



## **ACCESSIBLE TOURISM IN CROATIA – LEGISLATIVE PERSPECTIVE**

In the Republic of Croatia, the rights of persons with disabilities are regulated by several laws, which are listed and briefly described below.

### **1) Law on the Ratification of the Convention on the Rights of Persons with Disabilities and the Optional Protocol to the Convention on the Rights of Persons with Disabilities**

The Convention on the Rights of Persons with Disabilities, adopted in New York on 13 December 2006, and the Optional Protocol to the Convention on the Rights of Persons with Disabilities, adopted in New York on 13 December 2006, are reaffirmed in the original Arabic, Chinese, English, French, Russian and Spanish languages. and which the Republic of Croatia signed in New York on 30 March 2007.

The aim of this Convention is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities and to promote respect for their inherent dignity.

Persons with disabilities are those who have long-term physical, mental, intellectual or sensory impairments which, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others.

## **2) Law on Social Welfare**

This Law regulates the activity of social welfare, principles of social welfare, financing of social welfare, rights and social services in the social welfare system and procedures for their realization, beneficiaries, content and method of performing social welfare activities, professional workers in social welfare, collections data, inspection and administrative supervision and other issues important for the activity of social welfare.

This Law defines person with disability as (ch. 4, No. 9):

*a person who has long-term physical, mental, intellectual or sensory impairments, which, in interaction with various obstacles, may prevent their full and effective participation in society on an equal basis with persons without disabilities;*

while a child with difficulties is described as (ch. 4, No. 10):

*a child who, due to physical, sensory, communication, speech-language or intellectual difficulties, needs additional support for learning and development, in order to achieve the best possible developmental outcome and social inclusion.*

## **3) Law on Croatian Sign Language and Other Systems of Communication for Deaf and Deaf-Blind Persons in the Republic of Croatia**

This Law stipulates the right of deaf and deaf-blind persons and other persons with communication difficulties to use, be informed and educated in Croatian sign language and other communication systems that meet their individual needs, with the aim of equal access to the social, economic and cultural environment and the equal realisation of all human rights and fundamental freedoms. This Law also determines the beneficiaries of the right to use, information and education in Croatian sign language and other communication systems for deaf and deaf-blind people.

This Law determines the rights of deaf, deaf-blind and other persons with communication difficulties in whom speech communication is difficult or non-existent due to functional impairments (ch. 14, No. 2):

*they have the right to use all forms of communication systems for deaf and deaf-blind persons, i.e. all forms of support in the form of a communication intermediary in all life situations and in front of state administration bodies, bodies of local and regional (regional) self-government units and legal entities with public powers when deafness and deaf-blindness was an obstacle to equalizing access to the social, economic and cultural environment and enabling the equal exercise of all human rights and fundamental freedoms.*

#### **4) Law on movement of a blind person with the help of a guide dog**

This Act regulates the right of a blind person with a guide dog to use means of transport and their free access to public places. Terms used in this Law have the following meaning:

a blind person in the sense of this Law is a person whose blindness has been determined on the basis of special regulations and who is trained to move with a guide dog (ch. 2, No. 1),

a guide dog is a trained dog that has passed an exam before the expert committee established by the Croatian Association for Guide Dog Training and Mobility (ch. 2, No. 2),

public transport in the sense of this Law means public transport by road, rail, sea, air and city transport (ch. 2, No. 3).

A blind person with a guide dog has the right of access to public places such as: offices, hotels, restaurants, banks, post offices, theatres, concert halls, sports facilities, markets, shops, schools, universities, etc. (ch. 6, No. 1).

#### **5) Declaration on the rights of persons with disabilities**

1. A person with a disability is a person who, because of a physical and/or mental impairment, whether temporary or permanent, past, present or future, congenital or acquired under the influence of any cause, has lost or deviated from the expected physical or physiological structure and whose abilities are limited or insufficient to perform a particular activity in a manner and to the extent that is considered normal for people in a particular environment.

2. A person with a disability shall enjoy all the rights and freedoms set forth in the Constitution, the law and this Declaration, irrespective of race, colour, sex, language, religion, political or

other opinion, national or social origin, property, birth, education, social status or any other characteristic, without discrimination of any kind.

3. Discrimination against persons with disabilities is any segregation, exclusion or restriction based on a person's disability, the consequences of the past existence of a disability or the perception of a disability, whether past or present, which jeopardises or violates the recognition, enjoyment and enjoyment of human rights and fundamental freedoms of persons with disabilities.

4. Discrimination against persons with disabilities manifests itself in the failure to take measures to remove barriers in the environment and in the general attitude of society or in the creation of new barriers that hinder the availability of services and the full participation of persons with disabilities in the activities of civil, cultural, economic, political and social life.

Accessibility is a measure or condition that enables all persons, including persons with disabilities, to utilise various resources (on a physical, visual, auditory and/or cognitive level). It should be achieved, where necessary, through design and adaptation that takes into account all forms of disability. Accessibility includes access to physical facilities, buildings and public transport, as well as access to information and communication, including information and communication technology and assistive devices.

5. Direct, indirect, intentional, unintentional, covert, occasional or systematic discrimination against persons with disabilities is prohibited. Discrimination against a person on the basis of disability constitutes a threat to the right to equality and respect for human dignity.

6. A person with a disability has the right to adequate social protection, social security, employment, free choice of occupation, fair working conditions and equal pay for equal work, insurance against unemployment, sickness, disability, old age and lack of means of subsistence in situations beyond his or her control.

7. A person with a disability has the right to equal participation in cultural, scientific, educational, political and other forms of social life.

8. A person with a disability has the right to an existence worthy of human dignity and to a standard of living adequate for the well-being of the person and his or her family, supplemented, if necessary, by means of social protection.

9. A person with a disability has the right to live with his or her family or foster parents and to participate fully in social, creative and recreational activities.

10. A person with a disability living in a specialised institution has the right to an environment and living conditions that are as similar as possible to life in the natural environment.

11. The Republic of Croatia will take the necessary measures to promote human rights and non-discrimination of persons with disabilities and to remove psychological, educational, family, cultural, social, professional, financial and architectural barriers to the full integration and participation of persons with disabilities in social, economic, cultural and political life under equal conditions.

12. The Republic of Croatia will strengthen existing measures to prevent the creation of new inaccessible buildings and spaces and support the adaptation of existing buildings and spaces to make them accessible to persons with disabilities.

13. The Republic of Croatia will establish mechanisms for assessing non-discrimination and integration of persons with disabilities based on indicators of social cohesion, labour remuneration levels, social exclusion and health status of the population.

14. The Republic of Croatia will, within its means, take the necessary measures to eliminate the social, economic and political causes of disabilities, such as poverty, lack of health care in terms of prevention and rehabilitation, violence within and outside the family, accidents, alcohol and drug abuse, inadequate medical treatment, systematic violation of human rights, lack of care during the ageing process and the consequences of war, regardless of whether they occurred during or after the war.

15. In an effort to enable persons with disabilities to live independently and exercise their rights, the Republic of Croatia will promote the employment of persons with disabilities in regular labour relations, create the necessary fiscal measures, credit policies and incentive policies, develop employment strategies for persons with disabilities and ensure the establishment of professional orientation, training, rehabilitation and employment services.

16. In order to ensure adequate education, the Republic of Croatia will adapt its education system to the needs of persons with disabilities. In doing so, it will insist that existing regular programmes and education systems (pre-school, primary, secondary, university and adult

education systems) be adapted and the use of new technologies, distance learning and e-education be promoted.

17. Since new technologies can be used to strengthen the autonomy and development of persons with disabilities, the Republic of Croatia will ensure the availability of new technologies, means of communication and adequate training for their use, paying special attention to the specific problems of persons with disabilities in rural areas.

18. The Republic of Croatia will support and promote specific adaptations of information and communication systems to enable effective access to resources for persons with disabilities.

19. The Republic of Croatia will promote health, prevention of harm and disability and equal access to quality health care for all persons with disabilities and develop special health programmes to improve living conditions and enable them to live in dignity.

20. The Republic of Croatia will standardise the assessment of disabilities in a way that prevents any discrimination and promote the development of a system of protection in the event of disabilities due to accidents at work, occupational diseases or other occupational risks.

21. The Republic of Croatia will promote and develop scientific research, especially with regard to social programmes and the evaluation of state measures for persons with disabilities, in order to develop high-quality policies for persons with disabilities.

22. The Republic of Croatia recognises the right of persons with disabilities to participate adequately in political life and decision-making on issues affecting the position of persons with disabilities at local, regional and national levels.

23. The Republic of Croatia will support and promote the activities and development of non-profit sector organisations (non-governmental associations, institutions, hospitals) whose aim is to provide care, support and other activities and issues related to persons with disabilities.

24. In developing and implementing all measures defined in this Declaration, the Republic of Croatia will pay special attention to the fact that persons with disabilities in rural areas have a different position than in urban areas.

25. The Republic of Croatia will adequately inform the entire public, especially persons with disabilities, about this Declaration, its implementation and the development and promotion of the rights of persons with disabilities.

## **6) National strategy for Equalization of Opportunities for Persons with Disabilities 2017 – 2020**

National Strategy for Equal Opportunities for Persons with Disabilities from 2017 to 2020 (Narodne novine, No. 42/2017, hereinafter: National Strategy) was adopted by the Government of the Republic of Croatia at a meeting on 20 April 2017. The National Strategy aims to ensure the most successful implementation of the Convention on the Rights of Persons with Disabilities, with the aim of making progress and further promoting the rights of persons with disabilities and children with developmental disabilities. The creation of a comprehensive national legal framework requires continuous monitoring of the development of international standards in order to guarantee persons with disabilities the highest level of modern protection, access to all rights and their realisation without discrimination. The task of the National Strategy is to harmonise all policies in the field of promoting the rights of persons with disabilities with the standards achieved at global level, but also with all developments aimed at making all areas of life and activity open and accessible to persons with disabilities, while respecting the principles of universal design and reasonable adaptation. The National Strategy is an overarching document for the development of policy towards persons with disabilities in the Republic of Croatia, which defines equal opportunities in 16 areas of action with 78 measures related to various dimensions of the quality of life and the service system for citizens.

## **7) National Social Tourism Development Program – Tourism for all**

In view of the fact that social tourism is becoming increasingly important in modern tourism trends, the Ministry of Tourism, in collaboration with the Institute for Tourism, has prepared this document that provides a strategic development framework for the activities and implementation of the activities of various relevant stakeholders in the field of social tourism. In addition, the document represents the operationalisation of part of the tourism policy measures planned in the Strategy for the Development of Tourism in the Republic of Croatia until 2020. The document defines the main guidelines for the development of social tourism in the Republic of Croatia until 2020 in close cooperation with all interested stakeholders and in accordance with the modern principles of participatory planning. This includes the definition



of guidelines for: the vision of the development of social tourism, the goals of social tourism development, the main actors that are important in the context of social tourism development, key projects in the development of the social tourism offer and ways of promoting and financing models of social tourism development, with special attention to the possibility of financing projects in the field of social tourism from EU funds. Finally, the importance of the document also arises from the fact that it represents the operationalisation of the previously adopted Strategy for the Development of Croatian Tourism until 2020, in which social tourism is listed as one of the important tourism products that need to be further developed.

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