New National Reforms: is East Europe restarting?

De-institutionalization in Croatia

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De-institutionalization in Croatia

Briefly about the recent history

• Croatia is a former state of ex-YU, post communist country with an unsolved history related to human rights
• For 50 years, we were a workers country
• One political party (communist party) nurtured the ideal type of the society
• Ideal socialist society had ownership over almost everything
• Hard work and good health
• Like in capitalist countries, there was no place for weakness or disabilities
• Paradigm of personal guilt due to mental disorder
• Inclusion without democracy – is it possible?
De-institutionalization in Croatia
Excluded, stigmatized, isolated ... usually for a lifetime!

• For 50 years people with disabilities were not important to our society
• We were hiding people with disabilities far away from the community in old castles, former sawmill facilities, abandoned wood factories, horse stables, warehouses, monasteries, and ruined villas.
• Mostly in abandoned and useless buildings
• Mostly in rural environment we created large institutions with 300, some 500 and some more than 1000 users fenced by wire or brick fence.
• There were people who had all sorts of disabilities, homeless people, poor people.
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Same person - Two sectors

- In Croatia services for people with mental disabilities belonged to the two sectors: health sector and the social welfare sector.

- Health sector works within a few large psychiatric hospitals in which psychiatrists and all other highly educated professionals were employed.
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Stick to tradition of Institution

• The Sector of Social Welfare led by the Ministry of Social Policy provides services to people with mental and intellectual disabilities.

• Social welfare institutions generally employ one social worker per 100 users. There are no employed psychiatrists at all. Other staff are mostly caregivers, nurses and technicians.
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In the late 20th century, the government continues to build institutions and walls

- At the end of the 20th century, (1995) the Ministry of Social Policy made a new categorization of users and institutions by type of diagnosis and health condition
- Rehabilitation centers were specialized institutions only for persons with intellectual disabilities
- Homes for mentally disabled adults
- Homes for elderly people, which couldn’t be used by people with mental or intellectual disabilities
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First opening the walls of the Institution

• 1997 „Association for Promoting Inclusion“ (API) for the first time in the history of Croatia emphasized the basic human right of people with intellectual and mental disabilities and promotes their right and ability to live and work in the community instead of lifelong confinement in the segregating institutions.

• Today, after 21 years of struggling and convincing the government about the needs and rights of people with disabilities, API and its NGO partners provide community-based services for more than 50 % of deinstitutionalized people at a price that is 50 % lower than the cost of state institutions funded from the state budget.
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Serious concern for human rights or something else?

• Croatia was the fourth country in the World that ratified the CRPD. (2007.)
• Two years before Italy, Denmark, Germany, EU... !??
• What did we do next?
• Almost nothing until 2010.
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We made a Plan
(for Them but without Them)


• Only employees, not the people with disabilities- beneficiaries, decided between the three offered transformation options:
  • 1. Community service center (8%)
  • 2. Institution for long-term care (92%)
  • 3. Closure of the Institution (0 %)
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Results after 8 years of deinstitutionalization
Percentage of people receiving mental health services

- Institution: 94%
- Community Based Service Provider - NGO from 1997: 2%
- Community Based Service Provider - run by the state transformed in last 8 years: 4%
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Annual report for 2017 of the Ombudsman for Persons with Disabilities of the Republic of Croatia

• „When we talk about the right of people with disabilities to gain the right to independent living and community life, to choose their place of residence, where and with whom they will live, we feel that we are not assured of the enjoyment of this right.”

• „More than 10,000 disabled people in the Republic of Croatia today live in institutions.”

• „Only 623 people with disabilities receive community-based services.”

• „Their destiny depends on the will of their guardians and social welfare centers who have instead of them decided that life behind the locked doors of the institution is in their best interest.”

• „In institutions, deprived of liberty, without having committed a criminal offense, spend most of their lives, without the right to privacy and any personal choice.”
De-institutionalization in Croatia
Annual report for 2017 of the Ombudsman for Persons with Disabilities of the Republic of Croatia

• “In some institutions, coercive measures are also being applied, contrary to national law and the Convention, and without the need for systematic monitoring of the implementation of these measures and the sanction of infringers.”

• “Systematic separation of persons with disabilities into institutions contrary to their own will because they are not provided with support or service to live in the community represents their discrimination or segregation…”

• “We express concern that due to certain risks in the process of institutional transformation, and primarily because of the systematically unresolved issue of resistance of workers, further transformation will be stalled.”
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Human Rights Watch-
„Croatia: Stalled Progress for People with Disabilities”
„Thousands in Institutions, Not Allowed to Make Own Choices”

• (Brussels, May 31, 2018) – „Thousands of children and adults with disabilities remain trapped in institutions a decade after Croatia ratified the international disability rights treaty.”

• „Many more are denied the right to make any decisions for themselves.”

• „On May 21, the Croatian government published a draft Law on Foster Care that would prioritize placing adults with disabilities in foster care, including without their consent.”

• „Placing adults in foster care can limit their interaction with the community and their ability to make their own decisions.”

• “Foster care is not appropriate for adults with disabilities who are placed in a family without any choice or alternative.”

• “People with disabilities have the right to live independently with control over their lives and the ability to make individual choices with support as necessary.”

• "Any forced placement, even with a well-meaning family, should be ended.”

• „Placing adults with disabilities in foster care has been criticized by the United Nations Committee on the Rights of People with Disabilities and Croatia’s Ombudswoman for Persons with Disabilities.”
OPEN LETTER ABOUT THE PROCESS OF DEINSTITUTIONALISATION IN CROATIA

- "Writing to express our concerns about the recent developments in Croatia, which seek to undermine the right to live independently in the community of persons with disabilities.”
- "We are concerned that the process of deinstitutionalisation has significantly slowed down under the current administration.”
- "Failure to proceed with the closure of institutions, and to enable persons with disabilities to move from institutions into the community”
- "Increasingly negative public attitudes towards the process of deinstitutionalisation.”
- "Delays in using the ESI Funds to support the process of deinstitutionalisation.”
- The draft Law on Foster Care which provides for the placement of adults with disabilities in foster care families.
- "Foster care cannot be considered ‘community living’ when it comes to adults, and does not comply with the requirements of Article 19 of the CRPD.”
De-institutionalization in Croatia
Report of the Special UN Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health on his visit to Croatia
28 November to 6 December 2016

• „The capacity in psychiatric institutions continues to escalate.”
• „by 2016, through deinstitutionalization, approximately 600 persons had been moved out of institutions to community-based services. „
• „the same number of people have since been institutionalized in hospitals through the health-care system”
• „the health-care system, largely based on treatment in psychiatric hospitals with mainly biomedical interventions, continues to “feed” the institutional care system.”
• „This shows the lack of an effective “gatekeeping” policy in the health-care sector and, above all, the urgent need for coordination between the social welfare and health sectors.”
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• „On the other hand, Croatia is one of the first countries to have invested in community-based pilot projects to end institutionalization.”

• „One good practice is the work carried out at the “I am just like you” Centre in Osijek.”

• „The Special Rapporteur visited the Centre and was pleased to confirm the full inclusion of people with psychosocial disabilities in society.”

• „The Special Rapporteur strongly recommends that this good practice be replicated elsewhere in Croatia and in other countries.”

• „This experience shows that transforming institution-based services into community-based services is beneficial for persons with psychosocial disabilities and for society at large.”

• „It also shows that, where there is a will, it is possible to end the sad legacy of institutional care.”

• Successful pilot projects, such as that in Osijek, have not been taken seriously as making a real difference in the Croatian mental health system, its funding or decision-making, which remain focused on large inpatient and residential psychiatric institutions.
De-institutionalization in Croatia
World Bank and European Commission in Croatia

• 2015. The World Bank has chosen and presented at the World Forum in Beijing in the section: „Services for Inclusive Cities” the example of the Center for community based services "I’m Just Like You" from Osijek, Croatia.

• 2018. 11 of June after a rough stopping the process of deinstitutionalization in Croatia, WB and EU Commission organized Roundtable discussion on the Deinstitutionalization of Social Care in Croatia:

• „The objective of this roundtable is to update our knowledge on the state of deinstitutionalization in Croatia among key stakeholders and indentify how we can support such agenda.”
De-institutionalization in Croatia
Up's and Down's – Croatian policy makers

• 2015.
  • „If it was worth something to be part of this government then it was because of the deinstitutionalisation process”
  • „Unfortunately today in Croatia we have some cattle farms with better conditions than some social welfare institutions in which our users live.”
  • „We need to change that immediately”

• 2017.
  • "What's wrong with our institutions?
  • „We invested great efforts and funds in their construction and maintenance.”
  • „Our workers are not satisfied with deinstitutionalisation.”
  • „A happy and satisfied worker in a well-organized institution is the foundation of Social Welfare sector in Croatia.”
Croatia also has a 180
(180 degrees opposite opinion)

Ministry of Social Policy
„Within the reform of the social welfare system **deinstitutionalization** of users and the transformation of social welfare institutions **occupy a significant place.**”
„... Foster care is seen as **the best form of care** because each person placed in a foster family experiences family life.”
„For this reason, it is necessary to **improve foster care in the whole country.**”

Ombudsman for Persons with Disabilities
„**More than 10,000 disabled** people in the Republic of Croatia today **live in institutions.** Only **623** people receive **community-based services.**”
„There is a noticeable increase in the number foster family placements which we consider to be the wrong direction of deinstitutionalization.”
„**This type of care** for adults with disabilities is **unacceptable and contrary to the CRPD.**”
Constitution of the Republic of Croatia

Article 58. paragraph 2.

„ Special care is given by the state protection of persons with disabilities and their inclusion in social life. "

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Law on social welfare of Republic of Croatia

• Article 9. „Rights in the social welfare user receives in accordance with the principle of free choice...”

• Article 12. „Social services are provided to the user, if possible, in his home or local community through non-institutional forms of care to improve the quality of life and community involvement.”

• Obviously, under the current administration it will not be possible for 10,000 people.

• „...where there is a will, it is possible to end the sad legacy of institutional care.” (Special UN Rapporteur, Mr. Dainius Puras)