



**safejournalists.net**

# **CROATIA** **Indicators on the Level** **of Media Freedom and** **Journalists' Safety** **Index 2023**

Author  
**Monika Kutri**



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# About the Project

## BACKGROUND OF THE INDICATORS

The journalists' associations from the Western Balkan countries, supported by the European Commission<sup>1</sup>, have established the platform Safejournalists.net to jointly monitor media legislation and practice in their countries and engage in advancing the legal and institutional environment in which the journalists and other media professionals work. Every year, based on a carefully designed methodology<sup>2</sup>, the Safejournalists.net partners conduct advocacy research which has provided journalists' associations with evidence-based, reliable, and relevant data on the main problems and obstacles in the implementation of the EU standards in the field of media and journalists' freedom and safety in the Western Balkans. The results of the advocacy research give substance to partners' activities, providing them with new evidence and examples that refine and strengthen their advocacy positions.

The first qualitative research tool – *Indicators on the level of media freedom and journalists' safety*, was first developed in 2016 and gradually fine-tuned over the years. It is composed of three groups of indicators: (A) Legal protection, (B) Journalists' position in the newsroom, and (C) Journalists' safety. Based on this monitoring tool, a total of seven assessments were published, the last one for 2022.

The quantitative research tool – *Journalists' Safety Index*, was developed in 2020 and tested in 2021. It is designed to 'measure' the changes in the environment that have direct or indirect impact

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- 1 In December 2022, the European Commission approved a new three-year cycle of the Project [Safejournalists.net](#), which is a continuation of the previous two phases: the project Western Balkan's Regional Platform for advocating media freedom and journalists' safety (01.2016-12.2018) and Safejournalist.net (02.2020-03.2023). The main objective of the Project is to empower and strengthen the role of the national journalists' associations, members of the Platform Safejournalists.net, to become effective and accountable independent actors in advocating and creating relevant media policies in their countries: Independent Journalists Association of Serbia (IJAS), Association of BH Journalists (BHJ), Croatian Journalists Association (CJA), Association of Journalists of Kosovo (AJK), Association of Journalists of Macedonia (AJM) and the Trade Union of Media of Montenegro (TUMM). The project is funded under the EU Civil Society Facility and Media Programme in favour of the Western Balkans and Turkey for 2021-2023 (IPA III).
  - 2 The advocacy research is designed and coordinated by Snezana Trpevska and Igor Micevski, research fellows of the [Research Institute on Social Development RESIS](#), from North Macedonia.

on how safe journalists and other media actors feel when practicing their profession. It is composed of four groups of indicators: (1) Legal and Organisational Environment, (2) Due Prevention, (3) Due Process, and (4) Actual Safety. Based on this tool, a total of three research cycles were implemented: 2020 (pilot year), 2021 and 2022.

Starting from 2023, the [Safejournalists.net](https://www.safejournalists.net) will combine the two (qualitative and quantitative) research tools into one single advocacy research project – *Indicators on the level of media freedom and Journalists' Safety Index*. The platform monitors the situation in seven countries: Albania, Bosnia and Herzegovina, Croatia, North Macedonia, Montenegro, Kosovo<sup>3</sup> and Serbia.

## METHODOLOGICAL NOTE

The entire research process is divided into two phases: in the *first phase*, data is collected for all qualitative indicators – both for media freedoms and for the safety of journalists, while in the *second phase*, the qualitative indicators for the safety of journalists are converted into quantitative ones and the procedure of scoring and calculation of the Journalists' Safety Index is carried out.

A range of various research methods were applied to collect and analyze data related to each specific qualitative indicator:

- Review of studies, analyses, research reports, policy papers, strategies and other documents;
- Qualitative analysis of legal documents;
- Retrieval and analysis of information published on the web sites of public institutions and other organizations and bodies;
- Retrieval and analysis of press releases, announcements and other information produced by professional organisations;
- Secondary data collected by journalists' associations;
- In-depth-interviews with experts, journalists, policy makers etc.;
- Focus groups with journalists, and
- Surveys with journalists (in some of the countries).

At national level, the advocacy research is conducted by national researchers who carry out the data collection and draft the narrative reports, which were then reviewed by local media and legal experts and by lead researcher. In Croatia,

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<sup>3</sup> This name is without prejudice to the status and in accordance with United Nations Security Council Resolution 1244 and the opinion of the Tribunal on the Declaration and Independence of Kosovo.

the Croatian Journalists' Association nominated Monika Kutri as national researcher, Vanja Jurić as legal expert and Đurđica Klancir as media expert to review the report.

## QUALITATIVE INDICATORS ON THE LEVEL OF MEDIA FREEDOM AND JOURNALISTS' SAFETY

The following table presents all qualitative indicators for the level of media freedom and safety of journalists, divided into three areas. These qualitative indicators are presented in descriptive or narrative form. Part of the indicators that are used in the conceptual framework for the Journalists' Safety Index are marked in red on the table.

*Overview of all qualitative indicators (Indicators on the level of media freedom and journalists' safety)*

A. Legal safeguards and their implementation	B. Journalists' position in the newsrooms	C. Journalists' safety
A.1 Basic guarantees for media and journalists' freedom and their application in practice	B.1 The job positions of journalists are stable and protected at the workplace	C.1 Journalists and media actors have access to immediate and effective protective measures
A.2 Independence and efficiency of the regulatory authority	B.2 Editorial independence in the private media	C.2 Journalists and other media actors have access to special protection or safety mechanisms
A.3 Independence and autonomy of the public service media	B.3 Editorial independence in the public service media	C.3 Female journalists have access to legal measures and support mechanisms
A.4 Financial support to quality journalism and media content of public interest	B.4 Editorial independence in the not-for-profit media sector	C.4 The practice of regular public condemnation of threats and attacks on journalists and media
A.5 State advertising in the private media sector	B.5 Freedom of journalists in the news production process	C.5 Police authorities are sensitive to journalists' protection issue
A.6 Legal provisions related to defamation and their application do not create a chilling effect on journalists and the media	B.6 Economic position of women journalists	C.6 Specialised units/officers are equipped with expertise for investigating attacks and violence against journalists
A.7 Other laws are enforced objectively and allow journalists and other media actors to work freely and safely		C.7 Investigations of serious physical attacks on journalists and other media actors are carried out efficiently
A.8 The confidentiality of journalists' sources is guaranteed in the legislation and respected by the authorities		C.8 Journalists and other media actors are efficiently protected from various forms of online harassment
A.9 Journalists are free to pursue their profession and to establish, join and participate in their associations		C.9 Investigations of all types of attacks and violence against journalists and other media actors are carried out transparently
A.10 Right to access official documents and information		C.10 Quality statistics collection systems established by state authorities to stem impunity
		C.11 Non-physical threats and harassments
		C.12 Threats against the lives and physical safety of journalists
		C.13 Actual attacks
		C.14 Threats and attacks on media outlets and journalists' associations

## JOURNALISTS' SAFETY INDEX

Taking into consideration the standards and recommendations established by the Council of Europe and other international organisations, the concept of „journalists' safety"<sup>4</sup> was operationalized by considering the following four dimensions:

- I. **Legal and organisational environment** – the existence and implementation of legal safeguards relevant for the safety of journalists.
- II. **Due Prevention** – the existence and implementation of a range of preventative measures that have direct effects on journalists' protection and safety.
- III. **Due Process** – the behaviour of state institutions and public officials towards journalists and the efficiency of the criminal and civil justice system concerning the investigations of threats and acts of violence against journalists.
- IV. **Actual Safety** – incidents and instances of various forms of threats and acts of violence against journalists and media.

The table below presents the four dimensions and indicators that make up the theoretical model of the „journalists' safety" concept. Data for all these indicators were collected in the first phase of the research, and in the second phase, based on the collected research evidence, nine members of the Advisory Panel from each of the countries<sup>5</sup> assessed the situation and assigned scores for each of the 19 indicators:

### Overview of indicators related to the Journalists' Safety Index

I. Legal and organisational environment	II. Due Prevention	III. Due Process	IV. Actual Safety
1.1 Legal provisions related to defamation and their application do not create a chilling effect on journalists and the media	2.1 Journalists and media actors have access to immediate and effective protective measures	3.1 Specialised units/officers are equipped with expertise for investigating attacks and violence against journalists	4.1 Non-physical threats and harassments
1.2 The confidentiality of journalists' sources is guaranteed in the legislation and respected by the authorities	2.2 Journalists and other media actors have access to special protection or safety mechanisms	3.2 Investigations of serious physical attacks on journalists and other media actors are carried out efficiently	4.2 Threats against the lives and physical safety of journalists
1.3 Other laws are enforced objectively and allow journalists and other media actors to work freely and safely	2.3 Female journalists have access to legal measures and support mechanisms	3.3 Journalists and other media actors are efficiently protected from various forms of online harassment	4.3 Actual attacks
1.4 Journalists are free to pursue their profession and to establish, join and participate in their associations	2.4 The practice of regular public condemnation of threats and attacks on journalists and media	3.4 Investigations of all types of attacks and violence against journalists and other media actors are carried out transparently	4.4 Threats and attacks on media outlets and journalists' associations

<sup>4</sup> Researchers from the [RESIS Institute](#), Snežana Trpevska, Igor Micevski and Ljubinka Popovska Toševa developed the conceptual and methodological framework for the Index and the model for its aggregation, weighting and calculation.

<sup>5</sup> Members of the Advisory Panel in Croatia were: Jasmin Klarić, Davorka Blažević, Ante Ljubičić, Branimir Zekić, Goran Borković, Silvija Šeparović, Branimir Bradarić, Željka Gavranović, and another one who wished to remain anonymous.

I. Legal and organisational environment	II. Due Prevention	III. Due Process	IV. Actual Safety
1.5 The job positions of journalists are stable and protected at the workplace	2.5 Police authorities are sensitive to journalists' protection issue	3.5 Quality statistics collection systems established by state authorities to stem impunity	

**Note:** When the male form is used in this report, it always refers simultaneously to female, male and diverse individuals. Multiple designations are omitted for the sake of better readability.

# Introduction

Croatia is a parliamentary democracy, a republic with a multi-party system. The country has a rich history and cultural diversity, including significant ethnic minorities such as Serbs, Bosniaks, Roma, Italians, and Albanians<sup>6</sup>. The majority of the population identifies as Croats, but minority communities are an important part of the country's social and cultural fabric. Croatian political culture is characterized by the occasional presence of clientelism and corruption, which sometimes affects the transparency and efficiency of institutions. These characteristics of the political system directly affect the ability of journalists to work, given the limitations that arise from potential pressures from political and economic elites. According to a 2023 survey by Freedom House<sup>7</sup>, Croatia is a semi-consolidated democracy and this status has not changed for years.

In the last few years, the political scene in Croatia has been marked by conflicts between the leading political parties HDZ (Croatian Democratic Union) and SDP (Social Democratic Party), with occasional rises of smaller parties. Political stability often depends on coalition governments, which can make decision-making difficult. Journalists investigating political topics often face challenges such as pressure from politicians and limited access to information. While media freedom is legally guaranteed, in practice journalists are often targets of intimidation, threats and lawsuits, making it even more difficult to fulfil their role in society.

Tourism remains a key economic branch, but there is an imbalance between developed and less developed parts of the country, as well as an increasing outflow of population<sup>8</sup>. The economy has a direct impact on the position of journalists, as many work in precarious conditions, often on short-term contracts and low wages.

6 According to the [2021 census](#), national minorities in Croatia make up 6.2% of the population. Accessed: 31.01.2024.

7 [Freedom House](#), Report for Croatia. Accessed: 31.01.2024.

8 According to the [last census](#), the number of inhabitants in Croatia has decreased significantly compared to 2011, so in 2021, 3,871,833 inhabitants were enumerated in Croatia, which is 413,056 people or 9.64% less than in the previous census. Accessed: 31.01.2024.



Financial insecurity often limits journalists from engaging in investigative journalism, especially when it comes to topics involving criticism of the privileged and powerful.

In May 2023, the end of the coronavirus epidemic was declared<sup>9</sup>. Croatia has gradually recovered from the consequences of the epidemic, especially in tourism, where financial figures from 2022 and 2023 have reached the level of 2019. The economy has stabilized with the help of European Union funds, but inflation and rising energy prices remain challenges. The health system is facing the consequences of the pressures from the pandemic, and citizens' mental health and educational backlog remain problems. Despite progress, long-term consequences such as inflation and social inequalities are still present.

The media scene in Croatia is diverse, with the presence of public and private media, including television, radio, print media and a growing number of internet portals. HRT (Croatian Radio and Television), as a public broadcaster, plays a significant role, but is often criticized for its political influence on editorial decisions. Private media, on the other hand, face pressure from the interests of owners and commercial pressures. Journalists work in a challenging environment characterized by increasing pressures on media freedom and an increased number of lawsuits. Media regulation and the legal framework provide a certain level of media freedom, but in practice there are problems in law enforcement and ensuring the safety of journalists in the field.

There are no official data on the total number of journalists in Croatia, while there are data kept by the Croatian Chamber of Economy on the number of journalists employed in certain media. The largest organizations that bring journalists together and fight for their rights and ethical principles of the profession are the Croatian Journalists' Association (in Croatian: HND) and the Trade Union of Croatian Journalists (in Croatian: SNH). The copyright of journalists in Croatia is dealt with by the Croatian Journalists' Copyright Protection Association (in Croatian: DZNAP).

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9 Vlada Republike Hrvatske: "[Plenković: Today we declare the end of the coronavirus epidemic in Croatia](#)". Accessed: 31.01.2024.



# Media Freedom and Safety of Journalists in Croatia – Indicators

## A. LEGAL PROTECTION AND IMPLEMENTATION

### – A.1 BASIC GUARANTEES FOR FREEDOM OF THE MEDIA AND JOURNALISTS AND THEIR APPLICATION IN PRACTICE

The Constitution and laws of the Republic of Croatia guarantee the right to freedom of expression and information. Article 38 of the Constitution<sup>10</sup> ensures freedom of opinion and expression, the right to correction, access to information and the prohibition of censorship. It is especially emphasized that freedom of expression includes the press, electronic media, speech, public speaking and the establishment of media institutions. The legal framework that regulates the rights of journalists and other participants in the public space includes the Media Act<sup>11</sup>, the Electronic Media Act<sup>12</sup>, the Croatian Radio and Television Act<sup>13</sup>, the Croatian News Agency Act,<sup>14</sup> and partly the Copyright and Related Rights Act<sup>15</sup>. These laws cover both online portals and digital media, providing a legal framework that protects journalists in all forms of media.

Journalists are guaranteed access to information held by public authorities through the Right of Access to Information Act<sup>16</sup> and the Media Act<sup>17</sup>. However, the application of these rights is often not effective because information is not always easy to obtain. Journalists often have to use complaint mechanisms to the Information Commissioner to obtain relevant information that public authorities refuse to provide and that is of public interest. Appeal processes take a long time; according to the latest amendments to the Right of Access to Information Act, the

10 Constitution of the Republic of Croatia. Official Gazette 56/90, 135/97, 08/98, 113/00, 124/00, 28/01, 41/01, 55/01, 76/10, 85/10, 05/14.

11 Media Act. Official Gazette (in Croatian: Narodne novine) 59/04, 84/11, 81/13.

12 Electronic Media Act. Official Gazette 111/21.

13 The Croatian Radio and Television Act. Official Gazette 137/10, 76/12, 78/16, 46/17, 73/17, 94/18.

14 The Croatian News Agency Act. Official Gazette 96/01.

15 Copyright and Related Rights Act. Official Gazette 111/21.

16 The Right of Access to Information Act. Official Gazette 25/13, 85/15.

17 The Media Act, Article 6. Official Gazette 59/04, 84/11, 81/13.

deadline within which the Commissioner must respond to a complaint has been extended from 30 to 60 days<sup>18</sup>. Freedom of expression under Article 38 of the Constitution of the Republic of Croatia also includes the Internet as a means of communication and information, but this is not explicitly stated.

During 2023, there were no records of state authorities attempting to restrict the right to access the internet or implement blocks or filtering of online content. *Freedom on the Net* Freedom House has no registered data on Croatia.

At the beginning of June 2023, at the celebration of the 80th birthday of *Slobodna Dalmacija* in Split, Prime Minister Andrej Plenković announced the adoption of a new media act. On that occasion, he pointed out that this step will represent a significant progress after more than 20 years since the current act came into force and mentioned the consideration of additional powers for the Council for Electronic Media.

On July 5, 2023, the Ministry of Culture and Media then submitted to the CJA a working document of the new media act, which did not take into account the objections to the current Act, which were sent by the CJY to the Ministry 18 months before this event. The comments that the CJA then sent to the Ministry on the aforementioned working document are numerous. CJA warned of the tendency to legalize censorship through a provision that allows publishers to refuse to publish journalistic contributions without justification, the obligation of journalists to disclose their sources of information and the composition of the Council of Media Experts – the proposed Council would have too much influence on private for-profit entities, marginalising journalists and media professionals; in addition, the envisaged „register of journalists“, the status of which is decided by the Council, as well as the state’s attempt to interfere in media self-regulation, are a cause for concern. Other problems include the lack of definition and sanctioning of covert advertising, the abandonment of encouraging media pluralism and transparency in the use of state funds for the media and additional state control over professional journalists’ associations.

The editors-in-chief and journalists of some of the most influential Croatian media, including *Večernji list*, *Jutarnji list*, *Telegram* and *Index*, agreed with the Croatian Journalists’ Association in condemning and rejecting the proposal of the draft Media Act of the Ministry of Culture and Media, pointing out that this document was created with the aim of destroying free journalism and financially encouraging the media’s obedience to the government.

By the end of 2023, the Ministry had not responded to the objections of the CJA and the professional public.

During 2023, there were no attempts to impose licensing of print and online media.

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18 Act on Amendments to the Right of Access to Information Act, Article 8. Official Gazette 69/22.

## — A.2 INDEPENDENCE AND EFFICIENCY OF THE REGULATORY BODY

The current Electronic Media Act (ZEM) prescribes new conditions for the professional qualifications of members of the Council for Electronic Media (VEM), but the procedure for their appointment has remained unchanged. The Council, composed of seven members, is appointed and dismissed by the Croatian Parliament on the proposal of the Government, with members who can be reappointed without restriction on the number of mandates. The mandate of the three members of the VEM expired on January 14, 2023 (including the legal extension of six months)<sup>19</sup> and despite this, even eight months after the tender for the election of three new members, the Government did not send its proposals to the Parliament until the beginning of February; the qualifications and identities of the 27 candidates who applied for the tender at the end of April 2022 remained unknown to the public because the Government declared them secret<sup>20</sup>.

While the Council generally acts in a transparent manner, the appointment process under the control of a parliamentary majority can have a significant impact on the political independence of regulators<sup>21</sup>. A poll conducted by Media Daily, in which 60 publishers participated, showed that 63.4 % of respondents believe that VEM is not sufficiently independent in its work<sup>22</sup>. Also, it is important to note that print media are not under the jurisdiction of VEM, which means that they do not have a regulatory body. The only institution that can issue warnings or opinions for violating the journalistic Code of Honor is the Journalists' Council of Honor<sup>23</sup> of the CJA.

The granting of concessions<sup>24</sup> takes place through public tenders and this procedure is regulated by the Ordinance on the Content and Manner of Publication of Notices of Intention to Grant Concessions for the Provision of Media Services of Television and Radio. VEM supervises the activities of publishers or concessionaires and is responsible for imposing sanctions in the event of violations of the Electronic Media Act (ZEM). These procedures are mostly carried out in a fair and neutral manner, but in previous years there were some irregularities: in the first quarter of 2022, VEM unanimously entered a media outlet in the Register of Media Service Providers whose primary purpose is to promote and advertise the business of municipalities and cities<sup>25</sup>. Such a listing of a media that is not editorially shaped is not in accordance with the Electronic Media Act (ZEM), and the publication of uncritical propaganda texts is contrary to the Code of Honor of Croatian Journalists. During 2022, VEM deleted six publishers

19 HND. „[All deadlines have expired, the Council for Electronic Media is working without three members](#)“. Accessed: 10.02.2024.

20 Nacional. „[By electing these members, the HDZ wants to euthanize the work of the Council for Electronic Media](#)“. Accessed: 10.02.2024.

21 European Commission, [2023 Rule of Law Report: Croatia Chapter](#), Luxembourg, 5.7.2022, p. 19.

22 Media Daily. „[Media Daily's research team, Survey! The majority of respondents believe that VEM does not decide independently and autonomously on granting radio and TV concessions!](#)“. Accessed: 10.02.2024.

23 [Journalists' Council of Honor](#)

24 Agency for Electronic Media, [Concessions](#). Accessed: 10.02.2024.

25 Zoran Kovačić, „[VEM entered a web portal whose main mission is to serve cities and municipalities for the purpose of advertising and promoting their business?](#)“. Media Daily, 12.4.2022. Accessed: 10.02.2024.



from the Register, but portals such as *Sloboda.hr*, *Maxportal* and *Zadardanas* continue to publish content regularly<sup>26</sup>.

### — A.3 INDEPENDENCE AND AUTONOMY OF THE PUBLIC SERVICE BROADCASTER

Although the Croatian Radio Television (HRT) Act formally<sup>27</sup> guarantees the independence of HRT, it seems that this independence is not ensured in practice<sup>28</sup>. The management of HRT is appointed by the ruling majority in the Croatian Parliament, which has so far resulted in political appointments and attempts to influence the program of the public broadcaster. In the past year, the election of the editor-in-chief of the HRT Information Media Service was held. The tender for such a key position at Croatian Radio and Television was obviously tailored to a specific candidate; the public and employees do not know who was in the committee that conducted the tender or what methodology was used in evaluating candidates according to the conditions of the tender. Also, there is no information about the number of registered candidates, how many met the conditions and why Katarina Periša Čakarun, who was re-elected, is the only candidate who meets all the required conditions<sup>29</sup>.

HRT provides for its financing through a radio-television fee, which is paid by all citizens, and whose annual income amounts to approximately HRK 1.2<sup>30</sup> billion<sup>31</sup>. This source of funding should provide the basis for the financial independence and stability of the operation of the public service media. However, the director of HRT, Robert Šveb, said at the panel discussion „What is the future of HRT?“<sup>32</sup> held in Zagreb at the Journalists' House on November 2, 2023, that at HRT, „revenues may soon not be able to cover expenditures“. The Ministry of Culture and Media announced that HRT will receive 18.39 million euros from the state budget in 2024<sup>33</sup>, without which it would be in the red by 16.9 million euros<sup>34</sup>. The Government explains this co-financing by the fact that the annual monthly fee is determined by the decision of the HRT Supervisory Board, with the prior approval of the Council for Electronic Media, and that this fee has been unchanged since 2010 and amounts to 10.62 euros, whereas it should be 16.88 euros<sup>35</sup>. Despite this, journalists discovered various irregularities in HRT's financial operations<sup>36</sup>.

HRT has two supervisory bodies: the Supervisory Board and the Programme Council. The Supervisory Board is composed

26 Hina, „[VEM deleted six publishers, three portals are still active](#)“, 19.9.2022. Accessed: 10.02.2024.

27 The Croatian Radio and Television Act. Official Gazette 137/10, 76/12, 78/16, 46/17, 73/17, 94/18.

28 In its [2023 report](#), Reporters Without Borders again wrote that "State interference in the management of HRT still exists." Accessed: 12.02.2024.

29 HND, „[The election of Periša Čakarun is another nail in the coffin of professionalism and media freedom on HRT](#)“. Accessed: 12.02.2024.

30 About 159 million euros according to the fixed conversion rate of kuna to euro, which is 1 euro = 7.53450 kuna. <https://euro.hr/>, accessed 12.02.2024.

31 Ilko Čimić, Arrests confirmed: „[First they racketeer us, and then they pay for HDZ's crime](#)“, Index.hr, 29.5.2020. Accessed: 12.02.2024.

32 Report from the panel discussion "What is the future of HRT?". Accessed: 12.02.2024.

33 Telegram. „[It has just been confirmed to Telegram: The Government will give HRT an additional 18.3 million euros in 2024](#)“. Accessed: 12.02.2024.

34 Nacional. „[Government gives HRT an additional 18.3 million euros, Dalija Orešković: "We have never had such a level of state capture"](#)“. Accessed: 12.02.2024.

35 [Proposal of the Conclusion](#) on the signing of the Proposal of the Annex to the Agreement between the Croatian Radio and Television and the Government of the Republic of Croatia for the period from 1 January 2023 to 31 December 2027. Accessed: 12.02.2024.

36 Telegram. „[The government is giving 18 million euros to HRT because they lack money. here are all the scandals with insane spending that we have uncovered in a few weeks](#)“. Accessed: 12.02.2024.

of five members: four members are appointed by the Croatian Parliament, while one represents HRT employees. This body is in charge of supervising HRT's operations and ensuring compliance with the Croatian Radio and Television Act<sup>37</sup>. The Programme Council has 11 members, nine of whom are elected by the Parliament through a public call, while two are elected by HRT employees. The body has the role of representing and protecting interests of the public through supervision and improvement of programs, including radio, audiovisual and other multimedia services. In theory, the Programme Council should hold consultations with the civil sector in order to better understand the needs and interests of citizens and society as a whole. In practice, however, this does not seem to be the case. An insight into the minutes of the HRT Program Council shows that this council did not consult with the civil sector throughout 2023. Also, there are no reports for 2023 on the Program Council website, while reports for other years are there, as well as the plan for 2024.<sup>38</sup>

#### — A.4 FINANCIAL SUPPORT FOR QUALITY JOURNALISM AND MEDIA CONTENT OF PUBLIC INTEREST

Most print media have benefited from reduced VAT in the last 10 years. Newspapers published daily and published by a newspaper publisher with status of media are taxed at a rate of 5%, while other newspapers and magazines published by such a publisher are taxed at a rate of 13%. Direct subsidies to print media officially do not exist.

The Fund for the Promotion of Pluralism and Diversity of Electronic Media, managed by the Agency for Electronic Media, is one of the sources of media funding. The Croatian Radio and Television Act provides for the financing of this Fund through three % of the revenue from the radio-television fee. Every year, funds are awarded through a public tender, but some publishers dispute the fairness and correctness of this procedure<sup>39</sup>. Although the Media Act<sup>40</sup> prescribes annual public tenders for subsidies to the media through the Ministry of Culture and Media, the state does not fulfill this obligation.

Media in the languages of national minorities are mostly financed through tenders of the Council for National Minorities. Various bodies of national minorities, associations and members of minorities themselves have the right to media activities in order to provide information in their mother tongue, with the support of national, regional and local budgets for the co-financing of radio and television programs intended for these minorities. For example, in 2023, the Council for National Minorities financed 70 information programs<sup>41</sup>, while the Agency for Electronic Media allocates funds to media service providers for programs aimed at national minorities

37 The Croatian Radio and Television Act. Official Gazette 137/10, 76/12, 78/16, 46/17, 73/17, 94/18.

38 [HRT Programme Council](#). Accessed: 12.02.2024.

39 In a [poll conducted by Media Daily](#), to which 60 publishers responded, when asked whether VEM correctly and fairly evaluates applications for this Fund, 36.7% of respondents believe that it does not, while 16.7% believe that VEM sometimes "deprives" them in its assessment. Accessed: 12.02.2024.

40 Article 5 of the ZOM.

41 Council for National Minorities, [Decision on the allocation of funds provided in the State Budget of the Republic of Croatia for the needs of national minorities in 2023](#), Official Gazette 42/2023.

through the Fund for the Promotion of Pluralism and Diversity of Electronic Media. Also, according to the Constitutional Act on the Rights of National Minorities, members of minorities are guaranteed representation in the program of the Croatian Radio and Television according to the contract between HRT and the Government of the Republic of Croatia.

## — A.5 STATE ADVERTISING IN THE PRIVATE MEDIA SECTOR

In Croatia, there is a practice of state advertising. Advertising is regulated by law, but there are still no clear and fair criteria for the distribution of state ads to the media.

State institutions are usually transparent and publish information about the funds allocated to the media, but this often includes only a part of the money that comes from the state treasury. Public and state-owned companies also allocate funds to the media, but this information is not always transparent and available to the public<sup>42</sup> due to the indication that it is a trade secret. Marketing agencies that mediate in the allocation of funds also often do not publish this information. Some local media may receive „in-kind assistance“, such as covering electricity costs or using the premises, which is not recorded as public support, making these practices unclear<sup>43</sup>. According to GONG research conducted in 2021, some media seem to be more favoured than others when it comes to state advertising<sup>44</sup>. Also, for 2023, a lack of transparency on the part of the Government and ministries regarding the amounts allocated to the media through advertisements is noted, which can jeopardize the autonomy of the editorial policy of many media. According to ZEM,<sup>45</sup> public authorities should spend 15% of their marketing budget in local media, but this data is incomplete because most public authorities do not provide the required information, which is reflected in VEM's annual reports.

At the end of 2023, a journalist from the local television Mreža TV<sup>46</sup> accused an adviser at the Ministry of Economy, Jurica Lovrinčević, of arranging the payment of state funds through selected marketing agencies to promote political interests. Due to the accusations, the State Attorney's Office of the Republic of Croatia (DORH) launched an investigation, the minister's advisor was dismissed, and the Minister of Economy, Davor Filipović, resigned. Because of this case, a public discussion was initiated on the connection between the advertising of ministries and state institutions with affirmative texts in the media, in which many more suspicious cases were cited than the one mentioned by the Ministry of Economy, but the competent state institutions were not interested in shedding light on the breadth of the problem.

42 Saša Paparella, Oriana Ivković Novokmet and Melisa Skender, „[State Financing Without Clear Criteria – A Tool for Media Censorship?](#)“. GONG, 2022. p. 5. Accessed: 12.02.2024.

43 Saša Paparella, „[\(Un\)transparent Financing and \(In\)Independent Journalism](#)“. HND, 4.1.2017. Accessed: 12.02.2024.

44 GONG, „[State advertising - millions from the budget and state-owned companies are pouring into the selected media](#)“, 29.12.2021. Accessed: 12.02.2024.

45 Electronic Media Act. Official Gazette 111/21, Article 38.

46 Vecernji. „[TV Mreža on the advisor affair: We are used here. There is a war between two sides, one has found a rotten apple](#)“.

## — A.6 LEGAL PROVISIONS RELATED TO DEFAMATION AND THEIR APPLICATION DO NOT HAVE AN INTIMIDATING EFFECT ON JOURNALISTS AND THE MEDIA

The Criminal Code retains the provisions on the criminal offences of defamation and insult as attacks on honour and reputation. Often, these provisions are abused to silence critical media and journalists, regardless of the accuracy and verifiability of information published in the public interest. The law does not distinguish between the treatment of officials and journalists, but in the case of the criminal offense of insult, unlawfulness is excluded if the act was committed in the course of journalistic work. The prescribed sanctions are often not in accordance with the gravity of the offense. Any disputes related to journalistic reporting can be resolved in civil proceedings, while criminal law should be reserved only for the most serious cases.

As a rule, defamation is difficult to prove, but there are many lawsuits related to insult, yet we have no information about their exact number and who raises them. According to CJA's latest survey<sup>47</sup>, at least 752 lawsuits (including civil and criminal proceedings) against the media and journalists worth 4.1 million euros were active in Croatia<sup>48</sup>. Among these lawsuits, 40 were filed by persons from the judicial system, and as many as 88 were filed by persons from political life or persons in power.

The amounts of fines and/or damages (compensation for damages) awarded have a significant impact on journalists, especially when they are faced with double lawsuits. This „freezing“ effect can affect them in various ways, depending on their psychological profile, the support of the media in which they work, the duration of the court process and the amount of the sentence. The strength of the impact varies: some journalists continue to work in the same vein, while others may be dissuaded from critical journalism<sup>49</sup>.

## — A.7 OTHER LAWS ARE APPLIED OBJECTIVELY AND ALLOW JOURNALISTS AND OTHER MEDIA PROFESSIONALS TO WORK FREELY AND SAFELY

In Croatia, strategic lawsuits against public participation (SLAPP) have not yet been defined by law, and journalists do not have adequate protection against such pressures. In 2021, the Ministry of Culture and Media formed an Expert Working Group<sup>50</sup> with the aim of formulating a policy to combat SLAPPs, which includes representatives of various institutions and professional associations. This working group has so far held several meetings and several workshops for judges and journalists. Although journalists have access to legal aid through the CJA Center for the Protection of Freedom of Expression

47 HND. „CJA: At least 752 lawsuits worth 4.1 million euros are active, and in 1333 cases with verdict – 40 percent was pure“ SLAPP. Accessed: 24.05.2024.

48 21 media responded to the survey, 4 of which do not have a single lawsuit, which means that these numbers refer to 17 media from Croatia.

49 Interviews with 20 journalists, conducted in January 2024 by Monika Kutri.

50 Ministry of Culture and Media. [Task Force for Policy Formulation on SLAPP Lawsuits](#). Accessed: 14.02.2024.



and media house lawyers, the lack of a definition of SLAPPs and their categorization pose a challenge in collecting official data on their frequency and impact on journalistic work.

Proceedings under the Criminal Code are often initiated against journalists, especially for insult, which are often initiated by high-ranking officials such as politicians and judges. Also, cases are initiated on the basis of the Civil Obligations Act and the Media Act, which relate to compensation for violation of personal rights such as honor, reputation and dignity. Furthermore, there are also procedures under the Law on Misdemeanors against Public Order and Peace, and reports are submitted to the Personal Data Protection Agency and the Agency for Electronic Media for alleged violations of personal data protection and hate speech. During 2023, amendments to the Criminal Code were announced that could seriously jeopardize journalistic reporting. After the initials „AP“ appeared in her correspondence in early 2023, in the investigation against former Minister Gabrijela Žalac, the public began to suspect that these initials were related to the Prime Minister; Prime Minister Andrej Plenković then announced amendments to the Criminal Procedure Code and the Criminal Code in order to prevent uncontrolled, intentional, politically motivated and selective presentation of information from official files, which was publicly called „Lex AP“. The Croatian Journalists' Association criticized the changes, calling them a „law of dangerous intentions“ because it believes that such changes are directly aimed at protecting political abuses to the detriment of public interest and freedom of the media<sup>51</sup>. The Criminal Code and the Criminal Procedure Code are key laws that give state authorities strong powers and are vital for the rule of law in any country, especially due to daily political events and possible political corruption.

To our knowledge, there were no such lawsuits in 2023, but there are lawsuits from previous years.

#### — A.8 THE CONFIDENTIALITY OF JOURNALISTIC SOURCES IS GUARANTEED BY LAW AND RESPECTED BY THE AUTHORITIES

A journalist is not obliged to disclose the source of information under the law, unless such disclosure of the source would be of greater public interest than the protection of the source. In practice, these provisions are generally complied with.

In the past year, there have been no sanctions against journalists who refused to reveal the identity of their sources. Pressures to reveal sources exist, especially within media organizations (between publishers/management, editors-in-chief and journalists), but journalists rarely talk about these pressures, so it is difficult to determine their frequency and number. Prime Minister Andrej Plenković, however, announced changes to the Criminal Code and the Criminal Procedure Code due to „leaks of information from

51 HND. „[What will be the consequences of the introduction of Article 307a of the Criminal Code for society or why are journalists protesting?](#)“. Accessed: 14.02.2024.

files", which create „political problems".<sup>52</sup> The adoption of a law that sanctions such things could seriously endanger sources, whistleblowers, but also journalists themselves.

Journalists generally feel free to communicate with sources<sup>53</sup>. Some journalists, however, emphasize that they are often recognized in public, and it is not uncommon for people, for example, to see them having coffee in a small town with a person, most often conclude that it is not a private contact, but a conversation between a journalist and a source or a whistleblower. That is why such encounters are kept to a minimum and communication is chosen carefully to protect the source.

#### — A.9 JOURNALISTS ARE FREE TO PRACTICE THEIR PROFESSION AND TO ESTABLISH, JOIN AND PARTICIPATE IN THE WORK OF JOURNALISTS' ASSOCIATIONS

In Croatia, journalists do not need a license to perform journalistic work, and there have been no attempts to introduce licensing recently. However, the aforementioned working document of the new media law mentions the introduction of a register of journalists and photojournalists. In its response to the document, the CJA expressed its belief that it was an effort to subject journalists to state control, which would jeopardize their independence from political influences and the influence of other powerful people<sup>54</sup>.

Journalists usually have no problem proving that they are journalists because they usually have a press card from their home newsroom or CJA. However, during 2023, there were arbitrary actions on this issue. The Office of the President of the Republic has denied journalist Krešimir Žabec from *Jutarnji list* accreditation for a press conference called by President Zoran Milanović on the occasion of the (non) appointment of the director of the Military Security Intelligence Agency (VSOA). This is the first time that a journalist has been prevented from doing his job without any explanation<sup>55</sup>.

During 2023, there were no open pressures and obstacles for journalists to join journalists' associations, but year after year, journalists often mention in interviews and focus groups that some media owners and publishers do not look favorably on joining associations, especially trade unions, because they consider it a kind of rebellion. There is not a single relevant association in Croatia whose work seriously threatens the representativeness and position of the CJA and TUCJ.

52 HND. „[CJA sent a complaint to the Ombudsman about Prime Minister Plenković's announcement](#)". Accessed: 14.02.2024.

53 Interviews with 20 journalists, conducted in January 2024 by Monika Kutri

54 HND. [CJA: The draft document of the new Media Act is unacceptable](#)". Accessed: 14.02.2024.

55 HND. „[The Office of the President of the Republic refused to issue accreditation to a journalist from Jutarnji list](#)". Accessed: 14.02.2024.

## — A.10 RIGHT OF ACCESS TO OFFICIAL DOCUMENTS AND INFORMATION

Journalists<sup>56</sup> often follow all procedures, but the authorities often make it difficult to access information, very often breaking the law and not providing information on time. Even when they respond quickly, it is often delayed as soon as the situation is considered more serious. The problem of „answers“ in which there are actually no answers to the questions posed is becoming more and more obvious. That is, a written letter with principled positions is sent from state institutions to a journalist's inquiry, in which there are no answers to the questions asked. There is a lack of a system, the criteria are unclear, and it all comes down to improvisation and personal contacts. Delayed information often becomes unusable, which is a major problem. Although some journalists have easier access to information due to the influence of their media, this is not always the rule. Journalists use different methods, invoke the law, set deadlines for responding via e-mail, and the like. While some institutions provide information in a timely manner, more sensitive information is often more difficult to access.

Almost all interviewed journalists said that the Government and ministries do not have non-discriminatory and fair relations with the media and that they do have media they prefer over others<sup>57</sup>.

All interviewed journalists<sup>58</sup> said that it largely depends on which court is in question, which procedure in court, and that there is no unanimous practice when talking about the judicial system in general. They have excellent cooperation with some courts, while others almost never receive the necessary information on time.

The Parliament is open to the public, but journalists who want to report from it must have accreditation. The sessions of the Parliament are broadcast live on the Parliament Television, the 4th channel of Croatian Television, the Parliament website and on the Parliament's YouTube channel.

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56 Interviews with 20 journalists, conducted in January 2024 by Monika Kutri.

57 Ibid.

58 Ibid.

## B. JOURNALISTS' POSITION IN THE NEWSROOM

### — B.1 JOURNALISTS' WORK POSITIONS ARE STABLE AND THEY ARE PROTECTED AT THE WORKPLACE

According to the Labor Act, journalists who are employed in the media<sup>59</sup> must have signed employment contracts, for an indefinite period of time or for a definite period of no more than three years. However, there is still a large number of freelance journalists, i.e. *freelancers*, who, just because they are not employed, do not even have secured labor rights.

All those who are employed in the media have a signed employment contract. The media, however, also hire other external associates, who do not have employment contracts, but cooperate in the media on the basis of copyright and other contracts. For example, major media most often employ journalists and other workers through employment contracts, which is in accordance with the Labor Act. On the other hand, various portals and other digital media mostly hire part-time associates, and less often hire on the basis of employment contracts<sup>60</sup>.

The working conditions of journalists vary from media to media. Depending on the size, type and profit that the media collects, the conditions, i.e. the types of problems that journalists encounter in their newsrooms, also differ. The biggest problems highlighted by some journalists of non-profit media are finances, while journalists of other media mention „bad atmosphere at work“ and „poor technical equipment“. Also, one of the problems pointed out by some HRT journalists is that they believe that because they do not agree with violations of the Code of Ethics, they are removed from prime time program and appointed to deal with „secondary“ matters.

Journalists' salaries are also very diverse. According to a survey by Media daily<sup>61</sup>, which based the research on average net salaries in 196 Croatian media (123 radio stations, 23 television stations and 50 print/*online* media) for 2021 and 2022, the highest net average salary is 3107 euros, while the lowest is 279 euros, which is below the legally allowed minimum wage. It is interesting that the highest paid journalists work for *Croatian Weekly*, which has three employees with an average salary of 3224 euros in 2022; this weekly has repeatedly received negative opinions from the Journalists' Council of Honor for violating the Code of Honor of Croatian Journalists, i.e. universal journalistic and ethical principles.

Journalists employed in the media are most often paid regularly. One example of bad practice is *Glas Slavnonije*, which until mid-2023 irregularly paid salaries to its employees, but the situation normalized in mid-2023 and salaries are now

59 The Labor Act. Official Gazette 93/14, 127/17, 98/19, 151/22, 46/23, 64/23.

60 For the purposes of this research, data obtained from the Trade Union of Croatian Journalists.

61 Media Daily. „[What are the salaries of employees in the media 7](https://mediadaily.biz/2023/10/06/kolike-su-place-zaposlenih-u-medijima-7/)“. <https://mediadaily.biz/2023/10/06/kolike-su-place-zaposlenih-u-medijima-7/>. Accessed: 03.03.2024.



regular<sup>62</sup>. Also, according to *Telegram* research, students employed at HRT through student contracts did not receive their fees regularly during 2023<sup>63</sup>, and those who pointed out this irregularity did not have their contracts extended<sup>64</sup>.

Trade unions exist in private media and the Trade Union of Croatian Journalists has its branches in 23 media in Croatia. The very fact that there are branches of the Union in some media, could show that the owners support union membership, but union representatives have the impression that union membership is perceived as a form of rebellion or protest. At the level of the whole of Croatia, collective agreements exist in only three media, one of which is a private media<sup>65</sup>.

## — B.2 EDITORIAL INDEPENDENCE IN PRIVATE MEDIA

According to the Media Act (Article 26)<sup>66</sup>, private media are obliged to have a media statute, which regulates the relations between the publisher, the editor-in-chief and the journalist, and defines their mutual rights and obligations. At the same time, these statutes are a condition for the media that want to use various forms of state or public support, such as money from the Fund for the Promotion of Pluralism and Diversity of Electronic Media. All electronic media listed in the Register of Electronic Media at the Agency for Electronic Media are obliged to have a media statute. Similarly, the editorial statute is also necessary for print media that want to exercise the right to a reduction in VAT on print. Despite the importance of the statute, it is important to note that there are currently no sanctions for non-compliance with the provisions of the statute, which opens up the possibility of violating various rules.

Editorial offices of private media generally do not have their own internal codes of ethics, but most often adhere to the Code of Honor of Croatian Journalists<sup>67</sup>. The only publicly available Code of Ethics for Private Media that this research managed to obtain is the Code of Ethics of *Večernji list* from 2006<sup>68</sup>. The Journalists' Council of Honor, as the only body of self-regulation of the media space in Croatia, has been operating within the CJA since its establishment in 1910 and is responsible for supervising the implementation of the Code of Honor of Croatian Journalists. All reports that indicate a possible violation of the Code of Honor can be sent to the Journalists' Council of Honor, which draws conclusions based on them. The number and frequency of reports speaks of not the best practice of respecting ethical principles in Croatia, which can be seen in the report on the work in the four-year mandate of the last convocation of the Council of Honor<sup>69</sup>. Although the decisions of the Council of Honour do not have the legal weight of a court

62 SGIM. „[Finally a regular salary for the workers of Glas Slavonije](#)“. Accessed: 03.03.2024

63 Telegram. „[Telegram finds out: with all the money it receives, HRT is not able to pay the students. They have not yet received their fees for December](#)“. Accessed: 03.03.2024.

64 Telegram. „[With all the money it receives, HRT persistently fails to pay students fees within the legal deadline. Those who rebel lose their jobs](#)“. Accessed: 03.03.2024.

65 Upon inquiry for the purposes of this research, data on the number of trade union branches and collective agreements received from the TUCJ via e-mail on 12.01.2024.

66 The Media Act. Official Gazette 59/04, 84/11, 81/13.

67 [The Code of Honor of Croatian Journalists](#)

68 [Code of Ethics of Večernji list](#). Accessed: 03.03.2024.

69 HND. „[Report on the work of the Journalists' Council of Honor May 2019 - March 2023](#)“. Accessed: 03.03.2024.

judgment, the courts often take these decisions into account, considering them to be a relevant source of information.

In the editorial role, there is a key link between journalists and media owners, and therefore advertisers, who represent a source of financing, which opens up space for possible pressures<sup>70</sup>. When asked about these possible pressures from owners or managers, the interviewed journalists answered in a variety of ways: those who say they have good editors point out that such pressures rarely reach them because editors take responsibility for solving problems in their own way, while others have editors who indirectly draw attention to topics that could be less desirable to cover. Most agree that the greatest pressures come from advertisers, which is confirmed by some of the previous research.

### — B.3 EDITORIAL INDEPENDENCE IN PUBLIC SERVICE MEDIA

The Croatian Radio and Television has implemented a Code of Ethics intended for journalists and creative staff of the public media service. Also, there is an Ethics Committee within HRT, which is authorized to express its opinions regarding possible violations of the Code. The interviewed journalists<sup>71</sup>, however, say that the problem lies in the composition of the Ethics Committee, i.e. that the representatives in the Ethics Committee are two editors of the news program, proposed by the editor or manager of the news program; this means that the editors-in-chief of certain sections propose their members, their candidates, who are their closest associates. Interviewees say that they adhere to these rules, but that many do not follow them.

The Ordinance on the Internal Organization of HRT from 2015<sup>72</sup>, which is currently not available on HRT's new website (it can only be found on the archived web), is a document from which it is not easy to determine the level of responsibility of certain persons in office. The position of editor is mostly influenced by the general director of HRT. While the statute<sup>73</sup> could allow journalists to participate in the selection of editors, the current statute of the public media service does not oblige journalists to participate in voting on the election of editors. Interviewed journalists<sup>74</sup> say that the rules prescribed by law are most often not respected.

The brief of Reporters Without Borders states that „state interference in the management of HRT still exists”.<sup>75</sup> The interviewed journalists<sup>76</sup> say that the Government has influence on HRT and that there is pressure, but that it does not necessarily have to be done by the Government, but instead by those who are appointed to leading work positions: „They know

70 GONG. „Who puts pressure on journalists: from politicians to advertisers”. Accessed: 10.03.2024.

71 Interviews with 5 journalists from HRT in the period between January 10 and 22 were conducted by Monika Kutri.

72 [Ordinance on the internal organization of HRT](#). Accessed: 10.03.2024.

73 [Statute of HRT](#). Accessed: 10.03.2024.

74 Interviews with 5 journalists from HRT in the period between January 10 and 22 were conducted by Monika Kutri.

75 [Reporters Without Borders - Croatia](#). Accessed: 10.3.2024.

76 Interviews with 5 journalists from HRT in the period between January 10 and 22 were conducted by Monika Kutri.

that if they do not work in accordance to the Government's preferences of the program, then they will no longer be in their positions." Some interviewees<sup>77</sup> say that it is enough to observe press conferences organized by the government: HRT journalists will never ask a provocative question.

#### — B.4 EDITORIAL INDEPENDENCE IN NON-PROFIT MEDIA

On 31 December 2023, there were no active non-profit television media services in Croatia, while there were 16 radio media services, 143 electronic publication media services, 19 satellite, cable and internet media services (16 audio and 3 audiovisual) and 3 on-demand media services – audiovisual<sup>78</sup>.

Non-profit media in Croatia are characterized by extremely small newsrooms in which employees perform various tasks. Although all serious non-profit media have their own editorial statutes, they usually do not have their own codes of ethics and the Code of Honor of Croatian Journalists applies to them.

The most common form of pressure on non-profit media is still manifested through the denial of financial support. In Croatia, there is a lack of a culture of civic donations for the work of the media, so they are often dependent on projects and funds provided by local and regional governments and the state. There are such funds, but journalists of non-profit media must devote themselves to project management more than journalism itself in order to access these funds, which raises the question of the sustainability of such media. Another common form of pressure on these media are also SLAPP lawsuits, which are not decreasing in Croatia. Such lawsuits bring nonprofit media to the brink of existence given their limited financial capacity to hire lawyers and disproportionately high claims for damages<sup>79</sup>.

#### — B.5 FREEDOM OF JOURNALISTS IN THE PROCESS OF NEWS PRODUCTION

In a survey conducted among members of the Croatian Journalists' Association (in Croatian: HND), 74.7% of respondents stated that they mostly or completely enjoy freedom in the choice of topics they cover. When it comes to deciding on emphasizing certain aspects of the story, 79.6% of respondents stated that they have most or complete freedom in that decision<sup>80</sup>.

The results of the interview analysis and the survey indicate that personal beliefs and journalistic ethics are the most significant factors influencing journalists.

77 Ibid.

78 Data obtained from the Agency for Electronic Media for the purposes of this research, 25.01.2024. via e-mail.

79 Interview with non-profit media journalists:

Interview 6 with a journalist of a non-profit media, January 15, 2024 conducted by Monika Kutri

Interview 7 with a journalist of a non-profit media, January 15, 2024 conducted by Monika Kutri

Interview 8 with a journalist of a non-profit media, January 17, 2024 conducted by Monika Kutri

Interview 9th with a journalist of a non-profit media, January 17, 2024 conducted by Monika Kutri

Interview 10th with a journalist of a non-profit media, January 17, 2024 conducted by Monika Kutri

Interview 14th with a journalist of a non-profit media, January 22, 2024 conducted by Monika Kutri

80 CJA survey conducted in January 2024 on a sample of 162 respondents of CJA members.

Journalists rarely report cases of censorship, with some not being familiar with the reporting procedures and others not wanting to go through all the formalities. Some of the interviewed journalists claim that there are cases of censorship, with strict surveillance and occasional bans on asking certain questions at press conferences, which are ordered by the editorial board. The results of the research conducted by GONG<sup>81</sup> indicate the presence of censorship in the media space in Croatia, emphasizing the increasingly frequent mechanisms of internal editorial control of information. Journalists react differently to the question of whether they have succumbed to self-censorship: some say that they have because they do not feel like fighting with „higher powers“, while others are persistent in not succumbing to self-censorship. Journalists conclude that it largely depends on the protection provided to them by the editor, newsroom or by the media they work for.

## — B.6 POSITION OF FEMALE JOURNALISTS

Female journalists usually work under the same conditions as their male colleagues, and employment through an employment contract is usually not gender-specific. During 2023, HRT published the HRT Action Plan for the Promotion and Establishment of Gender Equality for the period 2023-2027,<sup>82</sup> which shows that gender equality exists to a large extent. What is not included in this plan and report, however, is the appearance and age of the journalists, on the basis of which HRT has already acted discriminatory, and to which the Ombudswoman for Gender Equality has reacted<sup>83</sup>.

In Croatia, however, there is a significant number of atypical workers in the media sector, such as freelance journalists, who, due to the absence of an employment contract, do not have the rights prescribed by the Labor Act. For example, women who work as freelance journalists are not entitled to maternity leave. The practice of setting salaries in the media is often based on the position held by journalists within a media organization. There are no recent studies on the pay gap between female and male journalists, but there is still a gender gap in Croatia, according to which women earn less on average for the same job compared to men. Women are increasingly appearing in the media sector, especially due to a trend indicating that women are often represented in lower-paid fields<sup>84</sup>.

There is no publicly available recent research on this topic, but the interviewed journalists<sup>85</sup> say that there are quite a few female editors in the media world. The already mentioned HRT Action Plan for the Promotion and Establishment of

81 GONG. „Who puts pressure on journalists: from politicians to advertisers“. Accessed: 10.03.2024.

82 [HRT Action Plan for the Promotion and Establishment of Gender Equality for the Period 2023-2027](#). Accessed: 10.03.2024.

83 [Public statement due to gender and age discrimination on HRT](#). Accessed: 10.03.2024.

84 Interview with Maja Sever, President of the SNH and EFJ, on January 12, 2024 conducted by Monika Kutri

85 Interview 2nd with a HRT journalist, January 10, 2024 conducted by Monika Kutri

Interview 6 with a journalist of a non-profit media, January 15, 2024 conducted by Monika Kutri

Interview 7 with a journalist of a non-profit media, January 15, 2024 conducted by Monika Kutri

Interview 8 with a journalist of a non-profit media, January 17, 2024 conducted by Monika Kutri

Interview 9th with a journalist of a non-profit media, January 17, 2024 conducted by Monika Kutri

Interview 12th with a journalist of the national print media, January 19, 2024 conducted by Monika Kutri

Interview 13th with a journalist of the national television media, conducted on January 22, 2024 by Monika Kutri



Gender Equality for the period 2023-2027<sup>86</sup> indicates that women occupy such positions more often than men.

The last survey conducted in Croatia on experiences with sexual abuse and harassment in the media is from 2022<sup>87</sup>. Most of the participants in the study were exposed to sexual harassment, with the perpetrators most often being colleagues within the newsroom or in the field. The victims were usually in a lower position of power and generationally younger. As a result of harassment, female journalists most often cited self-censorship or mental health problems. Information about harassment is often unavailable because it is silenced or rarely reported, mainly due to a lack of trust. As many as 44.9% of respondents stated that they try to disregard or ignore harassment.

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86 [HRT Action Plan for the Promotion and Establishment of Gender Equality for the Period 2023-2027](#). Accessed: 10.03.2024.

87 Experiences with sexual abuse and harassment in the media, Research conducted by Dina Vozab (Center for Media and Communication Research, FPZG). The research was conducted for the needs of the Together Against Hate project conducted by the Trade Union of Croatian Journalists, based on a survey conducted in April 2022. The research was conducted on a sample of 89 women. The results of the survey were submitted via email for the purposes of this report.

## C. JOURNALISTS' SAFETY

### — C.1 JOURNALISTS AND MEDIA PROFESSIONALS HAVE ACCESS TO IMMEDIATE AND EFFECTIVE SAFEGUARDS WHEN THEY ARE THREATENED

Journalists, as well as other citizens, can report threats and attacks to the police, which does not have a special department dedicated exclusively to journalists. A report of hate speech in relation to its nature can be sent to the Council for Electronic Media<sup>88</sup>, one of the Ombudswoman's offices (Ombudswoman<sup>89</sup>, Ombudswoman for Gender Equality<sup>90</sup>, Ombudswoman for Persons with Disabilities<sup>91</sup> and Ombudswoman for Children<sup>92</sup>) and the Journalists' Council of Honor of the CJA<sup>93</sup>. The State Attorney's Office of the Republic of Croatia is responsible for criminal prosecution if hate speech is aimed at incitement to violence and hatred.

During 2023, the police recorded<sup>94</sup> 13 events related to persons engaged in journalistic work. In 12 situations, journalists became victims of threats they received through letters, phone calls or social networks. Out of a total of 12 cases, 7 have been resolved, i.e. the police have filed criminal charges against certain perpetrators with the competent State Attorney's Office in 5 cases. In 2 cases, a decision is currently being made by the competent State Attorney's Office, while in the remaining 5 cases, a criminal investigation is still being conducted.

According to the information available to the CJA, in 2023 there were no situations in which the Ministry of the Interior did not process journalists' reports. However, as in previous years, there are cases in which the State Attorney's Office did not accept reports in order to initiate *ex officio* proceedings because it considered that there were no elements of a criminal offense in them.

### — C.2 JOURNALISTS AND OTHER MEDIA PROFESSIONALS (WHOSE LIFE OR PHYSICAL INTEGRITY IS IN REAL AND IMMEDIATE DANGER) HAVE ACCESS TO SPECIAL PROTECTION OR SAFETY MECHANISMS

At national level, the police can provide physical protection to journalists, as well as other citizens, in case they are exposed to threats. In September 2023, the Croatian Journalists' Association, the TUCJ and the Ministry of the Interior signed a Cooperation Agreement<sup>95</sup> with two accompanying protocols, which should guarantee better protection for journalists: the Protocol on the Conduct of the Police when Learning of a Criminal Offence Committed to the Detriment of Journalists and

88 [Council for Electronic Media.](#)

89 [Ombudswoman.](#)

90 [Ombudswoman for Gender Equality.](#)

91 [The Ombudswoman for Persons with Disabilities.](#)

92 [Ombudswoman for Children.](#)

93 [Journalists' Council of Honor of the Croatian Journalists' Association](#)

94 Data received from the Ministry of the Interior via email on January 29, 2024 on request for the purposes of this research.

95 [Agreement on Cooperation between the Ministry of the Interior – CJA – TUCJ](#)

Other Media Workers in the Performance of Their Work<sup>96</sup> Tasks and the Protocol on the Conduct of the Police, Journalists and Other Media Workers at Public Gatherings of Public Interest<sup>97</sup>. This document is the result of many years of negotiations between the CJA, TUCJ and the Ministry of the Interior, but also the good cooperation that the CJA has with the Ministry of the Interior when it comes to the safety of journalists.

So far, the police have repeatedly granted protection to journalists who found themselves in danger. Current legal regulations determine the treatment of police officers not only towards victims of any crime, but also in the provision of physical protection; depending on the security assessment, special personal protection measures may be applied to media workers and other individuals in certain situations, in accordance with the provisions of the Police Affairs and Powers Act.<sup>98</sup>

There are several legal acts in Croatia that include a systematic risk assessment process to identify specific protection needs, but these laws are not limited to the journalistic profession. According to Article 99. of the Police Affairs and Powers Act<sup>99</sup>, the police shall, if there are justified reasons for doing so, appropriately „protect the victim and another person who provides or can provide important information for criminal proceedings or is a close person who is threatened by the perpetrator or other persons connected with the criminal proceedings". Witnesses in criminal proceedings are subject to the Witness Protection Act<sup>100</sup>, whereby the Prosecutor General may submit a request for the inclusion of an endangered person in the Protection Programme if he or she would not otherwise be able to ensure free testimony in criminal proceedings. A journalist, like any other person who reports an irregularity, has the right to judicial protection, protection in accordance with the procedures for reporting irregularities, compensation for damages, and protection of identity and confidentiality. The Protection of Whistleblowers Act<sup>101</sup> explicitly states that it is prohibited to obstruct the reporting of irregularities.

When there is an attack on a journalist, the Croatian Journalists' Association reacts within its competences and resources to all relevant institutions. Through its Center for the Protection of Freedom of Expression, the CJA cooperates with lawyers to provide journalists with free legal aid.

### — C.3 FEMALE JOURNALISTS FACING THREATS, HARASSMENT AND GENDER-BASED VIOLENCE HAVE ACCESS TO LEGAL MEASURES AND SUPPORT MECHANISMS

In Croatia, the implementation of the Istanbul Convention has been achieved through a series of laws, protocols and

96 [Protocol 1 of the Agreement on Cooperation between the Ministry of the Interior – CJA – TUCJ](#)

97 [Protocol 2 of the Agreement on Cooperation between the Ministry of the Interior – CJA – TUCJ](#)

98 Data received from the Ministry of the Interior via email on January 29, 2024 on request for the purposes of this research.

99 The Police Affairs and Powers Act. Official Gazette 76/09, 92/14, 70/19.

100 The Witness Protection Act. Official Gazette 163/03, 18/11, 73/17.

101 The Protection of Whistleblowers Act. Official Gazette 46/22.

amendments to the law. The Convention, signed in 2013, was ratified in 2018, which marked the beginning of its application in Croatia. A key step in the implementation process was the adoption of the Ratification of the Istanbul Convention Act, i.e. the Council of Europe's Convention on preventing and combating violence against women and domestic violence. Croatia also had a National Strategy for Protection against Domestic Violence for the period from 2017 to 2022<sup>102</sup>, an integral part of which was the implementation of the Istanbul Convention. Since its ratification, the Convention has been implemented through a number of protocols, including the Protocol on Treatment of Sexual Violence, the Protocol on Treatment of Domestic Violence and the Protocol on Integration/ Reintegration of Victims of Human Trafficking. In order to strengthen the legal framework for combating violence against women, children and domestic violence, from the beginning of 2020 stricter punishments have been implemented, and rules have been established for faster and more efficient prosecution of perpetrators of violent crimes. Employees of the social welfare system and education system were given status of official persons according to the provisions of the Criminal Code, the Criminal Procedure Code and the Protection from Domestic Violence Act. In addition, the Free Legal Aid Act provides free legal aid to victims of violence, including primary and secondary legal support. It is important to note that this type of legal aid is not limited to women, but is available to all persons equally. In September 2023, the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO)<sup>103</sup> published a Basic Evaluation Report on legislative and other measures implementing the provisions of the Istanbul Convention. The report commends the efforts of the Croatian authorities in the implementation of the Istanbul Convention in Croatia, but also draws attention to some ambiguities and details that should be improved.

There are several institutions in the Republic of Croatia that, among other things, represent mechanisms for the protection of women. The Ombudswoman for Gender Equality, as an independent institution for combating discrimination in the field of gender equality, and the public Ombudswoman, who performs the function of the Plenipotentiary of the Croatian Parliament for the Protection and Promotion of Human Rights and Freedoms, also acts as a central body for combating discrimination, as well as the National Preventive Mechanism for the Protection of Persons Deprived of Liberty. There are approximately 60 organizations or their affiliates throughout the country dedicated to the safety and legal protection of victims of gender-based violence<sup>104</sup>, and there is likewise a Support and Cooperation Network consisting of 11 associations that victims of violence can turn to for help<sup>105</sup>. There is also a national call center for victims of crime and misdemeanors<sup>106</sup>, as well as free legal and

102 [National Strategy for Protection against Domestic Violence for the period from 2017 to 2022](#). Accessed: 15.02.2024.

103 [GREVIO Basic Evaluation Report - Croatia](#). Accessed: 15.02.2024.

104 [Authorized associations and legal clinics for the provision of primary legal aid](#). Accessed: 15.02.2024.

105 [A network of support and collaboration](#). Accessed: 15.02.2024.

106 [A free and anonymous phone for victims of crimes and misdemeanors](#). Accessed: 15.02.2024.

psychological counseling. These projects are initiatives of non-governmental organizations that survive thanks to donations from the European Union and the competent ministries.

According to the findings obtained by this research, during 2023, female journalists did not turn to associations for help, although it is possible that such reports remained confidential in order to protect the identity of the journalists. The police provided us with information only on the total number of endangered journalists according to their records, without specifying the gender of these persons. If female journalists have experienced discrimination or harassment in their newsrooms, they are recommended to contact one of these institutions. According to a survey<sup>107</sup> on experiences of sexual abuse and harassment in the media conducted in 2022 by professor Dina Vozab from the Faculty of Political Science, most of the participants in the research were victims of some form of sexual harassment, mostly from colleagues in the newsroom or in the field. The victims were often in a lower position of power and the younger generation, and as a result of harassment, they often cited self-censorship or mental health problems. Although little is known about harassment due to silence or rare reports, as many as 44.9% of respondents stated that they try to disregard or ignore harassment, often due to distrust.

#### — C.4 THE PRACTICE OF REGULAR PUBLIC CONDEMNATION OF THREATS AND ATTACKS AGAINST JOURNALISTS AND THE MEDIA HAS BEEN ESTABLISHED

State institutions and the most influential political parties have not yet established a regular practice of publicly condemning threats and attacks on journalists and other media professionals.

Public officials, political leaders and politicians in general rarely condemn attacks on journalists in their statements. Such reactions usually come from the opposition or even the Government, but one gets the impression that condemnation occurs when there is already a big enough „fuss“ about a case that they simply cannot ignore it. It often happens that prominent officials are the ones who attack journalists in their appearances, so this does not contribute to discouraging potential attackers, but, on the contrary, encouraging them.

In Croatia, an atmosphere in which „journalists are to be blamed for everything“ still prevails, and public officials sometimes contribute to maintaining such an atmosphere.

#### — C.5 POLICE AUTHORITIES ARE SENSITIVE TO JOURNALISTS' PROTECTION ISSUES

Every year, police officers undergo training on various aspects of the Criminal Code, but there is no specific education that would deal with the role of journalists in a democratic society.

107 The research was conducted as part of the TUCJ project Together Against Hate, and the results were submitted by Dina Vozab via email in April 2023 for the purposes of this research.



In September 2023, the Ministry of the Interior signed a Cooperation Agreement with the CJA and TUCJ with two related protocols: the Protocol on the Conduct of the Police when Learning of a Criminal Offense Committed to the Detriment of Journalists and Other Media Workers in the Performance of Their Work Tasks<sup>108</sup> and the Protocol on the Conduct of the Police, Journalists and Other Media Workers at Public Gatherings of Public Interest<sup>109</sup>. This agreement and protocols are the result of negotiations that began back in 2021, and their goal is to prevent attacks and provide better protection to journalists. These documents also implement some of the provisions of the European Commission's Recommendation from September 16th 2021 on ensuring the protection, safety and empowerment of journalists and other media professionals in the European Union<sup>110</sup>.

After the aforementioned documents have come into force, the Chief Police Officer issued a notice ordering all police officers in all police stations (20 of them) in Croatia to implement the signed agreement and protocols in their work; during the year, the Zagreb Police Department has already had the opportunity to use the Protocol on the Conduct of the Police, Journalists and Other Media Workers at Public Gatherings of Public Interest on October 7, 2023 on Ban Jelačić Square, where a space for media reporting in the presence of police representatives has been established. During this gathering, no endangerment of media professionals was recorded<sup>111</sup>.

Even before the signing of the Cooperation Agreement, the police had a positive approach to cooperation with journalists' associations, especially in the context of ensuring the safety of journalists. This relationship was only confirmed by the signing of the Agreement.

#### — C.6 SPECIALISED INVESTIGATION UNITS AND/OR OFFICERS ARE EQUIPPED WITH RELEVANT EXPERTISE TO INVESTIGATE ATTACKS AND VIOLENCE AGAINST JOURNALISTS

The State Attorney's Office of the Republic of Croatia and the Ministry of the Interior do not have special departments dedicated exclusively to violence against journalists<sup>112</sup>.

It is necessary to improve the education of the police and the State Attorney's Office in order to improve the understanding of the specifics of journalistic work. Currently, there are no publicly available guidelines or other documents in the State Attorney's Office that would enable the effective detection and prosecution of violence directed exclusively at journalists – The Ministry of the Interior addressed this topic with the already mentioned Protocol on the Conduct of the Police when Learning

108 [Protocol 1 of the Agreement on Cooperation between the Ministry of the Interior - CJA - TUCJ.](#)

109 [Protocol 2 of the Agreement on Cooperation between the Ministry of the Interior - CJA - TUCJ.](#)

110 [Recommendations of the European Commission.](#) Accessed: 15.02.2024.

111 Data received from the Ministry of the Interior via email on January 29, 2024 on request for the purposes of this research.

112 The Ministry of the Interior responded to the questions posed for the purposes of this survey on January 29, 2024, while the State Attorney's Office did not respond, the same as last year, so these findings are based on the answers we received for previous surveys and on publicly available data.

of a Criminal Offense Committed to the Detriment of Journalists and Other Media Workers in the Performance of Their Work Tasks<sup>113</sup>. Although the State Attorney's Office does not have such a document, in the Criminal Code, threats addressed to journalists in connection with their work, according to the provision of Article 139, paragraph 3, are automatically prosecuted *ex officio*. Additional protection of journalists during the performance of their activities is prescribed by Article 315b of the Criminal Code, which refers to coercion against a person who performs tasks of public interest or is in public service, for which *ex officio* prosecution is also carried out.

Cooperation between the staff of the competent institutions in the investigation of threats and attacks on journalists exists, and the level of cooperation depends on the seriousness of the specific case being investigated.

#### — C.7 INVESTIGATIONS OF SERIOUS PHYSICAL ATTACKS AGAINST JOURNALISTS AND OTHER MEDIA PROFESSIONALS ARE CARRIED OUT EFFECTIVELY (INDEPENDENTLY, THOROUGHLY AND EXPEDITIOUSLY)

According to the information obtained from the institutions, the investigations are independent of those involved in the events<sup>114</sup>.

In practice, the State Attorney's Office independently makes decisions on the initiation of proceedings, assessing whether there are sufficient elements of a criminal offense in the attack. If the Public Prosecutor's Office dismisses the criminal complaint, the journalist is left to himself: he can take the initiative to launch criminal prosecution, which includes self-financing of the lawyer and coping with the costs of the proceedings, even in the event of failure to prove the crime. Such costs often pose a challenge for journalists.

When there is a „higher“ interest in resolving the case quickly, there are no restrictions due to the usual procedures. Criminal charges are filed with the Public Prosecutor, who checks the justification of the report. This process can take months or even years, and the victim often has no information about the course of events during this period.

Attacks on journalists usually qualify as criminal offenses, and journalism is<sup>115</sup> recognized as a profession of public interest in the Criminal Code. Threats against a journalist in connection with his work are regulated by Article 139, paragraph 3 of the Criminal Code. Which means that the perpetrator is prosecuted by the state. Additional protection of journalists in the performance of their activities is determined by Article 315b of the Criminal Code – coercion against a person who performs tasks of public interest or is in public service, which also results in *ex officio* prosecution.

113 [Protocol 1 of the Agreement on Cooperation between the Ministry of the Interior - CJA - TUCJ.](#)

114 For the purposes of this research, the data obtained from the Ministry of the Interior, via e-mail on January 29, 2024.

115 The Criminal Code. Official Gazette 125/11, 144/12, 56/15, 61/15, 101/17, 118/18, 126/19, 84/21, 114/22, 114/23, 36/24.

## — C.8 JOURNALISTS AND OTHER MEDIA PROFESSIONALS ARE EFFECTIVELY PROTECTED FROM VARIOUS FORMS OF ONLINE HARASSMENT

Article 139 of the Criminal Code recognizes a threat to a journalist punishable by 1 year in prison or, if the life of a journalist or his relatives is threatened, up to 3 years in prison. The law does not explicitly mention online harassment, but this refers to all types of threats directed at journalists. When it comes to harassment through comments on portals, according to the Electronic Media Act<sup>116</sup>, the real authors of comments should be responsible for their statements and must be registered on the portal where they comment. If this is not met, the responsibility may also fall on the publisher. The Ministry of the Interior makes it possible to report online harassment of children through its website, which contains a „Red Button“. Although the Criminal Code does not explicitly mention the Internet and harassment together, it recognizes the ban on Internet access as a measure for those who have committed a crime online.

In the past year, journalists have been the most likely to report *online* threats they received via *email*. On social networks, journalists receive various insults and threats on a daily basis, but they do not report them unless they are extremely frightening threats.

Institutions process every reported threat, but the big problem is that journalists do not report such threats, a large number of them ignore them or consider them as part of their job.

## — C.9 INVESTIGATIONS INTO ALL TYPES OF ATTACKS AND VIOLENCE AGAINST JOURNALISTS AND OTHER MEDIA PROFESSIONALS ARE CARRIED OUT TRANSPARENTLY

Victims often face a lack of effective access to investigative procedures. The process usually begins with the filing of criminal charges with the public prosecutor, who checks the merits of the complaint, and this process can take months or even years. During this time, the victim is left without information about the progress of the proceedings. It is only when the public prosecutor decides to bring charges that the victim acquires the right to access information about the proceedings, which is essential for the protection of their rights. It is important to note that this information is not automatically available, but requires the active participation of the victim and their lawyer, since both parties have access to the file in the criminal proceedings.

Some data can be published on the websites of courts and the State Attorney's Office, while journalists can obtain certain information through requests. The frequency with which information is provided varies from court to court; the interviewed journalists have different experiences

116 The Electronic Media Act. Official Gazette 111/21, 114/22.

with different courts, there is no unified practice. No one complained about the veracity of the information.

#### — C.10 GOVERNMENT AUTHORITIES HAVE ESTABLISHED A SOUND SYSTEM FOR STATISTICAL DATA COLLECTION TO PREVENT IMPUNITY

So far, all institutions have responded to keep statistics on cases involving journalists.

None of these records are publicly available. On inquiry this year, but also in previous years, we received the only statistical data from the Ministry of the Interior and the Ministry of the Interior. Every year, the Ministry of the Interior provides us with information on how many events related to persons performing journalistic activities were registered during the year, whether it was a threat or an attack on a journalist, and at what stage the case is being processed. The MPU, on the other hand, provides us with data related to civil and criminal lawsuits against journalists that are being conducted in courts in Croatia.

All the data we receive is completely anonymized and there is not even a classification by gender or other socio-demographic criteria.

#### — C.11 NON-PHYSICAL THREATS AND HARASSMENT

During 2023, 8 non-physical threats were registered in the Safe Journalists database.

Last year, 7 non-physical threats were registered and it could be said that the situation has not changed. Only one of the seven threats has been resolved. It is a form of threats that journalists report the least because some consider them as part of their job.

Category	Number	Brief description of cases
<p><b>Non-physical threats and harassment:</b></p> <p>Surveillance or monitoring</p> <ul style="list-style-type: none"> <li>– harassment by phone calls</li> <li>– arbitrary harassment by representatives of judicial or administrative authorities</li> <li>– Aggressive statements by public officials</li> <li>– other forms of pressure that can jeopardize the safety of journalists in the performance of their work.</li> </ul> <p>These types of threats do not include mobbing and bullying in the work environment.</p>	8	<ul style="list-style-type: none"> <li>– 18. 1. 2023. – Ante Aračić sent the following message to Andrej Dimitrijević via Facebook: „Journalistic low life garbage, when I see you in the city, I will first slap you and then spit on you. Throw yourself off the building, you monkey.“ Dimitrijević immediately reported the threat to the police.</li> <li>– 17. 3. 2023. – The president of the Association of Tourist Shipowners of the Croatian Chamber of Economy, Ante Rakuljić, threatened the author of the article and the editor-in-chief of the Morski.hr portal, Jurica Gašpar, because he was not satisfied with the published article.</li> <li>– 20. 4. 2023. – Editors, journalists and associates of the weekly and portals Novosti and Vida TV were the subject of the front page and the text of the Croatian Weekly in which violence against them is incited on discriminatory grounds (described in more detail in „Threats and attacks on media institutions, organizations, media and associations of journalists“).</li> <li>– 5. 5. 2023. – Drago Hedl, vice-president of the CJA, received a threat in a letter addressed to the CJA.</li> <li>– 5. 5. 2023. – Chiara Bilić, vice-president of the CJA, received a threat in a letter addressed to the CJA.</li> <li>– 4. 7. 2023. – Krešimir Žabec, a journalist from Jutarnji list, was not granted accreditation to cover the press conference of the President of the Republic of Croatia, without explanation.</li> <li>– 8. 11. 2023. – Minister of Culture and Media, Nina Obuljen Koržinek, in a statement to reporters on Wednesday, tried to deny Telegram’s revelations about the work of her ministry and the Faculty of Geodesy. The minister attacked journalist Dora Kršul in an attempt to discredit her integrity and professionalism, claiming that the journalist acted maliciously and deliberately published incorrect information.</li> <li>– 12. 2023. – A female journalist who has been investigating the connection between certain politicians and entrepreneurs in the last few years was photographed and monitored without authorization, followed by offensive posts on social networks and anonymous posts on a portal with a series of offensive constructions about her private life and work.</li> </ul>

## – C.12 THREATS AGAINST THE LIVES AND PHYSICAL SAFETY OF JOURNALISTS

In 2023, one death threat was reported against a journalist and an editor of a local portal, and one death threat against several newsrooms.

Compared to 2022, fewer threats to life and physical security were registered. It could be said that the situation in this field has improved, but the problem is that journalists still do not report all the threats they receive, so the real situation cannot really be determined with certainty. It is also a problem that cases from the previous year have not been resolved.

Category	Number	Brief description of the cases
<p><b>Death threats and physical harm threats, which may include:</b></p> <ul style="list-style-type: none"> <li>– death threats against a journalist, his family and friends or a journalistic source;</li> <li>– threats to cause serious bodily harm to a journalist, his family and friends or a journalistic source.</li> </ul> <p>These threats can be:</p> <ul style="list-style-type: none"> <li>– direct or through third parties;</li> <li>– by means of electronic or face-to-face communication;</li> <li>– implicit and explicit.</li> </ul>	1	<ul style="list-style-type: none"> <li>– 15. 7. 2023. – The editor-in-chief of the 035 portal received death threats when, after the publication of the police report on the portal, one of the actors of the police statement called her asking for the news to be deleted. After she refused to delete the news, the man told her, among other things: „I’m going to kill you, I’m going to wipe the floor with you stupid, take good care of yourself when it gets dark.“</li> </ul>



## — C.13 ACTUAL ATTACKS

In two separate cases, a female journalist and two male journalists were attacked. Both attacks were actual physical attacks.

Compared to the number of attacks registered in the Safe Journalists database, the number of physical attacks increased compared to last year. The case from last year has not yet been resolved.

Category	Number	Brief description of the cases
<b>Real attacks on journalists</b> Attacks can include actual physical or mental injury, kidnapping, home or newsroom intrusion, confiscation of equipment, illegal detention of journalists, assassination attempts, etc.	2	<ul style="list-style-type: none"><li>– 11.11.2023. – On the eve of the 7th round match in the AdmiralBet ABA League in Zadar between KK Zadar and Crvena zvezda, there was a physical attack on two journalists of Mozart Sport from Serbia. The police immediately detained two people who were connected to the attacks, and later several other people were detained who could be brought into the case of this attack.</li><li>– 27.12.2023. – During the filming of a report for a show in Rakovo selo in Dubrava near Šibenik, a 62-year-old man verbally attacked a HRT journalist and prevented her from doing her job. He then hit her on the arm while she was calling the police.</li></ul>

## — C.14 THREATS AND ATTACKS AGAINST THE MEDIA AND JOURNALISTS' AND MEDIA ASSOCIATIONS

In the past year, three threats were registered as sent to newsrooms. One threat came via e-mail, sent to a number of editorial offices and the Croatian Journalists' Association, in which the author refers to several media houses and, among other things, wonders what would happen if someone spilled hydrochloric acid in the face of the owner of one of these media and his „esposa infiel". The other two threats were directly addressed to the media outlets *Novosti* and *Vida TV*.

It is difficult to conclude whether the situation is improving due to the fact that not all media and journalists report attacks. If we compare with the previous year and what was recorded in the Safe Journalists database, this year there were two more attacks. Last year, it was a hacker attack on the media, which has not been resolved, while this year the attacks were addressed to people working in the media and to the media themselves.

Category	Number	Brief description of the cases
<p><b>Threats and attacks on media institutions, organizations, journalists' and media associations.</b></p> <p>Real attacks on the property of media and organizations, their staff, the seizure of equipment, aggressive statements by officials, etc. The description of threats and attacks may include some of the above categories.</p>	3	<ul style="list-style-type: none"> <li>- 20. 4. 2023. – The Croatian Weekly published an issue with the cover: „Plenković is paying 600,000 euros for this! 80 of Pupovac’s media Chetniks from the two nests of Novosti and Vida TV are paid by Plenković with our money for the special war against Croatia.” In the same edition, there is a text stating that „Croatia pays almost 80 instigators in two of Pupovac’s media nests for a special war against Croatia”. The use of expressions such as „Chetnik nests”, „ultra-Greater Serbian chauvinists”, „haters of Croatia and the Croatian people” and „enemies of the state” as labels for certain journalists and media outlets, issued by the Serb National Council, is an example of inflammatory speech that incites hatred towards members of the Serb national minority in Croatia and journalists working in these media.</li> <li>- 3. 5. 2023. – Prompted by the text and the front page of the Croatian Weekly, Željko Sačić (Suverenisti) led an attack on Novosti during the session of the Croatian Parliament. He stated that there are Greater Serbian tendencies in Croatia and accused Novosti of anti-Croatian propaganda and incitement to intolerance towards the Croatian people. Nikola Grmoja (Most) followed up on his statements, criticizing Novosti for not writing exclusively about minority topics. Milorad Pupovac (SDSS), president of the SNV, condemned the attacks as shameful and left the parliament in protest. Ružica Vukovac (Za pravednu Hrvatsku) additionally accused Novosti of writing untruths and called on Interior Minister Davor Božinović to initiate proceedings against the editor-in-chief of Novosti. Marijan Pavliček (Suverenisti) and Miro Bulj (Most) also attacked Novosti, accusing them of „spitting on the foundations of the state” and hatred towards Croatia.</li> <li>- 5.10.2023. – An e-mail arrived at the e-mail addresses of several media outlets and the CJA in which, among other things, it was written: „The light is off and what would you say if someone poured hydrochloric acid into their unscrupulous lying muzzles to the ‘pen’, its owner, his ‘esposa infiel’, would the CJA jump up and defend them or would it be a warning to everyone, and especially to the Večernji, Jutarnji, Telegram and 24 sata to stop sensational writing of lies and collecting subscriptions in order to enrich those rats called owners.”</li> </ul>



# Conclusions and recommendations

## CONCLUSIONS

### A. LEGAL PROTECTIONS AND IMPLEMENTATION

Prime Minister Andrej Plenković announced the adoption of a new law on the media, but the plans do not include the objections of the Croatian Journalists' Association (CJA) to the existing law, which does not solve a key problem in journalism. The procedure for appointing VEM members remains unchanged, the election of new members has been delayed, and the print media are not subject to the supervision of VEM, as well as any other body. This allows publishers to have a greater influence on the newsroom and makes it impossible to monitor whether editorial statutes are respected, even though they are a condition for tax relief (VAT) for print media. Although HRT's independence is legally guaranteed, political appointments and tailored competitions for key positions threaten this autonomy. Media funding also remains problematic; apart from tax reductions, there are no direct subsidies for print media. Funds from the Pluralism Fund are allocated through a public tender, but there are complaints about the fairness and transparency of this process, and the state does not implement the obligation of annual tenders for subsidies prescribed by the Media Act. In addition, the practice of state advertising shows political bias, with a lack of clear criteria for ad distribution. Prime Minister Andrej Plenković also announced amendments to the Criminal Code and the Criminal Procedure Code due to „leaks of information from files“, which constitute „political problems“. The adoption of such a law could seriously endanger journalistic sources, whistleblowers, but also journalists themselves. Legislative provisions on defamation and the lack of a definition of SLAPP further intimidate journalists, which encourages self-censorship.

## B. LEGAL SAFEGUARDS AND THEIR APPLICATION

Journalists in Croatia face many challenges, including disproportionately distributed salaries and a lack of legal protections for freelance journalists. Although they are legally guaranteed labor rights, a large number of journalists remain vulnerable due to atypical forms of employment. The editorial independence of private media is often threatened by pressures from owners and advertisers, and the lack of their own codes of ethics can reduce the quality of journalism. Similar problems exist at Croatian Radio and Television, where, despite the existence of the Code of Ethics, pressures from political levels and internal organizational weaknesses reduce the independence of journalists. Non-profit media face financial challenges and SLAPPs, which further threaten their sustainability and independence. The freedom of journalists in the process of news production varies; Although most enjoy autonomy, the presence of censorship and self-censorship indicates the need for stronger protection mechanisms. Through consideration of gender equality, female journalists often face discrimination and pressure, which emphasizes the urgency of changes in the work environment.

## C. JOURNALISTS' SAFETY

Journalists and media workers face a number of serious challenges to their safety and rights. Although there are certain protection mechanisms, they are not specific enough and adapted to the journalistic profession, which leaves journalists vulnerable to threats and violence. Public officials do not sufficiently condemn attacks on journalists, which further contributes to the atmosphere of insecurity and mistrust. In addition to physical threats, online harassment is also becoming more and more present, which further complicates the work of journalists.

Until recently, the Croatian authorities defined journalism, i.e. media publishing, exclusively as an economic activity that should be left to market regulation, which changed after the European Commission, faced with an avalanche of disinformation, especially during the crisis caused by the coronavirus, recognized journalism as a public good. Although it has accepted this determinant, the Ministry of Culture and Media still avoids adopting a new legislative framework that would enable greater independence of newsrooms from publishers and their particular interests. In addition, it is the practice of the relevant ministry to negotiate media laws primarily with publishers and their associations.

## RECOMMENDATIONS

### A. LEGAL PROTECTIONS AND IMPLEMENTATION

- The procedure for appointing members of the Electronic Media Council needs to be reformed in order to reduce political influence. Information on candidates should be made publicly available and clear selection criteria should

be introduced. In addition, it is unacceptable that future members of the Council are proposed to the Croatian Parliament by the Government. The CJA advocates that the proposal of the councillor whose appointment will be decided by the Parliament should be proposed by the parent parliamentary committee with a two-thirds majority.

- A single regulatory body should be introduced for all media (so that it also covers print media), provided that the method and criteria for the appointment of members of the regulatory body are amended. This should introduce supervision of the implementation of editorial statutes on the basis of which the media receive financial support and tax reliefs, and which should guarantee the autonomy of the newsroom from marketing and management.
- Introduce direct subsidies for print media and ensure transparency in the allocation of funds from the Pluralism Fund. Annual tenders for subsidies should be mandatory and carried out according to clearly defined rules. Received applications should be evaluated by an independent commission of media experts, and the Fund should be one for all media and be filled from sources other than HRT's fee.
- Develop fair and transparent criteria for the distribution of state advertising to prevent political influence on editorial policy. Also, it is important to ensure that all sources of funding are publicly available, including advertising by state and public and local utility companies that hide this information as a business secret, and are among the largest advertisers.
- Legal provisions on defamation need to be reformed to prevent misuse and intimidation of journalists. Introduce clear definitions for SLAPP lawsuits, appropriate penalties for SLAPP prosecutors and ensure legal protection for journalists from pressure.
- Implement a system that ensures timely and concrete responses to journalists' inquiries. Clear guidelines for the provision of information should be improved and uniformity in access to legal procedures should be ensured.
- Strengthen the role of journalists' associations in protecting journalists' rights and promoting ethical journalism, while encouraging the membership and active participation of journalists in these organizations.
- To remove the criminal offense of insult and Article 307a from the Criminal Code because it represents a major obstacle to revealing the corruption of those in power.

## **B. LEGAL SAFEGUARDS AND THEIR APPLICATION**

- Introduce legislative measures that will guarantee basic labor rights for freelance journalists,



including access to social and health benefits and protection against discrimination.

- Establish clear criteria for setting salaries in journalism, as well as encourage salary transparency within newsrooms to reduce the gender gap and ensure fairness in pay.
- Encourage media outlets to develop their own codes of ethics that would build on the existing Code of Honor of Croatian Journalists, which would improve the level of professionalism and responsibility in journalism.
- Introduce stronger mechanisms to protect journalists from pressure, especially those of media owners and political entities, to ensure independence and freedom of work.
- Provide additional education on journalists' rights, censorship reporting procedures and internal support mechanisms, which will help reduce self-censorship and fear of losing their jobs.
- Implement specific measures to combat discrimination against women in journalism, including gender awareness programs and initiatives to increase the proportion of women in senior editorial positions.
- Provide additional funds and resources for non-profit media to stabilize their financial situation and allow them to focus on quality journalism, instead of constantly fighting for survival.

### **C. JOURNALISTS' SAFETY**

- Establish specific channels for journalists who report threats and attacks, with clear guidelines and support – journalists' associations should demand that the police improve reporting channels for journalists.
- Organise training for journalists on their rights and available safeguards, including legal aid opportunities – CJA should organise workshops.
- To increase the visibility and availability of organizations that provide support to journalists in the face of threats or violence, in order to encourage more victims to seek help – to modernize the communication channels of the Croatian Journalists' Association.
- State institutions and political parties should develop clear guidelines for regular and consistent public condemnation of threats and attacks on journalists, which would contribute to the creation of a safer media environment – the CJA should, in each of their public reactions, continue to demand a public reaction from the institutions
- Organize educational campaigns for public officials to empower them to recognize the importance of

publicly condemning attacks on journalists, even when the situation does not receive media attention.

- Introduce trainings for police officers that will include topics on the importance of media freedom and the protection of journalists – CJA in cooperation with the Ministry of the Interior.
- Regularly evaluate existing police protocols for the protection of journalists to ensure that they are appropriate and effective in practice – CJA should request such evaluation from the Ministry of the Interior.
- Introduce training programs for prosecutors and judges regarding the specifics of journalistic work and the protection of freedom of expression.
- Introduce deadlines for conducting investigations into attacks on journalists to ensure timely justice.
- Put in place mechanisms to ensure that journalists are regularly informed about the status of their reports and investigations.
- Establish a system for the regular publication of statistical data on attacks on journalists, including classification according to relevant criteria – the Ministry of the Interior, the Ministry of the Interior and the State Attorney's Office.
- Organise public campaigns to raise awareness of the importance of collecting and analysing data on attacks on journalists.
- Establish support programs for journalists who are exposed to non-physical threats, including psychological help or advice – CJA.

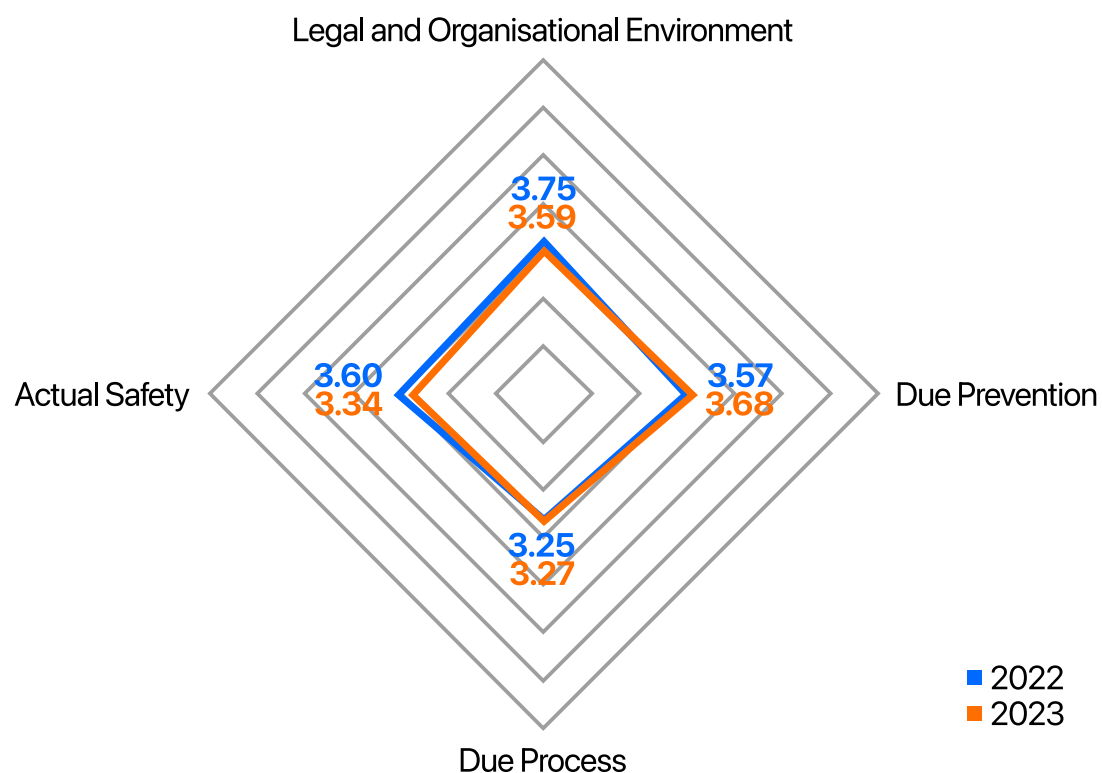
# IV

# Journalists' Safety Index – Croatia – 2023

In this part of the report, the Journalists' Safety Index in 2023 is graphically shown compared to the previous year, 2022. For each of the four dimensions and for all 19 indicators, a brief explanation of the key changes that took place in 2023 is given.

A broader explanation of the data and the changes that occurred for each individual indicator of the Index can be read in the narrative part of the report:

Indicator in the Journalists' Safety Index	Narrative report
<b>I. Legal and organizational environment</b>	
Legal provisions related to defamation and their application do not have and intimidating effect on journalists and the media	<a href="#">A.6</a>
The confidentiality of journalistic sources is guaranteed by law and respected by the authorities	<a href="#">A.8</a>
Other laws are applied objectively and allow journalists and other media professionals to work freely and safely	<a href="#">A.7</a>
Journalists are free to practice their profession and to establish, join and participate in the work of journalists' associations	<a href="#">A.9</a>
Journalists' work positions are stable and they are protected at the workplace	<a href="#">B.1</a>
<b>II. Prevention</b>	
Journalists and other media professionals have access to immediate and effective safeguards when threatened	<a href="#">C.1</a>
Journalists and other media professionals (whose lives or physical integrity are at real and immediate risk) have access to specific protection/safety mechanisms	<a href="#">C.2</a>
Female journalists have access to legal measures and support mechanisms when faced with gender-based threats, harassment and violence	<a href="#">C.3</a>
The practice of regular public condemnation of threats and attacks against journalists and the media has been established	<a href="#">C.4</a>
Police authorities are sensitive to journalists' safety issues	<a href="#">C.5</a>
<b>III. Process</b>	
Specialised investigative units and/or officers are equipped with the relevant knowledge to investigate attacks and violence against journalists	<a href="#">C.6</a>
Investigations into serious physical attacks on journalists and other media professionals are carried out effectively	<a href="#">C.7</a>
Journalists and other media professionals are effectively protected from various forms of online harassment	<a href="#">C.8</a>
Investigations of all types of attacks and violence against journalists and other media professionals are conducted transparently	<a href="#">C.9</a>
Government authorities have established a sound system for the collection of statistical data to prevent impunity	<a href="#">C.10</a>
<b>IV. Actual Safety</b>	
Non-physical threats and harassment	<a href="#">C.11</a>
Death threats and threats to physical safety of journalists	<a href="#">C.12</a>
Real attacks	<a href="#">C.13</a>
Threats and attacks on media institutions, organizations, media and journalists' associations	<a href="#">C.14</a>



	2022	2023		Glavne nove promjene u svakoj dimenziji
I. Legal and organizational environment	3,75	3,59	↓	The announced amendments to the Criminal Code related to „information leakage“ jeopardize the protection of journalistic sources, while the proposal to the Working Document of the new Media Act mentions the introduction of a register of journalists and photojournalists, as well as the possibility for publishers not to publish journalistic work without consulting the journalist and editor, which the CJA considers as an attempt by the state to control journalists and endanger their independence.
II. Prevention	3,57	3,68	↑	The main changes in 2023 relate to the improvement of cooperation between the police and journalists through the new Agreement on the Protection of Journalists and the application of protocols on police conduct. Despite progress, political support for public condemnation of attacks on journalists is still lacking, while gender-based violence against female journalists is rarely reported, for fear of reprisals.
III. Process	3,25	3,27	↑	There are no specialized investigative units for violence against journalists in Croatia, which makes it difficult to prosecute these cases, although the police have begun to apply Protocols for the Protection of Journalists. Investigations of attacks on journalists are carried out, but the processes are often lengthy and non-transparent, with a lack of information for victims. Online threats and harassment are common, but rarely reported.
IV. Actual Safety	3,60	3,34	↓	In 2023, the number of attacks and threats did not change significantly compared to 2022. It is suspected that there are a large number of unreported threats, and a large number of cases remain unsolved year after year.
<b>Journalists' Safety Index</b>	<b>3,55</b>	<b>3,41</b>	<b>↓</b>	

# I.

## Legal and organisational environment

Legal provisions related to defamation and their implementation do not produce chilling effects on journalists and media

2.74

Confidentiality of journalists' sources is guaranteed in the legislation and respected by the authorities

4.59

Other laws are implemented objectively and allow the journalists and other media actors to work freely and safely

2.88

Journalists are free to pursue their profession and to establish, join and participate in their associations

4.94

Journalists' job position is stable and protected at the workplace

2.80

1.00 — According to the law and in practice, there is absolutely no protection of the workplace of journalists, their sources and their organizations, which creates an extremely frightening effect

2.00

3.00

4.00

5.00

6.00

7.00



— According to the law and in practice, there is the highest degree of protection of the workplace of journalists, their sources and organizations



#### INDICATOR 1.1

### — LEGAL PROVISIONS RELATING TO DEFAMATION AND THEIR APPLICATION DO NOT HAVE AN INTIMIDATING EFFECT ON JOURNALISTS AND THE MEDIA

**Score for 2022: 2.63 / Score for 2023: 2.74**

The Criminal Code still contains provisions on defamation and insult as crimes against honour and reputation, which are often misused to silence critical journalists. Although the law does not make a distinction in the treatment of officials and journalists, in the case of an insult committed in the course of journalistic work, if it is presented in the public interest or for another justified reason, illegality may be excluded. The provided penalties are often not proportionate to the gravity of the offence and cases against journalists should be dealt with through the provisions of Civil Law, not Criminal Law. Defamation is difficult to prove, while insults are a more common subject of lawsuits, although data on their exact number is lacking. According to the CJA research, there are currently at least 752 active lawsuits against the media and journalists worth 4.1 million euros, many of which were initiated by politicians and people from the judiciary. The verdicts have a „freezing“ effect, which varies depending on media support, the length of the trial and the size of the compensations appointed, which discourages some journalists from critical reporting.

#### INDICATOR 1.2

### — THE CONFIDENTIALITY OF JOURNALISTIC SOURCES IS GUARANTEED BY LAW AND THE AUTHORITIES RESPECT THIS

**Score for 2022: 5.03 / Score for 2023: 4.59**

Journalists are not legally obliged to disclose their sources, except when it is in the greater public interest. These provisions are generally complied with and last year there were no sanctions against journalists for refusing to disclose sources. Although there is pressure within media organizations, journalists rarely talk about it, so it is difficult to estimate their frequency. Prime Minister Andrej Plenković has announced changes to the Criminal Code due to „information leaks“, which could endanger journalists and their sources. Although journalists generally feel free to communicate with sources, some point out that they are recognizable in the public eye, so people often draw their own conclusions about their encounters. This is why journalists minimize in-person meetings and carefully choose the means of communication to protect sources.

#### INDICATOR 1.3

### — OTHER LAWS ARE APPLIED OBJECTIVELY AND ALLOW JOURNALISTS AND OTHER MEDIA PROFESSIONALS TO WORK FREELY AND SAFELY

**Score for 2022: 3.13 / Score for 2023: 2.88**

In Croatia, SLAPP lawsuits are not legally defined, and journalists do not have adequate protection against these pressures. The Ministry of Culture and Media formed an Expert Working Group in 2021 to develop a policy to combat SLAPPs, including representatives of various institutions and professional associations. Although workshops and meetings have been held, the lack of a clear definition of SLAPP lawsuits makes it difficult to collect data on their frequency. Journalists often receive lawsuits under the Criminal Code, especially for insult, most often from politicians and judges. In addition, proceedings are initiated under the Media Act and the Civil Obligations Act for compensation for damage to honor and reputation. Prime Minister Plenković announced changes to the Criminal Code in 2023 due to information leaks, which the CJA criticized, believing that such changes threaten media freedom and the public interest. There is no official information on whether there were new SLAPP lawsuits in 2023, but there are lawsuits from previous years.

#### INDICATOR 1.4

### — JOURNALISTS ARE FREE TO PRACTICE THEIR PROFESSION AND TO ESTABLISH, JOIN AND PARTICIPATE IN THE WORK OF JOURNALISTS' ASSOCIATIONS

**Score for 2022: 5.07 / Score for 2023: 4.94**

In Croatia, journalists do not need a work permit and licensing does not exist. However, the Working Document of the new Media Act mentions the introduction of a register of journalists and photojournalists, which the CJA criticized, considering it an attempt by the state to control journalists and endangering their independence. The same document also states that a publisher can arbitrarily decide not to publish a journalistic article without consulting the editorial board or the journalist, which favors media censorship. Journalists usually have no problem proving their status, thanks to ID press cards of their home newsrooms or of the CJA. However, in 2023, there were cases of arbitrary procedures, such as denying accreditation to journalist Krešimir Žabec for the press conference of Zoran Milanović, President of the Republic of Croatia, without explanation. Although there is no open pressure for journalists to join associations, many media owners do not look favorably on trade union organizing, considering it a form of rebellion. There are no relevant associations that undermine the work of the CJA and TUCJ

INDICATOR 1.5

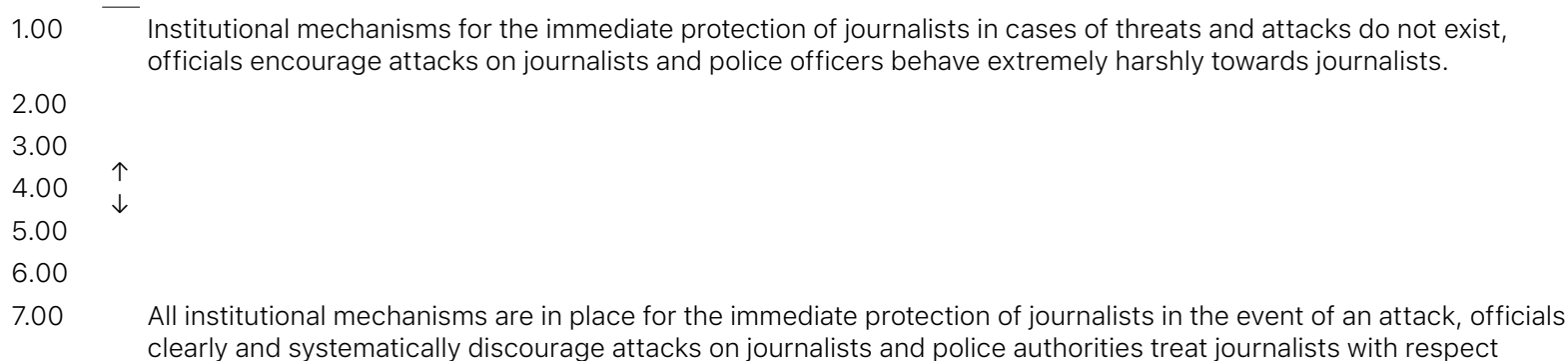
— **JOURNALISTS' WORK POSITIONS ARE STABLE AND THEY ARE PROTECTED IN THE WORKPLACE**

**Score for 2022: 2.91 / Score for 2023: 2.80**

According to the Labor Act, journalists employed in the media must have contracts for an indefinite or definite period of time of up to three years, but many freelancers do not have secured labor rights. While large media outlets hire through employment contracts, many online portals use external collaborators through copyright contracts. The working conditions of journalists vary depending on the size and organizational form of the media. In non-profit media, finances are often a problem, while journalists in larger media mention a bad atmosphere and lacking equipment. HRT journalists claim that they are marginalized because of their refusal to violate the ethical code of the profession. Journalists' salaries vary from the highest salary of 3224 euros in the *Croatian Weekly* to the lowest of 279 euros, which is less than the legal minimum. Some media, such as *Glas Slavonije*, had problems with irregular salary payments and students at HRT received fees irregularly during 2023. Trade unions operate in 23 media outlets, but collective agreements exist in only three.



## Prevention



#### INDICATOR 2.1

### — JOURNALISTS AND OTHER MEDIA PROFESSIONALS HAVE ACCESS TO IMMEDIATE AND EFFECTIVE SAFEGUARDS WHEN THREATENED

**Score for 2022: 3.43 / Score for 2023: 3.43**

Journalists in Croatia can report threats and attacks to the police, who do not have a separate department for journalists. They can report hate speech to the Council for Electronic Media, ombudsmen/ombudswomen or the Journalists' Council of Honor of the Croatian Journalists' Association. The State Attorney's Office is responsible for criminal prosecution when hate speech incites violence. In 2023, the police recorded 13 incidents related to journalists. In 12 cases, journalists were victims of threats via letters, phone or social networks. Of these 12 cases, seven have been resolved, and criminal charges have been filed in five cases. The remaining cases are being processed. According to the CJA, the police processed all journalists' reports, but there are cases in which the State Attorney's Office did not initiate proceedings, considering that there were no elements of a criminal offense.

#### INDICATOR 2.2

### — JOURNALISTS AND OTHER MEDIA PROFESSIONALS (WHOSE LIVES OR PHYSICAL INTEGRITY ARE AT REAL AND IMMEDIATE RISK) HAVE ACCESS TO SPECIFIC PROTECTION/SAFETY MECHANISMS

**Score for 2022: 3.20 / Score for 2023: 3.51**

The police in Croatia can provide physical protection to journalists, as well as other citizens, in case of danger. In September 2023, the Croatian Journalists' Association, the TUCJ and the Ministry of the Interior signed a Cooperation Agreement with two protocols that improve the protection of journalists: the Protocol on the Conduct of the Police in Criminal Offences against Journalists and the Protocol on the Procedure at Public Gatherings. The agreement is the result of years of negotiations. The police have already provided protection to journalists in danger, and the law allows for the application of special protection measures, depending on the security assessment. According to the Police Affairs Act, the police can protect victims and witnesses of crimes. Journalists also have the right to judicial protection under the Protection of Whistleblowers Act, which prohibits obstruction of reports. CJA provides legal assistance to journalists through the Center for the Protection of Freedom of Expression, in cooperation with lawyers.



#### INDICATOR 2.3

### — FEMALE JOURNALISTS HAVE ACCESS TO LEGAL MEASURES AND SUPPORT MECHANISMS WHEN FACED WITH GENDER-BASED THREATS, HARASSMENT AND VIOLENCE

**Score for 2022: 3.68 / Score for 2023: 3.68**

The implementation of the Istanbul Convention in Croatia is carried out through laws and protocols. After the signing in 2013 and ratification in 2018, laws and strategies were adopted to prevent violence against women and domestic violence, including stricter penalties and faster prosecution of perpetrators. Acts such as the Protection from Domestic Violence Act and the Free Legal Aid Act provide protection and legal aid to victims of violence. In 2023, GREVIO praised Croatia's efforts, but also pointed to the need for improvements. A number of institutions and organisations for the protection of women operate in the country, including ombudswomen and a network of NGOs. According to research, many female journalists have experienced sexual harassment in the workplace, but often do not report it due to distrust or fear of reprisals. These reports are rarely made public, and the consequences include self-censorship and mental health problems.

#### INDICATOR 2.4

### — THE PRACTICE OF REGULAR PUBLIC CONDEMNATION OF THREATS AND ATTACKS AGAINST JOURNALISTS AND THE MEDIA HAS BEEN ESTABLISHED

**Score for 2022: 3.77 / Score for 2023: 3.77**

State institutions and leading political parties in Croatia do not yet have a regular practice of publicly condemning threats and attacks on journalists. Politicians rarely publicly condemn such incidents, and when they do, reactions often come only after the case has received significant public attention. Condemnations usually come from the opposition or the authorities, but only after public pressure. Moreover, the highest political officials themselves verbally attack journalists, which creates an atmosphere that encourages attackers instead of discouraging them. In Croatia, the perception that journalists are to blame for many problems still prevails, and public officials sometimes contribute to maintaining such a negative atmosphere.

#### INDICATOR 2.5

### — POLICE AUTHORITIES ARE SENSITIVE TO JOURNALISTS' SAFETY ISSUES

**Score for 2022: 3.76 / Score for 2023: 4.03**

Although police officers undergo training on the Criminal Code, there is no specific training related to journalists. In September 2023, the Ministry of the Interior signed a Cooperation Agreement with the CJA and TUCJ including two protocols: on the conduct of the police in cases of crimes against journalists and on the procedure at public gatherings.

These documents, which are the result of negotiations that began in 2021, aim to prevent attacks and provide better protection for journalists. The agreement is in line with the European Commission's 2021 Recommendation. The Chief Police Officer ordered all stations to apply these protocols, and the Zagreb police had already used them at a public rally on October 7, 2023. The signing of the Agreement confirms the good cooperation between the police and journalists' associations in ensuring the safety of media workers.



## Process

Specialised investigation units and/or officers are equipped with relevant expertise for investigating attacks and violence against journalists

3.25

Investigations of serious physical attacks on journalists and other media actors are carried out efficiently (independently, thoroughly and promptly)

3.34

Investigations of all types of attacks and violence against journalists and other media actors are carried out transparently

2.64

Investigations of all types of attacks and violence against journalists and other media actors are carried out transparently

3.57

Quality statistics collection systems established by state authorities to stem impunity

3.53

1.00 — The institutions do not investigate and sanction attacks on journalists, including online harassment, death threats threats to physical safety of journalists and physical attacks on journalists and the media.

2.00

3.00

4.00 ↑

5.00 ↓

6.00

7.00 — The institutions are fully effective and transparent in investigating and sanctioning attacks against journalists, including online harassment, death threats, threats to physical safety of journalists and physical attacks on journalists and the media.

#### INDICATOR 3.1

### — SPECIALISED INVESTIGATIVE UNITS AND/OR OFFICERS ARE EQUIPPED WITH RELEVANT KNOWLEDGE TO INVESTIGATE ATTACKS AND VIOLENCE AGAINST JOURNALISTS

**Score for 2022: 3.15 / Score for 2023: 3.25**

The State Attorney's Office and the Ministry of the Interior in Croatia do not have specialized departments for violence against journalists, which makes it difficult to prosecute such cases. Better education of the police and the State Attorney's Office is needed in order to improve the understanding of journalistic work. Currently, there are no publicly available guidelines in the State Attorney's Office for detecting and prosecuting violence directed at journalists, but the Ministry of the Interior has addressed this topic through the Protocol on the Procedure in Cases of Criminal Offenses against Journalists. Although the State Attorney's Office does not have specific documents, threats sent to journalists under Article 139, paragraph 3 of the Criminal Code, are prosecuted automatically *ex officio*. Article 315b also provides additional protection for journalists carrying out work in the public interest. Cooperation between institutions during investigations into threats and attacks on journalists depends on the seriousness of the case.

#### INDICATOR 3.2

### — INVESTIGATIONS INTO SERIOUS PHYSICAL ATTACKS ON JOURNALISTS AND OTHER MEDIA PROFESSIONALS ARE CARRIED OUT EFFICIENTLY (INDEPENDENTLY, THOROUGHLY AND EXPEDITIOUSLY)

**Score for 2022: 3.34 / Score for 2023: 3.34**

Investigative institutions in Croatia work independently of the persons involved in the events. The Public Prosecutor's Office autonomously makes decisions on the initiation of proceedings, assessing whether there are sufficient elements of a criminal offence. If the criminal complaint is dismissed, the journalist can initiate the procedure himself, which includes the financing of lawyers and costs, and this can be a heavy burden. When there is a „higher“ interest, proceedings can be expedited, but criminal charges usually go through a lengthy process that can take months or years, while victims often have no information about progress. Attacks on journalists are usually considered criminal offenses, and journalism is recognized as a profession of public interest. Threats against journalists are regulated by Article 139(3) of the Constitution of the Republic of Croatia, while Article 315b additionally protects journalists who perform work in the public interest.

#### INDICATOR 3.3

### — JOURNALISTS AND OTHER MEDIA PROFESSIONALS ARE EFFECTIVELY PROTECTED FROM VARIOUS FORMS OF ONLINE HARASSMENT

**Score for 2022: 2.64 / Score for 2023: 2.64**

Article 139 of the Criminal Code recognizes threats against journalists with a sentence of up to one year in prison, while death threats to a journalist or his relatives can result in a sentence of up to three years. Although the law does not mention online harassment, it applies to all types of threats. In connection with comments on portals, the Electronic Media Act requires that the authors of the comments must be registered, and the responsibility may fall on the publisher if they have not enabled it. In the previous year, journalists most often reported online threats via e-mail, while on social networks they receive insults on a daily basis, but rarely report them, except in noteworthy cases. Although institutions process reports, a big problem is that journalists often do not report threats, considering them as part of their job or simply ignoring them.

#### INDICATOR 3.4

### — INVESTIGATIONS OF ALL TYPES OF ATTACKS AND VIOLENCE AGAINST JOURNALISTS AND OTHER MEDIA PROFESSIONALS ARE CONDUCTED TRANSPARENTLY

**Score for 2022: 3.57 / Score for 2023: 3.57**

Victims often encounter a lack of effective access to investigative procedures. The process usually begins with the filing of criminal charges with the public prosecutor, who checks their merits, which can take months or even years. During this period, victims have no information about the progress of the proceedings. They acquire the right of access to information about the proceedings only when the public prosecutor decides to bring an indictment, and this information is not automatically available; require the active participation of the victim and his/her lawyer. Some information may be published on the websites of the courts and the State Attorney's Office, while journalists may obtain information through requests. The frequency with which information is provided varies from court to court, and the journalists interviewed have different experiences, with no uniform practice. There were no complaints about the veracity of the information.

#### INDICATOR 3.5

### — GOVERNMENT AUTHORITIES HAVE ESTABLISHED A SOUND SYSTEM FOR STATISTICAL DATA COLLECTION TO PREVENT IMPUNITY

**Score for 2022: 3.53 / Score for 2023: 3.53**

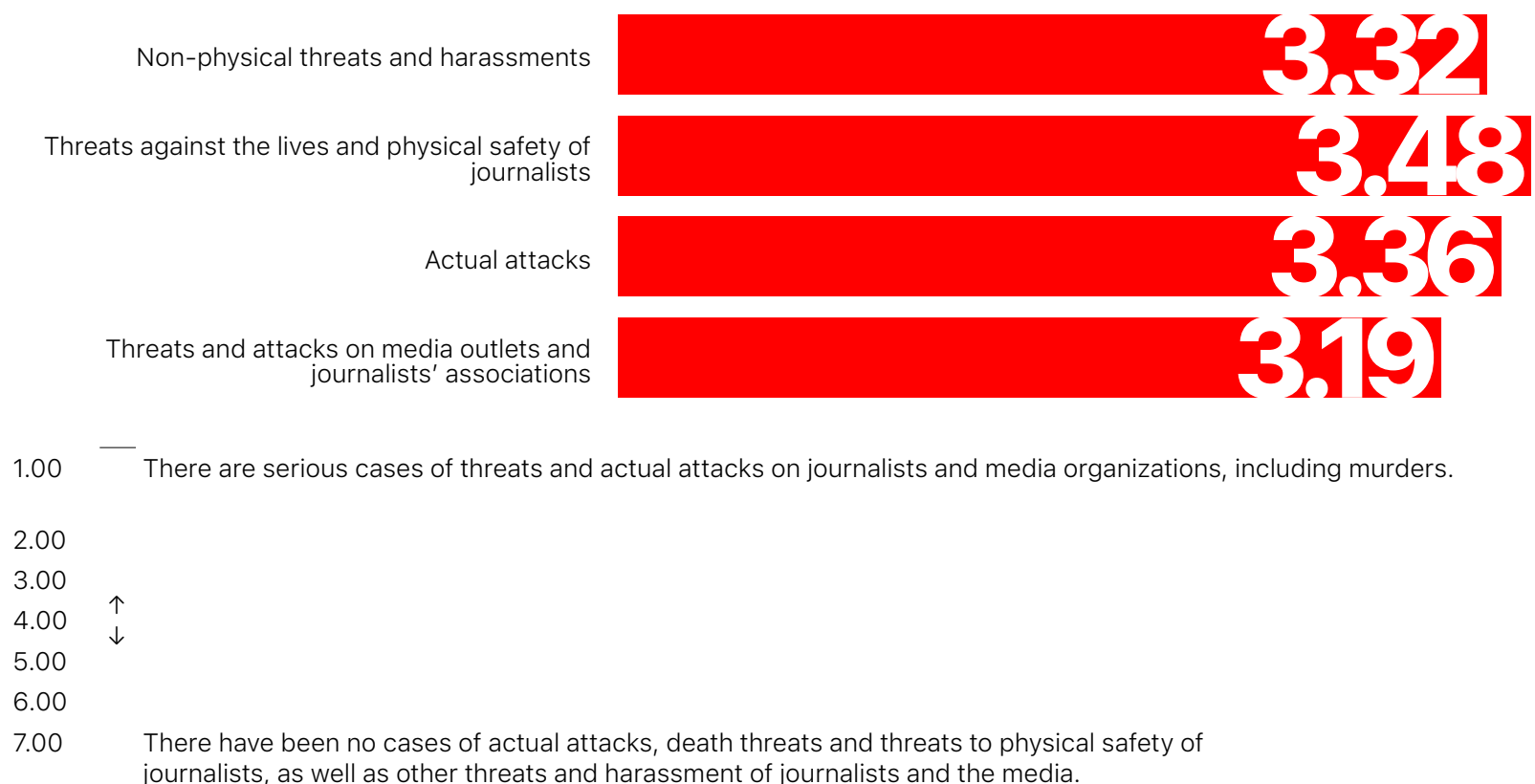
All competent institutions have so far claimed that they keep statistics on cases related to journalists, but these records are not publicly available. At our inquiry in this and previous years, the only statistical data we received were



from the Ministry of the Interior and the Ministry of Justice and Public Administration. The Ministry of the Interior annually provides us with information on registered events related to journalists, including threats and attacks, and the phase of case processing. The Ministry of Justice and Public Administration, on the other hand, provides data on civil and criminal lawsuits against journalists in Croatian courts. All data, however, is completely anonymized, without disaggregation by gender or other socio-demographic criteria.

# IV.

## Actual Safety



#### INDICATOR 4.1

### — NON-PHYSICAL THREATS AND HARASSMENT

**Score for 2022: 3.32 / Score for 2023: 3.32**

During 2023, eight non-physical threats were registered in the Safe Journalists database, which shows that the situation has not changed significantly compared to the previous year, when seven threats were registered, of which only one was resolved. This form of threats is often not reported by journalists, considering them part of their job. One female journalist, who was investigating the connection between politicians and businessmen, was photographed and monitored without authorization, followed by offensive posts on social networks and anonymous attacks on her private life. In the meantime, the Minister of Culture and Media, Nina Obuljen Koržinek, tried to deny the revelations about the work of the ministry she heads and the Faculty of Geodesy, verbally attacking journalist Dora Kršul and claiming that she acted maliciously and discrediting her integrity and professionalism.

#### INDICATOR 4.2

### — DEATH THREATS AND THREATS TO PHYSICAL SAFETY OF JOURNALISTS

**Score for 2022: 3.45 / Score for 2023: 3.48**

In 2023, two death threats were reported, one of which came to the e-mail of several newsrooms, and the other was sent to the editor of a local portal. Compared to 2022, fewer death and physical security threats were registered, which may indicate improvement. However, the problem remains that journalists do not report all threats, so the real situation cannot be determined with certainty and many cases from last year remained unresolved. The editor-in-chief of the *035 portal* received death threats on July 15, 2023, after publishing a police report. When she refused to remove the news, the attacker told her: „I'm going to kill you, I'm going to wipe the floor with you, stupid, take good care of yourself when it gets dark."

#### INDICATOR 4.3

### — REAL ATTACKS

**Score for 2022: 3.86 / Score for 2023: 3.36**

In 2023, a female journalist and two male journalists were attacked in two separate physical attacks. The number of physical attacks recorded in the Safe Journalists database increased compared to the previous year. The case from last year remained unsolved.

INDICATOR 4.4

— **THREATS AND ATTACKS ON MEDIA INSTITUTIONS,  
ORGANIZATIONS, MEDIA AND JOURNALISTS'  
ASSOCIATIONS**

**Score for 2022: 3.78 / Score for 2023: 3.19**

In the past year, three threats were registered sent to newsrooms. One threat came to the e-mail of several editorial offices and the Croatian Journalists' Association, where the author asks a provocative question about violence against the owner of the media. The second threat was directly addressed to media outlets *Novosti* and *Vida TV*. Although the situation seems to be worsening with two additional attacks compared to the previous year, it is difficult to draw conclusions because not all journalists and media are reporting. Last year, there was a hackers' attack that has not been resolved, while this year's attacks targeted individuals in the media.

**Original title**  
CROATIA  
Indicators on the Level of Media Freedom  
and Journalists' Safety Index 2023

**Publisher**  
Croatian Journalists' Association



**Author**  
Monika Kutri

**Reviewers**  
Đurđica Klancir  
Vanja Jurić

**Translation**  
Josipa Šiklič

**Proofreading**  
Josipa Šiklič

**Cover photo**  
Andrija Vukelić

**Design**  
comma.rs

This publication has been produced with the financial support of the European Union. Its content is the sole responsibility of the author and does not necessarily reflect the views of the European Union.

