

INSTITUTE OF COMPARATIVE LAW
FACULTY OF LAW, JOSIP
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BOOK OF ABSTRACTS
FROM THE INTERNATIONAL SCIENTIFIC CONFERENCE

**20 YEARS OF THE CONVENTION ON THE
RIGHTS OF PERSONS WITH DISABILITIES**
25-26 September 2025

Editors:
Aleksandra Rabrenović
Helga Špadina

Belgrade, 2025

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THE RIGHT OF PERSONS WITH INTELLECTUAL DISABILITIES TO LIVE INDEPENDENTLY AND BE INCLUDED IN THE COMMUNITY IN SELECTED EUROPEAN COUNTRIES

The Article 19 of the UNCRPD guarantees to persons with disabilities the right to live independently and to be included in the community. This includes the opportunity to choose their place of residence and where and with whom they live on an equal basis with others; to have access to a range of in-home, residential and other community support services, including personal assistance necessary to support living and inclusion and to prevent isolation or segregation from the community. A general Comment No. 5 on living independently and being included in the community, adopted by the CRPD Committee in 2017, further elaborates on this right in order to support its implementation.

The objective of this paper is to examine the legal frameworks of selected European countries which have been adopted over the past two decades, as a response to UNCRPD, in order to exercise the right of the persons with disabilities, especially persons with intellectual disabilities, to living independently and to be included in the community. The paper shall include especially the legislation of “best practice” examples of the Nordic countries, especially Sweden and Denmark, and analyse them from the normative and sociological perspective.

Authors conclude that in all analysed countries there have been increasing efforts to provide persons with intellectual disabilities with social services necessary for independent living, which are based on newly adopted legislations founded on the UNCRPD provisions. However, there are still many issues which persons with intellectual disabilities face in order to realise their rights in practice. Even in developed welfare systems, such as the Nordic countries, there are organisational

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issue stemming from the need to combine several responsible parties which provide different support service. For persons with extensive needs this often leads to problems to exercise the right to independent living in practice. In order to improve the implementation of the reformed legislation in analysed countries and the countries all around the world, there should be change in broader social paradigm, from seeing persons with intellectual disabilities as subjects to charity to bearers of the right to a dignified life.

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