

## Croatia drags feet in the fight against corruption

- more reforms still needed -

Brussels, 19.04.2011

**Transparency International (TI) is concerned with progress in the fight against corruption in Croatia and stresses the importance of ensuring the effective and irreversible implementation of anti-corruption reforms.**

As Croatia moves forward on reforms to meet the conditions of accession to the European Union, there remain a number of significant problems still to be addressed, in particular in reforming the judiciary and fighting corruption. Civil society activists warn that Croatia's reform measures must be permanent and irreversible, and supported by sufficient implementation capacities. There is concern that a clear political will to fight corruption in certain key areas is still lacking. The full and proper implementation of all reforms is essential to ensure tangible and lasting improvements for Croatian citizens and a credible enlargement process.

In mid February, a group of Croatian civil society organisations<sup>[1]</sup>, with a long-standing track record in the area of human rights protection, including Transparency International Croatia, prepared a [joint opinion](#) on the readiness of Croatia for the closing of negotiations of Chapter 23 - Judiciary and Fundamental Rights. Their findings demonstrate that more progress is needed before Chapter 23 can be effectively and irreversibly closed. In the last [interim report on Croatia](#) (2 March), the European Commission also highlighted shortcomings in reforming the judiciary and in fighting corruption and organised crime.

The EU will have the opportunity to voice these concerns today at the EU-Croatian ministerial Accession conference and the 7<sup>th</sup> meeting of the EU-Croatia Stabilisation and Association Council (Tuesday 19 April).

Key areas of concern include:

- Despite an increase in number of high profile corruption cases under investigation, there is still concern over the **selectivity of investigative and prosecutorial proceedings**, as well as chronic **lack of valid convictions and seizures of illegally obtained property**. This has raised questions over the political impartiality of the police and prosecutor's office;
- **access to information** has been severely limited by laws and implementation capacities, as well as a track-record of violations by public bodies<sup>[2]</sup>. The newly re-enacted **Freedom of Information Act** has failed to incorporate amendments that call for the establishment of an independent body responsible for monitoring and enforcement of the Act, as well as to harmonise other legislation with the Act. This has been a missed opportunity to improve the transparency and accountability of public bodies in Croatia;
- the current mechanisms for managing **conflict of interest** are still insufficiently refined. There are concerns over the power of the parliamentary majority to install their favourite candidates to the **Commission for the Prevention of Conflict of Interest**. There are further concerns over eligibility criteria, the narrow definition of interests that might bring candidates into conflict with public duties, and the omission of many other important categories of public officials and civil servants at local and regional levels;

- clientelism in the legislative process embodied in the controversial **Law on Golf Courses** <sup>[3]</sup>, **which derogates proprietary rights, favours one form of investment and increases the risk of corruption at the local government level. The government has ignored the numerous complaints and public protests on this issue by leading civil society organisations, as well as citizens and local communities;**
- **insufficient social and institutional support for the protection of witnesses, whistle-blowers, investigative journalists and human rights defenders, transparency and anticorruption activists.**

For more information, please contact Jana Mittermaier (see details below).

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<sup>[1]</sup> B.a.B.e. – Be Active Be Emancipated, ZINH - Association of Investigative Journalists of Croatia, Centre for Peace, Non-violence and Human Rights Osijek, CESI – Centre for Education, Counselling and Research, CMS – Centre for Peace Studies, Documenta – Centre for Dealing with the Past, GOLJP – Civic Committee for Human Rights, Human Rights House Zagreb, GONG, Green Action, Right to the City, Centre for LGBT Equality, SDF – Serbian Democratic Forum and Transparency International Croatia.

<sup>[2]</sup> According to the latest report on the implementation of the Freedom of Information Act, submitted by the Data Protection Agency, only 22% of public bodies fulfilled their obligation to submit their report on the Freedom of Information Act to the Data Protection Agency.

<sup>[3]</sup> The Law on Golf Courses, which was marginally approved in the Croatian Parliament in December 2008, allows for the forced expropriation of land for golf courses without appeal. This law opens up corruptive potential for the underhand transfer of agricultural land to construction land, and expropriates private property for the private interest.