



Office for Democratic Institutions and Human Rights

REPUBLIC OF CROATIA

EARLY PARLIAMENTARY ELECTIONS 17 APRIL 2024

ODIHR Election Assessment Mission
Final Report



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I. EXECUTIVE SUMMARY

Following an invitation from the authorities of the Republic of Croatia and based on the findings and conclusions of a Needs Assessment Mission, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) deployed an Election Assessment Mission (EAM) for the 17 April early parliamentary elections. The ODIHR EAM assessed the compliance of the electoral process with OSCE commitments and other international obligations and standards for democratic elections as well as with national legislation.

The elections were competitive and voters had a wide variety of choices across the political spectrum. The election administration enjoyed full stakeholder confidence in its integrity in implementing all stages of the election process. The elections unfolded amid hardened polarization and were preceded by cabinet reshuffles, anti-government protests, and the subsequent dissolution of the parliament. The President announced his intention to be the opposition's candidate for prime minister, triggering warnings by the Constitutional court, which created legal uncertainty.

The legal framework generally provides a sound basis for the conduct of democratic elections. It remained substantively unchanged since the previous elections, leaving most ODIHR recommendations unaddressed, including those related to the accuracy of the voter register, regulation and oversight of the electoral campaign, measures to encourage gender representation in candidate lists, decriminalization of defamation, rules on candidate eligibility, and the transparency of campaign finance. The 2023 Law on Constituencies redefined the constituency boundaries achieving their equality in terms of registered voters. However, the changes were adopted without meaningful public consultations and without broad consensus, and altered a fundamental element of the electoral system six months prior to the elections, diverging from international good practice.

The election administration managed the process efficiently and enjoyed broad public confidence. The State Electoral Commission (SEC) produced instructions and online webinars for lower-level election commissions, voters and contestants. The SEC sessions were conducted in a collegial manner and were usually announced in advance, although session minutes and other election-related documentation, including complaints and decisions on them, were often published late or not at all, detracting from transparency. The law does not prescribe criteria nor a transparent procedure for nominating and appointing judges and lawyers as election commission members, thus granting the nominating bodies wide discretion, which does not safeguard against potential conflicts of interest.

Voter registration is passive for voters with permanent residence. The police may cancel citizens' residence status, but the law does not foresee clear and objective criteria nor a transparent procedure for cancelling the status and the subsequent removal from the voter register, which may allow for inconsistent decisions and undermine suffrage rights. Electoral stakeholders, except for members of the parliament, do not have access to review the voter register, limiting opportunities for public scrutiny, at odds with international good practice. The total number of registered voters was 3,733,283, including 222,197 voters without registered permanent residence.

Citizens with active suffrage rights may run for office, except those who are imprisoned for more than six months or are not legally rehabilitated from a conviction for specified serious crimes. Despite

¹ The English version of this report is the only official document. An unofficial translation is available in Croatian.

previous ODIHR recommendations, individual independent candidates may only stand in the constituency for national minorities. The election law allows certain public officials to stand as candidates without stepping away from their public duties, which, coupled with the lack of regulation on campaigning by public officials, does not safeguard against the misuse of public position or incumbency. In an inclusive process, the SEC registered 165 lists with 2,302 candidates (163 nominated by parties and coalitions and 2 by citizen groups), of which 42 per cent were women. Over 30 lists failed to comply with a 40 per cent gender requirement, which is subject to a fine but does not result in denial of registration.

The elections were competitive, with contestants freely reaching out to the electorate to convey their messages. The campaign featured harsh rhetoric, particularly between the President and the Prime Minister, with mutual accusations of violating the Constitution. Women had limited visibility, including in media debates and televised discussion panels.

Women remain under-represented in parliament and other decision-making positions, holding around 33 per cent of seats in parliament. They hold three of the 18 ministerial positions and no senior positions such as prime minister or deputy prime minister. Over 30 candidate lists failed to comply with a 40 per cent gender requirement, which is subject to a fine but does not result in denial of registration.

Election campaigns may be financed from public and private funds, including loans. The SEC oversees campaign finances while the State Audit Office conducts annual audits. The law sets limits for donations and expenditures and requires disclosures. At odds with international standards and good practice, there are no regulations regarding donations from companies involved in public contracts, third-party campaigning, or loans. The stringent reporting and review deadlines constrain the SEC's ability to conduct meaningful oversight. The State Attorney's Office decides whether to prosecute campaign finance violations, however, it does not publicly disclose details of financial sanctions.

While the media landscape is diverse, there are concerns about media ownership concentration. Some stakeholders informed the ODIHR NAM that political associations continue to exist between many media outlets, including the public broadcaster, and noted a high volume of pending litigations against journalists. ODIHR's previous recommendation to decriminalize defamation in favour of civil remedies remains unaddressed. The Agency for Electronic Media monitors the electronic media but lacks explicit responsibility to oversee the campaign coverage or publish related information.

The Constitution recognizes 22 national minorities and foresees temporary measures to support their political participation and representation. The ethnic identity of all voters is recorded on voter lists, which is at odds with international good practice. Voters registered as members of national minorities may opt to vote either for their constituency of residence or for the national minority constituency. The ballot papers for minority candidates are separate from the ballot paper for all other lists and of a different colour, compromising the secrecy of the vote. Contrary to the law and international good practice, municipalities where Serbs constituted a third of residents lacked ballot papers and voter information in the Cyrillic script.

The election dispute resolution system provides for an overall efficient and expedited adjudication of election-related complaints. Contestants and voters may file complaints against decisions of election commissions and electoral violations, and may challenge election results. While the SEC oversees the campaign and reviews campaign-related complaints, it lacks powers to impose sanctions. Still, the SEC enjoyed a sufficient level of confidence among stakeholders.

In line with ODIHR's methodology, the EAM did not conduct a systematic or comprehensive election day observation but visited a limited number of polling stations. In these stations, the voting process was transparent and well organized, with the secrecy of the vote respected. At the same time, procedural

safeguards, including the prescribed counting procedures, were not always applied consistently. The turnout was reported at 62.3 per cent, and the SEC published detailed voting results on its website in a timely manner, including results disaggregated by polling station, contributing to the transparency of the process.

This report offers a number of recommendations to support efforts to bring elections in Croatia closer in line with OSCE commitments and other international obligations and standards for democratic elections. Priority recommendations focus on the delineation of electoral constituencies, voter registration, regulation of loans for the campaign, the independence of the public broadcaster and participation of national minorities. ODIHR stands ready to assist the authorities to further improve the electoral process and to address the recommendations contained in this and previous reports.

II. INTRODUCTION AND ACKNOWLEDGMENTS

Following an official invitation from the authorities of the Republic of Croatia to observe the 17 April 2024 early parliamentary elections, and in accordance with its mandate, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) deployed an Election Assessment Mission (EAM) from 4 to 22 April.² The ODIHR EAM was led by Ambassador Urszula Gacek (Poland), and consisted of seven experts drawn from seven OSCE participating States. The EAM was based in Zagreb and visited some localities around the capital.

The ODIHR EAM assessed compliance of the electoral process with OSCE commitments, other international obligations, and standards for democratic elections, and with national legislation. In line with ODIHR's methodology, the EAM did not observe election day procedures in a systematic or comprehensive manner but nevertheless visited a limited number of polling stations.

The ODIHR EAM wishes to thank the Ministry of Foreign and European Affairs and the State Election Commission for their cooperation and assistance, as well as to express gratitude to the representatives of other state and municipal institutions, judiciary, election commissions, political parties, media, civil society, and other interlocutors for sharing their views.

III. BACKGROUND AND POLITICAL CONTEXT

Following the 2020 parliamentary elections, the Croatian Democratic Union (HDZ) won 66 seats and led a government coalition with the Croatian People's Party – Liberal Democrats (HNS-LD), the Coalition of People's Party–Reformists (NS-R), and all 8 national minority MPs.³ The opposition Restart Coalition (RK), led by the Social Democratic Party of Croatia (SDP) – received 41 seats.⁴ The Homeland Movement, a party formed prior to the 2020 elections, led a coalition of 6 other parties and obtained 16 seats.⁵ HDZ has been in power for 24 of the 32 years since independence in 1991.⁶

² See previous ODIHR election-related [reports on Croatia](#).

³ The national minority MPs were nominated by the Independent Democratic Serb Party (SDSS), the Democratic Union of Hungarians (DZMH), the Union of Roma "Kali Sara", the Union of Albanians (UARH), while the Italian and the Czech MPs were self-nominated.

⁴ The HDZ-led election coalition included: HDZ, the Croatian Social Liberal Party (HSLs), the Croatian Demochristian Party (HDS), and the Croatian Democratic Alliance of Slavonia and Baranja (HDSSB). The SDP-led coalition included: SDP, Croatian Peasant Party (HSS), Voice of Croatia (GLAS), Istrian Democratic Assembly (IDS), Croatian Party of Pensioners (HSU), People's and Civil Engagement Party (SNAGA), Alliance of Primorje-Gorski Kotar (PGS).

⁵ The Homeland-led coalition included the Croatian Sovereignists (HS), Croatian Conservative Party (HKS), HRAST - Movement for Successful Croatia (HRAST), Bloc for Croatia (BzH), Green List (ZL) and Pensioners Party (SU).

⁶ HDZ ruled from 1991 to 1999, 2003 to 2011, and since 2016. SDP between 2000 and 2003 and 2011-2015.

Following the 2020 elections there were significant changes in the government, with nearly half the cabinet replaced due to reshuffles, resignations, or dismissals on corruption charges. In early 2023, various professional groups held street protests and strikes, demanding improved working and economic conditions, and stronger anti-corruption measures. On 17 February, eleven left-wing, liberal opposition parties jointly organised a major street protest in Zagreb under the slogan “Enough! Let’s go to elections!”, against the appointment of a former judge as the chief state attorney, alleging ties to the ruling party and to former public officials charged with corruption.⁷

On 28 February, the opposition SDP attempted to dissolve the parliament but failed to secure a majority.⁸ On 14 March, the parliament successfully voted for dissolution, this time at the proposal of the ruling HDZ-led coalition. The following day, President Zoran Milanović set the elections for 17 April.⁹

The elections unfolded amid hardened polarization between the two major parties, HDZ and SDP. On 15 and again on 17 March, President Milanović publicly stated his intention to stand as a candidate and become prime minister, should the SDP win the elections.¹⁰ On 18 March, the Constitutional Court issued a warning stating that the President must first resign in order to stand for parliamentary elections or to appear in public as a future candidate for prime minister.¹¹ The Court also cautioned the President and the SDP to “immediately stop the activities which are contrary to the Constitution”, noting that such activities could result in the Court’s annulment of electoral actions, including candidate registration and the election results.¹² SDP and Centar firmly denounced the Court warning as politically motivated, while Most, Možemo, and DP noted that they expected such a decision and Možemo criticized the lack of clarity about what was considered campaign activities and the President’s participation in the campaign. On 20 March, the State Electoral Commission (SEC) called on the President to refrain from participating in the electoral campaign in support of any contestant and recommended all contestants to adhere to the Court’s warning.¹³

Women remain under-represented in parliament and other decision-making positions, holding 51 of 151 of the seats (33.77 per cent) in parliament. They hold only three of the 18 ministerial positions (13.6 per

⁷ The protest was organized by Možemo!, SDP, Workers' Front (RF), Centar, Dalija Orešković and People with a First and Last Name, Civic Liberal Alliance (GLAS), Croatian Peasant Party (HSS), Istrian Democratic Assembly (IDS), Focus, Social Democrats (SD), People's Party – Reformists (NS-R), which were joined by the Croatian Labor Party and the Alliance of Primorje-Gorski Kotar (PGS), which were not represented in Parliament.

⁸ In total, 78 MPs from HDZ and its ruling coalition partners [voted](#) against and 59 from SDP, the Croatian Sovereignists (HS), Fokus, *Most*, *Možemo* in favour of the SDP proposal.

⁹ The 14 March proposal was [presented](#) by the parliamentary groups of the Croatian Democratic Union (HDZ), the Croatian People's Party - Liberal Democrats and Independent Representatives (HNS-LD), the Croatian Social Liberal Party (HSLs), and national minority MPs, including the Independent Democratic Serb Party (SDSS). All 143 MPs present at the session [voted](#) in favour of the dissolution of the Parliament.

¹⁰ On 15 March, the President [announced](#) that he would be a non-partisan candidate on the SDP list without resigning from his position, and expressed his will to become prime minister, if the SDP were to win the elections; on 17 March, the President [reiterated](#) on his Facebook page his intention to become prime minister, without standing as a candidate; on 24 March he [confirmed](#) he would not resign before the elections.

¹¹ See the [Warning \(U-VII-1263/2024\) of the Constitutional Court of Croatia](#). Article 89 of the Constitutional Law on the Constitutional Court stipulates that: if the Court “ascertains that the participants in the elections act contrary to the Constitution and the law, it shall inform the public over the media, if needed, warn the competent bodies, and in case of violation which influenced or might have influenced the results of the elections, shall annul all or separate electoral activities and decisions, which preceded such violation”. In their [Dissenting Opinion](#), three judges noted that the warning could impact on SDP’s ability “to exercise fundamental freedoms of expression and due process and that reference to potential annulment of election results was unreasonable”.

¹² Article 96 of the Constitution states: “The President of the Republic shall not perform any other public or professional duty. Once elected, the President of the Republic shall resign from membership of any political party and shall notify the Croatian Parliament thereof.” Mr. Milanović ceased his tenuousness as SDP president in 2016.

¹³ See the SEC [20 March 2024 Press Release](#)

cent) and no senior positions such as prime minister or deputy prime minister.¹⁴ Three of the 13 judges of the Constitutional Court and 11 of the 33 judges of the Supreme Court are women.

IV. ELECTORAL SYSTEM AND LEGAL FRAMEWORK

The 151 members of the unicameral *Sabor* (parliament) are directly-elected for a four-year term in 12 constituencies. The country is divided into 10 territorial constituencies, with voters in each constituency electing 14 representatives from semi-open lists, with one preferential vote.¹⁵ Seats in the constituency are allocated based on a proportional system to the lists which obtain at least 5 per cent of the votes cast in that constituency. In addition, citizens without residence in the country elect three representatives in a separate constituency using the same proportional system. Another constituency, covering the whole country, is dedicated to national minority representation and voters elect eight representatives in six majoritarian contests. Three of these seats are reserved for representatives of the Serb minority and the remaining five for the other 21 constitutionally-recognized national minorities.¹⁶

The parliamentary elections are primarily regulated by the 1990 Constitution (last amended in 2014), the 1999 Law on the Election of Representatives to the Croatian Parliament (hereinafter Election Law, last amended in 2019), and the 2023 Law on Constituencies.¹⁷ The legal framework was supplemented by SEC instructions issued for these elections. Croatia is party to major international and regional instruments related to the holding of democratic elections.

The legal framework provides a solid basis for the conduct of democratic elections. It has remained largely unchanged since the last parliamentary elections and most previous ODIHR recommendations remain unaddressed, including on improving the accuracy of the voter register, regulating the electoral campaign and stipulating an efficient oversight body and sanctioning mechanism, implementing a more effective mechanism for enforcing the requirements for gender representation in candidate lists, decriminalizing defamation, clarifying candidate ineligibility, and enhancing the transparency of campaign finances.

The only recent change to the legal framework has been the adoption of the 2023 Law on Constituencies, following a Constitutional Court decision that the previous delineation of constituencies violated the

¹⁴ Source: [parliament](#) and [government](#) websites. Croatia ranks 20th in the [2023 EU Gender Equality Index](#). The UN Committee on the Elimination of Discrimination against Women, in its [2015 Concluding Observations on the combined fourth and fifth periodic reports of Croatia](#), recommended the promotion of equal participation of women in political and public life, particularly at senior and decision-making levels, and suggested adopting temporary special measures such as a gender parity system for appointments and accelerated recruitment of women in senior positions.

¹⁵ The preferential vote is considered only if the candidate has at least 10 per cent of the votes on the list, otherwise, the seats are distributed based on the order of the candidates on the ballot paper.

¹⁶ Article 19.4 of the [Constitutional National Minority Rights Act](#) states: “National minorities with a share of less than 1.5% in the total population of the Republic of Croatia shall have the right to elect at least four MPs from among the members of national minorities in accordance with the law regulating the election of MPs. Members of national minorities can elect at least five and not more than eight MPs.” One MP each for the Hungarians and Italians, one jointly for the Czech and Slovak minorities, one jointly for the Austrian, Bulgarian, German, Polish, Roma, Romanian, Ruthenian, Russian, Turkish, Ukrainian, Wallachian and Jewish minorities, and one jointly for the Albanian, Bosniak, Montenegrin, Macedonian and Slovenian minorities. The last population census took place in 2021, and the [results](#) were published in 2022.

¹⁷ Applicable provisions are included in the 2002 Constitutional Law on the Rights of National Minorities, the 1993 Law on Political Parties, the 2019 Law on Financing of Political Activities, Election Campaigns and Referenda, the 2006 Law on the State Election Commission, the 2012 Law on the Voter Register, the 2002 Constitutional Law on the Constitutional Court.

equality of the vote.¹⁸ The new law maintained the same number of seats per constituency, but reshaped the boundaries of the ten constituencies and assigned some 22 percent of voters to a new constituency, achieving an even distribution of voters among the ten constituencies.¹⁹ While the Court declared the law as constitutional, it was adopted without meaningful public consultations with relevant stakeholders and without broad consensus, contrary to OSCE commitments.²⁰ The law also changed a fundamental element of the electoral system six months prior to the elections, at odds with good practice.²¹ Moreover, no administrative, historical or geographical criteria were taken into account, and some administrative units were divided among multiple electoral constituencies, at odds with international good practice and requirements in the Election Law.²² Several ODIHR EAM interlocutors also noted that the number of residents would be a more accurate criterion than the number of registered voters, pointing to a large deviation between the two in some constituencies.

The new law mandates the Ministry of Justice and Administration to monitor the changes in the number of registered voters in each constituency. If there is a deviation exceeding 5 per cent, the Ministry must inform the government so that measures are taken to ensure equality of voting power. Twice a year, the government reports to the parliament on the number of registered voters and the number of voters per

¹⁸ The Constitutional Court in its [decision of 7 February 2023](#) noted that the constituency delimitation should be based on predetermined criteria and rules on deadlines, competences for monitoring and proposing delimitation, supervisory bodies and their powers, and on public consultations in the delimitation procedure. Additionally, the Court emphasized the need to avoid fragmentation of established administrative, natural and geographical borders.

¹⁹ Based on the new delineation, all constituencies have a maximum 5 per cent deviation from the national average, as prescribed by the law. The Election Law refers to a 5 per cent deviation among constituencies, while the Law on Constituencies refers to 5 per cent from the national average number of registered voters.

²⁰ The Ministry of Justice and Administration drafted the law although without consultation with electoral stakeholders. The draft was published on the official [online consultation platform](#) but the Ministry did not take into account any of the 36 comments posted. The law was criticized by the Ombudsman and eleven constitutional law professors in an [open letter](#). The Zagreb City Assembly requested that Zagreb City be included in a single constituency. The civil society organization GONG proposed a [six constituencies model](#). The Parliament rejected the amendments suggested by the opposition, including keeping Zagreb in one constituency, avoiding splitting administrative districts between constituencies, reducing the number of seats reserved for the national minorities, and allowing postal and electronic voting for the diaspora. Paragraph 5.8 of the 1990 OSCE Copenhagen Document calls on States to adopt legislation at the end of a public procedure. Paragraph 19 of the Venice Commission 2017 [Report on Constituency Delimitation and Seat Allocation](#) recommends “Like all crucial elements of electoral law, the delimitation of constituencies should be adopted after extensive public consultations with all relevant stakeholders. This should make it legitimate for both stakeholders and voters.”

²¹ The [Law on Constituencies](#) was adopted on 28 September 2023, some seven months before elections. Paragraph 5.8 of the 1990 OSCE Copenhagen Document states that “legislation, adopted at the end of a public procedure, and regulations will be published, that being the condition for their applicability.” Section II.2.b. of the Council of Europe’s Commission for Democracy through Law (Venice Commission) the 2002 [Code of Good Practice on Electoral Matters](#) recommends: “The fundamental elements of electoral law, in particular the electoral system proper, membership of electoral commissions and the drawing of constituency boundaries, should not be open to amendment less than one year before an election, [...]”

²² Section I.2.2. of the Venice Commission 2002 [Code of Good Practice on Electoral Matters](#) recommends: “(iii) the geographical criterion and administrative, or possibly even historical, boundaries may be taken into consideration. vi.) With multi-member constituencies, seats should preferably be redistributed without redefining constituency boundaries, which should, where possible, coincide with administrative boundaries”. Paragraph 23 of the [Venice Commission 2017 report on Constituency Delimitation and Seat Allocation](#) recommends: “A way to prevent such an abuse in the field of constituency delimitation is, where possible, to make constituency boundaries coincide with administrative boundaries, while geographical and historical criteria may be taken into account. Moreover, constituencies should be contiguous”. Article 39.2 of the Election Law requires the respect, to the extent possible, of the administrative boundaries of administrative-territorial units (counties, towns, and municipalities) in the constituency delimitation procedure. Zagreb is divided among three constituencies; the county Koprivničko-Križevačka - between constituencies IV and II, the county Sisačko-moslavačka - between constituencies VII and V, the Primorje-Gorski Kotar County - between constituencies VIII and XI; Zadar County - between constituencies X and VIII; constituency VII shares several counties with constituencies V, VIII, IX; Matulji municipality is part of Primorje-Gorski Kotar County and it geographically belongs to Istria constituency VIII but it was moved to the constituency VII.

constituency. At odds with international good practice, the new law does not provide for an independent and impartial authority responsible for future boundary delimitation.²³

In line with international good practice, the boundaries of multi-member constituencies should preferably coincide with administrative, geographical, and historical boundaries and the seats should be distributed among constituencies proportionally. To account for demographic changes, the distribution of seats should subsequently be reviewed without changing the boundaries every ten years, preferably outside electoral periods. Any future constituency delimitation should be based on proposals of an independent authority and conducted in a transparent, impartial, and consultative manner.

V. ELECTION ADMINISTRATION

The elections were managed by the SEC, 12 Constituency Election Commissions (ConECs), 24,558 Municipal Election Commissions (MECs) and City Election Commissions (CiECs) as well as 6,987 Voting Committees (VCs).²⁵ The SEC is a permanent body appointed by the parliament for an eight-year term. The president of the Supreme Court chairs the SEC with two other judges as vice-chairs. The parliament, in addition, appoints two vice-chairs and four members, with equal representation from the ruling and opposition parties. Four SEC members are women, including two vice-chairs. Overall, most ODIHR EAM interlocutors expressed confidence in the professionalism and impartiality of the election administration.

All lower-level election commissions are appointed for each election. The ConECs are composed of a chairperson, two members, and their deputies, and are appointed by the SEC from among judges or prominent lawyers. An additional four members are nominated by parliamentary political parties after the candidate registration process: two by the party or coalition forming the government, and two by the opposition.²⁶ The appointment rules for MECs, CiECs and VCs are similar to the ConECs.²⁷ The law does not prescribe criteria nor a transparent procedure for nominating and appointing judges and lawyers as election commission members, thus granting the SEC and ConECs wide discretionary powers as nominating bodies, which does not ensure against potential conflicts of interest.²⁸ Citizen initiatives nominating candidate lists do not have the right to have members of election commissions but they can delegate election observers.

The legal framework should contain clear and objective criteria and a transparent procedure for the nomination and appointment of all members of election commissions.

²³ Paragraph 20 of the [Venice Commission 2017 report on Constituency Delineation and Seat Allocation](#) recommends “[N]ational legal frameworks for boundary delimitation are expected to provide that the persons or institutions responsible for drawing the electoral boundaries are independent and impartial [...]”.

²⁴ Each ConEC administered the elections in one constituency.

²⁵ Including polling stations (PSs) in 20 penitentiary institutions, 91 in social care institutions, 15 on vessels, two in military units and 110 in Croatia’s diplomatic representations in 41 countries. According to the SEC, the total number of Voting Committees (VC) members in the territorial constituencies was 67,712.

²⁶ HDZ had 28 ConECs members, SDP-11, Social Democrats-10, HSLs-5, DP and Most - 4 each, Možemo! and SDSS - 3 each, HDS, HNS, Sovereignists, PH, HSS - 2 each, Reformists, Focus, Centrear, Croatian Bilo, IDS - one each.

²⁷ The party-nominated members are appointed by drawing lots, if there is no agreement of the parties.

²⁸ The law only stipulates that election commission members must be selected from “the ranks of judges and prominent lawyers”. Article 7.4 of the [2004 UN Convention Against Corruption](#) states that: Each State Party shall, in accordance with the fundamental principles of its domestic law, endeavour to adopt, maintain and strengthen systems that promote transparency and prevent conflicts of interest”.

Positively, in line with OSCE commitments, the SEC collects data on the gender breakdown of the lower-level election commissions.²⁹ According to the SEC, women comprised 58.15 per cent of the ConECs, 58 per cent of the MECs and CiECs and 67.1 per cent of the VCs.

Despite the time constraints and overlapping preparations for the June elections to the European Parliament, the SEC efficiently managed the preparations for the parliamentary elections. The SEC sessions were collegial and decisions were adopted with consensus, but without a formal voting procedure. The sessions were usually announced in advance on the SEC website but were not streamed online. Although allowed by law, neither citizen observers nor media representatives were present at the sessions observed by the ODIHR EAM. SEC session minutes and other election-related documents, including copies of complaints and decisions, were often either not published or published with delay, detracting from transparency.³⁰

To enhance transparency, the SEC should publish all its decisions and other election-related documentation in a timely manner, and could consider streaming its sessions online.

On 25 March, the SEC held a training for the ConEC presidents and their deputies and, due to time constraints, it delegated the training of VCs to the ConECs and MECs/CiECs. It also developed and posted on its website webinars and manuals for all types of VCs, which were well-structured and included short videos – pertaining to various elements of the electoral process. The SEC notified the ConECs that both these materials are available online, but it did not make training mandatory, contrary to international good practice.³¹

The SEC could consider standardized mandatory training for all election commission members.

The law and SEC instructions require local authorities to designate polling station premises that are accessible for voters with limited mobility, but no central authority issues guidance or criteria for these designations. VCs of inaccessible polling stations are obliged to assist voters to vote outside the polling station or, in exceptional cases, at voters' homes.³² The SEC did not collect data on the number of polling stations that comply with legal requirements for accessibility. Disabled persons' organizations informed the ODIHR EAM that, according to their observations, the number of accessible polling stations has increased in these elections and, on election day, one such organization helped facilitate the voting of persons with intellectual or psycho-social disabilities in polling stations.

The SEC conducted a voter education campaign, albeit limited in scope, that focused on mobilizing voters and enhancing awareness of voting procedures. It mainly consisted of brief motivational clips aired on radio and television shortly before election day, as well as webinars conducted by the SEC, primarily for first-time voters and published on their website. While some voter information videos were translated into sign language, assistive tools such as Braille ballot templates or tactile guides were not available.³³

²⁹ Paragraph 40.13 of the [1991 OSCE Moscow Document](#) commits participating States to “ensure the collection and analysis of data to assess adequately, monitor and improve the situation of women”

³⁰ Paragraph 68 of the Venice Commission 2002 Code of Good Practice in Electoral Matters states that: “only transparency, impartiality and independence from politically motivated manipulation will ensure proper administration of the election process, from the pre-election period to the end of the processing of results”.

³¹ Paragraph 84 of the Venice Commission 2002 Code of Good Practice on Electoral Matters state that: “members of electoral commissions have to receive standardised training at all levels of the election administration”.

³² On 9 April, the SEC rejected the requests of five contestants to relocate three polling stations with limited accessibility, citing limited time prior to election day and the reassurance of the corresponding election commission to improve the accessibility of these polling stations.

³³ There are approximately 580,000 voters with disabilities in Croatia.

VI. VOTER REGISTRATION

Citizens at least 18 years of age are eligible to vote. Positively, there are no restrictions on voting rights based on intellectual or psycho-social disability. Voter registration is passive for voters with permanent residence either in Croatia or abroad, while those without permanent residence must actively register.³⁴ The Ministry of Justice and Public Administration (MoJPA) maintains a permanent and centralized electronic voter register.³⁵ While the register is not published, members of parliament (MPs) may access certain voter register data within their respective constituencies.³⁶ Other electoral stakeholders, including citizen observers, are not entitled to access the voter register, which does not ensure public scrutiny.

To enhance transparency and ensure meaningful public scrutiny, stakeholders could be provided with access to the voter register, with due protection of personal data.

The voter register is based on the voters' permanent residence records. Citizens are required to report any change of residence within the country to the police and cancel their residency when they leave the country, however, in practice the latter rarely occurs. By law, the police may cancel a citizen's residence status, if they conclude that he/she resides abroad permanently.³⁷ However, the law does not provide for any objective criteria or a transparent procedure for cancelling citizens' permanent residence, allowing for inconsistent decisions that could impact suffrage rights.³⁸ In practice, according to the Ministry of Interior, the police conduct visits at citizens' registered addresses and interview neighbours to verify whether citizens reside at registered addresses, while disregarding any other type of evidence such as utility bills or tax records.³⁹ The Ministry informed the ODIHR EET that citizens whose permanent residence is cancelled are only informed if they hold an account with the e-citizen portal. This procedure does not prevent arbitrary and selective decisions leading to deregistration from the voter register.

To guarantee universal suffrage, the law should prescribe clear, objective, and reasonable criteria and a transparent procedure for deregistration and prevent undue deregistration of eligible voters. Authorities should ensure that voters are informed when their registration data or records are altered or removed.

Voters can verify and update their entries in the voter register in-person and online throughout the year and up to ten days before election day, when voter lists are closed. Voters may also submit a request with the relevant municipal authority to vote at their place of temporary residence, at one of 90 designated polling stations, and in a constituency other than that in which they have permanent

³⁴ Voters with permanent address, who want to vote abroad and voters with permanent address who want to vote in another constituency in the country should also actively apply for registration.

³⁵ The register contains data on citizens of over 18 years with details such as permanent residence, nationality/ethnicity, changes of residence, status of citizenship and unique identification and tax numbers.

³⁶ The MoJPA provides this data in electronic format.

³⁷ Article 12 of the Law on Residence stipulates that, before issuing a decision on cancelling a person's permanent residence, the police shall establish the facts and circumstances from which it may be concluded, without any doubt, whether the person lives at the address of his/her registered permanent residence. If an on-site check reveals that the person does not actually live at the registered address or if it is informed by a public authority or other legal and natural persons, the police administration issues a decision on the deregistration.

³⁸ Paragraphs 11 of the 1996 UN Human Rights Committee (HRC) [General Comment No. 25](#) to the International Covenant on Civil and Political Rights (hereinafter General Comment 25 to the ICCPR) requires states to: "[...] take effective measures to ensure that all persons entitled to vote are able to exercise that right. Where registration of voters is required, it should be facilitated and obstacles to such registration should not be imposed. If residence requirements apply to registration, they must be reasonable and should not be imposed in such a way as to exclude the homeless from the right to vote." See also paragraphs 4 and 14.

³⁹ The MoI did not publish or provide to the ODIHR EAM data on the number of citizens deregistered based on police checks.

residence. While citizens lacking a registered address connected to their identification document are excluded from the voter lists, they may register on election day to vote at a polling station at their place of residence, after obtaining a certificate from the respective municipal authority or consular office.⁴⁰ Several ODIHR EAM interlocutors, including election commissions, noted that while the law enables these citizens to be included in the voter register and to vote, many citizens are unaware of these options due to insufficient voter information provided by the authorities.⁴¹

Authorities could improve voter information efforts, including in accessible formats, with a particular focus on voter registration modalities.

The voter register was closed on 6 April; the total number of voters was 3,733,283, including 222,197 voters without registered permanent residence. This constitutes a decrease of approximately 125,000 voters compared to the 2020 parliamentary elections with 3,859,487 registered voters.

VII. CANDIDATE REGISTRATION

Eligible voters may stand for election, except for those sentenced to a prison term of more than six months and those who are not legally rehabilitated from a conviction for specified serious crimes.⁴² Certain categories of public officials, including judges, military personnel, and State attorney cannot run. Mayors are allowed to stand and hold both positions simultaneously, potentially leading to conflicts of interest.⁴³

Candidates may stand in any constituency, regardless of their place of residence. Registered political parties as well as coalitions of parties or citizen initiatives may nominate their lists in one, some or all constituencies. Candidates in the national minority constituency may also be nominated by national minority associations. Citizen initiatives must collect 500 supporting signatures, while prospective candidates for national minority constituencies need 100 signatures. Each voter may sign in support of multiple contestants, in line with international standards. Each list of candidates, including those nominated by citizen initiatives, is required to contain 14 candidates and 6 substitutes, which may be a burden for smaller parties. A candidate may only appear in one list. For the 3 seats in the out-of-country constituency, candidate lists must have between 6 and 14 names. Contrary to OSCE commitments and a previous ODIHR recommendation, individual independent candidates may only stand in the constituency for national minorities.⁴⁴

The legislation should be revised to enable the participation of individual candidates in the elections, as well as to facilitate the participation of smaller parties, such as by reviewing the legally required number of candidates on lists.

⁴⁰ For these elections, 33,377 voters registered to vote at the place of their temporary residence in Croatia and 11,081 abroad.

⁴¹ The ODIHR EAM interlocutors from the election administration informed about a significant number of complaints filed by voters with temporary residence, who missed the deadline for active voter registration.

⁴² According to the [Act on the Legal Consequences of Convictions, Criminal Records and Rehabilitation](#), the statutory rehabilitation period is between 3 and 40 years, from when the sentence was served, depending on the length of the sentence and the gravity of the crime, provided a new crime was not committed.

⁴³ Article 16 of [General Comment 25 to the ICCPR](#) states: “if there are reasonable grounds for regarding certain elective offices as incompatible with tenure of specific positions (e.g. the judiciary, high-ranking military office, public service), measures to avoid conflict of interest should not unduly limit the rights protected by paragraph (b).” The Mayor of Zagreb may stand as a candidate for MP but may not hold both positions simultaneously.

⁴⁴ Paragraph 7.5 of the [1990 OSCE Copenhagen Document](#) requires that citizens be permitted “to seek political or public office, individually or as representatives of political parties or organizations, without discrimination”.

In an inclusive process, the SEC registered 165 lists, including 71 nominated by parties, 92 by coalitions, and 2 by citizen initiatives. The lists of one new party were denied registration, as the party was not registered on the day elections were called, as required by law.⁴⁵ The requirement to register prior to calling elections may pose a particular barrier to new parties in case of early elections. Complaints on candidate registration must be submitted to the SEC within 48 hours from the end of the day when the alleged irregularity occurred, however despite a prior ODIHR recommendation, it remains unclear whether the deadline should be calculated from the submission or the publication of candidatures.

Lists are required to include at least 40 per cent of candidates of each gender, without any placement requirement. Of the 165 registered candidate lists, 32 have failed to meet the gender quota.⁴⁶ The total number of candidates was 2,302 and women comprised 42.09 percent overall. While there was a slight increase in women candidates compared to previous years, most of them were placed in non-winnable positions. Failure to comply with the gender requirement is subject to a fine of approximately EUR 6,500 per constituency, but it does not result in denial of registration of a list.⁴⁷ A number of ODIHR EAM interlocutors opined that these provisions are insufficient to promote equal political participation of women and men, with a view to achieving gender-balanced representation in elected public offices, and at odds with OSCE commitments and international good practice.⁴⁸ Political parties had differing approaches in their internal policies, with some making serious attempts to exceed the legal minimum, such as by placing woman according to a 'zipper' system, while other parties did not comply with legal requirements and claimed that gender requirements are discriminatory towards women.

To enhance the effectiveness of gender requirements on candidate lists, sanctions for non-compliance should be strengthened, such as by conditioning the registration of the list on its compliance. To help promote balanced participation and representation of women and men in the legislature, political parties could take further internal measures to integrate women on candidate lists, such as by introducing alternating positions between genders throughout lists.

VIII. ELECTORAL CAMPAIGN

The official campaign period started on 30 March, upon the publication of the lists of candidates, and ended on 15 April, with a 24-hour silence period prior to the election day. On 16 April, the SEC reminded all contestants and the media to respect the campaign silence; isolated breaches were noted or occurred, including on the public broadcaster.⁴⁹

⁴⁵ The SEC denied registration to all lists nominated by the Christian Democratic party (nine lists as a stand-alone party and one list in coalition with the Independent List Višnja), citing that the party was not registered on the day the elections were called, as required by law. The Christian Democratic party applied for registration on 7 March and were registered by the Ministry of Public Administration on 19 March, within the 30 days legal deadline.

⁴⁶ The HDZ-led coalition did not meet the gender quota in any of the 10 constituencies, Autochthonous Croatian Party of Rights – (HSP) – in seven out of 11, and Focus Republic in six out of 11.

⁴⁷ On 26 March, the Ombudsperson for Gender Equality [called upon](#) the election contestants to respect the gender quota in their candidate lists.

⁴⁸ Paragraph 23 of the [1999 OSCE Istanbul Document](#) commits participating States to “making equality between men and women an integral part of [their] policies”. See also Paragraph 3 of the [OSCE Ministerial Council Decision 7/09](#), which calls participating States to “encourage all political actors to promote equal participation of women and men in political parties, with a view to achieving better gender-balanced representation in elected public offices at all levels of decision-making”. Paragraph 160 of [ODIHR and Venice Commission Guidelines on Political Party Regulation](#) states that “member states have explicitly introduced the possibility or even the duty to introduce special measures to ensure equal opportunities for women and men to participate in party processes. These special measures are not to be regarded as discriminatory.”

⁴⁹ The SEC [invited](#) all stakeholders to abstain from addressing electoral programs, placing new election materials, contacting voters via SMS, email or phone call, and posting on social networks, including Facebook and X. On 16 April, HRT4 [re-broadcasted](#) a political program that had aired the night before.

The election was competitive. Voters had a choice between political alternatives and contestants were free to reach out to the electorate and convey their messages. Four major coalitions contested the elections: the HDZ-led coalition, the SDP-led Rivers of Justice, the coalition “*Možemo!*”, and the Homeland Movement (DP).⁵⁰

The law does not contain campaign regulations but it mandates an Ethics Commission to oversee election campaigns.⁵¹ The competences of the Commission are vague and overlap with the mandate of the SEC. Moreover, neither of these bodies have sanctioning powers in case of violations, raising questions about their effectiveness in campaign oversight.⁵² The Commission reviewed only one case and issued a notice that aligned with the SEC decision on the same matter.

To ensure equality of opportunity in the campaign, the legal framework should be revised to include comprehensive electoral campaign regulations accompanied by sanctions and an effective oversight mechanism. Consideration could be given to clearly designating one authority to oversee the campaign either the Ethics Commission or the SEC.

The President, elected on an SDP-ticket in 2020, took an active role in the campaign against the ruling HDZ coalition and in support of the opposition SDP. Despite the Constitutional Court warning, he publicly stated his intention to become prime minister if the SDP won, and travelled around the country, and made statements to the press related to the elections. A number of elected and appointed public officials, including mayors, deputy-mayors, county prefects, deputy prefects, and MEPs stood as candidates.⁵³ The fact that public officials are able to run without stepping away from their public duties coupled with the lack of regulation on campaigning by public officials does not safeguard against the misuse of public position or incumbency. Several public officials campaigned actively, promoted the government’s achievements and at times announced new projects or social benefits, potentially influencing the election campaign.⁵⁴ The engagement of public officials in the campaign at times blurred

⁵⁰ The HDZ-led coalition comprised: HDZ, HSLs, HDS, HNS, and HSU. The Rivers of Justice coalition included: SDP, Centre, HSS, Dalija Orešković and People with a First and Last Name (DO i SIP), NS-R, GLAS. *Možemo!* was in alliance with We Want Rightfully! in 5 Constituencies, and Srđ Is Townon in the X Constituency. The Homeland Movement (DP) coalition included: DP, Right and Justice (PiP), Bloc for Croatia in the I Constituency, Agrameri - independent list in the I, II, VI Constituencies; Independents –in the IV Constituency; Green List in the II, III, IV, VI, VII Constituencies, and Democratic HSS (DHSS) in the II, III, IV, VI, VII Constituencies

⁵¹ The Ethics Commission is nominated by the parliament and appointed before every election by the Constitutional Court from among prominent non-political public figures. The current Commission was constituted on 24 March 2024. It issued a Code of Ethics containing a minimum set of rules regarding the behaviour of the participants during the electoral campaign.

⁵² According to Article 103 of the Election Law, during the election campaign, the Commission evaluates the conduct of participants and performs extra-administrative oversight of campaigns. According to Article 3 of the [Code of Ethics](#), the Commission will invite parties and individuals who have acted contrary to the Code of Ethics to publicly apologize.

⁵³ Including the Mayors of Zagreb (*Možemo!*), Split (Centre), Sinj (*Most*), Koprivnica (SDP), Sveta Nedelja (Focus-Republic), Poreč (IDS), and Vukovar (President of Homeland Movement). Of the 59 mayors who stood for re-election, 25 were nominated by HDZ and 23 were re-elected. Of the 13 prefects who stood for re-election, 9 were nominated by HDZ and 11 were re-elected.

⁵⁴ For example, on 7 April, the Prime Minister [announced](#) the increase of the average salary, on 8 and 11 April stated investments in sports and their infrastructures would increase, and on 10 April [presented](#) a program for pensioners. On 8 April, the minister of sea, transport and infrastructure [announced](#) a new infrastructural project and on 9 April the ministers of culture and of regional development and EU funds [attended](#) the official opening of an educational center in Zadar.

the separation between official functions and campaign activities, at odds with OSCE Commitments and international good practice.⁵⁵

While there was limited focus on concrete policies, the main topics addressed by the contestants were corruption, migration, infrastructure development, EU funds, pensions, social rights, abortion legislation, the role and conduct of the judiciary, and the appointment of the State Attorney. LGBTI issues were included in a handful of electoral programs, including those of *Možemo!*, SDP and SD. The campaign was marked by inflammatory language, numerous verbal attacks, smear campaigns, and harsh rhetoric, and it was overshadowed by frequent acrimonious exchanges between the outgoing Prime Minister and the President, with each accusing the other of constitutional violations.⁵⁶ The President and Prime Minister exchanged attacks, with the President criticised for his involvement in the campaign, and the Prime Minister for stalling the appointments of officials requiring the president's consent.⁵⁷ Some government officials, including the Prime Minister and some ministers, posted on social networks about HDZ campaign activities and promoted the achievements of the government, while several parties accused the ruling party of corruption.⁵⁸

Traditional in-person campaign activities were overall subdued. HDZ held some rallies while SDP and other contestants held mainly small-scale meetings with voters. Contestants put up billboards and posters, distributed leaflets, used free airtime on public broadcasters as well as paid advertising. Party leaders and the main candidates were prominent in the campaign. On the day of the Constitutional Court's warning, the SDP published a campaign image with the frame of a man accompanied by "the one whose name must not be spoken". Later, the President released an image of himself with the slogan "For all Croatian people". On 15 April, the SEC ordered the Homeland Movement to take down their billboards, citing that they were "against the established moral and ethical principles of electoral practice".⁵⁹ While the SEC decision aimed to restrain inflammatory speech, it may have unduly limited freedom of expression in the campaign.

Campaigning and paid political advertising on social networking platforms and online portals remain unregulated. Online campaigning is only regulated by the EU Digital Services Act (DSA), which came into force in February 2024. Political parties and candidates were active on social networks, mostly on Facebook and X, and to a lesser extent on Instagram with most contestants setting up TikTok accounts shortly after the call of elections. Some ODIHR EAM interlocutors cited instances of disinformation on social networks, used to discredit political opponents, but no official policies exist on preventing or

⁵⁵ Paragraph 5.4 of the 1990 [OSCE Copenhagen Document](#) provides for "a clear separation between the State and political parties". ODIHR and Venice Commission's [Joint Guidelines for Preventing and Responding to the Misuse of Administrative Resources during Electoral Processes](#) require the legal framework to "provide for a clear separation between the exercise of politically sensitive public positions, in particular senior management positions, and candidacy".

⁵⁶ On April 14, Mr. Milanović [accused](#) HDZ and the PM of having "appointed a criminal as State Attorney"; on 10 April, SDP [accused](#) HDZ of having "captured the state that we can jokingly call 'Ali Baba and 30 dismissed ministers'"; on April 11, SDP [referred](#) to HDZ "as a convicted criminal organization". On 13 April, HDZ referred to the President with a derogatory term on [Facebook](#) and [X](#) and on 15 April [accused](#) him of lying. Mutual verbal attacks between the [President](#) and Oleg [Butković](#), Deputy Prime Minister and Minister of the Sea, Transport and Infrastructure, occurred through the campaign.

⁵⁷ The Prime Minister referred to the President as a "rapist" of the Constitution on [6 July 2023](#) and on [24 March 2024](#), as did HDZ on [2](#), [9](#), [15](#) April. The disagreement between the President and the Prime Minister pertained to the appointment of the Head of the Security and Intelligence Agency (SOA) and the Head of the Military Security and Intelligence Agency (VSOA), which should be countersigned by both, based on article 103 of the Constitution.

⁵⁸ On 12 April, RF [accused](#) HDZ of nepotism and exploitation and on 13 April, Sandra Bencic, *Možemo!* Co-Coordinator and MP candidate, [commented](#) about HDZ's "corrupt" former ministers.

⁵⁹ SEC deemed the billboards "inappropriate and inadmissible and against the established moral and ethical principles of electoral practice". The DP [billboards](#) displayed HDZ and SDSS officials with the note "for some (HDZ and SDSS) Vukovar is liberated, for others (DP) it has fallen".

countering such tactics.⁶⁰ Videos were also shared on social networks to entice younger voters, particularly on TikTok, and *Možemo!* created an AI “politician”, *Nitkolina*, with accounts on Instagram and TikTok.

The legislature should consider, in consultation with the media regulator and other stakeholders, steps to regulate campaign activities and political advertising in online media and social networking platforms, and their financing.

Women were generally represented during the media debates and discussion panels, but in smaller numbers than men. Their visibility as political party leaders or candidates was limited, with some exceptions, such as the *Možemo!* PM candidate Sandra Benčić.⁶¹ Several ODIHR EAM interlocutors from political parties viewed the participation of women only as compliance of candidate lists with the gender quota, while others dismissed the gender quota as discriminatory for women, who they claimed would be nominated as candidates only due to their gender.

Political parties should identify and curb any possible gender-based barriers for women candidates, including by auditing current intra-party practices that hinder more effective representation of women within party structures and as candidates.

Some ODIHR EAM interlocutors noted that there was a low participation of persons with disabilities in these elections, due to a limited number of candidates with disabilities and none of the contestants specifically addressed them in their campaign messages.

Measures should be taken to facilitate the participation of persons with disabilities in the electoral process, including accessible campaign venues as well as voter and campaign information in formats accessible for persons with disabilities, sign language interpretation and easy-to-read materials.

IX. CAMPAIGN FINANCE

Campaign finance is regulated by the Law on Financing Political Parties, Election Campaigns and Referendums. No amendments to the regulatory framework were introduced since the previous parliamentary elections. The SEC oversees the overall financing of political parties as well as the campaign-specific finances of political parties and independent candidates, while the State Audit Office (SAO) conducts annual financial audits.

⁶⁰ On 17 February, the EU Digital Services Act (DSA) for online platforms came into force. Major online platforms, such as Google, Meta, Microsoft, and TikTok, have signed the Code of Practice on Disinformation and conducted consultations on guidelines to mitigate the risk of influence on elections. In February 2024, they removed ads and posts on social issues, elections, and politics (SIEP) due to disinformation, and fake accounts registered in Croatia. TikTok removed more than 150,000 accounts registered in Croatia, with some two million followers in total. Over 13,000 SIEP ads on Facebook and Instagram combined were removed, either for not complying with the policy on SIEP ads or for displaying “paid for by” disclaimers. See also the [reports](#) of Google, Meta, Microsoft, TikTok on the implementation of the Code of Practice in the first half of 2023. On 25 March, the CSO Gong [denounced](#) HDZ for spreading disinformation alleging that the President intended to abduct children.

⁶¹ The most visible female politicians were Nina Obuljen Koržinek (HDZ), Mirela Ahmetović (SDP), Sandra Benčić and Ivana Kekin (*Možemo!*), Katarina Peović (Workers' Front, RF), Marija Selak Raspudić (*Most*). Paragraph 3 of the 2009 [OSCE Ministerial Council Decision 7/09](#) calls states to “encourage all political actors to promote equal participation of women and men in political parties, with a view to achieving better gender-balanced representation in elected public offices at all levels of decision-making”.

A. CAMPAIGN INCOMES AND EXPENDITURES

Election campaigns may be financed from public and private funds, including loans. In 2023, political parties and independent MPs received EUR 53,445 per parliamentary seat as direct public funding, which could also be used to fund the election campaigns.⁶² Political parties can also finance their campaigns through membership fees and revenues generated from assets. As indirect public funding, each contestant is provided with a five-minute broadcasting slot on public television and radio to present their political programs at no cost during the campaign period.⁶³

Candidate lists that receive at least five per cent of the valid votes in a constituency and elected candidates in the national minority constituency are eligible for proportional public reimbursement of campaign expenses. Candidates in the minority constituency who receive over 15 per cent of votes but are not elected are entitled to reimbursement equivalent to 15 per cent of the elected candidate's reimbursement. Additionally, political parties receive additional funding for each elected candidate from the underrepresented gender, equivalent to 10 per cent of the allocated amount for each elected parliamentarian.

Donations are allowed from both individuals and legal entities. Individuals can donate up to HRK 30,000 (approx. EUR 3,981) within a single calendar year, to one or more contestants, whereas donations from legal entities are capped at HRK 200,000 (approx. EUR 26,544) per political party.⁶⁴ Contributions exceeding HRK 5,000 (approx. EUR 663) require a written agreement. Cash is permitted and recorded in a dedicated journal. All donors must be identified and their respective information disclosed. Furthermore, a receipt must be issued for every contribution received.

Contestants could contribute with their own funds to their campaigns up to the ceiling for campaign expenses, set at HRK 1,500,000 (approx. EUR 200,000). Candidates could benefit from in-kind contributions which must be reported both as donations and as expenditures. A certificate is then required, specifying the timeframe and market value of the in-kind contributions by the donor.

Donations from anonymous intermediaries and foreign sources, religious and non-profit associations, trade unions, state authorities, through intermediaries, state companies and companies in which the state owns more than 5 per cent of the shares or stocks are prohibited. Companies that have been awarded public procurement contracts are allowed to contribute to political campaigns and activities, which is at odds with international standards.⁶⁵ This gap in regulation could potentially result in undue influence and conflicts of interest, with companies expecting preferential treatment in return for their contributions.⁶⁶ Moreover, the regulatory framework still in force during this election overlooked the potential impact of lobbying activities on political financing.⁶⁷

⁶² Article 5.1 of the 2019 [Law on Financing of Political Activities, Election Campaigns and Referendums](#) provides that "Funds required for the regular annual financing of political parties and independent MPs shall be provided for in the state budget of the Republic of Croatia, and shall amount to 0.075% of the tax revenues."

⁶³ Article b) 3 of the 2014 [Rules of Procedure for Electronic Media with National Concession in the Republic of Croatia during Election Campaign](#).

⁶⁴ EUR 1 is equivalent to approximately HRK 7.45 (Croatian *kuna*).

⁶⁵ Article 5 b) of the Council of Europe Committee of Ministers [Recommendation Rec\(2003\)4 on common rules against corruption in the funding of political parties and electoral campaigns](#) provides that "States should take measures aimed at limiting, prohibiting or otherwise strictly regulating donations from legal entities which provide goods or services for any public administration".

⁶⁶ Paragraph 8(a)v(a) of the Parliamentary Assembly of the Council of Europe [Recommendation 2001 \(1516\) on the financing of political parties](#) stipulates that "As private financing, in particular donations, creates opportunities for influence and corruption, the following rules should apply: a. a ban on donations from state enterprises, enterprises under state control, or firms which provide goods or services to the public administration sector."

⁶⁷ The [Law on Lobbying](#) was adopted on March 14, 2024, to regulate lobbyist activities in Croatia, in line with the recommendation from the 2019 Council of Europe Group of States against Corruption (GRECO) [report](#) on preventing corruption and promoting integrity in central governments and law enforcement agencies.

Consideration should be given to limiting, prohibiting, or strictly regulating donations from entities providing goods or services to the public administration.

Despite a previous ODIHR recommendation, contestants can receive loans from individuals and banks without restrictions on their value and duration, which potentially enables the circumvention of the donation ceiling. Furthermore, as noted by most ODIHR EAM interlocutors, there are no requirements for the disclosure of loan details, detracting from transparency and limiting voters' ability to be informed about the contestants.⁶⁸

Consideration should be given to introducing detailed rules regulating loans, including provisions on their disclosure and reporting.

Third-party campaigning is unregulated, undermining the effectiveness of campaign regulations, as it potentially allows third parties to veil financial transactions and bypass determined expenditure and donation ceilings, challenging the integrity and fairness of the electoral process.⁶⁹

Third-party campaigning should be allowed and regulated. The limits on donations and expenditures, as well as the reporting requirements, should be extended to third parties undertaking campaign activities.

B. REPORTING AND OVERSIGHT

The campaign finance reporting period begins when a contestant's dedicated bank account is opened, as early as six months before the elections or as late as the day the candidate list is submitted to the SEC. This timeline variation results in different reporting periods between contestants. Each candidate or representative of an independent list nominated by a group of voters must establish a separate bank account dedicated to all transactions related to the financing of the election campaign, while political parties maintain separate accounts for their regular activities.

Political parties, persons authorized to represent independent lists nominated by a group of voters or lead candidates on lists proposed by groups of voters and candidates must submit a pre-electoral report detailing donations, expenses, and media advertising costs and discounts to the SEC via their electronic filing system seven days before the elections. Following the elections, financial reports must also be submitted to the SEC within 30 days. All reports are published on the SEC website. To assist with reporting obligations, webinars and guides are available, and both the SEC and SAO offer guidance upon request.

For the review of financial reports, both the SEC and the SAO are empowered to request information from electoral contestants as well as from the Register of State-owned Assets and Business Portfolio. The SEC conducted on-site investigations at contestants' premises in line with its mandate, to corroborate that all campaign finance regulations are respected. The SEC determines whether contestants will receive total, partial reimbursement, or a suspension of the reimbursement. Since contestants are required to submit their final reports within 30 days after the elections, the SEC effectively has fewer than 30 days to conduct their reviews and publish a summary report. This critical

⁶⁸ Paragraph 260 of the [Joint Guidelines on Political Party Regulation](#) states that in a Political Party Finance Report "a party's income, expenditure, assets and debts need to be accounted for in a comprehensive manner. Loans should be explicitly identified."

⁶⁹ Paragraph 256 of the [Joint Guidelines on Political Party Regulation](#) states that third-party activities should not be unconditionally prohibited and paragraph 220 adds that "to avoid the creation of loopholes through which unlimited funding can be channelled and financial transactions can be veiled, laws should set proportionate and reasonable limits to the amount that third parties can spend on promoting candidates or parties, ideally by applying existing ceilings for donations to political parties to these actors, as well".

task is handled by a team of six members, which significantly constrains their capacity for thorough financial oversight, including complex verification of social media expenditures.⁷⁰

Consideration should be given to extending the timeframe allocated to the SEC for meaningful oversight of the campaign finance reports.

Appeals against SEC decisions on reimbursement can be submitted within 15 days to the Administrative Court. Non-compliance with reporting requirements may result in financial penalties for both the political party and the contestant's representative.⁷¹ The SEC and the SAO notify the State Attorney's Office of any campaign finance violations. The State Attorney's Office then decides whether to prosecute the case or dismiss it. The State Attorney's Office publishes only aggregated data on the total number of misdemeanour cases in its annual report available on its website.⁷² Specific details about campaign finance violations, such as the involved party, type of violation, amount of fine, and frequency of violations, are not publicly disclosed except upon request.⁷³

To enhance transparency, consideration should be given to publishing all financial sanctions imposed on contestants who did not comply with the campaign finance regulations.

X. MEDIA

A. MEDIA ENVIRONMENT

The media landscape is pluralistic.⁷⁴ Major nation-wide media houses are foreign-owned and ownership data is easily accessible on the electronic media regulator's website. Television is still a main source of political information, but the importance of online platforms is growing, as Internet penetration stands at 93 percent, and critical journalism is often published online.⁷⁵

The public broadcaster, Croatian Radio-television (*Hrvatska radiotelevizija, HRT*), consists of TV (*Hrvatska televizija*) and radio (*Hrvatski radio*).⁷⁶ *HRT*'s financial independence is ensured through licence fees. However, due to the appointment mechanism of the director general and the supervisory councils, *HRT* remains susceptible to government influence.⁷⁷ Many ODIHR EAM interlocutors opined that pro-government bias is strongly reflected in *HRT*'s political coverage, both in terms of content and choice of guests.

⁷⁰ Paragraph 271 of the [Joint Guidelines on Political Party Regulation](#) states that “any deadlines that the respective authority is obliged to adhere to need to be drafted in such a way as to provide this body with enough time to substantively monitor and analyse reports submitted by political parties.”

⁷¹ Financial sanctions range from HRK 2,000 (EUR 265) to HRK 20,000 (EUR 2,655) for individuals, and up to HRK 100,000 (EUR 13,275) for political parties.

⁷² The [2022 State Attorney Activity Report](#) states that, in cases related to the Law on Financing of Political Activities, Election Campaigns and Referendums, 413 decisions to prosecute were taken, 245 cases were the objects of a court decision, and 228 sanctions were upheld.

⁷³ Paragraph 275 of the [Joint Guidelines on Political Party Regulation](#) states: “When sanctions are imposed, the public should be informed of the facts giving rise to the legal violation and the particular sanction imposed on the political party.”

⁷⁴ Of the 24 registered TV stations, eight broadcast nationwide; of the 129 radio stations, five broadcast nationwide; there are 535 online media portals and a significant, but declining print sector, both nationwide and regional.

⁷⁵ See the [2023 Reuters Digital News Report](#)

⁷⁶ *HRT* has four nationwide TV channels (*HTV1, HTV2, HTV3, HTV4*) and three nation-wide stations (*HR 1, HR 2, HR 3*). *HRT* has regional outposts in Dubrovnik, Osijek, Knin, Pula, Rijeka, Sljeme, Split, Zadar and Glas Hrvatske.

⁷⁷ The *HRT* director, oversight councils, and the electronic media regulator (Council for Electronic Media) are selected by simple parliamentary majority among candidates nominated by the relevant parliamentary committee, following a pre-selection with an open competition. The tenure lasts five years and can be renewed with no restrictions.

To guarantee editorial independence, the management of the public broadcaster and the oversight bodies should be appointed in a manner that ensures their independence, impartiality and professionalism.

The media's heavy reliance on advertising, which is increasingly migrating to big tech platforms, renders them vulnerable to external influences. The funding gap is filled by state and municipal advertising, as well as earmarked publicity spending for EU-financed projects. Numerous ODIHR EAM interlocutors pointed out that the placement of such advertising lacks transparency, is not based on objective criteria and is often traded for favourable political coverage of incumbents, particularly in regional and local media, as well as in the declining print sector. Positively, the state provides financial support for independent electronic media, the development of fact-checking capabilities, media literacy and the work of freelance journalists. However, the amount of support devoted to investigative and non-profit outlets is limited.⁷⁸

B. LEGAL FRAMEWORK

The freedom of expression is enshrined in the Constitution, but some secondary laws and practices raise concerns about its protection. Access to information is ensured by law and through a special commissioner who reviews complaints and has administrative power to request state institutions to comply with the law. Contrary to international standards and a previous ODIHR recommendation, defamation remains a criminal offence.⁷⁹ The number of civil lawsuits against the media and individual journalists, the length of court proceedings and the requested fines are disproportionate, which several ODIHR EAM interlocutors indicated may discourage journalists from pursuing investigative stories as the legal, financial, and personal costs are deemed too high.⁸⁰ In addition, several interlocutors criticized recent amendments to the Criminal Code which criminalize the unauthorised disclosure of investigative materials.⁸¹ Although the provisions protect circumstances in the defence of public interest and exclude journalists as perpetrators from the scope of the law, concern remains that they could discourage whistle-blowers, limit access to information and diminish the protection of sources.

To enhance the freedom of expression, defamation should be decriminalised. Fines to mitigate harm to reputation in civil proceedings should be proportional to the offence and cases addressed promptly.

In the last few years there has been a significant increase in litigation against journalists in which politicians and members of the judiciary engaged as claimants.⁸² Since the international legal framework defining minimum standards for fighting against SLAPPs (strategic lawsuits against public

⁷⁸ The Agency for Electronic Media (AEM) manages the Fund for Pluralism which is financed by three percent of the HRT licence fees. In 2023, less than 10 percent of the overall funding of four million Euros was distributed among non-profit outlets. The Ministry of Culture runs a support scheme for around 100 freelance journalists a year. The AEM is also in charge of an experimental project which has supported 21 initiatives for fact-checking capabilities, funded by the EU.

⁷⁹ According to paragraph 47 of the 2011 ICCPR [General Comment No. 34](#): “States parties should consider the decriminalisation of defamation and, in any case, the application of the criminal law should only be countenanced in the most serious of cases and imprisonment is never an appropriate penalty”.

⁸⁰ The Croatian Journalists' Association (HND) reported to the ODIHR EAM that in 2023 there were at least 945 unresolved cases against media representatives or organizations, of which at least 35 are criminal. The overall requested damages in civil proceedings are estimated around EUR 10 million, although the courts tend to award a significantly lower amount of money.

⁸¹ The new article 307.a of the Criminal Code was adopted in the last sitting before the parliament was dissolved, and entered into force on 2 April 2024. The [European Federation of Journalists](#) as well as [18 media organisations and HND](#) asked for it to be repealed.

⁸² An alliance of NGOs collecting information about SLAPPs (strategic lawsuits against public participation), [CASE](#), reports that the number of cases in Croatia is the fourth highest in Europe.

participation) has been passed only recently, Croatia has not yet amended its laws to introduce relevant safeguards.⁸³

To ensure freedom of the media, the law should prescribe dissuasive penalties to prevent inappropriate litigation against journalists and measures to minimise its harmful effects, including limits on legal costs, fast dismissal of unsubstantiated cases and compensation for the victim of such cases.

Campaign coverage is regulated by the Election Law, which is supplemented by regulations adopted by parliament after the announcement of the elections and self-regulatory guidelines issued by the media. Public broadcasters are obliged to offer at least five minutes of free airtime to each contestant, and public and private TV channels are entitled to host one debate each during the campaign. Paid political advertising is allowed. The Council of Electronic Media monitors electronic media for compliance with the general legal framework, but not for campaign purposes. The SEC has neither the competence nor the capacity to monitor campaign coverage. Neither of these two institutions has sanctioning powers in case of a serious violation. Complaints about media coverage are submitted to the SEC and addressed on an *ad hoc* basis.

The Council of Electronic Media could be mandated to monitor whether electronic media provide fair and balanced coverage of all election contestants and publish its findings in a timely manner.

C. CAMPAIGN COVERAGE

The media covered the campaign sufficiently for voters to have an informed choice and for candidates to convey their views to the public. Much of the coverage observed by the ODIHR EAM lacked substance, as it mainly focused on the clash between the Prime minister and the President, and various allegations related to corruption. Media met by the ODIHR EAM struggled with planning their coverage of the President's campaign, which was discouraged by the Constitutional Court. The Court's ruling was also used by the Prime Minister as an excuse to refuse to attend the direct debates with the President. The Prime Minister participated in one-to-one interviews with friendly media outlets, allowing him to put his views across without facing journalistic scrutiny.

HRT organised a debate between 10 parties which, according to opinion polls, had a chance to pass the four percent threshold in at least one constituency.⁸⁴ It was the largest event of this sort where the substance of the political programs of parties was discussed. As per law, *HRT* granted all candidate lists and minority candidates five minutes of free airtime in *HTV4* and *HRT1* each. The private broadcaster *RTL* also recorded five-minute presentations of candidate lists which were placed on their website. It also broadcast discussion programs with representatives from the most popular parties.

XI. ELECTION DISPUTE RESOLUTION

Overall, the system for election dispute resolution was efficient, as the limited number of electoral complaints were decided upon within legal deadlines and generally in line with legal provisions. The SEC generally enjoys a sufficient level of confidence among stakeholders regarding its capacity and impartiality, including in the resolution of electoral disputes.

⁸³ The EU Parliament adopted the [directive](#) on the protection of journalists and human rights defenders from manifestly unfounded or abusive court procedures on 27 February 2024, and the Council of Europe its [recommendation](#) on 5 April 2024. Both contain a list of measures that countries should adopt as a minimum standard.

⁸⁴ The polling agencies are selected by tender before the elections. Contestants polling over 4 per cent support are invited to debates.

Political parties, candidates, not less than 100 voters or not less than 5 percent of voters of the constituency may file an electoral complaint or challenge the election results, in line with international good practice.⁸⁵ The SEC interpreted the legal provisions regarding the legal standing of political parties as allowing only the political parties who fielded candidates to file a complaint.⁸⁶

The SEC handles all election-related complaints in the first instance. Interested parties may lodge an appeal within 48 hours after an alleged irregularity occurred or decision or action, and the SEC has 48 hours to decide. Complaints are reviewed in public sessions but without the presence of the parties of the complaint, and the SEC publishes only the decisions. Complaints against election results can be filed within 48 hours from the announcement of the preliminary results. The SEC decisions can be appealed within 48 hours to the Constitutional Court, which must decide within 48 hours.

Before election day six appeals were lodged with the SEC. Two complaints regarding registration of candidates were dismissed as ungrounded.⁸⁷ Of these, one was appealed to the Constitutional Court, which upheld the SEC decision. In one case related to the content of certain billboards, the SEC admitted a complaint despite the lack of legal provisions regulating the electoral campaign. The SEC considered the content of the billboards “borderline illegal and inappropriate” and demanded their removal by the party who placed them.⁸⁸

The Constitutional Court also has general jurisdiction over the legality and constitutionality of the entire electoral process.⁸⁹ Complaints regarding the violation of the Constitution or the law may be filed with the Constitutional Court within 30 days of the publication of the final election results.⁹⁰ The Court can declare void all or certain electoral activities and results if the irregularities influenced or might have influenced the results. The Court can also act *ex officio* in these cases. The president and some ODIHR EAM interlocutors questioned the full independence of the Constitutional Court.⁹¹

Following the elections, the SEC received nine complaints against election results.⁹² All were rejected; five as unfounded, one due to lack of standing, and three for being filed after the 48 hours deadline.⁹³ Five of these complaints requested recounts and were rejected for lack of evidence. Three appeals were filed to the Constitutional Court, which upheld all SEC decisions. Complainants may request recounts, and although the law does not specify exact grounds for recounts, based on the jurisprudence of the

⁸⁵ Paragraph 99 of the Venice Commission’s 2002 [Code of Good Practice in Electoral Matters](#) states: “Standing in such appeals must be granted as widely as possible. It must be open to every elector in the constituency and to every candidate standing for election there to lodge an appeal. A reasonable quorum may, however, be imposed for appeals by voters on the results of elections.”

⁸⁶ No other political parties filed complaints in these elections.

⁸⁷ The lists of the Demochristians were rejected as the party was not registered on the day of the announcement of the elections, as prescribed by the law. The constitutional court rejected their appeal.

⁸⁸ Three other complaints related to the nomination of municipal electoral commission members, polling station placement and inadequate provisions for persons with disabilities, were dismissed for missing the deadline or as ungrounded.

⁸⁹ Once all the electoral appeals have been decided upon, the Constitutional Court certifies the final election results, which are published in the Official Gazette and on the SEC website.

⁹⁰ In this case, decisions are taken in closed session by most judges, compared to the decisions on other electoral appeals which are taken by a council of three judges by unanimity within 48 hours.

⁹¹ The judges are elected for an eight-year term by a two-thirds majority of MPs from among notable jurists, especially judges, public prosecutors, lawyers, and university law professors. Of the current 13 judges, two are former ministers in previous HDZ governments, one is a former HDZ MP and four are former SDP MPs.

⁹² Alleging irregularities in the classification of invalid ballots, calculation of results or of the preferential votes and the voting irregularities at a special polling station in a home for the elderly.

⁹³ The recounts were requested by candidates from *Most*, Odlucno I Pravedno (Decisively and Justly, OIP), SDP. For example, one SDP candidate requested a recount as he was told people gave him preferential votes, but none was found in the ballot box; one *Most* candidate alleged invalidation of a significant number of ballots in one polling station in constituency V, without providing any evidence; an OIP candidate questioned the reliability of the data entry software, without attaching evidence.

Constitutional Court, a recount may only be carried out in exceptional circumstances, objectively justified, and based on sufficient and relevant reasons that must be clearly explained.⁹⁴

XII. PARTICIPATION OF NATIONAL MINORITIES

The Constitution recognizes 22 national minorities and foresees temporary affirmative measures to ensure their political participation and representation, including reserved seats in parliament.⁹⁵ The Serbian national minority is represented by two political parties while other minorities, including the Roma, have associations.⁹⁶ In addition, the Council for National Minorities is an umbrella body of national minorities established in line with the 2002 Constitutional Law on the Rights of National Minorities.

A national minority candidate can either run in the constituency designated for national minorities or in any of the other ten constituencies. Following the 2020 parliamentary elections, the Serbian national minority won three seats while an ethnic-Albanian, a Bosniak, a Czech, a Hungarian, and an Italian candidate won one seat each. The Serbian national minority played a role in forming the outgoing ruling coalition and was represented by a deputy prime minister.

The voter lists include the ethnic declaration of all voters, which is retained unless a citizen requests a change. Voters registered as members of a national minority may opt to vote either for the candidates of their territorial constituency or request ballots for the candidates representing the minority group to which they belong.⁹⁷ For these elections, 275,517 voters were registered as members of national minorities with 173,861 registered as Serbs (4.49 per cent of the total population). In total, 34,779 votes were cast for the national minority representatives.⁹⁸ The legal requirement for voters to register as members of a national minority is contrary to international good practice.⁹⁹

In line with international good practice, voters should not be required to register as members of national minorities.

In these elections, 17 candidates registered as representing 8 minority communities competed for 8 seats. Among the 17 candidates, five were Serbs, three Roma, two Bosniaks, two Albanians, and two Italians, one Hungarian, one Slovak, and one Czech. The dedicated Hungarian seat was uncontested. There is no information on whether the mainstream parties had members of national minorities on their candidate lists. ODIHR EAM interlocutors questioned the necessity of reserved seats for national minorities and raised concerns about clientelist relations between national minority MPs and ruling

⁹⁴ Paragraph 10.1 of the [Constitutional Court Decision No.: U-VIIA-3278/2013](#) states “the reasons for recounts must always be objectively justified, sufficient, relevant, detailed and clearly explained.”

⁹⁵ Article 19.3 of the 2002 Constitutional Law on the Rights of National Minorities stipulates that national minorities exceeding 1.5 percent of the population are entitled to 3 seats and article 17 of the Law on Parliamentary Elections states that one seat is allocated to each of the other five national minority groups.

⁹⁶ The Serbian national minority political parties are the Independent Democratic Serb Party (SDSS) and the Democratic Alliance of Serbs (DSS). Associations of other national minorities include the Assembly of Bosniak Associations (SABAH), the Bosniaks Together! The Coordination of Bosniaks, the Democratic Union of Hungarians in Croatia (DZMH), and the Union of Roma. The Unione Italiaa is the official organization representing the Italian Community in Croatia and Slovenia, its activities recognized in a 1996 Treaty between Croatia and Italy.

⁹⁷ According to the Law on the Voter Register, a citizen can self-declare as a national minority to the territorial units of the Ministry of Interior.

⁹⁸ In total, 15,901 out of the 173,864 registered voters voted for Serb candidates; 2,877 of the 10,565 for Hungarian; 1,951 of the 16,221 for Italian; 1,908 of the 10,075 for Czech and Slovak; 4,931 of the 21,478 for Austrian, Bulgarian, German, Polish, Roma, Romanian, Ruthenian, Russian, Turkish, Ukrainian and Wallachian and 7,211 of the 43,318 for Albanian, Bosniak, Montenegrin, Macedonian and Slovenian.

⁹⁹ Section 2.4 of the Venice Commission 2002 Code of Good Practice states: “Neither candidates nor electors must be required to indicate their affiliation with any national minority”.

parties for a more favourable access to financial means benefitting national minority associations and political parties.

Consideration could be given to holding public and inclusive consultations to review whether the existing temporary affirmative measures provide for effective and proportional representation of national minorities.

National minority candidates who are not nominated by political parties do not have the right to nominate members of election commissions in the XII constituency. The SEC informed the ODIHR EAM that, despite a legal requirement, there were no ballots or voter information in the Cyrillic script in the municipalities where Serbs constitute at least a third of residents.¹⁰⁰ The ballots for the national minority candidates were separate from the single ballot paper for all other candidate lists, and were different in colours and size. This practice is not prescribed by law and does not safeguard the secrecy of the vote. Representatives of national minorities noted that the distinct appearance of the ballots discourages some eligible minority voters from requesting them.¹⁰¹

To ensure the secrecy of the vote, consideration could be given to discontinuing printing the lists of national minority candidates in separate ballot papers.

ODIHR EAM interlocutors, including the Council for National Minorities, informed the ODIHR EAM of isolated incidents during the election period targeting the Serb national minority.¹⁰² The UN Committee on the Elimination of Racial Discrimination in 2023, also voiced concern over reports on the prevalence of racist hate speech, including by politicians and influential public figures, and of the dissemination of negative stereotypes against members of the Roma and Serb minority groups and non-citizens, including in the media, on the Internet and in social media.¹⁰³

XIII. ELECTION OBSERVATION

The law provides guarantees for citizen and international election observation. Observers are allowed to follow the work of electoral commissions, as well as the voting, counting and tabulation processes, and are entitled to access electoral materials, except for the voter list. Political parties and citizen initiatives nominating candidate lists are also entitled to field observers.

Contestants, primarily political parties, and non-governmental organisations received accreditation for 5,333 observers, including 87 for polling stations abroad.¹⁰⁴ These observers mostly monitored election-day procedures. Civil society organisations focused on constituency delimitation, participation of women and persons with disabilities in elections but did not observe the work of election commissions or other aspects of the electoral process.

¹⁰⁰ Article 12.3 of the Constitutional Law on National Minorities refers to Article 9 of the [Law on Use of Language and Scripts of National Minorities](#) which states that the language or the script of a national minority should be used for "forms that are used for public services" in municipalities, towns and counties.

¹⁰¹ The Council for National Minorities suggested the introduction of a two-sided ballot paper, with regular candidate lists on one side and national minorities candidates on the other side.

¹⁰² For instance, SDSS billboards displaying the motto "Croatia needs Serbs" were defaced in several locations, including in [Karlovac](#), [Osijek](#), [Šibenik](#), Zadar, and [Zagreb](#). DP [billboards](#) displayed HDZ and SDSS officials with the note "for some (HDZ and SDSS) Vukovar is liberated for others (DP) it has fallen for others it".

¹⁰³ See the UN Committee on the Elimination of Racial Discrimination [2023 Concluding Observations](#) on the combined ninth to fourteenth periodic reports of Croatia, paragraphs 13 and 14.

¹⁰⁴ HDZ had 4,020 accredited observers, SDP - 397, DP - 288, HNS - 62 and Most - 59.

XIV. ELECTION DAY

A. VOTING AND COUNTING

In line with the ODIHR methodology, the ODIHR EAM did not observe election day proceedings in a systematic or comprehensive manner. Mission members visited a limited number of polling stations in Zagreb in three electoral constituencies. While the voting process was well-administered in most of the visited polling stations, some procedures were managed in an inconsistent manner, such as the arrangement inside of polling stations, the management of voting outside of inaccessible voting premises, ensuring secrecy of the vote, allowing eligible voters to choose to participate in their territorial constituency or the designated national minority constituency, and understanding of rights and duties of observers.

The main challenge observed by the ODIHR EAM and reported by electoral stakeholders were instances of voters not found on the voter lists bearing both valid and invalid IDs, raising concerns about whether these exclusions could be related to the current rules on deregistration of voters. The SEC issued a statement attributing the omissions to mistakes of the MoI and MoJPA and requested both ministries to report on the matter.¹⁰⁵ It also encouraged voters to apply for “blue certificates” enabling them to vote, and published on its website a list of the local administration offices where these certificates were issued on election day. While 7,642 voters requested “blue certificates”, the ODIHR EAM and various stakeholders noted that not all excluded voters applied, with some citing lack of time or the remoteness of administration offices.¹⁰⁶ Overcrowding and lines in VCs were mostly related to a high turnout of 62.31 per cent and, at times, due to the allocation of inappropriate polling station premises.¹⁰⁷ In the few counts attended by the ODIHR EAM, the VCs did not strictly adhere to the counting procedures, which resulted in additional time needed to reconcile the numbers in the result protocols.

B. TABULATION AND ANNOUNCEMENT OF RESULTS

The VCs delivered voting materials and result protocols to the MECs and CiECs, which tabulated the results for the territorial and the national minority constituencies, while the SEC tabulated the results for the out-of-country constituency. The ODIHR EAM observed the tabulation managed by Zagreb CiEC. The intake of materials and input of results in the system was organised efficiently. At the same time, the ODIHR EAM noted multiple instances, when VC result protocols had corrected numbers, or when the VCs were correcting figures during the input. In one case, the VC opened envelopes with ballots and recounted them at the tabulation desk.

The SEC started to release preliminary results per constituency, disaggregated by polling station, starting at 21:00 on election day with regular updates every 15 minutes. By the morning of 18 April over 99 per cent of protocols were processed and the results entered in the system. Voting was annulled in two polling stations, affecting two electoral constituencies, as the number of ballots in ballot boxes was higher than the number of voters who were issued a ballot.¹⁰⁸ By law, despite a previous ODIHR recommendation, the SEC may invalidate voting results in a polling station even in case of minor discrepancies that would not affect the results, such as if one extra ballot is found in the ballot box. The SEC scheduled repeat voting in two polling stations for Sunday, 21 April and announced the final results on 29 April.

¹⁰⁵ See the [SEC statement](#) for more details.

¹⁰⁶ Of the 7,642 voters who requested “blue certificates”, around one third had valid IDs and another 4,000 held expired IDs.

¹⁰⁷ For example, a school in the center of Zagreb hosted 13 PSs for approximately 16,000 actively registered voters.

¹⁰⁸ In both cases the errors pertained to voting for the national minority constituency. In one case, voters were given two ballots each – one for the national minority constituency and one for the respective territorial constituency.

The law should prescribe the right to request recounts in case of significant discrepancies, in the Voting Committee protocols and invalidation of results in a polling station for irregularities that have an impact on the results. The law should clearly list such discrepancies and irregularities.

While election day procedures, counting and tabulation of election results were generally efficient and without unnecessary delays, the observed irregularities underline the need to enhance training and emphasise the importance of adhering to the procedures and ensuring the accuracy of election day documentation.

XV. POST-ELECTION DEVELOPMENTS

Based on the election results, no clear majority emerged. HDZ won the most mandates and claimed victory. The Homeland Movement presented itself as a decisive partner for the formation of a new government, provided that the Serbian minority was excluded. SDP, *Možemo*, and *Most* were open to be part of a coalition government, each ruling out at least one other political party.

On 18 April, the President stated that he would give the mandate to anyone with a proven majority in the parliament.¹⁰⁹ While the President was also mentioned as a potential prime minister, the Constitutional Court issued a second warning to him that he could “neither be the mandate holder for the composition of the future government nor the prime minister”. In response, the President claimed that the court’s warning constituted a constitutional coup and that many voters had implicitly voted for him, but then announced that he would not be the prime minister.¹¹⁰ SDP, *Možemo*, Centar, and Daliya Orešković and People with a First and Last Name strongly condemned the court warning as an interference in the political process of creating a government.

On 10 May, outgoing Prime Minister Plenković formed a ruling majority of 78 MPs, including 61 from HDZ, 12 of the 14 DP MPs, four national minority MPs (Hungarian, Czech and Slovak, Roma and Bosniak) and one MP elected with *Most*. On 17 May, Andrej Plenković was reappointed as Prime Minister for a third term.

XVI. RECOMMENDATIONS

These recommendations as contained throughout the text are offered with a view to further enhance the conduct of elections in Croatia and to support efforts to bring them fully in line with OSCE commitments and other international obligations and standards for democratic elections. These recommendations should be read in conjunction with past ODIHR recommendations that have not yet been addressed. ODIHR stands ready to assist the authorities of Croatia to further improve the electoral process and to address the recommendations contained in this and previous reports.¹¹¹

¹⁰⁹ The President [posted](#) on Facebook that “the Croatian Constitution is clear: the mandate to form a new government can only be given to a person who proves that he enjoys the support of 76 representatives elected to the Croatian Parliament” adding that he would “fully stick to the letter and spirit of the Croatian Constitution in this situation as well.”

¹¹⁰ On 19 April, the President [posted](#) on Facebook a photo featuring the constitutional court president with HDZ Ministers. Subsequently, he held a press conference whereby he talked about the new court warning and presented the same photo. He also [posted](#) about the press conference on his Facebook page.

¹¹¹ In paragraph 25 of the 1999 OSCE Istanbul Document, OSCE participating States committed themselves “to follow up promptly the ODIHR’s election assessment and recommendations”. The follow-up of prior recommendations is assessed by the ODIHR EAM as follows: recommendation 12 from the final report of the 2015 parliamentary elections is fully implemented. Recommendations 1, 5, 11, 17 from the final report of the 2015 parliamentary elections and recommendations 1, 6, 7, 8, 10, 12 and 15 from the final report of the 2020 parliamentary elections are

A. PRIORITY RECOMMENDATIONS

1. In line with international good practice, the boundaries of multi-member constituencies should preferably coincide with administrative, geographical, and historical boundaries and the seats should be distributed among constituencies proportionally. To account for demographic changes, the distribution of seats should subsequently be reviewed without changing the boundaries every ten years, preferably outside electoral periods. Any future constituency delimitation should be based on proposals of an independent authority and conducted in a transparent, impartial, and consultative manner.
2. To guarantee universal suffrage, the law should prescribe clear, objective, and reasonable criteria and a transparent procedure for deregistration and prevent undue deregistration of eligible voters. Authorities should ensure that voters are informed when their registration data or records are altered or removed.
3. Consideration should be given to introducing detailed rules regulating loans, including provisions on their disclosure and reporting.
4. To guarantee editorial independence, the management of the public broadcaster and the oversight bodies should be appointed in a manner that ensures their independence, impartiality and professionalism.
5. In line with international good practice, voters should not be required to register as members of national minorities.

B. OTHER RECOMMENDATIONS

Election Administration

6. The legal framework should contain clear and objective criteria and a transparent procedure for the nomination and appointment of all members of election commissions.
7. To enhance transparency, the SEC should publish all its decisions and other election-related documentation in a timely manner, and could consider streaming its sessions online.
8. The SEC could consider standardized mandatory training for all election commission members.

Voter Registration

9. To enhance transparency and ensure meaningful public scrutiny, stakeholders could be provided with access to the voter register, with due protection of personal data.
10. Authorities could improve voter information efforts, including in accessible formats, with a particular focus on voter registration modalities.

partially implemented. Recommendations 2, 3, 4, 6, 7, 8, 9, 10, 13, 14, 15, 16 and 18 from the final report of the 2015 parliamentary elections and recommendations 2, 3, 4, 6, 7, 8, 9, 11, 13, 14 and 16 of the final report of the 2020 parliamentary elections were not addressed.

Candidate Registration

11. The legislation should be revised to enable the participation of individual candidates in the elections, as well as to facilitate the participation of smaller parties, such as by reviewing the legally required number of candidates on lists.
12. To enhance the effectiveness of gender requirements on candidate lists, sanctions for non-compliance should be strengthened, such as by conditioning the registration of the list on its compliance. To help promote balanced participation and representation of women and men in the legislature, political parties could take further internal measures to integrate women on candidate lists, such as by introducing alternating positions between genders throughout lists.

Electoral Campaign

13. To ensure equality of opportunity in the campaign, the legal framework should be revised to include comprehensive electoral campaign regulations accompanied by sanctions and an effective oversight mechanism. Consideration could be given to clearly designating one authority to oversee the campaign either the Ethics Commission or the SEC.
14. The legislature should consider, in consultation with the media regulator and other stakeholders, steps to regulate campaign activities and political advertising in online media and social networking platforms, and their financing.
15. Political parties should identify and curb any possible gender-based barriers for women candidates, including by auditing current intra-party practices that hinder more effective representation of women within party structures and as candidates.
16. Measures should be taken to facilitate the participation of persons with disabilities in the electoral process, including accessible campaign venues as well as voter and campaign information in formats accessible for persons with disabilities, sign language interpretation and easy-to-read materials.

Campaign Finance

17. Consideration should be given to limiting, prohibiting, or strictly regulating donations from entities providing goods or services to the public administration.
18. Third-party campaigning should be allowed and regulated. The limits on donations and expenditures, as well as the reporting requirements, should be extended to third parties undertaking campaign activities.
19. Consideration should be given to extending the timeframe allocated to the SEC for meaningful oversight of the campaign finance reports.
20. To enhance transparency, consideration should be given to publishing all financial sanctions imposed on contestants who did not comply with the campaign finance regulations.

Media

21. To enhance the freedom of expression, defamation should be decriminalised. Fines to mitigate harm to reputation in civil proceedings should be proportional to the offence and cases addressed promptly.

22. To ensure freedom of the media, the law should prescribe dissuasive penalties to prevent inappropriate litigation against journalists and measures to minimise its harmful effects, including limits on legal costs, fast dismissal of unsubstantiated cases and compensation for the victim of such cases.
23. The Council of Electronic Media could be mandated to monitor whether electronic media provide fair and balanced coverage of all election contestants and publish its findings in a timely manner.

Participation of National Minorities

24. Consideration could be given to holding public and inclusive consultations to review whether the existing temporary affirmative measures provide for effective and proportional representation of national minorities.
25. To ensure the secrecy of the vote, consideration could be given to discontinuing printing the lists of national minority candidates in separate ballot papers.

Election Day

26. The law should prescribe the right to request recounts in case of significant discrepancies, in the Voting Committee protocols and invalidation of results in a polling station for irregularities that have an impact on the results. The law should clearly list such discrepancies and irregularities.

ANNEXE: FINAL ELECTION RESULTS

Total number of voters on voter lists	3,733,398
Number of voters who voted	2,216.763 (62,30%)
Number of valid votes	2,154.733
Number of invalid votes	60,476

	Political Party/Coalition/Candidate*	Votes	%	Seats
	Constituencies I-X			
1	Coalition of Croatian Democratic Union (HDZ)	697.839	40,40	58
2	The Rivers of Justice Coalition (SDP)	538.745	27,81	42
3	Coalition of the Homeland Movement (DP)	202.670	9,27	14
4	Coalition of <i>Most</i>	169.966	7,28	11
5	<i>Možemo!</i> Political Platform	193.007	6,62	10
6	Istrian Democratic Assembly Coalition (IDS)	32.727	1,32	2
7	Independent Platform of the North (NPS)	25.829	1,32	2
8	Focus Republic	47.712	0,66	1
	Constituency XI			
	Croatian Democratic Union	32.108		3
	Constituency XII		5,30**	
	Serb minority (SDSS)	32 846		3
	Hungarian minority (Democratic Union of Hungarians in Croatia)	2.804		1
	Italian minority	971		1
	Czech and Slovak minorities	1.764		1
	Austrian, Bulgarian, German, Polish, Roma, Romanian, Ruthenian, Russian, Turkish, Ukrainian, Wallachian and Jewish minorities	3.017		1
	Albanian, Bosnian, Montenegrin, Macedonian and Slovenian minorities	3.357		1
	TOTAL			151

* This table is based on the results per constituency published on the SEC [website](#).

** Total percentage of votes for all minorities.

ABOUT ODIHR

The Office for Democratic Institutions and Human Rights (ODIHR) is OSCE's principal institution to assist participating States "to ensure full respect for human rights and fundamental freedoms, to abide by the rule of law, to promote principles of democracy and (...) to build, strengthen and protect democratic institutions, as well as promote tolerance throughout society" (1992 Helsinki Summit Document). This is referred to as the OSCE human dimension.

ODIHR, based in Warsaw (Poland) was created as the Office for Free Elections at the 1990 Paris Summit and started operating in May 1991. One year later, the name of the Office was changed to reflect an expanded mandate to include human rights and democratization. Today it employs over 150 staff.

ODIHR is the lead agency in Europe in the field of **election observation**. Every year, it co-ordinates and organizes the deployment of thousands of observers to assess whether elections in the OSCE region are conducted in line with OSCE commitments, other international obligations and standards for democratic elections and with national legislation. Its unique methodology provides an in-depth insight into the electoral process in its entirety. Through assistance projects, ODIHR helps participating States to improve their electoral framework.

The Office's **democratization** activities include: rule of law, legislative support, democratic governance, migration and freedom of movement, and gender equality. ODIHR implements a number of targeted assistance programmes annually, seeking to develop democratic structures.

ODIHR also assists participating States' in fulfilling their obligations to promote and protect **human rights and fundamental freedoms** consistent with OSCE human dimension commitments. This is achieved by working with a variety of partners to foster collaboration, build capacity and provide expertise in thematic areas, including human rights in the fight against terrorism, enhancing the human rights protection of trafficked people, human rights education and training, human rights monitoring and reporting, and women's human rights and security.

Within the field of **tolerance and non-discrimination**, ODIHR provides support to the participating States in strengthening their response to hate crimes and incidents of racism, xenophobia, anti-Semitism and other forms of intolerance. ODIHR's activities related to tolerance and non-discrimination are focused on the following areas: legislation; law enforcement training; monitoring, reporting on, and following up on responses to hate-motivated crimes and incidents; as well as educational activities to promote tolerance, respect, and mutual understanding.

ODIHR provides advice to participating States on their policies on **Roma and Sinti**. It promotes capacity-building and networking among Roma and Sinti communities, and encourages the participation of Roma and Sinti representatives in policy-making bodies.

All ODIHR activities are carried out in close co-ordination and co-operation with OSCE participating States, OSCE institutions and field operations, as well as with other international organizations.

More information is available on the ODIHR website (www.osce.org/odihr).