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Legal Opinion on the Law on the Election of the President of the Republic of Croatia, on the Croatian Parliamentary Elections Law and on the Law on the Election of Members from the Republic of Croatia to the European Parliament

CROATIA

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EXECUTIVE SUMMARY

The Vice-President of Croatia's State Electoral Commission (SEC), Ms. Vesna Fabijančić-Križanić, requested the Organization for Security and Cooperation in Europe's Office for Democratic Institutions and Human Rights (ODIHR) to conduct a legal assessment of selected parts of electoral legislation of the Republic of Croatia in order to determine its compliance with international democratic standards, OSCE commitments and prior ODIHR recommendations. The request highlighted that different types of elections in the Republic of Croatia are governed by separate, insufficiently harmonized laws, resulting in inconsistencies that complicate the work of election administration. In line with its 2026–2028 Strategic Plan and its mandate under national law, the SEC expressed its intention to review certain electoral provisions in 2026 and convey its findings to the Ministry of Justice, Administration and Digital Transformation, which is responsible for drafting electoral legislation.

Croatia's key electoral laws governing presidential, parliamentary, and European Parliament elections were adopted between 1992 and 2010 and last amended between 2013 and 2019, resulting in a relatively comprehensive legal framework which is fragmented. While the election administration system is well structured and provides sufficient guarantees for the conduct of inclusive and transparent elections, procedural complexity, inconsistent terminology, and variations across election types can hinder operational efficiency. The three main laws under review in this Opinion contain parallel but insufficiently aligned provisions on election administration, candidate nomination, campaigning, media obligations, tabulation of results and electoral dispute resolution, and in several areas omit essential procedural details that should be set out in primary legislation rather than left to administrative regulations. Developing a unified electoral code to harmonize these core procedures for elections would eliminate ambiguities, enhance consistency, simplify the work of the election administration, bolster public confidence and reduce the likelihood of legal disputes.

While amendments adopted over the past decade have addressed a number of previous ODIHR recommendations, several important issues remain outstanding. The recommendations in this Opinion are intended to further strengthen the conduct of elections in Croatia and support efforts to bring the electoral framework fully in line with OSCE commitments and other international obligations and standards for democratic elections. In particular, ODIHR recommends addressing the following key issues:

- A. To further specify the criteria for appointing election commission members, establish clear procedures and timelines for submitting and reviewing applications, and enhance transparency throughout the recruitment process;
- B. To ensure consistency and alignment with the principle of equality, while maintaining compliance with OSCE commitments and international standards on proportionality and individual assessment, harmonise candidate disqualification grounds across all election types;
- C. To harmonize the signature-collection procedure and establish a clear and uniform statutory framework governing the withdrawal and modification of nominations across all types of elections, in order to strengthen the integrity and efficiency of the process;

- D. To promote gender parity, reviewing the legislation in order to introduce sanctions for non-compliance with gender requirements on candidate lists, make list registration conditional on meeting such requirements, and incorporate placement criteria ensuring the alternation of genders throughout candidate lists;
- E. To ensure equality of opportunity, to include comprehensive electoral campaign regulations with a system of effective oversight, as well as clearly designating authority to oversee the campaign; and to introduce an explicit prohibition on the misuse of administrative resources, supported by proportionate and dissuasive sanctions;
- F. To enhance transparency and voters' ability to make an informed choice, to regulate online campaigning, including by introducing transparency and disclosure requirements for paid online political advertising, obligations to identify the sponsor, disclose targeting criteria, and make advertising expenditure publicly accessible;
- G. To extend the mandate of the Council of Electronic Media to monitor the coverage of the election contestants by broadcasters, to introduce proportionate and dissuasive sanctions for media violations during the election campaign and to designate a competent body to investigate and address such violations;
- H. To ensure consistent transparency standards across all election types, the publication of preliminary results, disaggregated by polling station, should be established as a legal requirement for all types of elections;
- I. To fully safeguard the right to an effective remedy, to adopt clear and explicit provisions specifying who is entitled to file complaints and appeals and defining the permissible grounds for doing so, as well as to extend the relevant timelines.

ODIHR welcomes the readiness of the authorities to improve the legal framework for elections and the consideration of its recommendations which should be read in conjunction with past ODIHR recommendations that have not yet been addressed. ODIHR stands ready to assist the authorities of the Republic of Croatia to further improve the electoral process and to address the recommendations contained in this and previous reports.

As part of its mandate to assist OSCE participating States in implementing OSCE human dimension commitments, ODIHR reviews, upon request, draft and existing legislation to assess their compliance with international human rights standards and OSCE commitments and provides concrete recommendations for improvement.

I. INTRODUCTION

1. By letter of 11 March 2025, Ms. Vesna Fabijančić-Križanić, Vice-President of the State Electoral Commission (SEC) of the Republic of Croatia, submitted a request to the OSCE Office for Democratic Institutions and Human Rights (ODIHR) to conduct a legal assessment “of certain parts of Croatian electoral legislation for its compliance with international standards and obligations for democratic elections, as well as with ODIHR’s electoral recommendations in the Republic of Croatia.” On 1 September 2025... ODIHR responded to this request, confirming the Office’s readiness to prepare a legal opinion on the submitted proposed amendments to assess their compliance with international human rights standards and OSCE human dimension commitments. Subsequently, following the completion of the local elections, ODIHR conducted a consultative visit to Zagreb on 26 September to hold consultations with the SEC on the proposed topics of the review.
2. The request stated that “Every type of elections in the Republic of Croatia is prescribed by different law. Election laws are not harmonized to such an extent that individual electoral processes in certain elections are prescribed in different ways what makes conduct of elections challenging.” The SEC’s request underlined that according to its Strategic plan for 2026-2028 and its jurisdiction prescribed by the Act on the State Electoral Commission of the Republic of Croatia, they aim to revise certain provisions of electoral laws in 2026 and inform the Ministry of Justice, Administration and Digital Transformation about their conclusions as relevant authority for drafting the electoral laws, together with the ODIHR legal Opinion.
3. The 1992 Law on the Election of the President was last amended in October 2014. The 1999 Act on the Election of Representatives to the Croatian Parliament comprises several amendments over the years; a consolidated version was adopted in June 2015, and the Act was last amended in October 2019. The Act on the Election of Members of Parliament from the Republic of Croatia to the European Parliament was adopted in 2010 and was last amended in November 2013.
4. Croatia has a well-structured election administration system. However, procedural complexity, inconsistent terminology, and variations across election types can hinder operational efficiency. The three main laws under review contain parallel but not fully aligned provisions and, in several areas, omit essential procedural details that should be set out in primary legislation rather than left to administrative regulations. Developing a unified electoral code to harmonize these core procedures for parliamentary, presidential and European Parliament elections would eliminate ambiguities and enhance consistency; this could significantly simplify the administration of the elections, bolster public confidence and reduce the likelihood of legal disputes.
5. The ODIHR Final Report on 2020 Parliamentary Elections noted that “the majority of prior ODIHR recommendations, including those related to harmonization and consolidation of election legislation, remain unaddressed.”¹ In this Legal Opinion, ODIHR reiterates some

¹ In addition, the ODIHR 2024 Election Assessment Mission (EAM) assessed the follow-up of prior recommendations as follows: recommendation 12 from the final report of the 2015 parliamentary elections is fully implemented.

of the previous recommendations and offers additional ones, to support the efforts of the SEC to improve election-related legislation and align it more closely with OSCE commitments.² At the same time, it is essential to underscore that legislative amendments alone are not sufficient; effective, consistent, and impartial implementation of the law is equally necessary to ensure elections are conducted in accordance with international standards.

II. SCOPE OF THE OPINION

6. The scope of this Opinion covers the 1992 Law on the Election of the President of the Republic of Croatia, as amended (hereinafter the Presidential Election Law), the 1999 Act on the Election of Representatives to the Croatian Parliament, as amended (hereinafter the Parliamentary Elections Law) and the 2010 Act on the Election of Members of Parliament from the Republic of Croatia to the European Parliament, as amended (hereinafter the European Parliament Elections Law). The comments set out in this Opinion regarding the aforementioned legislation focus on specific areas of particular relevance to the SEC, which it has identified as requiring clearer regulation. In addition, the Opinion draws attention to certain matters not covered by the existing legislation, with the aim of helping the authorities address these gaps so as to harmonise and ultimately consolidate the laws into a single legislative act, as previously recommended by ODIHR.
7. While this Opinion reviews legislation governing three different types of elections, it does not constitute a full or comprehensive assessment of the entire legal and institutional framework regulating elections in Croatia. In particular, the chapter on campaign finance is excluded, as it will be addressed in a separate ODIHR Opinion. Moreover, the laws regulating local elections and elections for council members and representatives of national minorities fall outside the scope of this review.
8. The assessment of this legislation is based on international standards, norms and practices for democratic elections, OSCE commitments as well as recommendations from prior ODIHR election observation and election assessment missions to the Republic of Croatia. In this regard, it also highlights potential changes that could contribute to the implementation of previous ODIHR election-related recommendations.
9. This Opinion is based on an unofficial English translation of the afore-mentioned laws. Errors from translation may result. Should the Opinion be translated in another language, the English version shall prevail. In view of the above, ODIHR would like to stress that this Opinion does not prevent it from formulating additional written or oral recommendations or comments on respective subject matters in the Republic of Croatia in the future.

Recommendations 1, 5, 11, 17 from the final report of the 2015 parliamentary elections and recommendations 1, 6, 7, 8, 10, 12 and 15 from the final report of the 2020 parliamentary elections are partially implemented. Recommendations 2, 3, 4, 6, 7, 8, 9, 10, 13, 14, 15, 16 and 18 from the final report of the 2015 parliamentary elections and recommendations 2, 3, 4, 6, 7, 8, 9, 11, 13, 14 and 16 of the final report of the 2020 parliamentary elections were not addressed.

² In paragraph 25 of the [1999 OSCE Istanbul Document](#), OSCE participating States committed themselves “to follow up promptly the ODIHR’s election assessment and recommendations”.

III. LEGAL ANALYSIS

1. ANNOUNCEMENT OF ELECTIONS

10. The SEC proposes that the moment when elections are called be clearly and uniformly defined across all election types, and that the period between the call and commencement of electoral procedures be extended to allow adequate preparation time.
11. The Parliamentary Elections Law (Article 5) requires the president to call parliamentary elections at least 30 days before they take place. This timeline is set to 60 days in the case of European Parliament elections (Article 7). Presidential elections, by contrast, are announced by the government, and at least 30 days must have elapsed between the call and the vote (Article 3). However, the legislation under review does not uniformly define the precise moment at which elections should be officially called. In addition, the Parliamentary Elections Law refers to the "entry into force" of the decision to call elections, whereas the Presidential Election Law refers to the "date of the call." Neither explicitly defines when an election is deemed to be officially called – whether this is the date of signing, the date of publication in the Official Gazette (*Narodne Novine*), or the date of entry into force of the calling decision.
12. Furthermore, a deferred entry into force of the decision to call elections, such as, for instance, no earlier than eight days from its publication in the Official Gazette, could offer more flexibility to the election administration to start the preparations and facilitate the organization of election-related activities, and enhance the overall implementation of the election process.
13. It should be highlighted that any election administration requires sufficient time to undertake preparatory activities such as voter registration, recruitment and training of election officials, logistical planning, candidate registration and procurement of election materials. Short or unclear timelines may compromise the quality and effectiveness of these operations. In addition, they may disproportionately disadvantage smaller or newly formed political parties, which could raise concerns regarding equality of opportunity. **It would be advisable to clearly define when elections should be called and establish a clear minimum period between that moment and election day, sufficient to mitigate challenges associated with compressed electoral timelines and to allow the effective preparation of key stages of the process.** Such harmonization would strengthen legal certainty, enable electoral stakeholders to calculate statutory deadlines accurately, and promote equality of opportunity among contestants, including smaller or newly formed political parties.
14. Furthermore, the electoral laws under review do not contain explicit provisions on early elections, which, in general, have important procedural and administrative implications. These include the capacity of the election administration to ensure adequate preparation within compressed timeframes and the ability of electoral contestants, particularly smaller parties and independent candidates, to organize effectively, and compliance with statutory electoral timelines under compressed circumstances. As reflected in OSCE commitments and relevant international good practice, legal frameworks governing elections should

provide for legal certainty, foreseeability, and the effective exercise of electoral rights.³ Hence, the absence of transitional or clarifying provisions in this regard may give rise to challenges in implementation. **It is recommended to consider introducing appropriate transitional or clarifying provisions to address potential early-election scenarios, with a view to ensuring legal certainty, administrative preparedness, and compliance with electoral timelines.**

15. The Constitution of Croatia establishes an outer limit on the period between the dissolution of Parliament and the holding of elections. In particular, Article 73(1) provides that elections shall be held "not later than 60 days after the expiry of the term of office or the dissolution" of Parliament. Similarly, Article 95 establishes that presidential elections shall be held "not less than 30 and not more than 60 days before the expiry of the incumbent's term of office." These constitutional provisions create a ceiling that constrains the extent to which the minimum announcement period can be extended through ordinary legislation.
16. Nevertheless, within these constitutional parameters, there is a scope to extend the minimum period that should elapse between the call for the elections and the vote, from 30 to 45 days, which would provide election administration bodies and political contestants with additional time for preparation while remaining within the constitutionally prescribed maximum. Any extension beyond the current constitutional ceilings would require constitutional amendment, and the feasibility and desirability of such reform merits further consideration in the context of broader constitutional review processes.

2. ELECTION ADMINISTRATION

17. While no specific international standard governs the composition of election administration bodies, the relevant legislation should ensure that election commissions are constituted in line with good practice and operate according to key guiding principles, mainly in an independent and impartial manner that safeguards confidence of election stakeholders as well as transparency and accountability throughout the electoral process.⁴ The Code of Good Practice recommends as a general rule that the composition of permanent central electoral commissions should include at least one member of the judiciary and representatives of parties already in parliament or having scored more than a certain percentage of the vote.⁵
18. For all types of elections, the legislation under review assigns responsibility for organizing elections to a multi-tiered system of election commissions, headed by the SEC. The SEC functions as a permanent body appointed by the Parliament by a majority of all members for an eight-year term. All lower-level election commissions are appointed for each electoral cycle.
19. While each type of election is regulated by a separate law and its respective amendments, including provisions on the composition of lower-level election commissions, the parallel regulation of the same election commissions across three separate laws, often with differing rules results in fragmentation and a lack of uniformity.

³ See paragraphs 5.8 and 7.3 of the [1990 OSCE Copenhagen Document](#); General Comment No. 25 on Article 25 of the ICCPR; Guidelines I.2.3 and II.2.b of the Council of Europe's Venice Commission 2002 Code of Good Practice in Electoral Matters (Code of Good Practice).

⁴ Paragraph 20 of the [CCPR General Comment No. 25](#) to Article 25 of the ICCPR. See also, [Existing Commitments for Democratic Elections in OSCE Participating States](#), par. 4; Code of Good Practice, Section II.3.1.

⁵ Section II.3.1, para.75 of Code of Good Practice.

2.1 STRUCTURE

a. Parliamentary Elections

20. Parliamentary elections are administered by the SEC, Constituency Electoral Commissions (ConECs), Municipal and City Electoral commissions (MECs/CiECs) and, at polling station level, Voting Committees (VCs). The ConECs have both permanent and expanded memberships. The permanent members consist of a chairperson, two members, and their deputies (Article 58). The expanded membership comprises four additional members nominated by parliamentary political parties after the candidate registration process: two by the governing party or coalition and two by opposition parties or coalitions (Articles 59 and 60). The appointment procedure for municipal and city electoral commissions follows the same principles applied to ConECs (Article 67).

b. Presidential Election

21. Presidential election is administered by the SEC, the Election Commission of the City of Zagreb, Municipal and City Electoral Commissions (MECs/CiECs), and Voting Committees (VCs).⁶ All lower-level commissions function as temporary bodies appointed by the SEC and the respective higher-level commissions. Each commission is composed of a president, two members, and their deputies, and the law specifies that these individuals must be lawyers and may not be members of political parties (Article 20).

c. European Parliament Elections

22. Under the European Parliament Elections Law, the electoral process is administered by the SEC, County Electoral Commissions and the Electoral Commission of the City of Zagreb, as well as Municipal and Town Electoral Commissions and VCs (Article 28). County Electoral Commissions and the Electoral Commission of the City of Zagreb consist of a president, two members, and their deputies (Article 31). Municipal and town electoral commissions also consist of a president and two members, each with a deputy (Article 34).

3. COMPOSITION, POLITICAL PARTY REPRESENTATION, AND PARTY MEMBERSHIP RESTRICTIONS

23. The Parliamentary Elections Law (Articles 58-60) provides for a broader composition of ConECs and MECs through an expanded membership that includes political party nominees. However, the legislation does not provide for an expanded composition of similar mid-level commissions for either presidential or European Parliament elections. At the same time, rules on political party membership are not unified across election types and diverge without a clear objective justification. While the Presidential Election Law prohibits all election commission members and their deputies from being political party members, by contrast, the European Parliament Elections Law imposes explicit prohibitions only on presidents and deputy presidents of municipal, town electoral commissions and election committees (Article 34.3 and Article 36.3), while remaining silent on whether other members of County Electoral Commissions or the Zagreb City Electoral Commission must be non-partisan. Further, there is no explicit provision for

⁶ The three laws under review use different designations for the polling station-level bodies: the Parliamentary Elections Law refers to "voters' committees", the Presidential Election Law to "electoral committees", and the European Parliament Elections Law to "election committees". For consistency and ease of reference, this section uses the term "Voting Committees" throughout, unless a specific legal provision requires distinction.

presidential candidates nor for political parties in European Parliament Elections to nominate members to these bodies – unlike political parties participating in parliamentary elections, which have this right under Articles 59 and 60 of the Parliamentary Elections Law. **These divergences lack an objective justification and would benefit from clarification and harmonisation to ensure consistency and equal treatment of electoral contestants across election types.**

4. APPOINTMENT TIMELINES AND MANDATE DURATION

24. None of the three laws under review prescribe a deadline for the appointment of mid-level election commissions. For the Parliamentary and Presidential Election Laws, appointment timelines are laid down only in mandatory SEC guidelines, while the European Parliament Elections Law is similarly silent on this point. Unlike the State Electoral Commission Act, which establishes a defined eight-year mandate for SEC members (Articles 3 and 4), none of the three laws defines the duration of the mandate of lower-level commission members. This gap is particularly pronounced in the Parliamentary Elections Law, which characterises ConEC members as "permanent" without clarifying whether this implies an indefinite appointment or merely continuity between electoral cycles. Finally, the legislation does not contain comprehensive provisions on termination of mandate, grounds and procedures for removal, resignation, replacement, or dissolution.

5. ELIGIBILITY CRITERIA AND QUALIFICATIONS

25. A significant lack of uniformity is evident in the eligibility criteria for selecting commission members. The Parliamentary Elections Law requires that mid-level commission members be appointed "from amongst the ranks of judges and prominent lawyers" (Article 58). The term "prominent lawyers" is subjective and does not establish objective, verifiable criteria. The Presidential Election Law (Article 20 and 21) requires commission members to be "graduate lawyers" and to be appointed from among "judges or other lawyers". The European Parliament Elections Law (Article 31) requires mid-level commission members to be appointed "from amongst the ranks of judges," while requiring presidents and vice-presidents of Voters' Committees to be "members of the legal profession," yet the law remains silent on qualifications for other members. Beyond a legal background, no other qualification requirements are specified in the legislation under review, including minimum years of professional experience or prior service in electoral administration.
26. The ODIHR EAM Final Report for the 2024 Early Parliamentary Elections expressed concern about the absence of defined criteria and transparency in the nomination process for election commission members⁷ and recommended that "the legal framework should contain clear and objective criteria and a transparent procedure for the nomination and appointment of all members of election commissions."⁸ **To promote a merit-based and inclusive selection process, it would be advisable to further specify the criteria for appointing members of election commissions, establish clear procedures and timelines for submitting and reviewing applications, and enhance transparency throughout the recruitment process.**

⁷ Article 7.4 of the 2004 UN [Convention Against Corruption](#) states that "Each State Party shall, in accordance with the fundamental principles of its domestic law, endeavour to adopt, maintain and strengthen systems that promote transparency and prevent conflicts of interest."

⁸ ODIHR EAM Final Report for the 2024 Early Parliamentary Elections in Croatia, p.7.

6. NOMINATION AND APPOINTMENT OF VOTING COMMITTEES

27. The deadlines for nominating and appointing VC members vary across election types. Political parties must propose VC members no later than eight days before election day for parliamentary elections (Article 69), compared to eighteen days for European Parliament elections (Article 36). Similarly, while the parliamentary and presidential election laws (Article 69 and 24, respectively) require VCs to be appointed no later than five days before election day, the European Parliament Elections Law sets this deadline at fifteen days. **It would be advisable to harmonise the deadlines across all election types to support more efficient election management and simplify the nomination process for political parties.**
28. Responsibility for appointing VC members rests with different levels of the election administration depending on the type of election: Constituency Electoral Commissions for parliamentary elections (Article 61); Municipal and City Electoral Commissions, along with the City Electoral Commission of Zagreb, for presidential elections (Article 24); and County Electoral Commissions together with the City Electoral Commission of Zagreb for European Parliament elections (Article 56). For all three election types, the SEC appoints VC members for polling stations located in diplomatic and consular missions.

7. DECISION-MAKING PROCEDURES

29. It is also noteworthy that the laws under review do not prescribe any decision-making procedures for electoral management bodies at lower levels. While Articles 18 and 22 of the Act on the State Electoral Commission, as amended, stipulate that “the decisions of the Commission are made at its sessions” and that the SEC’s decision-making procedures are governed by its Rules of Procedure, the laws under review are silent on how lower-level commissions are to take decisions. All three laws, however, require the SEC to issue and publish mandatory guidelines.
30. The Code of Good Practice emphasizes that requiring a qualified majority for decision-making can foster constructive dialogue between majority and minority political party representatives, with consensus being the preferable outcome whenever possible.⁹ The ODIHR and Venice Commission have, on several occasions, recommended introducing higher quorums and/or qualified majorities to enhance the inclusiveness of electoral commission decisions.¹⁰ **It would be advisable for the law to specify the quorum required for meetings of the lower-level commissions, define decision-making rules, and establish mechanisms for resolving potential deadlocks.**

8. REMUNERATION OF COMMISSION MEMBERS

31. The laws under review do not set out any criteria for compensating members of electoral commissions. The SEC has identified inadequate remuneration as a significant concern, proposing that basic principles be established in law and that income tax exemptions apply to the compensation. The current framework provides for SEC member salaries but does not comprehensively address remuneration for lower-level commission members in a similar manner. Given that the administration and oversight of elections require commission members to dedicate substantial time and effort to their duties, such roles

⁹ Code of Good Practice, Explanatory Report, para. 80.

¹⁰ See for example [CDL AD\(2003\)021](#), para. 12; [CDL- AD\(2004\)016](#) rev, para. 12.

should not be treated as voluntary positions. Regarding the SEC's proposal for income tax exemption, this represents a policy choice for national authorities and, if adopted, should be clearly specified in legislation and applied consistently across election types and commission levels to ensure equity and administrative simplicity.

32. As the foregoing illustrates, the differing rules governing election management bodies across election types do not necessarily enable the SEC to carry out its responsibilities under optimal conditions. The ODIHR EAM Final Report for the 2015 Parliamentary Elections recommended that “consideration should be given to consolidating and harmonizing election legislation into a single comprehensive electoral code. Specific chapters to address different aspects of local, parliamentary and presidential elections, as well as elections to the European Parliament, could be included in this code.” A similar recommendation was reiterated in the ODIHR EAM Final Report for the 2020 Parliamentary Elections.¹¹

9. CANDIDATE NOMINATION

33. The State Electoral Commission proposes to harmonize the rules on candidacy across all types of elections in order to ensure a more uniform, transparent, and efficient electoral process. The proposal focuses on aligning deadlines, candidacy restrictions, and the definition of key actors in the nomination process, as well as enabling the electronic submission of candidacies. It also recommends modernizing the rules on the official publication of candidate lists to reflect current digital practices and reduce unnecessary costs and delays.

a. Eligibility Requirements

34. The Parliamentary Elections Law grants the right to stand for office to all citizens aged 18 or older (Article 4). It provides for limitations on candidacy rights for citizens who have been sentenced by a final court decision to an unconditional prison term of six months or more, where the sentence is being served or is about to be enforced at the time the election is called (Article 9). Restrictions also apply to citizens who, at the time of calling an election, have not completed the rehabilitation period prescribed by law and who have been convicted by a final decision for specific offences, including crimes against humanity, genocide, aggression, terrorism or membership in a terrorist organization, or aggravated murder. While restrictions on the right to stand may be permissible under international standards where they are prescribed by law, based on a final conviction for a serious offence, imposed by a court, and proportionate to the nature and gravity of the offence, the current six-month threshold warrants further review to ensure that it does not lead to disproportionate restrictions in cases involving less serious offences. **Consideration should be given to clarifying that any restriction on candidacy rights is limited to serious offences and is subject to an individualized assessment, in line with the principle of proportionality.**¹² For European Parliament elections, the law requires only that any EU nationals running in Croatia provide a declaration that they have not been deprived of the right to stand in their home member state as a result of a criminal or civil

¹¹ ODIHR, Republic of Croatia, Parliamentary Elections, [8 November 2015, Election Assessment Mission Final Report](#), Recommendation 1; and ODIHR, Republic of Croatia, [Parliamentary Elections, 5 July 2020, Election Assessment Mission Final Report](#), Recommendation 2.

¹² Paragraph 15 of the [CCPR General Comment No. 25](#) to Article 25 of the ICCPR states that “any restrictions on the right to stand... must be justifiable on objective and reasonable criteria.” See also paragraphs 7.3, 7.5 and 24 of the 1990 OSCE Copenhagen Document, and Guideline I. 1.1 c of the Code of Good Practice.

law decision. Similarly, the electoral framework treats dual citizenship inconsistently. While the Parliamentary Elections Law (Article 22.5) and the European Parliament Elections Law (Article 17.6) disqualify dual nationals from holding elected mandates, the Presidential Election Law contains no equivalent restriction. This results in different treatment of candidates across election types and would benefit from review.

35. The Parliamentary Elections Law (Article 9) establishes a range of incompatibilities between the office of Member of Parliament and certain public functions, including, inter alia, judges, military personnel, the State Attorney, county prefects and their deputies, and heads or deputy heads of state administrative bodies. While the Mayor and Deputy Mayor of the City of Zagreb are likewise prohibited from holding parliamentary office simultaneously, this restriction does not extend to mayors of other cities, who may stand for election and hold both positions concurrently. Beyond the potential conflicts of interest this may create, as noted in the ODIHR 2024 EAM Final Report, such differential treatment of mayors lacks an objective justification.¹³ **It would therefore be advisable to revise this provision.** Unlike the Parliamentary Elections Law, neither the Presidential Election Law nor the European Parliament Elections Law contains equivalent incompatibility provisions; for presidential office, such restrictions are established in Article 96 of the Constitution, while for Members of the European Parliament, incompatibilities are primarily governed by EU law.
36. While the Presidential Election Law (Article 10) requires the statement of acceptance of candidacy to be notarized, neither the Parliamentary Elections Law nor the Law on Elections to the European Parliament contains such an obligation; instead, only the mandatory SEC Guidelines require candidates to submit a statement of acceptance without notarisation. It is advisable to **harmonise this procedure to safeguard the right to stand by ensuring that similar requirements apply to candidates across all election types and to reinforce and equal treatment of candidates.**

b. Gender Representation

37. While the Parliamentary Elections Law (21.a) encourages parties and citizen initiatives to strive for a “balanced representation of women and men” on their candidate lists, it does not establish placement rules, such as a gender-alternating “zipper system”, nor does it provide any enforcement mechanisms. As a result, the effectiveness of this provision in promoting equal political participation, in line with OSCE commitments and international standards, is significantly weakened.¹⁴ Similarly, the European Parliament Elections Law contains only a brief reference requiring that list proponents “must take care of the principle of equality,” without any concrete requirements or enforcement measures (Article 14). Consistent with the ODIHR 2024 EAM Final Report, **“the law should introduce sanctions for non-compliance with gender requirements on candidate lists,**

¹³ Paragraph 16 of the [CCPR General Comment No. 25](#) to Article 25 of the ICCPR states that “if there are reasonable grounds for regarding certain elective offices as incompatible with tenure of specific positions (e.g. the judiciary, high-ranking military office, public service), measures to avoid conflict of interest should not unduly limit the rights protected by paragraph (b).”

¹⁴ Paragraph 23 of the [1999 OSCE Istanbul Document](#) commits participating States to “making equality between men and women an integral part of [their] policies”. See also Paragraph 3 of the [OSCE Ministerial Council Decision 7/09](#), which calls participating States to “encourage all political actors to promote equal participation of women and men in political parties, with a view to achieving better gender-balanced representation in elected public offices at all levels of decision-making”. Paragraph 160 of [ODIHR and Venice Commission Guidelines on Political Party Regulation](#) states that “member states have explicitly introduced the possibility or even the duty to introduce special measures to ensure equal opportunities for women and men to participate in party processes. These special measures are not to be regarded as discriminatory.”

make list registration conditional on meeting such requirements, and incorporate placement criteria ensuring the alternation of genders throughout candidate lists.”

c. Nomination Forms and Signature Collection

38. The SEC establishes electoral forms and templates through mandatory guidelines; however, the level of statutory regulation governing their content varies across electoral laws, with some prescribing mandatory elements and others remaining silent. This fragmented approach creates unnecessary complexity and risks inconsistent application. Legislation should therefore regulate the content of electoral forms in a more consistent and uniform manner, clearly distinguishing between mandatory elements to be specified in law and implementation details to be delegated to the SEC. Legislative reform should also require electoral forms to be available in accessible formats for persons with disabilities, in line with Croatia’s obligations under the UN Convention on the Rights of Persons with Disabilities, and would strengthen the legal basis for data processing under Article 6(1)(c) of the General Data Protection Regulation, which requires processing to be necessary for compliance with a legal obligation.
39. It is noteworthy that none of the three laws under review include penalties for providing false information in the nomination documents during the candidate application process. Introducing clear, enforceable penalties for providing false information when applying to be nominated as a candidate is essential to protect the integrity of the democratic process. Nomination forms and supporting documents are not mere formalities, as their purpose is to help the election administration, political parties and voters verify a candidate’s identity, eligibility, assets and liabilities and any other requirements. **It would be advisable to introduce clear, proportionate and enforceable sanctions to deter manipulation, enhance transparency and overall protect the integrity of the process.**
40. The Parliamentary Elections Law (Article 19) prescribes the use of specific forms for collecting signatures in support of national minority candidates, requiring the voter’s name, surname, and address. However, no such requirement exists for citizen initiatives, which may create opportunities for manipulation or complicate the verification process. Article 9 of the Presidential Election Law stipulates that signatures must be collected on a prescribed form including the proposed candidate's name, surname, address and ID number. The same data must be entered for each signing voter. The Law on European Parliament elections (Article 15) provides for signature collection only for voter-nominated candidate lists, requiring nomination to be based on "*duly collected signatures*" without providing any further details. Important elements such as the date of signature and data protection notices appear to lack statutory basis across all election types.
41. Furthermore, the laws under review contain no procedures for verifying signatures or for correcting missing or invalid signatures. In this respect, the Code of Good Practice in Electoral Matters states that “checking of signatures must be governed by clear rules [...]” and that once the required number of valid signatures is unequivocally reached, further verification is unnecessary.¹⁵ **It would therefore be advisable to harmonize the signature-collection procedure by introducing standardized forms for all required signatures as well as providing for signature verification subject to appropriate integrity safeguards aimed at preventing potential manipulation, and introducing proportionate and dissuasive sanctions in case of deliberate falsification.**

¹⁵ Para. I. 1.3 iii. and iv of the Code of Good Practice.

42. In addition, while a candidate may appear in only one list in legislative elections, election laws under review do not provide for the possibility for a voter to sign in support of multiple contestants during signature collection process, which may limit freedom of association and expression and is not in line with international good practice.¹⁶ **It is recommended that the legal framework be amended to allow voters to sign in support of more than one electoral contestant in each election.**

d. Electronic Nomination System

43. The SEC proposes that the relevant laws be amended to explicitly allow nomination documents to be submitted electronically. At present, none of the election laws provide for the electronic submission of nomination documents or the use of such a system. The SEC noted that it deployed the application “*eKandidatura*” (e-candidacy) during the 2024 parliamentary and European Parliament elections. The system enabled proposers to prepare nominations independently, with automated verification against voter and residency registries. However, it operated on the basis of the SEC’s administrative authority and general statutory provisions allowing the Commission to prescribe forms and procedures. It is advisable to regulate this area in order to clarify issues related to: (a) the validity of electronically submitted nominations; (b) the evidentiary status of electronic documents; (c) authentication and signature requirements; (d) compliance with data protection standards; and (e) the availability of effective remedies in the event of system failure.¹⁷ **Consideration could be given to (1) vesting the SEC with the authority to adopt binding instructions establishing detailed technical specifications, including electronic signature authentication standards, system security certification, accessibility for persons with disabilities, contingency procedures in the event of system failure, and rules on the retention and archival of electronic records; (2) maintaining the possibility of paper-based submission as an alternative, in order to ensure accessibility and system resilience; and (3) ensuring that any technical specifications and user guidance are published sufficiently well in advance of the nomination period.**

e. Submission Deadlines and Publication of Candidate Lists

44. The Parliamentary Elections Law and the Law on Elections to the European Parliament require that candidate lists be submitted to the SEC no later than 14 days following the entry into force of the decision to call elections (Articles 22 and 17 respectively). By contrast, the Presidential Election Law sets a shorter deadline of 12 days (Article 10). Such relatively compressed timelines may place a considerable operational burden on the election administration, particularly in the context of early elections, where advance preparations may not have been possible. **It may be advisable to harmonise submission deadlines across all types of elections and to consider extending the period for the submission of candidate lists to 21 days for parliamentary elections and elections to the European Parliament, and to 18 days for presidential election, with a view to ensuring adequate time for political contestants to complete the nomination process and to supporting the effective administration of elections.**

¹⁶ According to Paragraph 96 of the [ODIHR and Venice Commission 2020 Guidelines on Political Party Regulation](#), “it should be possible to support the registration of more than one party, and legislation should not limit a citizen or other individual to signing a supporting list for only one party.”

¹⁷ Venice Commission, [Principles for a Fundamental Rights-Compliant Use of Digital Technologies in Electoral Processes](#) (CDL(2020)037).

45. All three election laws require publication of candidate lists in either "all daily newspapers in the Republic of Croatia" and on Croatian Radio-Television. These provisions impose significant costs without commensurate public benefit as it includes printing fees for multiple daily newspapers and broadcast time charges. Meanwhile, the SEC website provides immediate, free, and universally accessible publication. Most European jurisdictions have transitioned to digital publication as the primary official venue, with print or broadcast serving supplementary notice functions. At the same time, while designating digital publication as official, legislation should also require simultaneous publication in the Official Gazette as the formal legal record.

f. Inconsistent Terminology and Lack of Clear Definitions

46. The SEC proposes that electoral legislation should clearly and uniformly define, for all types of elections, who is considered the proposer of a candidate list or candidacy, who formally represents that list or candidacy in the electoral process, and who is responsible for communicating with electoral bodies. The absence of such definitions undermines the effective delivery of official communications, including deficiency notices requiring corrections to nomination documents and formal decisions on candidacy status.
47. Indeed, the electoral laws under review employ inconsistent terminology. For instance, the Parliamentary Elections Law (Articles 20 and 21) references "person authorised to submit the party slate," "slate leader," and "first candidate on the slate." The Presidential Election Law (Article 7) refers to "political party," "voters individually or in groups," and "person who according to the party's statute represents the party." The European Parliament Election Law (Articles 14 and 15) uses "proponents of the list of candidates." In addition, for parliamentary elections, a list proposed by a group of voters must include the designation "candidate of group of voters," whereas for European Parliament elections the corresponding designation is "independent list".
48. The use of varying terminology, combined with the absence of clear and uniform definitions, also creates uncertainty regarding legal accountability, the authority to modify or withdraw nominations, and the effective delivery of official decisions. For example, the Parliamentary Elections Law (Article 25) provides that for independent slates, "the decision to withdraw is made by the slate leader," but no equivalent clarity exists for party slates or for presidential nominations. For parliamentary elections, a party or citizens' initiative may withdraw an entire candidate list within 48 hours after its acceptance and publication; however, individual candidates may not be removed from a list once it has been accepted. Within the same 48-hour period, a candidacy may be withdrawn by the candidate themselves - whether nominated by a citizens' initiative or a political party- or by the political party that nominated them. Similar rules apply to European Parliament elections (Article 19), while the Presidential Election Law contains no provisions permitting withdrawal.
49. Coalition nominations introduce additional complexity, as the legislation does not address decision-making authority among coalition partners or requirements for joint consent. While technical in nature, these issues have significant practical implications for the integrity and efficiency of the nomination process. Unclear role definitions create opportunities for disputes, missed deadlines, and contested nominations that could be avoided through clear statutory specification. **It is recommended to establish a clear and uniform statutory framework governing the withdrawal and modification of nominations across all types of elections and nomination formats, including party**

lists, independent slates, presidential candidates, and coalition nominations. Such a framework could clarify decision-making authority, specify who is entitled to submit and receive official communications, and provide for clear notification and publication requirements. In addition, consideration could be given to setting withdrawal deadlines that are aligned with ballot production and logistical timelines, with a view to ensuring legal certainty, administrative efficiency, and the integrity of the electoral process.

10. ELECTION CAMPAIGN

50. Effective regulation of the election campaign is essential to safeguarding the integrity of the electoral process. In line with OSCE commitments and international standards, States have a positive obligation to provide conditions for genuine, inclusive, and credible elections that reflect the will of the voters.¹⁸ Regulating campaign activities falls within the scope of required legislative measures to fulfil these obligations. The absence of such provisions can result in significant disparities in campaign resources and the misuse of institutional advantages, undermining the effective exercise of political rights and the principle of equal suffrage. In this regard, the ODIHR 2024 EAM recommended that the legal framework be revised to include comprehensive campaign regulations accompanied by proportionate sanctions and an effective oversight mechanism, with consideration given to designating a single authority to oversee campaign conduct.¹⁹
51. The Parliamentary Elections Law contains minimal regulation of the election campaign. It defines the campaign period (Article 28), requires national broadcast media to provide all contestants with opportunities to present their programmes (Article 29), and authorizes Parliament to adopt rules governing the conduct of electronic media with national concessions during the campaign (Article 30). The Parliamentary Elections Law and the European Parliament Election Law also establish a supra-partisan Ethics Commission (Articles 103-106 and 68-71 respectively), tasked broadly with “evaluating the conduct of participants in elections during the campaign and the electoral procedure itself.” However, under Article 103 of the Parliamentary Elections Law, the Ethics Commission is not vested with sanctioning powers and may issue only statements and warnings “to promote ethical and democratic principles in elections” which significantly limits its effectiveness. The Presidential Election Law (Articles 13-15) and the European Parliament Elections Law (Articles 22-23) contain even fewer campaign-related provisions, while the Presidential Election Law does not provide for the establishment of an Ethics Commission.
52. A number of essential elements of campaign regulation should be introduced in the laws under review or incorporated into a single harmonized electoral law. These include, *inter alia*, a definition of what constitutes an election campaign and the activities permitted within it; rules governing the placement of campaign materials; provisions on the rights and facilities afforded to electoral contestants during the campaign period; prohibitions on certain types of conduct; mechanisms for resolving campaign-related disputes; and provisions complementing the existing campaign finance framework, in particular to address gaps in the regulation of third-party expenditure and contributions. **The legal**

¹⁸ See Paragraph 7 of the 1990 [OSCE Copenhagen Document](#). See also paragraph 25 of the [CCPR General Comment No. 25](#) to Article 25 of the ICCPR.

¹⁹ ODIHR EAM [Final Report on the 2024 Parliamentary Elections](#), p. 12. The full recommendation reads: “To ensure equality of opportunity in the campaign, the legal framework should be revised to include comprehensive electoral campaign regulations accompanied by sanctions and an effective oversight mechanism. Consideration could be given to clearly designating one authority to oversee the campaign either the Ethics Commission or the SEC”

framework would benefit from explicit provisions to regulate the campaign as above as well as an explicit prohibition on the misuse of administrative resources, supported by stronger institutional safeguards as well as proportionate and dissuasive sanctions for such violations.²⁰

53. The SEC exercises broad authority over electoral administration; however, its specific competences in the area of campaign oversight are not clearly defined in the legislation. The respective roles of the Ethics Commission and the media regulator remain ambiguous, resulting in a fragmented institutional framework that may undermine effective oversight. A useful distinction may be drawn between two categories of oversight functions: first, facilitative functions relating to the promotion of ethical standards and fair conduct among campaign participants; and second, regulatory and enforcement functions, including the investigation of violations, adjudication of complaints, and imposition of sanctions. **It is recommended to clearly allocate these functions among the SEC, the Ethics Commission, and the media regulator, and establish formal coordination mechanisms, including information-sharing protocols and referral procedures, to ensure coherent and effective oversight of election campaigns.**
54. The legislation under review prescribes a campaign silence period covering election day and the 24 hours preceding it. However, only the European Parliament Elections Law (Article 78) provides sanctions for violations of campaign silence, prescribing monetary fines. The SEC has proposed a re-examination of election silence regulation in light of contemporary communication practices. The proposal highlights the limited effectiveness and enforceability of existing rules, the absence of clearly defined offences, powers, and procedures, and the practical difficulties faced by electoral authorities in ensuring compliance. In this context, the SEC questions whether the current model of campaign silence remains fit for purpose.
55. The digital media has rendered traditional silence rules increasingly difficult to enforce, but their continued relevance for conventional campaigning warrants separate consideration. Offline campaign activities and broadcast media reach voters passively, without any active choice on their part, particularly on election day. A limited silence period may therefore still serve a legitimate purpose by providing a short interval free from direct campaign pressure in public space and mass media. Online political content, by contrast, typically requires active engagement by voters, making comprehensive enforcement challenging. Rather than abolishing campaign silence altogether, legislators may consider retaining a narrowly tailored silence regime for traditional and broadcast campaigning, while relying on transparency and disclosure-based regulation for campaigning online. **Should campaign silence be retained, the legal framework should clearly define the prohibited conduct, designate the competent enforcement authority, and provide for proportionate sanctions harmonised across all election types. The scope of any retained silence period could be limited to official campaign activities by electoral contestants. Alternatively, legislators could consider supplementing or replacing campaign silence with transparency-based measures, which may prove more enforceable in the digital environment.**
56. The current legal framework does not comprehensively address campaigning online, and social networking platforms remain outside the scope of national electoral regulation. At the EU level, however, online campaigning is now subject to a layered framework: the EU

²⁰ See the 2016 ODIHR and Venice Commission [Joint Guidelines for preventing and responding to the misuse of administrative resources during electoral processes](#).

Digital Services Act (DSA), fully applicable since February 2024, and Regulation (EU) 2024/900 on the transparency and targeting of political advertising (TTPA), most provisions of which apply from 10 October 2025. The TTPA, which is applicable in Croatia, establishes rules on the labelling of political advertisements, the identification of sponsors, the disclosure of amounts paid, and restrictions on the use of targeting and ad-delivery techniques, in both offline and online environments.²¹

57. The ODIHR 2024 EAM Final Report recommended that the legislature consider, in consultation with the media regulator and other stakeholders, steps to regulate campaign activities and political advertising in online media and social networking platforms, including their financing. The Venice Commission likewise has highlighted the need for legislation to address digital campaigning explicitly, including through transparency requirements for paid online political advertising.²² **It is recommended to amend the legal framework to introduce obligations to identify the sponsor, disclose targeting criteria, and make advertising expenditure publicly accessible and align it with the TTPA and the DSA. Competences of the Agency for Electronic Media, the State Electoral Commission, and campaign-finance oversight bodies should be clearly delineated and co-ordinated. To ensure effective implementation of the rules, the Digital Services Co-ordinator and the national contact point under the TTPA should be vested with a comprehensive mandate to co-ordinate institutional efforts, ensure coherence in responses to digital risks and threats, and enhance transparency around the measures taken, including in an electoral context.**
58. All three laws under review stipulate that the official campaign begins on the day the SEC publishes the candidate lists. However, formal campaign periods do not always fully reflect contemporary patterns of political communication, in which campaign-like activities can begin long before elections are officially called. This may have implications for the effectiveness of existing rules on campaign finance, third-party campaigning, the use of administrative resources, and financial disclosure. Where such activities fall outside the scope of regulation, safeguards intended to ensure transparency and equality of opportunity among electoral contestants may be circumvented. **It may therefore be advisable to strengthen campaign regulation by considering the introduction of a clearly defined pre-campaign period of specified duration prior to the expected election date, during which enhanced transparency and disclosure requirements, as well as safeguards against the misuse of administrative resources, would apply.**
59. The current electoral framework identifies candidates, political parties, and coalitions as the primary participants in the electoral process but does not sufficiently address campaign-like activities conducted by third parties or, in certain contexts, by media actors. In the absence of a comprehensive framework, it remains unclear under what circumstances non-candidate actors become subject to campaign regulations, including rules on financing, spending limits, and transparency. This may allow campaign activities conducted in coordination with, or for the benefit of, candidates or political parties to fall outside the scope of regulation, as well as independent third-party campaigning intended to influence electoral outcomes. **It is advisable to introduce clear legal definitions and**

²¹ Croatia adopted legislation implementing the DSA on 18 April 2025. In March 2026, Croatia adopted the Act on the Implementation of Regulation (EU) 2024/900, designating the Agency for Electronic Media as the national contact point responsible for co-operation and the exchange of information with the competent authorities of other EU Member States and the European Commission.

²² See ODIHR EAM Final Report on the 2024 Parliamentary Elections in the Republic of Croatia, Recommendation 14, and Venice Commission, [Interpretative Declaration of the Code of Good Practice in Electoral Matters as concerns Digital Technologies and Artificial Intelligence](#).

criteria governing third-party involvement in electoral campaigning. Such provisions could clarify when third-party actors become subject to campaign finance, spending, and transparency requirements, while ensuring that any regulation remains proportionate and fully respects freedom of expression, and the legitimate role of civil society.

11. POLLING STATIONS

60. With regard to polling stations, the SEC proposes strengthening the legal framework governing the designation, availability, and oversight of polling stations, focusing on three areas: the early designation and public announcement of polling stations, a binding obligation on public institutions to provide suitable premises free of charge, and the establishment of clear procedures for complaints related to polling station designation.
61. The integrity of an electoral process depends not only on legal guarantees of equal suffrage but also on the State's logistical capacity to ensure that polling stations are accessible, adequately equipped, and available in a timely manner so that voters can cast their ballots without hindrance. International standards implicitly require States to remove administrative barriers to voting and ensure that election management bodies can administer the elections impartially and efficiently.²³
62. The legislation under review requires the election administration to designate polling stations but does not establish a corresponding obligation for public authorities to provide suitable premises. This gap may result in delays, unavailability of appropriate locations, or undue financial burdens on the election administration. The authority to designate polling stations should, by default, entail a binding obligation on public institutions to make premises available subject only to narrowly defined exceptions. **It is recommended to include an explicit statutory obligation for all state-owned facilities to make premises available on the request of the election administration for the conduct of elections within enforceable timelines and free of charge.**
63. For parliamentary elections, the ConECs designate polling stations, which must be published no later than ten days before election day (Article 70). For presidential elections, the electoral commission of the City of Zagreb designates polling stations, which must be published no later than five days before election day (Article 25). For European Parliament elections, the same responsibility falls to the City of Zagreb commission, and county electoral commissions with publication required no later than ten days before polling (Article 37). In all cases, the number of voters, the distance between polling stations, and accessibility serve as the main criteria for designation. The SEC has proposed that polling stations should instead be designated and announced, "immediately after the elections are called," which would represent a significant improvement over current timelines, though the proposal does not define what "immediately" means in operational terms or how quickly publication could realistically occur given the multi-level designation process. **It is advisable to harmonize the timelines for designating and publishing polling stations across all election types, ensuring adequate time for the election administration to prepare and distribute materials, and for voters to familiarize themselves with polling arrangements well in advance.**

²³ See paragraph 11 of the [CCPR General Comment No. 25](#) to Article 25.

64. In addition to the absence of a binding obligation to provide premises, the current framework does not provide for specific complaints procedure concerning the designation of polling stations. As a result, the election administration lacks effective remedies where designated polling stations cannot be operationalised due to the unavailability or unsuitability of premises. This gap may negatively affect the administration of elections and may hinder the effective participation of voters and undermine the principle of equal suffrage. At the same time, any obligation on public and private entities to make premises available for use as polling stations should allow for genuinely exceptional circumstances in which compliance is not possible or would pose serious risks. To ensure legal certainty and effective implementation, the grounds for refusing access should be clearly and narrowly defined so as to prevent overly broad or discretionary interpretation. **It is recommended to specify limited and explicitly defined grounds for refusal, establish expedited dispute resolution procedures, and provide for timely alternative arrangements when original polling station designations cannot be maintained.**
65. The current electoral framework addresses accessibility only in general terms. The Parliamentary and European Parliament Elections Laws (Articles 72 and 39, respectively) require that accessibility and distance be considered when determining the location of polling stations, but neither law defines accessibility nor establishes minimum standards. The Presidential Election Law does not address accessibility at all. None of the laws under review require the provision of reasonable accommodation to ensure that persons with disabilities can effectively participate in elections on an equal basis with others, as required by Article 29 of the Convention on the Rights of Persons with Disabilities.²⁴ The absence of clearly defined requirements creates legal uncertainty and may result in uneven accessibility across polling stations, potentially affecting the effective exercise of voting rights by persons with disabilities. **It is recommended to establish clear accessibility requirements for polling stations, including minimum standards for the physical accessibility of entrances, interior spaces, and voting booths, and to explicitly require the provision of reasonable accommodation. The legislation should also provide for accessible voter information, including clear signage and advance publication of accessibility features, and for alternative arrangements where full accessibility cannot be ensured. Additionally, the SEC should develop detailed accessibility guidelines and polling station inspection procedures, supported by systematic data collection to enable progressive improvement and accountability.**

12. VOTING METHODS AND BALLOT DESIGN

66. The SEC has proposed amendments and subsequent reforms in three areas: introducing additional contemporary voting methods; implementing electronic voter register extracts (*eExtract*), i.e., electronic excerpts from the voter register intended to expedite verification at polling stations, and allowing greater flexibility in ballot paper design, particularly to address difficulties with preferential voting ballots that are “large in size and not straightforward.” These proposals range from incremental procedural improvements to potentially fundamental changes in voting modalities and therefore require careful consideration.
67. The SEC's proposal to consider “additional, contemporary voting methods” may encompass a range of technologies, from electronic voting machines at polling stations to internet voting enabling remote participation. Such alternatives warrant a measured

²⁴ See [Article 29](#) of the Convention on the Rights of Persons with Disabilities (CRPD).

approach. While technology may offer potential benefits in terms of improved accessibility, efficiency, and a reduction in human error, it should be emphasized that the use of technology in elections has at times become a subject of significant concern, in part due to the absence of broad public consensus for its introduction or continued use. Any consideration of voting technologies should therefore be preceded by comprehensive feasibility studies, inclusive stakeholder consultations, robust legal frameworks, rigorous testing and certification, and, where appropriate, pilot deployments accompanied by thorough evaluation. Given its breadth and complexity, this issue goes beyond the scope of the present analysis and would benefit from separate, dedicated examination by the competent national authorities that ODIHR would be ready to support with a dedicated legal or procedural review.

68. Electronic voter verification may improve efficiency on election day, reduce administrative burden, and limit the risk of human error associated with paper-based lists, particularly in polling stations with high voter turnout. At the same time, its introduction raises important legal and technical considerations. The integrity and accuracy of the register must be ensured at all times through clear rules on data protection and management, regular updates, and effective mechanisms for correcting errors. Reliable fallback procedures – such as the availability of a paper-based register or clearly defined emergency protocols – are essential in the event of technical failure. In addition, the separation between voter identification and the act of voting must remain absolute, both in law and in practice, to safeguard the secrecy of the ballot. Transparency is central to maintaining public trust and requires that any such system be subject to independent testing, certification, and, where appropriate, public scrutiny. Finally, comprehensive training of polling station staff is necessary to ensure consistent application and prevent unequal treatment of voters. In light of these considerations, **it is advisable that any introduction of electronic voter verification be subject to clear legal regulation and implemented in a transparent and incremental manner. This could include a pilot phase, accompanied by thorough evaluation and inclusive consultations with stakeholders. Any legislative amendments should clearly define the scope, safeguards, and limits of electronic voter verification, with a view to ensuring the integrity of the voter register, the protection of personal data and public confidence in the electoral process.**
69. With regard to ballot design, the SEC has identified that existing requirements, particularly in the context of preferential voting, result in ballots that are large and potentially difficult for voters to use. The Parliamentary Elections Law (Article 75) requires ballots to include the names and ordinal numbers of all electoral slates, as well as names of all candidates. Article 76 specifies the voting procedure: “A vote is cast on the ballot by encircling the ordinal number to the left of the name of a particular electoral constituency slate. If a voter wants to give a preferred vote to a particular candidate, he/she shall encircle the ordinal number to the left of the name and surname of the candidate.” This necessitates the display of all slate and candidate information on a single ballot, contributing to its size and complexity and potentially increasing the risk of voter confusion, unintentional errors, and longer voting times at polling stations.
70. International standards emphasize that ballot formats must be clear, user-friendly, and enable voters to make an informed and independent choice. In line with OSCE commitments, particularly those safeguarding the secrecy of the vote, ensuring universal and equal suffrage, and enabling voters to express their will without undue difficulty, ballots should be designed to minimize confusion, reduce the risk of invalid votes, and

support efficient processing. Visually complex ballots can undermine these objectives by creating obstacles for voters, including persons with disabilities, elderly and illiterate voters, and by complicating the work of Voting Committees responsible for issuing, managing, and counting ballots.

71. In revising the Parliamentary Elections Law, consideration could be given to permitting greater flexibility in ballot design than currently allowed, while fully upholding fundamental principles. Any adaptable format should remain clearly regulated to ensure legal certainty; must protect the secrecy of the vote by guaranteeing that ballot size and layout do not risk revealing voters' choices; and must maintain robust security safeguards to prevent fraud or tampering. **ODIHR therefore recommends that a phased approach to ballot design is advisable. As an immediate step, the SEC could be empowered to optimize ballot layout within existing requirements, based on usability principles and voter testing. In the medium term, alternative formats (e.g. booklet ballots) may be considered, subject to pilot testing before nationwide implementation.**

13. PROCEDURES FOR ELECTION RESULTS

72. The SEC proposes to strengthen the legal framework governing election results by introducing clear, uniform rules applicable to all types of elections. The proposal aims to ensure that election results are consistently based on valid ballot papers, to harmonise procedures for addressing surplus ballot papers, and to standardise the method of publishing election results. These measures are intended to reduce legal uncertainty, prevent inconsistent interpretation and misuse, enhance efficiency, and reinforce public trust in the integrity of election results.
73. Compared to the Parliamentary Elections Law and the Law on Elections to the European Parliament, the Presidential Election Law contains less detailed provisions governing the counting of ballots, the assessment of ballot validity, and the determination of election results (Art. 29-30 and 35-40). It relies primarily on general criteria and rules concerning the recording of minutes, which may leave room for ambiguity during this critical stage of the process, potentially leading to inconsistent practices or divergent interpretations by members of Voting Committees. **It is recommended within the harmonisation of rules across all election types, to further elaborate on detailed procedures for ballot counting, determination of ballot validity, as well as tabulation and publication of results, with a view to enhancing clarity, consistency, and transparency at this decisive stage of the electoral process.**
74. The Parliamentary Elections Law provides that, if the number of votes cast exceeds the number of voters who voted according to the voter list, the Voting Committee shall be dissolved, a new one appointed, and voting repeated within a period of eight days (Article 85). The European Parliament Elections Law follows a comparable approach with somewhat less elaborated procedural detail but applies longer 14-day deadline for holding repeat elections (Article 51). By contrast, while the Presidential Election Law requires repeat voting in these circumstances (Article 35), it does not specify a timeline for conducting such repeat voting. It is also noted that the Presidential Election Law does not contain explicit provisions on recount unlike two other laws. As previously recommended, **“the law should prescribe the right to request recounts in case of significant discrepancies, in the Voting Committee protocols and invalidation of results in a**

polling station for irregularities that have an impact on the results. The law should clearly list such discrepancies and irregularities.²⁵

75. Furthermore, none of the three laws under review distinguishes whether an excess number of ballots could materially affect the election outcome, in the sense that it could have changed the result of the election; they mandate repeat voting even in situations that may stem from simple human error (Art. 85, 35 and 51 of the Parliamentary, Presidential and European Parliament Elections Laws, respectively). This approach not only complicates the electoral process but may also disregard the expressed will of voters. International good practice holds that measures such as recounts, repeat voting, or annulment of results are proportionate only when irregularities have, or could beyond reasonable doubt, have a material impact on the results.²⁶ The SEC's proposal that voting be repeated only if the surplus number of voters might have affected the results aligns with international good practice. This approach already exists in the referenced Law on the Election of National Minority Councils and Representatives and could be extended to other election types. **In line with previous ODIHR recommendations, the law should permit repeat voting only after assessing the actual or potential impact of excess ballots on the election outcome.**
76. Article 94 of the Parliamentary Elections Law authorises the SEC to publish preliminary and unofficial election results at its discretion, with official results published only after all legal remedies are exhausted or the deadlines for their submission expire. As noted by the ODIHR EAM in 2024, "the SEC released preliminary results per constituency, disaggregated by polling station, beginning at 21:00 on election day with regular updates every 15 minutes." This practice aligns with international good practice.²⁷ Article 59 of the EU Parliament Elections Law contains a comparable provision governing the announcement of election results. The Presidential Election Law, however, does not include an equivalent provision authorising the publication of preliminary results. **To ensure consistent transparency standards across all election types, it is recommended that the publication of preliminary results, disaggregated by polling station, be established as a legal requirement for all election types.**
77. International good practice supports transparent, accessible, and timely publication of results, while allowing authorities' discretion as to the specific methods used. In this context, the legislation could designate the SEC's official website as the primary and mandatory platform, for publishing results across all election types, with final official results also published in the Official Gazette across all election types to ensure consistency. Complementary dissemination through the SEC's and relevant authorities' social media channels could further enhance accessibility, including for individuals with limited digital access who may rely on mobile phones rather than regular access to official websites. Social media platforms can facilitate broader and more immediate reach by allowing users to receive updates through commonly used applications, share information within their communities, and access results in low-bandwidth formats. In addition, **harmonizing procedural deadlines and introducing clear, uniform rules across all election types would strengthen legal certainty and align the framework with international good practice.**

²⁵ See ODIHR EAM Final Report on the 2024 Parliamentary Elections.

²⁶ Section II.3.3.e of the Code of Good Practice recommends that "the appeal body must have authority to annul elections where irregularities may have affected the outcome."

²⁷ Section 3.2, xiv. of the Code of Good Practice provides that "results must be transmitted to the higher level in an open manner."

14. ACCESS TO ELECTORAL MATERIALS

78. The Parliamentary Elections Law guarantees (Article 107) access to electoral materials for election observers. However, the law does not specify the conditions under which materials may be inspected, copied, or otherwise accessed, nor does it categorize materials, define permissible purposes, or establish procedural safeguards. The European Parliament Elections Law contains a comparable provision (Article 72), however, as with the Parliamentary Elections Law, there are no provisions addressing the conditions, procedures, or safeguards under which access is to be exercised. Unlike the other two laws, the Presidential Election Law contains no statutory guarantee of access to electoral materials.
79. OSCE commitments, international standards, and good practice emphasize that electoral procedures must be transparent and accessible to stakeholders.²⁸ The absence of detailed provisions in the laws under review regarding the conditions under which electoral materials may be inspected, copied, or otherwise accessed may lead to inconsistent application by election officials and ultimately undermine the transparency of the process. **It is therefore recommended to adopt legal provisions that define who is entitled to access electoral materials, categorize them according to sensitivity, specify permissible purposes for access, establish request procedures, set response deadlines for the election administration, and include personal data safeguards.**
80. Given that electoral materials may contain personal data, such provisions should appropriately complement general data protection legislation by establishing election-specific safeguards that balance transparency with the protection of voters' privacy. These provisions should be harmonized across all election types to ensure a consistent standard of transparency throughout the electoral process.

15. ELECTORAL DISPUTE RESOLUTION

81. The SEC has identified several areas that would benefit from revision, including a clearer definition of who is authorized to submit complaints, the maintenance of formality through strict deadlines and clear evidentiary standards, more precise and proportionate criteria and thresholds for ordering recounts and repeat elections, and the modernization of complaint submission and decision delivery through electronic systems.
82. The Constitutional Court of the Republic of Croatia oversees the constitutionality and legality of elections.²⁹ Complaints regarding electoral irregularities are decided in the first instance by the SEC, with appeals submitted to the Constitutional Court. Under the Parliamentary Elections Law, complaints regarding “irregularities in the nomination procedure or electoral procedures” may be submitted by any political party, independent slate leaders, candidates, no fewer than 100 voters, or at least 5 percent of voters in an electoral constituency (Article 97); this is an appropriately broad standing consistent with international standards.³⁰ The European Parliament Elections Law contains similar

²⁸ Paragraph 9.1 of the 1990 [OSCE Copenhagen Document](#), ICCPR [General Comment 34](#), para 9: “To give effect to the right to information, States parties should proactively put in the public domain Government information of public interest.”

²⁹ See Article 96 of the Parliamentary Elections Law; Article 43 of the Presidential Election Law; Article 61 of the Law on Elections to the European Parliament

³⁰ Para. 99 of the Code of Good Practice states that “Standing in such appeals must be granted as widely as possible. It must be open to every elector in the constituency and to every candidate standing for election there to lodge an appeal. A reasonable quorum may, however, be imposed for appeals by voters on the results of elections.”

provisions (Article 62). However, the Presidential Election Law contains no explicit statutory provision specifying who may submit complaints; the law's reference, in Article 44, to the complaint being valid if lodged by "one political party only, or by any of the voters who proposed the candidature" has been interpreted as limiting standing to political parties and those voters who proposed the candidature. In this context, the SEC's 2024 Mandatory Guidelines No. P III prior to the presidential election expanded standing to include candidates and at least 100 voters, thereby helping to ensure an effective remedy.³¹

83. Ambiguity regarding the legal standing of political parties led the SEC, during the 2024 Early Parliamentary Elections, to interpret the law as allowing only political parties that fielded candidates to submit complaints.³² It is further noted that the Constitutional Court, in its Decision U-I-2495/20 of 11 May 2004 (OG 69/04), deleted from Article 47, Paragraph 1 of the Presidential Election Law the words "as well as the candidate for the President of the Republic who isn't satisfied with such decision," thereby removing the presidential candidate's explicit right of appeal; a gap that the SEC's Mandatory Guidelines have sought to address but that remains unremedied in the statutory text. **To fully safeguard the right to an effective remedy, ODIHR recommends adopting clear and explicit provisions specifying legal standing for electoral disputes and defining the permissible grounds for doing so.**
84. The laws under review provide that complaints are to be submitted to the SEC within 48 hours from the end of the day on which the contested action occurred, and require the SEC to issue a decision within 48 hours of receipt of the complaint or the relevant election materials.³³ Appeals against SEC decisions may be lodged with the Constitutional Court within 48 hours, filed through the SEC and the Constitutional Court is likewise required to decide within 48 hours of receipt of the appeal.³⁴ Although the laws do not explicitly require the SEC to publish its decisions, in practice they are posted on its website. While these expedited deadlines reflect the time-sensitive nature of electoral processes, they may limit the ability of complainants to effectively prepare complaints and appeals, particularly in complex cases. **In line with international good practice, consideration could be given to extending these deadlines, in particular those relating to appeals, to three or five days.**
85. Regarding evidentiary standards in electoral disputes, the SEC has emphasized the importance of establishing key evidence, notably the minutes and protocols of electoral committees, which, in line with constitutional case law, are public documents. At the same time, while certain evidentiary rules may be governed by the Civil Procedure Law or other general procedural legislation, the electoral framework does not comprehensively regulate admissible evidence or clarify the evidentiary weight of different forms of proof. This may affect legal certainty and lead to inconsistent adjudication of electoral complaints. The gap also affects the conditions for ordering recounts and repeat elections. In line with international principles requiring effective and proportionate remedies, the laws allow repeat voting where the SEC determines that irregularities have significantly affected, or could have affected, the results.³⁵ However, the laws do not specify the types of admissible

³¹ See [2024 Mandatory Instruction No. P III](#) - Order of Election Actions and Deadlines. See also 2019 Mandatory [Instruction No. P I](#)

³² See ODIHR 2024 EAM Final Report on the 2024 Parliamentary Election in Croatia, page 20.

³³ Article 98 of the Parliamentary Elections Law; Article 45, of the Presidential Election Law; Article 63, of the Law on Elections to the European Parliament.

³⁴ Article 100 of the Parliamentary Elections Law; Article 47 of the Presidential Election Law; Article 65 of the Law on Elections to the European Parliament.

³⁵ Article 99 of the Parliamentary Elections Law; Article 46 of the Presidential Election Law; Article 64 of the Law on Elections to the European Parliament.

evidence, the standard or burden of proof, or a clear methodology for assessing whether irregularities have had a material impact on results. **To prevent arbitrary application, ensure consistent adjudication, and safeguard electoral rights, the laws should comprehensively regulate the admissibility and assessment of various forms of evidence, including official electoral documentation, witness testimony, physical evidence such as election materials, photographic and video recordings, and, where appropriate, expert opinions, and should establish a clear methodology for assessing the material impact of irregularities on results, as well as the thresholds that trigger a recount or repeat voting.**

86. The SEC proposes introducing electronic submission as the primary channel for filing complaints and delivering decisions through its website. This aligns with contemporary communication practices and may enhance accessibility, efficiency, and transparency. Electronic submission offers advantages, including faster transmission, automated receipt confirmation and timestamping, accessible interfaces for persons with disabilities, and systematic tracking and management of complaints. Publishing decisions on the website would further strengthen transparency. To ensure that technical obstacles do not undermine the right to an effective remedy, paper submission should remain available. **In order to strengthen transparency and safeguard the right to an effective remedy, the laws should explicitly require that SEC decisions be published immediately upon adoption on the SEC website and, as appropriate, through traditional or electronic media.**

16. ELECTION OBSERVATION

87. The Parliamentary Elections law provides the necessary guarantees for citizen and international election observation (Articles 107–107.g). Observers are allowed to follow the work of the election administration as well as the voting, counting and tabulation processes, and are entitled to access electoral materials. Political parties and citizen initiatives nominating candidate lists are also entitled to deploy observers. Similar provisions are included in the European Parliament Elections law (Articles 72–76), however, unlike the Parliamentary Elections Law, it delegates regulation of observer rights and duties to the SEC through mandatory guidelines (Article 77). The Presidential Elections law is the most restrictive of the three, allowing only registered political parties that proposed a candidate to appoint observers and similarly delegates the regulation of observers' rights and duties to the SEC (Article 24).
88. In addition, the deadlines for the registration of observers under the election laws under review are not harmonized. Under the Parliamentary Elections Law, NGOs and foreign observers may apply from the entry into force of the decision calling the elections, whereas political parties and voters may apply from the publication of the consolidated candidate lists, and no later than five days before election day (Article 107.b). In the European Parliament Elections Law, the relevant deadlines are regulated by the SEC's Mandatory Guidelines rather than by primary legislation.
89. While the SEC, through its Mandatory Guidelines on the Rights and Duties of Observers, extended observation rights to candidates, political parties, voters who proposed a candidate, citizen initiatives, and international observers during the last presidential election, thereby bringing presidential election observation practices into alignment with paragraph 8 of the 1990 OSCE commitments, such rights should be established in primary legislation, with administrative instruments serving to implement rather than create them. **To enhance transparency and eliminate ambiguity, the laws under review should**

provide a comprehensive and uniform definition of who may observe elections, clearly set out observers' rights and responsibilities in primary legislation, and ensure equal procedural guarantees across all election types.

17. MEDIA

90. Media coverage of elections constitutes an essential component of the electoral process. The legal framework under review includes certain provisions on media coverage which are consistent with the obligation to ensure freedom of expression during the election campaign, but does not sufficiently regulate media access for electoral contestants or media conduct during the campaign period.³⁶ The ODIHR 2024 EAM noted that, during the parliamentary elections, gaps in the legal framework were addressed through regulations adopted by the Parliament after the announcement of the elections, as well as self-regulatory guidelines issued by the media. While such measures may provide interim solutions, reliance on supplementary regulation and voluntary self-regulation may affect legal certainty and equal conditions for electoral contestants. **Consideration could be given to strengthening the legal framework governing media coverage of electoral processes by clearly regulating media access, obligations, and conduct for both electoral contestants and media professionals. Such provisions should aim to ensure legal certainty, equal treatment of contestants, and consistency with freedom of expression and a level playing field, while clarifying the relationship between statutory provisions, secondary regulations, and media self-regulatory mechanisms.**
91. The three laws establish different obligations for public and private broadcasters. The Parliamentary Elections Law requires Croatian Radio-Television to cover the campaign and enable all participants to present their programmes, while other broadcasters retain editorial discretion (Article 29). All broadcasters must nevertheless ensure journalistic independence, professionalism, and compliance with the code of ethics (Article 29). The Presidential Elections Law further requires Croatian Radio-Television to provide each candidate with equal time to present their programme and obliges public media to enable candidates to present their programmes and conduct their campaign under equal conditions (Article 14). The European Parliament Elections Law guarantees contestants the right to present their views and engage in advertising under the same conditions, requiring media to comply with the Rules on Conduct of Electronic Media with national concessions (Article 22).
92. The obligation on public service broadcasters to provide pluralistic access reflects international commitments and is broadly consistent with OSCE commitments on equal treatment of electoral contestants in publicly funded broadcasters.³⁷ The editorial discretion afforded to private broadcasters aligns with principles of media freedom, but the resulting variability in coverage underscores the importance of the general requirement that all broadcasters, irrespective of ownership, conduct campaign reporting in a professional manner and in compliance with the journalistic code of ethics.³⁸
93. Despite these legal obligations, no institution is currently vested with both the authority and the operational capacity to ensure compliance with media conduct requirements during

³⁶ See Articles 29 and 30 of the Parliamentary Elections Law, Article 14 of the Presidential Election Law and Article 22 of the European Parliament Elections Law.

³⁷ See Paragraphs 7.7 and 7.8 of the 1990 [OSCE Copenhagen Document](#).

³⁸ See Council of Europe, [Recommendation of the Committee of Ministers to member states on measures concerning media coverage of election campaigns](#), CM/Rec(2007)15.

election campaigns. The Council of Electronic Media oversees broadcasters' adherence to the general media regulatory framework but is not mandated to monitor campaign-related content and cannot impose sanctions for breaches related to electoral coverage. Meanwhile, the SEC is not empowered to impose sanctions for serious or repeated media violations during the campaign period, and, as the ODIHR EAM to Croatia noted in 2024, neither possesses the competence nor the resources necessary to undertake systematic monitoring of campaign coverage. This enforcement vacuum is particularly significant during a period in which timely, impartial, and balanced information is essential for voters to make an informed choice. As recommended by the ODIHR EAM, **the Council of Electronic Media should be mandated to monitor whether electronic media provide fair and balanced coverage of all election contestants and publish its findings in a timely manner.** Such an approach would leverage existing regulatory expertise and infrastructure but would require amendments to the Council's mandate and potentially additional resources. Complementing this monitoring function, **ODIHR further recommends introducing proportionate and dissuasive sanctions for media violations during the election campaign and designating a competent body to investigate and address such violations.**³⁹ Regardless of the institutional arrangement adopted, it should ensure that regulatory authorities have the competences and resources enabling them to effectively ensure compliance.

94. The current electoral framework was developed before the emergence of the contemporary digital media environment and does not adequately address online campaigning and digital media coverage of elections. This gap is increasingly significant as campaigns now rely heavily on social networking platforms, targeted online advertising, and digital communication strategies. At the same time, the EU regulatory framework applicable in Croatia has evolved significantly. Alongside the Digital Services Act, Regulation (EU) 2024/900 on the transparency and targeting of political advertising introduces directly applicable requirements. Future reforms should ensure coherence between the national electoral framework and these EU instruments, including a clear allocation of monitoring and enforcement responsibilities. The evolving information environment, characterized by hybrid media ecosystems, cross-platform campaigning, and increasingly sophisticated forms of political communication, raises additional regulatory considerations. In future legislative reform and in order to protect voters' right to make an informed choice, **it would be advisable to address transparency obligations for online campaigning, particularly regarding political messaging, funding sources, and amplification techniques, as well as clear identification of paid political advertising, including sponsorship and targeted online content.** In this context, the reporting obligations on election campaign advertising in the media established under Articles 40 and 41 of the Political Activity and Election Campaign Financing Act could serve as a starting point, but would need to be extended to cover online and digital advertising platforms.

18. LEGISLATIVE PROCESS

95. OSCE participating States have committed to ensure that legislation will be “adopted at the end of a public procedure, and [that] regulations will be published, that being the condition for their applicability”.⁴⁰ Moreover, key commitments specify that “[l]egislation will be formulated and adopted as the result of an open process reflecting the will of the people, either directly or through their elected representatives”.⁴¹ The ODIHR Guidelines

³⁹ ODIHR 2024 EAM Final Report, Recommendation 23 and Section II.3.3 of the Code of Good Practice.

⁴⁰ Paragraph 5.8 of the 1990 [OSCE Copenhagen Document](#).

⁴¹ Paragraph 18.1 of the [1991 Moscow Document](#).

on Democratic Lawmaking for Better Laws (2024) further elaborate the key principles that should be complied with at each stage of the lawmaking process, with particular emphasis on public consultation and the fact that the public should have a meaningful opportunity to provide input.⁴²

96. The ODIHR and the Venice Commission have consistently expressed the view that any successful changes to electoral legislation should be built on at least the following three essential elements: 1) clear and comprehensive legislation that meets international obligations and standards and addresses prior recommendations, 2) the adoption of legislation by broad consensus after extensive public consultations with all relevant stakeholders, and 3) the political commitment to fully implement such legislation in good faith. The ODIHR and the Venice Commission have also pointed out that an open and transparent process of consultation and preparation of such amendments increases confidence and trust in the adopted legislation and in the state institutions in general.
97. In light of the above, any future reform of Croatia's electoral legislation, including possible harmonisation or consolidation of the existing electoral laws, should be undertaken through an inclusive, transparent and timely process, allowing for meaningful consultation with political parties, civil society, independent experts, representatives of national minorities, organizations of persons with disabilities, media stakeholders and the broader public. Such a process would help ensure that amendments are not only technically sound and aligned with OSCE commitments and other international standards but also enjoy broad confidence among electoral stakeholders and the public. ODIHR stands ready to continue assisting the authorities of the Republic of Croatia in these efforts, upon request.

[END OF TEXT]

⁴² ODIHR, [Guidelines on Democratic Lawmaking for Better Laws](#) (2024); see also [Venice Commission, Rule of Law Checklist](#), CDL-AD(2016)007, Part II.A.5.