



Convention on the Rights of Persons with Disabilities

Distr.: General
30 April 2020

Original: English
English, Russian and Spanish only

Committee on the Rights of Persons with Disabilities

List of issues prior to submission of the combined second to fourth periodic reports of Croatia*

A. Purpose and general obligations (arts. 1–4)

1. Please provide information on the measures taken to implement the recommendations issued by the Committee in its previous concluding observations (CRPD/C/HRV/CO/1) and particularly on the steps taken to:

- (a) Comprehensively review and amend the laws and policies for persons with disabilities, including at the municipal and county levels, to adhere to the Convention;
- (b) Ensure concepts of reasonable accommodation and universal design are regulated in areas such as education, health, transportation and construction;
- (c) Provide funding for the participation of organizations of persons with disabilities to fulfil their roles in line with article 4.3 of the Convention.

2. Please also inform the Committee of the results achieved through the implementation of the national strategy for Roma inclusion for the period 2013–2020, in particular its contribution to the greater protection and promotion of the rights of women, girls and children with disabilities.

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

3. Please provide disaggregated information regarding the number of discrimination cases on the grounds of disability and the areas of public life where this discrimination occurred. Please also provide information on the measures taken to ensure that exclusion and segregation, based on impairment in education, employment and other fields of social life, are recognized as a form of discrimination in line with the Committee's general comment No. 6 (2018) on equality and non-discrimination.

Women with disabilities (art. 6)

4. Please provide information on the measures taken to ensure implementation of the recommendations of the Advocate for Gender Equality (2013) relevant to women and girls with disabilities. Please further elaborate on efforts made to apply a disability perspective in all policies and programmes, including in those related to gender equality. Please report on the steps taken to update the national policy for the promotion of gender equality for the period 2011–2015, in order to include cross-cutting measures for the inclusion of women and girls with disabilities, mainly in the areas of participation in public life, education and employment.

* Adopted by the pre-sessional working group at its thirteenth session (30 March to 3 April 2020).



Children with disabilities (art. 7)

5. Please explain the measures taken to strengthen the law and policy on the deinstitutionalization of children with disabilities, including the steps for a moratorium on new admissions, the development and strengthening of a foster care system and the efforts made to achieve the planned 2016 target to reduce by 40 per cent the numbers of children with disabilities in institutions.

6. Please elaborate on the efforts undertaken to prevent the abandonment of children with disabilities, including efforts to provide professional assistance to families with children with disabilities, in line with the joint programme of the Ministry of Social Policy and Youth and the United Nations Children's Fund (UNICEF). Please also provide information on efforts to:

- (a) Collect data on the number of children with disabilities, disaggregated by impairment, sex and age;
- (b) Ensure that the views of children with disabilities are taken into account in decisions affecting their lives, including within the “Child-friendly cities and municipalities” programme;
- (c) Eliminate the use of stigmatizing terminology to refer to children with disabilities.

Awareness-raising (art. 8)

7. With regard to the previous concluding observations of the Committee (CRPD/C/HRV/CO/1, para. 14), please provide information on measures taken to:

- (a) Implement awareness-raising campaigns, in line with the human rights model of disability in the Convention and in consultation with persons with disabilities through their representative organizations in the design and implementation of such campaigns;
- (b) Train public and private sector professionals working with and for persons with disabilities;
- (c) Ensure compliance by public television companies in adapting, producing and broadcasting programmes about persons with disabilities, including children with disabilities.

Accessibility (art. 9)

8. Please provide information on the efforts undertaken to improve accessibility to buildings, facilities, transportation, information and communication services for persons with disabilities, in line with the Committee's general comment No. 2 (2014) on accessibility, including:

- (a) The steps and time frame envisaged to ensure the swift transposition of the European Accessibility Act 2019, as well as the implementation and monitoring of European Union directive No. 2016/2102 on the accessibility of the websites and mobile applications of public sector bodies;
- (b) The progress made on the implementation, monitoring and evaluation of the Law on Planning and Construction of Physical Spaces (2007) and the regulation on ensuring accessibility to buildings for persons with disabilities and reduced mobility (2005) in both public and private spaces, and the provisions of sanctions for non-compliance;
- (c) The efforts made for the adoption of the law on the free movement of a visually impaired person with a guide dog and the timeline envisaged by the State party for its promulgation.

9. Please provide information on the criteria and procedure of selection of the 30 persons with disabilities who receive daily transportation on the Zagreb Electric Tramway to work and school, and the efforts envisaged to meet the requirements of the rest of the population with disabilities who require transportation outside the capital.

Situations of risk and humanitarian emergencies (art. 11)

10. In reference to the Sendai Framework for Disaster Risk Reduction (2015–2030), please provide information on:

- (a) The progress made by the State party on collaboration with organizations of persons with disabilities to develop specific protocols for situations of risk and humanitarian emergencies, and provide accessible shelters for persons with disabilities;
- (b) The steps taken to provide early warning systems in all formats, including sign language and electronic formats, to ensure that persons with disabilities can prepare for and respond to emergencies;
- (c) Whether training and education courses are provided for employees working in emergencies, specifically when responding to persons with disabilities.

11. Please provide information about the measures taken to establish a targeted, sustainable humanitarian emergency framework to ensure the protection of the rights of persons with disabilities on an equal basis with others and specifically in the context of the public health emergency resulting from the coronavirus disease (COVID-19) pandemic. In particular, please inform the Committee about the measures taken to provide persons with disabilities with accessible information concerning the scope of and prevention of the virus; to ensure continuous access to support and mainstream community services, including in-home care and personal assistance; to provide equal access to health care, including life-saving measures; and to ensure that disability pensions and social benefits are guaranteed at all times.

Equal recognition before the law (art. 12)

12. With regard to the Committee's previous concluding observations (CRPD/C/HRV/CO/1, para. 18), please provide information on the efforts made by the State party to restore the full legal capacity of persons with disabilities as requested by the Committee and by the European Commission in its report of 2011. Please also inform the Committee about:

- (a) The measures taken to abolish substitute decision-making regimes in accordance with the Committee's general comment No. 1 (2014) on equal recognition before the law and to amend the Family Code in order to restore the full legal capacity of persons with disabilities;
- (b) The legislative efforts made to respect the autonomy, will and preferences of persons with disabilities, including their rights to give and withdraw their individual informed consent for medical treatment, to have access to justice, to vote, to marry, to full parental rights and to work;
- (c) The steps taken to introduce systems of supported decision-making and training for persons with disabilities and the relevant professionals on supported decision-making practices and protocols.

Access to justice (art. 13)

13. Please provide information on the measures taken to:

- (a) Provide procedural and age-appropriate accommodations, including for those in institutions, such as psychiatric institutions and prisons, to ensure effective access to justice;
- (b) Ensure that the implementation of the Misdemeanours Act of 2013 includes guarantees that persons with disabilities have equal access to due process with respect to rights relating to free legal aid, accessibility to the physical environment, information and communications during legal processes;
- (c) Ensure education and training opportunities for all personnel in the justice, administration and law enforcement sectors on the rights enshrined in the Convention.

Liberty and security of the person (art. 14)

14. Please provide information on the measures to guarantee that the amendments to the new Law on the Protection of Persons with Mental Disorders of 2015 adhere to the Convention and are in line with the Committee's guidelines on article 14 of the Convention. Please also explain the efforts made for training the personnel of psychiatric institutions and setting up a regular monitoring and evaluation system to ensure that no one is deprived of his or her liberty on the basis of impairment.

15. Please elaborate on the measures taken to oppose the draft additional protocol to the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine (Oviedo Convention) in its current form, in accordance with the statement adopted by the Committee during its twentieth session.

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

16. Please provide information that is relevant to persons with disabilities from the report of the activities and findings of the Croatian People's Ombudsman as the designated national preventive mechanism under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. In reference to the Committee's previous concluding observations (CRPD/C/HRV/CO/1, para. 24), please provide information on:

- (a) The deinstitutionalization plans and reforms undertaken to address the inadequate, often inhuman, living conditions in social care institutions;
- (b) The measures taken to eliminate involuntary treatment and the use of restraint measures, and the efforts made for the implementation of de-escalation techniques and other alternative methods instead of restraint and coercion;
- (c) The steps taken to prohibit involuntary internment and hospitalization on the basis of impairment and the use of medical interventions without free and informed consent.

Freedom from exploitation, violence and abuse (art. 16)

17. Please provide information on the progress made to improve the protection of persons with disabilities, in particular women and girls, from violence, including:

- (a) The efforts made to establish an independent monitoring mechanism and provisions made for that mechanism to report regularly, impose sanctions and provide redress;
- (b) The specific safeguards made for girls and women with disabilities in the national strategy against domestic violence for the period 2011–2016, in particular for the rights of the victims regarding the registration and follow-up of complaints;
- (c) The provisions made regarding access to shelters for victims with disabilities, including provisions for gender and age-sensitive comprehensive rehabilitation and social reintegration services for persons with disabilities.

Protecting the integrity of the person (art. 17)

18. With regard to the previous concluding observations of the Committee (CRPD/C/HRV/CO/1, para. 28), please provide information on:

- (a) The efforts made, including the amendments to the Health Act, to prohibit the sterilization of children and adults with disabilities, including those with intellectual or psychosocial disabilities who are deprived of their legal capacity;
- (b) The steps taken to amend the Family Code, which allows decision-making by proxy (judge's decision) for sterilization, which is not in line with the Convention;
- (c) The measures taken to support persons with disabilities to make informed choices and decisions regarding medical procedures and interventions.

Living independently and being included in the community (art. 19)

19. In reference to the Committee's previous concluding observations (CRPD/C/HRV/CO/1, para. 30), please inform the Committee about:

(a) The personal assistance and community-based services available to persons with disabilities who require them;

(b) The progress made with respect to the operational plan for deinstitutionalization, particularly in the case of persons with intellectual or psychosocial disabilities in 24-hour living spaces, in psychiatric hospitals, those living in family homes for more than 20 persons and those living in adult foster families.

20. Please provide information on whether the use of the European Union structural and investment funds is directed to deinstitutionalization and ensuring independent living in the community for persons with disabilities. Please inform the Committee about:

(a) The provisions made to ensure their active participation in decision-making, including for the exercise of their choice regarding with whom, how and where to live;

(b) The steps taken to amend the Social Welfare Act to prohibit a guardian from having the authority to place a person in any institution or in any other living arrangement without that person's consent;

(c) The allocation of personnel, technical and financial means for support services enabling independent life and community inclusion at the national and local level.

Freedom of expression and opinion, and access to information (art. 21)

21. Please provide information on the progress made in the implementation of the recommendation of the Ombudsman to improve the accessibility of television programmes, such as news and major programmes, for persons with disabilities, particularly those who are blind or deaf. Please also explain the steps taken to ensure that:

(a) Croatian sign language is recognized as an official language through the adoption of the act on Croatian sign language and other communication systems for deaf and deaf-blind persons in the Republic of Croatia;

(b) General public information material, including the e-citizens system, are available in Easy Read, Braille, Croatian sign language or other accessible formats;

(c) The number of qualified interpreters of Croatian sign language is increased.

Respect for home and the family (art. 23)

22. Please explain:

(a) The legal and practical measures taken to support families and single heads of households who have children with disabilities, and parents with disabilities, particularly intellectual or psychosocial disabilities, to raise their children at home;

(b) Whether information is provided to parents of children with disabilities about the services they are entitled to, to prevent the concealment, abandonment, neglect and segregation of children with disabilities;

(c) The steps taken for an integrated approach to the prevention of family separation by combining the efforts of education, health and social protection schemes for at-risk families.

Education (art. 24)

23. Please provide information on the measures taken to ensure that all students with disabilities have access to inclusive education, in both rural and urban areas, in line with the recommendation in 2012 of the Ombudsperson to ensure conditions for children and youth with disabilities to have quality education in schools throughout the State party. Please also provide information on:

(a) The number of children with disabilities enrolled in inclusive mainstream schools, in special schools and in other segregated school units at all levels of education,

disaggregated by sex, national or ethnic origin, impairment and urban or rural settings and trends since the last review of the State party by the Committee;

(b) The human, technical and financial resources allocated to providing individualized support to students with disabilities to ensure equal access to the learning environment;

(c) The steps taken to promote and ensure the training and hiring of teachers with disabilities and the training of teachers in sign language, orientation and mobility skills in mainstream schools.

Health, habilitation and rehabilitation (art. 25)

24. Please provide information on:

(a) The efforts undertaken to provide for persons with disabilities to have access to health insurance and services on an equal basis with others, including public and private health services and equipment that are affordable, accessible and of good quality;

(b) The measures taken for training health professionals and support personnel to raise awareness of the human rights model of disability;

(c) Whether mental and psychosocial health services, including sexual and reproductive health services, are accessible for women and girls with disabilities in both urban and rural areas.

Work and employment (art. 27)

25. Please provide information on the efforts made to eliminate stigma, barriers and discrimination in the recruitment process and the steps undertaken to increase the employment of persons with disabilities in the open labour market in both the public and private sectors. Please also elaborate on:

(a) The status of development of an action plan for the employment of persons with disabilities;

(b) Results achieved through the implementation of the new Vocational Rehabilitation and Employment of Disabled Persons Act (2015), including data;

(c) The sanctions taken for non-compliance of mandatory quotas and for the denial of reasonable accommodation.

Adequate standard of living and social protection (art. 28)

26. Please inform the Committee about the efforts made to develop a disability assessment that fully incorporates a human rights model of disability and whether the design of the disability assessment method has been undertaken in a systematic, consistent and transparent manner through the participation of organizations of persons with disabilities.

27. Please elaborate on the measures to combat poverty among persons with disabilities, in particular among persons with disabilities of Roma origin and in rural and remote areas.

28. Please provide information on:

(a) The measures taken to implement the provisions of the Social Benefit Act in order to ensure its full enjoyment by persons with disabilities, irrespective of the cause of their impairment, in all counties and municipalities;

(b) The provisions of the social protection schemes to ensure that all persons with disabilities are provided with support for equipment, such as hearing aids, mobility aids and assistive technologies;

(c) The steps taken by the State party to increase pension, social welfare and other benefits for both civilian and veteran persons with disabilities throughout the country, including for parents of children with disabilities.

Participation in political and public life (art. 29)

29. Please inform the Committee about:

(a) The efforts made to guarantee the right of persons with disabilities to participate in political and public life on an equal basis with others, including joining political parties, being elected to office and being appointed to public positions;

(b) The steps taken to implement the provisions of the new Voters' Register Act, which requires autonomous entities to implement procedural adjustments in order to ensure the right to vote can be fully exercised by illiterate persons with visual impairments.

Participation in cultural life, recreation, leisure and sport (art. 30)

30. Please provide information on the measures taken to ensure:

(a) Access to information in public libraries for persons with intellectual or psychosocial disabilities through documents in Easy Read and other accessible formats;

(b) That persons with disabilities, including children with disabilities, have access to culture and sport facilities on an equal basis with others.

C. Specific obligations (arts. 31–33)

Statistics and data collection (art. 31)

31. Please provide information on the consideration undertaken by the State party about the use of the Washington Group short set of questions on disability and its methodology. Please also provide information on:

(a) The measures taken for the systematic and regular collection, analysis and dissemination of data on the situation of persons with disabilities, including violence against women and girls with disabilities, disaggregated by sex, age, ethnicity, education, employment status, socioeconomic status and social protection entitlement for the purposes of informing rigorous programme and evidence-based policy development;

(b) Amendments made to the Croatian Register of Persons with Disabilities Act, in order to adhere to the human rights model of disability in line with the Committee's general comment No. 6 (2018) on equality and non-discrimination;

(c) The status of dissemination of information in accessible formats.

International cooperation (art. 32)

32. Please provide information on:

(a) The measures and time frame that will ensure the implementation of the European Consensus on Development and the advancement of the rights of persons with disabilities in international cooperation;

(b) The steps taken for the representation of persons with disabilities, through their representative organizations, in the decision-making processes and exchange of best practices in both national and international forums, pertinent to the overarching goals of the 2030 Agenda for Sustainable Development.

National implementation and monitoring (art. 33)

33. Please explain the steps taken to:

(a) Ensure technical and budget allocations, as well as coordination between the Ministry of Finance, the Ministry of Public Administration, the Office of the Ombudsman, the Ombudsperson for Persons with Disabilities and other relevant focal points to implement the Convention at the national, county and municipal levels;

(b) Provide support to ensure that persons with disabilities, through their representative organizations can effectively participate in the monitoring and implementation of the Convention.
