

2025 Rule of Law Report - targeted stakeholder consultation

Fields marked with * are mandatory.

Introduction

The annual Rule of Law Report lies at the centre of the Annual Rule of Law Cycle, which acts as a preventive tool, deepening multilateral dialogue and joint awareness of rule of law issues. So far, five editions of the Rule of Law Report have been published since 2020.

As every year, the Commission would like to invite the stakeholders to provide contributions to the 2025 Rule of Law Report. On the basis of these contributions and on-going developments, further targeted questions may be shared at a later stage of preparation of the 2025 Rule of Law Report, in particular in the context of country visits, or bilateral contacts.

The Commission invites stakeholders to provide contributions which include:

- (1) information on measures taken to implement the recommendations addressed to the Member State in the 2024 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter and**
- (2) any other significant developments since January 2024^[1] and up to the date of submission falling under the ‘type of information’ outlined below.**

The input should consist of a short summary, if possible in English, covering the areas referred to below. Legislation or other documents may be referenced with a link. Contributions should focus on significant developments since the last Rule of Law Report both as regards the legal framework and its implementation in practice.

If you would like to provide further specific **input related to the single market dimension in the Rule of Law report**, you can also respond to the additional targeted consultation available [here](#).

^[1] Unless the information was already submitted in the input for the previous Rule of Law Reports.

Type of information to be included:

Under each of the four pillars, the replies should include references to the following types of information:

A) Legislative developments

- Newly adopted legislation
- legislative drafts currently discussed in Parliament
- legislative plans envisaged by the Government

B) Policy developments

- Implementation of legislation
- evaluations, impact assessment, surveys
- white papers/strategies/actions plans/consultation processes
- follow-up to reports/recommendations of Council of Europe bodies or other international organisations
- important administrative measures
- generalised practices

C) Developments related to the judiciary / independent authorities

- important case law by national courts
- important decision/opinions from independent bodies/authorities
- state of play on terms, nominations and expired mandates for high-level positions (e.g. Supreme Court, Constitutional Court, Council for the Judiciary, Prosecutor General, heads of independent authorities included in the scope of the request for input[2])

D) Any other relevant developments

- National authorities are free to add any further information, which they deem relevant; however, this should be short and to the point.

Please also indicate whether the developments reported are linked to the implementation of reforms and investments under the RRP, where applicable. To simplify your answers to the questionnaire, **if there are no developments, it is sufficient to indicate this** and the information covered in the contributions for the previous Rule of Law Reports does not need not be repeated.

[2] Such as: media regulatory authorities and bodies, national human rights institutions, equality bodies, ombudsman institutions, supreme audit institutions and, where they exist, transparency authorities.

About you

* I am giving my contribution as

- ☐ Academic/research institution
- ☐ Business association
- ☐ Civil society organisation/NGO
- ☐ International organisation
- ☐ Judicial association or network
- ☒ Media organisation or association
- ☐ Public authority or network of public authorities

☐ Other

* Organisation name

250 character(s) maximum

Hrvatsko novinarsko društvo

Main Areas of Work

- ☐ Justice System
☐ Anti-corruption
☒ Media Pluralism
☐ Checks and Balances
☐ Other

Please insert an URL towards your organisation's main online presence or describe your organisation briefly:

500 character(s) maximum

<https://hnd.hr/>

Transparency register number

Check if your organisation is in the transparency register. It's a voluntary database for organisations seeking to influence EU decision-making

* Country of origin

Please indicate the country of origin of your organisation

- ☐ Austria
☐ Belgium
☐ Bulgaria
☒ Croatia
☐ Cyprus
☐ Czechia
☐ Denmark
☐ Estonia
☐ Finland
☐ France
☐ Germany
☐ Greece
☐ Hungary
☐ Ireland
☐ Italy
☐ Latvia
☐ Lithuania
☐ Luxembourg
☐ Malta

- ☐ Netherlands
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Slovak Republic
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden
- ☐ Other - please specify

First name

Hrvoje

Surname

Zovko

Email Address of the organisation

hnd@hnd.hr

*** Publication of your contribution and privacy settings**

You can choose whether you wish for your contribution to be published and whether you wish your details to be made public or to remain anonymous.

- ☐ Anonymous - Only your type of respondent, country of origin and contribution will be published. Organisation name, URL, transparency register number, first name and surname given above will not be published. **To maintain anonymity, please refrain from mentioning the name of your organisation and any details from which your organisation can be identified in the rest of your contribution.**
- ☒ Public - Your personal details (name, organisation name, transparency register number, country of origin will be published with your contribution).
- ☐ No publication - Your contribution will not be published. Elements of your contribution may be referred to anonymously in documents produced by the Commission based on this consultation.

☒ I agree with the personal data protection provisions.

[Specific privacy statement targeted stakeholder consultation 2025 rule of law report.pdf](#)

Questions on horizontal developments

In this section, you are invited to provide information on general horizontal developments or trends, both positive and negative, covering all or several Member States. In particular, you could mention issues that are common to several Member States, as well as best practices identified in one Member State that could be replicated. Moreover, you could refer to your activities in the area of the four pillars and sub-topics (an overview of all sub-topics can be found below), and, if you represent a Network of national organisations, to the support you might have provided to one of your national members.

Overview topics for contribution

[List of topics - 2025 Rule of Law Report.pdf](#)

Please provide any relevant information on horizontal developments here

5000 character(s) maximum

Questions for contribution

Under each pillar, you are invited to provide information on measures taken to implement the recommendations addressed to the Member State in the 2024 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2024 Rule of Law Report and any other significant developments since January 2024 and up to the date of submission[3]. Please always include a link to and reference relevant legislation/documents (in the national language and/or where available, in English). **Significant developments** can include challenges, positive developments and best practices, covering both legislative developments or implementation and practices.

Information provided in reply to the first question under each pillar, related to the follow-up to the recommendations, does not need to be repeated in subsequent parts of the questionnaire, but can be cross-referenced in the subsequent questions, where relevant. All other questions are not limited to the recommendations, but as in previous years, cover the entire scope of the Report.

[3] Unless already covered in the input for the previous Rule of Law Reports.

Member State/enlargement country covered in contribution [only one choice possible]

If you wish to submit information concerning several Member States/enlargement countries, please fill in the questionnaire separately for each country. There is no limit to the number of contributions submitted by a single participant.

- ☐ Albania
- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☐ France
- ☐ Germany
- ☐ Greece
- ☐ Hungary
- ☐ Ireland
- ☐ Italy

- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Montenegro
- ☐ Netherlands
- ☐ North Macedonia
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Serbia
- ☐ Slovakia
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden

I. Justice System

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the justice system (if applicable)

5000 character(s) maximum

A. Independence

Appointment and selection of judges, prosecutors and court presidents (incl. judicial review)

(The reference to 'judges' concerns judges at all level and types of courts as well as judges at constitutional courts)

5000 character(s) maximum

Irremovability of judges, including transfers, (incl. as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (incl. judicial review)

5000 character(s) maximum

Promotion of judges and prosecutors (incl. judicial review)

5000 character(s) maximum

Allocation of cases in courts

5000 character(s) maximum

Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the Judiciary)

5000 character(s) maximum

Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review)

5000 character(s) maximum

Independence/autonomy of the prosecution service

5000 character(s) maximum

Independence of the Bar (chamber/association of lawyers) and of lawyers

5000 character(s) maximum

Significant developments capable of affecting the perception that the general public has of the independence of the judiciary

5000 character(s) maximum

B. Quality of justice

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined in the introduction)

Accessibility of courts (e.g. court/legal fees, legal aid, language)

5000 character(s) maximum

Resources of the judiciary (human/financial/material), remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year)

(Material resources refer e.g. to court buildings and other facilities. Financial resources include salaries of staff in courts and prosecution offices.)

5000 character(s) maximum

Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)

5000 character(s) maximum

Digitalisation (e.g. use of digital technology, including electronic communication and AI tools, within the justice system and with court users, procedural rules, access to judgments online)

5000 character(s) maximum

Use of assessment tools and standards (e.g. ICT systems, including AI-based systems, for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)

5000 character(s) maximum

Geographical distribution and number of courts/jurisdictions (“judicial map”) and their specialisation, in particular specific courts or chambers within courts to deal with fraud and corruption cases.

5000 character(s) maximum

C. Efficiency of the justice system

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined under section 2)

Developments related to efforts to improve the efficiency of the justice system (e.g. as regards length of proceedings)

5000 character(s) maximum

Any other developments related to the justice system - please specify

5000 character(s) maximum

II. Anti-Corruption Framework

Where previous specific reports, published in the framework of the review under the UN Convention against Corruption, of GRECO, and of the OECD address the issues below, please make a reference to the points you wish to bring to the Commission's attention in these documents, indicating any relevant updates, changes or measures introduced that have occurred since these documents were published.

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the anti-corruption framework (if applicable):

5000 character(s) maximum

A. The institutional framework capacity to fight against corruption (prevention and investigation / prosecution)

List any **changes** as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention, detection, investigation and prosecution of corruption and the resources allocated to each of these authorities (the human, financial, legal, and technical resources as relevant), including the cooperation among domestic and with foreign authorities. Indicate any relevant measures taken to effectively and timely cooperate with OLAF and EPPO

5000 character(s) maximum

Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption

5000 character(s) maximum

Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators

5000 character(s) maximum

B. Prevention

Measures to enhance integrity in the public sector (including as regards incompatibility rules, revolving doors, codes of conduct, ethics)

5000 character(s) maximum

Measures to enhance general transparency of public decision-making (including rules on lobbying, asset and interest disclosure rules, gifts policy, transparency of political party, financing)

5000 character(s) maximum

Measures to prevent conflicts of interest in the public sector. Please specify the features and scope of their application (e.g. categories of officials concerned, types of checks and corrective measures depending on the category of officials concerned)

5000 character(s) maximum

--> For the three previous points, **please also provide information and figures on their application/enforcement**, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.)

Measures to ensure whistleblower protection and encourage reporting of corruption, including their application (i.e. number of reports received, and the follow-up given)

5000 character(s) maximum

Specific measures to enhance transparency, integrity and accountability in sectors with high risks of corruption, with a view to monitor and prevent corruption and conflict of interests, and where applicable measures to prevent and address corruption committed by organised crime groups.

Such high-risk sectors could include: public procurement, including construction, transport/infrastructure, defence, cohesion, agriculture, environment, healthcare, citizen/residence investor schemes, large-scale investments of national interest and the spending of EU funds, urban planning.

5000 character(s) maximum

C. Repression

The legal framework on the criminalisation and sanctions for corruption and related offences, including foreign bribery

5000 character(s) maximum

Official data on the number of investigations, prosecutions, final judgments and the application of sanctions for corruption offences (differentiated by offence if possible). Please indicate whether the cases: involve legal persons; are related to the implementation of EU or national funds; involve high level corruption. Please indicate which data is publicly available and how policy-making is informed by the data

5000 character(s) maximum

Potential obstacles identified in law or in practice to the investigation and prosecution of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning)

5000 character(s) maximum

Information on effectiveness of criminal and non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders

5000 character(s) maximum

Any other developments related to the anti-corruption framework - please specify

5000 character(s) maximum

III. Media pluralism and media freedom

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding media pluralism and media freedom (if applicable)

5000 character(s) maximum

Currently, Croatian legislation fails to meet several EMFA provisions, particularly regarding the independence of public service media, transparency in media ownership, editorial independence, and state advertising practices. The current Media Act is an outdated media law from 2004, while the latest draft of media law from July 2023, which HND brought down (<https://bit.ly>), proposed establishing the Media Council following the same Electronic Media Council members' election model. HND is unaware that any new draft has been prepared or that the Government has taken steps to implement the EMFA.

During the recent mission in Croatia, MFRR partners identified how the absence of rules for distributing state funds enables the Government to financially reward supportive media outlets and punish criticism, fostering media dependency and compromising journalistic independence. Funds spent by state-owned companies, estimated to double that of public institutions, remain largely unaccountable as they do not comply with existing reporting requirements. At the local level, the problem intensifies (<https://bit.ly/40j0bul>). Contracts between local authorities and media often mandate promotional content disguised as editorial material. Additionally, media outlets fail to distinguish between paid content and journalism, exacerbating the issue. The silent owners of the media are not obliged to be listed as owners in the register of beneficial ownership. Monitoring cross-media ownership concentration involves the Croatian Chamber of Economy (HGK), which keeps track of ownership structures for print and print distribution companies, and the Electronic Media Council (VEM), which monitors electronic media. In cross-concentration cases, companies must also report to the Agency for Market Competition Protection (AZTN), which creates problems in keeping track of the changes and overlaps concerning the media plurality. In 2024, small private company publisher of local newspaper Glas Slavonije and linked to a prominent member of the ruling party HDZ Vladimir Šeks, has bought Novi list with several other regional newspapers (Glas Istre, Zadarski list) before the 2024 elections due to approval from AZTN to potentially to skew local coverage in the HDZ's favor (<https://bit.ly/42dFT8a>).

Croatia's legal framework still includes provisions that unduly restrict freedom of expression, enabling influential individuals to weaponize the law against public watchdogs, particularly journalists. As a result,

Croatia has one of the highest abusive litigation cases known as SLAPPs in the EU. Legal threats are routinely used against critics who expose corruption, nepotism, political meddling, and other abuses of power. The Croatian Criminal Code penalizes defamation and insult, key issues undermining media freedom (<https://bit.ly/3BYyEXj>). Overly broad and vague provisions enable journalists to be prosecuted for any statement deemed 'false.' Criminal prosecution is often coupled with civil lawsuits, creating a double burden that entangles journalists in lengthy and costly legal proceedings. Further compounding these challenges, a 2024 amendment to the Criminal Code criminalizes the unauthorized disclosure of information related to criminal investigations (<https://bit.ly/3C7GC0e>). In January 2024, HND organized hundreds of reporters in Zagreb and Split to protest the bill (<https://bit.ly/40fUVYI>). In late November 2024, the Zagreb Municipal State's Attorney opened investigations against a journalist with "reasonable suspicion of unauthorized disclosure of investigative or evidentiary actions" as part of the European Public Prosecutor's Office's investigation (<https://bit.ly/4aAcxDr>).

The HND's branches on the Croatian public broadcaster HRT have sent an open letter to the presidential candidates at the recent elections in Croatia to warn of the degradation of professional standards, pressure on journalists and the editorial staff, political recruitment, and censorship that seriously undermine the credibility and professionalism of HRT. For years, they have witnessed that journalists who resist pressure are systematically marginalized, and key topics remain unaddressed. The letter also warns of questionable contracts with external companies that have been concluded for years without public tenders, awarded to companies connected to the current HRT management. HRT Director General Robert Šveb recently announced plans to lay off about a thousand people from HRT in the next year or two, with severance pay, for which the state is providing 28 million euros.

A. Media authorities and bodies

(Cf. Article 30 of Directive 2018/1808)

Measures taken to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies

5000 character(s) maximum

The media sector is within the purview of the Ministry of Culture and Media. The Council of the Agency for Electronic Media (AEM) is the main regulatory body. There is no regulatory body for the print media. Regulation of the digital environment is severely underdeveloped. The Coordinator for digital services is the Croatian Regulatory Authority for Network Industries (HAKOM), a body primarily dealing with technical infrastructure and implementing the Electronic Communications Act. The body has no responsibilities for freedom of expression and media pluralism. Public broadcaster (HRT) is overseen by its Programming Council, the Supervisory Board, and the AEM.

The independence and effectiveness of media authority score a medium risk (38%) in the latest Media Pluralism Monitor (<https://bit.ly/4hbN4C6>). Budgetary resources are defined in law, which prevents political interference. Members of the Electronic Media Council (VEM) are appointed based on the Electronic Media Act (OG 111/21, 114/22) and the Prevention of Conflict of Interest Act (OG 143/21). Article 81 of the Electronic Media Act (OG 111/21) states that the budgetary resources for the functioning of the Agency and the Council are allocated following the annual financial plan of the Agency to a total of 0.5% of the total yearly gross income from the previous year by media operators performing audio, audiovisual on-demand media services, television, radio, electronic publication, and audiovisual platform services. While this removes the Agency from the whims of political decision-making and resource allocation, it also opens the authority to regulatory capture (Rex, 2022). The Agency can enter a conflict of interest between supporting the interests of producers in the industry rather than the interests of the public. The legal framework for the election of Council members should be improved to reduce political interference in the nomination and

appointment procedures that show the apparent lack of independence of the Council, an institution that HDZ captured almost immediately after returning to power in 2015. The main concerns in its recent decision-making practices relate to monitoring impermissible concentration, consistently sanctioning hate speech, and protecting public interests in the electronic media. The main problem is a lack of active decision-making and a narrow understanding of the public role of the independent electronic media regulator.

Conditions and procedures for the appointment and dismissal of the head / members of the collegiate body of media regulatory authorities and bodies

5000 character(s) maximum

The nomination procedure is the main problem regarding the independence of the Electronic Media Council, the only Croatian media regulator (responsible for electronic media and not for print or digital services following the DSA). The Croatian Parliament appoints (majority of MPs present) the President and other members of the Council upon the proposal of the Government of the Republic of Croatia, leaving room for direct political influence (<https://bit.ly/4hbN4C6>). These are most often not people we recognize as professional journalists, and they are most often associated with governing politics.

At the end of 2021, the Government passed a new Law on Electronic Media but missed an opportunity to strengthen the independence of regulators. The appointment mechanism doubts the media regulator's and public media's independence. HND suggested that, instead of the Government, the parliamentary Committee on Information, Computerization, and the Media propose candidates with a two-thirds majority of their members for HRT and the VEM. Therefore, since the Committee represents the party composition of Parliament, it could provide some political balance even if the regular majority in the parliament confirms appointments.

To select the members, the Government of the Republic of Croatia publishes a public call for nominations for the Council members. The President and members of the Council are appointed for five years and can be re-elected for unlimited terms. If a new President or Council member is not elected before the expiration of their term, it can be extended for a maximum of six months until the appointment of the new member.

Furthermore, the required knowledge and qualifications requested by the candidates in the public call are very general and subject to multiple interpretations.

Existence and functions of media councils or other self-regulatory bodies

5000 character(s) maximum

Croatia has no media council; only the Journalists' Council of Honor (<https://bit.ly/3C9o0wK>) was established in 1910. by the Croatian Journalists' Association. The Council of Honor has 11 members, all journalists and members of the HND. Neither publishers nor the public is involved. The Code of Honor is the ruling ethical charter for Croatian Journalists, adopted by HND on the model of similar documents in Europe. The Journalists' Council of Honor supervises the implementation of the Code of Honor. The Council sanctions any journalist who violates journalistic ethical principles. For members of HND, these are warnings, and for those journalists who are not HND members, the Council appeals to their professionalism (public humiliation for unethical behavior). A few warnings mean the termination of membership in the HND and the impossibility of membership in a journalists' organization for non-members. Also, the HND advocates for consulting decisions of the Journalist Council of Honor before allocating public funds to the media. The Council of Honor is recognized in the media community and publicly accepted, and judges often consult it when deciding on cases against journalists or the media.

Media statutes regarding editorial autonomy are ineffective. The Media Act (OG 59/04, 84/11, 81/13) and the Electronic Media Act (OG 153/09, 84/11, 94/13, 136/13, 111/21) do not contain provisions that specifically safeguard against political influence or ensure autonomy in the appointment and dismissal of editors-in-chief. This indicator consistently shows the highest risk over time, indicating self-regulation's ineffectiveness. In the recently adopted National Plan for the Development of Culture and Media, one of the measures is to

strengthen the statutes of newsrooms. Still, details need to be made on how this declared intention should be implemented. The Action Plan for implementing the National Plan is nothing more concrete. Since the existence of a media statute is, among other things, a condition on which print media are granted tax breaks, there should be an independent mechanism for checking the extent to which the statute's provisions are implemented. We have often heard from our membership that the statute's provisions are not in force. Still, there is no prescribed way for the editorial office to dissolve this agreement with the publisher in case of non-compliance.

In the latest draft media law from July 2023, brought down by HND, the Croatian Ministry of Culture and Media proposed an unacceptable composition of the Council of Media Experts that the future Council of Media would appoint. HND evaluated this as an attempt to have an impermissible state influence on the formation and functioning of the self-regulatory body. In an envisioned Council of Media Experts with extensive powers, private profit entities would dominate, taking four out of five seats, while journalists and media experts would be completely marginalized. HND warned about the dangers of a Council of Media Experts, which should decide on allocating direct and indirect support to the media. Among its tasks would be assessing who a journalist is. Luckily, this draft never came to life (<https://bit.ly/40Az9Qs>).

B. Safeguards against government or political interference and transparency and concentration of media ownership

Measures taken to ensure the fair and transparent allocation of state advertising

5000 character(s) maximum

Although the Electronic Media Act stipulates that public grants should be awarded to the media by public call, the allocation of funds still needs to be more transparent. There need to be firm provisions on an independent committee, professional criteria, and transparent implementation of tenders. Advertising decisions are discretionarily, non-transparently, and most often at the will of political leaders, without public insight into the signed contracts and the purpose of spending that money. The increasingly widespread practice raises concern since Article 25 of EMFA requires state advertising based on transparent, objective, and non-discriminatory criteria.

The National Plan for the Development of Culture and Media in the 2023-2027 period, which the Croatian Government adopted in December 2023 with the related action plan 2024, foresees a system of public publication of data on media financing with public funds from the budget. Still, the document needs to indicate whether this also applies to data on advertising by state and public companies, which are among the largest advertisers, and the data on the amounts they invest in advertising in certain media are kept as a business secret. Besides that, implementing the platform with data on state advertising announced in the National Plan will depend on how binding the provisions that would prescribe the delivery of this data will be. Article 38 of the Electronic Media Act stipulates that state bodies and legal entities owned by the Republic of Croatia are obligated to allocate 15% of their annual budget for the promotion of their services or activities towards advertising in regional and local audiovisual or radio programs of television and/or radio broadcasters, and/or electronic media (as per the amendment in 2021). State administration bodies and legal entities primarily owned by the Republic of Croatia should fulfill their legal obligations by submitting information to the Electronic Media Council about the advertising placed by March 31st of each calendar year. However, many don't report about it, and no explicit guidelines exist for distributing state advertising to media outlets. The problem with such non-transparent allocation has become visible in the case of the adviser of the now-dismissed Minister of Economy and Sustainable Development, who allegedly misused his authority and position to buy political influence through state advertising (<https://bit.ly/3DWdGsA>). According to news sources and revealed communication transcripts, he exerted pressure to directly influence the distribution of advertising budgets for state companies and institutions. The parliamentary opposition requested an emergency meeting of the Parliamentary committee on informing, informatization, and the

media (<https://bit.ly/3WmWbb5>). According to news reports, the opposition proposed that the government orders that the Electronic Media Council (VEM) and the Agency for Electronic Media (AEM) be tasked with ordering all state and public bodies and public companies to submit a report within 30 days on advertising in the media, funds paid to PR agencies for media advertising, and sponsorships of all events organized by PR agencies and media companies for 2022 and 2023. In addition, the opposition proposed that the Government present criteria for the transparent allocation of funds for state advertising and public bodies and companies in print, online, and electronic media outlets. Among other things, the proposal requested from the Government is that reports must include the name of the state administration or public body, the total amount of money spent, the name of the publisher and activity or services for which money was paid, and the duration and value of the contract. The parliamentary committee meeting ended without agreement. HND advocates monitoring the flow and transfer of money to the media from the state and local budgets and from the budgets of the public and state companies. According to the funding models HND has already developed for local media (<https://bit.ly/3SqzqSG>), we advocate establishing a national fund for journalism that would publicly and transparently finance the press according to the profession's rules. So far, HND Models have been accepted in Zagreb, Split, Pazin, and Makarska, all cities where HDZ isn't a ruling party.

Safeguards against state / political interference, in particular:

- safeguards to ensure editorial independence of media (private and public)
- specific safeguards for the independence of heads of management and members of the governing boards of public service media (e.g. related to appointment, dismissal), safeguards for their financial and operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions
- information on specific legal provisions and procedures applying to media service providers, including as regards granting/renewal/termination of licenses, company operation, capital entry requirements, concentration and corporate governance

5000 character(s) maximum

The Director General of Croatian Radio and Television (HRT) is appointed through a public tender announced by the Supervisory Board of HRT. The Parliamentary Committee for Information, Informatization, and Media interviews candidates and submits a proposal for appointment to the Croatian Parliament, which then appoints the Director General by a majority vote of all deputies for five years. The election process is often non-transparent, with accusations of irregularities and favoring specific candidates. The program council, which should represent the public's interests regarding HRT's programs, was marginalized in electing the director general. His role is reduced to a minimum, reducing the influence of professionals and the public on key decisions. These shortcomings in appointing the director general of HRT call into question the independence and objectivity of the public media service, which can negatively affect the quality of information provided to citizens and trust in the media.

In addition, HRT has been facing financial difficulties since 2010 due to the "frozen" subscription, which has resulted in a drop in income and made it difficult to maintain the program's quality. The lack of stable funding threatens HRT's ability to fulfill its public mission. While HRT claims it is editorially independent, as required by law, it is less trusted than the leading commercial operators, and many media industry and academic experts highlight its continuing pro-government bias (<https://bit.ly/4hidCSa>).

Unlike in some other countries, where the ruling political elites directly attack and capture institutions, this process is not as explicit in Croatia. Only a deeper analysis of some administrative regions and institutions can reveal their existence. The main goal is to fill institutions with 'reliable' people connected to the ruling party, capturing these institutions so that, even without direct political interference, they still make decisions in the service of the ruling party.

Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners

5000 character(s) maximum

The Croatian Chamber of Economy (HGK) monitors ownership structures for print and print distribution companies, while the Electronic Media Council (VEM) monitors electronic media ownership. However, those oversights do not include an obligation to identify beneficial owners and track conflicts of interest, which is mandatory under the European Media Freedom Act (EMFA). The VEM's mandate to monitor media ownership and ensure transparency is hindered by limited enforcement mechanisms.

Data on print media are collected by the Croatian Chamber of Commerce and published in the Official Gazette. Ownership data of television, radio, and electronic publications are available on the Electronic Media Agency website. Despite all that is mentioned, the real owners may stay hidden since nobody monitors and sanctions if the media ownership structure is not correct and published promptly.

The National Plan for the Development of Culture and Media stated that an online platform with data on media ownership should be created from the register of real owners. However, the existence of secret societies, the creation of which is enabled by the Companies Act, needs to be revised. Suppose a hidden member, based on roles by Article 148, paragraph 1 of the Companies Act, exclusively acquires the right to participate in the profits and losses of the entrepreneur. In that case, the legal entity with a secret member by the Act is not obliged to enter information about that person in the Register of Beneficial Owners.

Nevertheless, the new platform announced in the National plan should enable more accessible data of the Croatian Beneficial Ownership Register, which is now available only through the National Identification and Authentication System (NIAS) on the platform that enables a search only via the company's OIB (unique identifier) or its name. Furthermore, the search is limited to only one company at a time in one search, and for every search, the user must confirm it is not a robot requesting the data. HND believes interested users should be consulted about access and openness to a future media ownership database.

The extent of the non-transparency of media ownership in Croatia is best evidenced by the session of the parent parliamentary committee for media on December 7, 2023, where the position of the Republic of Croatia on the European Act on Freedom of the Media was discussed. The conclusion of this session was not published on the official website of the Parliament, but it is evident from the YouTube recording (<https://bit.ly/40a27oU>) that it was voted on. In conclusion, the Committee for Information, Informatization, and Media members asked VEM to provide data on the actual media owners in Croatia.

There were cases of local television stations whose owners had ties to political parties. For example, people and companies in the ownership structure of the local television Z1 were reported to relate to the party Domovinski pokret (<https://bit.ly/40hHYxx>). Osječka televizija was bought by an owner attached to the party HDZ in a famous corruption case in 2010- although the ownership changed in the meantime, there is still a possibility of political control (<https://bit.ly/3WkleKG>).

C. Framework for journalists' protection, transparency and access to documents

Rules and practices guaranteeing journalists' independence and safety, including as regards protection of journalistic sources and communications, referring also, if applicable, to follow-up given to alerts lodged with the Council of Europe's Platform to promote the protection of journalism and safety of journalists

5000 character(s) maximum

According to the law, journalists are not obliged to disclose information about their sources. However, the State Attorney's Office has the authority to request such data in cases of necessity for national security, territorial integrity, or health protection. The court can ask journalists to reveal their sources even when this has a greater public interest than protecting the source itself. The new Whistleblower Protection Act entered into force in April 2022, intending to provide enhanced protection for whistleblowers compared to previous legal solutions. However, the introduction of article 307a, so-called Lex AP, into the Criminal Code of Croatia

to sanction disclosure of "non-public" information, such as details of an investigative report or evidentiary actions, in a criminal proceeding produces a significant "chilling effect" on the ability of journalists to gather information on criminal justice and the eagerness of public officials and other actors to divulge information to the benefit of the public (<https://bit.ly/3C7GC0e>).

Croatian laws do not contain explicit articles that directly protect journalists. Still, Article 315.b of the Criminal Code refers, among other things, to coercion against people performing tasks of public interest, including journalists. In September 2023, the Croatian Journalists' Association and the Trade Union of Croatian Journalists (SNH) signed a cooperation agreement with the Ministry of the Interior, including two protocols to protect journalists.

The Ministry of Justice and Administration monitors criminal cases against journalists and litigation proceedings for damages. At the same time, the State Attorney's Office of the Republic of Croatia keeps records of crimes committed against journalists, for which prosecution is undertaken ex officio. The Ministry of the Interior records events related to journalists, but the only publicly available record is the one kept by HND within the Safe Journalists project on the [safejournalists.net](https://bit.ly/4gRyikr) portal (<https://bit.ly/4gRyikr>).

In 2024, the SafeJournalists database recorded 26 attacks and threats against journalists. Four were physical attacks, two were death threats, 10 were other forms of threats, two were attacks on a media outlet or organization, and eight were directed at media outlets and organizations. This is a significant increase, considering that 13 incidents were recorded on this portal in 2023.

While physical assaults on journalists in Croatia are relatively rare, the instances that do occur underscore critical gaps in the protective frameworks. One striking example involved journalist Melita Vrsaljko, who was attacked twice in a single week due to her environmental reporting (<https://bit.ly/3PCYgMi>). These incidents exposed flaws in police response and legal classification of offenses. Despite the existence of protocols, their inconsistent implementation leaves media workers vulnerable to violence and discourages them from reporting incidents.

Verbal abuse, often perpetrated by public officials, represents the most prevalent form of attack against journalists in Croatia. In the first six months of 2024, the Mapping Media Freedom portal (MapMF <https://bit.ly/40gQMDM>) recorded that, out of the seven verbal attacks monitored, five were committed by representatives of the government or public officials. Prime Minister Andrej Plenković discredited journalists in public debates for their critical coverage of him and his party (<https://bit.ly/3PADKMo>). In April, the daily Nacional published a recording of an internal meeting of the Croatian Democratic Union (HDZ) in which Prime Minister Andrej Plenković can be heard accusing news outlets such as N1, Telegram, and Nacional of being part of a conspiracy against him and HDZ (<https://bit.ly/3Wn6njR>). Following Jutarnji's article disclosing confidential WhatsApp correspondence between Judge Ivan Turudić and former State Secretary Josipa Rimac revealing frequent meetings and mutual favors, Plenković accused Jutarnji of "corruption" and "malicious reporting." (<https://bit.ly/42gwME2>) The discrediting comments are not new. In January, Plenković verbally abused an N1 journalist at a press conference to avoid answering her questions (<https://bit.ly/4aghilj>). Media outlets serving national minority communities face unique challenges in Croatia. Political pressure from far-right groups like Domovinski pokret has intensified, particularly against publications like Novosti. Domovinski pokret explicit calls to defund minority media have fueled a climate of intimidation, leading to self-censorship and reduced editorial independence (<https://bit.ly/4hi6BAQ>).

Reports of threats, attacks, and threats through the MapMF platform sometimes pressure the authorities to solve these cases faster. However, the methodology for monitoring threats to journalists on the MapMF platform differs from that of the local one. Hence, fewer cases appear on the platform than in the HND database.

Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists

5000 character(s) maximum

In September 2023, HND and SNH signed a cooperation agreement with the MUP, which has two accompanying protocols: a Protocol on the behavior of the police, journalists, and other media workers at public gatherings of public interest and a Protocol on the behavior of the police when learning about a criminal offense committed against the public journalists and other media workers in the performance of work tasks.

The first Protocol specifies the procedures to be followed by the police and media workers during public gatherings of public interest to ensure a safe environment and prevent dangers associated with performing media activities. Journalists and other media workers who intend to report on public gatherings must notify the public relations department of the competent police department of their presence at least 24 hours before the start of the event via official email. In the absence of prior notification, journalists will do so as soon as possible and, at the latest, will report to the public relations representative of the police at the venue of the gathering. It is emphasized that the police, considering their security assessment and actual spatial possibilities, will provide space for media reporting at the public gathering. The Croatian Journalists' Association and the Trade Union of Croatian Journalists will be informed about establishing this space no later than 12 hours before the start of the event. The police will also warn journalists about changes in security circumstances that could threaten their safety. In the Protocol, journalists are recommended to be visibly marked with reflective vests with the inscription "Press" or other suitable inscription for visual identification. If they are not marked, at the request of the police, journalists should be ready to identify with a press card. The lack of clear visual identification will be considered an aggravating circumstance for the hasty action of police officers. The second Protocol prescribes the police procedures for when they become aware of a criminal offense committed to the detriment of journalists and/or other media workers in performing their work tasks, emphasizing the creation of conditions for the effective conduct of criminal investigations of criminal offenses. Suppose there are reasonable suspicions that a criminal offense has been committed to the detriment of journalists and/or other media workers while performing their duties. In that case, the police will take the following measures: They will urgently contact the victim to establish all relevant facts.

Based on the collected information, it will immediately take measures to provide the necessary medical and other assistance to the journalist and/or other victims of the crime.

They will conduct a criminal investigation and collect data and information necessary to solve the crime and identify the perpetrator. Special emphasis will be placed on the fact that a journalist and/or other media worker is a victim of a criminal offense as a person performing work of public interest, as well as on the circumstances of the commission and the legal qualification of that offense.

All information related to a criminal offense against journalists and/or other media workers will be immediately reported to the competent State Attorney's Office following the provisions of the Criminal Procedure Act.

Access to information and public documents by public at large and journalists (incl. transparency authorities where they exist, procedures, costs/fees, timeframes, administrative/judicial review of decisions, execution of decisions by public authorities, possible obstacles related to the classification of information)

5000 character(s) maximum

The current Media Act stipulates that public authorities must respond to journalists' inquiries within an appropriate period. Since this deadline is not precisely defined and no independent body is authorized to monitor the implementation of the Media Act, investigative journalists are increasingly using the Right to Information Act (ZPPI) to obtain data. Here, the deadline is set, and there is an independent institution of the Commissioner for Information that ensures the implementation of the law. Under the new Information Commissioner, Anita Markić, support for journalistic FOI requests appears limited. Commissioner Markić now mandates that FOI requests include personal details such as home addresses and unique personal identification numbers (OIB) of the person requesting the information, a departure from previous practice that allowed requests via email without such personal data. This shift complicates FOI processes and raises

privacy concerns. At the end of 2024, the Ministry of Justice, Administration, and Digital Transformation announced the formation of a working group to prepare the Draft Proposal of the Law on Amendments to the Law on the Right to Access to Information. At the round table organized by the Office of the Information Commissioner on the International Day of Access to Information, it was possible to hear that the amendments to this law are moving toward exempting certain public authorities from being bound by the law. The Croatian Journalists' Association applied to join the working group and civil society organizations that are active users of the Act in their activities; however, none of these organizations joined the working group. The final composition of the working group has not yet been announced, and the competent ministry ignored HND's inquiry about the composition of this working group. HND expresses concern that changes to the law will exclude state and public companies and institutions that are not financed only by budget funds from it as obliges. So far, in numerous situations when information should be public, state and local officials refrain from publishing them, delaying the process by rejecting access, complaining about the commissioner's decisions, and sending incomplete answers. In the experience of journalists, officials often let the deadline for response expire and then delay the procedure even further by giving a partial response or providing information not requested. From the Reports on the Implementation of the Right to Information Act, it is evident that withholding information due to personal data protection is the most common reason for restrictions from year to year.

The policy of secrecy is also reflected in introducing a new criminal offense for disclosing information from criminal proceedings. Although the Croatian competent authorities pointed out that no potential amendment to the law would affect the work of journalists or the protection of their sources, we consider this legislation a direct attack on freedom of speech and freedom of receiving information. In a democratic state, the public has the right and must be informed about the procedures conducted by state bodies that are of public interest, which this law prevents. Its introduction hides criminal proceedings against high state officials from public scrutiny, which is unacceptable in a democratic country. We believe this is a law of dangerous intent against the journalistic profession and the public interest, and we continue to oppose it (<https://bit.ly/40gR7Gv>). This provision deters sources from cooperating with journalists, severely hampering investigative reporting and the corroboration of stories (<https://bit.ly/3WjKMsG>).

Additionally, although the Republic of Croatia has committed itself to the public publication of court decisions, reaching the decisions of the first level of courts is almost impossible. Namely, HND, in cooperation with the non-governmental organization Center for Democracy and Law Miko Tripalo, tried to obtain data on court decisions in lawsuits against the media and journalists for defamation of reputation and honor. Some courts sent the data based on a request for the right to access information, while others asked us to prove a legitimate interest in viewing the requested data.

Lawsuits (incl. SLAPPs - strategic lawsuits against public participation) and convictions against journalists (incl. defamation cases) and measures taken to safeguard against manifestly unfounded and abusive lawsuits

5000 character(s) maximum

According to a survey conducted by the Croatian Journalists' Association (HND) for the sixth year, at least 752 lawsuits against the media and journalists were active in Croatia at the beginning of 2024 (<https://bit.ly/40gGSlu>). Influential individuals (politicians, members of parliament, judges, lawyers, etc.) initiated at least 128 of them. We have only gathered the number of active honor and reputation injury cases from 21 Croatian newsrooms willing to share data, and only four didn't have any lawsuits. However, collaborating with the Centre for Democracy and Law, Miko Tripalo, we analyzed 1,333 court judgments against the media and journalists from 2016 to 2023. Research estimated that at least 40% of these exhibit SLAPP characteristics (<https://bit.ly/4anmwMe>). The Ministry of Culture significantly underreports these figures. This gap also shows the need for better monitoring through official authorities' qualitative and quantitative data collection.

The absence of effective anti-SLAPP measures, such as early dismissal, allows cases to extend over time

(on average 4.3 years), financially straining journalists and curbing their watchdog role. Minority journalists, especially those working for outlets like Novosti, are frequent targets. Typical plaintiffs include politicians, businesspeople, and judges, with Croatia being an exception. Many cases are brought under civil defamation laws, often involving large claims for damages. The average compensation claim is EUR 9,300, while the average compensation is EUR 3,200.

Croatian legislation currently lacks anti-SLAPP provisions. While the Ministry of Justice is leading the transposition of EU Directive 2024/1069 and announced that it is forming a working group, by the time of writing this report (January 2025), the HND was not aware that any new draft had been released or that the working group is established. In the National Plan for Developing Culture and Media, SLAPP is addressed by establishing mechanisms for early recognition and rejection of clearly unfounded or malicious court proceedings as one of the measures. The Ministry of Culture and Media is responsible for implementing this measure. However, the Action plan does not have details on how this measure will be realized, and there is still no official definition of SLAPP in Croatia, nor do the courts separate and classify such lawsuits. The absence of any limitations on potential civil damages for defamation also contributes to the risks faced by journalists - which threaten their livelihood and perpetuate the chilling effect if the regular courts still do not consistently apply Article 10 standards of the European Convention on Human Rights.

Even so, on November 9, 2023, the Government submitted an Action Report (<https://bit.ly/3C7DD80>) to the Committee of Ministers to supervise the execution of ECtHR judgments proposed to close the examination of general measures in the Stojanović group of cases v. Croatia (App no. 23160/09), claiming that the general measures taken can prevent similar violations. The fact that the Constitutional Court of Croatia has aligned its case law with the standards expressed by the European Court is indeed a positive development. However, in the specific context of Croatia, this development is insufficient to address the core issue identified by the European Court in the Stojanović group cases. These measures rely on the Constitutional Court remedying the eventual disqualifications, which would be of little help in combating the chilling effect on journalism since such a remedy would come too late and be threatened with too high a cost to have a meaningful impact on the journalists affected. Thus, the emphasis must be on continuous education and actively changing the practice of the lower courts to comply with the standards. Therefore, the training of judges is crucial and necessary to implement the findings of the Constitutional Court.

Any other developments related to media pluralism and freedom - please specify

5000 character(s) maximum

IV. Other institutional issues related to checks and balances

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the system of checks and balances (if applicable)

5000 character(s) maximum

A. The process for preparing and enacting laws

Framework, policy and use of impact assessments and evidence based policy-making, stakeholders'[1]/public consultations (including rules and practices on the transparent participation of civil society to policy development and decision-making processes), and transparency and quality of the legislative process both in the preparatory and the parliamentary phase

[1] This includes also the consultation of social partners

5000 character(s) maximum

Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency/urgent procedure compared to the total number of adopted decisions)

5000 character(s) maximum

Rules and application of states of emergency (or analogous regimes), including judicial review and parliamentary oversight

5000 character(s) maximum

Regime for constitutional review of laws

5000 character(s) maximum

B. Independent authorities

Independence, resources, capacity and powers of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions

(Cf. the website of the European Court of Auditors: <https://www.eca.europa.eu/en/Pages/SupremeAuditInstitutions.aspx#>)

5000 character(s) maximum

Statistics/reports concerning the follow-up to recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past two years

5000 character(s) maximum

C. Accessibility and judicial review of administrative decisions

Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data)

5000 character(s) maximum

Judicial review of administrative decisions: short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review)

5000 character(s) maximum

Rules and practices related to the application by all courts, including constitutional jurisdictions, of the preliminary ruling procedure (Art. 267 TFEU)

5000 character(s) maximum

Implementation of final judgments by the public administration and State institutions and follow-up given to supranational judgments, including decisions from the European Court of Human Rights, as well as available remedies in case of non-implementation

5000 character(s) maximum

D. The enabling framework for civil society

Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration, transparency and dissolution rules)

5000 character(s) maximum

Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures to protect them from attacks – verbal, physical or on-line –, intimidation, legal threats incl. SLAPPs, negative narratives or smear campaigns, measures capable of affecting the public perception of civil society organisations, etc. It also includes measures to monitor threats or attacks and dedicated support services, as well as available remedies

5000 character(s) maximum

Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation/incentive/donation systems, measures to ensure a fair distribution of funding)

5000 character(s) maximum

E. Initiatives to foster a rule of law culture

If there have been developments related to initiatives to foster a rule of law culture, please specify, which (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society, education initiatives, etc.)

5000 character(s) maximum

Any other developments related to the system of checks and balances - please specify

5000 character(s) maximum

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Contact

rule-of-law-network@ec.europa.eu