In relation to question no. 4 from the questionnaire, we would like to point out that Article 38 of the Constitution of the Republic of Croatia (Official Gazette No. 56/90, 135/97, 8/98, 113/00, 124/00, 28/01, 41/01, 55/01, 76/10, 85/10, 05/14) guarantees freedom of thought and expression. Freedom of expression includes freedom of the press and other media, freedom of speech and public expression, and freedom of establishment of all media institutions. Censorship is prohibited, and journalists have the right to freedom of reporting and access to information. In accordance with Article 16 of the Constitution, freedoms and rights may be restricted only by law in order to protect the freedoms and rights of others and the legal order, public morals and health, whereby any restriction of freedom or rights must be proportionate to the nature of the need for such restriction in each individual case.

Article 35 of the Constitution of the Republic of Croatia stipulates that everyone is guaranteed respect and legal protection of their personal and family life, dignity, reputation and honour. The stated right to honour and reputation is a restriction of the freedom of expression of thought, and the protection of this right is elaborated on in the provisions of the Criminal Code (Official GazetteNo. 125/11, 144/12, 56/15, 61/15, 101/17, 118 / 18, 126/19, 84/21), where honour and reputation are designated as objects of protection in Chapter XV - Crimes against Honour and Reputation.

Prescribing criminal offences against honour and reputation is also justified under the European Convention for the Protection of Human Rights and Fundamental Freedoms (Official Gazette- International Agreements, No. 18/97, 6/99, 14/02, 13/03, 9/05, 1/06, 2/10), which, in accordance with Article 141 of the Constitution, forms part of the internal legal order of the Republic of Croatia and is above the law in terms of legal force. Specifically, Article 10, paragraph (1) of the Convention prescribes the right to freedom of expression, but also emphasizes the possibility of restricting that right in paragraph 2 (when necessary in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary).

Article 127 of the Criminal Code prescribes the criminal offence of violation of the freedom of thought and expression. It carries a penalty of up to one year in prison for whoever denies or limits the freedom of speech or public expression, the freedom of the press or other media, or the free establishment of media institutions. The same penalty will be imposed on whoever orders or enforces censorship, or unlawfully denies or restricts a journalist's freedom of reporting, as well as whoever unlawfully prevents the printing, sale or distribution of books, magazines, newspapers or other printed matter, or the production and broadcasting of radio and television programmes, news agency programmes or the publishing of other media content.

The criminal offence of threat from Article 139 of the Criminal Code, in addition to the existing qualifying circumstances, also encompasses a threat to a journalist in connection with their work. The perpetrator of the criminal offence of threat, if it was directed at a journalist in connection with their work, may be punished more severely (envisaged penalty between 6 months to five years in prison) than the perpetrator of the basic form of the criminal offence of threat (envisaged penalty of up to one year in prison). Unlike the basic form of the criminal offense of threat, in the case of threatening a journalist in connection with their work, *ex officio* criminal prosecution is prescribed.

Criminal offences against honour and reputation under the Criminal Code are insult and defamation. The Criminal Code envisages solely fines as criminal sanctions for committing criminal offences against honour and reputation, which brought these criminal offences closer to misdemeanours in terms of gravity. The criminal offence of insult is committed by whoever insults another (Article 147 of the Criminal Code), and the criminal offence of defamation (Article 149 of the Criminal Code) is committed by whoever makes or spreads a false factual claim about another person which can damage that person's honour or reputation, knowing it to be untrue. The commission of these criminal offences through the press, radio, television, computer system or network, at a public gathering or in any other way, making them accessible to a larger number of persons, constitutes qualified forms of these offences, for which heavier penalties are envisaged.

Article 148a of the Criminal Code provides for the exemption from liability for the criminal offence of insult, stipulating that there shall be no criminal offence of insult (Art. 147 of the Criminal Code) if the elements of the offence are realised in scientific, professional or literary works, works of art or public information, in the discharge of official duty, political or other public or social activity, or journalistic work, or in the defence of a right, when it is done in the public interest or for other justifiable reasons. When it comes to journalists, there is no doubt that informing about relevant social events or investigative journalism are in the public interest, so severe shaming will be illegal only when there is no public interest or other justifiable reason.

Furthermore, the Act on Amendments to the Criminal Code (Official GazetteNo. 126/19) deleted the criminal offence of severe shaming (Article 148 of the Criminal Code) from the catalogue of the Criminal Code. This is due to the fact that, since the introduction of this criminal offence in the Criminal Code in 2013, and its redefinition by the 2015 Act on Amendments to the Criminal Code (Official GazetteNo. 56/15), the statistics have shown that few criminal proceedings were instituted for this criminal offence, and they mostly resulted in acquittals. Furthermore, a comparative analysis showed that the legislation of most EU member states does not recognize the same or similar criminal offence.

The Criminal Code also prescribes the criminal offence of public incitement to violence and hatred (Article 325). Whoever, through press, radio, television, computer system or network, at a public gathering or in other ways publicly incites violence or hatred directed against a group of people or a member of such a group on account of their race, religion, national or ethnic origin, descent, skin colour, gender, sexual orientation, gender identity, disability or any other characteristics, or whoever makes available to the public flyers, pictures or other material instigating such violence or hatred, shall be punished by imprisonment for a term not exceeding three years. Whoever organises or leads a group of three or more persons to commit the offence of public incitement to violence and hatred shall be punished by imprisonment for a term between six months and five years. Whoever participates in the above association will be punished by imprisonment for a term not exceeding one year. A penalty of up to three years’ imprisonment is envisaged for whoever publicly approves of, denies or grossly trivialises the crimes of genocide, crimes of aggression, crimes against humanity or war crimes, directed against a group of persons or a member of such a group on account of their race, religion, national or ethnic origin, descent or skin colour in a manner likely to incite violence or hatred against such a group or a member of such a group.

The Criminal Code also guarantees protection against the violation of equality (Article 125). Whoever, on the basis of race, ethnic affiliation, skin colour, gender, language, religion, political and other convictions, national or social origin, property, birth, education, social status, marital or family status, age, state of health, disability, genetic inheritance, gender identity, expression, sexual orientation or other characteristics denies, limits or conditions another the right to acquire goods or receive services, the right to carry out an activity, the right to employment and promotion, or whoever on the basis of any such characteristic or affiliation gives another privileges or advantages, shall be punished by imprisonment for a term not exceeding three years. The same penalty is envisaged for whoever persecutes individuals or organisations because of their commitment to equality.

Furthermore, protection against workplace harassment is guaranteed (Article 133). Whoever insults, humiliates, abuses or in any other way disturbs another at work or in connection with the work of another, and thereby impairs their health, shall be punished by imprisonment for a term not exceeding two years.

In relation to question no. 5. from the questionnaire, we would like to point out that the criminal offence of threatening a journalist in connection with their work, in contrast to the basic form of the criminal offence of threat, is subject to *ex officio* criminal prosecution.

Furthermore, given the fact that criminal proceedings may be instituted against journalists for criminal offences against honour and reputation upon a private lawsuit, which may result in the dismissal of the private action, discontinuance of proceedings or acquittals, we consider it important to further educate judicial officials about the phenomenon of bringing strategic private lawsuits against public participation (the so-called SLAPP lawsuits) and their characteristics. The goal of the training is to empower courts to establish facts at an early stage of the proceedings that may indicate the plaintiff's abuse of rights, without prejudice to the right of access to court and other guarantees under the right to a fair trial.