

REFORMS WITHOUT PROTECTION: THE SHRINKING SPACE FOR JOURNALISM IN CROATIA

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Media Freedom Rapid Response mission to Croatia at the Ministry of Culture and Media of the Republic of Croatia.
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INTRODUCTION

The Media Freedom Rapid Response (MFRR) advocacy mission to Croatia took place from 19 to 21 May. It aimed to assess the progress on the [recommendations](#) put forward since the September 2024 online mission, as well as to identify potential new areas of interest. The mission comprised seven representatives from six MFRR consortium members. The participants engaged with journalists, publishers, and media freedom organisations, with a particular focus on discussions with decision-makers.

Over two days, the mission representatives met with key players from the institutional landscape to evaluate the status and responses to the concerns raised by journalists. More specifically, the mission representatives spoke to seven journalists from various types of media (small, investigative, private media, and public broadcaster); the Minister of Culture and Media, three other officials from this Ministry, representatives of the Ministry of Justice, and the Ministry of Internal Affairs; two representatives of publishers; the head of the public broadcaster HRT; the Agency for Electronic Media; the Ombuds-office; the High Court of Croatia; representatives of the Parliamentary Committee on Information and Media; the Focal Point for the Council of Europe's Safety of Journalists Platform; and representatives of the European institutions in Croatia. The mission representatives also engaged with the Croatian Journalists Association (HND) and the Croatian Journalists Union, as members of EFJ.

The primary observation from the advocacy mission indicates a disparity in perceptions between government representatives and journalists on the ground.

Nearly a year into its term, Croatia's governing coalition, comprising the long-ruling HDZ and the nationalist Homeland Movement (HM), is displaying signs of increasing pressure on media and journalists. A key HM demand during coalition discussions was the closure of Novosti, a publicly funded Serb minority newspaper known for its independent and critical journalism. In April, HM celebrated a one-third reduction in Novosti's subsidies, which is widely perceived as a direct assault on press freedom.

Meanwhile, leading broadcaster N1 experienced significant cuts to its newsroom after owner United Group slashed its budget early in the year. Although the reasons remain unclear, the action is considered advantageous to the government. Most private and independent outlets are also enduring financial crises, becoming increasingly reliant on public funds, which jeopardises their editorial independence.

The government points to measures aimed at addressing the crisis of SLAPPs in the country, improving media transparency and guaranteeing the safety of journalists, many of which are commendable. However, modest progress in certain areas cannot conceal that the government presides over a system of media capture, which controls the public broadcaster, and where the misuse of state advertising, particularly in local media, fosters a culture of media subservience. Nor can it conceal the anti-media rhetoric from governing politicians, which cultivates a climate of intimidation for independent journalists.

The mission representatives noted these developments, acknowledging that the efforts made by the government of Croatia to protect media freedom in the country are insufficient. The main conclusion is that there is a delay in implementing the European Media Freedom Act (EMFA) by the August 8 deadline, with no clear timeline for a potential working group involving all relevant media stakeholders. The precarious position of journalists remains a major concern, with no substantial changes regarding legal protection and working conditions, as well as inconsistent application of security protocols. While the transparency database is a positive step towards enhancing media ownership transparency, media capture, mainly through the misuse of state advertising, remains a significant issue.

SYSTEMIC SUPPRESSION OF JOURNALISTS: EXAMPLES OF CONTINUED CHALLENGES

From January 1, 2024, to May 26, 2025, Mapping Media Freedom (MapMF) has recorded 31 alerts involving 39 journalists and media workers in Croatia. Approximately 67% of incidents involved verbal attacks, including around 41% of intimidation cases. Three incidents were linked to election coverage, and five to environmental reporting. The latest example occurred just before the mission took place, on May 10, 2025, when a Nova TV reporter and a crew member were attacked while covering the environmental degradation along the Una River.

Strategic lawsuits against public participation (SLAPPs) remain a systemic threat. While the government is currently drafting legislation to implement the EU Anti-SL

APP Directive, journalists continue to face legal harassment and defamation cases initiated by politicians, public officials, businesses, and even judges. Journalists stressed that reporting critically on the judiciary almost guarantees retaliatory lawsuits, reinforcing a climate of fear.

Since the report was published in February 2025, until the date of the mission, MFRR registered further pressures against media critical of politicians in the country. In a move designated by the mission as indirect censorship, the Serb-minority media Novosti has lost 35 per cent of its funding by the Croatian public body Council for National Minorities as part of the Programme for Cultural Autonomy of Minorities. The President of the Council for National Minorities said the reason for the cuts was Novosti’s “previous influence on political developments in the Republic of Croatia,” despite the Council’s budget being “strictly” allocated to the weekly for informative content on “cultural autonomy.” The decision came in light of a ruling coalition member, the far-right Homeland Movement, election manifesto pledging to defund the magazine over its writing about the state.

When asked about the funding cut, Minister Obuljen-Koržinek stated that the body in question operates independently, with a mandate to support cultural activities of minority associations. She claimed that the funding criteria had been reviewed by her and asserted that the decision was made within the body's authority, denying any connection to statements made by the ruling coalition partner. However, the fact that the cuts target the critical journalism segment of Novosti, and that the decision was made in the lead-up to local elections, raises serious concerns about the independence of this decision. The resulting impact on Novosti's editorial work highlights the potentially severe consequences for this important media outlet.

Altogether, this reflects a troubling escalation of pressure on public interest journalism in Croatia as a trend that appears to be intensifying. This example is telling of the silent efforts to capture media reporting in the country, through indirect pressures and financial blackmail.

IMPLEMENTATION OF EMFA AND MEDIA TRANSPARENCY

The Ministry of Culture has yet to start a consultation process for the implementation of the European Media Freedom Act (EMFA), despite the 8 August 2025 deadline. The Ministry was not able to confirm the timeline, with the Minister stating that there will be a working group involving media stakeholders. Nevertheless, concerns remained about the efficiency and quality of the process, and how genuine the commitment to involving representative journalists’ organisations and media representatives is.

Proper implementation of EMFA remains crucial to address media capture, which in Croatia is yet to be appropriately tackled.

Media ownership

MFRR welcomes the **media ownership database** as an important tool for ensuring transparency of ownership, monitoring the distribution of state advertising and protecting media pluralism. We recommend that the database expands its coverage to include information on companies in the same business grouping as the media.

The **public broadcaster**, Croatian Radio and Television (HRT), is seen as being under the close influence of the government and the ruling party, Croatian Democratic Union (HDZ) in particular. HRT has faced numerous [scandals](#) in recent years, and critical journalists have left in their droves as they are sidelined and disciplined for their efforts to apply professional journalist standards to their work. The news programmes in particular exhibit routine government bias, and the remaining independent journalists fear forced redundancy in the future restructuring.

MFRR also warns that with the expansion of the mandate of the CEM, beyond broadcast media must be clearly restricted to monitoring ownership and state funding. The CEM should have no role in regulating the content of media beyond its current function related to broadcast media.

Transparency of funding

[Several studies](#) have revealed extensive **misuse of public funds** by state bodies to influence media content as well as the over dependence of local media on public funds. The lack of transparency of distribution makes critical media particularly vulnerable to the arbitrary withdrawal of state advertising in response to their editorial policy. MFRR welcomed the acknowledgement by the Minister of Culture that the over-dependence of media, particularly local media, on government funds was a serious problem leading to the **political capture** of much of Croatia’s local news outlets.

Croatia already has rules for the transparency of state advertising, though, according to the CEM, they are difficult to enforce as there are no consequences for state bodies that ignore the rules. There also needs to be stronger rules on the fair and non-discriminatory distribution of state advertising.

Copyright and funding

Publishers warned MFRR of an accelerating **decline in advertising revenue** that, in turn, is accelerating their economic decline. Meanwhile, negotiations with the platforms under the copyright directive appear to be stalled as the economic power of the platforms leaves the Croatian media with little power to negotiate.

Media need a stronger negotiation position and support to secure a fair deal for compensation for use of journalistic content under the copyright directive as well as strong regulation to ensure compensation for use of content by generative AI models.

ADDRESSING LEGAL CHALLENGES FOR JOURNALISTS

The Croatian government has taken positive steps towards the implementation of the EU **anti-SLAPP** Directive, and we welcome the decision to apply the protections not only for cross-border cases but also domestic SLAPP cases. However, it is unclear if more comprehensive protections and indicators of SLAPP cases provided for in the Council of Europe anti-SLAPP Recommendation will be integrated into the relevant legislation.

The transposition of the European anti-SLAPP standards should be seen as an opportunity for a comprehensive reform of defamation law and policy. The scale of the vexatious litigation challenge in Croatia demands that the authorities go further than the transposition of minimal defences that are required by the EU anti-SLAPP Directive. Key protections in domestic lawsuits must be developed in law and practice: early dismissal mechanisms, strong expediency requirements, victim compensation and other remedies, and penalties for abusive claimants. This should be supplemented with training and capacity building on SLAPPs for judges, prosecutors, and other relevant actors.

Worryingly, despite international standards, **penalisation of insult and criminal defamation** remains on the books and is actively used. Criminal defamation laws are outdated, unnecessary, and disproportionately harsh, especially given alternative remedies such as retractions, apologies, or corrections. The issue is further compounded by 'double prosecution', where journalists and their editors face both criminal defamation charges and civil defamation suits from the same plaintiff.

A reform of civil defamation law, with the implementation of anti-SLAPP protections, should go hand in hand with the decriminalisation of defamation and insult. The broad definition of defamation in penal law, punishable by fines and harsher penalties when spread via media, without effective defences of reasonable publication or public interest, creates a significant chilling effect on journalism and free expression. Notably, some of the government officials have stated that they have initiated criminal defamation and insult cases themselves.

The recently adopted **Article 307a** of the Criminal Code, which **criminalises unauthorised disclosure of information about criminal investigations**, remains in force. This provision is liable to discourage whistleblowers from engaging with journalists on investigations that present great public interest, such as corruption cases and cases involving politicians and other high-profile figures. Despite the concerns raised by the Croatian Ombudsperson about the incompatibility of the adopted provision with international human rights standards, we were not able to confirm any commitment of the government to repeal this restrictive legislation.

SAFETY OF JOURNALISTS: ANALYSING RESPONSES

The safety of journalists in Croatia remains of concern. Journalists reporting on corruption, environmental issues, or government functioning are vulnerable to harassment, physical attacks, and online violence. Journalists reporting at the local level are particularly vulnerable to safety risks. Despite formal protections, systemic gaps persist in the consistent application of protection measures, law enforcement training, and victim confidentiality.

Application of Protocol to ensure the Safety of Journalists

Amid frequent threats to journalists, recent governmental initiatives have sought to address safety concerns. The Ministry of the Interior, the HND, and SNH signed a Cooperation Agreement, complemented by two protocols, aimed at enhancing journalist safety. While these are a positive step forward for the safety of journalists, the mission revealed particular concerns when it comes to the application of the Protocol: 'Actions of the Police upon Learning about Criminal Offenses against Journalists and Media Workers', which provides a framework for thorough investigations and prompt action in response to threats or attacks.

We found that this Protocol is not applied consistently in all attacks against journalists. Local journalists report that many police officers, especially outside urban centres, are unaware of the protocol's existence, let alone trained to implement it. Furthermore, some journalists expressed that critical reporting on politically sensitive topics or individuals may lead to their cases not being considered under the Protocol. While there is no formal evidence of political interference, the inconsistent application risks reinforcing the perception that protection is uneven or selectively enforced.

As an example, the Protocol was activated, though with a delay, in a May 2025 incident, when [Nova TV's](#) investigative program *Provjereno* was verbally and physically assaulted while reporting on long-term environmental degradation along the Una River. However, the Protocol was not activated in the case of [Melita Vrsaljko](#), the Faktograf journalist attacked twice in July 2024. The second attack, a break-in at her home, was dismissed in our conversation with the Ministry of Culture and Media, the Ministry of Justice, and the Ministry of Interior as 1) it did not occur during journalistic activity — even though the attack followed reporting on environmental issues and clear targeting of her work; and 2) it did not constitute a criminal offense, even though she was strangled and shared videos showed clear signs of physical violence. The Ministers based this evaluation on the assessment conducted by the police force, followed by a prosecutor's review.

This operational mechanism lacks transparency and does not foresee any level of independent scrutiny or accountability of the decisions taken by the law enforcement officers.

To restore confidence in the protocol, it is vital to ensure that its application is based solely and consistently on transparent criteria on the nature and severity of the threat, not the profile or position of the journalist involved.

Concerns for reporting threats and attacks

A critical concern raised by journalists in Croatia is the disclosure of their personal information - home addresses, personal identification numbers, and full names - when they file police reports about threats or attacks. Under current procedures, this information is shared automatically with the alleged perpetrator, except in narrowly defined cases such as domestic violence involving women or children.

While authorities have described this as a procedural norm rather than an intentional threat, its consequences for journalists and any member of the public reporting (or witness to) a violent incident are serious and immediate. When journalists are already under threat, the exposure of their home address increases their

vulnerability and can lead to more serious attacks or the targeting of their family members. Most worryingly, we heard directly from journalists that they no longer report threats or harassment to police due to fear that their address will be shared with those threatening them. During the meeting, representatives from the government acknowledged the potential risks stemming from this procedural norm, which is now expected to be reviewed in a manner that will not represent additional risk to journalists filing police reports.

Training of law enforcement

The Croatian government has taken some initial steps to improve the response of law enforcement and judicial actors to threats against journalists. In 2024, the Ministry of Interior began conducting awareness-raising visits to media outlets in Croatia to train them on the Protocols for the safety of journalists. However, the selection criteria for these visits remain unclear, and it is difficult to say if some newsrooms will be excluded from this initiative, raising concerns about its efficacy. Authorities also acknowledged the need to focus on training police officers on the safety Protocols and confirmed that further training will continue throughout the year. However, feedback from journalists on the ground and the inconsistent application of the Protocols underscores that these efforts are currently insufficient in scope and reach.

Furthermore, prosecutors and judges, especially in smaller towns and lower courts, often lack specialised training or understanding of media freedom principles, including the role of journalists as public watchdogs. This leads to inconsistent interpretations of whether threats are linked to journalistic work and, at times, a failure to classify serious incidents as criminal offences.

Implementation of measures to protect sources

The delegation asked about the implementation of the protective measures contained in Article 4 of the European Media Freedom Act. Neither the representatives of the ministries nor the members of the parliamentary committee were able to provide any useful indications as to how the institutions intend to act on this point. The EU Representation emphasised the importance of certain regulatory steps that are particularly helpful in making the protections provided for in Article 4 effective. In particular, those related to the right of access, for journalists subject to surveillance measures, to their personal data processed in the execution of such measures, as well as the duty of states to guarantee access to an effective judicial remedy in the case of journalists who consider their rights regarding the confidentiality of sources and communications violated.

WORKING CONDITIONS

The journalistic profession is particularly poorly protected in Croatia. According to the latest edition of the [Media Pluralism Monitor](#), Croatia and Turkey are the only two countries, among the 35 states studied, that present a high-risk situation regarding the protection of journalists and the standards in place to protect them (69% risk in Turkey, 68% in Croatia).

This finding is based on Croatia's very poor performance in combating abusive legal proceedings, mainly based on alleged defamation cases. But Croatia's poor ranking is also explained by the inability of public authorities to improve the working conditions of journalists, particularly freelancers. In the media sector, in Croatia, collective agreements are virtually non-existent, as is social dialogue between journalists' organisations and media employers.

The constant deterioration of the working conditions of Croatian journalists, in an increasingly hostile environment, is a threat to the right of citizens to access reliable, pluralist and independent information. Faced with the democratic risk posed by the growing insecurity of journalists and media workers, public authorities must take urgent protective measures to guarantee the collective right of access to information.

The MFRR calls on the Croatian Government to promote social dialogue and collective bargaining in the media sector through the transposition of the EU Directive on adequate minimum wages. Croatia, which has not met the Directive target of 80% of workers covered by collective agreements, is among the countries required to develop national action plans to promote collective bargaining. The Croatian authorities have a responsibility to seize this opportunity to activate social dialogue in the media sector.

RECOMMENDATIONS

On the implementation of EMFA and media transparency:

- The Ministry of Culture should develop a **clear timeline and plan for consultations** with broad media and civil society groups to ensure the Croatian legislation and practice comes fully in line with EMFA.
- The **deadline for the implementation should be respected**, but the process should not be rushed and there should be high-quality dialogues resulting in the best adaptation of the law in the local context.
- The adequate implementation of EMFA is crucial to **guarantee the editorial independence of HRT** and to improve the integrity of the appointment process for members of the supervisory bodies to the public media. Recommended measures include:
 - Consider introducing a super majority (preferably two thirds) for the shortlisting of candidates for the supervisory board of HRT by the parliamentary committee on information and media, and a further super majority for the parliamentary vote.
 - Improve transparency over the selection process, strengthen criteria for experience and qualifications of candidates and conflict of interest rules for candidates.
 - Strengthen the role of the HRT Programme Council, with a power to recommend candidates for the PBS Director.
 - Develop a clear strategic plan for the future of public broadcasting including ensuring secure and sufficient funding for HRT to perform its public service mandate free of political interference.
- Since EMFA also requires the **independence of the media regulator**, similar measures for ensuring a rigorous appointments process that is free of political interference proposed for the public media supervisory bodies should equally apply to the media regulator. This includes a super majority for the parliamentary vote and stronger rules on transparency, experience and ability and conflict of interest
- We recommend the **media ownership database** expands its coverage to include information on companies in the same business grouping as the media.
- Editors must be **free to implement the editorial policy** of the media without external interference. Economic barriers or threats of misuse of state funds to coerce a media to alter its editorial line or punish critical media constitute an interference in editorial independence.
- To increase the transparency of state advertising MFRR recommends the government to:
 - Ensure rules on the fair distribution and transparency of state advertising rules are applied to all government bodies regardless of population size.
 - Strengthen rules to ensure all state bodies and companies fulfill their legal obligations to report on its use of state advertising.
 - Expand the monitoring of public funds to include all public contracts received by sister companies within the same business grouping as a media company
- Finally, MFRR calls on the government to **support efforts** by the European Union to regulate digital platforms and big tech **to rebalance the market for news media** to end market abusive practices in the advertising sector and that ensures a fair distribution of advertising revenue as well as compensation for use of media content by platforms and AI.

On legal pressures:

- The Ministry of Culture, the Ministry of Justice, and other relevant institutions should ensure a **comprehensive reform of defamation legislation**, with an effective transposition and implementation of both the EU Anti-SLAPP Directive and the Council of Europe Recommendation on SLAPPs, while respecting the principles of transparency and inclusion. The government should also make use of Council of Europe expertise during the drafting process.
- Judges, prosecutors, lawyers, police officers, civil society representatives, and journalists **should be trained to recognize and dismiss SLAPPs**, or be equipped with legal arguments based on European standards to advocate for their clients' rights and have SLAPPs thrown out. It is recommended that relevant training

institutions make use of the Council of Europe's training programme on countering the use of SLAPPs, which offers the most comprehensive training curriculum available on the topic.

- The government must **immediately and definitively decriminalise defamation** (Article 149) and insult (Article 147) of the Criminal Code. These provisions are unnecessary and disproportionate and violate the right to freedom of expression. Additionally, the government must discontinue all ongoing criminal cases based on these laws.
- The government must also **repeal Article 307a of the Criminal Code**, which imposes disproportionate restrictions on disclosure of information about criminal investigations. All cases brought up on the basis of this provision must be discontinued.

On journalists' safety:

- Ensure that the **protocol for criminal offences against journalists** is applied equally across all media outlets and geographic regions, with clear and transparent criteria for when and how it is triggered, impartial judicial oversight, and open access reporting on decisions made
- Ensure **comprehensive and mandatory training for all police officers and prosecutors** on how and when to apply the journalist safety protocol, in addition to an all-inclusive collaborative program that fosters the flourishing of a culture of the role and value of journalism among law enforcement agencies.
- Urgently amend police reporting procedures to allow **organisational rather than individual reporting of threats** and to protect journalists' personal data - particularly their home address - from being shared with alleged perpetrators.
- Media outlets should be **encouraged to develop internal safety policies** in cooperation with unions and civil society.
- Implement article 4 of the EMFA so as to ensure **strict protection of journalistic sources and communications**, transparent and full access for journalists to the processing of their personal data, and easy and effective judicial remedy for journalists whose rights have been violated.

On working conditions:

- Croatia should **promote social dialogue and collective bargaining** in the media sector through the transposition of the EU Directive on adequate minimum wages, by meeting the Directive target of 80% of workers covered by collective agreements.
- Specific actions are required from Croatian public authorities with regard to freelancers. Croatian institutions should ensure that the right to collective bargaining is fully **respected for self-employed workers and freelancers** too, as provided for in the "EU Guidelines on the application of Union competition law to collective agreements regarding the working conditions of solo self-employed persons. It's time for Croatia to set minimum fees to put an end to the exploitation of freelancers.
- Finally, Croatian policymakers must recognise that journalists are workers who, by the nature of their work, are highly exposed to stress, burnout, online harassment and digital overload. Precariousness, long working hours, deadlines, and work-life imbalance have a direct impact on their health. The MFRR calls on the Croatian government to **improve Croatian health and safety regulation** through a specific legislation on the prevention of psychosocial risks at work.





**MEDIA FREEDOM
RAPID RESPONSE**