



European network of legal experts in gender equality and non-discrimination

NEWS REPORT

Country:	Croatia
Title:	Committee on the Rights of Persons with Disabilities - Concluding observations on the initial report of Croatia
Date:	16 June 2015
Expert:	Lovorka Kušan
<u>Context</u>	
Issue at stake:	Committee on the Rights of Persons with Disabilities published its Concluding observations on the initial report of Croatia
Ground of discrimination:	Disability
Source:	Policy development (Committee on the Rights of Persons with Disabilities)
Field:	All fields
Applicable law:	Convention on the Rights of Persons with Disabilities

Content

Policy development: In April 2015, the Committee on the Rights of Persons with Disabilities published its Concluding observations on the initial report of Croatia.

The Committee commended Croatia for several strategic and legislative measures (e.g., National Strategy of Equalization of Opportunities for Persons with Disabilities 2007-2015,¹ the National Plan for Deinstitutionalisation and Transformation of Social Welfare Institutions and Other Legal Persons Providing Social Welfare,² the amendments to the Antidiscrimination Act (2012),³ and the new Social Welfare Act (2013)),⁴ but it also expressed its concern about a number of issues such as:

- lack of understanding of the meaning of reasonable accommodation and universal design in areas such as education, health, employment and built environment;
- for the entitlement to social services and benefits, distinction is made between different causes of impairments, such as war or accidents;
- exclusion and segregation in education, work or residential living is not regarded as a form of discrimination;
- the high proportion of women with disabilities who have only primary school education and the gap between the number of men with disabilities and women with disabilities in employment;

¹ Official Gazette of the Republic of Croatia no. 63/2007.

² *Plan deinstitutionalizacije i transformacije domova socijalne skrbi i drugih pravnih osoba koje obavljaju djelatnost socijalne skrbi u Republici Hrvatskoj 2011-2016* (2010); http://www.mspm.hr/djelokrug_aktivnosti/socijalna_skrb/reforma_sustava_socijalne_skrbi.

³ Flash report 848-HR-2, *Croatia is Amending Its Anti-discrimination Act*, June 2012.

⁴ Official Gazette of the Republic of Croatia nos. 157/2013 and 152/2014.

- reports on violence against women and girls with disabilities in families and in institutions, in particular psychiatric institutions;
- the high rate of child abandonment and institutionalization of children with disabilities and the lack of attention and care in the areas of education, health and habilitation;
- the insufficiency of awareness-raising measures on the rights of persons with disabilities; the medical and charity model of disability still prevail in mass media
- low accessibility to buildings, places, transportation and information and communication;
- substituted decision making has not been replaced by supported decision making in law and in social practice (Constitutional Court has suspended the new Family Act which abolished plenary guardianship);
- involuntary detention and admission in institutions of persons with psycho-social and intellectual disabilities;
- a large number of persons with disabilities have not completed primary education, less than 30% have completed secondary education, and measures to provide reasonable accommodation to students with disabilities in mainstream educational facilities are insufficient; exclusionary and segregated education of persons with disabilities is not considered discriminatory;
- majority of persons with disabilities are either unemployed or have low income employment;
- many persons with disabilities live under conditions of poverty, especially those in rural areas and those of Roma origin;
- the system of data collection does not enable the authorities to gather information needed for the fulfilment of its duties under the Convention;
- the independent monitoring body, the ombudswoman for persons with disabilities, is not designated as such by law and it has no outreach possibilities to rural areas;
- civil society organisations are not sufficiently supported by the government to participate in national implementation and monitoring.

Key points of analysis: While the Committee on the Rights of Persons with Disabilities recognised some progress in protecting the rights of people with disabilities, its report shows the need of a comprehensive review of existing legislation. Persons with disability still face serious problems in all fields of life, from legal capacity to institutionalization and segregation in education to low employment rate and lack of reasonable accommodation and universal design in areas such as education, health, employment and built environment.

Internet link source:

http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fHRV%2fCO%2f1&Lang=en