

OHCHR-UNOG
Office of the High Commissioner for Human Rights
Special Rapporteur on freedom of peaceful assembly
and of association, Mr. Clément N. Voule
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Zagreb, 18 February 2022

Subject: Submission to 50th HRC session report – Access to Resources – Croatia

Dear Mr. Voule,

in relation to the call for inputs from the mandate of the Special Rapporteur on the rights to freedom of peaceful assembly and of association for his report to be presented at the 50th session of the Human Rights Council, please find below the contribution referring to access to resources for CSOs in Croatia.

The contribution was prepared by Human Rights House Zagreb¹, a human rights watchdog and advocacy organization based in Croatia and founded in 2008 as a network of civil society organizations with the goal to protect and promote human rights and fundamental freedoms through research, monitoring, public advocacy and education. Based on our experience and continuous monitoring of the environment for work of civil society organizations in Croatia, the following main observations and trends were detected.

General conditions for work of civil society in Croatia have deteriorated in the past several years due to the combination of continuing issues and additional challenges that emerged in relation to the spread of Covid-19 pandemic. **Access to adequate funding for CSOs is considerably aggravated** due to the ongoing lack of public initiatives or policies for civil society development that would foster conditions for work of civil society in Croatia. The National Strategy for the Creation of an Enabling Environment for Civil Society Development expired in 2016. The development of a new sectoral public policy on civic space has started with the aim to further improve the legal, financial and institutional support system for the activities of civil society organizations in Croatia, but it has not yet been drafted or adopted. The National Program for Protection and Promotion of Human Rights expired in 2016 and a new one has also not been

¹ Human Rights House Zagreb website: <https://www.kucaljudskihprava.hr/en/>

adopted for the fifth year resulting in **absence of policy measures for the support of civil society organizations** active in the area of protection and promotion of human rights which has a negative impact on human rights defenders and their organizations.

Various obstacles and challenges in access to resources faced by civil society organizations in Croatia have been identified through a research conducted in 2020 by Human Rights House Zagreb. The research was conducted through an online questionnaire, interviews and focus groups with CSO representatives in Croatia on the topic of funding from the state budget, the EU Programs and ESI funds. Main findings of the research are listed below:

- Access to financing for civil society organizations Croatia, including foreign sources, is important for civil society organizations that promote and protect human rights and provide services not only because they enable their existence and work, but also because supporting CSOs enables the enjoyment of human rights by those who benefit from their work. Financing of civil society organizations in Croatia is provided from public and private, domestic and foreign sources. No legislative barriers to financing CSOs from foreign sources have been identified.
- The research indicated a high level of distrust of Croatian CSOs towards domestic institutions that allocate funds from the state budget as well as European Structural and Investment (ESI) funds, as opposed to the EU programs in relation to which no similar problems were detected.
- The research identified significant administrative barriers that increase the workload of CSOs. The application process for associations' projects is often too demanding in the administrative sense. The project application phase is also problematic due to the inconsistent implementation of the indicative calendar of public calls for proposals and tenders for ESI funds and the state budget. The same is not the case when applying for projects from the European Union Programs.
- The findings also point to the overly lengthy evaluation of projects within ESIF calls for proposals. In the case of projects financed from the state budget, associations consider the evaluation process to be non-transparent as they often do not receive an evaluation nor an explanation of awarded points.
- Due to the frequently lengthy evaluation process for reports and requests for reimbursement of project funds from ESI funds, many associations encounter liquidity problems in the implementation of these projects. Additionally, the implementation of projects financed from ESI funds is characterized by significant administrative demands that negatively affect the associations' work with beneficiaries.
- The quality assessment method based on the order in which applications are received (the so-called 'fastest finger first') favors associations that submitted projects earlier instead of considering the quality of the project proposal as the basic criterion for awarding funds.

- Short-term forms of financing for projects of civil society organizations negatively affect the work of organizations engaged in long-term advocacy and watchdog activities. Due to the lack of systematic public funding, organizations that provide social services to vulnerable groups in vulnerable communities face difficulties in terms of the sustainability of their support programs. Delays in announcing and processing calls for project proposals continue to negatively affect the operational capacity of civil society organizations and the turnover of professional staff, whose continuity is crucial for the quality of work in the civil sector.
- In addition to administrative obstacles that increase their workload, the CSOs pointed out the inconsistencies in recognising the problems of local communities. Certain existing problems in society and communities have not been recognised by domestic donors and as such are not included in the existing funding programs or the new programs that are being developed. Therefore, CSOs seek alternative ways of funding in order to be able to operate in those areas. Considering that the process of creating public policies is often carried out in a non-participatory manner, the CSOs are not able to put certain social problems and needs on the agenda in order for them to be included in civil society funding programs.
- The research concludes that administrative barriers are almost always used to refer to the quality of the relationship between civil society organizations and public authorities, which CSOs often described as non-partner. The analysis showed that civil society organizations have already developed capacities and often emphasize their wish to further develop capacities to continue working on combating certain social problems and developing additional social services to citizens. Therefore, it is necessary to create a space of dialogue in which civil society and state bodies could meet and work together towards the creation of new policy solutions. Quality cooperation with state institutions on the development of new solutions and the involvement of civil society in solving social problems is a necessary tool for creating a better partnership and developing trust between these two actors.

Finally, emergency measures adopted as a response to the outbreak of the Covid-19 pandemic reflected on the work of CSOs. Due to restrictions on movement and assembly, it was impossible to carry out certain activities such as education, conferences and other events. Campaigns and other advocacy activities were more difficult to implement since the information about coronavirus dominated the media space. In April 2020, the Croatian Government did not include the civil society sector in the recovery measures when it announced mitigation measures for the consequences of Covid-19 epidemic intended for beneficiaries of EU funds and the Decision on restricting the use of funds foreseen in the state budget. This was followed by a reaction of CSOs' initiative which emphasized the need to adopt measures for protection of work of CSOs in Croatia in relation to the coronavirus epidemic. Moreover, some local administration units (such as Split and Brod-Posavina County) abolished or put on hold



financing of CSOs from the local budget which negatively affected the work of CSOs on the local level.

More information on issues covered by this submission is available on the links listed in the sources below.

If you would have any further questions and need for clarification, we remain at your disposal.

Thank you for your cooperation.

Sincerely,

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Sources:

- Human Rights House Zagreb, Human Rights in Croatia: Overview of 2020, April 2021, available at: https://www.kucaljudskihprava.hr/wp-content/uploads/2021/06/KLJP_GI2020_EN_PRIP_web.pdf
- Human Rights House Zagreb, Access to financing for civil society organizations Croatia (*Pristup financiranju za organizacije civilnog društva u Hrvatskoj*), December 2020, available at:



https://www.kucaljudskihprava.hr/wp-content/uploads/2021/03/Pristup-financiranju-za-organizacije-civilnog-drustva-u-Hrvatskoj_web.pdf

- Fundamental Rights Agency, Legal environment and space of civil society organisations in supporting fundamental rights - Country research for Croatia, September 2021, available at:

https://fra.europa.eu/sites/default/files/fra_uploads/franet_croatia_civic_space_2021.pdf

- European Commission, 2021 Rule of Law Report, Country Chapter on the rule of law situation in Croatia, July 2021, available at:

https://ec.europa.eu/info/sites/default/files/2021_rolr_country_chapter_croatia_en.pdf