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Croatia: Authorities must tackle homophobic and transphobic hate crimes

The Croatian government must take further steps to combat homophobic and transphobic hate crimes in the country, Amnesty International said today on the launch of the briefing *Inadequate Protection: Homophobic and Transphobic Hate Crimes in Croatia*. Violence against individuals because of their real or perceived sexual orientation or gender identity constitutes a form of discrimination. Croatia should tackle it not only by ensuring that state bodies respect the right to be free from discrimination but also by ensuring that victims of hate violence could effectively seek redress from hate violence perpetrated by private individuals.

Despite legal improvements, including a new criminal code entering into force in January 2013 and explicitly acknowledging that hate crimes can be perpetrated also on the ground of gender identity, flaws persist. *Inadequate Protection* documents cases where the alleged homophobic or transphobic motive was not appropriately taken into account in the investigation and prosecution of physical violence, cases where victims were not duly informed on the progress of their case, discriminatory treatment of hate crime victims by police, and failure to protect participants in Pride marches from violence.

The Croatian authorities must take steps to ensure that homophobic and transphobic hate crimes are systematically and thoroughly investigated and prosecuted. Legislation on minor offences should in particular be amended to take account of hate motives and clear guidelines should be applied consistently as to when physical violence resulting in bodily injuries should be processed as minor or criminal offences.

Incidences of homophobic and transphobic hate crimes spike around Pride events in Croatia. In 2011, the first Pride in the city of Split was marred by violence, when more than 3500 counter-protestors threw rocks, bottles and other objects at participants in the Pride. Eight people were injured, and 44 hate crimes on the grounds of sexual orientation were recorded by the police. Although the police managed to prevent direct physical confrontation between violent counter-demonstrators and Pride participants, they failed to develop appropriate plans to secure the event.

Amnesty International is launching *Inadequate Protection* ahead of the 2012 Split Pride, which will be held on 9 June. The Croatian police and the Split city authorities must ensure that participants in this peaceful demonstration are able to exercise their rights to freedom of expression and assembly without fear of discrimination or violence. Amnesty International will carry out monitoring activities around Split Pride. We call on the Croatian authorities to ensure that participants are adequately protected from hate-based violence.

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