



# Economic and Social Council

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## Committee on Economic, Social and Cultural Rights

### Second periodic report submitted by Croatia under articles 16 and 17 of the Covenant, due in 2016\* \*\* , \*\*\*

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- \* The present document is being issued without formal editing.
  - \*\* The annexes to the present report may be accessed from the web page of the Committee.
  - \*\*\* The initial report of the State party was issued under the document symbol [E/1990/5/Add.46](#).



## I. Introduction

1. The RC is a party to the International Covenant on Economic, Social and Cultural Rights (ICESCR), based on the notification of succession.
2. Pursuant to Articles 16 and 17 of the ICESCR, the GRC prepared the Second Periodic Report of the RC on the Implementation of the International Covenant on Economic, Social and Cultural Rights (hereinafter: the Report).
3. The Report has been prepared in accordance with documents E/C.12/2008/2<sup>1</sup> and HRI/GEN/2/Rev.6<sup>2</sup> and in response to the comments of the concluding observations of the Committee on Economic, Social and Cultural Rights, adopted in 2001<sup>3</sup> (hereinafter: the Committee).
4. The preparation of the Report was coordinated by MoLPSFSP<sup>4</sup> in cooperation with other competent state administration bodies.

## II. Responds to concluding comments, principal areas of concern, and the Committee's 2001 recommendations

5. Considering the Committee's comments from 2001, RC has in the meantime answered most of the questions by submitting reports under other international UN instruments, and this text refers to them.

### **Paragraph 9 – Discriminatory policies and practices based on national origin and ethnically motivated violence that are not adequately sanctioned**

6. In the Periodic Report on the Implementation of ICERD from 2020 (CERD/C/CRO/9-14),<sup>5</sup> Paragraphs 11, 12 and 14, the regulations related to the elimination of discrimination and hate crimes are listed, while the responses to Art. 2, 4 and 7 describe in detail the mechanisms for combating them and the measures taken to override prejudice and discrimination. Information on the commission of hate crimes and public incitement on violence and hatred can be found in point 9 of the Annex to the Fourth Periodic Report on the Implementation of the ICCPR. Policies related to non-discrimination, minority rights and the prohibition of incitement to national, racial or religious hatred are listed in the answer to question 7 of the Fourth Periodic Report on the Implementation of the ICCPR.
7. The case law on the occasion of the tenth anniversary of the adoption of the ADA is set out in the part of the Report relating to Article 2 of the ICESCR.

### **Paragraph 10 – Returnees of the Serbian National Minority, the restitution of their property and the resolving of the tenancy issue, Paragraph 28 Simplification of Procedures for Returnees and Refugees, Paragraph 21 Measures taken to return refugees and restitution of property or adequate accommodation and indemnity**

8. To accelerate the return and reintegration of all refugees without discrimination, the RC rebuilt or built 156,750 housing units damaged or destroyed during the war (2.35 billion EUR) through recovery program in accordance with the RA.
9. The deadlines for applying for reconstruction have been extended twice (2001 and 2004) whereas the right applied to the owners irrespective of their nationality. There are 64 requests remaining due to property relations and/or pending court cases.

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<sup>1</sup> Revised General Guidelines on the Form and Content of the Report of the Committee on Economic, Social and Cultural Rights.

<sup>2</sup> Compilation of guidelines relating to international human rights treaties.

<sup>3</sup> E/C.12/1/Add.73.

<sup>4</sup> Ministry of Labour, Pension System, Family and Social Policy.

<sup>5</sup> [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2fC%2fHRV%2f9-14&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2fC%2fHRV%2f9-14&Lang=en).

10. In addition to the reconstruction programme, RC took care of housing for 45,021 families (28,221 by leasing state property and 16,800 by donating construction materials for family houses owned by the applicant through the housing programme in accordance with the AHCAA. AHCAA covers 336 LRSGU in assisted areas and areas of special state concern.

11. Within the housing programme, housing care for former tenancy rights holders<sup>6</sup> is also implemented. Out of 28,221 families with provided housing, 9,311 former tenancy rights holders were included in the lease of state property.

12. The restitution of the occupancy right was one of the criteria RC had to meet to close the EU accession negotiations (Chapter 23 “Administration of Justice and Fundamental Human Rights”). From 2009 until its accession to the EU (2013), RC allocated 4,915 housing units for the families of former tenancy rights holders under a turn-key contract. Continuous housing was provided both before and after criteria, (17,820 requests). In the first-instance proceedings, 17,756 applications were resolved (9,633 positively and 8,047 negatively). At the time of drafting the Report, 322 granted applications are being implemented under the National Housing Programme and/or the Regional Housing Programme.<sup>7</sup>

13. After the end of the Homeland War, immovables abandoned by natural persons who fled the RC was handed over to the housing commissions in municipalities and cities for provisional housing management. The commission gave it over for temporary use to refugees whose immovables was destroyed during the aggression against RC (19,278 abandoned housing units owned by natural persons). With the entry into force of the ATATAPMCA, the RC undertakes the obligation to reconstitute the immovables to the owners and enacts the PRCDPR. By the end of 2019, 19,261 housing units were restituted to the owners. In the remaining 17 cases, proceedings are pending before judicial or administrative bodies (unauthorised investment of temporary occupants in other people’s immovables, eviction, restitution of property to owners).

**Paragraph 11 – Citizenship and Paragraph 22 Achieving objective criteria for the granting of citizenship**

14. Points 128–134 of the Fifth and Sixth Periodic Reports of the RC to the UNCRC (CRC/HRV/5-6)<sup>8</sup> describe the regulation of the acquisition of citizenship.

15. Article 19 of the AA CCA (2012) prescribes that the persons who had their permanent residence and approved permanent stay in the RC on 8 October 1991 meet the preconditions for acquiring Croatian citizenship by grounds of origin. From 2012 to 2019, 29 applications of returnees for Croatian citizenship were granted, while 31 applications were denied. The MoI issued 48 admission-guarantees to Croatian citizenship under the presumption that release from foreign citizenship will be delivered, while regarding 3 requests, decisions were reached to suspend the procedure due to the withdrawal/death of the party.

16. In 2011, the RC ratified the Convention on the Reduction of Statelessness.

**Paragraph 12 – High level of unemployment, discrimination in employment based on gender, age, and ethnicity**

17. Report in response to Article 6 of the ICESCR describes measures and policies related to unemployment and support for vocational guidance and lifelong learning programmes, promotion of entrepreneurship, employment, and self-employment. For data on discrimination in 2019, see: Annex 2 – sheet 2.1.1.

<sup>6</sup> It refers to persons who fled the RC in the 1990s, losing their occupancy right over the social housing they had used until then.

<sup>7</sup> See Annex 2 – sheet Par.10.1.1.

<sup>8</sup> [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fHRV%2f5-6&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fHRV%2f5-6&Lang=en).

**Paragraph 13 – Women in low-paid jobs and in lower-status positions**

18. Considering complaints concerning gender equality, please see the reply to Article 3 of the Report.

19. An analysis of the salaries of officials and judicial officials by gender can be found in Annex 7. Compared to the general population, the differences in the salaries of male and female officials are significantly smaller.

20. Data on the general population by sex can be seen in the CBS publication *Women and Men in Croatia 2020*.<sup>9</sup>

**Paragraph 14 – Nature, extent and causes of trafficking in human beings**

21. The National Plan for Combating Trafficking in Human Beings 2018 to 2021 is being implemented. It was noted that the RC is becoming a country of origin and destination for victims of trafficking in human beings, especially from neighbouring countries, and an equal number of identified male and female victims was established. The authorities responded to these trends by identifying more effectively victims of trafficking in human beings.<sup>10</sup>

22. All activities of the competent institutions from the moment of identification are aimed at providing adequate assistance and protection to victims, which includes the work of two national shelters, providing health, psychological, social, and legal assistance, and protection, and ensuring a safe and voluntary return to the country of origin. Due to the complexity of the issue, but also the trauma that victims go through, the development of individual programmes requires a high level of expertise and cooperation of competent authorities with NGOs, key actors in this field. The National Plan pays special attention to ensuring an individual approach and protecting the best interests of victims of trafficking in human beings. See: Annex 6 – Victims of trafficking in human beings in the RC.

23. In points 261–280 of the UNCRC<sup>11</sup> the procedure and practice towards children of asylum seekers, unaccompanied children, refugee children and migrant children are described, and in points 281–286 problems related to trafficking in human beings and child abduction.

24. For information on the nature, scope, and causes of trafficking in human beings, see points 85–90 of the TCUPRNR (A/HRC/WG.6/36/CRO/).<sup>12</sup>

**Paragraph 15 – The backlog of cases and the functioning of the judiciary**

25. Regarding the realization of the human right to free access to justice and an efficient judiciary, the backlog of cases has been steadily declining for years.<sup>13</sup>

Table 1  
**Data on court cases – six-year period**

<i>Data on the work of courts</i>	2014	2015	2016	2017	2018	2019
At the beginning	735 873	616 686	559 072	508 931	464 124	407 062
Received	1 341 919	1 252 451	1 297 410	1 242 300	1 166 130	1 289 716*
<b>Total in progress</b>	<b>2 077 792</b>	<b>1 869 137</b>	<b>1 856 482</b>	<b>1 751 231</b>	<b>1 630 254</b>	<b>1 696 778</b>
Resolved	1 432 912	1 290 442	1 340 157	1 278 017	1 216 561	1 215 959

<sup>9</sup> [https://www.dzs.hr/Hrv\\_Eng/menandwomen/men\\_and\\_women\\_2020.pdf](https://www.dzs.hr/Hrv_Eng/menandwomen/men_and_women_2020.pdf).

<sup>10</sup> In 2012, 11 victims were identified, in 2013 31 victims, in 2014 37 victims, in 2015 38 victims, in 2016 30 victims, in 2017 29 victims, in 2018 76 victims, in 2019 27 victims, while in 2020 15 victims of trafficking in human beings were identified.

<sup>11</sup> [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fHRV%2f5-6&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fHRV%2f5-6&Lang=en).

<sup>12</sup> <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G20/050/17/PDF/G2005017.pdf?OpenElement>.

<sup>13</sup> Source: The Report of the Ministry of Justice and Public Administration from 2018, added data for 2019.

Data on the work of courts	2014	2015	2016	2017	2018	2019
Unresolved	616 686	559 072	508 931	464 124	407 062	481 348

\* Of the total number of received cases, 96,041 (7.5% of the total inflow) were received after the entry into force of the AA CBA, in early 2019. In 2019, municipal courts also received a significant number of litigation cases related to lawsuits against banks for loans in Swiss currency (CHF).

Table 2  
**Performance indicators of courts – six-year period**

Performance indicators	2014	2015	2016	2017	2018	2019
Promptness rate	106.78%	103.03%	103.29%	102.88%	104.32%	94.28%
Duration of the proceeding	157	158	139	133	122	144
Number of judges/advisers	2 507	2 460	2 433	2 400	2 352	2 325
Received by a judge/court adviser	535	509	533	518	496	555
Resolved by a judge/court adviser	572	525	551	533	517	523
Unresolved per judge/court adviser	246	227	209	193	173	207

26. For better efficiency and shortening the duration of procedures, the CPA and the CrPA were amended several times.

**Paragraph 16 – Formation of trade unions and Paragraph 30 Review the criteria for establishing a trade union in accordance with the ILO conventions**

27. For the establishment and operation of trade unions, see Article 8 of the Report.

**Paragraph 17 – There is no reliable data to identify vulnerable and marginalized groups and Paragraph 31 Structuring data so that vulnerable and marginalized groups can be clearly identified**

28. The CBS, and since 2013 EUROSTAT, have established a methodology in accordance with applicable regulations and standards.

**Paragraph 18 – Deterioration in the general standard of living caused by war destruction, economic instability, high unemployment, non-payment of salaries, non-recognition of pre-independence work experience and destroyed infrastructure and settlements**

29. The answer considering reconstruction is comprised in points 95–102 of the ICERD reports (CERD/C/CRO/9-14)<sup>14</sup> – sustainable development of special state concern areas, for other see Articles 6 and 11a of the Report.

**Paragraph 19 – Primary education of Roma and stateless children and Paragraph 36 All children in the territory of the RC must go to school, regardless of their national origin and the status of their parents**

30. Points 82–104 of Fifth and Sixth UNCRC Reports (CRC/HRV/5-6<sup>15</sup>) describe the policy towards the rights of Roma and migrant children. Measures to combat discrimination

<sup>14</sup> [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2fC%2fHRV%2f9-14&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2fC%2fHRV%2f9-14&Lang=en).

<sup>15</sup> [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fHRV%2f5-6&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fHRV%2f5-6&Lang=en).

against Roma are described in points 31–57 of the ICERD report (CERD/C/HRV/9-14)<sup>16</sup> and in the observations on Article 13 of the Report.

**Paragraph 20 – Taking all anti-discrimination measures provided for in the CCPR and CERD**

31. Answers to questions 1, 2 and 7 of the third ICCPR Report (CCPR/C/CRO/3)<sup>17</sup> describe anti-discrimination legislation. Subsequent measures are described in points 9–28 of the ICERD report (CERD/C/HRV/9-14)<sup>18</sup>.

**Paragraph 23 – Measures taken to reduce unemployment, promote entrepreneurship in a non-discriminatory manner**

32. In addition to the measures described in Article 6 of the Report, for information on paid grants for women entrepreneurs, see: Annex 8 – Entrepreneurship of Women.

**Paragraph 24 – Review of the situation of women and women’s rights in all aspects of life and Paragraph 26 Recommendation to review all present and future policies, laws, and practices in the light of their potential effects on women**

33. See: replies to Article 3 of the Report.

**Paragraph 25 – Measures to prevent and punish sexual harassment in the workplace**

34. See replies to Article 7 of the Report.

**Paragraph 29 – Promotion of human rights and conventions in force in the RC among judges, lawyers, police, and military officers**

35. Measures are implemented in cooperation with the Judicial Academy, the Bar Association, the MoI, the MoD of the RC, and ombudsmen.

**Paragraph 32 – Strengthening measures to reduce the high level of unemployment**

36. See: replies to Article 6 of the Report.

**Paragraph 34 – Recommendation to review the possible effects of the plan to privatize portions of the national health system on vulnerable groups**

37. The RC has not privatised the national health system.

38. All citizens, including vulnerable groups, have the right to health care.

**Paragraph 35 – Ensuring that the content of education is directed to strengthening respect for human rights and fundamental freedoms, enabling all persons to participate effectively in a free society, and promoting understanding, tolerance, and friendship**

39. See: comment on Article 13.

**Paragraph 37 – The school curriculum at all levels must be reviewed for education on human rights, mutual understanding, tolerance, and friendship, in accordance with Art. 13 of the ICESCR**

40. The issue of human rights and freedoms within the education system is described in item 138 of the UPR (A/HRC/WG.6/36/CRO)<sup>19</sup> and in Article 13 of the Report.

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<sup>16</sup> [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2fC%2fHRV%2f9-14&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2fC%2fHRV%2f9-14&Lang=en).

<sup>17</sup> [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2fC%2fHRV%2f3&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2fC%2fHRV%2f3&Lang=en).

<sup>18</sup> [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2fC%2fHRV%2f9-14&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2fC%2fHRV%2f9-14&Lang=en).

<sup>19</sup> <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G20/050/17/PDF/G2005017.pdf?OpenElement>.

### III. General provisions

#### Article 1

41. The right to self-determination is highlighted in the CoRC and explained in detail in the ICESCR Initial Report.

#### Article 2

42. In the Programme for 2019 the Judicial Academy provided training in the field of labour disputes regarding discrimination and the application of the case-law of the European Court of Human Rights, for judges and state attorneys. As part of his regular activities, the Ombudsperson promotes the raising of public and professional awareness of human rights. An important contribution is made by NGOs, which are also financed from the state budget.

43. The exercise of rights from the pension system of overdue but unpaid pensions is described in point 117 of the UPR (A/HRC/WG.6/36/CRO/).<sup>20</sup> The judgment of the European Court of Human Rights in the case of Ljuba Čekić v. RC in which it is stated:

*“Suspension of pension payments in the occupied territories is reasonably justified, so non-payment of pensions during that time is not discriminatory, payment of pensions from “para fund” excludes pension payments for the same period from legal bodies of the RC. This confirms the correctness of the decision of the CPII and the courts of the RC that for the period from the beginning of the war to the end of peaceful reintegration, insured persons are only entitled to the payment of one pension for the same period.”*

#### The right to work of foreigners

44. Member State’s citizens of the European Economic Area and the Swiss Confederation have the right to freedom of movement within the EU in accordance with Directive 2004/38/EC<sup>21</sup> which has been transposed into Croatian legislation and can work and provide services in the RC without a residence and work permit and a certificate of registration. In case they intend to work in the RC for more than 3 months, they regulate their stay in a very simple procedure based on a certificate of registration of temporary residence for work issued if they have a valid identity card or travel document and employment certificate or proof of self-employment or that they are posted workers.

45. Alien third-country nationals have different conditions. Since 2004, annual quotas for the employment of aliens have been introduced. Data on quotas and requirements and approved residence and work permits, see: Annex 2 of the Report, on sheet 2.1.2.

46. In accordance with the provisions of the AA, a third-country national in the RC may work on the basis of:

1. **Residence and work permits** – the alien must meet the criteria for granting temporary residence. He must also have an employment contract and other evidence depending on the category based on which he is seeking a work permit. Residence and work permits can be issued:

(a) Within the annual quota – based on the Decision of the GRC on Determining the Annual Quota of Employment Permits for Aliens for Each Calendar Year, or

(b) Outside the annual quota – they are issued to the exhaustively listed categories of aliens;

<sup>20</sup> <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G20/050/17/PDF/G2005017.pdf?OpenElement>.

<sup>21</sup> Directive 2004/38/EC on the right of EU citizens and their families to move and reside freely within the EU, Official Journal of the EU, L 158/77, of 30 April 2004.

2. **Work registration certificates** (up to 30, 60 or 90 days in a calendar year) are issued for exhaustively listed categories of foreigners (eg supervisory board members, scientists, foreign correspondents, volunteers, artists and technical staff for opera, ballet and other cultural events, musicians, etc.);

3. **Without a residence and work permit or a certificate of registration of work** – an alien may work if he/she is granted: permanent residence, international or temporary protection or is an applicant for international protection, a temporary residence for the purpose of family reunification or life partnership with a Croatian citizen, third-country national, asylum seeker, and third-country national granted subsidiary or temporary protection or with a researcher, temporary residence for humanitarian reasons, autonomous residence, full-time student status when performing activities through authorised intermediaries, a temporary residence for scientific research, a temporary residence for full-time study.

47. Since 2001, the RC has implemented a thorough reform and established an anti-discrimination legislative and institutional framework. The basic regulation of anti-discrimination legislation is the ADA, which ensures the protection and promotion of equality as the highest value of the constitutional order, creates preconditions for equal opportunities, and regulates protection against discrimination based on race, ethnicity, colour, sex, language, religion, political or other beliefs, national or social origin, property status, trade union membership, education, social status, marital or family status, age, health status, disability, genetic heritage, gender identity, expression or sexual orientation.

48. The tasks of the central authority responsible for combating discrimination are performed by the Ombudsperson, the Ombudsperson for Gender Equality, the Ombudsperson for Persons with Disabilities, and the Ombudsman for Children.

49. The ADA is applied especially in the areas of labour, education, science and sports, social security, health care, justice, housing, media, membership in organizations, and cultural creativity.

50. Anti-discrimination provisions are comprised in a number of other regulations, among which are CC, CARNM, LA, GEA, SSLPA and CSA.

51. On the tenth anniversary of the adoption of the ADA, case-law analysis related to discrimination cases was published. Labour and employment are the areas where the highest number of complaints occurs. Among the unemployed, the most common are age and then gender discrimination. By monitoring job advertisements, the ombudswoman itemed out that they often include discriminatory grounds – such as certain age as one of the conditions for employment. Age discrimination is also visible within the company, through the denial of certain benefits, poorer working conditions, and more frequent dismissals, and it is experienced equally by able-bodied older people as well as young people.

52. The CC defines acts of torture and other cruel and inhuman or degrading treatment or punishment, violation of equality, violation of freedom of expression, sexual harassment, public incitement to violence, and hatred as criminal offenses related to discrimination. Up to 20 cases lasting more than 12 months are processed annually, and most of them end in convictions, most often imprisonment with a suspended sentence. During 2019, 51 hate crimes were recorded, which is a significant increase compared to 2018 when there were 33.<sup>22</sup>

53. In addition to the current strategic documents in the field of human rights and discrimination, a National Plan for the Protection and Promotion of Human Rights and Combating Discrimination 2021 to 2027 with two accompanying implementation documents: the Action Plan for the Protection and Promotion of Human Rights 2021 to 2023, and the Action Plan to Combat Discrimination 2021 to 2023 is being prepared.

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<sup>22</sup> In addition to the criminal offense of public incitement to violence and hatred under Art. 325 of the CC, which was reported 12 times, as in previous years, the most common criminal offenses were threats (13) and damage to another's property (9), followed by violent behaviour (7), bodily injury (3), violation of equality (2), war crime (2) and robbery, grievous bodily harm, and damage to the reputation of the RC, with one report each.



### Article 3

54. Promotion of awareness of equal right of women and men is one of the highest values of the constitutional order and fundament for the interpretation of the CRC. Gender equality means that women and men are equally present in all areas of public and private life, have equal status, equal opportunities to exercise their rights, and equal benefit from the results achieved.

55. The GEO was established in 2004 as a professional service for gender equality matters. Its mission is to coordinate all activities aimed at establishing gender equality, creating conditions for the promotion of gender equality, and monitoring the implementation and effectiveness of the GEA and the National Policy for Gender Equality.

56. The first GEA was passed in 2003, while the new GEA entered into force in 2008, and its amendments in 2017. According to the provisions of Article 2 of the GEA, no one should be disadvantaged for participating in discrimination proceedings (prohibition of secondary victimization).

57. Article 30 of the GEA provides judicial protection against discrimination, in the manner that compensation for damages suffered due to discriminatory behaviour in civil or adhesion proceedings is sought.

58. The activities of the independent competent authority for combating discrimination in the field of gender equality, in accordance with the GEA, are performed by the Gender Equality Ombudsperson, who submits a Report to the Croatian Parliament and investigates cases of violations of the principles of gender equality and discrimination against individuals or groups of individuals committed by all public authorities. Everyone has the right to address to the ombudswoman for violating the GEA, regardless of whether he/she has suffered direct damage or files a complaint on behalf of someone, provided that the injured party does not object.

59. From 2003 to 2013, the Ombudswoman's institutional involvement in the field of family relations was extensive and covered several aspects.<sup>23</sup>

60. The APDV regulates the conduct of institutions in the event of domestic violence. Domestic violence is a) any act of physical violence without inflicting injury, b) corporal punishment or other humiliating treatment of children, c) mental abuse that has caused the violation of victim's dignity or harassment, d) sexual harassment, e) economic violence (prevention of finding employment, prevention of the use of personal or communal property, withholding funds or assets gained through personal labour or inheritance, denying funds to maintain a joint household, and caring for children) and f) negligence toward the elderly or persons with disability or insulting their dignity and thereby inflicting physical or mental suffering on them.

61. According to the report of the Gender Equality Ombudsperson (2019), 123 out of 503 cases concerned the protection of citizens who were exposed to physical, psychological, and other forms of domestic or partner violence, as well as violence in public spaces. The Ombudsperson sent a total of 143 warnings, 178 recommendations, and 34 proposals. She reported to the competent state attorney's office the suspicion of committing a criminal offense in 5 cases, a misdemeanour offense in one case, and launched an initiative to change the legal regulations in 3 cases. The analysis of feedback responded that the warnings,

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<sup>23</sup> These are: a) monitoring and analysis of statistics on domestic violence; b) participation in the development, implementation, and monitoring of the implementation of the measures of the National Strategy for Protection against Domestic Violence and the Protocol on Action in Cases of Domestic Violence (2005); c) encouraging local actors to act in the direction of protection of victims of domestic violence and its prevention; e) taking legal initiatives related to domestic violence and parental care; f) regular meetings with representatives of the police, SWCs, county authorities, the Gender Equality Committee of the Croatian Parliament and international and domestic institutions and civil society organizations, and with the heads and associates of the shelter for women victims of domestic violence; d) conducting research.

recommendations, and suggestions of the Ombudsperson were considered in 89.3% of cases in full, and 7.1% partially.

62. The Ombudsperson was the holder of the EU project “Building more effective protection: transforming the system for combating violence against women”. The project addressed the role of the police, judiciary, and the media in cases of violence against women with a special focus on femicide. The survey showed that 90% of perpetrators were sentenced to fines and suspended prison sentences, and 10% were sentenced to unconditional prison sentences. See Annex 9 – Statistics on the application of APDV and CO.

63. Considering the serious forms of infringement referred to in Articles 2 and 3. ICESCR’s exercise of rights in court is also linked to the availability of the right to free legal aid. The AFLA entered into force for the first time in 2008. The new AFLA (2013) contains a significantly different scope and type of procedures provided for the institute of free legal aid.

64. The AFLA provides provision of free legal aid to the victims of the criminal offense of violence in the procedure aimed at claim for compensation for damage caused by the commission of a criminal offense. Secondary legal aid<sup>24</sup> is granted without determining the property status of the victim, which is otherwise a condition in other proceedings for the providing legal aid. In determining the financial situation, the following will be exempted: a) total income and assets of the perpetrator of domestic violence if the applicant is a victim of such violence, b) total income and assets of household members participating in the proceedings as opponents of the applicant and, inter alia, c) items exempt from enforcement.

65. See: Annex 10 – Data on free legal aid.

66. Article 7 of the LA prescribes fundamental obligations and rights regarding labour according to which the employer is obliged to respect the rights and dignity of workers in determining the working place and the manner of performing the labour. Direct and indirect discrimination in the field of labour and working conditions is prohibited, including selection criteria and conditions in employment, promotion, vocational guidance, vocational training, and retraining. The employer is obliged to protect the dignity of the employee from the actions of superiors, associates, and persons with whom the employee regularly comes into contact in the performance of their duties. The employer who employs a minimum of twenty workers shall be obliged to adopt and make publicly available the working regulations governing measures for protecting worker dignity and antidiscrimination measures.

67. The employer may not refuse to employ a woman due to her pregnancy or change her employment contract under less favourable conditions. When jobs endanger the life or health of a pregnant woman or child, the employer is obliged to offer her an employment contract for other jobs, whereby he cannot reduce her existing salary. During the period of protection referred to in Article 34 of the LA, which refers to a person who enjoys some of the rights from the MPBA, the employer must not terminate the employment contract, even if there is misconduct by the worker.

68. The legal framework for the protection of the dignity of workers is set out in detail in Article 134 of the LA.<sup>25</sup>

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<sup>24</sup> Secondary legal aid is provided by hiring a lawyer.

<sup>25</sup> An employer who employs at least twenty workers is obliged to appoint a person who, besides him/her, is authorised to receive and resolve complaints concerning the protection of the dignity of workers. The employer or the authorised person shall, within eight days of the submission of the complaint, investigate the complaint and take all necessary measures appropriate to the individual case to prevent continued harassment or sexual harassment, if they find that it exists. If, within eight days, the employer fails to take appropriate measures to prevent harassment or sexual harassment, the worker has the right to suspend work until protection is ensured, provided that he or she has sought protection before a competent court within eight days. During employment termination, a worker is entitled to salary compensation in the amount that he/she would have earned had he/she worked. Violation of the dignity of workers by a superior may be grounds for misconduct.

69. The overall set of rules contained in the LA, GEA, ADA, and MPBA provide effective protection of workers and all rights are integrated in accordance with relevant EU regulations and international instruments binding on the RC.

### Articles 4 and 5

70. Provisions relating to Art. 4 and 5 of the ICESCR are contained in the CRC and have not been changed and are described in the Initial Report.

## IV. Specific rights from ICESCR

### Article 6

71. Measures of active employment policies from 2001 to 2019, are aimed at the integration of disadvantaged people in the labour market. Interventions are aimed at encouraging employment, self-employment, education, and inclusion of target groups in public works programmes. Data on the number of persons involved in grants, public work, and education, see Annex 2, sheet 6.1.3. Data on the structure of persons involved in active employment policy measures by age, sex, and education, see: Annex 2, page 6.1.2. and 6.1.1.

72. The CES implements measures for employment and training of persons belonging to the Roma national minority according to national strategic documents for the area of inclusion of Roma: National Roma Programme (until 2013), Decade of Roma Inclusion Action Plan 2005–2015 and the National Roma Inclusion Strategy 2013–2020. CES statistics on the inclusion of the Roma national minority included in active employment policy measures from 2015 to 2019, see Annex 2, page 6.1.6. (by age, sex, and interventions).

73. In 2017, a new package of active employment policy measures was adopted. Since January 2018, improved measures have been implemented with a focus on encouraging employment and self-employment, and special support for internships has been introduced. Support for the acquisition of first work experience/internship enables co-financing of employment of interns – 50% of salary in the private and 100% in the public sector (health, education, social welfare, and culture). See: Annex 2, sheet 6.1.4. and 6.1.5.

74. Every unemployed person goes through counselling and determination of a Professional Plan which regulates the rights and duties of unemployed persons and employment counsellors.<sup>26</sup>

75. In 2013, the CES established CISOK centres based on a partnership approach to providing lifelong guidance services to the broadest groups of citizens, especially the youth and target groups who are not traditional CES clients. The centres are recognized as central sites for retrieving and activating NEET<sup>27</sup> groups between institutions (CES, MoSE and CPII) with the aim of collecting all relevant data on the NEET group (age, gender, region, educational program), which serve as a basis for the development of targeted measures.

76. The new AVREPD introduces a single framework that ensures equal standards, measures and implementation methodology of professional rehabilitation related to the employment of persons with disabilities. Quota system for the employment of persons with disabilities has been expanded. The quota system refers to employers (who have at least 20 employees) from the public and real sector and is determined at the rate of 3% of the total number of employees.

<sup>26</sup> The counsellor assesses employment opportunities on the basis of statistical tools and the assessment of working abilities and defines the activities of the unemployed person that will enable overcoming difficulties in accessing the labour market and help speed up preparation for employment.

<sup>27</sup> NEET – *not in Employment, Education or Training* – a group of young people aged 15 to 29 in the EU – who can receive assistance under EU policies, and for whom funds from the European Social Fund are used for employment purposes.

77. Mobile teams mediate and provide support for workers at risk of dismissal or working in companies undergoing restructuring. They are made up of employment counsellors, lawyers, and psychologists.

78. The APPPUA (2011) defines the concept of unregistered economic activity, inspection supervision, administrative measures and misdemeanour sanctions. The law seeks to combat unfair competition and unregistered work.

79. In 2012, a law was passed that simplified the way of employment on temporary or occasional seasonal jobs in agriculture and enabled contracts to be concluded on a daily basis, by handing over and accepting a value coupon, as well as determining the minimum daily salary for each calendar year. In 2012, 325,295 value coupons were used for seasonal work in agriculture, and 306,625 in 2019.

80. The LA envisages the possibility of additional work with another employer. By introducing principle of *pro rata temporis* in the case of part-time contracts, material rights are paid to employees in proportion to the contracted working hours, and employers are allowed to use part-time work without increased costs.

81. Amendments to the PIA (2014) enable old-age pension beneficiaries to be employed up to half full time and receive the full pension, and from 2019 this will also be enabled to the early old-age pension beneficiaries, long-term insured pensions, and old-age pensions earned according to special regulations.

82. The employer, in accordance with the LA, may terminate the employment contract with the prescribed or agreed notice period (regular dismissal), if there is a justified reason for it.<sup>28</sup>

83. In the event of a particularly serious breach of an employment obligation, the employee may be summarily dismissed.

84. Every termination of the employment contract must be in writing, with a rationale and delivered to the employee. The worker is entitled to judicial protection against unjustified dismissal. In the event of a dispute related to dismissal, the burden of proof for justified reasons regarding termination shall lie with the employer, if the termination was initiated by the employer. If the court finds that the dismissal of the employer is wrongful and that the employment relationship has not been terminated, it will impose the return of the employee to work.

85. Education and training of unemployed people are aimed at improving employment opportunities, especially for vulnerable groups of workers, such as the long-term unemployed with a lower level of education, early school leavers, and low-skilled women. To harmonize the education system with the labour market, in 2010 was developed a methodology that enables the development of recommendations at the local level for the enrolment of students in secondary schools and higher education institutions. The CES recognizes the importance of early intervention in career guidance to prevent early school drop-outs and other unintended consequences. Missing-occupations training enables unemployed persons in the CES records to acquire the qualifications required for the labour market. On-the-job training enables the acquisition of work skills at a particular employer, which enables the employer to participate in the education of future workers who adopt competencies for certain jobs in particular companies. Occupational training without commencing employment without employment is a measure that provides work experience for young people in the profession for which they were educated.

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<sup>28</sup> 1) if the need to perform a certain job ceases due to economic, technological, or organizational reasons (business-related dismissal) cease;  
2) if the employee is not able to properly perform his/her employment obligations due to certain permanent characteristics or abilities (personally conditioned dismissal); or  
3) if the employee violates the duties arising from the employment relationship (dismissal due to misconduct of the employee);  
4) if the employee did not satisfy on probation (dismissal due to dissatisfaction during probationary period).

86. Self-employment. The CES is developing a support system for unemployed people who want to start their own business, providing advice and support in the development of their business ideas, plans and budgets. The CES provides grants for self-employment, i.e. starting a business to registered unemployed persons who have developed business plans. See: Annex 2 – sheet 6.1.4.

## Article 7

87. Since 2008, the minimum wage system in the RC is regulated through the MWA. Initially, the minimum wage for some low-productivity activities was set at a lower level, but since 2013 it has been set at the same amount for all workers in all industries, regardless of education level, age, and similar.

88. For each calendar year, the GRC issues a decree determining the amount of the minimum wage for the following calendar year. Every worker is entitled to a minimum wage for full-time work. The Minister of Labour proposes to the Government the amount of the minimum wage with prior consultation with the social partners.

89. In 2009, the minimum wage was €383 gross, and due to the economic crisis, it rose to €395 gross by 2014. With the economic recovery in 2019, it amounted to €506 gross.

90. Supervision over the application of the minimum wage system is carried out by the SIRC and the MoF. The SIRC monitors whether the employer pays the statutory minimum wage and whether it delivers a salary statement to the workers. Supervision is also performed by other inspections of state administration bodies which, according to special regulations, are authorised to supervise in connection with work and employment. See: Annex 2 – sheet 7.1.1.

91. Every employee must have an employment contract concluded in writing and containing all mandatory elements. Before starting work, the employer is obliged to register the employee for mandatory pension and health insurance. For the work performed, the employer is obliged to pay the employee a salary and deliver a salary calculation. Full-time work in one week is 40 hours. For overtime work, the employer is obliged to pay the employee an increased salary. The employer is obliged to determine the amount of the salary increase through an employment contract, its employment by-law or collective agreement. In practice, this increase is from 20 to 50%.

92. Pursuant to Article 86 of the LA, during the calendar year, every worker shall be entitled to be free from work with remuneration – paid leave from 7 days a year, for important personal purposes, such as those related to marriage, childbirth, serious illness, or death of an immediate family member.

93. Unpaid leave can be used by the employee if approved by the employer. During unpaid leave, the rights and obligations arising from employment or related thereto shall stand still.

94. The LA does not explicitly prescribe an obligation for the employer to provide the worker with flexible forms of working time to balance private and business life. However, the possibility of working from home is allowed, in which case the employment contract must contain additional provisions. It is also possible to organize working hours flexibly with the same or unequal work schedule by days, weeks or months. Regarding the reconciliation of business and family life, the MPBA prescribes the possibility of working part-time, the use of maternity and parental leave and the stay of employment.

95. According to Eurostat data for 2019, women in the RC earn on average 11.5% less than men. The pay gap between women and men in Croatia is lower than the EU average (14.1%) and than the average of most countries in the world.

96. The LA explicitly stipulates that the employer is obliged to pay equal pay to male and female worker for equal work and work of equal value. Any provision of an employment contract, collective agreement, rulebook, or other legal act contrary to the provisions of the LA is null and void.

97. To eliminate existing disparities, women's entrepreneurship is encouraged through the Women's Entrepreneurship Development Strategy 2014–2020 and the use of scholarships for women in STEM occupations. ESF funds provide for 17,000 scholarships by 2023.

98. The HCA prescribes the tasks performed by the CIHSW in the health care of workers (from 2019 CNIPH and occupational medicine services). The CNIPH is primarily focused on the health supervision of workers in high-risk workplaces, and on educating workers and employers about the perils, dangers, and strains of certain work processes. Since 2006, occupational medicine specialists have been educating migrant workers about the dangers and recognizing the dangers of sexually transmitted diseases, the harmfulness of drugs and alcohol to their health and ability to work, and personal protective equipment.

99. Given the observed increase in reported occupational injuries associated with acute stress response, the CHIF has introduced new procedures in the prevention of psychosocial risks in occupational medicine: workplace visits and education of workers in collaboration with a psychologist.

## Article 8

100. Workers shall have the right to form a trade union of their choice and join a trade union, subject to only such requirements which may be prescribed by the statute or internal rules of this trade union. A trade union may be established by no less than ten adult able-to-contract natural persons. A higher-level association may be established by at least two trade union associations.<sup>29</sup>

101. Employers and their associations must not exercise control over forming and operations of trade unions, or their higher-level associations, nor must they finance or in any other way support trade unions or trade union associations of a higher level to exercise such control.

102. Higher-level associations may create their own federations or other forms of association pursuing their interests at a higher level. Associations and higher-level associations shall have the right to freely join federations and cooperate with international organisations established for the purpose of the promotion of their common rights and interests.

103. Legislation prohibits unequal treatment due to union membership or activity.

104. Only a trade union may negotiate collectively on behalf of workers. To have the right to negotiate collectively on behalf of workers, unions must be representative and meet legal requirements. The representativeness of trade unions for collective negotiations is prescribed by Article 7 of the AREATU.

105. The parties to a collective agreement on the side of the employer may be one or more employers or their associations, and on the side of the trade union, one or more trade unions that are representative.

106. The representativeness of employers is not specifically determined, and they can be a party to a collective agreement that binds only the signatory employers and members of the employers' association that signed the collective agreement. The members of the employers' association are also bound by the collective agreement if they became members of that association after its conclusion. The collective agreement will be binding on the trade union that concluded it and the trade union that is a member of the trade union association that concluded it. Workers will not be subject to a collective agreement concluded by the trade union of which they are members unless it also binds the employer with whom they are

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<sup>29</sup> The trade union has the status of a workers' association, which must have a statute based on and adopted on the principles of democratic representation and democratic expression of the will of the members. The articles of association must contain provisions on the bodies authorised to conclude a collective agreement and the conditions and procedure for organizing industrial actions. The purpose of the association determined by the articles must be to conclude collective agreements.

employed. When the employer is bound by a collective agreement, he/she is obliged to apply it to all workers.

107. If an employment right is regulated differently by an employment contract, rule book, the agreement concluded between the works council and the employer, collective agreement, or law, the most favourable right for the worker shall be applied.

108. The right to strike is guaranteed by the CRC, which allows that the right to strike is restricted in the armed forces, police, state administration, and public services by a specific law. According to the LA, trade unions shall have a right to call and undertake a strike to protect and promote the economic and social interests of their members or because of non-payment of remuneration. In the event of any dispute related to the conclusion, amendment, or renewal of a collective agreement, the right to call and undertake a strike shall have trade unions which have been determined as a representative for collective bargaining and conclusion of a collective agreement and which have negotiated the conclusion of a collective agreement. A solidarity strike may begin even if the mediation procedure has not been conducted, but not before two days after the date of beginning of the strike in whose support it is organised.

109. Under the ASAFRC, active military personnel do not have the right to strike. Under the PA, the police officials do not have the right to strike in extraordinary circumstances prescribed by law. Also, the HCA does not allow a strike in Croatian Institute of Emergency Medicine, the institutes for emergency medicine of the units of regional self-government, i.e. the City of Zagreb, and the contracted services of emergency medicine of health institutions.

110. Upon a proposal by the employer, the trade union and the employer shall prepare and adopt an agreement on rules applicable to the maintenance of production essential activities which must not be interrupted during a strike or lockout.

## Article 9

111. All areas of social security referred to in Article 9 of the ICESCR are covered by social security laws and belong to the category of contributory systems, except for child allowance and unemployment benefits.

112. Under the CoRC the right of employees, as well as members of their families to social security and social insurance and the right to health care is guaranteed. The state pays special attention to the protection of persons with disabilities and their inclusion in social life, and the protection of Croatian veterans and members of their families, Croatian disabled homeland war veterans, widows, parents, and children of killed Croatian war veterans.

113. The RC is a party to the ILO Social Security (Minimum Standards) Convention, 102. The last submitted report (2016) contains chapters on health care, the right to sick leave, rights during unemployment, the pension system, rights related to pregnancy and childbirth, the right to a survivor's pension (see: Annex no. 5 to the Report).

114. As of 1 July 2019, a new method of adjusting pensions was introduced, according to which the rate of adjustment of the current value of pensions applicable from January 1 and July 1 of each calendar year is determined by summing the rate of change of the average consumer price index in the previous semester in relation to the half-year preceding it and the rate of change of the average gross salary of all employees in the RC in the previous half-year in relation to the half-year preceding it in the ratio of 70:30, i.e. 30:70 according to the variable model. In that manner, Swiss formula won't be longer applied.

115. Guaranteed minimum benefit (GMB) – is the entitlement to a sum that covers the basic living needs of a single person or household not having sufficient funds to meet basic living needs, and the exercise of rights depends on the property and income threshold of a single person or household. The basis is determined by the GRC (HRK 800.00) and has not changed since 2014.<sup>30</sup>

<sup>30</sup> The amount of GMB is determined as a percentage of the base and amounts to:

116. The amount of GMB for households is limited up to the amount of gross minimum wage (2019 – HRK 3,750.00).

117. The ratio of median relative income ratio of elderly people above 65 years of age to those of younger age<sup>31</sup> is below the EU-28 average according to Eurostat (0.91 in 2018).<sup>32</sup>

118. The overall risk of poverty or social exclusion for people over 65 in 2019 remains higher (33.6%) than the risk for the total population (23.3%). The rate of severe material deprivation among people over the age of 65 has been reduced in 2019.<sup>33</sup> See: data in addition to Art. 11 a of the Report.

119. The child allowance system is universal and includes all Croatian citizens residing in the RC as well as foreigners legally residing in the RC, under equal conditions regarding the duration of residence, income census, and living in a household with a child. Foreign citizens are entitled to child allowance if meeting the additional condition of having a permanent residence permit.<sup>34</sup> Asylum seekers, as well as foreign nationals, acquire the right based on subsidiary protection.

120. There are two categories of disability pensions within the first pillar – for risks arising from work and those that do not arise from work. Disability pensions include long-term benefits for people facing permanent loss of ability to work (partial or complete). Right to disability pension is realized under the following conditions: the existence of partial or complete loss of working capacity and completed years of qualifying periods (which is not a condition for loss due to injury at work or occupational disease). A worker with disabilities who has been trained for other jobs through professional rehabilitation, and who has been unemployed for a long time after completing the rehabilitation, is entitled to a temporary disability pension. Personal disability allowance – is recognized for a person with a severe disability or other severe permanent change in health status to meet his or her life needs for inclusion in the daily life of the community. Personal disability allowance for a person who does not have his/her own income is HRK 1,500.00 per month, and if he/she earns income on any basis, the allowance is determined as the difference between HRK 1,500.00 and income earned in the 3 months prior to submitting your application to claim this allowance.

121. Assistance and care allowance – is granted to a person who cannot meet the basic needs of life on his/her own, because of which he/she needs the assistance and care of another person.<sup>35</sup> The right is recognized in full (HRK 600.00) or reduced amount, depending on the required assistance.

122. The SWA lays down that the network of social services determines the required number and type of social services for which funds are provided in the state budget and that social services can be provided within and outside the network.

123. Social services in the network are provided by service providers founded by the RC or service providers of other founders (associations, religious communities, companies, craftsmen providing social services, and natural persons providing services as a professional

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1. able-bodied single person – 100% of the basis (HRK 800.00) single person – incapable to work – 115% (HRK 920.00);

2. for household, the shares of household members are added up:

- single parent – 100% of basis (HRK 800.00)
- adult member of the household – 60% of the basis (HRK 480.00)
- child (up to 18 years – 40% of the basis (HRK 320.00)
- child of a single parent/child of single-parent household – 55% of basis (HRK 440.00).

<sup>31</sup> Eurostat data. *Median relative income ratio* – the indicator is defined as the ratio of the mean value of the equivalent income of persons aged 65 or over and persons aged 0 to 64.

<sup>32</sup> Amounts: 0.85 in 2015, 0.84 in 2016, 0.82 in 2017, 0.79 in 2018 and 0.75 in 2019.

<sup>33</sup> In 2019, the rate of severe material deprivation of persons over 65 years of age (10%) and persons aged 18 to 64 (6.8%) was higher than that of persons aged 0–64 (6.5%) – *source*: CBS.

<sup>34</sup> Issued after 5 years of residence in Croatia.

<sup>35</sup> It referred to the organization of food, preparation and intake of meals, procurement of groceries, cleaning and tidying the apartment, dressing and undressing, maintaining personal hygiene, as well as performing other basic necessities of life.



activity) with whom the competent ministry has concluded a contract for provision of social services. Social services outside the network are provided by third-party service providers and they can charge users for their services.

124. Until 2010, men and women were treated differently regarding the prescribed age and conditions required to acquire the right to an old-age and early old-age pension, but since 2011 the conditions for both sexes have been equal. A transitional period has been introduced for women to equalize the age limit for exercising the right to an old-age and early old-age pension, and a gradual annual increase in the age is prescribed starting on 1 January 2019 by three months to equalize the age for women with the prescribed age for gaining the right to old-age and early old-age pension until 2030. In 2019, there was a gap of 27.8% between men's and women's pensions, which is less than the EU-27 average of 29.5%.<sup>36</sup>

125. Persons working in the undeclared economy (as well as all other health insured persons) exercise their rights from the compulsory health insurance in accordance with the ground of the health insurance based on which they acquired the status in the compulsory health insurance. In the system of maternity and parental benefits, if they meet the conditions prescribed for certain categories of beneficiaries, they can also exercise the right to maternity and parental exemption from work as unemployed parents and maternity and parental care as a parent outside the work system. If the persons concerned don't have the status of insured persons in the compulsory health insurance, then they cannot even use the rights from that system.

126. Article 22 of the SWA prescribes who are social welfare beneficiaries.<sup>37</sup>

## Article 10

127. One of the conditions for marriage is a free consent of the intending spouses.

128. The FA prescribes the preconditions for the validity of marriage: a person may not enter marriage if under 18 years of age, if no legal or contractual capacity, in case of lineal or collateral consanguinity and if a person was already married or in a life partnership. The annulment of marriage that wasn't concluded in accordance with the legal preconditions is prescribed.

129. A child without parents/without parental care, in accordance with the FA, is appointed a guardian as the child's legal representative. At the same time, the child is entrusted to the caregiver for upbringing and care. Such a child is primarily entrusted to a relative, and if there is no relative, it is entrusted to another natural or legal person.

130. After the death of the parent, the child is entitled to a survivor's pension if the conditions prescribed by law are met by the parents (insured or pension beneficiary) and the child (age, regular schooling, complete loss of working capacity, status of a person with disability with remaining working capacity, unemployment and else).

131. Social services which enable the elderly to stay in the family environment for as long as possible, and the usual rhythm of life prescribed by the SWA are help at home<sup>38</sup> and stay.<sup>39</sup>

<sup>36</sup> Gender gap in pensions, EU 2015 (Survey submitted to the Latvian Presidency)

[http://eige.europa.eu/sites/default/files/documents/MH0415087ENN\\_Web.pdf](http://eige.europa.eu/sites/default/files/documents/MH0415087ENN_Web.pdf).

<sup>37</sup> This refers to a Croatian citizen residing in the RC; an alien and a stateless person with permanent residence in the RC; an alien under subsidiary protection, an alien with the established status of a victim of trafficking in human beings, an asylum seeker and a member of his/her family legally residing in the RC and exceptionally, a person not covered by the above categories may be entitled to one-time compensation and temporary accommodation if the person's life conditions call for it.

<sup>38</sup> A service granted to an elderly person who, in the opinion of the SWC, needs the help of another person; a person who urgently needs the help of another person due to permanent changes in his/her health condition; a person who urgently needs the help of another person due to temporary changes in his/her health condition.

<sup>39</sup> Refers to a social service that includes a full day (from 6 to 10 hours per day) and a half-day stay (from 4 to 6 hours per day). The service ensures the satisfaction of life needs of users by providing

132. Numerous rights for persons with disabilities and their parents are prescribed by the SWA<sup>40</sup> and MPBA.<sup>41</sup>

- To ensure the quality of meeting the needs of persons with the most severe type and degree of disability, the competent ministry in cooperation with associations of persons with disabilities has been providing personal assistance services since 2006;
- Three tenders financed from the ESF for the period 2015–2019 have been published and HRK 331.1 million worth of projects were contracted (the number of users of the personal assistance service financed from the ESF increased from 500 to 1242). The tender financed the services of an interpreter/translator of Croatian sign language for deaf and deafblind people and sighted companions for blind people, and the number of employed interpreters increased from 16 to 21, and sighted companions from 15 to 35.

133. In 2011, the RC prepared the UNCRPD Initial Report (CRPD/C/HRV/1).<sup>42</sup> Based on additional questions from the Committee on the Rights of Persons with Disabilities, amendments were drafted in 2014 (CRPD/C/HRV/Q.1/Add.1<sup>43</sup>). On 30 and 31 March 2015, the Croatian delegation, coordinated by the then Ministry of Social Policy and Youth, presented the same.

134. Maternity and parental benefits fall under the system of family policy and social security, which directly protect motherhood, facilitate the reconciliation of family and professional duties, and encourage fathers to actively participate in the care and upbringing of the child from an early age. All employed, self-employed, unemployed and parents outside the work system are entitled to a certain type of maternity and parental benefit (leave and cash benefits).

135. The beneficiary may be:

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services of nutrition, personal hygiene, health care, care, nursing, work activities, psychosocial rehabilitation, leisure, organized transport, depending on the identified needs and choices of users.

<sup>40</sup> These are:

- The right to personal disability allowance;
- The right to an allowance for assistance and care;
- The right to foster parent status or foster care status;
- The right to compensation until employment;
- The right to help at home service;
- The right to psychosocial support service – the service includes rehabilitation that encourages the development of cognitive, functional, communication or social skills of the user;
- The right to an early intervention service – a social service that includes professional incentive assistance to children and their parents, other family members or foster parents in the event of an identified developmental risk or developmental difficulty of the child. It is provided to a child up to the age of 3, and at the latest, until the child reaches the age of 7, and to his/her parents or foster parents for the purpose of including the child in the wider social network if such service is not provided within the health care system;
- The right to assistance in inclusion in regular education programmes (integration) – is intended for educators, teachers, and teachers in preschool and school institutions to include a child with disabilities or young adults with disabilities in the programmes of regular preschool or school institutions integration;
- The right to a residence service.

<sup>41</sup> The right to work part-time due to increased child care;

- The right to leave to care for a child with severe developmental disabilities;
- The right to work part-time to care for a child with a severe disability.

<sup>42</sup> [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fHRV%2f1&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fHRV%2f1&Lang=en).

<sup>43</sup> [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fHRV%2fQ.1%2fAdd.1&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fHRV%2fQ.1%2fAdd.1&Lang=en).

- An unemployed parent (and parent who earns other income, parent farmer) – is entitled to maternity and parental exemption from work and the right to cash benefits during the exercise of the right;
- A parent outside the employment system (e.g. full-time student, incapacitated person) is entitled to maternity and parental care for the new-born child and the right to financial assistance during the exercise of the right.

136. The maternal exemption from work/care means the period from the child's birth to the 6th month of the child's life, and parental exemption from work/care the period from the 6th month to the child's 1st birthday.<sup>44</sup> During the use of maternity leave, the beneficiary is entitled to salary compensation in the amount of 100% of the salary earned in the 6 months preceding the beginning of the use of the right.

137. A pregnant worker is entitled to one day off per month for the purpose of performing prenatal examinations.

138. A pregnant worker or mother is entitled to compulsory maternity leave (from 28 days before the due date and 70 days after the birth of the child) and additional parental leave until the child reaches 6 months of age, which she can transfer to the child's father in a written statement.

139. An employed parent, after the child reaches the age of 6 months, has the right to parental leave. This is the right of both employed parents and they use it, as a rule in equal parts: 8 months for the first and second-born child; 30 months for twins, third and each subsequent child. If parental leave is used by only one parent, it is used for a period of 6 months for the first and second-born child, or 30 months for twins, the third and each subsequent child. During parental leave, the right to salary compensation in the amount of 100% of the salary compensation basis is exercised, which was limited to 80% of the budget basis (HRK 2,328.20) until 30 June 2017. After that, the limit was increased to 120% of the budget basis (HRK 3,991.20), and in 2020 to 170% (HRK 5,654.20).

140. Article 32a of the PIA (2019) introduces a new category "additional years of experience". In determining years of employment, a period of 6 months for each born or adopted child is added to the total years of employment of a parent – mother or adoptive mother who is entitled to a pension under the PIA or other special regulations in the mandatory pension insurance of generational solidarity. This right can also be acquired by the father – adoptive father instead of the mother, but only if he has used the predominant part of the additional maternity leave for the child.

141. A worker who breastfeeds a child, during full-time work, has the right to a breastfeeding break of 2 hours per day.

142. Parents are also entitled to one-time financial support for a new-born child in the amount of HRK 2,328.20 paid by the CHIF.

143. The LA prohibits the work of persons under the age of 15 and minors who have not completed compulsory primary education. The CC comprises the criminal offense of trafficking in human beings, which includes the prohibition of forced labour or exploitation of children for which a prison sentence (1 to 10 years) is foreseen.

144. The National Strategy for the Rights of the Child in the RC, for the period from 2014 to 2020, protects the rights of the child (see also: CRC: CRC/HRV/5-6<sup>45</sup>).

145. In accordance with the provisions of the LA, a minor may not be employed in jobs that may endanger his/her safety, health, morals, or development.

146. The APDV defines domestic violence as the neglect of the needs of an elderly person that leads to distress or insults his/her dignity and thus inflicts physical or mental suffering

<sup>44</sup> The parental exemption from work starts when the child turns 6 months of age to 12 months of age for the first and second child born, and until the child reaches the age of 3 at the birth of twins, the third and each subsequent child.

<sup>45</sup> [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fHRV%2f5-6&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fHRV%2f5-6&Lang=en).

and provides for a misdemeanour sanction to protect family members and prevent the recurrence of violence. The CC prescribes a criminal sanction for the criminal offense of domestic violence under Article 179a. (1 to 3 years imprisonment), for a person who seriously violates the regulations on the protection of domestic violence and thus causes fear in the family member or close person for his/her safety or the safety of close persons or puts him/her in a degrading position or a state of long-term suffering, and thus no more serious criminal offense was committed.

147. The CC defines in its chapters criminal offenses to protect family members: criminal offenses against marriage, family, and children. The CC defines family members.<sup>46</sup> The CC defines several criminal offenses in which the commission of an offense against a close person is defines as an aggravated form of committing a criminal offense.

148. The FA defines solidarity as a fundamental principle of family life. Domestic violence is a particularly serious violation of these principles.

149. New APDV (2018) defines the rights of victims of domestic violence, the personal scope of the law and determines the forms of domestic violence, misdemeanour sanctions for protection against domestic violence, and the collection of data on the application of the law. The competent authorities treat the victim of domestic violence with special care and take appropriate measures to take care of the rights of the victim, especially the child, person with disabilities, or the elderly. The obligation of all competent authorities to act towards the child victim with special care, considering his/her age, personality, and personal and family circumstances to avoid harmful consequences for his/her upbringing and development.

150. Article 4 of the APDV stipulates that all bodies dealing with domestic violence are obliged to act urgently. Bodies acting on domestic violence have duty to inform the competent SWC without delay of the facts and circumstances that contributed to or led to the commission of domestic violence, to take measures within the competence of the SWC.

151. The new APDV defines a victim of domestic violence, and the prescribed catalogue of victims' rights strengthens their procedural legal position, enables active participation in procedural actions taken by the competent authorities aimed at protection and sanctioning perpetrators, and prevention of their traumatization and secondary victimization in the proceedings. The injured party is enabled to actively participate in procedural actions.

152. The new Protocol on Action in Cases of Domestic Violence (2019) ensures an integrated approach with inter-ministerial action of all stakeholders involved in the protection of victims of violence.

153. Asylum seekers, in accordance with the AISP, have the right to residence, freedom of movement in the RC, provision of appropriate material reception conditions, health care, primary and secondary education, information, legal advice and free legal aid, freedom of religion, work and documents. Asylum seekers and foreigners under subsidiary protection have the right to residence in the RC, family reunification, accommodation, work, health care, education, freedom of religion, free legal aid, social welfare, social integration assistance, property ownership under the Convention relating to the Status of Refugees 1951 and the acquisition of Croatian citizenship. Also, they have the right to accommodation during 2 years at the expense of the state budget. For more details on the rights of asylum seekers, see: items 118–128 of the UPR (A/HRC/WG.6/36/HRV/1).<sup>47</sup>

154. Statistics on the application of the APDV and statistics on criminal offenses, see: Annex 9 of the Report.

155. National Strategy for Protection against Domestic Violence (2011–2016 and 2017–2022), defines 7 areas of action, which include prevention, legislative framework, and

<sup>46</sup> Included are: spouse or common-law partner, life partner or informal life partner, their joint children and children of each of them, blood relative in the direct lineage, relative in the collateral line up to the third degree of kinship, in-law relatives up to the second degree of kinship, adoptive parent and adoptee.

<sup>47</sup> <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G20/050/17/PDF/G2005017.pdf?OpenElement>.

international cooperation, training of professionals, care and support for victims, psychosocial treatment of perpetrators, and public awareness.

156. All data on counselling and shelters for victims of violence are available on the website of the MoI – address book of institutions, organizations, and other institutions providing assistance, support, and protection to victims of domestic violence.

157. For needs of accommodation and psychosocial support for victims of domestic violence in moments of their vulnerability, 19 shelters were provided (17 financed by the ministry in charge of social welfare in the annual amount of HRK 6,500,000.00). They are available to the beneficiaries and their children in case of need 24/7, at the request of the police, the SWC, and victims in crisis situations. Six counties lack shelters, but all counties have temporary solutions for establishing shelters. Therefore, the competent ministry issued a restricted invitation: “Providing a support system for women victims of violence and victims of domestic violence” from the ESF to help these counties (landscaping, procurement of equipment, shelter expenses) worth HRK 70 million.

158. On the International Day for the Elimination of Violence against Women, on 25 November 2019, the project “Stop Violence against Women and Domestic Violence – There is No Justification for Violence” was presented, with the aim of further improving the prevention and protection system.

159. The Police Academy of the MoI trains police officers at all educational levels to deal with cases of domestic violence, violence against women and children. In 2019, three lifelong learning programmes (12 seminars) were conducted for 289 police officers. The topic is also covered within two study programmes (4 courses) at the Police High School and 5 subjects at the Josip Jović Police School.

160. The CC specifically criminalizes criminal offenses: trafficking in human beings (Article 106), trafficking in human body parts and human embryos (Article 107) and slavery (Article 105). The MoI is the competent body for the identification of victims of trafficking, while the State Attorney’s Office, as an independent judicial body, takes measures and actions to prosecute perpetrators and protect the rights of victims of trafficking.

161. In accordance with the National Roma Inclusion Plan for the period from 2013 to 2020 and the accompanying Action Plan, the Police Directorate has continuously implemented the National Prevention Project “I Have a Choice”<sup>48</sup> since the school year 2012/2013.

162. The OHRRNM coordinates the work of the National Anti-Trafficking Committee which includes representatives of bodies and organizations responsible for combating trafficking in human beings.

163. The social welfare system is an integrative part of the national anti-trafficking mechanism and as such operates at the national, county, and regional levels. There are two shelters for victims of trafficking in the social welfare system, one for the accommodation of adults and the other for the accommodation of minors. Shelters are run by anti-trafficking NGOs. Funds for work are provided in the social welfare system.

## **Article 11.a**

164. See: Annex 3 – Economic Indicators, Annex 3a – Poverty Indicators, Annex 4 – Income Survey, Annex 4a – Correction of the Income Survey and Annex 4b – Charts from the Income Survey.

165. Strategy for Combating Poverty and Social Exclusion of the RC for the period 2014–2020 includes an overview of poverty and social exclusion, their causes and provides a social projection as a basis for action. Four categories of the population are highlighted: children and youth, the elderly and pensioners, the unemployed, and people with disabilities. The

<sup>48</sup> This project was also implemented in the school year 2019/2020 in educational institutions in the Osijek-Baranja and Međimurje counties with the coordination of the Police Directorate. The project is aimed at reducing the risk of trafficking and smuggling in human beings.

three-year Programme for the Implementation of the Poverty Reduction Strategy for the period from 2014 to 2016 was implemented, and annual reports on the implementation of measures were prepared.

166. There are three main priorities that the RC is striving to achieve:

- The fight against poverty and social exclusion and the reduction of inequalities in society;
- Preventing the emergence of new categories of the poor, as well as reducing the number of poor and socially excluded people; and
- Establishing a coordinated support system for groups at risk of poverty and social exclusion.

### **Article 11.b**

167. The established long-term goals of Croatian agricultural and fisheries policy are in line with the objectives of the Common Agricultural Policy and the Common Fisheries Policy of the EU, which emphasize the need to constantly strengthen competitiveness, food security, adequate living standards and improve the quality of life in rural areas and sustainable resource management and care for the environment.

168. The RC is a party to the Kyoto Protocol and the Paris Climate Agreement and supports the Initiative “4 per 1000” Initiative: Soils for Food Security and Climate”, which shows a continuous approach to environmental protection, climate change, and thus seriousness in protecting citizens’ rights to safe and healthy food and the environment.

169. The MoA awards state aid to farmers under two EU programmes: The distribution of direct income support among farmers and the Rural Development Programme

170. By investing in infrastructure, consolidation, and bringing agricultural land to use, the competitiveness of the agricultural processing sector is impacted and thus the improvement of living conditions in rural areas dominated by agriculture. The Rural Development Programme of the RC 2014–2020 represents the backbone of food safety and availability, respecting the principles of sustainable management of natural resources and balanced territorial development of rural economies.

171. Since 2014, the RC has 36.6 million euros at its disposal from the Fund for European Aid to the Most Deprived (FEAD). Within the FEAD, two types of tenders are conducted to mitigate the worst forms of poverty<sup>49</sup> and the worst forms of child poverty.<sup>50</sup> By the end of 2019, HRK 205.4 million worth of projects were contracted through the FEAD for providing food aid. In 2019, 98,153 persons received food aid (of which 47,140 were men), of which 21,287 were persons over 65, 5,881 migrants, persons of foreign origin or members of minorities, 3,438 people with disabilities, and 118 homeless people. In 2019, 30,488 children received assistance in the form of free school meals (of which 15,325 were boys), of which 14,989 were migrants, persons of foreign origin or members of minorities, and 324 children with disabilities.

172. Food distributed to the most deprived persons must be produced in accordance with the health and quality standards laid down in national agricultural and food regulations and sustainably produced, processed or partially processed, unprocessed, healthy and safe.

173. The MoA implements measures for the well-being of citizens, development of rural areas and supervise the production and placing on the market of healthy food. The MoA refers to the appropriate use of natural resources and enables the implementation of the principle of circular economy on farms, which facilitates the self-sufficiency of agricultural

<sup>49</sup> Humanitarian projects are supported by providing assistance to the people in need, such as food and/or basic material assistance.

<sup>50</sup> Assistance is provided to children in the form of free meals in primary schools.

producers, and promotes an integrated approach to food safety.<sup>51</sup> The purpose is to achieve a high level of food and feed safety protecting human and animal health and the interests of consumers.

174. With the accession of the RC to the EU, a set of regulations called the “Hygiene Package” has become directly applicable and an integrated approach to food safety is being further developed at all stages of production, from the field to the food on the table for the final consumer, which includes food business operators and authorities (roles and responsibilities).<sup>52</sup>

175. The competent authorities are responsible for adopting food safety policy, conducting official supervisions<sup>53</sup> and compliance checks.

176. Integrated food and feed safety and the quality system included: MoA<sup>54</sup> and MH, bodies responsible for conducting official controls of food and feed (SIRC and Customs Administration) and other institutions (control bodies: official and reference laboratories, CAAF etc.).

177. The protection of the health and interests of consumers is ensured, inter alia, by the adoption of the ACIF, which ensured the implementation of Regulation (EU) no. 1169/2011 on consumer’s information on food.

178. The MoA focuses on agricultural and food quality policy as an opportunity to raise the competitiveness of agriculture and the food industry and better position in the market. Promotional and educational activities are continuously carried out, which, in addition to the promotion of these products, are aimed at educating consumers to understand the meaning of product labels and to recognize products on the market and their added quality.

179. Plan for Prevention and Reduction of Food Waste in the RC 2019–2022 and the Implementation Programme, which contribute to the achievement of objective 12.3. were adopted. UN Agenda 2030 for Sustainable Development (halve per capita global food waste at the retail and consumer level, and reduce food losses along production and supply chains) and Objective 2 (end hunger), as the priority measure of the Plan is to improve the food donation system. The purchase value of donated food during 2019 amounts to HRK 12,991,467.50 (30% more than in 2018).

180. In order to improve the eating habits of children in educational institutions, EU programmes the EU school fruit, vegetables, and milk scheme have been implemented since 2013. All primary school students are included.

181. The RC has adopted the Voluntary Guidelines to support the progressive realization of the right to adequate food in the context of the national food security.<sup>55</sup>

### **Article 11.c**

182. The right to safe drinking water are described in paragraph 109 of the UPR (A/HRC/WG.6/36/HRV/1<sup>56</sup>).

183. The CRC prescribes that waters are good of interest to the RC and that they have its special protection. Water services (public water supply and sewerage) are services of general

<sup>51</sup> It is driven by globalization and market liberalization, increasing food choices, increasing incidents in the field of food and feed safety, the need for human and animal health, and, on the other hand, increasing consumer demand.

<sup>52</sup> Food and feed business operators have the primary responsibility for food at all stages of production, processing and distribution.

<sup>53</sup> Official controls are carried out using a number of tools, including checking on a specific sample to determine the situation in a specific area.

<sup>54</sup> The MoA is the national central and coordinating body for Codex Alimentarius, as the most important international body in establishing harmonized international food standards, in order to protect consumers and promote fair practices in the trade of safe and quality food.

<sup>55</sup> Voluntary Guidelines to support the progressive realization of the right to adequate food in the context of national food security – FAO.

<sup>56</sup> <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G20/050/17/PDF/G2005017.pdf?OpenElement>.

interest. They are performed as a public service exclusively by public water service providers for which the sole founders are the LRSGU. They have duty to provide water services under non-discriminatory and socially accessible conditions. In the last decade, water services have been improved – 94% of the population has the opportunity to use water from the public water supply system (in 2010 only 80%), while 57% of the population has the opportunity to connect to public sewerage systems (in 2010 only 43%).

184. Under the large investment cycle, investments are being made in the development of public water supply and sewerage projects, but approximately 1.5% of the population is still supplied with water through the so-called local waterworks that are not managed by public water service providers and in which water safety standards for human consumption are not ensured.

185. The Programme of Drinking Water Quality Control started in 2009 and is implemented by the CNIPH. The Ordinance on compliance parameters, methods of analysis, monitoring and safety plans for human consumption, and the manner of keeping the register of legal entities engaged in public water supply prescribes parameters for checking the compliance of water for human consumption in accordance with EU rules and WHO Drinking Water Quality Guidelines.

186. Education on the hygienic use of water for human consumption, protection of water resources and methods of reducing wastewater is conducted within the framework of health education in kindergartens and schools.

#### **Article 11.d**

187. Annex 3a – Poverty Indicators 14.1.7. comprises some of the elements related to the right to adequate housing. Indicators of homelessness and inadequate housing are not processed, but some segments can be seen from the CBS Income Survey. See: Annex 4b.

188. The state and LRSGU co-finance social housing construction schemes, and the MoSPCSA programmes that finance part of the interest on loans for the younger population.

189. The MoSPCSA is responsible for spatial planning, i.e. providing funds for the assistance of LRSGU for spatial planning of areas inhabited by Roma. The MoSPCSA financed the preparation of project documentation for the legalization of sites inhabited by Roma in the period 2012–2016 for 765 buildings – HRK 1,229,596.25. In 2018, MoSPCSA paid HRK 1,811,882.46 for spacial planning, fees for legalisation of illegal Roma residential buildings as well as water contributions.

190. With the entry into force of the ASAM the preconditions for the donation and putting into use of real estate owned by the RC without compensation to LRSGU have been strengthened, when justified by the reasons for promoting the social welfare of citizens aiming at implementing various programmes.<sup>57</sup>

191. In accordance with the CA, buildings must be designed and constructed in such a way that they are accessible to and usable by disabled persons with reduced mobility. During the construction and reconstruction of residential and residential and commercial buildings, one easily adaptable apartment must be provided for every ten apartments in the building.

192. Spatial planning documentation ensures that housing facilities are not built in or near the polluted area.

193. No cases of forced evictions affecting a specific group or minority have been reported.

194. Enforcement on real estate cannot be carried out for the purpose of settlement of obligation whose principal amount doesn't exceed the amount of HRK 40,000.00.<sup>58</sup> If the principal amount exceeds the stated amount, the court may reject the motion for enforcement

<sup>57</sup> Such as the programmes: housing and socially supported housing, integration of persons with disabilities and demographic renewal, the Operational Programmes for National Minorities of the Government of the RC.

<sup>58</sup> This threshold was raised by the latest amendments to the EA, which entered into force in November 2020, before the amount was HRK 20,000.00.



if it finds that the sale of real estate would turn the fair balance between the interests of the debtor and the interests of the creditor (Art. 80.b of the EA). The debtor who is obliged to vacate and hand over a real estate sold in the enforcement proceedings in order to collect the monetary claim is entitled to financial compensation for the costs of lease from the state budget if the prescribed conditions are met. (Art. 131.a. of the EA).

195. Since 2014, the procedure of electronic real estate auction has been entrusted to the Financial Agency, which has significantly accelerated the procedure, see: Annex 2, sheet 11.1.1.

## Article 12

196. The right to health is guaranteed to all citizens under the CoRC. Legislation is in line with the Convention for the Protection of Human Rights and Dignity of the Human Being with Regard to the Application of Biology and Medicine,<sup>59</sup> and in 2004 the PRPA was adopted, which regulates moral, ethical, and civic behavioural standards of users and providers of health care services. National Health Care Strategy 2012–2020 is an umbrella document that sets out the context, vision, priorities, goals, and key measures in health and is in line with key strategic documents of the EU, WHO and UN.

197. The MoH is responsible for supervision the health care and health care financing system as well as for providing quality health care. Particular attention is paid to the health care of certain vulnerable groups (pregnant women, children, people over 65, people with disabilities, marginalized groups), as well as to solving priority public health problems (infectious and non-communicable diseases).

198. In 2015, the CHIF registered an average of 4,325,852 insured persons, and the number of insured persons who meet the conditions for being paid a supplemental health insurance policy at the expense of the state budget was 974,032 persons (945,277 in 2014), which equalised access to health services for people at social risk.

199. The health care of the population is implemented according to the principles of universality, continuity, availability, and a comprehensive approach in the primary health care, and specialised approach in specialist-conciliatory and hospital health care and based on subsidiarity and functional integration. Primary health care services are available to the entire population within less than one hour of walking or driving.

200. Fundamental rights deriving from compulsory health insurance<sup>60</sup> are the right to health care and the right to financial compensation.

201. The MA and MDA prescribe the area of work with medicines and medicinal devices as well as the scope of work of the Agency for Medicinal Products and Medicinal Devices, which is responsible for marketing and control of medicines, preparation of the Croatian Pharmacopoeia and inspection of drug production.

202. Healthcare professionals are people who have a health education<sup>61</sup> and provide health care to the population, with mandatory respect for the moral and ethical principles of the health profession. When providing health care, they act according to the rules of the health profession, in a way that the actions do not endanger people's lives and health. When performing health care activities, they must have a valid work permit issued by the competent chamber, which they periodically renew through continuous education and/or taking exams.

<sup>59</sup> Official Gazette, International Agreements, No. 13/03.

<sup>60</sup> Compulsory health care is financed by contributions of insured persons, contributions of employers, contributions of other taxpayers determined by this and other laws, special contributions for the use of health care abroad, special contributions in case of occupational injuries, state budget revenues and interest, dividend and other revenues.

<sup>61</sup> Healthcare professionals are educated at the Faculty of Medicine, Dentistry, Pharmacy and Biochemistry, the study department of speech therapy and other higher education institutions of health orientation, as well as in secondary schools of health orientation.

203. One of the main health goals is to improve perinatal care.<sup>62</sup> Priority measures for safe motherhood are related to prevention, control and early detection of complications in pregnancy. Care of women's reproductive health is provided through gynaecological services, family planning, counselling for pregnant women and home visits in the context of primary health care. Priority measures are defined by implementing regulations that are the standard of perinatal care and child health care.<sup>63</sup>

204. In 2019 30.8% (524,218) of insured women used health services with gynaecologists in primary health care. The number of women over the age of 15 who are potential beneficiaries and the number of women of childbearing age is declining. 253 full-time and 14 part-time practices had a contract with the CHIF. Pregnant women are monitored with special attention (on average, they were examined 7.4 times during pregnancy). 26,426 pathological conditions in pregnancy were identified (5.9% less than in 2018). There was an increase of 10.2% in visits to contractual and non-contractual entities for the purpose of family planning and/or prescribing contraception compared to 2018. There were 463,711 preventive examinations (less than the previous year). The number of preventive mammography examinations increased compared to the previous year, with a decrease in the incidence of pathological findings (8.1%). The share of pathological findings of PAPA tests has increased (9.8%, compared to 9.0% in 2018).

205. Constant and very low prevalence of typhoid fever (1 case), bacterial dysentery (17) and hepatitis A (9)<sup>64</sup> are the results of advances in basic hygiene and sanitation. Priority treatment and surveillance of communicable diseases have also been highlighted in recent EU documents.

206. The Epidemiological Service of the CNIPH (Reference Centre for Epidemiology of the MoH as well as the National Centre for Disease Control and Prevention) acts as a central system for reporting and monitoring infectious diseases and supervising the implementation of preventive and contagious measures led by various health stakeholders, from family physicians to clinical hospitals, including specially trained and equipped Epidemiological Services at the CNIPH.

207. Diseases that can be controlled by vaccination that is mandatory in the RC are: diphtheria, tetanus, pertussis, polio, measles, mumps, rubella, influenza B, hepatitis B, pneumococcal disease, and tuberculosis. According to epidemiological indications, vaccination is also carried out against cholera, tick-borne meningoencephalitis, meningococcal disease, pneumococcal disease, varicella-zoster, hepatitis A and rotavirus gastroenteritis, influenza, HPV infection, and COVID-19 disease caused by SARS-CoV-2 virus. For the incidence of infection by a type of disease with regard to the effect of

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<sup>62</sup> Applies to:

- Establishment of regional organizations for perinatal care in which mother and child care is divided into three stages (care for pregnant women and children up to care in high-risk pregnancies, depending on the degree of risk),
- Development of special services, in particular neonatology services,
- Development of a pregnancy information system to monitor outcomes (e-newborn project),
- Appropriate observation and assessment of care at each stage,
- Cross-sectoral cooperation in defining regulations promoting the rights to maternity protection and the health of the child,
- Achieving the Sustainable Development Goals (SDGs) dedicated to mothers and children,
- Cooperating with NGOs on the future development and humanization of care.

<sup>63</sup> This applies to:

- For family planning: reproductive health promotion, health education and awareness, selection of the best appropriate contraceptive, infertility control and therapy, and a number of check-ups;
- For perinatal care: variants of preventive measures, procedures, and check-ups during pregnancy, childbirth, and after childbirth;
- Other measures, especially for the prevention of sexually transmitted diseases, as well as health promotion and health education.

<sup>64</sup> Data refer to 2019.

vaccination, see Annex 2, sheet 12.1.1. Significant reduction in tuberculosis cases see: Annex 2, sheet 12.1.2.

208. Thanks to the application of the overall measures from the National HIV/AIDS Prevention Programme (1993), which range from blood product monitoring to health education for HIV and AIDS have remained at low levels for 30 years (one of the lowest rates in Europe, with no signs of growth). Antiretroviral therapy, social support to patients and their families, programmes against stigmatisation, education and preventive measures are continuously implemented. For the number of HIV-positive and AIDS patients, see: Annex 2, sheet 12.1.3.

209. Action Plan for Strengthening Tobacco Control 2012–2016 was designed to provide an instrument for the application of the ARUTRP. The proposal of measures for strengthening tobacco control is based on the HCA, SIA, and the Health Care Plan of the RC. The main goal of the Action Plan is to improve the health of the population by adopting non-smoking as a healthier lifestyle while reducing the prevalence of smoking as a risk factor for a number of chronic diseases (circulatory system diseases, malignant neoplasms, chronic obstructive pulmonary disease, etc.).

210. Adoption of the National Strategy for the Prevention of Harmful Alcohol Use and Alcohol-Related Disorders, for the period 2011–2016, confirms the treatment of this problem as a public health priority. Particular attention is paid to reducing the damage to non-drinkers and the population at higher risk (children, adolescents, women of childbearing age, pregnant women, breastfeeding women, and other groups of specific socio-economic status). Activities are aimed at promoting healthy lifestyles and public campaigns to raise awareness of the harmful effects of alcohol.

211. The DAPA, central legal act, regulates all fundamental drug abuse issues: conditions for growing plants from which drugs can be obtained, conditions for the production, possession and trade of drugs and substances that can be used for the production of drugs (so-called precursors); measures to combat drug abuse; addiction prevention system and assistance to addicts and occasional drug users; record-keeping and international cooperation. An overview of Croatian legislation in the field of drugs is available on the website.<sup>65</sup>

212. The Policy on Drug Addiction Prevention and Combating Drug Abuse is based on the strategic goals of reducing drug supply and demand and a multidisciplinary approach in the implementation of the program.<sup>66</sup> Within the framework of the national policy on addiction through the health, social, educational and repressive system, NGOs and public media, programmes aimed at preventing the use of addiction and the development of behavioural addictions, reducing related health and social risks and reducing drug availability are implemented and related organised crime at all levels. The basis for the implementation is the National Strategy and Action Plan for Combating Drug Abuse and the DAPA.

213. Public Health Service Network identifies 48 teams for mental health protection, prevention and outpatient treatment of addiction in county institutes of public health, which consists of a psychiatrist, psychologist and nurse, and occupational therapist, social worker or social pedagogue participate in some mental health services of county institutes.<sup>67</sup>

214. In line with current trends and the results of the Twinning project “Ensuring optimal care for people with mental disorders”, optimal protection of people with mental disorders is achieved through a comprehensive approach and intersectoral cooperation, integrated biopsychosocial approach and highly personalized community interventions. Institutes of public health with a long tradition in promotion and prevention and a network of psychiatric services for mental health have mobile teams and psychiatric care at the primary level of

<sup>65</sup> [eldd.emcdda.europa.eu/html.cfm/index5029EN.html](http://eldd.emcdda.europa.eu/html.cfm/index5029EN.html).

<sup>66</sup> National Strategy for the Suppression of Drug Abuse 2012–2017, the Government of the RC, November 2012.

<sup>67</sup> In areas with greater human and financial resources, additional services are being developed to monitor early interaction between parents and children, mental health care at health centres, and mental health care for children victims of violence (Zagreb Health Centre, Zagreb West Health Centre, Specialized Polyclinics in Zagreb and Split).

health care and coordination with NGOs. Health centres have the best availability and are a good choice for early diagnosis, treatment and rehabilitation programmes.

215. The priority areas of the Mental Health Strategy for the period 2011–2016 are: prevention of depression and suicide, the mental health of children and youth, mental health at work, the mental health of the elderly, and combating stigma and social exclusion of the mentally ill. Within the health care system, appropriate services for the mentally ill are provided, as well as the possibility of periodic supervision in accordance with the APPMD.

216. The Health Promotion Service of the CNIPH (Reference Centre for Health Promotion of the MoH) in partnership with the Network of Public Health Institutions and numerous stakeholders implements the National Health Promotion Programme “Healthy Living”. The goals of the National Programme are to educate citizens about maintaining health, to enable greater availability of content for healthy lifestyles, and to influence the change of changing life habits in order to enable the highest level of health. The activities are implemented through five components: Health Education, Health and Physical Activity, Health and Nutrition, Health and the Workplace, and Health and the Environment. Implementation was further strengthened in 2016 when ESF funds were approved in the period from 2016 to 2022.

### Article 13

217. By introducing cross-curricular topics *Civic education, Health, Use of Information and Communication Technology, Sustainable Development, Personal and Social Development, Learn How to Learn* and *Entrepreneurship* the possibility of designing and organizing elective and optional classes is provided, which enriches the school curriculum. Education on economic, social, and cultural rights are part of the programme of cross-curricular topics.

218. In accordance with the provisions of Article 45. of the APSE the right to primary and secondary education under the same conditions as Croatian citizens have: children of citizens of EU member states; children of Croatian citizens who were educated in an EU Member State and continue their education in the RC, as well as children of asylum seekers, asylum seekers, aliens under subsidiary protection and aliens under temporary protection.

219. Aliens residing illegally in the RC are allowed to attend primary education if they are accommodated in a reception centre for aliens, if their forced removal is temporarily postponed or they have a deadline for return, during the period.

220. According to the CRC, education is available to everyone, under equal conditions. The state budget covers the costs of public education, and partly the costs of private religious schools with regard to the obligations under the Agreement between the RC and the Holy See on cooperation in the field of education and culture<sup>68</sup> and agreements with other religious communities.

221. The Action Plan for the Integration of Persons Granted International Protection for the period from 2017 to 2019 prescribes measures in education.<sup>69</sup>

222. The number of primary schools teaching the Croatian language is systematically increasing from 74 in 2013 to 293 in 2019.

223. In order to reduce the impact of indirect costs of education (textbooks, transport, etc.) for students from vulnerable groups, co-financing of the purchase of textbooks and other

<sup>68</sup> Official Gazette, International Agreements, no. 2/97.

<sup>69</sup> The measures relate to:

- Ensuring the learning of the Croatian language, history, and culture in all cities where persons granted international protection will be accommodated;
- Ensuring the implementation of preparatory and supplementary classes for primary and secondary school students who do not know or do not know enough about the Croatian language;
- The possibility of including children and students in the education system at all levels and
- Providing persons over 15 years of age who have not had the opportunity to complete their education with free completion of primary or secondary education in the adult education system.

educational materials have been provided. The new ATPSS stipulates that the funds for the purchase of textbooks for primary school students shall be provided from the state budget.

224. Primary schools are obliged to organize student meals while staying at the school in accordance with the SFBASSAC, issued by MoH. Meals are organized in 92% of primary schools (more than 65% of students are involved). Meals are financed by parents of students (50.8%), while for other students it is fully or partially financed from other sources.

225. The founder of an elementary school institution have duty to organize transportation for the early primary school students (1st–4th grade) who have a residential address at least three kilometres away from the school and the primary school students of the grades 5 to 8 who are at least five kilometres away. Transport is organised for more than 25% of primary school students.

226. After completing primary school everyone is enabled to acquire competencies for inclusion in the labour market and to continue further education at higher education institutions through secondary education. Depending on the type of educational programme, secondary schools are divided into Gymnasium, vocational and art schools. Applications and enrolment of candidates in the first grades of high schools are carried out through *National Information System for Applications and Enrolment in Secondary Schools (NISAESS)* thus making enrolment more accessible because all students can apply for their desired education programmes across the RC from their home.

227. Measures to gradually achieve free education include co-financing programmes for work with gifted students, education of students in the language and script of national minorities, equipping schools with cabinet, didactic and IT equipment, equipping school libraries with compulsory reading materials, etc. LRSKU co-finance the accommodation and meals of students in dormitories, provide scholarships and, as a rule, transportation. Students with disabilities are provided with transportation costs, including an escort cost. The school may completely or partially release the student from the obligation to pay the increased costs of education, which is decided by the school board.

228. Vocational education it is carried out in vocational education institutions and partly by employers. Work-based learning is present in three forms in vocational programmes: combined programmes or apprenticeships; in a school with periods of training with an employer and integrated into a vocational education and training program.

229. In order to develop vocational qualifications that will be competitive in the labour market and provide a basis for further education, a number of activities have been carried out: outcome-oriented vocational curricula based on occupational standards and qualification standards have been developed; new tools (sector profiles) and documents (occupational standards and qualifications) were introduced; a strategic and legal framework has been provided and new mechanisms for connecting with the labour market have been developed (sector councils, methodology for the development of professional standards of occupations, qualifications, and curricula).

230. Implementation of the curricular reforms of vocational education and training is ongoing – preparation of innovative and flexible sectoral curricula adapted to the needs of the labour market and improvement of teachers' competencies. This is also supported by the implementation of operations from the Operational Programme Effective Human Resources 2014–2020 within the ESF.

231. The conditions for enrolment in study programmes are autonomously determined by higher education institutions, but with the introduction of the state baccalaureate and the establishment *National Information Centre for Applications to Study Programmes at Higher Education Institutions (NISpVU)* higher education institutions have accepted the results of the state baccalaureate as one of the conditions for ranking candidates, and enrolments are conducted in this way.

232. Higher Education is subsidized for all full-time students of undergraduate and graduate study programmes of public higher education institutions. The subsidy covers the

cost of student fellowship throughout the study if students retain full-time student status.<sup>70</sup> In addition to Croatian citizens and citizens of EU member states, persons with temporary and international protection (refugees) have the right to access and support in higher education under equal conditions.

233. Under the 2007 agreement, Croatian veterans, Croatian disabled homeland war veterans, children of deceased, detained or missing veterans, and 100% Croatian Disabled Homeland War Veterans of the first group have the right to enrol as full-time students outside the approved enrolment quota, provided they meet the conditions for enrolment. From the academic year 2017/2018 The MoES within the Scholarship Award Project provides 10,000 state scholarships for students of lower socioeconomic status. In 2019, state scholarships were introduced for special groups of students that include students without both parents and parent students.

234. Adults over the age of 15 who have not completed primary education are allowed to acquire it in adult education institutions, at the expense of the state budget. It also finances the acquisition of a simpler occupation in certain jobs in order for people to enter the labour market.

235. The MoES drafted the *Digital, Math and Reading Skills Curriculum for Adults*.

#### **Members of national minorities**

236. Members of national minorities exercise the right to education in their own language and script at all levels of education from pre-school to higher education in accordance with the CoRC, the CARNM, and the AELSNM. There are three basic models of organising and conducting classes (A, B, C). The education of students, which is entirely conducted in the language and script of national minorities (model A), is being successfully implemented, while more and more students in primary schools are also involved in learning the language and culture of national minorities (model C).

237. Significant progress has been made in improving the quality of teaching by co-financing the development of author's textbooks in line with the curriculum and co-financing the translation of several textbooks for primary education (for the Czech, Hungarian, Serbian and Italian national minorities). In 2019, the MoES adopted curricula for Serbian (models A and C), Italian (model A) and Czech (models A and C).

#### **Members of the Roma national minority**

238. Since the implementation of the National Programme for Roma in 2003 and the Decade of Roma Inclusion from 2005 to 2015 and having in mind the National Strategy for Roma Inclusion for the period from 2013 to 2020, significant progress has been made in the field of education of members of the Roma national minority, especially in pre-school education, also with the increase in the number of students in secondary education. The monitoring of the measures of the mentioned Strategy is regularly performed by the MoES, about which it reports annually to the OHRRNM.

239. Preschool educational groups continued for all Roma children in preparation for inclusion in the educational system, and especially in areas where there is no capacity for integrated preschool education. The MoES co-finances the parental share in the economic cost of preschool education for children who are integrated, i.e. participants in the regular kindergarten program. Also, the preschool programme (preparations for primary school) for Roma children is co-financed, which proved to be much needed and gives good results.

240. The MoES promotes the learning of the Croatian language by providing primary school and Croatian language teachers to work with Roma students.

241. The MoES provides extended day programmes for Roma students, which is important as a precondition for the successful completion of primary education. Significant progress

<sup>70</sup> All full-time students, regardless of the type of higher education institution (public or private), enjoy rights from the student standard, such as subsidized food, housing, student work and transport, and the right to other direct (right to apply for scholarships) and indirect support (health insurance).

has been made in the areas of language learning, hygiene and socialization of children. Graduation trips, outdoor school, summer schools, and dormitory accommodation are also co-financed. An increasing number of students are enrolled in secondary education, and high school scholarships and dormitory accommodation are provided. Scholarships for pupils and students, accommodation in pupil/student dormitories and literacy and qualification programmes for adults are also provided.

242. In 2013, the MoES allocated HRK 8,977,778.29 for the implementation of national policy measures for Roma education, and in 2019 HRK 15,556,588.41.

243. To promote understanding of Roma and improve school success and inclusion, in 2015 work began on the development of the Curriculum *Nurturing the language and culture of the Roma national minority in primary and secondary schools in the RC* (model C).

244. NISAESS enables students to easily, transparently and quickly enrol in the desired high school based on their achievement in primary school, regardless of race, skin colour, gender, language, religion, political or other beliefs, national or social origin, property, birth, social position, and disability.

245. For more than thirty years the legislation has been supporting the integration of children with special educational needs into the regular education system. Special attention is paid to gifted children, children with special educational needs, children with behavioural problems and children growing up in different risk circumstances.

246. The right to enrol in the first grade of high school have students who turn 17 by the beginning of the school year in which they enrol in the first grade of high school.<sup>71</sup>

247. The MoES ensures the right to education of students with disabilities who attend regular or special institutions and provides professional, programmatic, and material support in order to equalize opportunities for their full involvement in community life.

248. According to art. 42 of the APSE and based on the insight into the submitted medical and pedagogical documentation, the MoSE ensures the implementation of home teaching/distance learning for students who are unable to attend school due to major motor difficulties or chronic diseases.

249. After recognizing the need to promote inclusive education and provide direct support to students with disabilities, from 2005 to 2007, teaching assistants have been introduced to schools through NGO projects, community involvement, and parental funding. Since 2013, The MoES takes over the financing of NGO projects that provide teaching assistant services to students with disabilities.

250. Indicators show a well-developed system. The rate of early school drop-outs in Croatia in 2009 was 5.2% and dropped to 3% by 2019, which is the lowest rate in the EU (the EU-27 average is 10.2%).

## Article 14

251. Eight-year primary education is compulsory and available free to all children between the ages of six and fifteen.

252. Secondary education enables everyone, under equal conditions and according to their abilities, after completing primary education, to acquire the competencies for inclusion in the labour market and to continue further education at higher education institutions.

## Article 15

253. Institutional infrastructure that improves access to culture consists of cultural centres, museums, libraries, archives, galleries, public and private theatres, other public cultural

<sup>71</sup> Exceptionally, with the approval of the school board, a student up to the age of 18 can enrol in the first grade of high school, and with the approval of the ministry responsible for education and a candidate older than 18.

institutions, cultural associations, art organizations and the like. Their activity is co-financed at the level of LRSGU. Funds for the programmes of libraries, museums, professional theatres, music, music and stage and dance arts, visual arts, innovative artistic and cultural practices, and cultural, artistic and dramatic amateurism are also allocated from the state budget.<sup>72</sup> Based on the call, the MoCM ensures funds that provide all citizens of the RC with free or very affordable access to a large amount of information, cultural, artistic, and educational content from all areas of culture and art.<sup>73</sup>

254. In accordance with the TA (2006), the MoCM supports the launch of permanent professional productions and the establishment of permanent professional theatre ensembles in smaller regional centres where professional theatres were abolished in the 1960s.<sup>74</sup>

255. Cultural infrastructure in the RC consists of a museum system with 162 registered institutions registered to perform museum activities regulated by the MA. The list is entitled Register of Public and Private Museums in the RC and is kept at the Museum Documentation Centre. Admission to museums is free to all visitors during certain events or on a certain day of the month – in 2019, 1,535,339 free visits to museums were recorded, out of 5,235,765 visits (almost 30%).

256. The most developed cultural infrastructure in the RC is the library network which makes a unique library system of the RC. In the Register of Libraries, kept by the National and University Library in Zagreb, there are 1636 registered libraries: public, school, higher education, university, scientific and special. The activities of libraries are determined by the ALAL.

257. The MoCM finances library programmes of library services that are part of the network of stationed national libraries and are a public need in a culture that contributes to the basic strategic goals of the EU and Croatia regarding social, cultural, and digital inclusion and lifelong learning, especially children and adults in rural areas, from larger urban centres and with poor traffic connections to developed neighbouring places.

258. Within the OPHRD 2014–2020. (Priority Axis 2 – Social Inclusion) from 2017 to 2019 the MoCM conducted calls for project proposals “Art and Culture for the Youth” and “Art and Culture 54+”. The Call “Arts and Culture for the Youth” would enable the implementation of participatory artistic and cultural activities for young people aged 15 to 25, especially young people at a disadvantage (people with disabilities, children with disabilities, members of the Roma and other national minorities, the unemployed, including the long-term unemployed and young people persons who are beneficiaries of social welfare). The call “Arts and Culture 54+” enabled the implementation of participatory artistic and cultural activities aimed at social inclusion of persons over 54 years of age and professional development activities in the field of cultural and artistic education aimed at social inclusion of persons over 54 years of age. In both Calls, participation in all activities was free. For data on funds see: Annex 2, sheet 15.1.1., Table 1 investments – culture, and on participants see: Table 1a.

259. In order to ensure the management process and access to comprehensive information on cultural assets, the MoCM developed from 2015 to 2019 a Cultural Heritage Information System on a single network platform. All data on the work of all types of libraries in the library system of the RC are publicly available on the website of the National and University Library in Zagreb.

260. On November 7, 2019, the MoCM signed a grant agreement for the e-Culture project – “Digitization of Cultural Heritage”, (partnership with the Croatian State Archives, the

<sup>72</sup> Funds for the work of the Croatian Library for the Blind are allocated from the state budget.

<sup>73</sup> Free concerts ensure the accessibility of cultural content in environments that do not abound in them, and whose audience is largely children, young people and the elderly population of different social and property statuses.

<sup>74</sup> The network of theater guest performances encouraged through co-financing of theaters, theater groups and local tour organizers, is particularly important for the revitalization of cultural life throughout the RC. The “gratis” model supports centres that are not able to finance theatrical performances, while the rest are enabled to organize more favorable performances. The MoCM also allocates funds directly to local theatre organisers.



National and University Library in Zagreb, the Museum of Arts and Crafts and the Croatian Radio and Television). For data on project funds and support for electronic publications see Annex 2, sheet 15.1.1., Table 2.

261. Archival, library, and museum institutions ensure the public availability of data on institutions, work with users and visitors, and information on their programmes through their websites.<sup>75</sup>

262. In the implementation of annual programmes of public needs in culture, the MoCM supports the artistic and cultural expression of children, in particular the adoption of new forms of cultural content.

263. In 2013, the MoCM launched together with the MoSE an art-educational programme at the state level Backpack (full) of Culture – Art and Culture in Kindergarten and School, as a supplementary curriculum support programme in kindergartens, primary and secondary schools,<sup>76</sup> see: Annex 2, sheet 15.1.1., Table 4.

264. Financing of programmes for children and youth, see: Annex 2, sheet 15.1.1., Table 3.

265. Since 1995, workshop programmes have been aimed at children and young people in kindergartens and schools as part of the European Heritage Day, which spreads knowledge and awareness of one's own cultural heritage, the values of other cultures, and mutual respect.

266. Since 2003, strategies for people with disabilities have been adopted. The latest National Strategy for Equalization of Opportunities for Persons with Disabilities was adopted for the period from 2016 to 2020. The MoCM is the holder of appropriate measures in the field of culture and anti-discrimination. The equality of persons with disabilities implies the right to full inclusion in society and cultural life. Encouraging the activities of persons with disabilities starts from raising public awareness of the diversity and values of their cultural activities and supporting full independence in artistic and creative expression, as well as providing financial support.

267. Through projects of protective works on cultural efforts are being made to eliminate physical barriers for the elderly and people with disabilities by building access ramps, elevators, etc. Also, through the competent conservation departments, everyone is provided with direct information on the protection of cultural property and solving possible problems.

268. Croatian Museum Council, the Minister's advisory body, verifies museological concepts (new permanent exhibition or its adaptation) whose concepts include an analysis of the spaces provided for museum contents that must be accessible to all visitors.

269. MoCM is the founder of the Typological Museum in Zagreb, a unique institution for the active involvement of persons with disabilities in museum activities.

270. There has been an increase in applications for grants and implemented programmes for persons with disabilities. For programmes for persons with disabilities, see Annex 2, sheet 15.1.1, Table 5, and on ensuring access to cultural institutions, Table 5a.

271. There are 22 national minorities living in the RC, 19 of which are organized into associations. The legal framework that regulates the rights of national minorities consists of: CoRC, CARNM, AELSNM, AERCP, AEMRBLRSGU, CA, SAOA.

<sup>75</sup> All archives on the website have available information on the archives and collections they keep. 7 out of 19 archives provide access to the material itself via web pages, but due to the small amount of digitized material, only 2% of the total material stored in archives is available online.

<sup>76</sup> The Backpack (full) of Culture Programme makes art and culture accessible to children and young people, and is implemented by experts in schools and kindergartens. The Backpack operates in eight programme activities (theater, art, film, music and dance arts, cultural heritage, and programmes of art academies in which students participate).

From April 2013 to December 2019, almost 34,000 children and young people participated in the Programme in more than 250 cities and municipalities belonging to the so-called assisted areas, with a low development index.

272. The implementation of the CARNM also represents the implementation of obligations from international agreements to which the RC is a party. The RC has concluded bilateral agreements on the protection of the rights of national minorities with Italy, Hungary, Macedonia, Serbia and Montenegro. In the field of culture and education, an Agreement was concluded with the Government of the Czech Republic and a Contract with the Republic of Austria.

273. Every year, the MoCM helps cultural goods owned by national minorities through a regular public tender for programmes for the protection and preservation of cultural property. For protection and preservation of cultural property, see Annex 2, sheet 15.1.1. Table 6.

274. The MoCM conducts Programme of Records and Inventory of Movable Cultural Property owned by religious communities, including the Serbian Orthodox Church, and is working on processing inventory from Orthodox churches evacuated at the beginning of the Homeland War. For national minority programmes, see: Annex 2, sheet 15.1.1. Table 7.

275. By the end of 2019, 10 central libraries for 11 national minorities had been opened and equipped. The MoCM finances material costs and salaries for 11 professional employees of these libraries and co-finances the purchase of books and non-book content.

276. The MoCM continuously supports the activities of Roma associations of the Croatian Romani Union “Kali Sata” and the Association of young Roma “Roma future”, Rijeka through projects to support Roma artists and projects to preserve the culture, history, and language of Roma in Croatia.

277. Art education is available to everyone under equal conditions, according to their abilities, and in accordance with the AEA.<sup>77</sup>

278. The scientific activity represents an activity of special interest to the RC, and in accordance with the provisions of the ASAHE is based on freedom and autonomy of creativity, ethics of scientists, publicity, connection with the education system, international quality standards, encouraging and respecting the specifics of national content and intellectual property protection. Scientific work is not subject to any restrictions or formal requirements other than those arising from respect for ethics in scientific and research work, protection of human rights and protection of personal and general safety at work. The RC recognizes the importance of applied science and technology as a very valuable instrument for stimulating economic growth and promoting other national goals and constitutional values.

279. The MoSE regularly encourages and funds research and scientific activities in fields where scientific discoveries are likely to be used for the benefit of all citizens (climate, agriculture, bioeconomy, biomedicine, etc.). Also, the MoSE is the competent authority for the implementation of the European Framework Programmes for Research and Innovation: Horizon 2020 and Horizon Europe, which encourage the commercial application of scientific research achievements of Croatian scientists.

280. Pursuant to the provisions of the ASAHE, the MoSE publishes a public call for the purpose of proposing candidates for members of the Ethics Committee in Science and Higher Education.<sup>78</sup>

281. To realize the fundamental material interests of authors derived from their work in the field of literary publishing, the MoCM awards grants to encourage literary creativity in the form of quarterly, semi-annual, and annual scholarships to authors for literary and translation work and incentives for authors for best literary creation achievements in the past year. See: Annex 2, sheet 15.1.1 – Table 8.

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<sup>77</sup> Through primary and secondary art education, the student acquires knowledge and skills for further education.

<sup>78</sup> The Committee on Ethics in Science and Higher Education is the highest advisory and expert body for the promotion of ethical principles and values in science and higher education, in business and public relations, and in the application of modern technologies and environmental protection.

282. In 2018 the MoCM published “Pilot Project – Public Call to Foster the Creativity of Visual Artists” as a new initiative to improve the social, professional, and material status of visual artists. In 2018 and 2019, 88 grants were awarded to visual artists (HRK 2,387,195.00).

283. Article 69 of the CoRC stipulates that freedom of scientific, cultural and artistic creativity is guaranteed.

284. Freedom of scientific and creative activity belongs to all members of the academic community and includes freedom of scientific and artistic research and creativity, teaching, mutual cooperation, and association, in accordance with the CoRC, international treaties, and ASAHE. The ASAHE – defines academic self-government at higher education institutions and the autonomy of universities, which includes the responsibility of the academic community towards the social community in which it operates.

285. AAVA regulates the work of the public institution CAVC (2007) for the purpose of incentive to audio-visual creativity. The CAVC prepares and implements the National Programme for the Promotion of Audio-Visual Creativity, collects and distributes funds through public tenders to incentive audio-visual activities, supports the production of films by young authors and debutants, represents Croatian audio-visual works at international festivals and events and encourages the participation of Croatian producers in European and international co-productions.

286. The new AMAAA was adopted in 2018 to improve and modernize the system of protection of archival material through three important areas: the transformation of the service, availability, and use of material, and protection of material in electronic form. The general period of unavailability of material of 30 years has been abolished and public archival and documentary material has become available since its inception.

287. The goals of the National Plan for the Development of Archival Activity (2019) are to create preconditions for performing the archival activity in the atmosphere of technological challenges of the 21st century, digitization of archival material, and full availability and use of archival material and data.

288. One of the important goals of the MoCM is strengthening international cultural cooperation and exchange in the EU and abroad and the presence of the RC in international organizations and associations.

289. From 2010 to 2013, cooperation took place within the Culture 2007–2013 programme, and special programme activities were developed with the EU presidency states.<sup>79</sup> Since 2014, the cooperation has continued within the Creative Europe programme (2014–2019), intended for the cultural and audio-visual sector divided into the subprogrammes Culture and MEDIA. Through the Creative Europe programme – Culture sub-programme, from 2014 to 2019, Croatian beneficiaries achieved co-financing in the amount of EUR 8,095,416.16.

290. Concluded contracts and cultural cooperation programmes enable a wider presentation of Croatian culture in other countries, as well as the culture of other countries in the RC. From 2017 to 2019, 151 agreements were signed with foreign publishers for publishing literary works by Croatian authors in foreign languages (EUR 272,610.00), and HRK 2,996,258.00 was allocated for guest appearances at foreign fairs and the organization of international book fairs in the RC, for 27 programmes. The RC has signed 51 bilateral agreements on cultural cooperation and 27 bilateral programmes on cultural cooperation, see: Annex 2, sheet 15.1.1., Table 9.

291. The agreements for special areas in culture and heritage protection were also signed, see: Annex 2, sheet 15.1.1., Table 10.

<sup>79</sup> The programme was implemented through the production and distribution of information and promotional materials; holding national, regional and local seminars for potential beneficiaries; maintaining a database for proposing project ideas and searching for partners (culturenet.hr); technical and financial assistance to projects supported by the EU; continuous cooperation with project partners from the RC and Europe, with info-desks of other member countries of the programme and with the European Education and Culture Executive Agency (EACEA) in Brussels.

292. Multilateral cooperation takes place by supporting the participation of artists and cultural workers in multilateral programmes that promote the development of intercultural dialogue and cultural diversity, within international organizations, NGOs and initiatives. The RC participates in the work of a number of international networks, see: Annex 2, sheet 15.1.1., Table 11.

293. The CRRA ensures effective protection of the rights guaranteed by ICESCR.

294. The protection of the moral and material interests of authors is primarily provided for in the CRRA, which is harmonized with the *Acquis Communautaire* as well as with international agreements to which the RC has acceded and is adjusted to requirements of technological development. Compared to the CRRA from the previous reporting period, the circle of moral rights of authors is expanding, property rights of authors are defined in more detail, and the category of so-called other rights of authors that bear the characteristics of both property and moral rights, and cannot be classified in any of the above categories.<sup>80</sup>

295. Provisions on the exercise of copyright and related rights are regulated in more detail, through associations for the collective exercise of copyright and related rights. The area of protection of copyright and related rights in the event of infringements is also regulated in more detail, in line with the criminal and misdemeanour legal system of the RC. New exceptions and limitations to copyright and related rights are also prescribed.<sup>81</sup>

296. The CRRA takes care to ensure a balance between favouring users' access to works protected by copyright and related rights and supporting creativity, fair compensation to creators, and the sustainability of the cultural economy.

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<sup>80</sup> The category of other copyright includes, for example, the right to compensation for the reproduction of a work for private or other personal use, the right to compensation for public lending, etc.

<sup>81</sup> Among other things, the CRRA prescribes a general exception that the use of copyrighted works for the needs of persons with disabilities is permitted in a manner directly related to the disability of those persons and which is non-commercial in nature and to the extent necessary for the disability. There is also a specific provision that allows easier adaptation of printed works and other content protected by copyright and related rights in formats adapted to the needs of blind people, people with visual impairments, or other difficulties that prevent them from using the press.