



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
PALAIS DES NATIONS • 1211 GENEVA 10, SWITZERLAND
www.ohchr.org • TEL: +41 22 917 9000 • FAX: +41 22 917 9008 • E-MAIL: registry@ohchr.org

17 May 2021

Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of the Republic of Croatia and welcome the constructive engagement of your Government during the 36th session of the UPR Working Group in November 2020.

As the final outcome report on the review of Croatia has been recently adopted by the Human Rights Council at its 46th session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of Croatia – the Compilation of United Nations information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years, until the next cycle of the UPR. In identifying those areas, I have considered the statements and/or recommendations made by 86 delegations and the presentation made and responses provided by the delegation of Croatia. I have also considered the actions taken by the Government of Croatia to implement the 162 recommendations supported during the second cycle of the UPR. The aforementioned areas cover a range of issues, which appear in the annex to this letter.

I take note that prosecution of war crimes and crimes against humanity remains one of the priorities of Croatia. With reference to the recommendations from the current and previous cycles, it is hoped that Croatia will expedite and conduct the prosecutions in a non-discriminatory manner, ensuring that victims of conflict related crimes have access to justice, recognition and reparations. I commend the adoption of domestic legislation on missing persons acknowledging, amongst others, the rights of members of their families to learn the truth about the fate of their missing members and the preservation of dignity of missing persons. In this context, it is important that Croatia advances in the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance and ensures regional cooperation in accordance with international standards.

I acknowledge the efforts to improve legislation and measures to facilitate the inclusion of all national and ethnic and other minority groups. At the same time, a large number of recommendations are focused on the need for additional practical steps necessary to eradicate discrimination and hate speech. My Office stands ready to provide the necessary guidance and support upon request to support Croatia in its efforts to combat racial discrimination and advance minority rights.

./..

H. E. Mr. Gordan GRLIĆ-RADMAN
Minister of Foreign and European Affairs
Republic of Croatia

I encourage Croatia to develop a comprehensive national human rights action plan in order to achieve concrete results in the areas highlighted in the annex to this letter and to facilitate preparations for the fourth cycle of the UPR. My advice to all Member States is to develop and implement national action plans in close consultation and cooperation with all stakeholders, in particular all civil society organizations and, where necessary, with the support of international organizations, including my Office and other United Nations entities.

I also encourage Croatia to establish a national mechanism for comprehensive reporting and follow-up in relation to recommendations received from all international and regional human rights mechanisms and to treaty obligations, while linking these to the Sustainable Development Goals. To this end, I strongly recommend the use of the OHCHR practical guide on this topic, which is available at:

http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf.

Please note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting them with the implementation of the recommendations, following the review. One important measure that can positively contribute to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I welcome the practice of Croatia of submitting mid-term reports and encourage the Government to continue with this practice on follow-up to the third cycle of the review, by 2023.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *“The Human Rights Council’s universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council’s recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals.”*

I look forward to discussing with you ways in which my Office may assist Croatia in relation to the areas identified in this letter and its annex.

Please, accept, Excellency, the assurances of my highest consideration.



Michelle Bachelet
High Commissioner for Human Rights

Annex

Scope of international obligations and cooperation with international human rights mechanisms and bodies

- Advancing in the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance.
- Intensifying cooperation with the Human Rights Council special procedures mandate-holders, including by ensuring the full implementation of the recommendations made by the Working Group on Enforced or Involuntary Disappearances.

National human rights framework

- Providing the Office of the Ombudsman with the financial and human resources necessary to ensure its effectiveness and independent operation in line with the Paris Principles.
- Continuing efforts to adopt the National Programme for Protection and Promotion of Human Rights and the National Policy for Gender Equality.
- Continuing efforts to strengthen national human rights institutions and mechanisms.

Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

Equality and non-discrimination

- Redoubling efforts in implementing plans and strategies on combating discrimination, intolerance and hate crimes, including through increased training of duty bearers, especially law enforcement officials.
- Taking additional practical steps necessary to eradicate stereotypes and prejudice, including by providing appropriate training to public officials in order to put an end to the social stigmatization of women, people with disabilities, and persons belonging to ethnic, sexual and other minorities.

Development, the environment, and business and human rights

- Continuing to prioritize the fight against corruption.
- Intensifying efforts to develop and strengthen the necessary legislative framework that address cross-sectoral environmental challenges, including climate change adaptation and mitigation frameworks.
- Ensuring that women, children, persons with disabilities, and indigenous and local communities are meaningfully engaged in the development and implementation of climate change and disaster risk reduction policies.
- Civil and political rights

Right to life, liberty and security of person



- Continuing its efforts to investigate the fate and whereabouts of all unresolved cases of persons missing during the armed conflict in the former Yugoslavia in 1991–1995.
- Raising awareness on landmines and providing protection for the victims of landmines.

Administration of justice, including impunity, and the rule of law

- Expediting the prosecution of cases of war crimes and crimes against humanity, and ensuring that such cases are prosecuted in a non-discriminatory manner, regardless of the ethnic origin of the perpetrators, and that victims and their families obtain adequate reparations for these violations.
- Strengthening measures to address overcrowding in places of detention and prisons, and ensuring that such facilities meet international standards.
- Continuing efforts to fully implement existing institutional and legal protections to ensure the independence of the judiciary and to strengthen the judicial system.

Fundamental freedoms

- Ensuring protection of human rights defenders from pressures and providing them with a safe environment for their activities.
- Protecting the rights to freedom of expression, association and assembly for all, by ensuring prompt, independent and thorough investigation into all reports of assault and harassment against journalists, and bringing those responsible to justice.

Prohibition of all forms of slavery

- Continuing awareness-raising efforts related to combating trafficking in persons in cooperation with international partners.

B. Economic, social and cultural rights

Right to work and to just and favourable conditions of work

- Taking steps to eliminate gender-based discrimination in the work environment, by adopting regulatory measures to ensure that gender issues are taken into account in the labour market.
- Implementing the principle of equal pay for work of equal value and closing the persistent gender wage gap in the country.

Right to an adequate standard of living

- Strengthening priority attention to the most vulnerable groups, including children and youth, the elderly and pensioners, and the unemployed, among others, in the national strategies to combat poverty and exclusion.
- Increasing efforts to ensure non-discriminatory access to adequate housing, social benefits and services for all victims of past conflict under its jurisdiction.
- Improving the socio-economic situation of the Roma national minority, by ensuring adequate living conditions and access to education and health care.

Right to health

- Taking appropriate measures to guarantee women's access to legal and safe abortion; and ensuring that doctors' refusals to perform abortions based on religious beliefs do not limit the right to sexual and reproductive health of women, that the procedure is covered by the national social security system and its costs are affordable for all women, regardless of their socioeconomic situation.
- Ensuring a rights-compliant approach to the mental health-care system throughout the country.

Right to education

- Taking necessary steps to ensure the right to education for all, regardless of the status of a person.
- Emphasizing civil and political rights and fundamental democratic principles in the civic education curriculum.
- Ensuring that comprehensive and age-appropriate education on sexuality and reproductive health and rights is systematically integrated into school curricula.

D. Rights of specific persons or groups

Women

- Pursuing the policy of eliminating inequalities between men and women, by taking effective measures aimed at increasing the economic empowerment of women.
- Adopting a comprehensive approach to prevent and address violence against women in all its forms, and taking concrete steps to align the national legislative and administrative framework with the standards set out in the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention).

Children

- Taking all necessary measures, including amending the respective legislation, to guarantee the full independence of the Children's Ombudsperson.
- Providing and enhancing specialized training for staff involved in ensuring comprehensive protection for children as victims of violence.
- Stepping up efforts to counter violence against and social exploitation of children, and developing programmes to protect child victims.

Persons with disabilities

- Improving education nationwide and ensuring equal opportunities for persons with disabilities, in line with the national strategic plans.
- Enhancing the education system to cater for the needs of children with disabilities, through Special Education Needs (SEN).

- Ensuring that children with disabilities are protected on equal basis with others in all legislation, policies and measures aimed at children.

Minorities

- Intensifying measures to combat all forms of discrimination, in particular racial discrimination against minorities.
- Taking further measures to condemn incitement to hatred and hate crimes against national minorities.

Migrants, refugees and asylum seekers

- Providing to refugee and asylum seekers effective access to international protection, and reviewing its policy of return and collective deportation of migrants.
- Proceeding with the investigations of allegations regarding mistreatment of migrants in an objective, transparent and comprehensive manner.
- Investigating all complaints from civil society about excessive use of force and intimidation by Croatian law enforcement agents against migrants that reach Croatian borders, and ensuring that fair and individualized asylum procedures are available to asylum seekers.
- Strengthening national efforts to combat racism and discrimination against refugees and asylum seekers.
- Ensuring effective access of refugees and asylum seekers to the territory and a fair and efficient asylum procedure.