



REPUBLIC OF CROATIA
Ombudsman

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Normative input for the Eleventh Session of the Open-ended Working Group on Ageing
- Social protection and Social Security (including social protection floors)

Definition

1. To those who are weak, infirm, or unable to meet their basic subsistence needs, the Constitution of the Republic of Croatia guarantees assistance in fulfilling their basic needs. The Croatian Social Welfare Act recognizes older persons (those over 65) as its beneficiaries, when they are not able to independently provide for their own basic needs. Social protection in Croatia is defined as an organized, public interest activity that assists those who face unfavorable personal (...) circumstances, aiming to provide them with basic necessities and support, so they could independently fulfill their own basic needs and actively engage in society. However, the latter part of the definition does not correspond to the situation of some older persons, who, due to deteriorating health, have little chance of regaining full independence or engagement in society. Although all persons in Croatia are covered by mandatory health insurance, there is no explicit mention of eldercare or services that would be specifically tailored to older persons.

Scope of the right – key normative elements (contributory/non-contributory schemes, adequacy, accessibility, equitable access, and participation)

2. Existing contributory schemes that do not effectively cover all older persons, should be supplemented by older-person-specific schemes that provide full coverage. Benefits provided from these schemes should suffice for a dignified life, should prevent and alleviate poverty and social exclusion, and align with increases in consumer prices. Access to benefits should be unobstructed even in extreme circumstances, such as wars or natural disasters, and designed to accommodate older persons who are bedridden or in any way incapacitated. The contribution system should be adjusted in a way that even the low-wage workers can afford to contribute, and have a mechanism to reach groups who have previously been marginalized and largely uninvolved in contributory schemes. Older persons should continuously be involved in the dialogue on improving the design and administration of social security schemes, and participate in the work of the management bodies of such institutions.

State obligations

3. State obligations could include undertaking all appropriate legislative, administrative and other measures to create readily available social security schemes while building a sustainable, long-term social security infrastructure for older persons.



States should also make sure to design social security systems that are quickly adaptable in extreme circumstances (as mentioned above). Officials deciding on individual rights of older persons should without exception meet legal deadlines, receive regular training, and prioritize informing older persons of their rights.

Special considerations

4. Since social security encompasses a number of social services, such as in-house assistance, elderly day care services, and permanent accommodation, those services need to be accessible nation-wide, with the same level of quality, both in rural and remote areas and in big cities. However, the existing service provider network in Croatia is incomplete and stretched out too thin. Income-related eligibility criteria should allow the majority of older persons to use these services if they need them since currently, most older persons in Croatia do not qualify and have to pay for services out of pocket.

5. Non-state parties (private sector) have responsibilities in facilitating access to social protection to older persons, either as employers or as service providers (that are reimbursed or co-financed by the State). Companies in the private sector can provide older workers with supplemental work opportunities and, in countries where there are no mandatory retirement schemes, stimulate employees to contribute to voluntary schemes by matching their retirement contributions. The private sector can provide services that would otherwise be inaccessible to older persons, either financially or physically. It can recognize the needs of older persons, innovate and adjust the business model to expand the service network to those areas where it is needed.

Implementation

6. As for best practices, they are intertwined with challenges. Although there is an existing general non-contributory social security scheme to complement the contributory pension scheme, minimum pensions and social security benefits do not provide older persons with a dignified life and keep them below the poverty line. In 2020 Croatia will introduce a new non-contributory scheme specifically for older persons, but the amounts paid out are likely to stay the same. Despite having universal health care, most older persons in Croatia face co-pays, long waits for procedures and treatments, and a health care system that is not suited to their needs.



OMBUDSWOMAN OF CROATIA

Lora Vidović
Lora Vidović