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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.

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¹ For an introduction to the Semester process, see:
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1 Executive summary and recommendations

1.1 Key points and main challenges for Croatia in 2022

Disability and the labour market

Despite all previous efforts and measures, employment of persons with disabilities is still very low, lower than the EU average. The key challenge is to increase the employment of persons with disabilities by using all measures in the quota system, by rationally using incentives for employment and implementing flexible forms of employment based on the new Labour Act ('smartworking').

Disability, social policies and healthcare

The key social challenge is the risk of poverty. It is significantly higher for persons with disabilities than for the general population. A lot is expected from the introduction of an inclusive allowance that has not yet been regulated or applied, and the application of the current personal disability allowance causes doubts due to eligibility criteria and the amount of the allowance. Providing services is also a challenge. Legal regulation of the status of personal assistants is being prepared, and it is expected that the new law will ensure standardised, high-quality and accountable personal assistance services.

Disability, education and skills

Persons with disabilities drop out of education earlier than the general population and relatively few complete higher education. The skills they lack result in difficult integration into the labour market. The problems begin with enrolling children with disabilities in kindergartens. Their attendance is limited, it is not possible everywhere and it is not continuous. In schools, the status of teaching assistants is a problem. Extremely low wages and temporary status do not encourage people to apply and perform these jobs. There is a lack of qualified professionals in schools who could provide support for inclusive education for children with disabilities.

Investment priorities for inclusion and accessibility

The investment priorities are mostly related to the implementation of the National Recovery and Resilience Programme from 2021 and the continuation of activities financed by the Human Resources Development Operational Programme (European Social Fund) until 2020. This refers to the area of social services, personal assistance, the deinstitutionalisation process and employment projects for persons with disabilities. One challenge is to transfer social services (for example teaching assistants and personal assistants) from project financing to the regular system of services. Another challenge is to enable the efficient implementation of calls for projects and the distribution of funds so that the planned services can be implemented smoothly.

1.2 Recommendations for Croatia

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

Recommendation: Assess all dimensions of the quota system and the effects of replacement quotas on the total employment of persons with disabilities.

Rationale: Replacement quotas are the most successful part of the quota system. They enable increased employment of persons with disabilities, but inclusion is implemented more slowly in the open labour market and in companies that are not protective or integrative workshops.

Recommendation: The law on personal assistants should be passed based on cooperation and dialogue with associations of persons with disabilities. Its adoption should not be delayed.

Rationale: Personal assistants are an important element of ensuring independent living and preventing institutionalisation. Experiences and examples show that this is a service that requires clear service delivery standards, implementation monitoring and a stable implementation system. Therefore there are high expectations of the Personal Assistants Act.

Recommendation: The inclusion of children with disabilities in kindergartens should become an important priority of educational policy. Opportunities for children with disabilities must be equalised regardless of where they live.

Rationale: Currently, it is difficult to include children with disabilities in kindergartens, there are unequal opportunities in different parts of Croatia and attendance usually does not last the whole year.

Recommendation: It is necessary to regulate the status of teaching assistants and ensure equal availability of experts for the inclusion of children with disabilities in the regular education system

Rationale: The very low wages and temporary work status of teaching assistants make it difficult to select potential assistants and affect the well-being of the assistants themselves. There is a negative trend that schools do not hire professionals (speech therapists, educational rehabilitation experts, etc.), but instead employ teaching assistants as a solution.

Recommendation: Social services should be transitioned from project financing to regular, systematic financing.

Rationale: The use of EU funds enables the functioning of a number of social services, but cyclical funding through projects makes it difficult to ensure continuity of services (teaching assistants and personal assistants) or continuity of employment support (for example, employment of women who provide services to persons with disabilities).

2 Mainstreaming disability equality in the 2022 Semester documents

2.1 Country Report (CR) and Country Specific Recommendation (CSR)

The following key points highlight where a disability perspective was considered, or should be considered, in the CR/CSR. We address the most relevant of these in the next sections.

The report of the European Commission for 2022 for Croatia emphasised the poor situation of persons with disabilities regarding employment and social exclusion or poverty.

‘The employment rate of persons with disabilities is one of the lowest in the EU (36.9% in 2020) and the disability employment gap remains high (32.9% in 2020), well above the EU average (24.5%)’ (p. 43).²

‘The AROPE (at risk of poverty or social exclusion) rate of older persons is still high (32.4% against 20.3% in the EU in 2020), especially among women and persons with disabilities’ (p. 46).

That risk is declining in the general population. It is concluded that there is a certain level of discrimination against persons with disabilities and that efforts should be made to start to address this.

There was no direct reference to disability in the 2022 CSR but some of the generally worded recommendations have clear significance for persons with disabilities, such as:

- targeted support for households most vulnerable to energy price hikes;
- support for people fleeing Ukraine;
- investment in the green and digital transition;
- implementation of the Recovery and Resilience Plan (RRP) and previous CSRs;
- labour market integration of the most vulnerable groups.

2.2 National Reform Programme (NRP) and Recovery and Resilience Plan (RRP)

The following key points highlight where the situation of persons with disabilities or disability policies is relevant to the NRP/RRP.³

² European Commission (2022), Country Report – Croatia Accompanying the document Recommendation for a Council recommendation on the 2022 National Reform Programme of Croatia and delivering a Council opinion on the 2022 Convergence Programme of Croatia. Commission staff working document {COM(2022) 613 final} - {SWD(2022) 640 final}, https://ec.europa.eu/info/system/files/2022-european-semester-country-report-croatia_en.pdf. Subsequent mentions: EC (2022), CR for 2022.

³ Government of the Republic of Croatia (2021) Croatian National Recovery and Resilience Plan 2021-2026, https://ec.europa.eu/info/sites/default/files/recovery_and_resilience_plan_for_croatia_hr.pdf. Subsequent mentions: Croatian Government (2021), Recovery and Resilience Plan 2021-2026.

We address the most relevant of these and other issues arising from the Croatian National Recovery and Resilience Plan (RRP) in the next sections:⁴

- Digital transformation and employment – smartworking in the chapter on ‘Public administration, judiciary and state property’ (p. 50, p. 536);
- Mobility for persons with disabilities: green transport in the chapter on ‘Green – Transition’ (p. 54), transport benefits in the chapter on ‘Economy’ (pp. 271, 272, 451), together with investments in development and use of autonomous vehicles (pp. 479 and 815);
- Involvement in the development of tourism, greater participation of persons with disabilities as employees and guests in the chapter on ‘Economy / Development of sustainable, innovative and resilient tourism’ (p. 454);
- Education: development of accessible infrastructure (p. 903), greater involvement of children with disabilities in early childhood education (p. 851) in the chapter on ‘Education, science and research’;
- Development of accessible services in public administration in the chapter on ‘Public administration, judiciary and state property’ (p. 815);
- Development of social services: training and inclusion of more experts for non-institutional services (p. 917), harmonisation and unification of social benefits (p.945), introduction of social mentoring services (p. 949), deinstitutionalisation (p. 954) in the chapter on ‘Labour market and social protection’;
- Central Health Information System (CEZIH): through the CEZIH all citizens of Croatia, especially those who belong to one of the vulnerable groups (chronically ill patients, cancer patients, elderly people, persons with disabilities, people in self-isolation, etc.), are able to have certain health needs met without coming to the doctor’s office.

Two strategic documents and the adoption of several laws and operational plans are cited as a prerequisite for the implementation of programme measures. These are:

- National plan for the development of social services for the period 2021 to 2027⁵ and National plan for equalising opportunities for persons with disabilities for the period from 2021 to 2027⁶ (p. 956);
- Action plan for the development of social services for the period from 2021 to 2024;
- New Law on Social Welfare;

⁴ Croatian Government (2021), *Recovery and Resilience Plan 2021-2026*.

⁵ Government of the Republic of Croatia (2021), *Odluka o donošenju nacionalnog plana razvoja socijalnih usluga za razdoblje od 2021. do 2027. godine i akcijskog plana razvoja socijalnih usluga za razdoblje od 2021. do 2024. godine* (Decision on the adoption of the National plan for the development of social services for the period from 2021 to 2027 and the Action plan for the development of social services for the period from 2021 to 2024). NN 136/2021, https://narodne-novine.nn.hr/clanci/sluzbeni/full/2021_12_136_2240.html. Subsequent mentions: Croatian Government (2021), National Plan 2021-2027 and Action Plan 2021-2024.

⁶ Government of the Republic of Croatia (2021), Decision on the adoption of the National Plan for Equalisation of Opportunities for Persons with Disabilities 2021-2027. Following consultation and Action Plan for Equalisation of Opportunities for Persons with Disabilities for the period 2021-2027 and Action Plan 2021-2024, https://narodne-novine.nn.hr/clanci/sluzbeni/2021_12_143_2440.html. Subsequent mentions: Croatian Government (2021), *National Plan PWD 2021-2027* and *Action Plan 2021-2024*.

- The National Health Development Plan for 2021-2027 and the Action Plan for Health Development for the period from 2021 to 2025. One of the goals is the prevention of disability caused by the most common risk factors;
- Standards of operating procedures for associate family⁷ (family social workers);
- Operational plans for the implementation of the process of transformation and deinstitutionalisation of homes for children and young people, as well as children with developmental disabilities and adults with disabilities, operated by the Republic of Croatia (p. 956);
- New Law on inclusive allowance (p. 948).

More calls are planned for projects aimed at persons with disabilities:

- Improving the Access of Vulnerable Groups to the Labour Market in the Tourism and Hospitality Sector II;
- Deinstitutionalisation projects, most of which relate to the transformation of social welfare institutions (21 projects);
- Support for the Ongoing Process of the Deinstitutionalisation and Transformation of Social Welfare Homes for Persons with Disabilities;
- Improving Infrastructure for Providing Social Services in the Community for Persons with Disabilities as Support for the Deinstitutionalization Process – Phase I;
- ESF+ funds will enable investment in awareness-raising activities among employees.

The National Reform Programme 2022 (NRP)⁸ includes measures and activities from the RRP planned for 2022:

- implementation of the National Plan for Equalisation of Opportunities for Persons with Disabilities 2021-2027;
- implementation of the Action Plan for Equalisation of Opportunities for Persons with Disabilities 2021-2024;
- awarding of grants for the call Improving the Access of Vulnerable Groups to the Labour Market in the Tourism and Hospitality Sector (phase II);
- consolidating benefits for persons at risk of poverty and persons with disabilities (in 2022 providing analysis for drafting recommendations and a proposal for normative regulation);
- support for the ongoing process of deinstitutionalisation (transformation of social welfare homes for persons with disabilities);
- improving infrastructure for providing social services in the community for persons with disabilities as support for the deinstitutionalisation process and preventing institutionalisation;
- strengthening the capacity of community service professionals (hiring additional professionals and continuing training in improving professional competencies);
- development and implementation of social mentoring services;
- investments in awareness-raising activities among employees;

⁷ *Obiteljski suradnik*.

⁸ Government of the Republic of Croatia (2022) *National Reform Programme 2022 (NRP)*: https://ec.europa.eu/info/sites/default/files/national_reform_programme_croatia_2022_en.pdf. Subsequent mentions: Croatian Government (2022), *NRP 2022*.

- ensuring that persons with disabilities are included in the use of tourism services (ESF+ grants);
- promoting healthy living to increase life expectancy and quality of life by increasing the number of years of healthy life or years without disease and/or disability;
- meet certain health needs online through the CEZIH;
- digital accessibility (transposition and implementation of Directive (EU) 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of public sector websites and mobile applications);
- implementing activities to modernise the public transport system with special attention to the needs of persons with disabilities and the elderly.

2.3 Semester links to CRPD and national disability action plans

Relevant recommendations and issues arising from participation in the United Nations Convention on the Rights of Persons with Disabilities (CRPD) are highlighted in each section.

It is important that Semester plans align with national disability strategy. In Croatia, this refers to the National Plan for Equalisation of Opportunities for Persons with Disabilities 2021-2027. Following consultation, a new National Plan for Equalisation of Opportunities for Persons with Disabilities 2021-2027⁹ was adopted in December 2021, with a corresponding Action Plan for Equalisation of Opportunities for Persons with Disabilities for the period 2021-2024.¹⁰ This national action plan is mentioned in the 2022 NRP.

The key areas covered by the National Plan for Equalisation of Opportunities for Persons with Disabilities 2021-2027 are:

1. family;
2. life in the community;
3. education;
4. healthcare;
5. social care;
6. housing, mobility and accessibility;
7. professional rehabilitation, employment and work, and pension insurance;
8. legal protection and protection from violence and abuse;
9. information, communication and awareness-raising;
10. participation in cultural life;
11. participation in political and public life;
12. research and development;
13. recreation, hobbies and sports;
14. situations of risk and humanitarian crisis;
15. organisations of persons with disabilities in civil society; and
16. international cooperation.

⁹ Croatian Government (2021), *National Plan PWD 2021-2027 and Action Plan 2021-2024*.

¹⁰ Croatian Government (2021), *National Plan PWD 2021-2027 and Action Plan 2021-2024*.

Two strategic goals are listed in the Action Plan for Equalisation of Opportunities for Persons with Disabilities for the period 2021-2024: (1) Educated and employed people; (2) A healthy, active and quality life. They contain areas from the National Plan.¹¹

Relevant recommendations arising from participation in the UN CRPD are highlighted in the following sections. The last UN CRPD Committee recommendations to Croatia were in 2015,¹² the most recent submission by Croatia was in 2021¹³ and the most recent response from the Committee was the 2020 List of Issues.

¹¹ Croatian Government (2021), *National Plan PWD 2021-2027 and Action Plan 2021-2024*.

¹² UN Committee on the Rights of Persons with Disabilities (2015), *Concluding observations on the initial report of Croatia*, <https://digitallibrary.un.org/record/811107>. Subsequent mentions: UN Committee on RPD (2015), *Concluding observations*.

¹³ Ministry of Labour, Pension System, Family and Social Policy (2021), *Second, Third and Fourth Periodic Report of the Republic of Croatia Following the Convention on the Rights of Persons with Disabilities*: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fHRV%2f2-4&Lang=en. Subsequent mentions: Ministry of Labour, Pension System, Family and Social Policy (2021), *Second, Third and Fourth Periodic Report*.

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:¹⁴

[Article 27 UN CRPD](#) addresses ‘Work and employment’.

‘42. The Committee recommends that the State party develop and implement, in cooperation with organizations of persons with disabilities, a plan of action to increase the employment of persons with disabilities in the open labour market. It recommends that the quota system is complemented with other incentives for employers to hire persons with disabilities. Disincentives to employment for persons with disabilities 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 most recent CRPD development is the 2020 List of Issues¹⁵ and the State’s response in 2021. Key issues identified by the UN Committee on the Rights of Persons with Disabilities in the List of issues prior to submission of the combined second to fourth periodic reports of Croatia:

- a) The status of development of an action plan for the employment of persons with disabilities;
- b) Results achieved through the implementation of the new Act on Professional Rehabilitation and Employment of Persons with Disabilities (2015), including data;
- c) The sanctions taken for non-compliance of mandatory quotas and for the denial of reasonable accommodation.

The Second, Third and Fourth Periodic Report of the Republic of Croatia Ministry of Labour, Pension System, Family and Social Policy following the UN CRPD (2021)¹⁶ lists the following priority activities in the field of work and employment:

Work and employment (Q25 a, b, c)
(149) Thanks to the introduction of a quota system of employment, the implementation of a new model of professional rehabilitation, as well as the implementation of measures to encourage the employment of PWD, positive trends in the labour market have been recorded.
(150) The increase in the number of employed PWD was contributed by active employment policy measures within the competence of the CES.

3.1 Summary of the labour market situation of persons with disabilities

According to the Social Scoreboard indicator, cited in the European Semester Country Report for 2022, the disability employment gap in Croatia is considered a ‘Critical situation’ (p. 44).¹⁷

¹⁴ UN Committee on RPD (2015), *Concluding observations*.

¹⁵ UN Committee on the Rights of Persons with Disabilities (2020), List of issues prior to submission of the combined second to fourth reports of Croatia, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fHRV%2fQPR%2f2-4&Lang=en.

¹⁶ Ministry of Labour, Pension System, Family and Social Policy (2021), *Second, Third and Fourth Periodic Report*.

¹⁷ EC (2022), CR for 2022.

Data from EU-SILC indicate an employment rate for persons with disabilities in Croatia of 36.9 % in 2020, compared to 69.4 % for other persons. This results in an estimated disability employment gap of approximately 33 % points (estimated EU27 average gap 24.5, see Tables 2-4) or an employment chances ratio of 0.5 %. Statistics subsequently published on the Eurostat database indicate a disability employment gap of 32.9 percentage points in 2020, using a slightly different methodology, falling to 28.7 points in 2021.¹⁸

The same data indicate unemployment rates of 28.7 % and 16.0 %, respectively, in 2020 (see Tables 5-7) and the economic activity rate for persons with disabilities in Croatia was 51.8 %, compared to 82.7 % for other persons (see Tables 8-10). These indications are broken down by gender and age in the respective tables in Annex.

As of 31 December 2021, a total of 125 715 unemployed persons were registered in the records of the Croatian Employment Service. Of that number, 6 179 were persons with disabilities, which is 4.9 % of the total population of unemployed persons registered in the Service's records. In 2020, 6 231 unemployed persons with disabilities were registered, i.e. 0.8 % more than this year.¹⁹ Looking at unemployed persons with disabilities with regard to their previous work experience, it is evident that 1 792 persons or 29 % of persons with disabilities have no work experience at all. In terms of the type of disability, most unemployed persons with disabilities are persons with intellectual disabilities, 1 810 of them, or 29.3 % of the total number of unemployed persons with disabilities.

During 2021, according to the records of the Croatian Employment Service, a total of 2 740 persons with disabilities were newly employed.²⁰ Compared to 2020, when 2 475 persons with disabilities were newly employed, this is an increase of 10.7 %, but it is less than 2019 and significantly less than 2017 or 2018 (before the years of the COVID-19 pandemic).²¹ In the period from 1 January to 30 June 2022, a total of 72 766 persons were newly employed through the mediation of the Croatian Employment Service, of whom 1 720 were persons with disabilities. Comparing the employment results with the same period in 2021, an increase of 12.5 % can be seen. Employment of persons with disabilities is once again at the same level as in the first six months of 2019, before the COVID-19 epidemic when 1 721 persons with disabilities were newly employed.²²

¹⁸ Eurostat (2022) Disability employment gap by level of activity limitation and sex (source EU-SILC), https://ec.europa.eu/eurostat/databrowser/view/hith_dlm200/default/table.

¹⁹ Croatian Employment Service /CES (2022), *Izvešće o aktivnostima Hrvatskoga zavoda za zapošljavanje u području zapošljavanja osoba s invaliditetom u razdoblju od 1. siječnja do 31. prosinca 2021. godine* (Report on the activities of the Croatian Employment Service in the employment of people with disabilities in the period from 1 January to 31 December 2021), <https://www.hzz.hr/statistika/statistika-zaposljavanja-osobe-s-invaliditetom-2021.php>. Subsequent mentions: CES (2022), *Report on the Activities with PWD in 2021*.

²⁰ CES (2022), *Report on the Activities with PWD in 2021*.

²¹ CES (2022), *Report on the Activities with PWD in 2021*.

²² Croatian Employment Service /CES (2022), *Izvešće o aktivnostima Hrvatskoga zavoda za zapošljavanje u području zapošljavanja osoba s invaliditetom u razdoblju od 1. siječnja do 30. lipnja 2022. godine* (Report on the activities of the Croatian Employment Service in the employment of people with disabilities in the period from 1 January to 30 June 2022), <https://www.hzz.hr/statistika/statistika-zaposljavanja-osobe-s-invaliditetom.php>.

3.2 Analysis of labour market policies relevant to the Semester

The following strategies are relevant for labour market policies in 2022: National Reform Programme, the Recovery and Resilience Plan for Croatia and the National Plan for Equalisation of Opportunities for Persons with Disabilities 2021-2027. The employment of persons with disabilities is linked to several parts of the RRP. It is mentioned in relation to greater inclusion in education (see Section 5), ensuring mobility and accessibility as a prerequisite for coming to work, and inclusion in prosperous sectors (tourism). Individualised social services (for example, social mentors) should contribute to this by helping people to get to work and with the work itself. The development and introduction of a hybrid model of work (smartworking from home and online) is cited as an important form of employment for persons with disabilities.

Certain activities in the employment of persons with disabilities are also listed in the Convergence Programme 2022-2024.²³ A significant reduction in the number of disability pension beneficiaries is projected by 2070, which is the result of stricter criteria for exercising the right to a disability pension (p. 46). In order to reduce the risk of poverty and social exclusion, special attention will be paid to the development and accessibility of social services for particularly vulnerable groups as well as to the implementation of employment measures and the promotion of lifelong learning with the goal of adapting to labour market needs.

The National Plan for Equalisation of Opportunities for Persons with Disabilities 2021-2027 has a special section related to professional rehabilitation, employment, work and pension insurance (item 7, p. 11).²⁴ The following points are included in it:

- further development and improvement of the services of professional rehabilitation and professional guidance for persons with disabilities, with the aim of their quality preparation for employment;
- continuous implementation of measures to encourage employment and maintain employment of persons with disabilities;
- strengthening the capacity of the Croatian Employment Service, the Institute for Expertise, Professional Rehabilitation and Employment of Persons with Disabilities and Centres for Professional Rehabilitation, in order to provide quality services for persons with disabilities (p. 11).

In the Action Plan for Equalisation of Opportunities for Persons with Disabilities for the period 2021-2024, employment and education are linked within a common strategic goal: 'Educated and employed people'. The operational goal 'Improvement of the employment system of persons with disabilities' has been singled out. The aim of the measures related to this goal is to ensure quality preparation for employment through the inclusion of persons with disabilities in professional rehabilitation services, as well as professional guidance services. The second activity refers to the 'Implementation of an active employment policy for persons with disabilities'. As part of this activity,

²³ Government of the Republic of Croatia (2021), *Convergence Programme of the Republic of Croatia for the period 2022-2024*, <https://mfin.gov.hr/highlights-2848/croatia-and-the-eu/economic-programs-within-the-eu/convergence-programme/2906>. Subsequent mentions: Croatian Government (2021), *Convergence Programme 2022-2024*.

²⁴ Croatian Government (2021), *National Plan PWD 2021-2027 and Action Plan 2021-2024*.

EUR 18.6 million (HRK 140 million) is planned for facilitation and incentives in the employment of persons with disabilities in 2022 (p. 8).

The quota system is considered by the Government to be an important instrument by which the state seeks to increase the employment of persons with disabilities prescribed by the Act on Professional Rehabilitation and Employment of Persons with Disabilities²⁵ and is elaborated in the relevant Ordinance on Determining Quotas for the Employment of Persons with Disabilities.²⁶ Funds collected from employers for non-fulfilment of the quota employment obligation for persons with disabilities are one of the most important financial incentives for the integration of persons with disabilities into the world of work. The quota for a particular month includes only persons with disabilities who are entered in the register²⁷ on the last day of month. The RRP does not elaborate on how quota employment will be further implemented. There has been no major improvement in the performance of the quota system in the companies obliged to employ persons with disabilities.²⁸ In 2021, out of a total of 9 546 employers who are subject to the quota employment obligation, 1 266 employers (13.26 %) fully met the obligation to employ persons with disabilities.²⁹

The greatest increase is in the area of replacement quotas. Employers who do not fulfil their quota obligation use the services of organisations that employ persons with disabilities, instead of directly working with them, and meet the quota obligation that way. In 2015, 93 employers were registered who announced the use of a replacement quota, while on 30 December 2020, 766 employers were registered.³⁰ An increasing number of employers decide to cooperate with protective and integrative workshops in order to fulfil the obligation of quota employment, which results in a greater number of announcements of alternative fulfilment of the obligation of quota employment. The Ombudsman for Persons with Disabilities positively assesses the replacement quotas because they also promote the employability of persons with disabilities.³¹ Employers are able to fulfil this obligation in the way that suits them best, depending on their

²⁵ Act on Professional Rehabilitation and Employment of Persons with Disabilities (*Zakon o profesionalnoj rehabilitaciji i zapošljavanju osoba s invaliditetom*), 20 March 2020. *Narodne novine* (People's Newspaper, or official gazette) 157/13, 152/14, 39/18 and 32/20, <https://www.zakon.hr/z/493/Zakon-o-profesionalnoj-rehabilitaciji-i-zapo%C5%A1ljavanju-osoba-s-invaliditetom>.

²⁶ Ministry of Labour, Pension System, Family and Social Policy (2020), Ordinance on determining quotas for the employment of persons with disabilities (*Pravilnik o utvrđivanju kvota za zapošljavanje osoba s invaliditetom*), https://narodne-novine.nn.hr/clanci/sluzbeni/2020_12_145_2806.html.

²⁷ The new Act on the Register of Persons with Disabilities was in the process of being adopted in September 2022. It will regulate the method of collecting data on the cause, type, degree and severity of health impairment of persons with disabilities in the Register of Persons with Disabilities, as well as the method of processing, use and protection of data on persons with disabilities kept in the Register.

²⁸ Ombudsman for Persons with Disabilities (2022) Report for 2021.

²⁹ Institute for Expert Evaluation, Professional Rehabilitation and Employment of People with Disabilities / ZOSI (2022) *Godišnje izvješće za 2021. Godinu* (Annual report for 2021): <https://vlada.gov.hr/UserDocsImages//2016/Sjednice/2022/Svibanj/119%20sjednica%20VRH//119%20-%2015%20Izvj%C5%A1%20C4%87e.doc>. Subsequent mentions: ZOSI (2022) *Annual report for 2021*.

³⁰ Ministry of Labour, Pension System, Family and Social Policy (2021), *Second, Third and Fourth Periodic Report*.

³¹ Ombudsman for Persons with Disabilities (2022) *Report for 2021*.

activity and financial capabilities. The monthly fee for the replacement quota in 2021 amounted to EUR 112.80 (HRK 850) per month.

Another important tool for the employment of persons with disabilities are employment incentives. In 2021, two new types of incentives were introduced: co-financing of transportation costs and co-financing of the costs of professional workers and work instructors in protective and integrative workshops. This affects the increase in requirements and payment of incentives. In 2021, 14 % more incentives were paid than in 2020 or 23 % more than in 2018 (Table 11).

In July 2022, the public debate on the Amendments to the Labour Act began. The Government expects that these changes will have positive effects for persons with disabilities. This includes more thorough arrangements for working in a separate place of work, such as work from the worker's home or otherwise remotely. The proposal regulates the obligations and rights of the employer and the obligations and rights of the worker, especially the right to work from home in case of personal needs of the worker (illness or disability, providing personal care to a member of the immediate family or household) in accordance with the requirements on flexible working conditions, Directive (EU) 2019/1158.³²

³² Ministry of Labour, Pension System, Family and Social Policy (2022), Draft proposal of the Law on Amendments to the Labour Law (*Nacrt prijedloga Zakona o izmjenama i dopunama Zakona o radu*), <https://esavjetovanja.gov.hr/ECon/MainScreen?entityId=21184>.

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’.

‘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’.

‘30. The Committee recommends that the process of deinstitutionalization include all residential institutions and foster homes for all persons with disabilities. 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 persons with disabilities.’

[Article 25 UN CRPD](#) addresses ‘Health’.

‘38. The Committee recommends that further efforts be made to ensure that people with disabilities who do not have compulsory health-care insurance have access to health-care facilities. The Committee also recommends that access to mainstream health services, including sexual and reproductive health services, are made accessible to people with disabilities, especially in rural areas. It also recommends that health professionals in mainstream health services are urgently trained in treating persons with disabilities and respecting the rights enshrined in the Convention.’

The most recent CRPD development was the 2020 List of Issues and the State’s response in 2021.

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 2020, compared to 11.6 % for other persons of similar age – an estimated disability poverty gap of approximately 15 percentage points (see Table 15). For people aged over 65, the disability poverty gap was 14.9 points (35.5 % for older persons with disabilities and 20.6 % for other persons of similar age). The tables in the Annex also indicate the respective rates of risk of poverty or social exclusion and break these down by gender as well as age. Recently updated data from Eurostat indicate the relative risk for the working age disabled population reduced slightly to 26.1 %, but it rose for the older age group to 36.8 % in 2021.³³ While these data indicate that social policies in general bring more positive effects for the younger working age population it would be difficult to identify a single measure that contributed to this particular change in the risk rate in 2021. The policy changes described below, especially the new Law on Social Welfare, mostly took

³³ Eurostat (2022), People at risk of poverty by level of activity limitation, sex and age, https://ec.europa.eu/eurostat/databrowser/view/HLTH_DPE020_custom_3348056.

place in 2022 so no data are available yet which could show their possible effects on the poverty risk rate.

For persons with disabilities of working age in Croatia (aged 18-64) the risk of poverty before social transfers was 49.8 % and 26.8 % after transfers. The in-work poverty rate for persons with disabilities in this age range was 8.0 % in 2020, and 7.5 % in 2021.³⁴

Of interest for health policy are the data on self-reported unmet needs for medical examination (too expensive or too far to travel or waiting list). Disability equality gaps are evident here too and, on this basis, the rate for persons with disabilities in Croatia was 3.9 %, compared to 0.3 % for other persons in 2020.

4.2 Analysis of social policies relevant to the Semester

For reference, see the 2022 National Reform Programme, the Recovery and Resilience Plan for Croatia and the National Plan for Equalisation of Opportunities for Persons with Disabilities 2021-2027.

The National Plan for Equalisation of Opportunities for Persons with Disabilities 2021-2027 has a special section related to social care and healthcare (points 4 and 5, p. 9). The following points are included in it:

- further improvement of the legislative framework in order to ensure an independent lives of people with disabilities and their right to freedom of choice and control of their own lives;
- further education of professional workers in the social welfare system on the rights of persons with disabilities (right to choose, sexual and reproductive rights of persons with disabilities, right to life in community, the right to legal capacity);
- ensuring the availability of information in an accessible form on the rights of persons with disabilities;
- further implementation of preventive activities aimed at preventing disability and severe health impairment;
- continuous harmonisation of the Ordinance on orthopaedic and other aids with modern achievements of technical and medical sciences in accordance with the needs of persons with disabilities;
- the need to adopt the National Strategic Plan for early intervention during childhood;
- further provision of accessibility and information support for persons with disabilities in all healthcare institutions;
- ensuring the education of health workers on the peculiarities of diseases and conditions of persons with disabilities, on methods of communication and dealing with persons with disabilities; and
- further improvement of the quality of healthcare for Croatian military persons with disabilities from the Homeland War and Croatian veterans with disabilities.

³⁴ Eurostat (2022) In-work at-risk-of-poverty rate by level of activity limitation, sex and age, https://ec.europa.eu/eurostat/databrowser/view/hlth_dpe050/default/table.

The RRP³⁵/NRP,³⁶ in measure C4.3 ‘Improvement of the social welfare system – Transparency and adequacy of social benefits in the social protection system’, plans the reform of benefits in the social welfare system (p. 945) The aim of the reform is initially to increase the adequacy of the main social benefits aimed at the most vulnerable groups in society and to reduce inequality, provide administrative relief and ensure transparency of the system as well as faster and more efficient realisation of benefits by consolidating existing social benefits intended to reduce poverty into one benefit and consolidating the existing social benefits intended for persons with disabilities into one benefit.

Law on Social Welfare

The biggest change in the field of social welfare is the adoption of the new Law on Social Welfare,³⁷ which did solve some of the previously existing problems, although some problems remain. As positive news, the Ombudsman for Persons with Disabilities highlights the abolition of all means testing for exercising the right to personal disability allowance and allowance for assistance and care for people with severe disabilities. The greatest shortcomings of the new law are the fact that the inclusive allowance was still not introduced (the Government has announced that it is planning to pass a law on the inclusive allowance)³⁸ and that personal assistance services are still not regulated by the law.³⁹

Personal assistants

The issue of personal assistants was also brought to the centre of attention by the event in which Vesna Škulić, a former Member of Parliament and a person with disabilities, was attacked by a woman who provided her with assistance.⁴⁰ Since 2006, the personal assistance service has been provided exclusively through projects and is not legally regulated. There is no quality control or effective mechanism for inspecting and supervising the work of personal assistants and no established procedure for hiring personal assistants. Personal assistants also receive very low wages and are not able to find stable employment as assistants.

Personal disability allowance

Personal disability allowance represents a benefit whose purpose is to equalise the position of persons with the most severe disabilities compared to persons without disabilities, therefore it should depend solely on the degree of severity of the disability. It represents a positive shift that, according to the new Law on Social Welfare,⁴¹

³⁵ Croatian Government (2021), *Recovery and Resilience Plan 2021-2026*.

³⁶ Croatian Government (2021), *NRP 2022*.

³⁷ Law on Social Welfare (*Zakon o socijalnoj skrbi*), Official Gazette 18/22, 46/22, <https://www.zakon.hr/z/222/Zakon-o-socijalnoj-skrbi>. Subsequent mentions: Law on Social Welfare (2022).

³⁸ Ministry of Labour, Pension System, Family and Social Policy (2022), *Održana sjednica Povjerenstva Vlade RH za osobe s invaliditetom* (The session of the Commission of the Government of the Republic of Croatia for persons with disabilities was held), <https://mrosp.gov.hr/vijesti/odrzana-sjednica-povjerenstva-vlade-rh-za-osobe-s-invaliditetom/12753>.

³⁹ Ombudsman for Persons with Disabilities (2022) *Report for 2021*.

⁴⁰ N1 (2022), *Napadnuta bivša saborska zastupnica: 'Noćas sam skoro bila ubijena'* ('Former member of parliament attacked: "I was almost killed tonight"'), 15 June 2022, <https://hr.n1info.com/vijesti/napadnuta-bivsa-saborska-zastupnica-nocas-sam-skoro-bila-ubijena/>.

⁴¹ Law on Social Welfare (2022).

personal disability allowance depends only on the level of disability and no other factors (income, etc.).

The biggest problem related to personal disability allowance concerns citizens who have been receiving personal disability allowance for years and then lost it because, in the expert examination process, they were no longer assessed as having a severe disability. It often happened that a new expert opinion established a higher degree of functional ability than the earlier expert examination. This means that the individual, instead of having the right to personal disability allowance, will only be able to exercise the right to an allowance for assistance and care, which means a reduction of the monthly allowance from EUR 199.20 (HRK 1 500) to EUR 79.60 (HRK 600), as well as the loss of the status of 'at-risk energy customer'. Persons with disabilities have often complained that there was no explanation of the reasons why they were diagnosed with a milder impairment / disability compared to the earlier expert opinion. There have been complaints regarding provision according to which persons who exercise the right to personal disability allowance in some other systems, regardless of the amount, cannot in any way obtain personal disability allowance in the social welfare system as a more favourable right.⁴²

Caregiver status

The new Law on Social Welfare⁴³ did not enable persons with disabilities to be involved in any way in the termination a parent's right to the status of caregiver. The Ombudsman for Persons with Disabilities has received several inquiries from persons with disabilities about the possibility of personally influencing the termination of the status, most often due to their intention to get married, but also for other reasons (going to university, preferred use of the service of a personal assistant, etc.).⁴⁴ The new Law states that the prior consent of a person with disabilities or their legal representative is required for the recognition of the right of a caregiver, while the person with disabilities still has no influence over termination of this status.

The new Law on Social Welfare has expanded the circle of possible caregivers in the family, but it does not provide for the possibility of exercising rights for people who need support in the family and do not have family or household members who want and can provide it. If there are no family members who want to have the status of caregiver, or the person has no family members, or the person with disabilities does not want the support of a family member but would prefer another person, they are put in a disadvantageous position, since the status is limited to household members. The new Law also did not change the provisions that determine the severity and type of disability of a person for whom a caregiver can claim the right to caregiver status. Namely, currently people with severe impairments are placed in an unequal position, depending on whether they have a complete lack of mobility or some other type of severe disability, because in this case it is not enough to have only one, but two types of severe disability should be determined. This means that a person with extremely severe intellectual disabilities cannot use this right if they have motor skills, even though they need help to perform even the simplest activities.

⁴² Ombudsman for Persons with Disabilities (2022) *Report for 2021*.

⁴³ Law on Social Welfare (2022).

⁴⁴ Ombudsman for Persons with Disabilities (2022) *Report for 2021*.

Disability pensions

The RRP (as well as the NRP)⁴⁵, in measure C 4.2.⁴⁶ ‘Increasing the adequacy of pensions through the continuation of pension reform’, talks about the need to reform family pensions (p. 941). So far, it has not been possible to use part of the family pension while retaining the personal pension, but the Government has announced that this problem will be solved through amendments to the Pension Insurance Act.⁴⁷ Until now, it was not possible to receive two pensions, but through these changes it would be possible to use a part of the family pension while retaining the personal pension in the event of the death of the spouse or partner.

Exercising rights in the field of social welfare

Rights in the social welfare system are realised through an administrative procedure, the actions of which are undertaken in accordance with the Law on General Administrative Procedure.⁴⁸ During such actions, knowledge of the rights of all parties in the exercising of social rights is assumed. Insufficient familiarisation with the rights of citizens as parties to the proceedings (e.g. submission of requests, rights to legal remedies, etc.) and a lack of clarity about the consequences of individual actions and decisions by both the administrative bodies and parties make it difficult to exercise the rights of persons with disabilities in the social welfare system. Consequently, the process fails to adequately resolve the difficulties and problems encountered by persons with disabilities in exercising their rights and creates distrust towards the institutions.⁴⁹

Expertise

2021 is the second year in which expert examinations in all regional offices of the Institute for Expertise, Professional Rehabilitation and Employment of Persons with Disabilities were conducted in accordance with epidemiological measures under the influence of the COVID-19 pandemic, which means without a personal examination and mostly based on medical documentation. Although in cases where the medical documentation is deficient and does not contain essential elements, the person is invited to complete the medical documentation or is invited to a personal examination, an expert examination based on an inspection of the medical documentation was carried out in a total of 70 % of cases, with 30 % involving personal examination. Assessment / expertise based on medical documentation significantly shortened the time of the procedure itself, which also shortened the deadlines of administrative procedures for the recognition of certain rights in different systems. However, the Ombudsman for Persons with Disabilities has emphasised the importance of the personal examination, which contributes to the quality of the assessment.⁵⁰

⁴⁵ Croatian Government (2022), *NRP 2022*.

⁴⁶ Croatian Government (2021), *Recovery and Resilience Plan 2021-2026*.

⁴⁷ Government of the Republic of Croatia (2022), *Korištenje dijela obiteljske mirovine uz zadržavanje osobne mirovine važna novina u hrvatskom mirovinskom sustavu* (Using part of the family pension while retaining the personal pension is an important innovation in the Croatian pension system), <https://vlada.gov.hr/vijesti/koristenje-dijela-obiteljske-mirovine-uz-zadrzavanje-osobne-mirovine-vazna-novina-u-hrvatskom-mirovinskom-sustavu/35738>.

⁴⁸ Law on General Administrative Procedure (*Zakon o općem upravnom postupku*), Official Gazette 47/09, 110/21, <https://www.zakon.hr/z/65/Zakon-o-op%C4%87em-upravnom-postupku>).

⁴⁹ Ombudsman for Persons with Disabilities (2022) *Report for 2021*.

⁵⁰ Ombudsman for Persons with Disabilities (2022) *Report for 2021*.

Reasonable accommodation in healthcare

The Ombudsman for Persons with Disabilities believes that there is a problem regarding the application of reasonable accommodation in the healthcare system in relation to the approach of and communication between medical personnel and children with disabilities and their parents, as well as adults with disabilities. There are also problems related to the organisation of medical transport and the very long waiting times for medical transport for persons with disabilities.⁵¹

⁵¹ Ombudsman for Persons with Disabilities (2022), *Report for 2021*.

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 persons with disabilities 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 persons with disabilities.'

The most recent CRPD development is the 2020 List of Issues and the State's response in 2021.

5.1 Summary of the educational situation of persons with disabilities

The EU-SILC 2020 estimates concerning educational attainment should be treated with caution due to relatively wide confidence intervals but they consistently indicate disability equality gaps (an average of 2-3 years provides a more stable indication). Table 19 indicates early school leaving rates disaggregated by disability status in Croatia. Young people with disabilities (aged 18-24) tend to leave school early significantly more than non-disabled peers of the same age groups (and this is reinforced by widening the sample size to age 18-29). Table 20 shows completion rates of tertiary education disaggregated by disability and age group. Persons with disabilities (aged 30-34) are less likely to complete tertiary education than their peers (and this is reinforced in the wider age range 30-39).

In the school year 2021/22 there were 30 747 children with disabilities in primary and secondary education. Of these, 3 044 were attending special schools and 27 703 were attending regular schools (22 498 primary schools and 5 205 secondary schools).⁵²

Impact of COVID-19 pandemic

The COVID-19 pandemic and the organisation of distance learning highlighted certain aspects of the unequal position of students with developmental disabilities and general weaknesses of the education system. But at the same time, it showed that certain students, including students with developmental disabilities, can make more progress in some other forms of education, which are still not completed and formally regulated. The Ombudsman for Persons with Disabilities conducted an online survey on the organisation of classes for students with developmental disabilities during the COVID-19 pandemic.⁵³ The results showed that for certain students with developmental

⁵² Ministry of Science and Education (2022), School e-Mine-tool (ŠeR - Školski e-Rudnik): <https://app.powerbi.com/view?r=eyJrIjojZWE3YTE4OWQtOWJmNC00OTJmLWE2MjktYTQ5MWJlNDNiZDQ0IiwidCI6IjJMTFjYmNjLWI3NjEtNDVhYi1hOWY1LTRhYzc3ZTk0ZTFkNCIsImMiOjIjOj9>.

⁵³ Ombudsman for Persons with Disabilities (2021), *Prikaz i analiza dobivenih rezultata ankete o organizaciji nastave za učenike s teškoćama u razvoju tijekom epidemije bolesti COVID-19* (Presentation and analysis of the survey results on the organization of classes for students with

difficulties, distance learning proved to be a high-quality way of removing obstacles that arise from the interaction between their difficulties and environmental factors. These students were able to independently organise their time so that they could work when they were most able to concentrate and could take more frequent breaks, etc. However, the overall conclusion of the analysis is that teaching for students with developmental disabilities, and especially students with more significant developmental disabilities in special education programmes, should take place in school premises and that adequate premises and necessary transportation should be provided according to need, to ensure that epidemiological measures are respected. Namely, it is emphasised that students with developmental disabilities need interactive monitoring and guidance from the teacher to be able to understand and master the teaching material.

5.2 Analysis of education policies relevant to the Semester

For reference, see the 2022 National Reform Programme, the Recovery and Resilience Plan for Croatia and the National Plan for Equalisation of Opportunities for Persons with Disabilities 2021-2027.

The National Plan for Equalisation of Opportunities for Persons with Disabilities 2021-2027 has a special section related to education (item 3, p. 8). The following points are included in it:

- improvement of the education system for children / pupils with developmental disabilities and university students with disabilities;
- professional development of teachers and professional associates for planning individualised curricula for working with students with developmental disabilities;
- improving the availability and completion of higher education with an individual approach according to the type of disability;
- encouraging projects of civil society organisations with the aim of providing non-institutional forms of support to students with developmental disabilities in education.

Inclusion in kindergartens

Children with developmental disabilities and their parents continue to face restrictions in access to preschool education. For example, they may be allowed to be in kindergarten only a few days a week, or only for half-days, the possibility of going to kindergarten during the summer months may be limited and the new academic year for children with developmental disabilities very often only starts in October (rather than September, as for other children). This practice is sometimes described by kindergartens as one of the forms of inclusive support, although according to every regulation in the field of preschool education, this can only be considered segregation of a child with developmental disabilities. Therefore, the Ombudsperson for Persons with Disabilities is of the opinion that such practices by preschool institutions represent a violation of the rights of children with developmental disabilities to equal treatment,

developmental disabilities during the COVID-19 epidemic), <https://posi.hr/wp-content/uploads/2021/11/REZULTATI-ANKETE-1.docx>.

that is, they constitute discrimination against children with developmental disabilities and their parents.⁵⁴

In May 2022, amendments were made to the Law on Preschool Education.⁵⁵ The changes also partially apply to children with disabilities. Amendments to the law define the possibility that, in accordance with the needs of children with developmental disabilities, a third educator or an assistant for children with developmental disabilities or a professional communication mediator may work in the educational group. The association of preschool educators pointed out that the above solution is not enough, i.e. the engagement of assistants should be mandatory.⁵⁶ Objections also refer to the insufficient definition of the competencies that this person should have, but additional answers to these questions could be provided by the by-law, the adoption of which was announced by this law.

In the amendments to the law, children with disabilities are also listed as one of the groups that has priority when enrolling in kindergartens. However, how this priority is realised is left to the operator of the kindergarten. Since the changes to the law were passed in May 2022 there has been no information on the possible effects on the enrolment of children in the new academic year (2022/23).

Observation contracts

In the field of preschool education, the new issue of 'observation contracts' has emerged. These contracts define some obligations of the parents during the observation period (e.g. the obligation to attend specialist treatments or check-ups is defined). Often the exact time of arrival and departure from the kindergarten is also included in the contract (e.g. 6:30 a.m. to 10:30 a.m.) which is not the practice for children without developmental difficulties. Such contracts are usually concluded for three months, where the corresponding article of the contract states that after the observation, the parent will be informed 'about the possibility of further attendance at the kindergarten'. This wording suggests that there is also the option that it might not be possible for the child to continue attending the kindergarten, and some parents refused to sign them, which resulted in their child being expelled from the kindergarten, because they cannot stay in the kindergarten without a signed contract. The Ombudsman for Persons with Disabilities stated that if the goal of such contracts is to define the professional process of creating an individual educational programme, the conclusion of a 'contract' is unnecessary, because the planning of an individual programme and form of inclusive support is part of the regular professional work of a preschool institution in relation to a child with developmental disabilities.⁵⁷

⁵⁴ Ombudsman for Persons with Disabilities (2022) *Report for 2021*.

⁵⁵ Law on Preschool Education (*Zakon o predškolskom odgoju i obrazovanju*, *Official Gazette* 10/97, 107/07, 94/13, 98/19, 57/22), <https://www.zakon.hr/z/492/Zakon-o-pred%C5%A1kolskom-odgoju-i-obrazovanju>).

⁵⁶ Srednja.hr (2022), *Vlada usvojila novi prijedlog Zakona o predškolskom, ali struka i dalje nije zadovoljna: Uložili su 30-ak amandmana* (The Government adopted a new proposal for the Law on Preschool education, but the experts are still not satisfied: They made about 30 amendments). 7 April 2022: <https://www.srednja.hr/novosti/vlada-usvojila-novi-prijedlog-zakona-o-predskolskom-ali-struka-i-dalje-nije-zadovoljna-ulozili-su-30-ak-amandmana/>.

⁵⁷ Ombudsman for Persons with Disabilities (2022) *Report for 2021*.

Enrolment in schools

Students with autism spectrum disorders often show rapid progress at a certain developmental age, indicating that they only need a certain amount of time to demonstrate their abilities. However, very often, when enrolling in the first year of primary school, especially for students with autism spectrum disorder who are non-verbal, the school comes to the opinion that they cannot be successful in the regular classroom, but that they need special schooling and that already from the first year of school. The Ombudsman for Persons with Disabilities warns that testing during enrolment in elementary school, as well as the so-called team processing, if the child has not been monitored by a specialist for several years, are certainly not natural situations and cannot be taken as showing that the children / students have fully demonstrated their abilities and possibilities. The consequences of a possible wrong assessment when determining the form of education for individual students can be far-reaching.⁵⁸

Teachers' skills

The problem is ongoing of teachers having insufficient skills in the field of education and the provision of adjustments for students with disabilities, as well as inadequate support for teachers when working with these students. School employees lack the necessary knowledge about teaching students with disabilities, which often leads to parents' perception that the school does not accept their child with developmental disabilities, difficulties in communicating with parents, and difficulties in the education and progress of students with disabilities in general. Regarding support for teachers, there is a trend for schools not to hire professionals (speech therapists, educational rehabilitation experts, etc.), but instead employ teaching assistants as a solution which, considering the above-mentioned challenges, represents an additional problem.⁵⁹

Teaching assistants

The number of teaching assistants has been increasing year on year, but the problem remains that it is primarily part-time employment with extremely low wages that do not allow people who work as teaching assistants or expert communication intermediaries to cover their basic existential needs. Therefore, the applicants for these jobs tend to be people who are long-term unemployed people, young people who are looking for a job, university students or recently retired people who can improve their living standards in this way. It is becoming increasingly difficult to find people who can fully meet the requirements for a teaching assistant. Young people leave after finding a regular job, sometimes only two weeks after starting work as assistants. Re-selection procedures are carried out every year. This means that people who do this job, apart from having no continuity, cannot even be sure that they will be re-selected and they may therefore look for and find another job during the summer. Furthermore, in other less-demanding jobs they can earn a higher salary.⁶⁰

⁵⁸ Ombudsman for Persons with Disabilities (2022) *Report for 2021*.

⁵⁹ Ombudsman for Persons with Disabilities (2022) *Report for 2021*.

⁶⁰ Ombudsman for Persons with Disabilities (2022) *Report for 2021*.

Higher education

In the field of higher education, the lack of a legislative framework is still one of the main problems faced by students with disabilities. Although most higher education institutions make significant efforts and undertake activities to enable people with disabilities to attend university on an equal basis with students without disabilities, there are also contrary examples. Since there are no obligations based on legal provisions or other regulations, higher education for persons with disabilities depends on the goodwill of individuals or the understanding of the individual university.⁶¹

⁶¹ Ombudsman for Persons with Disabilities (2022) *Report for 2021*.

6 Investment priorities in relation to disability

6.1 Updates on use of existing EU funds (up to 2021)

The most common use of EU funds for persons with disabilities was in the area of social services, personal assistance and the deinstitutionalisation process. In the programme for the period 2020 to 2023, 263 programmes run by organisations engaged in social and humanitarian activities, disability organisations and organisations working for the benefit of persons with disabilities have been contracted for a total of EUR 6.5 million (HRK 46.6 million) per year (p. 50).⁶²

The Ministry of Labour, Pension System, Family and Social Policy, the Managing Authority of the Operational Programme Efficient Human Resources 2014-2020, announces the Annual Plan for the publication of calls for proposals for the Operational Programme, with the aim of informing the public and enabling timely preparation of project proposals from potential applicants in response to ESF calls. Through this plan, several calls were announced in 2021.⁶³

The first one is 'Provision of teaching assistants and professional communication mediators for students with disabilities in primary and secondary educational institutions, phase IV'⁶⁴ which is financed from the European Social Fund, within the Operational Programme Efficient Human Resources 2014-2020. Applicants are local self-government units in cooperation with schools. The decision on accepted projects was made on 27 October 2021 with the planned start in December 2021 and implementation in 2022 (it lasts 12 months). EUR 19.4 million (HRK 146.1 million) of support was approved and the total value of the projects was EUR 22.7 million (HRK 171 million). Depending on the level of development, the counties co-finance these projects with amounts from 5 to 15 %. As part of the call, 52 contracts were signed for projects that finance and provide teaching assistants / professional communication mediators for 4 061 students with developmental disabilities.

The second call from the Annual Plan is on 'Improving the access of vulnerable groups to the labour market in the tourism and hospitality sector II'.⁶⁵ The beneficiaries of this call are adult education institutions and professional associations in tourism and hospitality. The goal is for people with disabilities to acquire new skills, so that they

⁶² Croatian Government (2021), *Recovery and Resilience Plan 2021-2026*.

⁶³ Ministry of Labour, Pension System, Family and Social Policy (2021), *Godišnji plan objave Poziva na dostavu projektnih prijedloga s izmjenama* (Annual publication plan of the Call for Proposals with amendments), <http://www.esf.hr/europski-socijalni-fond/razdoblje-2014-2020/godisnji-plan-objave-operacijaprojekata-esf/>.

⁶⁴ European structural and investment funds (2021), *Natječaji Osiguravanje pomoćnika u nastavi i stručnih komunikacijskih posrednika učenicima s teškoćama u razvoju u osnovnoškolskim i srednjoškolskim odgojno-obrazovnim ustanovama, faza IV*. (Calls Providing teaching assistants and professional communication mediators for students with disabilities in primary and secondary educational institutions, phase IV), <https://strukturnifondovi.hr/natjecaji/osiguravanje-pomocnika-u-nastavi-i-strucnih-komunikacijskih-posrednika-ucenicima-s-teskocama-u-razvoju-u-osnovnoskolskim-i-srednjoskolskim-odgojno-obrazovnim-ustanovama-faza-iv/>.

⁶⁵ European structural and investment funds (2021), *Natječaji Poboljšanje pristupa ranjivih skupina tržištu rada u sektoru turizma i ugostiteljstva II*. (Calls Improving the access of vulnerable groups to the labour market in the tourism and hospitality sector II.), <https://strukturnifondovi.hr/natjecaji/poboljsanje-pristupa-ranjivih-skupina-trzistu-rada-u-sektoru-turizma-i-ugostiteljstva-ii/>.

become more employable and more competitive in the labour market. The end users in this call are only persons with disabilities, unlike the first phase of this call where there were also other groups who have difficulties in finding employment. The call was closed on 10 May 2021. In March 2022, a decision was made to finance 14 projects with total funding of EUR 3.6 million (HRK 27.2 million).⁶⁶

6.2 Priorities for future investment (after 2021)

The RRP⁶⁷ in several instances mentions investments that will improve the lives of people with disabilities. Some elements of these investments have already been mentioned in previous sections.

One of the most important and publicly visible plans is to invest in driverless cars that will be run by the Rimac company (Component Economy, measure C1.4. R1-I2). People with disabilities will receive vouchers for free car use after the end of 2025 for the next five years (p. 365).

To ensure more flexible working conditions for persons with disabilities in the future, investments in the development and introduction of a model for a hybrid approach to the workplace – smartworking – is important (Component Public Administration, Judiciary and State Property, Reform Measure C2.2. R2-I2). This way of working is planned in order to ensure greater involvement of people with disabilities in the long terms, if institutions do not provide accessibility (p. 535). The estimated cost of this investment is EUR 9.9 million (HRK 74.7 million).

Investing in social services and the capacity of professionals is an important part of investment within the RRP which enhances quality of life and prevents institutionalisation. Persons with disabilities are explicitly listed as one of the priority user groups. It is planned to invest in strengthening the capacity of professionals to provide services in the community (Component Labour Market and Social Protection, measure C4.3. R3-I1). The estimated cost of this investment is EUR 18.7 million (HRK 141.5 million) (p. 963).

Social mentoring should enable greater inclusion in the community and the labour market (Component Labour Market and Social Protection, measure C4.3. R2-I1). The social mentoring service is a proven method with the objective of helping long-term unemployed people with disabilities (p. 963). The estimated cost of this investment is EUR 13.2 million (HRK 99.6 million).

Recovery and Resilience Facility Operational arrangements between the European Commission and Croatia were signed between the Government and the EC in February 2022. This document elaborates in detail and enables the implementation of the goals from the NRRP.

⁶⁶ Ministry of Science and Education ((2021), *Odluka o financiranju projekata za osiguravanje pomoćnika u nastavi* (Decision on financing projects for providing teaching assistants), <https://strukturfondovi.hr/wp-content/uploads/2021/06/Odluka-o-financiranju-projekata-UP.03.2.1.06..pdf>.

⁶⁷ Croatian Government (2021), *Recovery and Resilience Plan 2021-2026*.

stabilisation and development of organisations of persons with disabilities at the local level.⁷²

The implementation of the ESF+ Efficient Human Resources Programme 2021-2027 will soon begin with a total value of EUR 2.27 billion. In July, the final version of the Efficient Human Resources Programme 2021-2027 was created.⁷³ In autumn 2022, the completion of the formal process and official adoption of the programme is expected, followed by the first ESF+ calls. The new Efficient Human Resources Programme plans to continue investments in areas that were funded in the period 2014-2020. Funding of active employment policy measures will continue, as will funding for teaching assistants for students with disabilities, personal assistants for people with disabilities and scholarships for students from vulnerable groups. Financing of the deinstitutionalisation and transformation process will continue. The continuation of the *Zaželi* programme was particularly highlighted. A total ESF+ investment of EUR 2.27 billion is foreseen (EU share EUR 1.93 billion).

In recent years, investment in the inclusive capacities of teachers and students in the Erasmus+ programme has been significantly increased. In the calls for 2022, inclusivity was highlighted as one of the priorities. Within the framework of approved projects in 2022, persons with disabilities are included as a target group in several programmes proposed by organisations of persons with disabilities. Three projects for organisations of deaf and hard of hearing people were approved. One project for parents of children with disabilities was approved.⁷⁴ In order to further increase the number of persons with disabilities involved, newly elected ambassadors for inclusivity in the Erasmus programme were hired. There are a total of 12 ambassadors for inclusion and diversity and all of them are either specialists in the field of disabilities, are persons with disabilities themselves or work in organisations that work with children or adults with disabilities. In the recent period, they have organised several gatherings at which they informed and encouraged institutions or associations for persons with disabilities to make more use of the opportunities of the Erasmus programme.⁷⁵

In March 2022, the Ministry of Croatian Veterans announced a special public call for the co-financing of projects to address the accessibility of facilities for persons with disabilities with funds from the State Budget of the Republic of Croatia in 2022.⁷⁶ Co-

⁷² National Foundation for the Development of Civil Society (2022), *Natječaj za institucionalnu podršku stabilizaciji i/ili razvoju udruga osoba s invaliditetom koje djeluju na lokalnoj razini* (Call for institutional support for the stabilisation and/or development of associations of persons with disabilities operating at the local level), <https://zaklada.civilnodrustvo.hr/institucionalna-podrška-stabilizaciji-i-ili-razvoju-udruga-osoba-s-invaliditetom-koje-djeluju-na-lokalnoj-razini>.

⁷³ Programme Efficient Human Resources 2021-2027 (HR - Program Učinkoviti ljudski potencijali 2021.- 2027.): <https://strukturnifondovi.hr/wp-content/uploads/2022/07/PULJP-2021-2027-1.0.pdf>.

⁷⁴ Agency for Mobility and EU Programmes (2022), *Popis financiranih projekata programa Erasmus+* (List of funded Erasmus+ projects), <https://ampeu.hr/erasmus/erasmus-u-brojkama>.

⁷⁵ Agency for Mobility and EU Programmes (2022) *Upoznajte 12 ambasadora uključivanja predanih rušenju barijera za osobe s manje mogućnosti* (Meet the 12 Inclusion Ambassadors committed to breaking down barriers for people with fewer opportunities), <https://www.mobilnost.hr/en/novosti/upoznajte-12-ambasadora-ukljucivanja-predanih-rusenju-barijera-za-osobe-s-manje-mogucnosti/>.

⁷⁶ Ministry of Croatian War Veterans (2022), *Javni poziv za sufinanciranje projekata rješavanja pristupačnosti objektima osoba s invaliditetom sredstvima Državnog proračuna Republike Hrvatske u 2022. godini na području Republike Hrvatske* (Public call for co-financing of projects

financing of EUR 332 005 (HRK 2.5 million) is planned for commercial and public buildings. Local and regional self-government units are acceptable implementers of building adaptations under this public call. A similar call was announced in previous years as well.

In its annual report for 2021,⁷⁷ the Ombudsman for Persons with Disabilities recommends that the installation of elevators should be carried out with funds from the European Union within the implementation of the measures of the 'Green Plan' (p. 231). It also warns about the time dynamics for the implementation of announced calls. The delay in the adoption of implementing documents has significant consequences for the provision of social services financed from EU funds and the sustainability of the organisations implementing these programmes (p. 282).

addressing the accessibility of facilities for people with disabilities with funds from the State Budget of the Republic of Croatia in 2022 on the territory of the Republic of Croatia),

<https://branitelj.gov.hr/UserDocImages/Dokumenti%202022/JP-PP-2022..pdf>.

⁷⁷ Ombudsman for Persons with Disabilities (2022) *Report for 2021*.

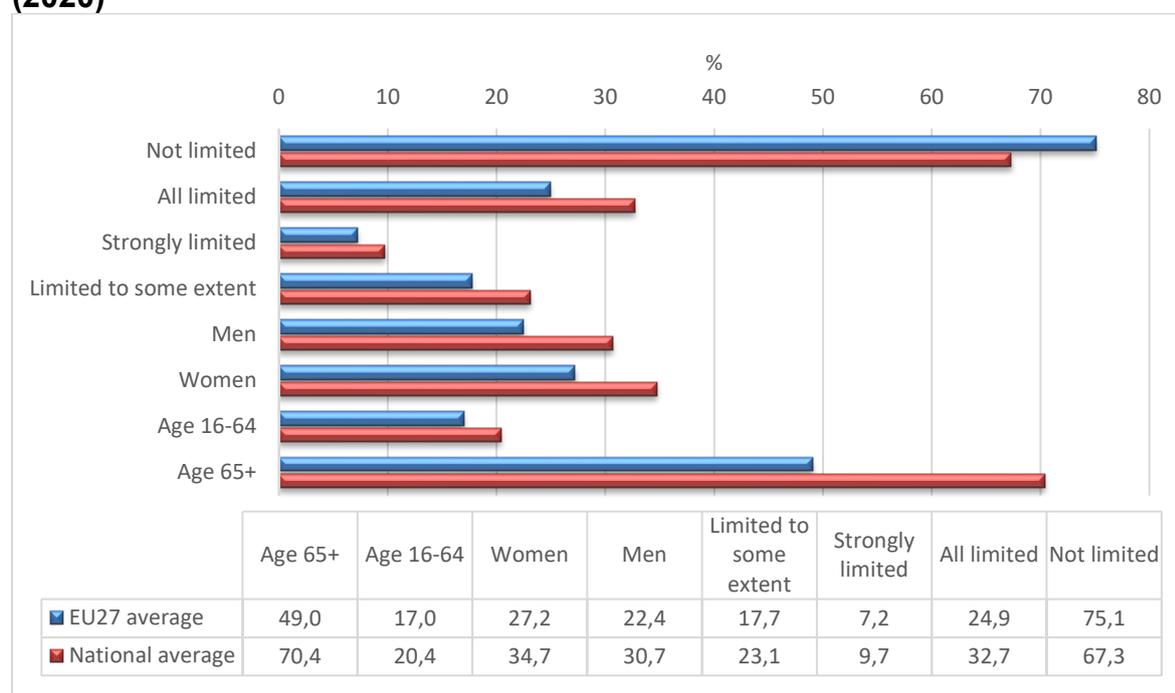
7 Annex: disability data relevant to the Semester

See also disability data published in the Eurostat database⁷⁸ and statistical reports.⁷⁹

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 6 months’ the respondent reports that they have been ‘limited because of a health problem in activities people usually do’.⁸⁰

Table 1: Self-reported ‘activity limitations’ as a proxy for impairment / disability (2020)



Source: EU-SILC 2020 Release April 2022

In subsequent tables, these data are used to indicate ‘disability’ equality gaps and trends relevant to the analytical sections – for the labour market, social policies and healthcare, and education – by comparing outcomes for persons who report and do not report ‘activity limitations’.⁸¹ National estimates for Croatia are compared with EU27 mean averages for the most recent year.⁸²

⁷⁸ Eurostat Health Database: <https://ec.europa.eu/eurostat/web/health/data/database>.

⁷⁹ Eurostat (2019) Disability Statistics: https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Disability_statistics.

⁸⁰ The EU-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)).

⁸¹ This methodology was developed in the annual statistical reports of ANED, available at: <http://www.disability-europe.net/theme/statistical-indicators>.

⁸² The exit of the United Kingdom from the EU changed the EU average. EU27 averages have also been affected by time series breaks in other large countries, such as Germany.

7.1 Data relevant to disability and the labour market

Table 2: EU and Croatia employment rates, by disability and gender (aged 20-64) (2020)

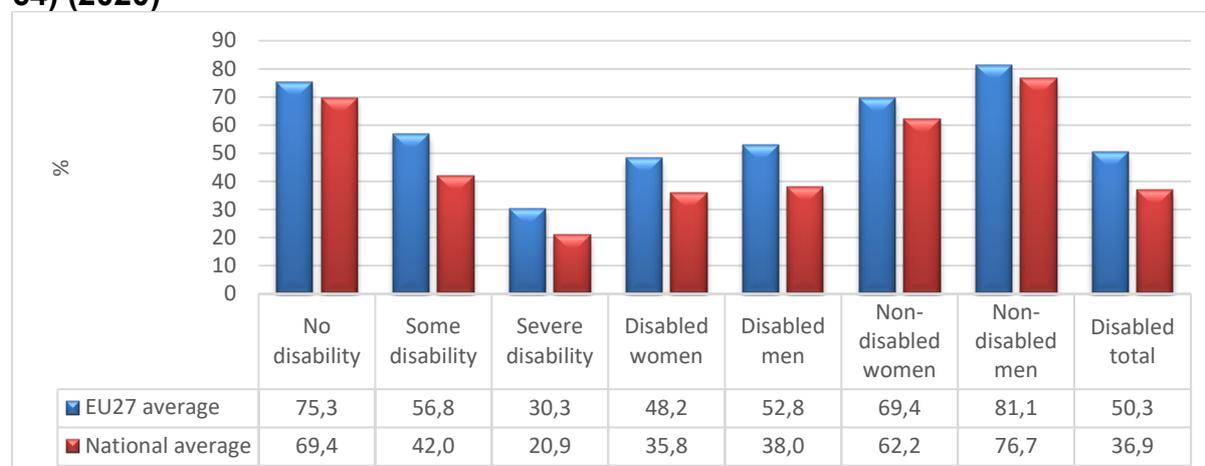


Table 3: Employment rates in Croatia, by disability and age group (2020)

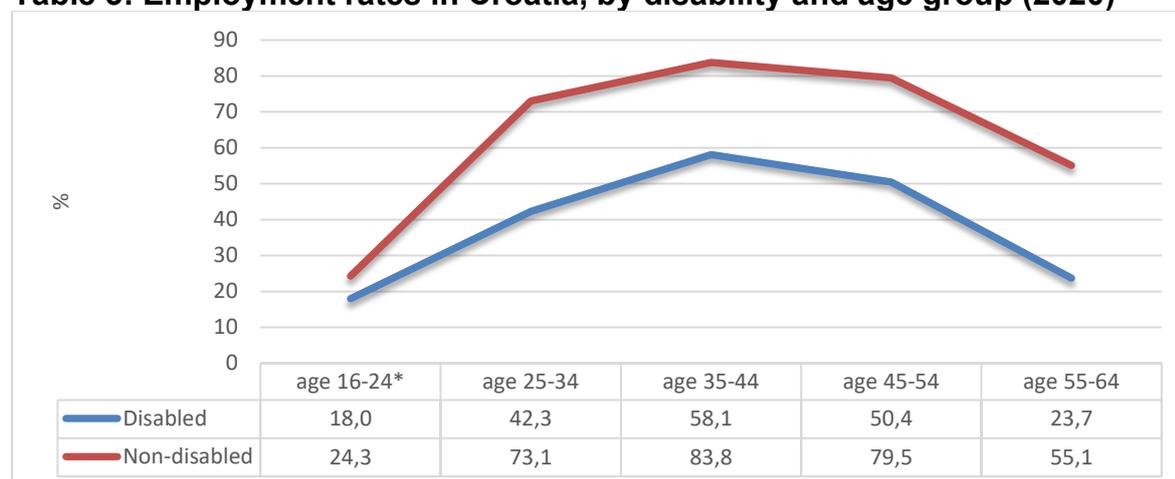
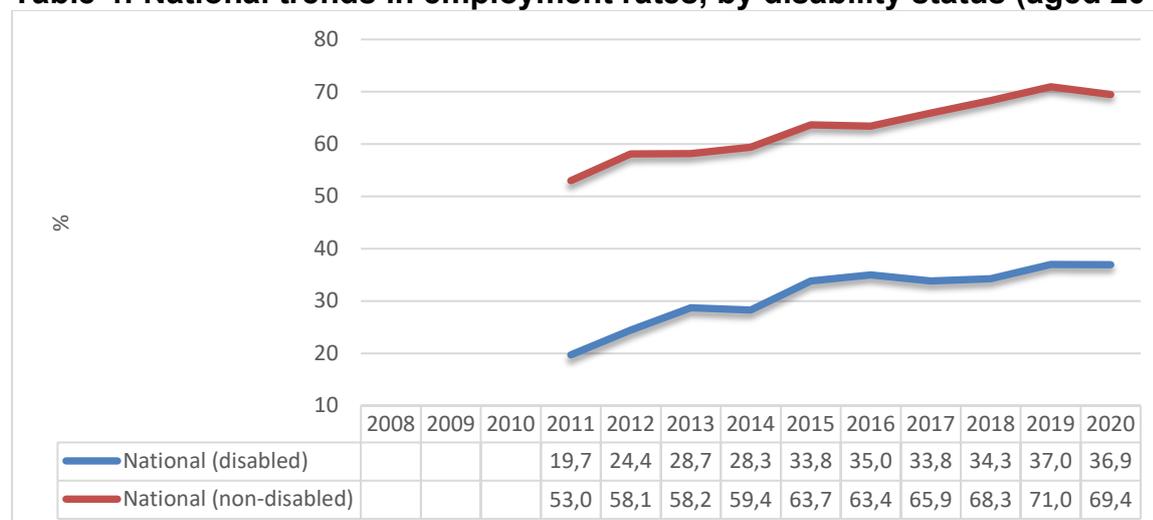


Table 4: National trends in employment rates, by disability status (aged 20-64)



Source: EU-SILC 2020 Release April 2022 (and preceding UDBs)

Note: Microdata concerning employment status was not available for Germany and Italy in this data release, which affects the EU27 average (which is therefore estimated).

7.1.1 Unemployment

Table 5: Unemployment rates by disability and gender (aged 20-64) (2020)

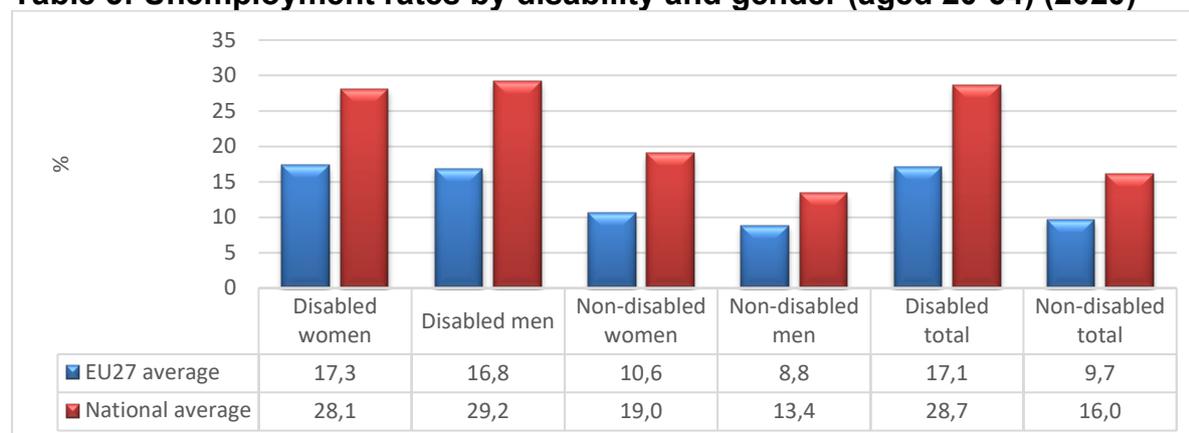


Table 6: Unemployment rates in Croatia, by disability and age group (2020)

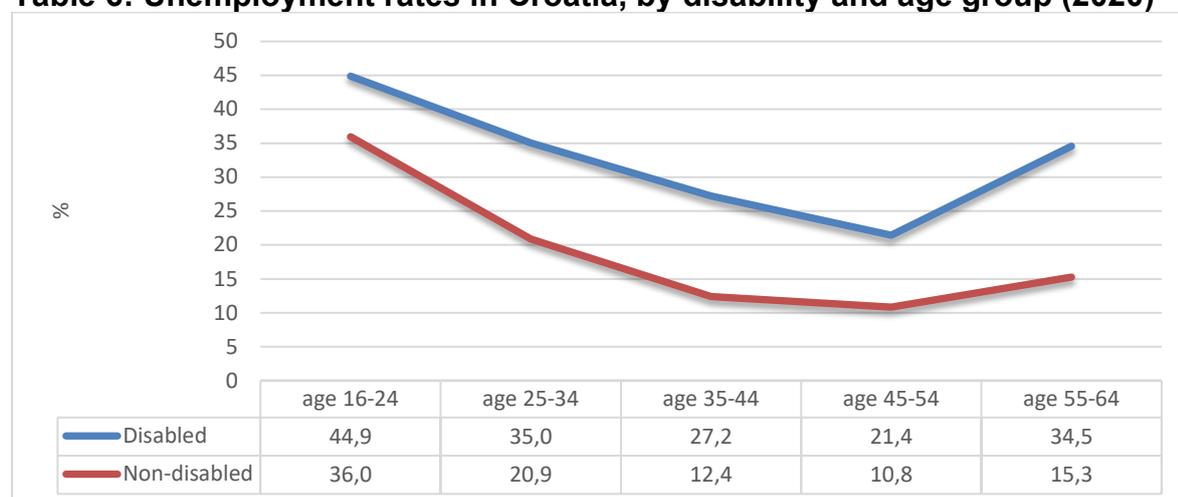
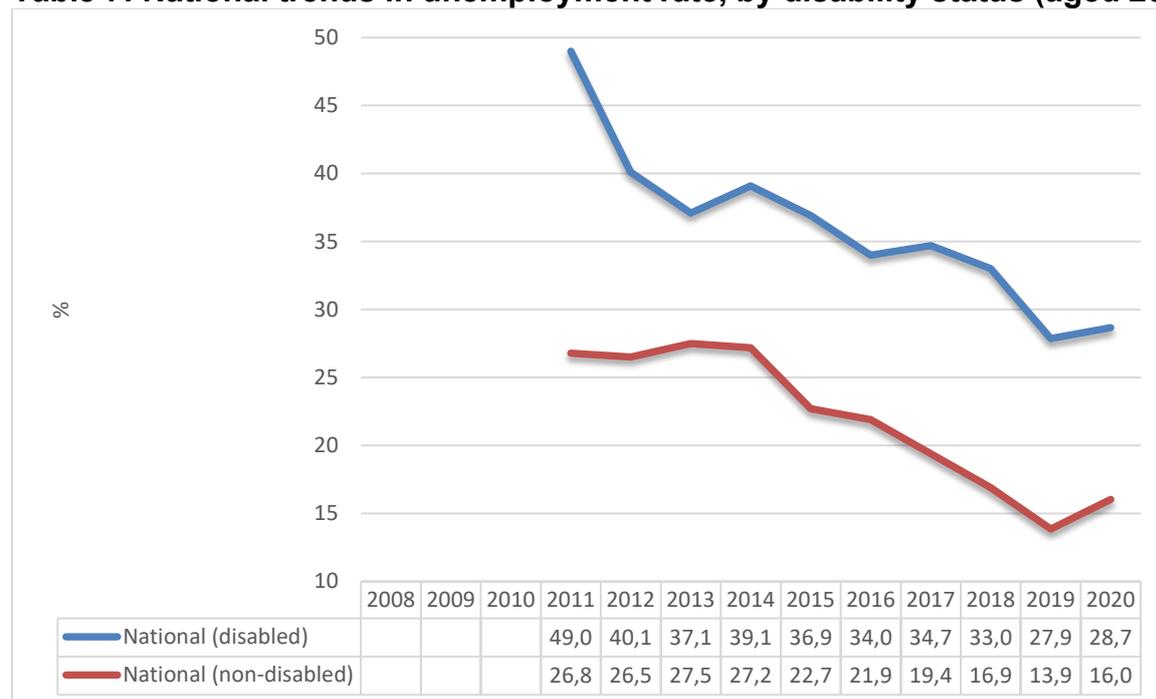


Table 7: National trends in unemployment rate, by disability status (aged 20-64)

Source: EU-SILC 2020 Release April 2022 (and preceding UDBs)

7.1.2 Economic activity

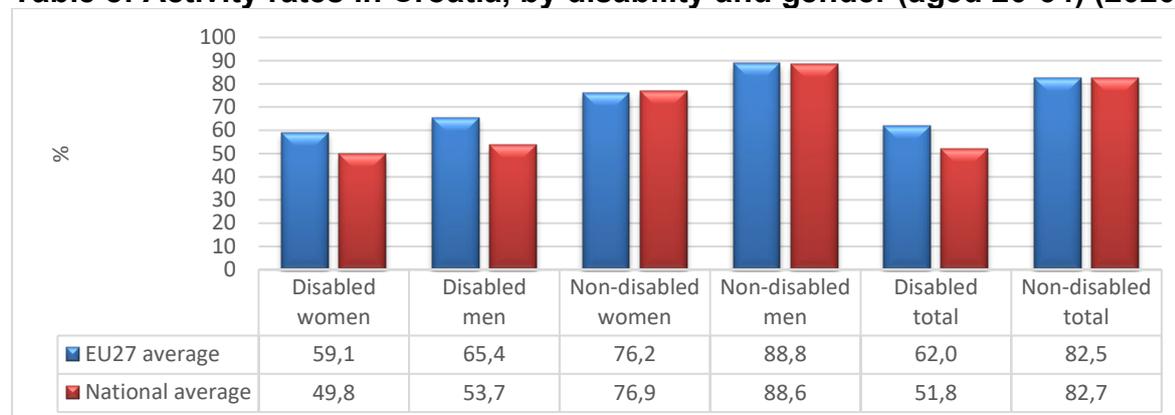
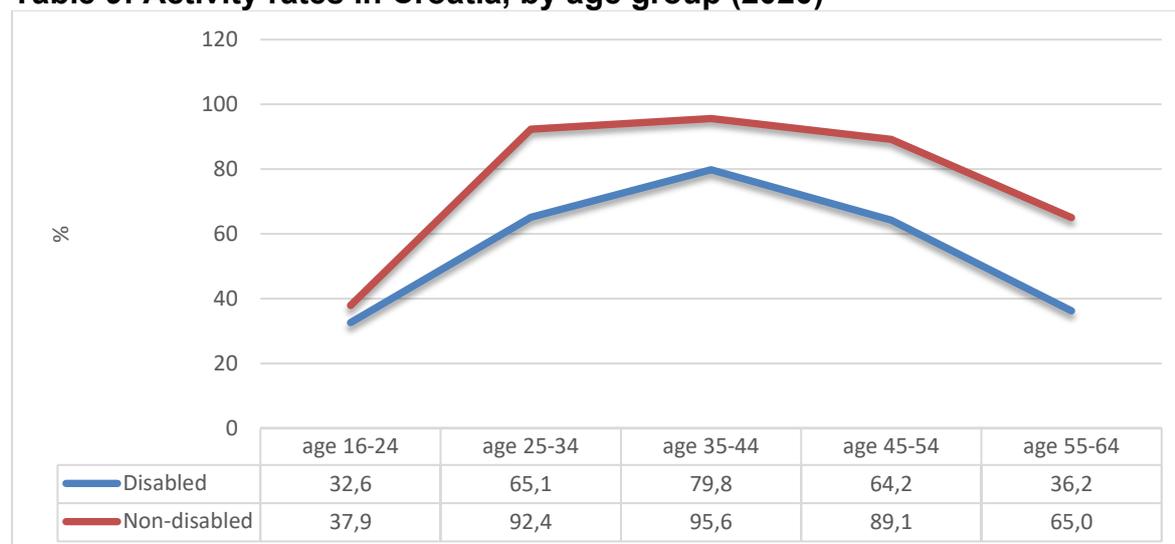
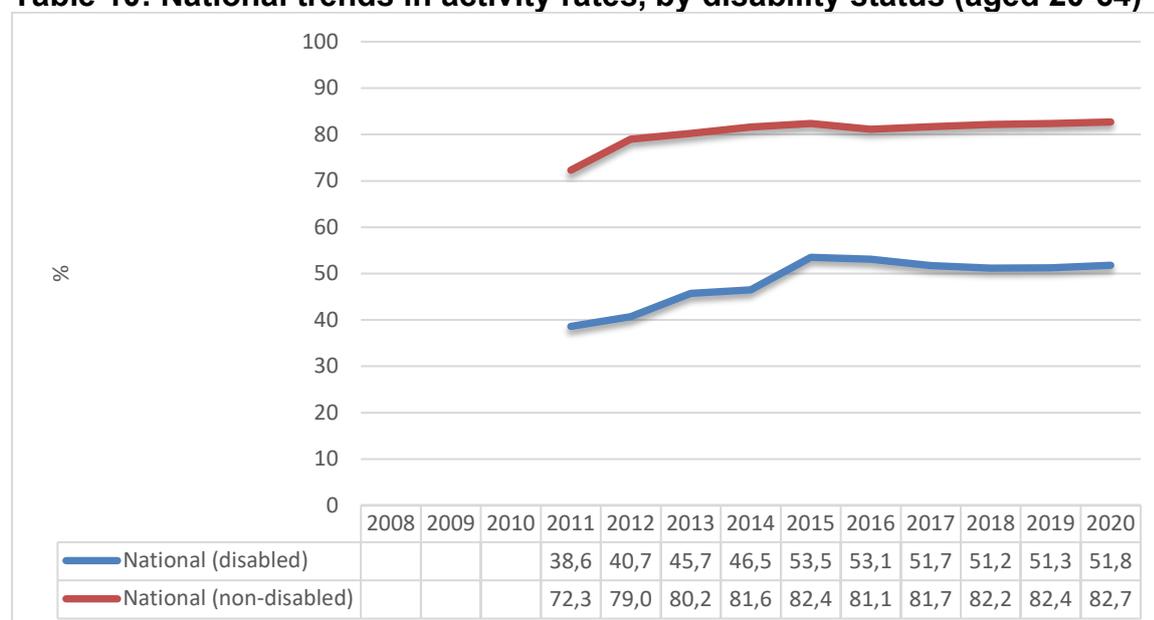
Table 8: Activity rates in Croatia, by disability and gender (aged 20-64) (2020)

Table 9: Activity rates in Croatia, by age group (2020)

Table 10: National trends in activity rates, by disability status (aged 20-64)


Source: EU-SILC 2020 Release April 2022 (and preceding UDBs)

7.1.3 Alternative sources of labour market data in Croatia

Disability data are not yet available from the core European Labour Force Survey but labour market indicators for Croatia were disaggregated from *ad hoc* modules conducted in 2001 and 2011. These can be found in the Eurostat disability database.⁸³

Table 11: Paid incentives for employment of persons with disabilities

2017	2018	2019	2020	2021
EUR 10 351 049 (HRK 77 943 406)	EUR 13 493 282 (HRK 101 604 413)	EUR 6 458 062 (HRK 48 629 210)	EUR 14 566 654 (HRK 109 686 905)	EUR 16 635 032 (HRK 125 261 792)

Source: ZOSI, 2022⁸⁴

The Croatian Employment Service (CES) regularly publishes data on persons with disabilities who found employment through their mediation.

Table 12. Persons with disabilities employed through CES mediation

Year	Employed until 31 December	Employment index	Unemployed on 31 December	Unemployment index
2015	2 613	139.2	7 303	107.7
2016	2 853	109.2	7 204	98.6
2017	3 366	118.0	6 497	90.2
2018	3 231	96.0	5 843	89.9
2019	2 820	87.3	5 948	101.8
2020	2 475	87.8	6 231	104.8
2021	2 740	110.7	6 179	99.2

Source: Report on the activities of the Croatian Employment Service in the field of employment of persons with disabilities in the period from 1 January to 31 December 2021⁸⁵

Table 13: Liable employers and the quota scheme

Year	Liable employers for the quota scheme					Employers meeting the quota (% of total)				
	2017	2018	2019	2020	2021	2017	2018	2019	2020	2021
Number of employers	9 119	9 435	9 745	9 289	9 546	1 202 (13.18%)	1 266 (13.41%)	1 325 (13.59%)	1 246 (13.41%)	1 266 (13.26%)

Source: Institute for Expert Evaluation, Professional Rehabilitation and Employment of People with Disabilities, Annual reports for 2017, 2018, 2019, 2020 and 2021.

⁸³ Eurostat Health Database: <https://ec.europa.eu/eurostat/web/health/data/database>.

⁸⁴ ZOSI (2022) Annual report for 2021.

⁸⁵ CES (2022), Report on the Activities with PWD in 2021.

7.2 EU data relevant to disability, social policies and healthcare (2020)

Table 14: People at risk of poverty or social exclusion, by disability and risk (aged 16-64)⁸⁶

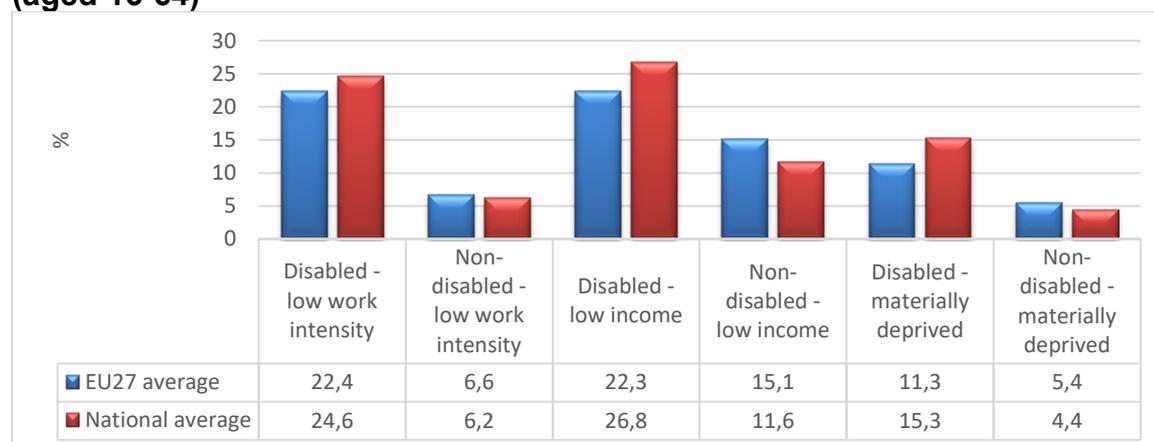


Table 15: People at risk of poverty or social exclusion, by disability and gender (aged 16+)

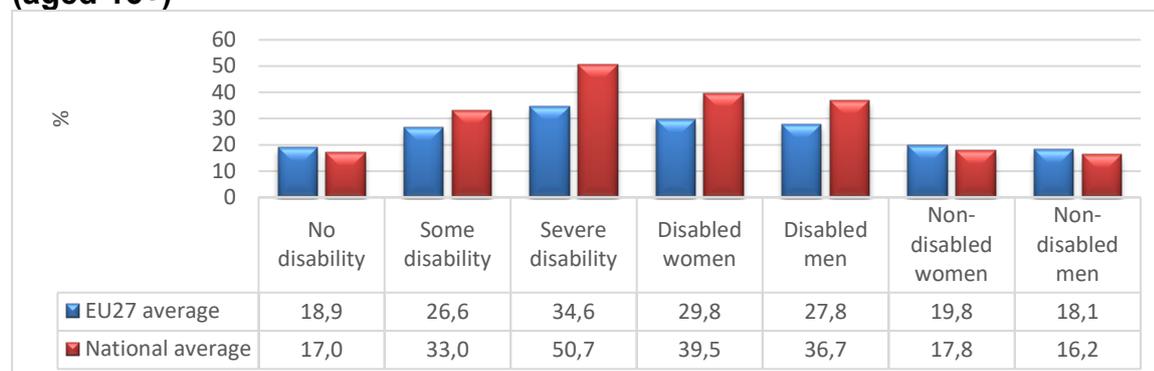
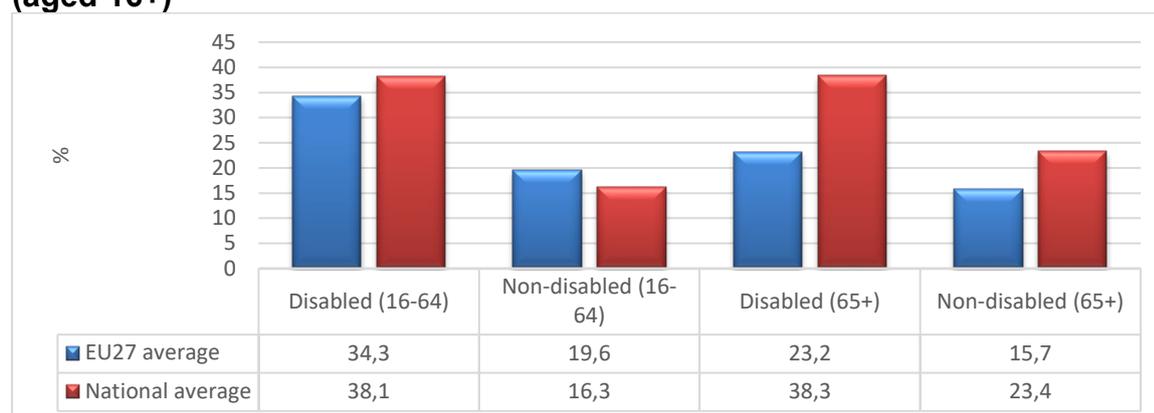
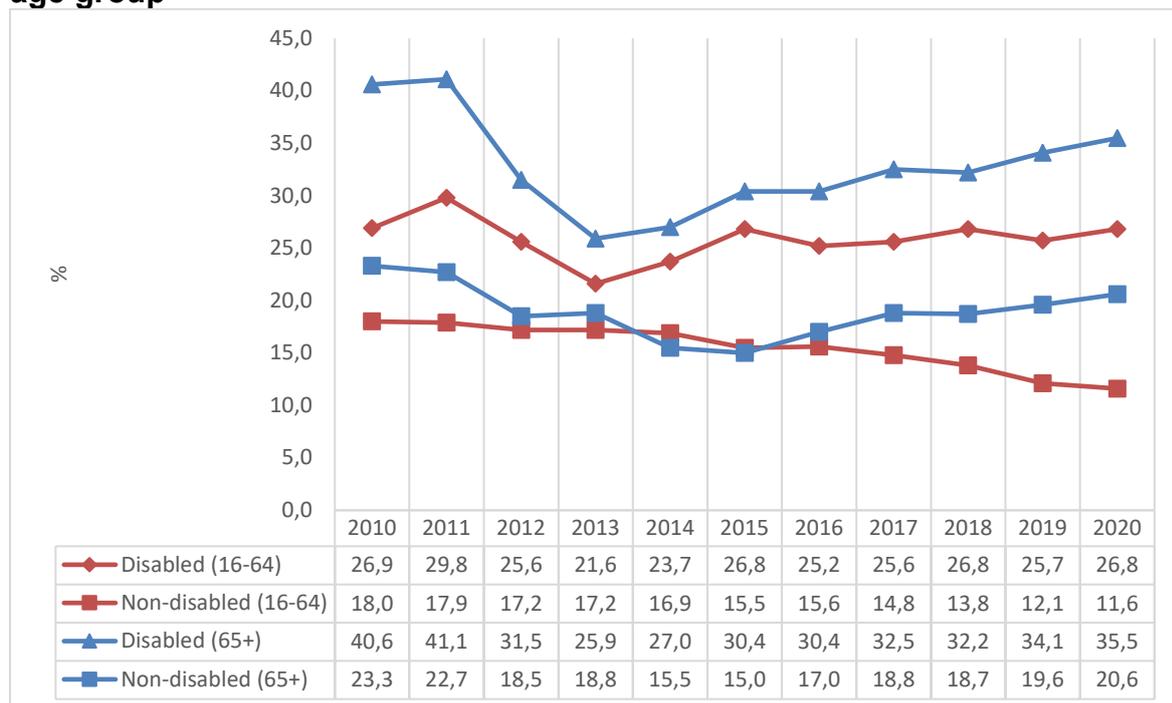


Table 16: Overall risk of household poverty or exclusion by disability and age (aged 16+)



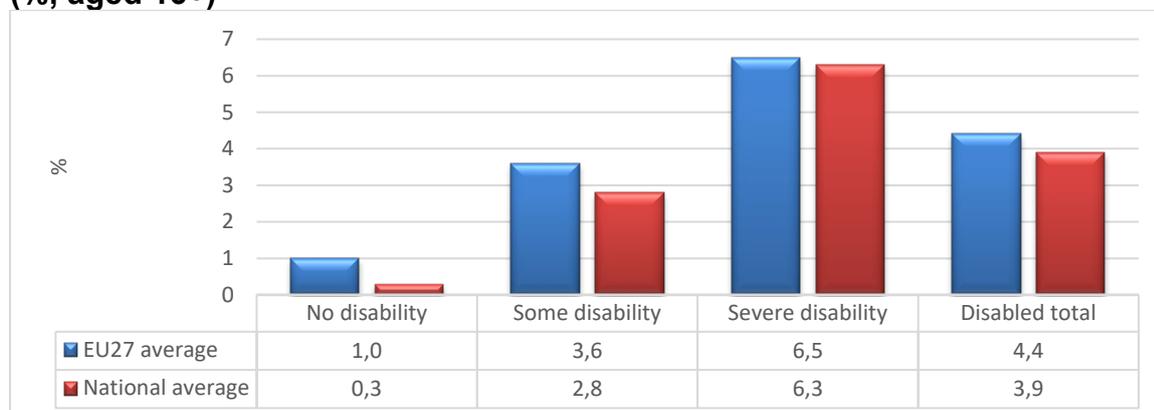
Source: EU-SILC 2020 Release April 2022 (and previous UDB)

⁸⁶ Aged 16-59 for Low work intensity.

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 2020 are consistent with the three-year mean values.

7.2.1 Alternative sources of poverty or healthcare data in Croatia

The EU-SILC data provide 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.⁸⁷

7.3 EU data relevant to disability and education

Table 19: Early school leaving rates, by disability status (aged 18-24 and 18-29)⁸⁸

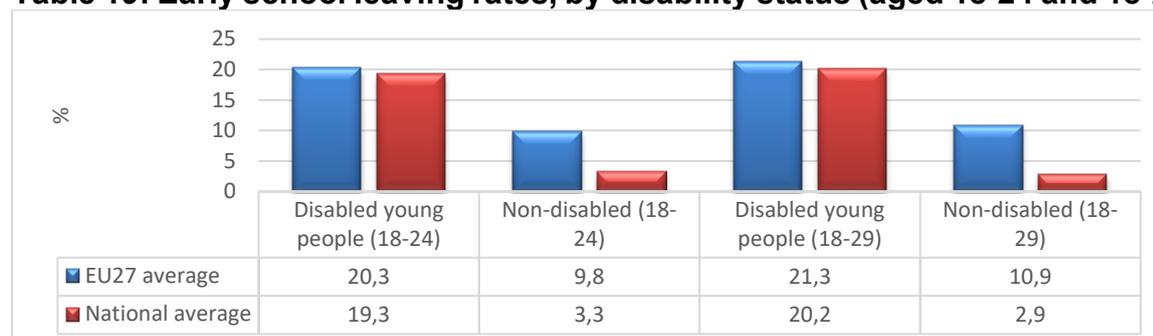
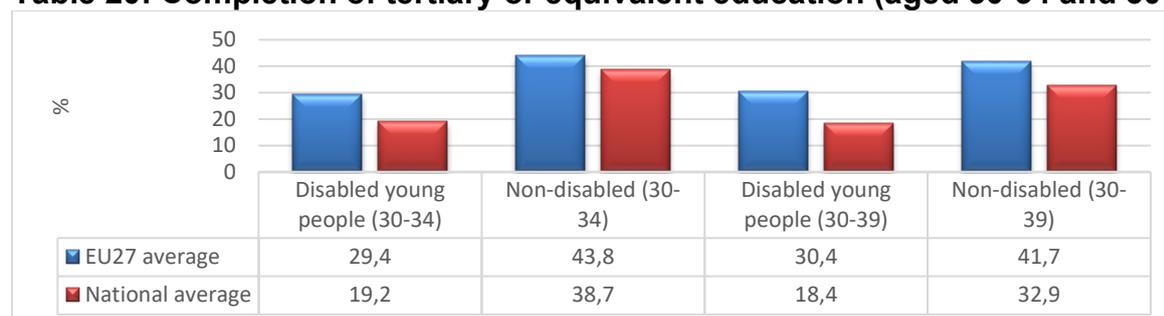


Table 20: Completion of tertiary or equivalent education (aged 30-34 and 30-39)



Source: EU-SILC 2020 Release April 2022 (and preceding UDBs)

Note: Confidence 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.

⁸⁷ Eurostat Health Database: <https://ec.europa.eu/eurostat/web/health/data/database>.

⁸⁸ 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 education data in Croatia

Table 21: Students in primary and secondary education

School year	Number of students with disabilities	Total number of students
2015/2016	21 475	510 936
2016/2017	25 658	501 525
2017/2018	29 940	493 130
2018/2019	29 967	485 634
2019/2020	30 437	482 303
2020/2021	30 713	479 252
2021/2022	30 747	478 557

Source: Ministry of Science and Education⁸⁹

Table 22: 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	19 241	2 234
2016/2017	22 728	2 930
2017/2018	26 889	3 051
2018/2019	26 983	2 984
2019/2020	27 374	3 063
2020/2021	27 670	3 043
2021/2022	27 703	3 044

Source: Ministry of Science and Education⁹⁰

⁸⁹ Statistical data of Ministry of Science and Education:
<https://app.powerbi.com/view?r=eyJrljoiZWE3YTE4OWQtOWJmNC00OTJmLWE2MjktYTQ5MWJlNDNlZDQ0IiwidCI6IjJMTFJYmNjLWI3NjEtNDVhYi1hOWY1LTRhYzc3ZTk0ZTFkNCIsImMiOiJh9.>

⁹⁰ Statistical data of Ministry of Science and Education:
<https://app.powerbi.com/view?r=eyJrljoiZWE3YTE4OWQtOWJmNC00OTJmLWE2MjktYTQ5MWJlNDNlZDQ0IiwidCI6IjJMTFJYmNjLWI3NjEtNDVhYi1hOWY1LTRhYzc3ZTk0ZTFkNCIsImMiOiJh9.>

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