

Franet National contribution to the Fundamental Rights Report 2021

Croatia

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Policy and legal highlights 2020

Franet country study: policy and legal highlights 2020	
Issues in the fundamental rights institutional landscape	No developments in 2020.
EU Charter of Fundamental Rights	Case law of the Constitutional Court shows that the Charter was given considerable attention in legal analysis of some cases and its provisions were directly used as the basis for argumentation. , its use in adoption of national legislation, parliamentary debates and academia remains significantly low.
Equality and non-discrimination	Constitutional Court ruled that the life partners have equal right to be foster parents: on 29 January 2020, the Constitutional Court brought a Decision of the Constitutional Court of the Republic of Croatia No. U-I-144/2019 and others in which it ruled that the Foster Care Act should be interpreted in a way that treats life partners equally as other foster parents.
Racism, xenophobia & Roma integration	The new National Plan for Protection and Promotion of Human Rights and Combating Discrimination 2021-2027 is under draft. On 23 October 2020, the Working Group for the creation of the National Roma Inclusion Plan 2021–2027 and the corresponding 2021–2022 Action Plan was established at the Office for Human Rights.
Asylum & migration	A new working group was established with the task of developing the Action plan for integration of persons who have been granted international protection 2020-2022. The Government's proposal of the Amendments to the Act on Foreigners was sent into legislative procedure and adopted after second reading in the Croatian Parliament.
Data protection and digital society	The Government maintains the official website for accurate and verified information on coronavirus, which provides an overview of all measures adopted in response to the epidemic, as well as information on coronavirus relevant to the citizens.
Rights of the child	Legislative changes in 2020 included amendments to the Social Welfare Act that increased the compensation for parents carers and carers of people with disabilities; amendments to the Maternity and Parental Benefits Act with a goal to increase the income-replacement benefit for parents during parental leave; and Amendments to the Act on Protection against Domestic Violence that introduced higher penalties for perpetrators of domestic violence. Due to the transposition and implementation of the Directive (EU) 2016/800 on procedural safeguards for children who are suspects or accused persons in criminal proceedings, the Government of the Republic of Croatia amended the Juvenile Courts Act , by introducing new procedural guarantees for juvenile suspects and accused persons in criminal proceedings.
Access to justice, including victims of crime	Support to victims of crime: Due to the transposition and implementation of Victim's Rights Directive and EU Strategy on Victim's Rights , the Government of the Republic of Croatia amended the Juvenile Courts Act by introducing new procedural guarantees for children victims of crime.

	Violence against women: amendments to the Criminal Code prescribed higher penalties for crimes of genital mutilation and crimes of sexual harassment committed by a superior at work. It also defined sexual intercourse without consent as a type of rape; amendments to Act on Protection against Domestic Violence introduced higher penalties for perpetrators of domestic violence and defined physical violence as the use of physical force even when there is no physical injury inflicted. It also expanded the circle of people to which the act applies.
Convention on the Rights of Persons with Disability	In light of the parliamentary elections held in July 2020, the Ombudsperson for Persons with Disabilities highlighted that the electoral process is still not fully accessible to all persons with disabilities, and that there is still a low number of persons with disabilities holding an executive or representational function in bodies exercising public powers.

Chapter 1. Equality and non-discrimination

1. Legal and policy developments or measures relevant to fostering equality and combating discrimination against older people and against LGBTI people.

The Office for Human Rights and Rights of National Minorities of the Republic of Croatia (hereinafter 'Office for Human Rights') announced that the National Plan for Combating Discrimination 2017–2022 will be repealed. As reason, they cite the harmonisation of strategic planning documents of national significance, with the Act on Strategic Development Planning and Development Management System of the Republic of Croatia and the Regulation on guidelines for drafting strategic planning documents of national significance and of significance for local and regional self-government units.¹ The new document will be titled the National Plan for Protection and Promotion of Human Rights and Combating Discrimination 2021–2027 and it will be followed by two triennial implementation documents: Action Plan for Combating Discrimination 2021–2023 and Action Plan for Protection and Promotion of Human Rights 2021–2023.²

According to the Ombudsperson for Gender Equality, in 2020, a same-sex couple was given the status of foster parents for the first time and a competent social welfare centre placed two children in their foster home. The process began in 2017 when the couple applied for foster care in the local social welfare centre. After going through all the necessary evaluations and having started the training on foster parenting, their request was denied with the official explanation "they do

¹ Croatia, Office for Human Rights and Rights of National Minorities of the Government of the Republic of Croatia (*Ured za ljudska prava i prava nacionalnih manjina Vlade Republike Hrvatske*), Notice on planned repeal of the National Plan for Combating Discrimination 2017–2021 and inclusion of anti-discrimination objectives in the National Plan for Protection and Promotion of Human Rights 2021–2027 (*Obavijest o planiranom stavljanju izvan snage Nacionalnog plana za borbu protiv diskriminacije za razdoblje od 2017. do 2022. godine i uključivanju antidiskriminacijskih ciljeva u Nacionalni plan za zaštitu i promicanje ljudskih prava za razdoblje od 2021. do 2027. godine*) (2020)

² Croatia, Office for Human Rights and Rights of National Minorities of the Government of the Republic of Croatia (*Ured za ljudska prava i prava nacionalnih manjina Vlade Republike Hrvatske*), Notice on planned repeal of the National Plan for Combating Discrimination 2017–2021 and inclusion of anti-discrimination objectives in the National Plan for Protection and Promotion of Human Rights 2021–2027 (*Obavijest o planiranom stavljanju izvan snage Nacionalnog plana za borbu protiv diskriminacije za razdoblje od 2017. do 2022. godine i uključivanju antidiskriminacijskih ciljeva u Nacionalni plan za zaštitu i promicanje ljudskih prava za razdoblje od 2021. do 2027. godine*) (2020)

not fulfil the conditions to become foster parents".³ However, in December 2019, the Administrative Court in Zagreb ruled in favour of the couple, and, in February 2020, the Constitutional Court ruled that the Foster Care Act should be interpreted in a way that treats life partners equally as other foster parents.⁴ Subsequently, in spring 2020 the Ministry for Demography, Family, Youth and Social Policy reversed the previous negative decision of the social welfare centre. The couple went through a new evaluation process and obtained the approval to be foster parents.⁵

2. Findings and methodology of research, studies or surveys on experiences of discrimination against older people and against LGBTI people.

From April to August 2019, Zagreb Pride Association conducted research on violence, discrimination and hate crime against LGBTIQ persons in the Republic of Croatia. The sample included 767 LGBTIQ persons. The research aimed at exploring respondents' experiences regarding violence, discrimination and hate crime based on sexual orientation, gender identity and/or gender expression and sexual characteristics. The main findings show that as of 2013, up to 64 % of respondents have experienced some form of violence on the grounds of sexual orientation, gender identity, gender expression and/or sexual characteristics.⁶ The most common form of violence was verbal abuse, followed by unwanted sexual proposals, unwanted touching, threats of physical violence and following, stoking and/or intimidation.⁷ Similarly, 60 % of respondents experienced some form of discrimination - in school, at work, in contact with institutions such as the police, the judiciary and healthcare. As a result, 23 % of the respondents changed their behaviour.⁸

³ Association Dugine obitelji (2020), 'Official confirmation: After 3 years of legal struggles, life partners Mladen and Ivo become foster parents and provide a home for two children' ([Službena potvrda: nakon tri godine pravnih bitaka, životni partneri Mladen i Ivo postali su udomitelji i pružili dom za dvoje djece](#)), press release, 7 September 2020

⁴ Association Dugine obitelji (2020), 'Official confirmation: After 3 years of legal struggles, life partners Mladen and Ivo become foster parents and provide a home for two children' ([Službena potvrda: nakon tri godine pravnih bitaka, životni partneri Mladen i Ivo postali su udomitelji i pružili dom za dvoje djece](#)), press release, 7 September 2020

⁵ Association Dugine obitelji (2020), 'Official confirmation: After 3 years of legal struggles, life partners Mladen and Ivo become foster parents and provide a home for two children' ([Službena potvrda: nakon tri godine pravnih bitaka, životni partneri Mladen i Ivo postali su udomitelji i pružili dom za dvoje djece](#)), press release, 7 September 2020

⁶ Croatia, Zagreb Pride Association (*Udruženje Zagreb Pride*) (2019), 'Preliminary results of Zagreb Pride's field research: Coming out in Croatia still marked by fear of violence and discrimination' ([Preliminarni rezultati terenskog istraživanja Zagreb Pridea: Izlazak iz tišine u Hrvatskoj i dalje obilježen strahom od nasilja i diskriminacije](#)), press release, 10 November 2019

⁷ Croatia, Zagreb Pride Association (*Udruženje Zagreb Pride*) (2020), 'You don't report it because no one will take you seriously' ([To se ne prijavljuje jer te nitko neće ozbiljno shvatiti](#)), press release, 7 May 2020

⁸ Croatia, Zagreb Pride Association (*Udruženje Zagreb Pride*) (2020), 'You don't report it because no one will take you seriously' ([To se ne prijavljuje jer te nitko neće ozbiljno shvatiti](#)), press release, 7 May 2020

Chapter 2. Racism, xenophobia and related intolerance

1. Legal and policy developments relating to the application of the Racial Equality Directive

The Office for Human Rights and Rights of National Minorities of the Republic of Croatia (hereinafter 'Office for Human Rights') is the coordinator and lead institution in the drafting the National Plan for Protection and Promotion of Human Rights and Combating Discrimination 2021–2027.⁹

According to the Office for Human Rights, the primary goal of this medium-term document is to ensure the highest level of human rights protection through:

- Multi-annual planning of activities supporting the implementation of national legislation;
- Application of international standards and related recommendations and
- Strengthening the framework of human rights protection through coordination of actions and promotion of human rights.

Specific goals of the National Plan for Protection and Promotion of Human Rights and Combating Discrimination 2021-2027 relating to the application of the Racial Equality Directive¹⁰ are:

- Improving the framework for designing, monitoring and evaluating the protection of human rights and combating discrimination. Areas of intervention include: establishment of the Commission for Human Rights of the Government of the Republic of Croatia; strengthening the role and cooperation of human rights coordination at the county and city levels; encouraging the development and implementation of local and regional action plans to protect and promote human rights and combat discrimination; and implementation of researches and analytical activities aimed at monitoring and evaluating policies of human rights protection and anti-discrimination
- Ensuring the equal treatment in employment and in the area of access to work and working conditions, taking into account groups in the risk of discrimination. Areas of intervention include education and training of employment counsellors to provide information on employment opportunities for persons with disabilities, and more effective application of anti-discrimination legislation in the area of labour.
- Increasing awareness of the prohibition of discrimination among civil and public officials, and the general public. Areas of intervention include: training on the national and international legal framework for combating discrimination for police officers, prosecutors, judges and labour inspectors; education for employers on discrimination in employment procedures and at the workplace; anti-discrimination training for officials employed in legal entities owned or funded by the local, regional and regional self-

⁹ Croatia, Office for Human Rights and Rights of National Minorities of the Government of the Republic of Croatia (*Ured za ljudska prava i prava nacionalnih manjina Vlade Republike Hrvatske*), Announcement of initiating the procedure of drafting new strategic documents within the competence of the Office ([Najava pokretanja postupka izrade novih strateških dokumenata u nadležnosti Ureda](#)) (2020)

¹⁰ [Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin](#)

government units; education of trade union commissioners on the application of national and EU anti-discrimination legislation in the area of labour and employment; and raising awareness activities of workers and employers on victimisation as a form of discrimination.

- Creating equal conditions for exercising the right to housing and inclusion of marginalised groups in development of housing policies. Areas of intervention include: development of measures aimed at mitigating the negative effects of unfavourable economic situation and unemployment on the housing conditions of socially vulnerable groups (e.g. national minorities, youth, homeless persons and families of lower socio-economic status); strengthening the strategic and legal framework in the field of social housing and improving housing policy with an emphasis on socially vulnerable groups exposed to discrimination; and defining energy poverty and energy poverty measurement and monitoring systems.
- Promote equal opportunities and gender equality. Areas of the intervention include strengthening the strategic framework in the area of gender equality.¹¹

As mentioned in the chapter "Equality and Non-discrimination", two action plans covering the period 2021-2023 will accompany the National Plan for Protection and Promotion of Human Rights and Combating Discrimination 2021–2027:

- Action plan for protection and promotion of human rights and
- Action Plan for combating discrimination.

2. Legal and policy developments relating to the application of the Framework Decision on Racism and Xenophobia relevant to combating hate speech and hate crime

According to the Office for Human Rights, the National Plan for Protection and Promotion of Human Rights and Combating Discrimination 2021–2027¹² relates to the application of the Framework Decision on Racism and Xenophobia¹³ in the areas of combating hate speech and hate crime in the specific goal:

- Reinforcing the mechanisms for combating racism, xenophobia and related intolerances by raising awareness on hate crime and hate speech. Areas of the intervention include: improving the implementation of the legislative framework; combating discrimination and hate speech in electronic media; combating hate speech in public space; improve existing records of hate crimes and hate speech; training of police officers, state attorneys and judges on the recognition, qualification and prosecution of hate crimes;

¹¹ Croatia, Office for Human Rights and Rights of National Minorities of the Government of the Republic of Croatia (*Ured za ljudska prava i prava nacionalnih manjina Vlade Republike Hrvatske*), email correspondence, 5 October 2020

¹² Croatia, Office for Human Rights and Rights of National Minorities of the Government of the Republic of Croatia (*Ured za ljudska prava i prava nacionalnih manjina Vlade Republike Hrvatske*), Announcement of initiating the procedure of drafting new strategic documents within the competence of the Office ([*Najava pokretanja postupka izrade novih strateških dokumenata u nadležnosti Ureda*](#)) (2020)

¹³ [Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law](#)

strengthening cooperation on local level in combating all forms of intolerance; combating discrimination in the law enforcement agencies.¹⁴

According to the information provided by the Office for Human Rights, a working group was set up to draft the new Rules of Procedure in hate crime cases¹⁵ and the new document should be adopted by the end of 2020. The goal of the new Rules of Procedure is to collect relevant statistical data, delimitate obligations of authorities and bodies, determine the obligations of the competent authorities involved in the detection, taking action and monitoring of the results of proceedings in hate crime cases, and define special forms for statistical data collection (on criminal offences and misdemeanours motivated by hatred).

The Ombudsperson's Office informed that they participated in the consultation process for the new EU Anti-racism action plan 2020–2025¹⁶ with the following recommendations:

- Separate data collection on ethnicity – Member States should initiate a systematic and continuous collection of disaggregated data, with sufficient and GDPR-compliant safeguards/procedures, especially within large state systems of social welfare, health, education, employment and police surveillance. The Ombudsperson's Office says that without it, there is no measurable and accurate data that could show the presence and level of racism in these systems, or within the state itself. They would also serve as an important measure to assess the effectiveness of anti-racism strategies, action plans and legislation.
- Spread of extremism and hate speech – Member States need to take firm action to curb extremism, hate speech, and strengthen the prevention and sanctioning of hate crime. According to the Ombudsperson's Office, this should be achieved by adopting a firm stance on the prosecution / sanctioning of such violations and by applying effective and transparent police and prosecution protocols for hate crime, which will ensure that they are recognized, identified and properly prosecuted and sentenced. To this end, judges, prosecutors and the police should have access to, and regularly undergo, practical training on hate speech and hate crime, including training on relevant international and EU practice and legislation. In addition, it is of the utmost importance that messages conveyed by high-ranking government officials and stakeholders be swift and clear in demanding the solving of hate crime and hate speech incidents, and unequivocally reject stereotypes, prejudice or racism as unacceptable and subject to public prosecution.

¹⁴ Croatia, Office for Human Rights and Rights of National Minorities of the Government of the Republic of Croatia (*Ured za ljudska prava i prava nacionalnih manjina Vlade Republike Hrvatske*), email correspondence, 5 October 2020

¹⁵ Croatia, Office for Human Rights and Rights of National Minorities of the Government of the Republic of Croatia (*Ured za ljudska prava i prava nacionalnih manjina Vlade Republike Hrvatske*) (2011), Rules of Procedure in hate crime cases (*Protokol o postupanju u slučaju zločina iz mržnje*)

¹⁶ European Commission (2020), *A Union of Equality: EU Anti-racism action plan 2020–2025*, COM(2020) 565 final, Brussels, 18 September 2020.

Chapter 3. Roma equality and inclusion

1. Measures and developments addressing Roma/Travellers

In February 2020, the Office for Human Rights and Rights of National Minorities held a series of meetings with various stakeholders in Međimurje County, which has the highest Roma share in the overall population in Croatia. The meetings aimed to detect the needs of Roma, define recommendations for their more successful inclusion in Međimurje County, and strengthen the cooperation of all stakeholders.¹⁷ Furthermore, the Office for Human Rights drafted the Report on the implementation of Operative Programmes for National Minorities for the period from 24 February 2019 to 24 February 2020.¹⁸

The Office for Human Rights is also currently working on:

- updating the Report on the implementation of Operative Programmes for National Minorities for the period up to 24 August 2020;
- the 2019 Report on the implementation of Action Plan 2019–2020 for the implementation of the National Roma Inclusion Strategy 2013–2020;
- the National Plan for Protection and Promotion of Human Rights and Combating Discrimination 2021–2027, along with the supporting Action Plan for Protection and Promotion of Human Rights 2021–2023 and the Action Plan for Combating Discrimination 2021–2023;
- Rules of Procedure in hate crime cases.¹⁹

The Office for Human Rights participated in activities organized during the Croatian Presidency of the Council of the EU from January to June 2020. It was one of the hosts of the Working Party on Fundamental Rights, Citizens' Rights and Free Movement of Persons (FREMP). Four FREMP meetings and a joint meeting between FREMP and COHOM took place during the presidency and the attendees considered them highly successful.²⁰ In addition, four events related to the priorities of the Working Group took place, namely:

- International Women's Day Breakfast Event: Strong Women - Strong European Union, Brussels, 6 March 2020²¹
- Fighting Discrimination of Religion and Ethnicity: Vulnerabilities of Muslim Communities and the Effects of the COVID-19 Crisis, VTC, 18 June 2020 (in cooperation with the European Commission)²²
- Human Rights in the New Normal: People's News and Expertise in EU Societies Affected by the COVID-19 Outbreak, VTC, 24–25 June 2020 (in cooperation with the Ministry of Foreign and European Affairs (Conference of the European Agency for Fundamental Rights (FRA) under the auspices

¹⁷ Croatia, Government's Office for Human Rights and Rights of National Minorities (*Ured za ljudska prava i prava nacionalnih manjina*), email correspondence, 14 September 2020

¹⁸ Croatia, Government's Office for Human Rights and Rights of National Minorities (*Ured za ljudska prava i prava nacionalnih manjina*), email correspondence, 14 September 2020

¹⁹ Croatia, Government's Office for Human Rights and Rights of National Minorities (*Ured za ljudska prava i prava nacionalnih manjina*), email correspondence, 14 September 2020

²⁰ Croatia, Government's Office for Human Rights and Rights of National Minorities (*Ured za ljudska prava i prava nacionalnih manjina*), email correspondence, 14 September 2020

²¹ [More information on the International Women's Day Breakfast Event: Strong Women - Strong European Union](#)

²² [More information on the event Fighting Discrimination of Religion and Ethnicity: Vulnerabilities of Muslim Communities and the Effects of the COVID-19 Crisis](#)

of HR PRES in cooperation with the European Commission and with financial support from the Financial Mechanism of the European Economic Area (EEA) and the Norwegian Financial Mechanism)²³

- Equality 2020 – 20 years of Equality Bodies, VTC, 29 June 2020 (in cooperation with the European Network of Equality Bodies (EQUINET) and the European Commission).²⁴

The Ombudsperson's Office participated in the consultations for the EU Anti-racism action plan. She recommended that national programmes for combating racism in employment include positive action measures to provide for equal employment opportunities for national minorities. For this reason, it is essential to identify and apply promising practices used in Croatia in 2019. 783 Roma were involved in active employment measures (subsidies for employers employing Roma, subsidies for vocational training of Roma, etc.). After the end of the subsidized period, 330 Roma remained in employment, of which 130 with the same employer. In Croatia, only 18.7 % of Roma people are in employment. They are in the least favourable position when seeking employment due to anti-Gypsyism and racism and a lower level of education on average. Thus, the Ombudsperson argued that the identification and application of effective positive action measures could significantly reduce the spreading of stigma and racism in the area of labour and employment.²⁵

A significant step towards improving the Roma national minority's rights was introducing the Roma curriculum 'Language and Culture of the Roma National Minority for Elementary and Secondary Schools in the Republic of Croatia (Model C),' published on 29 April 2020.²⁶ The new curriculum, developed by a Roma expert team, is designated for Roma pupils of first to fifth grades of elementary school, the first year of secondary school, and all four years of vocational school. As per Croatia's Act on Education on the Language and Script of National Minorities, the curriculum aims to preserve Roma's culture and language in Croatia. The new obligatory curriculum is to be implemented starting in the 2020/2021 school year and is open to interested pupils.^{27 28}

In 2020, civil society organisations launched and carried out several activities.

Between mid-February 2020 and mid-August 2020, the Centre for Peace Studies and the Roma youth organisation of Croatia conducted a six-month full-time and paid Pilot-Job shadowing programme for six young female and four young male Roma activists. During the job shadowing, the ten interns monitored and followed their mentor's work in their host-civil society organisations close to their

²³ [More information on the event Human Rights in the New Normal: People's News and Expertise in EU Societies Affected by the COVID-19 Outbreak](#)

²⁴ [More information on the event Equality 2020 – 20 years of Equality Bodies](#)

²⁵ Croatia, Ombudsperson's Office (*Ured pučke pravobraniteljice*), email correspondence, 4 September 2020

²⁶ Croatia, Ministry of Science and Education (*Ministarstvo znanosti i obrazovanja*) (2020), '[Decision on the Introduction of the curriculum for the subject Language and Culture of the Roma National Minority for Elementary and Secondary Schools in the Republic of Croatia \(Model C\)](#)' (*Odluka o donošenju kurikuluma za nastavni predmet Jezik i kultura romske nacionalne manjine u osnovnim školama u Republici Hrvatskoj (model C)*), 29 April 2020

²⁷ Roma Education Fund (2020), '[Croatia announces Roma curriculum in 2020/2021 curricula reform](#)', 8 May 2020

²⁸ According to the *Decision on the Introduction of the curriculum for the subject Language and Culture of the Roma National Minority for Elementary and Secondary Schools in the Republic of Croatia (Model C)*, the legislative background for the curriculum is the existing art. 27 para. 9 of the Primary and Secondary School Education Act (NN 87/08, 86/09, 92/10, 105/10 – correction, 90/11, 16/12, 86/12, 94/13, 152/14, 7/17 i 68/18).

communities dealing with various issues relevant to society. In the second three months, the interns, supported by the project team and their mentors, implemented mini-projects they developed in the first three months of the job shadowing. The interns were also provided with education and workshops to gain knowledge and skills pertinent to their future work as Roma activists. The job shadowing aimed to empower young Roma activists, strengthen local Roma civil society organisations' capacities, and connect and foster cooperation between Roma and pro-Roma civil society organisations.²⁹

Moreover, on 9-11 October 2020, the Union of Roma in the Republic of Croatia, "KALI SARA," organised the first Congress of Young Roma in Zagreb. Young Roma from different parts of Croatia gathered during these three days and participated in lectures, workshops, and discussions on education, housing, employment, and young Roma inclusion into society. Moreover, they had the chance to get to know the work of other Roma civil society organisations operating in the Western Balkans. Lastly, the young Roma had the opportunity to share their views, opinions, and suggestions for improving Roma communities' quality of living with the participants, including the MP Veljko Kajtazi, who represents several national minorities, including Roma, in the Croatian parliament. The Congress shall take place annually and shall foster the participation of young Roma in Croatia.³⁰

Regarding the mitigation of the negative impacts of COVID-19 on the Roma communities, the Roma youth organisation of Croatia launched an *ad hoc* project to prevent widening the existing gap in educational outcomes between Roma and non-Roma pupils. More concretely, the activity aimed at increasing the educational performance of Roma pupils in primary schools and the successful transition of Roma pupils from elementary to secondary education mainly through individual tutoring or group work performed by young Roma from the pupil's communities. This activity was necessary due to the transition of public schooling to online classes. As the government did not provide adequate support to pupils at risk of exclusion, including Roma pupils, the Roma youth organisation of Croatia contributed to mitigating the negative impact of COVID-19 on Roma pupils' educational outcomes.³¹

2. Policy and legal measures and developments directly or indirectly addressing Roma/Travellers inclusion

The Office for Human Rights and Rights of National Minorities started drafting the National Roma Inclusion Strategy 2021–2027 and the 2021–2022 Action Plan for the implementation of the National Roma Inclusion Strategy 2021–2027 in the first half of September 2020.³² On 23 October 2020, the Working Group for the Creation of the National Roma Inclusion Plan 2021–2027 and the 2021–2022

²⁹ For more information on the pilot-Job Shadowing Programme please see: www.cms.hr/hr/suzbijanje-diskriminacije/pocetak-programa-prakse-i-mentorske-podrske; www.romhr.hr/vijesti/89b061ae-4529-411a-8faf-456da26f55e0; and www.romhr.hr/vijesti/trodnevna-edukacija-i-evaluacija-programa-prakse-i-mentorske-podrske-mocvara-zagreb

³⁰ [More information on the First Young Roma Congress \(Prvi kongres mladih Roma\) held in Zagreb on 9-11 October 2020](#)

³¹ Roma youth organisation of Croatia, email correspondence, 30 November 2020

³² Croatia, Government's Office for Human Rights and Rights of National Minorities (*Ured za ljudska prava i prava nacionalnih manjina*), email correspondence, 14 September 2020

Action Plan for the Implementation of the National Roma Inclusion Plan 2021–2027 was established at the Office for Human Rights. The Working Group is multi-sectoral and is comprised of 44 members and 34 deputy members from public authorities, ombudsperson and special ombudspersons institutions – the Ombudsperson for Persons with Disabilities and the Ombudsperson for Gender Equality, units of local and regional self-government, employers’ associations, members of Roma and pro-Roma civil society, and academia. The tasks of the Working Group will define priority and horizontal areas, identify key needs, and define measures for the national strategy and action plan.³³ The Croatian Government should adopt this new programming document by the end of 2020. The preparation of the corresponding action plan (in line with the new legislative framework on strategic planning) will follow 60 days after the adoption of the programming document.³⁴

In addition, the office provides professional support to the Implementation Monitoring Committee for the National Roma Inclusion Strategy 2013–2020 (NSUR 2013–2020).³⁵ The committee comprises one of the Croatian Deputy Prime Ministers as chairperson, the representative of the Roma national minority in the Croatian Parliament as deputy chairperson, ten representatives of competent bodies and ten representatives of the Roma national minority. In 2020, the committee held two sessions, and its working group three. In the sessions, they systematically monitored and coordinated the implementation of NSUR 2013–2020 and proposed measures to improve the implementation of both the strategy and its action plan. Besides, they monitored the schedule and spending of funds used for the implementation of measures and allocated funds for solving problems and improving Roma living conditions.³⁶

The Office for Human Rights continuously performs expert and administrative-technical tasks for the Commission for housing and improvement of living conditions of members of the Roma national minority. For a public call launched under the annual programme for improving living conditions of members of the Roma national minority in 2020, the office processed 696 submitted valid applications. In addition, the Central Office for Reconstruction and Housing secured an amount of HRK 1,500,000 for Roma housing in 2020. The implementation of a public procurement procedure and the allocation of kitchen appliances and kitchen furniture is ongoing.^{37 38}

During the COVID-19 crisis, the Office for Human Rights collected information on the impact of the coronavirus pandemic on marginalized Roma communities

³³ Croatia, Government of the Republic of Croatia (*Vlada Republike Hrvatske*), Office for Human Rights and Rights of National Minorities (*Ured za ljudska prava i prava nacionalnih manjina*), Decision on the Establishment of the Working Group for the Creation of the Draft National Roma Inclusion Plan for the Period 2021-2027, and the Draft Action Plan for the Implementation for the National Roma Inclusion plan 2021-2021 for the Period 2021-2022, 23 October 2020

³⁴ Croatia, Government’s Office for Human Rights and Rights of National Minorities (*Ured za ljudska prava i prava nacionalnih manjina*), email correspondence, 14 September 2020

³⁵ Croatia, Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2020), Periodic Report on the Implementation of the International Convention on the Elimination of All Forms of Racial Discrimination (*Periodična izvješća Republike Hrvatske o primjeni međunarodne Konvencije o ukidanju svih oblika rasne diskriminacije*), p. 7

³⁶ Croatia, Government’s Office for Human Rights and Rights of National Minorities (*Ured za ljudska prava i prava nacionalnih manjina*), email correspondence, 14 September 2020

³⁷ [More information on the Annual Programme for the Improvement of Living of Members of the Roma National Minority For 2020](#)

³⁸ [More information on the ongoing allocation of kitchen appliances and kitchen furniture](#)

through regular communication with all the relevant central state administration bodies, counties where members of the Roma national minority live, and units of local self-government. On 4 June 2020, the office submitted a detailed report on all information received and all activities carried out.

For numerous state administration bodies there is no available data on the implementation of relevant measures in 2020. However, the Office for Human Rights provided information on the Agreement on financing the Programme for connecting households in Roma settlements to the electricity network signed in June 2020.³⁹ According to the Croatian Employment Service, 322 Roma from the register of unemployed persons have been employed between January and June 2020. Stimulating employment and education through inclusion in active labour market policy programmes plays an important role in Roma employment. This is because the programmes aim at hard-to-place job seekers or persons with certain employment difficulties such as long-term unemployment, low level of education, persons without qualifications and work experience, health problems, etc. 449 Roma persons were included in active labour market policy programmes between January and June 2020, as follows:

- 190 persons were included in employment programmes, of which 132 took part in the public works scheme and 58 benefitted from employment aid;
- 55 persons were included in an education programme, of which 48 attended an adult education institution, four obtained on-the-job training, and three obtained vocational training without commencing employment;
- three persons took part in programmes for job preservation through a measure for permanent seasonal workforce;
- 16 persons used self-employment subventions.⁴⁰

Of the employed persons, 187 members of the Roma national minority received support from the Croatian Employment Service through measures for preserving jobs in sectors affected by the outbreak of COVID-19.⁴¹

The implementation of a three-year project 'Inclusion of Roma: Meeting the Preconditions for Effective Implementation of Policies Targeting National Minorities – PHASE I' financed by the European Social Fund started on 1 March 2019. In 2020, many field activities have been difficult to implement and many of them have been prolonged until further notice. At the end of March 2020, the Office for Human Rights launched a national campaign titled 'Start the Wheel of Knowledge' to promote Roma education, which is described in more detail in the section on promising practices.⁴² Furthermore, the office produced a short documentary about young Roma women aired on the Croatian National Television (HRT) during the TV show *Prizma*.⁴³ The office held two three-day training sessions for 15 young

³⁹ [More information on the Programme for connecting households in Roma settlements to the electricity network](#)

⁴⁰ Croatia, Government's Office for Human Rights and Rights of National Minorities (*Ured za ljudska prava i prava nacionalnih manjina*), email correspondence, 14 September 2020

⁴¹ Croatia, Government's Office for Human Rights and Rights of National Minorities (*Ured za ljudska prava i prava nacionalnih manjina*), email correspondence, 14 September 2020

⁴² Croatia, Government's Office for Human Rights and Rights of National Minorities (*Ured za ljudska prava i prava nacionalnih manjina*), email correspondence, 14 September 2020

⁴³ For more information on the presentation of the short documentary about young Roma women that aired on the multinational TV show *Prizma* please see: <https://hrtprkazuje.hrt.hr/611682/prizma-multinacionalni-magazin-17>

Roma men and women and prepared six short videos about Roma children and youth. The videos were displayed during the exhibition 'My Day' from 7 September to 7 October 2020.⁴⁴

The Office for Human Rights continues to process the research data collected in the baseline study for the effective implementation of the National Roma Inclusion Strategy (IPA 2012)⁴⁵ and thematic publications will be further published until the end of the year ('Inclusion of Roma in Croatian Society: Identity, Social Distance, and Experience of Discrimination' and 'Inclusion of Roma in Croatian Society: Women, Young People, Children').⁴⁶

As the Ombudsperson's Office explained, in the context of the ongoing pandemic, the housing conditions in poorly equipped households in densely populated and segregated Roma settlements pose a significant risk. Moreover, Roma in Croatia often do not have regulated health insurance. Fortunately, Roma settlements have not experienced a large outbreak of COVID-19.⁴⁷

As a measure of protection for Roma people, Međimurje County purchased and distributed around 5,000 pieces of soap in Roma settlements and 60 food packages for Roma persons aged over 65 years who use the right to the guaranteed minimum benefit. The competent authorities further translated information materials on COVID-19 into Romani language and initiated the procurement of protective products and medicine at the beginning of the pandemic.⁴⁸

During the lockdown, Roma people, particularly those living in Roma settlements, had a significantly reduced access to medical care and stores to buy food and hygiene products, considering that two thirds of Roma households do not have a car. Moreover, the lockdown limited their earning opportunities, including the collection of secondary waste.

Distance education through television was a challenge for Roma children due to a higher number of children in Roma households. Besides, distance education did not include preparatory classes of Croatian language for children who do not speak Croatian or speak it insufficiently well, which is true for a great part of Roma children. Therefore, it is expected that the lack of preparatory Croatian language classes for Roma children in early childhood education will hinder catching up with the knowledge of Croatian. This can affect the education of Roma children in general and have a particular effect on early school leaving, thus exposing many Roma people to poverty and social exclusion in the end.^{49 50}

⁴⁴ For more information on the thematic publications published by the Office for Human Rights please see the official website: <https://ljudskaprava.gov.hr/vijesti/izlozba-video-radova-o-mladim-romkinjama-i-romima/965>

⁴⁵ Croatia, Government of the Republic of Croatia (*Vlada Republike Hrvatske*), Office for Human Rights and Rights of National Minorities (*Ured za ljudska prava i prava nacionalnih manjina*), [IPA 2012](#)

⁴⁶ For more information on the Office for Human Rights' activities please see the official website: <https://ukljucivanje-roma.com/>

⁴⁷ Croatia, Ombudsperson's Office (*Ured pučke pravobraniteljice*), email correspondence, 4 September 2020

⁴⁸ Croatia, Ombudsperson's Office (*Ured pučke pravobraniteljice*), email correspondence, 4 September 2020

⁴⁹ Croatia, Ombudsperson's Office (*Ured pučke pravobraniteljice*), email correspondence, 4 September 2020

⁵⁰ For more information on the [Implications of COVID-19 pandemic on Roma and Travellers communities](#) please see the Franet country study for Croatia released on 15 June 2020

Chapter 4. Asylum, visas, migration, borders and integration

Extension of residence permits and other authorisations to stay that expired during COVID-19 pandemic measures.

EUMS/ Republic of North Macedon ia, Republic of Serbia	Category of TCN	Brief description of the measure	Legal source (legislation or case law as relevant) with hyperlink	Comments
	Complete this row if measures concern all/most of the TCN listed below whose (national or EU law based) permission to stay expired during COVID-19 related travel restrictions. In this case indicate in the next rows the categories to which the measure applies	On 30 March 2020, the Ministry of the Interior published a statement confirming that no measures prescribed by the Foreigners Act would be taken against foreigners due to the coronavirus outbreak. ⁵¹ On 16 April, the Government accepted the Proposals for Amendments to the Foreigners Act and the Act on Nationals of EEA Member States and Their Family Members and sent them to the Croatian Parliament for	Amended acts: Act on Amendments to the Foreigners Act, Official Gazette No. 53/2020 (Zakon o dopuni Zakona o strancima, NN 53/2020) Act on Amendments to the Act on Nationals of EEA Member States and Their Family Members, Official Gazette No. 53/2020 (Zakon o dopuni Zakona o državljanima)	Due to the coronavirus outbreak, a certain number of foreign nationals on short-term stay could not leave the Republic of Croatia within the time limit prescribed by the Schengen Borders Code, for objective reasons. Following the recommendations provided by epidemiologists, all foreign nationals who found themselves in such a situation were instructed to submit their

⁵¹ Croatia, Ministry of the Interior (*Ministarstvo unutarnjih poslova RH*) (2020), [Notice to Third-Country Nationals](#), 30 March 2020

		<p>urgent adoption.⁵² On 30 April 2020, the Croatian Parliament adopted the Proposals for Amendments to the Foreigners Act and the Act on Nationals of EEA Member States and Their Family Members.⁵³</p> <p>The end of epidemic has not yet been declared.</p>	<p>država članica Europskog gospodarskog prostora i članovima njihovih obitelji, NN 53/2020)</p>	<p>data primarily by e-mail or by calling the number provided on the website of the competent police department.</p> <p>Amendments to the Foreigners Act enabled third-country nationals to use issued residence permits during the epidemic, in order to continue their uninterrupted residence and work in the Republic of Croatia. The amendments stipulated that actions in administrative proceedings must be taken no later than 30 days after the end of the epidemic.</p> <p>With the amendments to the Act on Nationals of EEA Member States and Their Family Members, they were allowed to use</p>
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⁵² Croatia, Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2020), ‘Government adopted changes affecting foreign and third-country nationals during the epidemic’ ([Vlada usvojila izmjene koje se odnose na strance i državljane trećih zemalja za vrijeme trajanja epidemije](#)), press release, 16 April 2020

⁵³ Croatia, Croatian Parliament (*Hrvatski sabor*) (2020), [Minutes of the 16th session of the Croatian Parliament](#), (pp. 166–167)

				issued temporary residence certificates and residence cards to continue their uninterrupted stay in the Republic of Croatia. The end of epidemic has not yet been declared. However, we can unofficially confirm that the administrative proceedings regarding residence permits have been active at a slower pace since the beginning of summer 2020, while some urgent administrative proceedings were enabled on 20 April 2020. ⁵⁴
	<p> Holders of visas issued based on the Visa Code No. 810/2009 (as last amended by Regulation (EU) No. 2019/1155) (Schengen visas)</p>	<p> On 30 March 2020, the Ministry of the Interior published a statement confirming that no measures prescribed by the Foreigners Act would be taken against</p>	<p> Amended acts: Act on Amendments to the Foreigners Act, Official Gazette No. 53/2020 (Zakon o dopuni Zakona o strancima, NN 53/2020)</p>	<p> Due to the coronavirus outbreak, a certain number of foreign nationals on short-term stay could not leave the Republic of Croatia within the time limit prescribed by the Schengen Borders</p>

⁵⁴ Croatia, Ministry of the Interior (*Ministarstvo unutarnjih poslova RH*), Registration of residence and stay allowed in justified urgent cases ([Prijave prebivališta i boravišta dozvoljene u opravdanim žurnim slučajevima](#)), published on 20 April 2020

		<p>foreigners due to the coronavirus outbreak.⁵⁵ On 16 April, the Government accepted the Proposals for Amendments to the Foreigners Act and the Act on Nationals of EEA Member States and Their Family Members and sent them to the Croatian Parliament for urgent adoption.⁵⁶ On 30 April 2020, the Croatian Parliament adopted the Proposals for Amendments to the Foreigners Act and the Act on Nationals of EEA Member States and Their Family Members.⁵⁷ The end of epidemic has not yet been declared.</p>	<p>Act on Amendments to the Act on Nationals of EEA Member States and Their Family Members, Official Gazette No. 53/2020 (Zakon o dopuni Zakona o državljanima država članica Europskog gospodarskog prostora i članovima njihovih obitelji, NN 53/2020)</p>	<p>Code, for objective reasons. Following the recommendations provided by epidemiologists, all foreign nationals who found themselves in such a situation were instructed to submit their data primarily by e-mail or by calling the number provided on the website of the competent police department. Amendments to the Foreigners Act enabled third-country nationals to use issued residence permits during the epidemic, in order to continue their uninterrupted residence and work in the Republic of Croatia. The amendments stipulated that actions in administrative</p>
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⁵⁵ Croatia, Ministry of the Interior (*Ministarstvo unutarnjih poslova RH*) (2020), [Notice to Third-Country Nationals](#), 30 March 2020

⁵⁶ Croatia, Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2020), 'Government adopted changes affecting foreign and third-country nationals during the epidemic' ([Vlada usvojila izmjene koje se odnose na strance i državljane trećih zemalja za vrijeme trajanja epidemije](#)), press release, 16 April 2020

⁵⁷ Croatia, Croatian Parliament (*Hrvatski sabor*) (2020), [Minutes of the 16th session of the Croatian Parliament](#), (pp. 166–167)

			<p>proceedings must be taken no later than 30 days after the end of the epidemic.</p> <p>With the amendments to the Act on Nationals of EEA Member States and Their Family Members, they were allowed to use issued temporary residence certificates and residence cards to continue their uninterrupted stay in the Republic of Croatia.</p> <p>The end of epidemic has not yet been declared. However, we can unofficially confirm that the administrative proceedings regarding residence permits have been active at a slower pace since the beginning of summer 2020, while some urgent administrative</p>
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				proceedings were enabled on 20 April 2020. ⁵⁸
	<p>Visa-free TCN who reached the maximum of 90 days in any 180-day period under Article 4 of the Visa List Regulation (Regulation (EU) 2018/1806)</p>	<p>On 30 March 2020, the Ministry of the Interior published a statement confirming that no measures prescribed by the Foreigners Act would be taken against foreigners due to the coronavirus outbreak.⁵⁹ On 16 April, the Government accepted the Proposals for Amendments to the Foreigners Act and the Act on Nationals of EEA Member States and Their Family Members and sent them to the Croatian Parliament for urgent adoption.⁶⁰ On 30 April 2020, the Croatian Parliament adopted the Proposals for Amendments to the Foreigners Act and the Act on Nationals of EEA Member States and Their Family Members.⁶¹</p>	<p>Amended acts: Act on Amendments to the Foreigners Act, Official Gazette No. 53/2020 (Zakon o dopuni Zakona o strancima, NN 53/2020)</p> <p>Act on Amendments to the Act on Nationals of EEA Member States and Their Family Members, Official Gazette No. 53/2020 (Zakon o dopuni Zakona o državljanima država članica Europskog gospodarskog prostora i članovima njihovih obitelji, NN 53/2020)</p>	<p>Due to the coronavirus outbreak, a certain number of foreign nationals on short-term stay could not leave the Republic of Croatia within the time limit prescribed by the Schengen Borders Code, for objective reasons. Following the recommendations provided by epidemiologists, all foreign nationals who found themselves in such a situation were instructed to submit their data primarily by e-mail or by calling the number provided on the website of the competent police department.</p>

⁵⁸ Croatia, Ministry of the Interior (*Ministarstvo unutarnjih poslova RH*), Registration of residence and stay allowed in justified urgent cases ([Prijave prebivališta i boravišta dozvoljene u opravdanim žurnim slučajevima](#)), published on 20 April 2020

⁵⁹ Croatia, Ministry of the Interior (*Ministarstvo unutarnjih poslova RH*) (2020), [Notice to Third-Country Nationals](#), 30 March 2020

⁶⁰ Croatia, Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2020), 'Government adopted changes affecting foreign and third-country nationals during the epidemic' ([Vlada usvojila izmjene koje se odnose na strance i državljane trećih zemalja za vrijeme trajanja epidemije](#)), press release, 16 April 2020

⁶¹ Croatia, Croatian Parliament (*Hrvatski sabor*) (2020), [Minutes of the 16th session of the Croatian Parliament](#), (pp. 166–167)

		<p>The end of epidemic has not yet been declared.</p>		<p>Amendments to the Foreigners Act enabled third-country nationals to use issued residence permits during the epidemic, in order to continue their uninterrupted residence and work in the Republic of Croatia. The amendments stipulated that actions in administrative proceedings must be taken no later than 30 days after the end of the epidemic. With the amendments to the Act on Nationals of EEA Member States and Their Family Members, they were allowed to use issued temporary residence certificates and residence cards to continue their uninterrupted stay in the Republic of Croatia. The end of epidemic has not yet been declared. However, we can</p>
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				unofficially confirm that the administrative proceedings regarding residence permits have been active at a slower pace since the beginning of summer 2020, while some urgent administrative proceedings were enabled on 20 April 2020. ⁶²
	<p>Holders of long-term visas issued by the EUMS (under Regulation (EU) No. 265/2010 and beyond, under national law)</p>	<p>On 30 March 2020, the Ministry of the Interior published a statement confirming that no measures prescribed by the Foreigners Act would be taken against foreigners due to the coronavirus outbreak.⁶³</p> <p>On 16 April, the Government accepted the Proposals for Amendments to the Foreigners Act and the Act on Nationals of EEA Member States and Their Family Members and sent them to the Croatian Parliament for</p>	<p>Amended acts: Act on Amendments to the Foreigners Act, Official Gazette No. 53/2020 (Zakon o dopuni Zakona o strancima, NN 53/2020)</p> <p>Act on Amendments to the Act on Nationals of EEA Member States and Their Family Members, Official Gazette No. 53/2020 (Zakon o dopuni</p>	<p>Due to the coronavirus outbreak, a certain number of foreign nationals on short-term stay could not leave the Republic of Croatia within the time limit prescribed by the Schengen Borders Code, for objective reasons. Following the recommendations provided by epidemiologists, all foreign nationals who found themselves in such a situation were</p>

⁶² Croatia, Ministry of the Interior (*Ministarstvo unutarnjih poslova RH*), Registration of residence and stay allowed in justified urgent cases ([Prijave prebivališta i boravišta dozvoljene u opravdanim žurnim slučajevima](#)), published on 20 April 2020

⁶³ Croatia, Ministry of the Interior (*Ministarstvo unutarnjih poslova RH*) (2020), [Notice to Third-Country Nationals](#), 30 March 2020

		<p>urgent adoption.⁶⁴ On 30 April 2020, the Croatian Parliament adopted the Proposals for Amendments to the Foreigners Act and the Act on Nationals of EEA Member States and Their Family Members.⁶⁵</p> <p>The end of epidemic has not yet been declared.</p>	<p>Zakona o državljanima država članica Europskog gospodarskog prostora i članovima njihovih obitelji, NN 53/2020)</p>	<p>instructed to submit their data primarily by e-mail or by calling the number provided on the website of the competent police department.</p> <p>Amendments to the Foreigners Act enabled third-country nationals to use issued residence permits during the epidemic, in order to continue their uninterrupted residence and work in the Republic of Croatia. The amendments stipulated that actions in administrative proceedings must be taken no later than 30 days after the end of the epidemic.</p> <p>With the amendments to the Act on Nationals of EEA Member States and Their Family Members,</p>
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⁶⁴ Croatia, Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2020), ‘Government adopted changes affecting foreign and third-country nationals during the epidemic’ ([Vlada usvojila izmjene koje se odnose na strance i državljane trećih zemalja za vrijeme trajanja epidemije](#)), press release, 16 April 2020

⁶⁵ Croatia, Croatian Parliament (*Hrvatski sabor*) (2020), [Minutes of the 16th session of the Croatian Parliament](#), (pp. 166–167)

				they were allowed to use issued temporary residence certificates and residence cards to continue their uninterrupted stay in the Republic of Croatia. The end of epidemic has not yet been declared. However, we can unofficially confirm that the administrative proceedings regarding residence permits have been active at a slower pace since the beginning of summer 2020, while some urgent administrative proceedings were enabled on 20 April 2020. ⁶⁶
	<p> Holders of residence permits issued under Regulation (EC) No. 1030/2002 (as last amended by Regulation (EU) 2017/1954)</p>	<p> On 30 March 2020, the Ministry of the Interior published a statement confirming that no measures prescribed by the Foreigners Act would be taken against</p>	<p> Amended acts: Act on Amendments to the Foreigners Act, Official Gazette No. 53/2020 (Zakon o dopuni Zakona o strancima,</p>	<p> Due to the coronavirus outbreak, a certain number of foreign nationals on short-term stay could not leave the Republic of Croatia within the time limit prescribed</p>

⁶⁶ Croatia, Ministry of the Interior (*Ministarstvo unutarnjih poslova RH*), Registration of residence and stay allowed in justified urgent cases ([Prijave prebivališta i boravišta dozvoljene u opravdanim žurnim slučajevima](#)), published on 20 April 2020

		<p>foreigners due to the coronavirus outbreak.⁶⁷ On 16 April, the Government accepted the Proposals for Amendments to the Foreigners Act and the Act on Nationals of EEA Member States and Their Family Members and sent them to the Croatian Parliament for urgent adoption.⁶⁸ On 30 April 2020, the Croatian Parliament adopted the Proposals for Amendments to the Foreigners Act and the Act on Nationals of EEA Member States and Their Family Members.⁶⁹ The end of epidemic has not yet been declared.</p>	<p>NN 53/2020) Act on Amendments to the Act on Nationals of EEA Member States and Their Family Members, Official Gazette No. 53/2020 (Zakon o dopuni Zakona o državljanima država članica Europskog gospodarskog prostora i članovima njihovih obitelji, NN 53/2020)</p>	<p>by the Schengen Borders Code, for objective reasons. Following the recommendations provided by epidemiologists, all foreign nationals who found themselves in such a situation were instructed to submit their data primarily by e-mail or by calling the number provided on the website of the competent police department. Amendments to the Foreigners Act enabled third-country nationals to use issued residence permits during the epidemic, in order to continue their uninterrupted residence and work in the Republic of Croatia. The amendments stipulated that actions in</p>
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⁶⁷ Croatia, Ministry of the Interior (*Ministarstvo unutarnjih poslova RH*) (2020), [Notice to Third-Country Nationals](#), 30 March 2020

⁶⁸ Croatia, Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2020), 'Government adopted changes affecting foreign and third-country nationals during the epidemic' ([Vlada usvojila izmjene koje se odnose na strance i državljane trećih zemalja za vrijeme trajanja epidemije](#)), press release, 16 April 2020

⁶⁹ Croatia, Croatian Parliament (*Hrvatski sabor*) (2020), [Minutes of the 16th session of the Croatian Parliament](#), (pp. 166–167)

				<p>administrative proceedings must be taken no later than 30 days after the end of the epidemic.</p> <p>With the amendments to the Act on Nationals of EEA Member States and Their Family Members, they were allowed to use issued temporary residence certificates and residence cards to continue their uninterrupted stay in the Republic of Croatia.</p> <p>The end of epidemic has not yet been declared. However, we can unofficially confirm that the administrative proceedings regarding residence permits have been active at a slower pace since the beginning of summer 2020, while some urgent administrative</p>
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				proceedings were enabled on 20 April 2020. ⁷⁰
	<p> Holders of local border traffic permit under Regulation (EC) No. 1931/2006</p>	<p> On 30 March 2020, the Ministry of the Interior published a statement confirming that no measures prescribed by the Foreigners Act would be taken against foreigners due to the coronavirus outbreak.⁷¹</p> <p> On 16 April, the Government accepted the Proposals for Amendments to the Foreigners Act and the Act on Nationals of EEA Member States and Their Family Members and sent them to the Croatian Parliament for urgent adoption.⁷²</p> <p> On 30 April 2020, the Croatian Parliament adopted the Proposals for Amendments to the Foreigners Act and the Act on Nationals of EEA Member States and Their Family Members.⁷³</p>	<p> Amended acts:</p> <p> Act on Amendments to the Foreigners Act, Official Gazette No. 53/2020 (Zakon o dopuni Zakona o strancima, NN 53/2020)</p> <p> Act on Amendments to the Act on Nationals of EEA Member States and Their Family Members, Official Gazette No. 53/2020 (Zakon o dopuni Zakona o državljanima država članica Europskog gospodarskog prostora i članovima njihovih obitelji, NN 53/2020)</p>	<p> Due to the coronavirus outbreak, a certain number of foreign nationals on short-term stay could not leave the Republic of Croatia within the time limit prescribed by the Schengen Borders Code, for objective reasons. Following the recommendations provided by epidemiologists, all foreign nationals who found themselves in such a situation were instructed to submit their data primarily by e-mail or by calling the number provided on the website of the competent police department.</p>

⁷⁰ Croatia, Ministry of the Interior (*Ministarstvo unutarnjih poslova RH*), Registration of residence and stay allowed in justified urgent cases ([Prijave prebivališta i boravišta dozvoljene u opravdanim žurnim slučajevima](#)), published on 20 April 2020

⁷¹ Croatia, Ministry of the Interior (*Ministarstvo unutarnjih poslova RH*) (2020), [Notice to Third-Country Nationals](#), 30 March 2020

⁷² Croatia, Government of the Republic of Croatia (*Vlada Republike Hrvatske*) (2020), ‘Government adopted changes affecting foreign and third-country nationals during the epidemic’ ([Vlada usvojila izmjene koje se odnose na strance i državljane trećih zemalja za vrijeme trajanja epidemije](#)), press release, 16 April 2020

⁷³ Croatia, Croatian Parliament (*Hrvatski sabor*) (2020), [Minutes of the 16th session of the Croatian Parliament](#), (pp. 166–167)

		<p>The end of epidemic has not yet been declared.</p>		<p>Amendments to the Foreigners Act enabled third-country nationals to use issued residence permits during the epidemic, in order to continue their uninterrupted residence and work in the Republic of Croatia. The amendments stipulated that actions in administrative proceedings must be taken no later than 30 days after the end of the epidemic. With the amendments to the Act on Nationals of EEA Member States and Their Family Members, they were allowed to use issued temporary residence certificates and residence cards to continue their uninterrupted stay in the Republic of Croatia. The end of epidemic has not yet been declared. However, we can</p>
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				unofficially confirm that the administrative proceedings regarding residence permits have been active at a slower pace since the beginning of summer 2020, while some urgent administrative proceedings were enabled on 20 April 2020. ⁷⁴
	Any other category of TCN not listed above.	N/A	N/A	N/A

Notes:

TCN = third-country nationals

EUMS = EU Member State

⁷⁴ Croatia, Ministry of the Interior (*Ministarstvo unutarnjih poslova RH*), Registration of residence and stay allowed in justified urgent cases ([Prijave prebivališta i boravišta dozvoljene u opravdanim žurnim slučajevima](#)), published on 20 April 2020

Chapter 5. Information society, privacy and data protection

1. Legal and political initiatives that have been implemented to support access to, and use of, personal data.

On 16 January 2020, an international conference titled 'Data Protection Day 2020: Facing New Challenges' was held in Zagreb. The Croatian Personal Data Protection Agency (AZOP), Secretariat of the Croatian Presidency of the Council of the EU, with the support of the Ministry of the Interior, the Ministry of Justice and the Central State Office for the Development of Digital Society organised it. Both national and international experts and professionals in the field of data protection and privacy discussed the progress made towards increased personal data protection. The director of AZOP emphasized the importance of the conference, primarily in the context of raising awareness about fundamental rights and the rule of law in the EU, and the protection of human rights and fundamental freedoms in the field of data protection and privacy. The State Secretary of the Central State Office for the Development of Digital Society, Mr Bernard Gršić, stressed the importance of more active involvement of women in the digital world and of preventive action concerning fake news and the spread of hate speech. The representative of the European Union Agency for Fundamental Rights, Mr Mario Oetheimer, underlined the importance of data quality used in artificial intelligence systems. He stressed that the use of artificial intelligence based on incomplete or biased data can lead to inaccurate results and conclusions, and consequently to discrimination against members of certain social groups, which means violating fundamental human rights. Transparency of data used in systems based on artificial intelligence helps prevent possible human rights violations. This is especially important in times of big data where the amount of data is often much more important than their quality.⁷⁵

In March 2020, AZOP started implementing 'ARC project - Awareness Raising Campaign for SMEs' (small and medium-sized enterprises) as a coordinator, with Data Protection Commission Ireland and Vrije University Brussels as beneficiaries. Project duration is 24 months (from March 2020 to March 2022). It aims at enabling the Croatian and Irish data protection agencies in raising awareness about GDPR compliance among SMEs in Croatia and Ireland, and providing direct guidance to enterprises on practical implementation of personal data protection laws.⁷⁶

⁷⁵ Croatia, Personal Data Protection Agency (*Agencija za zaštitu osobnih podataka*) (2020), [Croatian Presidency of the Council of the European Union – Conference: Data Protection Day 2020: Facing New Challenges](#), press release, 20 January 2020

⁷⁶ Croatia, Personal Data Protection Agency (*Agencija za zaštitu osobnih podataka*) (2020), [ARC project - Awareness Raising Campaign for SMEs](#), press release, 13 March 2020

On 20 March 2020, in relation to the proclamation of COVID-19 epidemic, AZOP issued a warning to citizens not to share their personal information through mobile applications due to suspicions of misuse of the current situation and unlawful collection of personal data. AZOP advised caution to citizens in any disclosure of personal data, especially through mobile applications and the internet.⁷⁷

On 25 March 2020, the Government of the Republic of Croatia proposed amendments to the Electronic Communications Act (Article 104) with the aim of tracking locations of people in self-isolation⁷⁸. In its proposal, the government argued that the temporary restriction will "exceptionally allow the processing of location data other than traffic data in order to protect national or public security, in precisely and clearly defined situations where the Government of the Republic of Croatia declared a natural disaster or catastrophe, or when the minister responsible for health declared an epidemic of an infectious disease or a threat of an epidemic of an infectious disease, all in accordance with specific regulations, without which the health and lives of citizens could not be effectively protected without processing these data".⁷⁹ In these extraordinary situations, the health minister would have the authority to request data on the locations of people from telecommunication operators, which would then be sent to the minister of the interior for further action. The proposed amendments were subject to public criticism by numerous civil society organizations, Ombudsperson's Office and academia. Civil society organisations (44 of them) jointly submitted a public announcement stressing that intended measures are ineffective and inappropriate and as such, they allow the possibility of unauthorized collection, processing and distribution of citizens' private information.⁸⁰ On 20 April, the media reported that the government tacitly decided to abandon the enactment of legislation on the monitoring of citizens' movement through mobile devices.⁸¹

On 28 April 2020, AZOP supported European Data Protection Board Guidelines in the context of the COVID-19 pandemic. Those included the Guidelines on the processing of data concerning health for the purpose of scientific research in the context of the

⁷⁷ Croatia, Personal Data Protection Agency (*Agencija za zaštitu osobnih podataka*) (2020), [Warning to citizens](#), 20 March 2020

⁷⁸ Government of the Republic of Croatia (*Vlada Republike Hrvatske*), Proposed Amendments to the Electronic Communications Act, 18 March 2020, available at: vlada.gov.hr/sjednice/216-sjednica-vlade-republike-hrvatske-29028/29028

⁷⁹ Government of the Republic of Croatia (*Vlada Republike Hrvatske*), Proposed Amendments to the Electronic Communications Act, 18 March 2020, available at: vlada.gov.hr/sjednice/216-sjednica-vlade-republike-hrvatske-29028/29028

⁸⁰ Zagreb Pride web portal, Announcement: Coronavirus surveillance—Human rights as another victim of the pandemic, 31 March 2020, available at: www.zagreb-pride.net/en/coronavirus-surveillance-human-rights-as-another-victim-of-the-pandemic/

⁸¹ Telegram news portal, 'Media unofficially find out that Government gives up on tracking citizens through their mobile phones', 20 April 2020, available at: www.telegram.hr/politika-kriminal/mediji-nesluzbeno-doznaju-da-vlada-odustaje-od-pracenja-gradana-putem-njihovih-mobitela/

COVID-19 outbreak and the Guidelines on the use of location data and contact tracing tools in the context of the COVID-19 outbreak.⁸²

On 18 June 2020, as part of the Croatian Presidency of the Council of the European Union, the Forum of the National Ethics Councils (NEC) and the European Group on Ethics in Science and New Technologies (EGE), an independent advisory body to the President of the European Commission held an online conference. The Croatian Catholic University organised the event with the support of the European Commission and the Ministry of Science and Education. The main discussion was on the topic 'Ethics and Pandemic - Lessons Learned'. A representative of AZOP held a presentation on the processing of health data for research purposes in the context of the COVID-19 pandemic, geolocation and other contact tracking tools aimed at informing individuals who may have been near a carrier of the virus to prevent its spreading. He stressed that GDPR does not hinder the implementation of measures to combat the coronavirus pandemic, including those that involve the use of modern technologies and serve the well-being of humankind. He further emphasized that even in extraordinary circumstances, such as a pandemic, the controller and processor must ensure the protection of respondents' data, adding that several aspects need to be considered to ensure the lawful processing of personal data. He underlined that a state of emergency is a legal condition that may justify a restriction on freedoms if it is proportionate and limited to the duration of the emergency. Finally, he stressed that pandemic prevention applications must be developed responsibly, with data protection impact assessments and with all privacy by design and privacy by default mechanisms documented, while source code should be publicly available for as much verification opportunities as possible by the scientific community.⁸³

National CERT (CERT.hr), a department within Croatian Academic and Research Network – CARNET and a national body for prevention from cyber threats and protection of the security of public information systems in the Republic of Croatia, determined in November 2020 that there was a data leakage of more than 47 000 user accounts whose domain ends in .hr, out of which more than 24 000 accounts' passwords became available in plain text form. The database collection is believed to have originated from the private hacking forum Cit0Day.in, which many attackers use to gather as many usernames, email addresses and passwords in plain text form as possible.⁸⁴ Following the announcement on the data leakage, the Personal Data Protection

⁸² Croatian Personal Data Protection Agency (*Agencija za zaštitu osobnih podataka*), European Data Protection Board Guidelines in the context of the COVID-19 pandemic, 28 April 2020, available at: azop.hr/aktualno/detaljnije/smjernice-europskog-odbora-za-zastitu-podataka-u-kontekstu-covid-19-pandemi

⁸³ Croatia, Personal Data Protection Agency (*Agencija za zaštitu osobnih podataka*) (2020), [Videoconference - Forum of the National Ethics Councils \(NEC\) and the European Group on Ethics in Science and New Technologies \(EGE\)](#), press release, 18 June 2020, conference programme available at: www.unicath.hr/ethics/programme

⁸⁴ Croatia, CARNET - Croatian Academic and Research Network (*Hrvatska akademska i istraživačka mreža*) (2020), [CARNET's National CERT establishes data leakage for more than 47 000 user accounts](#), article, 24 November 2020

Agency published a warning in order to draw the attention of all citizens of the Republic of Croatia to the importance of establishing appropriate technical measures for protection of personal data on online services they use (e.g. social networks, web shops etc.) and setting appropriately strong passwords. The Agency provided several recommendations, including creating a separate strong password for each login to the Internet service or other service they use and not using the same username and password for multiple services. It also gave instructions on how to create a strong password for user accounts and advised citizens to check through „Have I Been Pwned“ service available on the [link](#) whether their e-mail addresses have been compromised and change all their passwords accordingly.⁸⁵

In November 2020, the Personal Data Protection Agency, in cooperation with the Croatian Chamber of Commerce, organized an online workshop for health system employees on personal data protection and harmonization with the GDPR. The workshop was organised in order to facilitate the health system employees' understanding of data protection regulations. Considering that in the midst of the coronavirus epidemic healthcare professionals work in extraordinary circumstances and thus collect a large amount of personal data of patients (but also workers), numerous doubts arise about the processing of this data. The focus of the workshop was the processing of personal data in the context of the COVID-19 epidemic in a proper and lawful manner. Discussed topics included processing of personal data in situations such as collecting and sending out medical results and reports, filling out triage questionnaires, measuring the temperature with thermal cameras etc. It was pointed out that the health care institution must provide patients with all information related to the processing of personal data in a simple and easily accessible way when collecting their personal data. The participants were also introduced to the processing of personal data through cookies, the rights of respondents as well as the importance and role of the data protection officer whom each institution is obliged to appoint.⁸⁶

The Personal Data Protection Agency organized a webinar “GDPR and activities of personal security” on 12 November after receiving expression of interest to provide support to legal entities and crafts implementing private security and safety activities in relation to compliance with the provisions of the GDPR and interpretation of certain segments of the Act on Implementation of the GDPR. In order to facilitate the harmonisation of their businesses, presentations were held on the implementation of the Act on Implementation of the GDPR in practice and many questions and concerns were answered. The participants had the opportunity to be acquainted with the legislative framework in the field of personal data protection, and the focus of the

⁸⁵ Croatia, Personal Data Protection Agency (*Agencija za zaštitu osobnih podataka*) (2020), [Compromisation of user accounts when using the internet - personal data protection measures](#), press release, 25 November 2020

⁸⁶ Croatia, Personal Data Protection Agency (*Agencija za zaštitu osobnih podataka*) (2020), [Online workshop: Health employees showed great interest for the GDPR](#), press release, 19 November 2020

consultation was on certain specifics in the field of personal data protection, which directly concern the application of the Act on Private Protection. Through concrete examples, certain ambiguities that appear in practice were clarified, i.e. in the conduct of SMEs that perform private security activities and that concern the protection of personal data.⁸⁷

The Personal Data Protection Agency, in cooperation with the Croatian Chamber of Commerce, launched a long-announced campaign to educate systematically data protection officers in the private sector in the frame of raising awareness of the importance of personal data protection. The first online workshop was held on 2 December, to provide data protection officers with the necessary knowledge and skills to increase the quality of performing their tasks. It was emphasised that these workshops are also expected to develop awareness of the importance of personal data protection, as well as the sense of the respective ethics in relation to dealing with personal data. These efforts would ensure a positive climate for the protection of personal data and a more efficient application of the GDPR within organisations.⁸⁸

2. Artificial intelligence and big data

The Ombudsperson's Office published an article on the protection of human rights while using artificial intelligence to prevent coronavirus spreading. It referred to the possible significant support artificial intelligence systems implemented through digital technologies may provide to epidemiological services. In this context, the article stressed the importance of mobile applications for providing citizens with timely epidemiological counselling, but also of the possibility to monitor contacts of infected persons as one of the epidemiological measures. Considering that an application for that purpose is under development, it was concluded that it indeed could significantly shorten the period of temporary restriction of freedom of movement for residents of areas affected by the epidemic and restriction of freedom of assembly and association, as well as mitigate the negative consequences for freedom of enterprise. However, it was stressed that the way applications work can have a number of negative consequences on human dignity and certain rights established by the Constitution of the Republic of Croatia, the Convention for the Protection of Human Rights and Fundamental Freedoms and the EU Charter of Fundamental Rights. Those rights include privacy, protection of personal data, freedom of movement and the principle of non-discrimination. The article stressed that it is therefore

⁸⁷ Croatia, Personal Data Protection Agency (*Agencija za zaštitu osobnih podataka*) (2020), [Webinar “GDPR and activities of personal security” held](#), press release, 12 November 2020

⁸⁸ Croatia, Personal Data Protection Agency (*Agencija za zaštitu osobnih podataka*) (2020), [AZOP starts a campaign to systematically educate data protection officers in the private sector](#), 2 December 2020

necessary to provide an appropriate legal framework that will guarantee citizens that their personal data are collected with the least intrusive technological tools and with adequately protected guaranteed rights. It is also important that such data are used for clearly defined purposes and stored for a precise period.⁸⁹

Please fill in the table below with any initiatives you may identify in your country:

MS	Actor*	Type* *	Description	Are Ethical concerns mentioned? (yes/no)	Are Human Rights issues mentioned? (yes/no)	Reference
HR	Government	other project	One of the priorities of the Croatian Presidency of the Council of the EU entitled 'A Europe that protects' included activities aimed at achieving high-quality and secure data infrastructure through, among other, organising a discussion on the legal and ethical implications of artificial intelligence and defining standards for new technologies.	Yes	n/a	Priorities of the Croatian Presidency of the Council of the EU
HR	Government	other project	On 14 April 2020, the government launched the first	No	Yes	Government of the Republic of Croatia, Official government website for accurate and verified

⁸⁹ Croatia, Office of the Ombudsperson (*Ured pučke pravobraniteljice*) (2020), '[How to protect human rights while using artificial intelligence in combatting the pandemic](#)', article, 8 June 2020

			<p>COVID-19 digital assistant Andrija that can be activated on WhatsApp mobile application. It explained that artificial intelligence powers Andrija, and the app can connect simultaneously with millions of citizens and all relevant institutions in order to advise people on how to diagnose and manage suspected COVID-19 infections. It was pointed out that <i>"the digital assistant is a safe and anonymous application and no information is collected in a way that could identify the person or monitor anyone"</i>. However, its AI was dubious considering that Andrija as a digital assistant functions as a questionnaire with a pre-set choice of answers, and it is not able to assist anything beyond these.</p>		(privacy, data protection)	<p>information on coronavirus, Koronavirus.hr</p> <p>INDEX.HR web portal, Article: 'Is Andrija another government's attempt to start tracing citizens' mobile phones', 15 April 2020</p>
HR	Government	other project	<p>The Regional Office for Civil Protection Osijek implemented a central aerial surveillance system over citizens using drones to control the implementation of measures by the Civil Protection</p>	No	Yes (privacy)	<p>Ministry of the Interior, Civil Protection Directorate, Central system for air surveillance using unmanned aerial vehicles implemented in Osijek, 2 April 2020</p>

			<p>Headquarters of the Republic of Croatia. A control room for aerial surveillance was set up at the premises of Centre 112 Osijek, where real-time video clips of several multicopters were continuously displayed, flying over the markers placed at critical points in the city of Osijek. Following the successful implementation, it was announced that other towns in the region of Slavonija would be covered by the same measure. Drones were introduced to monitor gatherings and could record people's temperature. Part of the citizens expressed their concern that such a measure is in collision with the right to privacy. Spokesperson of the Police Department of Osijek-Baranja County stated that the measure does not violate citizens' right to privacy because the drones fly at an altitude of 30, 50 and several hundred meters and therefore faces of people on the ground are not visible.</p>		<p>N1 news portal, 'Ivan Anušić: We will implement stricter measures to those gathering in groups', 4 April 2020</p> <p>24 sata news portal, 'Lega in the air: Drones record and measure the temperature of Osijek citizens', 8 April 2020</p>
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HR	Government	other projects	<p>The Ministry of Health presented a mobile application that would monitor the contacts of people infected with COVID-19. APIS IT, a state-owned IT company developed the application. Use is voluntary and the application informs users that they were in contact with an infected person. It works only if the infected person uses the same application and gives consent to share that information through the application. When people get in contact, the application exchanges so-called keys or anonymized identifiers via Bluetooth on their mobile phones. It does not reveal the identity of people or track them.⁹⁰ It was emphasised that the application is fully in line with GDPR and the Commission Recommendation (EU) 2020/518 of 8 April 2020 on a common Union toolbox for</p>	No	Yes (personal data)	<p>Ministry of Health, Introducing mobile application 'Stop COVID-19', 27 July 2020</p> <p>Koronavirus.hr, Stop COVID-19</p> <p>Ministry of Health, Introducing mobile application 'Stop COVID-19', 27 July 2020</p>
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⁹⁰ Croatia, Government's website Koronavirus.hr (2020), [Stop COVID-19](#)

			the use of technology and data to combat and exit from the COVID-19 crisis, in particular concerning mobile applications and the use of anonymised mobility data. ⁹¹			
HR	Academia	other projects	The Committee for Economic and Regional Cooperation of the Croatian Academy of Technical Sciences, in cooperation with the Croatian Chamber of Commerce and Nikola Tesla Innovation Centre organized a roundtable 'Artificial Intelligence - Perception and Reality'. Lectures focused on topics of AI application in cybernetic security, the use of AI in public administration and the possibilities of successful implementation of 5G network without significant use of AI. The lecture on the use of AI in public administration provided an overview of development of e-administration. It emphasized that the use of technology shall	Yes	Yes (privacy)	Lecture ' Use of AI in public administration ' Lecture ' Application of artificial intelligence in cybernetic security, statuses, misconceptions and challenges ' Lecture ' Can the 5th generation (5G) mobile network be successfully implemented without significant use of artificial intelligence? '

⁹¹ Croatia, Ministry of Health, [Introducing mobile application 'Stop COVID-19'](#), 27 July 2020

			not distort the main principles of democracy and assessed the ways of introduction of AI in public administration processes including the main obstacles for the effective transformation to e-administration. Lack of trust, fear of invasion of citizens' privacy, responsibility for online content, fear of online crime and lack of secure electronic identification and authentication mechanisms were listed as important topics of concern in relation to introduction of AI into public administration.			
HR	NGO/other	other projects	Association of Juvenile Judges, Family Judges and Experts for Children and Juveniles held an online professional lecture entitled "Trends in the digital environment - from entertainment to abuse" organized for a wide variety of stakeholders including judges, state attorneys, lawyers, ombudspersons, social workers, police officers, teachers, NGO representatives, students etc. Lectures held on 12 and 19	N/a	Yes (protection personal data, online hate speech, sexual exploitation of children and young people in the digital	Association of Juvenile Judges, Family Judges and Experts for Children and Juveniles, Lecture announcement , 3 November 2020 More details about the lecture published on the website of the Ombudsperson of Persons with Disabilities: Expert lecture "Trends in the digital environment - from entertainment to abuse" and Expert lecture - Dangers of

			November concerned social networks, applications and communication forms used by children and young people, as well as examples of abuse through the internet, relevant terminology and practical examples from other countries. The lecture assessed dangers that threaten children and young people involved in online gaming and other activities, e.g. communication with strangers, the possibility of developing aggressive behaviour or even developing an addiction. It also elaborated on the issues of protection and security of personal data, expansion of online hate speech, as well as various dangers and forms of sexual exploitation of children and young people in the digital environment.		environme nt)	sexual abuse of children and youth in the digital environment
HR	Business	other projects	The Croatian Association for Artificial Intelligence (CroAI), in cooperation with the Croatian Chamber of Commerce, organized the 15-16 October 2020 annual gathering of the community that develops and	Yes. (lecture by the Global Public Policy,	No.	Croatian Chamber of Commerce, AI2Future Conference presents the first version of the AI market overview in Croatia , 15 October Website of the conference

			<p>applies technology in the field of artificial intelligence - AI2FUTURE conference. The conference presented a unique overview of the overall AI landscape in Croatia, which includes all stakeholders in this market - from AI companies and start-ups to the wider AI ecosystem in Croatia, which includes educational, and research institutions, associations and representatives of the public sector. In addition, leading international and domestic experts in economics and science presented current business AI projects, new trends, AI tools and robotics, and several international AI strategies. Croatian Minister of Economics and Sustainable Development explained where Croatia stands on digital strategy and how to ensure a sustainable AI ecosystem. As the Ministry of Economy and Sustainable Development is responsible for drafting the National Plan for the Development of Artificial</p>	<p>Ethics and Privacy Expert form Facebook who gave an overview of Facebook work in the AI Governance, Ethics and Research area)</p>		<p>Ministry of Economy and Sustainable Development, Minister Ćorić participated in the conference on artificial intelligence, 15 October 2020</p>
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			Intelligence, Minister Ćorić announced its adoption in the next few months. He added that Croatian authorities will make all the possible efforts to enable the development of the AI in regulatory and framework context as well as that by 2030 Croatia is envisaged as a country with a shift from the current economy structure with open space for new ideas. The conference included a lecture by the Global Public Policy, Ethics and Privacy Expert from Facebook who gave an overview of Facebook work in the AI Governance, Ethics and Research area.			
HR	Government	other projects	State secretary of the Republic of Croatia and head of the Croatian Central State Office for the Digital Society Development participated on 13 October on a panel discussion on digitalisation as a response to Covid-19 crisis, organised by the Jutarnji list newspaper. He explained that digital transformation in Croatia is seen through three pillars of	N/a	N/a	Central State Office for Digital Society Development, Secretary of State participates in Jutarnji list panel on digitalization in response to COVID-19 crisis , 14 October 2020

			digital society development: digital public administration, digitized economy and digital society of citizens. He stated that introducing AI and using all available technological achievements in public administration could lead to the highest level of digital development of Croatia. He added that the envisaged work plan of the Government of the Republic of Croatia by the end of its mandate is to have digitized processes in public administration that will significantly reduce waiting times at counters and enable entrepreneurs to become more competitive. He emphasized that digital skills development and education in this area are essential components for the development of digital transformation.			
HR	Business	other projects (opinion)	In June 2020, the Croatian Artificial Intelligence Association (CroAI) submitted a formal opinion on the EU's White paper	n/a	n/a	CroAI, Opinion on the European Commission's White Paper on Artificial Intelligence , June 2020

			<p>on AI with the aim to create more space for start-ups. They stressed the necessity of creating more space for entrepreneurship and innovation and suggested some measures, thereby contributing to the AI legislative debate. The opinion is available in English.</p>			
HR	Business (in cooperation with public institutions)	other projects	<p>Google organised an online conference "Grow Croatia with Google" on 1 December 2020, in cooperation with the Ministry of Labour, Pension System, Family and Social Policy and the Croatian Employment Service. The initiative "Grow Croatia with Google" aims to help tens of thousands of small and medium-sized companies and individuals in accelerating the digital transformation and overcoming the crisis by the end of 2021. The initiative has been present in Croatia since 2017 to support small businesses and individuals in education and adoption of digital skills, and now it aims at improving the economic recovery and development.</p>	n/a	n/a	<p>Ministry of Labour, Pension System, Family and Social Policy, Program "Grow Croatia with Google" for digital education of companies and better business, 1 December 2020</p>

HR	Government	National Draft Act	Public consultation on the Draft National Development Strategy of the Republic of Croatia until 2030 was open until 12 December 2020. The Draft defines four development directions of the Republic of Croatia: sustainable economy and society; strengthening crisis resilience; green and digital transition; and balanced regional development. Within the development directions, 13 strategic goals are defined. Strategic goal 11 - Digital transition of society and economy - foresees the improvement of legal framework regulating the use and privacy of data in order to strengthen opportunities for digital entrepreneurship, including the field of big data analysis and artificial intelligence.	No.	Yes. (privacy, personal data, consumer rights, rights of workers)	Ministry of Regional Development and EU Funds, Draft National Development Strategy of the Republic of Croatia until 2030 , December 2020
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*For the actors, please pick from the following suggestions:

Government/ Parliamentary

DPA

NGO/Other Non Profit

Academia

Domestic Courts
Business
Independent State Institution
Other

** for the type, please pick from the following suggestions:
National Draft Acts / Adopted Acts
report/study
other projects

Chapter 6. Rights of the child

1. Measures taken during the COVID 19 to ensure the well-being of children living in poverty and the protection of children from violence.

Measures to address the specific vulnerabilities of children living in poverty	<p><i>e.g. income support to single-headed families or dependant on number of children in the household; meals for children provided for free; free access to health services; suspension of evictions in households with children; support for distance learning (e.g. provision of computers/tablets, or access to internet)</i></p> <p>In March 2020, the State Audit Office of the Republic of Croatia published a Report on the efficiency audit of measures and activities taken to alleviate poverty in the Republic of Croatia, according to the Strategy for Combating Poverty and Social Exclusion in the Republic of Croatia (2014–2020). The report shows terrible results in almost every field of implementation of the strategy.⁹² The State Audit Office determined that programs for the implementation of measures and activities to alleviate poverty were not established for the complete duration of the strategy’s implementation, that annual reports show that those programs were not adapted when needed, and that operators and established working groups did not fully fulfil their tasks. Furthermore, based on an overview of the implementation of ten prescribed measures, it was assessed that, from 2014 to the end of 2017, the implementation of two measures was not effective at all, the implementation of seven measures was partially effective and the implementation of one measure was effective. Regarding 2018, as no new implementation program has been adopted, there were no clear criteria to evaluate the effectiveness of implementation of measures. It was also assessed that the achievement of the national objective was not monitored and that regular comparison of statistics on poverty reduction and social exclusion in the EU Member States was not carried out.⁹³</p> <p>In January 2020, an Amendment to the Social Welfare Act entered into force. It increased the compensation for parent carers and carers of people with disabilities.⁹⁴</p>
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⁹² Croatia, State Audit Office (*Državni ured za reviziju*) (2020), Report on the efficiency audit of measures and activities taken to alleviate poverty in the Republic of Croatia ([*Izvešće o obavljenoj reviziji učinkovitosti mjera i aktivnosti poduzetih za ublažavanje siromaštva u Republici Hrvatskoj*](#))

⁹³ Croatia, State Audit Office (*Državni ured za reviziju*) (2020), Report on the efficiency audit of measures and activities taken to alleviate poverty in the Republic of Croatia ([*Izvešće o obavljenoj reviziji učinkovitosti mjera i aktivnosti poduzetih za ublažavanje siromaštva u Republici Hrvatskoj*](#))

⁹⁴ Croatia, Social Welfare Act (*Zakon o socijalnoj skrbi*) (2013), Official Gazette (*Narodne novine*) Nos. 157/13, 152/14, 99/15, 52/16, 16/17, 130/17, 98/19, 64/20

	<p>An Amendment to the Maternity and Parental Benefits Act, in force from April 2020, increased the income-replacement benefit for parents during parental leave.⁹⁵</p>
<p>Measures to protect children from violence</p>	<p><i>e.g. set up of new helplines or strengthening of existing ones through training or increased number of staff; campaigning on issues related to violence and COVID 19; revision of standard operating procedures for health and social workers to ensure identification and referral of victims of violence during Covid 19; social services identify alternative methods if home visits become impossible; internet safety support to families.</i></p> <p>In 2018, the Government of the Republic of Croatia introduced the new Act on Protection against Domestic Violence. On 17 December 2019, the Croatian Parliament adopted an amendment of this Act, which entered into force on 1 January 2020. The Amendment introduced higher penalties for perpetrators of domestic violence, clarified the division between felonies and misdemeanours prescribed by the act, and defined physical violence as the use of physical force even when there is no physical injury inflicted. The amendment also expanded the circle of people to which the act applies.⁹⁶</p> <p>According to the recommendations given during the COVID-19 pandemic, Family Centres operating under Social Welfare Centres started providing counselling, assistance services and family mediation exclusively through electronic media and/or telecommunications means.⁹⁷</p> <p>In April 2020, the Croatian Ministry of the Interior, Child and Youth Protection Centre Zagreb and Degordian Agency launched a campaign called 'Behind this door lives Mia'. The campaign was published on the portal of the European Crime Prevention Network (EUCPN), with the aim of raising public awareness on the effects of the pandemic and the restrictions on vulnerable groups such as children at risk of abuse.⁹⁸</p> <p>Regarding internet safety, in February 2020, the Association for Communication and Media Culture</p>

⁹⁵ Croatia, Maternity and Parental Benefits Act ([Zakon o roditeljnim i roditeljskim potporama](#)) (2008), Official Gazette (*Narodne novine*) Nos. 85/08, 110/08, 34/11, 54/13, 152/14, 59/17, 37/20

⁹⁶ Croatia, Act on Protection against Domestic Violence ([Zakon o zaštiti od nasilja u obitelji](#)) (2017), Official Gazette (*Narodne novine*) Nos. 70/17, 126/19

⁹⁷ Croatia, Ministry for Demography, Family, Youth and Social Policy (*Ministarstvo za demografiju, obitelj, mlade i socijalnu politiku*) (2020), [Counselling, assistance and family mediation in Family Centres during COVID-19 epidemic](#), press release, 3 April 2020

⁹⁸ European Crime Prevention Network (2020), '[Behind the door](#)', campaign

	<p>coordinated the publishing of the National research on child internet safety, as part of the multinational research network EU Kids Online. The research was conducted in October and November 2017 and included 1,017 children aged 9 to 17 years with their parents. The Ministry of Science and Education and the Ministry for Demography, Family, Youth and Social Policy supported it.⁹⁹ Some of the results regarding internet safety were that older children are more exposed to electronic violence; that 7% of children aged 9 to 17 years experienced infringing or unpleasant behaviours by others on the internet, while 4.5% of children admitted violent behaviours toward others; that a third of the children who admitted violent behaviours towards others have previously experienced infringing or unpleasant behaviours by others; that over 2/3 of children aged 9 to 17 years have unintentionally seen sexual photos or movies with naked people online, while almost a fifth of them saw such content with intention; that more than a fifth of children visited websites with content regarding suicide or self-injury, and that almost half of children have never or almost never sought support and assistance from parents in situations and problems that upset them while they were online. The research also showed that most of the children have the possibility to use the internet whenever they want or need it.¹⁰⁰</p> <p>As part of the International missing children's day, at the initiative of EUROPOL and in cooperation with the European Police Professional Network for Missing Persons and AMBER Alert Europe, a campaign '#DontBeACatch' was launched in May 2020. The Croatian police actively joined the campaign, with other 23 European countries.¹⁰¹</p>
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2. Legal and policy measures or initiatives developed about criminal proceedings

<p>Legislative changes</p>	<p><i>e.g. reform of the criminal code</i></p> <p>Due to the transposition and implementation of the Directive (EU) 2016/800 of the European Parliament and of the Council of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceedings, the Government of the Republic of</p>
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⁹⁹ Croatia, Association for Communication and Media Culture (*Društvo za komunikacijsku i medijsku kulturu*), National research on child internet safety ([Nacionalno istraživanje o sigurnosti djece na internetu](#)), February 2020

¹⁰⁰ Croatia, Association for Communication and Media Culture (*Društvo za komunikacijsku i medijsku kulturu*), National research on child internet safety ([Nacionalno istraživanje o sigurnosti djece na internetu](#)), February 2020

¹⁰¹ Croatia, Ministry of the Interior - The General Police Directorate (*Ministarstvo unutarnjih poslova – Ravnateljstvo policije*) (2020), '#DontBeACatch' ([#NemojPostatiLovina](#)), press release, 25 May 2020

	<p>Croatia amended the Juvenile Courts Act, that was adopted on 12 July 2011, and entered into force on 1 September 2011, by introducing new procedural guarantees for juvenile suspects and accused persons in criminal proceedings as expanding the list of rights police officers are obligated to read during arrests or interrogations, introducing obligatory notification about the minor's rights to his/her parent, guardian or, under certain circumstances, another authorised adult or a special guardian, the right of a minor to be accompanied by a parent, guardian, or, in certain circumstances, another authorised adult or a special guardian, the right of a minor to seek medical examination when arrested, and mandatory defence of minors since the first stages of proceedings. The Amendment was adopted on 17 December 2019, and entered into force on 1 January 2020.¹⁰²</p> <p>With this Amendment Croatia finalised the transposition of the Directive (EU) 2016/800 of the European Parliament and of the Council of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceedings in its legislation.</p>
<p>Policy developments</p>	<p><i>e.g. guidance or training for law enforcement officers on the treatment of child suspects; amendment of police academy curriculum; training of judges; developing indicators to monitor the situation of child suspects and improve data collection</i></p> <p>In February 2020, the Association of Youth Judges, Family Judges, and Children and Youth Specialists held an expert meeting at which it was decided that specialisation and mandatory education of youth judges and family judges would become obligatory.¹⁰³</p> <p>The Department for Professional Development and Specialization of the Police Academy Zagreb conducted a specialist-training course on juvenile delinquency and crime against youth and family.¹⁰⁴</p>
<p>Other measures or initiatives</p>	<p><i>E.g., relevant activities to promote alternatives to detention, community involvement or general initiatives related to the dissemination and information in relation to the entering into force of the Directive.</i></p> <p>There were no other relevant activities in 2020.</p>

¹⁰² Croatia, Juvenile Courts Act ([Zakon o sudovima za mladež](#)) (2011), Official Gazette (*Narodne novine*) Nos. 84/11, 143/12, 148/13, 56/15, 126/19

¹⁰³ Croatia, Association of Youth Judges, Family Judges and Children and Youth Specialists (*Udruga sudaca za mladež, obiteljskih sudaca i stručnjaka za djecu i mladež*), [Expert meeting](#), press release, 9 March 2020

¹⁰⁴ Croatia, Police Academy (*Policajska akademija*) (2020), [Specialist training course on juvenile delinquency and crime against youth and family](#), press release, 25 May 2020

Chapter 7. Access to justice including crime victims

1. Victims' Rights Directive

Due to the transposition and implementation of Victim's Rights Directive and EU Strategy on Victim's Rights, the Government of the Republic of Croatia amended the Juvenile Courts Act by introducing new procedural guarantees for children victims of crime. The amendment, in force from January 2020, introduced additional obligations of professional conduct for professionals working in the Croatian judicial system, such as prosecutors, judges and police officers.¹⁰⁵ The Ministry of the Interior gave internal instructions about the amendment to all police officers, intending to elaborate and interpret its novelties. The Department for Professional Development and Specialization of the Police Academy Zagreb conducted a specialist-training course on juvenile delinquency and crime against youth and family.¹⁰⁶

2. Violence against women

Amendment to the Criminal Code, in force from January 2020, prescribed higher penalties for causing grievous bodily harm or particularly serious injury to a person, for crimes of genital mutilation and crimes of sexual harassment committed by a superior at work. Additionally, it instituted the obligation of prosecution of criminal threats against persons who are or have been partners or family/household members, pregnant women, people with disabilities or other particularly vulnerable groups. It also defined sexual intercourse without consent as a type of rape, for which the minimum prison sentence was increased by one year.¹⁰⁷

Domestic violence in Croatia persists to be a dominant form of gender-based violence. It is identified as a crucial problem in Croatian society. The Misdemeanour Act regulates domestic violence cases in Croatia as a general law (*lex generalis*), and the Act on Protection against Domestic Violence as a special law (*lex specialis*). In certain cases, and situations, the Croatian Criminal Code and Family Act can also apply to cases of domestic violence.

According to the Croatian Criminal Code, those who seriously violate laws for the protection against domestic violence, or cause to a family member or another close person fear for their safety or the safety of those close to them, or put them in a humiliating position or state of prolonged suffering, and thus no grievous crime has been committed, will be punished with a sentence of one to three years in prison.¹⁰⁸

Amendment to the Act on Protection against Domestic Violence, in force from January 2020, introduced higher penalties for perpetrators of domestic

¹⁰⁵ Croatia, Juvenile Courts Act ([Zakon o sudovima za mladež](#)) (2011), Official Gazette (*Narodne novine*) Nos. 84/11, 143/12, 148/13, 56/15, 126/19

¹⁰⁶ Croatia, Police Academy (*Policajska akademija*) (2020), [Specialist training course on juvenile delinquency](#), press release, 25 May 2020

¹⁰⁷ Croatia, Criminal Code ([Kazneni zakon](#)), (2011), Official Gazette (*Narodne novine*) Nos. 125/11, 144/12, 56/15, 61/15, 101/17, 118/18, 126/19

¹⁰⁸ Croatia, Criminal Code ([Kazneni zakon](#)), (2011), Official Gazette (*Narodne novine*) Nos. 125/11, 144/12, 56/15, 61/15, 101/17, 118/18, 126/19

violence, clarified the division between felonies and misdemeanours prescribed by the act and defined physical violence as the use of physical force even when there is no physical injury inflicted. It also expanded the circle of people to which the act applies.¹⁰⁹

The previously mentioned Amendment to the Criminal Code, in force from January 2020, indirectly brought an important novelty regarding marital rape. As said, the Amendment defined sexual intercourse without consent as a type of rape. Before this Amendment, most marital rapes in Croatia were qualified as sexual intercourse without consent and with this novelty they are now qualified as rape, punishable with a minimum prison sentence of one year.

No specific measures targeting women have been implemented related to the COVID-19 pandemic. However, in November 2019 the Ministry for Demography, Family, Youth and Social Policy started implementing the project 'Let's stop violence against women and domestic violence - There's no excuse for violence', aimed at establishing a round-the-clock hotline for victims and a media campaign to raise public awareness about preventing and reporting violence.¹¹⁰

¹⁰⁹ Croatia, Act on Protection against Domestic Violence ([Zakon o zaštiti od nasilja u obitelji](#)) (2017), Official Gazette (*Narodne novine*) Nos. 70/17, 126/19

¹¹⁰ Croatia, European Structural and Investment Funds (*Europski strukturni i investicijski fondovi*), '[Let's stop violence against women and domestic violence - There's no excuse for violence](#)', public call, 23 June 2020

Chapter 8. Developments in the implementation of the Convention on the Rights of Persons with Disabilities

1. CRPD policy & legal developments

In June 2020, the Croatian Institute of Public Health issued COVID-19 protection measures for persons with disabilities. According to the measures, persons with disabilities should adhere to the same general protection measures as the general population, noting that they should continue to use all previously recommended therapy advised by a doctor. They emphasized that it is necessary to take into account that people with disabilities may be unable to wear a mask or perform hand hygiene on their own due to their difficulties, which is why other people in their vicinity should follow all the recommended measures more consistently. They also state that personal assistants, seeing companions or other persons who in some way participate in the daily assistance of persons with disabilities should wear masks while in contact with them and monitor their health on a daily basis.¹¹¹

Since the beginning of the epidemic, the Ombudsperson for Persons with Disabilities has regularly published on their website recommendations and other useful information related to the difficulties persons with disabilities face as a particularly vulnerable group during the current epidemiological situation.¹¹² On 14 March 2020, the Ombudsperson for Persons with Disabilities gave recommendations to all associations and service providers for persons with disabilities to limit or suspend the implementation of their programmes and activities that include gathering and simultaneous stay of a large number of children or adults with disabilities. They also encouraged parents of children with disabilities and adults with disabilities to adhere strictly to the recommendations of the Civil Protection Headquarters and service providers regarding the avoidance of the risk of infection, given that this is a population where possible hospital quarantine would require additional adjustment of conditions. The Ombudsperson recommended to the Civil Protection Headquarters to make sure that all necessary measures exist for reception,

¹¹¹ Croatia, Croatian Institute for Public Health (*Hrvatski zavod za javno zdravstvo*), [Protection measures for persons with disabilities](#), 28 June 2020

¹¹² Croatia, Ombudsperson for Persons with Disabilities (*Pravobranitelj za osobe s invaliditetom*), [Recommendations related to coronavirus to persons with disabilities and the public](#)

treatment and safety of people with disabilities, depending on their specific needs.¹¹³

The pandemic caused by the coronavirus further aggravated the unfavourable situation for people with disabilities in terms of access to medical services, especially for those using various types of orthopaedic mobility aids due to their close contact with another person and their inability to maintain social distance.¹¹⁴

The Ombudsperson for Persons with Disabilities also recommended that a sign language interpreter be provided at press conferences of the Civil Protection Headquarters so that vital information is available to deaf and hard of hearing persons equally as to other citizens. The Programme Adaptation Department for People with Sensory Disabilities of the Croatian National Television (HRT) informed the Croatian association of deaf and hard of hearing persons that the department has been closed since 23 March and is no longer able to adapt the programme for deaf and hard of hearing persons. After the reaction of mentioned association, which emphasised that the denial of vital information represents unequal treatment of this group of citizens, HRT reintroduced most of its shows with subtitles on 25 March, noting that due to objective circumstances it will not be able to subtitle all shows as before and that it will adapt the content to deaf and hard of hearing persons as much as possible through subtitles.¹¹⁵ The Croatian association of sign language interpreters formed an expert committee composed of experienced and highly qualified Croatian sign language interpreters so that deaf and hard of hearing persons can contact medical services in case of suspected coronavirus infection. Interpretation is carried out online, with deaf and hard of hearing persons establishing a video call to coordinators by regions, covering the entire territory of the Republic of Croatia. If a deaf or hard of hearing person wants to seek psychological help, they can contact an interpreter in the same way.¹¹⁶ Furthermore, in cooperation with the Croatian Red Cross, the Croatian association of deaf and hard of hearing persons activated a line to provide

¹¹³ Croatia, Ombudsperson for Persons with Disabilities (*Pravobranitelj za osobe s invaliditetom*), [Prevention of the spreading of Covid-19 related to persons with disabilities](#), public announcement, 14 March 2020

¹¹⁴ Croatia, Ombudsperson for Persons with Disabilities (*Pravobranitelj za osobe s invaliditetom*), [‘The right to ensured medical services to persons with disabilities in their homes’](#), official letter, 23 March 2020

¹¹⁵ Croatia, Croatian association of deaf and hard of hearing persons (*Hrvatski savez gluhih i nagluhih*), [‘As of today subtitles are back on HRT shows’](#), announcement, 25 March 2020

¹¹⁶ Croatia, N1 news platform, [‘Croatian sign language translators form an expert committee’](#), news article, 20 March 2020

psychosocial support for deaf and hard of hearing persons in self-isolation who can send an SMS or contact them via Viber application.¹¹⁷

On 10 July 2020, the Civil Protection Headquarters introduced a measure of mandatory use of facemasks or medical masks for the duration of the proclamation of the COVID-19 epidemic.¹¹⁸ Due to health and development difficulties, some persons cannot wear the mask or can wear it only with certain restrictions. Thus, persons with certain forms of disability are exempt from the obligation to wear masks, such as: certain mental health impairments including autism spectrum disorders if people resist or do not tolerate a facemask; persons with intellectual disabilities; persons with major physical/motor impairments, due to possible difficulties with breathing or inability to remove the mask without the help of another person; and in certain situations persons with hearing impairments, including interpreters for the deafblind persons and other accompanying persons.

The Ombudswoman for Persons with Disabilities sent a warning and recommendations to the Ministry of Labour, Pension System, Family and Social Policy, the Ministry of Health, the Civil Protection Directorate and the Croatian Institute of Public Health. She warned relevant institutions to review certain epidemiological measures for social care users and medical patients that are in rehabilitation in specialized hospitals. She reiterated that social care service users (the elderly, persons with disabilities, children with disabilities and children without parents) and medical rehabilitation service users have been restricted in enjoying their constitutional right to freedom of movement by prescribing a ban on leaving the premises of institutions and a ban on visits with no exceptions. Their right to freedom of movement has been restricted since the beginning of Covid-19 pandemic in mid-March 2020 to date with shorter periods of relaxation of measures. She highlighted that in accordance with Article 16 of the Constitution, any restriction of rights and freedoms must be in accordance with law and proportionate to the nature of the need for restriction in each individual case. The requirement of proportionality from Article 16 implies that the restricted measures should be of the lowest possible intensity and at the same time effective for achieving the desired goal. She stressed the importance of understanding that not all social and medical service users are elderly people and people with chronic diseases. Namely, a large number of children with disabilities placed in social care homes are children

¹¹⁷ Croatia, Croatian association of deaf and hard of hearing persons (*Hrvatski savez gluhih i nagluhih*), [Line for providing psychosocial support to deaf and hard of hearing persons](#)

¹¹⁸ Croatia, Civil Protection Headquarter of the Republic of Croatia (*Stožer civilne zaštite Republike Hrvatske*), [Decision on introducing mandatory use of face masks or medical masks for the duration of the proclamation of the COVID-19 epidemic](#), 10 July 2020

with intellectual disabilities without chronic diseases and as such do not belong to the risk group, but the ban on visiting and leaving social care homes also applies to them. For that reason, the Ombudswoman gave recommendation that, with the cooperation of the epidemiological profession, competent ministries and responsible persons in institutions and depending on the specifics of users, spatial conditions and organisation of work, it is possible to find an appropriate solution in each institution. This would enable individual users to achieve freedom of movement while preserving and protecting the health of the remaining users and employees¹¹⁹.

On 22 October, the Ombudswoman for Persons with Disabilities sent recommendations to the Government of Croatia and Ministry of Justice to enable parents of children and adults with disabilities, family members caring for persons with disabilities, and employees with disabilities in state administration bodies to work from home. Otherwise, treatment of children and adults with disabilities would require additional engagement of significant resources in the health care system and additional adjustment of medical procedures with the obligatory presence of parents and relatives. All this would complicate the organisation of treatment and most certainly additionally and significantly burden the healthcare system¹²⁰.

Taking into account the recommendations of the Ombudswoman with Persons with Disabilities, the Ministry of Labour, Pension System, Family and Social Policy gave recommendations for all providers of social accommodation services for elderly people and people with disabilities whom their health condition and age do not pose increased risks for development of more severe forms of disease. In those cases, visits can happen in outdoor areas. Users must wear a mask when going outside. The visits are of limited duration and take place according to a predetermined schedule in such a way that a distance of 1.5 meters can be maintained between all persons. The service provider is obliged to ensure that at least 3m² of outdoor space is planned for each person. According to the available area, the maximum number of visitors is determined as well as the schedule of visits. Visitors are obliged to wear a mask at all times and adhere to other protection measures (hand disinfection, etc.). Visits are also allowed to users in the internal premises of the service provider when for

¹¹⁹ Croatia, Ombudsperson for Persons with Disabilities (*Pravobranitelj za osobe s invaliditetom*), [Review of certain epidemiological measures for users of accommodation services in the social care system and patients in medical rehabilitation](#), 11 September 2020

¹²⁰ Croatia, Ombudsperson for Persons with Disabilities (*Pravobranitelj za osobe s invaliditetom*), [Work from home for working parents of children with disabilities and adults with disabilities, employed people with disabilities and family members caring for people with disabilities](#), 22 October 2020

objective reasons the visit cannot be organized in the external premises of the service provider (for example, disabled persons). Visits are of limited duration and take place according to a predetermined schedule. Visitors are obliged to wear a mask, disposable robes and disposable socks at all times (this equipment is provided by the visitor) and to adhere to other protection measures. Before the start of the visit (either indoors or outdoors), visitors need to measure their body temperature with a non-contact thermometer, and if a higher body temperature is determined, the visit cannot take place. Hand disinfection is mandatory before entering the service provider's premises. The recommendation is for a person visit per user. Exceptionally, several persons may participate in the visit if the visitor needs a visual escort, an interpreter / translator of Croatian sign language, a personal assistant or some other form of assistance¹²¹.

On 15 October, the URIHO Vocational Rehabilitation Institute presented a "Covid-19 negative booklet" on the impact of coronavirus on the vocational rehabilitation and work of people with disabilities, which includes multidisciplinary recommendations and advice for work with the users¹²².

On 14 October 2020, the Government of the Republic of Croatia adopted a Decision on establishing strategic planning acts related to the conditions enabling the implementation of European Union funds in the period from 2021-2027, deadlines for their adoption and bodies in charge of their drafting. Among others, the Decision foresees the adoption of the National Plan for Equalization of Opportunities for Persons with Disabilities for the Period 2021-2027 and the National Plan of Development of Social Services for the Period 2021-2027. The Ministry of Labour, Pension System, Family and Social Policy shall adopt both strategic documents in the second trimester of 2021.¹²³ Following the adoption of the Decision, the Ministry of Labour, Pension System, Family and Social Policy has informed the public about the commencement of drafting of the strategic planning acts within its competences. The Ministry has also invited all the interested stakeholders to participate in active co-creation of the respective

¹²¹ [Koronavirus.hr, Ministry of Labour, Pensions, Family and Social Policy launches campaign to combat coronavirus spread among elderly population](https://www.koronavirus.hr/ministry-of-labour-pensions-family-and-social-policy-launches-campaign-to-combat-coronavirus-spread-among-elderly-population), 21 October 2020

¹²² Croatia, Croatian Institute for Public Health, "[COVID-19 NEGATIVE BOOKLET](#)" - persons with disabilities at the time of coronavirus crisis, 15 October 2020

¹²³ Croatia, Government of the Republic of Croatia, [Decision on establishing strategic planning acts related to the conditions enabling the implementation of European Union funds in the period from 2021- 2027, deadlines for their adoption and bodies in charge of their drafting](#), 14 October 2020

documents, through discussions in the process of their drafting as well as public consultations once the draft acts will be published.¹²⁴

2. CRPD monitoring at national level

In relation to the structures for the implementation and monitoring of CRPD, there were changes in structure of public administration bodies following the parliamentary elections held in July 2020. Policies and other matters concerning persons with disabilities which used to be within the scope of the Ministry for Demography, Family, Youth and Social Policy are since July 2020 within the scope of the Ministry of Labour, Pension System, Family and Social Policy.

On 10 June 2020, the Government's Commission for Persons with Disabilities held a session at the Ministry for Demography, Family, Youth and Social Policy about the position of persons with disabilities in states of emergency and humanitarian crises. Ms Marica Mirić, a commission member and vice-president of the Croatian union of associations of persons with disabilities (SOIH), warned the commission members on the obligations of the Republic of Croatia under CRPD regarding the care of persons with disabilities in risk situations and humanitarian crises. She listed the shortcomings identified during the pandemic and the earthquake, stressing the need for systematic and coordinated action at national and local levels. It was announced that a working group would be established to prepare guidelines, proposals for measures and methods of monitoring measures to protect persons with disabilities better.¹²⁵

Before the parliamentary elections held on 4 July 2020, the Ombudsperson for Persons with Disabilities highlighted the importance of continuously raising awareness about shortcomings in fulfilling the obligations arising from CRPD, including failings in fulfilling the electoral rights of persons with disabilities that contribute to the marginalization and social exclusion of this group. She reiterated the recommendations of the UN Committee on the Rights of Persons with Disabilities and her concern about the fact that the electoral process is still not fully accessible to all persons with disabilities and that there is still a low number of persons with disabilities holding an executive or representational

¹²⁴ Croatia, Ministry of Labour, Pension System, Family and Social Policy, [Announcement of the commencement of drafting new strategic documents within the competences of the Ministry of Labour, Pension System, Family and Social Policy](#), October 2020

¹²⁵ Croatia, Ministry for Demography, Family, Youth and Social Policy (*Ministarstvo za demografiju, obitelj, mlade i socijalnu politiku*), [Session of the Government's Commission for Persons with Disabilities](#), 10 June 2020

function in bodies exercising public powers. She emphasized the need to be better acquainted with fundamental political rights of persons with disabilities, and the need to ensure better architectural, communication and orientation accessibility of the entire election process, premises and materials for persons with disabilities.¹²⁶

The second meeting of the fourth convocation of the Expert Council of the Ombudsperson for Persons with Disabilities took place on 28 August 2020. The participants discussed the activities of the Expert Council, especially the ones taking place in 2020 and 2021, as well as topics related to the living conditions of persons with disabilities and their families during the COVID-19 pandemic. As the biggest challenges in the future, the participants stressed the beginning and organisation of classes in the upcoming school year in the context of the pandemic, the organisation of classes for children with disabilities, working arrangements for teaching assistants in extraordinary circumstances, better operationalization of emergency services for people with disabilities, etc.¹²⁷

The third meeting of the fourth convocation of the Expert Council of the Ombudsperson for Persons with Disabilities took place online on 10 December 2020. Due to current circumstances regarding COVID-19 and partial lockdown, significant attention was paid to the impact of the corona crisis on the life and health of persons with disabilities. The participants discussed specific problems, such as the unavailability of health services and therapeutic and rehabilitation procedures aimed at maintaining health, lack or limitation of personal assistance, lack of hospital staff and anti-decubitus equipment (especially anti-decubitus mattresses) in hospitals and many other challenges that prevent normal life and functioning of persons with disabilities. Special discussion regarded the announcement of vaccination of the population and related uncertainties, including the question of obligation to vaccinate personal assistants of persons with disabilities. In addition, the participants expressed dissatisfaction with the lack of changes and improvements to the current legal framework, as well as the slow work of individual working groups established within the relevant ministries. Dissatisfaction also surfaced in relation to the postponement of the adoption of personal assistance and inclusive allowance framework, as well as the postponement of the adoption of amendments to the Social Welfare Act. Finally, due to the impossibility of work according to the plan and program of the Expert Council during 2020, the Ombudsperson for Persons with Disabilities decided to extend the mandate of all elected members

¹²⁶ Croatia, Croatian Union of Associations of Persons with Disabilities (*Zajednica saveza osoba s invaliditetom Hrvatske, SOIH*), '[Participation of persons with disabilities in political and public life](#)', 4 June 2020

¹²⁷ Croatia, Ombudsperson for Persons with Disabilities (*Pravobranitelj za osobe s invaliditetom*), '[2nd meeting of the 4th convocation of the Expert Council of the Ombudsperson for Persons with Disabilities](#)', 28 August 2020

of the Expert Council for the next year through an annex to the current Agreement.¹²⁸

The Government of the Republic of Croatia commemorated the International Day of Persons with Disabilities on 3 December 2020 during which the Prime Minister emphasized that the number of persons with disabilities is increasing. He highlighted that last year the number was slightly less than 512 thousand, while today it is about 590 thousand. Prime Minister also noted that, following the strong earthquake that in March 2020 hit Zagreb and Zagreb and Krapina-Zagorje counties, the Government adopted measures and the Reconstruction Act, which especially took into consideration people with disabilities. These would be exempt from paying insurance or funds for the reconstruction of family houses, business, residential-commercial and apartment buildings and the construction of replacement family houses. The Prime Minister also noted that the campaign "Responsible we stay close!" has been launched and implemented by the Ministry of Labour, Pension System, Family and Social Policy, in cooperation with the Croatian Radio-television, which aims to protect the health of people with disabilities and the elderly. When it comes to the activities of the Government, Prime Minister Plenković pointed out that the development of community and partnership with associations and organizations of persons with disabilities has been established. He pointed out that the Government's action is based on internationally and domestically adopted documents - the UN Convention on the Rights of Persons with Disabilities, European directives and the National Strategy for Equalization of Opportunities for Persons with Disabilities. It was emphasised that in 2019, more than 1.1 billion HRK was spent for the implementation of the National Strategy measures. Out of this amount, more than HRK 700 million was spent at the national level, while local and regional self-government units spent almost HRK 400 million. He singled out the measures taken by the Government to improve the position of persons with disabilities. The personal disability allowance increased from HRK 1.250,00 to HRK 1.500,00 and the funds for the personal disability allowance increased by 75% compared to 2016. The allowance for assistance and care increased by 20%, and the funds for the allowance for assistance and care increased by 50% compared to 2016.¹²⁹

¹²⁸ Croatia, Ombudsperson for Persons with Disabilities, [Meeting of the Ombudsperson's Expert Council](#), 10 December 2020

¹²⁹ Croatia, Ministry of Labour, Pension System, Family and Social Policy, [International Day of Persons with Disabilities commemorated](#), 3 December 2020

Annex 1 – Promising Practices

Thematic area	EQUALITY AND NON-DISCRIMINATION Please provide one example of a promising practice to tackle discrimination against older people or LGBTI people such as awareness raising campaigns or ethical codes for healthcare staff held in your country in 2020. Where no such examples are available, please provide an example of an awareness raising campaign held in your country in 2020 relevant to equality and non-discrimination of older people or LGBTI people, preferably one conducted by a national equality body.
Title (original language)	'Brutalna stvarnost II'
Title (EN)	'Brutal Reality II'
Organisation (original language)	Zagreb Pride
Organisation (EN)	Zagreb Pride
Government / Civil society	Civil society
Funding body	European Commission
Reference (incl. url, where available)	Zagreb Pride's web site: Articles "It's not reported because no one would take you seriously" (in Croatian and in English) and " International day against Homophobia and Transphobia: two thirds of LGBTIQ persons in Croatia have an experience of violence "
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	April–August 2020
Type of initiative	Campaign, LGBTI people

Main target group	General population of the Republic of Croatia
Indicate level of implementation: Local/Regional/National	National
Brief description (max. 1000 chars)	<p>The action consisted of:</p> <ul style="list-style-type: none"> • <u>online campaign</u>: A seven-day online survey was conducted to find out the needs of LGBTIQ persons and challenges they face during the coronavirus crisis. The responses of almost 200 people show a greater need for psychological counselling and more content dealing with LGBTIQ themes. In the following weeks, a database of movies, series and music related to queer themes was shared on social media and groups. After agreeing a collaboration with a sensitized psychotherapist, LGBTIQ persons were invited to contact Zagreb Pride for free psychological counselling. • <u>billboard posters</u>: During the Pride Month (17 May–13 June), advertising space was bought and key data from the 'Brutal Reality II' survey (2019) were disseminated. The campaign included posters at 35 locations in Croatia, of which 8 at key spots in the city of Zagreb. The campaign was successfully implemented due to good cooperation with the EC which financially supported the campaign, and with the company Europlakat which gave a large discount on the lease of advertising space. • <u>free psychological counselling</u>: Free psychological counselling in cooperation with a psychologist and long-time associate of Zagreb Pride was additionally introduced due to identified needs of LGBTIQ persons. In three months, more than 20 people sought counselling in more than 30 sessions.
Highlight any element of the actions that is transferable (max. 500 chars)	All the elements of this action, and especially the used methods, can be transferable to other topics and rights of other minorities as well as other national contexts. A particularly interesting element of the campaign is the combination of research, campaigning and psychological support to discriminated minorities.

Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	This practice is sustainable as research results have been made public and are visible to a larger number of people, thus raising awareness of the general public. Research results may also be used for purposes other than this campaign and are comparable with the results of the research carried out in 2013 ('Brutal Reality I'). This is an example of a promising practice in cross-sector cooperation: CSO (Zagreb Pride), institutions (European Commission) and a private company (Europlakat) which might continue in the future.
Give reasons why you consider the practice as having concrete measurable impact	The campaign already has a measurable impact – 20 LGBTIQ persons used the service of psychological support. As billboards are a very visible tool of public communication, it is plausible that many people saw them and a part of them gained new information about discrimination against LGBTIQI persons.
Give reasons why you consider the practice as transferable to other settings and/or Member States?	All the elements of this action can be transferable to other national contexts, especially the used methods. A particularly interesting element of the campaign is the combination of research, campaigning and psychological support to discriminated minorities, that can be done everywhere.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	Activities of the campaign were designed based on an online campaign and a survey conducted among LGBTIQ persons.
Explain, if applicable, how the practice provides for review and assessment.	N/A

Thematic area	RACISM, XENOPHOBIA AND RELATED INTOLERANCE
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	Please provide one example of a promising practice to address racism and xenophobia in the context of the COVID-19 pandemic. Where no such practice exists, please provide one example of a promising practice related to combating racism, xenophobia and related intolerances.
Title (original language)	Seriya online događanja: Kava za ljudska prava - utjecaj koronavirusa na najranjivije
Title (EN)	Series of online events: Coffee and Human Rights - Influence of the coronavirus to most vulnerable
Organisation (original language)	Ured pučke pravobraniteljice
Organisation (EN)	Ministry of Justice and Public Administration Office of the Ombudsperson
Government / Civil society	Equality body
Funding body	Series of online events organized by the Office of the Ombudsperson.
Reference (incl. url, where available)	Influence of the coronavirus to most vulnerable: how to protect social rights? Influence of the coronavirus to most vulnerable: needs, issues and potentials of the youth
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	20 October 2020 - ongoing
Type of initiative	

	Online public events (discussions)
Main target group	Citizens and vulnerable groups
Indicate level of implementation: Local/Regional/National	National
Brief description (max. 1000 chars)	The coronavirus pandemic will have long-term consequences for vulnerable groups of citizens. Unable to organize live events on the issues of the impact of coronavirus to most vulnerable citizens, the Office of the Ombudsperson decided to organize a series of online meetings with moderated discussions on the topics in relation to vulnerable groups: socially and economically vulnerable citizens and the pandemic, youth and migrants. So far, three online events were organized (on 20 October on social and economic rights, on 9 November on youth and the pandemic and the third event was organized on 7 December 2020 on the topic of migrants' rights and the influence of pandemic). Online discussions will be continued in the 2021.
Highlight any element of the actions that is transferable (max. 500 chars)	The action is transferable to other settings as the only prerequisite is the existence of technical conditions and application of certain information and communication tools. Communication of the equality body with the vulnerable groups who will be in the long-term feel the consequences of the pandemic in order to prevent and timely react to possible negative effects is a transferable element to all surroundings.
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	The practice is sustainable since it can be implemented beyond the context of the COVID-19 pandemic.
Give reasons why you consider the practice as having concrete measurable impact	The practice has a measurable impact visible in the numbers of the participants involved in the online discussions, as, due to recent measures, no public gatherings are possible.

Give reasons why you consider the practice as transferable to other settings and/or Member States?	This practice is easy to implement in other settings and/or Member States as it does not require any significant resources and the pandemic is present worldwide so the identified long-term negative impact on the vulnerable groups will be present in other settings / Member States as well.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	The online events are planned within the Office of the Ombudspersons but the details of the discussions are planned with the identified speakers. In the process of planning of the discussions, civil society organizations are consulted and their references for speakers are taken into consideration.
Explain, if applicable, how the practice provides for review and assessment.	N/A

Thematic area	<p>ROMA EQUALITY AND INCLUSION</p> <p>Please provide one example of promising practice in relation to the legal and policy developments in regard to Roma/Travellers (or any group covered by this term as per the Council of Europe definition) in 2020 that relate to the (1) application of the EU Framework on national Roma integration strategies and (2) the preparations for the new post-2020 initiative on Roma equality, inclusion and participation or in relation to any measures in your country in 2020 to address Roma inclusion and prevent discrimination, hate crime and hate speech with a particular focus on COVID-19.</p>
Title (original language)	Medijska kampanja "Pokreni kotač znanja" (u okviru projekta „Uključivanje Roma: Ispunjavanje preuvjeta za učinkovitu provedbu politika usmjerenih na nacionalne manjine – FAZA I“)

Title (EN)	Media campaign 'Start the wheel of knowledge' (under the project 'Roma Inclusion: Fulfilling Preconditions for Effective Implementation of National Minority Policies - PHASE I')
Organisation (original language)	Ured za ljudska prava i prava nacionalnih manjina Vlade Republike Hrvatske
Organisation (EN)	Office for Human Rights and Rights of National Minorities of the Government of the Republic of Croatia
Government / Civil society	Government
Funding body	European Social Fund
Reference (incl. url, where available)	European Social Fund project web page YouTube channel of the project Article on Srednja.hr info portal
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	March 2020–March 2021
Type of initiative	Campaign
Main target group	Members of the Roma national minority (especially children and parents), representatives of the local and regional self-government; representatives of public institutions; general public
Indicate level of implementation: Local/Regional/National	National
Brief description (max. 1000 chars)	The project 'Inclusion of Roma: Meeting the Preconditions for an Effective Implementation of Policies Targeting National Minorities – PHASE I' contains several activities promoting education. All project activities aim to raise awareness among Roma communities and the general public on the importance of preschool education, the need to prevent dropping out of secondary education, and the disadvantaged position of

	<p>women, children, and youth within the Roma national minority. Thus, the Office for Human Rights is conducting a national (media) campaign to increase the enrolment of Roma children in the preschool programme and prevent dropping out from secondary education. The office will organise a national conference and regional roundtables on the importance of educational integration of members of Roma communities and regional discussions and workshops on the importance of preschool and secondary education for children and parents.</p>
<p>Highlight any element of the actions that is transferable (max. 500 chars)</p>	<p>N/A</p>
<p>Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')</p>	<p>The 'wheel of knowledge' in its figurative sense should be jointly set in motion by Roma parents who will enrol their children in the preschool programme, Roma elementary and high school pupils and educational institutions. Education is a human right and must be accessible to everyone. However, not everyone has an equal starting position or the necessary material conditions for participation. Therefore, competent institutions and local and regional self-government units must support Roma children in exercising their human right to acquire the skills and knowledge necessary to become equal members of their communities.</p>
<p>Give reasons why you consider the practice as having concrete measurable impact</p>	<p>The campaign was launched on several platforms simultaneously – outdoor advertising, promotional articles and advertisement in printed media, internet banners, YouTube channels of the Office for Human Rights, TV spots, radio jingles, and various guest performances at radio stations.</p> <p>The campaign is accompanied by other activities aimed at promoting preschool education, preventing dropouts from secondary education and raising public awareness on the position of Roma women, children and youth.</p> <p>To promote education and support higher inclusion, since the beginning of the project the Office for Human Rights has organised three types of workshops:</p> <ul style="list-style-type: none"> • workshops for parents to familiarise them with the rights their children exercise in the education system as members of the Roma national minority and to show

	<p>them ways in which they can provide support to their children in the education process;</p> <ul style="list-style-type: none"> • workshops for preschool children which simulate preschool education and motivate them to attend preschool or kindergarten; • workshops for primary school children where they can get information that helps them in career guidance and better identification of their preferences, which encourage them to finish primary school and enrol in high school. <p>The Office for Human Rights organised roundtables gathering relevant stakeholders, especially in the field of education. The roundtables addressed specific local problems that have prevented a more significant inclusion of Roma children in the education system. Examples of promising practices that resulted in greater inclusion in preschool and reduction of school dropouts were also discussed.</p> <p>In cooperation with the Ministry of Science and Education, the Office for Human Rights prepared two leaflets distributed to target groups. One leaflet was intended to parents and it describes the rights and benefits of children of the Roma national minority and how they can be exercised. The second leaflet was for primary school children and it provides information about enrolment in secondary school and the possibilities for financing education. The Office for Human Rights organised a national conference on the importance of educating members of the Roma national minority to foster their inclusion in society. At the conference, the office announced the national campaign 'Start the wheel of knowledge'.</p> <p>Due to the COVID-19 pandemic, most regional activities were delayed and publications were presented online. The Forum Gallery in Zagreb is currently hosting an exhibition titled 'My day' consisting of six short videos about Roma children and youth.</p>
<p>Give reasons why you consider the practice as transferable to other settings and/or Member States?</p>	<p>N/A</p>

Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	N/A
Explain, if applicable, how the practice provides for review and assessment.	N/A

Thematic area	INFORMATION SOCIETY, PRIVACY AND DATA PROTECTION Please, provide one example of a promising practice related to any of the topics addressed in the chapter – i.e. in relation to data protection, and/or artificial intelligence systems - in 2020.
Title (original language)	Službena stranica Vlade za pravodobne i točne informacije o koronavirusu - Koronavirus.hr
Title (EN)	Official Government website for accurate and verified information on coronavirus - Koronavirus.hr
Organisation (original language)	Vlada Republike Hrvatske
Organisation (EN)	Government of the Republic of Croatia
Government / Civil society	Government
Funding body	Government
Reference (incl. url, where available)	Koronavirus.hr web page

Indicate the start date of the promising practice and the finishing date if it has ceased to exist	17 March 2020 – ongoing
Type of initiative	Website providing all the relevant COVID-19 related information for citizens in one place
Main target group	General population
Indicate level of implementation: Local/Regional/National	National
Brief description (max. 1000 chars)	The official website provides an overview of all measures adopted by the government in response to the epidemic and information on coronavirus relevant to citizens. In parallel, corresponding pages and accounts were established on social media platforms - Facebook, Twitter, Instagram, YouTube, including topics on forum.hr portal. The pages and accounts contain regularly updated and accurate information related to the coronavirus epidemic with the aim to protect life and health of Croatian and other citizens, and to provide them with timely information.
Highlight any element of the actions that is transferable (max. 500 chars)	The element of combining social networks and online platforms to share and distribute relevant information of public interest is transferable.
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	This practice is sustainable because it represents a continuing activity throughout the epidemic, which may be kept and improved as long and as much as necessary. Provision of relevant information coordinated through different online and social media channels may serve as a good example of coordinated and efficient action in states of emergency or other situations that require reaching out to the entire population and providing accurate information.
Give reasons why you consider the practice as having concrete measurable impact	Impact of the practice can be measured by the number of visitors to stated websites and platforms. Additionally, the practice is still ongoing and relevant information is regularly updated.

Give reasons why you consider the practice as transferable to other settings and/or Member States?	This practice is transferable to other Member States since all the EU is facing challenges related to the corona crisis. The practice can also be transferable to other settings, namely in response to other states of emergency or occasions when the authorities need to inform the general population on matters concerning their health and safety.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	Public authorities as stakeholders contribute to the implementation of the practice by providing regular updates from their scope of work. This information is then compiled and published in one place, thus enabling better overview and easier access to citizens.
Explain, if applicable, how the practice provides for review and assessment.	N/A

Thematic area	RIGHTS OF THE CHILD Please provide one example of a promising practice relating to the topics addressed in this chapter.
Title (original language)	„Zaustavimo nasilje nad ženama i nasilje u obitelji – Za nasilje nema opravdanja“
Title (EN)	'Let's stop violence against women and domestic violence - There's no excuse for violence'
Organisation (original language)	Ministarstvo demografije, obitelji, mladih i socijalne politike i partneri Ministarstvo pravosuđa i Udruga za podršku žrtvama i svjedocima
Organisation (EN)	Ministry for Demography, Family, Youth and Social Policy, with Ministry of Justice and Victim and Witness Support Service as partners
Government / Civil society	Government departments and CSO
Funding body	European Structural and Investment Funds

Reference (incl. url, where available)	<p>N1 news article "Ministry presents project to combat violence against women and domestic violence"</p> <p>Structural funds project web page</p> <p>Ministry for Demographics, Family, Youth and Social Policy web page with news on the project implementation presentation</p> <p>National Foundation for Civil Society Development's news portal article on the project implementation presentation</p>
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	November 2019, duration 26 months
Type of initiative	Raising awareness, public campaign, support for victims
Main target group	Women and children
Indicate level of implementation: Local/Regional/National	Local, Regional and National
Brief description (max. 1000 chars)	<p>'Let's stop violence against women and domestic violence - There's no excuse for violence' is a project funded by European Structural and Investment Funds for a period of 26 months. It envisages the establishment of a round-the-clock hotline for victims and a media campaign to raise public awareness about the harm and unacceptability of such violence, including the importance of prevention and the obligation to report violence.</p> <p>The Ministry for Demography, Family, Youth and Social Policy acts as project coordinator and the Ministry of Justice and Victim and Witness Support Service as partners. The partners are in charge of activities aimed at providing a free 24-hour telephone line in the National Call Centre. The value of the project is HRK 9.9 million.</p>
Highlight any element of the actions that is transferable (max. 500 chars)	Since the activities do not require significant financial resources, the campaign is easily implemented in all areas that want and need it. A transferrable element of this activity is the method used for influencing and raising the general population's awareness about

	domestic violence. A round-the-clock hotline is also transferable in organizations having enough resources.
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	The National Call Centre has been in operation since 2013, so implementing a round-the-clock hotline is not financially hard and can be long-lasting. The practice is also sustainable because it raises public awareness about domestic violence, about the need for prevention and the obligation to report it.
Give reasons why you consider the practice as having concrete measurable impact	Practice can be measured by monitoring the number of calls related to domestic violence to the National Call Centre. It can also be measured by monitoring the number of reported and prosecuted cases of domestic violence.
Give reasons why you consider the practice as transferable to other settings and/or Member States?	Similar projects can be transferred to other Member States and wider. If this model is not applicable in certain countries, similar campaigns and support services can be used.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	Victims of domestic violence are direct beneficiaries of the project since a round-the-clock hotline is established for them. The project is a great example of cooperation between government departments and CSOs.
Explain, if applicable, how the practice provides for review and assessment.	The project will be reviewed during and after its implementation.

Thematic area	ACCESS TO JUSTICE, INCLUDING RIGHTS OF CRIME VICTIMS Please provide one example of a promising practice relating to the topics addressed in this chapter.
Title (original language)	Sporazum o međuresornoj suradnji i koordinaciji u području sprječavanja nasilja i drugih ugrožavajućih ponašanja na lokalnoj razini
Title (EN)	Agreement on intersectoral cooperation and coordination in the field of preventing violence and other threatening behaviour at a local level
Organisation (original language)	Ministarstvo unutarnjih poslova, Ministarstvo demografije, obitelji, mladih i socijalne politike, Ministarstvo pravosuđa, Ministarstvo zdravstva, Ministarstvo znanosti i obrazovanja, Ministarstvo hrvatskih branitelja
Organisation (EN)	Ministry of the Interior, Ministry for Demography, Family, Youth and Social Policy, Ministry of Justice, Ministry of Health, Ministry of Science and Education, Ministry of Croatian Veterans
Government / Civil society	Government departments
Funding body	Government
Reference (incl. url, where available)	Information centre of Virovitica news article Police department of Split-Dalmatia County web page article News portal Stvarnost, article News portal of Slavonski Brod, article
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	Started in March 2020
Type of initiative	Teams of professionals, multisectoral cooperation
Main target group	Victims of violence

Indicate level of implementation: Local/Regional/National	Local and National
Brief description (max. 1000 chars)	<p>Local teams for preventing and combating violence and other endangerment were established according to the Agreement on intersectoral cooperation and coordination in the field of preventing violence and other threatening behaviours at a local level, in force from March 2020. The teams comprise professionals from different fields, namely police officers, social workers, health and education workers, and war veterans.</p> <p>Local teams have been established to: prevent potential threats with consequences to people's lives, ensure safety and health of citizens by identifying risk factors for the development of socially unacceptable behaviour, and exchange of information and cooperation.</p> <p>The teams, coordinated by police chiefs, will meet at least once per month.</p>
Highlight any element of the actions that is transferable (max. 500 chars)	Intersectoral and interlocal cooperation is extremely needed to prevent and combat violence. Systematic exchange of information and collaboration enables public services to work more efficiently and provide better protection for those in need.
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	Teams were established as a result of a written agreement between different ministries, and their cooperation is planned as a long-term activity.
Give reasons why you consider the practice as having concrete measurable impact	This practice has several concrete impacts. First, professionals involved in the teams will learn from each other and be more informed about the general situation regarding violence and other threatening behaviour. Second, their cooperation should have a concrete impact on the number of reported and solved cases in their cities and municipalities.
Give reasons why you consider the practice as transferable to other settings and/or Member States?	Similar projects can be transferred both to other local communities in Croatia and in other Member States, but also on a wider scale. If this model is not applicable in certain countries, similar ways of collaboration can be used.

Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	The established teams serve as a good example of cooperation between several ministries and professionals from different domains. In addition, since the teams are coordinated by police officers, beneficiaries can turn directly to them with criminal charges or suspicions of threatening behaviour.
Explain, if applicable, how the practice provides for review and assessment.	The practice can be reviewed and assessed through official data on investigated and prosecuted crimes of violence or other threatening behaviour, comparable for 2019 and 2020.

Thematic area	DEVELOPMENTS IN THE IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES (CRPD) Please provide one promising practice example of projects or programmes implementing the CRPD or furthering the rights of persons with disabilities.
Title (original language)	Okrugli stol „Digitalna pristupačnost od zakona do prakse“
Title (EN)	Roundtable ‘Digital accessibility, from legislation to implementation’
Organisation (original language)	Središnji državni ured za razvoj digitalnog društva, Povjerenik za informiranje i Državna škola za javnu upravu
Organisation (EN)	Central State Office for the Development of Digital Society, Information Commissioner and State School of Public Administration
Government / Civil society	Government
Funding body	Government

Reference (incl. url, where available)	Central State Office for the Development of Digital Society's web page
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	22 September 2020
Type of initiative	Roundtable
Main target group	Public administration bodies
Indicate level of implementation: Local/Regional/National	National
Brief description (max. 1000 chars)	A virtual roundtable was held for all public sector bodies due to the beginning of full implementation of the Act on Accessibility of Websites and Software Solutions for Mobile Devices of Public Sector Bodies (Official Gazette No. 17/2019). It was attended by over 150 representatives of public bodies and associations of persons with disabilities. The attendees pointed out the constant need for adjustments related to digital accessibility. The discussion focused on the exchange of experiences and challenges public bodies face in terms of practical implementation of the act. Representatives of organizations of persons with disabilities stressed the challenges persons with disabilities face regarding access to digital content and presented assistance technologies used by blind and visually impaired persons when accessing digital content.
Highlight any element of the actions that is transferable (max. 500 chars)	Event of this kind may easily be organized by various stakeholders in different settings considering that the enhancement of digital accessibility for persons with disabilities is a topic which requires additional attention everywhere.
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	The practice is sustainable because the area of digital accessibility needs constant upgrades, adjustments and improvements to be up to date with the fast development of digital society.

<p>Give reasons why you consider the practice as having concrete measurable impact</p>	<p>The practice has a concrete impact measurable by the level of ability of public authorities and public servants to respond to users' needs.</p>
<p>Give reasons why you consider the practice as transferable to other settings and/or Member States?</p>	<p>The practice is transferable to other settings since the development of digital society concerns every aspect of life, including access to social services. Therefore, digital content should be adequately accessible to all citizens since it is one of the preconditions for effective realization of certain basic human rights.</p>
<p>Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.</p>	<p>The practice was implemented through exchange of experience and presentation of examples of promising practice by persons with disabilities who directly benefit from the improvements of digital accessibility introduced by the new act. Representatives of public authorities implementing the activities regulated by the act also presented their experiences, listed the remaining challenges and learned how to tackle them more successfully in the future.</p>
<p>Explain, if applicable, how the practice provides for review and assessment.</p>	<p>N/A</p>

Annex 2 – Case Law

Thematic area	EQUALITY AND NON-DISCRIMINATION Please provide one high court decision addressing discrimination against older people or against LGBTI people. Where relevant, always highlight any relevance or reference to multiple or intersectional discrimination in the case you report.
Decision date	29 January 2020
Reference details	Odluka i rješenje Ustavnog suda Republike Hrvatske broj: U-I-144/2019 i dr. (Decision of the Constitutional Court of the Republic of Croatia No. U-I-144/2019 and others)
Key facts of the case (max. 500 chars)	Eight petitioners challenged the constitutionality of Article 9 (3), Article 11 (3) and Article 13 (2) of the Foster Care Act because their wording does not include homosexual persons living in formal or informal life partnerships. By not being explicitly mentioned, they are excluded from the concept of 'foster family', not entitled to be placed together in foster care like family members and not entitled to provide foster care as relatives.
Main reasoning/argumentation (max. 500 chars)	The Constitutional Court summarizes that the Foster Care Act has a legitimate aim in the existing normative wording and in this respect it is not unconstitutional. At the same time, it finds that the disputed legal provisions, in which a certain social group was consciously omitted by the proposer of the law, produce general discriminatory effects towards homosexual people living in formal or informal life partnerships, for which there is neither a rational justification nor a legitimate aim. However, due to the specifics of this case which focuses on the protection of interests of socially vulnerable persons, and especially the protection of child welfare, these effects cannot be 'compensated' by the Constitutional Court's intervention in the existing wording of the act as proposed by the petitioners. Such an intervention, namely the mere abolition of the disputed legal provisions would lead to a gap in the existing model of public foster care service and as such would cause harmful consequences for the rights and interests of foster care beneficiaries.
Key issues (concepts, interpretations) clarified	The Court recognized that " <i>the Constitution, in the legislative anti-discrimination framework elaborating the constitutional value of gender equality from its Article 3 and the guarantee</i>

<p>by the case (max. 500 chars)</p>	<p><i>of social equality from its Article 14 (1), guarantees equal participation in all aspects of social life, including access to public foster care."</i></p>
<p>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</p>	<p>The Constitutional Court concluded that courts of law and other competent bodies are obliged to interpret and apply laws in accordance with their meaning and legitimate purpose and make decisions on the basis of the Constitution, laws, international treaties and other sources of law, and without the direct intervention of the Constitutional Court. This also pertains to cases dealing with the application of law to subjects and situations to which a specific legal norm interpreted exclusively grammatically would not be addressed. Therefore, courts and other bodies are obliged to interpret and apply the disputed legal provisions in a way that will enable all persons to participate in the public foster care service under equal conditions, regardless of whether the potential foster parent lives in a formal or informal life partnership. Ultimately, the key implication of the case is that same-sex life partners can now participate in the system of foster care.</p>
<p>Key quotation in original language and translated into English with reference details (max. 500 chars)</p>	<p><i>"Stoga polazeći od vrednote ravnopravnosti spolova iz članka 3. Ustava odnosno jamstva stvarne jednakosti iz članka 14. Ustava, te uzimajući u obzir zakonsku zabranu diskriminacije na temelju spolne orijentacije sadržane u Zakonu o suzbijanju diskriminacije, Zakonu o ravnopravnosti spolova i Zakonu o životnom partnerstvu, Ustavni sud ističe da su sudovi i druga tijela dužna osporene zakonske odredbe tumačiti i primjenjivati na način koji će svim osobama pod jednakim uvjetima omogućiti sudjelovanje u javnoj usluzi udomljavanja, dakle, neovisno o tome živi li potencijalni udomitelj u životnom ili neformalnom životnom partnerstvu."</i>¹</p> <p><i>"Therefore, based on the value of gender equality from Article 3 of the Constitution and the guarantee of effective equality from Article 14 of the Constitution, taking into account the legal prohibition of discrimination on the basis of sexual orientation contained in the Anti-discrimination Act, the Gender Equality Act and the Life Partnership Act, the Constitutional Court points out that courts of law and other bodies are obliged to interpret and apply the disputed legal provisions in a way that enables all persons to participate in the public</i></p>

¹ Croatia, Constitutional Court of the Republic of Croatia (*Ustavni sud Republike Hrvatske*) (2020), Decision No. U-I-144/2019 and others (*Odluka i rješenje Ustavnog suda Republike Hrvatske broj: U-I-144/2019 i dr.*), 29 January 2020, para. 29.3.

	<i>service of foster care under equal conditions, regardless of whether the potential foster parent lives in a formal or informal life partnership.”</i>
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Thematic area	RACISM, XENOPHOBIA AND RELATED INTOLERANCE. Please provide the most relevant high court decision concerning the application of <u>either</u> the Racial Equality Directive <u>or</u> the Framework Decision on racism and xenophobia, addressing racism, xenophobia and other forms of intolerance more generally.
	No case law has been identified for this thematic area.

Thematic area	ROMA EQUALITY AND INCLUSION Please provide the most relevant high court decision addressing violations of fundamental rights of Roma and Travellers.
	No case law has been identified for this thematic area.

Thematic area	INFORMATION SOCIETY, PRIVACY AND DATA PROTECTION Please provide the most relevant high court decision related to the topics addressed in the chapter, i.e. in relation to data protection, and/or artificial intelligence systems.
Decision date	3 June 2020
Reference details	Constitutional Court of the Republic of Croatia, U-III-462/2017, https://sljeme.usud.hr/Usud/Praksaw.nsf/C12570D30061CE54C125857C0033FA6E/\$FILE/U-III-462-2017.pdf
Key facts of the case (max. 500 chars)	The Constitutional Court proceeding was preceded by proceedings initiated by the competent first instance body to determine ex officio whether the applicant met the conditions for exercising the right to the minimum allowance guaranteed by the Social Welfare Act. In order to determine whether the applicant met the above said conditions, the first instance body inspected the transactions on the applicant's bank account and data on

	<p>the property status of the applicant's household members. The applicant challenged first and second instance decisions claiming that data on the household property constitute an invasion of her privacy. The applicant stated that the first instance administrative body had failed to request her written statement authorizing the collection of personal data and therefore her right to the security and confidentiality of personal data has been violated.</p>
<p>Main reasoning/argumentation (max. 500 chars)</p>	<p>The first-instance court rejected all the applicant's objections raised in the claim challenging the legality of the second-instance decision, stating that the collection of data on the applicant's household property did not constitute an invasion of her privacy, but the need to establish decisive facts by the competent state body in order to determine the right to the alimony fee. According to the Law, the social welfare beneficiary is obliged to provide all data (personal and property data) to the official and the competent Social Welfare Center. Therefore, those norms represent a legal imperative according to which the user of social welfare is obliged to cooperate and make data available to the Center for Social Welfare. Pursuant to the above, the Constitutional Court finds that the administrative bodies and competent courts issued the disputed decisions in accordance with the Law.</p>
<p>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</p>	<p>When deciding on granting the alimony fees and other rights guaranteed by the Social Welfare Act, the written statement of the applicant is not relevant. Otherwise it would mostly be impossible to monitor whether the applicants met the conditions for exercising their rights i.e. to implement the system of granting the rights according to the Social Welfare Act in general.</p>
<p>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</p>	<p>In order to exercise rights under the Social Welfare Act, everyone should cooperate with competent bodies in a way to submit all necessary personal and property data to the competent administrative body.</p>
<p>Key quotation in original language and translated into English with reference details (max. 500 chars)</p>	<p>"Ustavni sud primjećuje da je Visoki upravni sud u osporenoj presudi zaključio kako od postojanja pisane izjave podnositeljice ne ovisi postupanje Centra za socijalnu skrb u pribavi potrebnih podataka odlučnih u postupku priznavanja prava na minimalnu naknadu za uzdržavanje prema Zakonu o socijalnoj skrbi. Prema shvaćanju istog suda navedena zakonska odredba predstavlja imperativ prema kojoj su korisnici prava iz zakona dužni surađivati na način da su nadležnom upravnom tijelu obvezni dostaviti sve potrebne podatke."</p>

	<p>“The Constitutional Court notes that the High Administrative Court concluded in the impugned judgment that the Social Welfare Center's conduct in obtaining the necessary information decisive in the procedure of recognizing the right to minimum maintenance allowance under the Social Welfare Act does not depend on the existence of the applicant's written statement. According to the same court, the said legal provision is an imperative according to which the users of rights granted by the law are obliged to cooperate in a way that they are obliged to submit all necessary information to the competent administrative body.”</p>
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Thematic area	RIGHTS OF THE CHILD Please provide the most relevant high court decision relating to the topics addressed in this chapter.
Decision date	3 September 2020
Reference details	Presuda Vrhovnog suda Kžzd 21/2020-4 (The Supreme Court verdict Kžzd 21/2020-4) The Supreme Court press release News portal Dnevnik.hr article on the case News portal 24sata article on the case
Key facts of the case (max. 500 chars)	A physical education teacher was found guilty of 11 sexual offences against children by the Bjelovar County Court. One of the victims was his daughter, whom he repeatedly touched on her intimate parts, photographed, and sent photos to other men. The Supreme Court accepted the defendant's appeal and reversed the first instance decision by convicting him to a lower sentence of five years in prison and a lifetime ban on carrying out activities that involve contact with children.
Main reasoning/argumentation (max. 500 chars)	The Supreme Court states in its reasoning that the sentence has an emphatic repressive character despite a number of mitigating circumstances, that the defendant asked for medical assistance even before the criminal proceeding was initiated, that he did not obstruct the criminal proceeding, that he expressed regret for his offences, and that his worst sentence will be not seeing his daughter again.
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	This case is a great example of how Croatian courts interpret the law in favour of child molesters. The mitigating circumstances were, as always, overstated, and the best interest of the child was not sufficiently taken into consideration.
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	The defendant was found guilty of 11 offences (four serious offences of sexual abuse and exploitation of a child, one offence of sexual abuse of a child under the age of 15 and six offences of child exploitation for pornography). The Supreme Court sentenced him to five years in prison and a lifetime ban on carrying out activities that involve regular contact with children, since he is a physical education teacher.

Key quotation in original language and translated into English with reference details (max. 500 chars)	<p><i>"Unatoč izražene upornosti i povećane kriminalne volje, osnovano optuženik ukazuje na nedovoljno vrednovanje niza olakotnih okolnosti (neosuđivanost, priznanje djela, kritičnost i iskreno žaljenje)."</i>²</p> <p><i>"Despite the persistence and the increased criminal intention, the defendant rightly indicates that a range of mitigating circumstances (non-conviction, confession, self-criticism and regret) have not been sufficiently valued."</i></p>
Thematic area	ACCESS TO JUSTICE, INCLUDING RIGHTS OF CRIME VICTIMS Please provide the most relevant high court decision relating to the topics addressed in this chapter.
Decision date	4 June 2020
Reference details	Presuda Vrhovnog suda III Kž 1/2020-4 The Supreme Court verdict III Kž 1/2020-4 The Supreme Court press release News portal Jutarnji list article on the case
Key facts of the case (max. 500 chars)	The defendant aggressively and callously murdered his common-law wife by stabbing her with a knife several times on several parts of her body. He called the police and waited for them. He said that he was trying to defend himself from her cursing and swearing. He committed the murder while having a restraining order and was previously convicted of various crimes, including 16 convictions for different offences with elements of violence.
Main reasoning/argumentation (max. 500 chars)	The Supreme Court stated that a sentence of 21 years in prison will fulfil the purpose of the punishment and show a clear social condemnation. The sentence should affect the defendant not to commit criminal offences in the future and show all citizens the perilous nature of committing a crime. In addition, it will strengthen the citizen's trust in the legal order based on the rule of law.
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	The case is a good example of a long prison sentence pronounced to a serious criminal with multiple convictions. The case is also an example that shows the inefficiency of protective measures in Croatia.

² Croatia, Constitutional Court of the Republic of Croatia (*Ustavni sud Republike Hrvatske*), Ruling No. Kžzd 21/2020-4 (*Presuda br. Kžzd 21/2020-4*), 3 September 2020

Results (sanctions) and key consequences or implications of the case (max. 500 chars)	The defendant was found guilty of aggravated murder and the Supreme Court confirmed the previous sentence of 21 years in prison.
Key quotation in original language and translated into English with reference details (max. 500 chars)	<p><i>"Takvom će se kaznom izraziti jasna društvena osuda zbog počinjenog kaznenog djela, utjecati na počinitelja da ubuduće ne čini kaznena djela, te mu omogućiti resocijalizaciju i ponovno uključivanje u društvo, ali utjecati i na sve ostale da ne čine kaznena djela, kao i na svijest građana o pogibeljnosti kaznenih djela i pravednosti kažnjavanja njihovih počinitelja."</i>³</p> <p><i>"Such a sentence will show clear social condemnation of the criminal offence, affect the perpetrator not to commit criminal offences in the future, allow him to re-socialise and re-engage in society, but also influence others not to commit criminal offences and raise public awareness on the severity of criminal offences and the fairness of punishing perpetrators."</i></p>

Thematic area	Developments in the implementation of the Convention on the Rights of Persons with Disabilities (CRPD) Please provide the most relevant high court decision making reference to the CRPD or employing the CRPD in their reasoning.
Decision date	4 February 2020
Reference details	Constitutional Court of the Republic of Croatia (<i>Ustavni sud Republike Hrvatske</i>), Decision No. U-II-3093/2019
Key facts of the case (max. 500 chars)	A petitioner submitted a proposal for a constitutional and legal review of Article 5 (2/1) and Article 49 of the Ordinance on ensuring accessibility of buildings to persons with disabilities and persons with reduced mobility. The petitioner considers that the mentioned articles are contrary to the Anti-discrimination Act, the Constitution of the Republic of Croatia, CRPD and the Optional Protocol to the CRPD.

³ Croatia, Constitutional Court of the Republic of Croatia (*Ustavni sud Republike Hrvatske*), Ruling No. III Kž 1/2020-4 ([Presuda br. III Kž 1/2020-4](#)), 1 June 2020

	<p>Article 5 (2/1) of the Ordinance stipulates that public and commercial buildings include buildings for commercial, catering and/or tourist purposes: department stores, shopping centres; self-service areas of 400 m² and more, markets, coffee bars, bistros, restaurants and other catering areas with 80 or more seats, disco clubs and night clubs of 400 m² and more, tourist information centres, tourist board offices of 200 m² and more, travel agencies of 200 m² and more, detached receptions, nautical tourism buildings, hotels with 25 or more rooms, hostels with 25 or more rooms with shared sanitary units, tourist resorts with 25 and more apartments, camps for 500 and more guests, restaurants along state or county roads, hotels with a special sign - motels along state or county roads, and commercial and catering facilities with a fuel pump, etc. Additionally, Article 49 stipulates that coffee-bars, cafes, restaurants and other areas for catering activities with less than 80 seats; disco clubs and night clubs of less than 400 m²; museums, galleries, exhibition spaces of less than 300 m²; and cinemas, theatres and concert halls with less than 100 seats in the auditorium, must ensure accessibility of elements for overcoming the height difference according to the provisions of this Ordinance and must have an accessible toilet. However, shops such as grocery shops, bakeries, clothing stores, cinemas or museums are exempt from the obligation to reasonably adapt sales premises to persons with disabilities and persons with reduced mobility.</p>
<p>Main reasoning/argumentation (max. 500 chars)</p>	<p>The petitioner claims that disputed provisions treat persons with disabilities and persons with reduced mobility in a discriminatory manner in the context of realization of their rights to accessibility and rights to equality and reasonable accommodation guaranteed under the Constitution, CRPD and the law. They claim that many shops or retail areas are located in basements or on higher floors of buildings and due to height differences they are not directly accessible from public areas. Additionally, in many cases, shops are not reachable because they are accessed through steep streets, city stairs, unpaved gravel driveways, protected historic centres, fortifications and similar.</p>
<p>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</p>	<p>The Constitutional Court highlights that according to the relevant provisions of the Trade Act, the term 'trade' or 'shop' refers to the performance of activities involving all types of goods listed in the National Classification of Activities. This includes smaller areas of such purpose that are usually located within the existing residential and commercial buildings whose technical and spatial predispositions do not allow meeting the minimum requirements for full accessibility. The Ordinance therefore prescribes minimum conditions for premises in which,</p>

	<p>due to their spatial predispositions (sufficient space for accessibility elements), it is possible to ensure the prescribed accessibility elements. The Constitutional Court considers that the relevant legislative framework ensures accessibility to persons with disabilities or persons with reduced mobility to the greatest extent possible for the exercise of recognized rights and freedoms. Furthermore, the relevant regulations in the field of construction in the Republic of Croatia no longer allow to construct or reconstruct a building and issue a use permit if it is not accessible to the prescribed extent. For existing public and business buildings, there is no prescribed deadline for ensuring accessibility. However, it must be ensured during reconstruction.</p>
<p>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</p>	<p>The Constitutional Court decided that the proposal for a constitutional review of Article 5 (2/1) and Article 49 (1) of the Ordinance on ensuring accessibility of buildings to persons with disabilities and persons with reduced mobility (Official Gazette 78/13) is not accepted.</p>
<p>Key quotation in original language and translated into English with reference details (max. 500 chars)</p>	<p><i>"Ustavni sud stoga smatra da je mjerodavnim zakonodavnim okvirom u najvećoj mogućoj mjeri osigurana pristupačnost osobama s invaliditetom ili sa smanjenom pokretljivošću, na građevinama je propisano smanjenje prepreka na koje osobe s invaliditetom i osobe smanjene pokretljivosti nailaze u svom sudjelovanju kao ravnopravni članovi društva, čime im je osigurano uživanje priznatih prava i sloboda, život neovisan o tuđoj pomoći i sloboda kretanja s najvećom mogućom neovisnošću te život bez diskriminacije".⁴</i></p> <p><i>"The Constitutional Court therefore considers that the relevant legislative framework ensures accessibility to persons with disabilities or persons with reduced mobility to the greatest possible extent. In relation to buildings, there has been a prescribed reduction of obstacles persons with disabilities and persons with reduced mobility face in their participation as equal members of the society, which guarantees their enjoyment of recognized rights and freedoms, life independent of assistance of others, freedom of movement with the highest possible level of independence and life without discrimination."</i></p>

⁴ Croatia, Constitutional Court of the Republic of Croatia (*Ustavni sud Republike Hrvatske*), [Decision No. U-II-3093/2019](#), 4 February 2020, p. 15