



Last update: 06/06/2019

Croatia

Membership to the Council of Europe	6 November 1996
Entry into force of the European Convention on Human Rights	5 November 1997
First case under supervision of execution	Rajak (49706/99) Judgment final on 12 December 2001
Total number of cases transmitted for supervision since the entry into force of the Convention	472
Total number of cases closed by final resolution	385

MAIN ISSUES BEFORE THE COMMITTEE OF MINISTERS - ONGOING SUPERVISION¹

> Actions of security forces – Effective investigations

Lack of an adequate, effective and independent investigation into war crimes committed during the Croatian Homeland War.

Skendžić and Krznarić (16212/08)
Judgment final on 20/04/2011

Status of execution
Enhanced supervision

Ill-treatment by the police or prison guards and lack of effective investigations.

Dolenec (25282/06)
Judgment final on 26/02/2010

Status of execution
Standard supervision

Đurđević (52442/09)
Judgment final on 19/10/2011

Status of execution
Standard supervision

Mađer (56185/07)
Judgment final on 21/09/2011

Status of execution
Standard supervision

V.D. group (15526/10+)
Judgment final on 08/02/2012

Status of execution
Standard supervision

> Fairness of judicial proceedings – Criminal charges

Failure to grant a request for a rehearing after a conviction *in absentia* to a prison term for war crimes.

Sanader (66408/12)
Judgment final on 06/07/2015

Status of execution
Standard supervision

¹ Detailed information concerning the Committee of Ministers' supervision of the execution of judgments and decisions of the European Court of Human Rights, notably the distinction between enhanced and standard supervision, are available on the website of the Department for the Execution of Judgments.



MAIN ISSUES BEFORE THE COMMITTEE OF MINISTERS - ONGOING SUPERVISION¹

> Protection of private and family life - Domestic violence

Failure of the authorities to provide victims of domestic violence adequate protection against further violence from former partner/husband and to implement measures ordered by the national courts aimed at addressing psychiatric condition of the latter.

A. (55164/08)
Judgment final on 14/01/2011

Status of execution
Standard supervision

> Protection of property rights

Obligation under protected tenancy legislation for landlord to let property for indefinite period without adequate rent.

Statileo (12027/10)
Judgment final on 10/10/2014

Status of execution
Enhanced supervision

> Discrimination

Ineffective investigation into a racist attack against a person of Roma origin.

Šečić (40116/02)
Judgment final on 31/08/2007

Status of execution
Enhanced supervision

SUPERVISION CLOSED - MAIN REFORMS ADOPTED **

> Conditions of detention – Medical care

Introduction of and improvements to compensatory and acceleratory remedies, notably in relation to the “constitutional complaint”, i.e. a remedy before the Constitutional Court.

Horvat (51585/99)
Judgment final on 26/10/2001

Final Resolution
ResDH(2005)60

Adoption of measures aiming at strengthening procedural discipline and simplifying civil proceedings, such as the repeal of the Croatian courts' inquisitorial function in favour of adversarial civil proceedings and the introduction of pecuniary penalties against parties abusing their procedural rights.

Debelić (2448/03)
Judgment final on 26/08/2005

Final Resolution
CM/ResDH(2007)102

> Fairness of judicial proceedings – Organisation of the judiciary

Improvements in the proceedings before the National Judicial Council reinforcing the impartiality of its members in disciplinary proceedings, and ensuring public hearings and respect for the principle of equality of arms.

Olujčić (22330/05)
Judgment final on 05/05/2009

Final Resolution
CM/ResDH(2011)194

Reform of the land registration system with a view to reducing the excessive length of land registry proceedings in accordance with the “reasonable time” requirement and extension of the scope of the constitutional complaint making it applicable to land registry proceedings.

Buj (24661/02)
Judgment final on 01/09/2006

Final Resolution
CM/ResDH(2011)47

Resumption of civil proceedings which had been stayed during the Homeland War following the adoption of two laws in 2003.

Kutić (48778/99)
Judgment final on 01/06/2002

Final Resolution
ResDH(2006)3

> Fairness of judicial proceedings – Criminal charges

Change of the case-law by the Constitutional Court ensuring a proper examination of the evidence by the domestic courts.

Ajdarić (20883/09)
Judgment final on 04/06/2012

Final Resolution
CM/ResDH(2016)38

> Fairness of administrative proceedings

Adoption of the new Administrative Disputes Act in 2012, which ensured respect for the principle of equality of arms in administrative proceedings, following which the courts have the obligation to give each party the opportunity to comment on the claims and observations of the other party.

Hrdalo group (23272/07+)
Judgment final on 27/12/2011

Maravić Markeš (70923/11)
Judgment final on 09/04/2014

Final Resolution
CM/ResDH(2015)60

** This section may also include certain major reforms already implemented in the context of cases still pending.

For a thorough overview of reforms adopted since the entry into force of Protocol No. 11 in 1998 see the [Annual Report 2015](#), Part IV “Main achievements”. As regards the period 1959-1998, see the overview provided by the European Court in its special publication “[Survey : 40 years of activity](#)”, section IV “Effects of judgments and decisions” – both documents, together with a number of additional ones, are available also on the website of the Department for the Execution of Judgments of the European Court of Human Rights.

SUPERVISION CLOSED - MAIN REFORMS ADOPTED**

> Filiation

Improvements in the proceedings to establish paternity, including the establishment of time-limits for the DNA test to be carried out, and the domestic courts' ability to take the alleged father's refusal or failure to undergo testing into account when reaching their decisions.

Mikulić (53176/99)
Judgment final on 04/09/2002

Final Resolution
ResDH(2006)69

> Legal capacity

The possibility to institute proceedings to divest a person from legal capacity has been limited through the adoption of the new Family Act 2015. Relevant decisions are subject to judicial review and the Social welfare centres were instructed to collect and present evidence.

Ivinović (13006/13)
Judgment final on 18/12/2014

Final Resolution
CM/ResDH(2018)80

M.S. (36337/10)
Judgment final on 25/07/2013

Final Resolution
CM/ResDH(2018)81

X. (11223/04)
Judgment final on 01/12/2008

Final Resolution
CM/ResDH(2018)82

X. and Y. (5193/09)
Judgment final on 03/02/2012

Final Resolution
CM/ResDH(2018)117

> Protection of property rights of minors under a real-estate swap agreement

Under the Family Act 2015, Social welfare centres are no longer competent in matters concerning properties owned by minors. Such issues are henceforth dealt with by courts in non-contentious proceedings, taking into account the minors' best interests.

S.L. and J.L. (13712/11)
Judgment final on 19/10/2015

Final Resolution
CM/ResDH(2018)120

> Expropriations

The obligation to comply with the principles of rule of law, public interest and proportionality in eviction proceedings was enshrined in a decision by the Constitutional Court in 2010.

Ćosić (28261/06)
Judgment final on 05/06/2009

Paulić (3572/06)
Judgment final on 01/03/2010

Final Resolution
CM/ResDH(2011)48

Excessive delays in the execution of decisions ordering the eviction of temporary occupants of properties allocated by the state authorities under the Takeover Act: **financial resources were allocated to provide temporary occupants with alternative accommodation, thus creating the necessary conditions for the repossession of properties by their owners.**

Radanović group (9056/02+)
Judgment final on 21/03/2007

Final Resolution
CM/ResDH(2018)238



SUPERVISION CLOSED - MAIN REFORMS ADOPTED**

> **Disproportionate restrictions to property rights - third auction sale**

A new legislation enhanced the protection of debtors in enforcement proceedings on immovable property by determining clear proportions of the property value established by the court expert, under which it may not be sold at auctions.

Ljaskaj (58630/11)
Judgment final on 20/03/2017

Final Resolution
CM/ResDH(2018)29

> **Discrimination**

Equal treatment of adoptive and biological parents concerning maternity leave and related allowances following the adoption of the Maternity and Parental Benefits Act 2009.

Topčić (19391/11)
Judgment final on 24/03/2014

Final Resolution
CM/ResDH(2016)187

Abolishment of "Roma-only"*** classes and further integration of primary education Roma children to the mixed classes.

Oršuš and Others (15766/03)
Judgment final on 16/03/2010

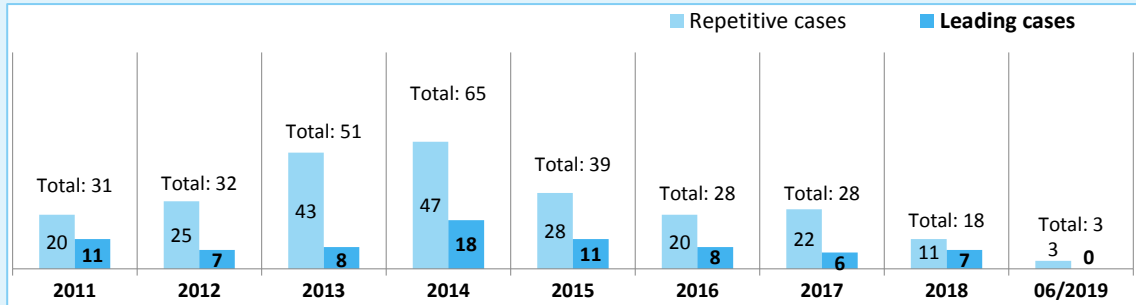
Final Resolution
CM/ResDH(2017)385

*** The term "Roma and Travellers" is used at the Council of Europe to encompass the wide diversity of the groups covered by the work of the Council of Europe in this field: on the one hand a) Roma, Sinti/Manush, Cale, Kaale, Romanichals, Boyash/Rudari; b) Balkan Egyptians (Egyptians and Ashkali); c) Eastern groups (Dom, Lom and Abdal); and, on the other hand, groups such as Travellers, Yenish, and the populations designated under the administrative term "Gens du voyage", as well as persons who identify themselves as Gypsies.

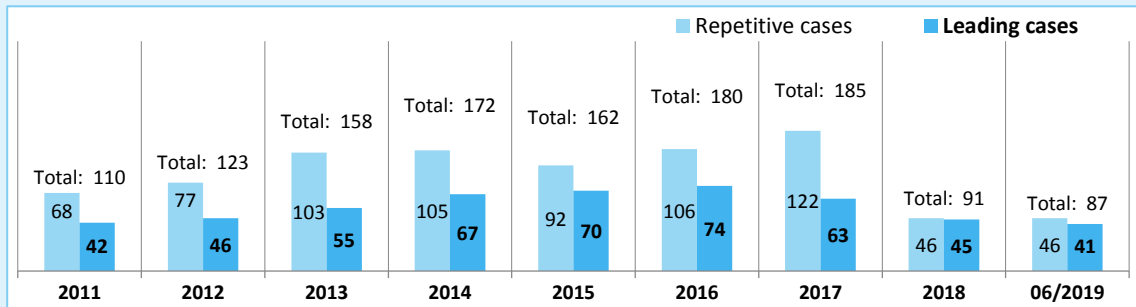
STATISTICS***

New cases

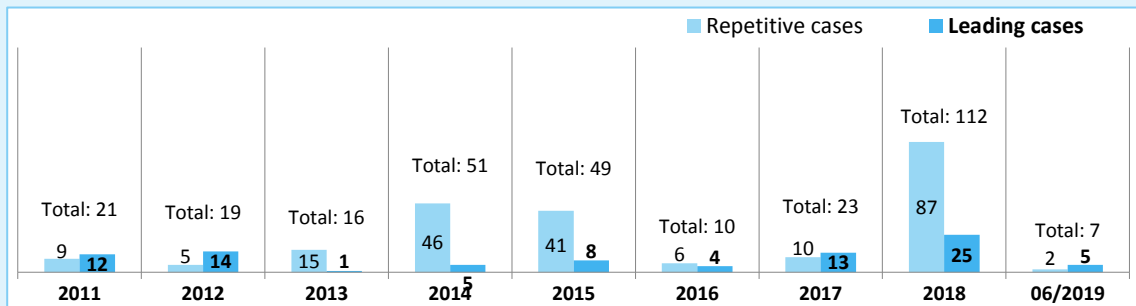
(judgments transmitted for supervision of their execution during the year)



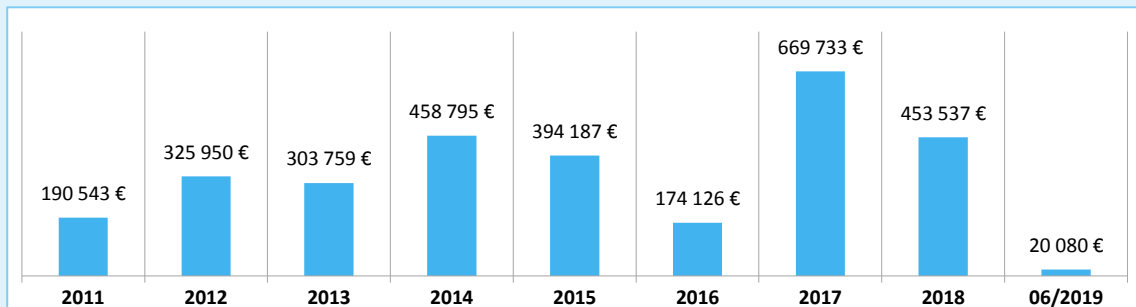
Pending cases



Cases closed by final resolution



Just satisfaction awarded by the European Court



*** Detailed statistics are available in the [annual reports](#) of the Committee of Ministers. Figures are reported as they appear in the annual report for each year.