



**Reference data 2018 (01/01/2018 - 31/12/2018)**

**Start/end date of the data collection campaign : 01/03/2019 - 01/10/2019**

**Objective :**

The CEPEJ decided, at its 31th plenary meeting, to launch the eighth evaluation cycle 2018 – 2020, focused on 2018 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 47 member states of the Council of Europe as well as three observer states (Israel, Morocco and Kazakhstan). This will enable policy makers and judicial practitioners to take account of such unique information when carrying out their activities.

The present questionnaire was adapted 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, for the sake of the European citizens.

**Instruction :**

The ways to use the application and to answer the questions are guided by two main documents:

- User manual
- Explanatory note

While the explanatory note gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying, the User manual is a tool to help you navigate through this application. You can download the Explanatory note as a whole on the CEPEJ website. The specific explanations are also accessible for each question within this application under the tab "Explanatory note". This will serve as immediate consultation tool when answering questions. The user manual is accessible in the "Documentation" tab of the application.

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.

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## **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)**

[ 4 076 246 ]

Comments

**002. Total of annual public expenditure at state level and where appropriate, public expenditure at regional or federal entity level (in €)**

|  | Amount  |
|--|---|
| State or federal level   | 10 199 149 332<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| Regional / federal entity level (total for all regions / federal entities) | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP        |

Comments

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

[ 12 593 ]

Comments

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

[ 13 671 ]

NA

Comments

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

[ 7.40941 ]

Allow decimals : 5

NAP

Comments

**A1. Please indicate the sources for answering questions 1 to 5**

Sources: State 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 budgets of public prosecution services and/or legal aid, please go to question 7. If you are able to answer this question 6, please answer NA to the question 7.**

| Approved budget (in €) | Implemented budget (in €) |
|------------------------|---------------------------|
|------------------------|---------------------------|

|  |  |  |
|--|--|--|
| <b>TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)</b> | 170 319 576<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 169 594 062<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>1. Annual public budget allocated to (gross) salaries</b>   | 140 185 520<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 140 160 870<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>2. Annual public budget allocated to computerisation</b>  | 9 243 992<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP   | 9 013 188<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP   |
| <b>3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)</b>             | 2 893 545<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP   | 2 893 545<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP   |
| <b>4. Annual public budget allocated to court buildings (maintenance, operating costs)</b>                 | 6 547 328<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP   | 6 186 389<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP   |
| <b>5. Annual public budget allocated to investments in new (court) buildings</b>                           | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP     | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP     |
| <b>6. Annual public budget allocated to training</b>   | 528 866<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP     | 419 745<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP     |
| <b>7. Other (please specify)</b>   | 10 920 325<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP  | 10 920 325<br><input type="checkbox"/> NA<br><input type="checkbox"/> 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:

**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 legal aid, please fill only the appropriate line in the table according to your system:**

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

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

|   |
|---|
| <b>Litigants required to pay a court fee to start a proceeding at a court of general jurisdiction ?</b> |
|---|

|                               |                     |
|-------------------------------|---------------------|
| for criminal cases            | ( X ) Yes<br>( ) No |
| for other than criminal cases | ( X ) Yes<br>( ) No |

If there are exceptions to the rule to pay these court fees, could you please provide comments on those exceptions? According to the Court Fees Act (Official Gazette, No. 74/95, 57/96, 137/02, 26/03, 125/11, 112/12, 157/13, 110/15) 19 subjects are exempt from paying court fees, such as state government bodies, public authorities, employees in administrative and labour disputes, vulnerable groups of society, etc.

**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 principal claim determined at the time of filing the lawsuit. Interest, litigation costs, penalty charges and other subordinate claims shall be taken into account only if they are 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 Courts 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 to the amount of 10,000.00 Croatian kuna.

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

[ 76 ]

[ ] NA

[ ] NAP

Comments If the value of the dispute exceeds 15.000 Croatian kuna (1965€), the amount of court fee to be payed is 500 Croatian kuna, plus 1% of the difference above 15.000 Croatian kuna.

**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    |
|---|---------------------------------|---------------------------------|------------------------------|
| <b>TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)</b>       | 13 338 643<br>[ ] NA<br>[ ] NAP | 12 797 765<br>[ ] NA<br>[ ] NAP | 540 878<br>[ ] NA<br>[ ] NAP |
| <b>12.1 for cases brought to court (court fees and/or legal representation)</b>         | [ X ] NA<br>[ ] NAP             | [ X ] NA<br>[ ] NAP             | 359 551<br>[ ] NA<br>[ ] NAP |
| <b>12.2 for cases not brought to court (legal advice, ADR and other legal services)</b> | [ X ] NA<br>[ ] NAP             | [ X ] NA<br>[ ] NAP             | 181 326<br>[ ] NA<br>[ ] NAP |

Comments In 2018 annual approved public budget for legal aid has been increased. Having regard to the comments of the stakeholders of the legal aid system (NGOs registered in the Register of primary legal aid providers Faculties of Law, attorneys), the Ministry of Justice strives to increase the allocations for legal aid, depending on the limits and possibilities of the public budget.

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

|   | TOTAL                           | Criminal cases                  | Other than criminal cases    |
|---|---------------------------------|---------------------------------|------------------------------|
| <b>TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)</b>  | 13 243 256<br>[ ] NA<br>[ ] NAP | 12 797 765<br>[ ] NA<br>[ ] NAP | 445 491<br>[ ] NA<br>[ ] NAP |
| <b>12-1.1 for cases brought to court (court fees and/or legal representation)</b>         | [ X ] NA<br>[ ] NAP             | [ X ] NA<br>[ ] NAP             | 274 009<br>[ ] NA<br>[ ] NAP |
| <b>12-1.2 for cases not brought to court (legal advice, ADR and other legal services)</b> | [ X ] NA<br>[ ] NAP             | [ X ] NA<br>[ ] NAP             | 171 481<br>[ ] NA<br>[ ] 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: In 2018 annual approved public budget for legal aid has been increased. Having regard to the comments of the stakeholders of the legal aid system (NGOs registered in the Register of primary legal aid providers Faculties of Law, attorneys), the Ministry of Justice strives to increase the allocations for legal aid, depending on the limits and possibilities of the public budget.

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

|   | Approved budget (in €)          | Implemented budget (in €)       |
|---|---------------------------------|---------------------------------|
| <b>Total annual public budget allocated to the public prosecution services, in € (including 13.1)</b> | 48 037 039<br>[ ] NA<br>[ ] NAP | 48 003 998<br>[ ] NA<br>[ ] NAP |
| <b>13.1. Annual public budget allocated to training of public prosecution services</b>                | 315 002<br>[ ] NA<br>[ ] NAP    | 291 894<br>[ ] NA<br>[ ] 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:

### 014. Authorities formally responsible for the budgets allocated to the courts (multiple options possible):

|                            | Preparation of the total court budget | Adoption/approval of the total court budget | Management and allocation of the budget among the courts | Evaluation of the use of the budget at a national level |
|----------------------------|---------------------------------------|---|--|---|
| <b>Ministry of Justice</b> | ( X ) Yes<br>( ) No<br>[ ] NAP        | ( ) Yes<br>( X ) No<br>[ ] NAP              | ( X ) Yes<br>( ) No<br>[ ] NAP                           | ( ) Yes<br>( X ) No<br>[ ] NAP                          |
| <b>Other ministry</b>      | ( X ) Yes<br>( ) No<br>[ ] NAP        | ( ) Yes<br>( X ) No<br>[ ] NAP              | ( ) Yes<br>( X ) No<br>[ ] NAP                           | ( ) Yes<br>( X ) No<br>[ ] NAP                          |

|                              |                              |                              |                              |                              |
|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|
| <b>Parliament</b>            | ( ) Yes<br>(X) No<br>[ ] NAP | (X) Yes<br>( ) No<br>[ ] NAP | ( ) Yes<br>(X) No<br>[ ] NAP | (X) Yes<br>( ) No<br>[ ] NAP |
| <b>Supreme Court</b>         | ( ) Yes<br>(X) No<br>[ ] NAP | ( ) Yes<br>(X) No<br>[ ] NAP | ( ) Yes<br>(X) No<br>[ ] NAP | ( ) Yes<br>(X) No<br>[ ] NAP |
| <b>High Judicial Council</b> | ( ) Yes<br>(X) No<br>[ ] NAP | ( ) Yes<br>(X) No<br>[ ] NAP | ( ) Yes<br>(X) No<br>[ ] NAP | ( ) Yes<br>(X) No<br>[ ] NAP |
| <b>Courts</b>                | (X) Yes<br>( ) No<br>[ ] NAP | ( ) Yes<br>(X) No<br>[ ] NAP | (X) Yes<br>( ) No<br>[ ] NAP | ( ) Yes<br>(X) No<br>[ ] NAP |
| <b>Inspection body</b>       | ( ) Yes<br>(X) No<br>[ ] NAP | ( ) Yes<br>(X) No<br>[ ] NAP | ( ) Yes<br>(X) No<br>[ ] NAP | ( ) Yes<br>(X) No<br>[ ] NAP |
| <b>Other</b>                 | ( ) Yes<br>(X) No<br>[ ] NAP | ( ) Yes<br>(X) No<br>[ ] NAP | ( ) Yes<br>(X) No<br>[ ] NAP | ( ) Yes<br>(X) No<br>[ ] NAP |

If any other Ministry and/or inspection body and/or other, please specify:

**014-1. (Former question 61) Who is entrusted with responsibilities related to the budget within the court?**

|                                       | <b>Preparation of the budget</b> | <b>Arbitration and allocation of the budget</b> | <b>Day to day management of the budget</b> | <b>Evaluation and control of the use of the budget</b> |
|---------------------------------------|----------------------------------|---|--|--|
| <b>Management Board</b>               | ( ) Yes<br>(X) No                | ( ) Yes<br>(X) No                               | ( ) Yes<br>(X) No                          | ( ) Yes<br>(X) No                                      |
| <b>Court President</b>                | (X) Yes<br>( ) No                | (X) Yes<br>( ) No                               | (X) Yes<br>( ) No                          | (X) Yes<br>( ) No                                      |
| <b>Court administrative director</b>  | ( ) Yes<br>(X) No                | ( ) Yes<br>(X) No                               | ( ) Yes<br>(X) No                          | ( ) Yes<br>(X) No                                      |
| <b>Head of the court clerk office</b> | ( ) Yes<br>(X) No                | ( ) Yes<br>(X) No                               | ( ) Yes<br>(X) No                          | ( ) Yes<br>(X) No                                      |
| <b>Other</b>                          | (X) Yes<br>( ) No                | (X) Yes<br>( ) No                               | (X) Yes<br>( ) No                          | (X) Yes<br>( ) No                                      |

Comments - If "other", please specify:

**A2. Please indicate the sources for answering questions 6 to 14:**

Sources: Ministry of Justice of the Republic of Croatia.

**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 €)        |
|--|----------------------------------|----------------------------------|
| <b>Total annual public budget allocated to the whole justice system in €</b> | 340 708 593<br>[ ] NA<br>[ ] NAP | 335 637 277<br>[ ] NA<br>[ ] NAP |

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 and Q13)**

|  | Included | Not included | Does not exist (NAP) |
|--|----------|--------------|----------------------|
| Courts (see question 6 or 7)                       | ( X )    | ( )          | ( )                  |
| Legal aid (see question 12 or 7)                   | ( X )    | ( )          | ( )                  |
| Public prosecution services (see question 13 or 7) | ( X )    | ( )          | ( )                  |

**015-3. Other budgetary elements**

|  | Included | Not included | Does not exist (NAP) |
|--|----------|--------------|----------------------|
| Prison system                          | ( X )    | ( )          | ( )                  |
| Probation services                     | ( X )    | ( )          | ( )                  |
| High Judicial Council                  | ( X )    | ( )          | ( )                  |
| Constitutional court                   | ( )      | ( X )        | ( )                  |
| Judicial management body               | ( X )    | ( )          | ( )                  |
| State advocacy                         | ( )      | ( X )        | ( )                  |
| Enforcement services                   | ( )      | ( X )        | ( )                  |
| Notariat                               | ( )      | ( X )        | ( )                  |
| Forensic services                      | ( )      | ( X )        | ( )                  |
| Judicial protection of juveniles       | ( X )    | ( )          | ( )                  |
| Functioning of the Ministry of Justice | ( X )    | ( )          | ( )                  |
| Refugees and asylum seekers services   | ( )      | ( X )        | ( )                  |

|  |     |       |     |
|--|-----|-------|-----|
| Immigration Service  | ( ) | ( X ) | ( ) |
| Some police services (e.g. : transfer, investigation, prisoners' security) | ( ) | ( X ) | ( ) |
| Other  | ( ) | ( X ) | ( ) |

If "other", please specify:

### A3. Please indicate the sources for answering questions 15-1, 15-2 and 15-3:

Sources: Ministry of Justice of the Republic of Croatia

## 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<br>( ) No<br>[ ] NA<br>[ ] NAP | ( X ) Yes<br>( ) No<br>[ ] NA<br>[ ] NAP |
| Legal advice, ADR and other legal services | ( X ) Yes<br>( ) No<br>[ ] NA<br>[ ] NAP | ( X ) Yes<br>( ) No<br>[ ] NA<br>[ ] NAP |

#### 016-1. Please briefly describe the organisation of the legal aid system in your country both before going to court and during court proceedings.

- The Law on Free Legal Aid ("Official Gazette", No. 143/13) distinguishes primary legal aid and secondary legal aid. Forms of primary legal aid are: general legal information, legal advice, drafting documents in administrative proceedings, the European Court of Human Rights and international organizations, representation in administrative proceedings, legal assistance in an out-of-court settlement of the dispute. Providers of Primary legal aid are: NGOs registered in the Register of primary legal aid providers at the Ministry of Justice, Faculties of Law through Legal Clinics, State Administration Offices in the Counties/City of Zagreb. There is no formal procedure for granting primary legal aid. The beneficiary of primary legal aid directly contacts the primary legal aid provider. Forms of secondary legal aid are: legal advice, drafting documents in the proceedings regarding protection of rights of workers, drafting documents in court proceedings, representation in court proceedings, legal aid in a peaceful settlement of the dispute in a court, exemption from payment of court proceedings costs, exemption from payment of court fees. Secondary legal aid is provided by attorneys.

The application for obtaining secondary legal aid is submitted on a prescribed form to the competent state administration office or the competent administrative body of the City of Zagreb.



Secondary legal aid is granted if the applicant's financial status complies with conditions set out in the Law on Free Legal Aid. If secondary legal aid is not granted, the applicant may lodge an appeal to the Ministry of justice.

**017. Does legal aid include the coverage of or the exemption from court fees?**

- Yes
- No
- NAP

If yes, please specify: The legal aid includes the exemption from payment of court fees in all civil and administrative court proceedings.

**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: Legal aid may be granted for exemption of payment of fees 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<br><input checked="" type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |

Comments - If yes, please specify: Legal aid may be granted in the form of exemption from payment of court proceeding costs (costs of witnesses, expert witnesses, court-sworn translators, costs of site visits and court advertisements).

**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   |
|-------------------------------------|--|--|--|
| <b>TOTAL</b>                        | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>In criminal cases</b>            | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>In other than criminal cases</b> | 24 919<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP  | 4 638<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP   | 20 281<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP  |

Comments - Please specify when appropriate: In 2018, the annual approved and implemented public budget for provision of legal aid in other than criminal cases for cases not brought to court has been increased. This is the result of the increased number of financed projects (NGOs and Legal Clinics) for providing primary legal aid and, subsequently, number of cases in which primary legal aid has been provided increased in this period.

**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<br>( ) No                 |
| Victims             | ( X ) Yes<br>( ) No                 |

Comments - If yes, please specify:

**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<br>( X ) No<br>[ ] NAP |
| Victims             | ( ) Yes<br>( X ) No<br>[ ] 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:

**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            | [ ] NA<br>[ X ] NAP                          | [ ] NA<br>[ X ] NAP                   |
| Full legal aid to the applicant for other than criminal cases | 2 656<br>[ ] NA<br>[ ] NAP                   | 26 559<br>[ ] NA<br>[ ] NAP           |
| Partial legal aid to the applicant for criminal cases         | [ ] NA<br>[ X ] NAP                          | [ ] NA<br>[ X ] NAP                   |

|   |                            |                             |
|---|----------------------------|-----------------------------|
| <b>Partial legal aid to the applicant for other than criminal cases</b> | 5 311<br>[ ] NA<br>[ ] NAP | 26 559<br>[ ] NA<br>[ ] 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 explain the exact criteria for denying legal aid:

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

the court

an authority external to the court

a mixed authority (court and external bodies)

Comments

**026. Is there a private system of legal expense insurance enabling individuals (this does not concern companies or other legal persons) to finance court proceedings?**

Yes

No

Comments - If appropriate, please inform about the current development of such insurances in your country; is it a growing phenomenon?

**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            | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No |
| in other than criminal cases | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No |

Comments

**B1. Please indicate the sources for answering questions 20 and 23 :**

Sources: Ministry of Justice of the RoC

## 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, etc.) where general public**

may have free of charge access to the following:

|  | Yes                      | Internet adresse(es)  |
|--|--------------------------|---|
| legal texts (e.g. codes, laws, regulations, etc.)              | <input type="checkbox"/> | <input checked="" type="checkbox"/> <a href="https://narodne-novine.nn.hr/search.aspx">https://narodne-novine.nn.hr/search.aspx</a> |
| case-law of the higher court/s                                 | <input type="checkbox"/> | <input checked="" type="checkbox"/><br><a href="https://sudskapraksa.csp.vsrh.hr/home">https://sudskapraksa.csp.vsrh.hr/home</a>    |
| other documents (e.g. downloadable forms, online registration) | <input type="checkbox"/> | <input checked="" type="checkbox"/> <a href="http://www.pravosudje.hr">www.pravosudje.hr</a>  |

Please specify what documents and information are included in "other documents": On the website of the Ministry of Justice for victims and witnesses <https://pravosudje.gov.hr/o-ministarstvu/djelokrug-6366/iz-pravusnog-nog-sustava-6372/podrska-zrtvama-i-svjedocima/6156>, in the Documents section are forms: 1) 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 2) booklet for victims and witnesses through criminal and misdemeanor proceedings "in Croatian and English, 3) leaflet of the Victims and Witnesses Support Section.

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

- Yes, always
- No
- Yes, only in some specific situations

Comments - If yes, only in some specific situations, please specify:

**030. Is there a public and free-of-charge specific information system to inform and to help victims of offences?**

- Yes
- No

Comments - If yes, please specify: 1) Victims and witnesses summoned to courts in the Republic of Croatia can receive emotional support, information on rights, information on the stages of criminal and misdemeanor proceedings and practical information from the Victims and Witnesses Support Section established in 7 County Courts (in Zagreb, Zadar, Osijek, Vukovar, Split, Sisak and Rijeka).

These support departments also operate in the competent municipal and municipal misdemeanor courts.

Victims who are called to testify in the aforementioned courts are provided with information in the subpoena with contact information of the Support Division and thus the opportunity to obtain the necessary information and support by calling the department or contacting the department by email.

2) Ministry of Justice Victims and Witness Support Services:

providing information and support to victims and witnesses (as well as victims and witnesses of war crimes of technical support and coordination of transport and police protection), who are summoned to the courts through international legal assistance. Victims from the Republic of Croatia who have summoned witnesses about a foreign court through international legal assistance, as well as victims from abroad invited to testify about the courts in the Republic of Croatia by the Victims and Witnesses Support Service. as i get support.

provides victims of criminal offenses of violence with intent, pursuant to the Law on Financial Compensation to Crime Victims, with timely information on their rights (via website or telephone). The police, the State Attorney's Office and the courts are obliged to provide information to persons entitled under this Law orally (in Croatian and English). Payment brochure and claim form available on the web pages of the Ministry of Justice, Ministry of the Interior, Courts and State Attorney's Office (in Croatian and English).

provides victims or their family members with information about the release of prisoners from prison.

3) The Ministry of Justice renewed the Cooperation Agreement with the Victims and Witnesses Support Association on June 14, 2017

(for a period of 2 years), thus providing a space for work, financial resources for the cost of interconnection calls and providing the IT equipment needed for work National Call Center for Victims of Crime and Misdemeanors 116 006 (NPC). Also, on September 26, 2018, the Ministry of Justice and the Victims and Witnesses Support Association signed a Contract on the Direct Allocation of Funds for the Implementation of the National Call Center Program. The Ministry of Justice provided financial resources for financing the work of the NPC in the amount of HRK 100.000,00 for a period of one year, based on the Decree on Criteria for Identifying Users and the Method of Allocation of Part of the Gambling Revenue for 2018.

The National Call Center for Victims of Crime provides professional help which is available from Monday to Friday from 8am to 8pm in Croatian and English and caller service is free of charge.

The holder of the National Call Center is the Victims and Witness Support Association, and the work of the National Call Center is based on European Commission decision no. 2007/116 / EC and 009/884 / EC on the introduction of unique numbers 116 006 in the European Union for harmonized social value services.

4) In counties where victim and witness support departments have not been established, the Ministry of Justice funds the program “Support and Cooperation Network for Victims and Witnesses of Crimes”. Funding is provided through gambling proceeds, based on a public competition conducted by the Ministry of Justice, in accordance with the Law on Gambling (Official Gazette 87/09, 35/13, 158/13, 41/14, 143/14 ) and the Regulation on Criteria and Procedures for Financing and Contracting Programs and Projects of Interest for the Common Good implemented by associations (OG 26/15). The program is implemented by 10 civil society organizations and one civil society coordinating organization, providing victims and witnesses: emotional and practical support, technical and practical information, and rights information; psychological and legal counseling (on the premises of the organization or other appropriate place) to victims who have reported a crime or misdemeanor as well as those who have not; support is provided by telephone, e-mail or in-person contact; escorting to court and on duty at info desks set up in court premises; accompanying the victim when participating in the actions of the competent institutions (police, public prosecutor's office, social welfare centers and other institutions) at the seat of the association as well as in the field outside the seat of the association during the working hours of the institutions; telephone consultation Monday through Friday 8am to 4pm.

Information on the support departments of the county courts, the National Call Center and the organizations involved in the Victims' Support and Cooperation Network for crime victims and witnesses can be found on the forms provided to the victims by police upon initial contact.

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

|  | <b>Information mechanism</b> | <b>Special arrangements in hearings</b> | <b>Other specific arrangements</b> |
|--|------------------------------|---|------------------------------------|
| <b>Victims of sexual violence/rape</b>   | ( X ) Yes<br>( ) No          | ( X ) Yes<br>( ) No                     | ( X ) Yes<br>( ) No                |
| <b>Victims of terrorism</b>  | ( X ) Yes<br>( ) No          | ( ) Yes<br>( X ) No                     | ( ) Yes<br>( X ) No                |
| <b>Minors (witnesses or victims)</b>   | ( X ) Yes<br>( ) No          | ( X ) Yes<br>( ) No                     | ( X ) Yes<br>( ) No                |
| <b>Victims of domestic violence</b>  | ( X ) Yes<br>( ) No          | ( X ) Yes<br>( ) No                     | ( X ) Yes<br>( ) No                |
| <b>Ethnic minorities</b>   | ( X ) Yes<br>( ) No          | ( X ) Yes<br>( ) No                     | ( ) Yes<br>( X ) No                |
| <b>Disabled persons</b>  | ( X ) Yes<br>( ) No          | ( ) Yes<br>( X ) No                     | ( ) Yes<br>( X ) No                |
| <b>Juvenile offenders</b>  | ( X ) Yes<br>( ) No          | ( X ) Yes<br>( ) No                     | ( X ) Yes<br>( ) No                |
| <b>Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)</b> | ( X ) Yes<br>( ) No          | ( X ) Yes<br>( ) No                     | ( X ) Yes<br>( ) No                |

Comments - If “other vulnerable person” and/or “other special arrangements”, please specify:

**031-1. Is it possible for minors to be a party to a judicial proceeding:**

Yes

No

Comments - If yes, please specify which procedures can be concerned (civil, criminal, administrative / normal or accelerated procedure) and at which conditions (can minor benefit from legal aid, be represented by a lawyer, etc.):

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

Yes, please specify for which kind of offences: Pursuant to the Law on Financial Compensation for Victims of Criminal Offenses, victims who have suffered serious bodily injury or severe impairment of health as a result of the crime of violence are entitled to health care costs in the amount of the health standard determined by the mandatory health insurance regulations in the Republic of Croatia. The immediate victim is also entitled to compensation for lost earnings, which is recognized as a lump sum of up to HRK 35,000.00. The indirect victim in the case of death of the immediate victim of the crime of violence (who sustained it) is entitled to compensation for loss of legal support, up to a maximum of HRK 70,000.00. The person who paid the funeral expenses of the immediate victim who is deceased is entitled to compensation up to a maximum of HRK 5,000.00. The compensation is awarded by the Ministry of Justice from the state budget. Victims can also obtain compensation from the perpetrator in a civil action by initiating a private lawsuit. The financial compensation provided to the victim from the state budget can be realized for criminal offenses of intentional violence, which result in serious bodily injury, serious impairment of health or death. The following shall be considered a criminal offense of violence: - a criminal offense committed intentionally with the use of force or a violation of sexual integrity; - the criminal offense of endangering life and property with a general act or means causing death, serious bodily injury or serious impairment of the health of one or more persons, and is prescribed by the Criminal Code as a serious form of a criminal offense intentionally committed.

No

Comments

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

Yes

No

Comments

**033. If yes, does this compensation come from:**

a public fund

damages and interests to be paid by the person responsible

a private fund

Comments

**034. Are there studies that evaluate 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:

**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 answer with that of the question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge". (The answer NAP means that the public prosecutor cannot decide to discontinue a case on his/her own. A decision by a judge is needed.)**

Yes

No

NAP

Comments - If necessary, please specify:

**037. Is there a system for compensating users in the following circumstances:**

|   | Number of requests for compensation                                    | Number of condemnations  | Total amount (in €)  |
|---|--|--|--|
| <b>Total</b>                            | 282<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP     | 193<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP     | 725 642<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>Excessive length of proceedings</b>  | 133<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP     | 44<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP      | 10 608<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP  |
| <b>Non-execution of court decisions</b> | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP |
| <b>Wrongful arrest</b>                  | 149<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP     | 149<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP     | 715 034<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>Wrongful conviction</b>              | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>Other</b>                            | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA<br><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 compensation for wrongful arrest and unjustified conviction.

An application for compensation for unjustified arrest and unjustified conviction shall be submitted to the Ministry of Justice. If the applicant does not accept the offer of the Ministry of Justice, the Ministry of Justice has the right to bring an action before the competent court. The amount of compensation offered by the Ministry to the parties as just financial compensation on that basis is unique in all cases and ranges from the following amounts - up to 30 days in custody in the amount of HRK 200.00 per day of deprivation of liberty, for custody of 30 to 90 days in the amount of HRK 160.00 per day of imprisonment, for detention of more than 90 days in the amount of HRK 120.00 per day of imprisonment. The amount paid for 2018 relates to payments made under the amicable settlement and court rulings.

## **2.2.2 Confidence and satisfaction of citizens with their justice system**



**038. Does your country implement surveys aimed at legal professionals and court users to measure their trust in justice and their satisfaction with the services delivered by the judicial system? If yes,**

how frequently and up to what level?

|   | National level  | Court level   |
|---|---|---|
| 1. Surveys aimed at judges  | <input type="checkbox"/> Annual<br><input type="checkbox"/> Other regular<br><input checked="" type="checkbox"/> Ad hoc | <input type="checkbox"/> Annual<br><input type="checkbox"/> Other regular<br><input checked="" type="checkbox"/> Ad hoc |
| 2. Surveys aimed at court staff   | <input type="checkbox"/> Annual<br><input type="checkbox"/> Other regular<br><input checked="" type="checkbox"/> Ad hoc | <input type="checkbox"/> Annual<br><input type="checkbox"/> Other regular<br><input checked="" type="checkbox"/> Ad hoc |
| 3. Surveys aimed at public prosecutors  | <input type="checkbox"/> Annual<br><input type="checkbox"/> Other regular<br><input checked="" type="checkbox"/> Ad hoc | <input type="checkbox"/> Annual<br><input type="checkbox"/> Other regular<br><input checked="" type="checkbox"/> Ad hoc |
| 4. Surveys aimed at lawyers   | <input type="checkbox"/> Annual<br><input type="checkbox"/> Other regular<br><input checked="" type="checkbox"/> Ad hoc | <input type="checkbox"/> Annual<br><input type="checkbox"/> Other regular<br><input checked="" type="checkbox"/> Ad hoc |
| 5. Surveys aimed at the parties   | <input type="checkbox"/> Annual<br><input type="checkbox"/> Other regular<br><input checked="" type="checkbox"/> Ad hoc | <input type="checkbox"/> Annual<br><input type="checkbox"/> Other regular<br><input checked="" type="checkbox"/> Ad hoc |
| 6. Surveys aimed at other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies, NGOs) | <input type="checkbox"/> Annual<br><input type="checkbox"/> Other regular<br><input checked="" type="checkbox"/> Ad hoc | <input type="checkbox"/> Annual<br><input type="checkbox"/> Other regular<br><input checked="" type="checkbox"/> Ad hoc |
| 7. Surveys aimed at victims   | <input type="checkbox"/> Annual<br><input type="checkbox"/> Other regular<br><input type="checkbox"/> Ad hoc            | <input type="checkbox"/> Annual<br><input type="checkbox"/> Other regular<br><input type="checkbox"/> Ad hoc            |
| 8. Other not mentioned  | <input type="checkbox"/> Annual<br><input type="checkbox"/> Other regular<br><input type="checkbox"/> Ad hoc            | <input type="checkbox"/> Annual<br><input type="checkbox"/> Other regular<br><input type="checkbox"/> Ad hoc            |

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

**040. Is there a national or local procedure for filing complaints about the functioning of the judicial system? (for example, handling of the case by a judge or the duration of a proceeding)**

Yes

No

Comments

**041. If yes, please specify certain aspects of this procedure:**

|                     | Authority responsible for dealing with the complaint                   | Existence of a time limit to deal with the complaint for this authority |
|---------------------|--|---|
| Court concerned     | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No  |
| Higher court        | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No  |
| Ministry of Justice | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No  |



|   |  |  |
|---|--|--|
| <b>High Judicial Council</b>                  | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No |
| <b>Other external bodies (e.g. Ombudsman)</b> | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No |

Comments

**041-1. If yes, please specify certain aspects of this procedure:**

|   | <b>Number of complaints</b>  | <b>Compensation amount granted</b>                                     |
|---|--|--|
| <b>Court concerned</b>                        | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP |
| <b>Higher court</b>                           | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP |
| <b>Ministry of Justice</b>                    | 1 631<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP   | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP |
| <b>High Judicial Council</b>                  | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP |
| <b>Other external bodies (e.g. Ombudsman)</b> | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP |

Comments - If possible, please give information concerning the efficiency of this complaint procedure and any useful comment:  
Decreasing number of complaints is due to general improvement of the efficiency of courts, especially in the last 5 years.

### 3. Organisation of the court system

#### 3.1. Courts

##### 3.1.1. Number of courts

**042. Number of courts considered as legal entities (administrative structures) and geographic locations.**

|  | <b>Number of courts</b>  |
|--|--|
| <b>42.1 First instance courts of general jurisdiction (legal entities)</b>   | 22<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP  |
| <b>42.2 First instance specialised courts (legal entities)</b>   | 36<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP  |
| <b>42.3 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)</b> | 205<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |

Comments

**043. Number (legal entities) of first instance specialised courts (or specific judicial order)**

|   | Number of courts        |
|---|-------------------------|
| <b>Total (must be the same as the data given under question 42.2)</b> | 36<br>[ ] NA<br>[ ] NAP |
| <b>Commercial courts (excluded insolvency courts)</b>                 | 8<br>[ ] NA<br>[ ] NAP  |
| <b>Insolvency courts</b>  | 0<br>[ ] NA<br>[ ] NAP  |
| <b>Labour courts</b>  | 1<br>[ ] NA<br>[ ] NAP  |
| <b>Family courts</b>  | 0<br>[ ] NA<br>[ ] NAP  |
| <b>Rent and tenancies courts</b>                                      | 0<br>[ ] NA<br>[ ] NAP  |
| <b>Enforcement of criminal sanctions courts</b>                       | 0<br>[ ] NA<br>[ ] NAP  |
| <b>Fight against terrorism, organised crime and corruption</b>        | 0<br>[ ] NA<br>[ ] NAP  |
| <b>Internet related disputes</b>                                      | 0<br>[ ] NA<br>[ ] NAP  |
| <b>Administrative courts</b>  | 4<br>[ ] NA<br>[ ] NAP  |
| <b>Insurance and / or social welfare courts</b>                       | 0<br>[ ] NA<br>[ ] NAP  |
| <b>Military courts</b>  | 0<br>[ ] NA<br>[ ] NAP  |
| <b>Other specialised 1st instance courts</b>                          | 23<br>[ ] NA<br>[ ] NAP |

Comments - If “other specialised 1st instance courts”, please specify: Other specialised 1st instance courts are Misdemeanour courts and Municipal Criminal Court in Zagreb.

**044. Is there a foreseen change in the structure of courts [for example a reduction of the number of courts (geographic locations) or a change in the powers of courts]?**

( X ) Yes

( ) No

Comments - Please specify: The reorganisation of judicial map that started in 2015 in which the number of municipal and misdemeanour

courts as well as the number of municipal state attorneys' offices has been reduced continued in 2019 with the merger of municipal and misdemeanour courts into municipal courts.

The reasons for the merger were a significant decrease in the number of misdemeanour cases and overburdened municipal courts with civil cases. In the new judicial map, instead of 46 municipal and misdemeanour courts, there are now 34 municipal courts - all misdemeanour and municipal courts were merged in the same cities except in 2 largest cities, Zagreb and Split, in which specialised municipal courts for misdemeanour cases were retained, and due to geographical specificities and size of certain municipal courts they were separated and new municipal courts were established (10). Also, a new commercial court was established in Dubrovnik. The aim of this new judicial map with new courts in the network and increased jurisdiction of permanent services is to increase the efficiency of the courts, improve access to court services, ensure even distribution of the workload of judges, shorten the length of court proceedings, reduce the number of unresolved cases in municipal courts, and ensure optimisation and easier management of human resources in courts.

**045. Number of first instance courts (geographic locations) competent for a case concerning:**

|                                    | Number of courts        |
|------------------------------------|-------------------------|
| a debt collection for small claims | 88<br>[ ] NA<br>[ ] NAP |
| an employment dismissal            | 23<br>[ ] NA<br>[ ] NAP |
| a robbery                          | 64<br>[ ] NA<br>[ ] NAP |
| an insolvency case                 | 12<br>[ ] NA<br>[ ] NAP |

Comments

**045-1. Is your definition for small claims the same as the one in the Explanatory note?**

Yes

No

Comments - If not, please give your definition for small claims:

**045-2. Please indicate the value in € of a small claim:**

[ 1 349 ]

Comments

**C. Please indicate the sources for answering questions 42, 43 and 45:**

Sources: Ministry of Justice of Republic of Croatia

**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 permanent posts actually filled for all types of courts - general jurisdiction and specialised courts )

|   | Total                      | Males                    | Females                    |
|---|----------------------------|--------------------------|----------------------------|
| <b>Total number of professional judges (1 + 2 + 3)</b>                    | 1 660<br>[ ] NA<br>[ ] NAP | 479<br>[ ] NA<br>[ ] NAP | 1 181<br>[ ] NA<br>[ ] NAP |
| <b>1. Number of first instance professional judges</b>                    | 1 176<br>[ ] NA<br>[ ] NAP | 311<br>[ ] NA<br>[ ] NAP | 865<br>[ ] NA<br>[ ] NAP   |
| <b>2. Number of second instance (court of appeal) professional judges</b> | 446<br>[ ] NA<br>[ ] NAP   | 144<br>[ ] NA<br>[ ] NAP | 302<br>[ ] NA<br>[ ] NAP   |
| <b>3. Number of Supreme Court professional judges</b>                     | 38<br>[ ] NA<br>[ ] NAP    | 24<br>[ ] NA<br>[ ] NAP  | 14<br>[ ] NA<br>[ ] NAP    |

Comment - Please provide any useful comment for interpreting the data above: Source: Ministry of Justice of the Republic of Croatia  
The number of court presidents is included in the number of judges provided, but the data does not include the number of judges who are on unpaid leave, judges who are in non-active status, judges who work part-time in accordance with the Maternity and Parental Benefits Act, judges who are on maternity leave or on parental leave, judges suspended after disciplinary proceedings, judges working part time in order to time care for a child with special needs, judges transferred in another state body (Ministry of Justice, Judicial Academy, State Judicial Council) and international institutions and missions.

#### 047. Number of court presidents (professional judges).

|  | Total                   | Males                   | Females                 |
|--|-------------------------|-------------------------|-------------------------|
| <b>Total number of court presidents (1 + 2 + 3)</b>                    | 68<br>[ ] NA<br>[ ] NAP | 30<br>[ ] NA<br>[ ] NAP | 38<br>[ ] NA<br>[ ] NAP |
| <b>1. Number of first instance court presidents</b>                    | 49<br>[ ] NA<br>[ ] NAP | 16<br>[ ] NA<br>[ ] NAP | 33<br>[ ] NA<br>[ ] NAP |
| <b>2. Number of second instance (court of appeal) court presidents</b> | 18<br>[ ] NA<br>[ ] NAP | 13<br>[ ] NA<br>[ ] NAP | 5<br>[ ] NA<br>[ ] NAP  |
| <b>3. Number of Supreme Court presidents</b>                           | 1<br>[ ] NA<br>[ ] NAP  | 1<br>[ ] NA<br>[ ] NAP  | 0<br>[ ] NA<br>[ ] 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              |
|---------------------|---------------------|
| <b>Gross figure</b> | [ ] NA<br>[ X ] NAP |

|                                |  |
|--------------------------------|--|
| <b>In full-time equivalent</b> | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP |
|--------------------------------|--|

Comments - If necessary, please provide comments to explain the answer provided: According to the Constitution of the Republic of the Croatia, judges shall have permanent tenure until 70 years of age.

According to the Act on the State Judiciary Council, 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

NAP

Comments

**049. Number of non-professional judges who are not remunerated but who can possibly 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 in a jury):**

|                                | Figure   |
|--------------------------------|--|
| <b>Gross figure</b>            | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP |
| <b>In full time equivalent</b> | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> 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               |
|---|--------------------------|--------------------------|--------------------------|
| <b>criminal cases (severe)</b>                    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>criminal cases (misdemeanour and/or minor)</b> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>family law cases</b>                           | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>labour law cases</b>                           | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>social law cases</b>                           | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>commercial law cases</b>                       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>insolvency cases</b>                           | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

|                   |     |     |     |
|-------------------|-----|-----|-----|
| other civil cases | ( ) | ( ) | ( ) |
|-------------------|-----|-----|-----|

NAP

Comments - If "other", please specify:

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

Yes

No

Comments

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

Criminal cases

Other than criminal cases

Comments

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

[ ]

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 permanent posts actually filled)**

|  | Total  | Males  | Females  |
|--|--|--|--|
| <b>Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)</b>   | 5 828<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 803<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 5 025<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal</b>  | 541<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP   | 93<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP  | 448<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP   |
| <b>2. Non-judge staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions)</b>  | 4 135<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 345<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 3 790<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>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)</b> | 490<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP   | 113<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 377<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP   |

|                                 |                          |                          |                          |
|---------------------------------|--------------------------|--------------------------|--------------------------|
| <b>4. Technical staff</b>       | 662<br>[ ] NA<br>[ ] NAP | 252<br>[ ] NA<br>[ ] NAP | 410<br>[ ] NA<br>[ ] NAP |
| <b>5. Other non-judge staff</b> | [ ] NA<br>[ X ] NAP      | [ ] NA<br>[ X ] NAP      | [ ] NA<br>[ X ] NAP      |

Comments - If "other non-judge staff", please specify:

**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 permanent posts actually filled)**

|  | Total                      | Males                    | Females                    |
|--|----------------------------|--------------------------|----------------------------|
| <b>Total non-judge staff working in courts (1+2+3)</b>                                       | 5 828<br>[ ] NA<br>[ ] NAP | 803<br>[ ] NA<br>[ ] NAP | 5 025<br>[ ] NA<br>[ ] NAP |
| <b>1. Total non-judge staff working in courts at first instance level</b>                    | 4 850<br>[ ] NA<br>[ ] NAP | 643<br>[ ] NA<br>[ ] NAP | 4 207<br>[ ] NA<br>[ ] NAP |
| <b>2. Total non-judge staff working in courts at second instance (court of appeal) level</b> | 906<br>[ ] NA<br>[ ] NAP   | 140<br>[ ] NA<br>[ ] NAP | 766<br>[ ] NA<br>[ ] NAP   |
| <b>3. Total non-judge staff working in courts at Supreme Court level</b>                     | 72<br>[ ] NA<br>[ ] NAP    | 20<br>[ ] NA<br>[ ] NAP  | 52<br>[ ] NA<br>[ ] NAP    |

Comments

**053. If there are Rechtspfleger (or similar bodies) in your judicial system, please specify in which fields do 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
- other cases not mentioned (please describe in comment)
- non-litigious cases
- NAP

Comments - Please briefly describe their status and duties: Authorised land registry officers and court registry officials who are authorised to independently decide in land registry cases as well as in company register cases. Note: The category Rechtspfleger for 2018. includes land registry officials and court registry officials.

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

- Yes
- No

**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): .....

**C1. Please indicate the sources for answering questions 46, 47, 48, 49 and 52**

Sources: Source for answers in questions 46 & 52: Ministry of Justice of the Republic of Croatia

The data provided in answers to question 52 does not include the number of non-judge staff who are on unpaid leave, who are in non-active status of employment, who work part-time in accordance with the Maternity and Parental Benefits Act, who are on maternity leave or on parental leave, who are suspended after disciplinary proceedings, who are working part time in order to care for a child with special needs, or who are transferred in another state body (Ministry of Justice, Judicial Academy, State Judicial Council) and international institutions and missions.

**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 permanent posts actually filled for all types of courts - general jurisdiction and specialised courts.**

|  | Total  | Males  | Females  |
|--|--|--|--|
| <b>Total number of prosecutors (1 + 2 + 3)</b>                             | 595<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 190<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 405<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>1. Number of prosecutors at first instance level</b>                    | 418<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 120<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 298<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>2. Number of prosecutors at second instance (court of appeal) level</b> | 151<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 62<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP  | 89<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP  |
| <b>3. Number of prosecutors at Supreme Court level</b>                     | 26<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP  | 8<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP   | 18<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP  |

Please indicate any useful comment for interpreting the data above: The above information includes all officials in the public prosecutor’s offices – all public prosecutors (heads of prosecution offices) and public prosecutors’ deputies (deputies of the Public Prosecutor, deputies of the Head of the Bureau for Combating Corruption and Organised Crime and deputies of the county and municipal public prosecutors).



The number of prosecutors at the first instance level includes all municipal public prosecutors (heads of municipal prosecution offices and Head of the Bureau for Combating Corruption and Organised Crime), their deputies, as well as the deputies of the Head of the Bureau for Combating Corruption and Organised Crime. The number of prosecutors at the second instance level (court of appeal) includes all county public prosecutors (heads of the county prosecutors' offices) and their deputies. The number of prosecutors at the supreme court level includes the Public Prosecutor General and his deputies.

**056. Number of heads of prosecution offices.**

|   | <b>Total</b>            | <b>Males</b>            | <b>Females</b>          |
|---|-------------------------|-------------------------|-------------------------|
| <b>Total number of heads of prosecution offices (1 + 2 + 3)</b>                             | 25<br>[ ] NA<br>[ ] NAP | 11<br>[ ] NA<br>[ ] NAP | 14<br>[ ] NA<br>[ ] NAP |
| <b>1. Number of heads of prosecution offices at first instance level</b>                    | 18<br>[ ] NA<br>[ ] NAP | 7<br>[ ] NA<br>[ ] NAP  | 11<br>[ ] NA<br>[ ] NAP |
| <b>2. Number of heads of prosecution offices at second instance (court of appeal) level</b> | 6<br>[ ] NA<br>[ ] NAP  | 3<br>[ ] NA<br>[ ] NAP  | 3<br>[ ] NA<br>[ ] NAP  |
| <b>3. Number of heads of prosecution offices at Supreme Court level</b>                     | 1<br>[ ] NA<br>[ ] NAP  | 1<br>[ ] NA<br>[ ] NAP  | 0<br>[ ] NA<br>[ ] NAP  |

Please provide any useful comment for interpreting the data above: In 2018, the organisational structure of the public prosecution in the Republic of Croatia is comprised of the State Attorney of the Republic of Croatia, the Office for Combating Corruption and Organised Crime, 15 county state attorneys' offices and 22 municipal state attorneys' offices. The number of Heads of the State attorneys' offices does not correspond to the number of municipal state attorneys' offices, because in some of these offices the Heads of offices were not appointed. The number of the first instance State attorneys' offices includes the number of the municipal state attorneys and Head of Office for Combating Corruption and Organised Crime.

**057. Do other persons have similar duties to those of public prosecutors?**

- ( ) Yes
- ( X ) No

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

**057-1. Please specify their 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 specially trained prosecutors in domestic violence and sexual violence ?**

- ( X ) Yes

( ) No

Comments

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

|   | Total           | Males         | Females       |
|---|-----------------|---------------|---------------|
| Number of staff (non-public prosecutors) attached to the public prosecution service | 1 033<br>[ ] NA | 137<br>[ ] NA | 896<br>[ ] NA |

Comments

**C2. Please indicate the sources for answering questions 55, 56 and 60**

Sources: Ministry of Justice of the Republic of Croatia.

### 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    |
|---------------------------|---------------------|-------|
| <b>judges</b>             | ( )                 | ( X ) |
| <b>prosecutors</b>        | ( )                 | ( X ) |
| <b>non-judge staff</b>    | ( )                 | ( X ) |
| <b>lawyers</b>            | ( )                 | ( X ) |
| <b>notaries</b>           | ( )                 | ( X ) |
| <b>enforcement agents</b> | ( )                 | ( X ) |

[ ] NA

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

### 3.4.2 At national level

**061-4. Do you have, at national level, one or more recent surveys or reports related to - wholly or partly - the distribution males/females within the judicial system concerning:**

|                           | Yes   | No  |
|---------------------------|-------|-----|
| <b>judges</b>             | ( X ) | ( ) |
| <b>prosecutors</b>        | ( X ) | ( ) |
| <b>non-judge staff</b>    | ( X ) | ( ) |
| <b>lawyers</b>            | ( X ) | ( ) |
| <b>notaries</b>           | ( X ) | ( ) |
| <b>enforcement agents</b> | ( X ) | ( ) |

Comments - If the situation changed since the reference year, please specify in the comments. Could you specify the reference or internet link of this/these document(s) or send it/them to us? There is no survey as such at national level for the distribution males/females within the judicial system, but the Ministry of Justice of RoC publishes annual statistical information about the judicial bodies which also contains information about the number of judges, state attorneys and deputy state attorneys (i.e. judicial officials) as well as about non-judge staff (including enforcement agents employed at courts). Here is a link to the Statistical information for 2018:

[https://pravosudje.gov.hr/UserDocsImages/dokumenti/Pravo%20na%20pristup%20informacijama/Izvje%C5%A1%C4%87a/Statisti%C4%8Dko\\_izvjesce\\_2018.pdf](https://pravosudje.gov.hr/UserDocsImages/dokumenti/Pravo%20na%20pristup%20informacijama/Izvje%C5%A1%C4%87a/Statisti%C4%8Dko_izvjesce_2018.pdf)

For public notaries, there is a list of all public notaries on the website of Croatian Notaries Chamber. Croatian Bar Association is responsible for keeping the list all of lawyers (i.e. attorneys at law) registered in Croatia and it is available on their website.

**061-5. Is there a national programme or an orientation document to promote males/females equality within the judicial system?**

( ) Yes

( X ) No

Comments - if the situation changed since the reference year, please specify in the comments. Could you specify the reference or internet link of this/these document(s) or send 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 - if other than recruitment and/or promotion, please specify. If the situation changed since the reference year, please specify in the comments

**061-6-1. Please specify the text which set up this person/institution :**

(title, date, nature of the text)

[ X ] NAP

**061-6-2. Please specify the status of this person/institution:**

(e.g. independent, attached to the Ministry of Justice, to the High Judicial Council or equivalent or to an inter-ministerial institution specifically dedicated to gender equality)

[ X ] NAP

**061-6-3. Please specify if this person/institution has an information and consultative function or if its opinions/decisions have legal consequences:**

(e.g. block a decision or allow an appeal)

### 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 - If yes, please specify their titles and tasks. If the situation changed since the reference year, please specify in the comments.

**061-8. Does the feminisation of certain functions, if it exists in your country, within courts or public prosecution services, lead to concrete changes in the organisation of the work in the following areas:**

|  | Yes | No    |
|--|-----|-------|
| Assignment in different positions                        | ( ) | ( X ) |
| Workload distribution                                    | ( ) | ( X ) |
| Working hours  | ( ) | ( X ) |
| Modalities of teleworking and presence in the work space | ( ) | ( X ) |
| Replacement of absent persons                            | ( ) | ( X ) |
| Organisation of the hearings                             | ( ) | ( X ) |
| Other  | ( ) | ( X ) |

Comments - If other, please specify. Could you also indicate concrete examples referring to the various possibilities mentioned? If the situation changed since the reference year, please specify in the comments.

**061-9. In order to improve gender balance in access to different judicial professions and 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.

NAP

**061-10. In your judicial system, and eventually based on evaluation, studies or official reports, what are the main causes of inequalities in:**

recruitment procedures (please specify):

promotion procedures and access to the functions of responsibility (please specify) :

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

NAP

**061-11. In your courts, is there particular attention given to gender issues regarding the public and users of justice, in particular:**

|  | Yes, please specify | No    |
|--|---------------------|-------|
| judges and court staff are more chosen among males or females according to the type of cases     | ( )                 | ( X ) |
| the composition of hearings with several judges is always mixed                                  | ( )                 | ( X ) |
| statistics exist concerning males and females who initiate a case/victims, accused persons, etc. | ( )                 | ( X ) |

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

**3.5 Use of information technologies in courts**

### 3.5.1 General policies in Information Technology in judicial systems

#### 062-1. Basic principles and models used in Information technology policies and strategies definition

|                            | Organisation   |
|----------------------------|--|
| IT policies and strategies | <input checked="" type="checkbox"/> defined and coordinated at national level by one institution<br><input type="checkbox"/> defined and coordinated at national level by several institutions<br><input type="checkbox"/> defined and coordinated at unit/stakeholder level<br><input type="checkbox"/> other |
| IT Governance              | <input checked="" type="checkbox"/> governed on national level by one institution<br><input type="checkbox"/> governed on national level by several institutions<br><input type="checkbox"/> organised at unit/stakeholder level<br><input type="checkbox"/> other   |

Comments

#### 065-1. In case there is a national structure in charge of the strategic policy making and governance of the judicial system modernisation (including also IT) what is the composition of this structure?

- administrative, technical and scientific staff only  
 mixed teams of judicial staff (judges/prosecutors/etc.) and administrative/technical/scientific staff  
 other (please specify in a comment)

Comments - (please specify if there are other modernisation approaches that have been implemented):

#### 065-2. Which is the organisational model primarily chosen for conducting structural IT projects in courts and the management of applications (maintenance, evolution)?

|   | Implementing new projects  | Management of applications  |
|---|--|---|
| Mainly by an IT department with the help of professionals in the field (judges, prosecutors, non-judge judicial staff, etc.)  | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> Non |
| Mainly by professionals in the field (judges, prosecutors, non-judge judicial staff, etc.) with the help of an internal IT department and/or an external service provider | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> Non |
| Other alternatives (external service provider only – specify in a comment)  | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> Non |

Comments - please also describe in case of “other alternatives”

#### 065-3. Is there a device of detection and promotion of innovations regarding IT coming from

**personal and/or local/court level initiatives?**

( ) Yes

( X ) No

Comments (please specify projects that have experienced national developments)

**065-4. Have you measured the impact resulting from the implementation of one or several components of your new information system?**

( ) Yes

( X ) No

**065-4-1. If yes, have you measured the impact on (multiple answers possible):**

[ ] Business processes

[ ] Workload

[ ] Human resources

[ ] Costs

[ ] Other, please specify .....

Comments (please specify examples of the impact)

**3.5.2 Security of courts information system and personal data protection**

**065-5. Are there independent audits or other mechanisms to contribute to the global security policy regarding the information system of the judiciary ?**

( ) Yes

( X ) No

Comments (please specify in particular if national frameworks of information security exist): The answer is „No" taking in consideration explanatory note which refers to independent outside body. Nevertheless and according to the application of GDPR Regulation which came into force in May 2018 Croatia established mechanism of supervising of data processing. That mechanism is established within the judicial system without the participation of outside independent bodies

**065-6. Is the protection of personal data managed by courts ensured at legislative level?**

( X ) Yes

( ) No

Comment - If yes, please specify among others: if there are authorities specifically responsible for protection of personal data; the extent of the rights granted to citizens in the specific framework of software used by courts; if there are controls or limitations by law regarding the sharing of databases managed by courts with other administrations (police, etc.) Authority-Agencija za zaštitu osobnih podataka (Agency for personal data protection), right for access to database is regulated by specific law

**3.5.3 Centralised databases for decision support**

**062-4. Is there a centralised national database of court decisions (case-law, etc.)?**

( X ) Yes

( ) Non



**062-4-1. If yes, please specify the following information:**

|                                | For 1st instance decisions                                    | For 2nd instance decisions                                    | For 3rd instance decisions                                    | Link with ECHR case law | Data anonymised     | Case-law database available free online | Case-law database available in open data |
|--------------------------------|---|---|---|-------------------------|---------------------|---|--|
| <b>Civil and/or commercial</b> | ( X ) Yes all judgements<br>( ) Yes some judgements<br>( ) No | ( X ) Yes all judgements<br>( ) Yes some judgements<br>( ) No | ( X ) Yes all judgements<br>( ) Yes some judgements<br>( ) No | ( ) Yes<br>( X ) No     | ( X ) Yes<br>( ) No | ( X ) Yes<br>( ) No                     | ( ) Yes<br>( X ) No                      |
| <b>Criminal</b>                | ( X ) Yes all judgements<br>( ) Yes some judgements<br>( ) No | ( X ) Yes all judgements<br>( ) Yes some judgements<br>( ) No | ( X ) Yes all judgements<br>( ) Yes some judgements<br>( ) No | ( ) Yes<br>( X ) No     | ( X ) Yes<br>( ) No | ( X ) Yes<br>( ) No                     | ( ) Yes<br>( X ) No                      |
| <b>Administrative</b>          | ( X ) Yes all judgements<br>( ) Yes some judgements<br>( ) No | ( X ) Yes all judgements<br>( ) Yes some judgements<br>( ) No | ( X ) Yes all judgements<br>( ) Yes some judgements<br>( ) No | ( ) Yes<br>( X ) No     | ( X ) Yes<br>( ) No | ( X ) Yes<br>( ) No                     | ( ) Yes<br>( X ) No                      |

Comments - if it exists in other matters please specify

**062-6. Is there a computerised national record centralising all criminal convictions?**

( X ) Yes

( ) No

Comments

**062-6-1. If yes, please specify the following information:**

[ X ] Linkage with other European records of the same nature

[ X ] Content directly available through computerised means for judges and/or prosecutors

[ X ] Content directly available for purposes other than criminal (civil and administrative matters)

Comments - Please specify who is the authority delivering the access Ministry of Justice of the Republic of Croatia

**3.5.4 Writing assistance tools**

**062-7. Are there writing assistance tools for which the content is coordinated at national level?**

**(models or templates, paragraphs already pre-written, etc.)**

( X ) Yes

( ) No

Comment – if it exists in other matters please specify

**062-7-1. If yes, please specify the following information:**

|                                | Availability rate   |
|--------------------------------|---|
| <b>Civil and/or commercial</b> | <input checked="" type="checkbox"/> 100%<br><input type="checkbox"/> 50-99%<br><input type="checkbox"/> 10-49%<br><input type="checkbox"/> 1-9%<br><input type="checkbox"/> 0% (NAP)<br><input type="checkbox"/> NA |
| <b>Criminal</b>                | <input checked="" type="checkbox"/> 100%<br><input type="checkbox"/> 50-99%<br><input type="checkbox"/> 10-49%<br><input type="checkbox"/> 1-9%<br><input type="checkbox"/> 0% (NAP)<br><input type="checkbox"/> NA |
| <b>Administrative</b>          | <input type="checkbox"/> 100%<br><input type="checkbox"/> 50-99%<br><input type="checkbox"/> 10-49%<br><input type="checkbox"/> 1-9%<br><input checked="" type="checkbox"/> 0% (NAP)<br><input type="checkbox"/> NA |

**062-8. Are there voice recording tools?**

Yes

No

Comments

**062-8-1. If yes, please specify:**

|                                | Availability of simple dictation tools  | Availability of multiple speakers recording tools   | Voice recognition feature   |
|--------------------------------|---|---|---|
| <b>Civil and/or commercial</b> | <input checked="" type="checkbox"/> in all courts<br><input type="checkbox"/> in most of the courts<br><input type="checkbox"/> in some courts / some pilot phases<br><input type="checkbox"/> not available for this matter<br><input type="checkbox"/> NA | <input checked="" type="checkbox"/> in all courts<br><input type="checkbox"/> in most of the courts<br><input type="checkbox"/> in some courts / some pilot phases<br><input type="checkbox"/> not available for this matter<br><input type="checkbox"/> NA | <input type="checkbox"/> Yes<br><input type="checkbox"/> Pilot testing<br><input checked="" type="checkbox"/> No<br><input type="checkbox"/> NA |
| <b>Criminal</b>                | <input checked="" type="checkbox"/> in all courts<br><input type="checkbox"/> in most of the courts<br><input type="checkbox"/> in some courts / some pilot phases<br><input type="checkbox"/> not available for this matter<br><input type="checkbox"/> NA | <input checked="" type="checkbox"/> in all courts<br><input type="checkbox"/> in most of the courts<br><input type="checkbox"/> in some courts / some pilot phases<br><input type="checkbox"/> not available for this matter<br><input type="checkbox"/> NA | <input type="checkbox"/> Yes<br><input type="checkbox"/> Pilot testing<br><input checked="" type="checkbox"/> No<br><input type="checkbox"/> NA |

|                       |   |   |   |
|-----------------------|---|---|---|
| <b>Administrative</b> | <input checked="" type="checkbox"/> in all courts<br><input type="checkbox"/> in most of the courts<br><input type="checkbox"/> in some courts / some pilot phases<br><input type="checkbox"/> not available for this matter<br><input type="checkbox"/> NA | <input checked="" type="checkbox"/> in all courts<br><input type="checkbox"/> in most of the courts<br><input type="checkbox"/> in some courts / some pilot phases<br><input type="checkbox"/> not available for this matter<br><input type="checkbox"/> NA | <input type="checkbox"/> Yes<br><input type="checkbox"/> Pilot testing<br><input checked="" type="checkbox"/> No<br><input type="checkbox"/> NA |
|-----------------------|---|---|---|

**062-9. Is there an intranet site within the judicial system for distribution of news/novelities?**

**Availability rate:**

- 100% - accessible to everyone in judiciary
- 50-99% - accessible for most judges/prosecutors in all instances
- 10-49% - in some courts only
- 1-9% - in one court only
- 0% (NAP) - No access

NA

Comments There is no special intranet site within the judicial system for this purpose. All necessary information about the changes of legal framework and other important novelities are given through CMS or via email.

**3.5.5 Technologies used for administration of the courts and case management**

**063-1. Is there a case management system (CMS) ? (Software used for registering judicial proceedings and their management)**

- Yes
- No

Comments - if it exists in other matters please specify

**063-1-1. If yes, please specify the following information:**

|                                | <b>CMS deployment rate</b>  | <b>Status of case online</b>   | <b>Centralised or interoperable database</b>  | <b>Early warning signals (for active case management)</b>   | <b>Status of integration/connection of a CMS with a statistical tool</b>  |
|--------------------------------|---|--|---|---|---|
| <b>Civil and/or commercial</b> | <input checked="" type="checkbox"/> 100%<br><input type="checkbox"/> 50-99%<br><input type="checkbox"/> 10-49%<br><input type="checkbox"/> 1-9%<br><input type="checkbox"/> 0% (NAP)<br><input type="checkbox"/> NA | <input type="checkbox"/> accessible to parties<br><input type="checkbox"/> publication of decision online<br><input checked="" type="checkbox"/> both<br><input type="checkbox"/> not accessible at all<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input type="checkbox"/> Fully integrated including BI<br><input type="checkbox"/> Integrated<br><input checked="" type="checkbox"/> Not integrated but connected<br><input type="checkbox"/> Not connected at all<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |

|                       |   |  |   |   |   |
|-----------------------|---|--|---|---|---|
| <b>Criminal</b>       | <input checked="" type="checkbox"/> 100%<br><input type="checkbox"/> 50-99%<br><input type="checkbox"/> 10-49%<br><input type="checkbox"/> 1-9%<br><input type="checkbox"/> 0% (NAP)<br><input type="checkbox"/> NA | <input type="checkbox"/> accessible to parties<br><input type="checkbox"/> publication of decision online<br><input checked="" type="checkbox"/> both<br><input type="checkbox"/> not accessible at all<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input type="checkbox"/> Fully integrated including BI<br><input type="checkbox"/> Integrated<br><input checked="" type="checkbox"/> Not integrated but connected<br><input type="checkbox"/> Not connected at all<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>Administrative</b> | <input checked="" type="checkbox"/> 100%<br><input type="checkbox"/> 50-99%<br><input type="checkbox"/> 10-49%<br><input type="checkbox"/> 1-9%<br><input type="checkbox"/> 0% (NAP)<br><input type="checkbox"/> NA | <input type="checkbox"/> accessible to parties<br><input type="checkbox"/> publication of decision online<br><input checked="" type="checkbox"/> both<br><input type="checkbox"/> not accessible at all<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input type="checkbox"/> Fully integrated including BI<br><input type="checkbox"/> Integrated<br><input type="checkbox"/> Not integrated but connected<br><input checked="" type="checkbox"/> Not connected at all<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |

### 063-2. Computerised registries managed by courts

|                          | Deployment rate   | Data consolidated at national level                                    | Service available online   | Statistical module integrated or connected                             |
|--------------------------|---|--|--|--|
| <b>Land registry</b>     | <input checked="" type="checkbox"/> 100%<br><input type="checkbox"/> 50-99%<br><input type="checkbox"/> 10-49%<br><input type="checkbox"/> 1-9%<br><input type="checkbox"/> 0% (NAP)<br><input type="checkbox"/> NA | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No |
| <b>Business registry</b> | <input checked="" type="checkbox"/> 100%<br><input type="checkbox"/> 50-99%<br><input type="checkbox"/> 10-49%<br><input type="checkbox"/> 1-9%<br><input type="checkbox"/> 0% (NAP)<br><input type="checkbox"/> NA | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No |

Comment – if it exists in other matters please specify

### 063-6. Budgetary and financial management systems of courts

| Tool deployment rate | Data consolidated at national level | System communicating with other ministries (financial among others) |
|----------------------|-------------------------------------|---|
|                      |                                     |   |

|   |   |  |  |
|---|---|--|--|
| <b>Budgetary and financial management of courts</b> | <input checked="" type="checkbox"/> 100%<br><input type="checkbox"/> 50-99%<br><input type="checkbox"/> 10-49%<br><input type="checkbox"/> 1-9%<br><input type="checkbox"/> 0% (NAP)<br><input type="checkbox"/> NA | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No |
| <b>Justice expenses management</b>                  | <input type="checkbox"/> 100%<br><input type="checkbox"/> 50-99%<br><input type="checkbox"/> 10-49%<br><input type="checkbox"/> 1-9%<br><input checked="" type="checkbox"/> 0% (NAP)<br><input type="checkbox"/> NA | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No |
| <b>Other (please specify in comments)</b>           | <input type="checkbox"/> 100%<br><input type="checkbox"/> 50-99%<br><input type="checkbox"/> 10-49%<br><input type="checkbox"/> 1-9%<br><input type="checkbox"/> 0% (NAP)<br><input checked="" type="checkbox"/> NA | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No |

Comments

**063-7. Measurement tools to assess the workload of judges, prosecutors and/or non-judge/non-prosecutor staff (tool quantifying the activity of judges, prosecutors and/or non-judge/non-prosecutor staff – for example the number of cases resolved)**

Yes

No

Comments

**063-7-1. If yes, please specify the following information:**

|   | <b>Tools deployment rate</b>  | <b>Data used for monitoring at national level</b>   | <b>Data used for monitoring at court local level</b>  | <b>Tool integrated in the CMS</b>   |
|---|---|---|---|---|
| <b>For judges</b>                         | <input checked="" type="checkbox"/> 100%<br><input type="checkbox"/> 50-99%<br><input type="checkbox"/> 10-49%<br><input type="checkbox"/> 1-9%<br><input type="checkbox"/> 0% (NAP)<br><input type="checkbox"/> NA | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>For prosecutors</b>                    | <input checked="" type="checkbox"/> 100%<br><input type="checkbox"/> 50-99%<br><input type="checkbox"/> 10-49%<br><input type="checkbox"/> 1-9%<br><input type="checkbox"/> 0% (NAP)<br><input type="checkbox"/> NA | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>For non-judge/non-prosecutor staff</b> | <input type="checkbox"/> 100%<br><input type="checkbox"/> 50-99%<br><input type="checkbox"/> 10-49%<br><input type="checkbox"/> 1-9%<br><input checked="" type="checkbox"/> 0% (NAP)<br><input type="checkbox"/> NA | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |

### 3.5.6 Technologies used for communication between courts, professionals and/or court

#### users

**064-2. Is there a possibility to submit a case to courts by electronic means?(possibility to introduce a case by electronic means, for example an e-mail or a form on a website)**

Yes

No

Comments During 2018, electronic communication was introduced in all commercial courts for obligatory participants in court proceedings.

**064-2-1. If yes, please specify the following information:**

|                                | Availability rate   | Simultaneous submission of cases in paper form remains mandatory  | Specific legislative framework authorising the submission of a case   | An integrated/connect ed tool with the CMS  |
|--------------------------------|---|---|---|---|
| <b>Civil and/or commercial</b> | <input type="checkbox"/> 100%<br><input type="checkbox"/> 50-99%<br><input checked="" type="checkbox"/> 10-49%<br><input type="checkbox"/> 1-9%<br><input type="checkbox"/> 0% (NAP)<br><input type="checkbox"/> NA | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>Criminal</b>                | <input type="checkbox"/> 100%<br><input type="checkbox"/> 50-99%<br><input type="checkbox"/> 10-49%<br><input type="checkbox"/> 1-9%<br><input checked="" type="checkbox"/> 0% (NAP)<br><input type="checkbox"/> NA | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>Administrative</b>          | <input type="checkbox"/> 100%<br><input type="checkbox"/> 50-99%<br><input type="checkbox"/> 10-49%<br><input type="checkbox"/> 1-9%<br><input checked="" type="checkbox"/> 0% (NAP)<br><input type="checkbox"/> NA | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |

Comments - if it exist in other matters please specify

**064-3. Is it possible to request legal aid by electronic means?**

Yes

No

Comments

**064-3-1. If yes, please specify the following information:**

|                                     |
|-------------------------------------|
| Requesting legal aid electronically |
|-------------------------------------|

|  |  |
|--|--|
| <b>Availability rate</b>   | <input type="checkbox"/> 100%<br><input type="checkbox"/> 50-99%<br><input type="checkbox"/> 10-49%<br><input type="checkbox"/> 1-9%<br><input type="checkbox"/> 0% (NAP)<br><input type="checkbox"/> NA |
| <b>Formalisation of the request in paper form remains mandatory</b>                        | <input type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP   |
| <b>Specific legislative framework regarding requests for legal aid by electronic means</b> | <input type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP   |
| <b>Granting legal aid is also electronic</b>   | <input type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP   |
| <b>Information available in CMS</b>  | <input type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP   |

**064-4. Is it possible to transmit summons to a judicial meeting or a hearing by electronic means? (a judicial meeting relates to stages prior to a court hearing, with a view to mediation or conciliation)**

Yes

No

Comments

**064-4-1. If yes, please specify the following information:**

|                                | <b>Summons produced by CMS</b> | <b>Simultaneous summon in paper form remains mandatory</b> | <b>Consent of the user to be notified by electronic means</b> | <b>Modalities (if other please specify in comments)</b>   | <b>Specific legislative framework</b> |
|--------------------------------|--------------------------------|--|---|---|---------------------------------------|
| <b>Civil and/or commercial</b> | <input type="checkbox"/>       | <input type="checkbox"/>                                   | <input type="checkbox"/>                                      | <input type="checkbox"/> SMS<br><input type="checkbox"/> E-mail<br><input type="checkbox"/> Specific computer application<br><input type="checkbox"/> Other | <input type="checkbox"/>              |
| <b>Criminal</b>                | <input type="checkbox"/>       | <input type="checkbox"/>                                   | <input type="checkbox"/>                                      | <input type="checkbox"/> SMS<br><input type="checkbox"/> E-mail<br><input type="checkbox"/> Specific computer application<br><input type="checkbox"/> Other | <input type="checkbox"/>              |

|                       |     |     |     |   |     |
|-----------------------|-----|-----|-----|---|-----|
| <b>Administrative</b> | [ ] | [ ] | [ ] | [ ] SMS<br>[ ] E-mail<br>[ ] Specific computer application<br>[ ] Other | [ ] |
|-----------------------|-----|-----|-----|---|-----|

Comments

**064-6. Are there possibilities of electronic communication between courts and lawyers and/or parties? (sending of electronic files and data concerning a judicial proceeding with or without scanned documents, mainly to develop dematerialised communication)**

**Communication between court and lawyers representing parties**

Yes

No

**Communication between court and parties not represented by lawyer**

Yes

No

Comments

**064-6-1. If yes, please specify the following information:**

|                                | <b>Tool deployment rate</b>  | <b>Trial phases concerned</b>  | <b>Modalities (if there are different according to the trial phases or if other, please specify in a comment)</b>                      | <b>Specific legal framework</b>         |
|--------------------------------|--|--|--|---|
| <b>Civil and/or commercial</b> | <input type="checkbox"/> 100%<br><input type="checkbox"/> 50-99%<br><input checked="" type="checkbox"/> 10-49%<br><input type="checkbox"/> 1-9%<br><input type="checkbox"/> 0% (NAP) -<br>for this matter<br><input type="checkbox"/> NA | <input checked="" type="checkbox"/> Submission of a case to a court<br><input type="checkbox"/> Phases preparatory to a hearing<br><input type="checkbox"/> Schedule of hearings and/or appeals management<br><input type="checkbox"/> Transmission of court decisions | <input type="checkbox"/> E-mail<br><input checked="" type="checkbox"/> Specific computer application<br><input type="checkbox"/> Other | <input checked="" type="checkbox"/> Yes |



|                       |  |  |  |                              |
|-----------------------|--|--|--|------------------------------|
| <b>Criminal</b>       | <input type="checkbox"/> 100%<br><input type="checkbox"/> 50-99%<br><input type="checkbox"/> 10-49%<br><input type="checkbox"/> 1-9%<br><input checked="" type="checkbox"/> 0% (NAP) -<br>for this matter<br><input type="checkbox"/> NA | <input type="checkbox"/> Submission<br>of a case to a court<br><input type="checkbox"/> Phases<br>preparatory to a<br>hearing<br><input type="checkbox"/> Schedule of<br>hearings and/or<br>appeals management<br><input type="checkbox"/><br>Transmission of<br>court decisions | <input type="checkbox"/> E-mail<br><input type="checkbox"/> Specific<br>computer application<br><input type="checkbox"/> Other | <input type="checkbox"/> Yes |
| <b>Administrative</b> | <input type="checkbox"/> 100%<br><input type="checkbox"/> 50-99%<br><input type="checkbox"/> 10-49%<br><input type="checkbox"/> 1-9%<br><input checked="" type="checkbox"/> 0% (NAP) -<br>for this matter<br><input type="checkbox"/> NA | <input type="checkbox"/> Submission<br>of a case to a court<br><input type="checkbox"/> Phases<br>preparatory to a<br>hearing<br><input type="checkbox"/> Schedule of<br>hearings and/or<br>appeals management<br><input type="checkbox"/><br>Transmission of<br>court decisions | <input type="checkbox"/> E-mail<br><input type="checkbox"/> Specific<br>computer application<br><input type="checkbox"/> Other | <input type="checkbox"/> Yes |

Comments

**064-7. Terms and conditions of electronic communication used by professionals other than lawyers (sending of electronic data concerning a judicial proceeding with or without scanned documents, mainly to develop dematerialised communication)**

|  | <b>Tool deployment rate</b>   | <b>Modalities (if there are different according to the deeds or if other, please specify in a comment)</b>                                | <b>Specific legal framework</b>         |
|--|---|---|---|
| <b>Enforcement agents (as defined in Q169 and following)</b> | <input type="checkbox"/> 100%<br><input type="checkbox"/> 50-99%<br><input type="checkbox"/> 10-49%<br><input checked="" type="checkbox"/> 1-9%<br><input type="checkbox"/> 0% (NAP)<br><input type="checkbox"/> NA | <input type="checkbox"/> E-mail<br><input checked="" type="checkbox"/> Specific<br>computer application<br><input type="checkbox"/> Other | <input checked="" type="checkbox"/> Yes |
| <b>Notaries (as defined in Q192 and following)</b>           | <input type="checkbox"/> 100%<br><input type="checkbox"/> 50-99%<br><input type="checkbox"/> 10-49%<br><input checked="" type="checkbox"/> 1-9%<br><input type="checkbox"/> 0% (NAP)<br><input type="checkbox"/> NA | <input type="checkbox"/> E-mail<br><input checked="" type="checkbox"/> Specific<br>computer application<br><input type="checkbox"/> Other | <input type="checkbox"/> Yes            |
| <b>Experts (as defined in Q202 and following)</b>            | <input type="checkbox"/> 100%<br><input type="checkbox"/> 50-99%<br><input type="checkbox"/> 10-49%<br><input checked="" type="checkbox"/> 1-9%<br><input type="checkbox"/> 0% (NAP)<br><input type="checkbox"/> NA | <input type="checkbox"/> E-mail<br><input checked="" type="checkbox"/> Specific<br>computer application<br><input type="checkbox"/> Other | <input type="checkbox"/> Yes            |

|                                 |  |  |                              |
|---------------------------------|--|--|------------------------------|
| <b>Judicial police services</b> | <input type="checkbox"/> 100%                | <input type="checkbox"/> E-mail                        | <input type="checkbox"/> Yes |
|                                 | <input type="checkbox"/> 50-99%              | <input type="checkbox"/> Specific computer application |                              |
|                                 | <input type="checkbox"/> 10-49%              | <input type="checkbox"/> Other                         |                              |
|                                 | <input type="checkbox"/> 1-9%                |  |                              |
|                                 | <input checked="" type="checkbox"/> 0% (NAP) |  |                              |
|                                 | <input type="checkbox"/> NA                  |  |                              |

Comments With the introduction of e-communication and the expansion of the use of electronic means of identification and electronic signature, the percentage of electronic communication has increased.

**064-9. Are there online processing devices of specialised litigation? (low value litigation, undisputed claims, preparatory phases to the resolution of family conflicts, etc. – please, specify in “comments” section)**

Yes

No

Comments – Please describe the system that exists.

**064-10. Videoconferencing between courts, professionals and/or users (this concerns the use of audio-visual devices in the framework of judicial proceedings such as the hearing of parties, etc.)**

Yes

No

Comments

**064-10-1. If yes, please specify the following information and describe in comments of this section the cases of actual use of videoconferencing and the expected benefits (for example, the use of this device to reduce the number of detainees’ transfers to the court):**

|                                | Deployment rate<br>(chose one only)   | Proceeding phase  | Specific legislative framework   |
|--------------------------------|---|---|--|
| <b>Civil and/or commercial</b> | <input type="checkbox"/> 100%<br><input type="checkbox"/> 50-99%<br><input checked="" type="checkbox"/> 10-49%<br><input type="checkbox"/> 1-9%<br><input type="checkbox"/> 0% (NAP)<br><input type="checkbox"/> NA | <input checked="" type="checkbox"/> Prior to the hearing<br><input checked="" type="checkbox"/> During the hearing<br><input checked="" type="checkbox"/> After the hearing | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No |
| <b>Criminal</b>                | <input type="checkbox"/> 100%<br><input type="checkbox"/> 50-99%<br><input checked="" type="checkbox"/> 10-49%<br><input type="checkbox"/> 1-9%<br><input type="checkbox"/> 0% (NAP)<br><input type="checkbox"/> NA | <input checked="" type="checkbox"/> Prior to the hearing<br><input checked="" type="checkbox"/> During the hearing<br><input checked="" type="checkbox"/> After the hearing | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No |
| <b>Administrative</b>          | <input type="checkbox"/> 100%<br><input type="checkbox"/> 50-99%<br><input type="checkbox"/> 10-49%<br><input checked="" type="checkbox"/> 1-9%<br><input type="checkbox"/> 0% (NAP)<br><input type="checkbox"/> NA | <input checked="" type="checkbox"/> Prior to the hearing<br><input checked="" type="checkbox"/> During the hearing<br><input checked="" type="checkbox"/> After the hearing | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No |

Comments

**064-11. Recording of hearings or debates (sound or audio-visual recording during the investigation and/or trial phase(s))**

Yes

No

Comments

**064-11-1. If yes, please specify the following information:**

|                                | Tool deployment rate  | Type of recording   | Specific legislative framework  |
|--------------------------------|---|---|---|
| <b>Civil and/or commercial</b> | <input checked="" type="checkbox"/> 100%<br><input type="checkbox"/> 50-99%<br><input type="checkbox"/> 10-49%<br><input type="checkbox"/> 1-9%<br><input type="checkbox"/> 0% (NAP)<br><input type="checkbox"/> NA | <input checked="" type="checkbox"/> Sound<br><input type="checkbox"/> Video<br><input type="checkbox"/> Both<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>Criminal</b>                | <input checked="" type="checkbox"/> 100%<br><input type="checkbox"/> 50-99%<br><input type="checkbox"/> 10-49%<br><input type="checkbox"/> 1-9%<br><input type="checkbox"/> 0% (NAP)<br><input type="checkbox"/> NA | <input checked="" type="checkbox"/> Sound<br><input type="checkbox"/> Video<br><input type="checkbox"/> Both<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>Administrative</b>          | <input checked="" type="checkbox"/> 100%<br><input type="checkbox"/> 50-99%<br><input type="checkbox"/> 10-49%<br><input type="checkbox"/> 1-9%<br><input type="checkbox"/> 0% (NAP)<br><input type="checkbox"/> NA | <input checked="" type="checkbox"/> Sound<br><input type="checkbox"/> Video<br><input type="checkbox"/> Both<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |

**064-12. Is electronic evidence admissible?**

|                                | Admissibility of electronic evidence                                   | Legislative framework   |
|--------------------------------|--|---|
| <b>Civil and/or commercial</b> | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | <input type="checkbox"/> General law only<br><input checked="" type="checkbox"/> General and specialised law<br><input type="checkbox"/> Specialised law only |
| <b>Criminal</b>                | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | <input checked="" type="checkbox"/> General law only<br><input type="checkbox"/> General and specialised law<br><input type="checkbox"/> Specialised law only |
| <b>Administrative</b>          | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | <input type="checkbox"/> General law only<br><input checked="" type="checkbox"/> General and specialised law<br><input type="checkbox"/> Specialised law only |

Comments

**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, number 28/13, 33/15, 82/15), the president of the court evaluates the work of every single judge according to Framework for the workload 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 for the workload 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 on the proposal of the General Assembly of Supreme Court. The Criteria prescribe the number of decisions that need to be rendered every year by a judge.

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

Comments

### 3.6.2.Performance and quality objectives at court level/public prosecution services

**077. Concerning court activities, have you defined performance and quality indicators?**

Yes

No

Comments

**078. If yes, please select the main performance and quality indicators that have been defined for courts:**

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

**077-1. Concerning public prosecution activities, have you defined performance and quality indicators?**

- Yes
- No

Comments

**078-1. If yes, please select the main performance and quality indicators for the public prosecution services that have been defined:**

- 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 public prosecutors)
- costs of the judicial procedures
- clearance rate
- disposition time
- percentage of convictions and acquittals
- other (please specify): .....

Comments

**073. Do you have a system to evaluate regularly court performance based primarily on the defined indicators?**

- 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, number 28/13, 33/15, 82/15), 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 of 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 of Justice, once a year, at least before 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 30 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. Misdemeanour courts operate using JCMS (Joint Case Management System), while other courts of general jurisdiction and commercial courts use ICMS (Integrated Case Management System). Through these systems 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?**

Identifying to the causes of improved or deteriorated performance

Reallocating resources (human/financial resources based on performance (treatment)

Reengineering of internal procedures to increase efficiency (treatment)

Other (please specify): .....

Comments

**073-3. Do you have a system to evaluate regularly the performance of the public prosecution services based primarily on the defined indicators?**

Yes

No

Comments

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

Annual

Less frequent

More frequent

Comments - If "less frequent" or "more frequent", please specify: According to the State Attorney's Act (Official Gazette, number 76/09, 153/09, 116/10, 145/10, 57/11, 130/11, 72/13, 148/13, 33/15, 82/15), 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 special information systems 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
- No

Comments

**073-6. If yes, which courses of action are taken?**

- Identifying to the causes of improved or deteriorated performance
- Reallocating resources (human/financial resources based on performance (treatment))
- Reengineering of internal procedures to increase efficiency (treatment)
- Other (please specify): .....

Comments

**079. Who is responsible for evaluating the performance of the courts (multiple options possible) :**

- High Judicial Council
- Ministry of Justice
- Inspection authority
- Supreme Court
- External audit body
- Other (please specify): .....

Comments

**079-1. Who is responsible for evaluating the performance of the public prosecution services (multiple options possible) :**

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



**3.6.3. Measuring courts' / public prosecution services activity**

**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

## 3.6.4. 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): Ministry of Justice of the Republic of Croatia, Ulica grada Vukovara 49, 10000 Zagreb, Croatia

No

Comments

### 080-1. Does this institution publish statistics on the functioning of each court:

Yes, on internet

No, only internally (in an intranet website)

No

Comments

### 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. Does this institution publish statistics on the functioning of each public prosecution service?

Yes, on internet

No, only internally (in an intranet website)

No

Comments

**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 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. to whom the report is intended): The report contains information on the completed proceedings, the ongoing proceedings and the public prosecutor's actions that have been taken, as well as information on pending cases. In addition to the numerical reports, summaries of the work on significant cases and of the extra procedural activities of the state attorney office are provided.

The monthly reports have three parts: the first part deals with reporting on legal and other issues, meetings and generally extra procedural work. The second part contains reports on the work and decisions in significant cases and the third part of the report consists of statistical tables on the work of the criminal and civil-law departments, with comments being given only if necessary due to large backlogs or a large number of negative decisions.

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

Internet

Intranet (internal) website

Paper distribution

Comments Municipal state attorney offices submit a report on the overall performance of the state attorney office for each month, no later than the 5th of the month to the county state attorney office. The report contains information on the completed proceedings, the ongoing proceedings and the public prosecutor's actions that have been taken, as well as information on pending cases. In addition to the numerical reports, summaries of the work on significant cases and of the extra procedural activities of the state attorney office are provided.

The monthly reports have three parts: the first part deals with reporting on legal and other issues, meetings and generally extra procedural

work. The second part contains reports on the work and decisions in significant cases and the third part of the report consists of statistical tables on the work of the criminal and civil-law departments, with comments being given only if necessary due to large backlogs or a large number of negative decisions.

County state attorney offices submit a report to the General State Attorney Office of the Republic of Croatia no later than the 10th of the following month in writing or electronically.

Special reports on cases of special state interest are submitted immediately upon receipt of the case or after the action has been taken in writing and in case of a particularly important case, the State Attorney General is informed directly by telecommunication. Upon receipt of the notification, county state attorney office informs the General State Attorney Office of the Republic of Croatia and the Attorney General immediately informs the Government of the Republic of Croatia.

Annual reports submitted by the municipal state attorney office to the county state attorney office contain statistical overview and a written section.

The statistical overview show the cases received, resolved and unresolved, the structure of criminal, civil and administrative cases, indictments and representation affairs, and an overview of the remedies filed and with what success.

The written part of the annual reports contains information on the work of the state attorney office in the field of criminal, civil and administrative law, the legal issues of particular areas, an overview of the organization and staff status, as well as proposals for improving the work

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

- Annual
- Less frequent
- More frequent

Comments

### **3.6.5 Courts administration**

**082. Is there a process or structure of dialogue between the public prosecution services and courts regarding the way cases are presented before courts (for example the organisation, number and planning of hearings, on-call service for urgent cases, selection of simplified procedures of prosecution...)?**

- Yes
- No

Comments - If yes, please specify:

**082-1. Is there in general a process or structure of dialogue between lawyers and courts regarding the way cases are presented before courts in other than criminal matters (e.g. organisation, number and planning of hearings, on-call service for urgent cases)?**

- Yes
- No

Comments - If yes, please specify:

### **3.6.6 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)?**

- Yes

No

Comments

**083-1. Who is responsible for setting the individual targets for each judge?**

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): According to the Courts Act, the Minister of Justice, upon the proposal of the General Session of the Supreme Court of the Republic of Croatia, adopts the Framework criteria for the work of judges.

Comments

**114. Is there a system of qualitative individual assessment of the judges' work?**

Yes

No

Comments

**114-1. If yes, please specify the frequency of this assessment:**

Annual

Less frequent

More frequent

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

Yes

No

Comments

**083-3. Who is responsible for setting the individual 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 hierarchical superior public prosecutor

Other (please specify): .....

Comments According to the State Attorney's Act, the Minister of Justice, upon the proposal of Prosecutor General, adopts the Framework criteria for the work of public prosecutors.

**120. Is there a system of qualitative individual assessment of the public prosecutors' work?**

Yes

No

Comments

**120-1. If yes, please specify the frequency of this assessment:**

- Annual  
 Less frequent  
 More frequent

Comments

**C4. Please indicate the sources for answering the questions in this chapter:**

Sources: Ministry of Justice of Republic of Croatia

## 4.Fair trial

### 4.1.Principles

#### 4.1.1.Principles 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, if a party considers that the judge is not impartial?**

- Yes  
 No

Comments - Please could you briefly specify:

**085-1. Ratio between the total number of initiated procedures of challenges and total number of finalised challenges (in the reference year):**

- [            ]  
 NA

Comments

**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 a case after a decision on violation of human rights by the European Court of Human Rights?**

Yes

No

NAP

Comments

### **D1. Please indicate the sources for answering questions in this chapter.**

Sources: Ministry of Justice of the Republic of Croatia

## **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:

#### **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:

#### **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:

**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 and on dates of hearings)?**

( ) Yes

( X ) No

Comments - If yes, please specify:

#### 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 |
|--|-----------------------------------|------------------------------|------------------------------|------------------------------------|--|
| <b>Total of other than criminal law cases (1+2+3+4)</b>  | 297 507<br>[ ] NA<br>[ ] NAP      | 882 675<br>[ ] NA<br>[ ] NAP | 922 780<br>[ ] NA<br>[ ] NAP | 257 110<br>[ ] NA<br>[ ] NAP       | [ X ] NA<br>[ ] NAP  |
| <b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>  | 148 828<br>[ ] NA<br>[ ] NAP      | 116 412<br>[ ] NA<br>[ ] NAP | 130 931<br>[ ] NA<br>[ ] NAP | 134 271<br>[ ] NA<br>[ ] NAP       | 47 305<br>[ ] NA<br>[ ] NAP  |
| <b>2. Non litigious cases (2.1+2.2+2.3)</b>  | 138 113<br>[ ] NA<br>[ ] NAP      | 752 833<br>[ ] NA<br>[ ] NAP | 776 278<br>[ ] NA<br>[ ] NAP | 114 418<br>[ ] NA<br>[ ] NAP       | [ X ] NA<br>[ ] NAP  |
| <b>2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, 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)</b> | 91 062<br>[ ] NA<br>[ ] NAP       | 120 873<br>[ ] NA<br>[ ] NAP | 143 939<br>[ ] NA<br>[ ] NAP | 65 897<br>[ ] NA<br>[ ] NAP        | 26 267<br>[ ] NA<br>[ ] NAP  |
| <b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>   | 47 051<br>[ ] NA<br>[ ] NAP       | 631 960<br>[ ] NA<br>[ ] NAP | 632 339<br>[ ] NA<br>[ ] NAP | 48 521<br>[ ] NA<br>[ ] NAP        | [ X ] NA<br>[ ] NAP  |
| <b>2.2.1. Non litigious land registry cases</b>  | 44 709<br>[ ] NA<br>[ ] NAP       | 495 739<br>[ ] NA<br>[ ] NAP | 495 865<br>[ ] NA<br>[ ] NAP | 46 432<br>[ ] NA<br>[ ] NAP        | [ X ] NA<br>[ ] NAP  |
| <b>2.2.2 Non-litigious business registry cases</b>   | 2 342<br>[ ] NA<br>[ ] NAP        | 136 221<br>[ ] NA<br>[ ] NAP | 136 474<br>[ ] NA<br>[ ] NAP | 2 089<br>[ ] NA<br>[ ] NAP         | [ X ] NA<br>[ ] NAP  |

|                                       |  |  |  |  |  |
|---------------------------------------|--|--|--|--|--|
| <b>2.2.3. Other registry cases</b>    | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP |
| <b>2.3. Other non-litigious cases</b> | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP |
| <b>3. Administrative law cases</b>    | 10 566<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP  | 13 430<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP  | 15 571<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP  | 8 421<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP   | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>4. Other cases</b>                 | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input checked="" type="checkbox"/> NAP |

Comments Decrease of the number of incoming cases (34%) in category 2.1. in comparison to previous cycle is due to the significant decrease of enforcement cases which are calculated in this category. Majority of enforcement cases are aimed at debtor's monetary assets based on trustworthy documents – i.e. documents that make the existence of debt highly plausible (such as regular utility bills, telecom operators' invoices, credit card invoices, unpaid installments of bank loans, etc.). Those cases were removed from jurisdiction of courts to public notaries already in 2012., and since then there is year after year decrease of enforcement cases in municipal courts - enforcement based on other types of enforcement titles (other than trustworthy document), as well as enforcement against real property.

**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

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

. Answer in category "other cases" is 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 |
|--|-----------------------------------|------------------------------|------------------------------|------------------------------------|--|
| <b>Total of criminal law cases (1+2+3)</b>           | 76 138<br>[ ] NA<br>[ ] NAP       | 186 705<br>[ ] NA<br>[ ] NAP | 187 236<br>[ ] NA<br>[ ] NAP | 75 597<br>[ ] NA<br>[ ] NAP        | [ X ] NA<br>[ ] NAP  |
| <b>1. Severe criminal cases</b>                      | 24 992<br>[ ] NA<br>[ ] NAP       | 17 113<br>[ ] NA<br>[ ] NAP  | 15 773<br>[ ] NA<br>[ ] NAP  | 26 338<br>[ ] NA<br>[ ] NAP        | 12 300<br>[ ] NA<br>[ ] NAP  |
| <b>2. Misdemeanour and / or minor criminal cases</b> | 40 400<br>[ ] NA<br>[ ] NAP       | 121 830<br>[ ] NA<br>[ ] NAP | 122 945<br>[ ] NA<br>[ ] NAP | 39 285<br>[ ] NA<br>[ ] NAP        | [ X ] NA<br>[ ] NAP  |
| <b>3. Other cases</b>                                | 10 746<br>[ ] NA<br>[ ] NAP       | 47 762<br>[ ] NA<br>[ ] NAP  | 48 518<br>[ ] NA<br>[ ] NAP  | 9 974<br>[ ] NA<br>[ ] NAP         | 1 072<br>[ ] NA<br>[ ] NAP   |

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases" please specify: In category "Other cases" are included (from this cycle) cases related to criminal matters in first instance: execution of sanctions (imprisonment), investigation actions of a judge, cases connected to procedural matters (e.g. panel of judges decision about detention, about prolongation of detention, about confirmation or dismissal of indictment, etc.)

**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 |
|---|-----------------------------------|-----------------------------|-----------------------------|------------------------------------|---|
| <b>Total of other than criminal law cases (1+2+3+4)</b>   | 54 847<br>[ ] NA<br>[ ] NAP       | 65 396<br>[ ] NA<br>[ ] NAP | 73 206<br>[ ] NA<br>[ ] NAP | 47 023<br>[ ] NA<br>[ ] NAP        | [ X ] NA<br>[ ] NAP   |
| <b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b> | 42 879<br>[ ] NA<br>[ ] NAP       | 37 304<br>[ ] NA<br>[ ] NAP | 45 383<br>[ ] NA<br>[ ] NAP | 34 807<br>[ ] NA<br>[ ] NAP        | 4 444<br>[ ] NA<br>[ ] NAP  |

|  |                             |                             |                             |                            |                          |
|--|-----------------------------|-----------------------------|-----------------------------|----------------------------|--------------------------|
| <b>2. Non litigious cases<br/>(2.1+2.2+2.3)</b>  | 10 061<br>[ ] NA<br>[ ] NAP | 22 066<br>[ ] NA<br>[ ] NAP | 22 652<br>[ ] NA<br>[ ] NAP | 9 454<br>[ ] NA<br>[ ] NAP | 392<br>[ ] NA<br>[ ] NAP |
| <b>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)</b> | 8 373<br>[ ] NA<br>[ ] NAP  | 19 794<br>[ ] NA<br>[ ] NAP | 20 242<br>[ ] NA<br>[ ] NAP | 7 906<br>[ ] NA<br>[ ] NAP | 334<br>[ ] NA<br>[ ] NAP |
| <b>2.2. Registry cases<br/>(2.2.1+2.2.2+2.2.3)</b>   | 1 581<br>[ ] NA<br>[ ] NAP  | 2 157<br>[ ] NA<br>[ ] NAP  | 2 257<br>[ ] NA<br>[ ] NAP  | 1 482<br>[ ] NA<br>[ ] NAP | 56<br>[ ] NA<br>[ ] NAP  |
| <b>2.2.1. Non litigious land registry cases</b>  | 1 574<br>[ ] NA<br>[ ] NAP  | 2 021<br>[ ] NA<br>[ ] NAP  | 2 118<br>[ ] NA<br>[ ] NAP  | 1 478<br>[ ] NA<br>[ ] NAP | 56<br>[ ] NA<br>[ ] NAP  |
| <b>2.2.2 Non-litigious business registry cases</b>   | 7<br>[ ] NA<br>[ ] NAP      | 136<br>[ ] NA<br>[ ] NAP    | 139<br>[ ] NA<br>[ ] NAP    | 4<br>[ ] NA<br>[ ] NAP     | 0<br>[ ] NA<br>[ ] NAP   |
| <b>2.2.3. Other registry cases</b>   | [ ] NA<br>[X] NAP           | [ ] NA<br>[X] NAP           | [ ] NA<br>[X] NAP           | [ ] NA<br>[X] NAP          | [ ] NA<br>[X] NAP        |
| <b>2.3. Other non-litigious cases</b>  | 107<br>[ ] NA<br>[ ] NAP    | 115<br>[ ] NA<br>[ ] NAP    | 153<br>[ ] NA<br>[ ] NAP    | 66<br>[ ] NA<br>[ ] NAP    | 2<br>[ ] NA<br>[ ] NAP   |
| <b>3. Administrative law cases</b>   | 1 907<br>[ ] NA<br>[ ] NAP  | 6 026<br>[ ] NA<br>[ ] NAP  | 5 171<br>[ ] NA<br>[ ] NAP  | 2 762<br>[ ] NA<br>[ ] NAP | [X] NA<br>[ ] NAP        |
| <b>4. Other cases</b>  | [ ] NA<br>[X] NAP           | [ ] NA<br>[X] NAP           | [ ] NA<br>[X] NAP           | [ ] NA<br>[X] NAP          | [ ] NA<br>[X] NAP        |

Comments - If "Other cases" please specify In category 1. Civil (and commercial) litigious cases there has been a decrease in the number of pending cases at the beginning of the period, received cases, resolved cases and also pending cases at the end of the year. This seems to be the trend for several years now. Although these courts are resolving less cases than in previous period, due to the reduced income, pending cases are still significantly decreased. Reduced number of received civil litigious and commercial cases on second instance do not have reason in for example law changes. Simply because less cases are resolved at first instance, less appeals are lodged to the second instance.

The increased number of pending administrative law cases at the beginning and at the end of the year as well as received cases is due to the extended jurisdiction of the High administrative court following law changes. The latter led to an increased inflow of cases and difficulty for the High administrative court to cope successfully with the income of second instance cases, especially since the number of judges remain the same as before law changes. This comment was provided also for last cycle.

The rest of the categories which have increase or decrease in pending cases is just an effect of the incoming or resolved 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 |
|--|-----------------------------------|-----------------------------|-----------------------------|------------------------------------|---|
| <b>Total of criminal law cases (1+2+3)</b>           | 17 857<br>[ ] NA<br>[ ] NAP       | 21 867<br>[ ] NA<br>[ ] NAP | 27 597<br>[ ] NA<br>[ ] NAP | 12 109<br>[ ] NA<br>[ ] NAP        | [ X ] NA<br>[ ] NAP   |
| <b>1. Severe criminal cases</b>                      | 2 171<br>[ ] NA<br>[ ] NAP        | 7 847<br>[ ] NA<br>[ ] NAP  | 7 684<br>[ ] NA<br>[ ] NAP  | 2 333<br>[ ] NA<br>[ ] NAP         | 36<br>[ ] NA<br>[ ] NAP   |
| <b>2. Misdemeanour and / or minor criminal cases</b> | 15 591<br>[ ] NA<br>[ ] NAP       | 13 063<br>[ ] NA<br>[ ] NAP | 18 932<br>[ ] NA<br>[ ] NAP | 9 704<br>[ ] NA<br>[ ] NAP         | [ X ] NA<br>[ ] NAP   |
| <b>3. Other cases</b>                                | 96<br>[ ] NA<br>[ ] NAP           | 957<br>[ ] NA<br>[ ] NAP    | 981<br>[ ] NA<br>[ ] NAP    | 72<br>[ ] NA<br>[ ] NAP            | 25<br>[ ] NA<br>[ ] NAP   |

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases", please specify. Starting from 1 June 2013, when the Act on Amendments to the Misdemeanors Act (OG 39/2013) entered into force, the inflow of first-instance misdemeanor cases had been reduced up to the point where there was no more justification for keeping specialized courts for these types of cases. This led also to continuous decrease of second instance misdemeanor cases, which is also the case in this reporting cycle.

Category "Other cases" - category introduced in this cycle: in case of Croatia, cases calculated here are cases of execution of imprisonment sanctions on county courts in second instance.

#### 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 |
|---|-----------------------------------|----------------------------|----------------------------|------------------------------------|---|
| <b>Total of other than criminal law cases (1+2+3+4)</b>   | 16 759<br>[ ] NA<br>[ ] NAP       | 6 839<br>[ ] NA<br>[ ] NAP | 9 379<br>[ ] NA<br>[ ] NAP | 14 219<br>[ ] NA<br>[ ] NAP        | [ X ] NA<br>[ ] NAP   |
| <b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b> | [ X ] NA<br>[ ] NAP               | [ X ] NA<br>[ ] NAP        | [ X ] NA<br>[ ] NAP        | [ X ] NA<br>[ ] NAP                | [ X ] NA<br>[ ] NAP   |
| <b>2. Non litigious cases (2.1+2.2+2.3)</b>   | [ X ] NA<br>[ ] NAP               | [ X ] NA<br>[ ] NAP        | [ X ] NA<br>[ ] NAP        | [ X ] NA<br>[ ] NAP                | [ X ] NA<br>[ ] NAP   |

|  |                     |                     |                     |                     |                     |
|--|---------------------|---------------------|---------------------|---------------------|---------------------|
| <b>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)</b> | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP |
| <b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>   | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP |
| <b>2.2.1. Non litigious land registry cases</b>  | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP |
| <b>2.2.2 Non-litigious business registry cases</b>   | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP |
| <b>2.2.3. Other registry cases</b>   | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP |
| <b>2.3. Other non-litigious cases</b>  | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP |
| <b>3. Administrative law cases</b>   | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP |
| <b>4. Other cases</b>  | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] NAP | [ X ] NA<br>[ ] 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

( ) No

Comments

**099-1-1. If yes, please indicate the number of:**

cases received by the Highest court? [ 0 ]

cases closed by this procedure? [ 0 ]

Comments Data for cases received by the Highest court and cases closed by this procedure are not available.

**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 |
|--|-----------------------------------|----------------------------|----------------------------|------------------------------------|---|
| <b>Total of criminal law cases (1+2+3)</b>           | 685<br>[ ] NA<br>[ ] NAP          | 1 923<br>[ ] NA<br>[ ] NAP | 1 901<br>[ ] NA<br>[ ] NAP | 707<br>[ ] NA<br>[ ] NAP           | [ X ] NA<br>[ ] NAP   |
| <b>1. Severe criminal cases</b>                      | [ X ] NA<br>[ ] NAP               | [ X ] NA<br>[ ] NAP        | [ X ] NA<br>[ ] NAP        | [ X ] NA<br>[ ] NAP                | [ X ] NA<br>[ ] NAP   |
| <b>2. Misdemeanour and / or minor criminal cases</b> | [ X ] NA<br>[ ] NAP               | [ X ] NA<br>[ ] NAP        | [ X ] NA<br>[ ] NAP        | [ X ] NA<br>[ ] NAP                | [ X ] NA<br>[ ] NAP   |
| <b>3. Other cases</b>                                | [ ] NA<br>[ X ] NAP               | [ ] NA<br>[ X ] NAP        | [ ] NA<br>[ X ] NAP        | [ ] NA<br>[ X ] NAP                | [ ] NA<br>[ X ] NAP   |

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases", please specify. The table shows cases under the jurisdiction of the Supreme Court of the Republic of Croatia, as the highest judicial authority in the Republic of Croatia.

#### 4.2.5. Case flow management and timeframes – specific cases

**101. Number of litigious divorce cases, employment dismissal cases, insolvency, robbery cases, intentional homicide cases, cases relating to asylum seekers and cases relating to the right of entry and stay for aliens 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 |
|---|-----------------------------------|----------------------------|-----------------------------|-----------------------------------|
| <b>Litigious divorce cases</b>  | 1 756<br>[ ] NA<br>[ ] NAP        | 2 798<br>[ ] NA<br>[ ] NAP | 2 826<br>[ ] NA<br>[ ] NAP  | 1 728<br>[ ] NA<br>[ ] NAP        |
| <b>Employment dismissal cases</b>   | 1 459<br>[ ] NA<br>[ ] NAP        | 1 119<br>[ ] NA<br>[ ] NAP | 1 441<br>[ ] NA<br>[ ] NAP  | 1 137<br>[ ] NA<br>[ ] NAP        |
| <b>Insolvency</b>   | 10 624<br>[ ] NA<br>[ ] NAP       | 9 213<br>[ ] NA<br>[ ] NAP | 11 179<br>[ ] NA<br>[ ] NAP | 8 660<br>[ ] NA<br>[ ] NAP        |
| <b>Robbery case</b>   | [ X ] NA<br>[ ] NAP               | [ X ] NA<br>[ ] NAP        | [ X ] NA<br>[ ] NAP         | [ X ] NA<br>[ ] NAP               |
| <b>Intentional homicide</b>   | [ X ] NA<br>[ ] NAP               | [ X ] NA<br>[ ] NAP        | [ X ] NA<br>[ ] NAP         | [ X ] NA<br>[ ] NAP               |
| <b>Cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)</b> | [ ] NA<br>[ X ] NAP               | [ ] NA<br>[ X ] NAP        | [ ] NA<br>[ X ] NAP         | [ ] NA<br>[ X ] NAP               |
| <b>Cases relating to the right of entry and stay for aliens</b>                           | [ ] NA<br>[ X ] NAP               | [ ] NA<br>[ X ] NAP        | [ ] NA<br>[ X ] NAP         | [ ] NA<br>[ X ] NAP               |

Comments The reason for decreasing the number of pending insolvency cases lies in the new Bankruptcy Act, which entered into force in September 2015. Since then, and throughout the first half of 2016, many shortened bankruptcy proceedings have been initiated ex officio and finished in relatively short period (that was "unnaturally" large income of simple insolvency cases). Cycles defined in aforementioned Law of initiating these procedures by FINA finished, so 2018. actually reflects regular state of insolvency proceedings regarding income of insolvency cases.

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

. Pursuant to the Aliens Act, a third-country national on entry to the Republic of Croatia who does not meet the requirements for entry prescribed in the Schengen Borders Code will be refused entry into the Republic of Croatia. A decision on the refusal of entry is made on the standard form against which an appeal can be filed to the Appeals Commission established by the Government of the Republic of Croatia. Against decision of the Commission a claim to the Administrative Court may be filed.

Pursuant to the same Act, to a third-country national who illegally resides in the Republic of Croatia or legally resides on a short-term residence but no longer fulfils the conditions for legal residence, a decision on return or other return decision (eg expulsion decision) will be issued. Against this decision a claim may be filed to the Administrative Court. The lawsuit does not delay the enforcement of the decision, but the Administrative Court may postpone enforcement of the decision. The deadline for filing a claim is 30 days.

The procedure of international protection approval in the Republic of Croatia is regulated by the Law on International and Temporary Protection (Official Gazette 70/15).

No appeal is allowed against a decision rejecting an international protection claim but international protection seeker may initiate an administrative dispute before the competent Administrative Court within the statutory deadline. If the court rejects the claim, the claimant of international protection has the right to lodge a complaint with the High Administrative Court of the Republic of Croatia within 15 days of the delivery of the judgment. The High Administrative Court issues the final decision on the application for international protection.

The conditions of entry, movement, residence and work of third-country nationals and nationals of Member States of the European Economic Area and members of their families and conditions of work and rights of posted workers in the Republic of Croatia are regulated by the Aliens Act (Official Gazette, No. 130/11, 7413 and 69/17).

Pursuant to the Aliens Act, third country nationals may regulate temporary and permanent residence in the Republic of Croatia. As far as temporary residence is concerned, an appeal to the Appeals Commission appointed by the Government of the Republic of Croatia may be filed against the decision of the police department or the police station on the temporary stay of a third country national. An administrative dispute may be initiated against the decision of the said Commission. The police department or the police station ex officio will issue a decision on termination of temporary residence against which an appeal can be filed to the Appeal Commission appointed by the Government of the Republic of Croatia. An administrative dispute may be initiated against the decision of the said Commission.

Regarding the issue of permanent residence, against the decision of the Ministry on the permanent residence of a third country national appeal is not allowed, but an administrative dispute may be initiated. The Ministry of the Interior ex officio decides on the termination of a permanent residency of a third-country national against which an appeal is not allowed, but an administrative dispute may be initiated.

In the case of nationals of the EEA Member States and members of their families, they may, in accordance with the Aliens Act, regulate temporary and permanent residence in the Republic of Croatia.

With regard to the temporary stay, an appeal to the Appeals Commission appointed by the Government of the Republic of Croatia may be filed against the decision of the police department or police station on registration of temporary residence of a citizen of the EEA Member State and a member of his/her family. The party may initiate an administrative dispute against the decision of the said Commission. The police department or the police station ex officio will issue a decision on termination of temporary residence against which an appeal can be filed by the Appeal Commission appointed by the Government of the Republic of Croatia. An appeal is not allowed against the decision of the said Commission, but an administrative dispute may be initiated.

With regard to permanent residence, an appeal may be filed against the decision of the police department or the police station on the application for permanent residence of a citizen of the EEA Member State and a member of his/her family by the Appeals

Commission appointed by the Government of the Republic of Croatia. An appeal is not allowed against the decision of the said Commission, but an administrative dispute may be initiated. The police department or the police station ex officio will issue a decision on termination of the permanent residence of a citizen of a member state of the EEA and a member of his/her family against which an appeal may be filed by the Appeals Commission appointed by the Government of the Republic of Croatia. An administrative dispute may be initiated against the decision of the said Commission.

**102. Average length of proceedings, in days (from the date the application for judicial review is lodged). 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 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 total length of the total procedure (in days)       | % of cases pending for more than 3 years for all instances  |
|---|---|--|--|---|---|---|
| <b>Civil and commercial litigious cases</b> | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 792<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP   | 402<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>Litigious divorce case</b>               | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 243<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP   | 68<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP  | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>Employment dismissal case</b>            | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 1 020<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 218<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>Insolvency</b>                           | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 400<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP   | 26<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP  | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>Robbery case</b>                         | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP          | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP        | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>Intentional homicide</b>                 | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP          | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP        | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP |

Comments The reason for increasing the average length of resolved insolvency cases lies in the new Bankruptcy Act, which entered into force on 1 September 2015. Since then, and throughout the first half of 2016, a large number of shortened bankruptcy proceedings have been initiated ex officio - the main characteristic of these proceedings is their prompt resolution – so they reduced the average length for proceedings of insolvency cases in last cycle. This cycle we do not have as many of those shortened case, thatswhy average time is longer when compared with previous cycle.

**103. Where appropriate, please indicate the specific procedure regarding divorce cases (litigious and non-litigious):**

. According to the Family Act (2003), a spouse may apply for a divorce in a suit. If both spouses require a divorce, the litigation proceeding is instituted by a stipulated demand (a joint petition) for a divorce. If one of the spouses files a suit for a divorce, and the other at the latest by the conclusion of the main hearing, expressly states that he does not deny the justification of the suit, it will be considered that the marriage partners have submitted a joint petition for a divorce. If one of the spouses withdraws from the joint petition for a divorce, and the other adheres to the request to have the marriage dissolved, this application will be considered a suit for



a dissolution of the marriage, and the court will instruct the spouses to start the mediation proceeding. If one of the spouses withdraws from the joint petition for a divorce, and the other adheres to the request to have the marriage dissolved, this application will be considered a suit for a dissolution of the marriage, and the court will instruct the spouses to start the mediation proceeding.

A spouse has no right to sue for divorce while his wife is pregnant or until their child is one year old. A marriage ceases by divorce when the judgement of a court concerning the divorce becomes legally effective. A court will grant a divorce: if it determines that the marital relations have been seriously and lastingly disturbed, or if a year has passed since the marital union ceased to exist, or if both spouses consensually apply for a divorce. A divorce mediation will be started when: divorce action has been initiated by a divorce complaint, and when spouses have under-age children. At the first hearing, the court will ask the spouses to state to which welfare centre, marriage counselling office or person authorised to give expert assistance (a mediator) they wish to turn for the sake of obviating their marital dissensions or for the sake of an agreement about settling the legal effects of the divorce. The court will ask the parties if there is any agreement about with which parent the children will live, about their meetings and association with the other parent, or about the accommodation of the child during the divorce proceedings. If the spouses have not agreed on whom they will carry out the mediation proceedings with, the court will make an ex officio decision concerning the choice of mediator.

A mediator will question the parties about the causes that have led to the breakdown of their marital relations and endeavour to obviate the causes and to reconcile the spouses. The mediator is bound to supply a professional and expert opinion to the spouses. If the spouses do not deliver the professional opinion to the court in a period of a year from the reception, it will be deemed that the suit or the consensual application for divorce has been withdrawn.

A court will enable a child, in accordance with his age, maturity and well-being, for the sake of obtaining his rights and interests in status matters, to express his opinion before the welfare centre or before the court.

Before making a decision concerning which parent the child will live with and about parental care the court will obtain the opinion and recommendation of the welfare centre. When custody is being decided on in a divorce proceeding a welfare centre can take into consider the opinion of the mediator. In a decision concerning which parent the child will live with and on parental care the child will, if it is necessary, order a person with whom the child is living to surrender it to a parent. In the proceeding concerning with which parent the child will live and concerning parental care the court is not bound by the applications of the parties. A review is not allowed of a second instance decision concerning which parent the child will live with or concerning parental care.

There is no statute of limitations to the right to sue for divorce unless otherwise ordered in this Law.

Note: The same answer was applicable for the previous cycle, therefore we mistakenly marked N/A.

Following amendments to the Family Act entered into force in June 2014: mandatory counseling and family mediation (instead of mediation before divorce) for spouses who have under-age children; a plan on joint parenting; a home institute - which protects the right to live in the property which is the family property (which is co-ownership of spouses, or apartment which is used pursuant to a lease agreement); the child is a party to a judicial proceeding; the child has a right to a special guardian to represent him/her and the right to be in an appropriate manner familiar with all the relevant circumstances of the case and the possible consequences; the child has the right to express opinions while a child above 14 has a litigation capacity; the child's right to self-expression of an opinion and the right to oppose the enforcement for the realization of personal relations between parents and child; the proceeding instituted by a stipulated demand (a joint petition) for a divorce is being conducted in a non-judicial proceeding; the possibility of an independent exercise of parental care; the deadline for initiating the court proceeding for a divorce is six months from mandatory counselling or family mediation.

## **104. How is the length of proceedings calculated for the six case categories of question 102?**

**Please give a description of the calculation method.**

. According to the Explanatory note, the average length of proceedings is calculated from the lodging of court proceedings, presented in days. According to the ICMS (Integrated Court Management System), we are able to present data on average length of the judicial proceedings from the date of lodging a claim or indictment till the delivery of the first instance judgment. Therefore, we answered NA

to all categories. Furthermore, from ICMS system, we can present data form specific types of cases (litigious divorce cases, insolvency cases and employment dismissal cases), but we cannot present data for intentional homicide and robbery cases.

#### 4.2.6. Case flow management – public prosecution



#### 105. Role and powers of the public prosecutor in the criminal procedure (multiple options possible):

- to conduct or supervise police investigation
- to conduct investigations
- 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:

#### 107. Cases processed by the public prosecutor - Total number of first instance criminal cases:

|  | Received during the reference year | Discontinued during the reference year (see Q108 below) | Concluded by a penalty or a measure imposed or negotiated by the public prosecutor | Cases brought to court       |
|--|------------------------------------|---|--|------------------------------|
| <b>Total number of first instance cases processed by the public prosecutor</b> | 61 858                             | 24 439  | 202  | 16 502                       |
|  | <input type="checkbox"/> NA        | <input type="checkbox"/> NA                             | <input type="checkbox"/> NA  | <input type="checkbox"/> NA  |
|  | <input type="checkbox"/> NAP       | <input type="checkbox"/> NAP                            | <input type="checkbox"/> NAP   | <input type="checkbox"/> NAP |

Comments Compared with the data discrepancies from 2016 data, it is evident that the total number of cases received in the State Attorney's Office in 2018 decreased, which is why all other reported figures from 2018 are relatively smaller compared to the 2016 data.

#### 107-1. If the guilty plea procedure exists, how many cases were brought to court by the prosecutor through this procedure?

|                              | Number of guilty plea procedures |
|------------------------------|----------------------------------|
| <b>Total</b>                 | 402<br>[ ] NA<br>[ ] NAP         |
| <b>Before the court case</b> | [ X ] NA<br>[ ] NAP              |
| <b>During the court case</b> | [ X ] NA<br>[ ] NAP              |

Comments

### 108. Total number of cases which were discontinued by the public prosecutor.

|   | Number of cases             |
|---|-----------------------------|
| <b>Total number of cases which were discontinued by the public prosecutor (1+2+3+4)</b>                                 | 24 439<br>[ ] NA<br>[ ] NAP |
| <b>1. Discontinued by the public prosecutor because the offender could not be identified</b>                            | 15 403<br>[ ] NA<br>[ ] NAP |
| <b>2. Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation</b> | 8 011<br>[ ] NA<br>[ ] NAP  |
| <b>3. Discontinued by the public prosecutor for reasons of opportunity</b>  | 1 025<br>[ ] NA<br>[ ] NAP  |
| <b>4. Other</b>   | 0<br>[ ] NA<br>[ ] NAP      |

Comments Suspension means the dismissal of criminal charges and suspension in the course of proceedings. The numerical indicators expressed under ordinal numbers 1 to 3 are relatively smaller compared to the data from 2016 (at that time the data were as follows: 1) 17.135, 2) 11.451. and 3) 1.569), which is the result of the total smaller number of first instance cases received in the State Attorney's offices in 2018.

### 109. Do the figures include traffic offence cases?

( X ) Yes

( ) No

Comments

### D2. Please indicate the sources for answering questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 107-1 and 108.

Sources: Ministry of Justice of the Republic of Croatia, data from ICMS (Integrated Court Management System), State Attorney's Office.

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## 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?

[ ] mainly through a competitive exam (open competition)

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

[ ] a combination of both (competitive exam and working experience)

[ X ] other (please specify): Judges are appointed for the first time at municipal, misdemeanour, commercial and administrative courts, strictly from the ranks of candidates who have, after graduating from the Faculty of law, completed the State School for Judicial Officials. They can also be appointed from the ranks of judges. The aim of the State School is to provide the necessary knowledge and skills for autonomous, responsible, independent and impartial performance of judicial duties. When the State Judicial Council appoints a judge out of the candidates who have completed the State School for Judicial Officials, the selection must be based on final assessment of the candidates after the State School in which they can get a maximum of 300 points, as well as the points that candidates got after interviews before the Council (maximum 15 points). When a person who is a judge is a candidate, his evaluation is taken into account in which he can receive a maximum of 150 points which are then multiplied with 2. Chosen candidates undergo psychology test and security clearance before appointment. 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 and the High Administrative 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, and 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. A candidate for the judge of the Supreme Court who is not a judicial official takes a test before the Council, which consists of drawing up one or more written papers in accordance with the provisions of the Ordinance adopted by the Council. The candidates prepare their papers under a personal code, and based on the written papers they can get a maximum of 150 points. At the interview before the Council the candidates can get a maximum of 15 points. Chosen candidates undergo psychology test and security clearance before appointment. A candidate who submits an application to announcement of vacancy of the office of county judge, a judge of the High Misdemeanour Court of the Republic of Croatia, the High Commercial Court of the Republic of Croatia and the High Administrative Court of the Republic of Croatia, and who qualifies, i.e. has sufficient number of years of service as a judicial official but is not a judge (State Attorney/Deputy State Attorney) in accordance with the provisions of the Ordinance on evaluation in the process of appointment of judges (Official Gazette no. 93/13 – hereinafter referred to as 'Ordinance') takes a test before the Council, which consists of drawing up one or more written papers under a personal code. For one or more written papers, a candidate can get a maximum of 150 points. For candidates who submit an application, meet the requirements of service and who are judges, the Council will request the evaluation of the performance of judicial duties from a competent judicial council. Once the competent judicial council submits the final evaluation of the performance of judicial duties for which the judge can get up to 150 points, the Council conducts interviews with the candidates for which candidate can get up to 15 points. The candidates who got less than 130 points for evaluation of the performance of judicial duties or after knowledge exam, and the candidates who after the interview would not achieve sufficient points for the appointment are generally not invited for an interview. After the interview, the Council votes and the points the candidates achieved at the interview before the Council are added to the points for the assessment of the performance of judicial duties, and points acquired in a knowledge exam and a ranking list of candidates is compiled and a decision on the appointment of judges made. The decision on the appointment of judges must be based on the total number of points and the ranking list of candidates. The ranking list is published on the website of the Council. The Council must appoint a judge within the 10 highest ranking candidates and there must be less than 10 points difference between the chosen candidate and the highest ranking candidates. As for the appointment of judges of the Supreme Court, if a judge applies the procedure as stated above with regard to the process of obtaining assessment of the performance of judicial duties; if the applicant is the judicial official who is not a judge (state attorneys/deputy state attorneys), the Council will, before

conducting interviews, on the basis of assessment of the performance of a state attorney's duties determine the appropriate number of points for performing duties of a justice officials in accordance with the Ordinance. Based on general criteria and standards applied to all similar cases, the Council is authorized to determine that a candidate gets from 0 to 100 points for his/her previous work in the judicial system and to determine the number of points which is different from the one the candidate got from the body for assessment of his public attorney's work. A candidate for a judge of the Supreme Court who is not a judicial official takes a knowledge test before the Council, which consists of making one or more written papers. The candidates' papers are made under a personal code and for the written papers one can get a maximum of 150 points. At the interview before the Council, candidates can get a maximum of 15 points. As for inviting candidates for an interview, compiling of a ranking list and making the decision on the appointment, the same rules apply as stated in the previous paragraph

Comments

**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 made up of judges and non-judges

Comments - Please indicate the name of the authority(ies) involved in 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 - State Judicial Council (consisting of seven judges, two members of Parliament and two Faculty of Law professors.

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

- Yes
- No

Comments

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

- Competitive test / Exam
- Other procedure (interview or other)
- No special procedure

Comments - Please specify how the promotion of judges is organised (especially if there is no competition or examination):

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

- Years of experience
- Professional skills (and/or qualitative performance)
- Performance (quantitative)
- Assessment results
- 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"):

**5.1.2. Status, recruitment and promotion of prosecutors**



## 115. What is the status of public prosecution services?

- statutory independent
- under the authority of the Minister of Justice or another central authority
- other (please specify): .....

Comments - When appropriate, please specify the objective guarantees of this independence (transfer, appointment...). Both according to the Constitution of the Republic of Croatia and according to the Act on the State's Attorney Office, the 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. Does the law or another regulation prevent specific instructions to prosecute or not, addressed to a public prosecutor?

- Yes
- No

Comments - If yes, please specify:

## 116. How are public prosecutors recruited?

- mainly through a competitive exam (open competition)
- mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)
- a combination of both (competitive exam and working experience)
- other (please specify): .....

Comments

## 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
- an authority composed of public prosecutors and non-public prosecutors

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles:

## 118. Is the same authority (Q.117) formally responsible 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 answers possible)

- Competitive test / exam
- Other procedure (interview or other)
- No special procedure

Comments - Please, specify the procedure (especially if it is a procedure different from a competitive test or an exam):

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

- Years of experience
- Professional skills (and/or qualitative performance)
- Performance (quantitative)
- Assessment results
- 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");

**5.1.3.Mandate 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

**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 for judges is not for an undetermined period (see question 121), what is the length of the mandate (in years)?**

[            ]

[ ] NA

[ X ] NAP

Comments

**125-1. Is it renewable?**

( ) Yes

( ) No

[ X ] NAP

Comments

**126. If the mandate for public prosecutors is not for an undetermined period (see question 123), what is the length of the mandate (in years)?**

[            ]

[ ] NA

[ X ] NAP

Comments

**126-1. Is it renewable?**

( ) Yes

( ) No

[ X ] NAP

Comments

**E1. Please indicate the sources for answering the questions in this chapter:**

Sources: Ministry of Justice of the Republic of Croatia

## 5.2. Training

### 5.2.1. Training of judges

**127. Types of different trainings offered to judges:**

|   | Compulsory          | Optional            | No training proposed |
|---|---------------------|---------------------|----------------------|
| <b>Initial training (e.g. attend a judicial school, traineeship in the court)</b> | ( X ) Yes<br>( ) No | ( ) Yes<br>( X ) No | ( ) Yes<br>( X ) No  |



|  |                     |                     |                     |
|--|---------------------|---------------------|---------------------|
| <b>General in-service training</b>   | ( ) Yes<br>( X ) No | ( X ) Yes<br>( ) No | ( ) Yes<br>( X ) No |
| <b>In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)</b> | ( ) Yes<br>( X ) No | ( X ) Yes<br>( ) No | ( ) Yes<br>( X ) No |
| <b>In-service training for management functions of the court (e.g. court president)</b>                          | ( ) Yes<br>( X ) No | ( X ) Yes<br>( ) No | ( ) Yes<br>( X ) No |
| <b>In-service training for the use of computer facilities in courts</b>  | ( ) Yes<br>( X ) No | ( X ) Yes<br>( ) No | ( ) Yes<br>( X ) No |
| <b>In-service training on ethics</b>   | ( ) Yes<br>( X ) No | ( X ) Yes<br>( ) No | ( ) Yes<br>( X ) No |

Comments

### 128. Frequency of the in-service training of judges:

|  | Frequency of the judges training   |
|--|--|
| <b>General in-service training</b>   | <input checked="" type="checkbox"/> Regularly (for example every year)<br><input type="checkbox"/> Occasional (as needed)<br><input type="checkbox"/> No training proposed |
| <b>In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)</b> | <input type="checkbox"/> Regularly (for example every year)<br><input checked="" type="checkbox"/> Occasional (as needed)<br><input type="checkbox"/> No training proposed |
| <b>In-service training for management functions of the court (e.g. court president)</b>                          | <input checked="" type="checkbox"/> Regularly (for example every year)<br><input type="checkbox"/> Occasional (as needed)<br><input type="checkbox"/> No training proposed |
| <b>In-service training for the use of computer facilities in courts</b>  | <input checked="" type="checkbox"/> Regularly (for example every year)<br><input type="checkbox"/> Occasional (as needed)<br><input type="checkbox"/> No training proposed |
| <b>In-service training on ethics</b>   | <input checked="" type="checkbox"/> Regularly (for example every year)<br><input type="checkbox"/> Occasional (as needed)<br><input type="checkbox"/> No training proposed |

Comments - Please indicate any information on the periodicity of the continuous training of judges:

### 5.2.2. Training of prosecutors

#### 129. Types of different trainings offered to public prosecutors:

|                         | Compulsory          | Optional            | No training proposed |
|-------------------------|---------------------|---------------------|----------------------|
| <b>Initial training</b> | ( X ) Yes<br>( ) No | ( ) Yes<br>( X ) No | ( ) Yes<br>( X ) No  |

|   |                     |                     |                     |
|---|---------------------|---------------------|---------------------|
| <b>General in-service training</b>  | ( ) Yes<br>( X ) No | ( X ) Yes<br>( ) No | ( ) Yes<br>( X ) No |
| <b>In-service training for specialised functions (e.g. public prosecutors specialised on organised crime)</b> | ( ) Yes<br>( X ) No | ( X ) Yes<br>( ) No | ( ) Yes<br>( X ) No |
| <b>In-service training for management functions (e.g. Head of prosecution office, manager)</b>                | ( ) Yes<br>( X ) No | ( X ) Yes<br>( ) No | ( ) Yes<br>( X ) No |
| <b>In-service training for the use of computer facilities in office</b>                                       | ( ) Yes<br>( X ) No | ( X ) Yes<br>( ) No | ( ) Yes<br>( X ) No |
| <b>In-service training on ethics</b>  | ( ) Yes<br>( X ) No | ( X ) Yes<br>( ) No | ( ) Yes<br>( X ) No |

Comments

### 130. Frequency of the in-service training of public prosecutors :

|  | Frequency of the in-service training   |
|--|--|
| <b>General in-service training</b>   | <input checked="" type="checkbox"/> Regularly (for example every year)<br><input type="checkbox"/> Occasional (as needed)<br><input type="checkbox"/> No training proposed |
| <b>In-service training for specialised functions (e.g. public prosecutor specialised on organised crime)</b> | <input type="checkbox"/> Regularly (for example every year)<br><input checked="" type="checkbox"/> Occasional (as needed)<br><input type="checkbox"/> No training proposed |
| <b>In-service training for management functions (e.g. Head of prosecution office, manager)</b>               | <input type="checkbox"/> Regularly (for example every year)<br><input checked="" type="checkbox"/> Occasional (as needed)<br><input type="checkbox"/> No training proposed |
| <b>In-service training for the use of computer facilities in office</b>                                      | <input checked="" type="checkbox"/> Regularly (for example every year)<br><input type="checkbox"/> Occasional (as needed)<br><input type="checkbox"/> No training proposed |
| <b>In-service training on ethics</b>   | <input checked="" type="checkbox"/> Regularly (for example every year)<br><input type="checkbox"/> Occasional (as needed)<br><input type="checkbox"/> No training proposed |

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors: See the answer under question 128.

### 131. Do you have public training institutions for judges and / or prosecutors?

|  | Initial training only    | Continuous training only | Initial and continuous training |
|--|--------------------------|--------------------------|---------------------------------|
| <b>One institution for judges</b>      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>        |
| <b>One institution for prosecutors</b> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>        |

|  |                          |                          |                                     |
|--|--------------------------|--------------------------|-------------------------------------|
| One single institution for both judges and prosecutors | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|

Comments

### 131-0. If yes, what is the budget of such institution(s)?

|  | Budget of the institution for the reference year, in €                   |
|--|--|
| One institution for judges                             | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP   |
| One institution for prosecutors                        | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP   |
| One single institution for both judges and prosecutors | 1 039 545<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |

Comments The increase of the budget of Judicial Academy in 2018. in comparison with 2016. is due to the introduction of broader competence of the Academy on training of all civil servants in judiciary (not only trainees and advisors in judicial bodies which was the case before, but all employees of courts, state attorney's offices and Ministry of Justice). Also, improving professionalism is continuously among highest priorities in the judiciary and continuous training and education is main prerequisite for reaching that goal.

### 131-1. If judges and/or prosecutors have no compulsory initial training in such institutions, please indicate briefly how these judges and/or prosecutors are trained?

|      |
|------|
| . NA |
|------|

### 131-2. Number of in-service training courses (in days) organised by the judicial training institution for judges, prosecutors, non-judge and non-prosecutor staff

|  | Number of training courses in days organised, without e-learning       | Online training courses available during the reference year (e-learning) |
|--|--|--|
| Total                                  | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP   |
| 1. Only for judges                     | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP   |
| 2. Only for prosecutors                | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP   |
| 3. Only for other non-judge staff      | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP   |
| 4. Only for other non-prosecutor staff | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP   |

|                          |                              |  |
|--------------------------|------------------------------|--|
| 5. Other common training | <input type="checkbox"/> NA  | <input checked="" type="checkbox"/> NA |
|                          | <input type="checkbox"/> NAP | <input type="checkbox"/> NAP           |

Comments:

## E2. Please indicate the sources for answering the questions in this chapter:

Sources: The Act on the Judicial Academy; The 2018 Annual Report of the Judicial Academy

### 5.3. Practice of the profession

#### 5.3.1. Salaries 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  | 22 883<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 15 812<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 169 477<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 117 105<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President)                              | 53 347<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 32 335<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 395 105<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 239 483<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| Public prosecutor at the beginning of his/her career  | 22 883<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 15 812<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 169 447<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 117 105<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Attorney General). | 53 347<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 32 335<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 395 105<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 239 483<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |

Comments

#### 133. Do judges and public prosecutors have additional benefits?

|                  | Judges   | Public prosecutors   |
|------------------|--|--|
| Reduced taxation | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No |
| Special pension  | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No |
| Housing          | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No |

|                                |                   |                   |
|--------------------------------|-------------------|-------------------|
| <b>Other financial benefit</b> | ( ) Yes<br>(X) No | ( ) Yes<br>(X) No |
|--------------------------------|-------------------|-------------------|

Comments

**134. If “other financial benefit”, please specify:**

[X] NAP

**135. Can judges combine their work with any of the following other functions/activities?**

|                                 | With remuneration | Without remuneration |
|---------------------------------|-------------------|----------------------|
| <b>Teaching</b>                 | (X) Yes<br>( ) No | (X) Yes<br>( ) No    |
| <b>Research and publication</b> | (X) Yes<br>( ) No | (X) Yes<br>( ) No    |
| <b>Arbitrator</b>               | (X) Yes<br>( ) No | (X) Yes<br>( ) No    |
| <b>Consultant</b>               | ( ) Yes<br>(X) No | ( ) Yes<br>(X) No    |
| <b>Cultural function</b>        | (X) Yes<br>( ) No | (X) Yes<br>( ) No    |
| <b>Political function</b>       | ( ) Yes<br>(X) No | ( ) Yes<br>(X) No    |
| <b>Mediator</b>                 | (X) Yes<br>( ) No | (X) Yes<br>( ) No    |
| <b>Other function</b>           | (X) Yes<br>( ) No | (X) Yes<br>( ) No    |

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify.

**137. Can public prosecutors combine their work with any of the following other functions/activities?**

|                                 | With remuneration | Without remuneration |
|---------------------------------|-------------------|----------------------|
| <b>Teaching</b>                 | (X) Yes<br>( ) No | (X) Yes<br>( ) No    |
| <b>Research and publication</b> | (X) Yes<br>( ) No | (X) Yes<br>( ) No    |
| <b>Arbitrator</b>               | (X) Yes<br>( ) No | (X) Yes<br>( ) No    |

|                           |  |  |
|---------------------------|--|--|
| <b>Consultant</b>         | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No |
| <b>Cultural function</b>  | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No |
| <b>Political function</b> | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No |
| <b>Mediator</b>           | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No |
| <b>Other function</b>     | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No |

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify:

**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

No

Comments - If yes, please specify the conditions and possibly the amounts:

**5.3.2 Body/institution of ethics**

**138. Is there in your country an institution / body giving opinions on ethical questions of the conduct of judges (e.g. involvement in political life, use of social media by judges, etc.)**

Yes

No

Comments

**138-1. If yes, how is this institution / body formed**

only by judges

by judges and other legal professionals

other, please specify: .....

Comments

**138-2. Are the opinions of this institution / body publicly available?**

Yes

No

[ ] NAP

Comments - Please describe the work of this institution / body, the frequency of opinions, etc. Everyone has the right to indicate a behaviour of a judge contrary to the Code of judicial ethics. The president of the competent judicial council elaborates the complaint and asks a judge to give his/her statement. If the Council finds the complaint to be justified, it renders a decision on the breach of the Code, against which the judge has a right to object to. The final decision is rendered by the council of all judicial council presidents and is delivered to the judge’s court president. The is no specific duty to publish the decision.

[ ] NAP

**138-3. Is there in your country an institution / body giving opinions on ethical questions of the conduct of prosecutors (e.g. involvement in political life, use of social media by prosecutors, etc.)**

Yes

No

Comments

**138-4. If yes, how is this institution / body formed**

only by prosecutors

by prosecutors and other legal professionals

other, please specify: .....

Comments

**138-5. Are the opinions of this institution / body publicly available?**

Yes

No

NAP

Comments - Please describe the work of this institution / body, the frequency of opinions, etc. The Ethics Committee is an independent body in the state attorney organization that provides guidelines for the interpretation of the fundamental ethical and deontological principles of the Code of Ethics for state attorneys and deputy state attorneys and provides opinions and recommendations on the compliance of a certain behaviour with the Code and on conflicts of interest.

The Ethics Committee has seven members - two general state attorney deputies, two county state attorney deputies, two municipal state attorney deputies and one deputy in the specialized state attorney, elected for a term of five years.

The Ethics Committee, at the request of the state attorney or the deputy state attorney, gives an opinion on the compliance of certain conduct with the Code.

The Ethics Committee gives opinions and recommendations regarding written submissions or complaints about the conduct of the state attorney or deputy state attorney and on their own initiative.

The state attorney and deputy state attorney whose behaviour is the object of the complaint or to whose behaviour the complaint relates to shall be allowed to give their explanation in eight days. The Ethics Committee is obliged to inform the state attorney or the deputy state attorney and the petitioner with its decision.

If the Ethics Committee evaluates the complaint to be founded, it shall submit its decision with its opinion and recommendation to the State Attorney's Office where the state attorney or deputy state attorney is employed, to the higher State Attorney's Office and the State Attorney's Office of the Republic of Croatia and publish its decision on the web pages of the State Attorney's Office of the Republic of Croatia.

NAP

**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 options possible)?**

Court users

Relevant Court or hierarchical superior

High Court / Supreme Court

High Judicial Council

Disciplinary court or body

Ombudsman

Parliament

Executive power (please specify): According to the Act on the State Judiciary Council, if there is a reasonable doubt that a judge has committed a disciplinary offence, the court president or a person authorized to perform judicial administration in the court in which they perform judicial duties are obliged to initiate disciplinary proceedings against the judge. Disciplinary proceeding can also be initiated by the Minister of Justice, the president of the direct higher court, the president of the Supreme Court of the Republic of Croatia and the Judicial Councils.

Other (please specify): According to the Act on the State Judiciary Council, if there is a reasonable doubt that a judge has committed a disciplinary offence, the court president or a person authorized to perform judicial administration in the court in which they perform judicial duties are obliged to initiate disciplinary proceedings against the judge. Disciplinary proceeding can also be initiated by the Minister of Justice, the president of the direct higher court, the president of the Supreme Court of the Republic of Croatia and the Judicial Councils.

This is not possible

Comments

### **141. Who is authorised to initiate disciplinary proceedings against public prosecutors (multiple options 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 or body

Ombudsman

Professional body

Executive power (please specify): According to the Act on State Attorney Office, if there is a reasonable doubt that the Deputy State Attorney has committed a disciplinary offence, the State Attorney in the State Attorney's Office in which the Deputy performs his duties must file a motion to institute disciplinary proceeding against the Deputy. Motion to institute disciplinary proceeding can be filed directly by a higher ranked State Attorney and the State Attorney General or the Minister of Justice.

Other (please specify): .....

This is not possible

Comments

### **142. Which authority has disciplinary power over judges? (multiple options 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 options 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  |
|---|--|--|
| <b>Total number (1+2+3+4)</b>           | 7<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 1<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>1. Breach of professional ethics</b> | 0<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 1<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>2. Professional inadequacy</b>       | 6<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 0<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>3. Criminal offence</b>              | 0<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 0<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>4. Other</b>                         | 1<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | 0<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |

Comments - If "other", please specify:

**145. Number of sanctions pronounced during the reference year against judges and public prosecutors:**

| Judges | Prosecutors |
|--------|-------------|
|        |             |

|   |                        |                        |
|---|------------------------|------------------------|
| <b>Total number (total 1 to 10)</b>                         | 7<br>[ ] NA<br>[ ] NAP | 1<br>[ ] NA<br>[ ] NAP |
| <b>1. Reprimand</b>   | 1<br>[ ] NA<br>[ ] NAP | 0<br>[ ] NA<br>[ ] NAP |
| <b>2. Suspension</b>  | 0<br>[ ] NA<br>[ ] NAP | 0<br>[ ] NA<br>[ ] NAP |
| <b>3. Withdrawal from cases</b>                             | 0<br>[ ] NA<br>[ ] NAP | 0<br>[ ] NA<br>[ ] NAP |
| <b>4. Fine</b>  | 0<br>[ ] NA<br>[ ] NAP | 1<br>[ ] NA<br>[ ] NAP |
| <b>5. Temporary reduction of salary</b>                     | 4<br>[ ] NA<br>[ ] NAP | 0<br>[ ] NA<br>[ ] NAP |
| <b>6. Position downgrade</b>                                | 0<br>[ ] NA<br>[ ] NAP | 0<br>[ ] NA<br>[ ] NAP |
| <b>7. Transfer to another geographical (court) location</b> | 0<br>[ ] NA<br>[ ] NAP | 0<br>[ ] NA<br>[ ] NAP |
| <b>8. Resignation</b>                                       | 0<br>[ ] NA<br>[ ] NAP | 0<br>[ ] NA<br>[ ] NAP |
| <b>9. Other</b>   | 2<br>[ ] NA<br>[ ] NAP | 0<br>[ ] NA<br>[ ] NAP |
| <b>10. Dismissal</b>  | 0<br>[ ] NA<br>[ ] NAP | 0<br>[ ] NA<br>[ ] 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.

### E3. Please indicate the sources for answering questions 144 and 145:

Sources: State's Judicial Council and State's Attorney Council

## 6.Lawyers

### 6.1.Profession of lawyer

#### 6.1.1.Status of the profession of lawyers

146. Total number of lawyers practising in your country:

|                   | Total           | Male            | Female          |
|-------------------|-----------------|-----------------|-----------------|
| Number of lawyers | 4 756<br>[ ] NA | 2 688<br>[ ] NA | 2 068<br>[ ] 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

[X] NAP

Comments

**149. Do lawyers have a monopoly on legal representation in (multiple options are possible):**

|                            | First instance | Second instance | Highest instance court (Supreme Court) |
|----------------------------|----------------|-----------------|--|
| Civil cases                | [ ]            | [ ]             | [X]                                    |
| Dismissal cases            | [ ]            | [ ]             | [X]                                    |
| Criminal cases – Defendant | [X]            | [X]             | [X]                                    |
| Criminal cases – Victim    | [X]            | [X]             | [X]                                    |
| Administrative cases       | [ ]            | [ ]             | [ ]                                    |

[ ] NAP

Comments - Please indicate any useful clarifications regarding the content of lawyers' monopoly:

**149-0. If there is no monopoly, please specify the organisations or persons that may represent a client in court:**

|                            | First instance    | Second instance   | Highest instance court (Supreme Court) |
|----------------------------|-------------------|-------------------|--|
| Civil society organisation | ( ) Yes<br>(X) No | ( ) Yes<br>(X) No | ( ) Yes<br>(X) No                      |
| Family member              | (X) Yes<br>( ) No | (X) Yes<br>( ) No | ( ) Yes<br>(X) No                      |
| Self-representation        | (X) Yes<br>( ) No | (X) Yes<br>( ) No | ( ) Yes<br>(X) No                      |

|                    |                     |                     |                     |
|--------------------|---------------------|---------------------|---------------------|
| <b>Trade union</b> | ( X ) Yes<br>( ) No | ( X ) Yes<br>( ) No | ( ) Yes<br>( X ) No |
| <b>Other</b>       | ( ) Yes<br>( X ) No | ( ) Yes<br>( X ) No | ( ) Yes<br>( X ) No |

Comments - If "other", please specify. In addition, please specify for the categories mentioned the types of cases concerned by this/these representation(s):

**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 law activities (please specify): .....

Comments

**149-2. What are the statuses for exercising the profession of lawyer?**

- 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 - If not, 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: The Croatian Bar Association is authorized to recognize specialisations.

### **F1. Please indicate the sources for answering questions 146 and 148:**

Sources: Registry of the Croatian Bar Association

#### **6.1.2. Practicing the profession**

**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 association 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**

**157. Have quality standards been determined for lawyers?**

Yes

No

Comments - If yes, what are the quality criteria used? Principles contained in the Code of Professional Ethics

**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: Complaints to the Croatian Bar Association

**160. Which authority is responsible for disciplinary procedures?**

a judge

Ministry of Justice

a professional authority

other (please specify): .....

Comments

**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                                 |
|---|--|
| <b>Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)</b> | 451<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>1. Breach of professional ethics</b>                                   | 447<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>2. Professional inadequacy</b>   | 0<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP   |
| <b>3. Criminal offence</b>  | 4<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP   |
| <b>4. Other</b>   | 0<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP   |

Comments - If "other", please specify:

**162. Sanctions pronounced against lawyers.**

|  | Number of sanctions   |
|--|---|
| <b>Total number of sanctions (1 + 2 + 3 + 4 + 5)</b> | 86<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>1. Reprimand</b>                                  | 20<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>2. Suspension</b>                                 | 19<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP |

|                                 |                         |
|---------------------------------|-------------------------|
| <b>3. Withdrawal from cases</b> | 0<br>[ ] NA<br>[ ] NAP  |
| <b>4. Fine</b>                  | 47<br>[ ] NA<br>[ ] NAP |
| <b>5. Other</b>                 | 0<br>[ ] NA<br>[ ] 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: Mediation in civil proceedings against Republic of Croatia and/or government bodies.

#### 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:

#### 164. Please specify, by type of cases, who provides court-related mediation services:

|                                   | Private mediator  | Public authority (other than the court)   | Judge   | Public prosecutor   |
|-----------------------------------|---|---|---|---|
| <b>Civil and commercial cases</b> | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No<br>[ ] NAP | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No<br>[ ] NAP | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No<br>[ ] NAP | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No<br>[ ] NAP |
| <b>Family cases</b>               | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No<br>[ ] NAP | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No<br>[ ] NAP | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No<br>[ ] NAP | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No<br>[ ] NAP |

|   |                              |                              |                              |                              |
|---|------------------------------|------------------------------|------------------------------|------------------------------|
| <b>Administrative cases</b>                         | ( ) Yes<br>(X) No<br>[ ] NAP | ( ) Yes<br>(X) No<br>[ ] NAP | ( ) Yes<br>(X) No<br>[ ] NAP | ( ) Yes<br>(X) No<br>[ ] NAP |
| <b>Labour cases including employment dismissals</b> | (X) Yes<br>( ) No<br>[ ] NAP | (X) Yes<br>( ) No<br>[ ] NAP | (X) Yes<br>( ) No<br>[ ] NAP | ( ) Yes<br>(X) No<br>[ ] NAP |
| <b>Criminal cases</b>                               | ( ) Yes<br>(X) No<br>[ ] NAP | ( ) Yes<br>(X) No<br>[ ] NAP | ( ) Yes<br>(X) No<br>[ ] NAP | (X) Yes<br>( ) No<br>[ ] NAP |
| <b>Consumer cases</b>                               | (X) Yes<br>( ) No<br>[ ] NAP | (X) Yes<br>( ) No<br>[ ] NAP | (X) Yes<br>( ) No<br>[ ] NAP | ( ) Yes<br>(X) No<br>[ ] NAP |

Comments

**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 (only one or both options)::

**166. Number of accredited or registered mediators for court-related mediation:**

|                            | Total                    | Males             | Females           |
|----------------------------|--------------------------|-------------------|-------------------|
| <b>Number of mediators</b> | 612<br>[ ] NA<br>[ ] NAP | [X] NA<br>[ ] NAP | [X] NA<br>[ ] NAP |

Comments

**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 |
|---|---|---|--|
| <b>Total ( 1 + 2 + 3 + 4 + 5 + 6)</b>                       | [X] NA<br>[ ] NAP   | [X] NA<br>[ ] NAP                           | [X] NA<br>[ ] NAP  |
| <b>1. Civil and commercial cases</b>                        | [X] NA<br>[ ] NAP   | [X] NA<br>[ ] NAP                           | [X] NA<br>[ ] NAP  |
| <b>2. Family cases</b>                                      | [X] NA<br>[ ] NAP   | [X] NA<br>[ ] NAP                           | [X] NA<br>[ ] NAP  |
| <b>3. Administrative cases</b>                              | [X] NA<br>[ ] NAP   | [X] NA<br>[ ] NAP                           | [X] NA<br>[ ] NAP  |
| <b>4. Labour cases including employment dismissal cases</b> | [X] NA<br>[ ] NAP   | [X] NA<br>[ ] NAP                           | [X] NA<br>[ ] NAP  |



|                          |  |  |  |
|--------------------------|--|--|--|
| <b>5. Criminal cases</b> | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>6. Consumer cases</b> | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> 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): .....

Comments

**G1. Please indicate the source for answering question 166:**

Source: Ministry of Justice of the Republic of Croatia.

**8. Enforcement of court decisions**

**8.1. Execution of decisions in civil matters**

**8.1.1. Functioning**



**169. Do you have enforcement agents in your judicial system?**

- Yes
- No

Comments

**170. Number of enforcement agents**

|                                     | <b>Total</b>                      | <b>Male</b>                            | <b>Female</b>                          |
|-------------------------------------|-----------------------------------|--|--|
| <b>Number of enforcement agents</b> | 99<br><input type="checkbox"/> NA | <input checked="" type="checkbox"/> NA | <input checked="" type="checkbox"/> NA |

Comments

**171. Are enforcement agents (multiple options are possible):**

- judges
- bailiffs practising as private professionals under the authority (control) of public authorities
- bailiffs working in a public institution

[ X ] other

Comments - Please specify their status and powers: They are civil servants employed in court who upon an order of the court directly undertake certain actions in enforcement and insurance procedures for non-pecuniary claims.

### 171-1. Do enforcement agents have the monopoly in exercising their profession?

( ) Yes

( X ) No

Comments - Please indicate any useful clarifications regarding the content of the enforcement agents' monopoly or on the opposite regarding the competition they have to deal with: Financial agency as specialised public agency undertakes actions in enforcement procedures for pecuniary claims.

### 171-2. Can the enforcement agent carry out the following civil enforcement proceedings:

|  | Option   |
|--|--|
| Seizure of movable tangible properties                                   | ( X ) Yes with monopoly<br>( ) Yes without monopoly<br>( ) No<br>[ ] NAP |
| Seizure of immovable properties  | ( ) Yes with monopoly<br>( ) Yes without monopoly<br>( X ) No<br>[ ] NAP |
| Seizure from a third party of the debtor claims regarding a sum of money | ( X ) Yes with monopoly<br>( ) Yes without monopoly<br>( ) No<br>[ ] NAP |
| Seizure of remunerations   | ( X ) Yes with monopoly<br>( ) Yes without monopoly<br>( ) No<br>[ ] NAP |
| Seizure of motorised vehicles  | ( X ) Yes with monopoly<br>( ) Yes without monopoly<br>( ) No<br>[ ] NAP |
| Eviction measures  | ( X ) Yes with monopoly<br>( ) Yes without monopoly<br>( ) No<br>[ ] NAP |
| Enforced sale by public tender of seized properties                      | ( X ) Yes with monopoly<br>( ) Yes without monopoly<br>( ) No<br>[ ] NAP |
| Other  | ( ) Yes with monopoly<br>( ) Yes without monopoly<br>( X ) No<br>[ ] NAP |

Comments

**171-3. Apart of 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 sale of moveable or immovable property at public auction
- Seizure 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

**172. Is there a specific initial training or exam to become an enforcement agent?**

- Yes
- No

Comments

**172-1. Is there a system of mandatory general continuous training for enforcement agents?**

- Yes
- No

Comments

**173. Is the profession of enforcement agents organised by (the answer NAP means that the profession is not organised):**

- a national body
- a regional body
- a local body
- NAP

Comments

**174. Are enforcement fees easily established and transparent for court users?**

- Yes
- No

Comments

**175. Are enforcement fees freely negotiated?**

Yes

No

Comments

**176. Do laws provide any rules on enforcement fees (including those freely negotiated)?**

Yes

No

Comments

**H0. Please indicate the sources for answering question 170**

Source: Ministry of Justice of the Republic of Croatia

**8.1.2. 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

**179. Have quality standards been determined for enforcement agents?**

Yes

No

Comments - If yes, what are the quality criteria used?

**180. If yes, who is responsible for establishing these quality standards?**

professional body

judge

Ministry of Justice

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

other (please specify): .....

Comments

**184. Has your country prepared or established concrete measures to change the situation concerning the enforcement of court decisions – in particular regarding decisions against public authorities?**

Yes

No

Comments - If yes, please specify:

**185. Is there a system measuring the length of enforcement procedures:**

|                          | Existence of the system  |
|--------------------------|--|
| for civil cases          | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No |
| for administrative cases | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No |

Comments

**186. Regarding a decision on debt collection, please estimate the average timeframe to 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                |
|---|---|
| <b>Total number of initiated disciplinary proceedings (1+2+3+4)</b> | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>1. For breach of professional ethics</b>                         | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>2. For professional inadequacy</b>                               | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>3. For criminal offence</b>                                      | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>4. Other</b>   | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP |

Comments - If "other", please specify:

**188. Number of sanctions pronounced against enforcement agents:**

|  | Number of sanctions pronounced                              |
|--|---|
| <b>Total number of sanctions (1+2+3+4+5)</b> | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>1. Reprimand</b>                          | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>2. Suspension</b>                         | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>3. Withdrawal from cases</b>              | <input type="checkbox"/> NA<br><input type="checkbox"/> NAP |

|          |  |
|----------|--|
| 4. Fine  | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| 5. Other | <input checked="" type="checkbox"/> NA<br><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:

**H1. Please indicate the sources for answering questions 186, 187 and 188:**

Source: Ministry of Justice of the Republic of Croatia.

**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 options possible)**

- Judge
- Public prosecutor
- Prison and Probation Services
- Other authority (please specify): .....

Comments - Please specify his/her functions and duties (e.g. initiative or monitoring functions).

**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 and status of notaries**



**192. Number and type of notaries in your country. If you do not have notaries skip to question**

197.

|   | Total                    | Male                     | Female                   |
|---|--------------------------|--------------------------|--------------------------|
| <b>TOTAL (1+2+3+4)</b>  | 327<br>[ ] NA<br>[ ] NAP | 126<br>[ ] NA<br>[ ] NAP | 201<br>[ ] NA<br>[ ] NAP |
| <b>1. Private professionals (without control from public authorities)</b> | [ ] NA<br>[ X ] NAP      | [ ] NA<br>[ X ] NAP      | [ ] NA<br>[ X ] NAP      |
| <b>2. Professionals appointed by the State</b>                            | 327<br>[ ] NA<br>[ ] NAP | 126<br>[ ] NA<br>[ ] NAP | 201<br>[ ] NA<br>[ ] NAP |
| <b>3. Public officials</b>  | 0<br>[ ] NA<br>[ ] NAP   | 0<br>[ ] NA<br>[ ] NAP   | 0<br>[ ] NA<br>[ ] NAP   |
| <b>4. Other</b>   | 0<br>[ ] NA<br>[ ] NAP   | 0<br>[ ] NA<br>[ ] NAP   | 0<br>[ ] NA<br>[ ] NAP   |

Comments - If "other", please specify the status:

**192-1. What are the access conditions to the profession of notary (multiple options possible):**

- diploma
- professional experience/professional training
- exam
- appointment procedure by the State
- other (please specify): .....

Comments

**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:70
- no, please specify the duration of the appointment: .....

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

**194. What kind of activities do notaries perform (multiple options possible):**

- Within some civil procedures (for example inheritance or inheritance distribution; divorce by mutual consent)
- Authentication
- Certification of signatures
- Legality control of documents submitted by the parties
- Mediation
- Taking of oaths
- Other, for example collect taxes, keep registers etc. (please specify): .....

Comments A notary public is 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).



**194-1. Do notaries have the exclusive rights when exercising their profession:**

- Within some civil procedures (for example inheritance or inheritance distribution; divorce by mutual consent)
- Authentication
- Certification of signatures
- Legality control of documents submitted by the parties
- Mediation
- Taking of oaths
- Other, for example collect taxes, keep registers etc. (please specify): .....

Comments - Please indicate any useful clarifications regarding the content of the notaries' exclusive rights or on the opposite regarding the competition they have to deal with:

**194-2. In which areas of law do notaries perform their activities (multiple options possible)?**

- Real estate transaction
- Family law
- Succession law
- Company law
- Legality control of gambling activities
- Other

Comments

**194-3. Do notaries use specialised digital systems in their activity?**

- In establishing authentic instruments
- In recording authentic instruments (archives)
- Other activity (please specify): .....

Comments

**195. Is there an authority entrusted with supervising and monitoring the notaries' work?**

- Yes
- No

Comments

**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

**196-1. Is there a system of general continuous training for all notaries?**

Yes

No

Comments

**I1. Please indicate the sources for answering question 192:**

Sources: Ministry of Justice of the Republic of Croatia.

---

**10. Court interpreters**

**10.1. Details on profession of court interpreter**

**10.1.1. Status of court interpreters**

**197. Is the title of court interpreters protected?**

Yes

No

Comments

**198. Is the function of court interpreters regulated by legal norms?**

Yes

No

Comments

**199. Number of accredited or registered court interpreters:**

2 812 ]

NA

NAP

Comments

**200. Are there binding provisions regarding the quality of court interpretation within judicial proceedings?**

Yes

No

Comments - If yes, please specify (e.g. having passed a specific exam):

**201. Are the courts responsible for selecting court interpreters?**

Yes, for recruitment and/or appointment for a specific term of office

Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings

No, please specify which authority selects court interpreters .....

Comments

## J1. Please indicate the sources for answering question 199

Sources: Ministry of Justice of the Republic of Croatia

## 11.Judicial experts

### 11.1.Profession of judicial expert

#### 11.1.1.Status of judicial experts

### 202. In your system, what types of judicial experts can be requested to participate in judicial procedures (multiple choices possible):

experts who are requested by the parties to bring their expertise to support their argumentation,

experts appointed by a court to put their scientific and technical knowledge on issues of fact at the court's disposal,

"legal experts" who might be consulted by the judge on specific legal issues or requested to support the judge in preparing the judicial work (but do not take part in the decision).

Other (please specify): .....

Comments

### 202-1. Are there lists or databases of registered judicial experts?

Yes

No

Comments - Please indicate any useful comment regarding these lists or databases of experts, if they do exist (e.g. : Does the expert take an oath? How is his/her skill evaluated? By whom?): Judicial experts are appointed by the county and commercial courts' presidents who evaluate their skills before appointment. There are lists of judicial experts for each county and commercial court which appointed them and Ministry of Justice of the Republic of Croatia keeps a list of all judicial experts appointed in the Republic of Croatia. Judicial experts are appointed for a period of 4 years after which they can be reappointed. They take an oath before the court presidents who appoint them.

### 202-2. Who is responsible for registering judicial experts?

Ministry of justice

Courts

Independent body (association of judicial experts)

Other

Comments

### 202-3. Is the registration of judicial experts limited in time?

Yes, for how long 4 years

No

Comments

**203. Is the title of judicial experts protected?**

Yes

No

Comments - If appropriate, please explain the meaning of this protection:

**203-1. Does the judicial expert have an obligation of training?**

|                            | Obligation of training   |
|----------------------------|--|
| <b>Initial training</b>    | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No |
| <b>Continuous training</b> | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No |

Comments

**203-2. If yes, does this training concern:**

judicial proceedings

the profession of expert

other

Comments

**204. Is the function of judicial experts regulated by legal norms?**

Yes

No

Comments

**204-1. On the occasion of a task entrusted to him/her, does the judicial expert have to report any potential conflicts of interest?**

Yes

No

Comments

**205. Number of accredited or registered judicial experts:**

|                          | Total  | Male   | Female   |
|--------------------------|--|--|--|
| <b>Number of experts</b> | 3 208<br><input type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP |

Comments

**205-1. Who sets the expert remuneration?**

- Ministry of Justice of the Republic of Croatia

**206. Are there binding provisions regarding the exercise of the function of judicial expert within judicial proceedings?**

Yes

No

Comments - If yes, please specify, in particular the given time to provide a technical report to the judge: The Civil Procedure Act provides that the judge in proceedings will determine the period in which the expert will submit his/her report taking into account that this period cannot be longer than 60 days.

The Criminal Procedure Act and Administrative Disputes Act do not specify the deadline for submitting the experts reports.

**206-1. Number of cases where expert opinion was ordered by a judge or requested by the parties**

|   | Number of cases  |
|---|--|
| <b>Total (1+2+3+4)</b>                        | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>1.Civil and commercial litigious cases</b> | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>2.Administrative cases</b>                 | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>3.Criminal cases</b>                       | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP |
| <b>4.Other cases</b>                          | <input checked="" type="checkbox"/> NA<br><input type="checkbox"/> NAP |

Comments

**207. Are the courts responsible for selecting judicial experts?**

Yes, for recruitment and/or appointment for a specific term of office

Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings

No, please specify which authority selects judicial experts .....

Comments

**207-1. Does the judge control the progress of the expertise?**

Yes

No

Comments

**K1. Please indicate the sources for answering question 205**

Sources: Ministry of Justice of the Republic of Croatia

## 12.Reforms in judiciary

### 12.1.Foreseen reforms

#### 12.1.1.Reforms

**208. Can you provide information on the current debate in your country regarding the functioning of justice? Are there foreseen reforms? Please inform whether these reforms are under preparation or have only been envisaged at this stage. Have innovative projects been implemented? If possible, please observe the following categories:**

1. (Comprehensive) reform plans NAP

2. Budget NAP

3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts -, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings) One of the activities is focused on resolution of the "old" unsolved court cases. The activities of the Ministry of Justice will be, in the forthcoming period, specifically targeted at solving the so-called "old" unresolved court cases. This includes the resolution of cases pending before the municipal, county and commercial courts for more than 10 or more than 15 years, and the cases that are pending before the misdemeanour courts for more than 3 years.

An analysis of old unsolved cases is under preparation in order to determine why they have not been solved. The presidents of the courts will be asked to draft Action Plans for solving old cases in each court and to submit to the Ministry of Justice on monthly basis information on the resolution of these cases and progress achieved in accordance with their Action Plans. The dynamics of solving old cases will also be monitored through the implementation of enhanced judicial inspection of old cases. At the same time, a database will be established regarding cases initiated for the infringement of the right to trial within a reasonable time.

3.1. Access to justice and legal aid In 2019 an Action Plan for the implementation of the National Strategy for the Development of the Victim and Witness Support System in the Republic of Croatia for the period until 2020 was adopted.

4. High Judicial Council NAP

5. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc. NAP

6. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities In order to strengthen the generally preventive effects of punishing the occurrence of forms of domestic violence, the National Legislative Framework was amended by the establishment of two working groups, namely the Working Group for Drafting the Law on Amendments to the Criminal Code and the Working Group for Drafting the Law on Protection against Domestic Violence. domestic violence.

Furthermore, in order to align with the *acquis communautaire*, three laws are being amended:

In this regard, amendments to the Criminal Code (Official Gazette 125/11, 144/12, 56/15, 61/15-correction, 101/17 and 118/18) were approached to revise the legal description of the criminal offense domestic violence referred to in Article 179a of the Criminal Code in relation to the qualifying forms of certain criminal offenses when committed against relatives and with a view to establishing a clearer boundary between the qualification of a criminal offense and a violation of the criminal penal policy in relation to domestic violence in the Criminal Code. Other amendments to the Criminal Code of the Republic of Croatia are the result of eliminating the shortcomings and doubts arising from the legal text, which have been observed in the practice of applying the Criminal Code.

Amendments to the Law on Protection against Domestic Violence (Official Gazette, No. 70 / 17- hereinafter referred to as the ZZNO) have been introduced to legally tighten penalties in relation to the forms of domestic violence prescribed by the ZZNO and to revise the current legal solution regarding safeguards.

Amendments to the Criminal Procedure Act (Official Gazette 152/08, 76/09, 80/11, 121/11, 91/12, 143/12, 56/13, 145/13, 152/14 and 70 / 17) approached primarily to align domestic procedural criminal legislation with the *acquis communautaire*, through Directive (EU) 2016/1919 of the European Parliament and of the Council of 26 October 2016 on legal assistance for suspects and defendants in criminal proceedings and for wanted persons under European arrest warrant proceedings. Other amendments to the Criminal Procedure Code are the result of eliminating the deficiencies and doubts arising from the legal text pointed out by the practice in order to optimize the rules of criminal procedure.

Amendments to the Law on Juvenile Courts (Official Gazette 84/11, 143/12, 148/13 and 56/15-hereinafter ZSM) were introduced in order to align domestic criminal legislation with the *acquis communautaire*, and this by Directive (EU) 2016/800 of the European Parliament and of the Council of 11 May 2016 on procedural guarantees for children who are suspected or accused in criminal proceedings. Other amendments to the Law on Juvenile Courts are the result of eliminating deficiencies and doubts arising from the legal text, with the aim of optimizing the rules of criminal procedure in relation to young offenders.

Amendments to the Law on the Office for the Suppression of Corruption and Organized Crime have been introduced to improve the efficiency and effectiveness of the Office for the Suppression of Corruption and Organized Crime in the prosecution of serious offenses of corruption and organized crime and to bring it into line with Council Regulation (EU) 2017/1939 of 12. October 2017 on the implementation of enhanced cooperation regarding the establishment of the European Public Prosecutor's Office ("EPPO"). Other amendments are the result of alignment with organizational regulations, namely: the State Attorney's Office (Official Gazette, No. 67/2018) and the Law on the State Attorney's Office (Official Gazette, 67/2018).

Misdemeanor law (Official Gazette 107/07, 39/13, 157/13, 110/15, 70/17 and 118/18) did not change.

7. Enforcement of court decisions NAP

## 8. Mediation and other ADR NAP

## 9. Fight against crime NAP

### 9.1. Prison system NAP

9.2 Child friendly justice Amendments to the Law on Juvenile Courts (Official Gazette 84/11, 143/12, 148/13 and 56/15-hereinafter ZSM) were introduced in order to align domestic criminal legislation with the *acquis communautaire*, and this by Directive (EU) 2016/800 of the European Parliament and of the Council of 11 May 2016 on procedural guarantees for children who are suspected or accused in criminal proceedings. Other amendments to the Law on Juvenile Courts are the result of eliminating deficiencies and doubts arising from the legal text, with the aim of optimizing the rules of criminal procedure in relation to young offenders.

9.3. Violence against partners Amendments to the Criminal Code (Official Gazette 125/11, 144/12, 56/15, 61/15-correction, 101/17 and 118/18) were introduced to revise the legal description of the crime of domestic violence referred to in Article 179.a of the Criminal Code in relation to the qualifying forms of certain criminal offenses when committed against close persons and in order to determine a clearer boundary between the qualification of a criminal offense and a violation of the criminal penal policy in relation to domestic violence in the Criminal Code. Other amendments to the Criminal Code of the Republic of Croatia are the result of eliminating the shortcomings and doubts arising from the legal text, which have been observed in the practice of applying the Criminal Code.

Amendments to the Law on Protection against Domestic Violence (Official Gazette, No. 70 / 17- hereinafter referred to as the ZZNO) have been introduced to legally tighten penalties in relation to the forms of domestic violence prescribed by the ZZNO and to revise the current legal solution regarding safeguards.

## 10. New information and communication technologies NAP

11. Other The Ministry of Justice (Service for Victim and Witness Support) has been included in the system of financing NGO projects from public sources. A call for proposals launched in July 2017 to fund the activities of a partner network of support and assistance organizations for victims and witnesses in counties where victim support and witness support offices were not established



and victim support by civil society organizations. The funding is being implemented for the period 2018-2020. years.

In January 2019, the Government of the Republic of Croatia adopted an Action Plan for the implementation of the National Strategy for the Development of Victims and Witness Support Systems in the Republic of Croatia for the period up to 2020. The Action Plan stipulates, through the envisaged activities, to ensure the continued operation of the National Call Center for Victims of Crime and Misdemeanors; further establishing victim and witness support departments in all county courts and strengthening the capacity of existing support departments; standardizing the acting of state bodies and institutions in relation to victims and informing victims about rights; setting quality standards for civil society organizations to provide different types of support to victims and witnesses; drawing up a register of civil society organizations providing support and all forms of assistance to victims and witnesses; promotion of international cooperation, etc.

Project implementation:

1. Project VICATIS (Victim-centered approach to improving support services) for which funds from transnational projects have been ensured to promote the rights of victims of crime, ie the Justice Program, Action Grants of the European Commission 2016 - Action grants to support transnational projects to enhance the rights of victims of crime. The Croatian Legal Center was the project coordinator, with partners from Croatia - the Ministry of Justice, Service for Victims and Witness Support and the Office for Human Rights and Rights of National Minorities of the Government of the Republic of Croatia, implemented in three other EU Member States. In Hungary, the partner was Patriarchatust Ellenzok Tarsasaga Jogvedo Egyesulet, in Slovenia the Peace Institute and the Non-violent Communication Society, and in Romania the Fundatia Central de Resources. The main objectives of the project were to improve the understanding of how relevant regulations, procedures and institutional framework affect victims of crime by conducting research focusing on victims and the victim population, contribute to improving regulations, procedures and institutional framework in order to effectively and consistently apply Directive 2012 / 29 / EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards for the rights, support and protection of victims of crime and developing tools to better achieve the right of victims to obtain information and refer it to the victim support system.

Project activities included:

- analysis of national victim support systems in the participating countries;
- empirical research by interviewing the population of victims of domestic violence. Research areas included providing information to the victim, referral to relevant parts of the system / support services available, cooperation between institutions in providing information and support, and the experiences and perceptions of victims were explored;
- preparation of national and comparative report on research results;
- Developing and implementing an advocacy plan to improve practice (based on research findings);
- Creating online content and a mobile application for victims - a guide for exercising rights and using support systems;
- development of versions of Internet / mobile application for persons with disabilities;
- developing training modules for relevant groups of experts in the field of victim support (information, referral);
- development of information materials on access to the victim support system for citizens of all countries involved in the project
- the final conference of the project.

The implementation of project activities began in 2017 and ended in 2019.

2. The project "Improving the quality of justice through capacity building of the prison and probation and victim and witness support systems"

Implementation of project activities funded by the Operational Program Effective Human Resources 2014-2020 - TC 11.

Strengthening the institutional capacities of public authorities and stakeholders and effective public administration is underway / Priority axis 4. Good governance.

The project activities are intended for the Victim and Witness Support System, the Prison and Probation System.

Human resources development and enhancement will be implemented at three important levels:

- Improvement of business processes related to the development of an efficient organization and organization of prison system operations and improvement of working conditions when providing health care within the judicial system
- Strengthening of professional competences, in which officials of all three systems will participate, through the implementation of trainings, trainings of trainers, exchange of experiences with other countries and use of e-learning tools
- empowering officers and enhancing their security, which includes training officers for all three systems for licensed supervisors, conducting a supervisory cycle for victims and witness support systems, and conducting a self-defense training course for probation

officers.

The estimated duration of the project is 24 months.

3. The ARVID project - Advancing access to rights under Victims' Directive for Persons with Disabilities (Better access for persons with disabilities to the rights guaranteed by the Victims Directive)

The project is funded by the European Union through the Justice Program and will be implemented in Croatia and Slovenia. The coordinator of the project is the Croatian Legal Center and partners are the Ministry of Justice of the Republic of Croatia, the Ombudsman for Persons with Disabilities (HR), the Victims and Witnesses Support Association (HR), the Peace Institute (SI) and the Altra Association (SI). The Ministry of Justice of the Republic of Serbia supported the project.

The purpose of the project is to investigate the level of participation of persons with disabilities as victims and witnesses in criminal proceedings, as well as possible problems limiting their full participation. The research findings will serve to: (a) formulate and advocate for better support services for people with disabilities, including any necessary adjustments; and (b) the development of knowledge and tools that will directly serve persons with disabilities who are victims of crime and the experts and institutions charged with helping them to exercise their rights as guaranteed by the Victims Directive 2012/29 / EU.

The project envisages the following groups of activities:

- Surveys and interviews with persons with disabilities, and with representatives of associations representing them, to identify problems that these persons face in accessing their rights as victims of crime, and to recommend their elimination
- development of information materials for persons with disabilities on how to exercise their rights as victims of crime
- training modules for: (a) official stakeholders of the justice system in charge of individual aspects of the exercise of the rights of persons with disabilities as victims of crime; (b) representatives of umbrella associations of persons with disabilities and other organizations that support persons with disabilities in the exercise of their rights under the Victims Directive. Information modules and materials will be developed for use by ombudsman organizations in Croatia and Slovenia in informing official stakeholders about the rights of persons with disabilities in judicial proceedings.
- dissemination activities, which will include an international conference, meetings with relevant stakeholders in Croatia and Slovenia, development of information materials, and their dissemination in the countries involved and in the EU.

The estimated duration of the project is 18 months and implementation is expected to begin in September 2019.