schools; the Law on Vocational Education; the Law on Adult Education; the Law on Research and Higher Education; the Law on Education in Languages and Letters of National Minorities; the Health Care Act; the Compulsory Health Insurance Act; the Act on the Protection of Patients Rights; the Act on the Protection of Persons with Mental Disorders; the Media Act; the Electronic Media Act; the Croatian

B. Bodies and mechanisms for the protection of human rights

11. The responsibility for the implementation of the national legislation and accepted international commitments for the promotion and protection of human rights lies with the entire system of government (the concepts of the separation of powers and the separate functioning of the Constitutional Court), independent institutions (Ombudsperson and ombudspersons specifically for children, gender equality and persons with disabilities, respectively) and civil society organisations whose activity is supported by the Government of Croatia.

12. A special role in the protection of human rights is reserved to courts that are established by law and guaranteed autonomy and independence under the Constitution.

13. In addition to courts, the protection and promotion of human rights within the framework of the separation of powers involves ministries in charge of justice, public administration, foreign affairs, internal affairs, science, education, and protection of vulnerable/specific social groups, as well as government offices established with a view to provide additional support to the advancement of human rights in specific areas: Office for Human Rights, Office for National Minorities, Office for Gender Equality, Office for Cooperation with NGOs.

14. There have also been established bodies and institutions to provide consultancy to the Government of Croatia: Council for National Minorities, Civil Society Development Council, Commission for Relations with Religious Communities, and Human Rights Centre.

15. There are also many national bodies that engage in human rights and the protection of vulnerable groups, such as: Commission of the Government of Croatia for Human Rights, National Committee for Education on Human Rights and Democratic Citizenship, Commission of the Government of Croatia for Monitoring the Implementation of the National Program for Roma, Commission for Persons with Disability, Commission of the Government of Croatia for Advancing Protection from Domestic Violence, etc.

16. Croatian Parliament as the highest legislative body primarily deliberates on human rights through its Committee on Human Rights and the Rights of National Minorities, and the Gender Equality Committee.

17. With a view to protecting human rights and fundamental freedoms, a number of national independent institutions have been established. The Ombudsperson is appointed by the Parliament and protects the constitutional and legal rights of citizens before the state administration and bodies vested with public powers, and is also the central body in charge of combating discrimination. There have been established special ombudspersons who operate autonomously and independently. The Ombudsperson for Children monitors the compliance of laws with the provisions of the Convention on the Rights of the Child and other international documents. The Ombudsperson for Gender Equality monitors the enforcement of the Gender Equality Act and other regulations in this area. The Ombudsperson for Persons with Disabilities protects, monitors and promotes the rights and interests of persons with disabilities on the basis of the Constitution, international treaties and laws.

Radio-Television Act; the Croatian News Agency Act; the Law on Volunteering; the Reconstruction Act; the Law on Regional Development; Act on Election of Representatives to the Croatian Parliament; the Civil Servants Act.

18. As a guarantee of the exercise of the constitutional freedoms and rights, there is also one special mechanism in place – the constitutional complaint that may be filed by a citizen when he/she believes that an individual act of an authority, a body of local and regional self-administration, or a legal entity vested with public powers, deciding on his/her rights and duties or a suspicion or accusation of a criminal offence, has violated his/her human rights or fundamental freedoms guaranteed under the Constitution. The complaint may only be filed after all the other available legal remedies have been exhausted.

19. When all the national legal remedies have been exhausted, including the constitutional complaint, persons who believe that their rights have been violated may turn to European Court of Human Rights, Human Rights Committee, Committee against Torture, Committee on the Elimination of Discrimination against Women, Committee on the Rights of Persons with Disabilities. Pursuant to Article 1 of the Additional Protocol to the European Social Charter providing for collective complaints, some organisations may also file a collective complaint to the European Committee of Social Rights, if they think any of the rights from the European Social Charter have been violated.

20. In the promotion and protection of human rights an important role was played by civil society organisations, for whose support and development a legal and institutional framework has been established. Proactive civil society organisations contribute to stronger social cohesion, participatory democracy, philanthropy and volunteering, as well as education for democratic citizenship and human rights. Family centres, established by the Ministry of the Family, Veterans' Affairs and Intergeneration Solidarity also contribute to the protection and promotion of human rights through consultations, program activities and public actions.

III. Promotion and protection of human rights

21. The program framework for human rights protection is included in the National Program for the Protection and Promotion of Human Rights 2008–2011 that envisages measures on all levels and analyzes their priority areas such as: combating racial and other discrimination, gender equality, national minorities, care for the Croats living abroad, detained and missing persons in Croatia, rights of active participants and victims from the Homeland War, right to a fair trial, victim/witness protection, freedom of the media, right to access to information, religious rights and freedoms, right to work, special protection of the family, children, youth, care for particularly vulnerable groups of citizens, right to healthy life and environment, combating corruption, trafficking in human beings, security and human rights, mine clearing in the areas covered with land mines remained from the Homeland War. In 2010, the Operational Plan for the Implementation of the National Program for the Protection and Promotion of Human Rights was adopted for the years 2010 and 2011, and its purpose is to develop and monitor the implementation of the goals, measures and activities from the National Program.

22. In many areas of human rights protection in Croatia considerable progress has been made. These areas are primarily: combating racial and other discrimination, gender equality, domestic violence and violence against women, rights of the child, rights of persons with disabilities, trafficking in human beings, migrants and asylum seekers. In addition to the Anti-discrimination Act the institutional framework has also been established, the capacity has been built and the level of knowledge of the actors in charge of the law raised, networking has been initiated and partnership culture strengthened in the implementation of anti-discrimination measures on the national and local levels, and the level of public awareness of the unacceptability of discriminatory behaviour has been raised. In regard of gender equality, progress has been made in the political participation of women that is particularly visible after the latest local election in Croatia. Domestic

violence has been recognised as an absolutely unacceptable form of social behaviour as well as a violation of human rights and perpetrators are sanctioned accordingly. Croatia is one of the first states to prohibit corporal punishment of children by law, and in this area campaigns were conducted to develop awareness in the general population. With respect to the protection of the rights of persons with disabilities a normative framework has been established that regulates the question of accessibility, as well as an independent mechanism for the protection of the rights of persons with disabilities. Systematic approach to combating trafficking in human beings is realised through the coordination of the activities of state administrative bodies, civil society organisations and the media. Asylum seekers, asylees, foreign nationals under subsidiary and temporary protection are guaranteed all the rights prescribed in international documents and EU law.

23. In some areas of human rights protection it is necessary to invest further efforts to make it more effective. Such areas include the protection of the rights of persons deprived of liberty, some aspects of the right to education that concern the education for human rights and the right to free legal aid. Consequently, in the area of the protection of the rights of individuals deprived of liberty it is necessary to pay more attention to the employment of prisoners and their rehabilitation and re-socialization, and it is important to involve civil society organizations in the implementation of special programs for convicts with special needs. In regard of the education for human rights it is important to integrate specific education into all levels and forms of education. The fact that the adoption of the Free Legal Aid Act was one of the most important steps forward in the protection of human rights of specially vulnerable groups, it calls for the improvement of the mechanisms for systematically monitoring the enforcement of law.

A. Combating discrimination

24. In combating discrimination an institutional framework has been established – Ombudsperson Office. In cooperation with civil society relevant agents in the enforcement of the existing laws are being educated accordingly.

25. In cooperation with the Ombudsperson Office and the Centre for Peace Studies the Government has implemented the project of ‘Supporting the Implementation of Anti-discrimination Act’ that was co-financed by the European Union (80 per cent). Education on combating discrimination has been organised for representatives of the media, civil society and employers, as well as a public campaign to familiarize the public with the rights resulting from the Act and the possibilities of protection against discrimination. The mentioned project enabled capacity building and the level of knowledge of the agents in charge of the enforcement of the Act, encouraged networking and reinforced partnership culture in the implementation of anti-discriminatory measures on the national and local levels, and raised awareness of the general population. In the coming period it is extremely important to continue with the education of the authorities in charge of law enforcement, to update the statistical system for monitoring discrimination and to systematically work on developing awareness of unacceptability of discriminatory behaviours.

26. The Government Office for Human Rights, in partnership cooperation with the Ombudsperson Office, tabled the proposal of the project of *Establishing a Comprehensive System for Anti-discrimination Protection* within the IPA 2009 Program, Component I Transition Assistance and Institution Building, and its three-year implementation starts towards the end of 2010. This project updates the statistical system for monitoring discrimination and provides permanent education of the authorities in charge.

27. Croatian legislation recognises hate crime that includes any criminal offence perpetrated out of hatred based on race, colour, gender, sexual orientation, language, religion, political or other conviction, ethnic or social origin, property, birth, education,

social position, age, health status or other characteristics. With a view to achieving the best possible protection of vulnerable groups, the Government has established a Working Group to prepare a draft of the new Criminal Code, which will re-consider the definition of hate crime (a specific crime in concurrence with another crime, or a qualificatory form of a specific crime). A special Working Group works on the phenomena of hate crime, including the organisation of education and campaigns, raising awareness, and media appearances. With a view to sanctioning discriminatory behaviour the Ministry of the Interior has also prescribed in detail the methods of proceeding and collecting information about hate crime. In practice no organised violence against particular groups has been recorded, it mostly involves individual and unorganised incidents without any common characteristics that would indicate planning, organisation and carrying through. Croatia is among the first states to have conducted training for police officers dealing with hate crime.

28. Pursuant to the obligations resulting from the Durban Declaration, the National Anti-discrimination Plan 2008–2013 was adopted. It contains specific measures to promote awareness of non-discrimination, participatory democracy, representatives of discriminated groups, education of professionals and mutual respect and tolerance.

B. Gender equality

29. The institutional framework comprises Government Office for Gender Equality (since 2004) as the central government body for the promotion of gender equality; coordinators for gender equality at ministries, central state office and state administration offices in counties; county, municipal and city commissions for gender equality; Ombudsperson for Gender Equality (appointed by the Croatian Parliament for a period of eight years); Gender Equality Committee of the Parliament (since 2000).

30. The basic strategic document for the implementation of gender-sensitive policy is the National Policy for the Promotion of Gender Equality 2006–2010 that elaborates on the provisions of the UN Convention on the Elimination of All Forms of Discrimination against Women and the concluding observations of the UN Committee on the Elimination of Discrimination against Women, and follows the structure of the Beijing Declaration and the Platform for Action. The new National Policy 2011–2015 is in preparation. An inter-agency group is being set up to prepare the National Plan for the Implementation of the UN Security Council Resolution 1325 (2000).

31. Public campaigns on the national and local levels have contributed to the sensitisation of the public to combating all forms of violence against women and to the higher participation of women in the political life. They have resulted in a greater awareness of inequality of women and men and the need to strengthen the implementation of the policy of equal opportunities and substantive equalities.

32. The share of women MPs is about 25 per cent. As a result of the campaign for the promotion of the political representation of women in the local election (2009), launched by the Government Office for Gender Equality, a 7 per cent rise in the share of women was achieved at the county, municipal and city levels.

33. Pursuant to the measures of the National Population Policy maternity leave benefits have been increased and it has been made possible to transfer the parental leave benefit to the father in the expectation of greater inclusion of fathers in a child care.

34. The National Occupational Classification from 2008 made a great progress in introducing the gender-sensitive language to reflect the gender equality principle, referring to all the occupations in both genders to also create linguistic conditions for the elimination of gender-based discrimination on the labour market. Progress has also been noted in the collection, analysis and presentation of statistical data. In addition to its monthly reports

and statistical bulletins, the State Bureau of Statistics has also been regularly publishing "Women and Men in Croatia" since 2006.

35. In Croatia there is no gender gap in the access to education since data indicate equal representation of female and male students in primary and secondary schools. The introduction of gender-sensitive education on all levels, with the elimination of gender stereotypes and systematic education of the teaching staff, has been defined as a national strategic priority.

36. With a view to further strengthening women entrepreneurship (whose share is increasing – presently, it is 30 per cent), ministries, local authorities and civil society organizations are conducting programs for the economic empowerment of women, and there is also targeted scientific researches into the status of women on the labour market. Croatian government has adopted the Strategy for the Development of Women Entrepreneurship 2010–2013.

C. Domestic violence and violence against women

37. In addition to the already covered forms of physical, mental and sexual harassment the sanctions now also include economic domestic violence, as well as corporal punishment and other degrading treatment of children. Beyond the existing possibility for prevention and repression in case of cohabitation, the existing normative solutions can also be applied in case of violence among same-sex relationships. Urgency is required in domestic violence proceedings of all the authorities in charge, with higher fines and longer prison terms.

38. The ten-year successful inter-agency cooperation between the government bodies (justice, police, social welfare, health care) and civil society organizations in the protection of women and children from domestic violence has been implemented in the National Strategy for Protection from Domestic Violence 2005–2007 and the National Strategy for Protection from Domestic Violence 2008–2010.

39. The goals of the National Strategy, among other things, include: improvement and intensification of the training programs for the staff of the state bodies for suppressing domestic violence, provision of systematic education of professionals to implement the psychological and social treatment of domestic violence perpetrators, harmonisation of the legislation with the requirements of international and regional documents, improvement of the social status of the victim, providing for the employment of the victims, encourage the activities of civil society organizations protecting the victims of domestic violence, sensitise the public to the domestic violence issue. Special attention is also paid to women with disabilities who are victims of domestic violence.

40. The purpose of the Protocol on Proceedings in Case of Domestic Violence is to create conditions for an effective and complete action of the authorities in improving the protection and assistance to the victims of domestic violence and to help the perpetrators to change their behaviour and value system. The authorities covered by this Protocol shall immediately take measures to provide for the organization, equipment and sufficient number of specialists, and the funds from the State Budget.

41. The proceeding of the authorities in charge has contributed to the recognition of domestic violence as an absolutely unacceptable form of social behaviour violating the basic human rights and freedoms. The activities conducted have contributed to the strengthening and coordinated action of the governmental and the non-governmental sector, setting up a network of counselling offices to assist the victims of domestic violence. The Government regularly conducts the activities of celebrating the dates related to the promotion of human rights and the improvement of the condition of the victims of domestic violence.

42. With a view to suppressing violence against women Croatia took part in the Campaign of the Council of Europe to Combat Violence against Women, including Domestic Violence. A campaign on the national level was also launched. It included setting up an SOS telephone line for women with disabilities who become victims of violence, and a manual was developed with the guidelines for media reporting on domestic violence.

43. Since 2005, the Address book is being prepared to include the institutions and other organizations providing assistance, support and protection to victims of domestic violence. For the operation of five counselling offices and shelters for victims of domestic violence funds have been earmarked in the State Budget, and building the legal and institutional system for the operation of the counselling offices and shelters for victims of domestic violence is planned.

44. Improvements have been noted in the education of professionals, government employees and civil servants and volunteers, in the recognition and action in case of domestic violence. With a view to improving the efficiency of the police intervention in case of domestic violence, the Ministry of the Interior has been training officers at police stations since 2009 and together with civil society conducts education for various professionals on local levels.

45. The Government has set up a Commission for the improvement of protection from domestic violence, as a consultant and professional body. State administration bodies financially support the work of civil society organizations involved in suppressing domestic violence and other forms of violence against women as well as in improving the condition of victims of violence. Financial support is also provided for the operation of shelters and SOS telephone lines for victims of violence, and their number is continually rising.

D. Rights of the child

46. Under the existing legislation parents are obliged to raise, support and educate their children, independently decide on their upbringing and ensure them the right to full and harmonious development of personality. Physically and mentally challenged and socially neglected children are entitled to special care and education, and the state shall care for children without parents or parental care. Sanctions are in place for abusing and neglecting of children or minors.

47. Furthermore, elementary school is obligatory and free of charge, and secondary and university education is accessible under the same conditions and in accordance with relevant capabilities. This way the principles of equality and accessibility are proclaimed, the discrimination - particularly with regard to material status - is suppressed and social exclusion prevented.

48. Pursuant to the recommendations of the Committee on the Rights of the Child, Croatia undertook many activities in this area such as: adoption of the National Plan of the Activities for the Rights and Interests of Children from Year 2006 until the Year 2012 that envisages specific measures for the implementation of the mentioned recommendations, and the establishment of the institution of the Ombudsperson for Children (2003). The Government of Croatia adopted national documents that additionally protected and promoted the rights of children, namely: National Program for Youth 2009-2013 covering the youth between 15 and 30, which partly includes children (14-18); Activity Program for Preventing Violence among Children and Youth (2004); and National Strategy for the Prevention of Behavioural Disorders among Children and Adolescents 2009-2012.

49. In addition, the protection of the rights of the child within the state administration is also the responsibility of the bodies set up specifically for this purpose: Council for

Children, Commission of the Government of the Republic of Croatia for the Prevention of Behavioural Disorders among Children and Adolescents, and Council for Youth.

50. Croatia has introduced the legal prohibition of corporal punishment of the child under which the parents and other family members must not subject the child to a degrading treatment, mental and physical violence or abuse. The relevant legislation prescribes the duty of the parents to protect the child from corporal punishment by others and introduces a number of measures to be taken by the authorities in charge when the violation of the rights of the child has been noted.

51. Within the CoE Initiative against Corporal Punishment of Children, Zagreb hosted the launch of the international Campaign to Abolish Corporal Punishment of Children (2008), on which occasion CoE Member States were recommended the implementation of respective national campaigns. Belonging to just 1/3 of CoE Member States that have regulated this issue by law, Croatia launched a one-year National Campaign on all levels in 2009. The goals were to warn of corporal punishment as a socially unacceptable behaviour with lasting consequences and to inform the public and the media about the necessity of the measures that contribute to the elimination of this practice, as well as to promote positive parenthood as a social value. Within the framework of the campaign for the youth launched by the CoE the national campaign “All Different/all Equal” was conducted to promote variety and inclusion of the youth into society.

E. Persons with disability

52. Persons with disability have been recognised in Croatia as a social group to which special care and inclusion into the life of the community are to be provided, and children with disabilities are guaranteed special care and education.

53. Special care for the children with disabilities is regulated through specific laws that prescribe the right of an employed parent of a child with severe disabilities to use additional leave – after parental leave – or work shorter hours in order to care for the child and in the interest of the child, until the child is 8 years old. A child with severe health condition (that occurred before the child turned 18 and established under social welfare regulations) is entitled to child allowance until the calendar year in which it turns 27. Furthermore, the status of parent caretaker is provided to parents of the persons whose overall condition is so bad that it requires permanent parental care. In Croatia there is a regulated method for collecting data on the cause, degree and severity of health impairment of persons with disabilities.

54. The Office of the Ombudsperson for Persons with Disabilities has been established on the basis of a special law with a view to harmonising the legislation with the Constitution and to implementing international and national documents in this area. The Office is considering the violation of the rights of the persons with disabilities and informing the public and proposing measures for improving the quality of life.

55. In addition to the Ombudsperson for Persons with Disabilities, there is a broad scope of bodies in all areas to protect the rights of this social group regarding work, employment, health, education, family, sports, etc. Moreover, a special body, the Government Commission for Persons with Disabilities, is responsible for proposing the regulations and consulting the Government (it consists of the representatives of the bodies of state administration, civil society and experts).

56. Croatia is a party to the Convention on the Rights of Persons with Disabilities and its Protocol, whose standards are included in the National Strategy for Equalising the Opportunities of Persons with Disabilities 2007–2015. The goal of the strategy is to strengthen the protection of the rights of persons with disabilities and children with

impaired development, and the harmonization of the national framework with the standards on the global level and with the trends of opening and making all areas of life accessible to persons with disabilities.

57. Croatia promotes the model of partnership between the government and civil society, in which the Ministry of the Family, Veterans' Affairs and Intergeneration Solidarity and the Ministry of Health and Social Welfare continuously cooperate with associations of persons with disabilities and others who work to their benefit.

58. Joint activities in creating conditions for more effective integration of persons with disabilities are presently focusing on examining the possibilities of the legal regulation of the right to a personal assistant and the right to an interpreter for the deaf and deaf/blind; the provision of various services for children with impaired development and persons with disabilities to enable them to better and more equally participate in the life of the community and to prevent accommodation in institutions; further development of programs at family centres to support families with disabled persons; adoption of local strategies.

59. Particular importance is attached to the projects aimed at the implementation of individual rights of persons with disabilities. For four years now, a project has been implemented to ensure a personal assistant to persons with the severest degree of disability (persons dependant on the assistance of others in all the activities of self-care) with the participation of more than 60 associations from 19 counties and 338 beneficiaries whose number is increasing. Beneficiaries, personal assistants, families, and the community in which they live, are happy about the considerable improvement in all areas of life and the strengthening of the self-confidence in this social group.

F. Trafficking in human beings

60. Republic of Croatia supports international activities in the suppression of trafficking in human beings and is a party to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (a so-called Palermo Protocol) and the CoE Convention on Action against Trafficking in Human Beings.

61. An effective model against trafficking in human beings has been established and harmonised with international standards. The third National Plan Against Trafficking in Persons has been adopted for the period from 2009 to 2011 (including the provisions of the UN Convention against Transnational Organised Crime and the so-called Palermo Protocols, and of the Convention on Elimination of All Forms of Violence against Women) that includes activities on the national level to prevent trafficking in human beings.

62. The normative framework prescribes granting temporary stay for humanitarian reasons to a foreign national who, as a victim of trafficking in human beings, accepts the program of assistance and protection. The program includes medical and psychological and social- welfare protection, secure accommodation, translation and interpreting services, legal assistance and safe return to the state of origin conducted by the Ministry of the Interior under the observance of the rights, security and dignity of the victims. Minors who are victims of trafficking in human beings shall not be returned to any state if following an estimate of the risk and safety there is an indication that such a return would not be in their interest.

63. Systematic approach to combating trafficking in human beings is realised through the coordination of activities of state administration bodies, civil society organisations and the media through the work of the National Committee for the Suppression of Trafficking in Persons established in 2002.

64. There is continuous education for all target groups that have come or that could come in contact with victims of trafficking in human beings.

65. In a one-year project of “Program of support for the system to combat trafficking in human beings in Croatia” (2009) whose emphasis is on the education about labour exploitation, border police and criminal police officers are being trained, as well as state inspectors.

66. From 2007 to 2009, in cooperation between the Government Office for Human Rights and international partners, the program EU – CARDS 2004: Combating Trafficking in Human Beings was conducted, involving the Attorney General's Office and relevant ministries. The goal of the project was to strengthen Croatian institutions for combating the trafficking in human beings and to provide assistance to the victims.

67. The effectiveness of the system put in place, and its practice, were recognised by the international community in the annual world report by the State Department on the success in combating trafficking in persons: Croatia is regularly ranked among TIER 1, i.e. the states that meet all the requirements in combating trafficking in persons.

G. Migrants and asylum seekers

68. Croatia has adjusted its legal framework to European standards in regard of migrations so as to facilitate the flow of persons and goods across the border, and at the same time has created better legal instruments for the prevention of illegal migrations. The legal framework of the migration policy regulates the conditions for the entry, movement and stay, as well as work, of foreign nationals on the territory of Croatia.

69. Foreign nationals and persons without nationality may find refuge, unless they are sought for non-political crimes and activities that are in contravention of the basic principles of international law. Three types of asylum protections are prescribed: asylum, subsidiary protection and temporary protection. Asylum shall be granted to a foreign national who finds himself/herself outside the state of his/her citizenship or to a person who finds himself/herself outside the state of his/her usual stay, and who for well-founded fear of persecution on the basis of race, religion, nationality, belonging to a particular social group or political stand, cannot or for fear does not want to place himself/herself under the protection of such a state. Subsidiary protection shall be granted to a foreign national who does not meet the requirements for asylum, and for whom it is reasonably believed that upon his/her return to the country of origin he/she would be exposed to grave injustice, and who for that reason cannot or will not seek protection of that state. Temporary protection is provided to foreign nationals who come to Croatia in large numbers from a state where a war or similar situation, general violence or internal conflicts gave rise to the violation of human rights, if the country of their origin is not prepared or in the position to protect them and if on account of a large number of such persons it is not possible to effectively conduct the procedure for granting asylum in the interest of all the persons seeking protection.

70. The legislation that regulates asylum prescribes the principle of *non-refoulement*. In the procedure for granting asylum there is an efficient process in place for considering individual requests that respects the basic guarantees in the procedure. Asylum seekers, asylees, foreign nationals under subsidiary and temporary protection are guaranteed all the rights provided in international documents and the regulations of the European Union.

71. The Ministry of the Interior, in cooperation with the Croatian Legal Centre, is conducting the project of „Strengthening Croatia Civil Society in regard of Migrations and Asylum in Preparation for Joining the EU“. The project offers an insight in the systematic and methodical conduct in the protection of human rights in the proceeding of police and

other officers implementing the relevant regulations towards illegal migrants and potential asylum seekers.

72. As of the date of acquiring the status of asylee and a foreign national under subsidiary protection, they also acquire specific rights and duties. The officers of the Ministry of the Interior, in particular the integration officer, are helping them in cooperation with civil society organizations to settle in new surroundings and exercise their rights. The first step in the integration is the obligatory registration of stay with the Police Department or station in charge. Thereupon, such persons are registered with the Croatian Employment Office. To date, one person has taken up employment, whereas the others are receiving unemployment benefits. All asylees are registered with the Croatian Institute for Health Insurance and are entitled to choose their general practitioners, dentists and gynaecologists (women). They exercise other rights as well, e.g. to family reunion, the rights regulated through the system of social welfare (permanent or periodical single-payments), and asylees and members of their families have the right to learn the Croatian language. All asylees and foreign nationals under subsidiary protection are entitled to appropriate accommodation, and the rent and charges for housing shall be covered by the social welfare centre in charge. Children under protection are enrolled in the regular school system.

H. Rights of persons deprived of liberty

73. In accordance with the existing legislation, any deprivation of liberty must be carried out in such a manner in order to not degrade the person or his/her dignity. Rights of detainees or prisoners include accommodation, communication with legal counsel, rest, items they are allowed to have with them while deprived of liberty, judicial control of investigative custody, the right of a prisoner to file complaints, correspondence and communication with persons outside the prison etc. Until the investigation has been closed, the accused shall be presumed innocent and can only be limited in his/her freedom and other rights under the conditions stipulated by law. Any person whose personal freedom has been restricted is entitled to be heard before a court or another body in charge in the shortest possible time, to be informed about the reasons for the restriction, and to be advised about his/her rights in the proceedings. The duration of any deprivation or restriction of liberty must be limited to the shortest period that is necessary. A person unjustifiably convicted of a crime or unfoundedly arrested shall be entitled to full rehabilitation.

74. Prisoners enjoy the protection of the basic rights guaranteed by the Constitution, international treaties and laws, and their rights must normally not be restricted, only exceptionally and if absolutely necessary in order to protect order and security in the penitentiary or prison or the prisoners themselves. Restriction of the rights of prisoners must be proportionate to the reasons for which they are being implemented. The procedures subjecting a prisoner to any torture, maltreatment, degradation, medical or scientific tests, and any form of discrimination against prisoner, are forbidden and punishable. The supervision of the treatment of prisoners at penitentiaries and prisons, and minors at educational institutions is primarily conducted by Ministry of the Interior, Ombudsperson, NGOs and European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. Prisoners are guaranteed judicial protection of their rights and they are entitled with the enforcement judge a request for judicial protection against the decisions of the warden, or for the protection against unlawful treatment.

I. Right to education

75. In Croatia the right to compulsory and free education is guaranteed, there is a legal framework in place for the implementation of this right. This legal framework prescribes the right to systematically upbringing and education from the earliest age, in accordance with the universal cultural and civilised values, human rights and the rights of the child, principles of variety and tolerance, and active and responsible participation in the democratic development of society. The existing normative framework prescribes the principles of accessibility and establishment of gender balance among the attendants and accessibility of education to all, with the possibility of the participation of an individual in the learning process in accordance with his/her capacities and needs. Furthermore, the above-mentioned normative framework reinforces the principles of equality and accessibility of high education to all citizens and guarantees involvement of the participants in the education in the conduct and quality implementation of the principles of the Bologna Process. Members of national minorities are guaranteed education in their mother tongues according to the curricula that include additional content related to language, literature, history, geography and culture of respective national minorities.

76. Many national programs are in place that are integrated into the educational system such as the Educational Sector Development Plan 2005–2010 as a strategic development document that increases the quality of education in the culture of living and society based on knowledge and democratic principles, and ensures more readily accessible and adjustable right to education to all. Pursuant to the Croatian National Educational Standard, which enabled the beginning of the changes in the system of elementary school education, the Curriculum and Syllabus for Elementary School were developed in 2006.

77. Education for human rights and democratic citizenship was introduced in the educational system in Croatia in 1999 through the decision of the Government, and the National Program of Education for Human Rights and Democratic Citizenship has been applied since. The program is being realised in an inter-disciplinary manner, as an optional subject, and through the entire curriculum and syllabus of the school. Particular attention is paid to the professional training of teachers aimed at the implementation of active learning methods. The integration of education for human rights into colleges and university is under way nationwide, and there are proposals to set up human rights educational-research centres with the universities in question. Education in this regard is also important for the promotion of the idea of the Alliance of Civilization that includes human rights, identity and interculturalism, peace and non-violent settling of disputes, prevention of prejudice and discrimination.

J. The right to social welfare and health care

78. Persons or families in the hardest position socially and economically, i.e. without income from work, pension or property, and without any other income, are entitled to permanent assistance.

79. Single parent beneficiaries of permanent assistance whose children receive support are currently in a position of inequality because the amount of support for a child (the benefit is meant for the child, not for their parent) is calculated as income of the family, i.e. reduces the amount of the permanent assistance for the family. The purpose of the institute of support is thus degraded and amendments to the legislation is planned to exempt child support from the family income.

80. The right to health care in Croatia is guaranteed to all. Consequently, the right to health care, equality in access to health care, free choice of a doctor and a dentist, health

care of standard quality and equal content, first aid and emergency medical treatment, as well as refusing the treatment, unless the refusal would jeopardize the health of others – are guaranteed to all.

81. There is compulsory insurance for persons with residence and foreign nationals with permanent stay in Croatia, unless provided otherwise in an international social security treaty. Exceptionally, children until 18 with residence i.e. permanent stay in Croatia are considered insured with the rights and duties pertaining to compulsory health insurance.

82. In accordance with professional standards and ethical principles every patient is guaranteed, in his/her own interest and with respect to his/her personal views, equal right to quality and permanent health care appropriate to his/her health condition. In the provision of health services the respect for human being, the preservation of the physical and mental integrity and the protection of personality are guaranteed.

83. There is the State Commission for Protection of Persons with Mental Disorders that checks the conditions and manner of the protection and treatment at psychiatric institutions, and proposes measures for improving treatment. The plan and program of measures of health care within the compulsory health insurance and the National Strategy of Health Care Development 2006–2011 indicate the need to improve mental health and the protection of persons with mental disorders from stigmatisation and discrimination. The plan includes fighting stress and stress-caused mental disorders as a consequence of Homeland War, and prescribes measures for neurotic, stress and depressive disorders, as well as for preventing the stigmatisation of persons with mental disorders.

K. Prohibition of forced labour and the right to work

84. In Croatia there is a consequent prohibition of forced and compulsory labour. It is also prescribed that everyone is entitled to work and is free to work, and that everybody is free to choose his/her occupation and job, and that any job and duty is accessible to anyone under equal conditions. The normative content contains the provision about the entering of permanent employment contracts, whereas the entering of temporary work contracts is only envisaged in exceptional cases. The adopted international documents of ILO and CoE, as well as the regulations of the EU, similarly regulate temporary work as a special form of a contract that is not equal to the permanent employment contract.

85. As regards employment policy, Joint Assessment of Employment Policy Priorities (JAP) was signed with the European Commission in 2008, and on that basis the National Employment Plan (2009–2010) was adopted.

L. Media freedoms

86. In Croatia the freedom of thought and expression of thoughts is guaranteed through the freedom of the press and other media, the freedom of speech, public performance, and free establishment of media institutions. Censorship is prohibited and the right to the freedom of reporting and access to information are guaranteed. There is a developed network of various types of media (national level, a number of local TV and radio stations, periodical and daily newspapers). Based on the legislation, the media respects and promotes basic human rights and freedoms.

87. Media legislation provides for the protection of the media from political influence, and guarantees the freedom of the media and their program independence. The normative framework regulates the requirements for the exercise of the principle of the freedom of the media, as well as the rights and duties of publishers and journalists, the acquisition of

ownership of the media, the regulation of the right to correction and reply, the rights, duties and responsibilities of legal persons and individuals engaging in the production and publication of the program content and services through electronic media. Furthermore, the normative framework mentioned regulates the legal status, activity and the manner of pursuing the activity of the Croatian Radio-Television as the public electronic media owned by the state that informs the public, ensures free debate on issues of public interest and promotes awareness of the need to protect and promote human rights and indicates to the danger of any form of discrimination. In addition, the legal status, activity and manner of pursuing the activity of the Croatian News Agency owned by the state is also prescribed.

M. Right to access to information

88. In Croatia any domestic or foreign individual or legal person is entitled to access the information held by public authorities. In the recent amendments to the Constitution of Croatia the right to access to information in possession of public authorities is guaranteed, and the restrictions of the right to access to information must be in proportion with the nature of the requirement on a case-to-case basis, necessary in free and democratic society, and prescribed by law. The right to access to information has thus been provided constitutional protection, and the procedure for amending the legislation is under way.

N. Free legal aid

89. The introduction of free legal aid is a step forward in improving the human rights situation in Croatia, particularly in relation to the right to access courts under equal conditions for all. The existing legislation enables low-earners and welfare beneficiaries to have their rights and interests protected before courts or public bodies with the professional assistance that is fully or partly financed by the state. The relevant legislation breaks down in detail the income and property requirements i.e. the scope and terms for granting legal assistance. This follows the practice of the European Court of Human Rights and in accordance with the more recent practice and view, there has been a broader interpretation of Article 6 paragraph 1 of the Convention for the Protection of Human Rights and Fundamental Freedoms to the effect that the legal assistance shall also be granted in administrative proceedings.

IV. Identification of achievements, best practices, challenges

90. In addition to achievements in cooperation with civil society organisations, return of refugees and displaced persons, and housing accommodation, war crimes and rights of national minorities, there are also a number of challenges. It is, therefore, important to keep promoting partnership between the authorities and civil society organisations, primarily through continued inclusion of such organisations in the procedures for drafting and passing laws. Furthermore, it is important to continue to provide funds for the operation of civil society organisations. In the process of housing accommodation it is important to complete the process, primarily through the accommodation of the former tenancy rights holders, mostly members of the Serb national minority, particularly outside the areas of special state concern. It is important to invest additional effort in returning the remaining 22 occupied housing units to their owners. In regard of the war crimes it is important to take measures for detecting the perpetrators of the still unprosecuted war crimes - based on the regional cooperation between the respective Attorneys General and the creation of a database. In regard of the protection of the rights of members of national minorities it is important to continue to implement the relevant legislation, particularly in the realization of

appropriate representation of members of national minorities on public and judicial authorities.

A. Civil society

91. An example of good practice in the cooperation with civil society is the implementation of the National Strategy for the Creation of an Enabling Environment for Civil Society Development (2006–2011) that joint with the Operating Plan contributes to creating a new legal, financial and institutional system of support to the development of civil society and the conditions under which citizens and civil society organisations, in synergy with the government and the business community, on the basis of equality, sustainable development and working for the common good, participate in the creation of prosperity and equal opportunities for all.

92. To this end the following measures from the National Strategy have been realised: Code of Good Practice, Standards and Benchmarks for the Allocation of Funding for Programs and Projects of NGOs (2007), regulating the standards and methods of operation of state administration bodies in granting funds from the national budget to organisations for the implementation of programs and projects of special interest to the common/public good; Code of Practice on Consultation with the Interested Public in Procedures of Adopting Laws, other Regulations and Acts (2009), regulating the general principles, standards and requirements for the realization of consulting interested public in the procedure for the passage of laws, and envisaging the education of consulting coordinators of state administration bodies in charge of drafting laws and other regulations; Law on Volunteering (2007), promoting volunteering as an activity of special interest that leads to better quality of life and inclusion of persons into social developments, to more humane and equal democratic society; Draft Law on Organisations that Operate for the Common Good, to be adopted soon.

B. Return of refugees and displaced persons, and housing

93. The issue of refugee return is an important one after the war in Croatia. Croatia accommodated 700,000 displaced persons and refugees and invested great efforts in their return, the reconstruction and housing.

94. Croatia established the legal framework that includes laws and by-laws guaranteeing return to all the refugees without making any conditions. Many measures have been taken to enable sustainable return of refugees and accommodation of refugees and returnees. This includes the activities in the reconstruction of the homes destroyed in the war, repossession, housing accommodation of the former tenancy rights holders, and infrastructure programs aimed at the development in the areas of return. Many measures that are continually being implemented to enable displaced persons to return and reintegrate are harmonised with international law standards, particularly the Convention Relating to the Status of Refugees and its Protocol.

95. To date, about 146,000 housing units have been repaired and rebuilt, ensuring return for about 500,000 members of households of reconstruction beneficiaries. More recently, about 80 per cent beneficiaries of the reconstruction and return program are Croatian citizens of Serb national origin.

96. It has also been continuously dealt with the issue of housing care of the former tenancy right holders. Croatia has introduced a new mechanism for housing accommodation that is accessible to any refugee/former tenancy right holder under just one condition that is embedded in international refugee law – the desire to return. In order to

speed up the implementation of this mechanism, an Action Plan for the Accelerated Implementation of the Housing Care Program for Former Tenancy Rights Holders was adopted in June 2008 and on 24 June 2010 a revised document was adopted.

97. Considering that a great deal of areas to which refugees return is below the average development level in Croatia, and in order to equalize regional development and create conditions for sustainable return, the Law for Regional Development was passed in 2009. In order to facilitate the regulation of stay for persons who stayed in Croatia as refugees or who are returning in accordance with the program for the return and accommodation of displaced persons and refugees who do not have Croatian citizenship, the Aliens Act prescribes more favourable requirements for granting temporary or permanent stay to such persons.

98. All the programs to ensure return and its sustainability have clearly determined timeline and objectives, which enables transparent evaluation of progress.

99. The process of repossession is about to be completed - 19,200 homes have been returned to their owners, and there are just 22 more cases with court proceedings under way to evict temporary occupants. The owners who cannot enter into possession of their homes may sign a friendly settlement on the compensation for the damage sustained. As concerns housing care, to date, 5,912 requests have been granted to families in areas of special state concern, and 1,544 to families outside the areas of special state concern. Within the Action Plan for Accelerated Implementation Housing Care Program for Former Tenancy Rights Holders within and outside the areas of special state concern, 3,468 families have been accommodated from 2001 to 2009. In 2009, the effects of the economic crisis caused the implementation of housing care to slow down, so that the 2008 Action Plan could not be fully realised: it has encompassed 70.6 per cent of the 4,915 housing units planned. Consequently, a Revised Action Plan has been adopted under which the housing care is scheduled to be completed in 2011. All things considered, Croatia believes that the process of return and housing care will soon be brought to its close.

C. War crimes

100. The key humanitarian issue to which the Government is dedicated is determining the fate of the missing persons, as a consequence of the most severe war suffering. In spite of the process of identification conducted to date, there are still 1899 persons listed as missing – 1029 of them went missing between 1991 to 1992, and 870 persons went missing during the military and police operation "Lightning" and "Storm".

101. Croatia is fully cooperating with the International Criminal Tribunal for the Former Yugoslavia (hereinafter the ICTY) and their mutual relationship is regulated through the Constitutional Law on Cooperation between the Republic of Croatia and the ICTY (1996). The activities related to prosecuting war crimes are defined in the action plans within the justice reform, the operation of the Attorney General and the operation of the Ministry of the Interior, and the implementation of their measures in 2008 and 2009 has achieved considerable progress. Croatia adjusted its legal framework, examined all the judgements for war crimes passed *in absentia* and renewed proceedings in cases in which there was justifiable reason for that. Until the end of 2008, the Attorney General of Croatia revised 117 final convicting decisions for 465 persons. Pursuant to the new Criminal Procedure Code, until March 2010, 16 cases involving 93 convicted persons where judgements had been passed in absentia were put down for retrial. There are also priority measures in order to detect the perpetrators of the still not prosecuted war crimes, with reliance on the regional cooperation between attorneys general and the development of a database for the purpose of mutual exchange and legal assistance

102. In Croatia there is an increasing possibility of video-link testifying. There is also a system of support in place for witnesses and victims of crimes. The new Law on Criminal Procedure and the amendments to the Criminal Code that prescribe the criminal law protection of the identity of all the protected and threatened witnesses, provide for securely delivering the testimonies, and for the maintenance of witness integrity.

103. The list of lawyers specialised in representation in war crimes cases is published on the website of the Croatian Bar Association and the appointment of attorney from that list has become the normal practice that ensures proper defence in war crimes cases.

D. Protection of the rights of national minorities

104. Croatia ensures rights to members of all the national minorities in accordance with the highest international standards and instruments and recognizes 22 national minorities. It is important to note that some minorities emerged with the independence of Croatia. Some of the new minorities, primarily the Serbs and the Roma, in spite of the positive policy of Croatia towards them, are facing problems in the exercise of some of their rights. Notably, the Serb national minority, in spite of the numerous activities of the Government to overcome the difficulties noted and its very good political representation, has still not achieved the satisfactory level of representation on bodies of the public administration and judiciary. A particularly important challenge in the protection of the rights of members of the Serb national minority is the continuing implementation of the Action Plan for Implementation Housing Care Program outside the Areas of Special State Concern. In the coming period, it is also important to continue with the positive trend of combating prejudice and stereotypes in regard of members of the Serb national minority.

105. As concerns the Roma, it is necessary to achieve an even higher level of their integration in the Croatian society. It is, therefore, important to continue with the activities aimed at the inclusion of the Roma children and youth in the educational system. Moreover, it is necessary to continuously invest in the improvement of the housing conditions in which members of the Roma minority live, and it is important to ensure them a higher level of health care. Special attention needs to be directed to settling the remaining status issues of members of the Roma minority.

106. The Constitutional Act on the Rights of National Minorities regulates the rights and freedoms of national minorities and precludes any discrimination based on belonging to a national minority. Members of national minorities are guaranteed equality before the law and equal legal protection. The Constitutional Act prescribes the highest international standards for the protection of national minorities, but it has been noticed that its implementation, primarily on the local level, should be better.

107. A Council for National Minorities has been established with a view to their participation in public life, and particularly in order to consider and propose the regulation and settlement of issues related to the exercise and protection of rights and freedoms of national minorities. In 2008, the Government adopted the Action Plan for the Implementation of the Constitutional Act, and its implementation contributed to strengthening the control mechanism in relation to local communities, and in the coming period the activities will be stepped up.

108. The implementation of the Constitutional Act also means fulfilment of the commitments from international treaties to which Croatia is a party, with special emphasis on the Framework Convention for the Protection of National Minorities that Croatia ratified as one of the first states to do so, and the European Charter for Regional or Minority Languages. Following the adoption of the European Charter, the Law on Education in

Languages and Letters of National Minorities was adopted that guarantees the rights of ethnic minorities to education.

109. In accordance with the Act on Election of Representatives to the Croatian Parliament members of national minorities are guaranteed the exercise of the right to representation in the Croatian Parliament, i.e. the right to 8 MPs elected in a special constituency made up of the entire territory of Croatia. In accordance with the Constitutional Act and other legislation in which the provisions of the Constitutional Act were integrated, members of national minorities, under the prescribed conditions, are guaranteed the exercise of the right to representation on representative, executive and administrative bodies of units of local and regional self-government.

110. In 2003, the Government adopted the National Program for Roma with a view to their exercising the constitutionally and legally guaranteed rights and elimination of all forms of discrimination. This program aims to systematically help Roma to improve their living conditions and ensure equality of members of Roma minority with all the other citizens. There has been established a Commission for Monitoring Implementation of the National Program for Roma, chaired by the Prime Minister. At the international level, Croatia joined the Decade for Roma Inclusion 2005–2015 and adopted the Action Plan for its implementation, and its measures contribute to the elimination of the discrimination of the Roma national minority and elimination of poverty.

111. According to data from October 2009, out of 27 self-government units in which equal official use of the language and letters of a national minority has been prescribed by law, 20 of them have regulated the official use of language and letters through their Statutes. Furthermore, 28 units in which members of national minority make up less than 1/3 population, have introduced and regulated for the entire territory of the unit or for individual places, the framework for equal official use of the languages and letters of national minorities so that bilingualism is fully exercised or just related to some rights (bilingual names of streets and squares; bilingual names of places etc.).

112. In most local units in which members of national minorities live traditionally or in greater numbers, Statutes also prescribe the official use of the signs and symbols of national minorities, as well as the right to maintain traditional names and signs and to name places, streets and squares after persons and events of importance to the history and culture of the respective national minority. In such units members of national minorities regularly display their own national symbols on the occasion of the celebration of national holidays or presentation of cultural and other events, in addition to the display of the symbols and signs of Croatia.

V. National priorities and initiatives

113. Outlined:

- Implementation of the National Program for the Protection and Promotion of Human Rights 2008-2011 and its Operational Plans;
- More intensive inclusion of education for human rights and democratic citizenship;
- Systematic monitoring of hate crimes;
- Implementation of the National Anti-discrimination Plan 2008–2013 and the Anti-discrimination Act;
- Provision of free legal aid to the most vulnerable citizens;

- Implementation of the Constitutional Act on the Rights of National Minorities and the Action Plan for the implementation the Constitutional Act on the Rights of National Minorities;
- Implementation of the National Program for Roma and the Action Plan for the Decade of Roma Inclusion 2005–2015;
- Implementation of the National Policy for the Promotion of Gender Equality 2011–2015 and the Gender Equality Act.

Notes:

Act on Election of Representatives to the Croatian Parliament (OG 69/03, 167/03, 19/07, 20/09)
Act on Protection from Domestic Violence (OG 137/09, 14/10, 60/10)
Act on the Protection of Patients Rights (OG 169/04)
Act on the Protection of Persons with Mental Disorders (OG 111/97, 27/98, 128/99, 79/02)
Aliens Act (OG 79/07, 36/09)
Anti-discrimination Act (OG 85/08)
Asylum Act (OG 103/03, 79/07)
Civil Servants Act (OG 92/05, 142/06, 77/07, 107/07, 27/08)
Compulsory Health Insurance Act (OG 150/08, 94/09, 153/09, 71/10)
Constitutional Act on Rights of National Minorities (OG 155/02, 80/2010)
Constitution of the Republic of Croatia (OG 55/01, 76/10)
Criminal Code (OG 62/03, 11/03, 105/04, 84/05, 71/06, 110/07, 152/08)
Criminal Procedure Code (OG 152/08, 76/09)
Croatian News Agency Act (OG 96/01)
Croatian Radio-Television Act (OG 25/03)
Electronic Media Act (OG 153/09)
Execution of Prison Sentence Act (OG 190/03, 76/07, 27/08, 83/09)
Family Act (OG 116/03, 17/04, 136/04, 107/07)
Free Legal Aid Act (OG 62/08)
Gender Equality Act (OG 116/03, 82/08)
Health Care Act (OG 150/08, 155/09, 71/10)
Media Act (OG 59/04)
Labour Act (OG 149/09)
Law on Adult Education (OG 17/07)
Law on Education in Languages and Letters of National Minorities (OG 51/00, 56/00)
Law on Maternity Allowance and Parental Support (OG 85/08)
Law on Regional Development (OG 153/09)
Law on Research and Higher Education (OG 123/03, 198/03, 105/04, 174/04, 46/07)
Law on Same Sex Civil Unions (OG 116/03)
Law on Social Care (OG 73/97, 27/01, 59/01, 82/01, 103/03, 44706, 79/07)
Law on Upbringing and Education in Elementary and Secondary Schools (OG 87/08, 86/09)
Law on Vocational Education (OG 30/09)
Law on Volunteering (OG 58/07)
Preschool Education Act (OG 10/97, 107/07)
Reconstruction Act (OG 24/96, 54/96, 87/96, 57/07, 38/09)
Right to Access Information Act (OG 172/03)