



WESTERN BALKANS ASSEMBLY MONITOR PROJECT



FREEDOM OF ASSEMBLY IN CROATIA



institut alternativa



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EXECUTIVE SUMMARY

Freedom of assembly in Croatia is recognized as human right to every person according to the Constitution of Republic of Croatia. However, the right to freedom of assembly is contested and not absolute, therefore subject to a number of restrictions and challenges both for the participants and organizers of public assemblies on one hand, but also for the authorities on the other hand.

The Croatian legislative framework regarding the freedom of assembly beginning with the Public Assemblies Act (PAA) adopted in 1999 and amended several times subsequently is relatively well developed, although there is space for improvements in regard of establishing a legislative framework which would protect and promote the freedom of exercising the right to assembly. The Constitutional Court adopted several decisions important for the development of the right to freedom of assembly. In 2011 it adopted decision declaring unconstitutional the ban of peaceful assemblies and public protests on St. Mark's Square introduced in 2006.

Primarily, improvements should be done in the better normative development of the principle of proportionality in the provisions of the PAA, the role of the stewards and regulation of spontaneous assemblies. The study shows that the Ministry of the Interior has the most important role for enabling the Freedom of Assembly. Institutions and policy are considering assemblies as security issue rather than human rights issue and the research shows that the role of the institutions in promotion and protection of the constitutional right to freedom of assembly should be enhanced.

The period between 2014 and 2015 which is subject of this study was marked with numerous assemblies that resonated in the public sphere. The protest that marked that period is the tent protest in front of the Ministry of Veterans. That protest challenged the relevant legislative and institutional framework raising the issues of spontaneous assemblies, counter-assemblies, notification of assemblies, threat of use of violence etc. In Croatian context hate speech at assemblies is assessed as particularly important issue and further analyzed. Policing of assemblies, the role of the local authority in the exercise of the freedom of assembly and liability of organizers of assemblies and law enforcement were selected as particularly important for the freedom of assembly in Croatia and separate recommendations were developed for those issues.

The research provides recommendation on how to advance the protection of freedom of assembly. We also recommend changes to the legal framework so as the legal framework is more aligned with the international standards. Finally, particular set of recommendations are dedicated to the Civil Society Organizations as an important factor in the organizing of the assemblies, but also important for the development of the legislative and policy framework, where further capacities should be invested in monitoring of assemblies and creating guidelines for unhindered exercise of the right to Freedom of Assembly.

INTRODUCTION

This study was conducted as part of the regional project 'The Western Balkans Assembly Monitor' managed by the European Center for Not-for-Profit Law (ECNL), whose goal was to increase the understanding of how the right to freedom of (peaceful) assembly is applied and how it can be protected. The objective of the project is to design and pilot a research methodology for monitoring the legal developments and practical application of FOA in five countries of the Western Balkans. The Western Balkans Assembly Monitor project is made possible by the International Center for Not-for-Profit Law through the Civic Space Initiative, implemented in partnership with ARTICLE 19, CIVICUS: World Alliance for Citizen Participation, and the World Movement for Democracy.

The qualitative cross-country research was conducted in five countries: Bosnia and Herzegovina, Croatia, Macedonia, Montenegro and Serbia. The project was implemented in the period between October 2015 and June 2016 by Reactor - Research in Action (MKD), Civil Rights Defenders (BiH), Human Rights House Zagreb (CRO), Institute Alternative (MNE) and YUCOM - Lawyers' Committee for Human Rights (SRB), under the overall coordination of ECNL.

For the purpose of the project and the studies, the right to freedom of assembly is defined as *"the intentional and temporary presence of a number of individuals in a public place for a common expressive purpose."*¹ International legal instruments² recognize that only peaceful assemblies are protected and in this respect *"an assembly should be deemed peaceful if its organizers have professed peaceful intentions and the conduct of the assembly is non-violent. The term "peaceful" should be interpreted to include conduct that may annoy or give offense, and even conduct that temporarily hinders, impedes or obstructs the activities of third parties."*³ Additionally, it should be noted that for the purpose of the research *"all types of peaceful assembly – both static and moving assemblies, as well as those that take place on publicly or privately owned premises or in enclosed structures – deserve protection"*⁴ and were targeted with the research. Finally, the research methodology also covered spontaneous and counter-assemblies.

The aim of the research was to establish the main challenges in the implementation of the national legislation on public assemblies and the exercise of this right. Its main objectives were to assess the level of compliance of the national legislation with the relevant international standards in the field, to map the institutions responsible for implementation, to identify the main challenges for the effective exercise of the right and finally, to identify and examine at least two specific issues that arise from the implementation of the legislation and the exercise of the right in the country. As a final result, the studies provide a set of recommendations for the relevant stakeholders on how to advance the protection of the freedom of assembly in each country and how to provide an enabling environment that allows citizens to freely exercise this right.

The research methodology for monitoring and reporting how freedom of peaceful assembly is exercised and implemented in the targeted countries is based on the OSCE/ODIHR & Venice Commission Guidelines on

¹ OSCE/ODHR & Venice Commission, Guidelines on Freedom of Peaceful Assembly Second Edition, 2010, available at <http://www.osce.org/odihr/73405?download=true>

² Article 20(1), Universal Declaration of Human Rights and Article 21, International Covenant on Civil and Political Rights.

³ Article 20(1), Universal Declaration of Human Rights and Article 21, International Covenant on Civil and Political Rights.

⁴ OSCE/ODIHR & Venice Commission, Guidelines on Freedom of Peaceful Assembly Second Edition, 2010.

Freedom of Peaceful Assembly⁵, the UN Human Rights Council Resolution 25/38⁶ as well as the UN SR Joint report on the proper management of assemblies.⁷ Based on these guidelines, the data for the qualitative analysis was gathered through desk research, Freedom of Access to Information requests and fieldwork, which included semi-structured interviews with relevant stakeholders and observations of protests that happened during the time the project was carried out. The conclusions and recommendations from the study are based on the findings from the data gathering phase and were later validated with selected participants in the research.

This study is structured in three parts, followed by conclusions and recommendations and a detailed annex that provides a description of the methodology. In the first part we provide an overview of the national legal and institutional framework and consider its role in protecting and enabling the right to freedom of assembly. The second part looks at the assemblies we chose to analyze for this study and presents the main challenges that were identified in the analysis. In the third part we take a closer look at the three main country specific challenges that were identified for Croatia- policing liability and the role of the local authorities in the exercise of freedom of assembly. Finally, we provide a summary of the key findings and offer recommendations for improving the implementation of freedom of assembly legislation in the country.

⁵ Ibid

⁶ United Nations (2014). Human Rights Council resolution 25/38. Available at <http://www.ohchr.org/Documents/Issues/Executions/A-HRC-RES-25-38.pdf>

⁷ United Nations (2016). Joint report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on extrajudicial, summary or arbitrary executions on the proper management of assemblies. Available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/018/13/PDF/G1601813.pdf?OpenElement>

LEGISLATIVE AND INSTITUTIONAL FRAMEWORK

LEGISLATION

The **Croatian Constitution**⁸ guarantees “the right to public assembly and peaceful protest, in compliance with law” to everyone as stated under Article 42 which is part of the Chapter dealing with personal and political rights and liberties. The right to public assembly and peaceful protest is further elaborated in the Public Assemblies Act which is classified as an “organic law” under the Constitution, while qualified majority is required for the adoption of an act which regulates the freedom of assembly (FOA).⁹

The first Public Assemblies Act was adopted by the Croatian Parliament on 10 April 1992¹⁰. It was replaced with the new Public Assemblies Act (further PAA) on 12 November 1999, which was amended and changed several times.¹¹ The PAA regulates different forms of assemblies, obligations and mandate of the law enforcement agencies, rights and duties of the assemblies’ organizers, procedures for notification and bans of assemblies, as well as sanctions for violations of the PAA provisions.

However, the freedom of assembly is also regulated with other legislative acts. The Criminal Code stipulates the “violation of the right to assembly and protest”¹² as a criminal offence in the Chapter dealing with human rights and fundamental freedoms. Therefore, restrictions or prohibitions of a legally organized public assembly or a peaceful protest may be punished with imprisonment not exceeding one year. The same sanction is provided for those who are using force, serious treat or other means in order to disrupt, prevent or significantly disturb a legally organized public assembly or a peaceful protest.¹³ However, the Public Attorney Reports for 2014 and 2015 stress the small number of criminal proceedings that are lead under the Chapter dealing with human rights and fundamental freedoms, note that there were no criminal proceedings regarding freedom of assembly.¹⁴

Legislation important for the freedom of public assembly, which will be further mentioned and analyzed in different contexts regarding the FOA are: the Prevention of Violence on Sport Events Act¹⁵ (further PVSEA, regulating assemblies at sport events as specific forms of assembly), the Police Treatment Act¹⁶ (policing), the

⁸ In vernacular *Ustav Republike Hrvatske*, Official Journal 56/90, 135/97, 8/98, 113/00, 124/00, 28/01, 41/01, 55/01, 76/10, 85/10, 05/14.

⁹ Article 83 of the Constitution proscribes that “organic law” regulating human rights requires qualified majority, i.e. majority of all the members of the Parliament, and not a regular majority of all the present MPs. The Constitutional Court ruled that PAA is an organic law elaborating the right to public assembly and peaceful protest.

¹⁰ Public Assemblies Act, in vernacular *Zakon o javnom okupljanju*, Official Journal 22/92.

¹¹ Novelties from July 2005 related to the regime of assemblies at the St. Marks’ Square, which practically restricted peaceful assembly and public protest at the St. Marks’ Square. After the Constitutional Court in November 2005 declared the Novelties invalid, the Croatian Parliament adopted identical bill in December 2005, and introduced the prohibition of peaceful assembly at the St. Marks’ Square. Later, in 2011 the Constitutional Court ruled on constitutionality of the substance of provisions prohibiting peaceful assembly on St. Marks’ Square and abolished them requiring the Parliament to adjust the PAA which was done with the changes from 2012, published in Official Journal 78/12.

¹² Article 128, Criminal Code, in vernacular *Kazneni zakon*, Official Journal 125/11, 144/12, 56/15, 61/15.

¹³ Ibid.

¹⁴ Državno odvjetništvo Republike Hrvatske, Izvješće Državnog odvjetništva Republike Hrvatske za 2015. godinu, Zagreb, 2016, Available at <http://www.dorh.hr/fgs.axd?id=2282>, (accessed 10/5/2016), Državno odvjetništvo Republike Hrvatske, Izvješće Državnog odvjetništva Republike Hrvatske za 2014. godinu, Zagreb, 2015, Available at <http://www.dorh.hr/fgs.axd?id=1876> (accessed 10/5/2016)

¹⁵ In vernacular *Zakon o sprječavanju nereda na športskim natjecanjima*, Official Journal 117/03, 71/06, 43/09, 34/11.

¹⁶ In vernacular *Zakon o policijskim poslovima i ovlastima*, Official Journal 76/09, 92/14.

Act on the Legal Status of the Religious Communities¹⁷ (religious ceremony as a specific form of assembly), Labor Act¹⁸ (strike as a specific form of assembly), Referendum and Other Forms of Participation Act¹⁹ (collecting signatures as a specific form of assembly).

DEFINITION

Under the PAA, public assemblies may refer to a peaceful assembly and public protest, public manifestations with commercial character and “other forms of assembly”. Different requirements are applied to each of the category. For the purpose of this research a definition of an assembly is “*intentional and temporary presence of a number of individuals in a public place for a common expressive purpose*”.²⁰ Public manifestations of a commercial character will not be a subject of interest, although they will be referred to in a comparative perspective as well.

Peaceful assembly and public protest are defined as “an organized assembly (gathering) of more than 20 persons which is held for the purpose of public expression and promotion of political, social and national beliefs and aims”²¹. Provisions of PAA are ambiguous on assemblies which are peaceful but not under PAA, eg. peaceful protests with under 20 persons. PAA foresees “individual protest” where notification is not required, but it is not clear whether “individual protest” is considered to be a peaceful protest and a public assembly with under 20 participants. OSCE guidelines provide that, “[a]n assembly, by definition, requires the presence of at least two persons. Nonetheless, an individual protester exercising his or her right to freedom of expression, where the protester’s physical presence is an integral part of that expression, should also be afforded the same protections as those who gather together as part of an assembly.”²² The organizers²³ often decide to organize an assembly of less than 20 persons when it is necessary to react fast to a certain issue or for other reasons having in mind the provisions of PAA.²⁴

Definition of “other forms of assembly”, in PAA, includes “assemblies which have the purpose of pursuing economical, religious, cultural, humanitarian, sport, entertainment and other interests”.²⁵ Peaceful assembly

¹⁷ In vernacular *Zakon o pravnom položaju vjerskih zajednica*, Official Journal 83/02, 73/13, The Act on the Legal Status of the Religious Communities (further ALSRC) regulates the religious ceremony as a specific form of public assembly. The PAA includes the religious assemblies in the category of other forms of assembly where the notification is needed in exceptional cases, while the ALSRC proscribes “informing” the local police administration on the place and time at least 48 hours before the start of a ceremony taking place in an open air, which is not a religious object or a graveyard.

¹⁸ In vernacular *Zakon o radu*, Official Journal 93/14.

¹⁹ In vernacular *Zakon o referendumu i drugim oblicima osobnog sudjelovanja u obavljanju državne vlasti i lokalne i područne (regionalne) samouprave*, Official Journal 33/96, 92/01, 44/06, 58/06, 69/07, 38/09

²⁰ Ibid. 1.

²¹ Article 4 para. 1, PAA

²² Ibid. 19

²³ Interview with Representative of Civil Society, April, 2016.

²⁴ The issue of application of the Misdemeanor Act versus PAA during the peaceful assemblies, was particularly important during the Protest in Varšavska Street which happened in 2010, before the period which is subject of this research, with relevant case law adopted by the Constitutional Court. Namely, violation of public order and peace is regarded differently during “notified, legal and peaceful protest”. (Ustavni sud Republike Hrvatske, U-III-3846/2012) The fact that the protest was “notified” for the Constitutional Court meant that protection of the assembly and the applied standards are different, while the standards still remain ambiguous in the case of an “un-notified” assembly, with no obligation to be so.

²⁵ As for the purpose of this research, the definition of assembly from the OSCE/ODIHR and Venice Commission Guidelines on Freedom of Peaceful Assembly will be used, according to which assembly is “the intentional and temporary presence of a number of individuals in a public place for a common expressive purpose”. However, “other forms of assembly” as defined in PAA, as well as

and public protest, and other forms of assembly are distinguished by the purpose and the obligation for notification which will be further discussed in the following section. Strict interpretation of the provisions of PAA regarding other forms of assembly can lead to conclusion that in cases of “other forms of assembly”, it is not necessary to organize it, unlike peaceful assembly and public protest.²⁶ Within the provisions on “other forms of assembly”, principles of proportionality and necessity are better normatively constructed than in the part regulating peaceful assembly and public protests, which leads to the conclusion that better application of principle of proportionality is possible.

The PAA is continuously using the term “peaceful assembly and public protest” (*mirno okupljanje i javni prosvjed*) to describe peaceful assembly, while the Constitution refers to “public assembly and peaceful protest”. Use of different terminology is noticed in different legislative acts and other official documents.²⁷ It may be concluded that the term signifies and includes two forms of event, but the almost regular exchange of the noun and the adjective in different texts, leads to the conclusion that it signifies one event which is determined with four determinants. The term refers to “assembly” which has to be “peaceful”, it needs to be “public” and it is a “protest” that indicates it is political as opposed to other forms of assembly and commercial events which can be also peaceful, assembly and public.

NOTIFICATION

The PAA requires notification of the peaceful assembly and public protest. The deadline is five days before the beginning of the peaceful assembly and public protest and only exceptionally at least 48 hours before the beginning in the case of a particularly justified reason.²⁸

The notification is submitted to the Police Authority which has a jurisdiction over the location of a protest.²⁹ The deadline for notification is fixed, as well as the number of participants, on which depends the need for an assembly to be notified or not. There is no space for an application of the principle of proportionality, which means that a peaceful assembly and a public protest of more than 20 persons needs to be notified, even in the case when state authorities do not need to make any prior preparations. Regarding the “other forms of assembly”, notification is not directly linked to the number of the participants, or the organizers’ purpose, but to the assessment of a necessity to implement security measures regarding the number of the participants and the nature of the assembly.³⁰

other forms of assembly regulated by legislation other than PAA, or not legislated, will be considered only if they fall within the definition, or for interpretative or comparative reasons.

²⁶ The organization and the organizer of a protest, or lack thereof, become important regarding spontaneous assembly, which will be further elaborated in the chapter relating to spontaneous assemblies. Therefore, it will be once again noted that, while the application of the principle of proportionality is present in regard to “other forms of assembly”, such an approach is not taken in regard to peaceful assembly and protest.

²⁷ Official statistics of MoI use the terms: Protests, Sport, Culture – Entertainment, Political and Other. Compared with PAA, Protests fall under the category of Peaceful Assembly and Public Protests, but Political Assemblies could also be included in that group. On the other hand, Sport, Culture – Entertainment and Other may be included under the category of „public events“, or „other forms of assembly“, depending on the commercial purpose.

²⁸ Article 7, PAA

²⁹ Article 7, PAA

³⁰ For example, an assembly which is gathering certain number of people, with the aim of expressing their cultural interests, such as public performance (which, *nota bene*, does not need to have commercial purpose; otherwise it falls under the category of “public events”), needs to be notified in case when anticipated number of participants or the purpose of the assembly “requires special security measures beyond the scope of the regular activities of the local competent police authorities”.

The notification should include: the aim of a peaceful assembly and public protest, place, date and time, data on the organizer or on the representative of the organizer, personal data of the leader of peaceful assembly and public protest, number of persons which will have the task of managing order and peace, and a expected number of participants.³¹ Particularly problematic is a requirement to state the aim of the assembly.³² Although it may be justified, in regard of a risk assessment, participants and organizers of protests have noted that assemblies on politically sensitive, or unpopular issues receive different treatment.³³ In such cases, state authorities may be stricter on formalities, or procedures might be more rigid and disproportional, regarding the notification period, the number of guards, the messages on posters, etc.³⁴

The PAA makes difference between the organizer and the leader of the protest. When the organizer is a natural person, it may be different from the leader of the protest. A leader of the protest communicates with the person from the Police which is designated for communication. During interviews, the organizers of protests were noted that data required for the notification of an assembly, such as the exact date, time and place may discourage the organizers of public assemblies from exercising their rights. Organizers considered difficult planning the assemblies and maximizing the “common expressive purpose”, given the fact that a lot of things might change in a course of 5 days, from the expected number of participants, to the perceived strategy to get public or media attention.³⁵

There is no requirement for notification of “other forms of assembly”, with the exception of assemblies where the nature of the protest or the expected number of participants require security measures which are outside of the scope of the regular activities of the local police authority. The notification for the “other forms of assembly” is set more flexible, and though its interpretation leaves space for the application of the principle of proportionality, it also opens up a place for ambiguity, as no clear criteria are set.

The notification form for an assembly is available online.³⁶ However, there is no possibility to submit application online or by e-mail. Furthermore, even notification procedure via postal mail or fax is not clearly regulated, although the Administrative Procedure Act provides that submissions to public bodies may be sent personally, either via postal mail, in the form of an electronic document, or submitted orally.³⁷

Textbox 1

Right to strike as a specific form of assembly is guaranteed by the Constitution and the Labor Act, but in practice it is allowed in two cases: if the employer is not paying salaries, and in the case of a violation of the collective agreement. Additionally, problematic is the post festum decision on the legality of the strike. In the case of a negative decision, the trade union needs to cover all the costs to the employer caused by the strike, which for the most of the unions means threat to their existence.

³¹ Article 8, PAA

³² See also Dr. sc. Đorđe Gardašević: Pravo na javno okupljanje u hrvatskom i komparativnom pravu, Zbornik radova Pravnog fakulteta u Splitu, god. 48, 3/2011., str. 487.-519.

³³ Interview with the organizer of the protest, April, 2016.

³⁴ Interview with the organizer of the protest, April, 2016.

³⁵ Often when prompt reaction is needed, organizers of assembly decide to organize an action that includes less than 20 participants, which eliminates the need for notification on the assembly on one hand, while still retaining the possibility to exercise the common expressive purpose, on the other hand. (Interview with Representative of Civil Society, April 2016)

³⁶ The notification form is available on several different web sites, mostly different stemming from various Police Authorities. On the following link is the notification for at the Zagreb Police Authority <http://zagrebacka.policija.hr/MainPu.aspx?id=151470> accessed 8 June 2016

³⁷ In vernacular: *Zakon o općem upravnom postupku*, Official Journal 47/09

The PAA contains no definition and no explicit mention of counter-assemblies. The only provisions of the PAA that can be interpreted in that direction are that the police authorities have the duty to prevent interference or hindrance of the protests which are organized under the PAA.³⁸

RESTRICTIONS

The Constitutional Court defines the PAA as an Act which has the purpose of limitation of the constitutionally guaranteed right to peaceful assembly³⁹, and not as an act which will enable, facilitate and support the exercise of the freedom of assembly. The Constitutional Court took Venice Commission Guidelines in consideration and concluded that the intentions of the legislator are in line with the proposed legislative standards.⁴⁰

One of the most prominent issues in contemporary history of exercising freedom of assembly in Croatia in general is the right to public assembly in St. Mark's Square in Zagreb.⁴¹ Technically, the provisions of the novelties to the PAA introduced in 2005 provided that peaceful protest and public assembly is restricted to 100 meters from the buildings of the Parliament and the Government, and from the buildings where those institutions have their sessions.⁴² Such a solution significantly restricted right to assembly and the principle of sight and sound.

Assemblies at St. Mark's Square are still subject to limitations, which are (more) proportional with the latest amendments of the PAA⁴³. The protest must not take place closer than 10 meters from the buildings of the National Parliament and the Government, as well as at least 20 meters from the building of the Constitutional Court. Protests on St. Mark's Square are also limited in regard to the **number of participants** (*1500 persons*) and the **time of the protest** (*from 8h to 22h*). The **route of arrival** of participants of assemblies at St Mark's Square is defined by the PAA. Exceptions are applied regarding the route of arrival for **persons with disabilities** or with walking difficulties⁴⁴.

The changes and amendments of the PAA from 2012⁴⁵ are definitely a step forward regarding the legislative framework for enjoying the freedom of assembly. Allowing public assembly on St. Mark's Square where the most prominent institutions are situated, and enabling the opportunity to address domestic institutions, while respecting the principle of sight and sound is utterly important for enabling the essence of the freedom of assembly. However, there is still a space left for improvements. The ban on the exercise of the right to

³⁸ Article 5, PAA

³⁹ Ustavni Sud Republike Hrvatske, Broj: U-I-295/2006, U-I-4516/2007 Zagreb, 6 July 2011, p. 21

⁴⁰ Ustavni Sud Republike Hrvatske, Broj: U-I-295/2006, U-I-4516/2007 Zagreb, 6 July 2011, p. 24

⁴¹ St. Mark's Square is the place in the capital of Croatia where the most important institutions are situated - the National Parliament, the Government and the Constitutional Court.

⁴² Those provisions were subject of a Constitutional Court decision which overruled such provisions, although they remained in practice until the new amendments which were adopted in 2011. In the statement by the Government and in the justification of the legislative proposal, as main reasons for such prohibition were stated the protection of cultural heritage and security reasons, especially in light of the 9/11 terrorist attacks.

⁴³ In vernacular *Zakon o izmjenama i dopunama Zakona o javnim okupljanjima*, published in Official Journal 78/12

⁴⁴ An issue that was raised during the public discussion of the PAA by civil society organizations and probably the only time where persons with disabilities were mentioned in the PAA.

⁴⁵ In vernacular *Zakon o izmjenama i dopunama Zakona o javnim okupljanjima*, published in Official Journal 78/12.

freedom of assembly in specific places or at particular times is intrinsically disproportionate as it does not consider specific circumstances of each individual assembly⁴⁶.

Apart from that, protests are limited in the vicinity of hospitals (in order to secure access to emergency vehicles and not disturb the peace of patients), in the vicinity of kindergartens and primary schools (children from the age of 6 to 14) while they are hosting children, in national parks and parks of nature (apart from protests with aim of nature and environment protection), on motorways and highways (as not to interfere with traffic security), and on other places where the assembly could seriously disturb movement and work of larger number of citizens considering the time, number of participants and the nature of the assembly.⁴⁷

Although the list of limitations to right of assembly is exhaustive, there are still issues which are not defined and which leave place for interpretation, such as “vicinity”, “seriously disturb”, “larger number of citizens” and their “movement and work”. It is positive that an issue such as this is broad enough in order to be interpreted for each situation separately. However, the international standards recommend that all the laws should be drafted unambiguously, and should incorporate legality, necessity and proportionality tests⁴⁸. Therefore, *pro futuro* it is recommended that interpretation of ambiguous provisions should be interpreted in favor of those wishing to exercise their freedom of assembly.

INSTITUTIONAL FRAMEWORK

The main institution which deals with Freedom of Assembly is the **Ministry of the Interior**. The Minister decides on banning a peaceful assembly and public protest.⁴⁹ The fact that political appointee such as the Minister has a power to decide on such sensitive and delicate questions might lead to decisions which are referring to the current political context, rather than to the basic right to enjoy freedom of assembly.

Under the Police Directorate, at the Public Order Sector there is the **Department for Security of Public Assemblies**. The Department for Security of Public Assemblies has the role of following the overall issues regarding public assemblies and implementing measures for increasing the technical capacities and training. The Department works with local police administration with the aim of improvement, expertise and oversight in the field of public assemblies. Riot Police is the unit which has the task of securing order and peace at peaceful assemblies. Significant jurisdiction in the exercise of public assemblies, especially moving assemblies appertains to the Sector dealing with road safety.

The judicial system is important part of the institutional setting for exercise of the freedom of assembly. The **Constitutional Court** has important role in the development of the notion of freedom of assembly. Concerning the freedom of assembly, an important role play **Administrative Courts and the Misdemeanor Courts**, as the latter brings decisions concerning complaints on administrative decisions, e.g. decisions to ban an assembly, while the Misdemeanor Court acts on misdemeanors (minor offences) under the PAA and other laws.

⁴⁶ Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Maina Kiai, A/HRC/23/39, para. 63, available at http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session23/A.HRC.23.39_EN.pdf.

⁴⁷ Article 11, PAA.

⁴⁸ Ibid. 7.

⁴⁹ PAA, Article 14.

Local authorities have an important role in enabling or in discouraging public assemblies through provisions relating to use of public space, which will be the subject of the third part of this report.

The institutional framework enabling freedom of assembly in Croatia is well developed, although there is space for improvements. Refocusing from institutions that have primarily repressive function, such as the Ministry of the Interior, towards institutions dealing with human rights might have an important impact on the exercise of the freedom of assembly. Certainly, the efforts to develop the Ministry of the Interior as an institution that has an equally strong component of protection of human rights should be continued, together with the component dealing with security, that forms part of the repressive apparatus.

POLICY FRAMEWORK

Freedom of assembly forms part of the policy documents dealing with security, and to a lesser degree, of policy documents dealing with human rights. Freedom of assembly is not recognized as a field which needs to be developed and is not part of the policy documents dealing with human rights.⁵⁰

On the other hand, freedom of assembly is an important part of the policy documents of the Ministry of the Interior. In the Annual Plan for 2016 of the Ministry of the Interior, the education on the implementation of the PAA is foreseen, monitoring issues and collecting information regarding the freedom of assembly.⁵¹ Significant part of the Annual Plan is dedicated to the prevention of violence at sport events.⁵²

INTERIM CONCLUSION

Although the accession of Croatia to the EU had large influence regarding the development of human rights, what cannot be overlooked is the fact that the most restrictive change regarding the freedom of assembly at St. Mark's Square happened during the accession period. Furthermore, the changes abolishing the banning of assemblies in front of St. Mark's Square were implemented through the Constitutional Court and not through a regular legislative process. Having in mind the international standards, there is still a space for improvement in both parts – in avoiding the ambiguity, as well as in explicit defining of the principles of proportionality.

⁵⁰ The National Program for Protection and Promotion of the Human Rights in the Period from 2013 to 2016, in vernacular Nacionalni program zaštite i promicanja ljudskih prava za razdoblje od 2013. do 2016. godine, available at <https://pravamanjina.gov.hr/UserDocsImages/arhiva/15012016/Nacionalni%20program%20za%C5%A1tite%20i%20promicanja%20ljudskih%20prava%20za%20razdoblje%20od%202013%20do%202016%20godine.pdf>. Accessed 10 June 2016.

In the National program of the Government Office for Human Rights and National Minorities, which is the most substantial policy document dealing with human rights, freedom of assembly is not one of the priorities. The only priority which might relate to the freedom of assembly is the part dealing with – human rights and security. For that purpose, it is important to mention the Aim 109 which has the purpose of strengthening the mechanisms of independent monitoring over the security sector, with the aim of prevention of human rights violation.

⁵¹ Annual Plan for 2016, in vernacular *Godišnji plan rada za 2016. Godinu, Ministarstvo unutarnjih poslova, 2015*, available at http://www.mup.hr/UserDocsImages/ministarstvo/2016/MUP_godisnji_plan_2016.pdf (accessed at 8 June 2016)

⁵² Ibid.

MAIN FINDINGS, PART I: OVERVIEW OF ASSEMBLIES AND IDENTIFIED CHALLENGES

In 2014 and 2015, there were 37 890 assemblies held in total, according to the official data from Mol statistics.⁵³ In 2014 there were 18595 assemblies, while in 2015 there were 3,8 % more – 19295 assemblies, of which there were 164 protests, 10161 sport assemblies, 6292 of cultural or entertaining nature, 522 political, while 2156 of it were classified as other.

	2014						2015					
	Protests	Political	Sports	Culture entert.	Other	Total	Protests	Political	Sports	Culture entert.	Other	Total
Notified	154	321	10168	6756	2281	19680	176	559	10640	6504	2281	20193
Unnotified	28	2	17	18	10	75	22	2	26	15	3	68
Held	148	9621	9621	6422	2108	18595	164	522	10161	6269	2156	19295
Postponed	8	11	217	221	32	489	20	13	159	123	34	339
Banned	/	/	1 ⁵⁴	/	/	1	2 ⁵⁵	/	/	/	/	2
Interrupted	/	/	8	4	/	12	1	/	7	2	1	11

Table 1. Statistical overview of the assemblies in 2014 and 2015⁵⁶

In the first 4 months of 2016, there were 11 acts of misdemeanor (minor offence) under the PAA, which is the same number as in the same period in 2015.⁵⁷ In 2015 there were 78 persons who committed misdemeanor under the PAA, while in 2014 there were 53 persons⁵⁸. The data for 2014 shows that there were violations of peace and order at 62 assemblies, of which 32 were related to sports events.⁵⁹ In the Report for 2014, the Mol have sorted out the following assemblies as most significant ones for security reasons: elections for the European Parliament, 4th Split Pride March, Zagreb Pride March 2014, 1st Osijek Pride March, the collection of signatures for the referenda on outsourcing and against the monetization of highways, trade union protests, “peaceful assemblies and public protests as well as other forms of expression of social dissatisfaction organized by civil initiatives via Facebook by the non-formal civil movement Occupy Croatia and the hacker group Anonymous, Croatia Harley Days in Biograd, Ultra Festival in Split, the sporting event “Glory 14: Zagreb”, the activities of the veteran and other associations in Vukovar, regarding the introduction of public signs in a minority language and alphabet (Serbian Cyrillic)⁶⁰.

⁵³ Statistical review of the fundamental security indicators from 2014 and 2015 of the Departement for strategic planning, analytics and development of the Mol, available at http://www.mup.hr/UserDocImages/statistika/2016/Statistika_2015_nova..pdf (accessed 8 June 2016) and

http://www.mup.hr/UserDocImages/statistika/2015/Statisticki_pregled_2014.pdf ((accessed 8 June 2016)

⁵⁴ Article 28 PAA.

⁵⁵ Article 14 PAA.

⁵⁶ Ibid. 43

⁵⁷ Review of the fundamental security indicators I-III.2016 in Republic of Croatia in vernacular *Pregled osnovnih sigurnosnih pokazatelja I.-III.2016. godini u Republici Hrvatskoj* available at <http://www.mup.hr/UserDocImages/statistika/2016/Travanj/Statistika%20travanj.pdf> (accessed 10 May 2016)

⁵⁸ Ibid.43.

⁵⁹ Ibid.

⁶⁰ Ibid.

For the purposes of this research we have analyzed 107 protests, 64 in 2014, 27 in 2015, 14 in 2016. The criterion for selecting assemblies to be included in the research was that at least three media outlets reported on the assembly, thus making it relevant and important for the public discourse. Regarding the location of the protests, most of them were located in Zagreb – 71. The reason for that could be the fact that the media reported mostly on events that happened in the capital city, but also because of the fact that most of the relevant national institutions are situated in Zagreb. Actually, there were 24 protests held in St. Mark's Square, where the main national institutions are located - the Government, the Parliament, the Constitutional Court. We analyzed 22 marches, i.e. moving assemblies. Protests were organized by different organizers: associations, non-formal initiatives, political parties, trade unions, and in one case there was a protest organized by the local authority: the city of Pula organized the protest on the border with Slovenia against putting razor wire on the mutually shared border. Media reported on protests which had different number of participants: there were 15 assemblies with 20 or less persons, 36 protests with 20 – 100 persons, and 31 protests with more than 100 and less than 1000 persons. More than 1000 persons were on 16 protests, of which there were 6 protests with more than 2000 persons. The biggest capacities for mobilizing large numbers of people have trade unions, war veterans and sport fans - not even regarding sporting events – and considering the fact that they organized a protest with more than 30 000 people in Split against the management of the Croatian Football Association.

Spontaneous assemblies are not mentioned in the PAA. However, there are several cases when peaceful assembly and public protest are allowed without the necessary notification.⁶¹ Nevertheless, assemblies without requirement for notification such as “other forms of assembly”⁶² should not be mistaken for spontaneous assemblies which are not recognized by the PAA, though spontaneous assemblies became an important issue, especially regarding the protests in front of the Ministry of Veterans.

Textbox 2

The association “U ime obitelji” asked the Minister to ban the assembly “ŽELJKA M PARTY Uđi mi u ustaV”, that Queer Zagreb organized in the VIP Club in Zagreb on 17 April 2014. Reasons for banning that were stated referred to use of hate speech and incitement of hatred. The Minister refused the request on the grounds stated under the article 14 of PAA, stating that only peaceful assemblies and public protests can be banned, while “other forms of assembly”, which applied to the assembly, did not allow such possibility.

<http://www.24sata.hr/news/u-ime-obitelji-ljuti-mup-nije-zabranio-party-queera-zagreb-362692>

Two protests were banned in 2015, and none in 2014. The Minister of the Interior banned the peaceful assembly and public protest that were supposed to be held, “Oath to the Homeland and Oath to the Club of Croatian Homeland Forces” in Zagreb, on the Central Square “Ban Jelačić” on 28 February 2015 and “Assembly

⁶¹ Article 12 of PAA provides that the local self-governing representative body (the City Council) of a city with more than 100 000 inhabitants may designate a place where peaceful assemblies and public protests may be organized without prior notification. Cities with more than 100 000 inhabitants are Zagreb, Split, Rijeka, and Osijek. In the City of Zagreb, it is the French Republic Square as defined by the PAA. Split, Rijeka and Zagreb do not have such places designated.

⁶² “Other forms of assembly” are not defined as organized forms of assembly. Along with the fact that they need to be notified only under certain circumstances, they may be considered as spontaneous assemblies. Given the definition of “other forms of assembly”, it leads to the conclusion that spontaneous assemblies are allowed only if they are serving the economical, religious, cultural, humanitarian, sport, entertainment or other interests, and not when the purpose of the protest serves political, social and national beliefs or aims.

on the Occasion of the Memorial of the Croatian Defense Forces” in Koprivnica, on Florijan's Square on 22 December 2015. Both were organized by the political party Autohtona – Hrvatska stranka prava.⁶³ The decision for banning the assemblies was issued on the grounds of Article 14 paragraphs 4 and 5 which state that the assembly may be banned in case of their purpose is incitement to war or incitement of violence, national, racial and religious hatred or any form of intolerance, as well as in case there is reasonable doubt that their holding will lead to direct and real danger of violence and other forms of serious disturbance of public peace and order.⁶⁴

One assembly, the protest of the War Veterans in front of the Ministry of Veterans is especially relevant for the subject and the period of this study. The protest lasted for from 20 October 2014 until 26 April 2016, and it tested many aspects of the freedom of assembly, such as notification of protest, identification of organizers, counter-assemblies and individual counter-protests, threat of use of violence, hate speech, intervention of the police changing the location of the protest to a closed space, especially church, and policing in general.

Textbox 3

The so-called Tent Residents' Protest took place in the capital city of the Republic of Croatia, Zagreb in front of the Ministry of Veterans, but included several protest events: sit-in protests, marches and rallies, as well as counter-protests that arose in response to it. It officially lasted from 20 October 2014 until 26 April 2016. It was primarily characterized by the use of the stationary tent that was set up in front of the Ministry of Veterans in Zagreb on the second day of the protest, October 21 2014, and which, for the entire duration of the protest, gathered the actors involved in the protest.

The official proclamations of the protest actors were primarily related to the demands for the increase of legal rights enjoyed by Croatian war veterans, and the demand for the dismissal of the Cabinet of then Minister of Veterans' Affairs, Predrag Matić, whom the protest leaders, in their official public addresses, held personally accountable for what they perceived as the elimination of the veterans' legal rights and the social marginalization of the war veterans' groups and general veterans' population.

The protest was not notified, but despite of that fact, the Croatian Police, although it did intervene at different times and places to maintain the public order and peace, did not act in a manner to suppress the protest events themselves. In fact, according to the interpretation of the then Minister of Police Ranko Ostojić, the City of Zagreb had even issued legal licenses to the protesters to set up tents and to light bonfires in a public place such as this.

Despite the fact that the originally proposed protesters' demands were not fulfilled neither by the former, nor by the newly elected Government, or were fulfilled only to a smaller degree, the protest officially ended on April 26 2016. On the same day, the protesters' tent in front of the Ministry of Veterans Affairs had been dismantled, which in the meantime became a symbol of the whole protest events.

Identifying the organizers of the protest was one of the main issues of this protest that tested many provisions of the PAA and raised a significant public debate regarding the freedom of assembly given the tensions that protest stirred up.

⁶³ Correspondence with the Ministry of the Interior, Broj: 511-01-51/10-250/11-16, from 30. March 2016

⁶⁴ Article 14, para. 4 and 5, PAA

Because of the complexity of the protest and its relevance, both political, but also in reference to the freedom of assembly itself, more information and chronology of the protest can be found in Annex II.

In the case of counter assemblies, the failure by the police to facilitate protests is noted, for example using speakers louder than the ones used by the protesters⁶⁵. Namely, the participants of the counter assembly were using speakers louder than the participants of the assembly, which caused a situation where the latter could not exercise their freedom of expression. On the other hand, the provisions state that limitations to the right of public assembly mention the possibility of protests being limited because of the protection of rights and freedoms of the others, but the limitations need to be necessary in a democratic society⁶⁶.

Textbox 4

The Constitutional Court decided that participants of a peaceful protest and public assembly which was organized under the PAA should not be fined under the Misdemeanor Act. In the specific case of the protests on Varšavska Street, a participant of the protest was arrested for shouting, and making loud noise by pounding the metal fence as they disturbed the public order and peace. However, the protest was notified for that time and that place, and the Court decided to apply the standards from the PAA.

Reference: Constitutional Court of Republic of Croatia (Ustavni sud Republike Hrvatske), U-III - 3846 / 2012, 10 September 2013.

Preventing hate speech is particularly problematic at public assemblies. For example, the Zagreb Police explained that the reason for not taking actions against the hate speech on the protest in front of the Council of Electronic Media was that there were too many persons who were shouting Ustasha – quisling regime greeting “Za dom spremni”⁶⁷. Same issue is frequently present at sporting events which raise public debates. It is a regular phenomenon on almost all of the football matches of the national team and on other football matches where the fans shout “Za dom spremni”. On the other hand, during the research, a representative of a civil society organization reported on an indiscriminate censorship of posters by police officers, based on the fact that they did not understand what was written on a poster⁶⁸.

Textbox 5

This issue is illustrated by the decision of the Appellate Misdemeanor Court which decided that shouting “kill the gay” on the Split Pride was punishable under the Misdemeanor Act, although it was not qualified as a misdemeanor under the PAA. The PAA sanctions “carrying uniforms, parts of uniform, clothes or other features that call upon or incite war or violence, national, racial or religious hate or any other type of hatred”, but hate speech is not interpreted widely enough to be included in “other feature”. The fine according to the PAA, ranges from 1000 to 3000 kuna, while under the Misdemeanor Act, the same person was fined with 758 kuna.

Reference: High Misdemeanor Court of Republic of Croatia (Visoki prekršajni sud Republike Hrvatske), JŽ-3477/2011, 17 December 2014.

⁶⁵ Interview with attorney-at-law, May, 2016.

⁶⁶ Art. 3 para. 1, PAA.

⁶⁷ Helena Puljiz, “Previše ih je vikalo “za dom spremni” pa nikoga nismo prijavili”, 27 January 2016, T-Portal, available at <http://www.tportal.hr/vijesti/hrvatska/413790/Previše-ih-je-vikalo-Za-dom-spremini-pa-nikoga-nismo-prijavili.html>, accessed 10 June 2016.

⁶⁸ Interview with representative of CSO, April, 2016.

MAIN FINDINGS, PART II: COUNTRY SPECIFIC ISSUES

In order to analyze the implementation of the right to enjoy freedom of assembly, it is utterly important to consider the role of the Police, as it was cited as one of the main actors by almost all of the interviewees. What should also be considered is the role of the local authorities as an enabler and a facilitator of the right to freedom of assembly, but also in order to check whether there are restrictions which affect the freedom of assembly on a local level. Police as the most important institution for enabling freedom of assembly, with local authorities assessed as equally important was confirmed in the interviews for this research with representatives of civil society as organizers of protests and law practitioners.

POLICING

Law enforcement authorities have the duty to enable freedom of speech and prevent interference or hindrance of the assemblies⁶⁹. The police may use force only when it is necessary and in a way that is proportional⁷⁰.

The legislation that deals with police procedures and prerogatives is the Police Procedures and Prerogatives Act (PPPA). The PPPA proscribes the prerogatives and procedures of the police authorities in a case of prevention and removal of threats. The PPPA regulates the use of force, and is particularly relevant regarding the freedom of assembly and the use of physical force, use of special dogs and special horses, use of chemical substances, water cannons, firearms as well as video recording of public assemblies. In reference to the threat to public peace and order, which may occur during the public assemblies, police is authorized to use physical force in order to stop a person who is violating the public order and peace, and to react to the attack on protected persons, space or object. In those cases, it is allowed to use special dogs and special horses, although their use was not registered at the assemblies which were subject of this research. Neither was registered the use of chemical substances, water cannons or use of firearms on the assemblies that we analyzed. Police mostly used fences as an equipment at the public assemblies, and fences were regularly used on the assemblies which were organized at St. Mark's Square⁷¹.

	2014						2015					
	Protests	Political	Sports	Culture entert.	Other	Total	Protests	Political	Sports	Culture entert.	Other	Total
Police officers engaged	2139	877	51489	22646	8845	85996	176	559	10640	6504	2281	20193
Regular hours	7825	1706	315198	551458	37683	913870	11952	6476	139895	71918	29540	259781

⁶⁹ Article 3, PAA

⁷⁰ Ibid.

⁷¹ Analysis of the media, interview with the representative of CSO, monitoring of assemblies.

Overtime hours	52	37	1506	710	533	2838	/	34	1367	1317	372	3090
Incidents	1	/	32	25	4	62	/	/	33	24	8	65
Measures of coercion	1		27	17	8	53	1	/	19	22	5	47
Persons arrested	20		990	245	25	1280	6	1	840	596	24	1467

Table 2. Policing on the assemblies in the period 2014 - 2015⁷²

Video recording and photographing by the police is allowed if there is a possible danger to life and health of people and property. In that case, the police, i.e. the police manager needs to adopt a written decision which may be part of the security plan. Only as an exception in an urgent situation may the police manager allow recording by an oral order. The intention for recording should be announced via means of public informing, by speakers or by written information. However, although it was noted that the police regularly recorded bigger assemblies, the obligation to announce the recording was not respected⁷³. The Rules of Conduct of Police Officers also proscribes that, if there is a possibility that the recorded material contains information on criminal acts or misdemeanor, it will be delivered to the competent authority.⁷⁴ Regarding the use of hate speech on public assemblies, which was mentioned in the previous part, it was not noticed that the records were used to sanction it; for example, at the protest in front of the Council of Electronic Media, or at the football stadiums.

In practice, one person⁷⁵ from the Ministry of the Interior is assigned for communication with the leader during the assembly⁷⁶. That person, which is often not the one with which communication was held during the period before the assembly, communicates on all issues regarding the assembly with the leader, but also with other parts of the police, relevant for the assembly – traffic police, intervention police etc. In the interviews, it was stressed that the police in general, before and during the assembly reacts differently depending on the size of the assembly⁷⁷. The assignment of a person from the structure of MoI, who communicates with the organizer is a good practice, especially given that it is a person from the Unit dealing with public assemblies. However, because of the work schedule, it is not always practical that the same person continues communication during the assembly. Therefore, it is highly recommended that the same person remains in communication, as certain relationship is established.

The hierarchical structure of MoI, as well as the lack of political independence, combined with the lack of education lead to the fact that in the field, police are often hesitating in adopting decisions. Issues connected to the freedom of assembly are often politically sensitive, so authorities hesitate to bring decisions in such cases⁷⁸. Increase of independence and better education will empower the police to bring better decisions, but also to bring decisions which will adhere to the principles of proportionality and legality. Another issue

⁷² Ibid. 43

⁷³ The conclusion was adopted after analyses of media and interviews with representatives of CSO. We have noted only one notification that the assembly will be recorded regarding the Zagreb Pride in 2015.

⁷⁴ Rules on the conduct of police officers, in vernacular *Pravilnik o načinu postupanja policijskih službenika*, Official Journal 89/10, 76/15.

⁷⁵ The participants and the organizers of the assembly colloquially named that person as “the shadow”

⁷⁶ Interview with Representative of CSO, April, 2016.

⁷⁷ Interview with Representative of CSO, April, 2016.

⁷⁸ In an interview with attorney-at-law, May, 2016, was noted that judges are often reluctant to accept cases which relate to freedom of assembly.

regarding MoI is the nonexistent Commission for Civil Oversight over MoI. The Commission was dismissed with the adoption of the new Amendments to the Police Act⁷⁹, while more than one year since then, and up to the time of writing and reviewing of this research, new members were not appointed (7 June 2016)⁸⁰.

LIABILITY

The liability of organizers of a peaceful assembly is a very important issue in regard of practicing the freedom of assembly. Both restrictive and vague provisions might have discouraging effect on the exercise of the freedom of assembly. According to the PAA, the organizer of a peaceful assembly and public protest has the duty to secure public order and peace at the protest and to ensure enough security stewards.⁸¹

The organizer is “particularly responsible” to ensure by all means that the participants of a protest are not armed and that they will cause no damage.⁸² Stewards have significantly wide mandate, namely the PAA authorizes them to search a person entering the space where the assembly is happening. Stewards also have the right to restrict access to persons that might affect public peace and order, especially if under the influence of substance. It means that stewards should assess and bring decisions on whether someone might affect public order and peace, and in the case of a severe violation of public order and peace to hold the perpetrator and deliver him or her to the police.

Stewards have a very wide scope of authorization for acts which are bordering with the authorizations that have police officers, like restricting access, search of persons, and holding of persons until the arrival of the police. Furthermore, those responsibilities and authorizations are not set in the direction of securing the freedom of assembly, but in order to secure public order and peace. The provisions which authorize stewards for such a high level of responsibility, which they might not be trained for, opens a vast space for different and arbitrary interpretations, which could be used against the organizers of an assembly. Taking into account the provision that organizer can contract a company registered for security services leads to the notion that assemblies are reserved for those who can afford to pay their services.

It is a positive measure that there are no restrictions on who may be assigned as a steward on public assemblies, which is not the case with sporting events.⁸³ However, when comparing a peaceful protest and public assembly with public events which are determined by their commercial character, it is obvious that provisions regarding public events are more detailed on liability. The PAA proscribes that the organizer of public events with sporting, cultural and entertainment purpose will participate in the expenses for the measures of the police authority which exceed their regular activities. The organizer of a public event is held responsible for the damage caused by participants of that event. Interpreting it *a contrario*, with the provisions regarding peaceful assembly and public protest which do not contain such solution, leads to the conclusion that there is no such liability of an organizer of a peaceful assembly and public protest. In that

⁷⁹ In vernacular *Zakon o izmjenama i dopunama Zakona o policiji* published in Official Journal NN 33/15.

⁸⁰ <http://www.mup.hr/209631.aspx>

⁸¹ Article 16. PAA

⁸² Ibid.

⁸³ Regulated with the PVSEA op. cit. 7. PVSEA regulates organizational structure of stewards, communication of the stewardship with police, and other conditions for stewards such as, finished at least secondary education, being not convicted for certain criminal acts etc.

direction leads the interpretation of the Minister of the Interior in a different situation, over the application of provisions regarding the peaceful assembly and public protest, which referred to banning of assembly⁸⁴.

Additional insecurity and a lack of clarity is contained in the provisions of the Liability Act⁸⁵. Article 1081 provides that the organizer of an assembly of a larger group of people in closed or open space is held responsible for the damage caused by death or injury due to extraordinary circumstances, which may occur during such events, such as riot or a movement of masses. The title of the provisions reads “Responsibility of the Organizer of an Event”, but the provisions vaguely determine “the organizer” as the organizer of any “assembly of a larger group of people”. The title is clearly not in line with Venice Guidelines, which provide that the organizer should not be liable for the actions of individual participants, non-participants or agents provocateurs, and that individual liability should be applied⁸⁶.

THE ROLE OF THE LOCAL AUTHORITIES IN THE EXERCISE OF FREEDOM OF ASSEMBLY

The role of the local authorities in the exercise of Freedom of Assembly becomes important through using public spaces while exercising freedom of assembly, in cases of blocking the traffic, using speakers, using public space for the purpose of setting up a stage or other infrastructure during the assemblies, and in the case authorization is needed to be granted by the local authorities. The availability of public spaces suitable for assembly was one of the issues that was mentioned during the interviews⁸⁷. The competition between commercial aspect of public open spaces and the conditionally estimated as political aspects when it comes at local level takes the side of the commercial interest.

Textbox 6

The City of Zagreb rejected the request for issuing of a license to use speakers on the protest “For the Abolition of Vatican Treaties”, held on Cvjetni Square in Zagreb, on 20 September 2014. At first, the City of Zagreb issued the license for the 29 September, claiming that the organizer has mistaken the date. The organizer, i.e. the initiative “Voice for Reason – Movement for a Secular Croatia”, suggested that it might be the result of political pressure, due to the subject of the protest. The City of Zagreb rejected the repeated requests for 20 September, explaining that for that day they had already approved the use of speakers at 6 different events in that particular space.

Reference: <http://www.index.hr/vijesti/clanak/zatrpajte-ih-mailovima-grad-zagreb-odbija-odobriti-binu-i-razglas-za-prosvjed-protiv-crkve/772359.aspx> ; <http://www.index.hr/vijesti/clanak/grad-zagreb-ne-sabotiramo-prosvjed-protiv-crkve-organizatori-su-trazili-dozvolu-za-krivi-datum/772452.aspx>

City of Zagreb on 5 June 2015 adopted the Decision on Leasing and Other Uses of Public Spaces⁸⁸. Documents which are required for an assembly that will use public spaces in the City of Zagreb are: a confirmation that there is no debt towards the Communal Company, and an extract from the Civil Society Association Register. Such practice increases costs of organizing the protest as confirmation needs to be notarized, and

⁸⁴ See Textbox 5.

⁸⁵ Liability Act in vernacular *Zakon o obveznim odnosima*, Official Journal 35/05, 41/08, 125/11, 78/15

⁸⁶ Ibid.1.

⁸⁷ Interview with the representative from a Civil Society Organization, April, 2016.

⁸⁸ In vernacular: *Odluka o davanju u zakup i na drugo korištenje javnih površina*, Službeni glasnik Grada Zagreba No. 9 from 5 June 2015.

administrative fees must be paid, while the requirement of an extract from the Civil Society Organizations Register leads to the fact that only legal persons, and not physical persons, can organize such protest.

For the purposes of this research, we have interviewed organizers of signatures collections⁸⁹ required for the organization of referenda.⁹⁰ Interviewees reported on arbitrariness by the local authorities in the process of adopting decisions allowing the use of public space for collecting signatures. Namely, in some local municipalities, only 4 spaces out of 30 requested were allowed for that. Others approved only one location on the local railway station where only one train stops, and not frequently. The decisions are adopted by the Office for Communal Affairs, except in municipalities where such procedure is blocked by requesting a signature from the mayor. They reported postponing of decisions, and in one case the decision was adopted three months later, after the collection of signatures ended, while their bank account was blocked for not paying the fees. Fees are always required, in the range from 20 to 200 HRK, though some municipalities released the organizers from paying the fee⁹¹.

⁸⁹ The act of collecting signatures falls within the definition of a public assembly for this research, as *“the intentional and temporary presence of a number of individuals in a public place for a common expressive purpose.”* A group of individuals are present in a public space for the purpose of collecting signatures in order to express their will regarding the organizing of the referendum over a certain issue. It was convenient for methodological reasons, as it is a type of assembly which is organized in almost all of the local governance units and that requires certain authorization from the institutions of the local government.

⁹⁰ Interview with representatives from civil society organisations and trade unions, April 2016

⁹¹ Ibid.

CONCLUSIONS AND RECCOMENDATIONS

The freedom of assembly in the Croatian context is balancing between commercialization and securitization. Assemblies and freedoms to express in public spaces are addressed by the institutions mostly in a security context.

RECOMMENDATIONS REGARDING LEGISLATION:

The Croatian legislative framework regarding the freedom of assembly is well developed, and the political will created during the accession to the European Union had definitely influenced the development. The Constitutional Court that made the decision to abolish the ban of peaceful assemblies and public protests on St. Mark's Square was closely cooperating with the Venice Commission. Legislation that implemented the Court's decision was in line with the international standards, although there is space for improvements in regard of establishing a legislative framework which would protect and promote the freedom of exercising the right to assembly. Primarily, improvements should be done in the implementation of the principle of proportionality in the provisions of the PAA.

- *Spontaneous assemblies should be regulated by the PAA. Ambiguous provisions regarding the situation when persons gather in a short time without special organization or organizer, or in a case when there is no time to organize and notify an assembly might restrict the right to freedom of assembly and result in a failure to ensure protection of the participants of an otherwise peaceful assembly. Peaceful assemblies and public protests under 20 persons should be explicitly protected in the PAA.*
- *The PAA should include the principles of legality, proportionality and necessity, and explicitly state that any possible inconsistencies between laws or ambiguous provisions shall be interpreted in favor of the right to exercise freedom of assembly.*
- *Introduction of independent body which will decide on the restrictions and banning of assemblies in an efficient, just and objective manner based on unambiguous criteria should be considered⁹².*
- *Harmonization of the terminology regarding the assemblies used in different legislative acts (Constitution, PAA, Penal Code etc.) should be considered.*
- *The possibility of notification on assemblies via e-mail, postal mail, fax and other means of communication should be regulated. An online system of notification on assemblies should be provided.*

RECOMMENDATIONS REGARDING THE INSTITUTIONS:

- *The role of the Public Ombudsman should be enhanced and empowered in the part of monitoring public assemblies and the mediation between the law enforcement authorities and the assembly organizers. The Public Ombudsman should be included in the development of the Standard Operating Protocols for policing the assemblies.*
- *Mechanism for effective and objective oversight of the police should be established.*
- *Judges in Courts should be empowered and educated in the field of freedom of assembly. Independence of judges from political influence should be further secured.*

⁹²Addendum of select sources and illustrative practical examples, Joint report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on extrajudicial, summary or arbitrary executions on the proper management of assemblies, available at: http://freeassembly.net/wp-content/uploads/2016/05/A.HRC_.31.66-addendum-Sources-and-practical-examples.pdf. Accessed 10 June 2016.

RECOMMENDATIONS REGARDING THE POLICY:

One of the most striking challenges is balancing between the freedom of expression as a substantial part of the freedom of assembly and the abuses of those rights and freedoms as its opposite. Hate speech and other unacceptable forms of speech are highly relevant in Croatian context in general, but also in regard to the freedom of assembly.

Freedom of assembly, from a policy aspect, is regarded as a security issue and not as a human rights issue. The experiences from large assemblies that regularly take place, such as the Zagreb Pride, where significant development could be noticed, should be considered as a good practice and such practice should be embedded in future policy and legislation documents.

- *Guidelines should be developed for the organizers of public assemblies which will lead further than stating the provisions of the legislation needed for organizing successful assemblies, in the sense of securing the freedom of assembly.*
- *Freedom of assembly should be included and further developed in the policy documents which have the task of protecting and promoting human rights. What should be particularly addressed is the conflict between the freedom of assembly and the hate speech as a form of abuse of rights.*

RECOMMENDATIONS REGARDING THE POLICING:

The role of the law enforcement authorities is very important for policing the assemblies, especially regarding politically sensitive issues.

- *Law enforcement authorities should have greater independence from politics while taking decisions and actions, while on the other hand greater control from civilian oversight should be allowed for.*
- *Specific training should be designed for police officers integrated in the lifelong learning curriculum, which should enable the law enforcement officers to distinguish the right to freedom of assembly and peaceful protest as well as the rights of the protesters⁹³.*
- *Besides security plans, law enforcement agencies should consider developing communication plans, especially for large protests. It is highly recommended that the same person remains in communication, as certain relationship is established. Video-recording and photo documentation of the protests should be announced previously, and it should be clearly marked at the assembly.*

RECOMMENDATIONS REGARDING LIABILITY

Clearly regulated liability of the organizers and the law enforcement contributes to the exercise of FOA through prevention of discouragement for organizing assemblies and through better reaction of the law enforcement agencies.

- *Role of stewards should be reconsidered, and their responsibilities should be in line with expectations from them.*
- *Legislation other than PAA regarding liability should be harmonized in line with international standards.*

⁹³Gerry McNeilly, Policing the Right to Protest, G20 Systematic Review Report, Office of the Independent Police Review Director, 2012, available at: http://www.oiprd.on.ca/EN/PDFs/G20-Systemic-Review-2012_E.pdf accessed at 10 June 2016.

RECOMMENDATIONS TO THE LOCAL AUTHORITIES:

Local authorities have an important role in the exercise of the freedom of assembly when managing the public spaces, which are also the venue where the assemblies happen. The freedom of assembly includes traffic blocks, use of public spaces for sending messages, through speakers, posters, etc.

- *The role of the local authorities in the exercise of the freedom of assembly should be clarified and further defined with the purpose of a better exercise of the freedom of assembly.*
- *Cities with more than 100.000 inhabitants which have not determined space where peaceful assemblies and public protests should abide to the PAA provisions and designate spaces which are appropriate for that purpose.*

RECOMMENDATIONS TO CIVIL SOCIETY:

More than half of the protests that we have analyzed in 2014 and 2015 were organized by the civil society (62 out of 90), whether by the civil society organizations (21 protest) or by the non-formal groups (41 protest). However, besides the role of a civil society in the organization of protests, their function as monitors of protests should be noted, as well as their provision of a legal aid to protesters whose rights had been violated during protests, and developing of guidelines for the organization of assemblies.

- *Resource center should be created where CSOs and initiatives which are not experienced would be able to get advice on: mobilization for assemblies, notification of assemblies, rights and duties of organizers, protesters and law enforcement agencies. Civil society should instigate and develop guidelines in cooperation with law enforcement agencies and other stakeholders (local authorities).*
- *Regular monitoring of assemblies should be performed by a civil society organization or a platform of CSOs.*

METHODOLOGICAL ANNEX I

This cross-country pilot research was conducted in five Western Balkans countries: Macedonia, Bosnia and Herzegovina, Croatia, Montenegro and Serbia. The main research objectives were to assess the level of compliance of national freedom of assembly legislation with relevant international standards, to map the institutions responsible for implementation of FOA and to identify the main challenges for the effective exercise of FOA. The research methodology is based on qualitative methods and instruments which were used by all of the research teams. The study was conducted in three phases.

In the first phase, all of the countries conducted desktop research that included an overview and analysis of assemblies. National legislation, international treaties and national reports to international bodies as well as reports of relevant organizations were consulted in order to analyze the legal framework for freedom of assembly and its compliance with international standards. This data was additionally used to assess the overall implementation of the legislation related to the right to freedom of assembly and the main challenges citizens face when they exercise the right in practice. In this phase, research teams also conducted an overview of assemblies organized in 2014 and 2015 through analysis of media reports on public assemblies and through Freedom of Information requests. The goal was to identify the most common problems related to the implementation of the legislation, as well as to determine and further examine specific issues (at least two in each country) that most significantly influence freedom of assembly in practice.

The second phase of the research included three steps. Firstly, exploratory interviews were conducted with civil society representatives and experts from the academia in order to increase the understanding and the scope of the main problems related to freedom of assembly and their specifics, as well as to further explore the identified country specific issues. The second step was development of a questionnaire for semi structured interviews which was based on the findings from the exploratory interviews and the desktop research. One part of the questionnaire which was used by all countries included questions on main challenges, legal framework and the institutional set up and capacity for enabling FOA, while the second part of the questionnaire examined country specific issues. In the cases where specific issues overlapped in several countries, research teams used the same questions. The last step included administering the questionnaire in all countries through face-to-face interviews with relevant stakeholders such as organizers, leaders and participants of assemblies, members of civil society organizations that monitor assemblies, media, law practitioners, representatives of municipalities, law enforcement agencies, and persons that have been administratively prosecuted (in misdemeanor or criminal procedure) for participation in assemblies.).

Additionally, in countries where public assemblies took place during the course of the research, research teams conducted observations of assemblies. In this way, researchers gathered first hand data regarding the practical implementation of the legislation and challenges organizers and participants face when exercising their right to freedom of assembly.

In the third and final phase, validation of the findings was also completed in all of the countries where the research was conducted. Research teams conducted validation meetings with relevant stakeholders where they presented the main findings and the conclusions, discussed their relevance and consulted on recommendations for the improvement of FOA legislation and practice.

DESKTOP RESEARCH

The desktop research was organized in two stages. In the first stage we gathered relevant documents such as national legislation including laws and bylaws pertinent for freedom of assembly and court decisions related to the exercise of the right. After the materials were collected, we conducted a comparative analysis of the national legal framework against the international standards. Analysis of reports from relevant state authorities, national and international organizations and the EU was also carried out. In the assessment of the national legislation and the court practice, where suitable, relevant international jurisprudence was taken into account as well.

In the second stage of desktop research we carried out, an overview of the assemblies organized in the past 2 years (2014 and 2015). The aim of this overview was to identify most common types of assemblies and their general characteristics in terms of organizers, size, location, any good practices or violations that may have occurred, etc. For this purpose, we conducted content analysis of media and journalist reports, official statements from participants and rulings of relevant authorities. Assemblies included in the overview and then further analyzed were selected on the basis of three main criteria. The first criteria was attracted media attention, which we defined as the protest having been covered/reported on by at least three major media outlets. The reasoning for this criterion is that sufficient media coverage gives protests relevance, as well as contributes to the public discourse. The second criteria was expressed grievances of the organizers and participants in assemblies either publicly or to institutions and organizations that work on the protection of human rights and the third criteria was capacity for mobilization. This overview enabled us to determine the most common problems related to freedom of assembly and to identify particular assemblies with specific features and issues of concern.

DEVELOPMENT OF QUESTIONNAIRES

After the literature review, desktop research and exploratory interviews with assembly monitors and protest organizers, a questionnaire was drafted. The questionnaire was used for conducting formal face to face interviews and it was consisted of twenty-one mostly open ended questions divided into three main sections. The first section included general questions on the main challenges related to FOA, assessment of the legal framework and its implementation, the institutions relevant for FOA and their capacities. The second section was dedicated to the first specific issue - Policing. It was identified as a specific issue in four countries and researchers used the same questions. It examined the role and the capacities of the police related to FOA, the legislation that regulates policing of assemblies, the manner of policing public assemblies and the accountability of the police. The third section included questions on the role of the local authorities in the right of the exercise of the freedom of assembly in Croatia. The questions addressed the role of the local authority in the organization of assemblies, the ways the local authorities enable or restrict FOA as well as the application of the principle of proportionality and the capacities of the local authorities for enabling FOA. Additionally, a small section on socio demographic questions was also included in the questionnaire.

FACE-TO-FACE INTERVIEWS

In the second stage of the research, we conducted face-to-face semi structured formal interviews for the purpose of gathering qualitative data, The interviews lasted approximately 70 minutes and were conducted by two researchers. The analyzed data was used to draft findings and develop recommendations.

From 8 interviewees there were four women and four were men. The relevance of the sample was determined based on educational background, professional affiliation and experiences in exercising the right of freedom of assembly. More specifically, we interviewed: four organizers of assemblies from civil society organizations, two representatives of the trade unions that have experience in organizing assemblies and one law practitioner that defended persons in cases related to assemblies.

The MoI was contacted regarding an interview for the purposes of this research, but unfortunately no answer was received.

OBSERVATIONS

In order to gain first hand data on organizing, conducting, possible restrictions and challenges related to public assemblies, structured observations of assemblies were conducted. A total of four observations were conducted by two researchers in the period March – April 2016. The observations were conducted in the city of Zagreb and involved observing an assembly that was banned in 2015 (line up of guards of political party), but was held in 2016 on the Main Square in Zagreb and counter-assembly.

VALIDATION OF FINDINGS

Validation of findings was organized after the data were gathered and analyzed and preliminary findings drafted. The validation meetings were used to generate proposals and recommendations for improving different aspects of freedom of assembly included in the report. The preliminary report was sent to three participants in the research including a protest organizer, an expert on freedom of assembly from civil society and a representative from academia.

LIST OF ABBREVIATIONS

ALSRC	Act on the Legal Status of the Religious Communities
FOA	Freedom of Assembly
Mol	Ministry of the Interior
PAA	Public Assemblies Act
PPPA	Police Procedures and Prerogatives Act
PVSEA	Prevention of Violence at Sport Events Act

ANNEX II THE CHRONOLOGY OF THE PROTESTS IN FRONT OF MINISTRY OF VETERANS

20 October 2014

In the morning of the October 20, the leaders of the protest started gathering in Zagreb, on the address 66 Savska Road, in front of the Ministry of Veterans' Affairs. Together with Josip Klemm and Đuro Glogoški, the president of the Association of the Croatian Homeland War Invalids of Group 1, also were present Mirko Ljubičić Šveps, president of the Zagreb Hvidra (The Croatian Disabled Homeland War Veterans' Association), and Ilija Vučemilović Šimunović, former president of the Assembly of the Veterans' Guard Troops. Although it was not clear in the beginning why the protest was taking place, as it was not previously publicly announced, they gave a statement to express “that they feel humiliated and forgotten” while speaking, as it were, in name of the general war veterans' population. In their following statements, they have expressed objections towards the state disregard for the economic status and health conditions of the most severely disabled war veterans; immediately after which they publicly condemned the previous statement of the then Deputy of the Minister of Veterans' Affairs, Bojan Glavašević, as it allegedly diminished the reputation of war veterans.

21 October 2014

On the second day of the protest, while entering the building of the Ministry, the then Deputy of the Minister of Veterans' Affairs was doused with water, and on the eve of the press conference, someone from the protesters' crowd smashed the window on the first floor of the Ministry building. The protesters' tent that was set up during the day, and bonfires were lit in front of it. The protesters brought forth their demand for the resignation of the Cabinet of the then Minister of Veterans' Affairs, Predrag Matić, which they held directly accountable for the alleged disregard and ill treatment of the war veterans' population. An especially tragic event marked the eve of second day of the protest when one of the protesters, Nevenka Topalušić (60) died due to what was reported as ill health mixed with increased stress condition.

25 October 2014

Along with their previous demand for the removal of the leading people in the Ministry of Veterans' Affairs, the protesters had set forth their demand towards the government to set up a public debate on changes and amendments to the Law on the Croatian War Veterans, as well as the adoption of the so-called Law on the Homeland War and Croatian War Veterans at the constitutional level.

27 October 2014

Before the crowd assembled in front of the tent, one of the protesters, Damir Čakanić set himself on fire. The rapid reaction by the ambulance managed to save his life. Due to this event, the Ambulance Service had introduced a 24-hour emergency services in order to enable prompt reactions in a case of emergency.

26 November 2014

At the three-hour parliamentary session of the Committee on Veterans' Affairs, the request of the War Veterans Representatives had been discussed, that asked for the postponement of the Pension Insurance Act. Part of the legal provisions were to come into force on the 1st of January 2015, and the War Veterans Representatives demanded that it be implemented on the 1st of January 2016, as to be able to clarify all the ambiguities until that date. The War Veterans Representatives request did not pass, and the ruling majority voted a conclusion according to which the application of the new law would not be postponed, instead deciding on establishing a government commission to analyze approximately 72,000 retirement decisions. Furthermore, the then Labour Minister, Mirando Mrsić explained that the new law would not in any part reduce any of the war veterans' pensions. However, these terms - the passing of the newly proposed Pension Insurance Act, as well as the establishing of a government commission to separately analyze the already existing retirement decisions, was deemed unacceptable by the War Veterans Representatives, who thus proclaimed the continuation of the protest.

11 December 2014

In the new session of the Committee on Veterans' Affairs, Minister Matić announced the withdrawal of the law on veterans and asked the protesters to pull back from the street. The official response by the War Veterans Representatives was not given at this point.

17 December 2014

The Government had complied to one of the demands by the War Veterans Representatives and amended the Pension Insurance Act by postponing the application of the provisions relating to war veterans for further six months - until the 1st of July 2015. Notwithstanding that, the protesters proclaimed their decision to prolong the protest during the upcoming holiday season.

11 January 2015

Kolinda Grabar Kitarović, after winning the presidential election, on the very election night, visited the protesters' tent where celebration was held in her honour. It was her third visit to the tent. The fireworks, of which police was not informed, took place, due to which the nearby Savska road was closed for traffic for a brief period. The police determined that there has been use of pyrotechnic means of unspecified grade by persons whose identity remains unknown.

21 February 2015

The counter-protest, not notified to the police, but announced via online social services, and organized by the Occupy Croatia movement, gathered several hundred people under the slogan "Stop the Tent Residents' Terror". The march was held from Jelačić Square towards the protesters' tent on Savska Road. However, in order to maintain the public peace and order, the special police units were dispatched in the streets in order to set up the cordon between the two opposing protesters' groups. No injured persons were officially reported during this event, while three persons were arrested for attempting a breakthrough of the security police cordon. All three of the arrested persons have been processed for minor offenses and released from the police station afterward. No further official statements were released by the police on the event. Unofficial knowledge points to the possibility of the three arrested men being "provocateurs" who infiltrated the counter-protest in order to break up the peaceful march.

2 May 2015

The War Veterans Representatives held a large protest at Jelačić Square, under the name “The Community Gathering - Together Towards Victory”. The concert was held on the square and special Mass was held in the Zagreb Cathedral.

28 May 2015

The War Veterans Representatives decided to manifest their support to the demands of The RIZ workers and workers of the Institute of Immunology who were protesting at the time in front of the Parliament. The War Veterans included in the original protest, remained and organized a sit-in protest on St. Mark's Square, asking to be received by the Prime Minister. As the PAA permits protests in the St. Mark's Square exclusively from 8 h to 22h., after that the police intervened in an attempt to forcefully remove the protesters. The protesters retreated to the nearby St. Mark's Church. During several attempts by the police to remove the protesters, the protesters physically resisted and even attacked few police officials, after which the police retreated and formed the corridor in front of the church entrance to maintain control over passages in and out of it. The protesters spent the night inside the church. The part of the protesters that remained in front of the Ministry of Veterans' Affairs blocked the traffic on Savska Road by using gas cylinders. In spite of that, the police did not intervene.

29 May 2015

The protesters had left the church and returned to Savska Road, while their meeting with Prime Minister Zoran Milanović was scheduled for the 1 June 2015. Although nothing specific was agreed upon on the subsequent meeting with the PM, the public tensions had significantly eased, as the pre-election period was approaching.

26 January 2016

As a reaction to the decision made by the Council of Electronic Media to revoke the broadcasting licence of Zagreb's Z1 television channel for three days, around 5000 citizens organized the protest march ending in front of the Council building. The Council found that the anchor of the TV show “Markov trg” violated the EAM by warning the citizens of Zagreb not to go anywhere near the Serbian Orthodox Church at Cvijetni Square because “their children could end up victims of Chetnik slaughter”. Although the protesters had a right to organize a peaceful protest against an otherwise legal decision, they abused their rights to freedom of assembly and expression by publicly inciting hatred against the Council's president, Mrs. Mirjana Rakić, based on her actual or perceived Serbian ethnicity. The protesters were carrying a cardboard cutout of Mrs. Rakić dressed in a Yugoslav partisans' uniform, and wearing the traditional Serbian hat with Chetniks' coat-of-arms (šajkača s kokardom), while publicly shouting “Rakić go to Serbia!”. Additionally, the protesters were publicly chanting the Croatian fascist salute “Za dom spremni!”. The protest was de facto legitimized by the ruling coalition as it was led, among others, by the Vice President of the Croatian Parliament, Mr. Ivan Tepeš. The police that was present at the protest neither ended the public assembly after the described events happened, nor were charged any of the protesters, either for criminal or for misdemeanor offences, as prescribed by the law.

26 April 2016

After five hundred and fifty-five days, the so-called *Veterans' or Tent Residents' Protest* finally came to an end. The press conference was held by the protest leaders Đuro Glogoški, Josip Klemm and Dražimir Jukić, during which the leaders said that their initial demand for the resignation of the ministerial Cabinet was met, also announcing the following creation of a unified Law on the Rights of Croatian War Veterans, that would represent the constitutional law. The tent was removed with help from the state army in the following days. War Veterans Representatives also warned that, if their conditions were not met in the future, they could assemble once more in a new protest on another location.