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Meeting: 1577th meeting (December 2026) (DH)

Item reference: Action Report (13/10/2026)

Communication from Croatia concerning the case of Jelinić-Starčević v. Croatia (Application No. 3942/24)

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Communication de la Croatie concernant l'affaire Jelinić-Starčević c. Croatie (Requête n° 3942/24) **[anglais uniquement]**



GOVERNMENT OF THE REPUBLIC OF CROATIA
OFFICE OF THE REPRESENTATIVE OF THE REPUBLIC OF CROATIA
BEFORE THE EUROPEAN COURT OF HUMAN RIGHTS

Class: 004-02/25-01/13
Reg. No.: 50447-03/04-26-29
Zagreb, 12 October 2026

DGI

13 OCT. 2026

SERVICE DE L'EXECUTION
DES ARRETS DE LA CEDH

ACTION REPORT REVISED

Jelinić-Starčević v. Croatia

(app. no. 3942/24), judgment of 27 November 2025, final on 27 November 2025

I. CASE DESCRIPTION

1. This case concerns excessive length of criminal proceedings in relation to the charge of which the applicant was acquitted pending before May 2014 until February 2022 at two level of jurisdiction (violation of Article 6 § 1).
2. The proceedings for the determination of the criminal charge of which the applicant was acquitted, lasted some seven years and nine months before two levels of jurisdiction.
3. The Court held that there was no fact or argument capable of justifying the length of the proceedings concerning the determination of the criminal charge of which the applicant was acquitted (§ 9).

II. INDIVIDUAL MEASURES

4. The Government notes that the impugned criminal proceedings in respect of which the Court found a violation have been brought to an end before the Court rendered its judgment (§ 4).
5. Moreover, the Court awarded the applicant just satisfaction in respect of non-pecuniary damage sustained, which was paid in due time.
6. In view of the above, the Government considers that the violation found by the Court ceased and that the applicant was redressed for the violation sustained. The Government deems that no other individual measures are necessary given that the lengthy proceedings have been brought to an end.

III. GENERAL MEASURES

7. It is recalled that the Court found that the length of the criminal proceedings that lasted from 2014 to 2022, i.e. some seven years and nine months before two levels of jurisdiction, to be excessive (§ 6). In response, the authorities took the following measures.

A. Legislative measures

8. The Government notes that, since the facts of the present case occurred, several amendments have been made to the Criminal Procedure Act and the Courts Act with a view to improving the efficiency of judicial proceedings.
9. In particular, in July 2022, the Criminal Procedure Act was amended and entered into force. Pursuant to the amended Act, *inter alia*, the use of information and communication technology in criminal proceedings through the introduction of e-communication was increased, thereby accelerating the service of documents and facilitating access to case files. This acceleration is

achieved through the electronic transmission of court documents between courts and parties to the proceedings, which reduces delays associated with traditional methods of service. In particular, e-communication enables immediate electronic delivery via the system, automatic recording of receipt, and reduced reliance on manual handling and physical delivery channels.

10. In that regard, the Government notes that according to the [CEPEJ Evaluation Report Part 2](#) (2022 data), Croatia has an Information and Communication Technologies Deployment index of 6,6, which is well above the CoE median (page 42).
11. In addition, the abovementioned 2022 Criminal Procedure Act limited repetitive remittals, stipulating that a first-instance judgment may be quashed and a case remitted to the first-instance court only once in the course of the same proceedings. In a case of a second appeal, the appellate court shall, instead of remitting the case for a second time, hold a hearing and decide on the merits.
12. In February 2026, the Criminal Procedure Act was further amended and entered into force, aimed at accelerating criminal proceedings through the simplification of procedures before the indictment panel. In particular, the role of the single judge at the indictment phase has been strengthened in order to streamline proceedings and reduce procedural delays in cases concerning offences punishable by a fine and imprisonment of up to five years. The Government deems that by enabling more efficient handling of complex criminal cases, the workload of the criminal judges will be reduced, which will contribute to expediting criminal judicial proceedings.
13. Furthermore, from 2018 to 2025 the Courts Act went through several changes aimed of improving the organisation and functioning of the court system, enhancing the overall efficiency of the judiciary. In particular, the legislative amendments introduced measures aimed at promoting digitalisation, strengthening the specialisation of judges, improving case management, and enhancing the evaluation of judicial performance, all with the objective of increasing judicial efficiency and facilitating a more expeditious conduct of court proceedings. These reforms have contributed to improving the efficiency of judicial proceedings, including in criminal cases.
14. The amendments to the Courts Act adopted in March 2024 and October 2025, and entered into force in 2024 and 2026, respectively, significantly enhanced the effectiveness of the domestic system for the protection of the right to a trial within a reasonable time. In particular, the reform introduced a combined compensatory and acceleratory remedy, whereas under the previous system the primary remedy was purely acceleratory, while a combined compensatory and acceleratory remedy was available only in limited circumstances as a subsidiary measure.
15. Under the current framework, a party may file a request for the protection of the right to a trial within a reasonable time with the president of the court before which the proceedings are pending, while requests concerning cases dealt by the president of the court are examined by the vice-president of that court. The president of the court must, within 15 days, obtain a report from the judge or the president of the judicial panel dealing with the impugned case on the reasons for the delay and the expected time needed for the conclusion of the case. The report must be submitted within next 15 days. The party's request must be decided within 60 days, taking into account, *inter alia*, the nature and complexity of the case, the conduct of the parties and the conduct of the court. Parties retain the right to appeal to the Supreme Court against decisions on such requests or where no decision has been adopted within the 60-day period.
16. If the request is found to be well-founded, the president of the court must set a time-limit, generally not exceeding six months, within which the proceedings must be concluded, unless the circumstances of the case justify a longer period. At the same time, the party concerned is entitled to appropriate monetary compensation for the violation of the right to a hearing within a reasonable time, up to EUR 4,650.
17. The applicable legislation further provides for judicial accountability, requiring that judges or a judicial panel who fail to comply with the time-limit set for bringing proceedings to an end, in the next 15 days must report to the president of the court and the president of the immediately higher court on the reasons for the delay. The Ministry of Justice, Public Administration and Digital Transformation is duly informed thereof.

18. Finally, upon a request for information of the Representative of Croatia before the Court concerning a pending application regarding excessive length of domestic proceedings, the court before which the impugned proceedings are pending shall inform the president of the immediate higher court, the President of the Supreme Court, and the Ministry of Justice, Public Administration and Digital Transformation of the reasons for the delays.
19. The Government notes that the above reform will contribute to preventing similar violations as it ensures prompt judicial response in excessively long proceedings, including through binding statutory deadlines, while, at the same time, provides for an adequate monetary compensation for similar violations caused by the excessive length of proceedings.

B. Digitalisation of judicial proceedings and ongoing efforts

20. The Government further notes that the authorities continue to implement measures aimed at further improving the efficiency, quality and transparency of judicial proceedings. In particular, the digital transformation of the judiciary is further envisaged through upgrades of the Integrated Court Case Management System ("eSpis"), including by the implementation of AI tools aimed at supporting judges in their everyday work (e.g. advanced search and analysis of case-law, preparation of document summaries, generation of templates). By facilitating these tasks and reducing the time required for preparatory work, these developments are expected to contribute to the more efficient conduct of proceedings and their timely completion. They are also expected to benefit court users by providing citizens with improved information on the expected duration and costs of proceedings, as well as on possibilities for alternative dispute resolution.
21. The authorities also plan to introduce audio recording of hearings with automatic transcription, which will reduce the administrative burden on courts, increase the accuracy of records and contribute to the more efficient conduct and acceleration of proceedings. Furthermore, the continued development of the "ANON" system for the anonymisation and publication of judicial decisions will further enhance transparency of the judiciary while ensuring the protection of personal data.
22. The authorities are also preparing guidelines on the responsible use of generative artificial intelligence by judges, in line with the European standards. Artificial intelligence will serve exclusively as a tool supporting judges in the exercise of their judicial functions and is intended to contribute to faster, more efficient and higher-quality judicial proceedings. In addition, Croatia continues to develop fully digital judicial proceedings, with the aim of further reducing procedural delays, improving access to justice and enhancing the efficiency of judicial services.

C. Awareness-raising measures

23. The Judicial Academy has organised one-day workshops on criminal law matters for judges and advisors of municipal and county courts, as well as for state attorneys, their deputies, and advisors. In particular, it held workshops on the subject of „EU Law and Council of Europe Legal Frameworks – Criminal Aspect“. In 2023 and 2024, four workshops were held each year for 27 and 39 participants, respectively. In 2025, two workshops were held, for 20 participants, and additional workshops are planned for 2026.

D. Publication and dissemination

24. The Office of the Representative has ensured a translation of the present Court's judgment into Croatian and its publication on its [webpage](#). The translation of the judgment has also been published on the Constitutional Court's [webpage](#). The judgment has thus been made available to the general public.
25. The Office of the Representative has prepared a short overview of the Court's main findings in the present judgment and has circulated it, along with the translation of the judgment, to all members of the Council of Experts for the Execution of Judgments and Decisions of the European Court of Human Rights. The relevant national authorities have therefore been informed of the judgment.
26. The judges and legal advisors of the Criminal-Law Division of the Supreme Court, as well as judges of lower-instance courts responsible for monitoring case-law, were all notified of the judgment.

E. Impact of the measures taken

27. The Government notes that the legislative and organisational measures described above have contributed to improving the efficiency of judicial proceedings. Their impact is reflected in the statistical performance of the criminal courts. In particular, according to the data provided by the Ministry of Justice, Public Administration and Digital Transformation (see Table 1 below), first-instance criminal courts have maintained a high level of efficiency in recent years, with a clearance rate¹ around 100% since 2022. This positive trend continued during the first half of 2026, when the courts achieved a clearance rate of 107% demonstrating their ability to resolve more cases than received. During the same period, the disposition time² was reduced from 606 to 540 days. These indicators demonstrate the increased capacity of the criminal courts to maintain a high level of case resolution, reduce backlogs and improve the efficiency of criminal proceedings.

Table 1 - First-instance criminal cases

Year	Incoming cases	Resolved cases	Number of pending cases at the end of the year	CR	DT
2022	17.707	17.912	30.902	101%	630
2023	17.026	16.514	31.459	97%	695
2024	18.764	18.115	32.137	97%	648
2025	19.064	19.247	31.943	101%	606
1 Jan – 30 Jun 2026	9.882	10.571	31.259	107%	540

28. Similarly, positive trend can be observed at the second-instance level, where the clearance rate remained close to 100% in recent years and reached 101% in the first half of 2026, indicating that second-instance criminal courts resolved more cases than they received (see Table 2 below). At the same time, the disposition time decreased from 239 days in 2025 to 214 days in the first half of 2026.

Table 2 - Second-instance criminal cases

Year	Incoming cases	Resolved cases	Number of pending cases at the end of the year	CR	DT
2022	11.100	10.097	4.079	91%	147
2023	11.529	10.344	5.263	90%	186
2024	12.228	11.226	6.264	92%	204
2025	12.243	11.191	7.316	91%	239
1 Jan – 30 Jun 2026	6.154	6.193	7.276	101%	214

IV. JUST SATISFACTION

29. The Government notes that on 29 December 2025 just satisfaction awarded by the Court was disbursed to the applicant and was thus paid within the deadline imparted by the Court.

V. CONCLUSION

30. As regards the individual measures, the Government deems that the violation has been brought to an end and that the applicant has been redressed for the violation sustained.

¹ Clearance Rate (CR) is a performance indicator commonly used by the European Commission for the Efficiency of Justice (CEPEJ) to measure a court's ability to keep up with its incoming workload.

² Disposition Time (DT) is a performance indicator that measures how long it takes for a court to resolve a case.

31. As regards the general measures, the Government deems that the general measures taken will be capable of preventing similar violations.
32. In view of the above, the Government deems that all measures required under Article 46 of the Convention have been taken and thus proposes to the Committee to close its supervision in the present case.

Štefica Stažnik
Representative

