



Reference data 2022 (01/01/2022 - 31/12/2022)

Start/end date of the data collection campaign : 15/03/2023 - 01/10/2023

Objective :

The CEPEJ decided, at its 39th plenary meeting, to launch the ninth evaluation cycle 2024, focused on 2022 data. The CEPEJ wishes to use the methodology developed in the previous cycles to get, with the support of its national correspondents' network, a general evaluation of the judicial systems in the 46 member states of the Council of Europe as well as three observer states (Israel, Morocco and Kazakhstan).

The present questionnaire was developed by the Working group on evaluation of judicial systems (CEPEJ-GT-EVAL) in view of the previous evaluation cycles and considering the comments submitted by CEPEJ members, observers, experts and national correspondents. The aim of this exercise is to increase awareness of judicial systems in the participating states, to compare the functioning of judicial systems in their various aspects, as well as to have a better knowledge of the trends of the judicial organisation in order to help improve the efficiency of justice. The evaluation questionnaire and the analysis of the results becomes a genuine tool in favour of public policies on justice, in service of the European citizens.

For better understanding of the questions it is necessary to consult the Explanatory note that gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying, You can download the Explanatory note as a whole document on the CEPEJ website. In addition to the Explanatory note, there is also the User manual that is a technical document to help you navigate through this application for data collection.

In case you have any questions related to these documents or on the use of the application, please do not hesitate to contact the Secretariat.

Instruction :

Explanatory note: <https://rm.coe.int/explanatory-note-2024-cycle-cepej-2023-2-en/1680aae30a>

Word version of the questionnaire - <https://rm.coe.int/evaluation-scheme-2024-cycle-cepej-2022-9rev1-en-30-march-2023/1680aae309>

CEPEJ COLLECT - User manual – you can download under Documentation tab

1. General and financial information

1.1. Demographic and economic data

1.1.1. Inhabitants and economic general information



001. Number of inhabitants (if possible on 1 January of the reference year +1)

[3 850 894]

Comments State on 31 December 2022

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003. Per capita GDP (in €) in current prices for the reference year

[17 130]

Comments

004. Average gross annual salary (in €) for the reference year

[16 564]

[] NA

Comments will be explained later

005. Exchange rate of national currency (non-Euro zone) in € on 1 January of the reference year +1:

[]

Allow decimals : 5

[X] NAP

Comments On 1 January 2023 Croatia adopted the Euro and became the 20th member of the euro area. On 12 July 2022 the Council of the European Union formally approved Croatia's accession to the euro area and determined a Croatian kuna conversion rate of 7.53450 per euro.

A1. Please indicate the sources for answering the questions in this part

Sources: Questions 001., 003., 004. and 005 – source is Croatian Bureau of Statistics.

1.1.2 Budgetary data concerning judicial system



006. Annual (approved and implemented) public budget allocated to the functioning of all courts, in € (without the budget of the public prosecution services and without the budget of legal aid). If you cannot separate the budget allocated to the courts from the budget of public prosecution services and/or the one allocated to legal aid, please go to question 7. If you are able to answer this question, please answer NA to question 7.

	Approved budget (in €)	Implemented budget (in €)
TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	180 531 864 [] NA [] NAP	180 227 815 [] NA [] NAP
1. Annual public budget allocated to (gross) salaries	156 028 222 [] NA [] NAP	156 010 697 [] NA [] NAP
2. Annual public budget allocated to computerisation (2.1 + 2.2)	9 830 012 [] NA [] NAP	9 574 377 [] NA [] NAP

2.1 Investments in computerisation	1 691 195 [] NA [] NAP	1 573 053 [] NA [] NAP
2.2 Maintenance of the IT equipment of courts	8 138 817 [] NA [] NAP	8 001 324 [] NA [] NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)	3 086 140 [] NA [] NAP	3 131 285 [] NA [] NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	8 727 722 [] NA [] NAP	8 673 211 [] NA [] NAP
5. Annual public budget allocated to investments in new (court) buildings	16 852 359 [] NA [] NAP	16 843 196 [] NA [] NAP
6. Annual public budget allocated to training	619 988 [] NA [] NAP	523 309 [] NA [] NAP
7. Other (please specify)	12 039 960 [] NA [] NAP	11 865 706 [] NA [] NAP

Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main reasons for the differences: 2. Annual public budget allocated to computerisation: the budget for this category increased by 25% compared to the previous cycle because of the rising prices and goods on the market.

3. Annual public budget allocated to justice expenses: the amount differs from the last submitted data because in the previous period the costs of a large number of procedures were borne by the courts (acquittals...).

4. Annual public budget allocated to court buildings (maintenance, operating costs): the budget allocated has increased compared to the previous cycle, as a consequence of the significant discrepancies previously caused by COVID-19. The amount was lower back then, because work was done from home or in groups, decreasing the costs of energy and telephones. In addition to the foregoing, the cost of energy and other operating expenses was raised in 2022.

5. Annual public budget allocated to investments in new (court) buildings: the current judicial infrastructure is largely suboptimal and ineffective, which has a negative impact on the efficiency of Croatian courts as well as the perception of the judiciary among citizens and businesses. Because of space constraints, judicial bodies are frequently housed in rented or substandard facilities. Due to a lack of funds in the previous period, no significant investments in new capacities were made. In 2022, the land register department in Zagreb completed its new building, leaving the leased space. The central land register archive in Gospi began construction and will eventually house the land registers of all 109 ZK departments in the Republic of Croatia. (Both projects are supported by World Bank loans). In 2022, in addition to closing the financial structure with a grant from the Kingdom of Norway, work was carried out on a large scale to secure new capacities for the OS in Split (which had been located in temporary accommodation on the outskirts of the city in an archdiocese-owned space for 17 years). The building was completed in 2023, and the court moved to its new location on January 29, 2024. years. Increased infrastructure investments reflect the need and planned investments that are being implemented or will be implemented over the next multi-year period with the goal of modernizing judicial building infrastructure, aligning with EU standards, and ultimately ensuring greater efficiency and accessibility of the judicial system to citizens.

007. If you cannot answer question 6 because you cannot isolate the public budget allocated to courts from the budget allocated to public prosecution services and/or the one allocated to legal aid, please fill in only the appropriate line in the table according to your system:

Approved budget (in €)	Implemented budget (in €)
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Total annual public budget allocated to all courts and the public prosecution services together	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Total annual public budget allocated to all courts and legal aid together	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Total annual public budget allocated to all courts, public prosecution services and legal aid together	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - Please indicate any useful comment to explain the figures provided. If the annual public budget actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences:

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008. Are litigants in general required to pay a court fee to initiate a proceeding at a court of general jurisdiction:

	Litigants required to pay a court fee to initiate a proceeding at a court of general jurisdiction ?
for criminal cases	<input checked="" type="checkbox"/> Yes, at the beginning of the procedure <input type="checkbox"/> Yes, at a later stage <input type="checkbox"/> No
for other than criminal cases	<input checked="" type="checkbox"/> Yes, at the beginning of the procedure <input type="checkbox"/> Yes, at a later stage <input type="checkbox"/> No

Comments - If there are exceptions to the obligation to pay these court fees, could you please provide comments on those exceptions? According to the Court Fees Act (Official Gazette, No. 118/18) 21 subject is exempt from paying court fees, such as state government bodies, public authorities, employees in administrative and labour disputes, vulnerable groups of society, etc. Note: The fee obligation to initiate the procedure arises at the time of submission of the motion initiating the procedure, but in case of non-payment of the fee, the actions in the procedure are not stopped, but the enforcement procedure for the court fee will be initiated.

008-1. Please briefly present the methodology of calculation of these court fees:

- Generally, in the civil litigation proceedings the court fee depends on the value of the subject of the dispute i.e. the value of the determined principal claim. Interest, litigation costs, penalty charges and other subordinate claims are taken into account only if they are a part of the principal claim. Depending on the nature of the procedure, different court fees are determined in the Court Fees Act and Tariff of Court Fees. When the value of the subject matter of the dispute cannot be determined under the provisions of Court Fees Act, the fee will be charged for the amount of 1327,22 EUR.

008-2. The amount of court fees requested to commence an action for 3000€ debt recovery:

[76]

NA

NAP

009. Annual income of court fees received by the State (in €):

[]

[X] NA

[] NAP

Comments

012. Annual approved public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)	14 377 085 [] NA [] NAP	13 834 249 [] NA [] NAP	542 836 [] NA [] NAP
12.1 for cases brought to court (court fees and/or legal representation)	[X] NA [] NAP	[X] NA [] NAP	268 540 [] NA [] NAP
12.2 for cases not brought to court (legal advice, ADR and other legal services)	[X] NA [] NAP	[X] NA [] NAP	274 296 [] NA [] NAP

Comments Compared to the 2021, the amount of total annual approved public budget allocated to legal aid other in other than criminal cases has been decreased by 1,21 %.

012-1. Annual implemented public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)	14 363 228 [] NA [] NAP	13 834 249 [] NA [] NAP	528 979 [] NA [] NAP
12-1.1 for cases brought to court (court fees and/or legal representation)	[X] NA [] NAP	[X] NA [] NAP	254 687 [] NA [] NAP
12-1.2 for cases not brought to court (legal advice, ADR and other legal services)	[X] NA [] NAP	[X] NA [] NAP	274 292 [] NA [] NAP

If the public budget actually implemented regarding legal aid is different from the annual approved public budget allocated to legal aid, please indicate the main reasons for the differences: The increase of 24.17% observed for other than criminal cases brought to court (court fees and/or legal representation) is dependent upon the attorney's fees for legal assistance rendered. These fees are typically paid after the court procedure is concluded, which again typically takes several years. Attorneys are compensated for the number of legal actions they have taken in each individual case, but up to a maximum of six legal actions per case. The expert report's expenses are covered after it is finished and are not dependent on the outcome of the court case. The quantity of applications submitted for secondary legal aid approval is consistent, but the overall amount varies annually, as does the proportion of approved applications to the total number of applications submitted. Additionally, in 2019, we raised the value of the point by 40% that serves as the basis for calculating the fee for providing secondary legal assistance by lawyers. However, because court cases typically last several years, the full impact of this increase was not felt in 2020, but rather in 2022.

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012-3. Do legal aid budgets indicated in Q12 and Q12-1 include:

	Amount calculated/estimated included
Coverage of court fees	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP (Legal aid does not include coverage of court fees)
Exemption from court fees	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP (Legal aid does not include exemption from court fees)

Comments Exemption from court fees in other than criminal cases is one of the forms of secondary legal aid proscribed by Law on Legal Aid ("Official Gazette", No. 143/13. & 98/19.), but legal aid budgets indicated in Q12 and Q12-1 in other than criminal cases does not include coverage nor exemption from court fees.

013. Annual (approved and implemented) public budget allocated to the public prosecution services, in €.

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the public prosecution services, in € (including 13.1)	55 976 788 [] NA [] NAP	55 677 431 [] NA [] NAP
13.1. Annual public budget allocated to training of public prosecution services	198 050 [] NA [] NAP	137 787 [] NA [] NAP

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public prosecution services actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences: The stated amount differs from the previously submitted data because of an increase in the base for civil servants and state employees, as well as an increase in the amount for holiday pay, Christmas bonus, and children's gift.

A2. Please indicate the sources for answering the questions in this part

Sources: - Law on Legal Aid („Official Gazette“, no. 143/13 & 98/19) https://narodne-novine.nn.hr/clanci/sluzbeni/2013_12_143_3064.html
https://narodne-novine.nn.hr/clanci/sluzbeni/2019_10_98_1920.html
- data from the State Treasury

1.1.3 Budgetary data concerning the whole justice system

015-1. Annual (approved and implemented) public budget allocated to the whole justice system, in € (this global budget includes the judicial system budget - see 15-2 and other elements of the justice system - see 15-3)

Approved budget (in €)	Implemented budget (in €)

Total annual public budget allocated to the whole justice system in €	474 995 132 [] NA [] NAP	466 937 469 [] NA [] NAP
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Comments - Please indicate any useful comment to explain the figures provided above and specify if a large portion of the budget allocated to the whole justice system comes from an international organisation. Moreover, if the annual public budget allocated to the whole justice system actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences:

015-2. Elements of the judicial system budget (Q6, Q7, Q12, Q13)

	Included
Courts	(X) Yes () No [] NAP
Legal aid	(X) Yes () No [] NAP
Public prosecution services	(X) Yes () No [] NAP

Comments

015-3. Other budgetary elements

	Included
Prison system	(X) Yes () No [] NAP
Probation services	(X) Yes () No [] NAP
High Judicial Council	(X) Yes () No [] NAP
High Prosecutorial Council	(X) Yes () No [] NAP
Constitutional court	() Yes (X) No [] NAP
Judicial management body	(X) Yes () No [] NAP
Service for legal representation of the State	() Yes (X) No [] NAP
Enforcement services	() Yes (X) No [] NAP

Notariat	() Yes (X) No [] NAP
Forensic services	() Yes (X) No [] NAP
Judicial protection of juveniles	(X) Yes () No [] NAP
Functioning of the Ministry of Justice	(X) Yes () No [] NAP
Refugees and asylum seekers services	() Yes (X) No [] NAP
Immigration Service	() Yes (X) No [] NAP
Some police services (e.g. : transfer, investigation, prisoners' security)	() Yes (X) No [] NAP
Other	() Yes (X) No [] NAP

If "Other", please specify:

A3. Please indicate the sources for answering the questions in this part

Sources: Ministry of Justice and Public Administration.

2. Access to justice and all courts

2.1. Legal Aid

2.1.1 Scope of legal aid

016. Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP

Legal advice, ADR and other legal services	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
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016-1. Please briefly describe the organisation of the legal aid system in your country.

- In the provisions of the Criminal Procedure Act (Official Gazette 152/08, 76/09, 80/11, 121/11, 91/12, 143/12, 56/13, 145/13, 152/14, 70/17, 126/19, 126/19, 130/20, 80/22), cases are prescribed when the defendant must have a defense attorney (mandatory defense). In the case of mandatory defense, the defendant will be assigned an ex officio defense attorney, if he does not have an elected defense attorney or was previously appointed a defense attorney at the expense of budget funds or was left without a defense attorney during the proceedings, and does not hire another defense attorney himself. In cases where the defense is not mandatory, the defendant will, at his request, after receiving the decision on the conduct of the investigation or the notification on the conduct of evidentiary actions, i.e. after the indictment has been filed, until the final completion of the criminal proceedings, a defense attorney will be appointed at the expense of budget funds, if it seems probable that according to his financial situation, he cannot cover the defense costs without jeopardizing his own maintenance and the maintenance of his family or persons whom he is obliged to support by law, and the complexity, gravity or special circumstances of the case justify this. The aforementioned means that the bodies responsible for making a decision on free legal aid decide freely on this in any case, guided by the criteria that are usually used by the European Court of Human Rights when assessing whether the "interest of justice" standard has been met.

In accordance with the requirements set by Directive (EU) 2016/1919 of the European Parliament and the Council of October 26, 2016 on legal aid for suspects and defendants in criminal proceedings and for wanted persons in proceedings based on a European arrest warrant, the provisions of the Criminal Procedure Act significantly expand the temporal scope of the defendant's right to free legal aid in such a way that the suspect, or the defendant, has this right from the earliest stages of the procedure, i.e. already from the police action in connection with the criminal procedure.

The defendant submits a reasoned request for the appointment of a defense attorney at the expense of budget funds to the state attorney before the indictment is filed, that is, to the court after the indictment is filed. Along with the request, the defendant is obliged to attach evidence of his property status, the status of his family or persons whom he is obliged to support by law, i.e. persons who are legally obliged to support him.

Furthermore, in accordance with the requirements of Directive (EU) 2016/1919, the Criminal Procedure Act contains a new institute of temporary legal aid at the expense of budget funds, according to which the right to temporary legal assistance of the defense attorney at the expense of budget funds is first of all the arrestee's, and that from the moment of arrest, based on a statement about his poor financial condition. He must be aware of this right already at the time of his arrest, that is, as soon as possible after his arrest, in order to be able to use this right effectively. During the notification, he will be warned that he will subsequently be fully or partially obliged to bear the costs of temporary legal assistance if it is established in the later course of the procedure that he is able to cover the costs of the defense in view of his financial situation. Furthermore, the right to temporary legal assistance can also be obtained by the suspect, when it is a criminal offense for which a prison sentence of more than five years is prescribed, and the suspect participates in certain procedural actions.

The provisions of the Law on Criminal Procedure ensure continuity in the person of the lawyer, who provides free legal assistance to the defendant. In order to ensure this continuity, which is one of the requirements arising from Directive (EU) 2016/1919, when appointing a defense attorney at the expense of budget funds, care will be taken to ensure that it is the same defense attorney who in the earlier stages of the procedure performed the duties of a temporary legal help at the expense of budget funds.

Legal aid in civil and administrative cases in the Republic of Croatia is regulated by the Law on Legal Aid ("Official Gazette" no. 143/13. and 98/19.). Legal-aid-recipients are entitled to primary legal aid (which includes general legal information, legal advice, writing submissions to public law bodies, European Court of Human Rights and international organizations in accordance with the

international agreements and rules of operation of those bodies, legal representation before public law bodies and legal aid in out-of-court amicable settlements) and/or secondary legal aid in civil and administrative court proceedings (which includes legal advice, writing submissions and legal representation in court proceedings, legal assistance in amicable settlements and exemption from court-proceeding-expenses and court fees). Primary-legal-aid-providers are authorised civil-society-associations, law-faculty-legal-clinics, county-administrative-bodies and Administrative Body of the City of Zagreb. The procedure for obtaining primary legal aid is initiated by contacting the provider of primary legal aid directly. Every year, Ministry of Justice and Administration conducts a public tender in accordance with the provisions of the Law on Legal Aid, thus providing funds for projects of authorized civil society associations and law schools that have established legal clinics. Authorized civil-society-associations and law faculties provide primary legal aid to vulnerable social groups such as: victims of violence and domestic violence, victims of sexual violence, minorities, asylum seekers and other vulnerable social groups. Secondary-legal-aid-providers are lawyers. To obtain secondary legal aid an application must be submitted to one of the county-administrative-bodies or Administrative Body of the City of Zagreb. Secondary legal aid will be granted in the proscribed types of proceedings if the applicant's financial status complies with the conditions proscribed in the Law on Legal Aid.

018. Can legal aid be granted for the fees that are related to the enforcement of judicial decisions (e.g. fees of an enforcement agent)?

- Yes
- No
- NAP

If yes, please specify: Exemption from court fees in other than criminal cases is one of the forms of secondary legal aid proscribed by the Law on Legal Aid and it may be granted in proceedings related to the enforcement of judicial decisions.

019. Can legal aid be granted for other costs (different from those mentioned in questions 16 to 18, e.g. fees of technical advisors or experts, costs of other legal professionals (notaries), travel costs etc.)?

	Criminal cases	Other than criminal cases
Legal aid granted for other costs	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If yes, please specify: Exemption from court-proceeding-expenses in other than criminal cases is one of the forms of secondary legal aid proscribed by the Law on Legal Aid. It includes exemption form payment costs of witnesses, expert witnesses, court-sworn translators, costs of site visits and court advertisements.

Sources: Law on Legal Aid („Official Gazette“, No 143/13. & 98/19.)
https://narodne-novine.nn.hr/clanci/sluzbeni/2013_12_143_3064.html
https://narodne-novine.nn.hr/clanci/sluzbeni/2019_10_98_1920.html

2.1.2 Information on legal aid

020. Please indicate the number of cases for which legal aid has been granted:

Total	Cases brought to court	Cases not brought to court

TOTAL	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
In criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
In other than criminal cases	33 896 [] NA [] NAP	2 726 [] NA [] NAP	31 170 [] NA [] NAP

Comments - Please specify when appropriate:

020-0. Please indicate the number of recipients of legal aid:

	Total	Cases brought to court	Cases not brought to court
TOTAL	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
In criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
In other than criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - Please specify when appropriate: Legal Aid Information System collects information on gender of the secondary-legal-aid-recipients (cases brought to court). In other than criminal cases, the number of users of secondary legal aid (cases brought to court) – 2,726 and the number of users of primary legal aid (cases not brought to court) – 14,324.

020-0-1. Are there statistical data disaggregated by gender in respect of recipients of legal aid?

(X) Yes

() No

Comments Legal Aid Information System collects information on gender of the secondary-legal-aid-recipients (cases brought to court

020-0-2. If yes, please provide details on distribution by gender of recipients of legal aid:

	Total	Males	Females
Number of recipients of legal aid	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments Legal Aid Information System collects information on gender of the secondary-legal-aid-recipients (cases brought to court). For the year 2022, elaboration is available only for users of secondary legal aid (cases brought to court) – 2,726, and there was no data for users of primary legal aid by gender.

020-0-3. Is it possible to divide the number of recipients of legal aid per different categories of cases?

(X) Yes

() No

Comment: If yes, please specify for which categories of cases: Legal Aid Information System collects information on types of cases for

which secondary legal aid has been granted: family-law cases, real-property cases, labour-law cases, enforcement cases and other civil cases where secondary legal aid has been granted due to the specific life circumstances of the applicant and his household members

020-0-4. Are there situations where legal aid is automatically granted depending on categories of cases?

(X) Yes

() No

Comment: If yes, please specify: In accordance with the Law on Legal Aid, secondary legal aid is automatically granted to: -children in proceedings to exercise the right to maintenance and to -victims of criminal acts of violence in civil court proceedings in order to exercise the right to compensation for damage caused by the commission of the criminal acts.

020-0-5. How many of the recipients of legal aid are alleged victims of domestic violence?

	Total	Males	Females
Number of recipients of legal aid who are alleged victims of domestic violence	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments

020-1. Please indicate the timeframes of the procedure for granting legal aid, in relation to the duration from the initial legal aid request to the final decision on the legal aid request:

	Time in days
Maximum duration prescribed in law/regulation	15 [] NA [] NAP
Actual average duration	[X] NA [] NAP

Comments - Please specify if the envisaged timeframe is set in a statutory law, or in other regulation. Furthermore, if different timeframes are envisaged for criminal and other than criminal cases, please provide more information: According to the provisions of the Criminal Procedure Act (Official Gazette 152/08, 76/09, 80/11, 121/11, 91/12, 143/12, 56/13, 145/13, 152/14, 70/17, 126/ 19, 126/19, 130/20, 80/22)) the defendant submits a reasoned request for the appointment of a defense attorney at the expense of budget funds to the state attorney until the indictment is filed, that is, to the court after the indictment is filed. The state attorney, i.e. the president of the council or a single judge, decides with a reasoned decision on the merits of the request for the appointment of a defender at the expense of budget funds. The investigating judge decides on the appeal against the decision of the state attorney, while the appeal against the decision of the president of the council or an individual judge is decided by the council.

If the defendant has submitted a request for the appointment of a defense attorney at the expense of budget funds, the body conducting the proceedings is not authorized to undertake an action in which the defendant has the right to participate or decide on the submitted legal remedy or means, before deciding on the merits of the defendant's request for the appointment of a defense attorney at the expense of budget funds, or before the appointment of a defender at the expense of budget funds, unless it is about actions that cannot be delayed. The body conducting the proceedings is obliged to provide the appointed defense attorney with adequate time for the preparation of the defense at the expense of budget funds

Envisaged timeframe for granting legal aid in other than criminal cases is set out in Law on Legal Aid. However, the proceeding for obtaining legal aid for cases not brought to court in other than criminal cases (primary legal aid) is initiated by directly contacting the primary-legal-aid-provider and there is no proscribed timeframe, that is to say the primary-legal-aid-provider shall provide legal aid immediately upon contact with free-legal-aid-recipient. To obtain legal aid for cases brought to court in other than criminal cases (secondary legal aid) an application must be submitted to one of the county-administrative-bodies or Administrative Body of the City of



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021. In criminal cases, can individuals who do not have sufficient financial means be assisted by a free of charge (or financed by a public budget) lawyer?

	Assisted by a free of charge lawyer
Accused individuals	(X) Yes () No
Victims	(X) Yes () No

Comments - If yes, please specify: In relation to the defendants, see answers to questions 016-1 and 020-1.

In relation to victims, the provisions of the Criminal Procedure Act stipulate that a victim who has assumed the role of the injured party as a prosecutor when proceedings are conducted at her request for a criminal offense for which a prison sentence of more than five years can be imposed according to the law, may, at her request, appoint a representative if this is in the interest of the procedure and if the victim in the role of the injured party as a plaintiff, according to his financial situation, cannot cover the costs of representation. The court before which the proceedings are conducted decides on the request, and the attorney is appointed by the president of the court from among lawyers. A victim of a criminal offense for which a prison sentence of more than five years has been prescribed, if he suffers serious consequences of the criminal offense, has the right to professional assistance from a consultant at the expense of budget funds when submitting a property law claim.

The victim of a criminal act of violence committed with intent has the right to compensation from the state budget in accordance with a special law.

A child as a victim of a criminal offense and a victim of a criminal offense against sexual freedom and a victim of a criminal offense of human trafficking also has the right to an attorney at the expense of budget funds.

A victim of a criminal offense in relation to whom special protection needs have been determined (a special way of questioning the victim, the use of communication technologies to avoid visual contact with the perpetrator and other measures prescribed by law) has the right to speak with a counselor before the questioning, at the expense of budget funds.

022. In criminal cases are these individuals free to choose their lawyer within the framework of the legal aid system?

	free selection of lawyer
Accused individuals	() Yes (X) No [] NAP
Victims	() Yes (X) No [] NAP

Comments .

023-0. Does your country have an income and assets evaluation for granting full or partial legal aid?

(X) Yes

() No

Comments - Please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the data provided above: Legal aid for cases brought to court in other than criminal cases (secondary legal aid) is granted if the applicant's

financial status complies with the conditions proscribed in the Law on Legal Aid. Legal aid is granted depending on the annual monthly income of the applicant and his household members and the total value of the property owned by the applicant and his household members. When determining the applicants financial situation, the following are not taken into account: total income and assets of the perpetrator of domestic violence if the applicant is a victim of that violence, total income and assets of the household members participating in the proceedings as opponents of the applicant or their interest is contrary to the interest of the applicant, property in which the applicant lives if it is owned by him or by his household members, the real estate used for business activity necessary to ensure the minimum living conditions for the applicant and household members, incomes exempted from enforcement on the basis of a general regulation governing enforcement proceedings, child allowance and cash receipts for the equipment of a newborn child and other. Some categories of applicants are granted secondary legal aid without establishing their financial status: a child in the process of exercising the right to maintenance, a victim of a criminal offense of violence in the proceedings for the purpose of exercising the right to compensation for damage caused by the commission of a criminal offense, a person who is a beneficiary of social welfare rights. Legal aid for cases not brought to court in other than criminal cases is initiated by directly contacting the primary-legal-aid-provider. Primary legal aid can be provided in every legal matter if the applicant's material circumstances are such that the payment of legal aid could endanger the maintenance of the legal-aid-recipient and his household members and there is no proscribed formal procedure for evaluating conditions for obtaining primary legal aid.

023. If yes, please specify in the table:

	Annual income value (for one person), (in €)	Assets value (for one person), (in €)
Full legal aid to the applicant for criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Full legal aid to the applicant for other than criminal cases	2 649 <input type="checkbox"/> NA <input type="checkbox"/> NAP	26 486 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Partial legal aid to the applicant for criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Partial legal aid to the applicant for other than criminal cases	5 297 <input type="checkbox"/> NA <input type="checkbox"/> NAP	26 486 <input type="checkbox"/> NA <input type="checkbox"/> NAP

024. Is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action or no chance of success)?

Yes

No

Comments - If yes, please specify the exact criteria for denying legal aid: Law on Legal Aid proscribes that an application for granting legal aid for cases brought to court in other than criminal cases (secondary legal aid) may be denied in the case of frivolous litigation. Frivolous litigation is considered if the applicant's expectations are clearly disproportionate to the actual situation, if it is clear that the applicant is abusing the possibility to apply for legal aid, if the applicant's expectations are in clear conflict with the final outcomes in similar cases, or if the applicant's expectations are contrary to the coercive regulations and morals of the society.

025. Is the decision to grant or refuse legal aid taken by:

the judge(s) dealing with the main case

another judge or official

an authority external to the court

several authorities (court and external bodies)

Comments According to the provisions of the Law on Criminal Procedure, the state attorney, i.e. the president of the council or a single

judge, decides with a reasoned decision on the merits of the request for the appointment of a defense attorney at the expense of budget funds. The defender is appointed by the decision of the president of the court. In cases of exercise of the right to temporary legal assistance of veterans, the investigation is established by a decision of the judge at the expense of the veteran's budget.

According to the Law on Legal Aid, to obtain legal aid for cases brought to court in other than criminal cases (secondary legal aid) an application must be submitted to one of the county-administrative-bodies or Administrative Body of the City of Zagreb. To obtain legal aid for cases not brought to court in other than criminal cases (primary legal aid), the beneficiary directly contacts the primary-legal-aid-provider.

027. Can judicial decisions direct how legal costs, paid by the parties during the procedure, will be shared:

	Judicial decisions direct how legal costs will be shared
in criminal cases	(X) Yes () No
in other than criminal cases	(X) Yes () No

Comments - If no, please specify how legal costs are distributed: According to the provisions of the Criminal Procedure Act, the costs of criminal proceedings are expenses from the beginning to its end, expenses for evidentiary actions before the start of criminal proceedings, and expenses for providing legal assistance.

In the judgment and decision suspending the criminal proceedings, it will be decided who will bear the costs of the proceedings.

The defendant, the injured party, the injured party as a prosecutor, private prosecutor, defense attorney, legal representative, attorney, witness, expert, interpreter and professional person, regardless of the outcome of the criminal proceedings, shall cover the costs of their bringing, delays in evidentiary proceedings or hearings and other costs of the proceedings that they have caused own fault and a proportionate part of the lump sum. The court makes a special ruling on these costs.

When the court finds the defendant guilty, the judgment will order him to pay the costs of the criminal proceedings, unless there are conditions for exemption from paying the costs in whole or in part.

A person who has been charged with multiple criminal offenses shall not be sentenced to compensation for the costs related to the offenses for which he was acquitted if these costs can be separated from the total costs.

In the judgment in which several defendants are found guilty, the court will determine how much of the costs each of them will cover, and if this is not possible, it will decide that all the defendants will cover the costs jointly. The payment of a lump sum will be determined for each defendant individually.

In the decision by which it decides on the costs, the court can release the defendant from the obligation to compensate in whole or in part certain costs of the criminal proceedings and the reward and necessary expenses of the appointed defender, due to poor financial condition and if their payment would call into question the maintenance of the defendant or persons to whom he owes support. If these circumstances are established after the decision on costs has been made, the president of the council can release the defendant from the obligation to pay the costs of the criminal proceedings by a special decision. The court may request the defendant to submit a certificate of assets and income from the tax administration.

When the criminal proceedings are suspended or when a judgment is passed in which the defendant is acquitted of the charge or in which the charge is rejected, it will be pronounced in the decision, i.e. in the judgment, that certain costs of the criminal procedure and the necessary expenses of the defendant and the necessary expenses and reward of the defense attorney shall be borne by budget funds, except in cases prescribed by law (eg a person who knowingly submitted a false report will pay the costs of criminal proceedings).

B1. Please indicate the sources for answering the questions in this part

Sources: Law on Legal Aid („Official Gazette“, no. 143/13 & 98/19) https://narodne-novine.nn.hr/clanci/sluzbeni/2013_12_143_3064.html
https://narodne-novine.nn.hr/clanci/sluzbeni/2019_10_98_1920.html
 - Legal Aid Information System

2.2. Court users and victims

2.2.1 Rights of the users and victims

028. Are there official internet sites/portals (e.g. Ministry of Justice, Judicial Council etc.) where general public may have free-of-charge access to the following:

	Yes, internet adresse(es)	No
Legal texts (e.g. codes, laws, regulations, etc.)	(X) https://www.nn.hr/	()
Case-law of the higher court/s	(X) https://sudskapraksa.csp.vsrh.hr/home	()
Information about the judicial system (organisation of courts, court proceedings, etc)	(X) https://mpu.gov.hr/ ; https://sudovi.hr/	()
Other documents (e.g. forms, downloadable forms, online registration forms)	(X) https://mpu.gov.hr/ ; https://sudovi.hr/	()

Comment - Please specify what documents and information are included in "Other documents" •brochure "Victims' Rights under the Law on Financial Compensation to Victims of Crime" and "Form of Request for Financial Compensation to Crime Victims" in Croatian and English, in accordance with the Law on

Financial Compensation for Victims of Crime

•booklet for victims and witnesses through criminal and misdemeanor proceedings "in Croatian and English, •leaflet of the Victims and Witnesses Support Section

•information on payment of court fees

•lists of court experts, interpreters, insolvency practitioners, etc.

•Access to e-file, e-communication, e-notice board etc.

029. Is there an obligation to provide information to the parties concerning the foreseeable timeframes of their proceedings?

() Yes, always

(X) No

() Yes, only in some specific situations

Comment - If "Yes, only in some specific situations", please specify:

030. Is there a public and free-of-charge information system for providing information and facilitating access to justice:

	Information system
General for citizens	[X] Online information [X] Telephone [] Interactive chat [X] In-person (physical access on site) [] Other [] No

Specific for victims of offences	<input checked="" type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No
Specific for minors (child-friendly systems)	<input checked="" type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No

Comments - Please provide more information on these systems and specify how this assistance is provided:

031. Are there special favourable arrangements to be applied, during judicial proceedings, to the following categories of vulnerable persons:

	Information mechanism	Special arrangements in hearings	Other specific arrangements
Victims of sexual violence/rape	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims of terrorism	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Minors (witnesses or victims)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims of domestic violence	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Ethnic minorities	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Persons with disabilities	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Juvenile offenders	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If “Other vulnerable person” and/or “Other specific arrangements”, please specify: The Civil procedure Act (“Official Gazette”, No 53/91, 91/92, 112/99, 88/01, 117/03, 88/05, 2/07, 84/08, 96/08, 123/08, 57/11, 148/11, 25/13, 89/14, 70/19, 80/22, 114/22) prescribes that witnesses and parties who cannot respond to the summons due to age, illness or severe physical defects will be heard in their own apartment.

031-0. If there are special arrangements for minors, what are the settings / tools / facilities / practises employed to protect them when they participate in judicial proceedings?

- Special and child-adequate preparation for participation in trials / lawsuits (explaining in a child-friendly manner the proceedings)
- Special room in court designated for child-friendly hearings
- Special person / team of trained professional(s) (such as psychologists) to accompany a minor throughout the proceedings
- Special ways to communicate and explain meaning of court decisions

Interagency/multidisciplinary structure such as “Children’s Houses”

Other, please specify

NAP

Comment The Civil procedure Act (“Official Gazette”, No 53/91, 91/92, 112/99, 88/01, 117/03, 88/05, 2/07, 84/08, 96/08, 123/08, 57/11, 148/11, 25/13, 89/14, 70/19, 80/22, 114/22) prescribes for a party that does not have legal capacity, its legal representative will be heard. The court may decide to hear the party himself instead of or in addition to the legal representative if his hearing is possible.

031-1. What are the main criteria for a person under 18 years of age to act in court proceedings or to be a witness?

	Civil proceedings	Criminal proceedings
Capacity to initiate a proceeding and take other procedural actions in his/her own name	<input checked="" type="checkbox"/> Age threshold [Comment]15 <input type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Age threshold [Comment]16 <input checked="" type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP

To be a witness

Age threshold
[Comment]
 Capacity for
discernment
 Other
 NAP

Age threshold
[Comment]According to the provisions of the Criminal Procedure Act, unless otherwise prescribed by a special law, the examination of a child who has not reached the age of fourteen as a witness will be conducted without the presence of the judge and the parties in the room where the child is located through audio-video devices operated by a professional assistant. The examination is carried out with the help of a psychologist, pedagogue or other professional person, and unless it is against the interests of the procedure or the child, the examination is attended by a parent or guardian. The parties may ask questions to the child-witness with the approval of the investigating judge through an expert. The examination will be recorded with an audio-video recording device, and the recording will be sealed and attached to the record. The child can only be re-examined exceptionally, and in the same way. Unless otherwise prescribed by a special law, the questioning of a child aged fourteen or under eighteen as a witness, especially if he has been harmed by a criminal act, will be handled carefully so that the questioning does not adversely affect the child's mental state. Depending on the circumstances, especially taking into account the protection of the child, the examination can be carried out as if it were a child under the age of fourteen. A special law, the Law on Juvenile Courts, prescribes the procedure for examining a child as a witness. If a child injured by a criminal offense

		<p>determined by the said Act, who was under the age of sixteen at the time of the examination, is examined as a witness, such examination shall always be conducted according to the provisions of the Criminal Procedure Act on the examination of a child as a witness. The examination can be attended by a person whom the child trusts. Children as witnesses injured by a criminal offense can, instead of in court, be questioned in their own apartment or other specially equipped space. When a child is examined as a witness in the sense of the provisions of paragraphs 2 and 3 of this article, a recording of the examination will always be played at the hearing. Provisions on forced bringing, fines and imprisonment for refusing to testify do not apply to children</p> <p><input checked="" type="checkbox"/> Capacity for discernment</p> <p><input checked="" type="checkbox"/> Other</p> <p><input type="checkbox"/> NAP</p>
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Comments - Please specify if you selected "Other". The Civil procedure Act ("Official Gazette", No 53/91, 91/92, 112/99, 88/01, 117/03, 88/05, 2/07, 84/08, 96/08, 123/08, 57/11, 148/11, 25/13, 89/14, 70/19, 80/22, 114/22) prescribes that a party that has full business capacity can perform actions in the procedure by itself (litigation capacity). A minor who has not acquired full business capacity is legally competent within the limits of his business capacity.

Every person who is called as a witness is obliged to respond to the summons, and unless otherwise stipulated by this Law, he is also obliged to testify. Only persons who can provide information on the facts to be proven can be heard as witnesses.

Comment for Capacity to initiate a proceeding and take other procedural actions in his/her own name - Capacity for discernment
According to the provisions of the Law on Juvenile Courts, when examining minors and taking other actions in which the minor is present, care will be taken, so that, considering the psychological development and personal characteristics of the minor, conducting criminal proceedings does not harm the development of his personality

Comment for To be a witness - Capacity for discernment - According to the provisions of the Criminal Procedure Act, a child who, given his age and mental development, is not capable of understanding the meaning of the right not to testify may not be examined as a witness, but information obtained from him through experts, relatives or other persons who are with him were in contact can be used as evidence. According to the provisions of the Law on Juvenile Courts, when examining minors and taking other actions in which the minor is present, care will be taken, so that, considering the mental development and personal characteristics of the minor, conducting criminal proceedings does not harm the development of his personality.

Comment for To be a witness - Other - According to the provisions of the Criminal Procedure Act, the defendant may be confronted with a witness or another defendant if their statements do not agree on important facts, except in the case when the witness is a child. Also, if the witness is a child, the provisions of the Criminal Procedure Act do not apply to him, that if a duly summoned witness does not come and does not justify his absence, or leaves without permission or a justified reason from the place where he is to be questioned, it

can be ordered that forcibly brought, as well as provisions that if the witness comes, and after being warned of the consequences, he will not testify without a legal reason, the judge of the investigation can, on the reasoned proposal of the state attorney, fine him up to HRK 50,000.00, and if even after that he refuses to testify, can be closed.

031-2. If a person under 18 years of age cannot act in court proceedings in his/her own name, who can represent him/her in judicial proceedings?

	Civil proceedings	Criminal proceedings
Parent/legal guardian	<input checked="" type="checkbox"/> Yes, always <input type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No	<input type="checkbox"/> Yes, always <input checked="" type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No
Another representative (instead of parent/legal guardian)	<input checked="" type="checkbox"/> Social care services or other public institution <input checked="" type="checkbox"/> Legal professional <input type="checkbox"/> Associations for protection of minors <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Social care services or other public institution <input checked="" type="checkbox"/> Legal professional <input type="checkbox"/> Associations for protection of minors <input type="checkbox"/> Other

Comment In proceedings against a minor, with the powers expressly provided for by the provisions of the Youth Courts Act, the representative of the social welfare center has the right to become familiar with the course of the proceedings, during the course of the proceedings to make proposals and warn of facts and evidence that are important for making a correct decision. .

According to the provisions of the Criminal Procedure Act, if the injured party is a child and the interests of the child conflict with the interests of the parents, the authority conducting the proceedings will invite the competent social welfare authority to appoint a special guardian for the child. If the injured party is a child or a person deprived of legal capacity, his legal representative or special guardian is authorized to make all statements and take all actions that the injured party is authorized to do by law

A minor's defense attorney can only be a lawyer

031-3. What are the different criteria for the criminal liability of minors? (multiple replies possible)

- Age threshold(s)
- Capacity for discernment
- Other criteria

Comment

031-3-1. What is the age threshold for the criminal liability of minors?

Criminal liability resulting in sentence without privation of liberty (for example, educational measures)

- [14]
- NA
- NAP

Criminal liability resulting in sentence of privation of liberty

- [16]
- NA
- NAP

Comment - Please describe, briefly, the specifics of your system. Could you, please specify if the possibility of mitigation applies to the sanctions and how? According to the provisions of the Law on Juvenile Courts, juveniles are sentenced to educational measures and

juvenile prison as sanctions for committed criminal acts, and in addition to the conditions provided for in this Law, security measures are also imposed.

Educational measures and security measures may be imposed on a minor who was fourteen at the time of the commission of the criminal act, but not yet sixteen (younger minor).

A minor who at the time of the commission of a criminal offense turned sixteen, but did not turn eighteen years of age (older minor), may be sentenced to educational measures and security measures, and in addition to the conditions provided for in this Act, juvenile prison

-
-

032. Does your country allocate compensation for victims of offences?

- Yes, but only if the offender is unknown
- Yes, but only if compensation could not be obtained from the offender
- Yes, in both situations
- No

Comment

032-0. If yes, for what types of offences the compensation is allocated?

- For all types of offences
- For some types of offences

[] NAP

Comment - Please specify:

032-1. Is a court decision necessary in the framework of the compensation procedure?

- Yes
- No

Comments

032-0. If yes, for what types of offences the compensation is allocated?

- For all types of offences
- For some types of offences

[] NAP

Comment - Please specify:

032-1. Is a court decision necessary in the framework of the compensation procedure?

- Yes
- No

Comments

032-0. If yes, for what types of offences the compensation is allocated?

- For all types of offences
- For some types of offences

[] NAP

Comment - Please specify:

032-1. Is a court decision necessary in the framework of the compensation procedure?

Yes

No

Comments

034. Is there a regular monitoring (official studies, reports etc.) allowing the evaluation of the recovery rate of the damages awarded by courts to victims?

Yes

No

Comments - If yes, please illustrate with available data concerning the recovery rate, the title of the studies, the frequency of the studies and the coordinating body:

035. Do public prosecutors have a specific role with respect to victims (protection and assistance)?

Yes

No

Comments - If yes, please specify: According to the provisions of the Criminal Procedure Act, the police, the investigator, the state attorney's office and the court act with special consideration towards the victim of a criminal act. These bodies, including the state attorney, are obliged to inform the victim and the injured party of their rights in the procedure in accordance with the law and, when taking actions, take care of their rights in an appropriate manner. The court, the state attorney's office, the investigator and the police are obliged to inform the victim about their rights in a way that they can understand when taking the first action in which they participate. These bodies will treat the victim with consideration and make sure that the victim has understood the given notice of rights. Also, the victim will be taught in a way that is comprehensible to them about the meaning of participating in the procedure as the injured party.

035-1. Do public prosecutors have a specific role with respect to minor victims (protection and assistance)?

Yes

No

Comment - If yes, please specify: According to the provisions of the Criminal Procedure Act, the court, the state attorney's office, the investigator and the police are obliged to treat the child as a victim of a criminal act with special consideration, bearing in mind the age, personality and other circumstances in order to avoid harmful consequences for the upbringing and development of the child. When dealing with a child victim, the competent authorities will primarily be guided by the best interests of the child. A child victim of a criminal offense has the right to be interrogated by a person of the same gender in the police and state attorney's office and, if possible, to be interrogated by the same person in the case of re-examination.

-

036. Do victims of offences have the right to dispute a public prosecutor's decision to discontinue a case? Please verify the consistency of your answers in this question and question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge".

Yes

No

[] NAP

Comment - If necessary, please specify: in accordance with the provisions of the Criminal Procedure Act, except in cases prescribed by law (see below on the dismissal of a criminal report according to the principle of expediency), when the state attorney determines that there are no grounds for prosecution for the criminal offense for which criminal proceedings are initiated ex officio or when he determines that there is no grounds for prosecution against one of the reported persons, he is obliged to inform the victim about this within eight days and instruct him that he can undertake the prosecution himself. The court will act in the same way if it issued a decision on the suspension of the proceedings due to the state attorney's withdrawal from prosecution in other cases. The victim has the right to initiate or continue prosecution within eight days of receiving the notification. If the state attorney has dropped the indictment, the victim, taking over the prosecution, can stay with the indictment or file a new indictment. When the state attorney, or the court, informs the victim that he can initiate or continue prosecution, he will provide him with instructions on what actions he can take in order to exercise this right, and for this purpose, allow him to inspect the file. If the victim dies in the course of the procedure, his or her spouse, common-law partner, life partner or informal life partner, and a descendant, or if there are none, an ancestor, brother, sister, or a person whom the victim was required to support by law, may within three months from the day of her death, make a statement that they are taking over or continuing the criminal prosecution.

According to the provisions of the same law on the dismissal of a criminal charge according to the principle of expediency, except when it is allowed under a special law, the state attorney can by decision dismiss the criminal charge or abandon the criminal prosecution even though there is a well-founded suspicion that a criminal offense has been committed for which he is being prosecuted ex officio and for which a fine or a prison sentence of up to five years is foreseen in the cases listed in detail. In addition to the defendant, the state attorney will deliver the decision to the victim and the applicant of the criminal report. Along with the decision, the victim will be informed that within eight days from the date of receipt of the decision, he can file a complaint with the senior state attorney if he believes that the decision is unfounded. The victim will also be warned that, if he does not file a complaint, he can enforce his property claim in litigation. The senior state attorney is obliged to act on the complaint within thirty days of its receipt. If the senior state attorney determines that the decision is justified, he will inform the victim about this and instruct him that he can pursue his property claim in litigation. If the senior state attorney determines that the decision is unfounded, he will order the junior state attorney to immediately continue working on the case, about which he will inform the victim, the defendant and the applicant.

The state attorney may, after previously obtaining the consent of the victim or injured party, issue a decision conditionally postponing or abandoning criminal prosecution, even though there is reasonable suspicion that a criminal offense has been committed, which is prosecuted ex officio and for which a fine or a prison sentence of up to five years is provided if the suspect or defendant undertakes certain obligations prescribed by law. The state attorney will deliver the decision to the suspect or the defendant, the injured party and the applicant of the criminal report, with instructions to the victim that he can pursue his property claim in litigation. No appeal is allowed against the decision of the state attorney

037. Is there a system of compensation in the following circumstances:

	Number of requests for compensation	Number of compensations granted	Total amount of compensations granted (in €)
Total	380 [] NA [] NAP	149 [] NA [] NAP	3 224 053 [] NA [] NAP
Excessive length of proceedings	196 [] NA [] NAP	60 [] NA [] NAP	10 318 [] NA [] NAP
Non-execution of court decisions	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
Wrongful arrest/detention	184 [] NA [] NAP	89 [] NA [] NAP	3 213 735 [] NA [] NAP
Wrongful conviction	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Other	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP

Comments - Where appropriate, please give details on the compensation procedure and the calculation method for the amount of the compensation (e.g., the amount per day for unjustified detentions or convictions): The information in the table also refers to Wrongful arrest/detention and wrongful conviction.

The request for compensation for unfounded arrest and unjustified conviction is submitted to the Ministry of Justice and Administration, which is also responsible for peaceful proceedings. In case the applicant does not accept the offer of the Ministry of Justice and Administration, he has the right to file a complaint with the competent court.

The amount of compensation that the Ministry offers to the injured parties as a fair monetary compensation on this basis is unique in all cases and amounts to HRK 280.00 per day of deprivation of liberty. The amount paid for 2022 refers to payments based on decisions made in a peaceful procedure. The amount is expressed in kuna.

037-1. Please specify which authorities are responsible for dealing with the requests and whether a legal time limit exists to deal with these requests:

	Responsible authorities	Legal time limit
Court concerned	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Other court	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Ministry of Justice	<input checked="" type="checkbox"/>	<input type="checkbox"/>
High Judicial Council	<input type="checkbox"/>	<input type="checkbox"/>
Other external bodies (e.g. Ombudsman)	<input type="checkbox"/>	<input type="checkbox"/>

Comments A request for the protection of the right to a trial within a reasonable time is submitted to the court before which the proceedings are conducted, and the president of the court before which the proceedings are conducted decides on the request, within 60 days from the date of receipt of the request. If the president of the court determines that the request is unfounded, he will reject it with a decision against which the party has the right to appeal within eight days of receiving the decision. The party has the right to appeal even if the president of the court does not make a decision on it within 60 days of receiving his request. The president of the immediately higher court decides on the appeal. If the request refers to a proceeding before the Supreme Court of the Republic of Croatia, the appeal will be decided by a panel of three judges of that court. If the case is not resolved even within the deadline set by the president of the court based on the merits of the request, a request can be submitted directly to the higher court within a further period of six months for the payment of appropriate compensation due to the violation of the right to a trial within a reasonable time. If the request refers to a proceeding pending before the High Commercial Court of the Republic of Croatia, the High Administrative Court of the Republic of Croatia, the High Criminal Court of the Republic of Croatia or the High Misdemeanor Court of the Republic of Croatia, the Supreme Court of the Republic of Croatia decides on the request. If the request refers to a proceeding before the Supreme Court of the Republic of Croatia, the panel of three judges of that court decides on the request. The immediately higher court is obliged to decide on the submitted request within six months. An appeal can be filed with the Supreme Court of the Republic of Croatia within eight days against the decision on the request for the payment of appropriate compensation due to the violation of the right to a trial within a reasonable time. The panel of the Supreme Court of the Republic of Croatia decides on the appeal. Appropriate compensation is paid from the state budget. The request for payment of compensation is submitted to the Ministry of Justice and Administration.

037-2. Are there statistical data disaggregated by gender concerning the number of:

Existence of statistical data disaggregated by gender

Persons who initiate a case in other than criminal matters	() Yes - If yes, please specify for which categories of cases: [Comment] (X) No [] NA
Victims recognised as such by the court	() Yes - If yes, please specify for which types of offences: [Comment] (X) No [] NA
Perpetrators of criminal offences	() Yes - If yes, please specify for which types of offences: [Comment] (X) No [] NA

Comments

037-3. Are there statistical data on the relation between the perpetrator of the criminal offence and the victim recognised by the court?

(X) Yes

() No

If yes, please specify: Pursuant to the Act on Execution of Prison Sentences and the Rulebook on Informing Victims of Prisoners' or Prisoners' Independent Departures, the Victim and Witness Support Service informs victims and their family members of prisoners' departures from prisons or prisons. For the purposes of data exchange between the criminal authorities and the Victim and Witness Support Service, forms are used that contain information on the relationship between the perpetrator and the victim (e.g. whether they know each other, are they related, etc.).

2.2.2 Confidence and satisfaction of citizens with their justice system

038. Does your country implement surveys to measure trust in justice and satisfaction with the services delivered by the judicial system?

	National level	Court level
Surveys for judges	[] Annual [] Other regular [X] Ad hoc	[] Annual [] Other regular [X] Ad hoc
Surveys for court staff	[] Annual [] Other regular [X] Ad hoc	[] Annual [] Other regular [X] Ad hoc
Surveys for public prosecutors	[] Annual [] Other regular [X] Ad hoc	[] Annual [] Other regular [X] Ad hoc
Surveys for lawyers	[] Annual [] Other regular [X] Ad hoc	[] Annual [] Other regular [X] Ad hoc
Surveys for other professionals	[] Annual [] Other regular [X] Ad hoc	[] Annual [] Other regular [X] Ad hoc

Surveys for the parties	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Surveys for other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies, NGOs)	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Surveys for victims	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Surveys for minors	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Surveys for the general public	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Other not mentioned	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc

NA

Comment - Please, indicate the references and links to the satisfaction surveys you mentioned above:

3. Organisation of the court system

3.1. Courts

3.1.1 Number of courts



042. Number of courts - legal entities.

	Number of courts
Total number of all courts - legal entities (1 + 2)	67 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1 Total number of courts of general jurisdiction - legal entities (1.1 + 1.2 + 1.3)	51 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1.1 First instance courts of general jurisdiction - legal entities	33 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1.2 Second instance courts of general jurisdiction - legal entities	17 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1.3 Highest instance courts of general jurisdiction - legal entities	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2 Total number of specialised courts - legal entities	16 <input type="checkbox"/> NA <input type="checkbox"/> NAP

043. Number of specialised courts – legal entities.

	First instance	Higher instances
Total number of specialised courts - legal entities	14 [] NA [] NAP	2 [] NA [] NAP
Commercial courts (excluded insolvency courts)	9 [] NA [] NAP	1 [] NA [] NAP
Insolvency courts	[] NA [X] NAP	[] NA [X] NAP
Labour courts	1 [] NA [] NAP	[] NA [X] NAP
Family courts	[] NA [X] NAP	[] NA [X] NAP
Rent and tenancies courts	[] NA [X] NAP	[] NA [X] NAP
Enforcement of criminal sanctions courts	[] NA [X] NAP	[] NA [X] NAP
Fight against terrorism, organised crime and corruption	[] NA [X] NAP	[] NA [X] NAP
Internet related disputes	[] NA [X] NAP	[] NA [X] NAP
Administrative courts	4 [] NA [] NAP	1 [] NA [] NAP
Insurance and / or social welfare courts	[] NA [X] NAP	[] NA [X] NAP
Military courts	[] NA [X] NAP	[] NA [X] NAP
Juvenile courts	[] NA [X] NAP	[] NA [X] NAP
Other specialised courts	[] NA [X] NAP	[] NA [X] NAP

Comments - If “Other specialised courts”, please specify: will be explained later

044. Number of courts - geographic locations.

Number of courts (geographic locations)
--

First instance courts geographic locations (this includes 1st instance courts of general jurisdiction and first instance specialised courts)	120 [] NA [] NAP
All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all Supreme Courts)	143 [] NA [] NAP

Comments

C. Please indicate the sources for answering the questions in this part

Sources: Ministry of Justice and Public Administration

3.2. Court staff

3.2.1 Judges and non-judge staff

046. Number of professional judges sitting in courts (if possible on 31 December of the reference year). (Please give the information in full-time equivalent and for posts actually filled for all types of courts - general jurisdiction and specialised courts)

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	1 631 [] NA [] NAP	456 [] NA [] NAP	1 175 [] NA [] NAP
1. Number of first instance professional judges	1 153 [] NA [] NAP	292 [] NA [] NAP	861 [] NA [] NAP
2. Number of second instance (court of appeal) professional judges	444 [] NA [] NAP	141 [] NA [] NAP	303 [] NA [] NAP
3. Number of Supreme Court professional judges	34 [] NA [] NAP	23 [] NA [] NAP	11 [] NA [] NAP

Comment - Please provide any useful comment for interpreting the data above: The data refer to all judges: court presidents, judges authorized to perform court administration and judges.

The number does not include judges:

- who are on unpaid leave
- who have a dormant employment status
- who have a dormant status of employment until the third year of the child's life
- who are part-time in accordance with the Act on maternity and parental benefits
- who work part-time to care for a child with special needs
- who are on maternity leave
- who are on parental leave
- who are on paternity leave
- who are removed from service
- who are sent to work in another state body or outside the state service (Ministry of Justice, Judicial Academy, State Judicial Council,



=

046-1-1. Does your system allow part-time work for professional judges with proportionally reduced remuneration?

() Yes

(X) No

Comments

046-1-2. If yes, please specify in which situation(s) part-time work can be granted (multiple replies possible).

- Child-care
- Elderly care or other dependant persons' care
- Training
- For the purposes of early retirement
- No specific reason required
- Other reason, please specify:

Comments

046-1-3. If yes, what is the number of professional judges working part-time with reduced remuneration?

	Total	Males	Females
Total (1 + 2 + 3)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. At first instance level	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. At second instance (court of appeal) level	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
3. At Supreme Court level	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

046-1-4. Are there other possibilities (apart from part-time) for regular adjustment of working time or conditions with or without reduced remuneration?

	Adjustment of working time or conditions with or without reduced remuneration
Temporary reduction of the workload	() Yes (X) No

Temporary reduction of the working time / special leave	(X) Yes () No
Other measures	() Yes (X) No

Comment: If such possibilities for regular adjustment exist, please specify if they imply or not a reduction of the remuneration?

046-1-5. If yes, please specify in which situation(s) these possibilities can be used?

- Child-care
- Elderly care or other dependant persons' care
- Training
- For the purposes of early retirement
- As part of induction process for new judges
- No specific reason required
- Other reason, please specify:
- NAP

Comments

=

046-2. Number of judges (FTE) by case type:

	Total	Civil and/or commercial	Criminal	Administrative	Other
Total number of judges	1 652 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
First instance	1 171 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Second instance	445 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Supreme Court	36 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

If "Other", please explain which types of cases:

=

047. Number of court presidents .

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	67 [] NA [] NAP	30 [] NA [] NAP	37 [] NA [] NAP
1. Number of first instance court presidents	47 [] NA [] NAP	16 [] NA [] NAP	31 [] NA [] NAP

2. Number of second instance (court of appeal) court presidents	19 [] NA [] NAP	13 [] NA [] NAP	6 [] NA [] NAP
3. Number of Supreme Court presidents	1 [] NA [] NAP	1 [] NA [] NAP	0 [] NA [] NAP

Comments

048. Number of professional judges sitting in courts on an occasional basis and who are paid as such (if possible, on 31 December of the reference year):

	Figure
Gross figure	[] NA [X] NAP
In full-time equivalent	[] NA [X] NAP

Comments - If necessary, please provide comments to explain the answer provided: According to the Constitution of the Republic of the Croatia (Official Gazette No. 85/10 and 5/14), judges have permanent tenure until 70 years of age.

According to the Act on the State Judiciary Council (Official Gazette No. 116/10, 57/11, 130/11, 13/13, 28/13, 82/15, 67/18, 126/19, 80/22), judges are appointed permanently. Therefore, the Croatian judicial system does not have occasional professional judges who do not perform their duty on a permanent basis and who are fully paid for their function as a judge.

048-1. Do these professional judges sitting in courts on an occasional basis deal with a significant part of cases?

- () Yes If yes, please give specifications on the types of cases and an estimate in percentage.
- () No
- [X] NAP

Comments

049. Number of non-professional judges who are not remunerated but who may receive a simple defrayal of costs (if possible, on 31 December of the reference year) (e.g. lay judges or “juges consulaires”, but not arbitrators or persons sitting on a jury):

	Figure
Gross figure	[] NA [X] NAP
In full time equivalent	[] NA [X] NAP

Comments

049-1. If such non-professional judges exist at first instance in your country, please specify for which types of cases:

	Yes	No	Echevinage / mixed bench
Criminal cases (severe)	()	(X)	()
Criminal cases (misdemeanour and/or minor)	()	(X)	()
Family law cases	()	(X)	()
Labour law cases	()	(X)	()
Social law cases	()	(X)	()
Commercial law cases	()	(X)	()
Insolvency cases	()	(X)	()
Other civil cases	()	(X)	()

[] NAP

Comments - If "Other civil cases", please specify:

050. Does your judicial system include trial by jury with the participation of citizens?

(X) Yes

() No

Comments

050-1. If yes, for which type(s) of case(s)?

[X] Criminal cases

[] Other than criminal cases

Comments According to the provisions of the Criminal Procedure Act, municipal courts judge in panels composed of one judge and two jurors, unless otherwise prescribed by law. County courts judge in the first instance in panels composed of one judge and two jurors, and in panels of two judges and three jurors for criminal offenses punishable by long-term imprisonment, unless otherwise prescribed by law. According to the provisions of the Law on the Office for the Suppression of Corruption and Organized Crime, special departments for cases of certain criminal offenses from the Criminal laws that are under the jurisdiction of the Office. The departments consist of judges who have experience working in more complex cases.

051. Number of citizens who were involved in such juries for the year of reference:

[]

[X] NA

[] NAP

Comments

=

052. Number of non-judge staff who are working in courts (if possible on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question



60) (please give the information in full-time equivalent and for posts actually filled)

	Total	Males	Females
Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	6 002 [] NA [] NAP	829 [] NA [] NAP	5 173 [] NA [] NAP
1. Rechtspfleger (or similar bodies) (see Explanatory Note)	594 [] NA [] NAP	93 [] NA [] NAP	501 [] NA [] NAP
2. Non-judge (judicial) staff whose task is to assist the judges such as registrars (case preparation, assistance during the hearing, helping to draft the decisions)	4 176 [] NA [] NAP	353 [] NA [] NAP	3 823 [] NA [] NAP
3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)	567 [] NA [] NAP	128 [] NA [] NAP	439 [] NA [] NAP
4. Technical staff	665 [] NA [] NAP	255 [] NA [] NAP	410 [] NA [] NAP
5. Other non-judge staff	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If "Other non-judge staff", please specify: The data refer to civil servants and employees employed for an indefinite period.

The number does not include those:

- who are on unpaid leave
- who have a dormant employment status
- who have a dormant status of employment until the third year of the child's life
- who are part-time in accordance with the Act on maternity and parental benefits
- who work part-time to care for a child with special needs
- who are on maternity leave
- who are on parental leave
- who are on paternity leave
- who are removed from service
- who are sent to work in another state body or outside the state service (Ministry of Justice, Judicial Academy, State Judicial Council, international missions and international institutions)

052-1. Number of non-judge staff by instance (if possible, on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for posts actually filled).

	Total	Males	Females
Total non-judge staff working in courts (1+2+3)	6 002 [] NA [] NAP	829 [] NA [] NAP	5 173 [] NA [] NAP

1. Total non-judge staff working in courts at first instance level	4 988 [] NA [] NAP	662 [] NA [] NAP	4 326 [] NA [] NAP
2. Total non-judge staff working in courts at second instance (court of appeal) level	931 [] NA [] NAP	147 [] NA [] NAP	784 [] NA [] NAP
3. Total non-judge staff working in courts at Supreme Court level	83 [] NA [] NAP	20 [] NA [] NAP	63 [] NA [] NAP

Comments The data refer to officials and employees employed on an indefinite basis (data from table 052.)

The number does not include those:

- who are on unpaid leave
- who have a dormant employment status
- who have a dormant status of employment until the third year of the child's life
- who are part-time in accordance with the Act on maternity and parental benefits
- who work part-time to care for a child with special needs
- who are on maternity leave
- who are on parental leave
- who are on paternity leave
- who are removed from service
- who are sent to work in another state body or outside the state service (Ministry of Justice, Judicial Academy, State Judicial Council, international missions and international institutions)

=

053. If there are Rechtspfleger (or similar bodies), please specify in which fields they have a role:

- Legal aid
- Family cases
- Payment orders
- Registry cases (land and/or business registry cases)
- Enforcement of civil cases
- Enforcement of criminal cases
- Non-litigious cases
- Other cases not mentioned (please describe in comment)
- NAP

Comments - Please briefly describe their status and exact duties:

054. Have the courts outsourced certain services under their responsibilities to external providers?

- Yes
- No

Comments

054-1. If yes, please specify which services have been outsourced:

- IT services
- Training of staff
- Security

Archives

Cleaning

Other types of services (please specify):

Comments - If "Other types of services", please specify:

NA

C1. Please indicate the sources for answering the questions in this part

Sources: Ministry of Justice and Public Administration

3.3. Public prosecution

3.3.1 Public prosecutors and staff

055. Number of public prosecutors (on 31 December of the reference year). (Please give the information in full-time equivalent and for posts actually filled.)

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	624 <input type="checkbox"/> NA <input type="checkbox"/> NAP	191 <input type="checkbox"/> NA <input type="checkbox"/> NAP	433 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Number of prosecutors at first instance level	439 <input type="checkbox"/> NA <input type="checkbox"/> NAP	125 <input type="checkbox"/> NA <input type="checkbox"/> NAP	314 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Number of prosecutors at second instance (court of appeal) level	162 <input type="checkbox"/> NA <input type="checkbox"/> NAP	61 <input type="checkbox"/> NA <input type="checkbox"/> NAP	101 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Number of prosecutors at Supreme Court level	23 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP	18 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please indicate any useful comment for interpreting the data above: The data refer to all state attorneys:

State Attorney General, municipal/county state attorneys, deputy municipal/county state attorneys authorized to perform duties of municipal/county state attorneys, deputy state attorneys and deputies of municipal/county state attorneys.

The number is reduced by those:

- who are on unpaid leave
- who have a dormant employment status
- who have a dormant status of employment until the third year of the child's life
- who are part-time in accordance with the Act on maternity and parental benefits
- who work part-time to care for a child with special needs
- who are on maternity leave
- who are on parental leave
- who are on paternity leave
- who are removed from service
- who are sent to work in another state body or outside the state service (Ministry of Justice, Judicial Academy, State Judicial Council, international missions and international institutions)

=

055-1-1. Does your system allow part-time work for prosecutors with proportionally reduced remuneration?

() Yes

(X) No

Comments

055-1-2. If yes, please specify in which situation(s) part-time work can be granted? (multiple replies possible)

- Child-care
- Elderly care or other dependant persons' care
- Training
- For the purposes of early retirement
- No specific reason required
- Other reason, please specify:

Comments

055-1-3. If yes, what is the number of prosecutors working part-time with reduced remuneration?

	Total	Males	Females
Total (1 + 2 + 3)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. At first instance level	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. At second instance (court of appeal) level	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
3. At Supreme Court level	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

055-1-4. Are there other possibilities (apart of part-time work) for regular adjustment of working time or conditions with or without reduced remuneration?

	Adjustment of working time or conditions with or without reduced remuneration
Temporary reduction of the workload	() Yes (X) No

Temporary reduction of the working time / special leave	(X) Yes () No
Other measures	() Yes (X) No

Comment: If such possibilities for regular adjustment exist, please specify if they imply or not a reduction of the remuneration?

055-1-5 . If yes, please specify in which situation(s) these possibilities can be used?

- Child-care
- Elderly care or other dependant persons' care
- Training
- For the purposes of early retirement
- As part of induction process for new prosecutors
- No specific reason required
- Other reason, please specify:
- NAP

Comments

056. Number of heads of prosecution offices.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	42 [] NA [] NAP	15 [] NA [] NAP	27 [] NA [] NAP
1. Number of heads of prosecution offices at first instance level	26 [] NA [] NAP	7 [] NA [] NAP	19 [] NA [] NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	15 [] NA [] NAP	8 [] NA [] NAP	7 [] NA [] NAP
3. Number of heads of prosecution offices at Supreme Court level	1 [] NA [] NAP	0 [] NA [] NAP	1 [] NA [] NAP

Please provide any useful comment for interpreting the data above: The number is reduced by those:

- who are on unpaid leave
- who have a dormant employment status
- who have a dormant status of employment until the third year of the child's life
- who are part-time in accordance with the Act on maternity and parental benefits
- who work part-time to care for a child with special needs
- who are on maternity leave
- who are on parental leave
- who are on paternity leave
- who are removed from service
- who are sent to work in another state body or outside the state service (Ministry of Justice, Judicial Academy, State Judicial Council, international missions and international institutions)

057. In your judicial system, do other persons have similar duties to those of public prosecutors?

- () Yes

(X) No

Comments - If yes, please specify their titles and functions:

057-1. If yes, please provide the number (in full-time equivalent):

[]

[] NA

059. If yes, is their number included in the number of public prosecutors that you have indicated under question 55?

() Yes

() No

[] NAP

Comments

059-1. Do prosecution offices have prosecutors who are specially trained in areas of domestic violence and sexual violence?

	-
Domestic violence	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes, specifically for minor victims <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Sexual violence	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes, specifically for minor victims <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If yes, please specify

=

060. Number of staff (non-public prosecutors) attached to the public prosecution services, if possible, on 31 December of the reference year and without the number of non-judge staff, see question 52 (in full-time equivalent and for posts actually filled).

	Total	Males	Females
Number of staff (non-public prosecutors) attached to the public prosecution service	1 139 [] NA	157 [] NA	982 [] NA

Comment – please describe which categories of staff you have included in your reply: The data refer to civil servants and employees employed for an indefinite period.

The number does not include those:

- who are on unpaid leave
- who have a dormant employment status
- who have a dormant status of employment until the third year of the child's life

- who are part-time in accordance with the Act on maternity and parental benefits
- who work part-time to care for a child with special needs
- who are on maternity leave
- who are on parental leave
- who are on paternity leave
- who are removed from service
- who are sent to work in another state body or outside the state service (Ministry of Justice, Judicial Academy, State Judicial Council, international missions and international institutions)

C2. Please indicate the sources for answering the questions in this part

Sources: Ministry of Justice and Public Administration

3.4. Gender equality

3.4.1 Specific provisions for facilitating gender equality

061-2. Are there specific provisions for facilitating gender equality within the framework of the procedures for recruiting :

	Yes, please specify	No
judges	()	(X)
prosecutors	()	(X)
non-judge staff	()	(X)
lawyers	()	(X)
notaries	()	(X)
enforcement agents	()	(X)

[] NA

Comments - if the situation changed since the reference year, please specify in the comments. If you have additional comments please specify:

061-3. Are there specific provisions for facilitating gender equality within the framework of the procedures for promoting :

	Yes, please specify	No
judges	()	(X)
prosecutors	()	(X)

non-judge staff	()	(X)
lawyers	()	(X)
notaries	()	(X)
enforcement agents	()	(X)

Comments - If the situation changed since the reference year or you have additional comments, please specify:

061-3-1. Are there specific provisions for facilitating gender equality within the framework of the procedures for the appointment of:

	Yes / No
Court president	() Yes If “yes”, please specify:[Comment] (X) No
Head of prosecution services	() Yes If “yes”, please specify:[Comment] (X) No

Comments

3.4.2 At national level

061-5. Does your country have an overarching document (e.g. policy/strategy/action plan/program) on gender equality that applies specifically to the judiciary?

() Yes

(X) No

Comments - If the situation changed since the reference year, please indicate in the comments. Could you specify the reference or internet link of this/these document(s) or send/upload it/them to us?

061-6. At national level, is there any specific person (e.g. an equal opportunities commissioner) / institution dealing with gender issues in the justice system concerning:

	Yes, please specify	No
The recruitment of judges	()	(X)
The promotion of judges	()	(X)
The recruitment of prosecutors	()	(X)
The promotion of prosecutors	()	(X)
The recruitment of non-judge staff	()	(X)
The promotion of non-judge staff	()	(X)

Comments - Please specify the status of this person/institution and if it has a consultative function or if its opinions/decisions have legal consequences:

3.4.3 At court/public prosecution services level



061-7. At the court or public prosecution services level, is there a person (e.g. an equal opportunities commissioner)/institution specifically dedicated to ensure the respect of gender equality in the organisation of judicial work?

	Yes	No
in courts (judges)	()	(X)
in public prosecution services (prosecutors)	()	(X)
for courts' non-judge staff	()	(X)

Comments - Please specify the details of this person/institution, in particular its titles and function:

061-9. In order to improve gender balance in access to different judicial professions and gender equality in promotion and in access to functions of responsibility, what are the measures, in your country, which:

have been already implemented (please specify) :

are planned (please specify) :

Comments - If the situation changed since reference year, please specify in the comments.

[X] NAP

061-10. Are there evaluation studies or official reports regarding the main causes of possible gender inequalities with regard to:

- [] Recruitment procedures, please specify:
- [] Appointment to the position of court president, please specify:
- [] Appointment to the position of head of prosecution services, please specify:
- [] Promotion procedures and access to the functions of responsibility, please specify:
- [] Other studies, please specify:

Comments - Please specify also the reference documents.

3.5. Use of information technologies in courts

3.5.1 Governance

ICT STRATEGY

062-01. Do you have an overall Information and Communication Technology (ICT) strategy in the judicial system?

Yes

No

Comments

062-02. If there is an overall ICT strategy in the judicial system, who was involved in the process of its definition?

Judges (Judicial council)

Prosecutors (Prosecutorial or judicial council)

Ministry of justice

Lawyers (bar association)

Notaries (association of notaries)

Enforcement agents (association of enforcement agents)

Other (please specify)

NA

NAP

Comments

LEGISLATION

062-03. Does a national legislation/regulation of ICT in the judicial system exist?

Yes

No

Comments

062-04. If yes, how is this legislation/regulation of ICT in the judicial system structured?

Relevant norms are included in the general e-government legislation/regulation

Relevant norms are included in specific legislation/regulation only for the judicial system

Relevant texts are included in dedicated technical documents/specifications

Other, please specify

NA

Comment - If more than one of the proposed models exist in your country, please select them all and explain the details The Civil procedure Act (“Official Gazette”, No 53/91, 91/92, 112/99, 88/01, 117/03, 88/05, 2/07, 84/08, 96/08, 123/08, 57/11, 148/11, 25/13, 89/14, 70/19, 80/22, 114/22) regulates electronic communication with the courts for the purpose of submitting submissions and delivering

IMPACT OF IMPLEMENTATION OF ICT SYSTEMS



062-05. Have you already organised audits/evaluations/assessments of the impact of the implementation of the ICT system?

() Yes

(X) No

Comments

062-06. If these audits/evaluations/assessments were already organised, please specify their modalities:

	Format	Last conducted audit
ICT Governance	<input type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
Security and risk management	<input type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
Impact on efficiency and quality of the business processes and workflow	<input type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
Impact on human resources (number, workload, wellbeing)	<input type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA

Other, please specify in comments	<input type="checkbox"/> Internal	<input type="checkbox"/> In the last 2 years
	<input type="checkbox"/> External	<input type="checkbox"/> Between 2 and 5 years ago
	<input type="checkbox"/> NAP - no audit has been organised	<input type="checkbox"/> More than 5 years ago
	<input type="checkbox"/> NA	<input type="checkbox"/> NAP - no audit has been organised
		<input type="checkbox"/> NA

Comment - If you have selected other area, please provide details. Please also add details on the content of the last organised evaluation.

062-07. If these audits/evaluations/assessments were organised in the last 5 years, how did you apply their recommendations/results?

- Update applications
- Define new ICT projects/modules
- Adjust legislation
- Adjust working processes
- Withdraw/stop use of a module/application
- Reporting purpose only
- Other, please specify

- NA
- NAP

Comments

3.5.2 Electronic case processing

ELECTRONIC SUBMISSION OF CASES

062-08. If it is possible to submit a case to a court electronically, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 %	<input type="checkbox"/> 95-100 %
	<input type="checkbox"/> 75-95 %	<input type="checkbox"/> 75-95 %
	<input type="checkbox"/> 50-75 %	<input checked="" type="checkbox"/> 50-75 %
	<input type="checkbox"/> 25-50 %	<input type="checkbox"/> 25-50 %
	<input type="checkbox"/> 1-25 %	<input type="checkbox"/> 1-25 %
	<input type="checkbox"/> 0 %	<input type="checkbox"/> 0 %
	<input type="checkbox"/> NAP - electronic submission is not possible	<input type="checkbox"/> NAP - electronic submission is not possible
	<input type="checkbox"/> NA	<input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input checked="" type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA

Comments

062-09. If it is possible to submit a case to a court electronically, please specify the modalities:

	Electronic or paper	Possible to be submitted electronically by:	Data integration
Civil	<input checked="" type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA

Comments The eKomunikacija was launched into production, enabling electronic communication of all participants (including lawyers) and all courts except administrative ones. Article 106(a) of the Civil Procedural Law (Official Gazette 70/19) prescribes that submission can be submitted in electronic form via information system. Article 79 of the Criminal Procedural Code (Official Gazette 143/12) prescribes that submissions that are compiled and signed in writing may be submitted in the form of an electronic document if they are made, sent, received and stored using available information technology, and ensure the establishment of an unambiguous feature that determines the compiler of the electronic document.

SENDING ELECTRONIC DOCUMENTS TO COURT

062-10. If it is possible to send case-related documents to the courts electronically, what are the deployment and usage rates?

Deployment rate	Usage rate
-----------------	------------

Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA

Comments Usage rate is based on ratio between electronic monthly submissions and total cases in the ICMS.

062-11. If it is possible to send electronically case related documents to the courts, please specify the modalities:

	Electronic or paper	Possible to be submitted electronically by:	Data integration
Civil	<input checked="" type="checkbox"/> Paper delivery is still possible <input type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Documents sent by a lawyer <input checked="" type="checkbox"/> Documents sent by a party not represented by a lawyer <input checked="" type="checkbox"/> Documents sent by another person/institution <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the CMS <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> Paper delivery is still possible <input checked="" type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Documents sent by a lawyer <input checked="" type="checkbox"/> Documents sent by a party not represented by a lawyer <input type="checkbox"/> Documents sent by another person/institution <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the CMS <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Paper delivery is still possible <input type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Documents sent by a lawyer <input checked="" type="checkbox"/> Documents sent by a party not represented by a lawyer <input type="checkbox"/> Documents sent by another person/institution <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the CMS <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA

Comment - If you have selected the option “Documents sent by another person/institution”, please specify details.

ELECTRONIC NOTIFICATIONS

062-12. If it is possible for courts to send electronic notifications, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA

Comments Usage rate is estimated. In ICMS the total number of notifications is not possible to determine.

For all changes in the cases the ICMS sends electronic notification over e-Communication or over e-Citizens system.

062-13. If it is possible for courts to send electronic notifications, please specify the modalities:

	Electronic or paper	Type of notification	Data integration
Civil	<input checked="" type="checkbox"/> Paper notification is still possible <input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way) <input type="checkbox"/> Double notification (paper notification must accompany the electronic one) <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Notifications sent by the court to the lawyer <input checked="" type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer <input checked="" type="checkbox"/> Notifications with attached official documents sent by the courts <input checked="" type="checkbox"/> Notifications sent to other persons/institutions <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The electronic notification is generated from the CMS <input type="checkbox"/> The electronic notification is manually generated <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA

<p>Administrative</p>	<p><input checked="" type="checkbox"/> Paper notification is still possible</p> <p><input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way)</p> <p><input type="checkbox"/> Double notification (paper notification must accompany the electronic one)</p> <p><input type="checkbox"/> NAP – electronic notifications are not possible</p> <p><input type="checkbox"/> NA</p>	<p><input checked="" type="checkbox"/> Notifications sent by the court to the lawyer</p> <p><input checked="" type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer</p> <p><input checked="" type="checkbox"/> Notifications with attached official documents sent by the courts</p> <p><input checked="" type="checkbox"/> Notifications sent to other persons/institutions</p> <p><input type="checkbox"/> NAP – electronic notifications are not possible</p> <p><input type="checkbox"/> NA</p>	<p><input checked="" type="checkbox"/> The electronic notification is generated from the CMS</p> <p><input type="checkbox"/> The electronic notification is manually generated</p> <p><input type="checkbox"/> NAP – electronic notifications are not possible</p> <p><input type="checkbox"/> NA</p>
<p>Criminal</p>	<p><input checked="" type="checkbox"/> Paper notification is still possible</p> <p><input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way)</p> <p><input type="checkbox"/> Double notification (paper notification must accompany the electronic one)</p> <p><input type="checkbox"/> NAP – electronic notifications are not possible</p> <p><input type="checkbox"/> NA</p>	<p><input checked="" type="checkbox"/> Notifications sent by the court to the lawyer</p> <p><input checked="" type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer</p> <p><input checked="" type="checkbox"/> Notifications with attached official documents sent by the courts</p> <p><input checked="" type="checkbox"/> Notifications sent to other persons/institutions</p> <p><input type="checkbox"/> NAP – electronic notifications are not possible</p> <p><input type="checkbox"/> NA</p>	<p><input checked="" type="checkbox"/> The electronic notification is generated from the CMS</p> <p><input type="checkbox"/> The electronic notification is manually generated</p> <p><input type="checkbox"/> NAP – electronic notifications are not possible</p> <p><input type="checkbox"/> NA</p>

Comment - If you have selected the option “Notifications sent to other persons/institutions”, please specify details.

CONSULTATION OF A CASE ONLINE

062-14. If it is possible for external users to consult a case online, what are the deployment and usage rates?

Deployment rate	Usage rate
-----------------	------------

Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input checked="" type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input checked="" type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input checked="" type="checkbox"/> NA

Comments

062-15. If it is possible for external users to consult a case online, please specify the modalities:

	Content	Access	Consultation format
Civil	<input checked="" type="checkbox"/> Case status <input checked="" type="checkbox"/> Documents <input checked="" type="checkbox"/> Notifications <input type="checkbox"/> Events/calendar <input checked="" type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Electronic access at the court premises <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> Case status <input checked="" type="checkbox"/> Documents <input checked="" type="checkbox"/> Notifications <input type="checkbox"/> Events/calendar <input checked="" type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Electronic access at the court premises <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Case status <input checked="" type="checkbox"/> Documents <input checked="" type="checkbox"/> Notifications <input type="checkbox"/> Events/calendar <input checked="" type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Electronic access at the court premises <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA

Comment - If you have selected the option “Other”, please specify details. It is possible to consult a case online via e-communication system.

REMOTE HEARINGS

062-16. If it is possible to organise remote hearings what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input checked="" type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input checked="" type="checkbox"/> NA

Criminal	<input checked="" type="checkbox"/> 95-100 %	<input type="checkbox"/> 95-100 %
	<input type="checkbox"/> 75-95 %	<input type="checkbox"/> 75-95 %
	<input type="checkbox"/> 50-75 %	<input type="checkbox"/> 50-75 %
	<input type="checkbox"/> 25-50 %	<input type="checkbox"/> 25-50 %
	<input type="checkbox"/> 1-25 %	<input type="checkbox"/> 1-25 %
	<input type="checkbox"/> 0 %	<input type="checkbox"/> 0 %
	<input type="checkbox"/> NAP - remote hearings are not possible	<input type="checkbox"/> NAP - remote hearings are not possible
	<input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA

Comments Usage rate of remote hearings cannot be provided because courts doesn't keep records for it.

062-17. If it is possible to organise remote hearings, please specify the functionalities and modalities:

	Functionalities	Modalities
Civil	<input type="checkbox"/> Dedicated tool specially designed for the use by courts <input checked="" type="checkbox"/> Publicly available tools used by courts <input type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers <input type="checkbox"/> Tools for witness protection (voice distortion, picture distortion) <input type="checkbox"/> Tools for simultaneous interpretation <input type="checkbox"/> Tools for automatic subtitling (speech-to-text) <input type="checkbox"/> NAP – remote hearings are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Agreement of the parties is needed <input type="checkbox"/> The judge can impose a remote hearing <input type="checkbox"/> NAP – remote hearings are not possible <input type="checkbox"/> NA

<p>Administrative</p>	<p><input type="checkbox"/> Dedicated tool specially designed for the use by courts</p> <p><input checked="" type="checkbox"/> Publicly available tools used by courts</p> <p><input type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers</p> <p><input type="checkbox"/> Tools for witness protection (voice distortion, picture distortion)</p> <p><input type="checkbox"/> Tools for simultaneous interpretation</p> <p><input type="checkbox"/> Tools for automatic subtitling (speech-to-text)</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>	<p><input checked="" type="checkbox"/> Agreement of the parties is needed</p> <p><input type="checkbox"/> The judge can impose a remote hearing</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>
<p>Criminal</p>	<p><input type="checkbox"/> Dedicated tool specially designed for the use by courts</p> <p><input checked="" type="checkbox"/> Publicly available tools used by courts</p> <p><input type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers</p> <p><input type="checkbox"/> Tools for witness protection (voice distortion, picture distortion)</p> <p><input type="checkbox"/> Tools for simultaneous interpretation</p> <p><input type="checkbox"/> Tools for automatic subtitling (speech-to-text)</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>	<p><input checked="" type="checkbox"/> Agreement of the parties is needed</p> <p><input type="checkbox"/> The judge can impose a remote hearing</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>

Comments

ELECTRONIC ARCHIVES



062-18. If electronic archives of cases exist, what are the deployment and usage rates?

<p>Deployment rate</p>	<p>Usage rate</p>
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Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA

Comments

062-19. If an electronic archive of cases exists, please specify the modalities:

	Electronic or paper
Civil	<input type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input checked="" type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input checked="" type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA

Criminal	<input type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input checked="" type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA
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Comments

3.5.3 Tools

CASE MANAGEMENT SYSTEMS (CMS)

062-20. If one or more case management system(s) (CMS) exist, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA

Comments

062-21. If one or more case management system(s) (CMS) exist, please specify the functionalities of these system(s):

	Functionalities
Civil	<p><input checked="" type="checkbox"/> Centralised and/or interoperable CMS databases</p> <p><input checked="" type="checkbox"/> Active case management dashboard</p> <p><input checked="" type="checkbox"/> Random allocation of cases</p> <p><input checked="" type="checkbox"/> Case weighting</p> <p><input checked="" type="checkbox"/> Identification of a case between instances (unique or linked id number)</p> <p><input checked="" type="checkbox"/> Electronic transfer of a case to another instance/court</p> <p><input type="checkbox"/> Anonymisation of decisions to be published</p> <p><input checked="" type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register)</p> <p><input checked="" type="checkbox"/> Access to closed/resolved cases</p> <p><input checked="" type="checkbox"/> Advanced search engine</p> <p><input checked="" type="checkbox"/> Protected log files</p> <p><input checked="" type="checkbox"/> Electronic signature</p> <p><input type="checkbox"/> Other special functionality, please specify</p> <p><input type="checkbox"/> NAP – CMS does not exist</p> <p><input type="checkbox"/> NA</p>
Administrative	<p><input checked="" type="checkbox"/> Centralised and/or interoperable CMS databases</p> <p><input checked="" type="checkbox"/> Active case management dashboard</p> <p><input checked="" type="checkbox"/> Random allocation of cases</p> <p><input checked="" type="checkbox"/> Case weighting</p> <p><input checked="" type="checkbox"/> Identification of a case between instances (unique or linked id number)</p> <p><input checked="" type="checkbox"/> Electronic transfer of a case to another instance/court</p> <p><input type="checkbox"/> Anonymisation of decisions to be published</p> <p><input checked="" type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register)</p> <p><input checked="" type="checkbox"/> Access to closed/resolved cases</p> <p><input checked="" type="checkbox"/> Advanced search engine</p> <p><input checked="" type="checkbox"/> Protected log files</p> <p><input checked="" type="checkbox"/> Electronic signature</p> <p><input type="checkbox"/> Other special functionality, please specify</p> <p><input type="checkbox"/> NAP – CMS does not exist</p> <p><input type="checkbox"/> NA</p>

Comment - If you have selected the option “Other special functionality”, because of its importance please specify details.

062-22. If one or more case management system(s) (CMS) exist, please specify the functionalities of these system(s):

	Functionalities
Criminal	<input checked="" type="checkbox"/> Centralised and/or interoperable CMS databases <input checked="" type="checkbox"/> Active case management dashboard <input checked="" type="checkbox"/> Random allocation of cases <input checked="" type="checkbox"/> Case weighting <input checked="" type="checkbox"/> Identification of a case between instances (unique or linked id number) <input checked="" type="checkbox"/> Electronic transfer of a case to another instance/court <input type="checkbox"/> Anonymisation of decisions to be published <input checked="" type="checkbox"/> Interoperability with prosecution system <input checked="" type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register) <input checked="" type="checkbox"/> Access to closed/resolved cases <input checked="" type="checkbox"/> Advanced search engine <input checked="" type="checkbox"/> Protected log files <input checked="" type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – CMS does not exist <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details.

WRITING ASSISTANCE TOOLS

062-23. If writing assistance tools exist in courts, what are their deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA

Comments

062-24. If writing assistance tools exist in courts, please describe their functionalities:

	Functionalities
Civil	<input checked="" type="checkbox"/> Templates <input checked="" type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input checked="" type="checkbox"/> Speech-to-text <input checked="" type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> Templates <input checked="" type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input checked="" type="checkbox"/> Speech-to-text <input checked="" type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA

Criminal	<input checked="" type="checkbox"/> Templates <input checked="" type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input checked="" type="checkbox"/> Speech-to-text <input checked="" type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA
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Comment - If you have selected the option “Other special functionality”, please specify the details.

RECORDING OF COURT HEARINGS

062-25. If a tool to record court hearings exists, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input checked="" type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input checked="" type="checkbox"/> NA
Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input checked="" type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input checked="" type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input checked="" type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input checked="" type="checkbox"/> NA

Comments Existing tools for court hearings are obsolete and is out of use. It has to replaced with the new platform which is currently in procurement preparation.

062-26. If a tool to record court hearings exist, please specify its functionalities:

	Functionalities
Civil	<input type="checkbox"/> Audio recording <input type="checkbox"/> Video recording <input type="checkbox"/> Systematic recording for all hearings <input type="checkbox"/> Automatically indexed recording <input type="checkbox"/> Automatic transcript from recording <input type="checkbox"/> Possibility to request a copy of the recording <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there is no tool for recording hearings <input checked="" type="checkbox"/> NA
Administrative	<input type="checkbox"/> Audio recording <input type="checkbox"/> Video recording <input type="checkbox"/> Systematic recording for all hearings <input type="checkbox"/> Automatically indexed recording <input type="checkbox"/> Automatic transcript from recording <input type="checkbox"/> Possibility to request a copy of the recording <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there is no tool for recording hearings <input checked="" type="checkbox"/> NA
Criminal	<input type="checkbox"/> Audio recording <input type="checkbox"/> Video recording <input type="checkbox"/> Systematic recording for all hearings <input type="checkbox"/> Automatically indexed recording <input type="checkbox"/> Automatic transcript from recording <input type="checkbox"/> Possibility to request a copy of the recording <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there is no tool for recording hearings <input checked="" type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details.

DATABASE OF COURT DECISIONS

062-27. If there is a national database of court decisions, please provide the percentage of the decisions published at each instance.

	Percentage of 1st instance decisions published	Percentage of 2nd instance decisions published	Percentage of Supreme court decisions published
Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input checked="" type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input checked="" type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input checked="" type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA

Comments The Supreme Court of the RoC requests from the 1st and 2nd instance courts publishing the certain percentage of the court decisions.

062-28. If there is a national database of court decisions, please specify the modalities in publishing these decisions:

	1st instance	2nd instance	Supreme court
Civil	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA

- If you have selected the option “Other” because the court decisions are published online in some other way than the presented modalities, please describe.

062-29. If there is a database of court decisions at national level, what are the functionalities of this database?

	Functionalities
Civil	<input type="checkbox"/> Automatic anonymisation <input checked="" type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input type="checkbox"/> Open data <input checked="" type="checkbox"/> Advanced search engine <input type="checkbox"/> Machine-readable content <input type="checkbox"/> Structured content <input checked="" type="checkbox"/> Metadata <input checked="" type="checkbox"/> European Case Law Identifier (ECLI) <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA

Administrative	<input type="checkbox"/> Automatic anonymisation <input checked="" type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input type="checkbox"/> Open data <input checked="" type="checkbox"/> Advanced search engine <input type="checkbox"/> Machine-readable content <input type="checkbox"/> Structured content <input checked="" type="checkbox"/> Metadata <input checked="" type="checkbox"/> European Case Law Identifier (ECLI) <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> Automatic anonymisation <input checked="" type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input type="checkbox"/> Open data <input checked="" type="checkbox"/> Advanced search engine <input type="checkbox"/> Machine-readable content <input type="checkbox"/> Structured content <input checked="" type="checkbox"/> Metadata <input checked="" type="checkbox"/> European Case Law Identifier (ECLI) <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details.

STATISTICAL TOOLS

062-30. If there are statistical tools for analysing court case data, what is their deployment rate?

	Deployment rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there are no statistical tools <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there are no statistical tools <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there are no statistical tools <input type="checkbox"/> NA

Comments

062-31. If there are statistical tools for analysing court case data, please describe their functionalities and the data available for statistical analysis:

	Functionalities	Data available for statistical analysis
Civil	<input type="checkbox"/> Integration/connection with the CMS <input checked="" type="checkbox"/> Business intelligence software <input checked="" type="checkbox"/> Generation of predefined statistical reports <input type="checkbox"/> Generation of customised statistical reports <input type="checkbox"/> Internal page and/or dashboard <input checked="" type="checkbox"/> External page with statistics (public website) <input type="checkbox"/> Real-time data availability <input checked="" type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input checked="" type="checkbox"/> Age of a pending case <input checked="" type="checkbox"/> Length of proceedings <input checked="" type="checkbox"/> Number of hearings <input checked="" type="checkbox"/> Cases per judge <input checked="" type="checkbox"/> Case weights <input checked="" type="checkbox"/> Number of parties in a case <input checked="" type="checkbox"/> Indicator of appeal <input type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input type="checkbox"/> NA

Administrative	<input type="checkbox"/> Integration/connection with the CMS <input checked="" type="checkbox"/> Business intelligence software <input checked="" type="checkbox"/> Generation of predefined statistical reports <input type="checkbox"/> Generation of customised statistical reports <input type="checkbox"/> Internal page and/or dashboard <input checked="" type="checkbox"/> External page with statistics (public website) <input type="checkbox"/> Real-time data availability <input checked="" type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input checked="" type="checkbox"/> Age of a pending case <input checked="" type="checkbox"/> Length of proceedings <input checked="" type="checkbox"/> Number of hearings <input checked="" type="checkbox"/> Cases per judge <input checked="" type="checkbox"/> Case weights <input checked="" type="checkbox"/> Number of parties in a case <input checked="" type="checkbox"/> Indicator of appeal <input type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> Integration/connection with the CMS <input checked="" type="checkbox"/> Business intelligence software <input checked="" type="checkbox"/> Generation of predefined statistical reports <input type="checkbox"/> Generation of customised statistical reports <input type="checkbox"/> Internal page and/or dashboard <input checked="" type="checkbox"/> External page with statistics (public website) <input type="checkbox"/> Real-time data availability <input checked="" type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input checked="" type="checkbox"/> Age of a pending case <input checked="" type="checkbox"/> Length of proceedings <input checked="" type="checkbox"/> Number of hearings <input checked="" type="checkbox"/> Cases per judge <input checked="" type="checkbox"/> Case weights <input checked="" type="checkbox"/> Number of parties in a case <input checked="" type="checkbox"/> Indicator of appeal <input type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details

OTHER TOOLS

062-32. Is there any application for online court-related dispute resolution?

Yes

No

Comments

062-33. If yes, is there a maximum value over which online court-related dispute resolution cannot be organised?

- Yes, please specify the maximum value
- No

Comments

062-34. If yes, can the online court-related dispute resolution be used in the following areas?

- Small claim litigation
- Undisputed claim
- Payment order
- Misdemeanour criminal cases
- Enforcement of civil cases
- Other, please specify

Comment: Please describe the existing online procedures:

062-35. Is there a computerised national record centralising all criminal convictions?

- Yes
- No

Comments

062-36. If yes, please specify the following information:

- The computerised record includes biometric data (ex. fingerprint data, picture)
- The computerised record is linked to other European records of the same nature (ex. ECRIS)
- The content is directly available through computerised means for judges and/or prosecutors (ex. interoperability with the CMS)
- The content is directly available for purposes other than criminal (ex. civil and administrative matters)
- The record contains conviction information on third-country nationals and stateless persons

Comments

062-37. Is there a Document Management System (DMS) in the registry of courts?

- Yes
- No

Comment: If yes, please provide details on the purposes and usage of this system. The courts have DMS which is integral part of ICMS system. All internal court documents is stored in separate register for court administration.

062-38. In addition to the tools listed in the ICT section of this questionnaire does your judicial system use other innovative ICT tools?

- Yes
- No

Comment: If yes, please list and describe these ICT tools.

3.6. Performance and evaluation

3.6.1 National policies applied in courts and public prosecution services

066. Are quality standards determined for the judicial system at national level (are there quality systems for the judiciary and/or judicial quality policies)?

Yes

No

Comments - If yes, please specify: According to the Courts Act (Official Gazette, No. 28/13, 33/15, 82/15, 67/18, 126/19, 130/20, 21/22, 60/22), the president of the court evaluates the work of every judge according to Framework Criteria for the work of judges in the period of one year following the standards on the number of judgements delivered by a judge compared with the number of judgements that should have been delivered, according to the Framework Criteria for the work of judges, result of work in different kinds of cases, respecting deadlines in delivery of judgements and drafting of judgements, quality of judgements on the grounds of expressed remedies in legal actions and other activities of judges.

Framework criteria are adopted by the Minister of Justice with the prior opinion of the General Assembly of Supreme Court. The Criteria prescribe the number of decisions that need to be rendered every year by a judge.

According to the State Attorney Office Act (Official Gazette, No. 67/18, 21/22), State Attorneys' and Deputy State Attorneys' performance is evaluated every three years according to the following criteria: achieved results in resolving cases (based on the number of cases assigned to work on the basis of the Framework Criteria for the Work of Deputy State Attorneys and the average work results of county or municipal state attorney's offices for the previous three-year period), the quality of decisions and the justified use of legal remedies, proper performance of the state attorney's duty - observance of deadlines during the procedure, other activities of the State Attorney and the Deputy State Attorney, experience in performing the duty of state attorney and compliance of conduct with the Code of Ethics of State Attorneys and Deputy State Attorneys. The Framework criteria are

067. Do you have specialised personnel entrusted with implementation of these national level quality standards?

	Yes / No
within the courts	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
within the public prosecution services	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments

3.6.2 Measuring court/public prosecution services

070. Do you regularly monitor court activities (performance and quality) concerning:

number of incoming cases

length of proceedings (timeframes)

number of resolved cases

number of pending cases

backlogs

productivity of judges and court staff

satisfaction of court staff

- satisfaction of users (regarding the services delivered by the courts)
- costs of the judicial procedures
- number of appeals
- appeal ratio
- clearance rate
- disposition time
- other (please specify):

Comments

070-1. Do you regularly monitor public prosecution activities (performance and quality) concerning:

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of prosecutors and prosecution staff
- satisfaction of prosecution staff
- satisfaction of users (regarding the services delivered by the by the public prosecution)
- costs of the judicial procedures
- clearance rate
- disposition time
- percentage of convictions and acquittals
- other (please specify):

Comments

071. Do you monitor the number of pending cases and cases that are not processed within a reasonable timeframe (backlogs) for:

- civil law cases
- criminal law cases
- administrative law cases

Comments

072. Do you monitor waiting time during judicial proceedings?

	Yes (If yes, please specify)	No
within the courts	()	(X)
within the public prosecution services	()	(X)

Comments

073. Do you have a system to evaluate regularly court performance based on the monitored indicators of question 70?

Yes

No

Comments

073-0. If yes, please specify the frequency:

Annual

Less frequent

More frequent

Comments - If "Less frequent" or "More frequent", please specify: According to the Courts Act (Official Gazette, No. 28/13, 33/15, 82/15, 67/18, 126/19, 130/20, 21/22, 60/22), the president of court supervises accurate performance of court activities in due time. The president of court has a duty to write a report on the performed supervision and its results, as well as on the measures taken, at least once a month. The report has to be inserted into a case file of judicial administration. The president of court is obliged to ensure court efficiency in the resolution of cases, especially when it comes to the resolution of cases the procedure in which lasts more than three years. The president of court, except for the president of the Supreme Court of the Republic of Croatia, has a duty to submit a report on the performed tasks of judicial administration, measures and activities undertaken to improve work and efficiency of the court in the resolution of cases. The report is to be submitted directly to a court of higher instance, to the State Judicial Council and the Ministry in charge for Justice, once a year, at the latest by the 31 March for the previous year.

The president of the Supreme Court submits the report on the state of judiciary to the Croatian Parliament, once a year, at the latest by the 30th April for the previous year. In this yearly report the president of the Supreme Court can report on the state and actions of the judiciary, organizational problems in courts and legislation shortcomings as well as give suggestions for the improvement of the work of courts. The courts use special information systems for the management and operation of the courts' cases, which consist of standard applications, computer and telecommunications equipment and infrastructure, system software and tools and all the data that are entered, stored and transmitted in all of the registers of the system. Through Case Management system it is possible to regularly monitor and evaluate the activity, performance and output of courts for the Ministry of Justice and the courts themselves.

073-1. Is this evaluation of the court activity used for the later allocation of resources within this court?

Yes

No

Comments

073-2. If yes, which courses of action are taken (multiple replies possible)?

Identifying the causes of improved or deteriorated performance

Reallocating resources (human/financial resources based on performance)

Reengineering of internal procedures to increase efficiency

Other (please specify):

Comments

073-3. Do you have a system to evaluate regularly the performance of the public prosecution services based on the monitored indicators of question 70-1?

(X) Yes

() No

Comments

073-4. If yes, please specify the frequency:

() Annual

() Less frequent

(X) More frequent

Comments - If "less frequent" or "more frequent", please specify: According to the State Attorney's Act (Official Gazette, No. 67/18, 21/22), a state attorney supervises accurate performance of all state attorney office activities in due time. A state attorney submits reports to the higher state attorney on his state attorney office performance each month and annually and reports on undertaken and planned actions in cases of special state interest or in cases with complex factual or legal issues. The General State Attorney Office submits the report on the status and trends of reported crime in the previous year, on cases related to the protection of property interests of the Republic of Croatia, legal issues in particular areas and a review of the organization and personnel in state attorney organization to the Croatian Parliament, once a year, at the latest by the 30 April for the previous year. In this yearly report, there can be a warning on the state and functioning of the legal system, deficiencies in the legislation and internal affairs of the state attorney's office and suggestions for improving the work.

The state attorney offices use a special information system for the management and operation of the state attorney cases, as an interactive data base in real time. Through the CTS (Case tracking system) it is possible to regularly monitor and evaluate the activity, performance and output of state attorney offices.

073-5. Is this evaluation of the activity of public prosecution services used for the later allocation of resources within this public prosecution service?

() Yes

(X) No

Comments

073-6. If yes, which courses of action are taken (multiple replies possible)?

[] Identifying the causes of improved or deteriorated performance

[] Reallocating resources (human/financial resources based on performance)

[] Reengineering of internal procedures to increase efficiency

[] Other (please specify):

Comments

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079. Who is responsible for evaluating the performance of the courts (multiple replies possible)?

[] High Judicial Council

[X] Ministry of Justice

[] Inspection authority

[X] Supreme Court

[] External audit body

[] Other (please specify):

Comments

079-1. Who is responsible for evaluating the performance of the public prosecution services (multiple replies possible)?

- Public Prosecutorial Council
- Ministry of Justice
- Head of the organisational unit or hierarchically superior public prosecutor
- Prosecutor General /State public prosecutor
- External audit body
- Other (please specify):

Comments

3.6.3 Information regarding courts /public prosecution services activity

080. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the courts?

- Yes (please indicate the name and the address of this institution):
- No

Comments

080-1. Are the statistics on the functioning of each court published?

- Yes, on the internet (please provide the link)<https://sudovi.hr/hr/ogszg/pristup-informacijama/rezultati-rada-opcinskog-gradanskog-suda-u-zagrebu>
- No, only internally (on an intranet website)
- No

Comments According to the Court Rulebook the president of the court is obliged to inform the public about the results of the court's work every three months via the court's website. Websites of all courts are centralised on link <https://sudovi.hr/>
Each court statistics are available on the court's website, for example <https://sudovi.hr/hr/ogszg/pristup-informacijama/rezultati-rada-opcinskog-gradanskog-suda-u-zagrebu>

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080-2. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the public prosecution services?

- Yes (please indicate the name and the address of this institution):State's Attorney Office of the Republic of Croatia, Gajeva 30a, 10000 Zagreb, Croatia
- No

Comments

080-3. Are the statistics on the functioning of each public prosecution service published?

- Yes, on the internet (please provide the link)<https://dorh.hr/hr/izvjesca-o-radu>
- No, only internally (on an intranet website)
- No

=

081. Are individual courts required to prepare an activity report (that includes, for example, data on the number of resolved cases or pending cases, the number of judges and administrative staff, targets and assessment of the activity)?

Yes

No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is primarily intended):

081-1. If yes, please specify in which form this report is released:

Internet

Intranet (internal) website

Paper distribution

Comments

081-2. If yes, please, indicate the periodicity at which the report is released:

Annual

Less frequent

More frequent

Comments

=

081-3. Are public prosecution services required to prepare an activity report (that includes, for example, data on the number of incoming cases, the number of decisions, the number of public prosecutors and administrative staff, targets and assessment of the activity)?

Yes

No

Comments - If yes, please describe the content of the report and its audience (i.e. for whom the report is primarily intended): According to the State Attorney Office Act (Official Gazette No. 67/18, 21/22) State Attorneys submit monthly reports directly to higher State Attorneys, whose content, deadlines and manner of submission is regulated by the Rulebook of the State Attorney's Office. The annual report submitted by a State Attorney directly to a higher State attorney has the same content as the report of the Chief State Attorney of the Republic of Croatia to the Croatian Parliament.

In cases of special state attorney's interest or in which complex factual and legal issues arise, the State Attorney of the lower State Attorney's Office informs the State Attorney of the higher State Attorney's Office about the actions already taken and the actions intended to be taken in those cases. The Chief State Attorney of the Republic of Croatia informs the Minister competent for judicial affairs of the initiated criminal proceedings against Judges, State Attorneys and Deputy State Attorneys. At the request of the Minister competent for judicial affairs, the Chief State Attorney of the Republic of Croatia submits a report on certain types of criminal proceedings.

The Chief State Attorney of the Republic of Croatia informs the Government of the Republic of Croatia, with notification to the competent Minister, of cases of special state interest in which the State Attorney's Office is authorized and obliged to take legal action to protect the property of the Republic of Croatia and of legal remedies for the protection of the Constitution and laws in cases in which the Republic of Croatia is a party.

Time and manner of submitting special reports are regulated by the Rules of Procedure of the State Attorney's Office.

According to the Rulebook of the State Attorney Office (Official Gazette No. 128/19) Municipal State Attorney Offices submit electronically a report on the overall performance of the state attorney office for each three months, no later than the 5th of the month to the higher County State Attorney Office. The report contains information on the total number of received cases by registers, resolved cases by types of decisions, total number of unresolved cases, total number of unresolved cases older than six months and data on the number and types of court decisions made in the same period and success in acting and representation.

In addition to the numerical report, the State Attorney provides clarification of statistical data if these data significantly deviate from the usual monthly indicators of the State Attorney's Office, reports on significant court practice or legal issues and decisions in significant cases, and the Civil-Administrative Department on work on cases exceeding from HRK 1,000,000.00 (132.722,81 EUR).

County State Attorney Offices submit a report to the General State Attorney Office of the Republic of Croatia for each three months no later than the 15 th of the following month electronically on the work of his State Attorney Office and lower State Attorney Offices. The report contains summary data and individual data for each State Attorney's Office on the total number of received cases per register, resolved cases by types of decisions, total number of unresolved cases, total number of unresolved cases older than six months and data on the number and types of court decisions made in the same period and success in performance and representation. In addition to the numerical report, clarification of statistical data is provided for that and the lower State Attorney's Offices if these data significantly deviate from the usual quarterly indicators of these State Attorney Offices, as well as reports on significant court practice or legal issues and decisions in significant cases. Other State Attorney's Offices submit electronically to the State Attorney's Office of the Republic of Croatia a monthly work report no later than the 5th day of the month. The report contains data on the total number of received cases by registers, resolved cases by types of decisions and the total number of unresolved cases. In addition to the numerical report, the State Attorney or the Head of the Bureau provide clarification of statistical data if these data significantly deviate from the usual monthly performance indicators and report on significant court practice or legal issues and decisions in significant cases.

The State Attorney's Office of the Republic of Croatia at the Collegium of the State Attorney's Office of the Republic of Croatia at least twice a year, and more often if necessary, reviews statistics and reports on the work of all State Attorney Offices individually and, if necessary, provides general guidelines for further work. By his decision, the Chief State Attorney of the Republic of Croatia may at any time request reports from State Attorneys on work on individual cases.

The State Attorney is obliged, in the case of cases of special State Attorney Office interest or in which complex factual and legal issues arise, to inform the immediately higher State Attorney and the Chief State Attorney of the Republic of Croatia at the same time. If the solver has a case of special State Attorney Office interest in the work, he is obliged to inform the State Attorney about that case without delay. Cases of special State Attorney Office interest are those cases in which new forms of unlawful conduct have been observed, in which the value of the subject matter of the dispute or the proceeds of crime exceeds one million HRK (132.722,81 EUR), cases in which the proceedings are or should be conducted according to the rules for trial procedures and trial disputes, cases that cause public attention and other cases at the discretion of the State Attorney.

081-4. If yes, please specify in which form this report is released:

- Internet
- Intranet (internal) website
- Paper distribution

Comments

081-5. If yes, please, indicate the periodicity at which the report is released:

- Annual
- Less frequent
- More frequent

Comments

3.6.4 Performance and evaluation of judges and public prosecutors

083. Are there quantitative performance targets defined for each judge (e.g. the number of resolved cases in a month or year)?

(X) Yes

() No

Comments

083-1. Who is responsible for setting these targets for each judge?

[X] Executive power (for example the Ministry of Justice)

[] Legislative power

[] Judicial power (for example the High Judicial Council, Supreme Court)

[] President of the court

[] Other (please specify):

[] NAP

Comments

083-1-1. What are the consequences for a judge if these targets are not met?

	Consequences:
Without disciplinary procedure	<input type="checkbox"/> Warning by court's president <input type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input checked="" type="checkbox"/> Other, please specify: [Comment]
With disciplinary procedure	<input type="checkbox"/> Warning by court's president <input type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input checked="" type="checkbox"/> Other, please specify: [Comment]
-	<input type="checkbox"/> No consequences
-	<input type="checkbox"/> NAP (no targets defined)

Comments According to the Courts Act (Official Gazette No. 28/13, 33/15, 82/15, 67/18, 126/19, 130/20, 21/22, 60/22) the president of the court in which the judge performs judicial duty determines by decision for the previous calendar year whether the judge has fulfilled his duties as a judge according to the prescribed criteria. If the president of the court determines that the judge, without justifiable reason, did not make the number of decisions determined by the Framework Criteria for the work of judges in a one-year period or that he performed his judicial duties improperly, he is obliged to initiate disciplinary proceedings against such a judge, in accordance with the State Judicial Council Act. Disciplinary proceedings against the president of the court are initiated by the president of the immediately higher court. According to the State Judicial Council Act (Official Gazette No. 116/10, 57/11, 130/11, 13/13, 28/13, 82/15, 67/18, 126/19, 80/22) disciplinary penalties may be imposed for committed disciplinary offences: rebuke, a fine of up to one third of the salary earned in the previous month in a period of one to three months, a fine of up to one third of the salary earned in the previous month in a period of four to six months, a fine of up to one third of the salary earned in the previous month in a period of seven to twelve months or dismissal from duty. If the president of the court determines that, due to justified reasons, the judge did not make the number of decisions determined by the Framework Criteria for the work of judges in a one-year period, he is obliged to state in the explanation of the decision what justified reasons are in question and submit the decision immediately to the president of the higher court.

Against the decision of the president of the court, which determines whether the judge has fulfilled his duties as a judge, the judge can submit an objection to the president of the court within three days of receiving the decision.

The president of the court is obliged to decide on the objection within eight days. The president of the court can reject the complaint or accept it and make a new decision.

If the objection is rejected, the judge has the right to appeal to the president of the immediately higher court within eight days from the delivery of the decision on the objection. The president of the immediately higher court can make a decision confirming the decision of the president of the court or accept the appeal and make a new decision. Against this decision, the judge has no right to declare legal remedies.

114. Is there a system of individual evaluation of the judges' work?

	Existence of a system of individual evaluation of the judges' work
Quantitative	(X) Yes () No
Qualitative	(X) Yes () No

Comment: Please specify the criteria on which the assessment is based, the authority competent for carrying out the assessment, the purposes for which the results of the assessment are used: According to the Courts Act (Official Gazette No. 28/13, 33/15, 82/15, 67/18, 126/19, 130/20, 21/22, 60/22) the president of the court in which the judge performs judicial duty determines by decision for the previous calendar year whether the judge has fulfilled his duties as a judge according to the prescribed criteria. Those criterias are: 1. the number of decisions made by the judge in relation to the number of decisions he should have made on the basis of the Framework Criteria for the work of judges, in total and by type of case in absolute numbers and percentage, 2. quality of decisions - the number of confirmed, abolished, annulled and modified decisions in relation to the total number of decisions made and in relation to the number of decisions against which legal remedies have been declared and the number of decisions in which a significant violation of the procedure has been established in relation to the number of decisions against which declared legal remedies, 3. proper performance of judicial duties - compliance with deadlines, determination of hearings, compliance with the order in which cases are dealt with, etc., 4. experience in performing the duties of a judge, 5. other activities of the judge - participation in the professional development of judges as a lecturer at seminars and workshops, publication of professional and scientific works in the field of legal sciences, membership in judicial councils, etc.

Framework Criteria for the work of judges are prescribed by the minister responsible for judicial affairs with the prior opinion of the General Session of the Supreme Court of the Republic of Croatia.

If the president of the court determines that the judge, without justifiable reason, did not make the number of decisions determined by the Framework Criteria for the work of judges in a one-year period or that he performed his judicial duties improperly, he is obliged to initiate disciplinary proceedings against such a judge, in accordance with the State Judicial Council Act. Disciplinary proceedings against the president of the court are initiated by the president of the immediately higher court.

If the president of the court determines that, due to justified reasons, the judge did not make the number of decisions determined by the Framework Criteria for the work of judges in a one-year period, he is obliged to state in the explanation of the decision what justified reasons are in question and submit the decision immediately to the president of the higher court.

114-1. Please specify the frequency of this evaluation:

- (X) Annual
- () Less frequent
- () More frequent
- () Different frequencies used, please specify:
- [] NAP

=

083-2. Are there quantitative performance targets defined for each public prosecutor (e.g. the number of decisions in a month or year)?

- (X) Yes

() No

Comments

083-3. Who is responsible for setting these targets for each public prosecutor?

Executive power (for example the Ministry of Justice)

Prosecutor General /State public prosecutor

Public Prosecutorial Council

Head of the organisational unit or hierarchically superior public prosecutor

Other (please specify):

NAP

Comments According to the State Attorney Office Act (Official Gazette No. 67/18, 21/22) , the Minister in charge for Justice, with the prior opinion of Prosecutor General, adopts the Framework criteria for the work of public prosecutors (Deputy State Attorneys).

083-3-1. What are the consequences for a prosecutor if these targets are not met?

	Consequences:
Without disciplinary procedure	<input type="checkbox"/> Warning by head of prosecution <input type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment] <input type="checkbox"/> NAP
With disciplinary procedure	<input type="checkbox"/> Warning by head of prosecution <input type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input checked="" type="checkbox"/> Other, please specify: [Comment] <input type="checkbox"/> NAP
No consequences	<input type="checkbox"/> No consequences <input type="checkbox"/> NAP

Comments According to the State Attorney Council Act (Official Gazette No. 67/18, 126/19, 80/22) if the number of resolved cases and actions taken in a one-year period is, without justifiable reason, less than 80% of the average of the state attorney's office in which he holds office, Deputy state attorney is disciplinary liable for disciplinary offence of irregular performance of duty.

120. Is there a system of individual evaluation of the public prosecutors' work?

	Existence of a system of individual evaluation of the public prosecutors' work
Quantitative	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Qualitative	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comment: Please specify the criteria on which the assessment is based, the authority competent for carrying out the assessment, the purposes for which the results of the assessment are used: According to the State Attorney Office Act (Official Gazette, No. 67/18, 21/22), State Attorneys' and Deputy State Attorneys' performance is evaluated every three years according to the following criteria: achieved results in resolving cases (based on the number of cases assigned to work on the basis of the Framework Criteria for the Work of

Deputy State Attorneys and the average work results of county or municipal state attorney's offices for the previous three-year period), the quality of decisions and the justified use of legal remedies, proper performance of the state attorney's duty - observance of deadlines during the procedure, other activities of the State Attorney and the Deputy State Attorney, experience in performing the duty of state attorney and compliance of conduct with the Code of Ethics of State Attorneys and Deputy State Attorneys. The Framework criteria are adopted by the Minister in charge of judicial affairs, with the prior opinion of the Chief State Attorney of the Republic of Croatia.

120-1. Please specify the frequency of this evaluation:

- Annual
- Less frequent
- More frequent
- Different frequencies used, please specify:
- NAP

Comments

C4. Please indicate the sources for answering the questions in this part

Sources: Ministry of Justice and Public Administration

4.Fair trial

4.1.Principles

4.1.1Principles of fair trial



084. Percentage of first instance criminal in absentia judgments (cases in which the suspect is not attending the hearing in person nor is represented by a lawyer)?

- []
- NA
- NAP

Comments - Please add methodology for calculation used.

085. Is there a procedure to effectively challenge a judge (recusal), if a party considers that the judge is not impartial?

- Yes
- No

Comments - Please could you briefly specify: According to the provisions of the Criminal Procedure Act, the parties may request the disqualification of a judge or lay judge, that is, exclusion from judicial duties in cases provided for by law and in other cases where there are circumstances that raise doubts about their impartiality. The parties submit a request for exemption immediately after learning of the reason for the exemption. A party may request the exemption of only a named judge or lay judge who is acting in the case. In the request, the party is obliged to state the evidence and circumstances due to which it considers that there is some legal basis for the exemption. The request cannot state the reasons that were highlighted in the previous request for exemption, which was rejected.

The Civil procedure Act ("Official Gazette", No 53/91, 91/92, 112/99, 88/01, 117/03, 88/05, 2/07, 84/08, 96/08, 123/08, 57/11, 148/11,

25/13, 89/14, 70/19, 80/22, 114/22) regulates that a judge cannot perform judicial duties:

- 1) if he is the party himself, the legal representative or attorney of the party, if he is with the party in the relationship of co-authorizer, co-obligor or recourse obligee or if he is heard as a witness or expert witness in the same case;
- 2) if he works permanently or temporarily in a legal entity that is a party to the proceedings;
- 3) if the party or the party's legal representative or attorney is related by blood in the direct line up to any degree, and in the collateral line up to the fourth degree, or is his spouse, common-law partner or in-law relative up to the second degree, regardless of whether whether the marriage ended or not;
- 4) if he is the guardian, adopter or adoptee of the party, his legal representative or attorney;
- 5) if in the same case he participated in the proceedings before a lower court or before some other body;
- 6) if he has participated or is participating as a bankruptcy judge or a member of the bankruptcy council in the bankruptcy proceedings on which the dispute arose,
- 7) if there are other circumstances that cast doubt on his impartiality.

085-1. If yes, what are:

	-
The total number of the initiated procedures in the reference year	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
The total number of recusals pronounced in the reference year	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comment - Please, could you briefly specify:

086. Is there in your country a monitoring system for the violations related to Article 6 of the European Convention on Human Rights?

- For civil procedures (non-enforcement)
- For civil procedures (timeframe)
- For criminal procedures (timeframe)
- NAP

Comments - Please specify what are the terms and conditions of this monitoring system (information related to acknowledged violations by ECHR at the State/courts level; implementation of internal systems to prevent other violations (that are similar) and if possible to measure an evolution of the established violations):

086-1. Is there in your country a possibility to review/reopen a case after a finding of a violation of the European Convention on Human Rights by the European Court of Human Rights?

- For civil cases
- For criminal cases
- For administrative cases
- NAP

Comments The Civil procedure Act ("Official Gazette", No 53/91, 91/92, 112/99, 88/01, 117/03, 88/05, 2/07, 84/08, 96/08, 123/08, 57/11, 148/11, 25/13, 89/14, 70/19, 80/22, 114/22) regulates that when the European Court of Human Rights establishes a violation of any human right or fundamental freedom guaranteed by the Convention for the Protection of Human Rights and Fundamental Freedoms and the additional Protocols to that Convention ratified by the Republic of Croatia, the party may, within thirty days from the finality of the judgment of the European Court of Human Rights rights. submit a request to the court in the Republic of Croatia that tried in the first instance in the procedure in which a decision was made that violated a human right or fundamental freedom, to amend the decision that violated that right or fundamental freedom. In the repeated procedure, the courts are obliged to respect the legal positions expressed in the

D1. Please indicate the sources for answering the questions in this part

Sources: The Civil procedure Act (“Official Gazette”, No 53/91, 91/92, 112/99, 88/01, 117/03, 88/05, 2/07, 84/08, 96/08, 123/08, 57/11, 148/11, 25/13, 89/14, 70/19, 80/22, 114/22)

4.2. Timeframe of proceedings

4.2.1 General information

087. Are there specific procedures for urgent matters regarding:

- civil cases
- criminal cases
- administrative cases
- There is no specific procedure for urgent matters

Comments - If yes, please specify: According to the provisions of the Criminal Procedure Act, the police may, if there is a risk of delay, perform a search, temporary confiscation of objects, identification, examination, taking of fingerprints and other parts even before the start of criminal proceedings for criminal offenses for which a prison sentence of up to five years is prescribed. For criminal offenses for which a prison sentence of more than five years is prescribed, the police immediately informs the state attorney about the existence of a risk of delay and the need to conduct evidentiary actions, except for the implementation of evidentiary actions of temporary confiscation of objects and searches. The state attorney can carry out the evidentiary actions himself or entrust their implementation to the police or instruct an investigator. The state attorney who arrives at the place of investigation or search in the course of its implementation can take over the implementation of the action. If there is a risk of delay, the state attorney can determine the necessary expertise, except for exhumation. The state attorney is informed without delay about the results of the actions carried out by the police.

Furthermore, if there are grounds for suspicion that a criminal offense has been committed, for which criminal proceedings are initiated ex officio, and that a material benefit has been acquired through that act, and when the necessary facts and data on the amount of the material benefit have been collected through the conducted investigations, i.e. when it is determined where the property is located, the state attorney is obliged to propose without delay the determination of a temporary security measure so that the property is not hidden or destroyed, and is also obliged to propose in the indictment or at the latest at the preliminary hearing that the property be confiscated.

088. Are there simplified procedures for:

- civil cases (small disputes)
- criminal cases (misdemeanour cases)
- administrative cases
- There is no simplified procedure

Comments - If yes, please specify: The Civil procedure Act (“Official Gazette”, No 53/91, 91/92, 112/99, 88/01, 117/03, 88/05, 2/07, 84/08, 96/08, 123/08, 57/11, 148/11, 25/13, 89/14, 70/19, 80/22, 114/22) regulates the procedure in small value disputes as a written procedure. In small value disputes, the court will hold a hearing if it deems it necessary to conduct the evidentiary procedure or if at least one of the parties submits such a reasoned proposal. The court can reject the party's proposal to hold a hearing according to the assessment of the specific case, against which a separate appeal is not allowed. In proceedings in small value disputes, proof is mostly carried out by inspection of documents, and only exceptionally by hearing parties or witnesses. Therefore, stipulating the holding of hearings in this type of procedure will only in exceptional cases affect the faster resolution of cases, the reduction of procedure costs and, in general, the more

efficient work of the courts.

088-1. For these simplified procedures, may judges deliver an oral judgement with a written order and without the full reasoning of the judgement ?

civil cases

criminal cases

administrative cases

Comments - If yes, please specify: According to the provisions of the Criminal Procedure Act, for criminal offenses for which a fine or a prison sentence of up to five years is prescribed, and for which the council is not competent, and for which he learned on the basis of the credible content of the criminal report, the state attorney can request in the indictment that the court issues a criminal order in which he will impose a specific sentence or measure on the defendant without holding a hearing.

If he agrees with the request, the single judge will issue a criminal order. In the judgment on the criminal order, it will only be stated that the state attorney's request is accepted and the defendant will be sentenced to the penalty or measure from the request. The explanation will only state the evidence that justifies the issuance of a criminal warrant. The criminal order contains an instruction to the defendant in the sense that the defendant or his defense attorney can file an objection against the criminal order in writing within eight days of receipt.

089. Do courts and lawyers have the possibility to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions etc.)?

	Yes	No
Agreement on general arrangements	()	(X)
Agreement in specific cases	()	(X)

Comments

4.2.2 Case flow management – first instance



091. First instance courts: number of other than criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of other than criminal law cases (1+2+3+4)	331 289 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 013 811 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 058 054 <input type="checkbox"/> NA <input type="checkbox"/> NAP	279 259 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	200 356 <input type="checkbox"/> NA <input type="checkbox"/> NAP	97 317 <input type="checkbox"/> NA <input type="checkbox"/> NAP	141 052 <input type="checkbox"/> NA <input type="checkbox"/> NAP	158 445 <input type="checkbox"/> NA <input type="checkbox"/> NAP	46 712 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Non litigious cases (2.1+2.2+2.3)	124 739 <input type="checkbox"/> NA <input type="checkbox"/> NAP	903 770 <input type="checkbox"/> NA <input type="checkbox"/> NAP	903 413 <input type="checkbox"/> NA <input type="checkbox"/> NAP	115 489 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	82 859 [] NA [] NAP	170 533 [] NA [] NAP	176 378 [] NA [] NAP	77 077 [] NA [] NAP	14 210 [] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	41 880 [] NA [] NAP	733 237 [] NA [] NAP	727 035 [] NA [] NAP	38 412 [] NA [] NAP	[X] NA [] NAP
2.2.1. Non litigious land registry cases	39 660 [] NA [] NAP	616 408 [] NA [] NAP	610 459 [] NA [] NAP	35 941 [] NA [] NAP	[X] NA [] NAP
2.2.2 Non-litigious business registry cases	2 220 [] NA [] NAP	116 829 [] NA [] NAP	116 576 [] NA [] NAP	2 471 [] NA [] NAP	[X] NA [] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.3. Other non-litigious cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Administrative law cases	6 194 [] NA [] NAP	12 724 [] NA [] NAP	13 589 [] NA [] NAP	5 325 [] NA [] NAP	281 [] NA [] NAP
4. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments In 2022, the number of incoming Civil (and commercial) litigious cases dropped because of the unique situation from the previous cycle of a significant number of incoming collective labour cases from the public sector workers (more than 60.000 incoming cases). Since they were resolved in 2022, this has led also to a significant increase in the number of resolved cases.

Regarding General civil (and commercial) non-litigious cases, as this includes enforcement cases which have had legislative changes during 2021, a new type of case has been recorded in courts by the end of 2021, which now seems to be a permanent increase in both incoming cases and resolved cases (up from an average of 40.000 cases received and resolved every year prior to 2021 to about 60.000 cases in 2021 and 90.000 cases in 2022. These are all cases of small value that are very quick to resolve.

For non-litigious registry cases, there is a slightly bigger horizontal inconsistency due to additional corrections from the sides of courts after the official published data.

092. If courts deal with “civil (and commercial) non-litigious cases”, please indicate the case categories included:

. The category “civil (and commercial) non-litigious cases” includes all out-of-court proceedings (non-litigious cases) that are not stated in the different categories (accordingly, non-litigious cases of civil and commercial courts and are related to the following types of cases:

Adoption of the decision on the health of the ward

Issuance of the permit for marriage before majority

Deprivation/restoration/prolongation of parental right

Deprivation/restoration of legal capacity
Deprivation/restoration of parental care
International child abduction
Measures for the protection of property and property rights of the child
Substitution of consent for the adoption of a child
Inheritance declaration
Decision on which person the child shall live with
Approval of the agreement on maintenance
Approval/ modification of the plan of joint parental care
Deprivation of the right to accommodation with the child and entrusting daily care to another person, social welfare institution or foster family
Deprive parents of the rights to live with the child and to raise him/her
Providing evidence
Establishment of court deposit
Establishment /abolishment of necessary passage
Other - Family non-litigious
Other - Other non-litigious cases
Other - Proclamation of the deceased person and proof of death
Other – Regulation of co-ownership relations, landmarks and necessary passages
Legacy cases for court resolution
Exercise of parental care and personal relationship with the child according to Art. 478 of the Family Act
Exercise of the content of parental care
Opening of the safe
Authentication of the contract on life/lifelong maintenance
Storage of the will
Simplified procedure for child maintenance
Setting the “phone tracker”
The procedure for the protection of the family home
Entrusting a child with behavioral disorders
Entrusting a child with behavioral problems
Temporary measure for maintenance
Temporary measure regarding the person the child shall live with
Temporary entrusting the child to another person, social welfare institution or foster family
Recognition of a foreign court decision
Declaring a missing person dead
Changing the child's permanent or temporary residence
Provision of international legal assistance
Provision of legal aid
Annulment of co-ownership bond
Drafting court wills
Conclusion of court settlement
The acquisition of legal capacity of the minor who has become a parent
Meetings and company with parents
Meetings and company with grandmother, grandfather, sister, brother, half-sister, half-brother, ...
Regulation of landmark
Regulation of relations between co-owners
Determination of common-law marriage
Restriction of approaching a child

Appointment of members of companies' bodies
 Appointment of the auditor and temporary administrator
 Other non-litigious
 Providing evidence
 Establishment of court deposit
 Opening the safe
 According to Article 40, paragraph 2 of the Companies Act
 Cases related to registry cases
 Previous measure
 Forced establishment of a lien
 Temporary measure
 Temporary interruption measure
 Temporary and previous measure
 Recognition of arbitrary decision
 Recognition of foreign court decision
 Disputes as referred to in Article 420 of the Companies Act
 Court insurance by transfer of ownership and rights
 Personal bankruptcy

093. Please indicate the case categories included in the category "other cases":

. NAP

094. First instance courts: number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of criminal law cases (1+2+3)	118 422 [] NA [] NAP	161 484 [] NA [] NAP	174 710 [] NA [] NAP	113 008 [] NA [] NAP	13 046 [] NA [] NAP
1. Severe criminal cases	31 164 [] NA [] NAP	17 707 [] NA [] NAP	18 026 [] NA [] NAP	30 902 [] NA [] NAP	12 248 [] NA [] NAP
2. Misdemeanour and / or minor criminal cases	77 865 [] NA [] NAP	113 768 [] NA [] NAP	126 187 [] NA [] NAP	73 168 [] NA [] NAP	[X] NA [] NAP
3. Other criminal cases	9 393 [] NA [] NAP	30 009 [] NA [] NAP	30 497 [] NA [] NAP	8 938 [] NA [] NAP	798 [] NA [] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If "Other criminal cases", please specify The data for 2022 in

“Other criminal cases” include only the execution of sanctions (imprisonment), investigation actions of a judge and cases connected to procedural matters. In this cycle, the number of other criminal cases decreased because we aligned our methodology with CEPEJ reporting and excluded some of the case types which in previous cycles were included. This is due to the fact that data for misdemeanour cases came from a separate case management system in the previous cycles (prior to 2020), and it was not possible to exclude those cases which do not fit any of the above categories.



4.2.3 Case flow management – second instance

097. Second instance courts (appeal): Number of “other than criminal law” cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of other than criminal law cases (1+2+3+4)	27 434 [] NA [] NAP	56 431 [] NA [] NAP	54 738 [] NA [] NAP	29 188 [] NA [] NAP	1 339 [] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	565 [] NA [] NAP	1 789 [] NA [] NAP	1 662 [] NA [] NAP	692 [] NA [] NAP	6 [] NA [] NAP
2.2.1. Non litigious land registry cases	556 [] NA [] NAP	1 650 [] NA [] NAP	1 526 [] NA [] NAP	680 [] NA [] NAP	6 [] NA [] NAP
2.2.2 Non-litigious business registry cases	9 [] NA [] NAP	139 [] NA [] NAP	136 [] NA [] NAP	12 [] NA [] NAP	0 [] NA [] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.3. Other non-litigious cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

3. Administrative law cases	2 111 [] NA [] NAP	5 562 [] NA [] NAP	5 034 [] NA [] NAP	2 639 [] NA [] NAP	[X] NA [] NAP
4. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If “Other cases” please specify Regarding second instance „General civil (and commercial) non-litigious cases”, starting with early 2022, all the cases have been classified as „appeal on sentence” type of cases, instead of „enforcement cases”, „family law cases”, „labour law cases” or any other case type available in the court management system database, as it was in the previous cycles. Because of that, we are unable to differentiate between second instance litigious cases and second instance non-litigious cases (or any of the other types of cases for that matter). For „Other non-litigious cases”, the reason for no available data is the same as regarding “General non-litigious cases”, as those types of cases that would have been in the category of „Other non-litigious cases” according to the classification by the courts in the previous years, are also categorised as a generic „appeal case”. As regards registry cases, there is no specific reason for the decrease in the number of resolved cases, as the number of incoming cases is roughly the same as last year (around 1.700 incoming cases). Regarding administrative cases, there is no specific reason for the decrease in the number of resolved cases, as the number of incoming cases is roughly the same as last year (around 5.500 incoming cases).

098. Second instance courts (appeal): Number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of criminal law cases (1+2+3)	17 118 [] NA [] NAP	25 269 [] NA [] NAP	23 108 [] NA [] NAP	19 275 [] NA [] NAP	1 335 [] NA [] NAP
1. Severe criminal cases	2 806 [] NA [] NAP	9 332 [] NA [] NAP	8 543 [] NA [] NAP	3 594 [] NA [] NAP	127 [] NA [] NAP
2. Misdemeanour and / or minor criminal cases	14 252 [] NA [] NAP	14 862 [] NA [] NAP	13 480 [] NA [] NAP	15 631 [] NA [] NAP	1 207 [] NA [] NAP
3. Other criminal cases	60 [] NA [] NAP	1 075 [] NA [] NAP	1 085 [] NA [] NAP	50 [] NA [] NAP	1 [] NA [] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If “Other criminal cases”, please specify:

4.2.4 Case flow management – Supreme Court

099. Highest instance courts (Supreme Court): Number of “other than criminal law” cases:

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of other than criminal law cases (1+2+3+4)	11 084 [] NA [] NAP	7 012 [] NA [] NAP	9 459 [] NA [] NAP	8 625 [] NA [] NAP	3 560 [] NA [] NAP

1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	10 240 [] NA [] NAP	6 509 [] NA [] NAP	8 738 [] NA [] NAP	8 000 [] NA [] NAP	3 345 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	600 [] NA [] NAP	463 [] NA [] NAP	592 [] NA [] NAP	470 [] NA [] NAP	167 [] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	494 [] NA [] NAP	388 [] NA [] NAP	500 [] NA [] NAP	381 [] NA [] NAP	134 [] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	105 [] NA [] NAP	69 [] NA [] NAP	88 [] NA [] NAP	86 [] NA [] NAP	33 [] NA [] NAP
2.2.1. Non litigious land registry cases	105 [] NA [] NAP	69 [] NA [] NAP	88 [] NA [] NAP	86 [] NA [] NAP	33 [] NA [] NAP
2.2.2 Non-litigious business registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.3. Other non-litigious cases	1 [] NA [] NAP	6 [] NA [] NAP	4 [] NA [] NAP	3 [] NA [] NAP	0 [] NA [] NAP
3. Administrative law cases	244 [] NA [] NAP	40 [] NA [] NAP	129 [] NA [] NAP	155 [] NA [] NAP	48 [] NA [] NAP
4. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If "Other cases", please specify

099-1. At the level of the Highest court (Supreme Court), is there a procedure of manifest inadmissibility?

(X) Yes, please indicate the number of cases closed by this procedure: NA

() No

Comments

100. Highest instance courts (Supreme Court): Number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of criminal law cases (1+2+3)	274 [] NA [] NAP	440 [] NA [] NAP	600 [] NA [] NAP	113 [] NA [] NAP	[X] NA [] NAP
1. Severe criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Other criminal cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comment - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If "Other criminal cases", please specify The Supreme Court of the Republic of Croatia distinguishes only if the case is civil or criminal, but does not classify case types in specific categories beyond that classification. The main classification in the Case management system is based on the instance of the procedure in the sense that there are some instances when the Supreme Court acts as a second instance appellate court. When the criminal procedure is regarding a very serious criminal offense (charges for which the jail sentence is more than 10 years), the County courts act as a first instance court, and all appeals are decided upon by the Supreme Court as a second instance court. In that sense, the classification of cases of the Supreme Court in the Case management system distinguishes only those cases which are from the position of the second instance or from the position of the third instance court. Since the recently established High Criminal Court of the Republic of Croatia has overtaken the role of the appellate court for the County courts in aforementioned instances, the Supreme Court has retained only the competency of a third instance court in criminal cases, but the cases are still distinguished in the same classification as before.

4.2.5 Case flow management and timeframes – specific cases

101. Number of specific litigious cases received and processed by first instance courts.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Litigious divorce cases	1 870 [] NA [] NAP	2 357 [] NA [] NAP	2 372 [] NA [] NAP	1 857 [] NA [] NAP	204 [] NA [] NAP
Employment dismissal cases	1 538 [] NA [] NAP	910 [] NA [] NAP	807 [] NA [] NAP	1 645 [] NA [] NAP	486 [] NA [] NAP
Insolvency	6 780 [] NA [] NAP	7 422 [] NA [] NAP	8 885 [] NA [] NAP	5 604 [] NA [] NAP	1 402 [] NA [] NAP
Robbery case	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Intentional homicide	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments The horizontal discrepancies are due to a certain number of cases that have been delegated between courts. Insolvency cases have had 282 cases delegated between courts due to some courts being overburdened, while other discrepancies are due to regular correction of information from the courts during the year.



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101-0. Number of cases relating to asylum seekers and to the right of entry and stay for aliens.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases for more than 2 years
Court cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	79 [] NA [] NAP	56 [] NA [] NAP	57 [] NA [] NAP	78 [] NA [] NAP	53 [] NA [] NAP
Court cases relating to the right of entry and stay for aliens	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments Court cases relating to the right of entry and stay for aliens:

Until 31 December 2020, the Law on Foreigners (Official Gazette, No 130/11, 74/13, 69/17, 46/18, 53/20) was in force, which stipulated that an appeal could be filed against the decision of the police administration which decided on temporary residences and residence and work permits, which was resolved by the Appeals Commission. An administrative dispute could be initiated against the decision of the Ministry of Interior, which decided on permanent residences and cancellations of permanent residences. As a result of the above, data for 2020 was collected based on an insight into each individual case by an officer of the Service for Foreigners at the Ministry of Interior and an officer of the Appeals Commission, considering that all cases related to administrative disputes on requests to regulate the stay of foreigners were available to the Service and members of the Appeals Commission. After entry into force of the Aliens Act (Official Gazette, No 133/20, 114/22, 151/22) on 1st January 2021, it is no longer possible to file an appeal against the decisions of police administration or police stations that decide on temporary residences and residence and work permits. Therefore, it is no longer possible to collect the requested data by inspecting each individual case in all police administration.

101-1. Could you briefly describe the system in your country dealing with legal remedies relating to asylum seekers (refugee status under the 1951 Geneva Convention) and the right of entry and stay for aliens:

. In 2022 a total of 12,872 applicants for international protection were registered and thus acquired the right to stay in the Republic of Croatia while the international protection procedure is ongoing. The Law on International and Temporary Protection („Official Gazette“ no. 70/15, 127/17 and 33/23) prescribes the rights and obligations of applicants for international protection as well as legal remedies. According to Article 8 a citizen of a \ third country or a stateless person who illegally entered to the Republic of Croatia, and came directly from the area where she was persecuted or exposed to serious injustice, will not be punished for illegal entry and stay if they express their intention without delay and justify the reasons for illegal entry and stay. Furthermore, Article 53 stipulates that the applicant has the right to stay from the day of the expressed intention until the enforcement of the decision on the application, i.e. until the delivery of the judgment on the delayed effect if he filed a lawsuit against the decision. The same Law also prescribes the procedure before the Administrative Court (Article 51), which specifies explicit cases in which the complaint filed with the Administrative Court postpones the execution of the decision, whereby the party would no longer have the right to stay. In practice, an applicant with an expressed intention acquires the right to reside and move freely in the Republic of Crualia, and after the application is submitted, an international protection applicant's card is issued confirming this. Upon delivery of the decision, that is, the decision on the application, the applicant's rights and obligations are clarified and a list of providers of free legal aid is also provided if he does not have the means to independently hire a lawyer to prepare a claim for the decision and representation before the Administrative Court. Until the execution of the Court decision delivered to his representative, the applicant has the right to stay in the Republic of Croatia, and after the expiration of the right to stay, the applicant will be given a measure and given a deadline by which the citizen of a third country or a stateless person must voluntarily leave the Republic of Croatia.

Pursuant to the provisions of the Law on International and Temporary Protection, the Ministry of the Interior shall make a decision on the application for international protection no later than 6 months from the day of submitting a valid application. Also, in exceptional situations prescribed by the mentioned law (when the request includes complex factual and / or legal issues, i.e. due to the complete consideration of the application), the stated deadline may be extended for an additional 12 or 15 months. There are 2 instances of judicial review in Croatia. First instance is the Administrative Court and the second instance is the High Administrative Court of the Republic Croatia. All negative (or positive — in case of subsidiary protection status) first instance administrative decisions (including Dublin cases) can be appealed before the first instance Administrative Court. This is a first instance judicial body, which either annuls the first instance decision, overturns the decision, thereby granting protection, or confirms the decision. The asylum seekers place of residence determines which of 4 Administrative Courts competent to deal with asylum matters is responsible for a particular case. The deadline for making an appeal against the decision in the regular procedure is 30 days from the day of delivery of the decision. In cases where the decision is made in an accelerated procedure or in case of subsequent application, the deadline for making an appeal is 8 days. The appeal has a suspensive effect, except in case of accelerated procedure and subsequent application. In such cases, the appeal may contain a request for suspensory effect of the appeal. The Administrative Court investigates and evaluates the facts of the case, which usually includes a hearing of the asylum seeker. In case of negative first instance judicial decision (i.e. if the Administrative Court confirms the decision of the Ministry) an appeal to the High Administrative Court is possible. There are no time limits foreseen for the appeals instances to decide upon appeals against first instance decisions in regular procedures, nor for the processing of subsequent applications.

In the area of legal migration, a legal remedy is provided in cases of temporary residence that is handled by police departments or police stations, as well as in cases of permanent residence or long-term residence that are in the Ministry of the Interior competencies. Namely, a citizen of a third country is not allowed to appeal against the decision in these cases. However, it is possible to initiate an administrative dispute before the competent Administrative Court within 30 days from the date of delivery of the decision, in accordance with the provisions of the Aliens Act ("Official Gazette" no. 133/20, 114/22 and 151/22).

101-2. Number of cases relating to child sexual abuse and child pornography received and processed by first instance courts.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Child sexual abuse	313 [] NA [] NAP	178 [] NA [] NAP	190 [] NA [] NAP	301 [] NA [] NAP	91 [] NA [] NAP
Child pornography	152 [] NA [] NAP	156 [] NA [] NAP	133 [] NA [] NAP	175 [] NA [] NAP	42 [] NA [] NAP

Comments - Please explain what are the legal definitions of these categories of offences in your system: There is entire chapter or group of criminal offences in Criminal Code related to the sexual abuse and sexual exploitation of children. In essence, child sexual abuse is committing sexual intercourse or equivalent sexual act with a child, or induces him to perform sexual intercourse or equivalent sexual act with a third person or to perform sexual act on himself equivalent to the sexual intercourse.

Child pornography is seducing, recruiting or encouraging a child to participate in the recording of child pornography or pornographic performance or organizing or facilitating the recording of the pornographic performance.

102. Percentage of decisions subject to appeal, average length of proceedings and percentage of cases pending for more than 3 years for all instances for specific litigious cases. The average

length of proceedings has to be calculated from the date the application for judicial review is lodged to the date the judgment is made, without taking into account the investigation phase in criminal cases as well as enforcement procedure.

	% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average length of the entire procedure (in days)	% of cases pending for more than 3 years for all instances
Civil and commercial litigious cases	_____ Allow decimals : 2 [X] NA [] NAP	748 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Allow decimals : 2 [X] NA [] NAP
Litigious divorce cases	_____ Allow decimals : 2 [X] NA [] NAP	280 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Allow decimals : 2 [X] NA [] NAP
Employment dismissal cases	_____ Allow decimals : 2 [X] NA [] NAP	962 [] NA [] NAP	179 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Allow decimals : 2 [X] NA [] NAP
Insolvency cases	_____ Allow decimals : 2 [X] NA [] NAP	355 [] NA [] NAP	28 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Allow decimals : 2 [X] NA [] NAP
Robbery cases	_____ Allow decimals : 2 [X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Allow decimals : 2 [X] NA [] NAP
Intentional homicide cases	_____ Allow decimals : 2 [X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Allow decimals : 2 [X] NA [] NAP

Comments The average length of second instance litigious cases is connected to the recent change in the way our second instance courts do not distinguish between litigious and non-litigious cases, therefore the second instance 'Civil and commercial litigious cases' and 'Litigious divorce cases' are marked as not available.

104. How is the length of proceedings calculated for the six case categories of question 102? Please give a description of the calculation method.

. NA

4.2.6 Case flow management – public prosecution

105. Role and powers of the public prosecutor in the criminal procedure (multiple replies)

possible):

- to conduct or supervise investigation
- when necessary, to request investigation measures from the judge
- to charge
- to present the case in court
- to propose a sentence to the judge
- to appeal
- to supervise the enforcement procedure
- to discontinue a case without needing a decision by a judge (ensure consistency with question 36!)
- to end the case by imposing or negotiating a penalty or measure without requiring a judicial decision
- other significant powers (please specify):

Comments

106. Does the public prosecutor also have a role in:

- civil cases
- administrative cases
- insolvency cases

Comments - If yes, please specify:

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107. Public prosecutors: Total number of 1st instance criminal cases.

	Number of cases
1.Pending cases on 1 Jan. ref. year	53 009 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2.Incoming/received cases	41 613 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3.Processed cases (3.1+3.2+3.3+3.4)	39 720 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3.1.Discontinued during the reference year (3.1.1+3.1.2+3.1.3+3.1.4.)	21 241 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3.1.1 Discontinued by the public prosecutor because the offender could not be identified	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3.1.2 Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3.1.3 Discontinued by the public prosecutor for reasons of opportunity	540 <input type="checkbox"/> NA <input type="checkbox"/> NAP

3.1.4 Discontinued for other reasons	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3.2. Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3.3. Cases brought to court	18 479 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Pending cases on 31 Dec. ref. year	54 800 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Data source: Report of the Attorney General of the Republic of Croatia on the work of state attorneys' offices in 2022.

*3.1. the total number of cases are completed with the adoption of a decision on the dismissal of the criminal report or a decision on the suspension of the investigation, however statistical data are not recorded according to the categories requested in the table (15,414).

**3.1.3. the data includes only juvenile offenders, as data in relation to other offenders is not available in the aforementioned Report.

For 2022, the data in section 3.1 (Discontinued during the reference year) also include data from section 3.1.4 (Discontinued for other reasons), which for 2021 were presented in section 3.3. (cases closed by public prosecutor for other reasons).

It is necessary to take into account the statistical specifics of the presentation of individual decisions, because the questionnaire asks for data in a way that is not harmonized with the statistical presentation of the work of the state attorney's office. This is why there are certain statistical deviations because the data is not compared in the annual report of the State Attorney's Office of the Republic of Croatia.

Besides, due to the overloading of certain state attorney's offices, specifically for the Municipal Criminal State Attorney's Office in Zagreb, 1,060 cases were delegated to other state attorney's offices, which statistically for the Zagreb Municipal Criminal State Attorney's Office is shown as a transfer of cases and also included in the number of cases resolved by the state attorney's office to another method (that is, for 2022 in section 3.1.4, which is included in the total in section 3.1). So, in fact, the increase in the number of cases discontinued during the reference year is an increase that occurred due to the statistical method of presentation, and not a real increase.

107-1. If the guilty plea procedure exists, how many cases were concluded by this procedure?

	Total	Severe criminal cases	Misdemeanour and / or minor criminal cases
Total number of guilty plea procedures	612 <input type="checkbox"/> NA <input type="checkbox"/> NAP	294 <input type="checkbox"/> NA <input type="checkbox"/> NAP	318 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Before the main trial	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
During the main trial	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Data source: Report of the Attorney General of the Republic of Croatia on the work of state attorneys' offices in 2022.

* The data refer to cases under the jurisdiction of county state attorneys' offices and the Office for the Suppression of Corruption and Organized Crime

**The data refer to cases under the jurisdiction of the municipal state attorney's offices, with a note that certain severe criminal cases are also under their jurisdiction, however, statistical data are presented in total for all criminal offenses under the jurisdiction of the municipal state attorney's offices without separating them into "lighter" and "serious" crimes.

The number of agreements from municipal jurisdiction was 318 in 2022, and 242 in 2021, which represents a true increase of 31%. There is no particular reason for this increase, as it is a number that varies depending on the specifics of each reporting period (for example, it was 190 in 2018, 2019 -315, 2020 -266, 2021 -242 and 2022 -318). In fact, it is about the decisions of the court that should accept the agreement proposal submitted jointly by the state attorney's office and the defence. The State Attorney's Office strives to increase the number of agreements concluded every year in order to shorten court proceedings and relieve the work of the State Attorney's Office and the court, which is why the number of judgments based on the parties' agreement is monitored and analysed. However, the state attorney's

office tries to maintain an appropriate criminal policy and insists on compensation for damages for victims, which is why the state attorney's office's proposals for agreements are not acceptable for defence in conditions of slow trials due to the significant workload of the courts, and realistically the number of agreements is not high. For this reason, data on the number of verdicts based on agreements in the annual report of the State Attorney's Office of the Republic of Croatia are considered in relation to the total number of convictions. In 2022, agreements from municipal jurisdiction accounted for 2.19% of the total number of convictions from municipal jurisdiction, which is only a slight increase of 0.62% compared to 2021, when agreements accounted for 1.68% of the total number of convictions % which actually does not represent a significant difference and is therefore not commented on.

109. Do the figures provided in Q107 include traffic offence cases?

Yes

No

Comments The data includes cases of criminal offenses committed in traffic.

D2. Please indicate the sources for answering the questions in this part

Sources: State's Attorney Office of the Republic of Croatia

5. Career of judges and public prosecutors

5.1. Recruitment and promotion

5.1.1 Recruitment and promotion of judges

110. How are judges recruited?

through a competitive exam (open competition)

through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

other (please specify):

Comments Vacant judicial positions can be filled only in accordance with the plan for filling vacant judicial positions, which is issued by the ministry responsible for judicial affairs, and published on the State Judicial Council and ministry's websites. By the end of the calendar year at the latest, the Ministry responsible for judicial affairs shall adopt a plan for the next calendar year to fill vacant judicial positions in all courts and submit it to the President of the Supreme Court of the Republic of Croatia and the President of the State Judicial Council. The plan shall be amended if the facts based on which it was adopted change significantly in the course of the year.

110-1. Please briefly describe the recruitment procedure(s) for judges in your country:

. According to the State Judicial Council Act (Official Gazette No. 116/10, 57/11, 130/11, 13/13, 28/13, 82/15, 67/18, 126/19, 80/22) judges are appointed for the first time at municipal, commercial and administrative courts, from the ranks of candidates who have, after graduating from the Faculty of law, completed the State School for Judicial Officials In relation to candidates who are advisers in judicial bodies, the selection must be based on the assessment of work as an adviser, the final grade obtained in the State School and the points obtained during the interview with the Council, The evaluation of the work of advisers in judicial bodies for the purpose of participating in the process of appointing judges is determined by the head of the judicial body to which they are assigned on the evaluation of work, candidates can achieve a maximum of 100 points. On the basis of the assessment of the work of advisers in judicial bodies and the final grade in the State School, the Council determines the order of candidates, which is published on the Council's website. Candidates can obtain a maximum of 20 points during the interview. By adding up the number of points achieved

by the evaluation of the work of advisers in judicial bodies and the final grade at the State School, the Council determines the order of candidates, which is published on the Council's website. The Council appoints judges from a maximum of 15 candidates who have achieved the highest number of points, with the proviso that the difference between the selected candidate and the candidate with the highest number of points must not exceed 15 points. Before making a decision on the appointment, the Council refers candidates to psychological testing in order to determine their ability to perform judicial duties. For candidates with the highest number of points who pass the psychological test, the Council submits a request to the competent security-intelligence agency for the implementation of a basic security check. A candidate against whom the existence of security obstacles is determined cannot be appointed as a judge.

110-2. What are the recruitment requirements for judges (multiple replies possible)?

- Age
- Nationality
- Physical/Psychological capacity
- General studies in law
- Advanced studies in law (Master, PhD)
- Number of years of relevant experience
- Traineeship/judicial functions in courts
- Validation of a general state examination in law
- Validation of a specific examination for judges
- Clean criminal record
- Foreign languages
- Personal requirements (related to integrity)
- Other
- NAP

Comments - If "other", please specify: .

110-3. In the frame of these recruitments, please indicate the number of applicants for the position of judge and the number of recruitments actually made during the reference year:

	Total	Males	Females
Number of applicants	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
Number of recruited persons	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA

Comments

110-4. If the number of applicants decreased in the last years did you take any remedial measures?

- Yes
- No

Comments

110-5. If yes, please specify what remedies you implemented:

- Increase of salary
- Other financial incentives
- Improving working conditions
- Workload reduction at the beginning of career
- Other adjustments in the frame of the induction of new judges
- Other

Comments: If "other", please, specify:

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111. Authority(ies) responsible for recruitment - are judges initially/at the beginning of their career recruited and nominated by:

- An authority made up of judges only
- An authority made up of non-judges only
- An authority/authorities made up of judges and non-judges
- Other

Comments - Please indicate the name of the authority(ies) responsible for the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles: All judges are appointed by only one authority – the State Judicial Council, consisting of eleven members, from which seven are judges, two are members of the Parliament and two are University professors of legal sciences.

111-1. How many members compose this authority?

	Total	Males	Females
Members	11 <input type="checkbox"/> NA <input type="checkbox"/> NAP	7 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments – Please specify what is the status of this authority and who is proposing/appointing its members: According to the Constitution of the Republic of Croatia and the State Judicial Council Act, the State Judicial Council is an autonomous and independent body that ensures the autonomy and independence of the judiciary in the Republic of Croatia.

Members of the Council from the rank of judges are: two judges of the Supreme Court of the Republic of Croatia, one judge of high courts, three judges of the county court and one judge of first instance courts. Member of the Council from the ranks of judges are elected by their own peers. While being the Council members, judges' performance of judicial duty is reduced - for the President of the Council by 75% and for members by 20%. Members of the Council from the ranks of university professors of legal sciences are elected by all professors of law faculties in the Republic of Croatia, at the proposal of faculty councils which determine the list of candidates. The procedure of elections is regulated by the Rules of Procedure adopted by the deans of law faculties. Two members of the Council are appointed by the Croatian Parliament from among its members, one of whom is from the opposition.

Members of the Council from the ranks of university professors of legal sciences are elected by all professors of law faculties in the Republic of Croatia, at the proposal of faculty councils which determine the list of candidates. The procedure of elections is regulated by the Rules of Procedure adopted by the deans of law faculties.

Two members of the Council are appointed by the Croatian Parliament from among its members, one of whom is from the opposition.

111-2. May non-selected candidates appeal against the decision on recruitment/appointment?

- (X) Yes

() No

Comments – Please specify the procedure to be followed, the competent authority, the moment for exercising the right of appeal: They can lodge constitutional complaint to the Constitution Court of Republic of Croatia.

112. Is the same authority (Q111) competent for the promotion of judges?

(X) Yes

() No

Comments - No, please specify which authority is competent for promoting judges

113. What is the procedure for the promotion of judges? (multiple replies possible)

[] Competitive test / Exam

[] Previous individual evaluations

[X] Other procedure(s) (interview or other)

[] No special procedure

Comments - Please specify how the promotion procedure for judges is organised (especially if there is no competition or examination) and how the publicity of promotion processes is ensured: According to the State Judicial Council Act (Official Gazette No. 116/10, 57/11, 130/11, 13/13, 28/13, 82/15, 67/18, 126/19, 80/22) a person who has worked as a judicial official for at least 10 years can be appointed as a judge at a county court, and a person who has worked for at least 12 years as a judicial official as a judge of the High Misdemeanour Court of the Republic of Croatia, the High Commercial Court of the Republic of Croatia, the High Administrative Court of the Republic of Croatia and the High Criminal Court of the Republic of Croatia, while at the Supreme Court of the Republic of Croatia a person who has worked at least 15 years as a judicial official, has been a lawyer, notary public for that many years, professor of law who has passed the bar exam and has at least 15 years of work experience after passing the bar exam or a prominent lawyer who passed the bar exam and has a minimum of 20 years' experience with proven expertise in a particular legal area, as well as in professional and scientific papers, can be appointed as a judge. For candidates who submit an application, meet the requirements and who are judicial officials, the Council requests for the evaluation of the performance of judicial duty. Candidates who at the time of application do not hold judicial office take a written knowledge test before the Council, which consists of preparing one written action. A maximum of 150 points can be obtained by evaluating performance of duties or written knowledge test. After the evaluation or the test, the Council conducts interviews with the candidates, for which a candidate can get up to 20 points. By summing up the points achieved through the performance evaluation, i.e. the written knowledge test and the interview, the Council determines the order of candidates and publishes it on its website. The council will appoint judges from a maximum of 15 candidates who have achieved the highest number of points, with the proviso that the difference between the selected candidate and the candidate with the highest number of points must not exceed 15 points.

Chosen candidates for the Supreme Court of the Republic of Croatia undergo security clearance before appointment.. If they do not undergo or do not pass the clearance, the Council submits a request for the security clearance for the candidates who have achieved the next highest number of points.

The decision on the appointment of judges must be explained. If several candidates obtained the same number of points, and if the Council appointed a candidate as a judge who did not obtain the highest number of points, the Council shall separately explain the reasons for giving priority to the selected candidate over candidates with the same or higher number of points in the appointment decision. The decision on the appointment of judges is published in the Official Gazette "Narodne novine".

Interviews with candidates in the procedures for the appointment and transfer of judges may be recorded with audiovisual devices, and the recordings may be published on the Council's website after the decisions have been made.

113-0. In the frame of the promotion procedures, please indicate the number of applicants and the number of promotions actually made during the reference year:

	Total	Males	Females
Number of applicants	[X] NA	[X] NA	[X] NA

Number of promoted persons	[X] NA	[X] NA	[X] NA
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Comments

113-1. Please indicate the criteria used for the promotion of a judge? (multiple replies possible)

- Years of experience
- Professional skills (and/or qualitative performance)
- Performance (quantitative)
- Subjective criteria (e.g. integrity, reputation)
- Other
- No criteria

Comments - Please specify any useful comment regarding the criteria (especially if you have checked the box “performance” or “other”):
Other: see answer on question 113.

5.1.2 Status, recruitment and promotion of prosecutors

115. What is the status of public prosecution services?

- Has an independent status as a separate entity among state institutions
- Is part of the executive power but enjoys functional independence (please briefly explain how and to what extent)
- Is part of the executive power (without functional independence)
- Is part of the judicial power but enjoys functional independence (please briefly explain how and to what extent)
- Is part of the judicial power (without functional independence)
- Is a mixed model (please explain)
- Has other status (please explain)

Comments - When appropriate, please specify the objective guarantees of this independence (such as funding) and where they are enshrined (Constitution, legislation etc.). Furthermore, if “mixed model” or “other”, please specify. Both according to the Constitution of the Republic of Croatia (Official Gazette No. 85/10 and 5/14) and according to the Act on the State’s Attorney Office (Official Gazette No. 67/18, 21/22), the State Attorney Office (Public Prosecution Service) is an autonomous and independent judicial body empowered and duty-bound to instigate prosecution of perpetrators of criminal and other penal offences, to initiate legal measures to protect the property of the Republic of Croatia and to apply legal remedies to protect the Constitution and law.

115-1. Are specific instructions addressed to a public prosecutor to prosecute or not prohibited by law or other regulation?

- Yes
- No

Comments - If yes, please specify: According to the Act on the State’s Attorney Office (Official Gazette No. 67/18, 21/22) any form of influence, especially any form of coercion against state attorneys and deputy state attorneys, abuse of public authority and personal influence, and the use of the media and public appearances in criminal cases prosecuted ex officio and in cases where the state attorney or deputy state attorney performs powers and duties in the protection of the property of the Republic of Croatia is prohibited.

115-2. If they are prohibited by law or other regulation, are there exceptions?

- Yes
- No

Comments - Please describe these exceptions: According to the Act on the State's Attorney Office (Official Gazette No. 67/18, 21/22) the Chief State Attorney of the Republic of Croatia is authorized to issue a general instruction, when necessary, for the purpose of uniform application of laws and other regulations and for harmonization of the actions of state attorney's offices. Before issuing the general instruction, the Chief State Attorney of the Republic of Croatia requests the opinion of the Collegium of the State Attorney's Office of the Republic of Croatia. State Attorney's Offices are obliged to adhere to general instructions in their work. The Chief State Attorney of the Republic of Croatia issues a general instruction on agreeing with the defendant on the sentence and other measures. This general instruction regulates the manner of conducting negotiations, the form and content of the agreement and the manner of calculating the reduced legal penalty that should be applied in a specific case. General instructions may regulate cases in which State Attorneys cannot agree on rendering a judgment on the basis of an agreement between the parties.

A State Attorney is authorized to give his deputy or lower State Attorney a reasoned written obligatory instruction for making a decision in an individual case, which he submits to the immediately higher State Attorney. If the Deputy State Attorney or the lower State Attorney considers the obligatory instruction illegal, incorrect, unfounded to act in the case or inappropriate for achieving the expected legal effects and benefits of the procedure, the State Attorney may release the Deputy or lower State Attorney at his written and reasoned request from further proceedings in a case in which there is no danger of delay and to reassign the case to another Deputy or lower State Attorney. For justified reasons, and especially due to the danger of delay, obligatory instruction can be given orally and such instructions are subsequently confirmed in writing, no later than within eight days. The Deputy or lower State Attorney cannot be called to account for the expressed opinion and request.

A State Attorney is authorized to take over the proceedings in an individual case from his Deputy or from the lower State Attorney by a reasoned decision. For justified reasons, by a reasoned decision, a State Attorney may entrust the proceeding an individual case to his deputy or another lower State Attorney.

A State Attorney is authorized to give a written reasoned order to his deputy or lower state attorney to take a certain state attorney's action in an individual case. For justified reasons, and especially due to the danger of delay, this order can also be given orally and will subsequently be confirmed in writing within eight days at the latest.

115-3. Which authority can issue such specific instructions?

- General Prosecutor
- Higher prosecutor/Head of prosecution office
- Executive power
- Other

Comments - If "Other", please specify:

115-4. What form these instructions may take?

- Oral instruction
- Oral instruction with written confirmation
- Written instruction
- Other

Comments - If "Other", please specify:

115-5. In that case, are the instructions:

- Issued seeking prior advice from the competent public prosecutor
- Mandatory
- Reasoned

Recorded in the case file

Other

NAP

Comments - If "Other", please specify:

115-6. What is the frequency of this type of instructions:

Exceptional

Occasional

Frequent

Systematic

NAP

Comments

115-7. Can the public prosecutor oppose/report an instruction to an independent body?

Yes

No

NAP

Comments - If yes, please specify to which body/institution and please describe under which conditions. According to the Act on the State's Attorney Office (Official Gazette No. 67/18, 21/22) if the Deputy State Attorney or the lower State Attorney considers the obligatory instruction illegal, incorrect, unfounded to act in the case or inappropriate for achieving the expected legal effects and benefits of the procedure, the State Attorney may release the Deputy or lower State Attorney at his written and reasoned request from further proceedings in a case in which there is no danger of delay and to reassign the case to another Deputy or lower State Attorney. The Deputy or lower State Attorney cannot be called to account for the expressed opinion and request

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116. How are public prosecutors recruited?

through a competitive exam (open competition)

through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

other (please specify):

Comments

116-1. Please briefly describe the recruitment procedure(s) for prosecutors in your country:

. APPOINTMENT OF DEPUTY STATE ATTORNEYS

The appointment of deputy state attorneys is prescribed in Articles 51 to 68 of the Law on the State Attorney Council and in the Rules on the manner of conducting and evaluating interviews in the procedure for appointing deputy state attorneys (Official gazette No 39/2023), Rules on the method of conducting a test and evaluating it for the candidates for the position of Deputy Attorney General of the Republic of Croatia and Deputy County State Attorneys, who are not judicial officials (Official gazette No 39/2023), and Rules on the content and method of conducting psychological testing (Official gazette No 39/2023), which were all adopted by the Council. Deputy state attorneys are appointed in a manner, under conditions and in a procedure that ensures their expertise, independence and worthiness to perform the duties of state attorney. A Croatian citizen who has passed the bar exam and meets the special conditions prescribed by this Law can be appointed as deputy state attorney.

A person who has graduated from the State School for Judicial Officials can be appointed as deputy municipal state attorney.

A person who has held judicial office for at least ten years can be appointed as a deputy county state attorney.

A person who has held judicial office as an official in judicial bodies for at least 15 years or has been a lawyer, notary public,

university professor of legal sciences who has passed the bar exam and at least 15 years of work experience after passed the bar exam, i.e. a respected lawyer with a passed bar exam and at least 20 years of work experience who has proven his expertise in a specific legal field, as well as professional and scientific works.

When appointing deputy state attorneys, account must be taken of the representation of members of national minorities in accordance with the provisions of the constitutional law regulating the rights of national minorities.

In order to be appointed to the post of deputy state attorney in the higher state attorney's office, the deputy state attorney must be rated at least "successfully performing his duties" in the last evaluation before appointment.

The state attorney in the state attorney's office in which there is a need to appoint a deputy state attorney or the immediately senior state attorney will report this to the State Attorney General of the Republic of Croatia.

The Council publishes an advertisement on the filling of vacancies for Deputy State Attorneys by appointment on the proposal of the State Attorney General of the Republic of Croatia.

The Council makes the decision to publish an advertisement for the vacant positions of deputy state attorneys, as well as the decision to cancel the advertisement.

DEPUTY MUNICIPAL STATE ATTORNEY

Candidates who have graduated from the State School for Judicial Officials and who do not hold judicial office can be appointed as Deputy Municipal State Attorney.

In relation to the candidates who have been accepted into the civil service for an indefinite period and assigned to the position of adviser in judicial bodies, the selection must be based on the assessment of work as an adviser, the final grade they achieved in the State School and the points achieved in the interview with Council, and in relation to candidates who have not been accepted into the civil service for an indefinite period and assigned to the position of adviser in judicial bodies and who completed the State School only by passing the final exam on the number of points achieved in the final exam in the State School and the points achieved during the interview with the Council.

The evaluation of the work of advisors in judicial bodies for the purpose of participating in the procedure for appointing a deputy municipal state attorney is made by the head of the judicial body to which they are assigned at the request of the Council in accordance with the methodology for evaluating the work of state attorney advisors, i.e. the methodology for evaluating the work of court advisors, and based on the evaluation, candidates can achieve a maximum of 100 points .

Against the evaluation decision, the candidate has the right to file an appeal within eight days from the date of delivery directly to the senior state attorney or the president of the immediately higher court, who are obliged to decide on the appeal within 15 days from the day of receipt.

When candidates who have completed the State School for Judicial Officials participate in the procedure for appointing deputy municipal state attorneys, and their final grade at the State School for Judicial Officials is based on different criteria, the value of the final grade of these candidates is adjusted so that the final grade of each candidate is multiplied by a coefficient that is calculated so that the highest possible final grade according to the regulations in force at the time of application for the advertisement for the vacant position of deputy municipal state attorney is divided by the highest possible final grade that the candidate could achieve according to the current regulations at the time of his evaluation.

On the basis of the assessment of the work of advisers in judicial bodies and the final grade in the State School, i.e. the number of points on the final exam in the State School, the Council determines the order of candidates, which is published on the Council's website.

Candidates are invited to the interview before the Council according to the established order.

A candidate can obtain a maximum of 20 points during the interview, and the points are awarded immediately after the interview with each individual candidate and published on the Council's website. Candidates are asked identical or almost identical questions related to their previous work, specialization and professional training, and based on which their sense of justice, ability to perform duties appropriately, responsibly and ethically, as well as their motivation to perform duties can be determined. By adding up the number of points achieved by the evaluation of the work of advisers in judicial bodies and the final grade at the State School, i.e. the points at the final exam at the State School and at the interview, the Council determines the order of candidates, which is published on the Council's website.

The council appoints deputy municipal state attorneys from a maximum of 15 candidates who have achieved the highest number of points, with the proviso that the difference between the selected candidate and the candidate with the highest number of points must

not exceed 15 points.

Before making a decision on the appointment, the Council refers the candidates with the highest number of points according to the established order to psychological testing in order to determine their ability to hold the office of state attorney.

For candidates who pass the psychological test, the Council submits a request to the competent security-intelligence agency for the implementation of a basic security check.

The basic security check is carried out in accordance with the law regulating security checks, and based on the report on the result of the basic security check by the competent security intelligence agency, the Council makes an assessment of the existence of security obstacles. A candidate in relation to whom the existence of security obstacles is determined cannot be appointed as deputy municipal state attorney.

If the candidate refuses to give consent to conduct the basic security check, or in relation to that candidate, the existence of security obstacles is determined, the Council submits a request to the competent security-intelligence agency to conduct the basic security check of the next candidate who has achieved the highest number of points.

DEPUTY COUNTY STATE ATTORNEY

When a judicial official submits an application for an advertisement for the vacancy of a deputy county state attorney, the Council will ask the competent state attorney or the judicial council to submit an evaluation of the performance of the duties within 30 days.

Candidates for deputy county state attorneys who, at the time of application, are no longer holding judicial office take a written knowledge test before the Council, which consists of preparing one written action.

A maximum of 150 points can be obtained by evaluating performance of duties or written knowledge test.

On the basis of the total number of points determined by the evaluation of the performance of duties, i.e. by the written knowledge test, the Council determines the order of candidates, which is published on the Council's website.

Candidates are invited to the interview before the Council according to the established order. A candidate can obtain a maximum of 20 points during the interview, and the points are awarded immediately after the interview with each individual candidate and published on the Council's website.

At the interview, the candidates are asked questions related to their past work and activities, based on which it is possible to determine their sense of justice, ability to perform their duties appropriately and responsibly, and their motivation to perform their duties.

By adding up the total number of points achieved through the assessment of performance of duties, i.e. through the written knowledge test and the interview, the Council determines the order of candidates and publishes it on its website.

The council will appoint a deputy state attorney from a maximum of 15 candidates who have achieved the highest number of points, with the proviso that the difference between the selected candidate and the candidate with the highest number of points must not exceed 15 points.

Before making a decision on the appointment, the Council will submit a request to the competent security-intelligence agency for the implementation of a basic security check for the proposed candidate who does not hold the office of state attorney.

If a candidate refuses to give consent to conduct a basic security check, or in relation to that candidate, the existence of security obstacles is determined, the Council submits a request to the competent security intelligence agency to conduct a basic security check of the next candidate who has achieved the highest number of points.

Based on the report of the competent security-intelligence agency on the result of the security check, which is carried out in accordance with the law regulating security checks, the Council makes an assessment on the existence of security obstacles. A candidate in relation to whom the existence of security obstacles is determined cannot be appointed as deputy state attorney.

DEPUTY ATTORNEY GENERAL OF THE REPUBLIC OF CROATIA

When a judicial official submits an application for an advertisement for the vacant position of Deputy Attorney General of the Republic of Croatia, the Council will ask the competent state attorney or the judicial council to submit an evaluation of the performance of the duties within 30 days. A maximum of 150 points can be obtained by evaluating the performance of duties.

Candidates are invited to the interview before the Council according to the established order. During the discussion with the candidates, the council will evaluate the candidate's motivation to work in the state attorney's office, as well as the ability to communicate, resolve conflicts and make decisions. A candidate can obtain a maximum of 20 points during the interview, and the points are awarded immediately after the interview with each individual candidate and published on the Council's website.

Candidates who meet the requirements for the position of Deputy State Attorney General of the Republic of Croatia, and who are not judicial officials, take a written knowledge test before the Council, which consists of preparing one written action. A maximum of 150

points can be obtained with a written knowledge test.

On the basis of the total number of points determined by the performance evaluation, i.e. the results of the written knowledge test and the number of points obtained at the interview, the Council determines the order of candidates, which is published on the Council's website. The council will appoint deputies from a maximum of 15 candidates who have achieved the highest number of points, with the proviso that the difference between the selected candidate and the candidate with the highest number of points must not exceed 15 points.

Before making a decision on the appointment, the Council will submit a request to the competent security-intelligence agency for the implementation of a basic security check for candidates who do not hold the office of state attorney.

If the candidate refuses to consent to the basic security check, or in relation to that candidate, the existence of security obstacles is determined, the Council submits a request to the competent security intelligence agency to carry out the basic security check of the next candidate.

Based on the report of the competent security-intelligence agency on the result of the security check, which is carried out in accordance with the law regulating security checks, the Council makes an assessment on the existence of security obstacles. No candidate can be appointed as the Deputy Attorney General of the Republic of Croatia in relation to whom the existence of security obstacles is determined.

After the deadline for submitting applications for the advertisement for the vacant position of deputy state attorney has expired, the Council will request an opinion on all candidates for deputy state attorneys from the competent state attorneys and colleges. Along with the invitation to provide opinions, the Council will submit applications with evidence and data submitted by the candidates, as well as data on the candidate's work at its disposal.

Opinions about the candidates are given by:

- for the deputy municipal state attorney, county state attorney and collegium of the county state attorney, state attorney and collegium of the municipal state attorney in which the deputy's vacancy is advertised
- for the deputy county state attorney, the State Attorney General of the Republic of Croatia and the The Collegiate Body of the State Attorney Office, the state attorney and the college of the county state attorney's office in which the vacancy for a deputy is advertised
- for the Deputy Attorney General of the Republic of Croatia, the Attorney General of the Republic of Croatia and the The Collegiate Body of the Attorney General of the Republic of Croatia.

In the process of giving an opinion, the state attorney of the state attorney's office in which the vacant position of deputy is advertised will request information about the candidates:

- from the president of the court, if the candidate has already served as a judge, court advisor or trainee judge
- from other state bodies and organizations and legal entities, which can provide information relevant to meeting the general and special conditions for the appointment of a deputy state attorney.

Before issuing an opinion, the competent state attorney will invite the candidates to an interview conducted with at least two other members of the state attorney's collegium.

Opinions on candidates for the office of state attorney are drawn up in writing and contain an explanation of the fulfillment of general and special conditions for the appointment of deputy state attorney. Along with the opinion, an evaluation of the performance of the candidate's duties is submitted.

The reasoned decision of the Council on the appointment of the deputy state attorney is delivered to all candidates within 15 days from the date of adoption. If, according to the established order, several candidates obtained the same number of points, and if the Council appointed a candidate for deputy state attorney who did not obtain the highest number of points, the Council will specifically explain the reasons for giving priority to the selected candidate over candidates with the same number of points in the appointment decision. that is, a higher number of points.

The appointment decision is published in the "Official Gazette" and on the Council's website.

The deputy state attorney is obliged to take up his duties within the period determined by the Council, and no later than six months from the date of appointment.

If a constitutional lawsuit is filed with the Constitutional Court of the Republic of Croatia against the decision on the appointment of the Deputy State Attorney, the appointed Deputy State Attorney cannot take the oath or take office until the Constitutional Court of the Republic of Croatia decides on the constitutional lawsuit.

Before taking office, the Deputy State Attorney will take an oath before the President of the Council or a member of the Council

designated by him.

RULES ON THE MANNER OF CONDUCTING AND EVALUATING INTERVIEWS IN THE PROCEDURE FOR APPOINTING DEPUTY STATE ATTORNEYS

METHOD OF CONDUCTING THE INTERVIEW

The decision on the place and time of the interview is made by the State Attorneys Council.

Candidates are invited to the interview according to the order of candidates published on the Council's website, from the highest to the lowest number of points.

Candidates are invited to the interview at least three days before the day of the interview.

The interview with the candidates is conducted by a member of the Council determined by the members present by agreement or majority vote. All members of the Council can ask questions and request additions.

A structured interview of an appropriate duration is conducted with the candidates.

At the interview with the candidates for Deputy Attorney General of the Republic of Croatia, the candidates are asked questions on the basis of which their motivation to work in the State Attorney's Office can be evaluated, as well as their ability to communicate, resolve conflicts and make decisions.

At the interview with the candidates for deputy county state attorneys, the candidates are asked questions related to their previous work, on the basis of which it is possible to determine their sense of justice, the ability to perform duties appropriately, responsibly and ethically, as well as their motivation to performance of duty.

At the interview with the candidates for deputy municipal state attorneys, the candidates are asked questions related to their previous work, specialization and professional training, and on the basis of which it is possible to determine their sense of justice, the ability to perform duties appropriately, responsibly and ethically, as well as their motivation to hold office.

The course of the interview with the candidates shall be entered in the record of the Council session.

For each candidate, the name and surname of the candidate with whom the interview was conducted, the time of the interview, the name of the state attorney's office for which the candidate is competing, the candidate's questions and answers, and the number of points obtained during the interview shall be entered in the record of the Council session.

EVALUATION OF THE INTERVIEW

Candidates in the selection process and in the appointment process for Deputy State Attorney General of the Republic of Croatia are evaluated for their motivation to work in the State Attorney's Office, as well as their ability to communicate, resolve conflicts and make decisions.

Candidates in the selection process and in the appointment process for deputy county state attorney and deputy municipal state attorney are assessed for their sense of justice, ability to perform their duties appropriately, responsibly and ethically, and their motivation to perform their duties.

Immediately after the interview with the candidate, the individual evaluation of the candidate is started in such a way that each member of the Council who participated in the implementation of the interview scores each candidate separately.

The average number of points for each candidate is determined by dividing the total number of points achieved by each candidate by the number of Council members who participated in the evaluation.

Council members who conduct interviews with candidates must be present during the interview with all candidates for the same position and evaluate these candidates in accordance with the Law on the State Attorneys Council and the Rules on the manner of conducting and evaluating interviews in the procedure for appointing deputy state attorneys. If any member of the Council fails to act in that way, the Council will not take his assessment into account when making the final assessment of the interview.

APPOINTMENT OF STATE ATTORNEYS

The appointment of state attorneys is prescribed in Articles 69-76 of the Law on the State Attorney Council.

The county state attorney is appointed from the ranks of state attorneys, Deputy State Attorney General s of the Republic of Croatia, deputies in the special state attorney's office and deputy county state attorneys, who have held the office of state attorney for at least two years.

The County State Attorney is appointed by the Council for a period of four years, with the prior opinion of the The Collegiate Body of the State Attorney Office of the Republic of Croatia, on the proposal of the State Attorney General of the Republic of Croatia.

The municipal state attorney is appointed from among state attorneys and deputy state attorneys.

The municipal state attorney, with the prior opinion of the collegium of the county state attorney's office and the county state attorney,

is appointed by the Council for a period of four years, on the proposal of the State Attorney General of the Republic of Croatia. The county state attorney and the municipal state attorney may be appointed to the office of county or municipal state attorney a maximum of two times in a row.

County state attorneys and municipal state attorneys may be re-appointed to the office of county and municipal state attorneys after they have served as state attorneys in proportion to the time for which they were previously appointed state attorneys.

The time for which the state attorney is appointed begins to run on the day he takes office.

If the municipal or county state attorney is not reappointed, after the expiration of the mandate, he continues to work as a deputy state attorney in the same state attorney's office or, if it is more favorable for him, returns to the position of deputy state attorney in the state attorney's office where he held the position of state attorney before his appointment duty.

The procedure for appointing a county or municipal state attorney is initiated by the Council no later than six months before the end of the state attorney's mandate, i.e. no later than 30 days after the termination of the state attorney's duties for other reasons determined by law.

The council announces vacancies for county and municipal state attorneys.

The advertisement on vacancies from paragraph 1 of this article is published in the "Official Gazette" and on the Council's website, and if necessary in another way.

The Council will request the opinion of the College of the State Attorney of the Republic of Croatia on the candidates for the county state attorney, and on the candidates for the municipal state attorney from the collegium of the county state attorney and the county state attorney. Along with the invitation to provide an opinion, the Council will submit applications with evidence and data submitted by the candidates, an evaluation of their performance and other information about the candidates available to the Council ex officio. Before issuing an opinion, the competent state attorney will invite the candidates to an interview conducted with at least two other members of the state attorney's collegium.

Opinions on candidates are given within 15 days and submitted to the Council.

When giving an opinion, the criteria for evaluating the performance of duties, especially the ability to perform the duties of the state attorney's office, as well as the work program, will be appropriately appreciated.

After the expiration of the deadline, the Council will submit the obtained opinions to the State Attorney General of the Republic of Croatia and request his proposal on the candidate for State Attorney.

The decision on the appointment is made by the Council within 30 days of receiving the proposal of the Attorney General of the Republic of Croatia.

If no candidate responds to the advertisement, if the Attorney General of the Republic of Croatia does not make a proposal for any candidate or the Council does not appoint a state attorney among the candidates who responded to the advertisement, the procedure is repeated.

The reasoned decision of the Council on the appointment of the state attorney is delivered to all candidates within 15 days from the date of adoption.

The appointment decision is published in the "Official gazette" and on the Council's website.

The county state attorney and the municipal state attorney take an oath before the State Attorney General of the Republic of Croatia. State Attorney's Council appoints all the state attorney's and their deputies except The State Attorney General of the Republic of Croatia which is appointed for a four-year term by Croatian Parliament upon the motion of the Government of the Republic of Croatia, with a prior opinion of the Justice Committee of the Croatian Parliament, and upon the expiration of that term may be reappointed to the same office just one more time. Candidates who have graduated from the State School for Judicial Officials and who do not hold judicial office can be appointed as Deputy Municipal State Attorney. In relation to candidates who have been accepted into the civil service for an indefinite period and assigned to the post of adviser in judicial bodies, the selection must be based on the assessment of work as an adviser, the final grade obtained in the State School and the points obtained during the interview with the Council, and in relation to candidates who graduated from the State School by taking the final exam based on the number of points achieved in the final exam in the State School and the points achieved in the interview with the Council. The evaluation of the work of advisors in judicial bodies for the purpose of participating in the procedure for appointing a deputy municipal state attorney is made by the head of the judicial body to which they are assigned at the request of the Council in accordance with the methodology for evaluating the work of state attorney advisors, i.e. the methodology for evaluating the work of court advisors, and based on the evaluation, candidates can achieve a maximum of 100 points. When candidates who have completed the State School for Judicial Officials participate in the

procedure for appointing deputy municipal state attorneys, and their final grade at the State School for Judicial Officials is based on different criteria, the value of the final grade of these candidates is adjusted so that the final grade of each candidate is multiplied by a coefficient that is calculated so that the highest possible final grade according to the regulations in force at the time of application for the advertisement for the vacant position of deputy municipal state attorney is divided by the highest possible final grade that the candidate could achieve according to the current regulations at the time of his evaluation. On the basis of the assessment of the work of advisers in judicial bodies and the final grade in the State School, i.e. the number of points on the final exam in the State School, the Council determines the order of candidates, which is published on the Council's website. Candidates are invited to the interview before the Council according to the established order. A candidate can obtain a maximum of 20 points during the interview, and the points are awarded immediately after the interview with each individual candidate and published on the Council's website. By adding up the number of points achieved by the evaluation of the work of advisers in judicial bodies and the final grade at the State School, i.e. the points at the final exam at the State School and at the interview, the Council determines the order of candidates, which is published on the Council's website. The council appoints deputy municipal state attorneys from a maximum of 15 candidates who have achieved the highest number of points, with the proviso that the difference between the selected candidate and the candidate with the highest number of points must not exceed 15 points. Before making a decision on the appointment, the Council refers the candidates with the highest number of points according to the established order to psychological testing in order to determine their ability to hold the office of state attorney. For candidates who pass the psychological test, the Council submits a request to the competent security-intelligence agency for the implementation of a basic security check. . If the candidate refuses to give consent to conduct the basic security check, or in relation to that candidate, the existence of security obstacles is determined, the Council submits a request to the competent security-intelligence agency to conduct the basic security check of the candidate who achieved the next highest number of points. A candidate against whom the existence of security obstacles is determined cannot be appointed as a Deputy Municipal State Attorney.

116-2. What are the recruitment requirements for prosecutors (multiple replies possible)?

- Age
- Nationality
- Physical/Psychological capacity
- General studies in law
- Advanced studies in law (Master, PhD)
- Number of years of relevant experience
- Traineeship/judicial functions in courts
- Validation of a general state examination in law
- Validation of a specific examination for prosecutors
- Clean criminal record
- Foreign languages
- Personal requirements (related to integrity)
- Other
- NAP

Comments - If "other", please specify: citizenship; Bar Exam, graduation from the State School for Judicial Officials, not performing the duties of daputy state attorney; security check

116-3. In the frame of these recruitments, please indicate the number of applicants for the position

of prosecutor and the number of recruitments actually made during the reference year:

	Total	Males	Females
Number of applicants	97 [] NA	38 [] NA	59 [] NA
Number of recruited persons	28 [] NA	7 [] NA	21 [] NA

Comments

116-4. If the number of applicants decreased in the last years did you take any remedial measures?

() Yes

(X) No

Comments

116-5. If yes, please specify what remedies you implemented:

[] Increase of salary

[] Other financial incentives

[] Improving working conditions

[] Workload reduction at the beginning of career

[] Other adjustments in the frame of the induction of new prosecutors

[] Other

Comments: If "other", please, specify:

117. Authority(ies) responsible for recruitment - Are public prosecutors initially/at the beginning of their career recruited by:

[] An authority composed of public prosecutors only

[] An authority composed of non-public prosecutors only

[X] An authority composed of public prosecutors and non-public prosecutors

[X] Other

Comments - Please indicate the name of the authority(ies) responsible for the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles: State Attorney's Council

The council has eleven members.

The council consists of seven deputy state attorneys, two members of the Croatian Parliament, one of whom is from the opposition, and two university professors of legal sciences.

Members of the Council from the ranks of deputy state attorneys are composed of:

– three deputies of the State Attorney General of the Republic of Croatia

– two deputy county state attorneys and

– two deputy municipal state attorneys.

In the composition of the Council, proportionate territorial representation of state attorneys' offices and appropriate representation of criminal and civil-administrative departments will be ensured.

Deputy State Attorneys are appointed by only one authority – the State Attorney Council, consisting of eleven members, from which seven are Deputy State Attorneys, two are members of the Parliament and two are university professors of legal sciences.

117-1. How many members compose this authority?

	Total	Male	Female
Members	11 [] NA [] NAP	6 [] NA [] NAP	5 [] NA [] NAP

Comments – Please specify what is the status of this authority and who is proposing/appointing its members: The State Attorney's Council is an autonomous and independent body that ensures the autonomy and independence of the state attorney's office in the Republic of Croatia.

Council members are elected for a period of four years. A person can be a member of the Council maximum of two times.

The bodies for the implementation of the election of Council members from the ranks of state attorneys are the Committee for the Election of Council Members (hereinafter: the Committee), nomination committees and election committees.

The Committee has five members, two of whom are appointed from the ranks of the Deputy Attorney General of the Republic of Croatia, two from the ranks of the Deputy County State Attorneys and one from the ranks of the Deputy Municipal State Attorneys.

The commission appoints the Extended Collegium of the State Attorney's Office of the Republic of Croatia for a period of five years.

The nomination committee of the State Attorney's Office of the Republic of Croatia is the College of the State Attorney's Office of the Republic of Croatia, and the nomination committees of the county state attorney's offices are made up of all state attorneys and all deputy state attorneys appointed to state attorneys' offices in the area of individual county state attorney's offices.

Nomination committees collect candidacies for members of the Council and carry out the nomination process.

A candidate for Council member from the ranks of deputy municipal and county state attorneys can be any deputy state attorney who has held office at the level of the state attorney's office for at least five years.

A candidate for a member of the Council cannot be a deputy who has been sentenced to a valid disciplinary punishment in the last four years and the conditions for its deletion from the records have not been met.

State attorneys cannot be candidates for members of the Council.

Every candidate for a member of the Council must give written consent to the candidacy and attach a curriculum vitae.

The proposal of candidates from the ranks of deputy state attorneys must ensure the representation of candidates from the State Attorney's Office of the Republic of Croatia, county and municipal state attorneys' offices.

The right to nominate candidates for members of the Council from among the Deputy Attorney Generals of the Republic of Croatia has the right to nominate candidates of the State Attorney's Office of the Republic of Croatia, and the right to nominate candidates for members of the Council from the ranks of Deputy County State Attorneys and Deputy Municipal State Attorneys has the right to nominate candidates for Council members. candidacy committees of county state attorneys' offices.

On the basis of the proposal, the Nomination Committee of the State Attorney's Office of the Republic of Croatia and the nomination committees of the county state attorney's offices vote to determine two candidates for each member who is elected from among the Deputy Attorney General of the Republic of Croatia, from among the Deputy County State Attorneys and from the ranks of deputy municipal state attorneys.

The nomination committee of the State Attorney's Office of the Republic of Croatia and the nomination committees of the county state attorney's offices submit the proposal of candidates for members of the Council to the Commission no later than 15 days from the date of the announcement of the election.

All state attorneys and deputy state attorneys have the right to vote in elections.

All state attorneys and deputy state attorneys vote for candidates from the list for members of the Council.

The results of the elections for members of the Council are determined by the Committee.

Two members of the Council from among university professors of legal sciences, on the proposal of faculty councils, are elected by all professors of law faculties in the Republic of Croatia by secret ballot.

Two members of the Council are appointed by the Croatian Parliament from the members of the Croatian Parliament, while one member is from the opposition.

117-2. May non-selected candidates appeal against the decision on recruitment/appointment?

Yes

No

Comments – Please specify the procedure to be followed, the competent authority, the moment for exercising the right of appeal: The

reasoned decision of the Council on the appointment of the deputy state attorney is delivered to all candidates within 15 days. The decision is published in the „Official Gazette“ and on the Council's website.

There is no prescribed appeal against the decision on recruitment/appointment only the possibility of a constitutional complaint.

If a constitutional complaint is filed with the Constitutional Court of the Republic of Croatia against the decision on the appointment of the Deputy State Attorney, the appointed Deputy State Attorney cannot take the oath or take office until the Constitutional Court of the Republic of Croatia decides on the constitutional complaint

Non-selected candidates can lodge constitutional complaint to the Constitutional Court of the Republic of Croatia within 30 days of delivery of the decision.

If a constitutional complaint is filed against the decision on the appointment of a Deputy State Attorney to the Constitutional Court of the Republic of Croatia, the appointed Deputy State Attorney cannot take the oath or take office until the Constitutional Court of the Republic of Croatia decides on the constitutional complaint.

118. Is the same authority (Q.117) competent for the promotion of public prosecutors?

Yes

No, please specify which authority is competent for promoting public prosecutors

Comments

119. What is the procedure for the promotion of prosecutors? (multiple replies possible)

Competitive test / exam

Previous individual evaluations

Other procedure(s) (interview or other)

No special procedure

Comments - Please specify how the promotion procedure for prosecutors is organised (especially if there is no competition or examination) and how the publicity of promotion processes is ensured: In Croatian judicial system there is no difference between recruiting and promotion procedure – judicial officials are always appointed.

For the purposes of this questionnaire, the appointment procedure for the first time (entry into the judiciary) is described under the recruitment procedure, while the appointment to the higher level judicial body is described under the promotion procedure.

According to this methodology, the procedure described under 119 refers to promotion (appointment of municipal deputy state attorneys to posts of county deputy state attorneys or deputy state attorneys at Republic level).

119-1. In the frame of the promotion procedures, please indicate the number of applicants and the number of promotions actually made during the reference year:

	Total	Males	Females
Number of applicants	46 <input type="checkbox"/> NA	18 <input type="checkbox"/> NA	28 <input type="checkbox"/> NA
Number of promoted persons	11 <input type="checkbox"/> NA	6 <input type="checkbox"/> NA	5 <input type="checkbox"/> NA

Comments

119-2. Please indicate the criteria used for the promotion of a prosecutor:

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Subjective criteria (e.g. integrity, reputation)

Other

No criteria

Comments - Please, specify any useful comment regarding the criteria (especially if you have checked the box "performance" or "other"): As indicated in the answer on question 119.

General criteria for recruitment (for example nationality, clean criminal record) are also used.

5.1.3Mandate and retirement of judges and prosecutors

121. Are judges appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

Yes, please indicate the compulsory retirement age:70

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

121-1. Can a judge be transferred to another court without his/her consent:

For disciplinary reasons

For organisational reasons

For other reasons (please specify modalities and safeguards):

No

Comments Judges cannot be redeployed without their consent. By way of exception, a judge may be transferred to another court of the same instance, without his/her express consent, in case a court is cancelled or restructured in accordance with the law. Transfers can be permanent or for a limited period of time.

According to the State Judicial Council Act (Official Gazette No. 116/10, 57/11, 130/11, 13/13, 28/13, 82/15, 67/18, 126/19, 80/22) in cases of the abolition or reorganization of the court, the Council transfers a judge to another court of the same instance without his consent.

Reorganization is considered to be merging, annexation and separation of courts and other changes in the actual and territorial jurisdiction of courts, changes in the internal organization of the court and changes in the required number of judges in court in accordance with the decision of the Minister in charge for judicial affairs.

When making the decisions on transfer, the State Judicial Council takes into account the expressed interest of judges, their place of work, the length of the judicial office and the type of cases in which they proceed.

122. Is there a probation period for judges (e.g. before being appointed "for life")? If yes, how long is this period?

Yes, duration of the probation period (in years):

No

Comments

123. Are public prosecutors appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

Yes, please indicate the compulsory retirement age:70

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

124. Is there a probation period for public prosecutors? If yes, how long is this period?

Yes, duration of the probation period (in years):

No

Comments

125. If the mandate of judges is not for an undetermined period (see question 121), what is the length of the mandate (in years)?

[]

NA

NAP

Comments

125-1. Is it renewable?

Yes

No

NAP

Comments

126. If the mandate of public prosecutors is not for an undetermined period (see question 123), what is the length of the mandate (in years)?

[]

NA

NAP

Comments

126-1. Is it renewable?

Yes

No

NAP

Comments

E1. Please indicate the sources for answering the questions in this part

Sources: Law on the State Attorney's Council (Official Gazette No 67/2018, 126/2019, 80/2022)

Rules of Procedure of the State Attorney's Council (Official Gazette No 16/2019 i 25/2019)

Report on the work of the State Attorney's Council in 2022 (<https://dov.hr/hr/izvjesca-o-radui/izvjesce-o-radui-u-2022-godini>) DOVO

Register of the State Attorney's Council

5.2. Training

5.2.1 Training of judges

127. Types of different trainings offered to judges:

	Compulsory	Optional	No training proposed
Initial training (e.g. attend a judicial school, traineeship in a court)	(X) Yes () No	() Yes (X) No	() Yes (X) No
General in-service training	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training for management functions of the court (e.g. court president)	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for the use of computer facilities in courts	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training on ethics	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training on child-friendly justice	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training on gender equality	() Yes (X) No	(X) Yes () No	() Yes (X) No
Other in- service training	() Yes (X) No	(X) Yes () No	() Yes (X) No

Comments According to the Rule Book on the Programme and the Implementation of the Professional Training of Court Presidents and Chief Prosecutors of 3 October 2019 (Narodne novine, the Official Gazette of the Republic of Croatia, 106/2019), heads of judicial bodies shall attend basic training on court management and prosecution office management within a year of their taking the office of the head of the judicial body (Article 2).

128. Frequency of the in-service training of judges:

	Frequency of the judges training
General in-service training	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training for management functions of the court (e.g. court president)	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training for the use of computer facilities in courts	[] Regularly (for example every year) [X] Occasional (as needed) [] No training proposed

In-service training on ethics	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on child-friendly justice	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on gender equality	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
Other in- service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the continuous training of judges: Every year, by 31 October, the Programme Council of the Judicial Academy (JA) decides on the judicial training programme for the following year. Prior to that, the Judicial Academy conducts a training needs analysis (TNA) and collects the information from courts, prosecution offices, the Ministry of Justice and Administration, other state and public administration bodies, including the offices of ombudspersons in Croatia (4 of them), the academic community and NGOs. There is also a possibility for the general public to put up the ideas for the judicial training through the JA website. The TNA also includes the information about the judicial training obligations stemming from national strategies, action plans and projects, as well as from the evaluations of the trainings organised previously. Most trainings are of the duration of one day (6 teaching hours), while part of them are in the form of 1.5 to two-day trainings. Some trainings have the form of large congresses for over 100 participants. There are three (3) such events every year for the areas of criminal, civil and misdemeanour law. All the training topics are divided according to the areas of law. According to the Judicial Academy Act, 40% of all trainings are of legal nature, 30% of them cover soft skills and 30% of them are of interdisciplinary nature. Most trainings are organised in cycles, which means that for one topic 5 workshops are organised, i.e. one in the capital of Croatia (and the seat of the Judicial Academy in Zagreb) and 4 in the regional training centres of the Academy in Split, Rijeka, Osijek and Varaždin.

128-1. Do you have a minimum number of compulsory trainings per judge:

	Per judge
Initial compulsory training – minimum number of trainings	_____ Min numeric value allowed : 0 52 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Initial compulsory training – minimum number of days	_____ Min numeric value allowed : 0 50 <input type="checkbox"/> NA <input type="checkbox"/> NAP
In-service compulsory trainings – minimum number of trainings per year	_____ Min numeric value allowed : 0 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

In-service compulsory trainings – minimum number of days per year	Min numeric value allowed : 0
	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The initial judicial training provided by the Judicial Academy in Croatia is compulsory. It involves the training of judicial trainees who get the training to pass the Bar Exam and the training of future judges and prosecutors, i.e. the training of the participants of the State School for Judicial Officials which is an integral unit of the Judicial Academy. The numbers of the trainings and the training days in the initial compulsory training indicated above refer only to the training of future judges and prosecutors, i.e. the training of the participants of the State School for Judicial Officials. Namely, in 2022, there were no judicial trainees trained at the Judicial Academy. The number of judicial trainees is established every year by the Ministry of Justice and Administration based on the actual needs for trainees at courts and in prosecution offices. In addition, the numbers indicated above mean the following: There were 52 trainings organised for the participants of the State School for Judicial Officials and 50 days of training in 2022. There is no set minimum of trainings or training days per year.

Future judges and prosecutors attend the same training at the State School for Judicial Officials.

In service, i.e. continuous judicial training is not compulsory in Croatia. Judges and prosecutors have the right and the obligation to attend trainings, but there are no sanctions if they do not attend trainings.

5.2.2 Training of prosecutors

129. Types of different trainings offered to public prosecutors:

	Compulsory	Optional	No training proposed
Initial training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
General in-service training	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for specialised functions (e.g. public prosecutors specialised in organised crime)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for management functions (e.g. Head of prosecution office, manager)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for the use of computer facilities in office	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training on ethics	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training on child-friendly justice	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training on gender equality	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other in- service training	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments According to the Rule Book on the Programme and the Implementation of the Professional Training of Court Presidents and Chief Prosecutors of 3 October 2019 (Narodne novine, the Official Gazette of the Republic of Croatia, 106/2019), heads of judicial bodies shall attend basic training on court management and prosecution office management within a year of their taking the office of the head of the judicial body (Article 2).

130. Frequency of the in-service training of public prosecutors :

	Frequency of the in-service training
General in-service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for specialised functions (e.g. public prosecutor specialised in organised crime)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for management functions (e.g. Head of prosecution office, manager)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for the use of computer facilities in office	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on ethics	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on child-friendly justice	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on gender equality	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
Other in- service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors: Every year, by 31 October, the Programme Council of the Judicial Academy (JA) decides on the judicial training programme for the following year. Prior to that, the Judicial Academy conducts a training needs analysis (TNA) and collects the information from courts, prosecution offices, the Ministry of Justice and Administration, other state and public administration bodies, including the offices of ombudspersons in Croatia (4 of them), the academic community and NGOs. There is also a possibility for the general public to put up the ideas for the judicial training through the JA website. The TNA also includes the information about the judicial training obligations stemming from national strategies, action plans and projects, as well as from the evaluations of the trainings organised previously. Most trainings are of the duration of one day (6 teaching hours), while part of them are in the form of 1.5 to two-day trainings. Some trainings have the form of large congresses for over 100 participants. There are three (3) such events every year for the areas of criminal, civil and misdemeanour law. All the training topics are divided according to the areas of law. According to the Judicial Academy Act, 40% of all trainings are of legal nature, 30% of them cover soft skills and 30% of them are of interdisciplinary nature. Most trainings are organised in cycles, which means that for one topic 5 workshops are organised, i.e. one in the capital of Croatia (and the seat of the Judicial Academy in Zagreb) and 4 in the regional training centres of the Academy in Split, Rijeka, Osijek and Varaždin.

130-1. Do you have a minimum number of compulsory trainings per prosecutor:

	Per prosecutor
Initial compulsory training – minimum number of trainings	_____ Min numeric value allowed : 0 52 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Initial compulsory training – minimum number of days	_____ Min numeric value allowed : 0 50 <input type="checkbox"/> NA <input type="checkbox"/> NAP
In-service compulsory trainings – minimum number of trainings per year	_____ Min numeric value allowed : 0 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
In-service compulsory trainings – minimum number of days per year	_____ Min numeric value allowed : 0 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The initial judicial training provided by the Judicial Academy in Croatia is compulsory. It involves the training of judicial trainees who get the training to pass the Bar Exam and the training of future judges and prosecutors, i.e. the training of the participants of the State School for Judicial Officials which is an integral unit of the Judicial Academy. The numbers of the trainings and the training days in the initial compulsory training indicated above refer only to the training of future judges and prosecutors, i.e. the training of the participants of the State School for Judicial Officials. Namely, in 2022, there were no judicial trainees trained at the Judicial Academy. The number of judicial trainees is established every year by the Ministry of Justice and Administration based on the actual needs for trainees at courts and in prosecution offices. In addition, the numbers indicated above mean the following: There were 52 trainings organised for the participants of the State School for Judicial Officials and 50 days of training in 2022. There is no set minimum of trainings or training days per year.

Future judges and prosecutors attend the same training at the State School for Judicial Officials.

In service, i.e. continuous judicial training is not compulsory in Croatia. Judges and prosecutors have the right and the obligation to attend trainings, but there are no sanctions if they do not attend trainings.

5.2.3 Training institutions

131. Do you have public training institutions for judges and / or prosecutors?

	Initial training only	Continuous training only	Initial and continuous training
Institution(s) for judges	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Institution(s) for prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Institution(s) for both judges and prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments

131-0. If yes, what is the implemented budget of such institution(s)?

	Implemented budget of the institution for the reference year, in €
Institution(s) for judges	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Institution(s) for prosecutors	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Institution(s) for both judges and prosecutors	1 595 959 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The Judicial Academy of the Republic of Croatia is the only Croatian public institution which is in charge of initial and continuous judicial training. Its target groups are as follows: judicial trainees, future judges and prosecutors, judges, prosecutors, judicial advisors, clerks in the judiciary (court staff), court interpreters, expert witnesses, insolvency practitioners, and other participants in judicial proceedings.

131-1. If judges and/or prosecutors have no compulsory initial training in such institutions, please indicate briefly how judges and/or prosecutors are trained?

. N/A

5.2.4 Number of trainings

131-2. Number of in-service trainings available and delivered (in days) by the public institution(s) responsible for training.

	Number of different live (in person, hybrid, videoconference) trainings available	Number of live (in person, hybrid, videoconference) trainings delivered	Number of days of delivered live (in person, hybrid, videoconference) trainings	Number of internet-based trainings available on the e-learning platform of the training institution (not live)
Total	215 <input type="checkbox"/> NA <input type="checkbox"/> NAP	215 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	132 <input type="checkbox"/> NA <input type="checkbox"/> NAP
For judges	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
For prosecutors	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
For non-judge staff	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
For non-prosecutor staff	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments In its statistical data, the Judicial Academy counts only the trainings delivered. That is why the numbers of the trainings

available and the trainings delivered are the same. For the time being, the Judicial Academy has no capacity to provide proper hybrid trainings, so that the trainings are either live (with possible video interventions if necessary) or online. Most trainings are delivered for mixed groups of participants, which is why the precise and accurate data on the numbers classified according to the table above are not available for 2022.

In percentages, the data are as follows:

- 40% of participants were judges;
- 20% of participants were prosecutors;
- 19% of participants were clerks at courts and prosecution offices (i.e. non-judge and non-prosecutor staff);
- 15% of participants were judicial advisors (also non-judge and non-prosecutor staff);
- 1% of participants were future judges and prosecutors (i.e. attendants of the State School for Judicial Officials);
- 1% of participants were judicial trainees;
- 3% of participants were insolvency practitioners;
- 1% of participants were participants not falling under any of the categories above

131-3. Number of participants in the trainings during the reference year.

	Number of participants in live (in-person, hybrid, videoconference) trainings	Number of participants in internet-based trainings provided on the e-learning platform of the training institution (not live)
Total	3 178 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 064 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Judges	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Prosecutors	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Non-judge staff	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Non-prosecutor staff	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

E2. Please indicate the sources for answering the questions in this part

Sources: 2022 Annual Report of the Judicial Academy;
 -Relevant bylaws;
 -Internal documentation of the Judicial Academy.

5.3.Practice of the profession

5.3.1Salaries and benefits of judges and prosecutors

132. Salaries of judges and public prosecutors on 31 December of the reference year:

	Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency
First instance professional judge at the beginning of his/her career	27 754 [] NA [] NAP	19 383 [] NA [] NAP	209 099 [] NA [] NAP	146 031 [] NA [] NAP
Judge of the Supreme Court or the Highest Appellate Court (please indicate the highest salary of a judge at this level, excluding the salary of the Court President)	57 558 [] NA [] NAP	36 683 [] NA [] NAP	433 642 [] NA [] NAP	276 370 [] NA [] NAP
Public prosecutor at the beginning of his/her career	27 754 [] NA [] NAP	19 983 [] NA [] NAP	209 099 [] NA [] NAP	146 031 [] NA [] NAP
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the highest salary of a public prosecutor at this level, excluding the salary of the Attorney General).	57 558 [] NA [] NAP	36 683 [] NA [] NAP	433 642 [] NA [] NAP	276 370 [] NA [] NAP

Comment – Please describe briefly how the salaries are determined during the career of a judge/prosecutor:

133. Do judges and public prosecutors have additional benefits?

	Judges	Public prosecutors
Reduced taxation	() Yes (X) No	() Yes (X) No
Special pension	() Yes (X) No	() Yes (X) No
Housing	() Yes (X) No	() Yes (X) No
Other financial benefit	(X) Yes () No	(X) Yes () No

Comments

134. If “other financial benefit”, please specify:

. According to article 87 of the Act on Courts (OG 87/13) and article 123 of the State Attorneys Act (OG 76/09, 153/09, 116/10, 145/10, 57/11, 130/11, 72/13, 148/13), judges and State attorneys are entitled to: a salary; a compensation instead of a salary when they are not able to perform their duties; a pension, disability and health insurance, with all rights pertaining thereto in accordance with special regulations; vacations and holidays pertaining to court employees and servants and employees in the State Attorney’s Office and an annual vacation of 30 working days; right to material expenses under the conditions determined by law and other regulations; separation allowance, as well as reimbursement of travel expenses to a family place of residence during weekly breaks or public holidays, when the judge or the State attorney or Deputy State attorney is temporarily seconded to work in another court or State Attorney’s Office or assigned to work in the ministry competent for judicial matters, or performs the duties of Deputy attorney General; the reimbursement of travel expenses to and from work, if the judge or the prosecutor does not reside in the place where the seat of the court or the State Attorney’s Office is located; compensation for business travel and expenses related to the performance of

professional duties; professional training and specialization within the framework of resources provided for that purpose. Additionally, judges are granted a bonus to the salary when they have been transferred to work at some other court.

[] NAP

135. Can judges combine their work with any of the following functions/activities?

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	(X) Yes () No	(X) Yes () No
Consultant	() Yes (X) No	() Yes (X) No
Cultural function	(X) Yes () No	(X) Yes () No
Political function	() Yes (X) No	() Yes (X) No
Mediator	(X) Yes () No	(X) Yes () No
Other function	(X) Yes () No	(X) Yes () No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify. By the provisions of the Courts Act (Official Gazette No. 28/13, 33/15, 82/15, 67/18, 126/19, 130/20, 21/22, 60/22) a judge can be appointed a state official in the Ministry in charge for Justice or elected a judge of the Constitutional Court of the Republic of Croatia, assigned to other tasks in the Ministry in charge for Justice, the Judicial Academy and the State Judicial Council for a period of up to four years, appointed as a judge of an international court or take another position in international courts, international missions or international organizations, institutions, agencies, bodies, offices, missions and projects or participate in exchange programs. A judge can participate in all forms of education and professional development, can write professional and scientific papers, publish the content of final court decisions, participate as a lecturer at the Judicial Academy and as a teacher or teaching associate in the field of law at university and professional studies, participate in professional or scientific meetings and commissions and in the preparation of draft regulations and to receive compensation for the said work. Apart from the activities that are forbidden by the Act (political activities, performing the service of a lawyer or notary public, the duties of a member of the administrative or supervisory board of a company or another legal entity), the State Judicial Council gives approval to perform any other particular service or job at the request of a judge.

137. Can public prosecutors combine their work with any of the following functions/activities?

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No

Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	(X) Yes () No	(X) Yes () No
Consultant	() Yes (X) No	() Yes (X) No
Cultural function	(X) Yes () No	(X) Yes () No
Political function	() Yes (X) No	() Yes (X) No
Mediator	(X) Yes () No	(X) Yes () No
Other function	(X) Yes () No	(X) Yes () No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify: The scope of the State Attorney's council includes giving permission to perform another service or job in addition to performing the duties of a state attorney and deputy state attorney.

Article 101 of the State Attorney's Act proscribes that the state attorney and deputy state attorney may write professional or scientific papers, participate as lecturers at the Judicial Academy and as teachers or associates in classes in the field of law at university or professional studies, participate in the work of professional or scientific meetings, write drafts of regulations or participate in other similar activities and receive compensation for the said work. If the state attorney and deputy state attorney participate in educational programs within the state attorney's office, they do not have the right to receive compensation for the said work.

Article 102 of the State Attorney Act proscribes that the state attorney is obliged to report in writing to the immediately senior state attorney, and the deputy state attorney to his state attorney, about every job they perform, except for the jobs previously listed .Approval for the performance of a specific service or job is granted by the State Attorney Council at the request of the state attorney or deputy state attorney

By the provisions of the State Attorney Office Act (Official Gazette No. 67/18, 21/22) a State Attorney Official can be appointed a state official in the Ministry in charge for Justice or elected a judge of the Constitutional Court of the Republic of Croatia, assigned to other tasks in the Ministry in charge for Justice, the Judicial Academy and the State Attorney Council for a period of up to four years, appointed as an official in an international judicial bodies or take another position in international judicial bodies, international missions or international organizations, institutions, agencies, bodies, offices, missions and projects or participate in exchange programs. A State Attorney Official can participate in all forms of education and professional development, can write professional and scientific papers, participate as a lecturer at the Judicial Academy and as a teacher or teaching associate in the field of law at university and professional studies, participate in professional or scientific meetings and commissions and in the preparation of draft regulations and to receive compensation for the said work. Apart form the activities that are forrbiden by the Act (political activities, performing the service of a judge, lawyer or notary public, the duties of a member of the administrative or supervisory board of a company or another legal entity), the State Attorney Council gives approval to perform any other particular service or job at the request of a State Attorney Official.

139. Productivity bonuses: do judges receive bonuses based on the fulfilment of quantitative objectives in relation to the number of resolved cases (e.g. number of cases resolved over a given period of time)?

() Yes

(X) No

Comments - If yes, please specify the conditions and if possible the amounts:

5.3.2 Body/institution of ethics

138. Is there in your country an institution / body giving guidelines and/or opinions on ethical

questions of the conduct of judges (e.g. involvement in political life, use of social media by judges, etc.)?

Yes

No

Comment - Please specify: The Courts Act (Official Gazette No. 28/13, 33/15, 82/15, 67/18, 126/19, 130/20, 21/22, 60/22) prescribe that the Ethical Committee issues guidelines for the interpretation of the Code of Ethics for judges and gives opinions and recommendations on the compliance of judges' conduct with the Code, as well as that competent Judicial Councils decide on violations of the Code and that the Ethical Council decides on complaints on Judicial Councils' decisions.

138-1. If yes, who are the members of this institution/body?

Only judges

Judges and other legal professionals

Other, please specify:

Comments The Ethical Committee is a body whose members are presidents of all judicial councils in the Republic of Croatia. Judicial Council's members are elected judges. The Ethical Council has five members -four members are elected by the members of the Committee from among themselves, and the President of the Ethical Council is the President of the Judicial Council of the Supreme Court of the Republic of Croatia.

138-2. Are the guidelines and/or opinions of this institution / body publicly available?

Yes

No

Comments - Please describe the work of this institution / body, the frequency of the guidelines and/or opinions, etc.: According to the Code of Judges' Ethics everyone has the right to indicate the conduct of a judge contrary to the provisions of this Code. The president of the competent Judicial Council presents the complaint to the Judicial Council and asks the judge to give his statement on the complaint. If the Judicial Council determines that the complaint is founded, it issues a decision declaring a violation of the Code. The judge and the complainant have the right to object against the decisions of the Judicial Council on the violation of the Code within eight days from the day of delivery of the decision. The Ethical Council decides on the objection. Final decisions deciding on the violation of the Code and the guidelines, opinions and recommendations of the Committee are published on the website of the Supreme Court of the Republic of Croatia in accordance with the regulations on personal data protection.

138-2-1. How many guidelines and/or opinions were given during the reference year?

[]

NA

Comments – Please specify what were the topics addressed in these guidelines and/or opinions

138-3. Is there in your country an institution / body giving guidelines and/or opinions on ethical questions of the conduct of prosecutors (e.g. involvement in political life, use of social media by prosecutors, etc.)

Yes

No

Comment: Please specify According to the State Attorney Office Act (Official Gazette No. 67/18, 21/22) the Ethical Committee is an independent body in the State Attorney's Office that issues guidelines for the interpretation of basic ethical and deontological principles from the Code and provides opinions and recommendations on compliance of certain behaviors of State Attorneys and Deputy State Attorneys with the Code and on conflicts of interest.

138-4. If yes, who are the members of this institution/body?

- Only prosecutors
- Prosecutors and other legal professionals
- Other, please specify:

Comments According to the State Attorney Office Act (Official Gazette 67/18, 21/22) the Ethical Committee has seven members, two of which are Deputy State Attorneys of the Republic of Croatia, two are Deputy County State Attorneys, two are Deputy Municipal State Attorneys and one is Deputy State Attorney in the Special State Attorney's Office.

A member of the State Attorney's Council cannot be elected as a member of the Committee. The members of the Committee are be elected by the Broadened Collegium of the State Attorney's Office of the Republic of Croatia on the proposals from Collegiums of State Attorneys, in such a way that the Collegium of each County and Municipal State Attorney's Office proposes one candidate from its members, Collegium of specialized State Attorney's Office proposes two candidates from their members and the Collegium of the State Attorney's Office of the Republic of Croatia proposes three candidates.

138-5. Are the guidelines and/or opinions of this institution / body publicly available?

- Yes
- No

Comments - Please describe the work of this institution / body, the frequency of opinions, etc. According to the State Attorney Office Act (Official Gazette 67/18, 21/22) the Ethical Committee gives an opinion on the compliance of certain conduct with the Code at the request of the State Attorney or the Deputy State Attorney. The Committee gives opinions and recommendations regarding written petitions or complaints on the conduct of the State Attorney or Deputy State Attorney that their submitters consider contrary to the Code of Ethics and on its own initiative. The State Attorney and the Deputy State Attorney whose conduct the petition or complaint relates to are allowed to comment the petition claims within eight days. The Committee informs the State Attorney or Deputy State Attorney to whom the petition or complaint relates, as well as the petitioner of its decision. If the Committee assesses the petition or complaint as founded, it submits its decision with an opinion and recommendation to the State Attorney's Office in which the State Attorney or Deputy State Attorney performs his duty, to the higher State Attorney's Office and the State Attorney's Office of the Republic of Croatia and publishes the decision on the website of the State Attorney's Office of the Republic of Croatia. A behaviour or a conduct contrary to the basic principles of the Code of Ethics of State Attorneys and Deputy State Attorneys which damages the reputation of the State Attorney's Office or the State Attorney duty is a disciplinary offence by the State Attorney Council Act (Official Gazette 67/18, 126/19, 80/22).

138-5-1. How many guidelines and/or opinions were given during the reference year?

- []
- NA

Comments – Please specify what were the topics addressed in these guidelines and/or opinions

5.4.Disciplinary procedures

5.4.1 Authorities responsible for disciplinary procedures and sanctions

140. Who is authorised to initiate disciplinary proceedings against judges (multiple replies possible)?

- Court users
- Relevant Court or hierarchical superior
- High Court / Supreme Court
- High Judicial Council
- Disciplinary court

- Disciplinary body
- Ombudsman
- Parliament
- Executive power (please specify):the Minister competent for judicial affairs
- Other (please specify):relevant judicial council
- This is not possible

Comments If there are grounds for suspicion that a judge has committed a disciplinary offence, the president of the court, or the person authorized to perform court administration tasks at the court in which the judge performs his or her judicial office, shall instigate disciplinary proceedings against the judge in question. The disciplinary proceedings can also be instigated by the minister responsible for justice, president of the immediately higher court, president of the Supreme Court of the Republic of Croatia, or the council of judges. According to the State Judicial Council Act (Official Gazette 116/10, 57/11, 130/11, 13/13, 28/13, 82/15, 67/18, 126/19, 80/22) if there is a grounded suspicion that a judge has committed a disciplinary offense, the president of the court or a person authorized to perform judicial administration in the court in which the judge holds his judicial office must initiate disciplinary proceedings against that judge. Disciplinary proceedings may also be initiated by the Minister competent for judicial affairs, the President of the immediate higher court, the President of the Supreme Court of the Republic of Croatia and the competent judicial council.

141. Who is authorised to initiate disciplinary proceedings against public prosecutors: (multiple replies possible):

- Citizens
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (High Judicial Council)
- Disciplinary court
- Disciplinary body
- Ombudsman
- Professional body
- Executive power (please specify):the Minister competent for judicial affairs
- Other (please specify):
- This is not possible

Comments If there is a well-founded suspicion that the deputy state attorney has committed a disciplinary offense, the state attorney in the state attorney's office where the deputy state attorney performs state attorney duties is obliged to submit a request for initiation of disciplinary proceedings against him.

A request to initiate proceedings due to the commission of a disciplinary offense may also be submitted by the immediately senior state attorney, the State Attorney General of the Republic of Croatia or the minister responsible for judicial affairs. According to the State Attorney Council Act (Official Gazette 67/18, 126/19, 80/22) if there is a grounded suspicion that a Deputy State Attorney has committed a disciplinary offense, the State Attorney in the State Attorney's Office in which the Deputy State Attorney performs his State Attorney's duty is obliged to file a request against him for initiating disciplinary proceedings. A request for initiating proceedings for the commission of a disciplinary offense may also be submitted by the immediately higher State Attorney, the Chief State Attorney of the Republic of Croatia or the minister competent for judicial affairs.

142. Which authority has disciplinary power over judges (multiple replies possible)?

- Court
- Higher Court / Supreme Court

- High Judicial Council
- Disciplinary court or body
- Ombudsman
- Parliament
- Executive power (please specify):
- Other (please specify):

Comments

143. Which authority has disciplinary power over public prosecutors (multiple replies possible)?

- Supreme Court
- Head of the organisational unit or hierarchical superior
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (High Judicial Council)
- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):

Comments

5.4.2 Number of disciplinary procedures and sanctions

144. Number of disciplinary proceedings initiated during the reference year against judges and public prosecutors. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Judges	Prosecutors
Total number (1+2+3+4)	22 [] NA [] NAP	1 [] NA [] NAP
1. Breach of professional ethics	0 [] NA [] NAP	0 [] NA [] NAP
2. Professional inadequacy	17 [] NA [] NAP	1 [] NA [] NAP
3. Criminal offence	0 [] NA [] NAP	0 [] NA [] NAP
4. Other	5 [] NA [] NAP	0 [] NA [] NAP

Comments - If “other”, please specify: In 2022, 22 disciplinary proceedings were initiated against judges: 17 because of the careless performance of judicial office, 2 because of the careless performance of judicial office and causing disruptions in the work of a court

which have a significant impact on the judicial power, 1 because of the the untruthful presentation of data in the declaration of assets, 1 because of failure to act on a given decision in the proceedings for the right to a trial within a reasonable time, 1 because of the careless performance of judicial office, damaging the reputation of the court or of judicial office in any other way and damaging of the reputation of the court or of judicial office in any other way.

In 2022 1 proceeding were initiated against one Prosecutor: Unjustified non-performance or irregular performance of state attorney's duties

145. Number of sanctions pronounced during the reference year against judges and public prosecutors:

	Judges	Prosecutors
Total number (total 1 to 10)	16 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Fine	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Temporary reduction of salary	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
6. Position downgrade	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
7. Transfer to another geographical (court) location	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
8. Resignation	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
9. Other	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
10. Dismissal	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If “other”, please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons. In 2022.,16 sanctions were pronounced (9 reprimands, 2 fines, 4 removal from office and 1 conditional removal from office), in 4 cases the disciplinary procedures were suspended and in 5 cases the judges were acquitted. Decisions were also made in two cases from 2021.

E3. Please indicate the sources for answering the questions in this part

Sources: Law on the State Attorney's Council (Officiale Gazette No 67/2018, 126/2019, 80/2022)

6.Lawyers

6.1.Profession of lawyer

6.1.1Status of the profession of lawyers

146. Total number of lawyers practising in your country:

	Total	Males	Females
Number of lawyers	4 979 <input type="checkbox"/> NA	2 766 <input type="checkbox"/> NA	2 213 <input type="checkbox"/> NA

Comments

147. Does this figure include “legal advisors” who cannot represent their clients in court (for example, some solicitors or in-house counsellors)?

Yes ()

No (X)

Comments

148. Number of legal advisors who cannot represent their clients in court:

[]

NA

NAP

Comments

=

149. Is legal representation in courts exclusively exercised by lawyers in: (multiple replies possible)

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	() Yes always () Yes in some cases (X) No <input type="checkbox"/> NAP	() Yes always () Yes in some cases (X) No <input type="checkbox"/> NAP	(X) Yes always () Yes in some cases () No <input type="checkbox"/> NAP

Dismissal cases	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP
Criminal cases – Defendant	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP
Criminal cases – Victim	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP
Administrative cases	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments - Please indicate any useful clarifications regarding the content of lawyers' exclusive rights: According to the provisions of the Criminal Procedure Act, the defendant may have a defense attorney before the beginning and during the entire criminal proceedings and proceedings on extraordinary legal remedies in accordance with the law, as well as in the process of execution of punishment, warning measures or security measures in accordance with special regulations. Only a lawyer can be taken as a defense attorney, and a lawyer trainee who has passed the bar exam can replace the lawyer in proceedings before the municipal court for criminal offenses for which a fine or a prison sentence of up to five years is prescribed. Before the county court, the defender can only be a lawyer. In proceedings for a criminal offense for which a long-term prison sentence is prescribed, the defender ex officio or at the expense of budget funds can only be a lawyer who has at least eight years of practice as a lawyer or as an official in a judicial body.

The defense attorney is authorized to take all the actions that the defendant himself can take on behalf of the defendant

The Civil procedure Act ("Official Gazette", No 53/91, 91/92, 112/99, 88/01, 117/03, 88/05, 2/07, 84/08, 96/08, 123/08, 57/11, 148/11, 25/13, 89/14, 70/19, 80/22, 114/22) regulates that a party may file a motion for permission to review and review through a representative who is a lawyer. A party may submit a proposal for permission to review and audit by himself if he has passed the bar exam, or for him, a proposal for permission to review and revision may be submitted as a proxy by a person who is authorized to represent him according to the provisions of this or any other law in that capacity even though he is not a lawyer - if he has passed the bar exam.

149-0. If other than lawyers may represent a client in court, please specify who:

	First instance	Second instance	Highest instance court (Supreme Court)
Civil society organisation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Family member	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Self-representation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Trade union	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - If "other", please specify. In addition, for the categories selected please specify the types of cases concerned by this/these representation(s): A FAMILY MEMBER OR A TRADE UNION MAY REPRESENTED A CLIENT IN HIGEST INSTANCE COURTS IF THEY PASSED THE BAR EXAM. THE SAME APPLIES TO SELF REPRESENTATION

149-1. In addition to the functions of legal representation and legal advice, can a lawyer exercise

other activities?

- Notarial activity
- Arbitration / mediation
- Proxy / representation
- Property manager
- Real estate agent
- Other (please specify):

Comments

149-2. Professional lawyers may have the status of:

- Self-employed lawyer
- Staff lawyer
- In-house lawyer

Comments

150. Is the lawyer profession organised through:

- a national bar association
- a regional bar association
- a local bar association

Comments

151. Is there a specific initial training and/or exam to enter the profession of lawyer?

- Yes
- No

Comments - Please indicate if there are other specific requirements as regards diplomas or university degrees:

152. Is there a mandatory general in-service professional training system for lawyers?

- Yes
- No

Comments

153. Is the specialisation in some legal fields linked to specific training, levels of qualification, specific diploma or specific authorisations?

- Yes
- No

Comments - If yes, please specify:

F1. Please indicate the sources for answering the questions in this part

Sources: Legal Profession's Act, Civil Procedure Act, Criminal Procedure Act, Administrative Disputes Act

6.1.2 Practicing the profession of lawyer

154. Can court users establish easily what the lawyers' fees will be (i.e. a prior information on the foreseeable amount of fees)?

Yes

No

Comments

155. Are lawyers' fees freely negotiated?

Yes

No

Comments

156. Do laws or bar standards provide any rules on lawyers' fees (including those freely negotiated)?

Yes, laws provide rules

Yes, standards of the bar association provide rules

No, neither laws nor bar association standards provide rules

Comments

6.1.3 Quality standards and disciplinary procedures for lawyers

157. Have quality standards been determined for lawyers?

Yes

No

Comments - If yes, what are the quality criteria used?

158. If yes, who is responsible for formulating these quality standards:

the bar association

the Parliament

other (please specify):

Comments

159. Is it possible to file a complaint about:

the performance of lawyers

the amount of fees

Comments - Please specify:

160. Which authority is responsible for disciplinary procedures?

a judge

Ministry of Justice

a professional authority

other (please specify):

Comments Pursuant to article 78 of the Legal Profession Act, all second-instance decision of convictions by disciplinary organs of the Croatian bar association shall be appealable to the Supreme Court of the Republic of Croatia

161. Disciplinary proceedings initiated against lawyers. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings
Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	324 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	319 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify:

162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	70 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	19 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Fine	42 <input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons.

7. Court related mediation and other alternative Dispute Resolution

7.1. Court related mediation

7.1.1 Details on court related mediation

163. Does the judicial system provide for court-related mediation procedures?

Yes

No

Comments

163-1. In some fields, does the judicial system provide for mandatory mediation with a mediator?

Before/instead of going to court

Ordered by the court, the judge, the public prosecutor or a public authority in the course of a judicial proceeding

No mandatory mediation

Comments - If there is mandatory mediation, please specify which fields are concerned:

163-2. In some fields, does the legal system provide for mandatory informative sessions with a mediator?

Yes

No

Comments - If there are mandatory informative sessions, please specify which fields are concerned: The Law on Peaceful Dispute Resolution ("Official Gazette", No 67/23) prescribes that before starting a civil procedure for compensation of damages, apart from the procedure for compensation of damages from the employment relationship, the parties are obliged to try the dispute through peaceful means. If the court determines in a civil proceeding that the parties did not try to settle the dispute peacefully before the initiation of that proceeding, and that there is no justified reason for this, upon receipt of the response to the lawsuit, the parties will be instructed to participate in an informational meeting about the mediation within 15 days. If the parties are sent to an informational meeting on mediation, they must attend the informational meeting on mediation and, in the presence of the mediator, inform the opposing party of their requests and objections and the facts on which they are based, and the mediator will explain to the parties the advantages of resolving the dispute through mediation and will help the parties to determine disputed and undisputed issues.

The Civil procedure Act ("Official Gazette", No 53/91, 91/92, 112/99, 88/01, 117/03, 88/05, 2/07, 84/08, 96/08, 123/08, 57/11, 148/11, 25/13, 89/14, 70/19, 80/22, 114/22) prescribes if both parties are joint stock companies or legal entities whose majority member is the Republic of Croatia or a unit of local and regional (regional) self-government, the court, upon receiving the response to the lawsuit, will instruct the parties to initiate mediation within eight days. A party that has been instructed to start a mediation and does not attend a meeting to attempt mediation loses the right to request compensation for further costs of the procedure before the court of first instance.

164. Please specify, by type of cases, who provides court-related mediation services:

	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
Civil and commercial cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Family cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Administrative cases	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Labour cases including employment dismissals	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP
Criminal cases	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP
Consumer cases	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP

Comments According to the provisions of the Criminal Procedure Act, in cases of criminal offenses for which criminal proceedings are initiated ex officio, the state attorney has the power and duty to negotiate with the defendant about the admission of guilt and punishment and other measures. During the procedure, the parties can negotiate the terms of admitting guilt and agreeing on punishment and other measures. If before the beginning of the session or during the session of the indictment panel, the state attorney and the defendant and the defense attorney signed a statement for the verdict based on the agreement of the parties, they submit the statement to the panel immediately after the opening of the session. The statement contains: a description of the criminal offense that is the subject of the accusation, the defendant's statement on the admission of guilt for that criminal offense, an agreement on the type and extent of punishment, court warning, suspended sentence, partial suspended sentence, special obligations, protective supervision, confiscation of the case and the costs of the procedure , the defendant's statement on the submitted property law claim, the defendant's statement on accepting the state attorney's proposal for the imposition of a security measure and confiscation of the property benefit realized by the criminal offense. The Council will not accept a statement for rendering a judgment based on the agreement of the parties if, given the circumstances, its acceptance is not in accordance with the sentencing prescribed by law or the agreement is otherwise illegal. The Council, with a decision against which an appeal is not allowed, rejects the statement for rendering a verdict based on the agreement of the parties.

According to the provisions of the Law on Criminal Procedure, in private lawsuit proceedings, if peace councils operate in the area of the court and both parties reside in that area, the court can refer the parties to those councils for an attempt at reconciliation. In that case, the court will set a deadline in which reconciliation will be attempted and will stop the procedure, and after the expiration of that deadline or if the conciliation fails, the procedure will continue.

165. Is there a possibility to receive legal aid for court-related mediation or receive these services free of charge?

(X) Yes

() No

[] NAP

Comments - If yes, please specify: According to the provisions of the Criminal Procedure Act, during negotiations on the terms of admission of guilt, agreement on punishment and other measures, and signing of the statement for passing judgment based on the agreement, the defendant must have a defense attorney (mandatory defense). In the case of mandatory defense, the defendant will be assigned an ex officio defense attorney, if he does not have an elected defense attorney or was previously appointed a defense attorney at the expense of budget funds or was left without a defense attorney during the proceedings, and does not hire another defense attorney himself.

Court-related mediation is free of charge.

Laid may be granted in the peaceful resolution of the dispute in a court (Article 12. of the Law on Legal Aid [Official Gazette", No. 143/13 and 98/19.]).

=

166. Number of accredited or registered mediators for court-related mediation:

	Total	Males	Females
Number of mediators	824 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments Judges mediators are determined by the Annual Work Schedule.

166-1. Could you please describe what are the requirements and what is the procedure to become an accredited or registered mediator in your country (educational requirements, working experiences, accrediting procedure etc.)?

. After training in an institution for mediation, the mediator obtains a certificate of completed mediator training. A mediator must be registered in the Register of Mediators to acquire the status of a mediator. There is no restriction in relation to the profession the mediator is engaged in. The Register of mediators is maintained by the Center for Peaceful Dispute Resolution.

167. Number of court-related mediations:

	Number of cases for which the parties agreed to start mediation	Number of finished court-related mediations	Number of cases in which there is a settlement agreement
Total (1 + 2 + 3 + 4 + 5 + 6 + 7)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Civil and commercial cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Family cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Administrative cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
4. Labour cases including employment dismissal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
5. Criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
6. Consumer cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
7. Other cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - Please indicate the source:

=



168. Do the following alternative dispute resolution (ADR) methods exist in your country?

- Mediation other than court-related mediation
- Arbitration
- Conciliation (if different from mediation)
- Other ADR (please specify): Structured negotiations

Comments The Law on Peaceful Dispute Resolution (“Official Gazette”, No 67/23) prescribes structured negotiations as legally prescribed or agreed procedures for the peaceful resolution of a dispute in which the parties directly seek to resolve their dispute through settlement.

G1. Please indicate the sources for answering the questions in this part

Source: The Law on Peaceful Dispute Resolution (“Official Gazette”, No 67/23), The Civil procedure Act (“Official Gazette”, No 53/91, 91/92, 112/99, 88/01, 117/03, 88/05, 2/07, 84/08, 96/08, 123/08, 57/11, 148/11, 25/13, 89/14, 70/19, 80/22, 114/22)

8. Enforcement of court decisions

8.1. Execution of decisions in civil matters

8.1.1 Number of enforcement agents, status and mandate

169. Number and type of enforcement agents in your country.

	Total	Male	Female
Total (1+2+3+4)	87 <input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
1. Private professionals under the authority (control) of public authorities	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Enforcement agents working in a public institution (civil servants paid by state)	87 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Judges	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Other	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If other, please specify their status and competences:

170. What are the requirements to access the profession of enforcement agent (multiple replies possible)?

- diploma
- professional experience

specific exam

appointment procedure by the State

initial training

other

Comments - If "other", please specify:

171. Are enforcement agents appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

Yes, please indicate the age of retirement: 65

No, please specify the duration of the appointment:

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

8.1.2 Activities/scope of competence

171-1. Which debtor's information can the enforcement agent access at the beginning of the enforcement procedure?

	Access to information	Direct electronic access to information
Address	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Date of birth	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Civil status	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Cohabitant	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Employer	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Motor vehicle	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Movable property	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Immovable property	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Bank account	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other enforcement proceedings underway	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Insolvency proceedings (bankruptcy, judicial reorganisation, collective debt settlement etc.)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - If "other", please specify:

171-2. Can the enforcement agent carry out the following civil enforcement proceedings:

	Option
Seizure of movable tangible properties	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Preventive seizure of movable tangible properties	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of immovable properties	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Preventive seizure of immovable properties	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Seizure from a third party of the debtor claims regarding a sum of money	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of remunerations	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of motorised vehicles	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP

Eviction measures	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizures of boats and ships	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of aircrafts	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of electronic assets (e.g cryptocurrency)	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Enforced sale by public tender of seized properties	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Sale of shares	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments

171-3. Apart from the enforcement of court decisions, what are the other activities that can be carried out by enforcement agents?

- Service of judicial and extrajudicial documents
- Debt recovery
- Voluntary or public auctions of moveable or immoveable property

- Custody of goods
- Recording and reporting of evidence
- Court hearings service
- Provision of legal advice
- Bankruptcy procedures
- Performing tasks assigned by judges
- Representing parties in courts
- Drawing up private deeds and documents
- Building manager
- Other

Comments

8.1.3 Training and ICT

172-1. Is there a system of mandatory general continuous training for enforcement agents?

- Yes
- No

Comments

172-2. Do you have an e-learning training system established for enforcement agents?

- Yes
- No

Comments - If yes, please specify:

172-3. Does the content of the continuous training system also include ICT (related to enforcement procedures)?

- Yes
- No

Comments - If yes, please specify:

172-4. Have an electronic service of documents or electronic notifications been introduced in your country?

- Yes
- No

Comments

172-5. Does the development of new technologies have an effect on the different stages of the enforcement procedure?

- Yes
- No

Comments - Please explain:

8.1.4 Fees

174. Are enforcement fees easily established and transparent for parties?

Yes

No

Comments

175-1. Are the fees charged in case of successful enforcement proceedings freely negotiated?

Yes

No

Comments

175-2. Who has to pay these fees if the enforcement proceedings are successful?

The debtor

The creditor

Other – please specify

Comments

176. Do laws provide any rules on enforcement fees (including those freely negotiated)?

Yes

No

Comments

H0. Please indicate the sources for answering the questions in this part

Source: Ministry of Justice

8.1.5 Organisation of profession and efficiency of enforcement services

177. Is there a body entrusted with supervising and monitoring the enforcement agents' activity?

Yes

No

Comments

178. Which authority is responsible for supervising and monitoring enforcement agents?

professional body

judge

Ministry of Justice

public prosecutor

other (please specify):

Comments

181. Is there a specific mechanism for executing court decisions rendered against public authorities, including supervising such execution?

Yes

No

Comments - If yes, please specify:

182. Is there a system for monitoring how the enforcement procedure is conducted by the enforcement agent?

Yes

No

Comments - If yes, please specify:

183. What are the main complaints made by users concerning the enforcement procedure? Please indicate a maximum of 3.

no execution at all

non execution of court decisions against public authorities

lack of information

excessive length

unlawful practices

insufficient supervision

excessive cost

unethical behaviour of enforcement agent

other (please specify):

Comments

185. Is there a system measuring the length of enforcement procedures:

	Existence of the system
for civil cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
for administrative cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments

186. Regarding a decision on debt collection, please estimate the average timeframe to serve and/or notify the decision to the parties who live in the city where the court sits (one option only):

between 1 and 5 days

between 6 and 10 days

() between 11 and 30 days

() more (please specify):

[] NA

Comments

187. Number of disciplinary proceedings initiated against enforcement agents. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings initiated
Total number of initiated disciplinary proceedings (1+2+3+4)	[X] NA [] NAP
1. For breach of professional ethics	[X] NA [] NAP
2. For professional inadequacy	[X] NA [] NAP
3. For criminal offence	[X] NA [] NAP
4. Other	[X] NA [] NAP

Comments - If "other", please specify:

188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
Total number of sanctions (1+2+3+4+5)	[X] NA [] NAP
1. Reprimand	[X] NA [] NAP
2. Suspension	[X] NA [] NAP
3. Withdrawal from cases	[X] NA [] NAP
4. Fine	[X] NA [] NAP
5. Other	[X] NA [] NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of

sanctions exists, please indicate the reasons:

H1. Please indicate the sources for answering the questions in this part

Source: Ministry of Justice

8.2. Execution of decisions in criminal matters

8.2.1 Functioning of execution in criminal matters

189. Which authority is in charge of the enforcement of judgments in criminal matters? (multiple replies possible)

- Judge
- Public prosecutor
- Prison and Probation Services
- Enforcement agent
- Other authority (please specify):

Comments - Please specify his/her functions and duties (e.g. initiative or monitoring functions). According to the provisions of the Criminal Procedure Act, if a person who has been ordered to pay the costs of criminal proceedings by a judgment or from whom property benefits have been confiscated does not fulfill the obligation within the deadline, the court will deliver the judgment with a certificate of enforceability to the competent state attorney. The state attorney will ex officio initiate enforcement in order to collect the specified costs of the criminal procedure, which are charged to the budget funds and confiscation of property benefits.

190. Are the effective recovery rates of fines decided by a criminal court evaluated by studies?

- Yes
- No

Comments

191. If yes, what is the recovery rate?

- 80-100%
- 50-79%
- less than 50%

Comments - Please indicate the source for answering this question:

9. Notaries

9.1. Profession of notary

9.1.1 Number, status and mandate of notaries

192. Number and status of notaries in your country.

	Total	Males	Females
TOTAL (1+2+3+4)	331 [] NA [] NAP	126 [] NA [] NAP	205 [] NA [] NAP
1. Private professionals (without control from public authorities)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Holders of public offices appointed by the State	331 [] NA [] NAP	126 [] NA [] NAP	205 [] NA [] NAP
3. Civil servants (paid by the State)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
4. Other	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If "Other", please specify the status, or if "holder of a public office appointed by the State", please indicate which ministry is mainly engaged in the appointment procedure:

192-1. What are the access conditions to the profession of notary (multiple replies possible):

- diploma
- professional experience
- specific exam
- appointment procedure by the State
- initial training
- other (please specify):

Comments According to the Public Notary Act (Official Gazette 78/93, 29/94, 16/07, 75/09, 120/16, 57/22) access conditions to the profession are: citizenship of the Republic of Croatia or another Member State of the European Union, legal and health capacity for performing the judicial service, the Faculty of Law degree or who has a recognized foreign higher education qualification, passed bar and notary exam, at least four years of work experience in legal affairs after passing the bar exam, worthy of public trust for performing the notarial vocation and active knowledge of the Croatian language and another official language. Applicants also give statements of leaving any other paid service or other paid employment, or membership in the body of a legal person performing any economic activity, as well as, no later than six months from the date of appointment, providing equipment and premises necessary and appropriate for the performance of the notary public service, if appointed as a notary public. Public notaries in the Republic of Croatia are appointed by the minister competent for judicial affairs.

192-2. Are notaries appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

- yes, please indicate the age of retirement:
- no, please specify the duration of the appointment:

Comments - are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: According to the Public Notary Act (Official Gazette 78/93, 29/94, 16/07, 75/09, 120/16, 57/22) the notary public service terminates by a notary's death, at the age of 70, by a written resignation, if a notary is convicted of a criminal offense out of greed or for a serious and especially dishonorable criminal offense for which prosecution is undertaken ex officio, or if sentenced to unconditional imprisonment for more than six months, or if banned from performing notarial service, if, without a valid reason, an appointed notary does not start working on the day set by the Chamber for the beginning of its work, when, based on the decision of the disciplinary body, a notary loses the right to perform the service or by a

dismissal. A notary public will be dismissed if the preconditions for performing the notarial service subsequently cease to exist or if it is subsequently established that they did not exist at the time of the appointment, if a notary does not take the oath or does not provide equipment and space for the performance of notarial services, if a notary is employed, starts using an old-age or disability pension or starts performing another service without approval, if notary's legal capacity is revoked or limited by a court decision, if due to health condition or illness he becomes permanently unable to perform notarial services, if his business relationships, way of conducting business or way of performing entrusted tasks endanger the interests of the parties, legal certainty or the work of the authorities that have entrusted him with the performance of certain tasks, if a notary does not duly extend his liability insurance or does not pay the insurance fee to the Chamber and if an outstanding debt due to public benefits has been determined by a final decision.

9.1.2 Activities/scope of competences

194. What kind of activities do notaries perform (multiple options possible)?

	Please select one option
Authentication	<input checked="" type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Certification of signatures	<input checked="" type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Mediation	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Taking of oaths	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Non-contentious judicial procedures (e.g. acting as court commissioner in a successions file, performing divorce, division of estate, please specify)	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Act as civil servant (for example performing marriage, please specify)	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Other judicial functions (for example, payment orders)	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Public auctions	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Other (for example collect taxes, run registers etc.)	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments - If "other", please specify. Please indicate any useful clarifications regarding the content of the notaries' exclusive rights or, on the opposite, other bodies that also have competences for the listed activities. Authentication and certification of signatures exceptionally can be undertaken within the consular work (by the Vienna Convention on Consular Relations, 1963). Undisputable successions are the only non-contentious judicial procedures in the Republic of Croatia exclusively performed by public notaries. Public notaries exclusively perform the enforcement procedures on the basis of trustworthy documents, can perform delivery actions in contentious procedures by courts' decisions and are authorized to represent clients in uncontested matters before the courts and other public bodies, if these things are directly related to the document he authenticated (i.e. commercial matters).

194-2. In which areas of law do notaries perform their activities (multiple replies possible)?

- Real estate transaction
- Family law
- Succession law
- Company law
- Legality control of gambling activities
- Protection of vulnerable persons
- Other

Comments Public notaries exclusively perform the enforcement procedures on the basis of trustworthy documents.

9.1.3 ICT, organisation of the profession and training

194-3. Do notaries use specialised ICT systems in their activity?

- In their relations with the State (e.g. courts, registries, chambers of commerce, tax authorities)
- In their relations with their clients
- In their relations with other notaries (e.g. videoconferencing, system to exchange documents)

Comments The videoconferencing has been very useful tool during the COVID 19 pandemic as a way of communication between public notaries and especially for the board meetings and it's decision making process. ICT system regarding relations with the State (e.g. with Ministry of Justice and Public Administration of the Republic of Croatia, discussions according to Civil procedure law)

194-4. Which computerised registries can notaries consult?

- Land registry
- Business registry
- Civil status / Population registry
- Succession / Family law registry
- Any other registry (please specify) residence and domicile registry, issued ID cards and travel documents registry
- None

Comments

194-5. Are there registries/ registry infrastructures run by the notaries?

- Yes
- No

Comments - If yes, please specify:

194-6. In which computerised registries can notaries modify data (either directly or by submitting an online request)?

	Directly modifying	Indirectly modifying by submitting an online request
Land registry	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Business registry	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Civil status/ Population registry	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Succession / Family law registry	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Any other registry (please specify)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
None	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP

Comments Other registries: -Croatian will register
-Croatian promissory note register
-Register of anticipated orders and powers of attorney in electronic form

=

194-7. What ICT tools are used by notaries in their relations with clients?

- Videoconferencing (e.g. digital advice)
- Digital act

- Digital identification
- Digital archiving
- Other, please specify
- None

Comments

194-8. Who is responsible to run the digital archives?

- Notariat / Professional body
- Other public authority
- Another entity (please specify)

Comments

195. Is there an authority entrusted with supervising and monitoring the notaries' work?

- Yes
- No

Comments According to the Public Notary Act (Official Gazette 78/93, 29/94, 16/07, 75/09, 120/16, 57/22) supervision and monitoring the notaries' work is within the competences of the Ministry for judicial affairs and the Public Notary Chamber. Entrusted notarial work is supervised by the authority that entrusted the work (e.g. courts in succession matters).

196. If yes, which authority is responsible for supervising and monitoring notaries (multiple options possible)?

- professional body
- court
- Ministry of Justice
- public prosecutor
- other (please specify):

Comments According to the Public Notary Act (Official Gazette 78/93, 29/94, 16/07, 75/09, 120/16, 57/22) supervision and monitoring the notaries' work is within the competences of the Ministry for judicial affairs and the Public Notary Chamber. Entrusted notarial work is supervised by the authority that entrusted the work (e.g. courts in succession matters).

196-1. Is there a system of general continuous training for all notaries?

- Yes
- No

Comments

196-2. Do notaries have training on:

	Yes	No
European law	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Law of another Member State (cross-border training programmes)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments - If yes, please indicate the types (e.g. traditional courses, e-learning, webinar) and the major topics of the training activities:
The Chamber organizes traditional courses and webinars on money laundering, EU Succession Regulation, EU company law, etc.

I1. Please indicate the sources for answering the questions in this part

Sources: Ministry of Justice and Public Administration.

10.Judicial experts

10.1.Profession of judicial expert

10.1.1Status of judicial experts

202. In your system, what types of judicial experts can participate in judicial procedures (multiple replies possible):

- Experts designated by the parties in support of their arguments but bound by a duty of independence and impartiality to the court
- Experts appointed by the court or other authority independent of the parties
- Other system of judicial expertise, please specify

Comments - Please specify who is proposing and appointing experts in an individual case.

202-1. Are there lists or any other form of official registration for judicial experts?

- Yes
- No

Comments

202-1-1. If yes, at which level is the list established (multiple replies possible):

- national
- administrative district or federal entity
- judicial district
- other

Comments - Please, indicate any other comment regarding these lists or databases of experts, if they do exist (e.g. does the expert take an oath? How are his/her skills evaluated? By whom?): Competent county and commercial courts form lists on experts they have appointed and the Ministry competent for judicial affairs form consolidated lists of all appointed experts. Registration on the lists follows the appointment procedure prescribed by the Courts Act (Official Gazette 28/13, 33/15, 82/15, 67/18, 126/19, 130/20, 21/22, 60/22) and the Rules on permanent court experts (Official Gazette 38/14, 123/15, 29/16, 61/19).

202-1-2. Are these lists publicly available?

- Yes, available on the internet
- Yes
- No

Comments The court is obliged to provide insight into the Lists also physically, in the office of the president of the court.

202-2. Which authority is competent for the registration of judicial experts?

- Ministry of justice
- Courts
- Administrative body
- Independent body (association of judicial experts)
- Other

Comments - Please also specify the registration criteria: Appointment procedure is of the competence of presidents of county or commercial courts on whose territory the experts have their residence or seat, but they can provide their services on the territory of the whole republic of Croatia. The appointment procedure is prescribed by the Courts Act (Official Gazette 28/13, 33/15, 82/15, 67/18, 126/19, 130/20, 21/22, 60/22) and the Rules on permanent court experts (Official Gazette 38/14, 123/15, 29/16, 61/19). Apart from the requirements on citizenship (Republic of Croatia, Member States of the European Union or citizenship of a state party to the Agreement on the European Economic Area), medical fitness and no obstacles for civil service entry, the candidates must have a specific school or university degree (high school education only exceptionally if higher or high education is not organized in that field, primarily for craft occupations) and relevant professional experience (at least 8 years - if completed a graduate university study or a specialist graduate professional study, at least 10 years - if completed the appropriate undergraduate university study or undergraduate professional study and at least 12 years - if completed the appropriate high school). Specialist doctors acquire the condition of relevant professional experience immediately after passing the specialist examination.

Candidates must have a valid approval for independent performance of activities (license) or have passed a professional or specialist exam for performing activities if this is a condition for performing these activities in accordance with special regulations.

They also must have successfully completed examination of knowledge in the structure of the judiciary, state administration and legal terminology before the appointment court committee (unless they are lawyers) and successfully completed professional training in professional association with appointed court expert as a mentor. Finally they must have concluded contracts on liability insurance for the performance of the duties of a permanent court expert.

202-3. Is the registration of judicial experts limited in time?

- Yes, for how long 4 years, with the possibility of reappointment
- No

Comments

202-4. Can an expert who is not on the list or not registered be appointed in a case?

- Yes
- No

Comment - If yes, please specify in which cases: Procedural law prescribes that court experts in cases are appointed primarily, but not exclusively, from the lists of appointed permanent court experts (judges have a right on free choice on evidence means and on free evaluation of evidence).

203. Is the title of judicial experts protected?

- Yes
- No

Comments - If appropriate, please explain the meaning of this protection: The requirements and the procedure for the appointment of permanent court experts are prescribed by the Courts Act (Official Gazette 28/13, 33/15, 82/15, 67/18, 126/19, 130/20, 21/22, 60/22) and the Rules on permanent court experts (Official Gazette 38/14, 123/15, 29/16, 61/19), as well as dismissal basis and procedures and all their other rights and obligations.

203-1. Does the judicial expert have an obligation of training?

	Obligation of training
Initial training	(X) Yes () No
Continuous training	(X) Yes () No

Comments The president of the relevant appointment court sends candidates for a permanent court experts to the professional training to the professional association of permanent court experts. The training is conducted according to a program determined for each activity or profession by the appropriate professional association, and approved by the Ministry competent for judicial affairs. Professional associations are obliged to appoint mentors for professional training. A permanent court expert who has at least five years of experience in performing court expertise may be appointed as a mentor. The list of mentors is submitted to the county and commercial courts.

A forensic medicine specialists with a valid work permit (license) and employees who perform expertise in institutes, institutions and state bodies are not obliged to perform professional training in the areas of expertise for which these institutes, institutions and state bodies have been granted expertise.

The ability of a candidate sent for professional training to perform the duties of a permanent court expert is determined on the basis of a report on the professional training provided by a permanent court expert of the relevant profession (mentor) under whose supervision the candidate is obliged to perform at least five expert reports.

After the professional training, the relevant professional association is obliged to prepare a written opinion on the success of the completed training and the candidate's ability to perform forensic expertise and submit it to the president of the relevant county or commercial court. The opinion is based on the report of the permanent court expert with whom the candidate was in professional training (mentor).

The opinion on the completed professional training must state the name of the court and the business number of each case in which the candidate participated in the preparation of the opinion and findings, as well as the name and surname of the permanent court expert with whom the candidate conducted professional training.

Once being appointed, the permanent court expert is obliged to professionally improve himself and acquire professional knowledge in the field for which he has been appointed as a permanent court expert.

203-2. If yes, does this training concern:

- [X] judicial proceedings
- [X] the profession of expert
- [] other

Comments

204. Is the function of judicial experts regulated by legal norms?

- (X) Yes
- () No

Comments The requirements and the procedure for the appointment of permanent court experts are prescribed by the Courts Act (Official Gazette 28/13, 33/15, 82/15, 67/18, 126/19, 130/20, 21/22, 60/22) and the Rules on permanent court experts (Official Gazette 38/14, 123/15, 29/16, 61/19), as well as dismissal basis and procedures and all other rights and obligations. The Courts Act defines permanent court experts as experts who, based on their professional knowledge, provide the court with the service of expert finding and opinion (expertise) when necessary in order to establish or clarify the facts established in the proceedings.

204-1. On the occasion of a task entrusted to him/her, does the judicial expert have to report any potential conflicts of interest?

- (X) Yes

() No

Comments - If yes, please specify:

205. Number of accredited or registered judicial experts:

	Total	Males	Females
Number of experts	2 965 [] NA [] NAP	2 121 [] NA [] NAP	844 [] NA [] NAP

Comments

206-1. Number of cases where an expert opinion was ordered by a judge or requested by the parties

	Number of cases
Total (1+2+3+4)	[X] NA [] NAP
1.Civil and commercial litigious cases	[X] NA [] NAP
2.Administrative cases	[X] NA [] NAP
3.Criminal cases	[X] NA [] NAP
4.Other cases	[X] NA [] NAP

Comments

205-1. Who defines the amount of the expert remuneration?

	In civil/administrative cases	In criminal cases
Defined by law/by-law or a special regulation	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Defined by the court/judge	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Defined by the Ministry of Justice or another ministry (setting a tariff for example)	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Salary of public official (in case of forensic or another specialist – who is public employee)	() Yes (X) No [] NAP	() Yes (X) No [] NAP

Freely agreed between expert and the parties	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Other	() Yes (X) No [] NAP	() Yes (X) No [] NAP

Comments - If other, please specify:

206. Are there binding provisions for judicial experts regarding:

	Yes	No
Deadlines to provide expertise	(X)	()
Quality of expertise	(X)	()
Other	(X)	()

[] NAP

Comments - If yes, please specify, and provide details in case there are possible sanctions: According to the provisions of the Criminal Procedure Act, the expert's findings and opinion are immediately recorded in the minutes. The expert may be authorized to submit a written report, i.e. an opinion, within the time frame set by the authority overseeing the proceedings, in sufficient copies for the court and the party. An expert opinion is determined when, in order to establish or evaluate an important fact, the findings and opinion of a person with the necessary professional knowledge or skill are required. If there is an expert institution or state body for a specific type of expert examination, such examinations, particularly more complex ones, will typically be assigned to that institution or body. The institution or body appoints one or more experts to conduct the expert examination. If the expert report is unclear, incomplete, or contradictory to itself or the reported circumstances, and these flaws cannot be corrected by re-examining the expert, it will be renewed with the same or a different expert. If there are contradictions or deficiencies in the expert's opinion, or grounds for doubting the accuracy of the given opinion, which cannot be removed by re-examining the expert, the opinion of another expert will be requested. The permanent court expert must adhere to the deadlines established by the court decision entrusting him with the expertise. If the expert is unable to complete the expertise within the given deadline for objective reasons, he is required to submit a report to the court no later than 8 days before the expiration of the said deadline outlining the reasons for his inability to complete the expertise, a summary of the actions taken, and a new deadline he considers objective for performing the expertise. In more complex expert examinations with a longer deadline for preparing findings and opinions, the expert is required to submit a brief report to the court once a month on the outcomes of the actions taken thus far. A permanent court expert who does not respect the court or the parties, does not take over the assigned cases, does not explain why he did not complete the entrusted expertise by the deadline, or for other serious reasons may be temporarily suspended from performing the duties of a permanent court expert for at least three months by the president of the appointment court. If the appointed permanent court expert performs his duties in a reckless or disorderly manner, the president of the appropriate county or commercial court will dismiss him.

207-1. Does the judge or another body control the progress of the expertise?

(X) Yes

() No

If yes, please specify: According to the Criminal Procedure Act, a person summoned as an expert must respond to the call and provide his or her findings and opinions. If the duly summoned expert does not appear and fails to justify his absence, or if he refuses to testify, he may be fined up to HRK 50,000.00, and in the case of unjustified absence, he may be forcibly brought. The investigation judge decides whether to punish or forcibly bring. The panel decides on the appeal against the decision that imposed the fine. Regardless of the foregoing, the body conducting the procedure may request that the expert specify the deadline by which he will submit his findings and opinions. Before the expert examination begins, the expert will be asked to carefully study the subject of the expert examination, to state exactly everything he observes and finds, and to express his opinion objectively and in accordance with the rules of science and skill. He

will be specifically warned that making a false statement is a criminal offense.

The work of a permanent court expert is primarily monitored by the judge who appointed him in a specific case. Judges have procedural tools to discipline experts (e.g. fine up to 10.000 HRK-cca 1.330 EUR for failing to appear at the hearing when duly summoned and without the justification of absence, refusing to testify without founded reason, failing to submit his findings and opinion without founded reason within the set deadline). Finally, the court may entrust the expertise to other court experts.

The work of a permanent court expert is also monitored by the presidents of the county or commercial courts who appointed them, as well as the presidents of the other courts and state attorneys, in which case they inform the presidents of the competent county or commercial courts about their observations.

Remarks on the conduct of a permanent court expert can also be submitted by the parties or their proxies and professional associations.

Remarks are submitted to the president of the court who appointed the expert.

207-2. Are judicial experts' associations involved in:

Selection processes

Initial or continuous training

Disciplinary procedures

NAP

Comments The minister competent for the judicial affairs sends candidates for a permanent court experts to the professional training to the professional association of permanent court experts. The training is conducted according to a program determined for each activity or profession by the appropriate professional association, and approved by the Ministry competent for judicial affairs. Professional associations are obliged to appoint mentors for professional training. A permanent court expert who has at least five years of experience in performing court expertise may be appointed as a mentor. The list of mentors is submitted to the county and commercial courts.

A forensic medicine specialists with a valid work permit (license) and employees who perform expertise in institutes, institutions and state bodies are not obliged to perform professional training in the areas of expertise for which these institutes, institutions and state bodies have been granted expertise.

The ability of a candidate sent for professional training to perform the duties of a permanent court expert is determined on the basis of a report on the professional training provided by a permanent court expert of the relevant profession (mentor) under whose supervision the candidate is obliged to perform at least five expert reports.

After the professional training, the relevant professional association is obliged to prepare a written opinion on the success of the completed training and the candidate's ability to perform forensic expertise and submit it to the president of the relevant county or commercial court. The opinion is based on the report of the permanent court expert with whom the candidate was in professional training (mentor).

The opinion on the completed professional training must state the name of the court and the business number of each case in which the candidate participated in the preparation of the opinion and findings, as well as the name and surname of the permanent court expert with whom the candidate conducted professional training.

K1. Please indicate the sources for answering the questions in this part

Sources: Ministry of Justice and Public Administration

11.Reforms in judiciary

11.1.Foreseen reforms

11.1.1Reforms

208. Can you provide information on the current debate in your country regarding the functioning

of justice? Are there undergoing or foreseen reforms? If possible, please observe the following categories:

208-1. (Comprehensive) reform plans

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify:

208-2. Budget

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify:

208-3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts (geographic locations), competences of the courts, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings)

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify: According to the Plan on legislative activities for 2023, amendments to the Courts Act and the State Attorney Office Act are planned. The Ministry of Justice and Public Administration is preparing draft amendments to these Acts, whose most important proposed novelties from this area are on line publication of all court decisions ending court proceedings with prior anonymization, establishment of the High State Attorney Office of the Republic of Croatia and specialization within state attorney offices regarding cyber crime.

The new Law on the delivery of court documents, which is planned for 2023, is expected to unify and simplify rules on delivery.

The new Law on court experts and court interpreters, which is also planned for 2023, is expected to comprehensively regulate the status issues of court experts and court interpreters and their rights and obligations.

208-4. Access to justice and legal aid

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No

NA

Comments - If yes, please specify: In 2023, the total annual approved public budget allocated to legal aid in cases other than criminal cases was increased by 100%.

208-5. High Judicial Council (competent for judges and/or prosecutors)

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: In accordance with the Plan of Legislative Activities for 2022, amendments to the Law on the State Judicial Council are approached primarily for the purpose of harmonizing the conditions under which judges can be elected as members of this Council, as well as implementing the administrative relief of the Council and strengthening the Council's role in the procedures for appointing judges. The changes were also proposed in order to achieve greater efficiency and transparency in the process of planning the filling of judicial positions and procedures for the appointment and transfer of judges, as well as in order to strengthen the disciplinary responsibility of judges.

Amendments to the Law on the State Attorney's Council are primarily addressed prescribing the reduction of obligations in the performance of state attorney's duties for deputies state attorneys who are members of the Council in order to ensure more efficient work of this body and

in order to strengthen his role in the procedures for appointing deputy state attorneys. Changes were also proposed in order to achieve greater efficiency and transparency of the planning process filling the positions of deputy state attorneys, disciplinary procedures and procedures appointment and transfer of deputy state attorneys.

208-6. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc.

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: The amendments to the Notaries Act modernize the notarial work and introduce the electronical notarial deeds. These amendments will be implemented by the end of the year 2023.

208-7. Gender equality

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

208-8. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Amendments to the Criminal Procedure Act in 2022 (OG 80/22) expand the use of information and communication technologies in criminal proceedings, i.e. the introduction of e-communication and the expansion of the possibility of using audio-video link. Communication with the body leading the proceedings (state attorney's office and court) is introduced through the e-communications information system. The filing of submissions and their attachments that exist in electronic form to the body conducting the proceedings is prescribed as an option, for the participants in the proceedings, primarily the defendants, natural persons who did not agree to the specified method of communication or do not have the opportunity for the specified method of communication, so they can opt to file submission also in other way. Communication with the court via the information system is prescribed as mandatory for certain, categorically listed participants in the procedure, thus state bodies, the state attorney's office, lawyers, court experts, court interpreters and legal entities. This will facilitate communication and reduce the costs of the procedure.

Also, it is possible for participants to the procedure who are not mandatory participants of e-communication to file a submission to the body conducting the procedure via electronic mail or other appropriate means of telecommunication.

Delivery via the information system in relation to state bodies, the state attorney's office, lawyers, court experts, court interpreters and legal entities as mandatory participants in e-communication is mandatory, while delivery via the information system to foreigners or other participants in the procedure may be made with their consent. Also, through the information system, it is possible to deliver decisions and letters that have originals in physical form, provided that the electronic (scanned) transcript made on the basis of the originals in physical form is certified by a qualified electronic court seal. It should be emphasized that delivery made through the information system will be considered direct delivery, that is, it is presumed that the decision or letter was delivered directly to the person to whom it was addressed. The parties are allowed to attend the preparatory hearing and the session of the indictment panel with the help of a closed technical device for remote communication (audio-video device) operated by an expert. The president of the council decides on its use, depending on the specific circumstances of each individual case.

New legal changes in the subject area will bring certain positive effects. Namely, the necessary prerequisites will be created for expanding the use of information and communication technologies in criminal proceedings, in order to increase the efficiency and speed up the conduct of criminal proceedings, enable more efficient exchange of letters and faster exercise of rights, and reduce the costs of the proceedings. The introduction of electronic communication in criminal proceedings will enable the sending of letters in electronic form through the information system, which will shorten the time of sending submissions to the court, as well as the delivery of court documents, but also reduce the costs of the procedure, and the participants of the procedure will facilitate communication with the court. Amendments to the Criminal Procedure Act from 2017 expanded the possibility of recording the hearing with an audio or audio-video recording device. The advantages of recording hearings in the above-mentioned way are reflected in the faster course of the hearing, easier management of the hearing, better monitoring of the testimony of the accused, witnesses and experts, considering that their content would not be entered into the minutes of the hearing. Ultimately, the speeding up of criminal proceedings in their entirety and the greater efficiency of the justice system. However, the aforementioned possibility did not come to fruition in practical application due to the fact that not all courtrooms are technically equipped to record the hearing and the transcript, which is mandatory and must be approved by the president of the council within five working days.

Therefore, in order to correct existing shortcomings in practice, the new legal amendments in 2022 regulate the audio recording of hearings in criminal proceedings differently. Consequently, the existing provisions of the Criminal Procedure Act are amended, in a way that would facilitate the application of the current provisions, i.e. encourage the use of audio recording of hearings as soon as technical possibilities are created. Namely, the president of the council will be able to order that the hearing or certain parts of it (statements of the accused, witnesses, experts and important statements of the parties) be recorded with an audio or audio-video recording device. In this case, the record will consist of an audio or audio-video recording of the hearing and a record of the proceedings of the hearing.

Also, the president of the panel will be able to make a decision on making a transcript of the audio recording when there are justified reasons for doing so, and especially if it is requested by the defendant who does not have a defense attorney and in the case referred to in Article 407 of the Criminal Procedure Act, i.e. if the composition of the panel has changed, if the hearing held in front of the other president of the council and if the postponement of the hearing lasted longer than three months. An additional deadline of ten working days will be prescribed for making the transcript when, for justified reasons, the transcript cannot be made within five working days. It should be emphasized that the transcript will not require the certification of the president of the council, but the transcript of the audio recording will have the function of an auxiliary tool, with the fact that only the recording of the discussion will be relevant for proof.

Such provisions will try to encourage the use of the existing provision that stipulates only the possibility of audio recording in the transitional period until the introduction of mandatory recording of hearings in which courtrooms will be equipped with appropriate technical equipment. At the same time, the courts will be enabled to gradually get used to conducting hearings with audio recording. New legal provisions are also being introduced, i.e. articles 409.a and 411.a, based on which mandatory audio recording of every hearing will be introduced, but with a delay in the entry into force of these provisions. Namely, these provisions will enter into force when the minister responsible for justice issues a decision on meeting the conditions for sound recording of hearings in municipal and county courts, i.e. when all courtrooms in the Republic of Croatia are equipped with technical equipment that enables recording of hearings and when judges and court recorders are trained to use the equipment.

With the entry into force of the new articles 409.a and 411.a, the provisions on the optional recording of discussions ceased to be valid, as well as the provisions on the classic keeping of minutes of the discussion - when the discussion was not recorded.

The new Article 411.a of the Criminal Procedure Act determines the content of the minutes. Therefore, the introduction to the minutes will have to indicate the court before which the hearing is held, the place and time of the session, the name and surname of the president of the panel, members of the panel and recorder, present prosecutors, defendants and defenders, the injured party and his legal representative or proxy, interpreter, experts, witnesses and other persons participating in the hearing, the criminal offense that is the subject of the hearing and whether the hearing is public or the public is excluded. In addition, the minutes will have to contain the number and designation of the indictment on the basis of which the proceedings are conducted, the evidence presented at the hearing, important decisions made by the president of the council or the council on the proposals of the parties and the management of the hearing, and a list of other important actions taken at the hearing without specifying their content. The sentence will also be entered into the minutes.

If the witness or expert was previously examined before the court or state attorney in the sense of Articles 234 and 235 of the Criminal Procedure Act, in case of deviation or addition of such his earlier testimony and expert testimony, if necessary, the recording of his previous testimony or part of the testimony given will be reproduced. before the court or state attorney, that is, that part of his testimony will be read.

On the other hand, if the witness or expert was not examined before the court or the state attorney in the manner prescribed by Articles 234 and 235 of the Criminal Procedure Act, a recording of the earlier testimony or part of the testimony of the witness or expert thus examined may be played at the hearing, in to the part that contains deviations in the statements, that is, that part of his statement will be read. However, a conviction cannot be based exclusively or to a decisive extent on such testimony.

Reform measures derive from the National Recovery and Resilience Plan 2021-2026 are implemented with The Act amending and supplementing the Civil procedure Act ("Official Gazette", No 80/22). The reform of the civil procedure is based on remote hearings, the introduction of mandatory sound recording of the hearing, the regulation of the procedure in small value disputes as a rule of written procedure and the prescribing of deadlines for the completion of the procedure at each instance of the trial.

208-9. Enforcement of court decisions and in particular regarding decisions against public authorities

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

208-10. Mediation and other Alternative Dispute Resolution

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: The reform and strengthening of the mediation institute through normative changes is foreseen in the

framework of the National Recovery and Resilience Plan 2021-2026, which ensures the implementation of the reform measure C2.5. R1 – increasing the efficiency of the judicial system for greater trust of citizens in the part related to the reform of the mediation institute.

208-11. Fight against crime

- Yes (planned)
 Yes (adopted)
 Yes (implemented during year of reference +1)
 No
 NA

Comments - If yes, please specify: In June 2022, the Republic of Croatia adopted the Law on the Implementation of the Regulation (EU) 2021/784 of the European Parliament and of the Council of 29 April 2021 on addressing the dissemination of terrorist content online, which ensures the implementation of the mentioned Regulation. Regulation (EU) 2021/784 aims to ensure the smooth functioning of the digital single market in an open and democratic society, by addressing the misuse of hosting services for terrorist purposes and contributing to public security across the Union.

The regulation applies in all EU member states from June 7, 2022, and introduces a direct obligation regarding actions that hosting providers and competent authorities of EU member states take to address the dissemination of terrorist content online.

208-12. Prison system

- Yes (planned)
 Yes (adopted)
 Yes (implemented during year of reference +1)
 No
 NA

Comments - If yes, please specify:

208-13. Child friendly justice

- Yes (planned)
 Yes (adopted)
 Yes (implemented during year of reference +1)
 No
 NA

Comments - If yes, please specify: Amendments to the Courts Act envisage the mandatory establishment of specialized judicial departments of municipal courts in the seats of county courts for dealing with cases according to the law governing family relations. Such an organizational measure is prescribed in order to increase the quality of legal protection for one of the most vulnerable social groups. For this purpose, the Act on Territories and Seats of Courts is amended, prescribing that the family law cases in municipal courts will be resolved only in municipal courts seated in the seats of the county courts and in Municipal court in Novi Zagreb.

208-14. Domestic violence

- Yes (planned)
 Yes (adopted)
 Yes (implemented during year of reference +1)
 No
 NA

Comments - If yes, please specify: On September 29, 2022, the Minister of Justice and Administration established a Working Group with the aim to improve the legislative framework for protection against violence against women and domestic violence, and to develop an analysis and proposals for possible changes to the Criminal Code, the Criminal Procedure Act, and the Act on Protection from Violence in the family, the Law on Courts, the Rulebook on the method of implementing precautionary measures and the Rulebook on the method of implementing individual victim assessment.

208-15. New information and communication technologies

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify: The Notaries Act is amended primarily due to necessary modernization of the notarial work and introduction of electronic notarial deeds and possibilities of the notarial work remotely. These amendments will be implemented by the end of the year 2023.

208-16. Other

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify: