



Office for Democratic Institutions and Human Rights

# REPUBLIC OF CROATIA

## PARLIAMENTARY ELECTIONS 2015

### OSCE/ODIHR NEEDS ASSESSMENT MISSION REPORT

2-4 September 2015



Warsaw  
30 September 2015

## TABLE OF CONTENTS

<b>I.</b>	<b>INTRODUCTION .....</b>	<b>1</b>
<b>II.</b>	<b>EXECUTIVE SUMMARY .....</b>	<b>1</b>
<b>III.</b>	<b>FINDINGS.....</b>	<b>3</b>
A.	POLITICAL BACKGROUND .....	3
B.	LEGAL FRAMEWORK .....	3
C.	ELECTORAL SYSTEM .....	4
D.	ELECTION ADMINISTRATION.....	5
E.	VOTER REGISTRATION .....	6
F.	CANDIDATE REGISTRATION .....	7
G.	ELECTION CAMPAIGN AND CAMPAIGN FINANCE.....	7
H.	MEDIA .....	8
I.	ELECTION OBSERVATION.....	9
<b>IV.</b>	<b>CONCLUSIONS AND RECOMMENDATION.....</b>	<b>9</b>
	<b>ANNEX: LIST OF MEETINGS .....</b>	<b>10</b>

**REPUBLIC OF CROATIA  
PARLIAMENTARY ELECTIONS 2015**

**OSCE/ODIHR Needs Assessment Mission Report**

**I. INTRODUCTION**

In anticipation of an invitation to observe the parliamentary elections, expected by the end of 2015, and in accordance with its mandate, the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) undertook a Needs Assessment Mission (NAM) to Croatia from 2 to 4 September. The NAM included Dr. Richard Lappin, OSCE/ODIHR Senior Election Adviser and Mr. Radivoje Grujić, OSCE/ODIHR Election Adviser.

The purpose of the mission was to assess the pre-election environment and the preparations for the elections. Based on this assessment, the NAM recommends whether to deploy an OSCE/ODIHR election-related activity for the forthcoming elections, and if so, what type of activity best meets the identified needs. Meetings were held with officials from state institutions and the election administration, as well as with representatives of political parties, media, and civil society. A list of meetings is annexed to this report.

The OSCE/ODIHR would like to thank the Ministry of Foreign and European Affairs for its assistance in organizing the visit. The OSCE/ODIHR would also like to thank all of its interlocutors for taking the time to meet with the mission and to share their views.

**II. EXECUTIVE SUMMARY**

In the upcoming elections, voters will elect 151 Members of Parliament, including 3 out-of-country and 8 national minority representatives. It will be the eighth parliamentary elections since Croatia's independence and the first since becoming a member state of the European Union in 2013. The parliament agreed to dissolve itself on 28 September and, by law, parliamentary elections must be held between 30 and 60 days from this date.

Elections are primarily regulated by the Constitution and the Law on the Election of Representatives to the Croatian Parliament (LERCP). In February 2015, significant amendments were made to the LERCP, including in respect of candidate registration, women's representation, media coverage, and election observation, thus addressing a number of prior OSCE/ODIHR recommendations. However, previous OSCE/ODIHR recommendations related to electoral districting, national minority representation, and the right to stand as an independent candidate still remain unaddressed.

Many OSCE/ODIHR NAM interlocutors stated that the reform process was largely inclusive, however, the amendments were passed without support from the main opposition party. On 24 September, the Constitutional Court overturned some of the amendments to the LERCP.

The elections will be administered by a four-tier system headed by the State Election Commission (SEC). Almost all interlocutors met with by the OSCE/ODIHR NAM expressed confidence in the SEC and its ability to organize elections in a professional and impartial manner. However, some interlocutors voiced concerns about the effective implementation of recent legal amendments, as well as a general lack of voter information regarding the changes.

Citizens aged 18 years or older by election day are entitled to vote, including those permanently residing abroad. There are no restrictions based on mental disability or criminal conviction. Voter registration is essentially passive. Unlike previous parliamentary elections, eligible voters must hold a valid national ID to be included on the voter lists and voters residing abroad are required to actively register. Eligible voters not included on the voters lists will be able to vote on election day if they obtain a certificate from a Ministry of Administration office or their embassy or consulate. Many OSCE/ODIHR NAM interlocutors welcomed efforts to enhance the accuracy of the voter lists, however dissatisfaction was expressed about the level of voter information regarding the changes and the impact that this may have on inclusion, particularly among Roma and the elderly.

Elections can be contested by political parties, coalitions, and groups of independent candidates. Contrary to a previous OSCE/ODIHR recommendation, the law does not allow for individual independent candidates and independent lists are required to be supported by 500 signatures while parties are exempted. All parties met with by OSCE/ODIHR NAM expressed satisfaction with the inclusiveness of candidate registration procedures.

Women are generally under-represented in political office. While recent amendments require candidate lists to include at least 40 per cent of candidates of each sex, the Constitutional Court later repealed its mandatory nature. Many OSCE/ODIHR NAM interlocutors expressed doubts that women would be placed in winnable positions or that the quota would be fully complied with.

The official campaign starts the day after the registration of candidates is completed. No OSCE/ODIHR NAM interlocutors raised concerns about the ability to campaign freely, although some expressed concern about increased hate speech, particularly directed at national minorities.

Campaign finance regulations provide for private and public financing. Amendments in 2013 established that the SEC is responsible for campaign finance oversight, with assistance from the State Audit Office and other institutions when necessary. Electoral contestants are required to publish campaign finance reports before and after election day. OSCE/ODIHR NAM interlocutors generally considered the campaign finance system to be comprehensive and fair.

Although the media landscape can be generally seen as pluralistic, the OSCE Representative on Freedom of the Media and the UN Human Rights Committee have recently expressed concerns about convictions and charges against journalists for defamation and insult, as well as physical attacks and other forms of intimidation. The 2015 amendments removed the obligation for all broadcast media to follow the campaign, with the exception of the public broadcaster. Amendments also provide candidates with proportional rather than strictly equal access to media. Most OSCE/ODIHR NAM interlocutors expressed overall satisfaction with provisions for media access and coverage during elections.

In line with prior OSCE/ODIHR recommendations, the LERCP was amended to extend election observation rights to international organizations and representatives of candidate lists. The citizen observer group, GONG, intends to monitor campaign finance and hate speech during the campaign.

All OSCE/ODIHR NAM interlocutors expressed confidence in the capacity of the SEC and their ability to organize elections professionally and transparently. Most interlocutors stated that they would welcome a potential OSCE/ODIHR observation activity for these elections, recognising that an external assessment may contribute to further improvements to the electoral process.

In particular, further assessment is needed concerning the implementation of a recently revised legal framework and the resultant impact on voter registration, election administration responsibilities, campaign finance, and the participation of women. Media coverage and the tone of the campaign, particularly in areas with national minorities, would also merit close attention. On this basis, the OSCE/ODIHR NAM recommends the deployment of an Election Assessment Mission for the upcoming elections.

### III. FINDINGS

#### A. POLITICAL BACKGROUND

Croatia is a parliamentary republic with legislative power vested in the unicameral parliament (*Sabor*) and executive power exercised by the government. The directly-elected president is the head of state. The upcoming parliamentary elections will be the eighth following Croatia's independence and the first since becoming a member state of the European Union (EU) in 2013.

By law, parliamentary elections must be held between 30 and 60 days from the date of the dissolution of parliament. The parliament agreed to dissolve itself on 28 September.

The last parliamentary elections were held on 4 December 2011 and led to the formation of a centre-left government led by the Social Democratic Party of Croatia (SDP) in coalition with the Croatian People's Party – Liberal Democrats (HNS), the Istrian Democratic Assembly (IDS), and the Croatian Party of Pensioners (HSU). The main opposition party is the Croatian Democratic Union (HDZ), alongside the Croatian Civil Party (HGS), the Croatian Democratic Alliance of Slavonia and Baranja (HDSSB) and the Democratic Centre (DC). Four other political groups gained parliamentary seats. In line with the constitution, eight reserved seats are held by national minority parties, three of which are held by the Independent Democratic Serbian Party (SDSS).

While Croatia elected its first woman president in January 2015, women are generally under-represented in political office, holding 38 out of 151 seats in the outgoing parliament and 3 out of 21 posts in the current government.<sup>1</sup>

Previously, the OSCE/ODIHR deployed a Limited Election Observation Mission for the 2011 parliamentary elections. The mission concluded in its final report that the elections “took place in a pluralistic environment and were administered in an efficient and transparent manner”, although “further steps should be taken to improve the process, in particular with regards to the legal framework and the compilation of voter lists”.<sup>2</sup> The report included several recommendations for the authorities on how electoral processes may be improved and brought more closely in line with OSCE commitments.<sup>3</sup>

#### B. LEGAL FRAMEWORK

Parliamentary elections are primarily regulated by the 1990 Constitution (amended in 2010) and the 1999 Law on the Election of Representatives to the Croatian Parliament (LERCP, amended in 2015). Other relevant legislation includes the 2011 Law on Political Activity and Election Campaign

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<sup>1</sup> See also, paragraph 14 of UN Human Rights Committee “Concluding observations on the third periodic report of Croatia” (30 April 2015) CCPR/C/HRV/CO/3.

<sup>2</sup> See all previous [OSCE/ODIHR reports on Croatia](#).

<sup>3</sup> In paragraph 25 of the 1999 OSCE Istanbul Document, OSCE participating States committed themselves “to follow up promptly the ODIHR’s election assessment and recommendations”.

Financing (Campaign Finance Law, amended in 2013), the 2012 Law on Register of Voters (amended in 2015), the 1999 Law on Constituencies, and the 2006 Law on the State Election Commission (amended in 2007), relevant provisions of the Criminal Code, as well as judicial decisions of the Constitutional Court and regulatory decisions of the State Election Commission (SEC). The OSCE/ODIHR previously recommended that the legal framework should be “reviewed, consolidated and harmonized”. While the authorities noted some harmonization of legislation for parliamentary elections, including in respect of campaign finance, several interlocutors stated that more could be done to ensure consistency across the broader legal framework for all types of national-level elections.

In February 2015, the parliament adopted significant amendments to the LERCP, introducing the preferential vote and a mandatory gender quota for candidate lists. Other changes included detailed provisions allowing for international and party observers, standardizing the number of supporting signatures required to register party and independent candidate lists, and lifting the obligation for commercial broadcast media to cover the campaign. A number of these amendments address prior OSCE/ODIHR recommendations. While many OSCE/ODIHR NAM interlocutors stated that the reform process was largely inclusive with wide debate among political stakeholders and civil society, the amendments were passed with a slim majority in the parliament and without support from the main opposition party.<sup>4</sup> Prior recommendations related to electoral districting, national minority representation, and the right to stand as an independent candidate remain unaddressed.

On 24 September, upon the initiative of the Democratic Party of Women, the Constitutional Court overturned some of the amendments to the LERCP, including the mandatory nature of the gender quota, the changes to the number of signatures required to register a political party or independent candidate list, and some of the grounds of candidate ineligibility.<sup>5</sup> The timing and content of the Court’s decision was publicly criticized by civil society and several parliamentary parties. On 25 September, the parliament adopted amendments to the Law on Register of Voters that allowed passive voter registration for some categories of non-resident citizens.

### C. ELECTORAL SYSTEM

Under the Constitution, the parliament consists of 100 to 160 members (MPs), directly elected for four-year terms. The LERCP regulates the number of MPs and the manner in which they are elected. Currently, the parliament consists of 151 deputies, directly elected from 12 multi-member constituencies. The territory of Croatia is divided into ten constituencies, each electing 14 MPs under a proportional system. Parties must receive five per cent of the valid vote in a constituency to receive a mandate. Following recent amendments, a voter may cast a preferential vote for one candidate on the list for which he/she voted. The preferential votes for a candidate are only taken into account if they equate to at least 10 per cent of the total votes won by the respective list.

In addition, there are two non-territorial constituencies. One represents Croatian citizens residing abroad and elects three MPs under a proportional system, also with a five per cent threshold and the option of a preferential vote. The other constituency elects 8 MPs to represent the 22 constitutionally recognised minorities of Croatia in 6 separate elections under a majoritarian system.<sup>6</sup> Voters, identified on the basis of self-declaration, have the option to vote for either national minority candidates or for candidates of their territorial constituency. A number of OSCE/ODIHR interlocutors

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<sup>4</sup> [The amendments were passed](#) with 77 MPs voting in favour, 2 against, 3 sustained and 69 abstentions.

<sup>5</sup> See the [Constitutional Court’s decision](#) from 24 September 2015.

<sup>6</sup> The eight mandates are distributed as following: Serbian minority - three MPs; Hungarian minority - one MP; Italian minority - one MP; Czech and Slovak minorities jointly elect one MP; Austrian, Bulgarian, German, Polish, Roma, Romanian, Ruthenian, Russian, Turkish, Ukrainian, Vallachian and Jewish minorities jointly elect one MP; Albanian, Bosniak, Montenegrin, Macedonian and Slovenian minorities jointly elect one MP.

voiced dissatisfaction with the current system, particularly with regards to the equality and secrecy of the vote as well as an anticipated low turnout for national minority contests. The OSCE/ODIHR previously recommended that the system of national minority representation could be reviewed.

The equality of the vote is guaranteed by the Constitution. Although the LERCP stipulates that the number of registered voters in the ten territorial-based constituencies should not differ by more than 5 per cent, the final voter lists for the 2011 elections indicated variations of up to 33 per cent. The current delimitation of constituencies has not been revised since the adoption of the Law on Constituencies in 1999. The OSCE/ODIHR previously recommended that constituency boundaries be revised to ensure the equality of the vote and to be in line with international standards.<sup>7</sup> In December 2010, the Constitutional Court issued a notification to the parliament calling for constituency boundaries to be redrawn in line with current population data, but no changes have been implemented.<sup>8</sup> The Parliamentary Committee on the Constitution, Standing Orders and Political System informed the OSCE/ODIHR NAM that the boundaries will not be amended before the upcoming elections; nonetheless, all interlocutors expressed the need for the next parliament to address this long-standing issue.

#### **D. ELECTION ADMINISTRATION**

The upcoming elections will be administered by a four-tier system, comprising the State Election Commission (SEC), 11 Constituency Electoral Commissions, one for each of the 10 territorial constituencies and one for the national minority constituency, 559 Municipal and City Electoral Commissions, and some 7,000 Voting Committees.

The SEC is responsible for the overall conduct of the elections. It is a permanent, independent, and professional body, whose nine members are elected by the parliament. The SEC president is also president of the Supreme Court, and two of the vice-presidents are also Supreme Court judges. All other members of the SEC must be lawyers with 10 years of relevant professional experience and are appointed by the parliament upon equal nominations from the ruling and opposition parties.

The SEC's responsibilities include regulation of legal provisions, voter information, training lower-level commission members, oversight of campaign finance, review of electoral complaints, accreditation of election observers, and the formulation of recommendations on improvements to election-related legislation. The SEC directly oversees out-of-country voting, co-ordinating technical aspects with the Ministry of Foreign and European Affairs (MFEA).<sup>9</sup> The SEC informed the OSCE/ODIHR NAM that it has started preparations for the upcoming elections, including the development of instructions related to preferential voting and the accreditation of observers.

Lower-level commissions are appointed by the next higher election commission for the time period of a specific election. Members of these commissions should also have a legal background. The law allows for parliamentary parties to have representatives in the extended membership of all lower-level

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<sup>7</sup> Paragraph 21 of the 1996 UN Human Rights Committee General Comment 25 on Article 25 of the International Covenant on Civil and Political Rights states: "The principle of one person, one vote, must apply and within the framework of each State's electoral system, the vote of one elector should be equal to the vote of another". Section I.2.2.iv of the 2002 Venice Commission Code of Good Practice in Electoral Matters recommends that: "Seats must be evenly distributed between the constituencies... The permissible departure from the norm should not be more than 10% and should certainly not exceed 15% except in special circumstances". In addition, section I.2.2.v, recommends: "In order to guarantee equal voting power, the distribution of seats must be reviewed at least every ten years, preferably outside election periods".

<sup>8</sup> See [the report of the Constitutional Court from 8 December 2010](#).

<sup>9</sup> Voting abroad takes place over a two-day period and, for the upcoming elections, it is anticipated to take place in about 100 polling stations in some 50 countries.

commissions, but does not set a deadline for their appointment. Several OSCE/ODIHR NAM interlocutors stated that the introduction of the preferential vote may lead to errors by voters and Voting Committees on election day unless greater training and voter information is undertaken. The UN Committee on the Rights of Persons with Disabilities has expressed concern that the electoral process is not yet fully accessible for all persons with disabilities.<sup>10</sup>

Almost all interlocutors met with by the OSCE/ODIHR NAM expressed confidence in the SEC and its ability to organize elections in a professional and impartial manner. However, some interlocutors voiced concerns about the effective implementation of recent amendments to the electoral law, as well as a general lack of voter information regarding the changes.

The SEC is responsible to review complaints on electoral violations, which can be filed by political parties, heads of independent lists, candidates, and a minimum of 100 voters or 5 per cent of the voters of a constituency. The SEC is obliged to decide on complaints within 48 hours. SEC decisions can be appealed before the Constitutional Court, which must also decide within 48 hours.

## E. VOTER REGISTRATION

Citizens aged 18 years or older by election day are entitled to vote, including those permanently residing abroad. There are no restrictions based on mental disability or criminal conviction.<sup>11</sup> Voter registration is essentially passive, with a central computerized registry of voters maintained by the Ministry of Administration. Registration is based on citizenship data, as well as records of residence and travel documents, provided by the Ministry of Interior and MFEA respectively. Unlike previous parliamentary elections, voters residing abroad are now required to actively register no later than ten days before each election at their nearest embassy or consulate.<sup>12</sup>

Since the last parliamentary elections there have been changes in the legal framework for voter registration, including the Law on Register of Voters, the 2012 Law on Residence, and the 2015 Law on Identification Document. From the beginning of 2015, citizens who do not have a registered residence in Croatia lost their right to hold a national ID. These voters are moved into a register of voters residing outside Croatia, without stating the country of their residence. In addition, for the first time, voters who have residence in Croatia but do not have a valid ID, will be excluded from the voter lists. The authorities noted that eligible voters without a valid ID, both inside and outside of Croatia, will be able to vote on election day by obtaining a voting certificate at the local Ministry of Administration office or from their embassy or consulate. The Ministry of Interior informed the OSCE/ODIHR NAM that it had taken additional efforts in the past two years to investigate cases of possible duplicate or false records, including multiple persons registered at the same address and deceased persons.

The authorities and many other OSCE/ODIHR NAM interlocutors welcomed changes to the voter registration system, stating that it allows for a more accurate register and reduces the possibility of manipulation on election day. While the authorities informed the OSCE/ODIHR NAM that remedies are available for persons who believe that they have been unfairly removed from the register, several interlocutors expressed dissatisfaction with the level of voter information about the changes and the subsequent impact that this may have on inclusion, particularly among Roma and the elderly.

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<sup>10</sup> UN Committee on the Rights of Persons with Disabilities [Concluding observations on the initial report of Croatia](#) (15 May 2015), CRPD/C/HRV/CO/1, paragraph 45.

<sup>11</sup> Amendments to the LERCP in 2015 removed restrictions on right to vote for persons without legal capacity.

<sup>12</sup> Following the 25 September amendments to the Law on Register of Voters, citizens who possess a valid electronic-ID should be automatically added to the voter lists, without the need to register.



Voters are able to check their details at local Ministry of Administration offices and through an internet-based search programme. Voters who expect to be away from their place of residence on election day can request an absentee voting certificate, allowing them to vote at an alternative polling station in Croatia or abroad. In line with a prior OSCE/ODIHR recommendation, the process of registering as an absentee voter has been simplified.

## **F. CANDIDATE REGISTRATION**

Citizens with the right to vote can stand for election, except those serving a prison sentence of more than six months or those convicted of a specific criminal offence whose rehabilitation terms are not expired.<sup>13</sup> The clarification of cases of candidate eligibility addresses a prior OSCE/ODIHR recommendation. The LERCP also lists cases of incompatibilities between the post of MP and other positions. A candidate may stand in only one constituency but does not have to be registered to vote in that constituency.

Candidate registration begins on the day elections are called and ends 14 days prior to election day. For the ten territorial constituencies, political parties, coalitions and groups of independent candidates must submit a separate list of 14 candidates in each constituency that they wish to contest. A 2015 amendment that established equal conditions for party and independent lists to register, thereby addressing a prior OSCE/ODIHR recommendation, was later repealed by the Constitutional Court. As such, independent lists are still required to collect 500 supporting signatures while registered political parties are exempted. Despite previous OSCE/ODIHR recommendations, the law does not allow for individual independent candidates.<sup>14</sup> For the out-of-country constituency, lists must include between 6 and 14 candidates. For the national minority constituency, candidates may be nominated by political parties, registered national minority NGOs, or groups of voters, with support of 100 signatures. Voters can sign in support of more than one candidate list, within the constituency they are registered. All parties met with by OSCE/ODIHR NAM expressed satisfaction with the inclusiveness of candidate registration procedures.

In line with a prior OSCE/ODIHR recommendation, the 2015 amendments to the LERCP require every candidate list to have at least 40 per cent of candidates of each sex. The initial amendments made this quota mandatory for registration; however, this was later repealed by the Constitutional Court. While welcoming the initiative, many OSCE/ODIHR NAM interlocutors expressed doubts that women would be placed in winnable positions or that the quota would be fully complied with.

## **G. ELECTION CAMPAIGN AND CAMPAIGN FINANCE**

The official campaign starts the day after the registration of candidates is completed and lasts until the day before election day. Political parties informed the OSCE/ODIHR NAM that they intend to convey campaign messages via political discussion in traditional and social media, televised debates, and advertisements, as well as through small meetings and canvassing. No interlocutors raised concerns

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<sup>13</sup> See Article 9 of the LERCP. This includes crimes against humanity and human dignity (genocide, crimes of aggression, crimes against humanity, war crimes, terrorism, terrorist association, torture, slavery) and crimes against life and body: aggravated murder.

<sup>14</sup> Paragraph 7.5 of the 1990 OSCE Copenhagen Document commits participating States to “respect the right of citizens to seek political or public office, individually or as representatives of political parties or organizations, without discrimination”.

about the ability to campaign freely, although some expressed concern about a potential increase of hate speech during the campaign, particularly directed at national minorities.<sup>15</sup>

Campaign finance is primarily regulated by the Campaign Finance Law, which provides for public and private financing. Amendments in 2013 transferred oversight responsibilities from the State Audit Office to the SEC, as well as providing more details for opening special bank accounts and financing coalition lists and independent candidates. In 2011, the Council of Europe's Group of States against Corruption (GRECO) concluded that all of its recommendations on the transparency of political financing had been implemented.<sup>16</sup> OSCE/ODIHR NAM interlocutors generally considered the campaign finance system to be comprehensive and fair.

Political parties, independent lists and candidates may finance their campaigns from their own resources or contributions from citizens and legal entities in the form of money, goods, or services. Foreign and anonymous donations are prohibited, as well donations from labor unions, religious groups, and other non-profit associations. The limit for contributions in a calendar year is HRK 30,000 for individuals to a party, independent list or candidate, HRK 200,000 for legal entities to a party and HRK 100,000 for legal entities to an independent list or a candidate.<sup>17</sup> Total campaign costs per candidate list should not exceed HRK 1.5 million per constituency. The law also provides for the proportional reimbursement from public funds of campaign costs for lists that obtain at least five per cent of the valid vote in their constituency and for national minority candidates that obtain at least 15 per cent. Additional public funding is allocated to parties for each MP elected from the under-represented sex.

The SEC is responsible for overseeing campaign finance regulations, with assistance from the State Audit Office and other institutions when necessary. Each electoral contestant must open a special bank account through which all campaign contributions and expenditures must be transferred. Banks are obliged to provide the SEC with unimpeded access to the accounts. Parties, candidates, and heads of independent lists are required to submit two campaign finance reports to the SEC; a preliminary report 7 days prior to elections and a final report 30 days after election day. Electoral contestants must publish their reports on their website or in the daily press, within 2 days after submission for the preliminary report and 15 days for the final report. The SEC should publish its review of submitted reports within 60 days of the announcement of final results. Sanctions for breaching campaign finance rules include different levels of financial fines and restrictions in the public reimbursement of campaign expenses.

## H. MEDIA

The media landscape is pluralistic with television considered as the main source of information. Two public and two private channels broadcast information programmes nationwide. Circulation of print media is declining, but the Internet is increasingly used as a source of political information, particularly social media. Although some concerns were noted about an increased concentration of media ownership, most OSCE/ODIHR NAM interlocutors expressed overall satisfaction with provisions for media access and coverage during elections.

The Constitution guarantees freedom of expression and opinion; however, defamation and insult carry criminal penalties. The OSCE Representative on Freedom of the Media and the UN Human Rights

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<sup>15</sup> See also, UN Human Rights Committee "[Concluding observations on the third periodic report of Croatia](#)" (30 April 2015) CCPR/C/HRV/CO/3, paragraph 9 and UN Committee on the Elimination of Racial Discrimination "[Concluding Observations on Croatia](#)" (24 March 2009), CERD/C/HRV/CO/8, paragraphs 12 and 21.

<sup>16</sup> See GRECO's [Third Evaluation Round Compliance report on Croatia](#) from 9 December 2011.

<sup>17</sup> Approximately EUR 1 = HRK 7.54 (Croatian Kuna).

Committee have expressed concerns about recent cases of arrests, convictions and pending charges against journalists for defamation and insult, as well as instances of physical attacks and other forms of intimidation.<sup>18</sup>

During elections, the rules applying to media are outlined in the LERCP and supplemented by detailed regulations adopted by the parliament. The 2015 amendments removed the obligation for all broadcast media to follow the election campaign, with the exception of the public broadcaster, *Hrvatska radiotelevizija* (HRT). In line with a prior OSCE/ODIHR recommendation, amendments also provide candidates with proportional rather than strictly equal access to broadcast media. HRT is obliged to provide each candidate list with a minimum of five minutes of free airtime on television and radio. Media can also provide candidates with paid airtime, on an equal basis.

The SEC is obliged to supervise the conduct of the media during the campaign, but has no power to impose sanctions. The Council for Electronic Media is authorised by the Law on Electronic Media to monitor the general conduct of the electronic media and can issue warnings and file charges when violations are established.

## I. ELECTION OBSERVATION

In line with prior OSCE/ODIHR recommendations, the LERCP was amended to extend election observation rights to international organizations and representatives of candidate lists, in addition to non-governmental organizations. The main citizen observer organization, GONG, informed the OSCE/ODIHR NAM of its plans to monitor campaign finance and instances of hate speech during the campaign. GONG also plans to produce a number of voter education materials and to provide a telephone hotline for any questions or concerns that voters may have. Many OSCE/ODIHR NAM interlocutors stressed the important role that citizen election observers play in promoting transparency during elections as well as in advocating for electoral reform between elections.

## IV. CONCLUSIONS AND RECOMMENDATION

All OSCE/ODIHR NAM interlocutors expressed confidence in the capacity of the SEC and their ability to organize elections professionally and transparently. Most interlocutors stated that they would welcome a potential OSCE/ODIHR observation activity for these elections, recognising that an external assessment may contribute to further improvements to the electoral process.

In particular, further assessment is needed concerning the implementation of a recently revised legal framework and the resultant impact on voter registration, election administration responsibilities, campaign finance, and the participation of women. Media coverage and the tone of the campaign, particularly in areas with national minorities, would also merit close attention. On this basis, the OSCE/ODIHR NAM recommends the deployment of an Election Assessment Mission for the upcoming elections.

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<sup>18</sup> See for example, statements of the OSCE Representative on Freedom of the Media from [14 August 2015](#) and [8 April 2014](#), and the UN Human Rights Committee "[Concluding observations on the third periodic report of Croatia](#)" (30 April 2015) CCPR/C/HRV/CO/3, paragraph 23.

## **ANNEX: LIST OF MEETINGS**

### **Ministry of Foreign and European Affairs**

Vinko Ljubičić, Director, Consular Affairs Directorate  
Marko Perić, First Secretary, Department for Visas  
Jasminka Lončarević, Head, Department for International Legal Assistance

### **Ministry of Administration**

Boris Milošević, Assistant Minister  
Krešimir Margaletić, Department of Political System and National Minorities

### **Ministry of Interior**

Gordana Valenta, Head, Department for Administrative Affairs, Aliens and Citizenship  
Miroslav Maretić, Head, Sector for Residence and Identity Documents  
Valentina Čunčić, Programmer, Department of Informational Technologies

### **Parliamentary Committee on the Constitution, Standing Orders and Political System**

Peđa Grbin, Chairperson, Member of Parliament

### **Parliamentary Committee on Human and National Minority Rights**

Domagoj Hajduković, Member of Parliament  
Melita Mulić, Member of Parliament  
Ružica Đikić, Secretary

### **State Election Commission**

Branko Hrvatin, Chairperson  
Vesna Fabijančić-Križanić, Deputy Chairperson  
Ana Lovrin, Deputy Chairperson  
Jakob Miletić, Deputy Chairperson  
Renata Šantek, Deputy Chairperson  
Slaven Hojski, Member  
Janja Horvat-Drobnjak, Member  
Emil Tomljanović, Member  
Josip Vresk, Member  
Irena Kravos, Secretary

### **Constitutional Court**

Snježana Bačić, Justice  
Ksenija Podgornik, Head of the Office of the President

### **State Audit Office**

Lidija Pernar, Assistant Auditor General  
Nediljka Rogošić, Assistant Auditor General

### **Political Parties**

Davorin Mlakar, Member of Parliament, Croatian Democratic Union  
Igor Kolman, Member of Parliament, Croatian People's Party – Liberal Democrats  
Sonja König, Member of Parliament, Croatian People's Party – Liberal Democrats  
Milorad Pupovac, Member of Parliament, Independent Democratic Serbian Party  
Peđa Grbin, Member of Parliament, Social Democratic Party

**Public Broadcaster Radio and Television**

Dragan Nikolić, Head of Output, News Media Service  
Sanja Rabuzin-Pavić, Journalist

**Media**

Saša Leković, President, Croatian Journalist's Association  
Vladimir Lulić, Secretary General, Croatian Journalist's Association

**Civil Society**

Rada Borić, Executive Director, Center for Women Studies  
Jasminka Pešut, Manager of Libraries and Projects, Center for Women Studies  
Dragan Zelić, Chairperson, GONG