



European Semester 2020-2021 country fiche on disability equality

Croatia

February – 2021

EUROPEAN COMMISSION

Directorate-General for Employment, Social Affairs and Inclusion

Directorate C — Social Affairs

Unit C3 — Disability & Inclusion

European Commission

B-1049 Brussels

European Semester 2020-2021 country fiche on disability equality

With comparative data annex provided by EDE

Croatia

Tihomir Žiljak

European Disability Expertise (EDE) provides independent scientific support to the Commission's policy Unit responsible for disability issues. It aims to mainstream disability equality in EU policy processes, including implementation of the United Nations Convention on the Rights of Persons with Disabilities.

This country report has been prepared as input for the European Semester in 2021¹ and has been developed under Contract VC/2020/0273 with the European Commission.

¹ For an introduction to the Semester process, see <https://www.consilium.europa.eu/en/policies/european-semester/how-european-semester-works/>.

LEGAL NOTICE

Manuscript completed in February 2021

The European Commission is not liable for any consequence stemming from the reuse of this publication.

This document has been prepared for the European Commission however it reflects the views only of the authors, and the European Commission is not liable for any consequence stemming from the reuse of this publication. More information on the European Union is available on the Internet (<http://www.europa.eu>).

Luxembourg: Publications Office of the European Union, 2021

© European Union, 2021



The reuse policy of European Commission documents is implemented based on Commission Decision 2011/833/EU of 12 December 2011 on the reuse of Commission documents (OJ L 330, 14.12.2011, p. 39). Except otherwise noted, the reuse of this document is authorised under a Creative Commons Attribution 4.0 International (CC-BY 4.0) licence (<https://creativecommons.org/licenses/by/4.0/>). This means that reuse is allowed provided appropriate credit is given and any changes are indicated.

Table of contents

1	Executive summary and recommendations	4
1.1	Key points and main challenges for the European Semester in 2021	4
1.2	Recommendations for Croatia	5
2	Opportunities to mainstream disability equality in the Semester documents	6
2.1	Country Report for Croatia (Staff Working Document)	6
2.2	Country Specific Recommendation for Croatia (CSR)	7
3	Disability and the labour market - analysis of the situation and the effectiveness of policies	9
3.1	Summary of the labour market situation of persons with disabilities	9
3.2	Analysis of labour market policies relevant to the Semester	11
4	Disability, social policies and healthcare – analysis of the situation and the effectiveness of policies	14
4.1	Summary of the social situation of persons with disabilities	15
4.2	Analysis of social policies relevant to the Semester	17
5	Disability, education and skills – analysis of the situation and the effectiveness of policies	20
5.1	Summary of the educational situation of persons with disabilities	20
5.2	Analysis of education policies relevant to the Semester	23
6	Investment priorities in relation to disability	26
6.1	Updates on use of existing EU funds (to 2020)	26
6.2	Priorities for future investment (after 2020)	27
7	Annex: disability data relevant to the Semester	28
7.1	EU data relevant to disability and the labour market (2018)	29
7.1.1	Unemployment	30
7.1.2	Economic activity	31
7.1.3	Alternative sources of national labour market data	32
7.2	EU data relevant to disability, social policies and healthcare	34
7.2.1	Alternative sources of national disability poverty and health data	35
7.3	EU data relevant to disability and education	36
7.3.1	Alternative sources of national disability education data	37

1 Executive summary and recommendations

1.1 Key points and main challenges for the European Semester in 2021

After the elections and the formation of the new government the ministry responsible for persons with disabilities (PWD) changed. On the basis of the Law on the Organization and Scope of Bodies of State Administration, the Ministry of Labour and the Pension System continued to operate as the Ministry of Labour, Pension System, Family and Social Policy. Despite promises and assurances that changes will be made in the legislation, particularly relating to the primary rights of PWD such as the Law on Inclusive Allowance, the Law on Personal Assistants and a new Law on Social Welfare, this has not been done until the end of the mandate of the old Parliament and the government. Instead of that, minor changes and amendments to old laws have been made.

Employability is hampered by lack of skills, very slow implementation of effective quota system, problems with implementation of reasonable accommodation. Funds collected from employers for non-fulfilment of the quota employment obligation of PWD are one of the most important financial incentives for the integration of PWD into the world of labour. This instrument has not yet fulfilled its task.

In Croatia, significantly more PWD are at risk of poverty than persons without disabilities, especially low-income PWD. The problem of poverty of PWD is significant because they do not have the means to cover the extremely high costs that result from disability. Process of deinstitutionalisation is still very slow. Ensuring the right to independent life and inclusion in the community for every PWD is connected with the development of social services. Providing a stable personal assistance scheme is especially important.

Mainstream health services are not accessible and adequate for PWD (specific health care for PWD, prevention programmes, education of health workers about disability issues, accessibility to health institutions).

In spite of declaratory commitment to inclusive education, significant number of children with disabilities are still attending special schools due to lack of support and reasonable accommodation. Most of those institutions have still not been integrated into the educational system. More importance should be given to development of a legal framework and incentives and support for inclusive adult education and continuing VET.

Priorities for future investment should be connected with development of services that would enable a better and high-quality life for persons and a better life in the community. Foster care should definitely be excluded from the deinstitutionalization process. In the development of personal assistance, it is important to invest in the creation of a sustainable system, with regulated legal bases and regulated necessary competencies and education.

1.2 Recommendations for Croatia

These recommendations are based on the evidence and analysis presented in the following chapters of our report.

- **Recommendation:** Analysis and adjustment of quota employment (use of funds which were collected).
Rationale: Only 13.59 % employers fully fulfilled the obligation to employ persons with disabilities. Significant unspent funds from the quota system remain.
- **Recommendation:** More efficient implementation of reasonable accommodation (incentives, additional legal solutions).
Rationale: Slow implementation of reasonable accommodation which could reduce obstacles to the inclusion of in the labour market presents a challenge.
- **Recommendation:** Equalization of social benefits for PWD which relate to disability and degree of impairment.
Rationale: Disability allowance, pensions and social benefits for war veterans with disabilities and civilian PWD are not currently equalized.
- **Recommendation:** Reconsidering the implementation of deinstitutionalization and encouraging community living (legal and sustainable solution for assistants, development of services for independent living. Reduction of the number of adults in foster care).
Rationale: Although the deinstitutionalization process is one of the priorities, there are objections to the speed of its implementation (situations in family homes, problem with personal assistants, number of PWD in foster care).
- **Recommendation:** Regulating and encouraging adult education involving PWD (skills strengthening).
Rationale: Level of participation in adult education and continuing vocational education and training is still very low in Croatia.
- **Recommendation:** Increase the efficiency of the use of the ESF: up-to-date publication of planned tenders and timely payment based on the results achieved.
Rationale: Problems exist in the schedule of announcing and implementing the project implementation plans. Tenders (calls) are not published according to plans, and certain time also passes between publishing of results and signing of contracts. There is also the problem of approving requests for reimbursement of funds.

2 Opportunities to mainstream disability equality in the Semester documents

2.1 Country Report for Croatia (Staff Working Document)²

In 2020, the Country Report for Croatia included the following direct references to disability issues:

'p. 10 Employment and labour market participation rates remain low, well below the EU average. Some groups of workers remain particularly vulnerable, namely the low skilled, elderly and the disabled.

p. 11 People excluded from the labour market, the low-skilled, older people and people with disabilities remain most exposed to the risk of poverty or social exclusion. In-work poverty, already below the EU average.

p. 14 In 2015, the assessment of disability claims was harmonised and moved to a new single expert evaluation body.

p. 38 Data from 2015 show that one third of Croatian women provided care for older people or disabled relatives several days a week, one of the highest proportions in the EU.

p. 39 Including disability pensioners, 39 % of all pensioners in Croatia in 2016 were early retirees.

p. 39 People with disabilities face particular challenges on the labour market.

p. 39 Croatia has brought in policies that aim to improve the employment prospects of people with disabilities.

p. 39 Family- and community-based care for children and people with disabilities remains underdeveloped.'

p. 40 Employability is hampered by the lack of skills, highlighted by the completion rate of tertiary education for people with disabilities remaining one of the lowest in the EU (21.9 % in 2017). As a consequence, many are at risk of poverty or social exclusion (37.1 % vs 28.7 % in the EU in 2018) and dependent on the social protection system.

p. 39 Croatia has brought in policies that aim to improve the employment prospects of people with disabilities. A quota system requires all private and public-sector entities with more than 20 employees to hire a specified number of people with a disability. However, 54 % of entities, including government departments, have opted out of the quota system and instead pay a compensatory fee.

p. 39 There is a large pool of inactive people with disabilities, pointing to obstacles in the labour market and ineffective legal provisions.

p. 40 Over 60 % of people in other vulnerable groups, including children and young adults with behavioural problems and adults with mental disabilities, still lived in institutions in 2017.'

² <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1584545612721&uri=CELEX%3A52020SC0510>.

2.2 Country Specific Recommendation for Croatia (CSR)³

In 2020, the Country Specific Recommendation for Croatia included the following direct references to disability issues:

‘18. The poverty reduction capacity of the minimum income benefit is also evaluated as weak, in a context of high rates of poverty and social exclusion, territorial disparities and risk factors related to age, gender and disability. p. 5
19. About 70 % of households have fixed broadband take-up, and only 6 % have at least 100Mbps fixed broadband take-up. Especially in rural areas, this might prevent telework and distance learning, particularly amongst vulnerable groups, such as students from disadvantaged families or those with disabilities.’ p. 5

Attention to disability in the Country Report was welcome. What more could be done to insert a disability perspective in these documents for next policy cycle in 2021?

- Strengthening the skills of the unemployed and low skilled PWD is envisaged by the implementation of the Curriculum for the Development of Basic Digital, Mathematical and Reading Skills of Adults: Basic Skills of Functional Literacy⁴ (p. 12). The implementation of similar programmes to strengthen the skills of PWD is mainly the result of periodic ESF projects, and not part of a systematic solution. The recommendations and the report do not talk about the weak results of the reform of adult education of adults, which includes education and training of PWD after regular education. Participation of adults in education is still very low. Strengthening the skills of adult PWD should be given a clearer place in the recommendations.
- The implementation of a single expert evaluation body has been reducing waiting for first-instance decisions but is still running with difficulty. The problems are the number and structure of experts, in smaller communities, outside Zagreb, accessibility of buildings, and still present understanding of disability by the part of the experts and PWD as a set of medical diagnosis.⁵
- Slow implementation of reasonable accommodation which could reduce obstacles to the inclusion of PWD in the labour market presents a challenge. The problem is in understanding and interpreting the law and fear of the large financial costs. Reasonable accommodation should be more clearly stated in all sectors, especially in education and employment.
- The number of disability pensions is decreasing, but there are very large differences between the amount of regular disability pensions and the disability pensions of war veterans and officials (members of Parliament, judges, etc.).
- Evaluating the quota system and proposing the effective implementation of the inclusion of PWD in the labour market is important.

³ <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1591720698631&uri=CELEX%3A52020DC0511>.

⁴ http://obrazovanje-odraslih.hr/wp-content/uploads/2019/11/MZOS-KnjizniBlokBros%CC%8CuraOO_WebOKr.pdf.

⁵ Ombudsman for Persons with Disabilities (2020) *Report of the Office of the Ombudsman for Persons with Disabilities for 2019*. <https://posi.hr/izvjesce-pravobraniteljice-za-osobe-s-invaliditetom-za-2019-godinu/>.

- A significant problem is the slow and inefficient implementation of the deinstitutionalization process and in particular, the widespread practice of placing adults in foster care. Neither report nor the recommendations mention significant delay of passing of legal regulations which should provide independent and active living of PWD. This refers to the issue of personal assistants, inclusive allowance and the law on social welfare.
- Territorial disparities and ICT are important, but recommendations are by no means sufficient if the inclusion, employability and skills of PWD are to be strengthened. In this sense, at least some of the elements from the Report should be included (skills strengthening, reasonable accommodation, implementation of the quota system).

3 Disability and the labour market - analysis of the situation and the effectiveness of policies

In 2015, the UN CRPD Committee made the following recommendations to Croatia:⁶

[Article 27 UN CRPD](#) addresses work and employment:

‘42. The Committee recommends that the State party develop and implement, in cooperation with organizations of PWD, a plan of action to increase the employment of PWD in the open labour market. It recommends that the quota system is complemented with other incentives for employers to hire PWD. Disincentives to employment for PWD should be analysed and remedied. Reasonable accommodation, including supported employment with personal assistance, and the accessibility of the workplace, should be regulated and monitored.’

The National Reform Programme 2020⁷ lists following priorities:

Ensuring the payment of the minimum wage for PWD due to retention in employment.
Postponement of payment of financial levy for all employers who are subject to the employment quota for PWD. p. 58

National Strategy of Equalisation of Opportunities for PWD 2017-2020⁸ is relevant to these issues in Croatia:

Objectives and expected outcomes in the period 2017-2020

- The common goal of all services in the field of professional rehabilitation and employment of PWD is to improve their integration, increase employability, facilitate career choices and facilitate the transition to the labour market.
- Through the development of training programmes for PWD, their employment opportunities should be improved.
- Regularly updated records of the number of employed PWD in the public sector (every three months) on the basis of which the growth / decline of their number can be monitored

3.1 Summary of the labour market situation of persons with disabilities

Data from EU-SILC indicate an employment rate for persons with disabilities in Croatia of 34.3 % in 2018, compared to 68.3 % for other persons and approximately -16.5 points below the EU27 average - resulting in an estimated disability employment gap of approximately 34 percentage points (EU27 average gap 24.2, see Tables 2-4).

⁶ UN Committee on the Rights of Persons with Disabilities (2015), *Concluding observations on the initial report of Croatia* <https://digitallibrary.un.org/record/811107>.

⁷ Vlada RH (2020), *Nacionalni program reformi 2020* https://ec.europa.eu/info/sites/info/files/2020-european-semester-national-reform-programme-croatia_hr.pdf.

⁸ <http://www.propisi.hr/print.php?id=14649>.

The same data indicate unemployment rates of 33.0 % and 16.9 %, respectively in 2018 (see Tables 5-7) and the economic activity rate for persons with disabilities in Croatia was 51.1 %, compared to 82.2 % for other persons (see Tables 8-10). These indications are broken down by gender and age in the respective tables in annex.

According to the Ombudsman for Persons with Disabilities, there are 459,000 PWD living in Croatia, and only 11,529 or less than three percent work.⁹ The trend of increasing employment and declining unemployment, which was present in the general population until 2019, was with PWD as well, but was still slower in PWD. According to the Croatian Employment Service data from 1 January to 30 June 2020, through the mediation of the Croatian Employment Service a total of 66,229 persons were employed, of whom 985 were PWD. Compared to last year, this is a decrease of 42.8 %.¹⁰ The decline in the number of employees is also visible in the general population, by 28.7 %, and can be attributed to the COVID-19 epidemic.

Of the total number of employed PWD, almost half (46.3 %) belong to the age group of young people aged 15 to 29 (most of the unemployed are also in these group, which means that they are active in the labour market). Most employed PWD belong to the age group of 20 to 24 years (201 persons). The number of employed PWD decreases with age, so that the persons in the age group over 60 years are least likely to be employed.¹¹ The largest number of PWD are long-term unemployed.¹² Lack of working experience for PWD is an important obstacle to their employment in the open labour market. Insufficient skills that should have been acquired in regular education and lack of later acquisition of skills through work experience create difficulties in employment.

Out of the total number of unemployed PWD, only 337 persons (5.3 %) have higher education.¹³ This has the effect that PWD are most often employed in jobs with lower qualifications and lower paid jobs. Most men with disabilities were employed as cleaners, maintenance workers and assistant cooks, while women with disabilities were most often employed as assistant cooks, administrative clerks, and gardeners. The highest number of unemployed PWD are persons with intellectual disabilities, 1,945 of them, i.e. 30.8 % of the total number of unemployed PWD.¹⁴ Overall, there are visible difficulties in employing less educated, elderly and persons not living in Zagreb (rural areas of eastern Croatia). Therefore, significant regional differences are still visible.

⁹ Ombudsman for Persons with Disabilities (2020), *Report of the Office of the Ombudsman for Persons with Disabilities for 2019*. <https://posi.hr/izvjesce-pravobraniteljice-za-osobe-s-invaliditetom-za-2019-godinu/>.

¹⁰ Croatian Employment Service (2020), *Report on the Activities of the Croatian Employment Service in the Employment of People with Disabilities in the Period from 01 January to 30 June 2020*, Zagreb. <https://www.hzz.hr/content/stats/statistike-invaliditet/HZZ-Izvjesce-osobe-s-invaliditetom-010120-030620.pdf>.

¹¹ Croatian Employment Service (2020).

¹² Ombudsman for Persons with Disabilities (2020) *Report of the Office of the Ombudsman for Persons with Disabilities for 2019*.

¹³ CES/ Croatian Employment Service (2020).

¹⁴ CES/ Croatian Employment Service (2020).

In Croatia, quotas are used in the employment of PWD.¹⁵ In 2019, out of a total of 9745 such employers, only 13.59 % fully fulfilled the obligation to employ PWD, 13.43 % partially fulfilled the obligation to employ PWD, 63.01 % do not employ PWD and are liable to pay fees. 5.7 % announced the fulfilment of the obligation in a substitute manner, and 4.23 % are newly established employers.¹⁶ In 2019, the Institute for expertise, professional rehabilitation and employment of PWD paid a total of HRK 48,629,210.11 in incentives to employers. In 2019, incentives were used by 400 employers. In 2018, the Institute paid a total of HRK 101,604,413.68 in incentives to employers, which were used by 318 employers.¹⁷ In 2019, 598 employers (123 employers from the public sector, 5 employers who are non-governmental organizations, 470 employers who are from the private sector) announced the fulfilment of the quota obligation in a substitute manner, through 691 announcements of fulfilment of substitute employment of PWD.

3.2 Analysis of labour market policies relevant to the Semester

One of the primary ways to employ PWD is to use quotas. Funds collected from employers for non-fulfilment of the quota employment obligation of PWD are one of the most important financial incentives for the integration of PWD into the world of labour. This instrument has not yet fulfilled its task.¹⁸ In 2020, in the conditions of the COVID-19 crisis, the Government exempted some employers from paying compensation for not fulfilling the quota and reallocated the unspent funds of the Institute for expertise, professional rehabilitation and employment of PWD to measures to help the economy affected by the COVID-19 epidemic. In two cases, a total of HRK 450 million from the Institute's budget was reallocated to measures for the payment of part of the salary to employers affected by the epidemic.

At that time, these incentives were used by 400 employers, mostly on the open market, as well as seven sheltered workshops and four integrative workshops, according to the annual report on the activities of the Institute. Employers who used the incentives employed 1,335 PWD.¹⁹ The problem is that despite this reallocation of funds, significant unspent funds from the quota system remain. In 2020, in which part of the employers were exempted from the obligation of quota employment or those obligations were reduced, while the expenses of those who had obligations were reduced, as much as HRK 643 million was transferred from 2019.²⁰ The problem is that from year to year, the amount of unspent funds that Institute transfers

¹⁵ Ordinance on determining the employment quota for persons with disabilities/ NN 75/2018 https://narodne-novine.nn.hr/clanci/sluzbeni/2018_08_75_1544.html.

¹⁶ Institute for Expert Evaluation, Professional Rehabilitation and Employment of People with Disabilities (2020) *Annual report for 2019* https://www.zosi.hr/docs/godisnje_izvjesce_o_radu_zavoda_za_2019godinu_2.pdf.

¹⁷ Annual report of the work of the Institute for expertise, professional rehabilitation and employment of persons with disabilities for 2019 https://www.zosi.hr/docs/godisnje_izvjesce_o_radu_zavoda_za_2019godinu_2.pdf.

¹⁸ Ombudsman for Persons with Disabilities (2020) Report of the Office of the Ombudsman for Persons with Disabilities for 2019.

¹⁹ Annual report of the work of the Institute for expertise, professional rehabilitation and employment of PWD (2020).

²⁰ Amendments to the By-law on establishing the quota for employment of persons with disabilities (Official Gazette, 75/18, 120/18, 37/20). It reduces the amount of compensation for non-fulfilment of the quota for employment of persons with disabilities from 30 to 20% of the minimum wage for each person with a disability who was obliged to be employed by the employer.

grows. Thus, in 2017, its budget was increased by 249 million HRK which were not spent in 2016. In 2017, the amount of unspent funds transferred to 2018 amounted to almost HRK 384 million, while that business year ended with a surplus of over HRK 496 million. Thus, the funds that were not spent were reallocated to other purposes.

The Association of organizations of PWD, other organizations and Ombudsman for PWD warned about this situation.²¹ The reaction to these protests was a partial transfer of unspent funds to the Croatian Employment Service, but the exemption from obligation of paying funds for the employers who do not conduct quota employment remains. The decision on the allocation of the funds for financial compensation due to non-fulfilment of the quota employment obligation for PWD,²² has entered into force on 29 July 2020. For the purpose of preserving jobs and keeping workers in employment, unspent funds in the amount of HRK 20,000,000 are used for the implementation of active employment policy measure Support for preserving jobs in sheltered workshops, integrative workshops and employment units for PWD whose activity was affected by COVID-19 epidemic within the competence of the Croatian Employment Service.

The employment of PWD is most often analysed through government financial incentives paid by the Croatian employment service and Institute for expertise, professional rehabilitation and employment of PWD. Efforts are made to preserve jobs through Croatian Employment Service measures. In July 2020 The Croatian Employment Service Management Board has made a decision on amendments to the Terms and Conditions for the use of funds for the implementation of active employment policy measures within the competence of the Croatian Employment Service in 2020.²³ Eligible employers are sheltered workshops, integrative workshops and work units for the employment of PWD. The support is awarded in the amount of HRK 4,000.00 per month per full-time employee (the same amount as for other employees receiving this type of support).

Social entrepreneurship, as one of the possibilities for employment of PWD, faces challenges. In a survey conducted in 2017, experts from the Study of Social Work Study analysed the development of social enterprises for work integration of PWD (work integration social enterprises)²⁴ and noticed many obstacles and policy improvements which are necessary for implementation of this concept (Marković, Baturina & Babić, 2017, p. 158).

The implementation of the concept of reasonable accommodation is progressing slowly and unevenly. The Law on Professional Rehabilitation and Employment of PWD²⁵ prescribes through Article 7. the obligation of the employer to provide reasonable accommodation. However, such practice is rare. Many PWD are not

²¹ <https://posi.hr/priopcenje-povodom-odluke-ministra-rada-i-mirovinskoga-sustava-o-prenamijeni-sredstva-prikupljenih-od-poslodavaca-zbog-neispunjenja-obveze-kvotnog-zaposljavanja-osoba-s-invaliditetom/>.

²² Official Gazette 90/20.

²³ https://narodne-novine.nn.hr/clanci/sluzbeni/2020_08_90_1746.html.

²⁴ Marković, L., Baturina, D. & Babić, Z. (2017) Work Integration Social Enterprises (WISE) in Post-Socialist Countries, *Hrvatska revija za rehabilitacijska istraživanja*, 53(1), 139-158. <https://hrcak.srce.hr/183892>.

²⁵ Official Gazette 157/13, 152/14 and 39/18.

even aware of this right, and employers themselves are not aware of this obligation. One of the most common objections of PWD is the denial of the legal right to preference in employment under equal conditions. This is a legal right of priority in the employment of PWD under equal conditions in state and public services conceived as a measure to equalize the unequal position in entering the labour market due to disability.²⁶

²⁶ Ombudsman for Persons with Disabilities (2020) Report of the Office of the Ombudsman for Persons with Disabilities for 2019.

4 Disability, social policies and healthcare – analysis of the situation and the effectiveness of policies

In 2015, the UN CRPD Committee made the following recommendations to Croatia:

[Article 28 UN CRPD](#) addresses adequate standard of living and social protection.

Adequate standard of living and social protection (Article 28)

'43. The Committee is concerned that many PWD are living in poverty, particularly those in rural areas and those of Roma origin. The Committee is also concerned about the use of a restrictive financial assets test, which has downgraded the disability benefit to a social protection benefit.

44. The Committee recommends that poverty reduction programmes be strengthened. It also recommends that benefits aimed at alleviating increased costs arising from disability should be based on an assessment of the individual's support needs and should disregard any financial assets test.'

[Article 19 UN CRPD](#) addresses living independently in the community.

'29. The Committee is concerned that not all residential institutions, such as small private institutions, wards for long-term care in psychiatric institutions and foster homes for adults, are covered by the deinstitutionalization plan. It is also concerned that a legal framework providing for personal assistance services allowing for independent living in the community is lacking and that such services are only available to a limited number of PWD.

30. The Committee recommends that the process of deinstitutionalization include all residential institutions and foster homes for all PWD. It recommends that a legal framework be adopted to provide for entitlement to personal assistance services in the community and that a process be initiated to make local communities and mainstream services accessible to PWD.'

[Article 25 UN CRPD](#) addresses health.

'37. The Committee is concerned that the excessive burden of proof placed on people with disabilities who are not insured under the compulsory health-care system can result in them having no access to health-care facilities. It is also concerned that mainstream health services are not accessible to and adequate for PWD.

38. The Committee recommends that further efforts be made to ensure that people with ... It also recommends that health professionals in mainstream health services are urgently trained in treating PWD and respecting the rights enshrined in the Convention.'

The National Strategy of Equalisation of Opportunities for PWD 2017-2020²⁷ is also relevant for these issues in Croatia.

The National Strategy lists a number of social and health issues: family (exercising parental rights); life in the community (network of non - institutional services and implementation of the deinstitutionalisation process, development of organized housing services); health care (better health care, prevention programmes, education of health workers, accessibility to health institutions); social care (improvement of the rights of PWD in family and social protection systems, development of competencies of social service providers, system of information and education of PWD); housing, mobility and accessibility (accessibility of buildings - regulation, identification, construction)

In the Croatian Convergence programme for 2020 and 2021 (2020)²⁸ increased allowances for PWD are mentioned.

Social welfare benefits make 0.6 % of GDP. In addition to the guaranteed minimum allowance, this also includes the implementation of the Act on Amendments to the Social Welfare Act, according to which the amount of personal disability allowance and allowance for assistance and care have been increased. p. 19

In 2020 National Reform Programme number of priorities are listed which relate to PWD:

p. 4 'Support will be provided to the process of deinstitutionalization and prevention of institutionalization of PWD and children with disabilities and other children and youth, and the costs of education of students of lower socio-economic status and students with disabilities will be co-financed
p. 10 From October 2019, the service of submitting e-requests from the social welfare system through the e-Citizens system is available to citizens, namely requests for exercising the right to personal disability allowance and the right to allowance for assistance and care.
p. 59 Funding of projects aimed at the deinstitutionalisation process continues. Namely, efforts are made to reduce the number of users of accommodation in institutions, strengthen the capacity of professionals and promote the right to life in the community.'

4.1 Summary of the social situation of persons with disabilities

Data from EU-SILC indicate the poverty risk rate for working age persons with disabilities in Croatia was 26.8 % in 2018, compared to 13.8 % for other persons of similar age - an estimated disability poverty gap of approximately 13 percentage points (see Table 17). For people aged over 65, the disability poverty gap was 13.5

²⁷ <http://www.propisi.hr/print.php?id=14649>.

²⁸ https://ec.europa.eu/info/sites/info/files/2020-european-semester-convergence-programme-croatia_hr.pdf.

points (32.2 % for older persons with disabilities and 18.7 % for other persons of similar age). The tables in annex also indicate the respective rates of AROPE and break these down by gender as well age.

According to the data of the social welfare system, the majority of PWD (82 %) live in families, while about 16 % live alone. About 0.6 % have a foster career or guardian, and 1.2 % of PWD reside in an institution. About 13 % of PWD live in unsatisfactory housing conditions.²⁹

In Croatia, significantly more people with disabilities are at risk of poverty than persons without disabilities, especially low-income PWD (26.8 % in Croatia compared to 23.7 in the EU or 13.8 % low-income persons without disabilities in Croatia). Also: Overall risk of household poverty or exclusion in Croatia for people aged 16-64 is 38.2 % while in the EU it is 34.6 %, and in Croatia it is twice less for population without disabilities (18.8 %).³⁰ The risk of poverty after social transfers shows an upward trend in previous year after a sharp decline from 2011 to 2013 and thus differs from persons without disabilities where the trend of a slight decline continues. The research conducted by experts from the Study of Social Work in Zagreb warns face discriminatory behaviour in everyday life 'Discrimination is manifested in different treatment in fields of education, employment, participation in society and opportunities for realisation of certain social roles (p. 1).

According to the analysis of the Croatian Association of Organizations of PWD many PWD in the Republic of Croatia live in poverty and most of them are living in rural areas and areas that are underdeveloped³¹ The problem of poverty of PWD is significant because they do not have the means to cover the extremely high costs that result from disability.³² There are extremely large differences in disability pensions of different groups of PWD. The average disability pension in July 2020 was HRK 2,055.48, and the largest number of pensions (29,468) are between HRK 1,500 and HRK 2,000 with an average of 21 years spent at work. The average disability pension of a war time veteran is HRK 5,828.88 for 20 years of work. Politicians and judges have significantly higher pensions (members of parliament, members of the government, judges of the constitutional court and chief state auditors is HRK 11,088.47 for 23 years of work).³³

The number of beneficiaries of personal disability allowance has been growing in the last past 5 years (from 25,259 in 2016 to 35,931 in VI / 2020). In addition to the

²⁹ Report on Persons with Disabilities, Hrvatski zavod za javno zdravstvo/ Croatian Institute of Public Health, 2019. <https://www.hzjz.hr/periodicne-publikacije/izvjesce-o-osobama-s-invaliditetom-u-republici-hrvatskoj-stanje-05-2019/>.

³⁰ Ombudsman for Persons with Disabilities (2020) *Report of the Office of the Ombudsman*.

³¹ Croatian Union of Associations of Persons with Disabilities (2020), *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*, http://www.soih.hr/pdf/knowledge_bases/soih-alternativno_izvjesce_2020_hrv.pdf.

³² Ombudsman for Persons with Disabilities (2020), *Report of the Office of the Ombudsman*.

³³ Ministry of Demographics, Family, Youth and Social Policy (2020), *Beneficiaries of pensions and average pensions for July 2020* (payment in August 2020) <https://www.mirovinsko.hr/UserDocsImages/statistika/korisnici-mirovina-2020/korisnici-mirovina-08-za-07-2020.pdf>.

increased number of beneficiaries, the amount of personal disability allowance was increased from 1 April 2018 to HRK 1,500.³⁴

Foster care as a form of accommodation for adult PWD, which is controversial, is still widespread. The number of adults placed in foster families (there are 4,329 of them, most often PWD) is twice as many as the number of children in foster care.³⁵

Croatia has a better situation than the rest of the EU with self-reported unmet needs for medical examination, a 3-year average. For the most recent year 2018 the indicator for Croatia was 3.7 % for disabled persons, compared to just 0.3 % for other persons (and 5.4 % severely disabled).³⁶ However, PWD are in a significantly worse situation than persons without disabilities, of whom only 0.4 % answered that they could not meet their medical needs. Health services for PWD are not equally available in all parts of Croatia, nor to all groups of PWD. Ombudsman for PWD especially points to the problem of women with disabilities.³⁷ Many health facilities are not equipped with elevators. Also, the services of some specialists (dentist, gynaecologist) are unevenly distributed, or their availability is uneven, particularly for more severe physical disabilities and in rural areas. At the beginning of the COVID-19 epidemic, access to health services for all citizens was hampered (due to lockdown).³⁸

4.2 Analysis of social policies relevant to the Semester

After the elections and the formation of the new government the ministry responsible for PWD also changed. On the basis of the Law on the Organization and Scope of bodies of state administration,³⁹ the Ministry of Labour and the pension system continued to operate as the Ministry of Labour, Pension System, Family and Social Policy.⁴⁰ Despite promises and assurances that changes will be made in the legislation, particularly relating to the primary rights of PWD such as the Law on Inclusive Allowance, the Law on Personal Assistants and a new Law on Social Welfare, this has not been done until the end of the mandate of the old Parliament and the government. Instead of that, minor changes and amendments to old laws have been made. Experts from the Study of Social Work have been warning about the institutional instability with constant changes and changes in structure of the government. (Podobnik & Ilijaš, 2018).⁴¹ The Shadow Report on CRPD of the Ombudsman for PWD⁴² has also warned about the need to strengthen the implementation level: '...further decentralization of the system, rationalization of welfare centres' authority, and improving cooperation between resources.'(p. 51).

³⁴ Ministry of Labour, Pension System, Family and Social Policy, *Monthly Report* 6/2020.

³⁵ Ministry of Labour, Pension System, Family and Social Policy, *Monthly Report* 6/2020.

³⁶ https://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=hlth_dh030&lang=en.

³⁷ Ombudsman for Persons with Disabilities (2020), *Briefing on Croatia for the Committee on the Rights of Persons with Disabilities*.

³⁸ https://www.hzjz.hr/wp-content/uploads/2020/03/Osobne_invaliditetom_Mjere_zastite_28_06.pdf.

³⁹ Official Gazette, 85/20.

⁴⁰ <https://mrms.gov.hr/o-ministarstvu-9/9>.

⁴¹ Ilijaš, A. i Podobnik, M. (2018). 'Instability of the social welfare act - how does it affect the work of social workers in social care centres?' *Ljetopis socijalnog rada*, 25 (3), 427-450.
<https://hrcak.srce.hr/218682>.

⁴² Ombudsman for Persons with Disabilities (2020), *Briefing on Croatia for the Committee on the Rights of Persons with Disabilities*.

The fight against poverty of PWD with disabilities is an integral part of the Strategy for the fight against poverty and social exclusion in Croatia for the period from 2014 to 2020. Number of PWD is one of the indicators (mostly in the field of employment). Programmes of Strategy implementation that were supposed to relate to '... 2017, 2018, 2019 and 2020 have not been made, while in 2018 and 2019 still a large number of measures and activities were being implemented that have been planned by a Programme of implementation of the Strategy for the period from 2014 to 2016' stated in State Audit (p. 1).⁴³ The increase of personal disability allowance after 2018 has improved the situation of PWD. However according to the alternative report of the Croatian Union of Associations of PWD this has not solved the problem of risk of poverty of PWD, especially for some groups, especially to women with disabilities and the elderly.⁴⁴

The new Law on Foster Care was passed in 2018, but objections to this type of housing for PWD have remained. A particular problem is foster care of adult PWD. Ombudsman for PWD has been warning about this for several years,⁴⁵ together with the Association for Self-Advocacy. That it also what the experts from the Study of social work have stated in their 2016 research.⁴⁶ Their analysis states that 'formally defining certain forms of accommodation outside their own families as well as non-institutional does not mean necessarily that it achieved a qualitative shift from the institutional practices of care of PWD' (Leutar, Buljevac & Milić Babić, 2016, p. 81).

Providing a stable personal assistance scheme is especially important. This service is for the most part provided through national and EU projects, which does not represent a stable basis for its implementation. Also, the long- announced law on this issue has not yet been passed. Ombudsman for PWD also warns⁴⁷ that '...through the service of a personal assistant which is ensured mainly only for 20 hours a week, PWD with most severe forms of disability cannot get the adequate support for independent living.'(p. 35).

Requirements for analysis and changing of conditions in institutions where PWD are placed have intensified after the tragedy in one of the homes for the elderly in January 2020. In the illegal family home six beneficiaries were killed when the fire broke out.⁴⁸ Through the proposal of the new Law on Social Welfare better regulation and greater control of work of these homes was announced. However, the adoption of the new law has been postponed and it has not yet been passed. Objections have been even louder during the COVID-19 epidemic. Persons who have been placed in homes became completely isolated without any contact with the people outside the home. In July the recommendation of the Ombudsman for PWD

⁴³ *Report on the audit of the effectiveness of measures and activities taken in order to reduce poverty in the Republic of Croatia.* <https://www.revizija.hr/datastore/filestore/188/IZVJESCE-O-OBAVLJENOJ-REVIZIJI-MJERE-I-AKTIVNOSTI-PODUZETE-ZA-UBLAZAVANJE-SIROMASTVA-U-RH.pdf>.

⁴⁴ Croatian Union of Associations of Persons with Disabilities (2020), *Alternative report.*

⁴⁵ <https://posi.hr/prijedlog-zakona-o-udomiteljstvu-misljenje-pravobraniteljice/>.

⁴⁶ Leutar, Z., Buljevac, M. & Milić Babić, M. (2016), *Poštivanje prava osoba s invaliditetom smještenih u udomiteljskim obiteljima i obiteljskim domovima*. Zagreb: POSI.

⁴⁷ Ombudsman for Persons with Disabilities (2020), *Briefing on Croatia for the Committee on the Rights of Persons with Disabilities.*

⁴⁸ Press release regarding tragic event in the Family Home in Andraševac, <https://posi.hr/priopcenje-povodom-tragicnog-dogadaja-u-obicajskom-domu-u-andrasevcu/>.

relating to restriction of rights to freedom of movement of the persons living in homes for the elderly and infirm was accepted.⁴⁹

Despite relatively good statistics, users (PWD) have numerous objections to the possibility of using health services. Association of Organizations of PWD in its alternative report on CRPD⁵⁰ notes that 'Dissatisfaction is expressed with the conditions and manners in which PWD can benefit from their compulsory health insurance scheme, including hospital treatment with medical rehabilitation and physical therapy at home.'(p. 21) Ombudsman for PWD warns of a problem relates to psychiatric hospital. Audit visit of the Ugljan and regular visit of the psychiatric hospital Rab showed that the placement of PWD in health institutions without the need for medical treatment represents a serious violation of their human rights.⁵¹ Association of Organizations of PWD noted the lack of specialists who are trained to work with the PWD: 'We are facing a shortage of specialists while the current level of professional competences of health workers remain unsatisfactory and requires improvement.'⁵²

⁴⁹

https://mdomsp.gov.hr/UserDocsImages/Vijesti2020/Izmjene_i_dopune_socijalne_usluge_domovi_30_07_20.pdf.

⁵⁰ Croatian Union of Associations of Persons with Disabilities (2020), *Alternative report*.

⁵¹ Ombudsman for Persons with Disabilities (2020), *Report of the Office of the Ombudsman for Persons with Disabilities for 2019*.

⁵² Croatian Union of Associations of Persons with Disabilities (2020), *Alternative report*.

5 Disability, education and skills – analysis of the situation and the effectiveness of policies

In 2015, the UN CRPD Committee made the following recommendations to Croatia:

[Article 24 UN CRPD](#) addresses education.

‘36. The Committee recommends that the State party take immediate steps to ensure that all PWD have access to inclusive quality primary, secondary and tertiary education and that reasonable accommodation is provided in mainstream education. It also recommends establishing the principle that exclusionary and segregated education is discriminatory. It recommends that teachers and other professionals receive training on inclusive education and that all secondary education facilities be made accessible to PWD.’

National Strategy of Equalisation of Opportunities for PWD 2017-2020⁵³ contains following measures relating to education:

Measure 3.1. Provide inclusive education for students with developmental difficulties.
 Measure 3.2. Increase the availability of secondary education.
 Measure 3.3. Provide infrastructure support to students with developmental difficulties.
 Measure 3.4. Establish a unique system for providing direct support to teaching assistants and expert communication intermediaries.
 Measure 3.5. Provide textbooks tailored to the particular educational needs of students (in language, script and media).
 Measure 3.6. Encourage projects of civil society organizations with the aim of providing non-institutional forms of support to students with developmental difficulties in education and training.
 Measure 3.7. Increase the availability of higher education.

5.1 Summary of the educational situation of persons with disabilities

The EU-SILC estimates concerning educational attainment should be treated with some caution due to variable confidence levels, but they consistently indicate disability quality gaps. Table 20 indicates early school leaving rates disaggregated by disability status. Youth with disabilities (aged 18-24) tend to leave school significantly more than non-disabled peers of the same age groups (and this is reinforced by widening the sample size to age 18-29). The indicated disability early leaving rate is twice that for other persons.

Table 17 shows completion rate of tertiary education disaggregated by disability and age group. Persons with disabilities (age 30-34) are less likely to complete tertiary education than their peers (and this is reinforced in the wider sample for age 30-39). There is a significant disability gap on this measure in Croatia between the outcomes

⁵³ National Strategy of Equalisation of Opportunities for Persons with Disabilities 2017-2020. http://narodne-novine.nn.hr/clanci/sluzbeni/2017_04_42_967.html.

for young disabled people and other young people, which is also below the EU average.

In spite of declaratory commitment to inclusive education, due to lack of support and reasonable accommodation significant number of children with disabilities are still attending special schools. Most of those institutions have still not been integrated into the educational system (for which the Ministry of Science and Education is responsible), but are part of social welfare system (for which the Ministry of Demography, Family, Youth and Social Policy is responsible).⁵⁴

Problem of inclusive education is especially relevant for the field of pre-school education, where the biggest problem relates to the inclusion of children with disabilities in mainstream kindergartens. There are currently 2,601 children with disabilities included in the system of early and preschool education who on the basis of their disability qualify for co-financing of education from the national budget.⁵⁵ This is increase from previous years, since in 2018 there were 2,192 such children,⁵⁶ and in 2017 there were 1561 such children.⁵⁷ There are 1,968 children who are attending regular programmes, and 633 children who are attending special institutions and programmes. Kindergartens are sometimes refusing or delaying the admission of children with disabilities, most often on the basis of stated lack of adequate conditions. For children with disabilities who do attend mainstream kindergartens a number of cases were reported on inadequate provision of preschool educational programme for those children (for example encouragement of separation of children with disabilities from other children, etc.).⁵⁸

In school year 2019/2020 there altogether 30,430 children with disabilities in primary and secondary education. Out of these 3 066 were attending special schools (2,628 primary and 438 secondary schools) and 27,364 were attending regular schools (22,042 primary schools and 5,322 secondary schools).⁵⁹ For pupils with disabilities attending primary and secondary education the biggest issue is the provision of teaching assistants. In the last five years the number of teaching assistants has increased by 290 %.⁶⁰ However, there are still many pupils with disabilities who are not provided with teaching assistants, in many cases the procedure for realising right to an assistant is very long, and it sometimes ends after the school year has already begun. Teaching assistants are not school employees, they often change, and the pupils rarely have the same assistant throughout education.⁶¹ According to the analysis, collaboration between teachers and teaching assistants should also be more structured and deepened.⁶²

⁵⁴ Ombudsman for Persons with Disabilities (2020), *Report of the Office of the Ombudsman for 2019*.

⁵⁵ Ombudsman for Persons with Disabilities (2020), *Report of the Office of the Ombudsman for 2019*.

⁵⁶ Ombudsman for Persons with Disabilities (2019), *Report of the Office of the Ombudsman for 2018*.

⁵⁷ Ombudsman for Persons with Disabilities (2018), *Report of the Office of the Ombudsman for 2017*.

⁵⁸ Ombudsman for Persons with Disabilities (2020), *Report of the Office of the Ombudsman for 2019*.

⁵⁹ Ministry of Science and Education (2020) ŠeR - Školski e-Rudnik (tool). <https://mzo.gov.hr/ser-skolski-e-rudnik-3419/3419>.

⁶⁰ <https://www.srednja.hr/novosti/drasticno-povecanje-broj-pomocnika-nastavi-pet-godina-porastao-vise-290/>.

⁶¹ <https://www.glas-slavonije.hr/424783/1/Jos-nije-rijeseno-pitanje-radnih-prava-i-edukacija>.

⁶² https://hrcak.srce.hr/index.php?show=clanak&id_clanak_jezik=339719.

Country report for 2020 states that employability of PWD is hampered by the lack of skills, highlighted by the completion rate of tertiary education for people with disabilities remaining one of the lowest in the EU (21.9 % in 2017).⁶³ Alternative report presented from a coalition of associations of PWD also stresses that no educational programmes have been adapted for students with disabilities and that there is no development of new curricula for vocational programmes, which are competitive in the labour market.⁶⁴ Similar point is raised in the Written contribution to the 3rd Review of Croatia under the Universal Periodic Review on the situation of human rights of the UN Human Rights Council which states that the secondary education is the weakest link in the education of PWD as vocational education is neither aligned with the labour market, nor has introduced contemporary technologies into practical training.⁶⁵

COVID-19 epidemic has produced additional challenges for students with disabilities. In March 2020, all face-to-face education was stopped by the Ministry of Science and Education and replaced by distance learning for all students.⁶⁶ In May 2020 face-to-face education was partially restored for children in pre-school education and students attending lower elementary education (grades 1-4).⁶⁷ Distance learning was carried out through lessons broadcasted on national TV and through on-line communication tools where teachers communicated with students ('virtual classrooms').⁶⁸

According to the Ministry of Science and Education teaching assistants for students with disabilities were not obliged to take part in the education carried out through distance learning.⁶⁹ Some teaching assistants nevertheless provided support during the distance learning, even if they were not obliged to do so.⁷⁰ Teaching assistants themselves were in some cases put in difficult position in several counties where decision was made that they will not receive salary during the implementation of distance learning.⁷¹

In academic year 2019/2020 there were 176 full-time students with disabilities attending higher education, which is slightly less than in previous year (194 full time students with disabilities in academic year 2018/2019). More than 75 % of students with disabilities are persons with physical disabilities. Applicants for higher education studies with physical impairment of 60 % and more are eligible for direct enrolment, they only have to meet minimum required conditions for given higher education programme. This percentage of physical impairment is also a basis for most other rights and privileges of higher education students which excludes whole groups of

⁶³ *Country report 2020.*

⁶⁴ Croatian Union of Associations of Persons with Disabilities (2020), *Alternative report.*

⁶⁵ Written contribution to the 3rd Review of Croatia under the Universal Periodic Review (on the situation of human rights of the UN Human Rights Council.

⁶⁶ https://narodne-novine.nn.hr/clanci/sluzbeni/2020_03_29_670.html.

⁶⁷ https://narodne-novine.nn.hr/clanci/sluzbeni/2020_05_55_1094.html.

⁶⁸ https://mzo.gov.hr/UserDocImages/dokumenti/Vijesti/2020/Upute%20MZO-a_13_03_2020.pdf.

⁶⁹ <https://skolazazivot.hr/nastava-na-daljinu-cesta-pitanja-i-odgovori-28-3-2020/>.

⁷⁰ <https://www.ucilisteidem.hr/skola-na-daljinu-u-kriznim-uvjetima-covid-19-i-uloga-pomocnika-u-nastavi-2-2/>.

⁷¹ <http://sindikato-preporod.hr/razgovarali-smo-s-ivom-tadic-predsjednicom-udruga-pomocnika-u-nastavi/>.

students with other kinds of disabilities (specific learning difficulties, mental impairments, etc.).⁷²

Ombudsman for PWD has received complaints about the cases of lack of reasonable accommodation. Some examples of accommodation were provided, but mainly through personal consultations between students and teachers rather than on the basis of established procedures. The opinion of Ombudsman is therefore that what is missing is systematic support, legal regulations and clearly defined procedures for provision of reasonable accommodation within the higher education.⁷³

Around 66 % of PWD have not finished primary education, or they have finished only primary education. On the other hand, general level of participation in adult education is still very low in Croatia and currently stands at 3.5 %.⁷⁴ There is no data on participation of adults with disabilities, but since previous research studies have shown they participate less than the general population it can be expected that participation rate for PWD is even lower. There are no systematic measures or legal regulation aimed at inclusion of PWD in adult education or reasonable accommodation within this field.

5.2 Analysis of education policies relevant to the Semester

According to measures intended to achieve goals of the Europe 2020 Strategy stated in the National Reform Programme Croatia, in order to reduce the number of persons who are at risk from poverty and social exclusion, costs of education will be co-financed for pupils and students who are in less favourable socio-economic status and students with disabilities. For each school year criteria is determined for financing increased costs of transportation, special learning tools and meals for students with disabilities in elementary schools and increased costs of transportation and special learning tools for students with disabilities in secondary schools.⁷⁵ However, country specific recommendations state that the quality and inclusiveness of the education and training system stills need to be improved at all levels.⁷⁶

Law on Preschool Education⁷⁷ guarantees priority admission of children with disabilities in kindergartens, but according to complaints received by the Ombudsman for PWD those children are still sometimes refused admission or their admission is delayed. The number of those complaints has, however, dropped in comparison to previous years.⁷⁸

Preschool education is responsibility of local authorities but certain funds for the inclusion of children with disabilities are secured from the national budget. Total sum of funds provided for co-financing of education of children with disabilities from the state budget is currently 10 million HRK per year. Also, with the objective of

⁷² Ombudsman for Persons with Disabilities (2020), *Report of the Office of the Ombudsman for 2019*.

⁷³ Ombudsman for Persons with Disabilities (2020), *Report of the Office of the Ombudsman for 2019*.

⁷⁴ Eurostat, Adult participation in learning.

⁷⁵ National reform programme.

⁷⁶ Country specific recommendations No. 19.

⁷⁷ Official Gazette 10/97, 107/07, 94/13, 98/19.

⁷⁸ Ombudsman for Persons with Disabilities (2020) Report of the Office of the Ombudsman for 2019.

improvement of preschool education Ministry of Science and Education has named Kindergarten Sopot in Zagreb as a professional development centre for improvement of professional work in the field of preschool education and professional further training of educational works for the implementation of inclusive approach.⁷⁹

Assessment of the Ombudsman for PWD is that these measures are not sufficient and the more active involvement of relevant ministries is necessary in order for the position of children with disabilities in preschool education to be improved.⁸⁰

In February 2020 By-law on Teaching Assistants was amended in the order to make the procedure for realising right to an assistant more transparent.⁸¹ However, these changes has not solved all the problems relating to provision of teaching assistants – apart from the issues described above, which are still relevant, experts have warned about the fact that the in order to realise right to teaching assistant a pupil needs to have ‘severe’ difficulties, but what this specifically includes is not defined. This leads to situation where students who could have participated in education without assistants (with regular teachers adapting implementation to their specific needs) have been provided with assistants, while students for whom assistants are far more necessary have had their request for assistants rejected.⁸²

Shortly after the initiation of distance learning Ombudsman for PWD has warned that all learning platforms need to be adapted and accessible for students with disabilities.⁸³ Ombudsman for Children has noted that general instructions for distance learning are not suitable for children with disabilities since their special needs and necessary support should be assessed and implemented individually. She also warned that in the instructions provided by the Ministry of Science and Education for the partial re-start of face-to-face education the status of children with disabilities remained unclear.⁸⁴ Country specific recommendations also warn about the risks that the lack of widespread high-speed internet access at homes in Croatia poses for students with disabilities in terms of their participation in distance learning activities, especially in rural areas.

In 2019 the Government adopted The National Plan for Improvement of Social Dimension of Higher Education in the Republic of Croatia 2019-2021⁸⁵ which contains number of guidelines aimed at improving the system of support for students with disabilities. The opinion of Ombudsman for PWD is that this should be followed by measures and activities through which the plan could be implemented.

⁷⁹ Ombudsman for Persons with Disabilities (2020), *Report of the Office of the Ombudsman for 2019*.

⁸⁰ Ombudsman for Persons with Disabilities (2020), *Report of the Office of the Ombudsman for 2019*.

⁸¹ https://narodne-novine.nn.hr/clanci/sluzbeni/2020_02_22_549.html.

⁸² <https://www.glas-slavonije.hr/424783/1/Jos-nije-rijeseno-pitanje-radnih-prava-i-edukacija>.

⁸³ Ombudsman for Persons with Disabilities (2020) *Letter to Ministry of Science and Education*. Zagreb, 1/4/2020.

⁸⁴ <https://dijete.hr/odluku-o-nacinu-provođenja-nastave-dopuniti-i-prilagoditi-djeci-s-teskocama/>.

⁸⁵

<https://mzo.gov.hr/UserDocImages//dokumenti/Obrazovanje/VisokoObrazovanje/RazvojVisokogObrazovanja/Nacionalni%20plan%20za%20unaprje%20C4%91enje%20socijalne%20dimenzije%20visokog%20obrazovanja%20u%20Republici%20Hrvatskoj%202019.%20-%202021..pdf>.

For several years new adult education act was being mentioned in European semester documents,⁸⁶ and it was listed as a planned activity in 2019 National reform programme, and in this year, it is again raised as an issue in Country report and planned in National reform programme. However, it has still not been passed.

⁸⁶ https://ec.europa.eu/info/sites/info/files/file_import/2019-european-semester-country-report-croatia_en.pdf.

6 Investment priorities in relation to disability

6.1 Updates on use of existing EU funds (to 2020)

According to data from 2018, in Croatia ESIF projects which included PWD included 9,799 users. According to this data Croatia is among the countries with smaller number of involved persons, so that even countries with far smaller population had more users.⁸⁷ Problems exist in the schedule of announcing and implementing the project implementation plans.⁸⁸ Tenders (calls) are not published according to plans, and certain time also passes between publishing of results and signing of contracts. That way sometimes two years pass between the submission of the project proposal and signing of the contract. There remains also the problem of approving requests for reimbursement of funds.⁸⁹ The approval and payment of spent funds are delayed and thus put the implementers in a difficult financial situation.

Two groups of projects which are related to the PWD are especially important. One is the financing of personal assistants and the other is the process of deinstitutionalization. Three cycles of calls of proposals for Development of personal assistance services for PWD were carried out. These projects have enabled the implementation of personal assistance in Croatia. In phase II (from 2018 to January 2020) the projects were awarded to 84 organizations for the services of personal assistants, 15 for interpreters of Croatian sign language and the 26 for seeing companions. In August 2020 new Call for proposal was published - The development of personal assistance services for people with disabilities - phase III.

In the process of deinstitutionalization, the call specifically intended for PWD is particularly important: Support to the further process of deinstitutionalization and transformation of social care homes for PWD. It is a restricted call for proposals which is opened from 3/2017 to 12/2020. Eligible applicants are 18 social welfare institutions.⁹⁰ The highest possible amount of grant is HRK 11,475.000.⁹¹ In accordance with that, individual amounts of grants are approximately the same as the maximum amount, and the most common forms of activities are implementation of organized housing and daily activities and training of experts. In 2017 projects which received funds were 'Opportunity'⁹² carried out by the Turnić home for adults Rijeka, And 'Become yourself' carried out by the Centre for the Provision of Services in the community Osijek.⁹³ In relation to the project in Osijek problems later emerged because the inspection of the Ministry of Social Welfare subsequently

⁸⁷ Disabled. Participants with disabilities. Overview of programme implemented values (2018). <https://cohesiondata.ec.europa.eu/overview>.

⁸⁸ <https://www.esf.hr/europski-socijalni-fond/razdoblje-2014-2020/godisnji-plan-objave-operacijaprojekata-esf/> (Disabled Participants with disabilities).

⁸⁹ Records of the Monitoring board http://www.esf.hr/wordpress/wp-content/uploads/2019/12/11.OzP_Zapisnik_final.pdf.

⁹⁰ <https://strukturnifondovi.hr/wp-content/uploads/natjecaji/podrska-daljnjem-procesu-deinstitucionalizacije-i-transformacije-domova-socijalne-skrbi-za-osobe-s-invaliditetom-2440/Sa%C5%BEetak-poziva-20.03.2017.pdf>.

⁹¹ <http://www.esf.hr/natjecaji/socijalno-ukljucivanje/podrska-daljnjem-procesu-deinstitucionalizacije-i-transformacije-domova-socijalne-skrbi-za-osobe-s-invaliditetom/>.

⁹² <https://dom-turnic.hr/projekt-zajedno/>.

⁹³ <https://jakaoiti.org/postani-svoj/>.

established numerous irregularities in the work of the Centre.⁹⁴ In 2019 several contracts were signed and the most important are 'Life in my home',⁹⁵ carried out by The Centre for Rehabilitation Zagreb, and the project 'Two steps away', carried out by the Centre Stančić.⁹⁶ Deinstitutionalization of the Centre for Rehabilitation Zagreb and Centre Stančić has been priorities of the Ministry since 2013.⁹⁷ 'Together Happy' project also started⁹⁸ carried out by the Centre for Education Juraj Bonaći from Split.

In addition to these centres and homes, there are also needs in other institutions, but (according to the Ombudsman for PWD) 'The homes that did not apply for EU funds most often say the reason for failing to use the funds is the lack of capacities and education in writing project plans i.e., that they need help from the competent Ministry.'⁹⁹ There are several Erasmus + (KA2) projects which are related to PWD. An example is 'Inclusive education: ensuring accessibility of non-vocational education of adult PWD'.¹⁰⁰

6.2 Priorities for future investment (after 2020)

Providing available broadband networks and services in rural areas, including better use of telemedicine is one of priority. Investing in the basic and professional skills of PWD, is a prerequisite for the use of ICT and functioning in a complex technological environment.

Development of services that would enable a better and high-quality life for PWD in rural areas and a better life in the community without public investment will be very difficult. Foster care should be excluded from the deinstitutionalization process. Priority is the development of personal assistance, invest in the creation of a sustainable system, with regulated legal bases and regulated necessary competencies and education. Special attention should be focused to the different types of assistants (for example, assistants for deafblind people).

Future investment should be related to accessibility in all places where PWD live and in accessibility in all means of transport (only air transport and public transport in some cities are accessible). Trains and ships are a priority (due to the large number of Croatian islands). Special attention should be paid to the accessibility of health care institutions. Important is to continue with projects that encourage innovative forms of employment of PWD.

⁹⁴ <https://hrvatska-danas.com/2018/02/09/murganic-potpisala-je-114-mil-kn-domu-uzasa-u-kojem-sobe-ne-ciste-a-u-krevetima-su-crknuti-misevi-sada-salje-inspekciju/>.

⁹⁵ http://www.crzagreb.hr/hr/o_nama/projekti_8.asp.

⁹⁶ <http://centar-stancic.hr/predstavljajanje-projekta-dva-koraka-dalje/>.

⁹⁷ <https://mdomsp.gov.hr/projekt-transformacija-i-deinstitucionalizacija-centra-za-rehabilitaciju-stancic-i-centra-za-rehabilitaciju-zagreb/1788>.

⁹⁸ <https://centar-juraj-bonaci.hr/2020/01/27/projekt-zajedno-sretni-potpisan-ugovor-o-dodjeli-bespovratnih-sredstava/>.

⁹⁹ Ombudsman for Persons with Disabilities (2020), *Briefing on Croatia for the Committee on the Rights of Persons with Disabilities*.

¹⁰⁰ https://www.mobilnost.hr/cms_files/2020/07/1596116150_privitak-odluke-ka204-2020.pdf.

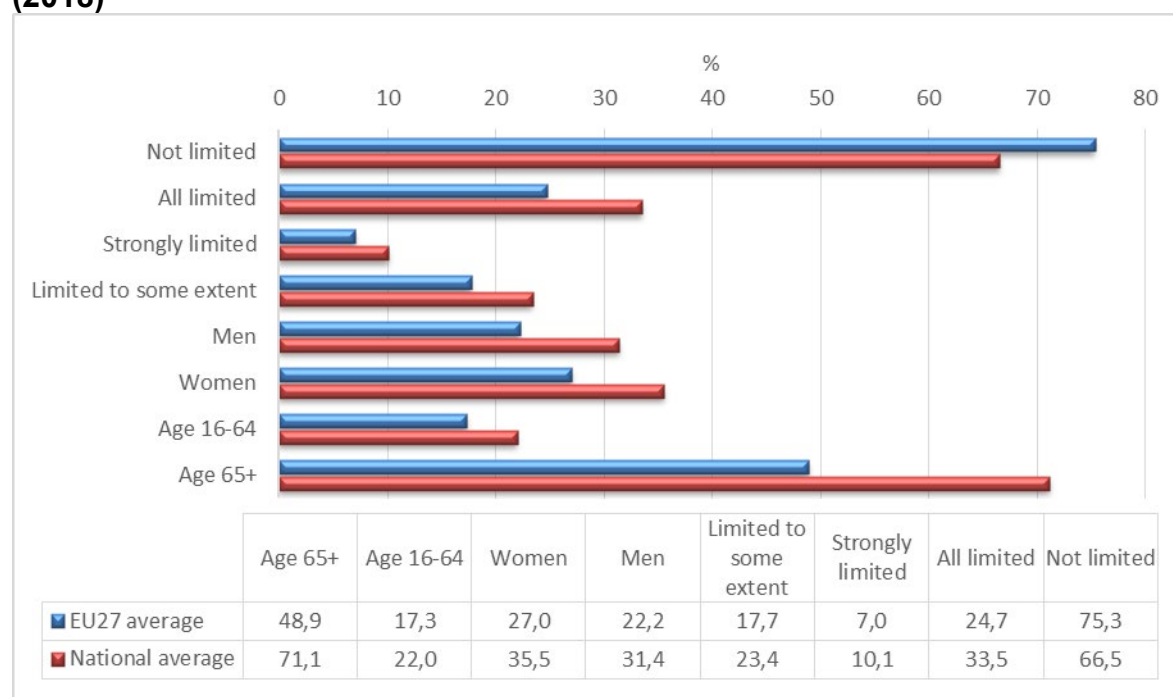
7 Annex: disability data relevant to the Semester

See also disability data published in the Eurostat database¹⁰¹ and statistical reports.¹⁰²

Unless specified, the summary statistics are drawn from the most recent EU-SILC data available to researchers from Eurostat. The EU-SILC sample includes people living in private households and does not include people living in institutions (congregative households). The sampling methods vary somewhat in each country.

The proxy used to identify people with disabilities (impairments) is whether 'for at least the past six months' the respondent reports that they have been 'limited because of a health problem in activities people usually do'.¹⁰³

Table 1: Self-reported 'activity limitations' as a proxy for impairment/disability (2018)



Source: EU-SILC 2018 Release 2020 version 1

In subsequent tables, these data are used to indicate 'disability' equality gaps and trends relevant to the analytical chapters – for the labour market, social policies and healthcare, and education – by comparing outcomes for persons who report and do

¹⁰¹ Eurostat health Database, <https://ec.europa.eu/eurostat/web/health/data/database>.

¹⁰² Eurostat (2019) *Disability Statistics* https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Disability_statistics.

¹⁰³ The SILC survey questions are contained in the Minimum European Health Module (MEHM) [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Special:WhatLinksHere/Glossary:Minimum_European_Health_Module_\(MEHM\)](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Special:WhatLinksHere/Glossary:Minimum_European_Health_Module_(MEHM)).

not report 'activity limitations'.¹⁰⁴ National estimates for Croatia are compared with EU27 mean averages for the most recent year.¹⁰⁵

7.1 EU data relevant to disability and the labour market (2018)

Table 2: Employment rates, by disability and gender (aged 20-64)

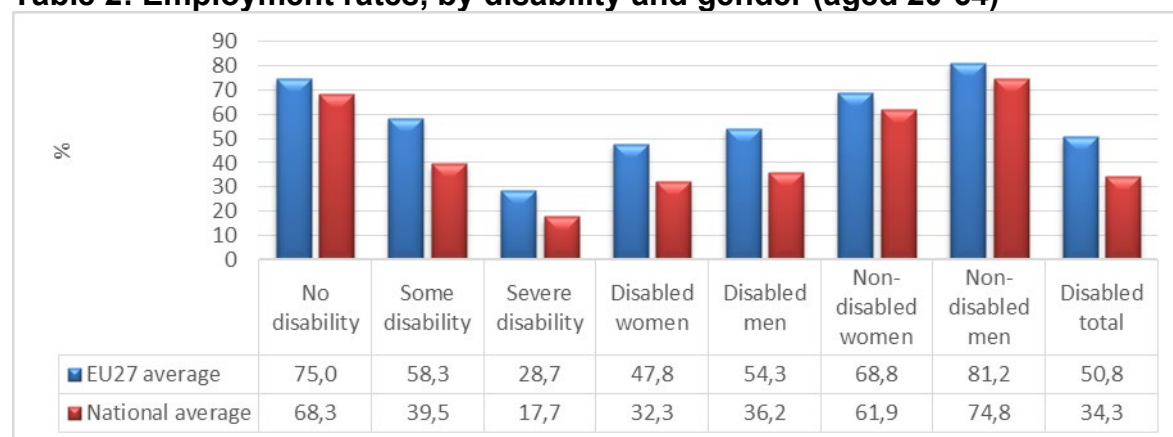
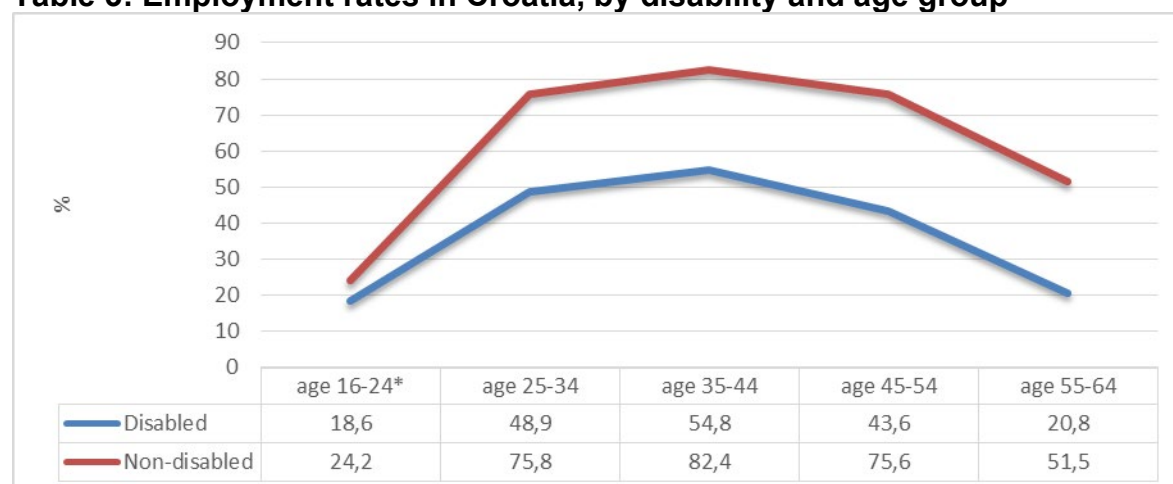


Table 3: Employment rates in Croatia, by disability and age group



¹⁰⁴ This methodology was developed in the annual statistical reports of ANED, available at <http://www.disability-europe.net/theme/statistical-indicators>.

¹⁰⁵ The exit of the United Kingdom from the EU changes the EU average. Averages were also affected in 2015 by a discontinuity in the German disability data due to a definitional change.

Table 4: National trends in employment rates, by disability status (aged 20-64)

Source: EU-SILC 2018 Release 2020 version 1 (and preceding UDBs)

7.1.1 Unemployment

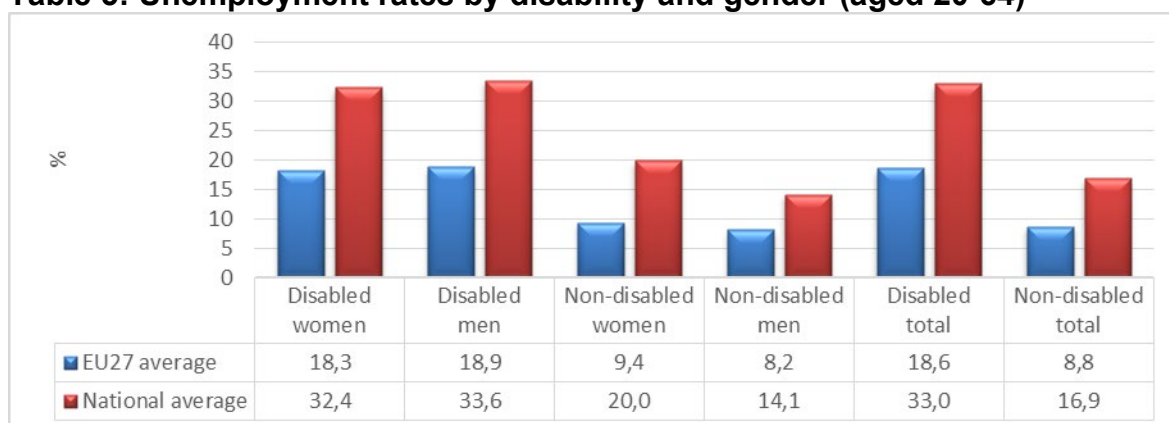
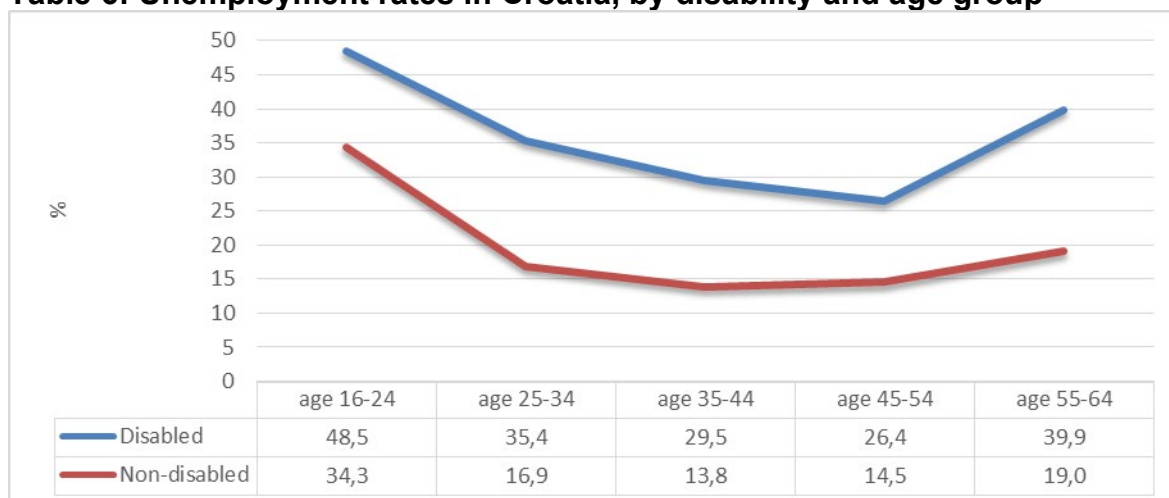
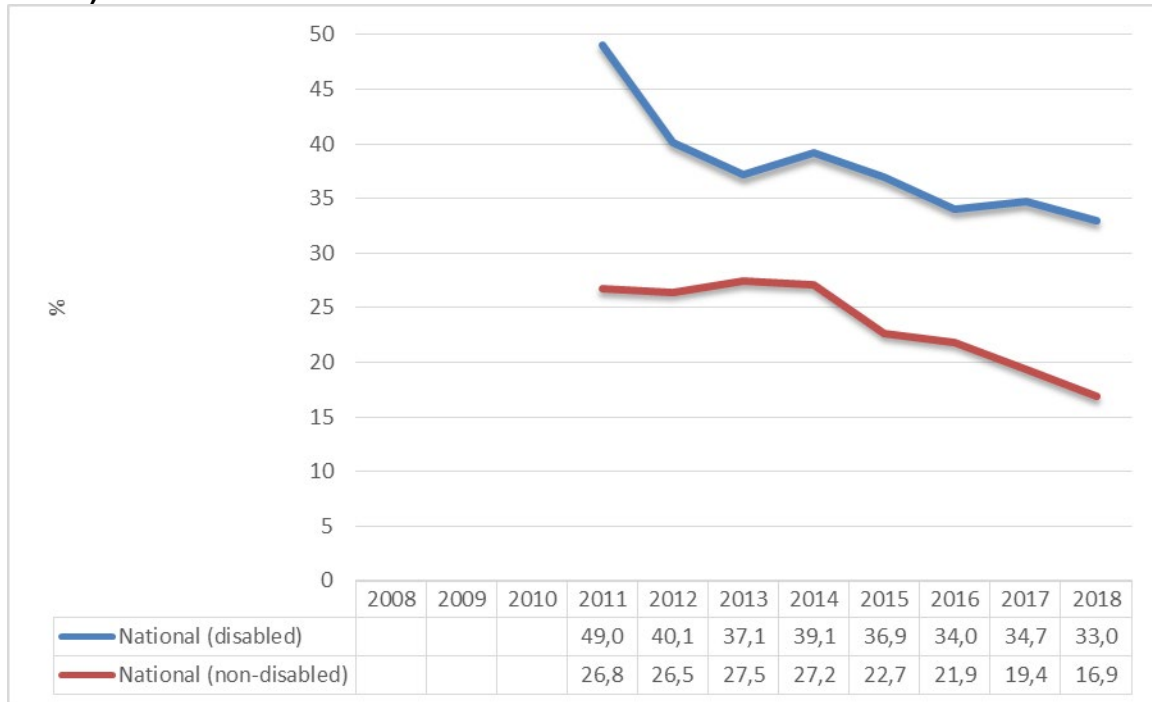
Table 5: Unemployment rates by disability and gender (aged 20-64)**Table 6: Unemployment rates in Croatia, by disability and age group**

Table 7: National trends in unemployment rate, by disability status (aged 20-64)

Source: EU-SILC 2018 Release 2020 version 1 (and preceding UDBs)

7.1.2 Economic activity

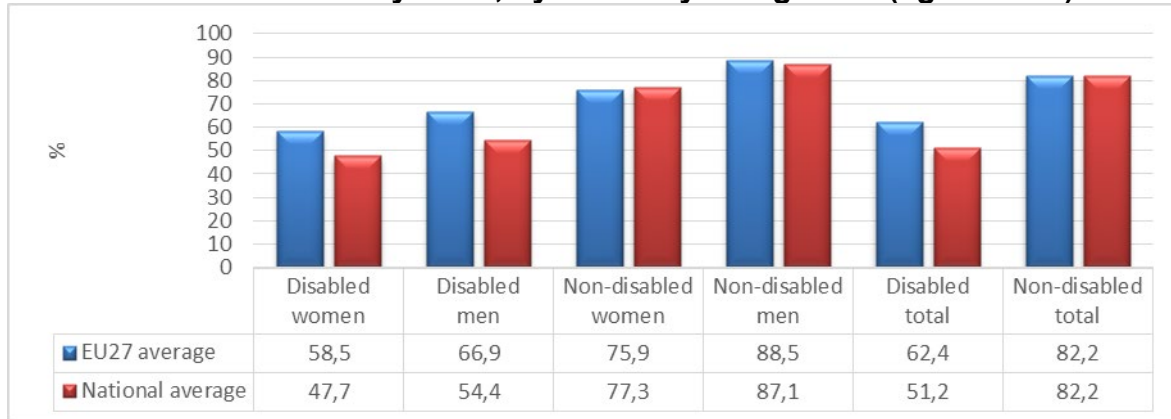
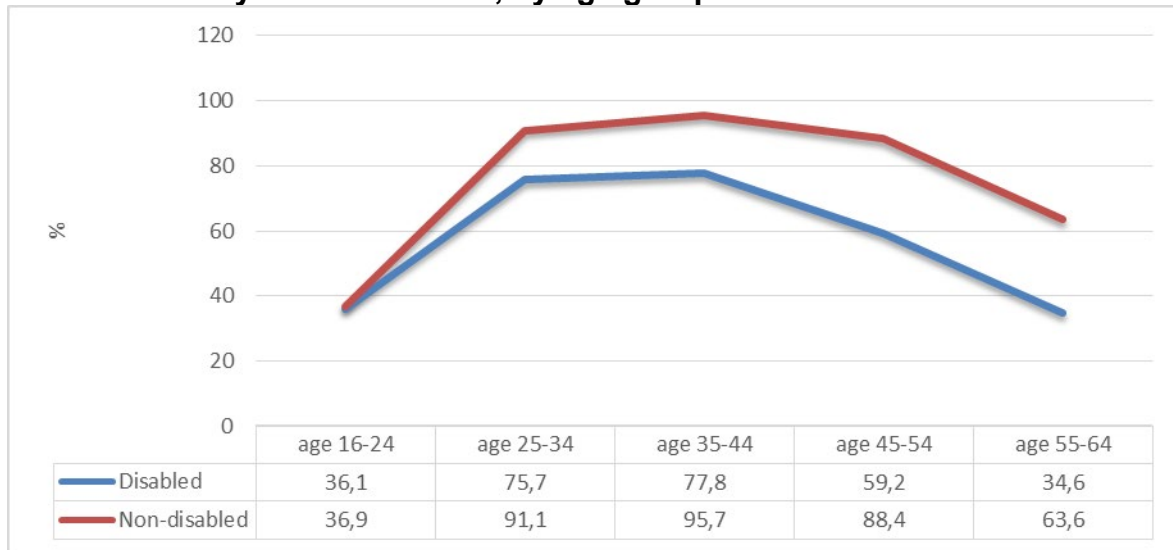
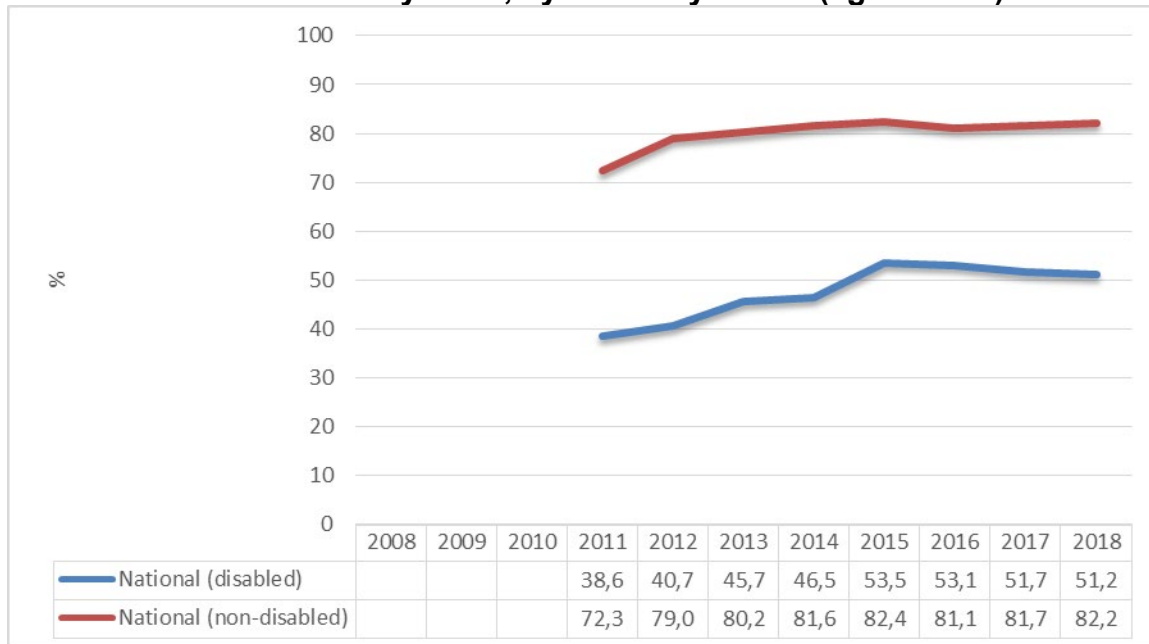
Table 8: Economic activity rates, by disability and gender (aged 20-64)

Table 9: Activity rates in Croatia, by age group**Table 10: Trends in activity rates, by disability status (aged 20-64)**

Source: EU-SILC 2018 Release 2020 version 1 (and preceding UDBs)

7.1.3 Alternative sources of national labour market data

Disability data is not included in the core European Labour Force Survey but labour market indicators for Croatia were disaggregated from ad modules conducted in 2001 and 2011. These can be found in the Eurostat disability database.¹⁰⁶

The Labour Force Survey is conducted by The Croatian Bureau of Statistics in accordance with the Programme of Statistical Surveys of the Republic of Croatia 2018-2020 (Official Gazette 31/2018). The first Labour Force Survey in Croatia was conducted in November 1996 and the second one in June 1997. In order to fulfil the need for more frequent data collection and following the example of the European

¹⁰⁶ Eurostat Health Database, <https://ec.europa.eu/eurostat/web/health/data/database>.

countries and recommendations of international institutions, the Labour Force Survey was carried out continuously since 1998 until 2006, meaning that every month a part of the total sampled households was interviewed and data were processed semi-annually. Since 2007, the Labour Force Survey has been carried out continuously, that is, households are interviewed throughout the year, which means that every week is both a reference and interviewing week. Collected data are processed and published in quarterly dynamics. The survey results for the Labour Force Survey are also published in other statistical publications: the Statistical Yearbook, the First Release, the Monthly Statistical Report and the Statistical Information. The methodology for the Survey is fully harmonised with regulations of the Statistical Office of the European Communities (Eurostat), results for the Republic of Croatia are regularly published on the web pages and in all Eurostat's publications, thus enabling the comparison of the Republic of Croatia with all EU Member States.

Croatian Labour Force Survey data https://www.dzs.hr/Hrv_Eng/publication/2018/09-02-06_03_2018.htm.

Table 11: Number of newly employed persons with disabilities

Year	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	Jan-Aug 2020
Number	1,267	1,028	1,08	1,465	1,421	1,744	1,877	2,503	2,853	3,204	3,106	2,700	1,411

Source: Ombudsman for Persons with Disabilities (2018) Report of the Office of the Ombudsman for Persons with Disabilities for 2017 <http://posi.hr/wp-content/uploads/2018/04/Izvje%C5%A1%C4%87e-o-radu-Pravobranitelja-za-osobe-s-invaliditetom-2017..pdf> (for years 2008-2017); Croatian employment service, (12/ 2019, 8/2020)

Note: Newly employed persons are those who found employment in the respective year and were unemployed up to that moment. The data relates to the total number of such persons employed from the register on a work contract basis

Table 12: Registered unemployed persons with disabilities

	2011	2012	2013	2014	2015	2016	2017	2018	2019	Aug 2020
Unemployed persons with disabilities	5,995	6,212	6,528	6,952	6,917	7,107	6,650	6,048	5,737	6,345
Total unemployed persons	305,333	324,323	345,112	328,187	285,906	241,860	193,967	153,542	128,650	151,368

Source: Croatian employment service, 8/2020

Table 13: Liable employers and the quota scheme

	Liable employers for the quota scheme			Employers meeting the quota (% of total)		
Year	2017	2018	2019	2017	2018	2019
Number of employers	9119	9435	9745	1202 (13.18%)	1266 (13.41%)	1325 (13.59%)

Source: Institute for Expert Evaluation, Professional Rehabilitation and Employment of People with Disabilities Annual report for 2017, 2018 and 2019

7.2 EU data relevant to disability, social policies and healthcare

Table 14: People at risk of poverty or social exclusion, by disability and risk (aged 16-59)

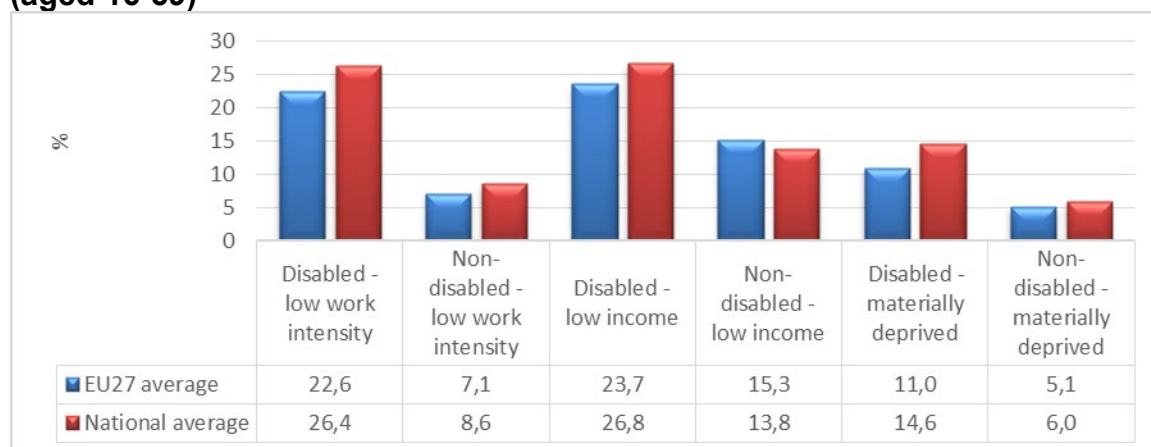


Table 15: People at risk of poverty or social exclusion, by disability and gender (aged 16+)

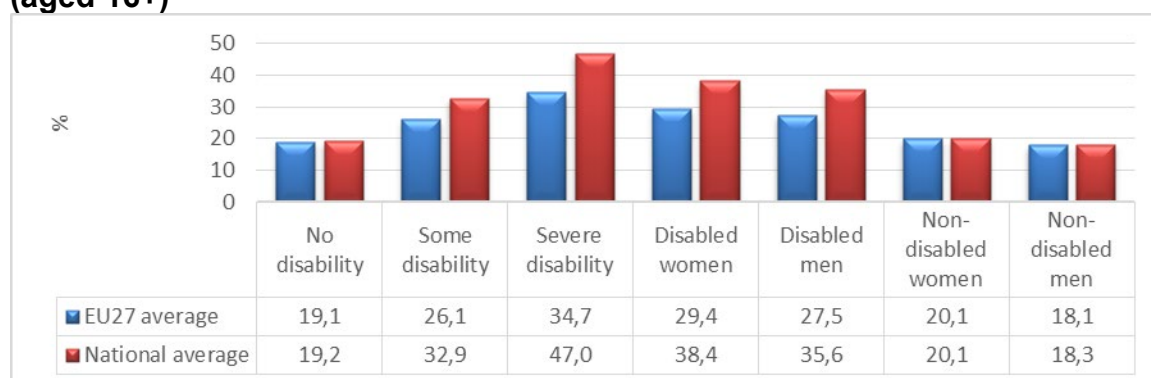
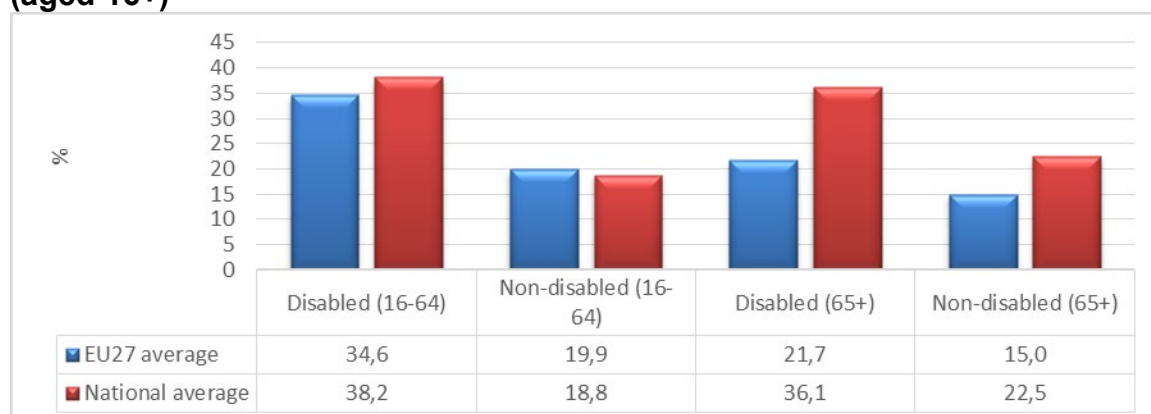
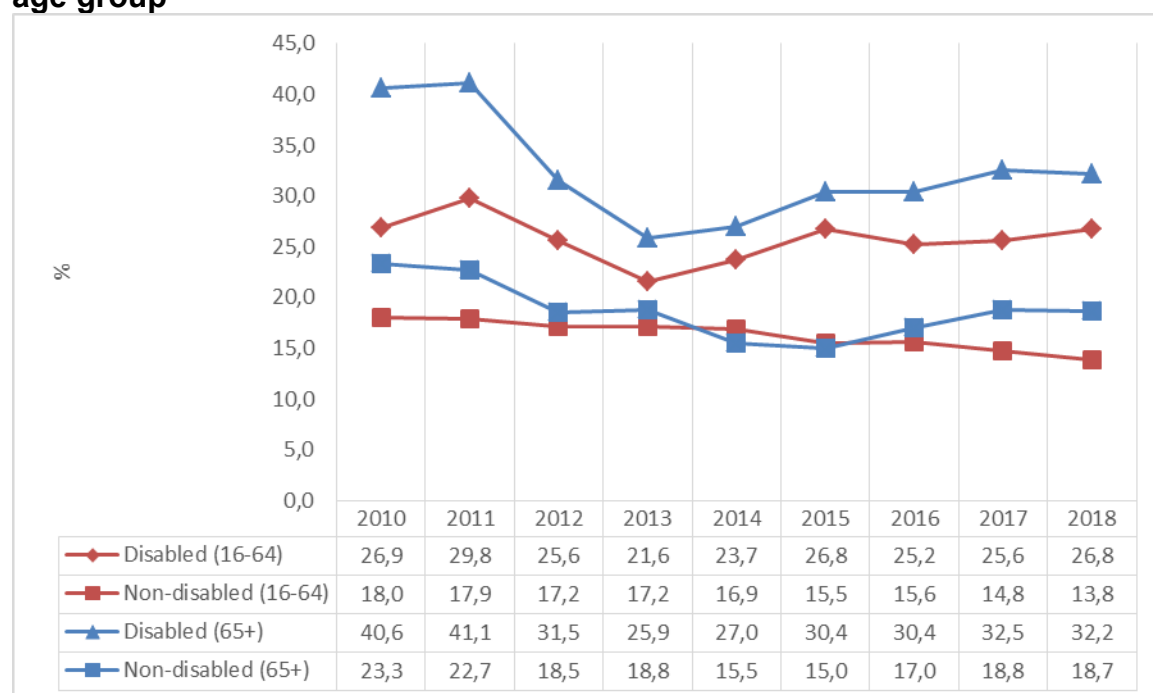


Table 16: Overall risk of household poverty or exclusion by disability and age (aged 16+)

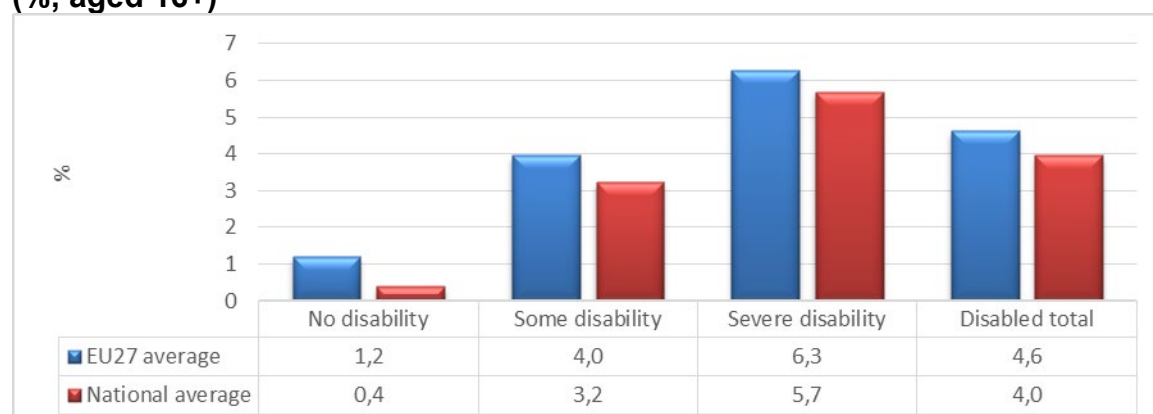


Source: EU-SILC 2018 Release 2020 version 1 (and previous UDB)

Table 17: Trends in the risk of poverty after social transfers, by disability and age group

Source: Eurostat Health Database [hlth_dpe020] - People at risk of poverty

Note: this table shows national trends in financial poverty risk, rather than the general AROPE indicator (which is not as comparable between age groups due to the effect of paid employment); the survey does not distinguish 'activity limitation' for children under 16.

Table 18: Self-reported unmet needs for medical examination, 3-year average (% , aged 16+)

Source: Eurostat Health Database [hlth_dh030] – 'Too expensive or too far to travel or waiting list'

Note: due to large variations an average of three years is indicated. EU mean averages are also skewed by high values in a minority of countries within disability groups but median averages for the total disability and no disability groups in 2018 are consistent with the 3-year mean values.

7.2.1 Alternative sources of national disability poverty and health data

The EU-SILC data provides a comprehensive and reliable source concerning poverty or social exclusion rates. In addition to the summary tables presented so far, the

Eurostat disability database also contains breakdowns concerning disability and poverty before and after social transfers, as well as in-work-poverty.¹⁰⁷

The Ministry in charge of social affairs keeps statistics on the number of beneficiaries of social benefits, including benefits received by PWD:

Table 19: Number of PWD receiving disability allowances

Year	2016	2017	2018	Dec 2019	VI/2020
Number of PWD	25,259	27,141	30,503	34,605	35,931

Source: Ministry for Demography, Family, Youth and Social Policy Annual Report (2018) Ministry of Labour, pension system, family and Social Policy Monthly Report 6/2020)¹⁰⁸

7.3 EU data relevant to disability and education

Table 20: Early school leaving rates, by disability status (aged 18-24 and 18-29)¹⁰⁹

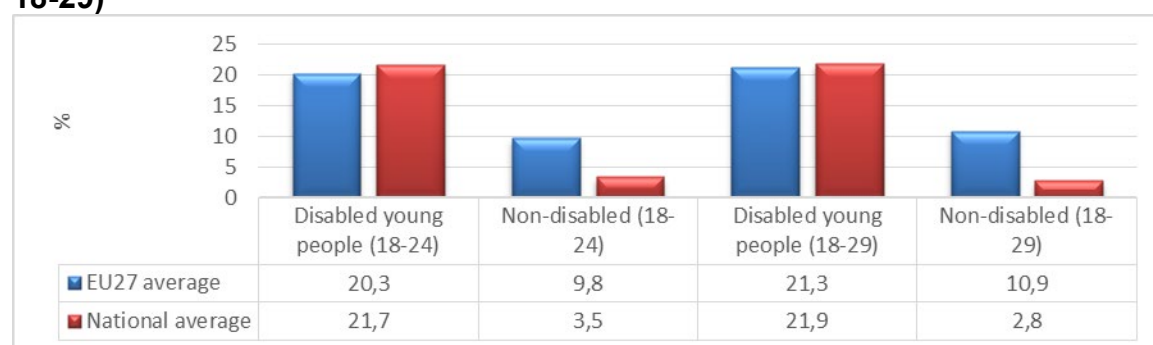
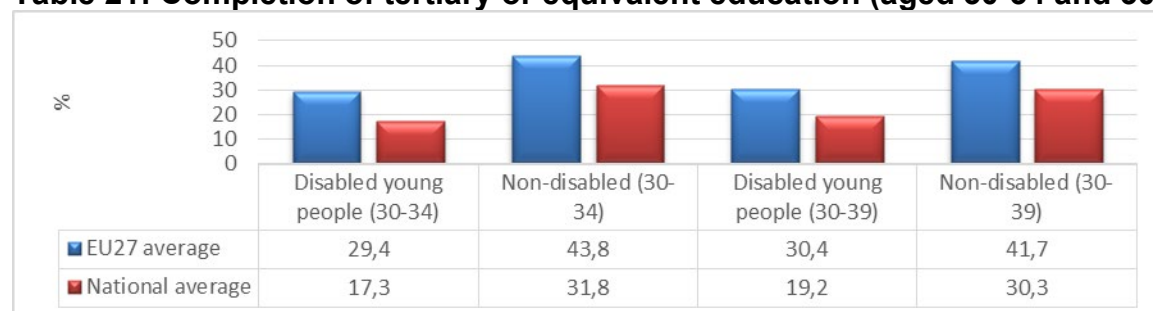


Table 21: Completion of tertiary or equivalent education (aged 30-34 and 30-39)



Source: EU-SILC 2018 Release 2020 version 1 (and preceding UDBs)

Note: Confidant intervals for the disability group are large and reliability low (due to the small sample size in the target age group). An average of several years may be needed to establish trends or to compare breakdowns by gender.

¹⁰⁷ Eurostat Health Database, <https://ec.europa.eu/eurostat/web/health/data/database>.

¹⁰⁸ Ministry of Demography, Family, Youth and Social Policy, Directorate for Social Policy Annual statistical report on applied social welfare rights, legal protection of children, youth, marriage, families and persons deprived of legal capacity, and protection of persons with physical or mental disabilities in the Republic of Croatia in 2018 <https://mdomsp.gov.hr/pristup-informacijama/statisticka-izvjesca-1765/statisticka-izvjesca-za-2018-godinu/10185>.

¹⁰⁹ There was a change from ISCED 1997 to ISCED 2011 qualification definitions in 2014 although some Member States continued to use the older definition after this time.

7.3.1 Alternative sources of national disability education data

Disability data is not included in the core European Labour Force Survey, but education and training indicators were disaggregated from ad hoc modules conducted in 2001 and 2011. These can be found in the Eurostat disability database.¹¹⁰ Similar caution is needed with this data.

Some administrative data is also provided in the European Agency's Statistics on Inclusive Education (EASIE), concerning the population of enrolled students identified with special educational needs in Croatia.¹¹¹

Table 22: Students in primary and secondary education

School year	Number of students with disabilities	Total number of students
2015/2016	21475	510936
2016/2017	25658	501525
2017/2018	29940	493130
2018/2019	29967	485634
2019/2020	30437	482303

Source: Ministry of science and education¹¹²

Table 23: Students with disabilities in primary and secondary education

School year	Number of students with disabilities in regular schools	Number of students with disabilities in special schools
2015/2016	19241	2234
2016/2017	22728	2930
2017/2018	26889	3051
2018/2019	26983	2984
2019/2020	27374	3063

Source: Ministry of science and education¹¹³

¹¹⁰ Eurostat Health Database, <https://ec.europa.eu/eurostat/web/health/data/database>.

¹¹¹ European Agency for Special Needs and Inclusive Education, *Statistics on Inclusive Education*, <https://www.european-agency.org/data/data-tables-background-information>.

¹¹² Statistical data of Ministry of Science and Education
<https://app.powerbi.com/view?r=eyJrIjojZWV3YTE4OWQ0OWJmNC00OTJmLWE2MjktYTQ5MWJlNDNlZDQ0liwidCI6IjJMTFJYmNjLWI3NjEtNDVhYi1hOWY1LTRhYzc3ZTk0ZTFkNCIsImMiOiJh9.>

¹¹³ Statistical data of Ministry of Science and Education
<https://app.powerbi.com/view?r=eyJrIjojZWV3YTE4OWQ0OWJmNC00OTJmLWE2MjktYTQ5MWJlNDNlZDQ0liwidCI6IjJMTFJYmNjLWI3NjEtNDVhYi1hOWY1LTRhYzc3ZTk0ZTFkNCIsImMiOiJh9.>

GETTING IN TOUCH WITH THE EU

In person

All over the European Union there are hundreds of Europe Direct information centres. You can find the address of the centre nearest you at: https://europa.eu/european-union/contact_en.

On the phone or by email

Europe Direct is a service that answers your questions about the European Union. You can contact this service:

- by freephone: 00 800 6 7 8 9 10 11 (certain operators may charge for these calls),
- at the following standard number: +32 22999696, or
- by email via: https://europa.eu/european-union/contact_en.

FINDING INFORMATION ABOUT THE EU

Online

Information about the European Union in all the official languages of the [EU is available on the Europa website at: https://europa.eu/european-union/index_en](https://europa.eu/european-union/index_en).

EU publications

You can download or order free and priced EU publications from: <https://publications.europa.eu/en/publications>. Multiple copies of free publications may be obtained by contacting Europe Direct or your local information centre (see https://europa.eu/european-union/contact_en).

EU law and related documents

For access to legal information from the EU, including all EU law since 1951 in all the official language versions, go to EUR-Lex at: <http://eur-lex.europa.eu>.

Open data from the EU

The EU Open Data Portal (<http://data.europa.eu/euodp/en>) provides access to datasets from the EU. Data can be downloaded and reused for free, for both commercial and non-commercial purposes.

