

## **2025 Rule of Law Report - targeted stakeholder consultation**

### **Civil societies organizations' recommendations**

February 2025

#### **Justice System**

- Introduce continuous training for judges on the European Convention on Human Rights, transitional justice, LGBTQ rights, freedom of expression, SLAPP and public interest to reinforce judicial capacities.
- Establish a special office within the Presidency of the Supreme Court that would be authorized to start investigations based on complaints by citizens raised because of unjustified delays in proceedings and improper behavior of judges. Currently such complaints (almost 3 on average per judge per year) are processed by presidents of the courts who are often reluctant to act. Based on the findings of the Office, the President of the Supreme Court could then decide to submit the case to the State Judicial Council (SJC).
- Make disciplinary proceedings against judges public, after the investigative phase has been completed.
- Make the elections of judges and members of the SJC more transparent.
- Publish statistics on the duration of proceedings, implement measures to shorten excessively lengthy and ineffective judicial procedures and to make courts accountable for overly long proceedings (e.g. sanctions for exceeding the time beyond the longest prescribed deadlines).
- Court judgments related to public interest should be excluded from anonymization.
- Involve relevant and interested CSOs and the public in developing action plans for the implementation of concrete ECtHR Judgments and Decisions by submitting the draft plans for E-consultation with the aim of creating the most targeted, high-quality and expedient measures to eliminate and prevent new violations of the Convention.

### **Media pluralism and media freedom**

- Make the online platform with data on media ownership from the register of real owners comprehensive and fully operational (by obliging, among other things, the legal entity with a secret member according to the Companies Act to enter information about that person in the Register of Beneficial Owners).
- Change the procedure for electing members of the Electronic Media Council in order to reduce political influence and include journalists (as representatives of the journalistic profession) as members. Introduce normative and other preconditions for establishing an independent and comprehensive self regulatory media council (that would include print media).
- Ensure systematic monitoring of proceedings against the media and SLAPP cases and publish all judgments against the media on court websites; introduce the legal definition of SLAPP, provide for the introduction of three key legal remedies in court proceeding for cases that claim SLAPP (provision of insurance by the plaintiff to cover litigation costs, submission by the defendant for early dismissal in a special expedited procedure, the possibility of imposing deterrent sanctions on the party that initiated the malicious court proceeding); decriminalize the offence of insult
- Adopt a new media strategy and amendments to the Act on the Croatian Radio-Television, which should provide the framework for building a professional and independent public broadcasting service.
- Implement the recommendations of the Information Commissioner with regard to improving the implementation of requests for access to information under the Freedom of Information Act by public authorities.
- Improve the monitoring of the flow of funds to the media from the state and local budgets, as well as from the budgets of public and state-owned companies.

### **Anti-corruption framework**

- Strengthen the role of the Commission for the Resolution of Conflict of Interest by increasing its capacity and resources for performing its administrative duties.
- Strengthen the implementation of the Code of Conduct for State Officials in Executive Authorities and role of Council
- Review provisions related to free legal aid for whistleblowers, enabling them to exercise the right to free legal aid regardless of their financial status and allocate sufficient financial resources for providers of free primary legal aid to expand their activities to providing legal assistance to whistleblowers

- Reverse the proposed amendments to the Criminal code that would criminalize leaks by officials, attorneys, the accused, and witnesses.
- Public officials should provide support to EPPO in their work and should not undermine its authority
- Improve the legislative framework by revising the Criminal Procedure Act and the USKOK Act to ensure faster prosecution of corruption cases. Increase penalties for high-level corruption to ensure the law has a real deterrent effect.
- Ensure transparency of lobbying activities by publicly recording all meetings and activities of lobbyists in a public register.

#### **Other institutional issues related to checks and balances**

- resume the work of Government's Council on Human Rights, make necessary steps to reform the work of Council for Civil Society Development to work in line with its mission and purpose, and promptly adopt the new National Plan for Creating an Enabling Environment for Civil Society Development until 2027.
- Adopt key policies to develop the capacities of the sector and protect civic space, in a transparent, inclusive and participatory process engaging civil society: the National Strategy for the Creation of an Enabling Environment for Civil Society Development and National Program for Protection and Promotion of Human Rights
- Undertake necessary legislative steps to guarantee the same level of independence to specialised ombudsperson institutions as the Ombudsperson of the Republic of Croatia has, i.e., to amend the provisions of the laws stipulating that Ombudswoman for Children and Ombudswoman for Gender Equality can be dismissed from office following the non-acceptance of their annual reports by the Parliament.
- Ensure timely discussion of the reports of the Ombudswoman in the Croatian Parliament
- Improve mechanisms for CSOs' participation in decision-making and consultation by making these processes more substantive (not only formal) and reasonably long (without the common shortening of the process). Make appointing CSO representatives to working groups and advisory bodies more transparent and selecting candidates through the Council for Civil Society Development more rigorous.



- Restore the previously functional framework of cooperation between CSOs and public authorities, in particular by reviewing the composition of the Council for Civil Society Development to ensure fair representation of civil society organisations.
- Include interested and relevant civil society stakeholders in the process of creating actions plans for the implementation of ECtHR judgements.
- Strongly and publicly condemn attacks on human rights defenders and issue instructions and recommendations to ensure that public officials guarantee the right to defend human rights and freedom of expression and do not engage in the criminalization of the work of human rights defenders.
- Remove unnecessary and diverse barriers to accessing funding that CSOs face and provide national public funding for programs of CSOs focused on the functioning of a democratic society.



## Sufinancira Europska unija

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The Impact4Values program is co-financed by the Office for Cooperation with NGOs of the Government of the Republic of Croatia.