

FORUM ON MINORITY ISSUES

Minorities in the criminal justice system

8th session, 24-25 November 2015

Item 4 - Challenges of criminal justice systems in addressing needs
and demands of minorities

REPUBLIC OF CROATIA

Mr. President,

The rights of persons belonging to minorities are a cornerstone of democratic societies. In Croatia, there are 22 national minorities that are guaranteed equality before the law and equal legal protection.

We believe that access to justice is both a fundamental human right and a prerequisite for the protection of all other rights and freedoms.

In Croatia, the Constitutional Law on National Minorities establishes firm legal protection focusing on a wide range of issues including language, religion, associations and media. It outlines strong provisions for public participation by minorities, including reserved seats in government and the establishment of Councils of National Minorities that act as advisory bodies to national, local and regional governments. Protection of national minorities is also guaranteed by the Anti-Discrimination Act.

Although there is always a room for improvement, Croatia has developed a strong legislative framework to combat hate crime that defines it as either aggravating or qualifying circumstance of the criminal act that enables a more severe sanction. A public encouragement to violence and hate is a criminal act in Croatia. The Working Group for Monitoring Hate Crime Incidents was established in 2010 and it is a unique example of multi-institutional cooperation in the fight against hate crime. The Working Group includes the representatives of Police Academy, as education of police officers is seen as an important precondition for improving police skills in recognizing, understanding and investigating hate crimes.

One of the key results of the Working Group is the Protocol for Acting in Hate Crime Incidents – which was a precondition for the creation of a track record for the cases of hate crime. The track record enables the monitoring of cases from the moment of identification, through investigation, prosecution and finally sanctioning.

We now need to further ensure that those who are most likely to benefit from its protection, namely persons belonging to minorities, are aware of these laws and mechanisms, and that these laws are effectively applied on the ground.

In addition, we have organized human rights and anti-discrimination training courses for judges, lawyers, civil society organizations, employers and media.

We are aware that good governance plays a vital role in involving minorities in societies and protecting their rights and interests. We believe that two dimensions are of great importance for justice: ensuring access to justice for minorities and strengthening confidence in the judiciary.

In conclusion, I'd like to emphasize that we must keep the focus on questions related to national minorities. The key to protecting minorities lies in the equality before the law and a strict adherence to non-discrimination by all relevant actors in society. Therefore, we need to continue our efforts to promote tolerance and to build pluralistic societies where all persons enjoy full equality.

Thank you.