

## 2022 REPORT ON THE APPLICATION OF THE EU CHARTER OF FUNDAMENTAL RIGHTS: THE CIVIC SPACE AND ITS ROLE IN PROTECTING AND PROMOTING THE FUNDAMENTAL RIGHTS UNDER THE CHARTER

### CONSULTATION OF EU MEMBER STATES

#### Questionnaire

#### **A – The role of CSOs and rights defenders in ensuring the effective implementation of the Charter at national level**

1. How do CSOs contribute to activities aimed at making the fundamental rights enshrined in the Charter a reality in your country? Please give examples.

Civil society organisations play a pivotal role in promotion and raising knowledge on fundamental rights in Croatia. By implementing projects on national and local scale, CSOs raise awareness on international standards of human rights among general and specific public. CSOs also play an important role in implementation of nonformal educational activities aimed at raising the level of knowledge and empowering various groups (i.e., young people, vulnerable groups) to better understand and achieve their rights. According to the Register of Associations, which is an official and publicly available register of all association in Croatia, currently there are 4.168 associations working in the field of human rights in Croatia (in total there are 52.419 associations in Croatia).

Regarding the policy making and decision-making processes, representatives of civil society organisations regularly take active part in the planning and drafting of relevant national documents as members of the working groups in charge of drafting policy and legislative proposals. In that regard CSOs contribute to integrating human rights perspective in various policies.

In 2021 Croatian Government adopted National Development Strategy of the Republic of Croatia until 2030, an overarching strategic document for national development that sets framework for the preparation of all local, regional, and national strategies. In this strategy openness to counselling and participation of citizens and civil society organizations in the formulation and implementation of public policies is set as one of the priorities in development of public administration.

CSOs also play a vital role in the Civil Society Development Council, an advisory body to the Government that participates in the continuous monitoring and analysis of public policies related to and/or influencing the development of civil society in Croatia. Most recently, the Croatian Government has established Council for Human Rights; an advisory body that gathers relevant stakeholders to discuss human rights issues and monitor development and implementation of policies from the human rights perspective. Representatives of state bodies, governmental offices and civil society organisations are part of this newly formed Council.

From the fundamental rights perspective, hate crimes violate the right to human dignity, the right to equality of treatment and the freedom of thought, conscience and religion, and in regards to this issue good example of collaboration between CSOs, academic community and state bodies is project "IRIS – Improved response to intolerance through research, strategic advocacy, and training". Project was funded by the Rights, Equality and Citizenship Programme of the European Union (2014-2020) and implemented by the Croatian Legal Center (CSO) in partnership with the State Attorney's Office, the Police Academy and Government's Office for Human Rights and the Rights of National Minorities. The project included cooperation with the Supreme Court of the Republic of Croatia and the High Misdemeanor Court of the Republic Croatia.

Project results provide evidence to support national efforts in preventing hate crime by giving insight on which groups are most often victimized by hate crimes; what criminal offenses are most prevalent in this group of offenses; what are examples of good practice, and what are the problems and inconsistencies in the prosecution of hate crime cases. The results are presented in the final research report entitled [Hate Crime in Croatia – Empirical Research of Cases from the Period 2013 – 2018.](#)

Based on the results of research and stakeholder consultations, Recommendations for the Improvement of Response to Hate Crimes and Recommendations for Improving Cooperation between CSOs, Police and the Judiciary were developed and they are widely used in discussions and in preparation of new interventions in regards to preventing hate crime.

*2. In which areas do CSOs contribute the most to the protection of fundamental rights? 3. How do rights defenders, including NHRIs, Equality bodies and Ombuds-institutions, contribute to activities aimed at making the fundamental rights enshrined in the Charter a reality in your country? Please give examples.*

Civil society organizations contribute to fundamental rights protection and promotion through public advocacy, human rights education and training, awareness-raising, reporting, and research activities aimed to create better policies and laws. Next to the state bodies representatives, civil society organizations, through the Civil Society Development Council, participate in the continuous monitoring and analysis of public policies related to and/or influencing the development of civil society in Croatia.

For example, Human Rights House Zagreb, a network of civil society organizations with the goal of protecting and promoting human rights and fundamental freedoms publishes an annual human rights overview and also conducts a survey in cooperation with the European Union Agency for Fundamental Rights in order to develop a comprehensive database of experts and relevant stakeholders for capacity building in the Charter of Fundamental Rights.

Ombuds-institutions contribute to promoting and protecting human rights, fundamental freedoms and the rule of law by examining complaints, monitoring the state of play relating to implementation of human rights' policies ; regularly informing the public as well as the national parliament on its work; promoting the harmonization of the national legislation with international and European standards and its consistent application, receiving and investigating discrimination complaints, taking actions aimed at the elimination of discrimination and protection of the rights of the persons suffering unequal treatment, informing the Croatian Parliament and the public about the occurrences of discrimination, suggesting appropriate legal and strategic solutions to the Government of the Republic of Croatia, receiving complaints submitted by the persons deprived of their liberty, visiting places of detention, receiving whistleblowers' reports of irregularities committed by their employers as the external reporting channel, and other.

Specific examples of activities aimed directly at ensuring the effective implementation of the Charter at the national level include the training session organized by Ombudsman's Office in 2019 for public servants, focusing on awareness-raising on the Charter, the obligations arising from it, and the areas of implementation among public servants included in legislative procedures, as well as training sessions for civil society members, focusing on the potential for the use of the Charter in public campaigns, advocacy activities and in supporting the human rights violations' victims (with a special focus on strategic litigation). In 2018 Ombudsman's office participated in a project focusing on providing a series of seven training sessions for Croatian judges on the Charter's implementation. Furthermore, Ombudsman's Office cites relevant articles of the Charter in annual reports submitted to the Croatian Parliament, thus contributing to raising awareness about them on a large scale and among a wide variety of stakeholders — not only the national parliament and the national authorities but also the public administration, the judiciary, the civil society, the media as well as the public.

*4. In which areas do right defenders contribute the most to the protection of fundamental rights?*

Right defenders contribute most by actively engaging in consultative processes that are integral part of legislative procedures and policy making in different areas of fundamental rights.

In regards to ESI funds, human rights defenders (including ombudsman's institution) took part in the work of the Monitoring Committee of the Operational Program Effective Human Resources 2014-2020., a permanent body established to monitor the implementation of the Program and progress in achieving its objectives. CSOs also participate in an interdepartmental and advisory body of the Government of the Republic of Croatia for human rights issues (Council for Human Rights, Civil Society Development

Council), as well as policy-making processes through active participation in the expert working groups in charge of drafting relevant national policy documents.

The Ombuds-institution performs the mandates of the ombuds institution as well as the National Human Rights Institution, National Equality Body, National Preventive Mechanism for The Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and is an external channel for the reporting of irregularities under the Whistleblower Protection Act. The Ombuds-institution deals with the majority of the rights and freedoms covered by the Charter, apart from those pertaining to the persons with disabilities, children, and those related to the grounds of sex, gender, sexual orientation, and gender identity; which are under the mandate of specialized ombudsman's offices (The Ombudswoman for Gender Equality, the Ombudswoman for Children, Ombudswoman for Persons with Disabilities).

## **B – The work of the Member States to protect CSOs and rights defenders**

### **5. How do you ensure that CSOs and rights defenders work in a safe and enabling environment?**

The Government Office for Cooperation with NGOs is preparing the National Plan for Creating and Enabling Environment for the Civil Society Development 2022-2027 with the intention to further improve the legal, financial and institutional support system for the activities of civil society organisations, which are considered important for the socio-economic development of Croatia.

### **6. Please explain the main features of the legal framework applicable to CSOs (for example, rules on declaration/registration/dissolution, rules governing the exercise of their activities, court decisions relating to the application of this legal framework, etc.). Please add relevant references to such rules.**

Croatia has several laws regulating the functioning of CSOs.

Constitution of the Republic of Croatia (Official Gazette, No. 85/10, 5/14 -consolidated text) stipulates that everyone shall be guaranteed the right to freedom of association for the purposes of protection of common interests or the promotion of social, economic, political, national, cultural and other convictions and aims. The right to freedom of association shall be restricted by the prohibition of any violent threat to the democratic constitutional order and the independence, unity, and territorial integrity of the Republic of Croatia.

The Law on Associations ([Official Gazette, No. 74/14, 70/17, 98/19](#)) is the main legal framework for associations in the Republic of Croatia. With the adoption of the Law on Associations in 2014, substantial advances are made in normative framework for the activities of associations in Republic of Croatia, achieving the requirements from National Strategy for the Creation of an Enabling Environment for Civil Society Development 2012-2016. The Law on Associations regulates the establishment, legal status, operation, registration, financing, property, liability, status changes, supervision, cessation of existence of the associations with legal personalities, and the registration and termination of foreign associations in the Republic of Croatia, unless otherwise provided by a special law. The Law on Associations defines an association as any form of free and voluntary association of several natural or legal persons, founded in order to protect their interests or to promote the protection of human rights and freedoms, environmental and nature protection and sustainable development, humanitarian, social, cultural, educational, scientific, sports, health, technical, informational, professional or other beliefs and goals that are not in conflict with the Constitution and the law and without the intention of gaining profit or other economic benefits, which are subject to rules governing their constitution and operation.

Accordingly, bylaws were adopted that regulate certain areas of the Act: Regulation on the content and on the means of conducting the Register of Associations of the Republic of Croatia and the Register of Foreign Associations in the Republic of Croatia; Regulation on the Criteria, Standards and Procedures for Financing and Contracting Programs and Projects of Public Benefit Interest Implemented by Associations. Also, Law on Financial Activities and Accounting of Non-profit Organizations was adopted in 2014.

A foreign association, within the meaning of the Law on Associations, is an association established without the intention of making profit, in accordance with Article 4 of the Law, and is validly established based on the foreign legal order. A foreign association may perform its activity on the territory of the Republic of Croatia after entering in the Register of Foreign Associations in the Republic of Croatia (hereinafter: the Register of Foreign Associations), in accordance with special regulations governing the conditions for performing this type of activity. Foreign associations are entered in the Register of Foreign Associations at the counties, or the City of Zagreb, according to the seat of the foreign association.

The Register of Foreign Associations is kept in electronic form uniquely for all foreign associations in the Republic of Croatia, at the competent administrative body of the county, or the City of Zagreb. A foreign association does not acquire the status of a legal entity by registering in the Register of Foreign Associations.

The Law on Foundations ([Official Gazette, No. 106/18, 98/19](#)) regulates the establishment, legal status, activities, registration, organization, activity, property, status changes and termination of foundations, registration and termination of foreign foundations, and supervision over the work of foundations and foreign foundations. Within the meaning of the Law on Foundations, a foundation is an asset intended to permanently contribute, by direct engagement or by the acquired revenues, to some public benefit or charitable purpose. The Foundation is a non-profit legal entity without members.

Public benefit, within the meaning of the Law, is the purpose of fulfilling and promoting civil and human rights and freedoms, democratic institutions of society, development of society and local communities, protection of environment, nature and sustainable development, international development assistance and cooperation; and cultural, educational, scientific, spiritual, sports, health, humanitarian, welfare or any other social activity that promotes the common good. A charitable purpose, within the meaning of the Law, is the purpose of providing support to persons in need of assistance.

All listed official records (Register of Associations, Register of Foreign Associations, Register of Foundations and Register of Foreign Foundations) are public. The data entered in these registers are public and are published on the website of the Ministry of Justice and Administration.

**7. Do you have in place a system for reporting and monitoring threats or attacks (including physical attacks) on CSOs activists and rights defenders? If yes, how does it work?**

In Croatia system for reporting and monitoring threats or attacks is defined by the Criminal Procedure Act. There is no special procedure in place for reporting and monitoring threats/attacks on rights defenders/CSO activists.

Article 204 of the Criminal Procedure Act (Official Gazette, No. 152/08, 76/09, 80/11, 121/11, 91/12, 143/12, 56/13, 145/13, 152/14, 70/17, 126/19; hereinafter: Criminal Procedure Act) prescribes that everyone is required to report a criminal offense prosecuted ex officio of which he was informed, or which came to his knowledge. When submitting a crime report, state authorities and legal entities shall indicate evidence known to them and undertake measures to preserve traces of the offense, the objects upon which or by means of which the offense was committed as well as other evidence. Cases in which a failure to report a criminal offense is a criminal offense in itself shall be prescribed by law.

According to Article 205 paragraph 1 of the Criminal Procedure Act, the report shall be filed with the competent State Attorney in writing, orally, or by other means. If the report was filed with the court, the police authority, or a State Attorney lacking jurisdiction, they shall immediately forward it to the State Attorney having jurisdiction (Article 205 paragraph 4 of the Criminal Procedure Act).

**8. Do you provide for, support, or finance an alert mechanism and/or supporting services in case of physical and online attacks to CSOs activists and rights defenders?**

As provided by the Criminal Procedure Act, if in the specific case a criminal offense is concerned, the victim of a criminal offense, *inter alia*, will have the right to access services providing support to victims of criminal offenses and the right to efficient psychological and other professional assistance and support

of the body, authority or institution providing assistance to victims of criminal offenses (Article 43 paragraph 1 point 1 and 2 of the Criminal Procedure Act).

9. Are you part of the Open Government Partnership<sup>6</sup> (OGP)? If yes, could you share the link to your latest OGP action plan?

As a member of the Open Government Partnership Global Initiative since 2011, the Republic of Croatia has expressed its readiness to support the principles of transparency, combating corruption, empowering citizens and taking advantage of new technologies to enable all public authorities at all levels to become more efficient and responsible, and to create the prerequisites for the more efficient and innovative provision of public services and the management of public resources.

Republic of Croatia has so far carried out 3 Action plans for the Implementation of the Open Government Partnership. The [latest Action Plan for the Implementation of the Open Government Partnership was](#) for the period up to 2020. However, Government Office for Cooperation with NGOs is in the process of finalizing the 4th Action Plan for the Implementation of the Open Government Partnership in Croatia (for the period 2022 – 2023) which is expected to be adopted soon.

10. Do you assess how CSOs are impacted by legislative proposals in the legislative preparatory work? If yes, please briefly describe the process/mechanism.

No, there is no assessment on how CSOs are impacted by legislative proposals. However, Croatia has in place Regulatory Impact Assessment Act ([Official Gazette, No. 44/17](#)). According to this Act, the analysis of the direct effects of the draft regulations is part of the regulatory impact assessment and this analysis should determine the effects of proposal in the field of economy, small economy, labor market, social welfare and pension system, health, environmental protection, protection of human rights and protection of competition.

11. Do you consider it necessary to improve the cooperation between Member States and the EU to strengthen the level of protection of CSOs and rights defenders working to protect fundamental rights? How? Yes. We propose strengthening cooperation between Member States in creating enabling environment for human rights defenders and taking collaborative measures to raise awareness and promote knowledge about human rights defenders' work and its recognition on EU level.

## **C – The work of the Member States to support CSOs and rights defenders**

12. Please indicate which public authorities are competent to disburse public funding and the main programmes of funding available at national and local level for CSOs working to protect and promote fundamental rights. <sup>6</sup> <https://www.opengovpartnership.org/> 4

- (a) How do authorities select the CSOs, and what are the main conditions they have to fulfil?
- (b) How do authorities ensure a fair distribution of funds among CSOs?
- (c) Is there public funding available for organisations' core costs for administrative expenditures and infrastructure?
- (d) Is there public funding available for human rights advocacy?

Having in mind the very high costs and more pronounced demands regarding transparency and accountability of spending taxpayers' money in this area, the Croatian Government, in order to fulfil the obligations arising from the Law on Associations, adopted the Regulation on the Criteria, Standards and Procedures for Financing and Contracting Programmes and Projects of Public Benefit Interest Implemented by Associations in 2015.

The Regulation defines standards for funding programmes and projects of associations and other CSOs. When funding programmes and projects of associations, public authority is obliged to do it via public



call which prescribes the conditions for the application, the criteria for the evaluation of applications and the procedure for allocation of funds.

There is public funding available for organisations' core costs which is administered by National Foundation for Civil Society Development. The National Foundation publishes the call for institutional support that represents a targeted, 3-year investment into the organisational development and/or stabilisation of CSOs.

There is public funding available for human rights advocacy and this is mostly financed by foreign authorities/institutions/organisations.

13. Do you have a system in place to get an overview or to coordinate the funding opportunities available at the different levels? By whom is it coordinated, and how does it work?

The Government Office for Cooperation with non-governmental organisations (NGOs) is responsible for:

- Coordinating the preparation, implementation and monitoring of public calls for financing programs and projects of NGOs from public sources,
- Giving prior opinions to all providers of financial resources from public sources at the national level on the compliance of areas of financing and implementation of the calls procedure with the Regulation, and for tenders worth more than 10 million HRK performing prior quality control of tender documentation and other requirements,
- Preparing the joint annual plan of calls and other NGO-directed programs financed from public sources at the national level aimed at harmonization and better planning by all bodies providing public funding to NGOs,
- Organising Info days at the beginning of each year in order to present calls for the current year to potential and interested beneficiaries,
- Collecting and publishing information on announced calls at the national and local levels and publishing them on the Office for Cooperation with NGOs web page,
- Ensuring timely exchange of information among donors of funds on associations that breach funding rules or otherwise fail comply with contractual obligations,
- Preparing Manual on the application of the Regulation including templates of calls documents as guidelines to donors of funds,
- Organising counselling and trainings for donors' institutions staff that are directly responsible for implementing (applying) Regulations for finance NGOs projects and programs,
- Submitting reports to the Croatian Government and interested public including developing comprehensive analysis on financing of NGOs projects and programs at least once a year.

14. Has any process to simplify and speed up access to funding been considered/adopted/implemented?

Government Office for Cooperation with NGOs is planning to develop a central online platform for funding projects and programmes of associations. A platform will enable monitoring and valorisation of the distribution of funds for programmes and/or projects of interest to the public good implemented by associations and it would be obligatory for all public authorities to conduct the whole process of funding projects and programmes via this platform.

15. Does your taxation system provide for a tax exception/relief/incentive in case of donations to CSOs?

Yes, tax deductible donations are gifts in kind or in money, effected domestically for cultural, scientific, educational, health, humanitarian, sports, religious, ecological, and other generally useful purposes to associations and other persons performing the said activities pursuant to special regulations, if they amount to less than 2% of the revenue generated in the previous year. By way of derogation, the amount may be higher than 2 % of the revenue generated in the previous year if it is given pursuant to decisions

of competent ministries on financing special schemes and actions. Furthermore, state bodies, institutions of units of regional self-government, institutions of units of local self-government, state institutes, religious communities, political parties, trade unions, chambers, associations, artistic associations, voluntary firemen associations, technical culture associations, tourist boards, sport clubs, sports societies and associations, trust funds and foundations are exempted from profit taxation.

16. What is the legal framework applicable to donations for other EU countries or third countries to CSOs?

The Regulation on the Criteria, Standards and Procedures for Financing and Contracting Programmes and Projects of Public Benefit Interest Implemented by Associations is also applying on donations from other EU countries or third countries to associations in Croatia.

#### **D – The work of the Member States to empower CSOs and rights defenders**

17. Is there a structured dialogue policy between CSOs and public authorities at local, regional and national level? Is there a body representing the interest of CSOs? How is it composed and which are its competences?

The Council for Civil Society Development is an advisory body to the Government of the Republic of Croatia working towards developing cooperation between the Government and the civil society organisations in Croatia on the implementation of the National Strategy for Creating an Enabling Environment for Civil Society Development, the development of philanthropy, social capital, partnership relations and cross sector cooperation.

The Council has 37 members out of which 17 representatives of relevant state administrative bodies and the Croatian Government offices, 14 representatives of non-governmental, non-profit organizations, 3 representatives of civil society from foundations, trade unions and employers' associations and 3 representatives of national associations of local and regional self-governance. The Council has a president, elected by the Council members representing civil society from their own ranks while the vice-president is elected by the members of the Council representing the state institutions. The president and the members of the Council are elected for a mandate of 3 years and can be re-elected.

Tasks of the Council for Civil Society Development are:

- participation in constant monitoring and analysis of public policies referring to and/or affecting civil society development in the Republic of Croatia and cross-sector cooperation.
- participation in expressing opinions to the Government of the Republic of Croatia on legislation drafts affecting the civil society development in the Republic of Croatia, engaging CSOs in discussions about regulations, strategies and programmes affecting the development and functioning of civil society both on the national and European level, cooperation with the public and private sector.
- cooperation in planning priorities of the national programmes for public funding of programmes and projects of CSOs, along with the analysis of annual reports of the ministries and offices of the Government of the Republic of Croatia on CSOs' projects and programmes financed.
- participation in programming and setting priorities for the use of EU funds that are available for the Republic of Croatia, based on the efficient system of consultations with CSOs.
- performing tasks which meet the general purpose of the Council's function, and which are covered by the aims of the National Strategy for Creating an Enabling Environment for the Civil Society Development.
- cooperation with the Croatian representatives of civil society in the European Economic and Social Committee in formulating positions of civil society on the level of the European Union;



- candidacy and election of CSO representatives in committees, advisory or working bodies at request of state administration bodies, the Government offices, and other public authorities.

There are examples of good practice on structured dialogue between CSOs and public authorities at local and regional level, such as Council for Civil Society Development of Krapina-Zagorje County.

#### 18. What is the process of consultation of CSOs regarding legislative proposals having an impact on civil society and civic space?

Process of consultation is the same for all interested subjects, public authorities are obliged to conduct public consultations on draft laws, regulations, and all general acts when they affect citizens' lives.

Law on Right of Access to Information and the Code of Practice on Consultation with the interested public in the process of adopting laws, other regulations and policies determine procedures for implementation of public consultations in the Republic of Croatia.

According to the Law on Right to Access to Information state administration bodies responsible for drafting laws (primary legislation) and by-laws (secondary legislation), as well as general acts and planning documents (strategies, national plans or programs) that affect the interests of citizens and legal persons are obliged to open an online public consultation process for a legislative proposal a draft of any other regulation, planning act or general act for a period of 30 days. The state administration bodies carry out public consultations by making the draft proposal available on "e-Consultations", a centralized online platform for public consultation. Legislative proposals or planning acts or general acts are published on "e-Consultations" platform together with the explanation/reasons for adoption, as well as the objectives that will be achieved by consultative process. The state administration body is obliged to publish the report on public consultations including the justification for acceptance or refusal of each recommendation or proposal stated by the public (legal entities or individuals). The public consultations report has to be annexed to the legislative proposal in line with the Rules of Procedure of the Government and the Rules of Procedure of the Croatian Parliament.

Apart from this general procedure, some key pieces of legislation pertaining to functioning of the civil society are additionally discussed in relevant thematic forums, primarily the Council for Civil Society Development.

#### 19. Do you have an easily accessible one-stop-shop online platform in place, which regroups all consultations with CSOs and the public?

Yes. As of 2015, the central portal "e-Consultations" enables a simple approach to all open consultations in one place, easier commenting of provisions from draft regulations and, in general, contributes to a quality cooperation with citizens and all interested social groups in the process of public policy formation. The portal has a simple and user-friendly interface and is searchable by the topic, institution responsible for the draft, date of issue or specific text. Anyone can submit comments after a simple registration on the portal. All submitted comments are visible to other users and users can "like" other users' comments. The portal also enables categorizing/grouping similar comments.

#### 20. Do you have any guidelines or standards on public participation?

Yes, standards are prescribed by specific articles of the Law on the Right to Access Information and in 2016, the Information Commissioner, who is an independent state body for the protection of the right to access information and re-use of information, responsible for supervising and monitoring the application of the Law on the Right to Access Information, issued guidelines for applying Article 11 of the Law on the Right to Access Information. The guidelines are published on the Commissioner's website and are available at the following link: <https://pristupinfo.hr/wp-content/uploads/2018/10/PI-Smjernice-za-savjetovanja-s-javno%C5%A1%C4%87u-%C4%8Dl.-11-ZPPI.pdf?x57830> (in Croatian only).



Article 11 of the Law on the Right to Access Information determines the publication of documents for the purpose of public consultations, and paragraph 1 prescribes that state administration bodies, other state bodies, local and regional self-government units and public law entities shall consult with the public concerned when adopting laws and by-laws, and when adopting general acts or other strategic or planning documents when they affect the interests of citizens and legal entities.

Paragraph 2 of the same article prescribes that public consultation is carried out by state administration bodies through the centralized online platform for public consultations, and other state bodies, local and regional self-government units and legal entities with public authority via the website or through the central online platform for public consultation, publishing a draft regulation, general act or other document, explaining the reasons and objectives to be achieved by adopting a regulation, act or other document and inviting the public to submit their proposals and opinions.

Public authorities referred to in Article 11, paragraph 1 of the Law on the Right to Access Information Act shall, as a rule, hold public consultations for a period of 30 days. On expiry of the deadline for submission of opinions and proposals, the public authority shall prepare and publish on the central state web portal for public consultations or the website a report on public consultation, which contains received proposals and comments and statements with reasons for non-acceptance of individual proposals and comments. Report on the consultation with the public concerned must be submitted by the drafting body to the body that adopts or enacts the regulation, general act, or document.

Public authorities shall adopt and publish on their website a public consultation plan for the calendar year no later than the end of the previous calendar year. They shall inform the public on the changes to the consultation plan in the same way. The public consultation plan contains the title of the regulation, general act or document, the expected time of its adoption, the indicative time of the online consultation and other modalities of conducting the consultation, such as public hearings, distribution of draft regulations to the public concerned by e-mail, participation in working groups and more. After the consultation, the public authority shall keep the documentation created in the process of public consultation, either in electronic form or on paper, in accordance with the regulations on archival material.

21. Are CSOs or, where relevant, NHRIs included in the committees set up to monitoring the implementation of EU funded programmes under the Common Provisions Regulation (CPR) and are they involved in the arrangements set up under the horizontal enabling condition to ensure compliance with the Charter? If so, what is their role in this context?

Yes. Representative of the Ombudsman's Office participated as a permanent member (with no voting rights) in the work of the Committee for monitoring the implementation of the Operational Program Efficient Human Resources 2014-2020 and the Committee for monitoring the implementation of the Operational Program Competitiveness and Cohesion 2014 - 2020.

Representatives of civil society organizations are also included in the membership of working groups in charge of preparing Operational programmes for EU funds within the financial perspective 2021-2027.

In the preparation phase of the ESF + Program, the Managing Authority requested the opinion of the Ombudsman on the compliance of the proposed activities ensuring equality, inclusion and non-discrimination with corresponding provisions of the Charter.

Ombudsman's Office and Office of the Ombudsman for Gender Equality are also included in the arrangements set up under the horizontal enabling condition to ensure compliance with the Charter.