

# **The role of national bodies with a human rights remit in ensuring fundamental rights compliance of EU funds**

## **FRANET national research in Croatia**

### **Final Report**

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## 1. Introduction

The purpose of the report is to contribute to the FRA's intend to identify key elements of national bodies with a human rights remit activity in relation to the application of the conditionalities to the EU funds, as well as to gather barriers and critical success factors for their role in this regard in Croatia.

This report is the result of different types of activities conducted by FRANET Croatia, the Centre for Peace Studies and Human Rights House Zagreb:

- A. Desk research conducted in Croatia, by collecting and gathering/classifying the existing approaches/practices of the national bodies and analysing their basic components and character and through analysing desk research of written materials on the topic;
- B. Interviews with different key stakeholders conducted in Croatia and
- C. A national diagnostic roundtable organised in Zagreb with participants from different key stakeholder profile.

### A. Desk research

Initial desk research was conducted in order to gather available information, experience and secondary sources concerning Croatia on the existing practices, promising practices and challenges in making public funds conditional on the respect for human/fundamental rights. Considering the information found through desk research, the initial conclusion may be drawn that there is a very limited number of the existing sources that put the focus on the fundamental rights perspective in relation to use of EU funds in Croatia.

Desk research gathered published opinions and views of the relevant actors concerning the functioning of fundamental-rights-related conditionalities in the 2013-2020 funding cycle and EU funds in general, including the new fundamental rights conditionality of the CPR. Published evaluation and monitoring reports concerning usage of structural funds for the financial period 2014-2020 have also been reviewed.

Desk research was conducted during March 2022.

### B. Interviews

Twelve interviews were conducted:

- Four from the National fund managers/government officials with direct experience of EU funds (NFM):
  - o Government Office for Cooperation with NGOs, 1<sup>st</sup> level intermediary body for implementation of the Operational Program Effective Human Resources 2014-2020
  - o National Foundation for Civil Society Development, 2<sup>nd</sup> level intermediary body for implementation of the Operational Program Effective Human Resources 2014-2020

- Ministry of Labour, Pension System, Family and Social Policy; Directorate for the Management of Operational Programs of the European Union; a member of Network of coordinators for non-discrimination in the management and control systems of ESI funds
- Ministry of Regional Development and EU Funds; Directorate for Strategic Planning and Coordination of EU Funds
- Four interviews from the National bodies with a human rights remit (NHRB):
  - The Ombudsperson of the Republic of Croatia
  - Office for Human Rights and Rights of National Minorities of the Government of the Republic of Croatia; Department for Human Rights; in charge for programming, implementation and reporting on the financial and substantive implementation of projects financed from European Union funds (European Social Fund; Asylum, Migration and Integration Fund; Union Programs, etc.) and other domestic and international donors in the field of protection and promotion of human rights
  - The Ombudsperson for Gender Equality of the Republic of Croatia; a member of Network of coordinators for non-discrimination in the management and control systems of ESI funds
  - The Ombudsperson for Persons with Disabilities of the Republic of Croatia; a member of Network of coordinators for non-discrimination in the management and control systems of ESI funds
- Four interviews from the Civil Society Organisations and academia (CSO) representatives:
  - Croatian union of associations for autism (SUZAH)
  - Forum for Freedom in Education (FSO)
  - Parents in action (RODA)
  - Professor at the Faculty of Political Science at Zagreb University.

Interviews were conducted in the period of April to June 2022 in live and via electronic means of communication.

### C. National diagnostic roundtable

The purpose of the roundtable was to discuss policy options for national bodies with a human rights remit regarding their role under the Common Provisions Regulation on EU funds.

There were ten participants present at the roundtable and three persons from the FRANET Croatia:

- National bodies in charge of programming and managing EU funds (3 persons)
- National bodies with human rights remit (2 persons)
- Representatives of civil society organizations (5 persons).

Roundtable was held on 15 June 2022 in Zagreb and it consisted of three interactive sessions. In the first session, the key research objectives and key findings from desk research and interviews were presented. After the presentation, using the combination of Q&A methods and group work, participants were involved in a discussion on the role of national bodies with human rights remit in EU funds. In the end session, conclusions were made with regards to the fundamental rights conditionality in the context of EU funds,

especially regarding success factors and challenges of involving national bodies with human rights remit. Based on discussion and conclusion, a report was drafted that was later on checked and confirmed with all the participants.

## **2. The implementation of EU funds: challenges and opportunities for fundamental rights**

In Croatia, the Act on the Government of the Republic of Croatia<sup>1</sup> prescribes the organization, working methods, decision-making and types of acts adopted by the Government of the Republic of Croatia. Article 25 stipulates that the Government, within the framework of European affairs, considers issues and passes acts related to the harmonization of the legal system of the Republic of Croatia with the legal system of the European Union, and discusses, harmonizes, confirms and adopts the positions of the Republic of Croatia that will be represented by the representatives of the Republic of Croatia in the work of the EU institutions and bodies. Furthermore, Article 30 stipulates that the Government pass regulations in accordance with the Constitution and the law. The Government passes regulations for the adoption and implementation of legally binding acts of the European Union in cases when it is not necessary to pass a law for the adoption and implementation of these acts, and in such cases, the Government can adopt decisions for the implementation of legally binding acts of the European Union.

The Act on the establishment of an institutional framework for the implementation of European structural and investment (ESI) funds in the Republic of Croatia in the financial period 2014-2020<sup>2</sup> for the purpose of implementing Regulation (EU) no. 1303/2013 of the European Parliament and of the Council of 17 December 2013 established an institutional framework for the management and implementation of European structural and investment funds in the Republic of Croatia in the financial period 2014-2020. It designates institutions that perform the functions of the Coordinating Body for ESI funds management and the Independent audit body, as well as their functions and responsibilities.

The Regulation on bodies in the management and control systems of the use of the European Social Fund, the European Fund for Regional Development and the Cohesion Fund, in connection with the objective "Investment in growth and jobs", determines the institutions which have the role of bodies in the Systems of management and control of the use of the European Social Fund, the European Fund for Regional Development and

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<sup>1</sup> Croatia. Act on the Government of the Republic of Croatia ([Zakon o Vladi Republike Hrvatske](#)). Official Gazette (*Narodne novine*) No. 150/11, 119/14, 93/16, 116/18.

<sup>2</sup> Croatia. Act on the establishment of an institutional framework for the implementation of European structural and investment funds in the Republic of Croatia in the financial period 2014-2020 ([Zakon o uspostavi institucionalnog okvira za provedbu europskih strukturnih i investicijskih fondova u Republici Hrvatskoj u razdoblju 2014-2020](#)). Official Gazette (*Narodne novine*) No. 92/14.

the Cohesion Fund, in connection with the objective "Investment in growth and jobs", as well as their functions, tasks and responsibilities.

For the implementation of the Operational Program Competitiveness and Cohesion 2014-2020<sup>3</sup>, the Regulation determines the operational structure consisting of the Management Authority, Level 1 Intermediate Bodies and Level 2 Intermediate Bodies.

The Act on the Institutional Framework for the Use of European Union Funds in the Republic of Croatia<sup>4</sup> established the institutional framework for the use of European Union funds within the shared management framework starting from the 2021-2027 financial period, which consists of the Coordination body and competent management bodies.

In accordance with Article 6, the Ministry of Regional Development and the EU Funds (MRDEUF)<sup>5</sup> was designated as a management body for Operational Program "Competitiveness and Cohesion"<sup>6</sup>, as well as for the Integrated Territorial Program.<sup>7</sup>

In the financial period 2014-2020, Monitoring Committee for the Operational Program "Competitiveness and Cohesion" was under the jurisdiction of the Ministry of Regional Development and the EU Funds in the capacity of the Managing Body, while for the financial period 2021-2027 the competence of the Ministry of Regional Development and the EU Funds is foreseen in the capacity of the Coordinating Body through single Committee for monitoring the Operational Program "Competitiveness and Cohesion" and Integrated Territorial Program 2021-2027. The monitoring committees have their own Rules of procedure and as a rule meet twice a year. In addition to the representatives of the bodies in the management and control systems, the membership also includes relevant partners for each individual program, which is a practice that will continue in the financial period 2021-2027, upon entry into force of the regulations on the Coordinating body and individual management and control systems.

EU funds that were selected for this research include: European Social Fund (Plus), Cohesion Fund and European Regional Development Fund.

The European Social Fund (ESF)<sup>8</sup> and the European Social Fund Plus (ESF+)<sup>9</sup> were selected due to their priorities of tackling the socio-economic inequalities - in the previous ESF

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<sup>3</sup> Croatia. Operational Program Competitiveness and Cohesion 2014-2020 ([Operativni program Konkurentnost i kohezija 2014. – 2020.](#)).

<sup>4</sup> Croatia. Act on the Institutional Framework for the Use of European Union Funds in the Republic of Croatia ([Zakon o institucionalnom okviru za korištenje fondova Europske unije u Republici Hrvatskoj](#)). Official Gazette (*Narodne novine*) No. 116/2021.

<sup>5</sup> Croatia. Ministry of Regional Development and the EU Funds ([Ministarstvo regionalnog razvoja i fondova Europske unije](#)).

<sup>6</sup> Croatia. Operational Program Competitiveness and Cohesion 2014-2020 ([Operativni program Konkurentnost i kohezija 2014. – 2020.](#)).

<sup>7</sup> Croatia. Integrated Territorial Program ([Integrirana teritorijalna ulaganja](#)) 2014-2020.

<sup>8</sup> Croatia. European Social Fund ([Europski socijalni fond](#)) 2014-2020.

<sup>9</sup> Croatia. European Social Fund Plus ([Europski socijalni fond plus](#)) 2021-2027.

through priorities such as boosting the adaptability of workers with new skills, and enterprises with new ways of working; improving access to employment by helping young people make the transition from school to work, or training less-skilled job-seekers to improve their job prospects; and enhancing social inclusion by helping people from disadvantaged groups to get jobs. The new European Social Fund Plus (ESF+) is focused on tackling the socio-economic consequences of the COVID-19 pandemic, promoting high employment levels, building social protection and developing a skilled and resilient workforce ready for the transition to a green and digital economy.

The Cohesion Fund 2021-2027<sup>10</sup> provides support to Member States with a gross national income (GNI) per capita below 90% EU-27 average to strengthen the economic, social and territorial cohesion of the EU. It supports investments in the field of environment and trans-European networks in the area of transport infrastructure. In the previous period 2014-2020,<sup>11</sup> it aimed to reduce economic and social disparities and to promote sustainable development and it was aimed at Member States whose Gross National Income (GNI) per inhabitant is less than 90 % of the EU average.

The European Regional Development Fund (ERDF)<sup>12</sup> aims to strengthen economic, social and territorial cohesion in the European Union by correcting imbalances between its regions. In 2021-2027 it will enable investments in a smarter, greener, more connected and more social Europe that is closer to its citizens. Based on their prosperity, all regions and Member States will concentrate their support on a more competitive and smarter Europe (policy objective one), as well as greener, low-carbon transitioning towards a net zero carbon economy and resilient Europe (policy objective two). In the previous period, 2014-2020,<sup>13</sup> it was focused around key priority areas or 'thematic concentration' including: innovation and research; the digital agenda; support for small and medium-sized enterprises (SMEs); and the low-carbon economy.

Both Cohesion and European Regional Development Fund were selected due to financing possibilities of infrastructure projects of high importance for the minority groups living in the rural and undeveloped areas of Croatia.

Key issues detected as the most prone to using EU funds in a way that is not in line with the EU Charter and/or the CRPD, were defined in the following areas:

The area of combating corruption - an example is an announced tender for civil society organisations from 2019, conditioning a partnership with the local (regional) self-government in the geographical area where the association operates. This is a problematic condition because it puts CSOs in a conflict of interest, which is thereby institutionalised and makes it impossible to achieve the purpose of the tender - to combat corruption. The

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<sup>10</sup> Croatia. Cohesion Fund ([Kohezijski fond](#)) 2021-2027.

<sup>11</sup> Croatia. Cohesion Fund ([Kohezijski fond](#)) 2014-2020.

<sup>12</sup> Croatia. European Regional Development Fund ([Europski fond za regionalni razvoj](#)) 2021-2027.

<sup>13</sup> Croatia. European Regional Development Fund ([Europski fond za regionalni razvoj](#)) 2014-2020.

implementation phase of this tender did not occur, as it was suspended because of this condition being contradictory to the objective of the tender.

Programs financing social services - due to the fact that these programs necessarily include vulnerable groups as beneficiaries, but also due to issues of sustainability, i.e. the continuity of the provision of social services and the problem of projects' short-term financing of basic services such as teaching assistants or help at home. After the end of the project's implementation period, basic services continuation of financing is not ensured and the beneficiaries are left without them. In addition, due to the issue of service quality, training and support for the implementing entities i.e. social services providers, financed by the project and the labour rights of those employed on social service projects.

Financing of institutions in the area of social protection - examples are projects financing services contributing to deinstitutionalization (i.e. mobile teams), that at the same time, equip institutions. In addition, after the implementation of these projects, these institutions cancel project-financed services due to lack of funding, while their capacities and resources are strengthened. After the end of the project implementation period, beneficiaries remain dependent on the institutions again.

Investments in infrastructure and public institutions - due to possible segregation based on ethnicity (especially related to Roma national minority), with the example of infrastructure investments in segregated settlements or the construction of schools or kindergartens that, due to the location, will not contribute to inclusion of national minority groups.

Administrative issues that affect human rights - a report by the Human Rights House Zagreb from 2020<sup>14</sup> indicated a high level of distrust of Croatian CSOs especially towards European Structural and Investment (ESI) funds, because of its demanding administrative tasks and non-transparent evaluation process, primarily lacking evaluation feedback, as opposed to the EU programs (such as Justice program, REC program, LIFE program) in relation to which no similar problems were detected. The research identified significant administrative barriers that increase the workload of CSOs. The application process for associations' projects is often too demanding in the administrative sense. The project application phase is also problematic due to the inconsistent implementation of the indicative calendar of public calls for proposals and tenders for ESI funds and the state budget. The same is not the case when applying for projects from the European Union Programs. Considering that the process of creating public policies is often carried out in a non-participatory manner, the CSOs are not able to put certain social problems and needs on the agenda in order for them to be included in civil society funding programs. In addition, delays in announcing and processing project calls have had a negative effect on the operational capacity of CSOs and the turnover of professional staff, which is crucial for

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<sup>14</sup> Croatia. Human Rights House Zagreb (*Kuća ljudskih prava Zagreb*). Access to financing for civil society organisations Croatia ([Pristup financiranju za organizacije civilnog društva u Hrvatskoj](#)), December 2020.



the quality of social services provision. The findings of this research also point to the overly lengthy evaluation of projects within ESIF calls for proposals. Due to the frequently lengthy evaluation process for reports and requests for reimbursement of project funds from ESI funds, many associations encounter liquidity problems in the implementation of these projects. In addition, the implementation of projects financed from ESI funds is characterised by significant administrative demands that negatively affect the associations' work with beneficiaries. The quality assessment method based on the order in which applications are received (the so-called 'fastest finger first' method - "Najbrži prst"<sup>15</sup>) favours associations that submitted projects earlier instead of considering the quality of the project proposal as the basic criterion for awarding funds.

### **3. The role of national bodies with a human rights remit in ensuring fundamental rights compliance of EU funds**

In Croatia, independent institutions with human rights remit are: Ombudsperson of the Republic of Croatia,<sup>16</sup> Ombudsperson for Persons with Disabilities,<sup>17</sup> Ombudsperson for Gender Equality,<sup>18</sup> Ombudsperson for Children.<sup>19</sup> These refer to certain segments of use of EU funds in their annual work reports, which basically represent annual overviews of human rights concerning topics within their mandates.

The Ombudsperson of the Republic of Croatia is a commissioner of the Croatian Parliament responsible for the promotion and protection of human rights and freedoms, and also performs the mandate of the National Equality Body, as well the National Preventive Mechanism for the protection of the persons deprived of their liberty, and is also entrusted with external reporting of irregularities within the Whistle-blowers' Protection Act.<sup>20</sup> In her annual reports, EU funds are covered in the chapter concerning unequal regional development with special reference to rural areas and use of ESI funds<sup>21</sup>; chapters

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<sup>15</sup> Croatia. Lider media portal. Entrepreneurs are angry about the principle of 'fastest finger' - this is not a solution for allocating funds ([Poduzetnici bijesni zbog principa 'najbrži prst' - to nije rješenje za dodjelu sredstava](#)). 6 April 2022.

<sup>16</sup> Croatia. Ombudsperson of the Republic of Croatia ([Pučki pravobranitelj](#)).

<sup>17</sup> Croatia. Ombudsperson for Persons with Disabilities ([Pravobranitelj za osobe s invaliditetom](#)).

<sup>18</sup> Croatia. Ombudsperson for Gender Equality ([Pravobranitelj za ravnopravnost spolova](#)).

<sup>19</sup> Croatia. Ombudsperson for Children ([Pravobranitelj za djecu](#)).

<sup>20</sup> Croatia. Whistle-blowers' Protection Act ([Zakon o zaštiti prijavitelja nepravilnosti](#)), Official Gazette (*Narodne novine*) No. 46/22.

<sup>21</sup> Croatia. Ombudsperson of the Republic of Croatia ([Pučki pravobranitelj](#)). Report for 2018 ([Izvješće pučke pravobraniteljice za 2018. godinu](#)), 2019.

concerning discrimination based on race, skin colour, ethnicity and national origin<sup>22 23</sup> and chapter on human rights defenders.<sup>24</sup>

Concerning the unequal regional development, the Ombudsperson informed on issues with the ESI funds that are largely emphasised as important for balanced development of Croatia and the improvement of social and economic conditions, but according to data available at the time, the contracting rate was 63% and users were paid only 19.34% of the total allocation. This was assessed to be a result of the complexity of the system, but also the shortage in administrative capacity of state, regional and local self-government. Moreover, it was noted that local and regional self-government units face a lack of financial resources needed to participate in larger projects. Even though the Ministry of Regional Development and EU Funds published a call in 2018 for funds from the Fund for co-financing the implementation of EU projects at the regional and local level, it was closed only a month after publication due to the large number and high value of received requests that exceeded the ensured funds. Also, many local units do not have the administrative and financial capacity to prepare and implement multiple EU projects at the same time. The analysis of aid received by counties, cities and municipalities as holders or partners/collaborators of EU-funded programs and projects in 2015 and 2016 showed that despite the growth, almost half of the cities and more than 3/4 of the municipalities did not use EU funds at all. Therefore, it was emphasised that it is important to build their capacity and develop skills for project preparation and implementation by using the experiences of successful units, as well as to strengthen both vertical and horizontal cooperation among all stakeholders in that matter.<sup>25</sup>

The chapter of the Ombudsperson's report for 2020<sup>26</sup> on discrimination based on race, skin colour, ethnicity and national origin reflects on the use of EU structural funds in the context of human rights of the members of the Serb national minority in Croatia. The analysis of the impact of EU projects on local self-government demonstrated that no significant efforts were made to improve the poor economic and infrastructural conditions in areas populated by the Serbian minority. Namely, the research on the impact of EU structural funds in the financial period from 2014-2020 indicates that the desired effects of projects financed from EU funds were not achieved in the local self-government units with more than 15% of Serbian population. In these 47 municipalities and cities live a total of 211,068 inhabitants (or 4.92%), and 28 of those local units belong to the group of the least developed units,

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<sup>22</sup> Croatia. Ombudsperson of the Republic of Croatia (*Pučki pravobranitelj*). Report for 2020 ([Izvješće pučke pravobraniteljice za 2020. godinu](#)), 2021.

<sup>23</sup> Croatia. Ombudsperson of the Republic of Croatia (*Pučki pravobranitelj*). Report for 2021 ([Izvješće pučke pravobraniteljice za 2021. godinu](#)), 2022.

<sup>24</sup> Croatia. Ombudsperson of the Republic of Croatia (*Pučki pravobranitelj*). Report for 2021 ([Izvješće pučke pravobraniteljice za 2021. godinu](#)), 2022.

<sup>25</sup> Croatia, Ombudsperson of the Republic of Croatia (*Pučki pravobranitelj*). Report for 2018 ([Izvješće pučke pravobraniteljice za 2018. godinu](#)), 2019.

<sup>26</sup> Croatia. Ombudsperson of the Republic of Croatia (*Pučki pravobranitelj*). Report for 2020 ([Izvješće pučke pravobraniteljice za 2020. godinu](#)), 2021.

while the level of development of the rest (with the exception of Ogulin and Plitvice Lakes) is below average. Out of the 69 billion HRK available from EU funds, about 3% was allocated to those areas, along with about 8% from domestic rural development funds. It was additionally noted that it would be good for underdeveloped settlements within cities to have the capacity and opportunity to apply for projects, given that these are expensive, time-consuming and complex procedures. The recommendation from the Ombudsperson's report for 2020-27 refers to the competent state authorities, to introduce electronic procedures for the application of projects for EU funds in the areas of local self-government units, shorten and speed them up, and at the same time to enable the application of projects to undeveloped settlements within the cities.

The chapter of the Ombudsperson's report for 2021-28 on discrimination based on race, skin colour, ethnicity and national origin reflects on the use of EU structural funds in the context of Roma minority, and indicates that there were no planned activities for 75% of the measures in the Action plan for Roma inclusion for years 2021 and 2022, nor funds allocated for in the field of improved Roma health and efficient, equal access to quality health care services. The Ombudsperson indicates that the only planned measure in this area is implementation of the Government office for Human Rights and National Minorities project, that should be co-financed from the European Social Fund plus, but for which up to in 2022, no funds are planned. Also, larger funds are planned for the preservation of Roma traditional culture than for health, which does not match the identified needs.

The chapter of the Ombudsperson's report for 2021<sup>29</sup> on human rights defenders brings the issues of EU funds in delays in announcing tenders, delays in publishing their results, and failure to announce the series tenders announced in the annual plans for the publication of calls for submission of project proposals financed from the ESF, as well as that there are almost no tenders that are focused primarily on advocacy and monitoring of human rights and combating discrimination. The Ombudsperson notes that CSOs providing free legal aid also indicate that there is insufficient financing of their activities, which affects the possibility of providing quality service.

When it comes to complaints, the Ombudsperson received a certain amount of complaints about the Wish - Employment Program for Women (*Zaželi – program zapošljavanja žena*)<sup>30</sup> project within the European Social Fund. The complaints were related to the exercise of the right to work of persons providing home care services and the set criteria on the basis

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<sup>27</sup> Croatia. Ombudsperson of the Republic of Croatia (*Pučki pravobranitelj*). Report for 2020 ([Izvješće pučke pravobraniteljice za 2020. godinu](#)), 2021.

<sup>28</sup> Croatia. Ombudsperson of the Republic of Croatia (*Pučki pravobranitelj*). Report for 2021 ([Izvješće pučke pravobraniteljice za 2021. godinu](#)), 2022.

<sup>29</sup> Croatia. Ombudsperson of the Republic of Croatia (*Pučki pravobranitelj*). Report for 2021 ([Izvješće pučke pravobraniteljice za 2021. godinu](#)), 2022.

<sup>30</sup> Croatia. Ministry of Labour, Pension System, Family and Social Policy (*Ministarstvo rada, mirovinskog sustava, obitelji i socijalne politike*). Wish - Employment Program for Women ([Zaželi – program zapošljavanja žena](#)).

of which people were selected on the one hand, and on the other hand, the institution was monitoring at the systematic level how this measure of home care is used to fill the lack in the social services system and how it affects the users of this service.

In the previous financial period of 2014 - 2020, the Ombudsperson institution was involved as a member of the evaluation groups for the Operational Program "Effective Human Resources",<sup>31</sup> a member of the steering committees for the Operational Program "Effective Human Resources" and the Operational Program "Competitiveness and Cohesion". Also, the institution was conducting training in the State School of Public Administration on combating discrimination for employees working on EU funds,<sup>32</sup> as part of fulfilling the ex-ante conditionality. In the new cycle, the Ombudsperson's office expressed the interest to become the member of the working group for programming, however, their request was rejected, so they only joined as external members within the working group Solidarity Croatia in the European Social Fund Plus (ESF+)<sup>33</sup> and were invited at only three mini-programming meetings at the outset.

The Ombudsperson for Persons with Disabilities is an independent state institution whose purpose is to protect, monitor and promote the rights and interests of persons with disabilities. The institution does not have a single mandate that would enable them to fully participate in the monitoring of EU funds. In previous programming periods, their role in EU funds was mostly advisory and in providing support and conducting training on rights of persons with disabilities for employees working on EU funds, as part of fulfilling the ex-ante conditionality. This training introduced participants to the challenges of ensuring physical, communication and information accessibility for persons with disabilities, as well as practical examples regarding the fulfilment of horizontal conditions that enable implementation. In the institution's report for 2021, the Ombudsperson for Persons with Disabilities refers to the EU funds and human rights in the context of ESF funded projects for personal assistance to the persons with disabilities and different problems that their potential and current users face - from interruption of service to administrative obstacles, but also a whole series of administrative and financial problems that burden some civil

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<sup>31</sup> Croatia. Operational Program "Effective Human Resources" ([Operativni program Učinkoviti ljudski potencijali](#)), 2014-2020.

<sup>32</sup> Croatia. Ombudsperson of the Republic of Croatia (*Pučki pravobranitelj*). Training of non-discrimination coordinators ([Edukacija koordinatora za nediskriminaciju](#)), 2017.

<sup>33</sup> Croatia. Ministry of Regional Development and the EU Funds (*Ministarstvo regionalnog razvoja i fondova Europske unije*). National Coordination Committee for European structural and investment funds and instruments of the European Union in the Republic of Croatia (*Nacionalni koordinacijski odbor za europske strukturne i investicijske fondove i instrumente Europske unije u Republici Hrvatskoj*). Decision on the establishment of working groups for the preparation of program documents for the financial period of the European Union 2021-2027 ([Odluka o uspostavljanju radnih skupina za izradu programskih dokumenata za financijsko razdoblje Europske unije 2021-2027](#)). 4 November 2020.

society organisations when funding their programs through EU funds.<sup>34</sup> In addition, in her report for 2021, the Ombudsperson for Persons with Disabilities warns that lack of continuity of project funded social services provided to persons with disabilities threatens current exercise of social rights, as project funded social services do not guarantee sustainability or provide safe support to the users. The Ombudsperson for Persons with Disabilities points out the importance of offering a clear strategy of transition from the project (cyclical) provision of all key services to persons with disabilities to the systematic provision of services in which users do not depend on tenders and the capacities of civil society organisations for successful application to tenders.

The Ombudsperson for Gender Equality performs the tasks of an independent body in charge of combating discrimination in the field of gender equality. The Ombudsperson for Gender Equality has rich experience in applying for and implementing projects financed from EU funds. Regarding the monitoring, the institution has participated in the Operational Programme "Competitiveness and Cohesion" and "Efficient Human Resources" since the establishment of these programs, and together with other ombuds institutions has a specific status in this working body, which is that of observing institutions. In the report for 2021, the Ombudsperson for Gender Equality brings the data on usage of EU funds in the area of social services, employment, combating gender-based violence and gives a specific recommendation related to EU funds, directed to the competent national, local and regional authorities in order to ensure systematic support for women in the preparation of projects for financing from European Union funds intended for fishing and agriculture and to collect gender-disaggregated data.<sup>35</sup> The institution is carrying out trainings on gender equality within the framework of education for non-discrimination coordinators, who are appointed in the bodies of the European structural and investment management and control system funds, and which were organized by the Ministry of Regional Development and Funds of the European Union in cooperation with the State School for Public Administration.<sup>36</sup>

The Croatian Government Office for Human Right and the Rights of National Minorities<sup>37</sup> is a professional service to the Croatian Government that performs professional, analytical, advisory and administrative tasks in connection with the implementation of the established policy for protection and promotion of human rights and the rights of national minorities in

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<sup>34</sup> Croatia. Ombudsperson for Persons with Disabilities (*Pravobranitelj za osobe s invaliditetom*). Report for 2021 ([Izvješće o radu Pravobranitelja za osobe s invaliditetom za 2021. godinu](#)), 2022.

<sup>35</sup> Croatia. Ombudsperson for Gender Equality (*Pravobranitelj za ravnopravnost spolova*). Report for 2021 ([Izvješće o radu za 2021.](#)), 2022.

<sup>36</sup> Croatia. State School for Public Administration (*Državna škola za javnu upravu*). Report on the work of the State School for Public Administration for 2021 ([Izvješće o radu Državne škole za javnu u pravu za 2021. godinu](#)), 2022, page 6.

<sup>37</sup> Croatia. Office for Human Right and the Rights of National Minorities to the Government of the Republic of Croatia ([Ured za ljudska prava i prava nacionalnih manjina Vlade Republike Hrvatske](#)).

Croatia and monitors their effectiveness. The institution participates in the implementation of enabling conditions - they monitor the implementation of the action plan for meeting the conditions and participate in the training of bodies that are in charge of the management and control system on non-discrimination. The institution is involved in programming, in the operational program ESF, and they are occasionally consulted in some versions of the Operational Program "Competitiveness and Cohesion". They also participate in monitoring committees of the ESF and Operational Program "Competitiveness and Cohesion" as well as the Maritime and Fisheries program.<sup>38</sup> The Office is not included in all of the programs, e.g. they are not included in the area of rural development. The Office is also implementing ESF and Asylum, Migration and Integration Fund (AMIF)<sup>39</sup> projects as a beneficiary and has experience in implementing projects of other EU programs (The Instrument for Pre-Accession Assistance - IPA<sup>40</sup> and DG Justice and Consumers' PROGRESS fund<sup>41</sup> among others). They participate in the evaluation steering group that has the opportunity to comment on tender documentation for evaluation planning within the ESF at all stages.

As the above described national bodies with human rights remit are all different in the scope, mandate, size and capacity in terms of human resources, regional coverage and space, this also clearly reflects on their involvement in assessing EU Charter and the Convention on the Rights of Persons with Disabilities compliance of EU funds on national level. From their reports and membership in different advisory, operational, monitoring or evaluation bodies in the different phases of the EU funding cycle from previous and new funding cycle, the conclusion is that they are present and involved in the issues of EU funds and fundamental rights, each in the scope of their (specific) mandate.

However, the question is how the national bodies with human rights remit are involved, is their involvement continuous and is it deep enough to be able to detect and react on potential issues of EU funds and fundamental rights, and broad enough to cover all the topics in all the phases of the EU funding cycle in a complex environment. The conclusion that can be drawn from the interviews and the roundtable discussion is that there is a need for a greater role and stronger involvement of all national bodies with human rights remit in EU funds cycle in all phases. This is confirmed by participants from all the stakeholder groups (civil society organisations, academia and national fund managers/government officials with direct experience of EU funds) and from national bodies with human rights remit themselves.

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<sup>38</sup> Croatia. Operational Program for Maritime and Fisheries ([Operativni program za pomorstvo i ribarstvo RH za programsko razdoblje 2014. – 2020.](#))

<sup>39</sup> Croatia. Ministry of the Interior (*Ministarstvo unutarnjih poslova*). Asylum, Migration and Integration Fund ([Fond za azil, migracije i integraciju](#)).

<sup>40</sup> Croatia. Central Finance and Contracting Agency (*Središnja agencija za financiranje i ugovaranje programa i projekata Europske unije*). Pre-accession funds ([Pretpristupni fondovi](#)).

<sup>41</sup> European Commission. DG Justice and Consumers. [EU employment and social solidarity program PROGRESS](#).

In the previous programming cycle, the stakeholders recognised the role of national bodies with human rights remit in providing support and conducting training on human rights for employees working on EU funds and beneficiaries of EU funds, informing stakeholders about the state of human rights in Croatia and informing beneficiaries about the possibilities of complaints mechanisms related to human rights violations. However, there is space for the impact improvement of these activities and opportunities to reinforce the monitoring role of the national independent human rights institutions in compliance with EU funds with fundamental rights.

When it comes to providing support and training related to the assessing EU Charter and Convention on the Rights of Persons with Disabilities compliance of EU funds, this is the area where there is a strong cooperation established between the national bodies with human rights remit and state institutions in charge of EU funds and there is a clear recognition of a role of all national bodies with human rights remit in preparing and conducting training from their expertise. However, the participants of interviews and round table discussion of this research clearly emphasised the need for improvement in these activities, by providing continuous high-quality education/training on human rights for all the stakeholders involved in programming, implementation, monitoring and evaluation of EU funds. Taking into account complexity and comprehensiveness of the EU Charter, these trainings should be more than one-time one-day training and should be adopted to focus on specific national context. This opportunity is a possible response to the recognised risk for using funds in a way that is not in line with the Charter because of the lack of knowledge on human rights in the context of state bodies, management and intermediary bodies, as well as applicants and beneficiaries of EU funds, that was one of the risks identified by participants of this research.

Concerning the opportunities to strengthen the role of national bodies with human rights remit in EU funds cycle, the stakeholders emphasise the importance of timely involvement of national bodies with human rights in all the phases of EU funding cycle. Nonetheless, the programming phase is recognised by most of the respondents as a crucial point for their involvement and as the stage of the funding cycle where national bodies with human rights remit can play the most effective and efficient role. The Ombudsperson's of the Republic of Croatia, Ombudsperson's for Persons with Disabilities, Ombudsperson's for Gender Equality and Ombudsperson's for Children annual work reports, which basically represent annual overviews of human rights concerning topics within their mandates, are a tool that should serve as a ground for programming EU funds and their recommendations should be taken into account in the programming phase. The data collected through all four ombudsman's annual work reports and specific thematic or special reports should be discussed in bodies in charge for programming EU funds and should have an influence on the funding priorities. This implies defining a role and space for national independent human rights institutions to take part in the programming process. The fact that Ombudsperson's of the Republic of Croatia expressed the interest to become the member of the working group for programming of 2021-2027 funding cycle and that their request

was rejected shows a lack of clear role and understanding between the institutions on possible impact of national independent human rights institutions on programming and usage of EU funds and its human rights compliance.

Besides the programming phase, the important role of the national bodies with human rights remit is monitoring the implementation of the programs and progress in achieving its goals and its human rights compliance. The national bodies with human rights remit in Croatia are members of different evaluation groups and steering committees. However, there are a couple of issues recognised regarding their role in the monitoring process. In some cases, the national bodies with human rights remit are not included in all the monitoring committees of their interest - e.g. the Government Office for Human Rights and Rights of National Minorities and Ombudsperson's of the Republic of Croatia were not included in the implementation monitoring committee of Rural development program 2014-2020. Moreover, in monitoring committees where the ombuds institutions are included, e.g. in the monitoring committee of Operational Program Effective Human Resources 2014-2020, the ombuds institutions have no right to vote. In this research, some participants that are representatives of national bodies with human rights remit pointed out that it is important for the independence of the institutions not to make decisions and to keep only the advisory and observing role in monitoring committees, while others expressed the opinion that the role national bodies with human rights remit and the of possibility of voting in monitoring committees should be re-examined. On the other hand, the lack of capacity of the national bodies with human rights remit in terms of qualified dedicated staff with specific knowledge in human rights and EU funds and time makes it difficult to get involved in the monitoring committees of their interest in a meaningful way. Also, taking into account the lack of human resources to deal with those issues more thoroughly, the complexity of the EU funds system and size of the monitoring committees are sometimes too extensive for entering into a particular activity or performance on a detailed level with limited resources. One of the participants of this research that is a representative of the national body with human rights remit described a monitoring committee as a very formalised monitoring framework in which bodies report to a large extent, that is not a space where there is substantive discussion and where things are changed. The other participant, also a representative of the national body with human rights remit pointed that the focus of discussions on the committee meetings is on implementation problems and technical aspects, while content is discussed when the managing authority reports that the evaluation has been carried out and that implementation problems in the fundamental rights context are not really discussed.

The structural change needed for improvement of the role of the national bodies with human rights remit identified in the course of the research implies including all the national bodies with human rights remit in the monitoring committees of their interest and redefining the authority of national bodies with human rights remit (voting rights, role in monitoring process), followed by raising the capacity of national bodies with human rights remit. The monitoring committees are potentially also the space for ombuds institutions to inform the members of the committee about the key challenges of human rights in Croatia



by presenting their reports and recommendations related to the specific EU funding program. To accomplish that, the role of national bodies with human rights remit in monitoring committees should be recognised and redefined.

The specific role of the national independent human rights institutions recognised in this research is in informing beneficiaries about the possibilities of complaints mechanisms related to human rights violations. As mentioned above, both the Ombudsperson of Croatia and the Ombudsperson for Persons with Disabilities have received and reported on complaints by beneficiaries of EU funds. That clearly shows their role as a part of the complaint system. On the other hand, the most of the CSOs representatives that participated in this research do not recognise ombuds institutions as a body for complaints regarding EU funds and human rights compliance, while they perceive a lack of capacity and mandate of the ombuds institutions to systematically monitor and influence the EU funds implementation problems in the fundamental rights context. Regarding the issue of complaint system, the participants of the round table discussion of this research recognise the need of design of an effective complaint system related to violations of the EU Charter and Convention on the Rights of Persons with Disabilities that would be part of national regulatory framework and policy system established to ensure that potential violations of the Charter and the Convention are identified before they are funded.

When it comes to the role of the national bodies with human rights remit in the evaluation of EU funds, some of them are part of evaluation committees. With this regard they recognise the need for better data collection, regarding the indicators and monitoring the results achieved through horizontal topics principles. In order to make a human rights assessment, the challenge is a lack of data collection that would enable the national bodies with human rights remit to make such an assessment. The participants of the research pointed out that the indicators are monitored at the level of the entire operational program and whether these indicators are met, which are mainly indicators with regard to target groups. In their opinion, this method is not adequate or good enough and they stress the lack of assessment of each individual project and its impact on the target group in relation to all human rights policies. They stress as problematic the fact that they don't have an answer to the question of e.g. how much the ESF's previous perspective has contributed to particularly vulnerable groups. They find problematic their inability to determine or estimate actual effect that was supposed to be achieved through a certain call or investment.

Concerning the monitoring of horizontal principles, the participants of the research that are representatives of the national bodies with a human rights remit recognise the issue of criteria and the way in which enabling conditions are scored and the assessment of the projects' contribution to horizontal topics principles. These issues were also confirmed in the evaluation of the effectiveness, efficiency and impact of the Operational Program "Effective Human Resources" 2014-2020, that puts a special focus on horizontal

principles.<sup>42</sup> Additionally, instructions and scoring systems in the tender dossier are inconsistent between and within individual bodies. Scoring systems are in some cases illogical and/or unclear, and a significant share of calls for funding has been noted to score neutral or even unmentioned contributions to horizontal principles. Finally, the evaluation found a lack of coordination of individual bodies regarding horizontal principles, with a significant delay in issuing user manuals that would facilitate their integration of horizontal principles into project proposals. The evaluation also finds that in the annual reports on the implementation of the Operational Program, there is no analysis of the cumulative effects of the implemented activities on equalisation of opportunities, including the realisation of the principle of accessibility for persons with disabilities. Consequently, the reports do not provide a broader picture of areas for improvement or examples of best practice.

Additionally, participants of this research recognised the need for additional engagement of national bodies with human rights remit is needed to monitor compliance of EU funds with human rights. Moreover, the participants of the research emphasised the need for a stronger obligation of the state to include national bodies with human rights remit in a timely manner as well as the EU ombudsman in the entire process, that is, in all phases of planning and implementation of EU funds. It was pointed out that different national bodies with human rights remit have different capacities for involvement in the planning and monitoring of EU funds, but that all of them lack the capacities for quality involvement in all phases - from programming to evaluation.

The lack of capacities of national bodies with human rights remit is the main obstacle for their efficient involvement in all phases of programming and implementation of EU funds in order to monitor compliance of EU funds with human rights. The participants of the research that are representatives of national bodies with human rights remit expressed concern of taking a greater role in EU funds cycle because of their impression that more and more mandates are being added to national bodies with a human rights remit without them being accompanied by human and other resources. For example, one of the national bodies with human rights remit that took part in this research pointed out that their request for technical assistance within the ESF was denied with the explanation that they cannot have it because they are also a beneficiary body. Later they became aware of the examples of bodies that are also only beneficiaries but were granted technical assistance in 2015/2016.

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<sup>42</sup> Croatia. Evaluating the effectiveness, efficiency and impact of the Operational program "Effective Human Resources" 2014-2020, Group 6. Evaluation of the effectiveness, efficiency and impact of the implementation of the HLP and ESF interventions according to the criterion of regional and local representation with the evaluation of horizontal principles, 2021 ([Vrednovanje djelotvornosti, učinkovitosti i učinka Operativnog programa Učinkoviti ljudski potencijali 2014.-2020., Grupa 6. Vrednovanje djelotvornosti, učinkovitosti i učinka provedbe OPULJP i intervencija ESF-a prema kriteriju regionalne i lokalne zastupljenosti uz evaluaciju horizontalnih načela](#)).

The participants of the research further added limited spatial capacities and lack of dedicated expert staff which are becoming a serious problem. According to their opinion, if a bigger role or a new mandate is to be added to national bodies with a human rights remit regarding monitoring compliance of EU funds with human rights, it must be accompanied by adequate human, financial and spatial capacities.

The positive factors and strength we recognize in this research is the previous experience of the national bodies with human rights remit both in usage of EU funds as beneficiaries and as part of monitoring or evaluation committees. Also, their specific mandates and expertise in different areas of monitoring human rights as well as the regional distribution of ombudsmen are beneficial to covering varieties of compliance of EU Charter and Convention on the Rights of Persons with Disabilities in EU funds. Also, the fact that all participants from national managing bodies, civil society organisations and academia recognize the importance and the role of national bodies with human rights remit in monitoring EU funds is a ground for deepening the understanding and raising the cooperation between different stakeholders, as well as the strengthening the role of national bodies with human rights remit in this area.

#### **4. Critical success factors**

The recognised role of national bodies with human rights remit in EU funds cycle is in providing support and conducting training on human rights, informing stakeholders about the state of human rights in Croatia and informing beneficiaries about the possibilities of complaints mechanisms related to human rights violations. When it comes to providing support and training related to the assessing EU Charter and Convention on the Rights of Persons with Disabilities compliance of EU funds, this is the area where there is a strong cooperation established between the national bodies with human rights remit and state institutions in charge of EU funds and there is a clear recognition of a role of all national bodies with human rights remit in preparing and conducting training from their expertise. The participants of this research clearly emphasised the need for continuous high-quality education / training of all stakeholders involved in programming, implementation, monitoring and evaluation of EU funds on human rights, as well as the need to align funding priorities with the challenges for realising human rights in Croatia.

Regarding the potential role of national bodies with human rights remit in all phases of programming and implementation of EU funds, the participants recognized the programming period as a crucial point for their involvement. The data collected through all four ombudsman's annual work reports and specific thematic or special reports should be discussed in bodies in charge for programming EU funds and should have an influence on the funding priorities. This implies defining a role and space for national independent human rights institutions to take part in the programming process.

The structural change needed for improvement of the role of the national bodies with human rights remit identified in the course of the research implies including all the national bodies with human rights remit in the monitoring committees of their interest and redefining the authority of national bodies with human rights remit (voting rights, role in monitoring process), followed by raising the capacity of national bodies with human rights remit.

The participants of the research also recognized the need for a greater role of national bodies with human rights remit in EU funds cycle and agreed that they should be involved in a timely manner in all stages of the process of planning and implementation of EU funds. They concluded that additional engagement of national bodies with human rights remit is needed to monitor compliance of EU funds with human rights. However, in order to achieve this, the participants particularly emphasised the need for human resources - additional professional staff that could be dedicated to the topics of monitoring EU funds, which is currently a major obstacle to greater involvement of national bodies with human rights remit in programming and monitoring.

Participants emphasised the need for a stronger obligation of the state to include national bodies with human rights remit as well as the EU ombudsman in the entire process, that is, in all phases of planning and implementation of EU funds. It was pointed out that different national bodies with human rights remit have different capacities for involvement in the planning and monitoring of EU funds, but that all of them lack the capacities for quality involvement in all phases - from programming to evaluation.

In conclusion, the need for more frequent dialogue between the bodies responsible for the implementation and management of EU funds, civil society organisations and national bodies with human rights remit was highlighted, as well as the inclusion of all ombuds offices in the planning and programming of EU funds, including in the work of the monitoring committee. The participants suggested that the dialogue for the next programming period should start earlier, and that all stakeholders be included in a timely manner. Participants from civil society organisations emphasised the need to introduce new channels of communication that would be more effective than the current framework that relies on the Government Council for the Civil Society Development.<sup>43</sup>

## 5. Conclusion

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<sup>43</sup> Croatia. Council for the Civil Society Development to the Government of the Republic of Croatia ([Savjet za razvoj civilnog društva Vlade Republike Hrvatske](#)).

In conclusion of the national diagnostic roundtable held in Zagreb on 15 June 2022, the need for more frequent dialogue between the bodies responsible for the implementation and management of EU funds, civil society organisations and national bodies with human rights remit was highlighted, as well as the inclusion of all ombuds offices in the planning and programming of EU funds, including in the work of the monitoring committee. The participants of this roundtable suggested that the dialogue for the next programming period should start earlier, and that all stakeholders be included in a timely manner. Participants from civil society organisations emphasised the need to introduce new channels of communication that would be more effective than the current framework that relies on the Government Council for the Civil Society Development.

In regards to the question of what national regulatory framework and policy system should be established to ensure that potential violations of the Charter and the Convention are identified before they are funded, the participants of the roundtable recognized following concerns and issues:

- a) The need for systematic and continuous education about the Charter of Fundamental Rights,
- b) The issue of the complaint system related to violations of the Charter - how to design a complaint system and how to make it available,
- c) The issue of including all ombuds institutions in the management committees, as well as programming and the issue of the authority of ombuds institutions (voting rights, role in monitoring process),
- d) The need to inform the members of the management committee by the ombuds institutions about the key challenges of human rights in Croatia.

In addition, when in the programming phase, recommendations deriving from the evaluation process should be taken into account, especially in the area of horizontal priorities and other topics sensitive for the realisation of the human rights of different vulnerable groups.

The civil society organisations representatives in the conducted interviews stated a few groups of problems:

- a) Systemic - some funds (e.g. ESF) are seen as a "patch of the existing system"<sup>44</sup> instead of as an upgrade of the social services system. Civil society is not recognized as a partner to the government and the state in the EU funding process. Administration in some of the EU funds (ESF) is overburdened and seen as a human rights violation of those implementing the projects (excessive bureaucratization of the EU funds on the national level). Mechanisms of support to civil society in the EU funding process are deficient (e.g. critical voices in regards to the two institutions in the institutional framework for civil society development: "*National Trust for the Civil Society Development has become anything but for the development of the civil society. Office for cooperation with the NGOs - there is no new strategy for civil society development.*"<sup>45</sup>).

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<sup>44</sup> Quote from the interview with the civil society representative.

<sup>45</sup> Quote from the interview with the civil society representative.

- b) The issues of privacy and data protection - managing authorities request collection of personal data from users coming from vulnerable groups through e.g. signatory / attendance list requesting the users to declare themselves as ethnic minority.
- c) Complaints mechanisms and procedures - legal uncertainty for the beneficiaries of the EU funds (in this case, civil society organisations) is often mentioned: "... (it is not a good practice for) ... complaints to be resolved within the same ministry, rules are changed every now and then, tenders are extended, and eligibility rules are changed."<sup>46</sup> In regards to respect of the deadlines, it is often that implementing bodies do not respect the calendar for calls for proposals, nor indicative calendar related to evaluation, administrative evaluation, qualitative evaluation, publication of results.
- d) The role of the Ombuds institutions - according to civil society representatives, the Ombuds institutions could have a bigger role in all of the parts of the process, from programming to evaluation and reporting ("*Ombudspersons should be involved in the entire segment, which means additional resources for them. (...) Vision, planning, agreement, implementation, evaluation*").<sup>47</sup> The emphasis is on the programming stage as this would be an opportunity to link tenders with horizontal themes and national plans but there is a belief that there is potentially no political will to do so. Identified obstacles in regards to more involvement of the ombuds institutions are: there is no awareness of the role or of its potential, lack of authority and lack of capacities. Another issue is possible conflict of interest - if ombuds institutions are monitoring the process, there is a possibility they could not apply for the EU funds.

On the basis of the presented conclusions, there are a couple of groups of recommendations directed at different stakeholders:

- A) Government of the Republic of Croatia
  - To include national bodies with human rights remit in the entire EU funding process, that is, in all phases of planning and implementation of EU funds.
  - To establish more frequent dialogue between the bodies responsible for the implementation and management of EU funds, civil society organisations and national bodies with human rights remit, as well as the inclusion of all ombuds institutions in the planning and programming of EU funds, including in the work of the monitoring committees.
  - To introduce new channels of communication with the civil society that would be more effective than the current framework that relies on the Government Council for the Civil Society Development.
  - To provide continuous high-quality education/training on human rights for all the stakeholders involved in programming, implementation, monitoring and evaluation of EU funds. Taking into account complexity and comprehensiveness of the EU Charter, these trainings should be more than one-time one-day training and should be adopted to focus on specific national context.

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<sup>46</sup> Quote from the interview with the civil society representative.

<sup>47</sup> Quote from the interview with the civil society representative.

- To discuss the all four ombuds' annual work reports and specific thematic or special reports in bodies in charge for programming EU funds. This implies defining a role and space for national independent human rights institutions to take part in the programming process.
- To include all the national bodies with human rights remit in the monitoring committees of their interest and to redefine the authority of national bodies with human rights remit (voting rights, role in monitoring process), followed by raising the capacity of national bodies with human rights remit.
- To recognise and redefine the role of national bodies with human rights remit in monitoring committees in order to accomplish that the members of the monitoring committees are informed on the key challenges of human rights in Croatia by presenting ombuds institutions' reports and recommendations related to the specific EU funding program.
- To implement recommendations from findings of evaluation of the effectiveness, efficiency and impact of the Operational Program "Effective Human Resources 2014-2020" conducted in March 2021 that puts a special focus on horizontal principles (promoting equality between men and women, promoting equal opportunities and non-discrimination, sustainable development).
- For implementing bodies to publish and adhere to the yearly indicative calendar for the EU funds.
- For managing authorities and implementing bodies to resolve the issues of privacy and data protection related to (self)declaration in the project implementation documentation (attendance lists or other forms for recording the beneficiaries of certain programs).
- To design an effective complaint system related to violations of the EU Charter and Convention on the Rights of Persons with Disabilities that would be part of the national regulatory framework and policy system established to ensure that potential violations of the Charter and the Convention are identified before they are funded.
- To ensure efficient capacities - human, financial and spatial for the national bodies with human rights remit. If a bigger role or a new mandate is to be added to existing ones of the national bodies with human rights remit regarding monitoring compliance of EU funds with human rights, they need to be capacitated with dedicated expert staff.

#### B) Ombuds institutions

- To take a lead role in the design of an effective complaint system related to violations of the EU Charter and Convention on the Rights of Persons with Disabilities that would be part of the national regulatory framework and policy system established to ensure that potential violations of the Charter and the Convention are identified before they are funded.
- To initiate thematic discussions on all four ombuds' annual work reports and specific thematic or special reports in bodies in charge for programming EU funds.

#### C) Civil society

- To timely report irregularities through dedicated complaints mechanisms within the competent authorities as well as to report these irregularities to Ombuds institutions.

D) European Commission

- To facilitate the process of inclusion of the national bodies with human rights remit as well as the EU ombudsman in the entire EU funding process, that is, in all phases of planning and implementation of EU funds.
- To ensure comprehensive capacity raising process / training for the national human rights bodies in the area of fundamental rights and EU funds.