

## **Croatia, CEDAW, A/60/38 part I (2005)**

168. The Committee considered the combined second and third periodic report of Croatia (CEDAW/C/CRO/2-3) at its 673rd and 674th meetings, on 18 January 2005 (see CEDAW/C/SR.673 and 674).

### **Introduction by the State party**

169. In introducing the report, the representative of Croatia noted that in the framework of the process of accession of the State party to the European Union, which was currently under way, European authorities had recognized that laws and institutional structures for the promotion of gender equality were largely in place in the State party.

170. The representative of Croatia stressed that laws and regulations were in place to promote gender equality and eradicate discrimination against women. The Constitution recognized gender equality as the highest value of the constitutional order. The Gender Equality Act of 2003, which largely followed the provisions of the Convention, protected women against discrimination and set out a policy of equal opportunities for men and women. Other laws and policies, such as the Protection from Family Violence Act, the Act on Same-Sex Unions and the second National Policy for the Promotion of Gender Equality, contributed to the effective promotion of women's rights.

171. The national mechanisms included the Government Office for Gender Equality, which had been established in 2004 as the central government expert body, the Parliamentary Gender Equality Committee, established in 2001, and gender coordinators in ministries and at the local level. The Ombudsperson for Gender Equality was envisaged in the Gender Equality Act and appointed in 2003. Several of these mechanisms had only recently been established and the Government Office for Gender Equality, especially, would need to be further strengthened to ensure effective implementation of existing laws and policies.

172. Women's participation in political life had consistently increased since the 1990s and women now held 25 per cent of the seats in Parliament, putting the State party above the European average. Of the leading government officials, 30 per cent were women, including four out of 14 ministers and one of the two deputy prime ministers. This positive development was achieved through public debate, the adoption of various laws and strategies, including temporary special measures in accordance with the Convention, and, especially, the commitment of non-governmental organizations (NGOs). However, women's participation in local government was significantly lower than at the national level and stood at 14 per cent, and a series of activities aimed at increasing women's representation in the near term had been launched.

173. The representative of Croatia affirmed the Government's commitment to cooperate with NGOs in achieving gender equality. Such organizations had received funding for projects to promote women's political participation, as well as for publications, seminars and symposiums on gender equality and women's issues. As a result

of these seminars, a number of gender equality commissions had been formed at the county level, which would form part of a network of institutional mechanisms at the local and State levels.

174. One of the measures taken to change social and cultural patterns and eliminate prejudice and customs based on stereotyped gender roles was the declaration by the Government of 22 September as the national day of campaigning against violence against women. Its National Strategy for Protection from Family Violence (2005-2007) had been prepared with the participation of NGOs.

175. Turning to article 10 of the Convention, the representative emphasized that there was no gender discrimination in access to education. The Ministry of Science, Education and Sport had solicited opinions, comments and proposals from relevant NGOs in the preparation of new school curricula. The Government had also taken measures to prevent discrimination against women in the labour market and highlighted a project aimed at promoting women's economic empowerment and creating incentives for women entrepreneurs.

176. The representative pointed out that while most of the Convention's provisions were being implemented, coordinated action was required in a number of areas to remove obstacles that hampered social change and the attainment of genuine equality of women and men. On the basis of a national report on the implementation of the objectives of the United Nations Millennium Declaration, which had the support of representatives of civil society, NGOs, Parliament and the Administration, the Government had singled out a series of priorities for promoting gender equality, including in the areas of women's education, leadership and political participation, violence against women, women's economic status, the media, data and statistics, work-life issues and institutional capacity.

177. The representative stated the Government's readiness to continue to implement the Convention. It had published and disseminated a guide to the Convention and commemorated the twenty-fifth anniversary of its adoption. The Government would continue to give wide publicity to the Convention and its Optional Protocol.

## **Concluding comments of the Committee**

### **Introduction**

178. The Committee expresses its appreciation to the State party for its combined second and third periodic report which is in compliance with the Committee's guidelines for the preparation of the periodic reports. It commends the State party for including information on action taken in response to the Committee's concluding comments on the initial report. It also commends the State party for the written replies to the list of issues and questions raised by the pre-session working group, and for the oral presentation and the further clarifications in response to the questions posed orally by the Committee.

179. The Committee welcomes the State party's collaboration with women's NGOs and other civil society organizations in the preparation of the report.

180. The Committee commends the State party for its delegation, which was headed by the Head of the Office for Gender Equality, and included representatives from different ministries with responsibility for several areas of the Convention. The Committee appreciates the constructive dialogue that took place between the delegation and the members of the Committee, although some of their questions were insufficiently answered.

### **Positive aspects**

181. The Committee commends the State party on articles 14 and 3 of the Constitution on gender equality, and on the enactment of the Gender Equality Act of 2002. It expresses its appreciation for the adoption of other laws and legislative revisions aimed at the promotion of gender equality and eradication of discrimination against women and at achieving compliance with its obligations under the Convention, especially the new Family Law and the Law on Protection from Family Violence, as well as the amendments to the Criminal Code and Labour Code. It also welcomes the second National Policy for the Promotion of Gender Equality and the planned preparation of a new Policy.

182. The Committee commends the State party on its national machinery for the advancement of women, including on the establishment of commissions on gender equality at the local level.

183. The Committee notes with satisfaction the increase in the number of women in political life, especially in Parliament and in high-level positions in the national Government.

184. The Committee commends the State party for ratifying the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women in March 2001, as well as for accepting the amendment to article 20, paragraph 1, of the Convention in October 2003.

### **Principal areas of concern and recommendations**

**185. The Committee notes the State party's obligation with respect to the systematic and continuing implementation of all provisions of the Convention. At the same time, it is the Committee's view that the concerns and recommendations identified in the present concluding comments require the State party's priority attention between now and the submission of the next periodic report. Consequently, the Committee calls upon the State party to focus on those areas in its implementation activities and to report on action taken and results achieved in its next periodic report. It calls on the State party to submit the present concluding comments to all relevant ministries and to Parliament so as to ensure their full implementation.**

186. The Committee is concerned that the State party has not taken adequate steps to implement the recommendations in regard to some concerns raised in the Committee's previous concluding comments adopted in 1998 (see A/53/38/Rev.1, Part one, chap. IV, sect. 1). In particular, the Committee finds that its request to provide more information about the situation of minority women (*ibid.*, para. 115)

and of women with disabilities (ibid., para. 116) has been insufficiently addressed.

**187. The Committee reiterates these concerns and recommendations and urges the State party to provide the requested information in the next report.**

188. While noting that the State party has enacted a package of anti-discrimination laws, the Committee is concerned that insufficient measures have been put in place to ensure their speedy, consistent and effective implementation. The Committee is concerned about the lack of information about women's use of existing complaints mechanisms, including about court cases brought under these laws, which indicates women's lack of familiarity with these new laws. It is also concerned that the State party has not taken sufficient concrete action to ensure that judges, magistrates, law enforcement personnel, employers and the legal profession are sufficiently familiar with these legislative reforms.

**189. The Committee requests the State party to provide, in the next report, information on the action taken to ensure the implementation of these laws, as well as an assessment of their impact in enhancing the implementation of the provisions of the Convention and ensuring women's access to justice and redress in cases of violations. The Committee invites the State party to provide information about the number and types of complaints of alleged discrimination against women filed in courts and before other complaints mechanisms, and about their results. It also recommends that the State party strengthen education and training programmes, in particular for judges, lawyers and law enforcement personnel, on the legislative reforms aimed at eliminating discrimination against women. The Committee recommends that awareness-raising campaigns targeted at women be undertaken so that they can avail themselves of redress mechanisms.**

190. The Committee regrets that the report did not provide sufficient sex-disaggregated statistical data in all areas covered by the Convention. It is also concerned that the impact of policies and programmes aimed at eliminating discrimination against women has been insufficiently assessed.

**191. The Committee requests the State party to include adequate statistical data in its next report so as to provide a full picture of progress in women's enjoyment of their rights in relation to the provisions of the Convention. It also recommends that the State party regularly conduct impact assessments of its legislative reforms, policies and programmes so as to ensure that measures taken lead to the desired goals, and that it inform the Committee about the results of these assessments in its next report.**

192. While noting the steps taken by the State party to strengthen the national mechanisms for the advancement of women, including the establishment of the Government Office of Gender Equality and of the Ombudsperson for Gender Equality, the Committee expresses its concern that the national machinery does not have enough authority and human and financial resources to carry out its mandate and

promote the advancement of women and gender equality effectively. It is also concerned about the Office's limited capacity to undertake effective coordination and cooperation with all gender equality mechanisms at the national and local levels, as well as cooperation with women's organizations.

**193. The Committee recommends that the State party strengthen the national machinery, and especially the Government Office of Gender Equality, by providing it with adequate human and financial resources so as to make it more effective in carrying out its mandate. This should, in particular, include capacity for better and more effective coordination among the various gender equality mechanisms and for enhanced cooperation with civil society.**

194. The Committee expresses concern about the serious disadvantages women face in the labour market, as reflected in women's high unemployment rate, the persistence of strong vertical and horizontal segregation, wage differentials between women and men and the predominance of women in low-wage sectors. The Committee expresses its particular concern about the situation of women older than 40 years, as well as the discriminatory treatment of pregnant women in the labour market. The Committee is also concerned that insufficient attention is being given to policies supporting the sharing of work and family responsibilities between women and men.

**195. The Committee urges the State party to ensure de facto equal opportunities for women and men in the labour market through, inter alia, effective implementation of labour legislation and the use of temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25 on temporary special measures. It urges the State party to encourage women to use existing complaints mechanisms in cases of possible labour market discrimination. The Committee recommends that efforts be made to eliminate occupational segregation and age discrimination against women through education, training and retraining measures, and better use of enforcement mechanisms. It also recommends that the State party consider implementing wage increases in female-dominated public sector areas, such as the judiciary, education and health sectors. The Committee further recommends that measures allowing for the reconciliation of family and professional responsibilities be strengthened and promoted, including awareness-raising for equal sharing of domestic and family tasks between women and men.**

196. The Committee is concerned that Roma women remain in a vulnerable and marginalized situation, especially in regard to education, employment, health and participation in public life and decision-making. The Committee is also concerned about Roma women's difficulties in the enjoyment in practice of citizenship rights, in accordance with article 9 of the Convention.

**197. The Committee requests the State party to take effective measures to eliminate discrimination against Roma women, both**

**in society at large and within their communities, and to enhance respect for their human rights through effective and proactive measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, and awareness-raising programmes. It calls upon the State party to provide, in its next periodic report, a comprehensive picture of the situation of Roma women and girls, including data disaggregated by sex, in regard to their educational opportunities and achievements, access to employment and health-care services, and participation in public life and decision-making, especially in regard to policies that directly affect them. The Committee requests the State party to ensure equality for Roma women in the enjoyment of citizenship rights. The Committee invites the State party to monitor the situation of Roma women and provide an assessment of the impact of its policy and programmatic measures in support of Roma women in its next report.**

198. While recognizing the State party's efforts to address violence against women, the Committee is concerned about the high incidence of domestic violence, the limited number of shelters available for women victims of violence and the lack of clear procedures, or protocols, for law enforcement and health-care personnel who respond to cases of domestic violence. The Committee is also concerned about the high costs of legal representation in courts, which may be an obstacle to women victims of violence seeking redress through the justice system.

**199. The Committee urges the State party to place high priority on the implementation of the Law on Protection from Family Violence and to make it widely known to public officials and society at large, as well as promptly to complete and implement its national strategy for protection from domestic violence which is under preparation. The Committee calls upon the State party to ensure that violence against women is prosecuted and punished, and to facilitate women's access to legal aid. The Committee urges the State party to ensure that enough shelters are available to women victims of violence. It also calls on the State party to ensure that public officials, especially law enforcement personnel, the judiciary, health-care providers and social workers, are fully familiar with applicable legal provisions, and are sensitized to all forms of violence against women and adequately respond to them.**

200. The Committee is concerned about the persistence of sex-stereotyping in educational curricula and in textbooks. It is also concerned that girls and women in secondary schools and universities continue to choose study areas traditionally seen as "female areas" and that they are underrepresented in the sciences.

**201. The Committee encourages the State party to intensify its efforts to eliminate gender stereotyping and to strengthen the mainstreaming of gender perspectives in curricula and textbooks. It also requests the State party to enhance the training of teaching staff in regard to gender equality issues. It calls on the State party to further encourage diversification of the educational choices of boys and girls and, at the tertiary level, to attract more women to**

**the field of science and technology, including through temporary special measures in accordance with article 4, paragraph 1, of the Convention. It also urges the State party to encourage a public dialogue on the educational choices girls and women make and their subsequent opportunities and chances in the labour market.**

202. The Committee is concerned that women are significantly underrepresented in the executive bodies of local authorities.

**203. The Committee recommends that the State party take appropriate measures to increase the representation of women in the executive bodies of local authorities, inter alia by implementing temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25. The Committee recommends that the State party assess the causes for the successful increase of women in public and political life at the national level, including in Parliament and the Government, and to use the lessons learned to increase women's participation in local government structures.**

204. The Committee is concerned about the incidence of trafficking in women and that the State party has become a country of origin, transit and destination of trafficked women and girls. The Committee is concerned that the incidence of trafficking is leading to an increase in exploitation of the prostitution of women.

**205. The Committee urges the State party to step up its efforts to combat trafficking in women and girls, including finalization and implementation of its Operative Plan for Prevention of Trafficking, 2004 to 2008. The Committee further calls on the State party to take all appropriate measures to suppress exploitation of the prostitution of women, including through discouraging the demand for prostitution and taking measures to rehabilitate and support women who want to get out of prostitution.**

206. The Committee requests the State party to respond to the concerns expressed in the present concluding comments in its next periodic report under article 18 of the Convention. The Committee invites the State party to submit its fourth periodic report, which is due in October 2005, and its fifth periodic report, which is due in October 2009, as a combined report in 2009.

207. Taking account of the gender dimensions of the declarations, programmes and platforms for action adopted at relevant United Nations conferences, summits and special sessions (such as the special session of the General Assembly to review and appraise the implementation of the Programme of Action of the International Conference on Population and Development (the twenty-first special session), the special session of the General Assembly on children (the twenty-seventh special session), the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and the Second World Assembly on Ageing), the Committee requests the State party to include information on the implementation of aspects of those documents relating to relevant articles of the Convention in its next periodic report.

208. The Committee notes that States' adherence to the seven major international human rights instruments, i.e., the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, enhances the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. Therefore, the Committee encourages the Government of the Republic of Croatia to consider ratifying the treaty to which it is not yet a party, i.e., the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

209. The Committee requests the wide dissemination in the Republic of Croatia of the present concluding comments in order to make the people of Croatia, including government officials, politicians, parliamentarians and women's and human rights organizations, aware of the steps that have been taken to ensure de jure and de facto equality for women and the future steps required in that regard. It also requests the Government to continue to disseminate widely, in particular to women's and human rights organizations, the Convention and its Optional Protocol, the Committee's general recommendations, the Beijing Declaration and Platform for Action, as well as the outcome document of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century".