



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women**

**Consideration of reports submitted by States parties under  
article 18 of the Convention**

**Fourth and fifth periodic reports of States parties due in 2009**

**Croatia\***

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\* The present document is being issued without formal editing.



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## I. Introduction

1. This is the combined Fourth and Fifth Periodic Report of the Republic of Croatia on the implementation of the UN Convention on the Elimination of All Forms of Discrimination against Women (hereinafter: Convention) which is submitted to the UN Committee for the Elimination of Discrimination against Women. The Office for Gender Equality of the Government of the Republic of Croatia coordinated the reporting process which included all relevant ministries and other state administration bodies.

2. The Fourth and Fifth Periodic Report refers to the period from 2005 to 2010. It has been drafted in conformity with the reporting guidelines related to international treaties in the area of human rights that regulate the form and content of periodical reports. The Report contains answers to the Concluding Comments, the main areas of concern and the recommendations of the UN Committee for the Elimination of Discrimination against Women, following the most recent consideration of the Second and Third Periodic Report of the Republic of Croatia ([CEDAW/C/CRO/2-3](#)). The present Report includes information concerning the implementation of the articles under Chapters I-IV of the Convention for the referred period.

## II. Responses to the Concluding Comments, principal areas of concern and recommendations of the UN Committee on the Elimination of Discrimination against Women of 2005

3. The references concern paragraphs 18-42 of the Concluding Comments ([CEDAW/C/CRO/2-3](#)) of the UN Committee on the Elimination of Discrimination against Women (hereinafter: Committee) on the Combined Second and Third Periodic Report of the Republic of Croatia considered in 2005.

### Paragraph 18

4. Immediately following the adoption the Concluding Comments by the Committee at the beginning of 2005, the Croatian public was informed about them through a press conference held in the Office for Gender Equality of the Government of the Republic of Croatia (hereinafter: Office). The Concluding Comments and recommendations were presented to ministries, to the Parliament, civil society organisations and other stakeholders. They were also posted on the Office's website. The printed edition of the Concluding Comments, published by the Office, has been continuously disseminated since 2006 as part of the publication that also includes the second edition of the Convention and its Optional Protocol. Please see the information presented in paragraph 42.

5. The areas of concern and all the recommendations from the Concluding Comments have been included in full as priority goals accompanied by actions in the National Policy for the Promotion of Gender Equality 2006 – 2010 (in Annex 5). The Convention for the Elimination of All Forms of Discrimination against Women forms part of the legislative framework on which the new Gender Equality Act of July 2008 is based (in Annex 3).

**Paragraphs 19 and 20**

6. Statistical data on the situation of minority women and women with disabilities are presented in Tables 1-5 in Annex 2 to this Report. We would also like to refer to the answers in paragraphs 29 and 30 with regard to the situation of Roma women. Please see also Articles 104-112 of the Universal Periodic Review on human rights (hereinafter: UPR) in Annex 2. The goals and measures for improving the social status of women members of national minorities and women with disabilities, and for eliminating discrimination against Roma women are included in the National Policy for the Promotion of Gender Equality 2006-2010.

7. In November 2008, the Office for Gender Equality and the Office for National Minorities of the Government of the Republic of Croatia established a Working Group to collect data on women members of national minorities, consisting of women representatives of national minorities and government institutions. During the 2007 – 2011 term of the Croatian Parliament, the Czech national minority was represented by a woman. Members<sup>1</sup> of national minorities elect their representatives in the manner and under the conditions laid out in the Constitutional Act on the Rights of National Minorities, in order to participate in public life and manage local affairs through local national minority councils in units of local and regional self-government. According to the results of the elections of members of national minority councils in units of local and regional self-government conducted in June 2007, women accounted for 23.7%. The Office for National Minorities of the Government of the Republic of Croatia, in cooperation with the United Nations Development Programme (hereinafter: UNDP), conducted a survey entitled “Analysis of the position of women of the Serb national minority in the labour market”. The Office for Gender Equality and the Office for National Minorities of the Government of the Republic of Croatia co-organised a round table discussion with the Club of Albanian Women “Queen Teuta” entitled “Integration of Albanian Women in Croatian society”. Financial support was given to the organisation of educational forums and the publication of their magazine *Ilirija*. In 2006, the Office provided financial assistance for the seminar “Identity, Gender and Sexual Equality”, organised by the association Delfin from Pakrac as part of the programme “Affirmation of Ethnic Identity through the Affirmation of Minority Rights”. Other government offices also provided financial support to projects related to the promotion of the status of women members of national minorities. Forums on the status of women members of national minorities were also held at local level under the organisation of county gender equality commissions. In January 2007, the National Policy for the Promotion of Gender Equality 2006 – 2010 and the UN Convention for the Elimination of All Forms of Discrimination against Women were presented and distributed at a seminar on the training and integration of young members of national minorities organised by the Office for National Minorities of the Government of the Republic of Croatia. Every year, the Council of National Minorities, as part of the activity of providing support for programmes promoting the cultural autonomy of national minorities, awards funds to associations of women members of national minorities. The amount of funds awarded in 2006 amounted to HRK 169,000, in 2007 to HRK 218,000, in 2008 to HRK 267,000, in 2009 to HRK 320,000, and in 2010 to HRK 307,000.00. In the above stated period, grants were

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<sup>1</sup> Pursuant to Article 43 of the Gender Equality Act, words and terms having a gender meaning, regardless of whether they are used in the male or female grammatical gender, relate equally to both the male and female sex.

provided to the “Drita” association of Albanian women, the “Queen Teuta” club of Albanian women, the “Hungarian Women Catholics” association, the “Better Future” Zagreb Roma women association, and the “Roma Heart” Roma women association from Jagodnjak.

8. The Republic of Croatia was one of the first countries to sign the UN Convention on the Rights of Persons with Disabilities in June 2007 and embedded its provisions in the National Strategy for the Equalisation of Opportunities for Persons with Disabilities 2007 – 2015. Measures for preventing violence against women with disabilities have also been included in the National Strategy for Protection against Family Violence 2005 – 2007 (in Annex 7). The Joint Inclusion Memorandum of the Republic of Croatia (JIM) and the National Policy for the Promotion of Gender Equality 2006 – 2010 prescribe the obligation of financing projects aimed at improving the position of women with disabilities. A special discussion was held at the 12th Croatian Symposium of Persons with Disabilities on the “Application of the UN Convention to Women with Disabilities”. Ministries and government offices, in cooperation with NGOs that support persons with disabilities, organised a number of seminars, conferences, symposiums, forums, round table discussions, and other activities. On all these occasions, copies of the UN Convention for the Elimination of All Forms of Discrimination against Women, and the Concluding Comments of the UN Committee on the Elimination of Discrimination against Women to the Combined Second and Third Report of the Republic of Croatia under Article 18 of the Convention, the National Policy for the Promotion of Gender Equality 2006 – 2010, and other relevant national and international documents were distributed. Continuous cooperation is conducted with the national umbrella organisation, the Union of Associations of Persons with Disabilities in Croatia (hereinafter: SOIH), which includes an active network of women with disabilities. In 2007, they established an SOS telephone for women with disabilities. The Ministry of Family, Veteran’s Affairs and Intergenerational Solidarity made improving the status of women with disabilities a priority area in competitions for funding the projects of civil society organisations, and thus funded a total of 33 projects in 2008, 2009 and 2010 to the amount of HRK 2,422,829.80. In 2008, the Office for Gender Equality funded six NGO projects on the theme “Empowering Women with Disabilities for Participating in Political Decision Making at the Local Level” to the total amount of HRK 165,000. In 2007, the Office published the National Policy for the Promotion of Gender Equality 2006 – 2010 in Braille in a circulation of 200 copies, and organised its public presentation in cooperation with SOIH. The International Day of Persons with Disabilities is regularly marked at national and local levels on 3 December. It includes the implementation of the project “Same but Different”, aiming at the affirmation and more active integration of women with disabilities in the life of the community in areas of special state concern. Towards the end of 2009, SOIH as part of the “Situation of Women with Disabilities in the Republic of Croatia” project, funded by the Ministry of Health and Social Welfare, conducted a survey on the status of women with disabilities in the Republic of Croatia, with special emphasis on establishing the key features, such as discrimination issues and obstacles to full social integration in the community. The Croatian National Institute for Public Health conducted a survey in 2009/2010 under the title “Health-related quality of life of women with disabilities in relation to their employment status” as part of a project in the area of social welfare.

**Paragraphs 21 and 22**

9. The new anti-discrimination legislation adopted in 2008, the Anti-discrimination Act (in Annex 4) and the Gender Equality Act, prescribed the obligation of courts to keep statistical data on sexual and other forms of discrimination. Article 14 of the Anti-discrimination Act prescribes that all judicial bodies shall keep records of court cases related to discrimination and of the discrimination grounds for conducting the proceedings, and submit them to the Ministry of Justice. The Ministry of Justice and the special ombudsmen shall submit records and statistical data on court cases related to discrimination to the People's Ombudsman. The People's Ombudsman and the special ombudsmen shall classify by gender all the records of discrimination cases falling within their competence. The Ministry of Justice produced Forms for the statistical monitoring of court cases related to discrimination and of the discrimination grounds for conducting the proceedings for misdemeanour, municipal and county courts. The Ombudsman for Gender Equality receives all reports related to discrimination on grounds of sex, sexual orientation, marital and family status. She informs persons who filed reports about their rights and obligations, undertakes activities that fall under her competence to eliminate discrimination even when court proceedings have not been initiated, warns the public about the occurrence of discrimination, files criminal reports related to cases of discrimination, collects and analyses statistical data on cases of discrimination, submits annual reports to the Croatian Parliament on occurrences of discrimination, and conducts surveys and provides recommendations concerning the improvement of protection against discrimination. The number of complaints filed with the Ombudsman for Gender Equality has grown from 88 in 2004, 174 in 2005, 193 in 2006, 268 in 2007, 288 in 2008, 283 in 2009, to 323 in 2010. Complaints related to discrimination on grounds of gender as part of the total number of complaints fell from 91.98% in 2006 to 85% in 2010, and complaints related to discrimination on grounds of family and marital status rose from 6.42% in 2006 to 9.2% in 2010, and on grounds of sexual orientation from 1.06% in 2006 to 5.8% in 2010. Since 2010, courts have kept the statistics of court cases according to the type of, and grounds for, discrimination. According to the Ombudsman's Report on Discrimination in 2010, it was found that the number of disputes conducted on the grounds of sexual and gender discrimination is very small. A total of 68 cases were conducted before Croatian courts in 2010 (10 from earlier periods and 58 that were newly received in 2010) on different discrimination grounds pursuant to Article 1 of the Anti-discrimination Act. A total of 9 cases were completed with a final judgement by the end of the year. A total of 4 civil cases (1 from earlier periods and 3 received in 2010) concerned discrimination on grounds of gender. There were no criminal and misdemeanour cases. All 4 civil cases remained outstanding. A total of 12 cases were conducted on grounds of gender orientation (10 of which were new cases, initiated in 2010). One case was resolved by a final judgement by a dismissal of the statement of claim in civil litigation.

10. In 2008, the Judicial Academy organised a round table discussion on the topic "Gender Equality: Application of the UN Convention for the Elimination of All Forms of Discrimination against Women (CEDAW) before Croatian Courts and Croatian Legislation and Practice", which was directed towards judges and state attorneys specialising in the area of labour, family and social law, and representatives of state administration bodies in charge of the promotion and protection of women's rights and the prevention of discrimination on grounds of

gender. Since 2007, the Academy of European Law in Trier and the Judicial Academy have held seminars related to the topic “Anti-discrimination Directives 2000/43 and 2000/78”, and “EU Law on Equality between Women and Men in Practice”. In 2009, the Judicial Academy held workshops on the European Convention on Human Rights in its 5 regional centres, with the aim of informing judges and state attorneys of the importance of the European Convention on Human Rights, the method of work of the European Court of Human Rights in interpreting and applying this Convention, and of developing sensitivity for its application in case law, as part of the Matra Programme of the Dutch Ministry of Foreign Affairs. Seminars for judges were held in the same year, dealing with the topic “European Convention for the Protection of Human Rights and Fundamental Freedoms: Contemporary Trends and Application in EU Law” in cooperation with the Embassy of the Republic of Finland. In 2006, as part of the pre-accession programme of the European Commission (CARDS), the project “Improvement of the Legal and Institutional Framework for Achieving Gender Equality” of the Faculty of Law of the University of Zagreb was implemented in cooperation with the association CESI – Centre for Education, Counselling and Research (hereinafter: CESI), and it included the training of judges, lawyers, employers and politicians, as well as a public campaign and the publication of the results of a survey.

11. The Office of the Ombudsman, the Office for Human Rights of the Government of the Republic of Croatia and the Centre for Peace Studies received funds from the European Commission as part of the PROGRESS Community programme to the amount of € 306,052.10 for the implementation of the project “Support to the Implementation of the Anti-discrimination Act”. The project was implemented from 1 December 2008 to 1 December 2009, and covered the training of groups that are directly involved in the implementation of the Anti-discrimination Act, a public opinion poll on discrimination, a public campaign with a view to sensitising the public and informing it about the work of the central body in charge of suppressing discrimination, a website with basic information about the project, and a manual on the implementation of this Act. A conference under the title “The Ombudsman as the Central Body to Combat Discrimination” was also held as part of the project on the occasion of the coming into force of the Anti-discrimination Act, as well as the international conference “Anti-discrimination Legislation and Case Law” and a round table discussion on the implementation of the Anti-discrimination Act. As part of this project, the Judicial Academy held several awareness raising seminars for judges on anti-discrimination legislation, including the area of application of the Anti-discrimination Act.

#### **Paragraphs 23 and 24**

12. Since 2006, the Croatian Bureau of Statistics (hereinafter: CBS) has published annually “Women and Men in Croatia”, a publication containing gender-disaggregated statistical data in the following areas: population, health, education, employment and earnings, social welfare and pensions, administration of justice and political power. Please see the publication “Women and Men in Croatia 2012” in Annex 8 of this Report. The CBS also regularly publishes a Statistical Yearbook, monthly statistical reports with gender-disaggregated data and First Releases with statistical data on persons in paid employment by activity and by sex, and the average monthly gross and net earnings of employed persons by sex. The CBS also issues thematic publications, such as Statistical Reports – Elections 2005 and

Elections 2009 and Domestic Violence 2001 – 2006, Domestic Violence: Legal Framework and Forms of Appearance 2007 – 2010. The Development Strategy of Official Statistics of the Republic of Croatia 2004 – 2012 emphasises gender statistics as one of the specific goals and binds the CBS to disaggregate and express all data on individuals by sex, to analyse and present all variables and characteristics by sex as a primary and comprehensive classification category, as well as to reflect all gender issues in statistical data.

13. The assessment of the impact and the evaluation of the implementation of anti-discrimination legislation with the aim of increasing the degree of applicability by defining and proposing necessary amendments, and of strengthening its further implementation towards combating gender discrimination, have been embedded as a separate measure in the National Policy for the Promotion of Gender Equality 2006 – 2010. The impact of particular laws has regularly been monitored, amendments have been adopted, and many new important legislative changes have been introduced. Please see the list of legal acts and other legislation in Annex 1, as well as the answers in Article 2 (a-b).

14. The Gender Equality Office is in charge of supervising the implementation of the National Policy for the Promotion of Gender Equality as the most important national strategy for the elimination of discrimination against women, and is bound to report on its implementation every two years to the Government of the Republic of Croatia. Reports on the implementation of the National Policy for the Promotion of Gender Equality for the period from October 2006 to December 2008 and for 2009 and 2010 have been submitted to the Government of the Republic of Croatia. Both reports contain comprehensive information about the state of implementation of each individual measure, an analysis of achievements, and recommendations for future action. They are available to the public through the Office's website [www.ured-ravnopravnost.hr](http://www.ured-ravnopravnost.hr). The National Policy for the Promotion of Gender Equality 2006 – 2010, (hereinafter: National Policy) in its introductory part also contains an evaluation of the implementation of the previous National Policy for the Promotion of Gender Equality 2001 – 2005. The implementation of the National Policy was discussed at the sessions of the Committee for Gender Equality of the Croatian Parliament, and at the plenary sessions of Parliament. Since 2005 the Office has been submitting annual reports on the implementation of the National Policy based on the commitments of the process of accession negotiations for the European Union in Chapter 19 "Social Policy and Employment". A large number of other reports on its implementation have also been drafted for the needs of the Council and various Stabilisation and Association Agreement committees and subcommittees, as well as six-monthly reports on "Self-evaluation of the progress of the RC in the process of accession to the EU". The obligation of implementing the National Policy has also been included in all annual National Programmes for the Accession of the Republic of Croatia to the European Union from 2004 to 2010. It is also a component of the Programme of the Government of the Republic of Croatia for the assumption and implementation of the *acquis communautaire* in 2010. After closing the negotiations in Chapter 19 "Social Policy and Employment", the reporting continued through "monitoring tables" which introduced the obligation of submitting updated data on achievements, actions taken and planned activities related to the implementation of the National Policy, including the activities of the Ombudsman for Gender Equality as an independent body. In its most recent Progress Report on the Accession of the Republic of Croatia to the EU for 2010, the



European Commission assessed that overall good progress was made in the field of gender equality, women's rights and the application of the equal opportunities principle. It also stressed the progress made on the implementation of the National Policy for the Promotion of Gender Equality 2006 – 2010, the continuation of awareness-raising activities on gender equality, and the establishment of the gender dimension in public policy and in anti-discrimination legislation.

#### **Paragraphs 25 and 26**

15. The funds for the work of the Office for Gender Equality are earmarked in the State Budget. Since its foundation in 2004, a growth in budget funds and number of employees has been recorded. The number of employees in the Office grew from 2 persons in 2004, 4 persons in 2005 and 6 persons in 2006 – 2009, to 7 persons in 2010. The budget of the Office grew from HRK 964,000 in 2004 to HRK 1,700,000 in 2005, HRK 3,300,000 in 2006, HRK 3,700,000 in 2007, and 4,100,000 in 2008. Due to the recession and the reduction of the total State Budget, the budget of the Office for 2009 was reduced to HRK 2,700,000 and to HRK 2,450,000 in 2010. The UN Council for Human Rights, when presenting the UPR for Croatia in December 2010, recommended the building of the human resource and financial capacities of the Office for Gender Equality. During the adoption of the new Gender Equality Act in 2008, it was stated as an introduction that the human resource capacities of the Office for Gender Equality must be enhanced.

16. The funds for the operation of the Office of the Ombudsman for Gender Equality are provided from the State Budget, and they grew from HRK 1,525,405 in 2005 to HRK 2,952,300 in 2010. From the establishment of the institute of the Ombudsman for Gender Equality until 2010, it employed 8 members of staff in addition to the Ombudsman for Gender Equality and her deputy (a total of 10 persons), and since 2010, the number of staff has grown to 11, making a total of 13 employed persons. Pursuant to the new Gender Equality Act of 2008, it was determined that the tasks of the independent body in charge of combating discrimination in the area of gender equality shall be performed by the gender equality Ombudsman, which redefined her remit on the basis of the obligations arising from the assumption of the EU acquis, which is prescribed in Directive 2002/73/EC and Directive 2006/54/EZ on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation. The Anti-discrimination Act broadened the competence of the Ombudsman for Gender Equality in terms of allowing her to intervene in court proceedings on the side of the plaintiff.

17. The Office for Gender Equality of the Government of the Republic of Croatia has been regularly cooperating with the Gender Equality Committee of the Croatian Parliament and the Ombudsman for Gender Equality by jointly participating in a large number of different sessions, conferences, forums, round table discussions, public debates and other events, often in cooperation with county commissions for gender equality and NGOs. This cooperation is also visible in the drafting of acts in this area. A number of thematic sessions were held at the Gender Equality Committee on the implementation of the National Policy for the Promotion of Gender Equality, the new Gender Equality Act, the status of women in the labour market, the political participation of women at local elections, the report of the Croatian Radio and Television (hereinafter: HRT) on the promotion of gender equality, and other topics. The Office for Gender Equality has been coordinating the

work of county commissions for gender equality and for this purpose implemented a number of activities and established and organised annual coordination meeting of the commissions. The database of all county, town and municipal commissions for gender equality is available on the Office's website [www.ured-ravnopravnost.hr](http://www.ured-ravnopravnost.hr). The database contains a broad overview of the commissions' activities. In 2009, the Office conducted a tendering procedure for offering financial support to NGO projects in the area of "Strengthening Institutional Mechanisms – Training of County Commissions for Gender Equality". Regular cooperation is also carried out with gender equality coordinators in state administration bodies. In 2009 and 2010, four one-day seminars were held on the "Legal Provisions Concerning Gender Equality" at the Civil Service Training Centre within the Ministry of Public Administration. Cooperation with civil society involves the permanent financing of projects of NGOs. Information about this is presented in Table 6, Annex 2 to this Report. The Office undertakes a significant number of other activities in partnership with NGOs, and involves their representatives in working bodies that prepare particular acts for adoption. Please see the answers in Article 2 points 86 and 87.

### **Paragraphs 27 and 28**

18. The national legislation has also been aligned with the *acquis* of the European Union (hereinafter: EU) in negotiating Chapter 19 – Social Policy and Employment – in the area of equal opportunities, which was closed at the end of 2009. According to the assessment of the EU stated in its Common Position on this Chapter, the adoption of the new Gender Equality Act in July 2008 completed legal alignment in the areas of access to employment, vocational training and promotion, working conditions, access to and supply of goods and services, equal pay, occupational social security and burden of proof. The Act also leads to a broadening of anti-discrimination in the labour market and employment. It also introduces the prohibition of discrimination in relation to giving birth, pregnancy, parenthood and all forms of foster care, as well as in terms of achieving a balance between private and professional life. Sanctions have been introduced for the discriminating conduct of employers. Any form of sexual discrimination in the areas of work and employment is also proscribed by the Anti-discrimination Act.

19. A new Labour Act was adopted in 2009, and since the beginning of its application on 1 January 2010, it has been aligned with the Gender Equality Act and the Anti-discrimination Act. It prohibits direct and indirect discrimination in the areas of work and working conditions, including the selection criteria and conditions for employment, promotion, professional orientation, vocational training and professional development, and retraining, and prescribes the obligation of the employer to protect the worker's dignity during the performance of his or her work. The labour law provisions of the Labour Act have been aligned with the EU Directives regulating the implementation of the principle of equal opportunities and equal treatment of men and women in employment and occupation.

20. A new National Classification of Occupations was adopted in 2008 which refers for the first time to all occupations in the female and male gender. In 2010, the Government adopted a Regulation on the Classification of Jobs in Local and Regional Self-government which prescribes the use of job titles in administration in the male and female grammatical gender. The Ordinance on uniform standards and criteria for defining job titles and descriptions in the civil service of 2007 prescribes the obligation of using the female and male grammatical gender in job titles, when

adopting decisions on job assignments in the civil service and other decisions on the rights and obligations of civil servants. Significant progress has been made in advertising vacancies in public journals, and, in the opinion of the Ombudsman for Gender Equality, the legal obligation of stating that persons of either sex can apply for the advertised job has mainly been observed. These changes represent a significant contribution to the suppression of stereotypes about male and female roles in the labour market and to combating linguistic gender discrimination.

21. The Government adopted the National Action Plan for Employment 2005 to 2008, which was based on the Employment Guidelines related to gender equality of the European Union for Member States (Employment Guideline 6). The annual plans for the promotion of employment for 2006, 2007 and 2008 were adopted on the basis of this Plan. In 2008, the Joint Assessment of the Employment Policy Priorities in the Republic of Croatia (JAP) was signed by the Government of the Republic of Croatia and the European Commission. In 2008, the National Employment Promotion Plan for 2009 and 2010 was adopted, which stressed as key actions an increase in the level of employability and the rate of participation of women of prime age (especially those with low or inappropriate skills) in the labour market. The employment of women and the education of the unemployed through training, professional development and retraining programmes, as well as public works, was financed and subsidised pursuant to these plans.

22. The Croatian Employment Service (hereinafter: CES) developed a grant scheme for the project “Women in the Labour Market” as part of the Human Resources Development Operational Programme, of Component IV of the Instrument of Pre-accession Assistance (hereinafter: IPA) to the amount of €2,017,480, which was used to support a number of projects devoted to the involvement of women who are faced with particular employment difficulties in the labour market. As part of the same project, €1,000,000 was devoted to conducting an analysis of the situation and providing recommendations to improve policies and programmes in this area. In 2009 and 2010, the CES implemented the project “Supporting Equality in the Croatian Labour Market” as part of the Community Programme for Employment and Social Solidarity – PROGRESS. A “Compendium of Best Practices in Promoting Diversity and Implementing Anti-discrimination Measures in the Labour Market” and “Guidelines for Combating Discrimination and Promoting Diversity in the Labour Market” were developed as part of this project. Various training seminars for employers on the application of anti-discrimination measures were conducted. Several projects were conducted as part of IPA, directed at improving the status of women with disabilities: “Establishing Support in Social Integration and Employment of Disadvantaged and Marginalised Groups” and “Fostering Effective Inclusion of Persons with Disabilities into the Labour Market”. At the end of 2010, a help desk was set up, providing support to employers with a view to combating discrimination. The Ombudsman for Persons with Disabilities considers that the nomenclature of occupations for persons with disabilities does not generally follow the needs of the labour market, which highlights the difficult position of women with disabilities, shown by the fact that out of a total number of 1,022 persons with disabilities employed in 2009, there were only 422 women with disabilities.

23. Several important empirical studies were conducted on the status of women in the labour market. In 2007, the Office for Gender Equality commissioned the empirical study “Identifying Discrimination Standards in the Employment of

Women”. In 2007, the Ministry of Family, Veterans’ Affairs and Intergenerational Solidarity, in cooperation with the Faculty of Economics of the University of Zagreb, conducted a survey entitled “Sector of Women’s Employment and Fertility in Croatia”. The MojPosao website regularly conducts surveys that include a gender component – “Gender Roles in the World of Work” (2007), “Employment Survey” (2008), and a survey on the perception of gender differences in the business environment “Men and Women in the Business World”.

24. Financial support was also provided to projects of NGOs promoting the implementation of policies of equal opportunities and empowerment of women in the field of work and employment. For example, the following projects were supported: the research project of the Centre for Civic Initiatives from Poreč “Through Social Responsibility to Better Conditions for Women”, the survey “Promoting the Policy of Equal Opportunities at Work” of the CESI, the project “Women’s Clubs – Adapted Individualised Support to Long-term Unemployed Women” of the Women’s Group “Korak” from Karlovac, and the project of CESI and DOMINE from Split entitled “Creating New Opportunities in the Labour Market”. NGOs also held round table discussions on the topic “The Feminisation of Poverty and Women in the Labour Market” organised by the Autonomous Women’s House Zagreb, CESI organised a conference under the title “The Position of Women in the Labour Market”, and the B.a.B.e Group for Women’s Human Rights (hereinafter: B.a.B.e.) organised the conference “Development Model of Women’s Entrepreneurship within a Stimulating Entrepreneurial Environment”, as well as many others.

25. Please see Paragraphs 21 and 22 item 9 for the total number of complaints filed with the Ombudsman for Gender Equality. The share of complaints relating to the areas of work and employment decreased from 38.5% in 2005, to 35.2% in 2006, and 32% in 2010. A detailed analysis of this type of complaint shows that the largest number of complaints of direct discrimination in the areas of work and employment in 2010 related to the area of social welfare and the pension and health insurance systems, as well as to the area of unemployment insurance (42.4%). Complaints concerning work and working conditions amounted to 25.7%. A total of 31.9% of complaints concerned employment and promotion selection criteria and requirements, and access to all kinds of professional orientation, training, professional development and retraining.

26. According to the inspection of employers conducted by the State Inspectorate, women account for a significantly larger percentage in the number of wronged persons on the basis of illegal overtime work (53.6% in 2009, and 55.2% in 2010), as well as on the basis of being denied the right to a weekly rest day (69.2% in 2009 and 65.1% in 2010). Within two years, due to established breaches of health and safety at work measures, health and safety inspectors filed an average of 200 improvement notices against employers (173 in 2009, and 233 in 2010), 230 various prohibition notices (174 in 2009, and 297 in 2010), and 320 motions to initiate proceedings for minor offences (251 in 2009, and 400 in 2010). In 2009, a total of 23,324 women, and in 2010 a total of 20,941 women were covered through health and safety at work inspections. In 2009, a total of 5,057 women, and in the following year 2,428 women were found in jobs with special working conditions. In two years, a total of 396 women suffered injuries at work (179 in 2009, and 217 in 2010).

27. An increasing number of children are being included in preschool programmes. According to the data of the Ministry of Science, Education and Sports, inclusion in preschool programmes has been growing over the years, so that in 2005, 51.9% of a total of 280,767 preschool-aged children were included in preschool programmes, and by 2010 this percentage grew to 58%. The working hours of kindergartens and other legal entities that care for preschool children were aligned with the parents' working hours, so that kindergartens generally work from 6 a.m. to 8 p.m., and those that have established a shift programme even to 10 p.m. A total of 283 kindergartens were built from 2005 to the end of 2010. There were 673 kindergartens in 2010. From January 2006 to 31 December 2009, with the financial support of the World Bank and the State Budget, equipment was provided for 96 new kindergarten venues in municipalities and towns in areas of special state concern, where no systematic educational work with preschool children had previously been done. Amendments to the *Preschool Education Act* in 2007 also allow foreign legal entities to establish kindergartens. In 2009, a total of 19.4% of children attended private kindergartens.

28. The number of elementary schools that work in a single shift increased to 39.24% in 2010, while the number of schools that work in three shifts significantly decreased to 1.95%. The number of students attending school in a single shift is growing and now amounts to 26.5%, those who attend school in two shifts account for 66.3%, and only 4.1% of the student population attend school in three shifts.

29. Campaigns and many other activities were conducted to promote measures that aim at achieving a balance between family and professional obligations, including an equal share of parental responsibility for childcare and the promotion of parental leave being used by fathers with a view to more actively involving women in the labour market. In 2007, as part of the project "Exploring Unknown Sites of the European Union - a guided tour through the gender dimension of gender equality policy, fundamental human rights and the judiciary in our daily life", which was conducted by the B.a.B.e. Women's Human Rights Group and the Sociology Department of the Faculty of Humanities and Social Sciences in Zagreb with the financial support of the Office and of the European Commission, a campaign was conducted including six round table discussions in the main towns of six counties, which emphasised in particular the issue of balancing family and professional obligations and sharing housework. The Office for Gender Equality conducted an educational media campaign in the National Geographic Junior magazine devoted to lower primary school children. The purpose of the campaign was to raise awareness of gender equality, the equal sharing of household and family duties between men and women, and to promote the use of parental leave by fathers. Radio programmes "Fathers on parental leave" were aired at local level, and workshops were also conducted on sharing housework. Within the tendering procedure for support to NGO projects, the Office supported the film project "Tata od Formata" (Big Daddy), whose aim was to raise public awareness of the role of fathers by showing eight short documentaries about exceptional fathers on public television, and the development of the radio jingle "I mama i tata mogu" (Both mummy and daddy can do it) which promote the role of the father and promotes the use of parental leave by fathers. The Ministry of Family, Veterans' Affairs and Intergenerational Solidarity organised a competition entitled "Company - Friend of the Family", which encouraged employers to use stimulating solutions in the area of balancing family and business life. In addition to the *National Policy for the Promotion of*

*Gender Equality*, measures to balance family and business life are also included in the *National Population Policy* (see paragraph 40 item 69 and the answers in Article 11. 2 (a-d)).

### **Paragraphs 29 and 30**

30. The rights of members of the Roma national minority are protected through the application of the Constitutional Act on the Rights of National Minorities, the implementation of the National Programme for the Roma<sup>2</sup> and the Action Plan for the Decade of Roma Inclusion 2005 – 2015. Measures aimed at improving the social status of Roma women are also included in the National Policy for the Promotion of Gender Equality 2006 – 2010, and the National Programme for the Protection and Promotion of Human Rights 2008 – 2011.

31. Mobile teams were formed on the basis of the National Programme for the Roma which assisted the Roma in exercising their rights arising from their status, and in registering their residence and citizenship in areas where a significant number of Roma live. Free legal aid was also provided to help them exercise the right to residence and citizenship. The requests of the Roma to acquire Croatian citizenship at the Ministry of the Interior are being resolved through urgent procedures. According to the records of the Ministry of the Interior, from 30 August 2007 (from when data on naturalised Roma have been monitored) to 3 November 2010, Croatian citizenship was granted to a total of 187 persons of the Roma national minority. Out of this number, 112 were female and 75 were male.

32. The Office for Gender Equality established a Working Group to improve the collection of statistical data on the status of Roma women in local communities and society as a whole, in the areas of education, employment and health care, and their participation in public and political life. In addition to the representatives of state institutions, representatives of Roma NGOs also participated in the work of the Working Group. The Working Group developed Recommendations for improving the collection of statistical data on the status of Roma women in society as a whole, in the areas of education, employment, health care and social welfare, and their participation in public and political life.

33. Pursuant to the Personal Data Protection Act, the Croatian Employment Service does not collect data on ethnic belonging when keeping records of unemployed persons. However, for the need of implementing the National Programme for the Roma in terms of promoting their employment, the total number of unemployed members belonging to the Roma national minority has been estimated on the basis of the residence of persons who registered as unemployed, on the basis of certificates they seek in order to exercise their entitlements to social welfare, and on the basis of their knowledge of the Romani language. Within the total number of unemployed Roma in 2010, women accounted for 54.9%, and this percentage has fallen in relation to 2008, when they accounted for 58.4%. The

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<sup>2</sup> According to the Population Census of 2001, 9,463 persons belonging to the Roma national minority were registered in Croatia, which accounts for 0.21% of the total population. Out of this number, 4,777 are men and 4,686 are women (49.52%). However, it is estimated that a much larger number of Roma men and women live in Croatia, amounting to between 30,000 and 40,000. The difference between the determined and estimated number of Roma men and women is to a large extent due to the decision of the Roma themselves to declare themselves as members of another ethnic group, and not as Roma.

measures under the competence of the CES are focused on education to enhance employability and self-employment, on co-financing employment in all activity areas and co-financing employment in the public works programme, as well as on providing the necessary working experience for first employment to young educated persons without working experience. Unemployed Roma women account for the majority among the groups of persons with a low level of education (60.1% without any schooling or with partially completed elementary school, and 55% with completed elementary school) and among the group of Roma with completed four-year secondary school education (68.8%).

34. In 2006, through the measure of involvement in public works, 194 persons were employed, of whom 25 women. In 2007, through the measure of involvement in public works, 173 persons were employed, of whom 43 women, and in 2008, a total of 203 persons, of whom 47 were women. In 2009, through the measure of involvement in public works, 231 persons were employed, of whom 52 women, and in 2010, a total of 269 persons were employed, of whom 74 were women.

35. The Croatian Employment Service is the implementing authority for the measures related to the enhancement of employability of unemployed Roma from the Action Plan of the Decade of Roma Inclusion 2005 – 2015. With the aim of creating the conditions to increase the employment of Roma women, all the registered unemployed women belonging to the Roma national minority have been involved in the regular activities of CES, and in activities focusing solely on unemployed Roma women. As part of the activities conducted by CES in 2005 and 2006, 6,733 persons of the Roma national minority were included in the activity of group information, of whom 3,819 women; in 2007 there were 2,068 persons, of whom 1,211 women; in 2008 there were 1,563 persons of whom 816 women; in 2009 there were 1,294 persons, of whom 656 women; in 2010 a total of 1,103 persons of the Roma national minority were included in the activity of group information, of whom 568 were women.

36. Since some Roma men and women, and consequently some of their children, do not declare themselves as Roma, it is difficult to establish precisely the number of Roma children included in the education system. Very often they declare themselves as Roma when they apply for a scholarship to which they are entitled as members of the Roma national minority. The Directorate for National Minorities at the Ministry of Science, Education and Sports collects data on the inclusion of Roma children in preschool, elementary, secondary school and higher education through the granted scholarships. From 2006 to 2009, a total of 972 scholarships were granted to secondary-school students, of which 418 (43%) to Roma girls. Out of the total number of higher education scholarships granted (67) in the period between 2006 and 2009, female Roma students accounted for 53.7% (36 scholarships). A gender-disaggregated statistical presentation on the inclusion of Roma children in preschool, elementary and secondary school and higher education is given in Table 3 Annex 2 to this Report.

37. Following the 2007 elections for national minority councils and representatives, as well as among national minority representatives at the level of units of local and regional self-government, Roma women accounted for 12% (36 members/representatives out of a total of 300 members/representatives). In county national minority councils, Roma women account for 14.37% (25 members/representatives out of a total of 174 members/councillors). The largest

percentage (32%, or 8 out of 25 seats) of Roma women can be found in the County of Istria. In town national minority councils, Roma women account for 13.11% (8 out of a total of 61 members). In municipal national minority councils, Roma women account for 5.26% (3 out of 57 councillors in 6 municipalities).

38. Permanent cooperation has been established between the competent institutions and NGOs dealing with the protection of the rights of Roma women. The “Better Future” Association of Roma Women of Croatia, with the financial support of the Office for National Minorities of the Government of the Republic of Croatia and the Roma Education Fund, conducted a research project entitled “Life of Roma Women in Croatia Focusing on Access to Education”. The handbook for Romani activists, “Knowing Your Rights and Fighting for Them”, published by the “Better Life” Association of Roma Women from Rijeka, was launched in 2006 under the organisation and with the financial support of the Government Office for Gender Equality. The Office for National Minorities of the Government of the Republic of Croatia organised a Roma Employment Workshop, which was held in Zagreb from 15 to 16 June 2009. The Government Office for Gender Equality supported the campaign “Stop Underage Marriages and the Selling of Children” which was initiated in 2010 by the “Better Future” Association of Roma Women of Croatia. The Ombudsman for Gender Equality conducted a survey with the same association in 2010 on the accessibility of free legal aid to Roma beneficiaries.

39. The implementation of the Action Plan of the Decade of Roma Inclusion 2005 – 2010 included work on improving the health and health protection of Roma girls and women. A visible shift has been observed in the vaccination coverage of children of preschool age who live in Roma villages. In most of the villages it has almost reached the same coverage as the total vaccination coverage according to the reports of selected primary care physicians. Health education in the form of lectures, workshops, forums and work in small groups was provided for parents, which focused on improving health habits, as well as on raising health awareness related to family planning and the preservation of reproductive health, and safe motherhood measures, especially in the group of pregnant women and new mothers.

#### **Paragraphs 31 and 32**

40. In 2005, the Ministry of Family, Veterans’ Affairs and Intergenerational Solidarity drew up the “Analysis of alignment of the legislation of the Republic of Croatia with international documents for eliminating domestic violence”, and in 2009 it drew up a supplement to it. Since 2004, a Working Group for improving protection against domestic violence has been active at the Ministry of Family, Veterans’ Affairs and Intergenerational Solidarity. In 2009, the Government founded a Commission for the Improvement of Protection against Domestic Violence and a Commission for Monitoring and Improving the Work of Criminal Procedure Bodies and the Execution of Sanctions Imposed on Juveniles. In 2010, specialist crime-prevention organisational units were set up at the Ministry of the Interior, one of whose priority action areas is the prevention of all types of violence, especially domestic violence and violence against women.

41. The implementation of the Protection against Domestic Violence Act has been regularly monitored. An increase in reported domestic violence has been recorded from 2005 onwards. This may also be interpreted as a result of increased public sensitivity to this problem and better awareness that this is not just the problem of a



particular family, but a problem of society as a whole. Police officers have been continuously trained to recognise all forms of violent domestic behaviour as a minor offence or a criminal offence. The Croatian Bureau of Statistics conducted comprehensive statistical surveys on the perpetrators of crimes and minor offences of domestic violence, including an analysis of the socio-demographic characteristics of the perpetrators and the decisions of criminal procedure bodies and misdemeanour courts. See Annex 9 for more detailed statistics on persons reported and convicted of the criminal and misdemeanour offence of violent domestic behaviour. Domestic Violence: Legal Framework and Forms of its Occurrence 2007-2010, pp. 16-24. Current data, as well as data from the earlier period of 2001 – 2006, prove that this phenomenon shows a growing trend both in terms of the number of reports and in terms of the number of persons convicted. The Ministry of Justice and the Commission for Monitoring and Improving the Work of Criminal Procedure Bodies and the Execution of Sanctions Related to Protection against Domestic Violence have been continuously collecting data from misdemeanour and municipal courts and from the State Attorney's Office of the Republic of Croatia. The Ministry of the Interior has also been statistically monitoring the occurrence of criminal and misdemeanour offences involving violent domestic behaviour according to the gender structure of the injured persons, in line with General Recommendation No. 19 of the UN Committee for the Elimination of Discrimination against Women.

42. A new Protection against Domestic Violence Act came into force in November 2009. Its implementation fell under the competence of the Ministry of Family, Veterans' Affairs and Intergenerational Solidarity. The new Protection against Domestic Violence Act regulates the prevention, sanctioning and suppression of all types of domestic violence, the application of suitable measures against the perpetrator, and the provision of protection and assistance to the victim of violence in order to mitigate the consequences of the violence that has been committed. It extends the definition of domestic violence and introduces the term "economic violence", implying the withdrawal of the right to economic independence. The Act explicitly prohibits any physical, psychological, sexual and economic domestic violence. It provides for urgent procedures in cases of the breach of this Act for all competent bodies and an increase in the amount of fines and prison sentences. On the proposal of the Ombudsman for Persons with Disabilities, the misdemeanour provisions have been supplemented, imposing stricter sanctions on perpetrators of domestic violence when this violence in any way involves a disabled person. This allowed for the alignment of the Act with the provisions of the UN Convention on the Rights of Persons with Disabilities and its Optional Protocol.

43. The Criminal Procedure Act of 2008 prescribes a number of measures to protect the safety and the privacy of personal and family life of witnesses and victims, and to prevent secondary victimisation. During criminal proceedings, in order to protect the victim or witness, it is possible to undertake cautionary measures, such as detention, a special method of participation and examination of witnesses in the procedure, a limitation or exclusion of the public, the removal of the accused from the courtroom, and the measure of keeping order in the courtroom. The introduced provisions concerning the examination of witnesses and the protection of the rights of the victim and injured persons introduce for the first time in the Croatian legal system the victim as a participant in the procedure with special rights.

44. In 2008, the Free Legal Aid Act was adopted, which established a system of providing legal aid to those categories of people who, due to their financial and social conditions, cannot provide for their own legal assistance in court and in other procedures. Legal aid regulated by this Act is provided wholly or partially with the financial support of the State. Legal aid can be approved in all procedures before courts, administrative bodies and other legal entities vested with public authority if they resolve some existential issues of the beneficiaries, including domestic violence.

45. The new Misdemeanour Act of 2008 introduces provisions on holding a person against whom a motion to initiate proceedings has been filed for a misdemeanour against public order and peace, a misdemeanour related to domestic violence, or a misdemeanour for which a prison sentence or a fine of over HRK 10,000 can be imposed. For domestic violence offences, other misdemeanours involving violence, a 90-day prison sentence has been introduced, compared with the previously prescribed prison sentence of sixty days. A novelty is the requirement to deliver the judgement also to the injured person in proceedings for a domestic violence offence, and the introduction of new precautionary measures (banning visits to certain locations or areas, restraining orders or the prohibition of establishing or maintaining a connection with a particular person).

46. The Act on Financial Compensation to Victims of Criminal Offences, which will come into force on the day of the accession of the Republic of Croatia to the European Union, was adopted in 2008.

47. The Criminal Code was amended in 2006 in the part concerning criminal offences committed against family members. Article 89 paragraph 30 of the Criminal Code has been amended in such a way that a domestic violence offence has also been extended to a relative who is not a member of the victim's household. For a criminal offence of bodily injury (referred to in Article 98) committed against a child or minor, the procedure is initiated by the State Attorney's Office, and there is no need to bring a private action.

48. The State Attorney's Office of the Republic of Croatia and the Ministry of the Interior signed a Protocol on Cooperation of the State Attorney's Office and the Police during Preliminary Criminal and Criminal Proceedings which has been applied since the beginning of 2007. An Agreement on Cooperation in Preventing and Combating Domestic Violence and Violence against Women was signed in 2010 between the competent state authorities of the Republic of Croatia, with a view to strengthening cooperation, partnership and coordination of the competent state authorities, institutions and civil society organisations.

49. In 2004, the Government adopted the National Strategy of Protection against Family Violence 2005 - 2007 (in Annex 7). In 2005, the Government adopted a Protocol on Procedure in Cases of Domestic Violence, and amended it in 2006 in conformity with the coming into force of the Family Act in 2004, and in order to provide the conditions for the efficient and comprehensive work of the competent bodies to improve protection and assistance for victims of domestic violence, and to help the perpetrator change his or her conduct. The Protocol contains a number of precisely determined measures of the competent bodies concerning their procedures, and in relation to the form, contents and methods of cooperation of the bodies that participate in detecting and suppressing violence and providing assistance to persons exposed to any form of domestic violence (the police, social welfare centres, health

and educational institutions, judicial bodies). *The Protocol* pays special attention to the procedure of competent bodies related to child victims of domestic violence or to the witnesses of the domestic violence that has been committed. In 2007, the *National Strategy for Protection against Family Violence 2008 – 2010* was adopted (in Annex 6), which emphasises the following priority areas of activity: Training of experts working in the area of protection against domestic violence; Psychosocial treatment of domestic violence perpetrators; Analysis and implementation of the law dealing with protection against domestic violence; Shelters and support to victims of domestic violence; Improving the status of the victim in procedures in which he or she participates; and Raising public awareness of the issue of domestic violence. The Ministry of Family, Veterans' Affairs and Intergenerational Solidarity monitored the implementation of these strategies and submitted annual reports on them to the Government of the Republic of Croatia. The reports show that the competent government bodies invested significant professional efforts into preventing and protecting the victims of domestic violence, and particularly in terms of upgrading the legal and institutional system. Significant shifts have also been made in the field of training experts, civil and public servants and volunteers to recognise and act in domestic violence situations. Local strategies have also been adopted, aimed at combating violence against women, raising public awareness about the need to suppress domestic violence and other forms of violence against women and improve the status of the victims of violence. Such strategies include *the City of Zagreb National Strategy for a Uniform Policy of Protection against Domestic Violence 2008 – 2010*, and the *Strategy of Suppression and Prevention of Violence against Women of the County of Virovitica-Podravina*.

50. A programme of psychosocial treatment of the perpetrators of domestic violence has been drawn up, as well as recommendations for conducting treatment, which has become part of the Ordinance on Amendments to the Ordinance on the method and location of conducting psychosocial treatment. In conformity with the Protection against Family Violence Act, the protective measure of psychosocial treatment of the perpetrators of domestic violence is conducted within the prison system, in health-care institutions, and at authorised legal or natural persons with whom the Ministry of Justice of the Republic of Croatia has concluded an agreement on mutual relations to provide these services. The training of experts to conduct the psychosocial treatment of domestic violence perpetrators was organised and a network of treatment centres was developed.

51. Many targeted campaigns at national and local level have been conducted in order to familiarise experts and the general public with the legal provisions on protection against domestic violence, as well as campaigns to raise women's awareness, enabling them to use legal protection mechanisms in the event of violence. From 2006 to 2008, the Republic of Croatia actively participated in the Council of Europe Campaign to Combat Violence against Women, including domestic violence, by conducting a national campaign. In 2006, a National Committee for the Implementation of the Campaign to Combat Domestic Violence against Women was established at the Ministry of Family, Veterans' Affairs and Intergenerational Solidarity. Round table discussions were held dealing with "Economic Violence against Women" and "Systematic Financing of Civil Society Organisations which Provide Direct Protection to Victims of Domestic Violence". A "Manual with Instructions on Media Reporting on Violence against Women" was issued. In 2007 in Zagreb, the Ministry of Family, Veterans' Affairs and

Intergenerational Solidarity and the Gender Equality and Anti-Trafficking Division of the Directorate General of Human Rights and Legal Affairs of the Council of Europe – Department for Gender Equality organised an international seminar under the title “Men’s Active Participation in Combating Domestic Violence”. A public competition was conducted in 2008 entitled “Cities and Counties Combating Domestic Violence against Women” to award units of local and regional self-government which made a significant step in terms of protection against domestic violence with their activities during the Campaign. In 2009, the Croatian Parliament became involved in the campaign of the Interparliamentary Union “Parliaments Take Action on Violence against Women”. The Ministry of the Interior in 2010, in cooperation with the United Nations Development Programme in the Republic of Croatia and with other partners, carried out the campaign “Living Life Free of Violence”. The Ministry of Family, Veterans’ Affairs and Intergenerational Solidarity in 2009 presented the results of the survey “Economic Aspects of Violence against Women and Their Children: Women and Employment – Effect of Violence on Children”, and in 2010 a presentation was made of the results of the survey “Economic Violence against Women”, which was conducted in cooperation with the NGO “Autonomous Women’s House”. In 2009, the Office for Gender Equality commissioned the association Women’s Room – Centre for Sexual Rights from Zagreb to carry out the survey “Protecting the Rights of and Providing Support to, Victims/Witnesses of Domestic Violence”, the results of which were presented to the public in 2010. The Ombudsman for Gender Equality, in cooperation with the association Autonomous Women’s House and another 10 civil society organisations, conducted the survey “Experiences of Women Victims of Domestic Violence with the Work of Government Bodies”.

52. State administration bodies support the establishment of shelters and counselling centres for women and children victims of violence, and provide funding for the work of civil society organisations that manage these shelters and counselling centres. In 2006, there were 13 shelters for women and children victims of violence with a total accommodation capacity for 210 persons; in 2008, there were 14 shelters with a total accommodation capacity for 316 persons, whereas in 2010, there were 17 shelters with a total accommodation capacity for 362 persons. On 25 November – International Day for the Elimination of Violence against Women – 2008, The Government of the Republic of Croatia and the Ministry of Family, Veterans’ Affairs and Intergenerational Solidarity signed an agreement on co-financing the work of five counselling centres and shelters for victims of domestic violence in 2009, and in 2010 funds were provided for the work of another five shelters. Since 2008, the Ministry of Family, Veterans’ Affairs and Intergenerational Solidarity, and counties and towns, based on concluded written agreements, have participated in co-financing 90% of the costs of autonomous women’s shelters, so that each of them finances 30% of their costs. The remaining 10% of the necessary funds are raised by the NGOs themselves. A total of HRK 1,683,886.18 was spent in 2009, and HRK 2,529,827.67 in 2010 to support the work of counselling centres and shelters for victims of domestic violence from the budget position of the Ministry of Family, Veterans’ Affairs and Intergenerational Solidarity. The Ministry of Family, Veterans’ Affairs and Intergenerational Solidarity every year prints and disseminates an updated “Address Book of Institutions and Organisations that Provide Assistance, Support and Protection to Victims of Family Violence”. An informative brochure was printed devoted to victims of violence with an overview of mechanisms that the Republic of Croatia uses to protect the rights of

women exposed to violence. However, in addition to all the activities that have been implemented, it is still necessary to keep increasing the number of shelters, a point which is also emphasised by the NGOs concerned with these issues.

53. The Ministry of Health and Social Welfare, the Ministry of Justice/the Judicial Academy and the Ministry of Family, Veterans' Affairs and Intergenerational Solidarity have organised systematic training. A number of workshops, seminars and other educational programmes were conducted for judges, state attorneys, police officers, teaching personnel, and staff working in health care, social welfare centres, family centres, etc. The Police College, within the Programme of basic training for police officers, conducted training programmes in the area of suppressing domestic violence: criminal offences against marriage, family and youth, violent conduct in the family – misdemeanour law, domestic violence (types, causes and consequences, types of abusers, procedures of the police), strategies for resolving domestic violence, domestic violence – integrated exercises, procedural tactics in cases of domestic violence. The Society for Psychological Assistance (SPA), as part of the "MATRA" programme of the Dutch Ministry for Foreign Affairs, in cooperation with the Ministry of the Interior, the Ministry of Health and Social Welfare, and the Ministry of Justice, conducted a three-year project for combating domestic violence in Croatia. Seminars related to "Capacity Building for a Coordinated Community Response to Domestic Violence" were conducted, where police officers, judges and social workers exchanged experiences on methods of cooperation with a view to combating domestic violence. The staff of the Ministry of the Interior are tasked with providing prompt protection to the victims and separating the perpetrator and the victims, providing necessary health and other assistance to the victim, and preventing the perpetrator's further violent conduct. A police officer must enable the victim to testify without fear and must separate him or her from the perpetrator. The Ministry of the Interior focused its activities on training related to the overall operational system with the aim of professionalising all police officers who proceed in cases of domestic violence. Three protective measures have been placed under the competence of the police: prohibition of approaching the victim of violence, prohibition of harassing or stalking the person exposed to violence and removal from the flat, house or other dwelling. The procedure of the police in implementing these measures is regulated in detail in the Ordinance on the method of implementing protective measures that have been placed under the competence of the police by the Protection against Domestic Violence Act.

#### **Paragraphs 33 and 34**

54. Eliminating stereotypes in teaching curricula and textbooks has been regulated by the Gender Equality Act, and the introduction of gender-sensitive education at all levels was set as a national priority in the National Policy for the Promotion of Gender Equality 2006 –2010. Amendments to the Primary and Secondary Education Textbooks Act of 2006 and 2010 prohibit all forms of discrimination and prescribe that textbooks, supplementary and auxiliary teaching resources in terms of their content may not be contrary to the principle of gender equality as one of the fundamental constitutional values. The Ministry of Science, Education and Sports adopted in 2007 a new Textbook Standard which is aligned with the Gender Equality Act. It prescribes gender sensitivity in the language and contents of textbooks, the use of nouns in both grammatical genders when mentioning occupations and professions, and the obligation of promoting gender equality in

visual art solutions. The draft of the new Textbook Standard of 2010 extends this requirement to all other graphic solutions. The National Curriculum Framework for Preschool Education, General Compulsory and Secondary Education of 2010 emphasises the significance of a non-discriminatory approach in teaching curricula.

55. An analysis of textbooks has shown progress in eliminating stereotypes from the texts used in textbooks. State administration bodies, civil society organisations and the Ombudsman for Gender Equality, who monitors the situation in the Croatian education system and includes a gender analysis of textbooks in her annual reports to the Croatian Parliament, participated in many discussions on the elimination of gender stereotypes. Based on an analysis of elementary education textbooks conducted in 2007, the Ombudsman for Gender Equality concluded that “a positive step has been made in the use of gender-sensitive language, which conforms with the ethical requirements of the Textbook Standard – 94% of the texts from the main body of the text in textbooks use either gender-neutral or gender-sensitive language”. The Ombudsman for Gender Equality also conducted an analysis of history textbooks for elementary schools, which showed that there is room for improvement with regard to gender equality related contents. The survey “Human Rights in Elementary Schools – Theory and Practice” 2008 – 2009, conducted by the Centre for Human Rights, confirms that there is a tendency to present a gender-equal image of success and participation in different activities and in the performance of different jobs by women and men, and that the major part of textbooks do not promote stereotypes based on gender affiliation and physical appearance.

56. The Government Office for Gender Equality translated, published and disseminated Recommendation CR/Rec (2007)<sup>13</sup> of the Committee of Ministers to Member States on gender mainstreaming and accompanying Explanatory Memorandum in a circulation of 5000 copies.

57. Extracurricular, educational programmes for elementary and secondary schools are mostly conducted in cooperation with NGOs whose programmes and projects dealing with topics from the area of gender equality promotion are regularly financially supported by the Ministry of Science, Education and Sports. The Education and Teacher Training Agency organises compulsory professional development training for teachers dealing with the implementation of the National Programme of Education for Human Rights and Democratic Citizenship. Since 2009, the Module of Education for Gender Equality has formed part of this programme. In applying this module, students select projects with contents related to the promotion of gender equality and present them every year at the National Projects Festival organised by the Education and Teacher Training Agency and the Ministry of Science, Education and Sports. Particular success in 2009 and 2010 was achieved by the following secondary school projects: Teen pregnancy, Couples violence, HPV – Sexually transmitted diseases, Images of women (and men) in the media and in advertising – Stereotypes promoted in commercials and advertisements, etc.

58. Training and professional development in the area of gender equality for all education providers has been conducted since 2006 through a number of conferences, seminars and workshops. In 2007, the Education and Teacher Training Agency drew up a Training and Professional Development Programme in the Area of Gender Equality for Education Providers and, in cooperation with NGOs,

conducted pilot seminars for education personnel. The development of the new Civic Education Curriculum with a separate unit dealing with the area of gender equality began in 2010. The Education and Teacher Training Agency also conducts compulsory in-service training of education personnel in preschool education, elementary and secondary education on the suppression of trafficking in human beings in line with the commitments from the National Programme for the Suppression of Trafficking in Persons.

59. The number of female students enrolled in institutes of higher education grew from 54.6% in 2007 to 57.3% in 2010. The number of women who graduated from an institute of higher education rose from 58.1% in 2007 to 60.8% in 2010. With regard to the selection of programmes of study, women make up the majority in all areas, with the exception of IT, engineering and engineering trades, architecture and civil engineering, as well as transport, environmental protection and security services. Women account for 33.2% of those who graduate in MST (mathematics, science and technology) in the Republic of Croatia, which is higher than the EU 27 average. The share of women with a master's degree in science has also been continuously growing, amounting to 48.6% in 2005, and to 55.6% in 2010. The share of women with a doctoral degree has also grown, amounting to 45.2% in 2005, and to 51.1% in 2010. For more detailed statistics on higher education, please see Annex 8 "Women and Men in Croatia 2012", Education chapter, pp. 30 - 33.

60. A total of 16,072 persons are employed on research and development tasks in the Republic of Croatia, and in 2009 women accounted for 49.8% of this number. In 2010, the percentage of women employed as researchers amounted to 46.9%. There are 15 male and 10 female directors (40%) in 25 public research institutes, and women are at the head of the three largest ones. The Croatian Commission for UNESCO and L'Oréal Adria launched a National Fellowship Programme granting scholarships to young female researchers, entitled "For Women in Science". Every year, these scholarships enable four young female researchers, at the final stage of their doctoral thesis, to receive a scholarship to the amount of €4,000.

### **Paragraphs 35 and 36**

61. With regard to the participation of women in political and public life, please see Article 7. The Government Office for Gender Equality conducted national campaigns with the aim of increasing the political participation of women in local elections in 2005 and 2009. These campaigns were conducted in cooperation with NGOs and local commissions for gender equality, and they included the broadcasting of video and radio clips on the Croatian Radio and Television and on private radio and TV stations, a number of conferences, public debates, round table discussions, forums, seminars and other activities, the dissemination of the most important national and international legislative and strategic acts, and the financing of projects conducted by NGOs. The campaigns were conducted under the slogan: "Let us achieve balance". Just before the local elections in 2005, the Office funded 7 NGO projects dealing with the topic "Women and Politics – Promoting the Political Participation of Women at the Local Level", and in 2008 it funded 22 projects dealing with the topic "Promoting a Balanced Representation of Men and Women at the Elections for Representative Bodies of Units of Local and Regional Self-government" and "Empowering Women with Disabilities to Participate in Political Decision-Making at the Local Level". The Committee for Gender Equality of the Croatian Parliament held thematic sessions entitled "Women at Local

Elections 2009”, and, in cooperation with the CESI NGO, “Young and Active: Political Participation of Young Women”.

62. Coordination meetings of county commissions were held before the 2005 and 2009 elections, as well as before the parliamentary elections in 2007, under the organisation of the Office for Gender Equality of the Republic of Croatia, where conclusions were adopted concerning the request to increase the share of women on the political parties’ electoral lists for the election of members of the Croatian Parliament, and for the representative bodies of units of local and regional self-government. A request was forwarded to the public television company to secure a time slot for a TV programme on the political participation of women. County gender equality commissions conducted campaigns in their own constituencies in order to include female candidates on the electoral lists, they conducted an analysis of the representation of women on candidates’ lists of individual political parties, and they monitored the election process.

63. The share of women in representative bodies vested with public authority at local level grew at the 2005 local elections in comparison with 2001 by an average of only 1.5%. The representation of women was 14.5 % in county assemblies, 15.7% in city assemblies, and 8.4% in municipal councils. A greater growth in the share of women on electoral lists, and an increase in their participation in representative bodies of authority at local level occurred in the 2009 local elections compared with the local elections in 2005. The share of women grew on average from 14.5% to 21.4% in county assemblies, from 15.7% to 20.7% in city assemblies, and from 8.4% to 15.7% in municipal councils. Compared with the previous elections, a 7.4% growth was achieved at the level of county assemblies, 5.1% at the level of city assemblies, and 7.1% at the level of municipal councils. This was also mentioned as an achievement in the 2009 Progress Report of the European Commission. When we compare the results of the local elections in 2001, 2005 and 2009, it can be seen that the representation of women in representative bodies of local authorities was gradually increasing.

64. At the local elections for representatives of executive power in 2009 for town mayors, municipal mayors and county prefects, only 9.8% of the candidates were women. Out of 577 seats for municipal mayors, town mayors and county prefects, women won only 28, or 4.8% of them. There has also been a decrease in the number of women among county prefects (from 15% to 5%), and among mayors (from 8.7% to 4.7%), while among deputy county prefects there has been an increase in the number of women (from 9.5% to 20%).

65. The Croatian Bureau of Statistics has been regularly publishing statistics on the gender distribution of the elected membership of representative and executive authorities at local level. Separate Statistical Reports – Elections 2005 and Elections 2009 – have been published based on the official and final results of local elections with gender disaggregated data.

### **Paragraphs 37 and 38**

66. In the area of suppressing trafficking in human beings, the Republic of Croatia has developed an efficient legal framework covering the prosecution of the perpetrators of the crime of trafficking in human beings and the provision of assistance to, and protection of, the victims, as well as the prevention of their secondary victimisation during court proceedings. The legislation regulating the



suppression of trafficking in human beings and providing assistance and protection to the victims of trafficking is aligned with the EU acquis and other international standards. In 2008 and 2009, the Republic of Croatia was among the group of countries in the world to have invested the greatest efforts in resolving the issue of trafficking in human beings in the areas of victim protection, prosecution of perpetrators and prevention, and was ranked by the State Department in TIER 1. See more about the legislative amendments and other efforts undertaken by Croatia to combat trafficking in human beings in Article 6. See also Articles 60-67 of UPR.

67. The Government of the Republic of Croatia adopted a National Plan for Combating Trafficking in Human Beings 2005 - 2008, accompanied by regular annual operational plans for its implementation and the National Plan for Combating Trafficking in Human Beings 2009 - 2011. In 2008, the Government adopted a new Protocol on the Identification of, Assistance to, and Protection of, Victims of Trafficking in Human Beings, and in 2009 the Protocol on Proceeding during the Voluntary Return of Human Trafficking Victims. A National Plan for Combating Trafficking in Human Beings 2005 – 2007 was also adopted.

68. In 2007, the Republic of Croatia ratified the Council of Europe Convention on Action against Trafficking in Human Beings.

#### **Paragraph 40**

69. In 2006, the Government adopted a National Population Policy which contains a number of measures aimed at preventing the further decline in the natural population growth, increasing life expectancy, dealing with migration trends of the working and fertile population and the growth of the total share of the older population. The National Population Policy covers the following areas: Sustainable economic growth, fundamental and development conditions; System of family benefits; Tax benefits; Achieving a balance between family and working life; Childcare; Health care for mothers and children, and Awareness raising and information. The area “System of family benefits” covers measures for empowering families to raise children by ensuring more flexible employment to enable care for children, parental leave and allowances, one-off financial assistance and tax benefits. In this sense, we have to emphasise an increase of parental benefits for unemployed mothers, the delimitation of parental benefits for the first six month of the child’s life for employed mothers, an increase in the amount of layette assistance to the amount of 70% of the budget base, the introduction of a pro-natalist supplement of HRK 500 for each 3rd and 4th born child of a child allowance beneficiary. See responses in Article 11.2 (a-d). In 2010, the Ministry of Family, Veterans’ Affairs and Intergenerational Solidarity, in cooperation with the Faculty of Economics of the University of Zagreb, conducted a scientific-research project on the topic “Effects of the Population Policy from 2003 to 2009”. The non-profit foundation “Croatia for Children” was founded with the aim of raising funds for the development of a desirable pro-natalist trend and the empowerment of families with a large number of children. In October 2009, a public competition was conducted to award student grants of the “Croatia for Children” foundation.

70. With regard to the Special Session of the UN General Assembly on Children – 27th Special Session – the progress made in the area of protection of the rights of children in the media, the employment of minors, protection against domestic violence, and in the area of police and court procedures must be mentioned. The

Republic of Croatia signed the Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse on 25 October 2007, which came into force on 1 July 2010. The Government adopted a National Plan of Activities for the Rights and Interests of Children 2006 – 2012 and the National Programme for Young People 2009 - 2013. Several campaigns reverberated especially strongly with the public – a campaign against the physical punishment of children, safety of children on the Internet, and the Council of Europe campaign to stop sexual violence against children whose coordinator in Croatia was the Ministry of Family, Veterans' Affairs and Intergenerational Solidarity. The Office of UNICEF in Croatia, in cooperation with the association "Step by Step", issued the publication "When Children Have Children – An Analysis of the Situation and Recommendations for What to Do in Cases of Teen Pregnancy and Parenthood", which launched the project establishing a specialised form of fostering young pregnant girls or mothers who do not have the support of their own family, and the systematic prevention of teen pregnancies.

71. Following the Durban Declaration and Action Programme adopted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in 2001, the National Plan to Combat Discrimination 2008 – 2013 was adopted. The measures from the Action Plan promote awareness of non-discrimination, encourage the participatory democracy of the representatives of discriminated groups, and promote professional training. The amendments to the Criminal Code in 2006 introduced the term hate crime, defining it as any criminal act committed by reason of hatred towards a person on the basis of his or her race, skin colour, sex, sexual orientation, language, religion, political or other belief, national or social background, property, birth, education, social status, age, medical status or any other attribute. A special Working Group of the Government Office for Human Rights is working on studying the phenomenology of hate crime, which includes the implementation of education and campaigns, awareness raising and appearances in the media. No organised violence has been recorded against particular groups, rather these are individual incidents that are not organised. Croatia is one of the first countries to conduct training for police officers dealing with the problem of hate crime.

72. Regarding the problem of ageing and the Second World Assembly on Ageing in 2002 in Madrid, we emphasise that the priorities in combating poverty and social exclusion, including the broadening of the network of social services for the elderly, were defined in the Joint Inclusion Memorandum (JIM), which was signed in 2007 between the Republic of Croatia and the European Union. The Program of Development of Services for Elderly Persons within the System of Intergenerational Solidarity 2008 – 2011 was aimed at decentralising and devising a concept of care at the level of local and regional self-government, and establishing a new system of care for the elderly, which allows for better access to various services and the meeting of needs. By developing a network of services, the aim was to employ the local population, promote extra-institutional care and achieve a balance between the family and professional duties of household members. Since the beneficiaries of the pilot programmes of intergenerational solidarity "Home-care for the Elderly" and "Day-care and Home-care for the Elderly", which were implemented from 2004 to 2007, were satisfied with the programmes, these programmes continued. The intergenerational solidarity programmes are being implemented on the basis of cooperation agreements between units of local and regional self-government and the

competent ministry, and the implementing agents are civil society institutions and organisations. By the end of 2007, a total of 44 intergenerational solidarity programmes had been implemented, covering a total of 7,800 beneficiaries in the territory of 62 units of local self-government. Since 2009, a total of 90 intergenerational solidarity programmes have been implemented, of which 59 “Home-care for the Elderly” programmes and 31 “Day-care and Home-care for the Elderly” programmes. The volunteering programme of assistance in the local community supplements the intergenerational solidarity programmes, and the volunteers’ activities focus on the cultural, psychosocial and intellectual needs of elderly people included in this programme. Since 2010, the prize “Excellence award in implementing the programme” has been presented to teams of employees as local services which enhance extra-institutional care and improve the quality of life of elderly people. In order to prevent domestic violence, affirm responsible parenthood, provide services and quality care to family members, the Ministry of Family, Veterans’ Affairs and Intergenerational Solidarity established 17 town family centres.

#### **Paragraph 41**

73. The Republic of Croatia is considering the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families within the framework of the European human rights protection legislation and it incorporated the issue of protecting migrants’ rights into its existing legislation. The legal framework for the migration policy is regulated by the Aliens Act, which lays down the conditions for the entry, movement, stay and work of aliens in the territory of the Republic of Croatia, and by the Asylum Act.

#### **Paragraph 42**

74. The Office for Gender Equality of the Government of the Republic of Croatia has been undertaking different activities aimed at familiarising the public with the Convention, the Concluding Comments and Recommendations of the UN Committee on the Elimination of Discrimination against Women. After having published the study in early 2004, A Quick Guide through CEDAW - Convention on the Elimination of All Forms of Discrimination against Women and its implementation in the Republic of Croatia, the Office published, in 2006, the second edition of the Convention and the Optional Protocol together with the Concluding Comments of the Committee in 2000 copies. The third edition of the Convention was published in 2009, also in 2000 copies. This edition was presented to the public at the celebration of the 30th anniversary of the UN Convention on the Elimination of All Forms of Discrimination against Women which was organised by the Office in cooperation with UNDP - Croatia in December of that same year in Zagreb. The celebration, in the form of a conference, was opened by the Croatian Prime Minister and attended by numerous representatives of state administration bodies, NGOs and the media, who discussed the successes and challenges in the implementation of the Convention in general, and in relation to prevention of discrimination against women in Croatia, in particular. The Convention on the Elimination of All Forms of Discrimination against Women was published by the Office in three editions with a total circulation of 6,000 copies. All editions were distributed to state administration bodies, parliamentary representatives, universities, institutes and other research institutions, political parties, local self-government bodies and to NGOs and

disseminated at many seminars and conferences. They can also be downloaded from the Office's website.

75. The implementation of the Recommendations of the UN Committee was included among priorities of all National Programmes for the Accession of the Republic of Croatia to the European Union (NPİEU) (2005–2010), within the framework of political criteria in the area of gender equality.

76. In 2005, the Centre for Human Rights in Zagreb organised a tribune on "Conclusions and Recommendations of the UN Committee on the Elimination of Discrimination against Women concerning the Second and Third Periodic Report of the Republic of Croatia". In 2007, the Head of the Office for Gender Equality of the Government of the Republic of Croatia gave an introductory lecture on the topic of "Implementation of the UN Convention on the Elimination of All Forms of Discrimination against Women in the Republic of Croatia" at the seminar "Training of Young Roma" organised by the Office for National Minorities of the Government of the Republic of Croatia. That same year, the Head of the Office talked at regional conferences held in Serbia and Montenegro about Croatian experiences with the reporting about the Convention. An international conference on the "Human Rights of Women - Development at International and National Level 30 Years after the Adoption of the UN Convention on the Elimination of All Forms of Discrimination against Women" was organised in 2010 by the Office and the Ivo Pilar Institute of Social Sciences. Please refer to the answer provided under paragraph 18.

### **III. Report on the Implementation of the Articles in Chapters I, II, III and IV of the Convention on the Elimination of All Forms of Discrimination against Women**

#### **Implementation of the UN Convention on the Elimination of All Forms of Discrimination against Women according to Articles 1 - 16**

##### **Article 1 - Discrimination against Women - Definition**

77. Article 6 paragraph 1 of the new Gender Equality Act adopted in 2008 contains a definition of discrimination based on gender, in compliance with the Convention. It reads: Discrimination on the basis of gender shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, on the basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. Article 7 contains definitions of direct and indirect discrimination aligned with the modified Council Directive 2006/54/EC. Article 6 paragraph 4 prohibits discrimination in relation to access to and supply of goods and services in accordance with Council Directive 2004/113/EC. Pursuant to Council Directives 2000/78/EC, 2004/113/EC and 2006/54/EC, incitement to discriminate is regarded as discrimination.

78. The National Policy for the Promotion of Gender Equality was defined as the "main strategic document of the Republic of Croatia adopted with the aim of eliminating discrimination against women and establishing real gender equality by implementing the equal opportunities policy for the period 2006–2010."

## Article 2 (a –b) - Anti-discrimination legislation

79. New important anti-discrimination laws have been adopted in the past five years and many legislative changes have been introduced with a view to preventing and prohibiting discrimination based on gender (see Annex 1 Legal and other acts related to gender equality and the elimination of discrimination against women). The Croatian Parliament adopted on 15 July 2008 a new Gender Equality Act which has been aligned with the provisions of the most important international norms, and with European Union directives on gender equality. The Act lays down a general prohibition of discrimination based on gender, marital or family status and sexual orientation. The Act defines institutional mechanisms for achieving gender equality, the establishment and competences of an authority responsible for its implementation at the national and local level and establishes an independent body for eliminating discrimination based on gender (see answers in Article 2 (c-e)). The Act expands the prohibition of discrimination to employment and labour and education and undertakes to promote the raising of public awareness about the equality of men and women and to keep gender statistics. It introduced improvements in the area of judicial protection against discrimination by means of procedures such as a joint claim, the determination of the issue of the burden of proof, the compensation of damage to the victim and the principle of urgency in judicial proceedings. The Act defines the concepts of gender equality, discrimination based on gender, direct and indirect discrimination, harassment and sexual harassment and special measures. The Act prescribes the prohibition of discrimination based on gender in special chapters (1) Employment and work, (2) Education, (3) Political parties, (4) Media, (5) Official Statistics. The Act refers to all legal and natural persons and no legal or natural person is exempted from acting in compliance with the provisions of this Act. The Act has particularly elaborate misdemeanour provisions aimed at sanctioning any legal or natural person acting contrary to the provisions of this Act. As opposed to the 2003 Gender Equality Act, the new Act envisages fines for natural and legal persons. In addition to protection in civil procedure, victims of discrimination may seek court protection in misdemeanour proceedings as well, which is an important novelty compared to the previous Act.

80. With a view to aligning Croatian legislation with the EU acquis in the area of elimination of discrimination, the Anti-discrimination Act was adopted in 2008 prohibiting discrimination based on race or ethnicity or skin colour, gender, language, religion, political or some other conviction, national or social origin, wealth, membership in a union, education, social position, marital or family income, age, health, disability, genetic heritage, sexual identity, expression or sexual orientation (Article 1). The concept of discrimination is defined in such a manner that the existence of discrimination requires certain actions related to the grounds for discrimination referred to in the previous Article. The Act elaborates in detail procedural provisions which envisage the filing of several types of complaints (complaints for establishing discrimination, complaints to prohibit or eliminate discrimination and a claim for damages) for the purpose of judicial protection of victims of discrimination. The Act introduces certain novelties such as the intervener on the side of the plaintiff (Article 21) and the possibility of a joint claim for protection against discrimination (Article 24), thus clearing the way for the better protection of collective rights of those groups of citizens that are at a higher risk of discrimination. The Act has particularly elaborate misdemeanour provisions

aimed at sanctioning any legal or natural person acting contrary to the provisions of this Act.

81. The principle of prohibition of discrimination is also defined in Article 6 of the 2005 Civil Servants Act which prohibits civil servants from discriminating or granting privileges to citizens on the grounds of their age, gender, marital or family status, sexual orientation and other characteristics contrary to the Constitution and legally established rights and freedoms.

82. The amendments to the Criminal Code in 2005, 2006, 2007 and 2008 introduced sanctions for discrimination on the grounds of gender by defining the deprivation or restriction of this freedom or right of human beings and citizens as a category laid down in the Constitution, law or other legislation. Pursuant to Article 106 of the Criminal Code: "Whoever denies and limits the freedoms or rights of man and citizen laid down in the Constitution, laws or other legal provisions on the basis of a difference of race, colour of skin, sex, language, religion, political or other opinion, national or social origin, or other characteristics or whoever, on the basis of such a difference or affiliation, grants citizens any privileges or advantages, shall be punished by imprisonment for six months to five years". Discrimination on the grounds of difference of gender (Article 174) represents a violation of fundamental human rights and freedoms recognised by the international community and such behaviour is punished by imprisonment of six months to five years. The same article prescribes the sanction of imprisonment of three months to three years for the persecution of organisations or individuals because of their advocacy of equality, for the spreading of gender hatred, and for the public statement and dissemination of ideas about the superiority or subordination of one gender or superiority or subordination based on sexual orientation.

83. The 2009 Act on Amendments to the Criminal Procedure Act introduces a new provision prohibiting discrimination in proceedings against any person and if this prohibition is violated, evidence obtained in such a manner may not be used. The provision of Article 6 reads: "In the proceedings regulated by this Act, discrimination based on race, ethnic affiliation, colour of skin, gender, language, religion, political or other opinion, national or social origin, income, union membership, education, social position, marital or family status, age, health condition, disability, genetic origin, birth, expression or sexual orientation shall be forbidden."

84. An overview of the legislative framework in the area of the prevention of domestic violence is provided in answers in paragraphs 31 and 32, items 40 to 47.

#### **Article 2 (c-e) - National and local gender-equality mechanisms**

85. The 2008 Gender Equality Act redefined the competence of institutional mechanisms for gender equality. The description of the mandate of the Office for Gender Equality of the Government of the Republic of Croatia, the Ombudsman for Gender Equality, coordinators in state administration bodies and county/local gender equality commissions is given in Articles 18 and 19 -28 of the Gender Equality Act in Annex 3. The competence of the Ombudsman for Gender Equality is described in paragraphs 25 and 26, item 16. The description of the mandate of the Gender Equality Committee of the Croatian Parliament is given in the answer to question 8 of the Additional answers to the list of questions submitted to the Committee (CEDAW – PSWG/2005/I/CRP.2/Add.1) for the consideration of the

Second and Third Periodic Report. In 2008, the Croatian Parliament adopted a Decision on the amendments to the Rules of Procedure of the Croatian Parliament which aligned the Rules of Procedure of the Croatian Parliament with the Gender Equality Act by introducing language standards for professions and occupations in the male or female gender, depending on the sex. The overview of other bodies and mechanisms for the protection of human rights is given in Chapter II, items 11 -20 of the UPR in Annex 2. For institutional development, see Part 3 Peking+ 15 reports in Annex 11. Please refer to paragraphs 31 and 32 concerning the mechanisms in the area of the prevention of domestic violence.

86. On the basis of the obligation for the implementation of the National Policy for the Promotion of Gender Equality, significant progress has been achieved in relation to the strengthening of institutional mechanisms for the implementation of gender equality at the national and local level and their cooperation has been improved, including cooperation with NGOs. In 2008 and 2009, the Office for Gender Equality of the Government of the Republic of Croatia implemented the project "Support to the Office for Gender Equality for the Strengthening of National Mechanisms for Gender Equality through Training of Coordinators for Gender Equality in State Administration Bodies" with financial support of the Swedish Institutional Support Fund in the Republic of Croatia (SISF) and in cooperation with the Institute for Public Management from Stockholm. Two training seminars were organised for gender equality coordinators where an exchange of good practice was encouraged as well as networking of coordinators. Some ministries established wider working groups for the introduction of the principle of gender equality. All ministries have gender equality coordinators who are responsible for preparing reports on the implementation of the National Policy for the Promotion of Gender Equality and for submitting them to the Office.

87. Commissions for Gender Equality have been established in all 20 counties and in the City of Zagreb as working and advisory bodies of county assemblies and of the Assembly of the City of Zagreb. The new Gender Equality Act regulates their normative position and prescribes that units of regional self-government and the City of Zagreb must establish and, in accordance with the proposed work programme, ensure conditions and means for work for county commissions for gender equality and for the gender equality commission of the City of Zagreb. The Office for Gender Equality of the Government of the Republic of Croatia coordinates the work of county commissions for gender equality, which have to report all their activities to the Office. In 2005, the Office for Gender Equality of the Government of the Republic of Croatia and the CESI association implemented the project "Realisation of Equal Opportunities Policy" for the training of local officials, members of county commissions for gender equality and representatives of NGOs in all Croatian counties. In 2005, the Office for Gender Equality of the Government of the Republic of Croatia established a Coordination of County Commissions for Gender Equality which is convened on an annual basis. Funds in county budgets earmarked for activities of the commission for gender equality increased over the years. A total of 80 town and municipal commissions for gender equality were established during the reporting period. Please refer to answers in paragraphs 25 and 26, item 17.

88. Tasks of an independent body competent for preventing discrimination in the area of gender equality are carried out by the Ombudsman for Gender Equality. The Ombudsman for Gender Equality receives discrimination complaints related to

gender equality from natural or legal persons and assists natural and legal persons who have filed a gender discrimination complaint in instituting judicial proceedings. Please refer to Articles 19 -25 of the Gender Equality Act and the answers in paragraphs 25 and 26, item 16. Please also refer to Chapter II, item 17 of the UPR.

89. With the entry into force of the Anti-Discrimination Act on 1 January 2009, the Ombudsman became the central authority for the elimination of discrimination. The institution of the Ombudsman was established by the Constitution of the Republic of Croatia. Please refer to Articles 8, 10,12,13,14,15,21,24 and 28 of the Gender Equality Act (in Annex 4) for the definition of the authority and role of the Ombudsman.

90. The Gender Equality Act prescribes in Article 11 a four-year obligation to adopt action plans for the promotion and introduction of gender equality in state administration bodies and in legal persons under the majority ownership of the state. Action Plans must contain a plan for the implementation of activities related to measures of the National Policy for the Promotion of Gender Equality. Units of local and regional self-government, legal persons vested with public authority and other legal persons, as well as small entrepreneurs with more than 20 employees, must introduce anti-discrimination provisions and measures for the achievement of gender equality into their by-laws. Social partners must abide by the provisions of this Act and measures for the achievement of gender equality during negotiations on collective agreements and in the texts thereof.

#### **Article 2 (f-g)**

91. Please refer to information in Articles 2-16.

#### **Article 3 - Measures to ensure the full development and advancement of women**

92. The Croatian Parliament adopted the third National Policy for the Promotion of Gender Equality 2006–2010 which contains 144 measures for the empowerment of women in the following seven critical areas: 1) Enhancement of promotion and protection of human rights of women, 2) Creation of equal opportunities on the labour market, 3) Introduction of gender-sensitive education, 4) Equality in decision-making, 5) Suppression of all forms of violence against women, 6) Improvement of the health care system for women and 7) Further strengthening of institutional mechanisms and methods for the implementation of the equal opportunities policy. Competent authorities and deadlines were determined for all measures (please refer to Annex No. 5). The Office for Gender Equality of the Government of the Republic of Croatia supervises the implementation of measures and submits biannual reports to the Government of the Republic of Croatia.

93. Measures for the empowerment of women are contained in other strategies as well, such as the previously mentioned National Strategies of Protection Against Family Violence 2005–2007 and 2008–2010; Women's Entrepreneurship Development Strategy in Croatia 2010–2013; National Programme for Protection and Promotion of Human Rights 2008– 2011; Action Plan for the Decade of Roma Inclusion 2005–2015; National Programme for the Roma; National Plan for Combating Trafficking in Human Beings 2005–2008 and 2009–2011; National Action Plan for Employment 2005–2008 and 2009–2010; National Healthcare Development Strategy 2006– 2011, Croatian Population Policy, National Policy on Equalisation of Opportunities for Persons with Disabilities 2007–2015 and others.



#### **Article 4 – Promoting the achievement of real gender equality through special temporary measures**

94. The new Gender Equality Act includes the Council of Europe's definition of under-representation of one sex if it accounts for less than 40% of representatives in political and public decision-making bodies. Political parties and other parties authorised to make appointments are obliged to introduce special measures. Representation of men and women on the lists for elections of representatives to the Croatian Parliament, council members in representative bodies of units of local and regional self-government and members in the European Parliament should not be unbalanced, that is, lower than 40%. This level needs to be achieved within three electoral cycles, that is, it is a gradual increase that must be achieved at the latest during the implementation of third regular elections from the date of entry into force of this Act. The Act also prescribes fines for political parties and other authorised entities proposing lists of candidates who do not observe the principle of equality and do not seek to achieve balance in terms of representation of women and men on electoral lists. The previous Act on the Election of Members of Representatives Bodies of Units of Local and Regional Self-government prescribes that authorities proposing candidates for electoral lists must seek to achieve equal representation of men and women, and the Political Parties Act contains the principle of positive discrimination since 10% more funds are awarded for elected representatives of the under-represented sex.

95. Please refer to Article 9 of the Anti-Discrimination Act in Annex 4, which defines special measures, that is, positive actions, as exceptions from discrimination.

96. Since 2003, the Ministry of the Economy, Labour and Entrepreneurship has been implementing special measures for encouraging the entrepreneurship of women. Grants are awarded every year on the basis of a public tender for the development of entrepreneurship with a special line intended for the entrepreneurship of women. Beneficiaries are small and medium companies, small enterprises (crafts), cooperatives and institutions owned by women. For more information, please refer to the answers in Article 13 (b), items 180 and 181.

97. Pursuant to paragraph 3 of Article 9 of the Gender Equality Act, special measures for the protection of women in relation to pregnancy and motherhood are not regarded as discrimination.

#### **Article 5 (a) - Elimination of gender stereotypes and combating violence against women**

98. Please refer to answers to the Commission's comments in paragraph 33 concerning the elimination of stereotypes in education, answers in paragraphs 27 and 28 concerning the elimination of stereotypes on the status of women on the labour market and answers in paragraphs 31 and 32 on the elimination of stereotypes related to domestic violence. For information on activities related to the elimination of stereotypes in political and public decision-making, please refer to Article 7.

99. Croatian legislation obliges the media to promote the principles and values of gender equality, to eliminate stereotypes, sexism and insulting and demeaning ways of presenting women and men. Please refer to Article 16 of the Gender Equality Act.

The general principles of the Media Act (Article 3) prohibit the broadcasting of programme content which, among other things, promotes or advocates gender or other inequality or inequality on the basis of sexual orientation. Article 5 encourages, among other things, the realisation of human rights of citizens and the regulation of a legal and social state and the promotion of development of awareness about equality between women and men. The 2009 Electronic Media Act prohibits discrimination and dissemination of hatred based on gender in programme content and discrimination through television advertising and telemarketing. Gender equality is one of the criteria for the assessment of the level of financial support that the Council for Electronic Media awards to television and/or radio broadcasters at the local and regional level through the Fund for the Promotion of Pluralism and Diversity for audiovisual and radio programmes of public interest. The Croatian Radio and Television Act prohibits Croatian radio and Croatian television programmes from inciting discrimination or hostility towards individuals or groups based on their gender, sexual or other orientation or traits. The Croatian Parliament imposed on the Programme Council of Croatian Radio and Television the obligation to submit a special report on the raising of awareness about gender equality together with regular annual reports submitted to the Croatian Parliament. The Training Centre of the national TV station organised workshops for journalists on gender equality and the introduction of gender mainstreaming in language in its programmes. The National Policy for the Promotion of Gender Equality 2006–2010 obliged the media to earmark funds for the production and/or co-production of gender sensitive media content and for the ensuring media space for the broadcasting of independently produced gender-sensitive content. The Commission for the Monitoring and Evaluation of the Implementation of Gender Equality Policy in the media existed in the Office for Gender Equality between 2007 and 2008. The National Strategy of Protection against Family Violence 2008–2010 laid down the following objectives in area VI Sensitisation of the Public to Domestic Violence Issues: sensitising media employees to the harmfulness of violent behaviour and the organisation of additional training on the possibilities to report on these issues, on the raising of public awareness about the harmfulness of violent behaviour and sensitisation to domestic violence problems.

100. In order to change stereotypic patterns of behaviour in culture, the Office for Gender Equality of the Government of the Republic of Croatia, in cooperation with the Commission for Gender Equality of the City of Pula and the Pula Film Festival, organised in July 2008 a round table entitled “Visibility of Women in Croatian Cinematography”, dealing with the share of women in the national production of feature films. The transcript and conclusions were published in the publication “Visibility of Women in Croatian Cinematography” which was presented at the round table on the “Elimination of Gender Stereotypes in Croatian Cinematography” held in July 2009. The Office also supported many other important film and cultural projects dealing with the revealing of gender stereotypes and the affirmation of the creativity of women. The Office for Gender Equality of the Government of the Republic of Croatia invited a public tender for the “Elimination of Gender Stereotypes through Printed and Audiovisual Works” and provided financial support for 6 projects of NGOs totalling HRK 180,000.00, which amounted to 7.3% of the total annual budget of the Office. The Office translated and published a Croatian edition of the publication of the International Federation of Journalists “Getting the balance right - gender equality in journalism”, which was presented at the round table on gender equality in the media held in 2010. State and local government

bodies are financing many other projects of NGOs aimed at raising awareness of the unacceptability of gender stereotypes.

101. The Office for Gender Equality of the Government of the Republic of Croatia has been continuously disseminating knowledge and awareness about human rights of women and has, for that purpose, translated, published and disseminated a large number of the most important national and international documents promoting the rights of women and many other publications that have contributed to the increase of visibility of women in science, culture and art. Several surveys on the position of women and discrimination on the labour market and on the protection of victims of domestic violence have been conducted on the Office's initiative. In 2009, the Office for Gender Equality of the Government of the Republic of Croatia conducted, in cooperation with the academic community, the first multidisciplinary research on gender discrimination in the Republic of Croatia (and in the region) entitled "Perceptions, experiences and attitudes toward gender discrimination in the Republic of Croatia" for the purpose of writing a national gender equality strategy for the following five-year period. A scientific monograph with research results was published, promoted and distributed and it became a part of university reading.

### **Combating violence against women**

102. For data on combating domestic violence against women, please refer to the answers in paragraphs 31 and 32. The National Policy for the Promotion of Gender Equality 2006–2010 contained measures and objectives for the elimination of other forms of violence against women, including sexual violence and human trafficking (please refer to Chapter 5 Violence against Women in the National Policy in Annex 5 and Article 6 below).

103. According to data collected by the Ministry of the Interior, the number of reported criminal offences against sexual freedom and orientation fluctuated from 610 reported criminal offences in 2006, 681 criminal offences in 2007, 761 criminal offences in 2008, 658 criminal offences in 2009 and 567 registered criminal offences in 2010. According to type of criminal offence, lewd acts and rape figure the most. More than 90% of rape victims are women, most frequently adolescents and young women in their 20s, as opposed to the perpetrators who are mostly men in their 30s or 40s.

104. With a view to raising public awareness about the unacceptability of all forms of violence against women, the Government of the Republic of Croatia has been marking the 22 September (National Day for the Elimination of Violence against Women) and 25 November (International Day for the Elimination of Violence against Women) with numerous activities since 2004 and it has supported the organisation of "16 days of activism for the elimination of violence against women" implemented by NGOs. The regular meetings of the Cooperation Network of governmental institutions and NGOs against sexual violence have regularly taken place since 2003. In 2006, the Office translated and published in 2,000 copies Recommendation Rec (2002)5 of the Committee of Ministers of the Council of Europe on the protection of women against violence and 10,000 leaflets with the text of the United Nation's Declaration on the Elimination of Violence against Women, which were distributed to state bodies, social welfare centres, NGOs, etc. The Office for Gender Equality of the Government of the Republic of Croatia founded a working group for the preparation of an analysis and action plan for

combating all forms of violence against women and this working group prepared the Draft proposal of the Protocol on the Course of Action in the case of Sexual Violence. The Office for Human Rights of the Government of the Republic of Croatia issued a public invitation to tender in 2007 for Projects of associations in the Republic of Croatia for the improvement of standards of direct work with beneficiaries - victims of all forms of violence on the basis of a Cooperation Agreement with the National Foundation for Civil Society Development on the co-financing of projects of civil society organisations for working with beneficiaries - victims of all forms of violence amounting to HRK 1,000,000.00. In 2007, the Office for Gender Equality of the Government of the Republic of Croatia financed, on the basis of a public tender, projects of associations related to combating violence against women, including domestic violence. Other activities of associations were also financed in the reporting period, including the SOS phone line for women and children victims of violence, educational sports, promotional materials, etc.

105. The Police Academy and the Women's Room – Centre for Sexual Rights organised special lectures on issues of violence for female and male police chiefs in the entire Croatia. A Regional Network against Sexual Violence consisting of 18 associations from the Republic of Croatia, Serbia, Bosnia and Herzegovina and Montenegro was established in 2008 and it deals with issues of protection of rights of victims and prevention of sexual violence.

106. The Women's Room association has been implementing the project "Implementation of Prevention Programmes against Sexual Violence into Schools" since 2003 and in 2009 it organised a campaign entitled "STOP to sexual violence". Between 2007 and 2010, the B.a.b.e. association implemented a campaign "Against Stereotypes and Discrimination of Women - Sexual Crimes in the Republic of Croatia". The campaign included a survey on "Elimination of Stereotypes and Discrimination against Women - Sexual Violence in Legal Procedures in Croatia" and a round table under the same title co-organised with the Office for Gender Equality of the Government of the Republic of Croatia. The NGO, CESI, and the Open Media Group - O.M.G. - launched in 2007 a national campaign for the prevention of gender-based violence "Silence is not Golden" with financial assistance from the European Commission, the Ministry of Science, Education and Sports, and CARE International. A number of surveys were conducted, including: "Situation of Sexual Rights of Women in Croatia" in 2006, "Gender Prism of the Sexual Rights of Youth" in 2007, "Sexual Violence in Croatia" 2000-2010 carried out in 2011 by the Women's Room - Centre for Sexual Rights, "Protection of College Students against Unwanted Behaviour on Campuses" in 2006 which was carried out by the Ombudsman for Gender Equality in cooperation with the Centre for Women's Studies from Zagreb, "Gender-based violence in Adolescent Relationships in Croatia" carried out in 2007 by the CESI association. The Ombudsman for Gender Equality and the Female Section of the Independent Trade Unions of Croatia carried out in 2005 a study on the "Protection of Women against Unwanted Behaviour in their Workplace". The results of all surveys are available to the public on the websites of NGOs, ministries and government offices.

107. One important change aimed at ensuring systematic assistance and support to women victims of sexual violence is the opening of a Centre for Victims of Sexual Violence as part of the Women's Room - Centre for Sexual Rights in 2008, which to this date remains the only referral centre for victims of sexual violence in Croatia.

108. Representatives of the Republic of Croatia participated in the working group for the drafting of the Council of Europe Convention on Preventing and Combating Violence against Women and domestic violence.

#### **Article 6 - Trafficking in human beings and the suppression of prostitution**

109. The Republic of Croatia signed the UN Convention against Transnational Organized Crime in 2002, and in 2000 it signed the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children and the Protocol against the Smuggling of Migrants by Land, Sea and Air.

110. Legislative framework covers the prosecution of perpetrators of criminal offences of human trafficking and protection of victims as well as prevention of their secondary victimisation in the judicial procedure. The Criminal Code was amended in 2006 and 2008 and incorporated provisions of the UN Convention against Transnational Organised Crime. It criminalised the use of services of a person in slavery, and the criminal offence of human trafficking included incrimination related to the illegal adoption of children and a criminal offence committed by an official while doing his or her job.

111. The amendments of the 2006 Criminal Code included a new paragraph on punishing a person exploiting the position of a person who is, as a victim of human trafficking, subject to forced labour or services, sexual exploitation, slavery or a similar relationship, prostitution or unlawful transplantation of parts of the human body. In this way, the incrimination contained in Article 19 of the Council of Europe Convention on Action against Trafficking in Human Beings was harmonised and expanded.

112. Human trafficking as a special criminal offence was defined in Article 175 of the Criminal Code. The definition from Article 3 of the Palermo Protocol was taken over, thus incriminating sexual exploitation as well. The Republic of Croatia efficiently punishes users of services of victims of human trafficking and criminalises trafficking in children for the purpose of illegal adoption and ex officio the commission of the criminal offence of human trafficking. The same article clearly separates the main actions in the commission of the offence - human trafficking, inciting and mediation in human trafficking, the establishment and maintenance of slavery or practices similar to slavery. The incrimination has been expanded and now includes sexual exploitation and transplantation of parts of human body as well as two exploitation models. A punishment of at least five years imprisonment is imposed on whoever, contrary to the provisions of international law, solicits, purchases, sells, hands over, transports, transfers, encourages or mediates in the purchasing, selling or handing-over, hides or accepts a child or a minor for the purpose of slavery or practices similar to slavery, forced labour or servitude, sexual exploitation, prostitution or illegal transplantation of parts of the human body or who keeps a child or a minor in slavery or in a relationship similar to slavery.

113. Protection of victims of human trafficking is regulated by the Criminal Procedure Act, the Witness Protection Act, the Act on Financial Compensation to Victims of Criminal Offences, the Aliens Act, the Social Welfare Act, etc.

114. Further protection of victims of human trafficking was provided by amendments to the Criminal Procedure Act in 2008 which laid down additional

rights for victims of criminal offences and new solutions which significantly improved the position of victims in criminal proceedings and introduced the right to participate as injured parties in criminal proceedings. The Act on Financial Compensation to Victims of Criminal Offences was adopted in 2008 and will enter into force on the date of the accession of the Republic of Croatia to the EU. The Act provides for the right to compensation for any victim of any criminal offence, including human trafficking, and is much more comprehensive than the existing claims for the compensation of damage. Compensation will be paid from the budget of the Republic of Croatia. The Aliens Act was adopted in 2007 and it entered into force in 2009. This Act provides for the special status of identified victims of human trafficking by giving them the possibility of a stay for humanitarian reasons which may be approved for a period of one year with the possibility for unlimited extension. In 2008 the Government of the Republic of Croatia adopted the Protocol for the Identification, Assistance and Protection of Victims of Human Trafficking, and in 2009 the Protocol on Proceedings during the Voluntary Return of Human Trafficking Victims.

115. A National Committee for Combating Human Trafficking has existed since 2002 and the Operational Team for Combating Human Trafficking was also established, as well as a national coordinator. The Office for Human Rights of the Government of the Republic of Croatia, as a national coordinator, keeps a database of all identified victims of human trafficking.

116. Regular training and workshops are organised for police officers, law enforcement officers, healthcare workers, social workers, tourism workers, diplomatic and consular personnel, military personnel and police officers who are sent on international missions, for civil society organisations, the media and other expert staff caring for the victims of human trafficking and providing assistance and protection. Media campaigns have taken place aimed at raising awareness of the fight against trafficking in human beings and children. The Ministry of the Interior carried out in 2007 training lasting one year on combating human trafficking and smuggling for 27 police officers of the border police in cooperation with the Government of Great Britain and the International Organization for Migration. Since 2003, the Ministry has been carrying out systematic training on combating trafficking in human beings which trains more than 2,000 police officers a year. The Police Academy published a teaching manual entitled "Combating Trafficking in Human Beings". The Office for Human Rights of the Government of the Republic of Croatia regularly marks European Day against Human Trafficking and provides financial support to projects of NGOs related to combating trafficking in human beings.

117. The following agreements were signed with a view to promoting interministerial cooperation: the Ministry of the Interior, the Ministry of Health and Social Welfare, the Croatian Red Cross and the NGO "Organization for Integrity and Prosperity" from Split signed in July 2008 the Cooperation Agreement in the area of provision of assistance and protection to victims of human trafficking; a Cooperation Agreement between the Office for Human Rights, Ministry of Health and Social Welfare, Organization for Integrity and Prosperity Split and the Institution for children without parental care in Split was also signed in 2009. Both agreements refer to the operational management of national shelters for victims of human trafficking. There are two official shelters (one for adult victims and one for children) managed by the above-mentioned civil society organisations and financed

from the State Budget. A Cooperation Agreement between the Government Office for Human Rights and the Non-Governmental Network PETRA was signed in 2007.

118. The Office for the Organisation of Assistance to Victims and Witnesses existed in the Criminal Law Directorate of the Ministry of Justice from mid-2008 to the end of October 2009 as part of the implementation of the Ministry of Justice and UNDP's project "Assistance in the Development of a Witness and Victim Support System in the Republic of Croatia". Departments for the organisation of support to victims and witnesses were established at four county courts in the Republic of Croatia and some of them expanded their activities to some municipal and misdemeanour courts. The Independent Sector for Victim and Witness Support was established in 2009 in the Directorate for Probation and Support to Victims and Witnesses of the Ministry of Justice.

119. The Ministry of the Interior, the Office for Human Rights of the Government of the Republic of Croatia and other institutions actively participated in the implementation of a large number of international projects in the area of the fight against trafficking in human beings. These projects include the CARDS 2004 (2006) project "The Fight against Human Trafficking", the regional ICMPD projects, "Programme to Support the Development of Transnational Referral Mechanisms for Trafficked Persons in South-Eastern Europe" and "Data Collection and Information Management in the Area of the Fight Against Human Trafficking, the UNODC project "Enhancing Operational Capacity to Investigate and Disrupt Human Trafficking Activities in the Western Balkans", the ICMPD project in cooperation with the Ministry of Foreign Affairs of the Kingdom of the Netherlands "Support to the System for Combating Human Trafficking in the Republic of Croatia", ILAEIRA project which organised by the Ministry of Public Order of the Republic of Greece and supported by the European Commission, Europol, Interpol, the SECI- regional centre, Eurojust and Frontex and implemented in countries of South-Eastern Europe and which is based on strategic and operational cooperation between police and other competent authorities, missions and institutions, both at the national and international level, aimed at combating human trafficking and providing assistance and protection to victims of these criminal offences. The training model of the Ministry of the Interior was selected as a representative training model for all participant countries of a project of the Council of Europe and the International Organisation for Migration entitled "Module 2 - Combating human trafficking, migrant smuggling and illegal migrations". Since 2004, all organisational units of the Police Directorate have been implementing the Plan for the Intensification of Activities aimed at Preventing and Combating Human Trafficking. Systematic training on combating trafficking in human beings, which trains more than 2,000 police officers a year, has been in place since 2003.

120. Gender-based statistics of victims of human trafficking has been available since 2004 based on official data of the Ministry of the Interior which clearly shows that the majority of victims are female and that trafficking is often closely related to sexual exploitation. The analysis and establishment of human trafficking routes leads to the conclusion that the most frequent is the so-called "Balkan route" used for the trafficking of victims from the countries of origin (Moldova, Ukraine, Romania, Bulgaria, Serbia, Bosnia and Herzegovina) to the Republic of Croatia for the purpose of further transfer to countries of Western Europe as final destinations (Italy, Austria, Germany, France, Spain, Switzerland). The Republic of Croatia is one of the major transit routes towards countries of Western Europe and, in the

context of trafficking in women, it is primarily a transit country. To a lesser extent, it appears as a country of origin of victims of human trafficking and as a destination country for victims of these criminal offences. Please refer to Table 7 in Annex 2.

121. Persons engaging in prostitution have been sanctioned in Croatia pursuant to the Act on Misdemeanours against Public Order and Peace, while persons engaging in pimping have been punished pursuant to certain provisions of the Criminal Code. According to official data of the Ministry of the Interior, 159 to 331 offences on average were recorded in the period between 2005 and 2011 pursuant to Article 12, under the title Prostitution, of the Act on Misdemeanours against Public Order and Peace. The biggest recorded number of misdemeanours was 331 in 2005. This number decreased over the years. Pursuant to the provisions of the Criminal Code, the number of recorded criminal offences of international prostitution ranged from 9 in 2005 to 15 in 2007 followed by a slight fall to 4 in 2008, 6 in 2009 and 2 in 2010. The number of recorded criminal offences of pimping ranged from a reported 24 in 2006 to 40 in 2009.

122. Competent state administration bodies, institutions, organisations and associations in the Republic of Croatia are undertaking a series of activities aimed at fighting prostitution, protecting victims, improving their rights, raising the awareness of users of services of providers of sexual services that these services are unacceptable. Interministerial cooperation between all relevant stakeholders is continuously being upgraded as a result of joint efforts. The raising of awareness of society and key stakeholders about the issues of trafficking in women and girls, about the necessity of preventing and combating trafficking and prostitution and of decreasing demand for prostitution is based on various projects and public campaigns organised and implemented by state administration bodies in cooperation with international bodies and institutions, translation, printing and distribution of relevant and training documents, the celebration of European Day against Human Trafficking, the organisation of seminars, workshops and other training programmes for the relevant professions, students and the wider public. It is important to emphasise the importance of the activities of the PETRA network consisting of 11 organisations dealing with the prevention and fight against human trafficking and trafficking for the purpose of sexual exploitation, whose activities contribute to the more efficient fight against prostitution. Projects of NGOs dealing with the issues in question are financed from the Office for Human Rights of the Government of the Republic of Croatia which regularly supports projects of associations dealing directly with women victims. The Office for Gender Equality of the Government of the Republic of Croatia financed in 2005 a project implemented by the association of the Centre for Victims of War - ROSA for the publishing of a brochure and a leaflet under the title "Guide to the 1949 UN Convention for the Suppression of the Traffic in Persons and Exploitation of Prostitution of Others" and the brochure "Trafficking in Women".

#### **Article 7 (a-b) - Elimination of discrimination against women in political and public life**

123. Equality in the decision-making process was singled out in the National Policy for the Promotion of Gender Equality 2006- 2010 as one of seven priority areas. Key activities and measures for its implementation have been identified.



124. 30% of candidates in the 2007 parliamentary elections were women, which was 5% more than in the 2003 elections. A total of 32 women (20.9%) were elected among 153 representatives, which is 3% more than in the 2003 parliamentary elections. The share of women among representatives increased to 24.8%.<sup>3</sup> One woman was the Deputy Prime Minister of the Croatian Parliament, and 21% of women were chairpersons of parliamentary working bodies. One woman acted as a chairperson of the parliamentary National Committee for Accession to the EU in the period between 2007 and 2011. Between 2004 and 2007, there was one female Deputy Prime Minister and 30% of ministers in the Government were women. In the period between 2008 and 2009, in the Government 20% of the ministers were women and there were two female deputy Prime Ministers (out of four). Since 2009, there was one female Prime Minister and among five Deputy Prime Ministers of the Government, one was a woman. There was a total of 28% of women among “junior ministers”, out of whom 23% were state secretaries. There were 35% of women in high ranking administrative positions. The number of women among officials and senior civil servants increased from 20% in 2000 to 30.2% in 2009.

125. Since 2008, the Constitutional Court has had a female President. In 2010, the share of women at the Constitutional Court was 38.5%, and at the Supreme Court 40%. Women are a majority in all other courts: women make up 70.1% of municipal court judges, 67.4% of commercial court judges, 72.5% of misdemeanour court judges and 57.1% of county court judges. The share of women among the total number of public prosecutors and deputy public prosecutors was 64.5%. The share of female judges in almost all instances of Croatian courts continuously grew in the period between 2005 and 2010. Please refer to Annex 8 for an overview of the share of women per courts and public prosecution offices “Women and Men in Croatia in 2012”, pp. 46–48.

126. In cooperation with NGOs, county commissions for gender equality and other institutional mechanisms, the Office for Gender Equality of the Government of the Republic of Croatia carried out a series of activities, including a campaign aimed at increasing the share of women in the 2007 parliamentary elections. A translation was made of Recommendation Rec(2003)3 of the Committee of Ministers to member states on balanced participation of women and men in political and public decision making and the Explanatory Memorandum. This document was then published and disseminated as part of the campaign. Its second edition was published before the 2009 local elections. The definition of balanced participation of women and men from this Recommendation, according to which “representation of either women or men in any decision-making body in political or public life should not fall below 40%”, has been incorporated into the new Gender Equality Act.

127. As part of a public tender to support projects of associations, the Office provided financial support to the following four projects of NGOs: “Towards the 2007 parliamentary elections - increased political participation of women”; “Increased participation of women in the election campaign for the 2007 parliamentary elections in the Republic of Croatia”; “Circle yes for the family - circle no for family voting”; “There is no progress without women”; and “Miss in politics - peace in the world”. The Office and NGOs together organised a series of tribunes, conferences, round tables and campaigns on better political representation of women in Croatia. The Gender Equality Committee of the Croatian Parliament

<sup>3</sup> Croatian Parliament data of 5 March 2010.

participated in the campaign organised by NGOs in October and November 2007. The Ombudsman for Gender Equality also participated in numerous activities. The above-mentioned activities contributed to the raising of awareness of citizens about the insufficient participation of women in decision-making at the political level, and political parties were constantly reminded to ensure balanced participation of women and men in the electoral lists.

128. The Office commissioned a survey on “Monitoring the Frequency and Manner of Representation of Women and Men and Gender Topics in Television Programmes related to the 2007 Parliamentary Elections”. It also financially supported the research of an NGO, the Centre for Women’s Studies, entitled “Women in Croatian Politics”. The results of all surveys were presented to the public and are available in printed and/or electronic form.

129. The Croatian Bureau of Statistics regularly publishes statistical data on the participation of different genders in representative and executive bodies at the national and local levels. Please refer to paragraph 23 and 24, item 12 and item 65 in paragraphs 35 and 36.

130. Prior to the 2009 local elections, the State Electoral Commission aligned the text of all obligatory instructions and forms for elections with the Gender Equality Act by introducing the female forms of nouns. The same body also introduced the keeping and publication of total gender statistics of the election process.

131. Data on the participation of women in decision-making positions, that is, on the management boards of joint stock companies quoted on the Zagreb Stock Exchange, show an increase in the share of women from 13.8% to 17.3% in the period between 2005 and 2008. The share of women on supervisory boards of joint stock companies was 18.6% in 2005, and 17.2% in 2008. Only about one tenth of public joint stock companies had a chairwoman of the management board or a chairwoman of the supervisory board in the entire period under observation. In the few companies that issued shares in 2010 (only 186 or 0.19% of the total number), of which the majority have both a management and a supervisory board, that is, a dual management system, women make up 17.75% of the management level and 10% of the chairs of boards are women. The share of women in supervisory boards of those 186 companies is 20.6%, and 2.4% act as chairpersons of supervisory boards. The Activity Report of the Ombudsman for Gender Equality for 2009 contains an analysis of the composition of management bodies in 56 companies (out of a total of 66) owned by the state, which showed that out of a total of 348 members of management bodies, 19.54% (68 members) were women and 80.46% (280 members) were men.

132. According to data from December 2010, 15.9% of the total number of employees in the Ministry of Defence and the Armed Forces of the Republic of Croatia were women. The increasing trend is a consequence of a growing number of women who are interested in military service. Women make up 12.6% of the total number of employees in the Armed Forces of the Republic of Croatia, and 51.8% in the administrative part of the Ministry of Defence. The share of women in leading and command positions is 7.6%, and 12.3% among senior officers. In the Ministry of the Interior, female police officers make up 13.5% of the total number of employees. The share of women in strategic leading positions (heads of police administrations, directors of police administrations and heads of sectors in the MI headquarters) is 12.5%, at middle level (heads of departments) their share is 10.5%,

and 13.85% of women are employed at the operational level (heads of sections and heads of shifts). Croatia is actively involved in the work of the Women Police Officers Network in South Eastern Europe.

133. According to the “Analysis of Representation of Women in Sports” prepared by the Commission for Women in Sports of the Croatian Olympic Committee in 2007, and updated in 2009, the representation of women at management positions in the Croatian Olympic Committee was 15% in 2007 and 14% in 2009. The share of women in bodies of national sports associations in the entire observed period was around 11%. The representation of women in national sports teams was 31%, out of whom 27.4% were coaches for national teams, 29% were head coaches and 52% were coaches. Public awareness needs to be further strengthened and conditions need to be created for the involvement of more women in active management roles in sports corresponding to the high proportion of women’s sports results among top sports results.

134. Management positions at all levels of education are mostly occupied by men. In 2010, there were 18 female deans (13.6%) and 113 male deans in a total number of 132 universities entered in the Register of Higher Education Institutions kept by the Ministry of Science, Education and Sports. Since 2006, there have been six male rectors and one female (14.3%) rector at seven public universities in the Republic of Croatia.

#### **Article 7 (c) - Non-governmental organisations (NGOs)**

135. There are many feminist NGOs in the Republic of Croatia. In the last five years, the Office for Gender Equality of the Government of the Republic of Croatia provided financial support to 70 projects of associations active in the area of protection of human rights of women, and the share of such financial support in the total budget of the Office in that period was between 17% and 6%. Many seminars, tribunals, conferences, round tables, promotions and other public activities were organised in cooperation with NGOs. Other state administration bodies, including units of local and regional self-government, also regularly invite public tenders for the award of financial support to projects dealing with the protection of women against discrimination. For example, the Ministry of the Family, War Veterans and Intergenerational Solidarity funded projects of NGOs dealing with the protection of women against domestic violence and projects related to the improvement of the rights of young people and children. The Ministry of Science, Education and Sports financed 50 projects aimed at raising public awareness about human rights of women in the course of three school years. The Ministry of Culture has been funding the printing of a magazine of the Centre for Women’s Studies TREĆA since 2006. The Government Office for NGOs annually publishes reports with systematic data about the financing of associations by state and local authorities. According to this report, in the period between 2006 and 2009, the State Budget and national public sources awarded HRK 16,410,002.97 for 241 projects in the area of protection and promotion of human rights in the following specific fields: protection of reproductive health, protection of rights of disabled women, protection of victims of domestic violence, assistance to single parent families, combating human trafficking, education for peace, human rights and democracy, support to small businesses and others that influence the promotion of awareness and achievement of gender equality. Funds have been awarded as part of the implementation of the relevant strategies under the competence of ministries and Government offices. As

part of the PHARE 2006 pre-accession programme, NGOs implemented eight projects in 2009 focusing on empowerment and education of women, on improving the position of women on the labour market, on combating trafficking in women, on the fight against sexual violence, on the protection of rights of members of the LGBT minority, on the raising of awareness of the sexual and reproductive rights of young people and the prevention of violence in relationships. Projects were implemented in partnership with other civil society organisations and/or local self-government units, and total EU funds amounted to EUR 483,262.19. In the period between 2006 and 2009, NGOs implemented 2 projects as part of the CARDS programme with a total value of EUR 322,195.57. The projects were related to the empowerment of women in decision-making processes and improvement of their position on the labour market and to the improvement of the quality of direct support service for women victims of violence by creating a model of an autonomous shelter for women and their children.

136. Representatives of associations influence the policies by active involvement in the work of different expert working groups established in state administration bodies.

#### **Article 8 - Government representation at international level and participation in the work of international organisations**

137. The Minister of Foreign Affairs and European Integration between 2004 and 2007 was a woman. On 1 November 2009, the Ministry of Foreign Affairs and European Integration had more female diplomats (56.9%) than male diplomats. The share of female diplomats in the Ministry in Zagreb was proportionally higher (60.9%). The representation of men is higher in two out of three highest diplomatic ranks, minister advisor and resident ambassador in the ministry. Diplomatic missions and consular offices have equal representation of female (49.8%) and male (50.2%) diplomats. The analysis of diplomatic ranks in diplomatic missions and consular offices shows higher representation of men with senior diplomatic ranks than women. There are more male senior professional diplomats than women, that is, the higher the diplomatic rank, the greater the disproportion in the number of women and men. There are 26 men and 23 women among advisors, 33 men and 15 women among ministers-advisors, 7 women and 18 men as ministers plenipotentiary and 2 women and 17 men among ambassadors in the MFAEI. There is an equal number of men and women among second secretaries, while women prevail among attachés, and first and third secretaries. The share of women among 76 ambassadors and general consuls is 15.8%. Diplomatic missions and consular offices have proportionally more male civil servants (64%) than female (36%), and the analysis also shows that there are more women (59.9%) in the Ministry of Foreign Affairs in Zagreb than men (40.1%). The share of women among 76 ambassadors and general consuls is 15.8%. It is obvious that the number of women at mid-level positions increased by 3% between 2008 and 2010 (heads of Department/Service) in the Ministry of Foreign Affairs and European Integration. An increasing trend was also noticed among women appointed ambassadors, since the number of female ambassadors increased by 2% in 2010 compared to 2008. Women make up 40% of members of delegations of the Croatian Parliament in the NATO Parliamentary Assembly, 46.6% in the delegation to the EU-Croatia Joint Parliamentary Committee, 40% in the delegation to the Council of Europe's Parliamentary Assembly. According to the Gender Equality Act, state administration

bodies must ensure a balanced representation of women and men when appointing members of diplomatic missions, members of committees, commissions and delegations representing Croatia at the international level.

#### **Article 9 - Right to nationality**

138. Please refer to the previous Second and Third Periodic report filed to the Committee.

139. The Asylum Act, which entered into force on 1 January 2008, and the Act on Amendments to the Asylum Act, which entered into force on 22 July 2010, except for individual articles which entered into force on 1 January 2012, and Articles which enter into force on the date of accession of the Republic of Croatia to the European Union, provides subsidiary protection to aliens who do not comply with the conditions for granting of asylum, in the case of specific danger that the alien would incur serious injustice if he returned to the country of origin. The Act prescribes that asylum will be granted to an alien who is outside the country of his or her citizenship or to a stateless person who is outside the country of his or her usual residence, and who cannot or, out of fear, does not want to be placed under the protection of that country because of the justified fear of persecution on the grounds of their race, religion, nationality, affiliation with a certain social group or because of political conviction. Persecution, within the meaning of this Act, may include physical or psychological harassment, including sexual harassment, as well as actions specifically related to gender and children. The Act prescribes that, upon the request of a female asylum seeker, where possible, the procedures will be conducted by a woman with a female interpreter as well. In the period between 2007 and 2010, there were 336 men and 64 women among the total number of adult asylum seekers.

#### **Article 10 (a- b) - Elimination of discrimination against women in the area of education**

140. There is no gender-based disparity in the Republic of Croatia in relation to access to education at all levels, and the introduction of gender-sensitive education was a national priority. Changes in the legislative framework in the past few years has brought progress in this area. Please refer to answers to the Committee in paragraphs 33 and 34.

141. Significant gender differences still exist at the level of enrolment into secondary schools. The share of girls in art schools remained at the similar level of 70% in the reporting period. The share of girls in general secondary schools has been fluctuating between 63% in 2006 and 2007, and 62.4% in 2010. Female and male pupils are almost equally represented in vocational and similar schools. The share of girls in industrial and vocational schools was around 36% between 2005 and 2007, around 35% in 2008 and 2009, and 34.5% in 2010.

142. An analysis of the number of pupils repeating a grade in secondary school (for the period between 2005 – 2008) shows that around 4,250 male and female pupils a year repeat a grade (2.3% of the total secondary school population), and the share of female pupils in this is around 35.5%.

143. Career orientation activities are carried out in 22 regional offices and 96 branch offices of the Croatian Employment Service and include various forms of information and counselling services for the unemployed and other target groups,

including preventive activities and work with pupils on the selection of appropriate educational programmes. In the period between 2005 and 2010, professional orientation activities aimed at unemployed persons with difficult access to the labour market provided information to 88,046 and advice to 94,975 unemployed persons. A total of 25,876 unemployed persons were included in career selection procedures for the purpose of education and 19,266 persons were involved in career selection procedures for the purpose of employment. Since there was no systematic monitoring of the number of persons according to gender during the reporting period, the involvement of women in the above-mentioned activities was taken as an average share of unemployed females per age in the reporting period and it amounts to 59%. The CES offers the possibility to obtain information by means of software for career orientation "My Choice" which users can use to inform themselves about education and employment and to evaluate their own career interests and competences. The programme has been used since 1 January 2007.

144. In 2010, women made up 84.6% of employed teachers in secondary schools and 65% in elementary schools. The share of men employed as preschool teachers remains constantly low: 3.6% in 2005 and 3.9% in 2008.

145. The new Act on Academic and Professional Titles and Academic Degrees was adopted in 2007 and it introduced for the first time the obligation to provide professional and academic titles both in the male and female gender. The Ordinance on the contents and form of certificates and other public documents and on educational documentation and records in schools was adopted in 2010, as well as its accompanying Forms, which prescribe the use of gender-based linguistic standards in certificates and report cards.

146. The National Council for Higher Education adopted in September 2008 a Recommendation on the introduction of women's studies courses in undergraduate, graduate and postgraduate studies. The National Science Council adopted in 2009 the Ordinance on scientific areas, fields and branches, introducing gender studies among interdisciplinary science areas.

147. The Croatian Educational Standard for Secondary Education was adopted in 2008 and regulates the issues of professional representation of staff and material and technical educational conditions. This permitted a further increase in the number of single-shift schools, fewer pupils in a class, a lesser burden on pupils, more schools adapted for persons with disabilities and access to professional assistance according to individual needs in all areas of the Republic of Croatia.

#### **Article 10 (c)**

148. Please refer to answers to the Committee in paragraphs 33 and 34.

#### **Article 10 (d)**

149. Scholarships are equally accessible to all students. Direct forms of financial aid include scholarship programmes financed at the national, regional and local level, while indirect financial aid includes subsidies for living expenses, including housing in student dormitories, food, transportation costs and health insurance. Around 6,000 regular students of university and specialised studies benefited from some of the scholarships from the national scholarship system in 2010, which is 5% of the total number of regular students. Scholarships are awarded according to

predefined criteria, and the number of students receiving scholarships has been increasing year by year. For example, in 2007, the Ministry of Science, Education and Sports awarded 1,654 (65.8%) scholarships to female students out of a total number of 2,515 scholarships. In 2008, out of 2,498 scholarships, female students received 1,611 (64.5%), and in 2009, out of a total number of 2,422 scholarships, 1,544 (63.7%) were awarded to female students. After an analysis of needs on the labour market, the majority of scholarships awarded in the last several years were intended to encourage studying for high-demand occupations.

#### **Article 10 (e)**

150. Retraining and in-service training for adults is available in institutions for adult education. Pursuant to the Adult Education Act and the Ordinance on standards and criteria, and on the method of establishing if the conditions and procedure in adult education providers are met, adult education providers must submit for approval to the Agency for Adult Education proposals for various education, in-service training or retraining programmes and programmes for acquiring elementary and secondary school qualifications. A certificate of approval for programmes is issued by the Ministry of Science, Education and Sports. By December 2009, a total of 1,524 programme proposals were received, out of which 760 training programmes and 182 in-service training programmes, and 1,096 programmes were approved. A significant number of women of prime age are involved in these types of programmes. This group has shown particular interest, for example, in: the training programme for teaching assistant jobs for working with pupils with disabilities and the training programme for nurses for the elderly and disabled.

151. As part of the pre-accession assistance programme CARDS 2004, (Community Assistance for Reconstruction, Development and Stabilisation), the Ministry of Science, Education and Sports launched an adult literacy and training programme “For a Literate Croatia - The Way to a Desirable Future” which lasted for 20 months and cost EUR 1.5 million. It was intended for persons who have not completed secondary school education or do not have the necessary professional skills for the labour market. By the end of 2008, a total of 3,500 persons participated in the programme, out of which 71.51% were men and 28.49% were women. The project was audited in 2009 and a proposal for a framework curriculum for elementary education of adults was prepared, as well as a manual for training teachers in the adult education system.

#### **Article 10 (f)**

152. For demographic reasons, every year there are on average 6,000 fewer children in elementary schools and 2,600 fewer children in secondary schools. The share of persons (between 18 and 24 years of age) who dropped out of school and did not finish elementary schools has been falling continuously (in 2005 it amounted to 5.1%, in 2006 to 4.7%, and between 2007 and 2010 it fluctuated between 3.9 and 3.7%). Despite a noticeable downward trend of elementary school drop-outs, the downward trend is more significant among women (from 4.2% in 2005 to 2.6% in 2010) than among men (from 6.0% in 2005 to 4.6% in 2010). Every year, an average of 0.4% (1,500 persons) of children in elementary schools and 2.3% (4,250 persons) in secondary schools have to repeat a grade.

**Article 10 (g)**

153. Physical exercise and sports form a constituent part of the educational system in the Republic of Croatia and are equally accessible to both male and female pupils. In addition to obligatory physical education classes, elementary and secondary schools offer many sports extracurricular activities. School boards in elementary and secondary schools create school sports teams where both female and male pupils may train in one or more sports and may participate in sporting competitions. A total of around 42% of children participate in some kind of sports activity. The Republic of Croatia adopted a School Sports Development Strategy 2009-2014 whose priorities are, among other things, the inclusion of more pupils in school sports and the development of new sports facilities and a network of school sports teams.

**Article 10 (h)**

154. Health education, which would integrate all health risk areas, as a preventive programme for mental, sexual and physical health, prevention of violence and addiction and to promote responsible behaviour and a healthy lifestyle, was not included in the curriculum (2005 to 2010). Similar programmes are currently being implemented only within counselling centres, in some associations and by individual experts. Some secondary schools have been organising lectures and workshops on sexual education and inviting doctors from the Croatian Institute for Health Insurance, nurses or teachers and expert associates. A significant contribution has been made by the civil sector and associations carrying out educational and prevention programmes.

Health and sex education, including protection against sexually transmitted diseases in elementary schools and secondary schools, is carried out according to the Plan and Programme of Health Care Measures in Compulsory Health Insurance, and as part of regular activities of the School Medicine Service and special programmes in cooperation with associations. Health education provided by doctors specialising in the health of pupils covered 351,193 children in 2008/2009 (64% of the school population) out of whom 273,797 in elementary schools and 77,396 in secondary schools, and around 400,000 children in the 2009/2010 school year. Health education is mostly related to topics in the areas of physical development, reproductive health and prevention of addictions. Programmes and projects of associations engaged in protection against sexually transmitted diseases and in health protection in general are co-financed. A total of 2% of elementary school pupils and 5% of secondary school pupils come for advice to health-care counselling centres for schools. Special counselling centres for reproductive health were established in several cities with the support of the local community. Counselling centres are located in school medicine services of the institute for public health and are open for everyone. In order to speed up the procedure of opening new centres, an Expert Commission for the Development of Centres for Reproductive Health was established in late 2009 with the aim of harmonising operational standards of centres for reproductive health and strengthening the implementation of public-health preventive activities aimed at the preservation of the reproductive health of children and young people. *The Programme for the Prevention and Suppression of Sexually Transmitted Diseases* is implemented according to the *Programme of Health Care Measures* and the *Croatian National Programme for the Prevention of HIV/AIDS*, which includes measures of primary,



secondary and tertiary prevention. Special programmes have been introduced which are implemented in cooperation with civil society organisations. Thanks to the above-mentioned *Programme* and its implementation, the number of HIV/AIDS cases has remained low, from the first recorded cases more than twenty years ago up to this day, more than 30 times lower than in the most affected European countries. The Institute for Public Health has been educating girls and parents and vaccinating girls against the Human Papillomavirus (HPV), and, as a result of the above-mentioned *Programme of Health Care Measures in Compulsory Health Insurance*, there are fewer cases of hepatitis B, with an evident downward trend.

## **Article 11 — Elimination of discrimination against women in the area of labour and employment**

### **Article 11.1 (a-b)**

155. The position of women on the labour market is still characterised by the fact that more than 50% of all unemployed persons are women, and by segregation by individual sectors on the labour market. The labour force survey shows that the share of women among the unemployed changed from 49.9% in 2005, to over 54.4% in 2008 and to 48.6% in 2010. The Croatian Employment Service records showed 180,796 unemployed women in 2005, which was 58.6% of the total number of unemployed persons, and in 2008, although the number of unemployed women decreased and amounted to 147,201, their share among the unemployed totalled 62.2%. Unemployment grew in 2010 due to the recession and negative economic trends, but the share of unemployed women decreased and amounted to 54.8%, while the share of men among the unemployed significantly increased compared to previous periods. Employed women still prevail in education, trade, the textile industry and the financial sector.

156. The results of the survey conducted by the State Office for e-Croatia “Role of Women in Croatian Information Society” showed that the ICT sector of the Republic of Croatia employs 34% of women, out of which 64% in the 31–50 age group. A total of 28% of women hold managerial positions. The most frequent obstacle to the more active participation of women in the ICT sector is the stereotype that ICT occupations are traditionally male occupations. Please refer to answers in paragraphs 27 and 28.

### **Article 11.1 (c-f)**

157. In the period between 2006 and 2010, the CES included in training programmes based on labour market needs a total of 13,785 unemployed persons, out of which 6,823 were women. Women primarily participate in educational programmes for jobs in the economic sector (bookkeeping, accounting, administrative assistants, real estate agents, etc.), tourism and catering jobs (housekeepers, chefs, waiters, pastry chefs, cleaners etc.) and health care jobs (nurses, physical therapists, sanitary technicians).

158. The CES covered all the expenses related to the training of the unemployed. Persons participating in the training programmes were provided financial aid during training and their public transportation expenses were covered. All persons participating in the training programme were insured on the basis of special pension insurance legislation according to the lowest base for the payment of obligatory contributions, which also included insurance against injury during training, in

particular during practical training. A total of HRK 117,724,565.96 was spent for the training of unemployed persons in accordance with labour market demand, including women of the prime-age group in the period between 2006 and 2010.

159. In the period between 2005 and 2010, out of the total number of participants (4,615) in training programmes organised by the Croatian Employment Service and units of local and regional self-government, 58% (2,677) were women.

160. With a view to empowering unemployed women with lower and/or inadequate education for their integration into the labour market, the CES has been continuously implementing standardised workshops (“How to look for a job” — writing application letters and CVs, “How to present yourself to an employer”, “Self-assessment workshop”, “Workshop for disabled persons”, “Self-employment workshop”) which are focused on increasing competences, motivation and skills for active job hunting.

161. Since the total difference in gross salaries between men and women was only 10.2% in 2010, and the lowest since 2005, it may be concluded that the provisions of the Gender Equality Act and the Labour Act are being observed. Several other statistical indicators point to sectoral segregation. The greatest difference in the amounts of gross salaries between women and men is recorded in five sectors employing 42% (or 2/5) of the total number of employed women in the Republic of Croatia (the processing industry; health and social welfare, other services, education; public administration and defence; obligatory social insurance jobs). The greatest difference in salaries between women and men lies in the financial and insurance sectors, where it amounts to 30.1%. The gross salary of women in these five critical sectors where there is the biggest gap between salaries amounts to 79% of a man’s salary. The Office for Gender Equality of the Government of the Republic of Croatia translated and distributed the “Code of Practice on the Implementation of Equal Pay for Work of Equal Value for Women and Men” and the European Commission’s “Manual for Gender Mainstreaming in Employment Policies”. The documents have been posted on the Office’s website with a view to raising awareness of the need to reduce the pay gap between women and men and to make employers aware that such discriminatory practices have to be eliminated. The Institute of Economics carried out a survey entitled “Gender Wage Gap”. In addition to the Gender Equality Act, both the Labour Act and the Act on Civil Servants and Government Employees explicitly lay down the right to equal pay for equal work. The results of the survey on the “Wage Gap”, which was carried out by the Ombudsman for Gender Equality in 2010 in three renowned Croatian companies, showed that the gender gap is the biggest in those age groups where women are often absent from work to care for children.

162. The Act on Amendments to the Act on Entitlement to Pension Insurance of Active Military Personnel, Police Officers and Authorised Officials was adopted in 2008, and the Act on Amendments to the Pension Insurance Act was adopted in 2010. This legislation regulated the exercise of rights from obligatory pension insurance for generational solidarity by balancing the requirements of age (65 years) and the years of employment (40 years) for the exercise of the right to old-age retirement or early retirement for men and women. In this manner, complete alignment with the *acquis* in this area was achieved. According to the data of the Croatian Pension Insurance Institute for December 2010, pension paid to women amounted to HRK 1,993.63, and to men 2,387.49, that is, women received 16.5%

lower pensions than men. The pension gap between men and women remained constant between 2005 and 2010, amounting to 16.7%. Average pensions paid to military personnel and police officers in December 2010 amounted to HRK 3,220.63 per month for women and 3,432.16 per month for men, with a difference of 6.16%. Since years of employment are a constituent element for the calculation of the amount of pension, the difference in pensions is attributed to the fact that women were entitled to old-age and early retirement with fewer years of service than men. New laws envisage a gradual increase in the age limit and in the necessary years of service for women. It is expected that the requirements will become completely equal by 2029.

#### **Article 11.2 (a-d)**

163. Article 64 of the Labour Act prohibits employers from asking for details of a woman's pregnancy and from denying employment because of pregnancy, from terminating an employment contract or reassigning her to other positions, except if the current position puts her life or health or the life or health of her child in danger. If a woman needs to be reassigned to a different position due to the effect on the life or health of the woman or her child, this may not result in a lower salary. The duration of the reassignment is limited and lasts until such a time that a woman's health conditions allow her to return to her previous job (Article 65). A pregnant woman's employment may not be terminated before her child is one year old.

164. The Maternity and Parental Leave Benefits Act entered into force on 1 January 2009 and has been aligned with the provisions of Directive 6/34/EC, Directive 92/85/EEC and Directive 86/613/EEC and Regulation (EEC) no. 1408/71, and with measures of the Croatian Population Policy related to maternity and parental leave. This Act unites and regulates rights on the basis of parenthood for all persons who are citizens of the Republic of Croatia and beneficiaries of the compulsory health insurance system. After the entry into force of the Maternity and Parental Leave Benefits Act, the 2006 Act on Maternity Leave of Self-Employed and Unemployed Mothers ceased to be valid. This Act and the Labour Act prescribe basic rights to maternity and parental leave and the amounts of benefits for employed, self-employed and unemployed parents and farmers outside the system of profit tax who are entitled to take leave. The novelty introduced by this Act is that all adoptive parents are entitled to the right to adoptive parents' leave regardless of their employment status as opposed to the previous provisions which provided that only employed parents may benefit from this right. The right to part-time work or to leave to care for a disabled child until the child is 8 years of age could have been used only by employed parents until the entry into force of this Act, but the new Act expands the right to self-employed parents as well. Pursuant to new legislation, up to 42 days after delivery, the leave must be used by a mother in continuous duration. When the child is 43 days old, parents can agree who will continue using the leave. Maternity or parental leave is a personal right of both employed or self-employed parents and it is used after the child is 6 months old and it lasts for 6 months for both the first and second child, or 30 months for twins and for the third and every additional child. As a rule, both parents may use the leave in equal duration (each for 3 months), or the leave may be used by only one parent. What is new is the possibility to use parental leave in parts, simultaneously for both parents and interchangeably. It may be used until the child is 8 years old, and a single part must be at least 30 days long and used up to twice in one year. If a father uses at least

3 months of parental leave, the duration of the leave may be extended for 2 months. The right to a maternity or parental leave may also be used as a right to work part-time (4 hours a day) for twice the duration of the unused maternal or parental leave. A slight increase has been recorded in the number of fathers who have used parental leave for six months. The number increased from 1.14% in 2008 to 2.9% in 2010.

165. The amount of salary during maternity and parental leave is regulated by the amendments to the Compulsory Medical Insurance Act, which entered into force on 1 January 2009. Pursuant to the provisions of that Act, the amount of salary during compulsory maternity leave for the first six months of a child's life is no longer limited to HRK 4,257.28 and is determined as 100% of the base salary, and, during the leave, from 6 months to one year, the salary amounts to 80% of the base salary. The Maternity and Parental Benefits Act lays down the right of parents or other caretakers of equal status to time and financial benefits, and the manner and conditions of attaining and financing them. All unemployed mothers shall be entitled to benefits during compulsory maternity leave amounting to at least 50% of the budget base.

166. The Act on the Execution of the State Budget of the Republic of Croatia for 2008 provided for the right to financial compensation during maternity leave for mothers unfit to work pursuant to social welfare legislation and mothers who were accepted for in-service training without employment (volunteers). This Act prescribes that the maternity leave benefit must amount to at least HRK 1,663.00, that is, 50% of the budget base, in the case of different ways of using the leave, such as: maternity leave from one to three years of a child's life, adoptive parents' leave, part-time work from one to three years of a child's life for twins, the third and every additional child, and part-time work for the purposes of additional care for a child due to health problems. This also refers to mothers who are farmers, unemployed mothers, mothers who are still in school, mothers who are unfit for work pursuant to social welfare legislation, retired mothers, mothers using disability pensions due to inability to work, and volunteers. Since 2009, the right to maternity benefits for mothers who are unfit to work pursuant to social welfare legislation and mothers who were accepted for in-service training without employment has been ensured by the Maternity and Parental Benefits Act.

167. The Act on Amendments to the Child Allowance Act and the Acts on the Execution of the State Budget of the Republic of Croatia for 2007, 2008 and 2009 introduced an incentive of HRK 500 for beneficiaries of child allowance for a third and fourth child. The right to child allowance was extended to users whose monthly income per household member does not exceed 50% of the budget base. New legislative solutions have increased maternity benefits for unemployed mothers and lifted limitations on maternity benefits for the first six months of a child's life for employed mothers. The amount of assistance for necessities for an unborn child has been increased to 70% of the budget base. For that reason, child allowance has a triple role: to prevent poverty and social exclusion of children, to maintain or increase the quality of family life, and to support the birth rate. In addition to allowances paid from the State Budget, many units of local and regional self-government pay from their own budgets one-off amounts for newborn baby essentials.

168. The Labour Act and the Ordinance on the conditions and procedure for exercising the right to pause for breastfeeding and the right to pregnancy and infant

leave with entitlement to receive salary compensation allow women to achieve a balance in their work and their child's needs. The 2009 Labour Act prescribes that a pregnant woman, a parent with a child up to three years of age, and a single parent with a child up to six years of age may work overtime only if he or she gives the employer a written statement of voluntary agreement to such work, except in the case of force majeure. An employer may not refuse to employ a woman or terminate her employment contract because of her pregnancy and may not offer to conclude an amended employment contract. An employer may not terminate the employment contract before the expiry of fifteen days after the end of pregnancy or end the use of entitlements held by pregnant women, a breastfeeding mother, persons who use maternity or parental leave, or adoptive parents' leave, and persons working half-time because of the need for additional care for a child. The circumstances referred to in this Article of the Act do not preclude the termination of a temporary employment contract after the expiry of the time period for which the contract was concluded. After the termination of the maternity, parental, adoptive parents' leave or leave for the purpose of a child with developmental disabilities and the suspension of the employment contract until a child is three years of age, an employee who used any of these rights shall be entitled to return to the job held prior to the use of these rights. If there is no more need for such a job, the employer shall be obliged to offer an employment contract for other appropriate jobs with work conditions which may not be less favourable than those for jobs performed before the use of that right.

#### **Article 12 — Health care**

169. Analyses of health indicators in the Republic of Croatia were carried out in 2005/2006 as a basis for the development of programmes of health care measures and special prevention programmes aimed at the improvement and preservation of health. The Croatian Institute of Public Health collects, processes and analyses data related to gender-based health indicators. According to the 2001 Census, the Republic of Croatia had a population of 4,437,460 which was showing signs of a process of democratic transition whose consequences were an older population with lower mortality, longer life expectancy, a lower birth rate and fewer newborn deaths. According to 2010 data of the Croatian Bureau of Statistics, the life expectancy for women was 79.6 and for men 73.5 years. The leading causes of death for women according to disease groups are similar to the causes of death for men. The leading cause of death in 2010 were circulation diseases, injuries, poisonings and the like, digestive tract diseases and respiratory system diseases. For a statistical overview of health indicators for the Croatian population, please refer to the publication "Croatian Health Statistics Yearbook for 2010" in Annex 10. Breast cancer is the most frequent kind of cancer among women in Croatia, with a 26% incidence among women in 2010. The only ways to prevent unnecessary death are early detection programmes that help discover small and localised tumours in the early stages of the disease. The national breast cancer early detection programme by mammograms entitled "Mamma", which covers women between 50 and 69 years of age, was launched and coordinated by the Ministry of Health and Social Welfare in late 2006. In the course of the first two-year cycle of the programme, more than 720,000 women were invited for examination and more than 1,300 cancers were discovered.

170. A total of 1,534,621 women selected their gynaecologists in the primary health care system in 2010. Out of the total number of women who selected their

gynaecologists in the primary health care system, 631,600 or 41.1% also used their services. The most frequent reasons for which women see their gynaecologist and use the primary health-care system services are diseases of the urinary tract and reproductive system, factors influencing the state of health and contact with the health care service, contagious and parasitic diseases, pregnancy, birth, in the postnatal period and in the case of tumours. For a detailed overview, please refer to Annex 10.

171. According to the Act on Health Care Measures for Exercising the Right to a Free Decision on Giving Birth, Article 2 defines: "The right of a person to a free decision on giving birth may be limited only for the purpose of the protection of health and under the conditions and in the manner laid down in this Act": According to Article 15 paragraph 2 of this Act, a woman may legally terminate pregnancy without seeking permission from the commission up to the 10th week of pregnancy. According to the same Act and pursuant to a decision of the Ministry of Health of 1 September 1996, termination of pregnancy may be carried out only in authorised stationary health care institutions. In the period between 2005 and 2010, there were a total of 62,271 terminated pregnancies. For a detailed overview, please refer to Annex 10. The number of abortions is increasing (37% in 2005; 36.1% in 2006; 39.9% in 2007; 41.7% in 2009; 43.4% in 2009; 46.2% in 2010). A total of 2,277 legally terminated pregnancies were recorded among young girls up to 19 years of age, which is 8.47% of all women. The majority of women who have legally terminated their pregnancies are between 30 and 39 years of age.

172. According to birth data, there were a total of 42,694 births registered in Croatian hospitals with 43,419 children born. According to the mother's age, the majority of births occur between the ages of 25 and 29 (96.5 births per 1,000 women of that age), followed by births between the ages of 30-34 (82.3 births per 1,000 women of that age), and between the ages of 20-24 (54.9 births per 1,000 women of that age). In the period between 2005 and 2010, 99.9% of all children were born in Croatian hospitals. Births outside health care institutions are rare and mostly take place with professional medical assistance. The number of births per 1,000 adolescents between the ages of 15 to 19 has been continuously decreasing and in 2008 it amounted to 13.8%. The share of adolescent girls between the ages of 15 and 19 in the total number of births in health care institutions recorded by the Croatian Institute of Public Health is 4.4%.

173. All women in Croatia are entitled to free childbirth in a health care institution, regardless of whether they have health insurance or not. All women having compulsory health insurance are entitled to the necessary number of check-ups related to pregnancy, birth and in the postnatal period, and the Plan and Programme of Health Care Measures in Compulsory Health Insurance, which was adopted in November 2006, specifies a standard number of check-ups during pregnancy and after birth. This Programme improves the protection standard (to 10 clinical and 2 ultrasound check-ups per pregnant woman) compared to the previous 2002 programme (6-9 clinical check-ups and 2 ultrasound check-ups). In cases of pathological states related to motherhood, the number of check-ups depends on health needs and on the woman's condition. Maternal mortality has been very low in Croatia for years and occurs only sporadically. In relation to this indicator of pre-natal care, Croatia does not differ from Western European or from the majority of post-transition countries.

174. Changes in the social and cultural environment and in the standard of living strongly affect not only the overall vital statistics (birth and death) but also the decision on the age of giving birth. In the last ten years, these changes, which are characteristic of economically developed countries, have occurred in some post-transition countries as well, including the Republic of Croatia. First, in 2005, and then in all the following years, the number of births per 1,000 women of fertile age was higher in the 30-34 age group than in the 20-24 age group. This shows that fewer and fewer women are deciding to have children at the optimal age for giving birth according to biological and medical criteria. It was recorded that the share of births among women who are younger than 20 years of age has been continuously decreasing, which may also be attributed to education in sexual and reproductive health in health services, in the educational system and through information via the media.

175. Surveys among the youth population have shown that early commencement of sexual relations is also an increasing trend in Croatia, although, compared to the rest of Europe, Croatian adolescents are not among the countries where sexual relations begin at a very early age. According to available research results, the average age for the beginning of sexual relations in Croatia is 17, that is, according to some authors, 17 for girls and 16 for boys. Among the student population, 72% of male and 69% of female students have already had sexual relations. Among girls who have never had sexual relations, 33% have never been checked by a gynaecologist either. Condoms are used occasionally or regularly by 83% of male students and 73% of female students, while 13% of male and 22% of female students responded that they did not use condoms. Pregnancies and terminations of pregnancies among underage girls are indicators of their health condition, health protection and, to some extent, they also reflect the cultural environment. Croatia demonstrates a decreasing trend of pregnancies among younger girls (under 20 years of age) and an increasing number of births among women older than 35, which is typical of developed countries.

176. The total share of female healthcare workers has not changed significantly in this period of time and remains around 82% (health care continues to be a “typically female profession”). The pyramid, nevertheless, shows a certain stable growth of female doctors of medicine (60.1% in 2010 compared to 57.6% in 2005). Women are predominantly pharmacists (93.0%), nurses with college (95.2%) or secondary school education (91.3%).

### **Article 13 — Elimination of discrimination against women in the area of economic and social life**

#### **Article 13 (a)**

177. The social welfare system is regulated by the Social Welfare Act. The 2008 Decision of the Government of the Republic of Croatia on the basis for the realisation of social welfare benefits improved the material position of beneficiaries by increasing the base for social welfare benefits. The 2007 Amendments to the Social Welfare Act reduced red tape, facilitated access to assistance and services and introduced new rights preventing institutionalisation (the right to the status of a parent caregiver, expert baby nurse assistance in the family, occasional accommodation in social welfare homes, etc.). In 2010, there were 332,873 adult beneficiaries of social welfare, which is 2.7% more than in 2009. The share of

female beneficiaries was 50.5%. In the course of 2010, one adult beneficiary used one type of right, services or social welfare measures 1.8 times on average. In 2010, there were 81,433 underage beneficiaries of social welfare, which is 5.4% more than in 2009. The share of female underage beneficiaries was 42.8%.

178. In 2010, the at-risk-of-poverty rate in Croatia stood at 20.6%. This is highest among persons who are above 65 years of age, standing at 28.1% (women 31.3%, men 23.3%). The lowest at-risk-of-poverty rate is recorded for persons 25 to 54 years of age, at 17.1% (for women 16.9% and for men 17.3%).

179. Among family policy measures, there are financial benefits (child allowance, many other benefits and tax deductions), services for the family and children and leave (maternity, parental and other leave). Tax deductions are regulated by the Croatian Income Tax Act. A non-taxable part of income is called personal deduction. Marital partners who are supporting members of their close family divide the personal deduction into equal parts. When calculating taxes, all members are entitled to a personal deduction from a tax base and to a deduction for a dependant. Even children from common-law marriages are entitled to child allowance. A total of 413,041 children were beneficiaries of the allowance in 2010, and the average allowance amounted to HRK 352. The share of the allowance in the total household income increases with the number of children, which means that the share of the allowance in families with one or two children amounts up to 7%, while in households with three or more children, this share is two to four times bigger.

#### **Article 13 (b)**

180. Special emphasis was placed in the previous period on the implementation of measures for empowering women entrepreneurs. In March 2010, the Government of the Republic of Croatia adopted the Women's Entrepreneurship Development Strategy 2010–2013. Programmes for empowering women's entrepreneurship were organised at central and local levels, and in partnership with associations. The share of women entrepreneurs is around 30%. There are 31.8% of women who are owners of micro-enterprises, 18.8% of women are owners of small enterprises and 12.0% own medium-sized enterprises.

181. The Ministry of the Economy, Labour and Entrepreneurship has been regularly implementing provisional special measures aimed at encouraging women's entrepreneurship since 2003 as part of the project "Women's Entrepreneurship" as a component of the Operating Plan for Support to Small and Medium-Sized Enterprises for the current year. In 2005, a total of 217 grants were approved for the implementation of projects for women entrepreneurs amounting to HRK 2,893,788; in 2006, there was a total of 210 grants amounting to HRK 2,221,483; 2007 saw a total of 875 grants amounting to HRK 4,499,958; in 2008 there was a total of 1,119 grants amounting to HRK 8,110,800; in 2009, a total of 278 grants amounting to HRK 4,500,000,000 and in 2010 a total of 1,001 grants amounting to HRK 10,540,000. During the reporting period, a total of 3,700 grants were approved for the implementation of projects for women entrepreneurs amounting to HRK 32,766,029. The beneficiaries of funds were small and medium enterprises, businesses, cooperatives and institutions owned by women. Women entrepreneurs participated in other projects awarding financial support for professional training, marketing, competition and technical harmonisation with EU standards. At the local level, the Ministry of the Economy, Labour and Entrepreneurship implemented



projects from the credit line entitled “Local Development Projects — Entrepreneur” in cooperation with the counties and the Croatian Agency for SMEs (HAMAG), including a subproject “Women’s Entrepreneurship”, subsidising projects through loans for entrepreneurs.

182. The Ministry of the Economy, Labour and Entrepreneurship launched an internet portal [www.poduzetna.hr](http://www.poduzetna.hr) which contains information on empowering women entrepreneurs. The celebration of the International Women Entrepreneurs’ day is organised by the Croatian Businesswomen Association “Circle” and the Croatian Chamber of the Economy, with support from the Office for Gender Equality of the Government of the Republic of Croatia, the line ministry and the President of the Republic of Croatia. Since 2009, the most successful entrepreneur and manager has been presented with a reward for the business results of the previous year

183. The Ministry of the Economy, Labour and Entrepreneurship co-financed in 2008 a project of the Croatian Businesswomen’s Association “Circle” and the Croatian Chamber of the Economy in Split entitled “Survey of the Representation of Women in Business and in Managerial Positions — businesswomen in the Republic of Croatia. One round table was organised in 2006 on the topic of the “Role of Women Entrepreneurs in the Process of Accession to the European Union” and another one, entitled “Let’s connect, together we are stronger!” was co-organised by the Croatian Businesswomen Association “Circle” and the Office for Gender Equality of the Government of the Republic of Croatia. Croatian experiences in the area of women’s entrepreneurship have been mentioned as examples of good practice in a publication resulting from the participation of the Office in an international project of a circle of Mediterranean countries - Italy, Greece and Portugal led by Malta entitled “Taking Gender Equality to Local Communities” financed through the Community programmes of the European Commission. The above-mentioned publication was presented in 2009 at the 1st European Festival of Entrepreneurs’ Creativity as part of the 6th European Entrepreneurship Day in the Republic of Croatia.

184. The register of small businesses and the Register of grants to small businesses are kept according to the criterion of gender. The Gender Equality Committee of the Croatian Parliament held in 2010 a thematic session on the occasion of 8 March — International Women’s Day — in cooperation with the Croatian Chamber of Trades and Crafts focusing on the position of women in small enterprises. At the initiative of members of the Croatian Chamber of Trades and Crafts, the Management Board of the Chamber declared 2010 the year of women in small enterprises. Out of a total number of owners in active small enterprises, 32.1% are women, and out of a total number of employees in small enterprises, 49.9% are women.

#### **Article 13 (c)**

185. Women are significantly represented in the cultural life of Croatia. Their share among employees in art, entertainment and the recreational sectors is 57.4%. They also prevail among the total number of administrative staff employed in institutions engaged in some kind of cultural activity (72.2%). There were 32.3% of women in managerial positions in institutions founded by the Ministry of Culture, according to 2007 data.

186. In the publishing industry, 60.9% of those employed are women, and the corresponding proportion in libraries is 83%, in public open universities and cultural centres 63.3%, in archives 59.5% and in museums and museum collections around 64%. In the radio 44.3% of employees are women and in public television 38.8%. According to Croatian Radio Television data, the share of women among editors and journalists was 59% in late 2010, and 63% of those employed as editors or journalists on Croatian television were women.

187. In 2007, women made up around 48% of professional actors in theatres. In the theatre sector, women prevail in dance-related professions (76.2% ballerinas), among theatre prompters (75.9%) and among administrative staff (72.2%). According to the register of theatres active in the Republic of Croatia, which is kept by the Ministry of Culture, the analysis at the end of 2010 shows that women founded or co-founded 47 out of a total of 111 theatres, that is 42%. Out of four national theatres (the Croatian National Theatre in Zagreb, Osijek, Rijeka and Split), two had female general managers. The smallest share of women is among conductors (11.1%), directors (16.7%) and in the orchestra (34.5%). Of those employed by cinema operators, 39.2% are women. It is estimated that the share of women among members of artistic associations is around 40%. The majority of members of the Croatian Designers' Association are women or 55.5%. In the past 10 years, the presence of women in management bodies has been significant, and, what is of particular importance, this figure continues to grow. The President of the Croatian Designers' Association is a woman serving her third term of office. The share of women in the management board is 57.14%. A total of 30% of members of film associations are women. In addition, 30% of responsible persons in film associations in 2008 were women. According to data of the Croatian Audiovisual Centre for the period between 2007 and 2010, in 2007 not a single female director received funding to shoot a feature film, while in 2008 two directors received funding, in 2009 one director and in 2010 funds were awarded to 2 film projects with female members in a team of directors. Please refer to Article 5 (a), item 101 on the elimination of gender stereotypes in culture.

188. In the 2006 Olympic Games, the share of female athletes in the Croatian Olympic team was 30% and in the 2008 Olympic Games it was 18%. "The Analysis of the Attitudes and Interests of Croatian Female Top-Level Athletes on Equality and Education" prepared by the Women and Sports Commission of the Croatian Olympic Committee underlined issues concerning the unequal position of female athletes compared to male athletes, ranging in particular from opportunities for professional employment in sports (in particular as coaches or referees), to the exercise of rights in their sports career (status in a club, quality conditions for preparations and preventive training programmes), to the coverage of female sport in the media and the evaluation of sports results. In 2007, a seminar entitled "Female Athletes: from results to a career in sports" was organised by the Sports Directorate of the Ministry of Science, Education and Sports in cooperation with the Women and Sports Commission of the Croatian Olympic Committee. The topic of the seminar was gender equality in sport with special emphasis on careers in sports after retirement from competitive sport.

#### **Article 14 (1 – 2. a-h) — Status of rural women**

189. According to the Census (2001), Croatia has 246,089 inhabitants in rural areas, out of which 49.9% (121,611) are women. The majority of the active rural

population are men (57.1%) while women have a slightly smaller share. The majority of dependants in rural population are women (62.9%), and the share of men is smaller. The proportion of women of reproductive age is lower in rural areas (between 18 and 49 years of age) compared to urban areas, and the share of young women (20–29 years of age) is also smaller. The percentage of women among the economically active population is lower in rural (35–52%) than in urban areas (45–47%). The percentage of employed women in rural areas (35–40%) is also lower than men (55–70%).

190. The Ministry of Agriculture, Fisheries and Rural Development prepared an analysis of registered owners of farms, crafts, companies and cooperatives with a view to establishing the balance of genders in property and legal relations in rural areas. According to this analysis, women are owners of 28% of farms, 0.3% of small enterprises entered in the Register of farms and 0.2% of companies and cooperatives from this Register. Out of a total number of registered acres of arable agricultural land, 18% are owned by women. The share of women employed in legal persons in the agricultural, forestry and fisheries sectors was 27.1% in 2010. In 2010, according to data on beneficiaries of compulsory pension insurance on the basis of generational solidarity in the agricultural, forestry and fisheries sectors, the share of women was 34.7%. The number of insured farmers in the Croatian Pension Insurance Institute records in December 2010 was 31,703, out of whom 13,346 were women (42.1%).

191. Cooperatives are one of the most successful forms of business cooperation among women in rural areas. According to the Register of cooperatives and cooperative unions, women were entered as responsible persons in 270 cooperatives, which is 20% of all cooperatives. These cooperatives include 3,662 persons and 550 employees. More than a third of these cooperatives engage in primary agricultural activities, followed by the processing industry, trade and other activities. The average age of a director is 43 and half of them have college or university education. There are 9 cooperatives in which women are both members and responsible persons, having 143 members and 8 employees. They mostly engage in the cultivation of flowers, vegetables, crafts, tourism, and, preservation of heritage, in the general sense.

192. With a view to promoting the development of Croatian rural tourism, the Ministry of Tourism is implementing a programme of loans for the “Development of Rural Tourism”. The programme is based on the loan capacities of commercial banks and the Croatian Bank for Reconstruction and Development and Ministry of Tourism funds for subsidising interest rates. The share of women among loan applicants was 39% in 2008 and 36% in 2009. Women entrepreneurs were granted 44.19% of funds for primarily rural areas, 26.95% of funds for prevalingly rural areas, and 28.86% for mostly urban areas through projects of the Ministry of the Economy, Labour and Entrepreneurship’s Operating Plan for Support to Small and Medium-sized Enterprises for 2010.

193. Advisors of the Croatian Institute for the Agricultural Advisory Service encouraged and founded 26 women associations. The most frequent reasons for the association of rural women include training on production technologies (lectures), manufacture and sale of products (handicrafts, dairy products, fruit and vegetables), the organisation of visits to associations from other counties, and the organisation of exhibitions and other events.

194. The National Policy for the Promotion of Gender Equality 2006-2010 included measures aimed at upgrading knowledge and awareness about the position of women in rural areas. Measures aimed at keeping statistics of entrepreneurial activity of women in villages, and the further development of statistical and other indicators about the position of women in rural areas in general, as well as the development of advisory services specialising in the entrepreneurial activities of women in rural areas are included in the Women's Entrepreneurship Development Strategy 2010–2013.

195. The formal institutional agricultural education system includes 30 secondary schools, 3 technical colleges, 2 faculties of agriculture, one college, and the faculty of veterinary medicine and the faculty of forestry, while adult education is provided at open public universities, colleges, professional associations and numerous other institutions. Women also have the possibility to attend various courses, such as specialised seminars for farmers. Specialised seminars offer a type of informal education, and in the period between 2004 and 2010, they were completed by 506 (76%) men and 163 women (24%).

196. Health-care services are provided to women at all levels of health care, both in primarily urban or primarily rural counties of the Republic of Croatia.

197. On the occasion of the celebration of the International Day of Rural Women — 15 October, the Ministry of Agriculture, Fisheries and Rural Development and the Office for Gender Equality of the Government of RC organised on 13 October 2009 a conference entitled “The Status and Role of Women in Rural Areas of Croatia” which was attended by representatives of family farms, associations, cooperatives, entrepreneurial centres, ministries, scientific institutions, agencies. The topics covered at the conference included: a general overview of the social and economic position of women in rural areas in the Republic of Croatia; activities of the Office for Gender Equality in relation to the implementation of the Gender Equality Act; activities of the Ministry of Agriculture, Fisheries and Rural Development on the preservation of rural areas; the experience of a EU Member State in relation to gender equality: Examples and comparison of the experiences of Slovakia and the Czech Republic — Migration of women from/to rural areas and its prevention - EU legislation and measures; the national competition “Outstanding Woman” — reward for successful business women and examples of “good practice” in loan programmes for women entrepreneurs. The Ministry of Agriculture, Fisheries and Rural Development, in cooperation with the Technical Assistance and Information Exchange Instrument of the DG Enlargement (TAIEX) organised on 17 and 18 November 2010 the 1st international scientific gathering “Status and Role of Women in Rural Areas”.

198. The Ministry of Agriculture, Fisheries and Rural Development prepared in 2009 a questionnaire on the position, awareness and needs of rural women in the Republic of Croatia and started the implementation of a survey “101 questions for a rural woman” in all counties of the Republic of Croatia. The questionnaire will serve as a basis for publications and the public presentation of the collected data will be organised.

199. Every year, on the occasion of the celebration of the International Day of Rural Women, the association “Exemplary Rural Croatian women” organise the “Election of the most exemplary Croatian rural woman” in cooperation with the County of Zagreb. The objective is to promote the values of rural women, of the Croatian

village, of rural life, creativity, noble values, sustainable agriculture, the rural tradition and culture. The Croatian Institute for the Agricultural Advisory Service regularly organises the celebration of the International Day of Rural Women through various activities. Activities for the celebration of the International Day of Rural Women are organised by county commissions for gender equality in the form of thematic sessions, a public award in recognition of “Female creativity in rural life”, the organisation of round tables, events, forums and numerous other activities.

**Article 15 — Equality before the law and equality in choosing residence**

200. Please refer to the Second and Third Periodic report filed with the Committee.

**Article 16 (1. a-h) Equality in all matters relating to marriage and the raising of children**

201. Please refer to the Second and Third Periodic report filed with the Committee. The amendments to the Family Act were adopted in 2007. The Family Act regulates marriage, relations between parents and adopted children, custody issues, the effects of cohabitation of a woman and a man, and the procedures of competent bodies in family relations and custody. The provisions of this Act also apply to cohabitation on the basis of Article 3, that is, to the union between an unmarried woman and an unmarried man who have lived together for at least three years, or less if their union has resulted in a child. Married and unmarried partners have the right and obligation to support each other and their children. A marital partner, regardless of their gender, who does not have sufficient funds for life or cannot obtain funds on the basis of his or her property, and is unfit to work or cannot find employment, is entitled to support from their marital partner. Significant changes to the provision on support and property relations were made with a view to enabling the court to ask a person that has the obligation to support another person to provide a list of assets with the appropriate application of the provisions of the Enforcement Act. For the purpose of the collection of child support, enforcement can be carried out on the entire assets of the enforcement debtor which may be the subject of enforcement. The amendments also introduced a novelty related to supporting a divorced spouse, a marital partner from an annulled marriage and an unwed partner, according to which support does not have to be paid when that marital or unwed partner enters into a new union or when he or she becomes unworthy of that right.

202. Amendments concerning child support payments prescribe that, if a parent does not support a child, the grandparents from that parent’s side are obliged to support the child. The obligation to support a child shall persist even after the termination of a marriage. New provisions have been introduced concerning support, according to which a parent who did not support his or her child who does not reside with them, and was obliged to do so, must compensate the child for all the unpaid child support retroactively from the occurrence of that right to the adoption of the court decision.

One more novelty concerns the obligation of a social welfare centre, having received a final court decision on child support, to notify, in writing, the parent with whom the child resides and the parent who has the obligation to support the child of the rights and obligations to support the child. The social welfare centre must also file criminal charges against a person who does not comply with his or her obligation to support their child. If a parent who is obliged to support the child does

not comply with his or her obligation for more than 6 months, temporary child support will be paid by the social welfare centre until the parent, who is obliged to pay child support, starts fulfilling his or her obligation, and for a maximum of three years. When the social welfare centre institutes proceeding in cases where it is authorised to do so pursuant to his Act, the centre shall be a party in proceedings.

203. Concerning provisions on adoption and custody, the Family Act does not make gender distinctions. Adoption is permitted for marital couples, for one marital partner if the other marital partner is a parent, and for one marital partner with the consent of the other martial partner. A child may be adopted by a single parent too if this benefits the child. Pursuant to the provisions of the Family Act, the status of adopted children is identical to the status of biological children. Legal provisions on custody do not differentiate between genders.

204. A working group was established in 2009 with the Ministry of Family, Veterans' Affairs and Intergenerational solidarity to analyse the effects of the implementation of the Family Act and to propose recommendations for improving the Act. The task of the working group was to gather and process data on the previous implementation of the Family Act from bodies responsible for the implementation of the Family Act, courts, social welfare centres, expert and research institutions, and other interested persons and/or institutions. On the basis of the research results and an analysis of the existing legislation regulating family legal protection and former case law, the working group will propose recommendations aimed at eliminating ambiguities and inconsistencies in the implementation of the Family Act and at improving certain legislative solutions.

## Abbreviations

B.a.B.e.	Be active. Be emancipated
CARDS	Community Assistance for Reconstruction, Development and Stabilisation
CEDAW	United Nations Convention on the Elimination of All Forms of Discrimination against Women
CESI	Centre for Education, Counselling and Research
CBS	Croatian Bureau of Statistics
EC	European Commission
EU	European Union
HAMAG	Croatian Agency for SMEs
HRT	Croatian Radio and Television
CES	Croatian Employment Service
ICMPD	International Centre for Migration Policy Development (ICMPD)
ICT	Information and Communication Technology Sector
ILAEIRA	Anti-Trafficking Initiative Processes and Procedures for Trans-border Police Cooperation in South-East Europe
IPA	Instrument for Pre-accession Assistance
JIM	Joint Inclusion Memorandum of the Republic of Croatia
PETRA Network	Network of Women's NGOs for the Prevention and Elimination of Trafficking in Women and Children
MFAEI	Ministry of Foreign Affairs and European Integration
NATO	North Atlantic Treaty Organisation
OG	Official Gazette
O.M.G.	Open Media Group
PHARE	Pologne Hongrie Aide à la reconstruction économique – Poland and Hungary: Assistance for Restructuring their Economies programme
PROGRESS	Community Programme for Employment and Social Solidarity
RC	Republic of Croatia
USA	United States of America
SECI	Southeast European Cooperative Initiative – Regional Centre for Combating Transborder Crime

SOIH	Union of Associations of Persons with Disabilities in Croatia
UN	United Nations
UNDP	United Nations Development Programme
UNECE	United Nations Economic Commission for Europe
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNICEF	United Nations Children's Fund
UNDOC	United Nations Office on Drugs and Crime
UPR	Universal Periodic Review of Human Rights
URIHO	Institution for the Rehabilitation of Disabled Persons by Professional Rehabilitation and Employment
CoE	Council of Europe

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