



Institute of
Public Finance

CROATIA

VICTIMS OF CORRUPTION: DAMAGE REPARATION AND LEGAL STANDING

INTERNATIONAL DATABASE

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**SOURCE: INSTITUTE OF PUBLIC
FINANCE**

VICTIMS OF CORRUPTION WORKING GROUP



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1. Legal Standing

1.1 Legal standing for civil society organisations and/or citizens in corruption-related cases

Civil society organisations and individual citizens do not have legal standing in corruption-related cases.

1.2 Type of Cases

N/A

1.3 Legal basis under which citizens have legal standing

N/A

1.4 Citizens and/or civil society's intervention in corruption cases in other capacities (e.g. third party contributors, expert input, etc)

Citizens and/or civil society can not intervene in corruption cases in other capacities.

1.5 State's entitlement to represent the citizens collectively in corruption cases and whether its intervention excludes direct intervention by citizens

State's Attorney office is authorized to conduct all criminal prosecution in the name of the state, and Ombudsman is authorized to represent citizens if their rights are being violated by any public body.

Please provide a brief description of the situation in your country, mentioning relevant laws and/or decisions. If available, please share relevant links.

1.6 Legal standing of any foreign government or foreign-based non-governmental institution to bring corruption cases on behalf of this country's citizens

The European Public Prosecutor's Office (EPPO) has the power to investigate, prosecute and bring to judgment crimes against the EU budget.

2. Cases

2.1 Existence of corruption-related cases brought to Court by civil society organisations, journalists, or citizens.

There are cases of corruption-related cases brought to Court by civil society organisations, journalists, or citizens.

3. Collective Damage

3.1 Legal instruments that enable claiming reparation, compensation, or restoration of collective damages in any field (environmental damages, human rights, corruption, among others)

N/A

3.2 Procedures for advancing class-actions

The collective and class actions are regulated by Article 502 of the Civil Procedure Act, Consumer protection act and general tort legislation. Citizens and group of citizens can file an action or a lawsuit to protect collective interests and rights and to claim damages if there are any.

4. The Role of the victims of corruption

4.1 Definition of victims of corruption or common definition used by the courts in this country

There are no special provisions or legal definitions of “victims of corruption” that is different than general definition of victim of any other crime, especially regarding

resulting damages and restitution of said damages. Firstly, no person, natural or legal, is allowed to retain the criminally obtained property, and any such property is confiscated ex officio by Courts in any judgment that finds the defendants guilty. Additionally, the victims of any crime can claim damages either in criminal or civil procedures, and corruption cases are no different.

4. 2 Cases that recognize the role of victims

N/A

4. 3 Corruption-related court cases (criminal, civil, administrative) that awarded compensation to individuals or to identifiable or non-identifiable groups of victims to repair the damage caused by the corruption offense

N/A

4.4 Innovative or effective mechanisms that can be considered good practice regarding the recognition and compensation of victims in corruption-related cases

N/A

5. Available Information

5.1 Information published by enforcement authorities (including control agencies) about corruption enforcement actions

Information is published by enforcement authorities. Type of information:

- The initiation of investigations
- The conclusion of investigations whether the investigated person has been acquitted or not
- The enactment of sanctions
- Initiation of settlement negotiations

- Settlements
- The grounds for sanctioning or acquitting (the case)

5.2 Feasible access to information on ongoing or concluded cases

N/A

5.3 Ways for citizens or civil society organisations to gather information on whether corruption cases are being investigated or trialed.

Most of the criminal trials are public, interested citizens can follow the trial in court, and the same goes for journalists. Also, all court judgments are public, bearing few exceptions when minors are involved, and can be found online.

6. Supplementary information

6.1 Main identified barriers that prevent CSOs, citizens, and journalists from standing as victims of corruption cases.

N/A

6.2 Other aspects, issues, provisions, or practices linked to the role, recognition, and compensation of victims of corruption.

Any person who claims she/he is a victim of a crime and suffered damages as a result of this crime must prove her/his immediate interest and concrete and specified damages that she/he endured.