



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

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COMMITTEE ON THE ELIMINATION OF
DISCRIMINATION AGAINST WOMEN
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ADOPTION OF THE REPORT OF THE COMMITTEE ON THE ELIMINATION
OF DISCRIMINATION AGAINST WOMEN ON ITS EIGHTEENTH SESSION

Draft report

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Addendum

IV. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 18 OF THE CONVENTION

B. Consideration of reports

1. Initial reports of States parties

Croatia

1. The Committee considered the initial report of Croatia (CEDAW/C/CRO/1) at its 363rd, 364th and 368th meetings, on 21 and 23 January 1998.

2. The representative of Croatia indicated that her country had acceded to the Convention on the Elimination of All Forms of Discrimination against Women, without reservations, on 8 October 1991. The initial report covered the period up to 1994 and the next report would be a combined second and third report.

3. The representative informed the Committee that at the time of submission of the initial report peace was the priority in her country. However, she emphasized that only through peace and through the development of democracy would women be able to achieve advancement in all areas. Croatia had finally achieved a level of peace, stability and security that had enabled it to channel

its activities towards social development and the promotion and protection of human rights. The advancement and empowerment of women in all areas of public life were essential for the full implementation of social justice in a democratic society.

4. The Commission for Equality of the Government of the Republic of Croatia had been established in May 1996 and had drawn up the national policy for the promotion of equality, based on the Beijing Platform for Action, after consultation with women's non-governmental organizations. The policy had been adopted by the Government in December 1997.

5. The national policy provided for specific measures to achieve particular goals in the areas of political decision-making, the economy and the economic position of women, health care, education, human rights of women and violence against women in war and peace.

6. Another representative spoke on the implementation of the Convention in the area of justice. She noted that constitutional rights of Croatian women were protected by the ombudsman and that both women and men were entitled to all legal remedies available through court proceedings. A new penal law had been introduced and its implementation had begun on 1 January 1998. She introduced statistics on acts of violence against women, rape in marriage, sexual harassment, prostitution (including international prostitution) and other criminal acts. Trends in such behaviour had instigated changes in the Penal Act. However, both men and women could be perpetrators and victims of crime.

7. A number of legislative provisions provided special protection for the family and in particular for women in their role as mothers and care-givers. Special rights were accorded to women and these were not regarded as discriminating against men, whose rights were also recognized. Parenthood was seen as a joint responsibility and this was reflected in legislation and by-laws.

8. Women were not allowed to work in jobs involving hard physical labour or underground or underwater labour, nor in any jobs classified detrimental to the life of women. Night work was prohibited by law unless it was approved under special circumstances and conditions. Employers were prohibited from requesting information on matters unrelated to employment issues, and this was a means of protecting pregnant women from discrimination in the workplace.

9. Minor changes to the law on health care had been introduced since the initial report. Health insurance and causes of hospitalization were described and it was noted that statistics on termination of pregnancy showed that abortions and miscarriages were the lowest ever.

10. The national policy on equality, which implements the Beijing Platform for Action and was adopted in December 1997, was developed to promote equality and is a mandatory document, with ministries and other authorities being obliged to carry out its provisions. The policy, which was developed in cooperation with non-governmental organizations and the Commission for Equality, consisted of two parts, a survey of the existing situation and specific measures to address crucial areas.

11. The representative concluded her presentation by examining particular articles of the Convention and their implementation. She indicated that there was a high unemployment rate for women, although there were equal opportunities for women in education and employment.

Concluding comments of the Committee

12. The Committee congratulated the Government of Croatia for ratifying the Convention without reservations and noted with satisfaction that the country's initial report followed the guidelines and presented comprehensive data on the situation of women in Croatia.

13. The Committee welcomed the excellent oral presentation of the Croatian delegation, which had supplemented and updated the written report. The Committee expressed its appreciation to the Government of Croatia for its high-level delegation headed by the Deputy Minister for Labour and Social Welfare. This demonstrated the State party's commitment to the Convention and its appreciation of the work of the Committee.

14. The Committee further welcomed the extensive answers provided by the delegation to its questions. This reflected a sincere effort by Croatia to address the concerns raised by the Committee during the presentation of the State party's report.

Positive aspects

15. The Committee commended the fact that the Convention had been incorporated into the national laws of Croatia and could be invoked before the Courts by any citizen.

16. Although dated, the statistics contained in the report were a significant aid to the Committee's understanding and clarification of the situation of women in Croatia.

17. The Committee welcomed the establishment of the Commission for Equality in Croatia. It also welcomed the national policy for the promotion of equality, which had been adopted to implement the Beijing Platform for Action. The Committee was pleased to be provided with copies of the national policy.

18. The Committee commended the efforts made by the Government of Croatia to cooperate with civil society and non-governmental organizations, and its promise of further efforts to improve cooperation with non-governmental organizations in the future, particularly in view of the presence of highly competent and active women's non-governmental organizations in Croatia. The Committee welcomed the fact that the national policy envisaged cooperation with such organizations.

19. The Committee was especially pleased to note the constructive attitude displayed by the delegation in its dialogue with the Committee. In particular, the delegation's oral responses reflecting willingness to give further consideration to areas and concerns raised by the Committee, were noted with satisfaction. In this context the Committee was very pleased to hear the

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Government's oral commitment to examine the following issues in the light of the Committee's suggestions:

(a) The need for measures to eliminate stereotypes that restrict women's role to that of mothers and carers;

(b) The need for measures to improve the participation of women in political life;

(c) The appointment of a deputy ombudsperson to deal specifically with women's rights;

(d) The need to improve public awareness about the Convention so that it may be used more frequently throughout the judicial system;

(e) The possibility of instituting a system of restraining orders, in particular to protect women subjected to domestic violence;

(f) The need to commence a dialogue and to coordinate efforts with trade unions on measures to protect women in the area of employment, in particular with respect to illegal pressuring of women by employers such as with regard to not becoming pregnant within a certain period after the commencement of employment;

(g) The need for increased assistance to family members, in particular women, taking care of the elderly;

(h) The need to collect more detailed information on the situation of rural women.

20. The Committee noted with great satisfaction the existence of programmes to assist women with special needs.

21. The Committee was pleased to be informed of the measures implemented to eradicate gender stereotypes within the education system. It was also pleased with the introduction of measures to introduce human rights education into schools.

22. The Committee was generally impressed by the health care system in Croatia and by the Government's clear commitment to universal coverage.

Factors and difficulties affecting the implementation of the Convention

23. The Committee expressed concern that data had not been collected on some areas, which made it difficult to assess accurately the implementation of the Convention in Croatia. In particular, the Committee was concerned that minimal attention had been paid to the issue of women living in poverty and that no disaggregated data were available on that point. It was also concerned that no sex-disaggregated data were collected on HIV/AIDS and that no reliable data had been collected on teenage pregnancy.

Principal subjects of concern

24. Despite some clarification during oral responses by the delegation, the Committee remained very concerned about the view contained in the State party's report that women themselves bear full responsibility for their low level of participation in public life. The Committee emphasized that the struggle to eliminate discrimination was an objective towards which all of society must work and that the Government should assume primary responsibility in implementing strategies to that end.

25. The Committee was particularly concerned about the consistent emphasis placed on women's roles as mothers and care-givers in Croatian legislation pertaining to a variety of areas. While legislative provisions protecting maternity are important, the Committee was concerned that prioritizing that aspect of women's lives reinforced traditional and stereotypical role expectations, which tended to limit women's full participation in society. The Committee commented that despite the fact that women in Croatia were well-educated and participated in the labour force in large numbers, a careful and gender-sensitive analysis of the emphasis on motherhood vis-à-vis women's roles in the public sphere was needed on the part of the Government to assure de facto gender equality in the Croatian society of the future.

26. The Committee was disturbed to note the Government's view that there was no need to specify gender inequality every time the issue of equality was raised. The Committee was of the opinion that this might contribute to the concealment of, in particular, de facto inequality and pointed out that, in order to increase the visibility of gender issues and to promote a gender-sensitive national agenda it was crucial to incorporate gender in all discussions of equality.

27. While the Committee was reassured to be informed that acts of domestic violence were prosecuted by public attorneys at the request of the victims, it expressed concern with regard to the adequacy of measures taken to encourage women to come forward with complaints and about the fact that prosecution by public attorneys ex officio or upon the complaint of third parties was not incorporated in the legislation on domestic violence.

28. The Committee expressed concern that there was some evidence of a close relationship between the Government and the church-related non-governmental organizations, which, it felt, could compromise the demarcation between the secular State and the church.

29. In the area of health, the Committee was particularly concerned that services pertaining to women's reproductive health were the first to be cut as a result of the Government's financial constraints. It was also concerned about information regarding the refusal, by some hospitals, to provide abortions on the basis of conscientious objection of doctors. The Committee considered this to be an infringement of women's reproductive rights.

Suggestions and recommendations

30. The Committee recommends that the Government of Croatia continue to implement and strengthen the measures it is taking to empower women and to mainstream gender issues. It encourages specific affirmative actions targeted to numerical goals and quotas, in particular in those areas such as political and decision-making positions of public life where women's de facto equality has not been improving at the desired pace.

31. The Committee urges the Government of Croatia to adhere to its oral statement of intention to give further consideration to the issues outlined in paragraph 19 above with a view to undertaking measures in response to the concerns of the Committee.

32. The Committee urges the Government of Croatia to take further measures to promote recognition of the variety of roles that women play in society. To that end, it suggested that it was crucial to educate the Croatian public with regard to the importance of an equitable distribution between women and men of family roles and "caring responsibilities".

33. The Committee requests that the Government of Croatia include more detailed information on article 6 of the Convention in future reports. The Committee requests that additional data be collected on the status of women involved in prostitution. The Committee would also appreciate more detailed information on the problem of trafficking in women, in particular migrant women, and the measures taken to implement legislation in that area.

34. The Committee requests that more information be provided about the situation of disabled women in future reports.

35. The Committee strongly recommends that the Government take steps to secure the enjoyment by women of their reproductive rights by, inter alia, guaranteeing them access to abortion services in public hospitals. It is suggested that the Government examine fully the implications for women, in particular, of funding cuts for contraceptives and that it implement strategies to address any detrimental impact on women.

36. The Committee urges the Government of Croatia to take the necessary steps to incorporate the participation of non-governmental organizations in the preparation of the country's next report to the Committee.

37. The Committee requests the Government of Croatia to disseminate the present comments widely throughout Croatia, so that individuals are aware of the measures that have been taken to implement the Convention and of the remaining steps that are required to achieve de facto equality for women.
