



CROATIAN UNION OF ASSOCIATIONS OF PERSONS WITH DISABILITIES

ALTERNATIVE REPORT

presented from a coalition of
associations of persons with
disabilities prior to the adoption
by the Committee on the Rights
of Persons with Disabilities
of the list of issues relating to
Croatia

Submission to the UN Committee on the
Rights of Persons with Disabilities within
the framework of the 2nd, 3rd and 4th
review of Croatia

Zagreb, February 2020



HRVATSKI SAVEZ
OSOBAMA S VIŠESTRUKIM
INVALIDITETOM
DODIR



HSUTO



Hrvatski savez
za rijetke bolesti
HRVATSKI SAVEZ
ZA RIJETKE BOLESTI



SUMEZ
HRVATSKI SAVEZ
OSOBAMA S
MENTALNIM INVALIDITETOM
HRVATSKI SAVEZ
ZA RIJETKE BOLESTI

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I. SUBMITTING ORGANISATIONS

Organizations which participated in the elaboration of the Alternative Report on the implementation of the United Nations Convention on the Rights of Persons with Disabilities in the Republic of Croatia are the following:

INCLUDED IN PREPARATION OF ALTERNATIVE REPORT ON THE IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES



Croatian Union of Associations of Persons with Disability – SOIH is umbrella organization of fourteen national associations of persons with all types of disabilities, networking 250 grassroots societies throughout Croatia, has an invaluable experience in improving the quality of life of persons with disabilities regarding health care, social protection, education, employment, housing, mobility and accessibility, awareness-raising, promotion of the social and human rights model of disability etc. SOIH strongly contributes to the prevention of discrimination, institutionalization and stigmatization the role of persons with disabilities in society and strengthening organizations that represent them through advocacy, education, consulting, research, publishing, campaigning and networking. SOIH is a full member of Disable’s People International (DPI), European Disability Forum (EDF) and European Network of Independent Living (ENIL). www.soih.hr



Croatian Blind Association - HSS was founded in 1946 and has grown to be a leading non-governmental organization for articulating specific needs of the blind and developing solutions that positively affect their quality of life. HSS gathers persons with visual impairments through 27 member associations on a local level, covering all Croatian territory and gathering nearly 6000 members. HSS is a member of the European Blind Union (EBU) and the World Blind Union (WBU), participating in international projects and joint initiatives, along with advocating for positive societal change and public policies, with primary focus on the European legislative framework. www.savez-slijepih.hr



The Croatian Association of the Deaf and Hard of Hearing - HSGN cares and carries out activities for all deaf and hard of hearing persons in Croatia. From its establishment in 1921, HSGN supports programs of rehabilitation and protection, and is especially committed to solving problems of communication, education and employment. HSGN is an active participant in all legislative and policy initiatives and actions concerning human rights of deaf and hard of hearing. HSGN is a member of SOIH. www.hsgn.hr



The Association of Multiple Sclerosis Societies of Croatia - SDMSH is a non-partisan, social organization of persons with multiple sclerosis, which has 21 grassroots societies in its membership. The Association's goal is first and foremost to improve the treatment, research and rehabilitation of persons with multiple sclerosis in order to improve the quality of users life. SDMSH is also continuously working to protect and promote human rights, equalize the opportunities of persons with multiple sclerosis, create the conditions for their active inclusion and equal

participation in society, prevent any discrimination, and strengthen all forms of social solidarity. SDMSH is a member of SOIH. www.sdmssh.hr



Croatian Muscular Dystrophy Association - SDDH is a national association of 28 societies of persons with muscular dystrophy (MD) and related neuromuscular disorders (NMD). Since 1970, SDDH has been promoting their rights by advocating for inclusion in the equal opportunity society and through the protection and implementation of human rights of persons with disabilities at national and international levels and developing of social services aimed at the prevention of disease progression, including education, employment and inclusion in all spheres of life. SDDH is a member of EAMDA, International Alliance of ALS/NMD Associations – ALS/NMD and SOIH. www.sddh.hr



Croatian Association of Deafblind Persons DODIR is a national, non-government organization that has, in over 25 years of its existence, established services for deafblind children, youth, and adults developing and implementing some of the unique programs: education and rehabilitation programs for the development of independent life skills, guides/interpreters who provide deafblind persons with professional support in communication and mobility on the basis of one-to-one approach, creative art workshops, advisory service for deafblind persons and their families, two-year courses in Croatian sign language, interpreter courses, support in organizing leisure time and holidays for deafblind people and their families. www.dodir.hr



Croatian Paraplegic and Tetraplegic Association - HUPT has been operating since 1999 with main purpose of providing support for persons with spinal cord injury (paraplegia or tetraplegia). HUPT advocates comprehensive rehabilitation, so that, whenever possible and as soon as possible, we can engage in activities we were included before an accident. Our work is based on the principle of independent living and we work in three areas - members, general population and public policies. We are project-based funded. HUPT is a member of SOIH. www.hupt.hr



Croatian Association of Physically Disabled Persons' Societies - HSUTI is a non-governmental, social-humanitarian association with a purpose to promote common interests of persons with disabilities in the area of health, education, culture, social life, information and other areas of life. Association provides the service of personal assistance to its members, organizes recreational summer camp, advocates rights of persons with disability, provides online counselling, information, educational and technical support in their social and humanitarian activities and protection of interests of persons with disabilities. HSUTI is a member of SOIH. www.hsuti.hr



Croatian Cerebral Palsy Association - HSUCDP is a national association that brings together 32 organizations of persons with disabilities which are focused on persons with cerebral palsy and polio. Our goal is to improve the quality of life of persons with cerebral palsy and polio. The Association is impersonating equalization of opportunities for persons with disabilities by providing adequate services, creating conditions for the development and improvement of social and health care, rehabilitation, education and employment. HSUCDP is a member of SOIH. www.hsucdp.hr



Croatian Association of Societies of Disabled Workers - HSUIR is a nonprofit umbrella organization of 35 grassroots societies from all over the Republic of Croatia. There are about 130 000 disabled workers in Croatia. HSUIR's work and impact are focused on improving the quality of life of disabled workers and persons with disabilities. HSUIR promotes the equalisation of opportunities for disabled workers and advocates the rights of persons with disabilities. HSUIR proposes the adoption of new laws, amendments to existing legal regulations relating to the rights and obligations of persons with disabilities. HSUIR is member of International Federation of Persons with Physical Disability – FIMITIC and SOIH. www.hsuir.hr



Croatian Association of Societies of Persons with Intellectual Disabilities – Savez OSIT was founded in Zagreb in 1957 and is the largest network of societies of persons with intellectual disabilities and their families. Association has 32 member societies from all over Croatia with more than 10.000 members. Activities of the Association are focused on: protecting the rights of persons with intellectual disabilities, developing a sustainable network of accessible social services, influencing the process of adopting new regulations, enhance the employment of persons with intellectual disabilities and improving the quality of their life in the community. Association is a member of SOIH. www.savezosit.hr



Croatian Association of Societies for Autism - SUZAH founded in 1979, is a non-governmental organization that coordinates 13 member organizations all across Croatia with the same mission of improving the quality of lives of children with autism and their families through activities such as research, policy analysis, communication with the experts in the field, advocating with all the beneficiaries in the field of autism and persons with disabilities. It has partnerships with a number of NGO organizations in Croatia and the region and has cooperated with Autism Speaks and UNICEF. SUZAH is a member of Autism Europe and SOIH. www.autizam-suzah.hr



The Association of War Disabled Civilians of Croatia - SCIRH is a national association that offers voluntary membership to the county, city and municipal associations of war disabled civilians. The members of the core associations are the persons that are pursuant to the Act on the Protection of Military and War Disabled Civilians entitled to specific rights as war disabled civilians, family members of a person murdered, dead or missing in circumstances prescribed under the Act. The Association is a member of the European Union of War Invalids and SOIH. www.scirh.hr



Rare Diseases Croatia - HSRB is the umbrella organization for rare diseases in Croatia, active since 2002, which gathers 30 member organizations and more than 1000 persons living with a rare disease and their family members. The organization provides direct psychosocial support to its members, advocates for their right to information and treatment, provides the needed support to patients-members, directly by phone, e-mail or our Croatian Helpline for Rare and through lobbying for their rights to correct information, the availability of treatment and social services. Rare Diseases Croatia is member of EURORDIS – rare diseases Europe and SOIH. www.rijetke-bolesti.hr



Croatian Association of Youth and Students with Disabilities - SUMSI was established in 2009 as a non-profit and humanitarian entity with a mission to provide every young person/student with disabilities improved conditions of education, improve the standard of studying, as well as improve the living standards of young persons with disabilities. In realization of the mission, the cooperation and networking with other associations, institutions, organizations, experts, and local government is achieved in order to assist in counselling and the development of strategies, drafts and making plans for students with disabilities. SUMSI is a member of SOIH. www.sumsi.hr



The Croatian Guide Dog and Mobility Association - HUŠPVM is the first civil societies organization in this region that brought and developed program of training and assignment of guide dogs, as well as orientation and mobility training for blind persons to Croatia and Region. It has developed different assistance dogs programs: guide, therapy, service and seizure dogs, mobile assistance for users, organization of seminars and educative lectures for users, professionals, and public. HUŠPVM is a member of International and European Guide Dog Federation, Assistance Dogs International, Assistance Dogs Europe and Animal Assisted Intervention International and SOIH. www.psivodici.hr



Croatian Association of Mental Health Societies - SUMEZ, founded in 2017 is a network of 17 grassroot societies of persons with psychosocial disabilities with the aim of promoting and protecting their human rights based on CRPD. One of the activities through which SUMEZ empowers its members are: development of Psychosocial Disability Support for users and their family members, encouraging the development of Mobile Peer Teams and empowering individuals and families through educational programs and experiential psychotherapy groups. www.sumez.hr

II. Executive summary

After considering the Initial Report of Croatia, the Committee on the Rights of Persons with Disabilities adopted Concluding Observations on the Initial Report of Croatia on the 15 May 2015.

Ministry of Demography, Family, Youth and Social Policy, Ombudswoman Office and Croatian Union of Associations of Persons with Disabilities Concluding Observations on the Initial Report of Croatia presented to the Committee of the Croatian Parliament for Health and Social Policy, Committee for the persons with disabilities of the Government of the Republic of Croatia, members of representative associations of persons with disabilities and other civil societies. When drafting the National Strategy for Equalization of Opportunities for Persons with Disabilities 2017-2020 which consists of 16 fields, the Concluding Observations were incorporated as preamble in front of the fields concerning and relating measures and activities to be taken to implement the Concluding Observations.

From the adoption of the Concluding Observations to the submission of this Alternative report, in the Republic of Croatia the quality of life of persons with disabilities has improved in certain segments. Although it can be argued that there is the progress has not continued as it was in previous years.

Some procedures have been initiated to address early intervention services and cooperation with UNICEF regarding autism, it is still a significant challenge because a screening, diagnosis and early intervention system has not yet been established for children with autism and it did not start for other groups of children with disabilities.

The major obstacle to the inclusion of persons with disabilities is accessibility because of many non accessible facilities and communication. Although new facilities are generally adapted, there is no strategy to plan the adaptation of existing facilities that accommodate the largest number of institutions of interest to persons with disabilities. There is also no system for addressing the social housing of persons with disabilities. Representative associations of persons with disabilities have taken on the role of service providers thanks to such profiled competitions on the national level and through EU funded projects. Very small amount of money is allocated for advocacy work of representative organizations of persons with disabilities. Despite the fact that the process of negotiating the systematic financing of representative organizations of persons with disabilities lasts since the adoption of the Recommendations until today, not even the first step in this direction has been taken. Persons with disabilities have the lowest incomes that they receive on the basis of disability in the whole region and beyond. The situation is quite different for persons who have acquired disabilities as a result of war casualties.

The development of the concept of independent living has been present in the Republic of Croatia for many years, but it is prevented by numerous barriers from accessibility, lack of social and other services in the community, unregulated issue of personal assistants, non accessible transport – especially there is no any kind of interurban transport, and lack of information in a custom form. The institutionalization process is accelerated because persons with disabilities who have lost family members have no choice because of lack of support in the local community and their only choice is to live in institution.

The process of deinstitutionalization does not proceed according to the planned dynamics and is increasingly slow.

For persons with intellectual disabilities Croatia has not yet developed a model of assisted decision making.

The Republic of Croatia developed a new system of disability assessment through the Unique assessment Expert Body from 2015. The system is difficult to develop because of a new approach to assessment based on injury and functionality, and a lack of experts.

The application of anti-discrimination regulations is restrict extended only to the field of work but not to other systems.

The concept of Reasonable accomodation is only included in the Anti-Discrimination Act and the Law on employment and professional rehabilitation of persons with disabilities and in many cases it is not well understandable as an effective tool for personal autonomy.

Public awareness campaigns are generally of insufficient scope and are carried out mainly by representative organizations of persons with disabilities. The State party, in cooperation with organizations of persons with disabilities and other stakeholders did not prepare joint public awareness campaigns to reinforce the positive image of persons with disabilities as all human rights holders and did not provide training to all public authorities and public or private professionals working with persons with disabilities on the rights enshrined in the Convention.

Reference to the specific articles of the Convention and proposed questions for the list of issues

A. General principles and obligations (Articles 1-4)

A National strategy for equalization of opportunities for persons with disabilities 2017-2020 is a document that has incorporated in its entirety the Concluding observations on the initial report of Croatia. There are two problems during the period of implementation, the first of which is inappropriate implementation and the second an insufficiently transparent method of reporting which is descriptive and not in the line with the adopted reporting methodology. So the process of monitoring and following the indicators of the implementation is not easy and transparent enough.

In Croatia comprehensive review of domestic legislation with a view to implementing the human rights model of disability in the line with the Convention on the Rights of Persons with Disabilities was planned through National strategy for equalization of opportunities for persons with disabilities 2017-2020¹. Bearing this on the mind seeking to speed up processes the Coalition of Associations included in 8 Center of Knowledge for Social Development² submitted EU project in October 2018 that has not yet been evaluated.

The concept of reasonable accommodation was in 2013 extended in the field of employment of persons with disabilities by new Law on employment and professional rehabilitation of persons with disabilities. The concept is not still recognized form of discrimination in national legislation in the areas of education, health, transport and building.

State party translated General Comment No 7 and formed a task force which did not start activities³. The State party did not provide funding to enable representative organizations of persons with disabilities to fulfil their role under Article 33(3) of the Convention. In last few years representative organizations of persons with disabilities continue to be carriers of social services and neglected their advocacy role.

The Governmental Commission for persons with disabilities is Advisory Board to Government from 1998 and its role is not as effective as it was been before. Many laws and policies are often not considered by that body and some decisions are taken formally.

Proposed questions:

1. What concrete measures does the State party plan to comprehensively review domestic legislation with a view to implementing the human rights model of disability in the line with the Convention on the Rights of Persons with Disabilities (CRPD) (in accordance with point 6 of the Concluding observations on the Initial Report of Croatia)?
2. What measures will the State party take to incorporate the concept of reasonable accommodation and universal design as recognized forms of discrimination in national

¹ Page 68 of National strategy for equalization of opportunities for persons with disabilities 2017-2020

² UP.04.2.1.06 Thematic networks for socio-economic development and the promotion of social dialogue in the context of improving working conditions. 8 Center of Knowledge for Social Development submitted the project with 3 main research part of which one is harmonization of legislation with Convention, second is mapping of social services and third is assistive technologies. The partner on the project is Faculty of Education and Rehabilitation Sciences, University of Zagreb.

³ General comment on article 4.3 and 33.3 of the convention on the participation with persons with disabilities in the implementation and monitoring of the Convention was on Agenda of Committee for Persons with Disabilities of the Government of the Republic of Croatia on 27 March 2019 presented by SOIH and translation, distribute to Committee members by Government.

legislation in the areas of education, health, transport and building (in accordance with point 6 of the Concluding observations on the initial report of Croatia)?

3. What measures will the State party take to implement General Comment No. 7 (Article 4 and Article 33 (3) of the CRPD, point 6 of the Concluding Recommendations)?
4. What measures will the State party take to ensure that the Governmental Commission for persons with disabilities will take up the role as a effective Advisory Board to Government for developing policies for persons with disabilities?
5. What steps will the State party take to improve the reporting system of implementation of the National strategy for equalization of opportunities for persons with disabilities?

B. Specific rights (Articles 5–30)

Equality and Non-Discrimination (Article 5)

Discrimination against persons with disabilities is still present in all aspects of social life, specially it is based on the fact of living in different local communities.

The balance of the quality of services and their equal accessibility to persons with disabilities are not equilized but it depend of the cause of their impairment and the same situation is with other rights that are defined depending on of the cause of their impairment.⁴

Some of the rights in the Republic of Croatia are accessible to persons with disabilities only if they were recognized as such before the age of 65 years. It is specially present in the personal assistance projects.

Proposed questions:

6. What measures will the State party take to balance the quality of services and their equal accessibility to persons with disabilities irrespective of the cause of their impairment?
7. What measures will the State party take to equalize the rights of persons with disabilities irrespective of the cause of their impairment?⁵
8. What measures will the State party take in terms of harmonizing the nomenclature in all regulations and national documents, and what impact will it put on the media in order to use the agreed terminology?⁶

⁴ It is in line with the point 8 of the Concluding observations on the Initial Report of Croatia. According to the Law on Croatian Veterans of the Homeland War and Members of Their Families (Veterans Act, hereinafter) (NN 121/2017) a person with 100% physical impairment belongs to the Disability II group, on a monthly basis they are entitled to 73% of the amount from the base amounting to HRK 3,326.00, which amounts to HRK 2,427.98. On the other hand, a person with physical impairment as a result of a recognized injury at work or occupational disease under the provisions of the Pension Insurance Act, with a physical impairment rate of 100%, according to the current legislation, on a monthly basis, is entitled to 40% of the basic amount HRK 1.557,00, which amounts to 622, 80 HRK. The basis in the social welfare system under the Law on Social Welfare for the calculation of social benefits in amount of 100% is HRK 500 for personal disability, allowance and care allowance - HRK 600,00 for persons with disabilities, for the same purpose: 100% of the basic amount is HRK 3.326,00 for disabled war veterans.

⁵ It is in line with the point 8 of the Concluding observations on the Initial Report of Croatia.

⁶ Examples of normative discrimination:

Law on Pension Insurance (Official Gazette No.157 / 13; 151/14; 33/15; 93/15; 1,20 / 16,18 / 18; 115/18; 102/19) - conversion of disability due to general inability to work on old-age pension ex officio.

Article 58 provides:

The beneficiary of the right to a disability pension due to complete loss of working capacity due to illness shall be transferred that entitlement in the same amount, on the first day of the month after the month in which the beneficiary has reached the age referred to in Article 33 or Article 180 of this Act, ex officio, to old age pension.

9. What concrete measures the State party foresee to eliminate discrimination based on the age?

Women with disabilities (Article 6)

Despite the fact that the Republic of Croatia is constantly working to promote the rights of women with disabilities, programs have not yet been developed for their empowerment. The collection of data and statistics on the situation of women and girls with disabilities with indicators for assessing cross-sectoral discrimination have not been improved. However, the measures it is taking are not satisfactory as women with disabilities are not yet included in gender equality legislation, policies and plans. Access to women with disabilities reproductive and sexual health as well as awareness programs is particularly disadvantageous for women with intellectual and mental disabilities. Continuing education is not being conducted to empower them.

Please provide information on measures taken by the State party to:

10. systematic collect disaggregated data and statistics on the situation of women and girls with disabilities, in view of the previous Concluding observations on the Initial Report of Croatia for Section B. Specific rights (Articles 5-30) point 9.
11. adopt a National Policy for the Promotion of Gender Equality; when it will be adopted and whether representative organizations of persons with disabilities, and in particular women with disabilities will be included in its preparation process.
12. improve access to reproductive and sexual health programs and knowledge improvement programs for women and girls with disabilities, especially for women and girls with intellectual or psychosocial disabilities.

Children with disabilities (Article 7)

There is a general lacking of services and activities for children with disabilities, especially in the field of early intervention, health, education and social protection in regards to availability, equal access and centring around a family dynamic. There is a lack of equal regional coverage of services so a great number of children are missing support from trained professional mobile teams or regional centres in the area of diagnostics, rehabilitation, early intervention and psychological support. Situation is especially concerning for children and their families living in smaller town and rural communities.

The national framework for early screening and diagnosis of autism in children ages 0-7 years is still not developed and implemented. There is a lack of services and support for families of children with disabilities mostly regarding education of family members, counselling and psychological support. Family members that provide continues care for their children with disabilities don't have options in

The said Article 58 is contrary to Article 98: "If the insured person or the beneficiary of a pension acquires the right to two or more pensions under this Act or another law of the Republic of Croatia in compulsory pension insurance on the basis of generational solidarity, he may use only one pension. at your own choice. "

In this way, according to the latest statistics from 2014, some 56 000 disability pension beneficiaries were transferred to the old-age pension system due to their general inability to work (not the will of the insured, who became healthy persons all their life without disabilities). We believe that the modus operandi of the unnatural reduction of the number of persons with disabilities in the total number of persons with disabilities is characteristic of totalitarian regimes.

The Pension Insurance Act (NN 157/13, 151/14), in the content of the provision of Article 58, is an eloquent example of normative discrimination.

situations where they need rest or sick leave as there is no system of replacement caretaker and children are housed in institutions or foster families, which is a clear violation of children rights.

The Commission for Early Intervention in Childhood was established in 2019 as a high-level Governing Body for Early Intervention. The members are the Minister of Health (who is also the President of the Commission), Minister for Demography, Family, Youth and Social Policy, Minister for Science and Education, Minister for Finance, Minister for Labor and the Pension System, Minister for Regional Development and EU Funds and the Minister for Administration. The decision stipulates that the Minister of Health will appoint the members of the Executive Working Group within 30 days with the aims: develop a national strategic plan for early childhood intervention; develop an action plan for the implementation of the national strategic plan for early childhood intervention; develop standards and guidelines for early intervention services and develop procedures for early intervention programs, and prepare the implementation of a pilot project. The working group did not start with work yet.

There is no mechanism that would facilitate inclusion of children with disabilities in to the process of self-representation regarding their age and abilities.

Regarding all mentioned children with disabilities and their families are a discriminated group without access to some of basic services.

Proposed questions:

13. What measures will the State party take to ensure the implementation of a system of early screening and diagnosis of children with autism spectrum disorder and all other groups of children with disabilities in the shortest possible time period?⁷
14. What measures will State party take to ensure support services for children with disabilities and to provide for psychological and financial support for families in the communities where they live?⁸
15. How and in what time frame will the State party conduct the analysis of the quality of life of children with disabilities and their families?⁹
16. By what mechanism will the State party include children with disabilities in the process of decision making that directly impacts their wellbeing and give them possibility to express their opinions?

⁷ Despite efforts by UNICEF Croatia, NGO organizations in the field of children with disabilities and experts in the field Croatia still has not implemented the National Framework for early screening, diagnosis and intervention in children with autism, that was developed in 2017. Further more, this is one of the measures in the Croatian National Strategy for Equalization of Opportunities for Persons with Disabilities 2017 – 2020; Measure 1, Ensure better quality health care for children with disabilities and persons with disabilities, Activity: Enhance the availability of community-based health services in the area of timely diagnostics, rehabilitation and habilitation of children with developmental difficulties for the purpose of regional equality and service accessibility.

⁸ Most of the services in the communities are provided by the non-governmental organizations that are mostly financed in the form of projects and have taken the role of service providers because of the dire need and not because of their own preference for this type of non-regulated and high-risk work. There is a high risk that once the organization loses its project funding the service in the community stops as we have seen with many examples in the past.

⁹ There is a strong need for a detail analysis that would show if all children with disabilities and their families have equal access to social services guaranteed by the Croatian Social welfare act and stated in Article 74: 1. initial social service (provision of information, recognition and initial assessment of needs), 2. counselling and assistance, 3. home assistance, 4. psychosocial support, 5. early intervention, 6. assistance with inclusion into programmes of upbringing and regular education (integration), 7. day care, 8. accommodation, 9. Organised housing

Awareness-raising (Article 8)

Awareness campaigns for the wider community are mostly carried out by associations whose reach is never to the extent that the state is the carrier of the same. There is a lack of state-run campaigns and the allocation of significant funds to associations to carry out such activities. The importance of conducting trainings for the media, experts and government representatives is emphasized in order for the communication with the public to be successful and send a relevant message. Experts and government officials are not adequately trained in public relations and communicate the wrong messages in their public appearances, thus impairing society's perception of persons with disabilities. There must be concrete measures, education and financial resources to raise awareness.

Proposed questions:

17. What campaigns to raise public awareness on the rights of persons with disabilities does the State party plan to implement in cooperation with the representative organizations of persons with disabilities?
18. What measures does the State party plan to take to train and build capacity of the media, experts and government representatives in order to better communicate with persons with disabilities and participate in raising awareness?

Accessibility (Article 9)

Accessibility is still an area in which representative organizations of persons with disabilities expect significant measures to be taken to remove barriers. For main areas are still important – public transport, accessibility of buildings and public spaces, lack of social housing and communication field. By-law on ensuring accessibility buildings to persons with disabilities and persons with reduced mobility (NN 78/2013) is poorly implemented due to the lack of binding time limits and the lack of standards.¹⁰ The ineffectiveness of sanctions for violations of regulations and the lack of finances to implement accessibility lead to the fact that most facilities do not meet the accessibility criteria. It happens particularly with old public buildings (health institutions, social welfare centers, police stations, courts, etc.).

Since the European Accessibility Act, which didn't satisfied our expectations, was entered into force in 2019, it is urgent to harmonize and submit relevant documents with clear criteria and deadlines for implementation.

The quality and accessibility of transport infrastructure is low in practice, especially outside of large urban centers.

Regarding the accessibility of information and communication services, the lack of information in a custom digital format remains problematic, with the adoption of the relevant Law in February 2019 (NN 17/19), which presents accessibility measures, with a specified deadline for application and sanctions.¹¹

¹⁰ For example, the Zagreb Central Railway Station contains tactile lines for the blind at the passenger coffers, but there are no guide lines to the main entrance, lobby, platforms, or to the cash register. Furthermore, only the main entrance is wide enough for the passage of a person in a wheelchair, while the door to passenger coffers and information is not wide enough.

¹¹ Law on the accessibility of the websites and mobile applications of public sector bodies (NN 17/19)

Proposed questions:

19. How and in what timeframe will the State party incorporate in its regulations communication and accessibility of transport and in which timeframe will it harmonize its regulations with General Comment No. 2?
20. What measures will the State party take to ensure binding timelines for ensuring that older buildings become accessible and sanctions for those who are obliged but have not done so?
21. What measures will the State party take to integrate the European Union's Accessibility Act into a national legislation?
22. What measures and within what timeframe will the State party map of the accessibility of public institutions and how it will be implemented in the new National Strategy?
23. What measures will the State party take to introduce and make accessible urban transport in smaller urban and rural areas, and intercity transport accessible for all persons with disabilities?
24. What measures will the State party take to bring the existing Croatian Construction Act into line with the UN Convention on the Rights of Persons with Disabilities?
25. What measures will the State party take to introduce accessible formats of information and communication with persons with disabilities?

Situations of risk and humanitarian emergencies (Article 11)

There are no procedures of the management of persons with disabilities in risk situations and humanitarian emergencies. There is no general Protection and Rescue Plan for Persons with Disabilities in Risk Situations, except at some local levels.¹² Members of Civil Protection do not have specialized training regarding management of persons with disabilities.

Sirens, loudspeakers, electronic media and SMS devices¹³ (SMS can be sent only after the conditions are met with the service provider) are used for alarming and informing the population and no Regulation has been laid down that defines suitable ways of alarming persons with disabilities, especially those with hearing impairment.

Proposed questions:

26. What measures will the State party take to review its laws and policies related to situation of risk and humanitarian emergencies with a view to including provisions guaranteeing the security and protection of persons with disabilities, in close consultation with the representative organizations of persons with disabilities? What measures will the State party take to adopt an inclusive Protection and Rescue plan? ¹⁴

¹² An example – The Plan of Civil Protection of the City of Zagreb, 2019.

¹³ The Regulation on alerting the population (NN 69/16), article 4, paragraph 1.

¹⁴ *Protection and Rescue Plan of the Republic of Croatia* (NN 96/10) mentions persons with special needs and it is not clear whether persons with disabilities belong to this group.

Equal recognition before the law (Article 12)

The Republic of Croatia had made a big progress in giving voting right to all persons with intellectual impairment. The substituted decision-making has not been replaced by supported decision-making.

Still it is not guaranteed the autonomy and preferences of persons with disabilities, including their rights to give and withdraw their individual informed consent for medical treatment, to access justice, to marry, to full parental rights and to work, and regarding their asset management.

Representative organizations of persons with disabilities are not supported to give a mobile peer support system and they are not included in decision-making process.

Proposed questions:

27. What measures will the State party take to abolish systems of substituted decision making to develop systems of supported decision-making and to carry out research regarding the deprivation and restoration of legal capacity and what is going to be after a person is restored legal capacity?¹⁵
28. What measures will the State party take to systematically fund associations to introduce a mobile peer support system?
29. What measures will the State party take to ensure the autonomy will and preferences of persons with disabilities, including their rights to give and withdraw their individual informed consent for medical treatment, to access justice, to marry, to full parental rights and to work, and regarding their asset management?¹⁶

Liberty and security of the person (Article 14)

The Law on the protection of persons with mental disabilities is not yet in line with the UN Convention. Important accurate information on illness and treatment that, in their experience, is not yet available to a large number of patients with their needs.

A survey by the Mental Health Association "Svitanje" in a focus group of 10 users all confirmed that the existing system of informing persons with mental impairment about the reasons for treatment and treatment procedures should be better, that treatment should be provided in the home of persons, which in their view would reduce the number of involuntary hospitalizations.

There are complaints about the unequal access of many people treated in different psychiatric institutions. In the Republic of Croatia with regard to restriction of movement (placement in a closed ward without permission to leave the ward) who have given their consent to treatment, they want to be treated, but they do not want to be restricted from freedom of movement.

Proposed questions:

30. What steps has the State party taken to repeal legal provision which permit involuntary commitment on the basis of impairment and that laws, including the Act on Protection of

¹⁵ The Croatian Family Law does not yet recognize supported decision-making but only caregivers.

¹⁶ Persons deprived of legal capacity have been denied basic ownership (right to own, use, manage and dispose of that property).

Persons with Mental Disorders, are aligned with Convention, in view of Concluding observations no. 20 of the Initial report of Croatia?

31. What measures does the State party plan to take to develop a protocol on accessible information and communication for persons with disabilities, especially persons with intellectual and psychosocial disabilities related to rights in the health care system and informed consent?
32. What measures will the State party take to establish a system of support for the families of persons with the most severe disabilities of any kind?
33. What measures will the State party take to ensure that the investigation, prosecution and treatment of persons with disabilities who are perpetrators of crime are appropriate, that general safeguards and legal standards of criminal justice, i.e. the presumption of innocence, the right to fair trial apply, and to establish the accessibility of penitentiaries?

Freedom from torture or cruel, inhuman or degrading treatment or punishment (Article 15)

The plan for deinstitutionalization, transformation and prevention of institutionalization 2018 – 2020. has not made significant progress in increasing the number of persons leaving the institution. However, there is still the phenomenon that persons with physical disabilities who have insufficient hours of personal assistance support go to institutions.¹⁷

The conditions under which persons reside in institutions are not in line with Convention.

Proposed questions:

34. What measures will the State party take to include persons with disabilities in the National Preventive Mechanism for the Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment?
35. What measures will the State party take to establish controls, detection, and sanctions for cruel in humane treatment in institutions toward persons with disabilities?

Freedom from violence and abuse (Article 16)

Persons with disabilities, especially those living in rural areas, are exposed to exploitation, violence and abuse. This happens to persons with disabilities living in a family and an institution. There are no educational programs to raise awareness to identify exploitation, violence and abuse.

Proposed questions:

36. What measures will the State party take to collect statistics on the use and prevention of physical or chemical forms of containment in day care centers or institutions?
37. What specific measures will the State party take to facilitate the identification of cases of involuntary treatment?

¹⁷ Personal assistants have been funded by projects since 2006 and, as a rule, on a part-time basis, with no work on Saturdays and Sundays.

Protecting the integrity of the person (Article 17)

The forced sterilization of persons with disabilities is not yet prohibited in the Republic of Croatia. Still the problem is that medical professionals are not trained for accessible and alternative communication techniques in order to communicate with persons with intellectual, psychosocial and sensory impairments.

On behalf of a person with intellectual disabilities in Republic of Croatia decision about forced sterilization is still made by parents, guardians or a doctor.

Proposed questions:

38. What steps will the State party take to legally prohibit the forced sterilization of persons with disabilities?
39. What measures and when will the State party take action to educate health professionals on the specifics of communication and support needs of persons with disabilities, especially persons with intellectual, psychosocial and sensory impairments?

Living independently and being included in the community (Article 19)

Despite significant improvements in the implementation of measures and activities for the inclusion of persons with disabilities in the local community, many obstacles have not been eliminated. There is no system for addressing housing affordability in terms of adaptation. Public transportation of persons with disabilities has not been resolved. The initiated process of deinstitutionalization in the Republic of Croatia has not been sufficiently implemented. The trend towards institutionalization is still present due to lack of services and support in the community. Goods and services are not accessible to persons with disabilities. Community services have not been developed, and most of the burden is on civil society organizations through project funding without a clear sustainability model. This model of service provision impedes the development of advocacy and other capacities of representative organizations of persons with disabilities and limits them to providers of social services for which there are no defined standards. Older persons with disabilities are still moving into family homes.

Proposed questions:

40. What measures will the State party take to actively encourage the development of community based housing (including accessible and affordable social housing) and to make mainstream services accessible to all persons with disabilities?
41. What measures will the State party take to ensure a support service of persons with disabilities to be able to live in the community after having lived in institutions?
42. What measures will the State party take to prevent the institutionalization of persons with disabilities?
43. What measures will the State party take to create the legal preconditions for certification of the services of personal assistance (personal assistant, sign language interpreter and assistant for blind persons)?
44. What measures will the State party take to adopt the Law on Social Housing?

Personal mobility (Article 20)

Besides the landscape inaccessibility, there is a lack of adapted public transport vehicles in Croatia. In bigger cities public transport is partially adapted but in other smallest cities and in some rural areas accessible transport is performed by vehicles of representative organizations of persons with disabilities.^{18 19}

Personal mobility is reduced specially because of non-adequate ortopedic and other modern technical devices.²⁰

Proposed questions:

45. What measures will the State party take so the persons with disability can obtain medically prescribed and individually adapted orthopedic and other technical aids?
46. What measures will the State party take to upgrade the Registry of persons with disability, containing all relevant data about persons with disability necessary for strategic and policy planning in disability field? ²¹

Freedom of expression and opinion, and access to information (Article 21)

Audiovisual media services (public TV, on-demand TV, online videos...) are not fully accessible for persons with disabilities, especially for deaf, hard of hearing, blind and partially sighted persons.²²

The *e-Citizens* platform is not fully accessible for all persons with disabilities despite *The Act on the Accessibility of Web Sites and Programming Solutions for Mobile Devices of Public Sector Bodies*.²³

Proposed questions:

47. Please provide the information why the Agreement between Croatian Radiotelevision (hr. HRT, public information provider) and Croatian government is discriminating persons with disabilities, especially Article 60? ²⁴
48. When will the e-citizens platform be accessible to all citizens with disabilities?
49. What measures will the State party take to enable all persons, in accordance with their disability, the access to all information to fully participate in the society?
50. What measures will the State party take to introduce accessible formats of information and communication with persons with disabilities?

¹⁸Parents are denied information about: social services which are available to them, whom to ask for support, examples of good practice and similar information which would ensure the application of early intervention and increase the quality of life of families which have a child with disability.

¹⁹ Persons with disability in Republic of Croatia are confronted with difficulties in public transport. In bigger cities public transport is adjusted. In other cities, transportations is performed via vans by persons with disability's NGOs, for their own members only. Special problem arises in the fact that many rural areas are not connected by any means of public transportation.

²⁰ Winches, medical beds, modern technical aids etc.

²¹ Interdepartmental cooperation – health, social policy, degree of disability, level of education, labor status, family status, usage of services, usage of ortopedic and other aids as well as modern technologies, benefits and compensation.

²² E.g. Central news program “*Dnevnik*” is fully translated to Croatian sign language and partially subtitled. Content prepared before the show has subtitles, but live content (live interviews, on-the-scenes coverage...) has none.

²³ E.g. Blind persons cannot login into the platform using the voice unit.

²⁴ Article 60 of The Agreement between the Croatian Radio television and the Government of the Republic of Croatia for the period of January 1st 2018 to December 31st 2022 states that by the year 2022 the average daily amount of accessible television program (with subtitles and sign language interpreting) is at least 480 minutes per day (33.33% of daily aired program)

Respect for home and family life (Article 23)

Despite the Committee's recommendation still there is lack of actions which ensure that persons with disability can fulfill their paternal rights and adopt children equally as others. The access to support groups in the community was not provided for parents with disability. There is noticeable lack of activities in the development of the legislative framework and the support which would prevent that persons with disabilities lose custody over their children due to their disability.

National Strategy of Equalization of Opportunities for Persons with Disabilities 2017 - 2020 has increased the emphasis on children with disabilities which live in families, while not enough emphasis was placed on support measures for parents with disabilities. Parents of children with disabilities are not sufficiently informed about the possibilities which contribute to quality of family life.

Proposed questions:

51. What measures will State party take to ensure and organize support services in the community for parents with disability and parents of children with disabilities to exercise their parental rights and adopt children on an equal basis with others?
52. What measures is State party taking for supporting persons with disabilities in the area of matrimony, sexual and reproductive rights, with accessible information and accessible support service? ²⁵
53. What measures will State party take in order to abolish foster parenting of adult persons with disabilities? ²⁶
54. What measures will State party take to provide stronger implementation of the articles of the Foster Parenting Act which stipulate foster parenting of children with disabilities?

Education (Article 24)

Despite ensuring legislative for inclusive access to education for all persons with disabilities, in practice the education system has not been established in this way. Accessibility is not ensured in all aspects i.e. through the provision of a built environment, adaptation of curricula, educational materials and assistive technologies. Furthermore, no educational programs have been adapted for students with disabilities and there is no development of new curricula for vocational programs, which are competitive in the labor market. There are also discriminatory criteria that make it

²⁵ Croatian Family Act (2015) :“Business capability and legal competency” Article 26.

- (1) Person incapable of judging may not contract marriage.
- (2) A person who has been deemed legally incompetent in giving statements related to personal states, can conclude a marriage with the approval of a guardian.
- (3) If the guardian from the paragraph 2 of this article refuses to grant approval for conclusion of marriage to his protege, the person who has been deemed legally incompetent in giving statements related to personal states can address the court of law with a motion to grant approval of conclusion of marriage in accordance with the article 450. of this Act. “Questioning the health of the protege“ Article 238.
 - (1) Guardian has the obligation of obtaining once a year from a licensed MD opinion of the health state of his protege, regarding the reasons why the protege was deemed legally incompetent.
 - (2) MD's opinion from paragraph 1 of this article should be sent by guardian to the Social services center as a part of his work report. If the guardian does not deliver MD' opinion as a part of his work report without a justified cause, Social services center will warn him about it and ask him to deliver a MD's opinion. If the guardian does not provide the MD's opinion after being noted and warned, the process for the appointment of a new guardian shall commence.
 - (3) Social services center is obliged to question the need for the guardians's care of the protege, every three years and shall comprise a report about it
 - (4) Chosen MD of family medicine is obliged to provide his opinion from paragraph one on a special form.
 - (5) Contents of the form from paragraph four of this article shall be prescribed by the Secretary of Social services' bylaw with the approval of the Secretary of Health.”

²⁶ According to point 30 of Concluding observations on the Initial Report of Croatia and very negative experiences of societies of persons with disabilities according to the stories of their former members.

impossible to enroll in certain high school programs (for example physical therapists) for children with certain type of disability. This is the consequence of lack of an individual assessment of ability.

No by-laws and standards have been drafted under the Ordinance on Teaching Assistants and Communication Mediators ([NN 102/2018](#)). Like in a number of other areas, activities of the Ministry of Health, Ministry of Demography, Family, Youth and Social Policy and local government units are not coordinated in ensuring the timely implementation of the assessment and funding of teaching assistant projects. Compulsory training on inclusive education should be provided for teachers and other professionals working in education.

The right to access information and communications in accessible forms, including Braille and enlarged print, is partly secured through financing of textbooks within the project competition of the Ministry of Science and Education. Currently, project financing is not timely, nor does it cover existing needs in terms of quality and quantity, therefore systematic financing is necessary.

There is also a lack of data and statistics on the participation of persons with disabilities in the various levels and types of education and training, participation in mobility programs and the number of persons with disabilities leaving school early.

Proposed questions:

55. What measures will be implemented to improve support for quality inclusive education for children with disabilities, given that the current level of support is insufficient?
56. What measures will be taken for the financing of educational and teaching materials (textbooks, manuals, workbooks, etc.) be systematically provided for all students with disabilities?
57. When will educational programs be revised for students with disabilities and new vocational curricular developed for vocational programs that are competitive in the labor market?
58. When will the Law on Primary and Secondary School Education and implementing acts be improved, by introducing an anti-discriminatory provision, which would define non-inclusion of children with disabilities and not providing reasonable accommodation as a form of discrimination?
59. When will implementing acts be drafted regarding the quality of service of teaching assistants?
60. What measures does the State party take to train professionals working in education about inclusive education?
61. How will the State party introduce early education and raise public awareness on the rights of persons with disabilities?

Health (Article 25)

There is a lack of healthcare for both children and adults with disabilities. There is an insufficient amount of information available in regards with the protocols and guidelines developed to address the specific conditions of the children. Furthermore, quality of healthcare provided remains uneven. We are facing a shortage of specialists while the current level of professional competences of health workers remain unsatisfactory and requires improvement. Most notably, they are not familiar with

the specific characteristics of the illnesses and conditions of persons with disabilities. Therefore, they require additional education.

Dissatisfaction is expressed with the conditions and manners in which persons with disabilities can benefit from their compulsory health insurance scheme, including hospital treatment with medical rehabilitation and physical therapy at home²⁷. These conditions and manners do not meet the needs of persons with disabilities and do not affect positively on their process of rehabilitation. There are cases where persons with disabilities, regardless of the severity of their disability, are completely excluded from the list of users of the physical therapy at home due to the fact that some parts of the Republic of Croatia lack the capacities to provide such health service. Currently there remains a lot of severely disabled persons with disabilities that are still in need of these services but cannot exercise this right. Recognition of the right to have physical therapy at home requires an individualized approach that should be applied.

There is a lack of continuous implementation of preventive programs aimed at health promotion and prevention of the occurrence of disabilities, as well as severe health damage. Therefore, it is necessary to continuously work on adaptation of the *Rulebook on the conditions and manner of exercising the right to orthopedic and other aids* in order to keep it up to date with the modern technical and medical achievements, as well as in accordance with the needs of persons with disabilities.

A register of children with neurological risks has not been established. The number of children with developmental disabilities is on the rise. This means that children with neurodevelopmental and developmental disabilities need an early interdisciplinary intervention. At this moment in the Republic of Croatia these interventions are not comprehensive, equally spread and accessible. Additionally, due to the lack of experts and the health institutions involved in monitoring children with neurological conditions, the situation in the Republic of Croatia remains difficult.

Therefore, it is important to ensure accessibility and information support for persons with disabilities in all of health care institutions.²⁸

Proposed questions:

62. What steps will the State party take to ensure accessible, affordable and adequate health care and health services for all persons with disabilities?
63. What measures will be taken to improve the training of healthcare professionals in appropriate support, information and communication to all persons with disabilities?
64. What measures will be taken to ensure appropriate dental care system related to the specific needs of children with disabilities and persons with disabilities?²⁹

²⁷ List of illness and disease conditions - Code Approval of Hospital Rehabilitation and Physical Therapy at Home.

²⁸ The IT support plan should also include the principle of accessibility and reasonable adjustment as indicated and mandatory under the KPOSI. It is necessary to ensure that information relating to persons with disabilities is comprehensible and adapted to the person with disabilities (simple vocabulary, written language, sign language, website adaptation or otherwise reasonably accessible to the disabled person).

²⁹ There is no dental care network in the Republic of Croatia for children with disabilities and children and persons with autism spectrum disorders. Persons with autism spectrum disorders must perform most dental procedures under general anesthesia, which requires that there is a well-trained team of medical experts in these cases. Currently, there is no clear system and easily accessible network of such services in the territory of the Republic of Croatia, but many are left to the goodwill of individual dental teams.

65. What activities will State party undertake to prepare protocols for medical rehabilitation programs for specific groups of persons with disabilities?
66. What measures will the State party take to establish specialized medical centers for different types of persons with disabilities?³⁰
67. What measures will the State party take to establish palliative care for persons with disabilities?
68. What measures will the State party take to ensure the uniform territorial distribution of accessible health services?

Habilitation and rehabilitation (Article 26)

For many persons with disabilities, rehabilitation is only possible in remote locations, given the poor territorial distribution.

Physical therapy in the Republic of Croatia is not accessible to persons with disabilities except in several centers. The reformulations they need are not available because only a few institutions provide the service and do not go further.

Physical therapy services, where it exists, usually in the big cities are provided in the morning and although according to Regulation it is possible to perform physical therapy on Saturdays and Sundays, but is not approved by the competent authorities.

Proposed questions:

69. How does the State party plan to establish intersectoral cooperation of all systems involved in the vocational rehabilitation process?
70. What measures will the State party take to ensure the implementation of a system of early screening, diagnosis and vocational rehabilitation for persons who get a disability after early childhood?
71. What measures will the State party take and within what deadline to provide physical therapy in the home and health care and when is it expected to update the Regulations on terms and conditions of release from compulsory health insurance for hospital treatment by medical rehabilitation and physical therapy in the home?
72. When will the State party adopt Regulation on terms and conditions of release from compulsory health insurance for hospital treatment by medical rehabilitation and physical therapy in the home?

³⁰ Existing Referral centers in Clinical hospital centers are more doctor-oriented than user-oriented. For example research results are not presented to users.

Work and employment (Article 27)

Professional rehabilitation of persons with disabilities despite good legal definition is not achieved, the fact that in 2018 were received and approved 11 applications for the realization of this right is disastrous. The working potential of persons with disabilities is still not used.

Of the total number of employed persons with disabilities in 2018 and 2019, the highest number of 85% are employed on the basis of the implementation of active employment policy measures – public works. We welcome the measures of active employment policy of persons with disabilities, however justified we believe that in 2020 we have to talk about the total employed persons with disabilities in the free labor market due to the existing legal basis, by active employment policy measures.

Specifying the Ordinance on the content and manner of keeping the register of employed persons with disabilities, as an instrument of protection against discrimination in the field of labor and employment of persons with disabilities is frivolous. We suggest measures: sanctioning the failure of reasonable accommodation by the employer -Directive EU (case law and judgments of the European Court of Human Rights), stated one of the main forms of discrimination both in the recruitment process and in the process of working persons with disabilities. There is no justified reasons employers for failure to make reasonable adaptation (inappropriate costs) because for that purpose exercise the necessary funds from the Department of Vocational Rehabilitation and Employment of Persons with Disabilities.

Underrepresented alternative way of fulfilling quota obligations of employment, particularly scholarships for persons with disabilities as a model to correct poor educational structure of persons with disabilities. There are no results to develop models of non-profit (social) enterprises and other types of social employment of persons with disabilities. Indicator for implementation of this measure in 2018 and 2019 are not used funds.

Further amendments to the Articles. 41.of the Labor Act, because the content of the provisions of this Article and its implementation represents a striking example of normative discrimination and impairment income persons with disabilities.

We propose that Article 41 st.1.of the Labor Act supplement: The employer shall provide the worker favorable norm and that without reducing his salary which is achieved in a time before the advent of the reduction of working capacity with remaining ability, reduced work capacity with partial loss of working ability or immediate danger of reduction of working capacity, at the same time make a reasonable adjustment of working time a persons with disabilities.

Proposed questions:

73. When does the State party plan to develop an Action Program for the Employment of Persons with Disabilities?
74. What measures will the State party take to improve the Law on Professional Rehabilitation and Employment of Persons with Disabilities in order to introduce flexible working time?
75. What measures will the State party take for employers to became more aware about employment incentives for persons with disabilities?
76. What measures will the State party take to adopt the Law on Social Entrepreneurship? ³¹

³¹ Croatia did have strategic document “Strategy for the Development of Social Entrepreneurship in the Republic of Croatia for the Period from 2015 to 2020” which is not sufficient for this very important issue and it lasts till 2020.

Adequate standard of living and social protection (Article 28)

Many persons with disabilities in the Republic of Croatia live in poverty and majority of them is living in rural areas and areas that are underdeveloped. Current level of social protection is not enough to provide basic living conditions and consequentially, an adequate standard of living. Social welfare entitlements are not exercised according to the uniformed criteria. Most of the persons with disabilities are not in position to live independently, while Inclusive supplement has not been adopted. Due to the lack of support and service systems, parents of children with disabilities are jobless and without an income because of the constant care they are required to provide. The group with the greatest risk of poverty consists of parents and caretakers for children with disabilities. Disability benefits are low and not enough to cover basic living needs. Furthermore, they are not based on an assessment of an individual's needs. Social protection and poverty reduction programs are not guaranteed to persons with disabilities, especially to women with disabilities and the elderly. Children and adults with disabilities of Roma origin are particularly at risk. No significant progress has been made in regards with the social protection and adequate living standards, as there are no adequate housing programs.

Proposed questions:

77. What measures will the State party take to reduce poverty and raise the standard of living of persons with disabilities, specially with the obligation of implementation of Objective 1. – Poverty of Sustainable Development Goals? ³²
78. What measures will the State party take to adopt and implement the Inclusive Supplement Act as soon as possible and to establish an adequate support system and services based on the assessment of the needs of individuals without property and income criteria?

Participation in political and public life (Article 29)

Despite numerous regulations³³ aimed at making the electoral process accessible to persons with disabilities, it is still not completely like that. The voting stations are not architecturally accessible, the entrance door are too narrow for the passage of a person in a wheelchair, etc. Election materials are also not fully accessible. Although there are ballot papers on Braille, there are missing ballots in enlarged print for the visually impaired persons. Also, the election procedure is not fully accessible to the hearing impaired persons.

The persons with disabilities are under represented in all national and local governmental bodies and institutions.

Proposed questions:

79. What measures will the State party take to ensure that the full electoral process, including polling stations and voting materials are adapted and accessible to persons with disabilities?

³² The information that 37.1% of persons with disabilities in Croatia live the below poverty line, in comparis with EU average of 28.7%, making it one of the countries in the EU where persons with disabilities experience the worst quality of life. Data is coming mostly from EUROSTAT to the European Disability Forum which is included in Country Reports and Country-Specific Recommendations. In Semester as "Why we urgently need to see persons with disabilities reflected in Croatia's Country Specific Recommendations 2020".

³³ Local Elections Act (OG 144/12, 121/16, 98/19), Voters Register Act (OG 144/12, 105/15, 98/19)

80. When will the electoral procedures, in addition to the materials in Braille, be made available in enlarged print materials and the communication accessibility of the complete electoral procedure and election campaign?

Participation in cultural life, recreation, leisure and sport (Article 30)

Ensuring access to cultural, tourism and sporting activities to persons with disabilities is still insufficient and periodical, mostly funded through projects. In addition to ensuring accessibility of specified content, it is also necessary to provide access of built environment.

To a large degree, access to cultural materials, television programs, films, theatre and other cultural venues or services is not ensured in practice. There are only attempts of adjustment without established accessibility standards. For example, audio-description of television programs or television programs with Croatian sign language is provided only for specific dates. Participation in many cultural activities is extremely difficult due to inaccessibility of built environment, materials and activities, and lack of support for transportation, assistance, escort and similar.

Taking appropriate measures to continuously develop and support cultural programs and events is necessary. These measures include co-funding programs of institutions, associations and other subjects in culture that promote creative and artistic abilities of persons with disabilities.³⁴

Sporting, recreational and tourism venues are largely inaccessible, even if being advertised otherwise in practice. Reasons for this are insufficient knowledge of standards and insufficient application of accessibility principles. There is insufficient funding, promoting and encouraging participation in mainstream sporting activities at all levels, which is why supporting persons with disabilities by ensuring appropriate instruction, training and resources is essential.

Proposed questions:

81. What measures and timeframe are planned for ensuring accessibility to cultural, sporting and tourism activities for persons with disabilities?
82. What measures are taken by the State party in order to ensure accessibility of public information services?
83. What measures will be taken by the State party in order to train tourism professionals about the rights of persons with disabilities and the communication with persons with disabilities?

C. Specific obligations (Articles 31–33)

Statistics and data collection (Article 31)

The system does not allow gathering informations about persons with disabilities on a proper way. Bodies responsible for collection and information on persons with disabilities need to improve and adjust the method of collection. There is a mismatch of data on persons with disabilities across

³⁴ By ratifying the Marrakech Treaty and enacting the Law on copyright and related rights in 2018, a step forward was made in laws protecting intellectual property rights without discrimination. Specifically, for the benefit of the blind, visually impaired and otherwise print disabled, published works can be produced in accessible formats and publicly performed without authors' permission (an exception in copyright).

multiple systems in which they appear as users. There is no exchange of information among the various systems in which persons with disabilities are the part of. There is no record of violence against women and girls with disabilities in statistics of violence because the systems in which the data are entered are not structured in such a way that the entered data can be identified.

The undertaken measures and activities are not satisfactory because it is difficult to follow trends in disability from the currently available and to accordingly establish adequate plans and measures and strategies. Improving the digital accessibility of existing statistical content on persons with disabilities is needed.

Proposed questions:

84. What measures will the State party take to redesign and harmonize the data collection system for persons with disabilities and specially the data on violence against women and girls with disabilities are visible in the records?
85. How much research has been done about persons with disabilities in the State party in the last four years?

International cooperation (Article 32)

Representative organizations of persons with disabilities are not sufficiently involved in the cooperation related to Sustainable Development Goals - Agenda 2030 and the measures to be taken to implement them.

Representative organizations of persons with disabilities do not receive the information and guidance considered when participating representatives of governmental bodies at high-level meetings.

Proposed questions:

86. What measures will the State party take to provide the funds to enable persons with disabilities through their representative organizations to participate in international activities, exchanges of experience and good practices related to international cooperation, SDGs and the CRPD?
87. What measures will the State party take to give the reports from the high level meetings to organizations of persons with disabilities on specific issues about persons with disabilities (High level meeting New York, etc.)? What is the way to ensure that information will be available, accessible and transparent to the representative organizations of persons with disabilities?

National implementation and monitoring (art. 33)

Despite the Committee's recommendations to provide organizations of persons with disabilities and civil society organizations with adequate resources to fully and effectively participate in implementation and monitoring, there were no activities due to insufficient investment in civil society organizations. Although the Law on Systematic Financing of Disability Associations was planned, due to its lack of adoption, organizations of persons with disabilities were not able to focus

their capacities much more on monitoring of the Convention. Funding for these organizations remains only on a project/programms basis that has nothing to do with implementation and monitoring of the Convention. State did not sufficiently involve representatives of associations and associations of persons with disabilities to participate in the national implementation and monitoring processes of the CRPD, and does not sufficiently inform key stakeholders about the implementation processes.³⁵

Proposed questions:

88. What steps will the State party take to implement Recommendation 53 regarding Article 33 (2) of the Concluding observations on the Initial Report of Croatia (designation of an independent body)?
89. When does the State party plan to provide relevant resources for the full and effective participation of persons with disabilities in the implementation and monitoring of the CRPD?
90. What measures will the State party take to fund and build the capacity of representative organizations of persons with disabilities?

³⁵ The work of the Commission of the Government of the Republic of Croatia for Persons with Disabilities is ensured, but continuous information is not provided through its work and there is no control over monitoring the results of its work.

