

Stjepan Trepšić and HŽ Infrastruktura d.o.o.

Statement on Initial Assessment Results

September 2026

The aim of the initial assessment proceedings under the Implementation Procedures of the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct is to determine whether the issues raised in the specific instance merit further examination.

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NCP and its Role

The Croatian National Contact Point for Responsible Business Conduct (NCP) has been established by the Government of the Republic of Croatia in accordance with the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct (the OECD Guidelines), to which Croatia adhered in 2019. The NCP is responsible for promoting awareness of the OECD Guidelines and contributing to the resolution of issues arising from their application through specific instances. The OECD Guidelines are recommendations jointly addressed by governments to multinational enterprises operating in or from Adherents to the Guidelines. They cover responsible conduct in areas such as human rights, employment and industrial relations, the environment, combating bribery and other forms of corruption, and disclosure of information. The NCP serves as a non-judicial grievance mechanism, offering good offices to the parties to assist them in resolving issues related to the application of the OECD Guidelines. The NCP does not have the authority to impose sanctions, directly provide compensation, or compel the parties to participate in the proceedings. All parties are expected to engage in the process in good faith. The NCP consists of two bodies: the Secretariat and the External Body. The NCP's External Body conducts an initial assessment and, where justified, offers good offices to assist the parties in resolving the issues raised.

Summary

This initial assessment concerns a specific instance submitted by Mr Stjepan Trepšić, an employee of HŽ Infrastruktura d.o.o., received by the Croatian NCP in November 2025. The submission alleges that HŽ Infrastruktura d.o.o. failed to protect Mr Trepšić from reprisal and workplace harassment following the performance of oversight duties and the undertaking of whistleblowing activities during the period 2016-2026. The issues raised may be relevant to the following Chapters of the OECD Guidelines: Chapter II (General Policies), Chapter IV (Human Rights), and Chapter V (Employment and Industrial Relations). HŽ Infrastruktura d.o.o. was

notified of the proceedings in November 2025 and submitted its response in January 2026, contesting the applicability of the OECD Guidelines on the grounds that it is not a multinational enterprise. The company subsequently declined to provide an oral statement before the NCP External Body.

Following the initial assessment, the NCP decided to accept the specific instance for further examination and offers its good offices to the parties. This decision does not mean that the consideration of the issues raised is final, nor does it imply any conclusion as to whether HŽ Infrastruktura has acted in compliance with the OECD Guidelines.

Content of Submission (Allegations) and Response by Enterprise

Submitter and Enterprise

Submitter: G. Stjepan Trepšić, a Croatian national employed by HŽ Infrastruktura d.o.o. Mr Trepšić filed a submission to the Croatian National Contact Point (NCP) in November 2025.

Enterprise: HŽ Infrastruktura d.o.o., a state-owned company responsible for the management and maintenance of railway infrastructure in Croatia.

Issues Raised by Submitter

The submission by Mr Trepšić describes a prolonged pattern of workplace reprisal, harassment and institutional misconduct lasting approximately nine years (2016–2025). The issues raised primarily concern:

Chapter II – General Policies, with regard to the company’s responsibility to respect human rights, avoid causing or contributing to adverse impacts on workers, and conduct appropriate due diligence;

Chapter IV – Human Rights, with regard to the protection of workers who report workplace wrongdoing and the responsibility to ensure that they are not subject to retaliatory measures;

Chapter V – Employment and Industrial Relations, with regard to fair treatment of employees, the prohibition of reprisal, and the maintenance of a working environment consistent with workers’ dignity.

Background and Context

Part A – Factual Basis (context)

1. Harassment Through Trade Union Media

Mr Trepšić was employed as Head of the Traffic Regulation Area (Eastern Region), responsible for implementing safety regulations and overseeing safety-critical processes, and was tasked with supervising approximately 200 workers. In 2016, a trade union publication edited and written by trade union officials published several articles targeting Mr Trepšić and a colleague by name (using pseudonyms). HŽ Infrastruktura conducted proceedings to establish the responsibility of the authors of the articles, following which the responsible person was issued a warning concerning the obligations arising from the employment relationship and the possibility of dismissal. The submitter also initiated civil proceedings, and in October 2018 the Zagreb County Court confirmed that the publication had exceeded acceptable limitations and ordered the trade union to pay damages and publish an apology.

2. Initiation of Internal Oversight

In July 2018, the submitter initiated an internal oversight proceeding concerning a trade union official who, in the course of that proceedings, was found to be performing safety-critical duties without the required professional certification or medical clearance. Following the proceedings, on 27 November 2018, HŽ Infrastruktura issued the official with a formal written warning, citing a breach of employment obligations and warning of the possible termination of the employment contract. The submitter also filed a criminal complaint against one of the individuals involved, alleging the criminal offence of document forgery. On 5 February 2019, the Municipal State Attorney's Office in Virovitica dismissed the criminal complaint on the grounds that the offence was manifestly of negligible significance and that HŽ Infrastruktura had already sanctioned the conduct through internal employment-related measures.

3. Criminal Threat by a Trade Union Official

In response, another trade union official threatened Mr Trepšić with serious consequences if he did not withdraw from the investigation. This resulted in a final criminal conviction of the official, upheld by the Zagreb County Court in August 2022.

4. Safety Incidents

The submitter states that, in 2017, loosened bolts were found on his company vehicle and that a ventilation grille was thrown into the garden of his family home. Criminal complaints were filed; the perpetrators were not identified. He states that he associates these incidents with the broader hostile working environment and that he feels unsafe.

5. Criminal Complaint Privately Filed against Mr Trepšić

In February 2023, three trade union officials filed a private criminal complaint against Mr Trepšić for alleged defamation based on a letter he had sent to the leadership of the railway trade union in November 2022. On 17 March 2026, the Zagreb Municipal Criminal Court issued a non-final acquittal, finding that Mr Trepšić's statements were true, were based on final court judgments, or constituted value judgments, and that an intention to defame had not been established. The prosecutors appealed the judgment of the Zagreb Municipal Criminal Court, and the proceedings are ongoing.

6. Complaint to the Whistleblower Protection Authority

In April 2024, Mr Trepšić reported alleged wrongdoing at HŽ Infrastruktura to the Office of the Ombudsperson, in accordance with the Whistleblower Protection Act (Act on the Protection of Persons Reporting Irregularities). In its response of October 2024, the Ombudsperson concluded that it could not act, primarily because most of the reported events had occurred before the Act entered into force and because the prescribed internal reporting channels had not been used.

Part B – Issues potentially falling within the scope of the OECD Guidelines

1. Alleged Reprisal Through Reassignment from A Supervisory Position

The submitter alleges that approximately 15 days after the final criminal judgment became enforceable (point A.3), he was reassigned from his position as Head of the Traffic Regulation Area to the position of Chief Technologist in Osijek, which he describes as marginalising and unrelated to his qualifications. He further alleges that the reassignment resulted in a reduction in

his monthly salary of approximately EUR 100 and that no reasons for the reassignment were provided to him. Correspondence from the President of the Trade Union of Croatian Railway Workers to the company's management indicates that the reasons for the reassignment were formally requested in February and March 2023 and that, according to the submitter, no response was received.

2. Continued Marginalisation Following Whistleblowing Activities

Following multiple complaints to state authorities and law enforcement bodies concerning alleged irregularities at HŽ Infrastruktura, Mr Trepšić alleges that his work-related authority was withdrawn, that he was subjected to fabricated internal investigations, and that he was assigned tasks below the level of his qualifications. He considers this pattern to constitute reprisal for his whistleblowing activities.

3. Failure to Protect against Workplace Harassment

Mr Trepšić alleges that HŽ Infrastruktura failed to take appropriate protective measures despite being aware of prolonged harassment directed against him, including through trade union media channels.

Submitter's Expectations Regarding the Outcome of the Specific Instance

Mr Trepšić is seeking the good offices of the Croatian NCP with a view to initiating dialogue with HŽ Infrastruktura d.o.o. aimed at ensuring his protection as a whistleblower and bringing the ongoing reprisal to an end, obtaining an independent internal or external investigation into the reported irregularities and safety deficiencies, and considering possible measures to prevent similar situations from recurring.

Response from Enterprise

HŽ Infrastruktura d.o.o. was formally notified of the specific instance on 21 November 2025. Following a request for an extension of the deadline for submitting its response, the company submitted its written response on 19 January 2026, contesting the applicability of the OECD Guidelines on the grounds that it is not a multinational enterprise. In subsequent correspondence dated 25 March 2026, the company stated that Mr Trepšić's work performance was satisfactory, that no complaints had been received concerning the treatment of Mr Trepšić, and that the issues raised had already been considered by the competent state authorities. The company declined to provide an oral response before the NCP External Body.

Following that refusal, on 13 April 2026, the NCP Secretariat requested clarification in writing as to whether the refusal extended to participation in further proceedings, including any possible offer of good offices, and reminded the company of its obligation to engage in good faith under the OECD Guidelines. The company did not respond to that letter before submitting its comments on the draft Statement on Initial Assessment Results.

In those comments, the company expressed its willingness to participate in further proceedings, including a possible offer of good offices, and confirmed that it would engage in good faith in accordance with the OECD Guidelines.

NCP Proceedings to Date

Since receiving the submission, the NCP has taken the following actions:

Date	Action Taken
9 November 2025	Mr Stjepan Trepšić's submission was received via the NCP submission form, along with accompanying documentation.
20 November 2025	The NCP Secretariat met with Mr Stjepan Trepšić to explain the OECD Guidelines and the procedure for handling specific instances.
21 November 2025	The NCP Secretariat formally notified HŽ Infrastruktura d.o.o. of the specific instance and invited the company to submit a written response within 14 days.
10 December 2025	The NCP External Body held a meeting to consider the submissions and determine the next steps.
January 2026	HŽ Infrastruktura d.o.o. requested and was granted an extension of the deadline for submitting its response; the written response was submitted on 19 January 2026, contesting the applicability of the OECD Guidelines on the grounds that it is not a multinational enterprise.
9 February 2026	The NCP External Body held a meeting to review the submissions of both parties and determine the next steps.
26 February 2026	Mr Trepšić was heard before the NCP External Body.
27 February 2026	The NCP External Body informed HŽ Infrastruktura d.o.o. that it had determined that the OECD Guidelines apply to the company and invited the company to provide an oral response before the NCP External Body.
25 March 2026	HŽ Infrastruktura d.o.o. declined to provide an oral response before the NCP External Body.
13 April 2026	The NCP Secretariat wrote to HŽ Infrastruktura d.o.o. seeking clarification as to whether its refusal extended to further proceedings, including good offices, and reminded the company of its obligation to engage in good faith. No further response was received.
15 May 2026	The NCP held a meeting to conduct the initial assessment on the basis of the submissions of both parties.
27 May 2026	The NCP External Body decided to offer its good offices to the parties and commenced drafting the Statement on Initial Assessment Results.
29 July 2026	The draft Statement on Initial Assessment Results was submitted to the parties for comment.
11 September 2026	The Statement on Initial Assessment Results was adopted with good offices offered to the parties.

NCP Initial Assessment

The NCP has decided to accept the submission. This decision was made after the NCP assessed whether the issues raised merit further examination. To this end, the NCP considered the following six criteria:

What is the identity of the party concerned and its interest in the matter?

The submitter, Mr Stjepan Trepšić, is an employee of HŽ Infrastruktura d.o.o. who is directly affected by the conduct of the company described in the submission. As a person whose employment relationship, working conditions and professional status are at the centre of the issues raised, Mr Trepšić has a clear and direct interest in the instance.

Are the issues raised material and substantiated?

The submission raises issues that are material in that they concern specific provisions of the OECD Guidelines relating to the treatment of workers, the protection of whistle-blowers and human rights due diligence, all of which fall within the scope of Chapters II, IV and V of the Guidelines.

As regards substantiation, the NCP notes that Mr Trepšić submitted extensive documentation. Several key facts have been established by final court judgments, formal internal decisions of the company and official correspondence from third parties: that Mr Trepšić was a victim in criminal proceedings that resulted in the conviction of a trade union official for making threats against him in connection with his work; that HŽ Infrastruktura itself had previously issued a formal written warning to another trade union official following an oversight procedure initiated by Mr Trepšić; and that Mr Trepšić was subsequently reassigned from a supervisory position without any explanation being provided to him or, upon formal request, to his trade union. The NCP does not consider it necessary at this stage to assess the reasons for the reassignment or to establish a causal link between the events described. For the purposes of the initial assessment, allegations do not need to be proven; it is sufficient that they are supported by information that is not manifestly incredible and that they relate to the implementation of the Guidelines. The NCP considers that the submission, taken as a whole, is sufficiently substantiated to merit further examination.

Is the enterprise covered by the Guidelines?

HŽ Infrastruktura d.o.o. contested its obligation to adhere to the Guidelines on the grounds that it is not a multinational enterprise. Specifically, the company argued that it was established by the Republic of Croatia, that it manages railway infrastructure exclusively within the territory of Croatia, and that it does not generate revenue from business activities at a multinational level. The NCP considered this objection and concluded that HŽ Infrastruktura d.o.o. is obliged to adhere to the Guidelines. The Guidelines expressly state that a precise definition of multinational enterprises is not required for the purposes of their application and that the concept should be interpreted broadly and flexibly, considering the international nature of the enterprise's structure or activities and its commercial form, purpose or activities. The Guidelines also expressly apply to enterprises regardless of their ownership structure, including state-owned enterprises, and do not establish a distinction in treatment between multinational and domestic enterprises. In reaching this conclusion, the NCP's External Body took particular account of the following: HŽ Infrastruktura d.o.o. is registered as a company under Croatian law; it engages in an economic activity regulated by EU law frameworks, including the Railway Safety Directive and

interoperability regulations; it participates in the EU-funded infrastructure projects involving cross-border procurement and cooperation with international partners; and it interacts with international railway operators and authorities.

Is there a link between the enterprise's activities and the issues raised?

There is a clear and direct link between the activities of HŽ Infrastruktura d.o.o. and the issues raised. The alleged reprisal, reassignment and failure to protect Mr Trepšić took place in the context of his employment relationship with the company. As his employer, the company is the party alleged to have caused or contributed to adverse impacts on his working conditions and rights.

Do applicable law and/or parallel proceedings limit the NCP's ability to contribute to the resolution of the issues and/or the implementation of the Guidelines?

The NCP identified the following parallel and previous proceedings involving the same or closely related issues: criminal proceedings concerning an offence against honour and reputation before the Zagreb Municipal Criminal Court, in which Mr Trepšić was acquitted by a non-final judgment on 17 March 2026; civil proceedings concerning non-pecuniary damages, concluded by a final judgment of the Zagreb County Court in October 2018; and a complaint submitted to the Office of the Ombudsperson pursuant to the Whistle-blower Protection Act (Act on the Protection of Persons Who Report Irregularities), in respect of which the Ombudsperson concluded that it could not take action, primarily due to procedural limitations.

The NCP considers that, although these proceedings examined certain aspects of the factual circumstances, they did not examine the company's conduct against the standards set out in the Guidelines. Offering good offices could therefore contribute constructively to addressing the issues that remain unresolved and would not seriously prejudice either party.

The NCP notes in particular that the criminal proceedings against Mr Trepšić concerning an offence against honour and reputation are proceedings between private individuals and do not concern the conduct of the company. Accordingly, in the context of this specific instance, the NCP will neither consider nor assess the issues that are the subject of those proceedings, and nothing in this Statement or in any potential good offices process may be construed as an assessment of the merits of the allegations in those proceedings.

Would examination of the issues contribute to the purposes and effectiveness of the Guidelines?

The issues raised - alleged reprisal against an employee for engaging in lawful oversight activities and whistleblowing, failure to protect against workplace harassment, and unexplained adverse changes in working conditions - concern core expectations of enterprises under the Guidelines. Facilitating dialogue between the parties could contribute to addressing the issues raised and to the future implementation of the Guidelines by HŽ Infrastruktura d.o.o.

Conclusion

The NCP's conclusion is that the issues raised merit further examination. The NCP therefore offers its good offices to the parties.

Next Steps

The NCP accepts this specific instance for further examination and offers its good offices to the parties. The NCP will formally ask both parties whether they are willing to participate in good offices, with a view to reaching an agreement on how the issues raised can be effectively resolved. The NCP reiterates that all parties are expected to engage in good faith. If the parties are unable to reach an agreement through good offices, the NCP will examine the issues and, where appropriate, make recommendations.