



Distr.: General

27 March 2023

Original: English

English, French and Spanish only

Committee on Economic, Social and Cultural Rights**List of issues in relation to the second periodic report of
Croatia***

1. The State party is requested to submit in writing the information requested below (preferably not exceeding 10,700 words) by 29 March 2024.

A. General information

2. Please describe the efforts undertaken to raise awareness among judges, lawyers and other legal professionals of the rights enshrined in the Covenant and their justiciability. Please provide information on the number of cases in which the provisions of the Covenant have been invoked before the domestic courts of the State party and examples thereof. Please provide information on how the legislature was involved in the implementation of and follow-up to the previous concluding observations¹ and in the elaboration of the second periodic report.²

3. Please provide information on measures taken to strengthen the free legal-aid scheme to adequately assist individuals, in particular those living in rural areas, in bringing their cases before the competent courts when their economic, social and cultural rights have been violated. Please also provide information on budget allocations and measures taken to raise awareness of the availability of the free legal scheme and the application process, in particular among Roma. Please provide information on the number of applicants for free legal aid in the State party, disaggregated by sex, age, ethnicity and rural/urban area.

4. Please indicate the steps taken to ensure sufficient human and financial resources are allocated to enable the Ombudsperson's office to carry out its work concerning violations of economic, social and cultural rights, particularly in remote areas and in marginalized communities.

5. Please provide information on legislative, administrative or other measures taken to ensure that business entities respect the economic, social and cultural rights of all persons and apply human rights due diligence throughout their operations and supply chain, including when acting abroad, and that victims of human rights violations by business entities have access to effective remedies in the State party. Please also provide information on the plan of the State party to develop a national action plan on business and human rights to implement the Guiding Principles on Business and Human Rights.

6. Please provide information on measures taken by the State party with regard to the mitigation of climate change, including specific measures, and their impact, to meet the nationally determined contributions for reducing emissions that the State party has set itself under the Paris Agreement. Please also provide information on the progress made in reducing per capita greenhouse gas emissions and on targets that the State party has set for further

* Adopted by the pre-sessional working group at its seventy-second session (6–10 March 2023).

¹ E/C.12/1/Add.73.

² E/C.12/HRV/2.



reductions. With respect to climate change adaptation policies and measures, please provide information on:

- (a) How the State party assesses the impacts of climate change on the enjoyment of economic, social and cultural rights, particularly for marginalized and disadvantaged individuals and groups;
- (b) Whether the State party has developed or plans to develop a national adaptation plan, with an adequate allocation of all required resources, to address the impacts of climate change on, *inter alia*, economic, social and cultural rights;
- (c) Measures taken to strengthen preparedness for and responses to natural disasters, disaster risk reduction measures and measures taken to adopt a strategy to this end, with an adequate allocation of financial resources;
- (d) Which institutions are tasked with the development and implementation of climate change adaptation measures and policies for slow-onset impacts in different areas, such as agriculture, housing and health, and how coordination among the institutions responsible for disaster preparedness and management is ensured.

7. Please inform the Committee how the State party has taken into account its obligations under the Covenant and the objective of the full realization of the rights enshrined therein in the implementation of its National Recovery and Resilience Plan, adopted to mitigate the impact of the coronavirus disease (COVID-19) pandemic and endorsed by the European Commission on 8 July 2021.

B. Issues relating to the general provisions of the Covenant (arts. 1–5)

Maximum available resources (art. 2 (1))

8. Please provide information on the evolution of the following, covering the past 10 years:

- (a) The proportion of the population living below the nationally defined poverty line;
- (b) Levels of inequality, before and after taxes and transfers, if possible defined as the ratio between the total income of the richest 10 per cent of the population and the total income of the poorest 40 per cent and as the ratio between the assets owned by the richest 10 per cent of the population and the assets owned by the poorest 50 per cent;
- (c) The economy, in particular through the annual variations of gross domestic product (GDP), GDP per capita and the level of public debt in proportion to GDP;
- (d) The proportion of public revenue generated through taxes and as a percentage of GDP, the proportion of public revenue obtained through direct and indirect taxes, the corporate tax revenue rate and the percentage of total revenue generated from personal tax collected on the incomes of the richest 10 per cent of the population, as well as provide an evaluation of the amount of tax evasion and tax avoidance and the fiscal cost of the main tax benefits;
- (e) Public expenditure as a percentage of GDP and, within total public expenditure, the proportion of the public budget allocated to social spending, including social security, food, water and sanitation, housing, health and education;
- (f) Any fiscal policies adopted in response to the coronavirus disease (COVID-19) pandemic.

Non-discrimination (art. 2 (2))

9. Please provide information on any expected revision of article 1 of the Anti-Discrimination Act to include “migration status” among the list of prohibited grounds of discrimination. Please provide information on how victims of discrimination based on grounds not specified in the Anti-Discrimination Act can seek remedies and how effective those remedies are. With reference to the information on the National Plan for the Protection

and Promotion of Human Rights and Combating Discrimination 2021–2027 in the report of the State party,³ please provide information on its adoption and implementation. Furthermore, in accordance with the new form of statistical data collection established by the Protocol for Procedure in Cases of Hate Crime, adopted in 2021, please provide statistical data on hate crimes over the last five years, disaggregated by bias motivation and types of crime.

10. Please provide information, including relevant statistics, on the prevention, investigation and sanctioning of cases of discrimination against persons based on their belonging to an ethnic or minority group and on the grounds of sexual orientation or gender identity.

11. Please provide detailed information, including relevant statistics, on the results of the implementation of the National Strategy for Roma Inclusion 2013–2020. Please describe the mechanisms established to guarantee the meaningful participation of the Roma population in the implementation of the strategy, including its coordination and monitoring body. Please provide information on measures taken to raise awareness among Roma about anti-discrimination legislation, what constitutes discriminatory behaviour and available legal remedies for the reporting of discrimination cases.

12. Please provide information on the progress made by the State party in preventing and combating discrimination against asylum-seekers, refugees and migrants in the exercise of their economic, social and cultural rights, in particular with regard to access to work, education and health-care services, and indicate any steps taken to develop and adopt a new migration and integration public policy. Please also provide information on actions taken to monitor, investigate and address all reports of violations of economic, social and cultural rights of migrants, including children, during pushback operations, particularly regarding the rights to food, safe drinking water and sanitation and physical and mental health.

Equal rights of men and women (art. 3)

13. Please provide updated information on the measures taken to enhance the implementation of the principle of equal pay for work of equal value and to reduce the gender pay gap in the State party. Please also provide information on the number of gender pay discrimination complaints brought before the Ombudsperson for Gender Equality and the number of cases brought before the courts and their outcome in terms of the remedies provided to the victims and the sanctions imposed on employers.

C. Issues relating to the specific provisions of the Covenant (arts. 6–15)

Right to work (art. 6)

14. Please provide further information on the implementation and the results of the new package of active employment policy measures referred to in the report of the State party.⁴ Please provide updated information on labour market participation, employment, unemployment and underemployment, including statistics on those topics, over the last five years, disaggregated by sex, age, ethnicity, disability and geographical location. Please also provide information on the steps taken to prevent and address reports of discriminatory practices, in particular against Roma and older persons, in employment and occupation.

Right to just and favourable conditions of work (art. 7)

15. Please provide information on framework legislation and policies on occupational health and safety. Please also provide disaggregated data on the incidence of occupational accidents and related diseases during the last five years and the measures taken to prevent them.

16. Please provide information on measures taken to ensure the effective application of labour legislation protecting the right of workers to just and favourable conditions of work, in particular concerning reports of informal employment, non-payment of salaries, being paid

³ E/C.12/HRV/2, para. 53.

⁴ Ibid., para. 73.

below the minimum wage, unpaid overtime work and failure to respect requirements for daily and weekly rest. Please provide information on labour inspections carried out during the reporting period, including relevant annual statistical data, information on the main areas of violations of labour legislation identified through inspections and the measures taken to address them.

17. Please provide information on the specific measures taken to bring the working conditions of migrant workers into conformity with the provisions of article 7 of the Covenant and the impact of such measures. Please provide information on the number of complaints of abuse or exploitation at work that have been lodged, the investigations conducted and the sanctions imposed.

Trade union rights (art. 8)

18. Please provide information regarding concrete measures taken to ensure that workers are adequately protected against acts of anti-union discrimination.

Right to social security (art. 9)

19. Please provide information on the following:

(a) Measures taken to further increase the budget allocation for social protection, especially social benefits, such as the guaranteed minimum benefit, one-off benefits and housing costs;

(b) Steps taken to ensure an adequate amount and coverage of the guaranteed minimum benefit;

(c) The causes for the decrease in the number of beneficiaries of the guaranteed minimum benefit;

(d) Measures to address regional and local disparities in the development and accessibility of social services;

(e) Steps taken to provide long-term care for older persons, including long-term quality accommodation.

Protection of the family and children (art. 10)

20. Please provide information on the actions taken to protect and prevent violence and abuse against older persons, including in nursing homes. Please provide information on the prevalence of violence and abuse against older persons in the State party, including annual statistical data on the number of cases reported and prosecuted, who the perpetrators are, the setting where the violence occurs, the remedial measures available to the victims and the sanctions imposed on the perpetrators.

21. Please provide information on steps taken to harmonize the normative framework and policies of the State party with the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention), ensuring a clear gendered approach to preventing and combating all forms of violence against women, in particular domestic violence.

22. In the light of the implementation of the National Plan for Combating Trafficking in Human Beings 2018–2021, as outlined in the report of the State party,⁵ please provide updated information on cases of trafficking in human beings in the State party, including the remedies provided to victims, the number of claims brought before the courts and the sanctions imposed on perpetrators. In addition, please provide detailed information on the measures taken to ensure that:

(a) All victims of trafficking are identified by the competent authorities, that cases are promptly investigated and prosecuted and that the victims are compensated and rehabilitated;

⁵ Ibid., para. 21.

(b) Victims of trafficking are not revictimized by being punished for their engagement in crimes their traffickers forced them to commit;

(c) The sanctions imposed on those convicted in cases of trafficking in human beings are commensurate with the severity of the crimes committed, an issue reflected in the information contained in annex 6 of the report of the State party.⁶

Right to an adequate standard of living (art. 11)

23. Please provide information on the preliminary results of the implementation of the National Plan for Combating Poverty and Social Exclusion for 2021–2027 and its action plan. Please provide updated statistical data on the extent of poverty in the State party over the last five years, disaggregated by age, sex, ethnic group and geographical location. Please provide information on the steps taken to reduce poverty and social exclusion of disadvantaged and marginalized groups and to address the high at-risk poverty rate for single-member households, namely those made up of older persons and of women.

24. Please indicate the steps taken towards the adoption of a comprehensive social housing policy. Furthermore, please provide information on measures taken, including investment policies, to ensure adequate housing and living conditions for all, particularly for the persons affected by the earthquakes of 2020, older persons, Roma and ethnic Serbs.

25. Please provide information on measures taken to prevent and address homelessness in the State party and the impact of such measures. Please also provide statistics, disaggregated by, *inter alia*, sex, age, ethnic origin and health status, concerning homeless persons in the State party.

26. Please provide information on measures taken to ensure access to accommodation, food, water, sanitation facilities, hygiene and clothes for persons served with return decisions during their stay in the State party and for persons in reception centres for applicants for international protection.

27. Please provide information on the number of persons or households who are unable to access adequate food in the State party or have difficulty in doing so. In addition, please provide information on measures taken to ensure that everyone, particularly persons from disadvantaged and marginalized groups, has access to adequate food at affordable prices.

28. Regarding the information on the development of public water supply and sewerage projects set out in the report of the State party,⁷ please provide information on progress made to ensure that all households are connected to the public water supply and sewerage systems.

Right to physical and mental health (art. 12)

29. Please provide information on the following:

(a) Steps taken to guarantee universal health coverage and unhindered access to health care and related services, in particular for asylum-seekers and refugees;

(b) Measures taken to ensure the equitable geographical distribution of health-care facilities, particularly in rural areas and islands;

(c) Steps taken to address the shortage of doctors and nurses in the hospital system and the unfilled outpatient clinics at the primary level of health care, particularly in rural areas and in the islands;

(d) Measures taken to reduce waiting lists for specialized diagnostic examinations, which the COVID-19 pandemic has exacerbated;

(e) Harm reduction measures provided to people who use drugs and to those who are dependent on controlled substances;

⁶ The annexes to the report of the State party (E/C.12/HRV/2) may be accessed from the web page of the Committee (<https://www.ohchr.org/en/treaty-bodies/cescr>).

⁷ E/C.12/HRV/2, paras. 183–185.

(f) Measures taken to increase coordination between the systems for social welfare, health and war veterans; between national, county and municipal/city levels; and between public and private (not-for-profit and for-profit) providers;

(g) Measures taken to improve the accessibility of health-care services for persons with disabilities, including adequate facilities and medical equipment;

(h) Analysis of the root causes of suicide, particularly among older persons, and measures taken to address the situation and their effectiveness.

30. In reference to the Mental Health Strategy for 2011–2016 referred to in the report of the State party,⁸ please provide information on the results of its implementation.

31. Please indicate the measures taken to guarantee access to safe abortion, including a systematic mechanism of timely referral to an alternative doctor for women who are refused an abortion by a medical practitioner on the basis of conscientious objection. Please also indicate the measures taken to prevent and address cases of violence and abuse against women during the performance of medical procedures related to their reproductive health.

Right to education (arts. 13–14)

32. Please provide data on school enrolment, completion and dropout rates at the primary and secondary levels of education, disaggregated by sex, ethnicity, disability, geographical location and economic status, during the reporting period. In addition, please provide information on measures taken to promote inclusive and quality education and combat school segregation. Please also indicate steps taken to further reduce school absenteeism and early dropout, particularly among Roma children, especially in the transition from primary to secondary education.

33. Please provide data on enrolment and completion rates in higher education, disaggregated by ethnicity, sex, geographical location and economic status. Please also indicate the concrete measures taken to guarantee access to higher education for refugees in accordance with the Act on International and Temporary Protection (2018) of the State party. Please also provide information on measures taken to ensure that refugees and migrants have access to quality Croatian-language courses.

34. Please provide information on concrete measures taken to address the impact of the COVID-19 pandemic on educational attainment and on children's access to education, including specific actions to address disproportionate effects on the most disadvantaged, marginalized and Roma children.

Cultural rights (art. 15)

35. Please provide information on the progress made in education, cultural fields and the media to promote cultural diversity, inter-ethnic tolerance and education about the culture and history of ethnic and national minorities. Please also provide information on measures taken to fully implement the right of national minorities to use their own languages and scripts, in accordance with the legal framework of Croatia.

36. Please provide information on the steps taken and results achieved after the introduction of intercultural education in school curricula. In addition, please provide information on the measures taken by the State party in order to manage cultural diversity.

37. Please provide information on measures implemented to promote access to sports, sports facilities and competition for children and youth, including those of ethnic and national minorities and those with disabilities.

38. Please provide information on measures taken to increase access to information and communication technologies for older persons and to ensure their digital literacy, with a view to narrowing the digital divide.

⁸ Ibid., para. 215.