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**Committee on the Elimination of Discrimination  
against Women**  
Pre-session working group  
Thirty-second session  
10-28 January 2005

**Responses to the list of issues and questions for  
consideration of the combined second and third  
periodic reports**

**Croatia\***

\* The present doc

**GOVERNMENT OF THE REPUBLIC OF CROATIA  
OFFICE FOR GENDER EQUALITY**

**Reply to the list of issues and questions in relation to the combined second and third periodic report of Croatia (CEDAW/C/CRO/2-3)**

**Constitution, legislation and national machinery**

Considering the inquiry

their marital acquisition and own possessions, equally sharing the acquisition, unless stated otherwise in a nuptial or prenuptial agreement.

The extramarital community of a man and a woman has legal effects pertaining to property, which regulations of the family law on property relations be 8549 581.0108on, untloy0 12 216.74228 357.6734 58

that the Office for Gender Equality was set up for this purpose (in March 2004) as the expert service of the Government of the Republic of Croatia for implementing and coordinating all the activities related to the realization of the gender equality policy. The Office is still being set up, but considering its multiple missions and jurisdiction foreseen by legislative provisions, currently insufficient staffing and financial resources of the Office will necessarily need strengthening. a

The role of the Office is to recommend to the Tpo.h.n 27 812 0 12 324.839916 638.5802 Tm(af)Tj12 0 0

level of the Government, and the Gender Equality Committee at the parliamentary level. Apart from the sta

nongovernmental organizations (B.a.B.e., Žar, Roma women organization «Better future»), experts in the mentioned field, representatives of the Human and Minority Rights Committee of Croatian Parliament, the National Bureau of Statistics and the Ombudsperson for Gender Equality. The goal of the Working group is to draft a report about the improvement of the position of female minority members, wrT2 520.21565 652.h witcu26 1 TmTm(31104006 Tm(mbers, cludTj0.0005 Tc 0.169 Tc.3600.90'11

Program. The funding for the implementation of the Program will be ensured from the State budget, the budgets of the local and regional self-government units, and from donations and other sources.

Roma women are often marginalized; there is a high fertility rate as well as a traditional division of family roles. The attitude toward women is not emancipated; women are exposed to discrimination which is reflected in the raising of children and the functioning within the family. Children aged 10 to 12, and even younger, participate in the activities of their parents and families, which prevents their regular schooling to a great extent. The main decision-making in Roma families is mostly done by the man, that is, the husband, but the traditional «female» activities (preparation of food, cleaning the house, getting household necessities) and childcare, is done by the women in most families (90% of women take care of the household, and 74.1% of women take care of the children on their own).

The aim of this Program is to achieve inclusion of Roma in the decision-making process at all levels (local, regional, state) according to the regulations in force, and raise awareness of the Roma, especially the Roma women, about the possibilities .42065 Tm( wom)3.679 512.28082.119.26038 Tm6desreg

The Republic of Croatia joined the Decade for Roma Inclusion initiated by the Open Society Institute and the World Bank, which represents the act



gender equality. When the Office for Gender Equality receives individual complaints of citizens about the violation of human rights of women and sends them to the Office of the Ombudsperson on gender equality for further procedure and analysis, as well as informs the Ombudsperson on the propositions of laws and/or changes and amendments of laws which in any way might deal with gender equality. The Director of the Office for Gender Equality participates on a regular basis in the activity of the Parliamentary Gender Equality Committee. By the end of September, and through the agreement of these three institutions, the Coordination of State Bodies for the Promotion of Gender Equality was set up, and the Female Network of Croatia is included in it as an umbrella organization of female nongovernmental associations. The systematic work on the implementation of the Convention on the Elimination of Discrimination against Women is one of the most important goals, and the preparations for the celebration of its 25 th anniversary are in progress.

### **Participation of women in public life and decision-making**

#### **Question 9**

Political participation of women is not satisfactory even though there is a tendency of continuous gradual increase. From the first multiparty elections in 1990 until today, the number of women MP's has increased considerably, leveling at approximately 25% after the 2003 elections. The cause for this is the political recognition of the significance of this problem, that is, the development of political tactics and strategies by state authorities, political parties, and the nongovernmental sector. Public opinion surveys also find the awareness of the under representation of women in politics and quite a high degree of preparedness to vote for female candidates. At the moment, two women are vice-presidents of Parliament, out of a total of five vice-presidents. The representation of women on parliamentary working bodies/committees is from 12% chair committees, and 28% deputy chairs to 22.73% members of parliamentary committees. There has been an increase in the total participation of

during the year 2005, the staff of the Office shall promote the need for inclusion of as many women in politics as possible throughout the Republic of Croatia. There is an ongoing discussion on the proposals for changes to be made in the Law on Election of Officials to Local and Regional Authorities, as well as a consideration of other legislative initiatives to be taken, aimed at including female candidates in party candidate lists.

The nongovernmental organizations in the Republic of Croatia dealing in human rights of women, led by the Female Network (an umbrella association of female nongovernmental organization consisting of 46 member-organizations) and a number of gender equality coj(fe)Tj12 0 0 f66.9ny wom

**Violence against women**

**Question 12**

The Law on Protection from Violence in the Family defines the concept of violence in the family, the persons considered to be family members, prescribes the manner of protection of family members, and the types and purpose of legal sanctions. It also regulates that all procedures initiated according to this Law are urgent in nature.

According to Article 4 of the Law on Protection From Violence in the Family, violence in the esily



(1) Anyone who by breaking international law through use of force, or threatening to use force, coercion, abduction, misuse of position of helplessness or jurisd

**Employment and reconciliation of work and family responsibilities**

**Question 15**

The national family policy came into existence as a result of a comprehensive expert and political analysis of all earlier attempts and legislative initiatives in the creation of a quality family policy, in the process of which the noticed faults were removed and new institutions were introduced into the family policy.

The attitude in which the role of the women is defined in terms of mother and caretaker is completely abandoned by the new Family Policy, and the suggestion on the legislative introduction of

prohibition of discrimination in the field of employment and labor. The provisions of both of the mentioned laws are completely compatible with Article 11 of the Convention (see Appendix).

**Question 17**

The Economic-Social Council of the Republic of Croatia, as a tripartite body, consists of the representatives of the Government and the social partners, that is,

the completion of parental leave, one of the parents has a right not to work until the child turns three years of age, during which time the rights and obligations of the e



Even though the differences in incomes of women and men mostly arise from the differences in the average incomes in sectors that mostly employ women and those sectors that mostly employ men

of rights and obligation of asylum seekers, those that granted asylum and foreign citizens who were granted temporary protection, as well as the conditions

**Question 24**

The goal of the Law on Gender Equality is to remove the widely spread stereotypes in society, including education. It follows from the statistical indicators that there is no gender gap/discrimination in Croatia when it comes to accessibility of education.

The national priority in the area of education was detected in the need for introducing gender-sensitive education in the curricula, aimed at removal of gender-stereotypes and education of educators directed at promoting gender equality.

One of the most important tasks of the Office for Gender Equality is to initiate the introduction of gender-sensitive education in all school curricula, especially through the elimination of stereotypes from textbooks and curricula on all levels of education and training, to promote the inclusion of female experts into the curricula-drafting commissions, to promote the continual education of preschool and school teachers and staff, as well as to promote and support gender research and gender studies.

The Office for Gender Equality has with this goal in mind undertaken a number of activities. First, it initiated the set-up of cooperation of nongovernmental associations and the representatives of the Ministry of Science, Education and Sport dealing with gender equality and education issues, especially when it comes to elimination of all stereotypes in the education system. The mentioned Ministry is drafting the Catalogue of knowledge, competencies and skills that are to be the basis for new textbooks in all areas of education and training. A Coordination board, coordination secretaries and renowned experts in natural sciences-mathematics-technical sciences, social-humanistic sciences and art with 15 commissions for each subject matter in primary schools are working on the drafting of this Catalogue, including the working groups for defectology, physical culture and socialization factors and content. The Office for Gender Equality insisted that the subject matter commissions in certain areas also be consisted of experts in the gender equality field, in order to adequately address this issue and include it into all the necessary areas.

Implementing Article 14 of the Law on Gender Equality, the Office for Gender Equality has ensured the partial funding of nongovernmental projects aimed at awareness-raising activities in the field of gender equality. Thus, the publication of two documents on gender equality was co-financed.

**Health care****Question 25**

The Family Law proscribes that marital partners decide together on the having and raising children, so our law accepts the right to plan the family in accordance with the Convention on Elimination of All Forms of Discrimination Against Women.

57.000, while in 2002 there were 5.000 abortions, which is a result of a systematic care for women through their chosen gynecologists in primary health care.

### **Question 26**

The role of chosen family doctors and teams for the protection of female health is very important in the early prevention of breast cancer, because they are obliged to conduct preventive measures of promotion of health through individual advice, classes or group discussions and introducing women to risk factors and adequate techniques of self-check-up of breasts along with measures for registering, evidencing, reporting and evaluation of work by introducing name-by-name registries of chronically ill patients according to the Plan and Program of Health Care Measures of the Ministry of Health. The diagnosis, treatment and following procedures of women with breast cancer are part of the National Program for Early Detection of Breast Cancer, which obliges all chosen primary health care doctors to consistent activity and implementation.

The Ministry of Health of the Republic of Croatia has to this end published a brochure labeled Early Detection of Breast Cancer – Prevention and Procedures for Diagnosis, Treatment and Following of Women with Breast Cancer, in 3.000 copies, which has been distributed to all primary health care doctors as well as gynecologists and county public health care centers.

Also, a pilot Project for Early Detection of Breast Cancer is being initiated in the County Primorsko-Goranska. The Ministry of Health and Social Care is giving financial support to the mentioned project in the amount of 150.000,00 HRK for the education of staff, which will be implemented by the Public Health Institute in Rijeka, and also for analysis of the survey and evaluation of the project.

The goal of the project in question is to check-up women aged 50 to 65 at the invitation of the County P57w

## **Marriage and family relations**

### **Question 28**

Entering marriage is regulated by the provisions of Articles 6 through 23 of the Family Law, and the effects of entering marriage in the religious form in Article 8 of the Family Law. The procedure of entering marriage in the religious form is regulated in the provisions of Articles 20 through 23 of the Family Law in order to make its effects equal to those of the civil procedure of entering marriage. Entering marriage in the religious form is regulated by each religious community by its provisions, but before entering marriage the civil-official gives the bride and groom a confirmation on the fulfillment of all conditions for entering marriage (a marriage license), and after the act, the official of the religious community that performed the wedding gives the civil-official a signed document confirming the marriage.

It is a general rule and principle of the Family Law that the marital partners are equal in their rights, giving women equal rights with the men. Due to the specific position of the woman, being a mother in a marriage, there are special provisions on the protection of women during pregnancy etc in the Law. Divorce is regulated by provisions in Articles 42 through 51 of the Family Law, and it is a procedure in which both partners have absolutely equal rights, but the husband has no right to demand divorce during his wife's pregnancy or until a child turns one year of age (Article 42, paragraph 2 of the Family Law).

## **Optional Protocol**

### **Question 29**

In 2002 The Gender Equality Commission published a brochure with the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol to the Convention in 1000 copies, which was widely distributed.

The Office for Gender Equality of the Government of the Republic of Croatia, in cooperation with the nongovernmental organization CESI – Center for Education and Counseling of Women, organized in September 2004 seminars on «Gender mainstreaming policy» for representatives of county commissions for gender equality and representatives of nongovernmental organizations, where the importance of the Convention and the Optional Protocol to the Convention and its mechanism for the protection of individuals and groups in case of breach of rights protected by the Convention, were highly stressed.

The texts of the Convention and the Provisional Protocol will also be available on the web-site of the Office for Gender Equality.

## **APPENDIX**

The anti-discrimination provisions of the Labor Law according to Article 11 of CEDAW

### «PROHIBITION OF DISCRIMINATION»

#### Article 2

(1) It is forbidden to directly or indirectly discriminate against a person seeking employment and an employed person (worker, appointee, official or other worker) (further in the text: employee) based on race, skin color, sex, sexual orientation, marital status, family obligations, age, language, religion, political or other conviction, national or social origin, property, birth, social position, membership or lack there of in a political party, membership or lack there of in a labor union and physical or psychological difficulties.

(2) Direct discrimination, in the sense of this Law, means every action caused on one of the basis from the paragraph 1 of this Article, by which a person from paragraph 1 of this

(6) The regulation of an employee's obligation to contribute to solidarity through a collective agreement and according to the provisions of Article 187.a of this Law is not considered to be discrimination based on non-membership in a labor union described in paragraph 1 of this Article.

«EXCEPTIONS FROM





1. employment, self-employment or labor conditions, including the criteria and conditions for candidate selection for job positions, in any sector of