



HUMAN  
RIGHTS  
HOUSE  
ZAGREB

HATE SPEECH

# Action Plan for Combating Hate Speech



# Action Plan for Combating Hate Speech

Iceland      
Liechtenstein **Active**  
Norway **citizens fund**

This publication was created as part of the project 'Strengthening the protection system and empowerment of communities for recognising and combating hate speech in Croatia' supported through the Active Citizens Fund by Iceland, Liechtenstein and Norway within the EEA grants. The content of this publication is the sole responsibility of Human Rights House Zagreb and does not necessarily reflect the views of the donor countries and the Fund Manager.

Hate speech is a continuously present and growing issue, and there is a lack of systematic research and monitoring for its resolution.<sup>1</sup> Although the National Plan for the Protection and Promotion of Human Rights and Combating Discrimination for the period until 2027<sup>2</sup> recognizes hate speech as a problem and foresees measures to combat it, the main shortcoming of this plan is its partiality that reflects in the unsystematic design and implementation of cross-sectoral activities. For this purpose, this comprehensive Action Plan for Combating Hate Speech<sup>3</sup> (hereinafter: Action Plan) has been developed based on evidence, human rights and international recommendations and standards. Its goal is to lay the foundation for a holistic approach in fighting against hate speech that includes recognition, monitoring, prevention, awareness-raising, victim empowerment and strengthening the processing and regulation mechanisms.

The Action Plan was developed through several steps including, among others, a review of literature and existing practices and policies for combating hate speech in Croatia and the European Union<sup>4</sup>, conducting interviews with key stakeholders in combating hate speech, and consultations with civil society organizations working

on the protection and promotion of human rights which gather minority and vulnerable groups. The Action Plan was created based on activities carried out within the project 'Strengthening the protection system and empowerment of communities for recognising and combating hate speech in Croatia.'<sup>5</sup> This project is aimed at formulating a holistic approach to combat hate speech with the goal of achieving long-term social changes in the area of the right to protection against discrimination, freedom of expression and the right to participate in social and political life for all citizens, especially members of minority and vulnerable social groups who are, according to relevant research, most common targets and victims of hate speech.

The Action Plan contains the following specific measures for targeted holistic action of all actors – from schools to law enforcements bodies – on the prevention, combating and processing of hate speech:

---

Improving the implementation  
of the Electronic Media  
Act in the context  
of combating hate speech

---

---

**ACTIVITY 1: ANALYSIS OF THE IMPLEMENTATION IMPACT OF ARTICLE 94 OF THE ELECTRONIC MEDIA ACT (OG 111/21) WITH SUGGESTIONS FOR IMPROVEMENT**

---

**RESPONSIBLE AUTHORITY: ELECTRONIC MEDIA AGENCY**

---

Article 94, paragraph 2 of the Electronic Media Act (hereinafter: EMA) prescribes the responsibility of electronic publications providers to take all measures in accordance with Article 14 of the Act to prevent the publication of content that incites violence or hatred.

Also, paragraph 3 stipulates that the electronic publication provider is responsible for all content published in the electronic publication, including user-generated content, if it fails to register the user and if it has not warned the user in a clear and easily visible way about the commenting rules and violations of the provisions of paragraph 2 of this Article.

Even though the implementation of the new EMA has been running for almost three years, the effects of this Article are not yet known to the public and hate speech monitoring carried out by civil society organizations shows that hate speech still frequently appears in readers' comments.

It is therefore necessary to carry out an analysis of the effect of EMA Article 94 on freedom of expression and suppression of hate speech in readers' comments, and in accordance with the results of the analysis, improve the legislative framework and/or mechanisms of action. In the

preparation of the analysis, civil society organizations, the Croatian Journalists' Association, the academic community and other relevant stakeholders who can contribute to its comprehensiveness will be consulted.

Regarding the responsibility of media service providers for taking measures that would prevent publication of content contrary to Article 14, according to the current legislation, the Electronic Media Council has the possibility to issue a decision on the temporary or permanent concession or permission withdrawal to a media service provider.

We propose considering the possibility of imposing a fine, as prescribed by the misdemeanor provisions of the Act, as an intermediate measure between notice/warning and concession withdrawal.

---

**ACTIVITY 2: DRAFTING AN ORDINANCE ON COMBATING HATE SPEECH  
IN ELECTRONIC MEDIA**

---

**RESPONSIBLE AUTHORITY: ELECTRONIC MEDIA AGENCY  
(ELECTRONIC MEDIA COUNCIL)**

---

For the purpose of a clearer understanding of obligations arising from the EMA, it is proposed to create an ordinance modeled on the Ordinance on the Protection of Minors in Electronic Media<sup>6</sup>, which would determine more precisely the measures that electronic publications providers are required to take in order to prevent publication of content that incites violence or hatred. The ordinance would define in more detail the deadlines for the removal of clearly illegal hate speech generated by users, as well as determine more clearly the obligations of providers in terms of informing users about the methods to report illegal content. It is suggested that electronic publications providers appoint a responsible person (one or more) in charge of moderating comments. With that regard, it is suggested to introduce a basic mandatory training of the so-called online content moderators, which would familiarize the moderators with relevant legislative provisions and practical examples. In addition, it would be desirable to create standardized educational materials that could later be disseminated to a wider range of moderators. If the electronic publications providers use a specific tool/software to remove hate speech, it is necessary for its functioning to be transparent.



The ordinance would be drafted in cooperation with civil society organizations, the Croatian Journalists' Association, the academic community and other relevant stakeholders.

---

**ACTIVITY 3: EDUCATION OF ONLINE CONTENT MODERATORS ON HATE SPEECH**

---

**RESPONSIBLE AUTHORITY: ELECTRONIC MEDIA COUNCIL IN COOPERATION WITH CIVIL SOCIETY ORGANIZATIONS, CROATIAN JOURNALISTS' ASSOCIATION AND THE ACADEMIC COMMUNITY**

---

Building on the Activity 2 and in line with the recommendation of the European Commission against Racism and Intolerance of the Council of Europe<sup>7</sup>, according to which authorities, in cooperation with NGOs, regulatory bodies and other stakeholders, such as journalists' associations, should develop a strategy on combating cyber hate speech that includes, inter alia, training for website operators, we suggest conducting quality, continuous and systematic education for online content moderators.

The goals of this education are increasing capacity to recognize and combat online hate speech, understanding the limits of freedom of expression and hate speech (from a legal and human rights perspective), networking and exchange of experiences.

---

**ACTIVITY 4: PUBLICATION OF THE EXPLANATION OF DECISIONS ON ALL HATE SPEECH COMPLAINTS IN ELECTRONIC MEDIA**

---

**RESPONSIBLE AUTHORITY: ELECTRONIC MEDIA COUNCIL**

---

According to the available data, in 2022 the Electronic Media Council imposed one measure related to the prevention of hate speech and/or combating discrimination in electronic media<sup>8</sup>, and in 2023 no such measures were imposed. When it determines a violation of the EMA, along with the decision, the Electronic Media Council publishes an explanation of the decision. However, the Council does not publish explanations of its decisions from the sessions where it discusses hate speech cases/complaints in situations where no violation of the EMA has been established. In order to understand the standards applied by the Council as well as to inform citizens who report hate speech, we suggest increasing the visibility and impact of these decisions in such a way that the Council, in addition to the decision that there has been no violation of the EMA, also publishes a brief explanation of the respective decision. This measure would also contribute to the work on research and monitoring the occurrence of hate speech, which is lacking in Croatia.

---

Improving the legislative  
framework for sanctioning  
hate speech

---

---

**ACTIVITY 1: AMENDMENTS TO ARTICLE 5 OF THE ACT ON OFFENSES AGAINST PUBLIC ORDER AND PEACE (OG 41/77, 55/89, 05/90, 30/90, 47/90, 29/94, 114/22, 47/23)**

---

**RESPONSIBLE AUTHORITY: MINISTRY OF JUSTICE AND PUBLIC ADMINISTRATION**

---

The existing Article 5 of the Act on Offenses Against Public Order and Peace reads: 'Whoever disrupts public order and peace by performing, reproducing songs, compositions and texts or by wearing or highlighting symbols, texts, pictures or drawings in a public place, shall be fined for the misdemeanor by the amount between 700 and 4000 euros or punished by a prison sentence of up to 30 days.'

In this form, the provision creates legal uncertainty and has proven to be inadequate for sanctioning hate speech due to its inconsistent application.

Courts have passed dozens of judgements concerning the salute 'ready for the homeland' and judicial practice indicates different actions of the courts in rather similar situations, resulting in some court decisions sanctioning the Ustasha salute and others not.

In several of its decisions, the Constitutional Court of the Republic of Croatia has expressed a clear view that this phrase represents an Ustasha salute which is contrary to the Constitution of the Republic of Croatia.

Given the inconsistent actions of the authorities and the uneven judicial practice, we propose the adoption of a clearer norm which would be in accordance with the Constitutional Court decisions and the practice of the ECtHR.

---

**ACTIVITY 2: AMENDMENTS TO THE MISDEMEANOR ACT (OG 107/07, 39/13, 157/13, 110/15, 70/17, 118/18, 114/22)**

---

**RESPONSIBLE AUTHORITY: MINISTRY OF JUSTICE AND PUBLIC ADMINISTRATION**

---

In order to improve monitoring and sanctioning of misdemeanors, experts indicate<sup>9</sup> that it would be appropriate to introduce a definition of a hate misdemeanor into the Misdemeanor Act, together with specific legal consequences in terms of aggravating assessment of cases in which hatred, i.e. bias, does not represent an element of the act.

It is suggested that a provision analogous to the one from Article 87, paragraph 21 of the Criminal Code is introduced into the Misdemeanor Act, which would read: 'A hate misdemeanor is a misdemeanor committed on account of a person's race, skin color, religion, national or ethnic origin, language, disability, gender, sexual orientation or gender identity. Unless a more severe punishment is explicitly prescribed by the law, such conduct shall be taken as an aggravating circumstance.'

---

Improving the implementation  
of legal provisions  
for processing and  
sanctioning hate speech

---

---

**ACTIVITY 1: EDUCATION OF POLICE OFFICERS**

---

**RESPONSIBLE AUTHORITY: POLICE ACADEMY**

---

The activity includes conducting high-quality, continuous and systematic education on hate speech and hate crime for police officers throughout Croatia. Education would be carried out by multi-sectoral teams of educators. Along with the theory, the education would also have a strong practical component – in addition to normative education, sensibilization would be carried out with regards to prejudice and discrimination of social groups and individuals who are target of hate speech and hate crimes in Croatia. In addition to the implementation of trainings, it is necessary to ensure the wide dissemination of educational materials in order to ensure the permanent availability of presentations, manuals and other educational materials. We suggest including the methodology and materials developed by OSCE ODIHR – Tahcle training<sup>10</sup> in the implementation of educational activities.



---

**ACTIVITY 2: EDUCATION OF STATE ATTORNEYS**

---

**RESPONSIBLE AUTHORITY: JUDICIAL ACADEMY**

---

The activity includes conducting high-quality, continuous and systematic education on hate speech and hate crime for state attorney officials and advisors throughout Croatia. It is suggested to carry out targeted education for certain state attorneys in cases where it is not possible to conduct education for a larger number of state attorneys due to organizational reasons, for example in larger (county) state attorney's offices. Education would be carried out by multi-sectoral teams of educators. Along with the theory, it would also have a strong practical component – in addition to normative education, sensibilization would be carried out with regards to prejudice and discrimination of social groups and individuals who are target of hate speech and hate crimes in Croatia. The practical component would also include hypothetical examples in order to work on eliminating possible doubts that may arise throughout the processing. Along with the implementation of trainings, it is necessary to ensure the wide dissemination of educational materials in order to ensure the permanent availability of manuals, presentations and other educational materials. We suggest including the methodology and materials developed by OSCE ODIHR – Paht training in the implementation of educational activities.

---

**ACTIVITY 3: EDUCATION OF JUDGES**

---

**RESPONSIBLE AUTHORITY: JUDICIAL ACADEMY**

---

The activity includes conducting high-quality, continuous and systematic education on hate speech and hate crime for judges and judicial advisors throughout Croatia. It is suggested to carry out targeted education for certain judges in cases where it is not possible to conduct education for a larger number of judges due to organizational reasons. Education would be carried out by multi-sectoral teams of educators. Along with the theory, it would also have a strong practical component—in addition to normative education, sensibilization would be carried out with regards to prejudice and discrimination of social groups and individuals who are target of hate speech and hate crimes in Croatia. The practical component would also include hypothetical examples in order to work on eliminating possible doubts that may arise throughout the processing. Along with the implementation of trainings, it is necessary to ensure the wide dissemination of educational materials in order to ensure the permanent availability of manuals, presentations and other educational materials.

Strengthening the  
implementation of the  
Protocol on Procedure in  
Cases of Hate Crime

---

**ACTIVITY 1: IMPROVING THE WORK OF THE WORKING GROUP  
FOR MONITORING HATE CRIMES**

---

**RESPONSIBLE AUTHORITY: GOVERNMENT OFFICE FOR HUMAN RIGHTS  
AND RIGHTS OF NATIONAL MINORITIES**

---

According to Article 16 of the Protocol<sup>12</sup>, the Working Group for Monitoring Hate Crimes is responsible for coordinating the collection of data on hate crimes, monitoring and analyzing the occurrence of hate crimes, coordinating intersectoral cooperation in combating hate crimes and developing recommendations for improving the system of combating hate crimes. The Working Group for Monitoring Hate Crimes shall meet twice a year or more frequently should the need arise, and it can also operate using e-communication (e-mail, videoconferencing, etc.).

According to available information, no recommendations to combat hate crimes have been developed since the adoption of the Protocol, and the Working Group met twice in 2023. We suggest that the Working Group starts developing recommendations for improvement of the system for combating hate crimes, with reference to hate speech, in consultation with civil society organizations and experts active in this area as well as other relevant stakeholders. In addition, we suggest intensifying the meetings of the Working Group.

---

**ACTIVITY 2: COOPERATION OF AUTHORITIES RESPONSIBLE FOR THE IMPLEMENTATION OF THE PROTOCOL**

**RESPONSIBLE AUTHORITY: THE SUPREME COURT OF THE REPUBLIC OF CROATIA, STATE ATTORNEY'S OFFICE OF THE REPUBLIC OF CROATIA, MINISTRY OF THE INTERIOR**

---

The Protocol prescribes that its implementation foresees the cooperation of the competent authorities participating in the identification, processing and monitoring of the results of proceedings conducted for hate crimes in order to improve the hate crime monitoring system. Article 19 of the Protocol stipulates obligations of the competent authorities participating in the identification, processing and monitoring of the results of proceedings conducted for hate crimes to hold meetings of representatives of the competent authorities as necessary. With the aim of improving cooperation and standardizing processing of hate crimes, we suggest holding periodic meetings of representatives of the competent authorities, especially the police and the state attorney's office in relation to which there is the strongest need to harmonize procedures in the context of processing hate speech, but also with judges, especially in cases of repeated inconsistent processing.

---

**ACTIVITY 3: IMPROVING THE MONITORING OF HATE SPEECH CASES**

---

**RESPONSIBLE AUTHORITY: GOVERNMENT OFFICE FOR HUMAN RIGHTS AND RIGHTS OF NATIONAL MINORITIES**

---

The Protocol stipulates that the courts shall submit final decisions on cases related to hate crimes in anonymized form to the Office for Human Rights and Rights of National Minorities for their analysis with the aim of planning and implementing an effective policy to combat hate crimes. In addition, courts are encouraged to publish final decisions in hate crimes related proceedings on the judicial practice portal. In order to improve the monitoring of hate speech cases and to standardize court practice, we suggest publishing all final decisions submitted to the Office on the Office website, as well as including decisions of lower instance courts in the analysis, so that case law from all levels is made publicly available.

Considering the problems of underreporting and lack of data, systematic monitoring and reporting on hate speech, it is necessary to carry out systematic, continuous and high-quality periodic research and analysis of the occurrence of hate speech and combating practices, which would serve as a basis for system and policy development in that area. It is suggested to conduct such research and analysis in cooperation with the academic community, experts in the field, independent human rights institutions and civil society organizations.

---

Strengthening the capacities  
of civil society organizations  
and human rights defenders

---

---

**ACTIVITY 1: ENSURING FINANCIAL SUPPORT TO CSOS FOR MONITORING AND REPORTING ON HATE SPEECH ONLINE AND OFFLINE**

---

**RESPONSIBLE AUTHORITY: NATIONAL FOUNDATION FOR CIVIL SOCIETY DEVELOPMENT, GOVERNMENT OFFICE FOR COOPERATION WITH NGOS**

---

Civil society organizations in Croatia do not have the possibility of financing the activities of monitoring and conducting research on hate speech from public sources at national level, and therefore they lack the capacity to systematically deal with this topic.

Consequently, there is a lack of action research, systematic monitoring and reporting, as well as cooperation with the academic community and institutions.



---

**ACTIVITY 2: ENSURING CAPACITIES OF CSOS TO PROVIDE LEGAL AND PSYCHOSOCIAL SUPPORT TO VICTIMS OF HATE SPEECH**

---

**RESPONSIBLE AUTHORITY: NATIONAL FOUNDATION FOR CIVIL SOCIETY DEVELOPMENT GOVERNMENT OFFICE FOR HUMAN RIGHTS AND RIGHTS OF NATIONAL MINORITIES**

---

Hate speech often remains invisible because victims rarely report it, even though it can have permanent and serious consequences. This is recognized as a problem of so-called 'underreporting' – the awareness that reported cases represent only a rather small number of actual cases. In Croatia, this can be demonstrated by comparing statistical data on hate crimes published annually by the Office for Human Rights and National Minorities of the Government of the Republic of Croatia<sup>13</sup>, which records a very small number of processed hate speech cases, with action research results that indicate the opposite, that is, a greater frequency of hate speech.<sup>14</sup>

Considering that hate speech is aimed at vulnerable and minority groups in society, as well as that, due to the complexity of the regulation of this area, citizens are often unfamiliar with reporting channels and protection mechanisms, necessary support can be provided by civil society organizations that deal with human rights and/or gather and provide support to vulnerable groups. However, civil society organizations in Croatia lack the capacity to provide support to victims of hate speech both in terms of funding and education about hate speech and freedom of expression, which are necessary in order to be able to provide systematic and high-quality support.

---

Prevention and strengthening  
of civic competences  
for combating hate speech

---

---

**ACTIVITY 1: INTRODUCTION OF CIVIC EDUCATION SUBJECT TO ALL SCHOOLS IN CROATIA**

---

**RESPONSIBLE AUTHORITY: MINISTRY OF SCIENCE AND EDUCATION**

---

In order to contribute to the prevention of hate speech, it is necessary to ensure the representation of topics of freedom of expression, discrimination, media literacy and human rights in the digital environment in formal education. Given that these topics fall within the area of Civic Education, which is implemented in Croatia only as a cross-curricular topic and in some schools as an extra-curricular activity, these topics are insufficiently covered in primary and secondary schools.

The introduction of quality and systematic Civic Education to the formal education system would enable raising the competences of students to recognize, respond to and prevent hate speech.

---

**ACTIVITY 2: ENSURING FINANCIAL SUPPORT TO CSOS FOR CONDUCTING INFORMAL EDUCATIONAL ACTIVITIES FOR YOUTH AND CITIZENS IN THE AREA OF COMBATING HATE SPEECH**

---

**RESPONSIBLE AUTHORITY: NATIONAL FOUNDATION FOR CIVIL SOCIETY DEVELOPMENT, MINISTRY OF SCIENCE AND EDUCATION**

---

Civil society organizations develop and implement a number of successful preventive programs for youth and citizens through informal education. In order to contribute to the prevention of hate speech, it is necessary to ensure quality informal education in the area of freedom of expression, discrimination, media literacy and human rights in the digital environment.

For this reason, it is suggested to introduce a program for financing the cooperation of civil society organizations and schools in the area of Civic Education, as well as a program for financing civil society organizations for the implementation of informal educational programs on human rights, active citizenship and democratic participation for youth, children and educators who work with children and youth.

---

**ACTIVITY 3: STRENGTHENING COMPETENCES OF TEACHERS FOR QUALITY IMPLEMENTATION OF CIVIC EDUCATION AND TEACHING THE TOPIC OF HATE SPEECH**

---

**RESPONSIBLE AUTHORITY: MINISTRY OF SCIENCE AND EDUCATION, IN COOPERATION WITH CIVIL SOCIETY ORGANIZATIONS AND THE ACADEMIC COMMUNITY**

---

In order to contribute to the prevention of hate speech, it is necessary to ensure the representation of topics of freedom of expression, discrimination, media literacy and human rights in the digital environment in formal education.

In order for these topics to be adequately covered in schools, it is necessary, in accordance with ECRI recommendation<sup>15</sup>, to provide educational staff with comprehensive and consistent initial and continuous further training to acquire skills necessary for teaching human rights.

Strengthening  
the accountability  
mechanism for politicians  
regarding hate speech

---

**ACTIVITY 1: STRENGTHENING THE IMPLEMENTATION OF THE ELECTORAL CODE OF ETHICS AND THE WORK OF THE ETHICS COMMITTEE**

---

**RESPONSIBLE AUTHORITY: MINISTRY OF JUSTICE AND ADMINISTRATION**

---

In order to contribute to the prevention of hate speech in the pre-election campaigns, it is necessary to strengthen the Ethics Committee which is an occasional body not affiliated with any political party formed only for parliamentary elections and elections for the European Parliament in Croatia. The practice shows that it would be necessary to introduce the same body to other election laws – those regulating the election of the President of the Republic of Croatia and local elections.

The Electoral Code of Ethics regulates the conduct of participants in elections as well as the obligations of electronic media with national concession and commercial media regarding monitoring of electoral campaigns and treatment of candidates.

The work of the Ethics Committee so far is little known to the public. It has no permanent address, e-mail, or website. Also, the public is not aware of the ways available to citizens to contact the Committee with an inquiry or a report.

The Committee's previous reactions in the form of written warnings and announcements published on the website of the State Electoral Commission are no longer available to the public.

Due to everything stated above, we suggest introducing a legal regulation imposing an obligation to establish an Ethics Committee for each type of elections and ensure greater visibility of their decisions – by publishing them through public information services. When adopting the Electoral Code of Ethics, we also suggest consulting provisions of the new European Commission guidelines<sup>16</sup> in the context of implementation of the new Digital Services Act.<sup>17</sup>



---

**ACTIVITY 2: STRENGTHENING THE IMPLEMENTATION OF THE CODE OF CONDUCT OF STATE OFFICIALS IN EXECUTIVE BODIES AND THE CODE OF ETHICAL CONDUCT OF REPRESENTATIVES OF THE CROATIAN PARLIAMENT**

---

**RESPONSIBLE AUTHORITY: MINISTRY OF JUSTICE AND ADMINISTRATION**

---

The Code of Ethical Conduct of Representatives of the Croatian Parliament adopted in 2022 stipulates that a representative shall not call for violent behavior or, in his/her private and public activities, behave violently, disobey regulations, spread national, religious, racial hatred or intolerance based on gender and sexual orientation or in any other way violate human rights or encourage their violation. However, the Code was adopted in a format that does not provide for the possibility of reporting its violation and it does not foresee supervision, sanctions or making publicly available any activities of the competent working body. It also does not contain provisions on records of gifts received by the representatives, as well as provisions on internal consultations regarding possible conflicts of interest. It is clear that this is a purely formal document without any anti-corruption effect. The parliamentary Committee for the Constitution is responsible for its implementation, contrary to recommendations that this role shall be given to an independent body, the Commission for the Resolution of Conflicts of Interest.

We propose amending the Code of Ethical Conduct of Representatives of the Croatian Parliament in such a way that the Code allows both citizens and representatives to

report violations. The Code should prescribe consequences for non-compliance with its provisions and introduce mechanisms for supervision and for making information about all activities of the working body responsible for its implementation publicly available.

The Code of Conduct of State Officials in Executive Bodies prescribes the principles of protecting public interest and preserving citizen trust, rules of exemplary behavior and responsibility for results, as well as rational use of public resources, but it does not explicitly mention hate speech or contain a provision similar to that of the Code of Ethical Conduct of Representatives in the Croatian Parliament. The implementation of the Code is supervised by a Council consisting of two state officials from the executive branch, one senior civil servant whose service is dependent on the decision of the ruling majority, and only two independent experts as members of this preventive and advisory body.

We propose including a provision explicitly prohibiting spreading and incitement to hatred to the Code, expanding the circle of persons authorized to request the Council's opinion on compliance of certain actions of state officials with this Code, and prescribing the obligation to publish opinions on (non)compliance of certain behavior with the Code.

---

**ACTIVITY 3: STRENGTHENING THE APPLICATION OF SELF-REGULATION INSTRUMENT  
IN ACCORDANCE WITH THE COUNCIL OF EUROPE RESOLUTION**

---

**RESPONSIBLE AUTHORITY: POLITICAL PARTIES, LOCAL AND REGIONAL  
SELF-GOVERNMENT UNITS**

---

In Resolution 2275 (2019) on the role and responsibilities of political leaders in combating hate speech and intolerance<sup>18</sup>, the Parliamentary Assembly of the Council of Europe states that a wide range of measures is necessary to counter hate speech, ranging from self-regulation, particularly by political movements and parties, to statutes and rules of procedure of national and local elected bodies. The Charter of European Political Parties for a Non-Racist Society, drawn up in 1998 under the auspices of the European Union Consultative Commission on Racism and Xenophobia, provides guidance for self-regulation by political parties in this area. The charter provides for disciplinary sanctions for members of political parties, which shall be proportional and may be of financial nature, but may also include temporary exclusion from internal functions, exclusion from electoral lists, and expulsion from the party.

Accordingly, we suggest that political movements and parties adopt self-regulatory instruments, such as codes of conduct and ethical charters, which would prohibit and sanction the use of hate speech by their members. It is necessary to ensure that the statutes and rules of procedure contain special provisions against hate

speech and the use of stigmatizing language, and that they contain clear sanctions for non-compliance with their provisions as well as available mechanisms for reporting such speech, in accordance with legal regulations and human rights standards.

- 1 See more: Ombudswoman Report for 2022, March 2023, available at: <https://www.ombudsman.hr/hr/download/izvjesce-pucke-pravoraniteljice-za-2022-godinu/?wpdmml=15489&refresh=643fcc17bc7fb1681902615>, Human Rights House Zagreb, Human Rights in Croatia: Overview of 2022, available at: <https://www.kucaljudskihprava.hr/publikacije/ljudska-prava-u-hrvatskoj-pregled-stanja-za-2022-godinu/>
- 2 Zagreb Pride, Pink Megaphone, January 2023, available at: [https://zagreb-pride.net/wp-content/uploads/2023/02/Rozi\\_megafon3\\_2018-2022\\_final.pdf](https://zagreb-pride.net/wp-content/uploads/2023/02/Rozi_megafon3_2018-2022_final.pdf)
- 2 Government of the Republic of Croatia, National Plan for the Protection and Promotion of Human Rights and Combating Discrimination for the period until 2027, March 2023, available at: <https://pravamanjina.gov.hr/UserDocsImages/dokumenti/Nacionalni%20plan%20za%20ZPLJP%20razdoblje%20do%202027.pdf>
- 3 Expressions used in this Action Plan, whether expressed in the masculine or feminine gender form, refer equally to all persons.
- 4 See: Human Rights House Zagreb, Hate Speech: Analysis of International Recommendations for Croatia, December 2023, available at: <https://www.kucaljudskihprava.hr/publikacije/analiza-medunarodnih-preporuka-za-hrvat-sku-u-podrucju-suzbijanja-govora-mrznje/>
- 5 See more: <https://www.kucaljudskihprava.hr/2022/10/12/jacanje-sustava-zastite-i-osnazivanje-zajednica-za-prepoznavanje-i-suzbijanje-govora-mrznje-u-hrvatskoj-2022-2023/>
- 6 Ordinance on the Protection of Minors in Electronic Media (Official Gazette 106/2022), available at: [https://narodne-novine.nn.hr/clanci/sluzbeni/2022\\_09\\_106\\_1564.html](https://narodne-novine.nn.hr/clanci/sluzbeni/2022_09_106_1564.html)
- 7 European Commission against Racism and Intolerance of the Council of Europe, Report on Croatia, fifth monitoring cycle, adopted on 21 March 2018, available at: <https://rm.coe.int/fifth-report-on-croatia/16808b57be>
- 8 Report to the Croatian Parliament on the work of the Electronic Media Council and the Electronic Media Agency in the period from 1 January to 31 December 2022, available at: <https://www.aem.hr/wp-content/uploads/2023/06/Izvjesce-o-radu-VEM-i-AEM-Hrvatskomu-saboru-za-2022-readable.pdf>
- 9 Munivrana Vajda, M.; Šurina Marton, A., Hate Crimes in the Republic of Croatia: Some Theoretical and Practical Controversies, Croatian Annual of Criminal Sciences and Practice, Vol. 26, No. 2, 2019, p. 389-416, available at: <https://hrcak.srce.hr/file/338600>
- 10 Training details available at: <https://www.osce.org/odihr/tahcle>
- 11 Training details available at: <https://www.osce.org/odihr/pahct>
- 12 Protocol on Procedure in Cases of Hate Crime (OG 43/2021), available at: [https://narodne-novine.nn.hr/clanci/sluzbeni/full/2021\\_04\\_43\\_841.html](https://narodne-novine.nn.hr/clanci/sluzbeni/full/2021_04_43_841.html)
- 13 See more: <https://ljudskaprava.gov.hr/suzbijanje-zlocina-iz-mrznje/602>
- 14 See more: Zagreb Pride, Pink Megaphone, January 2023, available at: [https://zagreb-pride.net/wp-content/uploads/2023/02/Rozi\\_megafon3\\_2018-2022\\_final.pdf](https://zagreb-pride.net/wp-content/uploads/2023/02/Rozi_megafon3_2018-2022_final.pdf), Zagreb Pride, Analysis of Hate Speech Narratives against LGBTIQ Persons and the Community in 2023, narrative analysis, January 2024, available at:

- [https://zagreb-pride.net/wp-content/uploads/2024/01/GOVOR-MRZNJE-PRE-MA-LGBTIQ-ZAJEDNICI-ANALIZA-NARATIVA\\_V1.pdf](https://zagreb-pride.net/wp-content/uploads/2024/01/GOVOR-MRZNJE-PRE-MA-LGBTIQ-ZAJEDNICI-ANALIZA-NARATIVA_V1.pdf),  
Office of the Ombudswoman, Research "Online Hate speech and Youth", July 2019, available at: <https://www.ombudsman.hr/hr/predstavljene-rezultati-istrazivanja-govor-mrznje-na-internetu-i-mladi/>
- 15 ECRI Conclusions on the Implementation of the Recommendations in Respect of Croatia Subject to Interim Follow-Up, available at: <https://rm.coe.int/ecri-conclusions-on-the-implementation-of-the-recommendations-in-respe/1680a277b2>
- 16 See more: [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_24\\_370](https://ec.europa.eu/commission/presscorner/detail/en/ip_24_370)
- 17 REGULATION (EU) 2022/2065 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 19 October 2022 on a Single Market for Digital Services and amending Directive 2000/31/EC (Digital Services Act), available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32022R2065>
- 18 Available at: <https://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-EN.asp?fileid=27636>

**PUBLISHER:**

Human Rights House Zagreb  
Selska cesta 112 a/c, 10000 Zagreb  
[www.kucaljudskihprava.hr](http://www.kucaljudskihprava.hr)

**ON BEHALF OF THE PUBLISHER:**

Ivan Novosel

**AUTHORS:**

Martina Refi Homolak and Tina Đaković

**DESIGN AND LAYOUT:**

Radnja, Antonio Karača

Zagreb, February 2024





HUMAN  
RIGHTS  
HOUSE  
ZAGREB