

07/04/09

RAP/Cha/CRO/III(2009)Add

EUROPEAN SOCIAL CHARTER

Additional information to the
3rd report on the implementation of
the European Social Charter

submitted by

THE GOVERNMENT OF CROATIA

(Articles 13§2 and 13§4
for the period 01/01/2005 – 31/12/2007)

Report registered at the Secretariat on 07/04/09

CYCLE XIX-2 (2009)

Article 13 paragraph 2

Social welfare services are considered to be activities of special interest for the Republic of Croatia, as part of which assistance is available and provided to socially deprived, infirm or other persons unable to meet their basic needs of life.

Social welfare rights, as defined by the Social Welfare Act, are available to every Croatian national and to stateless person with permanent residence in the Republic of Croatia. Foreign nationals with permanent residence in the Republic of Croatia may receive those social welfare rights to which they are entitled under the Social Welfare Act and international agreements. Persons who are not among those mentioned above may exercise social welfare rights, on a temporary basis, if their circumstances so require.

Expert staff working in social welfare institutions must perform their duties in accordance with the rules of the profession, and respect the beneficiary's personality, dignity and inviolability of their personal and family life. Pursuant to the provisions of the Social Welfare Act, they are obliged to keep secret everything they learn about the beneficiary's personal and family life.

Social welfare rights are, as a rule, exercised as rights of "last resort", i.e. after the rights deriving from other systems have been exhausted.

Article 13 paragraph 4

The observance of these provisions is guaranteed in the manner prescribed by Article 11 of the Social Welfare Act, according to which social welfare rights, as defined by the Social Welfare Act, are available to every Croatian citizen and to stateless person with permanent residence in the Republic of Croatia. Foreign nationals with permanent residence in the Republic of Croatia are eligible to social welfare rights under the Social Welfare Act and international agreements. Pursuant to the Social Welfare Act, foreign nationals with permanent residence in the Republic of Croatia are provided with temporary accommodation in social welfare institutions. As part of temporary accommodation services, they are provided with a place to live, food, emergency medical assistance, indispensable clothes and footwear, transportation costs in the place of their permanent residence, within their own family or in a foster family, social welfare home or other institution, or their accommodation can be arranged in another way.

Paragraph 3 of Article 11 of the Social Welfare Act provides that persons who are not covered by the preceding paragraphs may exercise social welfare rights, on a temporary basis, if their circumstances so require (temporary accommodation).

On the basis of the Asylum Act (Official Gazette 79/07), the Ordinance on the amount of financial assistance provided to asylum seekers, asylees, foreign nationals under temporary protection and foreign nationals under subsidiary protection (Official Gazette 39/08). This Ordinance prescribes that the amount of financial assistance is determined as a percentage of the basis for calculating social welfare rights. In accordance with this regulation, an asylee and a foreign national under subsidiary protection, who does not earn any income, does not own any property or his or her own assets and is not entitled to maintenance, may exercise social welfare rights pursuant to the Social Welfare Act, that is to say, in the same way as a Croatian national.