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GENEVE 10

9 May 2011

Excellency,

In my capacity as Special Rapporteur for Follow-up on Concluding Observations of the Human Rights Committee, I have the honour to refer to the examination of the fifth periodic report of Croatia, at the Committee's 97<sup>th</sup> session, held in November 2009. At the end of that session, the Committee's concluding observations were transmitted to your Permanent Mission. You may recall that, in paragraph 21 of the concluding observations, the Committee requested the State party to provide within one year further information on the specific areas of concern identified in paragraphs 5, 10 and 17 of the concluding observations.

On 17 January 2011, the State party provided information on these paragraphs. At its 101st session, held in March 2011, the Committee noted that the State party has initiated the implementation of the following recommendations:

- (a) measures taken to combat discrimination and to combat physical and verbal attacks against members of ethnic minorities, and to promote the investigation of such acts, in particular members of the Serb minority (paragraph 5);
- (b) measures taken to ensure that all cases of war crimes are prosecuted in a non-discriminatory manner, independently of the perpetrator's ethnicity, and to collect statistical data on victims and defendants of past and current war crimes trials (paragraph 10 (b));
- (c) the possibility of referring cases to the special war crimes chambers (paragraph 10 (c));
- (d) the non-application of Amnesty Law in cases of serious human rights violations or violations that amount to crimes against humanity or war crimes (paragraph 10 (d));

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- (e) the recovery and delivery of the records of Croatian military operations required by the ICTY in the completion of its investigative work (paragraph 10 (e));
- (f) the suspension of the operation of the statute of limitation for the period of the conflict to allow the prosecution of serious cases of torture and killings (paragraph 10(f))

However, the Committee requires additional information on the following issues:

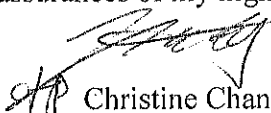
- (a) the strategy to investigate war crimes in cases where the presumed perpetrator has not been identified, which should have been presented by the State party in November 2010 (paragraph 10 (b));
- (b) the functioning of victims' support services in the special war crimes chambers that are mentioned by the State party (paragraph 10(c));
- (c) the measures taken to provide the victims of discrimination and of physical and verbal attacks against minorities with access to effective remedies;
- (d) results of the plans and legislation implemented by the State party for the economic development of the regions mainly inhabited by returnees of Serb origin (paragraph 5);
- (e) the total number and range of war crimes committed, irrespective of the ethnicity of the persons involved (paragraph 10 (a));

The Committee also considered that the recommendation on the prevention of intimidation and attacks on journalists has not been implemented in so far as no information was provided on the number of journalists who have been victims of such acts, and no reference was made to a public condemnation of such instances of intimidation and attacks (paragraph 17).

Therefore, I write to request that the above-mentioned additional information be submitted to the Committee at Your Government's earliest convenience. A Word electronic version of the reply should be sent to the Secretariat of the Human Rights Committee (Kate Fox ([kfox@ohchr.org](mailto:kfox@ohchr.org)) and Albane Prophette-Pallasco, ([aprophette@ohchr.org](mailto:aprophette@ohchr.org))).

The Committee looks forward to pursuing its constructive dialogue with the Croatian authorities on the implementation of the Covenant.

Please accept, Excellency, the assurances of my highest consideration.

  
Christine Chanet  
Special Rapporteur for Follow-up on Concluding Observations  
Human Rights Committee