

Country File
CROATIA



Last updated: **August 2009**

Region	Europe
Legal system	Civil Law
UNCAT Ratification/ Accession (a)/ Succession (d)	12 October 1992 (d)
Relevant Laws	<ul style="list-style-type: none"> • Constitution of December 1990 • Criminal Code of 1997 (Law No. 110, 21 October 1997)
Relevant Articles	<ul style="list-style-type: none"> • Prohibition of Torture: Article 17 of the Constitution • Definition of Torture: Articles 157a and 176 of the Criminal Code • Penalties: Articles 157a and 176 of the Criminal Code • Others: <ol style="list-style-type: none"> 1. Defences: Article 17 of the Constitution
Languages Available	<ul style="list-style-type: none"> • English
Other Relevant Information	

Relevant Articles – CROATIA

ENGLISH (Translation)

Constitution of December 1990

Article 17 Special Restrictions in State of Emergency

1. ...
3. Not even in the case of immediate danger to the existence of the state may restrictions be imposed on the application of the provisions of this Constitution concerning the right to life, prohibition of torture, cruel or unusual treatment or punishment, and on the legal definitions of penal offenses and punishments, and on freedom of thought, conscience and religion.

Criminal Code of 1997 (Law No. 110, 21 October 1997)

Article 157a Crimes Against Humanity

Whoever violates the rules of international law within an extensive or systematic attack against the civilian population and, with knowledge of such an attack, orders the killing of another person, orders the infliction of conditions of life so as to bring about the physical destruction in whole or in part of some civilian population which could lead to its complete extermination, orders trafficking in human beings, in particular of women and children, or the enslavement of a person in any other way so that some or all of the powers originating in property rights are exercised over such person, orders the forceful displacement of persons from areas where they lawfully reside and through expulsion or other measures of coercion, orders that a person deprived of liberty or under supervision be tortured by intentionally inflicting severe bodily or mental harm or suffering, orders that a person be raped or subjected to some other violent sexual act or that a woman who has been impregnated as a result of such violent act be intentionally kept in detention so as to change the ethnic composition of some population, orders the persecution of a person by depriving him or her of the fundamental rights because this person belongs to a particular group or community, orders the arrest, detention or kidnapping of some persons in the name of and with the permission, support or approval of a state or political organization and subsequently does not admit that these persons have been deprived of their liberty or withholds information about the fate of such persons or the place where they are kept, or orders within an institutionalized regime of systematic oppression and domination of one racial group over another racial group or groups that an inhumane act described in this Article be committed or an act

similar to any of these offenses so as to maintain such a regime (the crime of apartheid), or whoever commits any of the foregoing offenses shall be punished by imprisonment for not less than five years or by a life sentence.

Article 176 Torture and Other Cruel, Inhuman or Degrading Treatment

An official or another person who, acting upon the instigation or with the explicit or implicit consent of a public official, inflicts on a person physical or mental pain or severe physical or mental suffering for such purposes as to obtain from him or a third person information or a confession, or punishes him for a criminal offense he or a third person has committed or is suspected of having committed or who intimidates or coerces him for any other reason based on discrimination of any kind shall be punished by imprisonment for one to eight years.