

**REPORT ON WOMEN'S HUMAN RIGHTS  
IN THE REPUBLIC OF CROATIA IN 2006**

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# **REPORT ON WOMEN'S HUMAN RIGHTS IN THE REPUBLIC OF CROATIA IN 2006**

## **Introduction**

In 2006 no significant changes to women's human rights were apparent.

Women's human rights violations are still happening systematically in all areas of social activity, with special stress on the educational system, which does not educate on gender equality as a prerequisite for changing the existing practices, using textbooks which are still full of discriminatory patterns and stereotypes. The motion of the Ministry of Science, Education and Sports to introduce the health programme of the NGO Grozd, which in its section on human sexuality reproduces numerous scientifically incorrect assertions and patriarchal and homophobic opinions, further escalates the problem of women's and gender minorities' human rights violations in the educational system.

Although the public awareness, mainly due to activities of women's NGOs and the media, shows an increase in regard to issues of violence against women and partially to different forms of discrimination, public policies, changes of the legal framework or eliminations of discriminatory practices show no essential changes. A notable positive example was the comment of the verdict by Supreme Court Judge Ranko Marjan in which he quoted the Act on Gender Equality, pertaining to the Magaš case processed at the Municipal Court in Zadar.

## **Women and Poverty**

At the 4. UN Conference on Women (1995) governments accepted responsibility for the implementation of an action plan with 12 critical areas. The first point of this plan pertains to women and poverty - Stating that women are a disenfranchised segment of population and as such live in unacceptable circumstances of growing poverty, especially in developing countries and countries in transition.

The Government of the Republic of Croatia started implementing the Peking platform in 1996, founding a Committee for Equality on 18 December 1997. and adopting the first *National Gender Equality Policy* which managed to skip the issue of poverty in women. This practice was continued by the second *National Gender Equality Policy* (04.12. 2001. – Croatian Parliament), and the latest, third *National Gender Equality Policy 2006 – 2010*. passed by the Parliament on 13 October 2006.

Since the very beginning the basic documents on gender equality promotion in Croatia proposed numerous measures, but have never focused on poverty in women.

Attitude toward poverty in Croatia can be seen from the fact that there is still no official poverty line (*Report on Millennium Development Goals* (issued by UNDP) and *Poverty, Unemployment and Social Exclusion* (issued by UNDP). To get any sort of estimate on needs of the populace, World Bank or EU standards are used, or Trade union shopping cart introduced by trade unions to fill the place of inexistent official analyses.

The Republic of Croatia is attempting to shift the burden of social needs to the citizen, the family or local community. Article 63. of the Constitution states that parents are obligated to raise, support and school their children, and that children are obligated to care for their elderly and frail parents.

This constitutional commitment has been passed into laws, resulting in situations where retired parents support their children and grandchildren, with no help from the state.

Current social policy is equally evident from the amount of social assistance, 400.00 Kn a month, unchanged for a number of years.

Croatia has no systematic policy of housing the socially threatened persons. Investments on the national and local self-government level in constructing social housing are small and do not satisfy the extant needs.

The pension system is creating poverty directly. Pensions are based on a 1996 Act practically guaranteeing that persons living exclusively on pension will remain poor.

Although the policies mostly do not address poverty of women, it exists. It exists because the unemployed stay unemployed and poor with the current lack of jobs. The workplaces lost in the transition have not been replaced by new ones, and their availability to women is limited

Using the EU Poverty line, it is usually stated that some 17 % of the population is poor, 800.000 people, and the number is likely to increase. With indices showing that the highest risk of poverty is borne by single-person households, the unemployed, the elderly, single parent families with one or more children and the retired, it is safe to say that poverty in Croatia has a female face. Women, namely, comprise the dominant population. In 86,2% of divorces the children are given to the mother. According to data from the press (January 2006), 60.000 children do not receive alimony. Women usually work in activities where the salary is below the national average (textile, retail, services). The average salary in clothes production, employing almost 70% of women is 43% below the national average. Men in Croatia receive on average 16% higher salaries than women. 51% of all social assistance recipients are women.

Poverty risk is much greater in women (In 2003 it was 18,1%) and reaches its highest point

in the elderly over 65 (29,5%). Poor women are returnees, nation minority members, the handicapped.

Elderly women are more often poor, as they receive small pensions and (currently) live longer than men. This is especially true of those that do not receive a pension. These are often women who had worked in agriculture all their lives, living in remote villages and settlements, but cannot continue their activities because of old age. Social assistance to these women is small and intermittent, due to the properties they own.

It is easy to notice a negative trend in women unemployment (In Istria, 65% of the currently unemployed are women – in Croatia as a whole the number is 60% with women holding the record in long-term unemployment).

The responsibility for this situation lies with the authorities, as there is no control over employers' actions in hiring women and removing discrimination from the hiring process, there are no systematic incentives for employing women, especially single mothers, women who survived domestic violence, the long-term unemployed, and no macroeconomic incentives for opening workplaces for women. Employment of women – minority members, the handicapped, and single mothers is a continued additional and specific problem within the issue of unemployment in women.

Different Governments answer this issue with measures (2002) which have since been annulled, whereas in 2006 some measures for stimulating employment of those who have difficulties in entering the job market were reintroduced.

A strong poverty factor is the education level of the population, so government intervention is needed in the areas of education, training and re-training.

Women victims of violence often change their place of abode to preserve their lives, yet there

are no legal privileges for their new employment and social housing. They usually have to lease a flat or a room, which raises their costs of living. They receive no benefits in the work process, although they have been, or are still subject to violence. Statutes do not foresee absence from work for various needs (visits to doctors, court appearances, parents' meetings). This makes it hard for women to keep a job and stay economically provided for. Alimonies are hard to collect and child care funding is small. Thus a great number of women come to us for help – living mainly on intermittent alimonies and child care funding. Women who are victims of violence, even if they have a job, are faced with difficulties in paying their bills.

Until development policies and economic strategies are formulated, there is urgent need to determine the threshold of poverty and increase welfare for all below that threshold. There is need for special measures aimed at women victims of violence in view of employment. The same is true of work conditions.

The women comment that they have no faith in institutions of the system whatsoever. If they cannot get an apartment, collect alimonies, or get a new job, naïf they are unemployed for long periods of time and their work is mostly „black“, if the welfare benefits are 400.00 Kn – it is no wonder they do not feel that the system is supporting them.

### **Members of National Minorities**

Female members of national minorities are faced with all the problems that afflict a minority in a society: difficulties in employment and entering the unemployed ranks formally, difficulties in realizing their social rights. Rights of residence, pension and other rights are hard to achieve, and poverty is evident especially among women in rural areas.

Re-claiming of property (Houses, land, forests) and tenancy rights is slow. Often, the process is

selective (including the house, but not the land), so that the problem of making a living remains unsolved.

In the areas of special care the administrative centres, healthcare and social care and medicine are not accessible due to distance, bad traffic and communication connexions. National tension is still present in these areas, a frame of mind reproduced among children which are subject to it as well.

Access to the right of participation in local communities is also difficult as most political parties are still nationally exclusive, speaking neither to women nor the minorities.

Female members of national minorities are doubly discriminated, on the basis of gender as well as their ethnic background, as demonstrated by difficulties in employment, abject poverty, questioned right to diploma nostrification. Female members of the Serbian minority are discriminated at employing, especially on local government and self-government levels and institutions such as the police and judiciary.

Roma women are discriminated in education already on the primary school level, consequently only a small percentage of them ever finish elementary school Roma women are subjected to uncontrolled childbirth, difficulties in utilizing their health insurance, segregation in settlements on edges of towns, which presents further difficulties in their socialization.

Due to cultural heritage Roma women marry in their adolescence, often in pre-arranged marriages, which exposes them to greater risk of human trafficking for sexual and work exploitation.

The most pronounced problem is the matter of child custody, as minority women can not leave the country with their children due to problems with their husbands. Female members of national minorities are more likely to lose child custody than members of the majority, in which cases the custody is still mostly given to mothers.

## **Women in Rural Communities**

Women in rural areas have been completely marginalized, clearly demonstrated in their inability to access most of their rights. There are no reports on the position of women in rural areas, no statistics, no policy, and declarative regulation guaranteeing gender equality puts them in a single category. Women in rural areas and their specific needs are all but invisible in the society at large.

Since the main element of society in rural areas is the family, women's role in the family determines their standing in society. Traditional marital and family relations are present, with all forms of violence against women.

This is especially true of older women. Patriarchal way of life, tying women with the house and domestic and household activities, in which men make all the important decisions and the church is the most important factor in forming attitudes, leads to deterioration of women's position in rural areas and young women leaving for the cities. Life of women in rural areas is characterized by old age, ailments, impotence, loneliness, isolation, inaccessibility of healthcare, lack of means, low level of education and poverty. There is no consistently implemented social welfare system which would take care of aging and agricultural households.

The number of women without health insurance is great, and regardless of the fact that they work in agriculture they have no pension insurance, and are faced with total lack of care and poverty at the end of their active years.

Young women are faced with limited choice in schooling and later employment. Women in rural areas mostly do not own anything, even if the household is their inheritance, it has been signed over to their husbands or children. Women in rural areas, apart from agricultural work

also perform domestic tasks and raise their children and grandchildren, and are overloaded with unpaid work.

Although the influence of patriarchal relationships, lack of women-oriented policies and retrograde value systems of religious communities can be observed in urban centres as well, we consider women in rural areas more afflicted by these factors and by unequal role of women in general.

It is characteristic that women from rural areas participate only to a limited extent or do not participate at all in local self-government. Women in rural areas are isolated from the influence of NGOs, the police and media, sentenced to mere acceptance of their position.

National Policy for Promotion of Equality of Genders 2006-2010 has postponed looking at and changing the position of women in rural communities, as they are mentioned in just two measures:

1. Women's human rights 1.2.4. Rural Women's Day shall be marked every year on 15 October.
2. Equal opportunities on the job market 2.2.10. A secondary analysis shall be carried out and new research into position, frame of mind, behaviour patterns and needs of rural women financed, with an action plan based on these completed in 2008.

The declarative, even counterproductive care of institutions for the rural woman is well documented by the election of the model rural woman of the year, under the auspices of the Ministry of Agriculture, Forestry and Water Management. This election has been promoted and took place in most counties and many towns. Its content, values it promotes and questions posed to the candidates affirm and value patriarchal values, roles of women as traditional homemakers,

mothers and maids, and directly violates human rights taking into account marital status and number of children. The nationwide spread of this contest and its high auspices bear witness to total lack of knowledge and efficiency of coordinators for gender equality in ministries and all level of administration.

### **Article 6. of the contest published on Krapinsko-Zagorska County Web Site**

The selection procedure is as follows: Following the application to the Contest, the candidates are visited by the members of the Committee which evaluate the state of the holding and home, conviviality of the hostess and her products.

A contest follows on a specially organized final public show in the settlement, municipality/ town or the County of origin of the previous winner. Women are assessed, chosen and the results of the contest made public during this show.

Based on the Application, visit to the household and the contest itself five criteria are evaluated: (a) General status of the woman: **Marital status, Education, Age, Number of Children and Family**, size of the agricultural holding, (b) Special status of the woman: additional education, entrepreneurship, traditional products, work in art and culture, humanitarian and social work, awards to date, (c) Personal product for the market in the choice of the candidate, (d) General state of the household and holding, hospitality, (e) General impressions during the Contest. Obligatory traditional attire of the region from which the candidate comes. A special Committee is in charge of the contest and evaluation, and chooses the ..... The First and Second runners-up. *(bold by Women's Network)*

### **Rights of sexual and gender minorities**

Positive developments in rights of sexual and gender minorities in the Republic of Croatia in 2006 are visible through continued active role of the Office for Gender Equality, and the

introduction of hate crime (the definition explicitly involves sexual orientation) based on the initiative of the Legal Team of Iskorak and Kontra, with support from Women's Network Croatia and Serbian Democratic Forum .

A positive trend is visible in a growing number of reports of violence and discrimination to organizations for protection of sexual and gender minorities. More and more people dare report homophobic, bifobic and transfobic hate crimes. The online legal counsel of the Legal Team of Iskorak i Kontra has received 27 questions, out of which 10 pertains to punishable behaviour. The Legal Team has worked on 22 cases in the past year, out of which 16 are concerning punishable conduct toward a number of individuals on the basis of their sexual orientation.

The most serious transgressions against human rights of sexual and gender minorities have been committed by the Government of the Republic of Croatia on a Committee for Gender Equality session, and the Croatian Parliament in discussions of a proposal of the Act on Registered Partnership. Representatives of the Government and the Croatian Parliament have been using hate talk concerning sex and gender minorities in addressing their colleagues and the Croatian public. To wit, Niko Rebić from the Croatian Democratic Union has, during the session of the Committee for Human Rights and Rights of National Minorities of the Croatian Parliament stated that „...the main message of the Bible on the topic of Sodom and Gomorrah and AIDS is one of the indications of what is happening in these same-gender unions“. This statement has, along with many others made by Members of Parliament, been taken up by the media and had the effect of stigmatizing the sexual and gender minorities and persons afflicted by HIV/AIDS.

The new Ombudswoman for children, appointed in 2006 has also shown express intolerance toward gender minorities in one of her first addresses. In this case hate talk was directed at same-gender couples and the children growing up in such conditions, the very group that needed protection of the Office of the Ombudswoman for children.

The violations of human rights of sexual and gender minorities by police officers during the Zagreb Pride manifestation also did not abate.

## **E d u c a t i o n**

The general impression is that the year 2006 has shown no significant changes in implementation of gender-aware approach to education.

As the Croatian Parliament adopted the National Policy for Promotion of Gender Equality 2006-2010 no sooner than 13 October 2006, the proposed measures for implementation of goals have not been undertaken in 2006.

Elementary School handbooks used in 2006/07 have not been harmonised with the new Textbook Standard. The Textbook standard was adopted on 17 January 2007 instead of the year 2006, as Minister Primorac signed it no sooner than 4 December 2006.

The new Textbook Standard mentions gender equality expressly in the chapter 2.4 Ethical prerequisites, point 5. stating that it “supports gender equality in the appropriate use of nouns of both genders, especially in occupational and professional taxonomy, without influencing the communication level and natural flow of the Croatian language, and prepares both genders for active and equal involvement in all areas of life”.

Furthermore, the Ministry of Science, Education and Sports (MSES) has not, to our knowledge, begun a systematic and continuous education concerning gender equality for the stakeholders in educational activities, which is a measure foreseen for the entire period referred to by the National Policy for Promotion of Gender Equality. To the best of our knowledge, the Ministry of Science, Education and Sports has not in 2006 included an appropriate number of experts form

the areas of gender equality in their process of preparing regulation and acts that fall within its sphere of responsibility, which is another measure of the National Policy.

The areas of primary and secondary education are still areas without proper education on matters of gender equality. It is a matter of special concern that the Croatian National Educational Standard (CNES) failed to take a distinct position on these matters. Our position is that gender perspective does not exist in this Standard, not merely in view of its content, which determines the categories of knowledge and skills to be achieved by students, but also in the very text of the document where sexism is present in using the masculine gender throughout the document, despite the fact that at the time of its creation the Act on Equality of Genders was already in power, and the text of the document had to be written accordingly. It is a matter of additional concern that there are coordinators for gender equality in all the Ministries, so it is totally unacceptable that this instance has not issued a warning concerning an official document written entirely in the masculine gender.

In higher education, no integral undergraduate or graduate programme has been introduced in 2006 in the fields of gender, female or feminist studies, which would provide non-discriminatory knowledge on men and women and other genders and contribute to removing the sex/gender inequality as well as removing gender stereotypes in education, science and other areas on all levels. Still, some programmes, mainly those humanities-oriented, feature courses or topical segments of existing courses incorporating gender perspective.

The greatest concern in the area of education in 2006 had to do with MSES activities concerning sex education programme. Although it was to be expected that CNES would include sexual education content based on scientific facts, this area has been neglected, and there is obvious confusion and lack of determination in finishing the programme. Thus it is, for example,

totally unclear why sexual education is listed as a measure for reducing the incidence of sexually transmitted diseases, when there is no such programme in our primary and secondary education.

It is a fact that the Ministry of Science, Education and Sports did on 23 February 2006 publish a call for proposals of health education for primary and secondary schools and received 24 proposals. One of the conditions was that all the proposals had to take into consideration the existing teaching programmes, the Plan and Programme of Health Protection measures from primary healthcare and *tradition of the Croatian society and family protection*. According to information from the media, The Committee for evaluation of health education proposals has recommended two programmes to the Ministry - one by GROZD and one by Forum for Freedom in Education. No experts on gender equality or human rights have been involved, although the Women's Network asked that a positive evaluation of the Ombudswoman for Gender Equality be a prerequisite. A number of negative reactions followed the Committee decision to choose program developed by the NGO GROZD, which in the module „Human sexuality“ presents the following attitudes: „contraception is not to be tolerated, masturbation is a deviant form of human sexuality and homosexuality is weird“ (Jutarnji list, 8 July 2006, article “sexual Education In Primary Schools”, author D.P.). The committee requested certain amendments, after which it gave its recommendations. In July, at the request of Ministry of Science, Education and Sports, there was a meeting with WNC following the media reaction to introducing the programme of the newly-founded organization “Grozd” with one of the founders and PR people being Ladislav Ilčić, vice-president of the Teen Star Organization for holistic sexual education and reactions of organizations which announced a protest in front of the Ministry. Women's Network Croatia demanded that the programme had to have a positive opinion from the Ombudswoman for Gender Equality, and therefore be in accordance with scientific facts and international obligations of Croatia in respecting women's human rights

and the rights of children. The Ministry promised to issue a public announcement following the session of the Committee for Health Education in which they will state their awareness of obligation to respect the rights of women and sexual minorities. They further promised that no programme will be approved unless it is in accordance with their highest standards. After the Committee gave an opinion the Minister was pleased with, the programme was sent to the Ministry of Health for an opinion.

The conclusion which offers itself is that the Ministry of Science, Education and Sports is using this procedure to evade coming to a decision and tasking responsibility for introducing a programme of sexual education based on scientific data and basic human rights.

Openness of schools to extracurricular content from the area of human rights varies from school to school. A number of educators has been educated by the members of WNC, UNESCO programmes, Amnesty International and others and are implementing some forms of promoting women's rights. The most often mentioned topic is violence. Sometimes a school will show interest in topical classes on tolerance and similar subjects. Experience shows that schools in Istra and Zagreb are more open to co-operation with alternative programmes, whereas the ones in Slavonia are ore closed. (Female group Izvor testifies: "It was easier to enter a military barracks - in 2001 - to promote conscientious objection than to promote equality and women's human rights in schools.") Somewhat more flexibility is demonstrated in distributing promotional materials in school, featured on most schools' bulletin boards, but these only related to domestic violence or violence toward children.

### **Sexual and reproductive rights**

Sexual and reproductive rights have seen no significant changes in comparison with 2005. Status

quo is maintained within existing contractual institutions and regulation.

Thus the contractual network for healthcare for women in the Republic of Croatia did not answer the needs met, either by the number of contracted services or by distribution and availability. Splitsko-dalmatinska County, for example, need 9 additional teams, while the City of Zagreb lacks 17.

Contraception is expensive and not easily available, the data on abortions are still incomplete, as a number of reports are not entered in legally prescribed forms. Instead, the official Report of the Croatian National Institute of Public Health (data gathered until 30 June 2006), uses data from the standard database of patients. All the data confirm the fact that pregnancy termination is being used as a contraceptive, since the majority of women requesting one are married (58,6%).<sup>1</sup> This is not surprising as there are no counselling institutions or family planning centres.

Despite the public promise of Minister Ljubičić that the prices, quality of service and ethical conduct in legally induced abortions will be improved and made more equal in different institutions and his promise to enter this as a measure in the National Policy for Promotion of Gender Equality, no changes have been in evidence. The prices as well as the required documentation still differ considerably, while some institutions require repeated tests that the patients must pay for themselves, creating an unnecessary additional cost.

Inspection of the Ministry of Health has, following the repeated warnings of Women's Network Croatia concerning high incidence of pathological pregnancy terminations in the yearly report of the Croatian National Institute of Public Health, determined irregularities in presentation of abortions on the Female Ward and Obstetrics of the Bjelovar Hospital in April 2006. It has been determined that pregnancies listed as regular in medical documentation have been terminated,

<sup>1</sup> Report on pregnancy terminations in health institutions in Croatia in 2005, HZZJ, 2006, [www.hzjz.hr/publikacije.htm](http://www.hzjz.hr/publikacije.htm)

and the cause for termination shown as medically indicated. Inspection has further determined that Vinkovci Hospital does not perform intentional pregnancy terminations although this is required by law. These findings confirm the existence of falsifying abortion data, customary in institutions of public health licensed for implementation of the Article 17. of the *Act on Health Measures for Utilization of Right to Free Choice in Childbirth*. This practice of not presenting induced termination of pregnancy, verified by Inspection of the Ministry of Health and Social Welfare, indicates a great social and economic pressure on women, which keep their abortions secret, having no means to pay the market price of the service, and are denounced as murderers by religious and *pro life* propaganda. This is a practice with far-reaching consequences for their health.

In 2006, several policies were passed, important in the matter of reproductive rights and health. The Croatian Parliament has on 13 October 2006 passed the *National Policy for Promotion of Gender Equality 2006. – 2010*. In the area “*Women and Health*”, one of the objectives is “to further measures of protecting reproductive health of women and incite understanding of the need for protection of their reproductive and sexual rights”. We salute the fact that National Policy speaks of sexual rights, however, the measures adopted do not attain this objective and are directed only at matters of reproduction. One of the measures pertaining to the objective of reducing the incidence of sexually transmitted diseases is widening the scope of health education with topics of sexual awareness, although such programme does not exist in our primary and secondary schools.

Croatian Parliament has, on 24 November 2006 enacted the *National Population Policy* according to which “*gender equality is a basic human principle in creating progeny.*”, thus creating a basic value of this policy. However, chapter 4., dealing with areas of activity and activities, providing a plan of activity, states two measures pertaining to equality on the job market, one of which states that “*discriminatory conditions in employing the young, especially young women*

*are to be removed*”, and the other “*gender equality principle in the goods and service markets in significant aspects of civic and economic life is to be respected*“. Unfortunately, these are the only two measures for which no financial means of implementation have been determined. One of the measures of this Population Policy in regard to sexual and reproductive rights of women is establishment of family planning and reproduction health centres in county hospitals, general hospitals and clinics, to be implemented in 2007. The issue of reproductive health of children (up to 18 years of age) is addressed in the *National Activity Plan for Children’s Rights and Interests 2006. to 2012*. It prescribes the institution of counsel and family planning centres for protection of the “reproductive and sexual health of children and the young, prevention of sexually transmitted disease and risk prone behaviour and pregnancies in minors.”

### **Results of the WNC Member Survey in Regard to the Yearly Report**

The goal of the survey sent to member organizations of WNC was to determine the state of several key areas of activities. Part of the questions pertained to accessibility and availability of health services in different communities and issues in utilizing healthcare and legal rights. The results confirm all the above mentioned data pertaining to availability of services – territorial, time-related and financial.

One of the greatest issues concerning health, especially in smaller and rural communities is the lack of specialized institutions which results in the need to travel to local centres, 50-150 km away or to Zagreb for any service that is not available in general practices or dental practices. This results in additional travelling costs and long periods of waiting for the examinations in question.

Common problems, according to the survey, include: too many patients per doctor, specialist exams have 3-6 month long waiting lists, lacking public transportation – aging rural population

has no recourse but to use taxis, and in larger communities where the accessibility is satisfactory, the prices of services and long waits are still a problem. Excellence in services is still unavailable and inaccessible to women.

Limit of availability of services and medication within primary healthcare is also a problem, whereby care without financial participation of the patients is insufficient and inadequate.

Healthcare is not sufficiently available particularly for certain categories of women – those with handicaps, women in remote areas without means of transportation and women in difficulty - single mothers, the unemployed etc. The number of gynaecologist facilities is insufficient, with these services being available only once in 14 days in some places – lack of choice (e.g. no gynaecologist), and contraceptives are expensive.

Diminishing rights in primary healthcare and prevention, disorganized and expensive system mixed with (semi)private services and default of social state principles and solidarity in healthcare led to a lower level of protection for women. Almost total lack of prevention and education, which has been removed from the province of health and left to catechism women do not acquire / lose the habit of monitoring their health. A case in point is the under use of the mammography equipment bought by Istrian County for improvement of health standards and shortening the waiting period.

### **Results of Research into Sexual Rights of Women**

Organization “Women’s Room” conducted a research on 1491 subjects from across Croatia and published a paper called “Research of Women’s Sexual Rights in Croatia”. The results show that over 50% of women never attended a lecture or training on sexuality, but most women are acquainted with their sexual rights and 50% of women gave correct answers to all the questions

on recognizing sexual rights.

In regard of reproductive health, 55% of women attend regular gynaecologic exams once a year or more often and over 60% has had a gynaecological ailment during the past year. The sample of 640 women over 40 years of age, at risk from mammary cancer, showed that 46% of those women do not regularly visit for mammography.

As for use of contraceptives, some 66% of subject had used no contraception during first sexual encounter. Gynaecological practice does not exist or is not available to 14,7% of the subjects, while counselling within primary healthcare is not available to 46,2% of the subjects. The research has also confirmed that women in cities have better access to services for preservation of reproductive health than subjects in rural areas. In usual sexual activities 45% of subjects, aged from 18 to 50 uses contraception, most commonly condoms (52%) and hormone pills (18%). Contraception is left to women, as only 36% of partners take part in the issue.

### **Violence against women**

Violence against women has become a topic on which general social consensus is reached, and violence has, especially the predominant domestic violence, been recognized as a problem and became socially unacceptable.

Violence against women has in 2006 left the area of NGOs that work on promotion and protection of women's human rights and relevant institutions, with two new initiatives giving anti-violence messages: on the eve of the Day of fighting violence against women, the Animal Liberation NGO called for ending violence against women and animals. At the same time the Athletic Club Marathon from Gornji Draganac organised its first semi-marathon for women under the slogan Stop Violence Against Women, which shows a positive trend and a growth of

public awareness that violence against women is socially unacceptable.

However, the concept of gender-based violence does not exist in Croatian legislature, so the dominant discourse with women who are victims of violence is patronizing, and violence is treated as a result of PTSD, alcoholism or personality disorders, not as a structurally conditioned behaviour connected with other forms of abuse of women.

In 2006, favourable changes in fighting violence against women have been noted. During the past three years, since 2003, the trend of institutional and public awareness of the problem has been steadily upward, and new institutional mechanisms for fighting violence against women are introduced all the time.

Official police statistics show that in 2006, in the entire territory of Croatia a total of 16 433 interventions were called for due to domestic violence. The number of actual interventions is also 16 433, , so the police have answered every call for intervention, which has happened in 2006 for the first time, and represents a great change in treating violence against women. According to the official statistics, the number of daily calls is 45. The police have, following the interventions, instituted 15 277 proceedings as per Article. 4 of the Domestic Violence Protection Act. Bases on the same Act, the Police have asked for protection measures in the name of the victim in 9888 cases, issuing a total of 98 complaints against rulings in the civil proceedings in domestic violence cases. Against 1548 perpetrators criminal proceedings were started for felony 215a – domestic violence.

The most important new mechanism in fighting violence against women is Rules for Action in Cases of Domestic Violence, in effect as of 01 January 2006.

These Rules bind the workers of government institutions such as the Police, Social Welfare Centres medical care institutions, educational institutions and jurisprudence to certain rules of conduct in cases of domestic violence. But only a few months after the Rules have come into

effect, different ways of implementing the rules were noticed among different institutions. The Police have, for instance, shown a great improvement in the City of Zagreb and Zagreb County as soon as January 2006. It has been noted that the police have reacted almost immediately in practically all the cases in which a woman reported domestic violence, and brought the perpetrator before a civil court. The only deficiency was failure to request protective measures which could protect women and children, and failure to petition some of the court decisions. This trend changed after 6 months, so that the police have requested protection on behalf of the victims. The petitions are sadly still few and far between. In the second half of 2006 a serious tendency was noticed in one of the police stations – PP Trešnjevka, to apprehend and bring in to the court both the perpetrator of domestic violence and the woman who is the victim of it. This equates the perpetrator with the victim, the victim is further victimized, and structural violence is being used by the police. Several instances of this have been brought to attention of the Ombudswoman for Gender Equality by AŽKZ.

Despite the truly great changes in police work in Zagreb and several other centres, in small municipalities across Croatia the police are either not aware of the Rules and their mandatory implementation, or chooses to ignore them. But even in these cases, when we asked the police to implement the Rules regarding safety of women on behalf of the woman in question, the police would do so.

Social Welfare Centres and jurisprudence have not implemented the rules at all. The Centres have, namely, continued to refuse issuing a decision to place women and children in one of the homes for children and adults who are victims of domestic violence. The most complicated cases involved women without children, but upon our written intervention and after some difficulties, the accommodation was provided. A discrimination of sort, against women who are not mothers is present in such cases. There is also still a tendency in the centres and the courts to ignore domestic violence in passing decisions in the domestic legal areas. The offender and

the victim are treated equally. The responsibility of the offender is not in focus, so the treatment of both the victim and the offender is the same, again constituting structural violence against the victim. The abuser is given children visitation rights regardless of the abuse he has committed often in unsupervised, uncontrolled environments, giving the offender further opportunity to abuse the woman, sometimes even in the presence of underage children. This very additional victimization of the victim led to the murder of Jelena Sabina Jakopović, born Kožar, tenant of the Autonomous Women's House Zagreb last summer. Jelena was killed because she wanted to visit her child in the Home for Abandoned Children in Nazorova street. The child was taken from Jelena illegally and by fraud, without her volition, without any need or legal ground. The violent and aggressive father was given the same sort of treatment and contact, despite the case that he has already tried to murder Jelena on two previous occasions. No-one was responsible for this tragic event. The Social Welfare Centre, the court, the Home for Abandoned Children in Nazorova street, everybody waive responsibility. A woman is dead, and a child is without a mother. AŽKZ instituted proceedings against the workers of the Social Welfare Centre and the Court in Ivanić Grad, holding these institutions, or directly their employees, responsible. Despite the obvious gross negligence of the government institutions, and even conscious and unprofessional work with detrimental effect on the victim of domestic violence and her child, the Public Attorney found no elements of criminal actions, without oral or written explanation.

In January 2006, the last amendments to the Family Act came into power, which discontinued the institute of child care as a temporary measure, mediate by a social welfare centre. The new Family Act foresaw no temporary actions. This has created a new „hole“ in the legal framework, which enabled the violent partners to take children by force with the mother unable to react because of no temporary measure provisions. The institute of temporary measure is available through in non-litigation procedures but women, as well as most of their legal representatives, are not aware of this. In non-litigation procedures this measure is requested very sporadically

for that very reason.

In civil court proceedings, the misdemeanour of domestic violent behaviour has not been processed in urgent proceedings as provided for by law, except in cases where the police have brought the offender to trial directly after the offence. However, in most cases when the woman instigated proceedings for the protection measure herself, or they were started by her legal representative, the Court would ignore the important provision of the *Act on Protection from Domestic Violence* which states that a court must, if such action is justified, issue a decision on protective measures in 48 hours. Thus the woman usually had to wait for weeks, or even as long as 4 – 6 months to be given protective measures, which was certainly not the intention of the law. The legislator introduced the 48 hour period with the intention of protecting the victim and providing her with additional safety. As far as other civil courts in Croatia are concerned, the practice is uneven; the 48-hour limitation is usually ignored and is turned to 2 – 6 months on average, with the penalties also differing wildly (from probation, financial fine to prison or a combination of probation and fine) for what is basically the same misdemeanour.

The only consistent implementation of the Rules is visible in the institutions of medical care, where violence is always reported to the police using the prescribed forms, but this practice was standard even before the adoption of the Rules. In regard to duties of the educational institutions prescribed by the Rules, no particular implementation was noticed. It is therefore questionable whether these institutions are acquainted with the Rules at all.

Apart from the Rules, this year saw a continuation of activities of the Government Workgroup for Fighting Domestic Violence. The most important activity of the Workgroup in 2006 was the public campaign entitled „There is no vindication for violence“, started by the Government<sup>5</sup> of the Republic of Croatia on the initiative of the European Council, within the pan European campaign to combat violence against women. The campaign will last until 08 March 2008.

The Workgroup, which includes members of the Women's Network Croatia, continued working towards systematic financing of the safe houses and counselling institutions for women, led by female feminist NGOs. This is a topic that has been central for a number of years, with different stakeholders having different views of the issue. The Ministry of Health and Social Welfare maintain that such accommodations can only be provided only by homes for children and grownups who were victims of domestic violence with permits issued by the Ministry itself, and the NGOs licensed to do so by the Ministry. Such NGOs must satisfy the conditions of the Ordinance on Homes of the Ministry. NGOs hold that women's shelters have to be autonomous, and the government cannot prescribe the mode of operation of the shelters. Women's NGOs suggest multi-year contracts with the government, cities and/or counties, with the objective of sustained financing of women's shelters and counselling facilities, while preserving their autonomy. Women's shelters and counselling facilities would receive budgetary financing as budgetary items of the state, cities and counties without losing autonomy (thus accepting women with or without children, anonymity for the tenants and their children, secret addresses, etc.), And the ordinance that the Ministry insists on suggestion of EU experts would be replaced by standards and criteria for the activity.

2006 has been especially marked by a case of an abused woman who killed her husband in self-defence. It was Ana Magaš from Zadar. This case has started controversies in the public and among experts as soon as 2005 as discrimination against the woman was obvious in the sentence of the court. After a number of public discussions, the Supreme Court of the Republic of Croatia returned the case to the County Court in Zadar. Ana Magaš got 8 years in prison for exceeding the necessary self-defence, a decision later altered by the Supreme Court of the Republic of Croatia and reduced to 5 years. The ruling is unjust and the sentence too high. This ruling sets a precedent, analysis shows, as the highest sentence for exceeding self-defence prior to this was 4 years in prison. A question naturally arises: why did a woman, some 30 centimetres

shorter and 30 kilograms lighter than her attacker, abused for years, get the highest sentence in the court practice of the Republic of Croatia. It should be stressed that long-term violence of the partner was not taken into account, with the court treating violence as a one-time incident – without continuity. The explanation of the sentence given by the judge that the attacker did not try to strangle the victim, but exerted only „mild pressure to the neck“ of the abused Ana Magaš, despite the fact that this was in contradiction with findings of the first-aid doctor and the court expert.

Ana Magaš case is more poignant still because out of 27 domestic murder victims in 2006 19 were women. Out of this number, 14 women were killed by their current or former spouse or partner.

This situation makes systematic implementation of the Rules for Action in Cases of Domestic Violence necessary, in the sense that the work of institutions and their employees is monitored, and they are legally responsible to use all the means at their disposal to protect victims. It is also necessary to secure timely decisions and implementations of protective measures for women and sentences for the abusers. We consider it necessary to forbid contact with children for at least 6 months following the offence, to show the abuser that such conduct is not socially acceptable and is punishable by law. This would also give children time to recover from the trauma of violence they have experienced.

Systematic funding of shelters and counselling for women survivors of violence is a pre-emptive as well as a curative measure against violence, giving the victim free and anonymous support.

We also consider the responsibility of government bodies to be of paramount importance, and believe that failure to comply with the law should have serious legal consequences. Although some provisions of the penal code and civil law make provisions for sanctioning government bodies, these provisions are seldom utilized. Even in cases when this is attempted, when there

is a well-founded suspicion that an employee of such an institution has committed a crime, e.g. that of negligence, misuse of position or similar, the municipal public prosecutor usually drops the proceedings or fails to prosecute. In this way the Public prosecutor's office creates an unacceptable practice which demonstrates lack of interest of the government in sanctioning such criminal activities.

**Investing in prevention, education of children and the young, and women's NGOs giving legal and psychosocial assistance to violence victim is insufficient.**

Legal practice is not constant, and sentences pronounced are low. For instance, the Civil court in Pula has, since the Act on Protection from Domestic Violence pronounced a single prison sentence.

Competent ministries have not secured funds for implementing the protocol, the obvious example being that of 24-hour police watches, which have been discontinued due to lack of funds.

An evaluation of the system by an independent team is necessary.

A research involving 425 experts in the County of Istria (experts from the areas of social welfare, healthcare, police, jurisprudence, NGOs and media) has been organized, with the goal of ascertaining their professional experiences with the problem of violence against women, assessing the degree of the problem in the local community and self-assessment of expertise, with propositions on content for further training and education.

According to their statements on personal experience, those most likely to be faced with the problem are the police and NGO activists, social welfare workers, doctors and legal professionals follow, while the experience was rare among nurses and stomatologists. Most of the experts have stated that they have so far met with up to 10 cases in which violence was suspected and 5 cases in which violence against the woman was proved. The „Dark number“ of the problem is

ascertained as 25 unreported cases to one reported case.

The experts assess their own knowledge as middling, with the exception of NGO members, which ascertain theirs as good. Healthcare professionals feel they know very little about the problem, while no expert from jurisprudence or NGOs assessed their knowledge as insufficient. Representatives of NGOs, social welfare and the police are the ones most interested in additional training, while healthcare experts and legal professions are the least interested in it. Additional information on prevention, women protection and treatment as well as early detection would be the areas of training most sought after. The results of the survey indicate the need for continued training of experts in the local community.

## **Sexual Violence**

Sexual violence is one of the most severe transgressions in violence against women with the lowest incidence of reporting. Along with domestic violence it is one form of **gender-based violence**, namely that form of violence in which the offenders are, in great prevalence, men, and most victims are women.

## **Sexual harassment/aggression**

In ascertaining prevalence of **sexual harassment/aggression** we have no new data for 2006, so we can look at the existing data. Data on sexual harassment in universities show that 6% of female students have been exposed to severe forms (e.g. a direct blackmail for grades), while 35% was faced with less severe forms of sexual harassment, such as inappropriate jokes, looks, sexual comments and innuendos.

Data on sexual harassment in the workplace, according to Poslovni Forum, show that 17% of the examinees have had such an experience at least once in their career. According to

union data, the problem was seen most in the textile and leather processing industry, retail and catering facilities.

A research on sexual harassment in the workplace conducted among the employees of the Philosophy Faculty of Zagreb University shows that some 40% of women have been exposed to jokes which present women as mere sexual objects, 18% have been touched inappropriately, 12% have experienced an open sexual invitation to one of their colleagues, and 5% have, at least once, experienced a sexual advance as a condition for keeping their jobs or advance their career.

According to the research of the Women's Room, 55% of women in Croatia have been exposed to sexual remarks and vulgar offers, 43% to unwanted touching. These have most often happened in public spaces (cafés, busses and trams, the street etc.).

### **Rape or Attempted Rape**

As for the prevalence of more severe forms of sexual violence, punishable by the Penal Code of the Republic of Croatia, the official data of the Ministry of Interior for 2006 show a total of **672 criminal actions** against sexual freedom and morality (Chapter 14. of the Penal Code of the Republic of Croatia), which is 3.5% more than in 2005. The most frequent are fornication (Art. 193.) with 204 victims, and rape (Art. 188.) with 126 victims.

We can see that the crime of rape has gone up by 39.8% in relation to 2005 with 126 cases, out of which 123 are women (97.6%). Taking into account constant fluctuations in the reported number of cases from 1991 to date, it is hard to arrive at a conclusion that the number of reported cases is increasing every year, as the highest number of reported rapes happened in 1993 and 2003.

A shocking aspect of rape in 2006 has to do with the age of victims. A significant increase of rape was noticed in the underage population of girl between 14 and 18 years of age (70.6%) and 18 to 22 years of age (87.5%). The most surprising bit of data is an extreme increase in rape of women over 60 years of age (275%), which cannot be explained in any way except as a blatant form of hatred for women.

The ratio of rapes/attempted rapes and actual reports to the police is shown by a research done by the Women's Room in 2005, using a representative sample of women from entire Croatia (N=1491). The data show that 17% of women had to face rape or attempted rape, with only 5% of those women reporting the incident to the police or the Public Prosecutor.

**Number of reports** of sexual violence is, as the evaluations show, extremely low, depending on a number of factors. Some of the reasons for failure to report sexual violence lie in the wider social context which is contaminated by typical myths and prejudices related to sexual violence. Some of the reasons are related to functioning of institutions and some are of personal nature, relate to the victim herself.

A larger incidence of reporting is possible only if each step of the process of reporting sexual violence is made easier for the victim, adequate support mechanisms and protection are afforded, and the offender is punished appropriately. This means that a significant part of the legal framework should be changed and direct and indirect protection of women be heightened. Availability and quality of support systems for victims of violence is important not only for humane reasons, but also for empowering victims to speak out and report violence. Without appropriate services and protection the victims have little choice.

## Changes in 2006

*In 2006, there were changes in fighting sexual crime, but their nature was more that of guidelines, rather than concrete actions.*

*The Women's Room has, during a round table in the Croatian Parliament on 23 November 2006 presented a document **A Proposition of Changes Related to Sexual Violence: Changes in Legislature, Victim Protection and Prevention Programmes Development**, which evolved from the need to increase the probability of reporting the first offence of sexual violence and insure high-quality and efficient support and assistance services to sexual violence victims, based on long experience in immediate assistance to victims of sexual violence. The goals of the document are as follows: furthering and improving the existing legislature with the aim of protecting the victims of sexual violence, reporting, processing and sanctioning the offenders in this type of violence; putting in place systematic and efficient methods of protection and assistance to the victims of sexual violence, as well as adopting and implementation of programmes against sexual violence in all segments of society. The goals postulate three large groups of changes:*

### 1. Changes of legislature:

- 1.1. Legislative changes: general changes (3), changes related to sexual harassment (3), changes related to rape and sexual molestation (11);
- 1.2. Changes of the Criminal Proceedings Act (9): such as, for instance, limiting the number of questioning sessions with victims of sexual violence, forbidding posing of intimate questions to women, secrecy of the main proceedings.

### 2. Victim Support and Protection

- 1.1. Direct protection (5): orienting towards the victim, police work, medical care, legal assistance and mental health protection;
- 1.2. Indirect protection (3): additional training of relevant experts, inter-sector co-operation, gender-sensitive education.

### 3. Sexual Violence Prevention:

- 1.1. Development of general protection programmes – scientific research;
- 1.2. Prevention in the educational system;
- 1.3. Prevention in the wider community.

Presenting this document in the Parliament was the first step in starting the necessary changes in legislature and the society at large, leading to a larger incidence of reporting and sanctioning abusers, securing quality protection to sexual violence victims and prevention of sexual violence.

In 2006, a new *National Policy for Promotion of Gender Equality 2006.-2010.* was adopted (Office for Gender Equality of the Republic of Croatia), which in Chapter 5., Violence Against Women, brings a number of measures aimed at fighting sexual violence and assisting the victims: 5.2.11. Amendments to the Penal Code related to sexual violence; 5.2.12. Amendments to the Criminal Proceedings Act for protection and reduced further trauma to sexual violence victims; 5.2.15. Counselling will be provided to women who are victims of violence, including free psychotherapy, with obligatory confidentiality of data on violence victims; 5.2.16. Developing a protocol of conduct in cases of sexual violence and dissemination in relevant institutions; 5.2.5. Financial assistance to NGOs which work in prevention and fighting different forms of violence against women.

In 2006, the number of educational programmes on fighting sexual violence showed a great

increase in relation to the previous years. Thus, the Women's Room – Centre for Sexual Rights alone, as one of the leading NGOs in this field, held a great number of lectures, workshops and training sessions on the sublet (over 50, with more than 1.000 participants). Founding of a **Centre for sexual violence victims** is in progress, a single place for providing both direct and indirect protection to sexual violence victims.

### **Trafficking in Women**

Although official data have not yet been released, the situation in the past year has been similar to that in previous years, which means that few victims were identified (10). Even within this small number it is characteristic that all the trafficking was done with the purpose of sexual exploitation (one woman as a surrogate mother). The new development was only so-called “internal trafficking” - two of our citizens were taken from one part of Croatia to another for purposes of prostitution, and when they wanted to stop their documents were taken away from them, their movement was restricted and their resale was imminent.

Despite this, the problem of prostitution is still not adequately perceived as related to trafficking (except at NGO level), and is not given due consideration by political parties and legislation.

### ***Legal Framework***

The last National Programme for Suppression of Trafficking in Persons was adopted for the period of 2005 to 2008 covering prevention and care for human trafficking victims, prosecution of perpetrator. Every year an Action Plan is adopted, providing additional detail and assigning concrete obligations to government bodies, monitoring the implementation.

National Committee, as the most comprehensive body meets on rare occasions (only once in 2006) but the Operative Team meets more often, as needed to review cases and ways of support to identified victims. Information is exchanged effectively, NGO representatives are actively included and asked for co-operation in all activities, with their opinions highly valued. However, we still think that it would be extremely useful to organize topical meetings of all the stakeholders included in these activities with the goal of exchange of experiences and developing the system further, including legislative framework which still exhibits deficiencies in certain areas, especially in victim support.

The changes in legislature, namely amendments to the Penal Code, now include wider sanctioning of the perpetrators, since as of 16 July 2006. penalization of service recipients of human trafficking is possible. Article 175. of the *Human Trafficking and Slavery* now contains the paragraph „(4) Persons who, knowing that a certain person is victim of trafficking in persons, forced into labour or service, sexual exploitation, slavery or in a similar situation, prostitution or illegal organ market, use the situation of this person or facilitate such using by another person, shall be punished by incarceration in the duration of three months to three years.“

The initiative for this change started with PETRA network, and was accepted and supported by the entire Women's Network Croatia. Despite the initial scepticism of the legislature concerning the evidence and processing, the initiative was supported by the Government Office for Human Rights, Parliamentary Committee for Gender Equality, Office for Gender Equality and the Government itself, and was finally adopted in Parliament. Although during 2006 there have, to our knowledge, been no proceedings against such perpetrators, we see this legal development as a step toward further responsibility of clients in prostitution, a development we have been advocating for a long time.

To that effect we have intensified our initiatives for decriminalization of women and punitive

action against the buyers (lobbying, public debates, round tables, etc.) and the PETRA network, with WNC support, conducted a major public campaign involving City light billboards, posters, flyers, and a radio jingle. .

In view of the fact that our society is conservative and patriarchal, the campaign did not have a strong effect, but it did start some controversy and set some mechanisms in motion. Thus the Ombudswoman for Gender Equality acceded to reviewing and operationalizing ways to start the change of the Act on Order Misdemeanours (removal of Article. 12 punishing women in prostitution), and the initiative was supported by the Parliamentary Committee for Gender Equality and the Government Office for Gender Equality. There is at present no support from political parties, which is probably due to pre-election time and the fear of losing votes, as the initiative is directed solely at men and buying sexual favours

In our opinion the Act on Foreigners and the Act on Witness Protection still do not provide sufficient protection to foreign women, who are extradited in such situations. We have no information whether the suggestions of the PETRA network to change the Act on Foreigners will be incorporated into it, as we have only received notification that they have been received, but not whether they have been taken into consideration , or any of the propositions accepted. We still maintain that the complexity of the problem requires a special Act on Protection of Victims of Trafficking in People

### ***Victim Protection and Assistance***

Thanks to the institutions clustered around the National Committee for Suppression of Trafficking in People and some NGOs that work directly with the victims, some progress in help and assistance to human trafficking victims has been made, although there is lot of room

for improvement. The official safehouse provides shelter for victims, but as it is not appropriate in all cases the National co-ordinator still organizes alternative venues of assistance, drawing on physical and expert capacities of NGOs. Private centres for short-term stay of victims provided for by the National Plan, and the Croatian Red Cross is assuming an ever more important role, taking over functions that have previously been the province of the International Organization for Migration.

Another important development is the fact that the official shelter for women victims of trafficking in persons, serviced by an NGO, is now in the welfare system and has an agreement with the Ministry of Health and Social Welfare, But the fact is that the capacities are largely unused.

One of the reasons for low occupancy of the shelter is a small number of detected victims per year. There are several reasons for this. One of the most significant reasons is that the identification of victims is almost exclusively done by the police (over 90% of victims are discovered as a result of police operations).

Another fact that cannot be denied is lack of capacities, even a certain lack of willingness on the part of NGOs to work more seriously in the field (so-called «reaching out» activities) and more thoroughly research places where victims are likely to be found (bars, night clubs, massage parlours etc.). However, some representatives of NGOs are members of Mobile Teams, and as such invited to initial interviews with potential victims. They have seldom been called in 2006. The information on the identified cases is regularly exchanged in Operative Team meetings (6 held in 2006), however, except in cases where additional problems of particular victims already in the support programme, these were only short reports on what was done and is usually a finished story on which we had no influence.

The system as we see it is very restrictive and limited by the proof of wrongdoing and

perpetrators. Namely, judging by the numbers, (the numbers of victims, number of perpetrators and number of proceedings match) it would seem that identification of a victim is identified with act identification, i.e. is proven by a well documented act of trafficking in people, and is only entered into official statistics after this condition is fulfilled. We think this formalized approach is fallacious and can only attribute it to the fear of the state structures that the support system (which costs money) will be misappropriated by persons who are not «real victims». On the other hand, formally, we have a system which we brag about all over the world, that support may be given even to persons unwilling to witness against the perpetrator («issuance of a temporary residence permit to a victim of trafficking in people is not based on a condition of co-operation with justice or police personnel»<sup>2</sup>), which for some reason is not implemented. We have very concrete examples such as a woman who called our SOS line in 2005 and has, to our knowledge, been a victim of human trafficking. The police did not succeed in verifying this fact. The woman did, however, get the support needed and is still using it, thanks to god co-operation with the National Co-ordinator who had faith in the assessment of the activists. The woman did not enter the statistics for victims in that year.

Seeing things from this perspective and exchanging experience with colleagues around the world, we can say that approach in Croatia is still mainly based on the criminal and legal aspects and protection of the country from crime and illegal migrations instead of aspects based on victim protection, and that needs of the police come before the needs of victims. This is further illustrated by the fact that foreign victims are hastily returned to their countries, without the so-called «period of reflection» they are entitled to («Victim of trafficking in persons has a right

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2 «Stopping Trafficking in Persons» Government of the Republic. Of Croatia, Office for Human Rights, National Committee for suppression of Trafficking in Persons, 2005

to a period of adaptation and reflection of 90 days»<sup>3</sup>). This is probably the reason for the small number of identified victims (10 in 2006) as it is a well known fact that victims, while in transit, have no awareness of what is happening, and when they became aware they are terrified by the fact that they are in a country illegally or are afraid of their captors and not sure of protection against them. The period of reflection should be given prior to identification when there is only a doubt that a person might be a victim, to afford her an opportunity to understand her situation more comprehensively and give her a feeling of safety. Only then can they reasonably decide what to do next and whether they are going to testify against the perpetrators.

### ***Conclusion:***

Although the opinions and recommendations of women's NGOs are ever more respected, there is still a lot of room for improvement. Despite the fact that the operational plan is well thought-out and realistic, co-ordinated action is still rare. Except for the Operational Team, the system of information exchange does not seem to function properly, nor does informing the National Co-ordinator. We are of the opinion that this office should be allocated more power in order to ensure efficient implementation of all the planned activities and be able to exert pressure on those who do not fulfil their obligations.

Mobile teams have been conceived with the intention of standardizing the procedure of identification. Now they have finally been defined by creating a Protocol in the Office for Human Rights and the membership finalized. Education was organized, but the teams are still not fully operational. We expect the process to be completed during the coming year.

We still think that possibilities of permanent residence or relocation to third countries should be

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3 - ibid

added to victim protection measures to minimize the danger of re-entering the trafficking chain in the country of origin. PETRA network has suggested these changes to the Workgroup for Amending the Act on Foreigners in late 2005, but except for the receipt there are no information whether any requests were accepted.

Prevention and suppression of trafficking in people requires full engagement of all the governmental institutions, from which we expect a more active engagement. Apart from the Office for Human Rights which is the base for the National Committee for Suppression of Trafficking in People, the Office for Gender Equality could be more active, despite the fact that they support some of our requests (in the past years they have mostly contributed financially toward printing brochures and editions aimed at informing the public on these issues) as they have so far shown no initiative in this direction. The Office of the Ombudswoman for Gender Equality follows our requests for decriminalization of women and is to our knowledge preparing to take a more active role in changing the legal framework.

### **Women on the Job Market**

While research shows that 95.5 % of women feel that family obligations are hindering their professional careers (while only 4.5% men do), we can speak not only of inequality of genders but also of violations of the women's rights to realise their potential.

All data for 2006 show a deterioration of women's position on the job market: there are a greater number of unemployed women, the waiting period between jobs is longer, temporary positions are more common, and losing the position due to pregnancy is standard practice.

In an effort to implement gender-sensitive policy, the Republic of Croatia passed, in accordance with EU standards, a number of acts, policies and other measures in which gender equality,

as one of constitutional principles, is recognized as a significant policy issue. In view of that, institutions and bodies furthering gender equality and gender-aware policies are being formed.

CESI - Centre for Education, Counselling and Research, in partnership with the Faculty of European Public Law Jean Monnet, Law School of the University of Zagreb, is implementing a programme called “Furthering the Legal and Institutional Framework for Gender Equality”.

A research entitled “Equal Opportunity on the Job Market” was conducted in public and private sector organizations, as well as in different companies in the City of Zagreb oriented toward better understanding and monitoring of the position of women in the workplace. The results of this research, limited to the City of Zagreb, do not differ significantly from those conducted on other samples.

The goal of this research of gender equality on the job market was to ascertain the degree of implementation of the Employment Act and Gender Equality Employment Act , working conditions, salaries, education and promotion at work as well as showing individual experiences of the employees through their perception of “equal opportunity” on the job market, primarily in view of gender, but also that of other variables (company ownership, education, etc.).

The research of gender equality on the job market was conducted with two questionnaires: the questionnaire for HR departments of private and public organizations and the questionnaire for employees of private and public organizations.

156 questionnaires in total were sent to public and private organizations in the City of Zagreb, out of which 40 (25%) have been filled and submitted. The questionnaire aimed at employees was sent using a nonprobability sampling, so-called availability sampling. This part of the research was conducted using individuals ready for co-operation, among acquaintances and their colleagues. In total, 71 questionnaires were filled.

The analysis of the employees in terms of gender in connection with ownership has shown that 52.9% of state-owned organizations employ predominantly female employees, while this is the case with as much as 66.7% organizations owned by the City of Zagreb.

All of 75% organizations with foreign private owners employ predominantly male workforce.

Organizations with predominantly female workforce are usually those involved in social, educational and scientific activities, while those with predominantly male workforce.

The gender structure shows 77.5 % male directors/heads, and 22.5 % female ones.

Male management dominates all companies / organizations (65%), regardless of the gender structure of the employees.

Women in management can be found in companies with prevalence of female employees (15%), or in companies in which the number of male and female employees is roughly the same (25%). Companies dominated by the male workforce have exclusively male management (93.7%).

A significant difference in gender among temporary employees was noticed, whereby in companies with prevalent male population it is mainly the men doing temporary work, while in companies with prevalent female populations temporary work is done by both men and women on a roughly equal scale. An increased trend of temporary hiring was noticed in the past two years. This can mean an increased need for temporary employees or - caution of the employer when picking employees. The temporary contracts are more favourable for the employer, less so for the employee. Temporary contracts, namely, have a date of expiration, and if the employer is not satisfied with the employee, the contract is simply not renewed. This is entirely up to the employer, whereas unlimited contract allow the employer termination only for reasons determined by law, and arguments for each termination must be given. The plight of pregnant women in temporary employment is especially difficult. The employer has no obligation to

keep a pregnant woman employed after the contract has expired, whereas it is forbidden to terminate an unlimited contract during pregnancy, maternity leave or sick leave connected with the pregnancy.

Companies with prevalent female workforce have, in the past two years, made temporary employment contracts with 80 % of the women employed, while those with dominantly male workforce show 50 % of the contract to be of temporary nature.

It has been noted that part-time work is mostly done by women, mainly in publicly owned companies, where more women are employed – and this research supports this notion.

A possible interpretation would be that women tend to work in public companies with more opportunity for part-time work. According to the employers, more male employees quit their positions, but a roughly same number of men and women is let go.

According to the Act 11 of the Gender Equality Act, „government bodies, legal entities with public authority as well as legal entities predominantly owned by the government or units of local and regional self-government are required to develop action plans for furthering and instituting gender equality“, previously approved by the Government Office for Gender Equality.

Among the organizations surveyed, 60.9% are implementing an action plan, 13.1 % is not aware of the obligation, and 21.7% publicly owned companies did not answer the question.

Gender Equality Act does not enforce the obligation of implementing special measures on private organizations. But they do have to respect general guidelines of gender equality. In order to operate in accordance with the Employment Act and Gender Equality Act, an increasing number of companies pass their own internal policies (documents) which further equality of genders. The following data support this:

- Full maternity leave is always enjoyed in publicly owned companies, whereas in private

companies approximately half of the employees take shortened maternity leaves.

- The examinees stress the fact that maternity leave has an adverse effect on a woman as an employee, as the burden of maternity mainly rests with her, and while on maternity leave she cannot keep up with the changes in the organization and so is not certain of keeping her position after returning.
- 54.5% of men think their companies allow a more flexible schedule to women with children, a view held by only 20.41% of women.

Discrimination against women is seen in using the right to the daily break:

- 74.6% of employees use their right to a daily break (if they work for a minimum of 6 hours per day) with minimal length of 30 minutes.
- 90.9% of men exercise this right, and only 67.3% of women. When asked why his is so, the women answered that there is no-one to replace them, or that the workload does not allow it.

Motherhood is an obstacle on the way to a successful career:

- 67.6% of employees think that single women/women without children have a greater probability of professional career. The reasons given are that childless women have more time to spend on their careers, do not have to take time off, are always available, and have time for further education and training.
- The examinees state that motherhood, family obligations and a career cannot go together on an equal basis, and that one must take prevalence.
- The question on the influence of family obligations on the career showed a statistically significant gender-related difference in answers. Only 4.5 % of men gave a positive answer,

with 95.5% feeling that family obligations do not impede their professional development.

- 28.6% of women say that their careers are suffering on account of their family obligations.

### Protection of Employee Rights

- 77.5% of employees formally respect the legal obligation of respecting the dignity of their employees.
- 5% of those who expressly stated that they have no measures for protecting the dignity of their employees as well as those who are not aware of this obligation are in gross violation of the Employment Act and could stand civil prosecution in accordance with the aforementioned provisions of the Employment Act.
- A large proportion of the examinees (76.1%) are aware of the collective contract/ordinance of employment in the organization in which they work, whereby only 52.1% of them state that the employer respects the contract, the Employment Act and Gender Equality Act!
- Only 45.1 % of the examinees state that collective contracts include measures for protection of the employee dignity.
- 12.7 % of women complained of dignity violations, and not a single man.

1.1. 1.2. 1.3. 1.4. 1.4. 1.5. 1.6.

### **Institutional Mechanisms**

By the end of 2006, funding the Committee for gender Equality saw the formal completion of an integral system of institutional mechanisms of gender equality in Zagreb foreseen by the National Policy for Promoting Gender Equality 2001-2005 and the Gender Equality Act of 2003. Along with the Parliamentary Committee for Gender Equality (2000), the Office of the Ombudswoman for Gender Equality was started in 2003, Government Office for Human Rights

in 2004, coordinators were appointed in government bodies and administration on the regional and local levels.

But, despite the institutional mechanisms being in place and adoption of National Gender Equality Policies (1997., 2001., 2006.,) WMC regrettably asserts that the majority of these institutions does not function in the best possible manner, so gender equality is not sufficiently improved neither in legal framework nor in social practices, and the social status of women is, in many of its aspects, worse than before.

The basic obstacle to gender equality in Croatia in our opinion is lack of funding and limited political power delegated to the institutional mechanisms of gender equality. However, within this context, a part of the responsibility for inefficient institutional mechanisms lies with the lack of horizontal and vertical co-ordination and co-operation of these mechanisms themselves. The reasons for this lack of co-ordination and co-operation are partially structural in nature, (finances, political power, human resources), but we believe that subjective (personal) reasons often come into play, with lack of willingness to co-operate, lack of determination, will, and sometimes personal political courage to make a step in a new direction and use all the options that the mechanisms offer, especially as a systematic whole. Institutional mechanisms, their leaders and staff therefore appear bureaucratic and inefficient, visibly lacking strategy and results.

Women in Croatia still do not know enough about their rights and opportunities for protection against discrimination afforded by the laws and mechanisms. Bringing these mechanisms to life requires more than public speeches on gender discrimination, more gender-oriented political and sociological research, gender research and education on all levels, to make women aware of their rights and empower them to claim those rights and provide them with examples of good practice, coming success and satisfaction.

## **Parliamentary Committee for Gender Equality**

The Committee was granted wide authority and working scope, from determining and monitoring gender awareness of policies, inciting and monitoring the implementation of gender equality principles in legislature, harmonizing with and implementation of international documents, proposing measures for fighting inequality of genders, introducing principles of gender equality into all aspects of life, to inciting co-operation of the Government Office, NGOs and other institutions.

Unfortunately since most of the activities of the Parliamentary representatives are exclusively partisan and power-struggle oriented, the Commission for Gender Equality is no exception. This prevented it from contributing significantly to gender equality and better status of women's human rights. The Committee membership is not a sign of interest in gender problems on behalf of the representatives involved, but partisan puzzles. It is a sobering fact that most female parliamentary representatives operate solely on criteria of partisan discipline, so they have not so far managed to form their own body (club) in which they would co-ordinate their activities in the interest of women, not parties or policies, as is the case in most parliaments. Thus the Committee functions merely as a formal filter prior to passing acts, without a proactive role of initiating bills, programmes and measures for fighting gender-based discrimination and gender equality policies, according to the Committee Regulations. Even as a formal filter, the Committee does not monitor legal acts entering the Parliament sufficiently, and lack of external members in the Committee is a great shortcoming. Such lack of expertise and information can not be compensated by the fact that the Committee President regularly invites the interested representatives of civil society to the sessions.

We think that the Committee President is alone in her efforts to give the Committee a greater role in implementation of gender equality policies, so the Committee itself is better known for the

engagement of the president Gordana Sobol, her activities in earning about gender policy issues in the parliament and public speaking, than its own operations. We should like to stress that the President of the Committee is always prepared to co-operate with NGOs, support initiatives and lend her presence on rallies, educational programmes and discussions.

### **Ombudswoman for Gender Equality**

According to the Gender Equality Act (GEA), (Art.2), the Ombudswoman for Gender Equality reviews cases of violating gender equality principles, cases of discrimination against individuals by bodies of national government, local or regional self-government and other bodies with public authority, their employees and other legal and natural persons. Apart from this, the Ombudswoman has been empowered by the relevant authorities (Article 21.) to seek reports, and in case of this request not being honoured, the Ombudsman/Ombudswoman can request monitoring from relevant bodies.

In cases of GEA violations with elements of criminal activities, the Ombudswoman, according to GEA makes a report to the relevant public prosecutor and may (Art.23) propose a process of evaluation of the constitutional basis of an act, or legality and constitutional basis of other regulation if there is a doubt that the principle of gender equality has been violated due to lack of harmonization with GEA and propose their change if necessary.

The co-operation with the Ombudswoman was good in cases of individual violations of human rights and in the case of introducing an experimental health education into schools, as well as during advocating of the Bill on Registered Partnership. Ombudswoman for Gender Equality worked in good co-operation with NGOs dedicated to sex and gender minorities. She was present at the session of the Committee for Gender Equality of the Croatian Parliament during which she publicly gave her full support to the Bill on Registered Partnership, quoting the new

Resolution of the European Parliament on homophobia in Europe. In 2006 the Lesbian Group Kontra worked with the Ombudswoman on 6 different cases of human rights violations on the basis of sexual orientation and marital status.

This year it has also been noted that the actions of Ombudswoman is limited to warnings, recommendations and proposals, and that she is not using the whole scope of her power. Ombudswoman seldom uses the institute of monitoring, and we know of no case of filing complaints on a misdemeanour or a criminal offence, or her actions in harmonizing laws and regulations which are not harmonized with GEA, or indeed of evaluating the constitutional basis of an Act, although a large proportion of new legislation is not in harmony with GEA.

In the area of legislative initiatives, there was only one such initiative in 2006. The Ombudswoman has warned of the inappropriateness of omitting the anti-discrimination provision that pertains to minority rights, basic freedoms and gender relationships as well as education for a democratic society in the final draft of the Bill on Textbooks for primary and secondary education.

The Ombudswoman gives statements on sexism and discrimination in media.

The Ombudswoman has in 2006 incited a survey of University of Zagreb students on protection of dignity and protection from sexual harassment at the University in co-operation with the Centre for Women's Studies. **Since the flyer contains relatively detailed information on sexual harassment and legal protection, its distribution has a character of creating awareness.** Its use has been limited to the University of Zagreb (12.000 flyers have been distributed), but it remains a relatively small campaign. Women's Network salutes and recommends systematic campaigns of informing and raising awareness in the public on the authority of the Ombudswoman, since a vast majority of women still do not know their rights afforded by the Gender Equality Act, nor of the possibilities for protection, and the examples of good practice from her work which might incite individuals and groups faced with discrimination to fight it and realize their basic

rights are not well known.

The Ombudswoman has responded to the requests of the Women's Network Croatia and acted upon the request: to exert her influence toward a gender-sensitive approach in designing the social map of the Primorsko - Goranska County, request to make a gender analysis of the proposed health education programmes, took part in the Session of the Committee for Gender Equality of the Parliament at which she gave public support to the Bill on Registered Partnership proposal. The experiences of diverse women's NGOs in collaborating with the Ombudswoman are varied, especially concerning the way of handling individual applications. Apart from good experiences, a lack of systematic communication is noted, with NGOs addressing the institute in other's name, nor with individuals, the clients are not timely informed on the proceedings or their outcome.

In 2005/2006, according to the Parliamentary Committee for Human Rights, extreme difficulties were present in human relationships within the Office of the . WNC regrets to inform that relevant institutions failed to react in a timely and efficient manner to resolve the allegations of mobbing in the Office of the Ombudswoman. Failure to determine the actual state of affairs and implementation of relevant measures would lead to swift resolution of the situation undermines the good name and efficiency of the Office as well as the sense of legal security of the employees.

### **The Office of Gender Equality of the Government of Croatia**

Based on GEA and the Ordinance on the Office (OG 18/04) the Government Office For Gender Equality has a very wide scope of activities, including a holistic system of protection and furthering gender equality, co-ordination of all activities concerned with establishing gender equality, completion of National Policy for Promotion of Gender Equality and its implementation. The office examines the harmonization of domestic legal framework with the

Constitution, Gender Equality Act with international instruments, proposes Acts, regulations and measures to the Government, proposes research and performs analyses, co-operates with NGOs, furthers the awareness and knowledge on gender equality, co-operates with the international community, international and regional organizations, monitors the implementation of international obligation of the Republic of Croatia in the area of gender equality, monitors reports of international organizations on gender equality issues in Croatia and prepares national reports on fulfilling international obligations in the area of gender equality. The budget of the Office has been significantly increased in recent time. The budget of the Office in 2006 was 231.21% of the 2004 budget, and the funds for donations to NGOs in 2006 were 508.33 % of those in 2004. We believe that, despite significant increase of the budget in 2006 the Office did not have sufficient human and organizational resources for satisfactory performance of duties within their scope of activities.

Since the scope of activities of the Office, according to the Gender Equality Act, covers protection of gender minorities, we believe that additional funds and personnel are necessary for activities in this area.

In 2006, the Office has invested a lot of effort in adopting the National Policy for Promotion of Gender Equality 2006-2010. The workgroup for the National Policy included the coordinator of the WNC, but we still think that the process of adopting National Policy was not sufficiently transparent or participative. The version of National Policy adopted by the Government and the Parliament contains some measures and proposals by members of WNC, but a large and important part of measures and proposals has not been adopted. Numerous rejected measures which did not pass final revision included those adopted by the Workgroup for Completion of Proposal of the National policy: to make postcoital contraception available on the market, to standardize, or even to research the involvement of women in political processes through

political parties, all concrete measures for improving women's position on the job market which would require expenditure or decrease in collecting funds of the National Budget, as well as the propositions on monitoring and evaluating the National Policy implementation.

The implementation and efficiency of the National Policy 2006-2010 will largely depend on coordination of work in ministries public administration offices and counties, as well as monitoring the implementation of National Policy measures. So far, the Office failed to put in place a well-thought out coordination and servicing of coordinators in bodies of public administration and local self-government or to coordinate other institutional mechanisms and their activities in gender equality area. We consider this fact to be one of the main reasons for previous failures to implement national policies of gender equality. The Office has no capacities and no true jurisdiction to keep an organizational or program-oriented connexion with county committees. Also, the contribution of the Office in assigning funds for improvement of women's position in the Republic of Croatia and legal framework which will systematically remove discrimination based on gender and/or sexual orientation is not clearly visible to the public.

In 2006, the funding available to the NGOs has been significantly increased, so the Office managed to support, by way of bidding, 19 projects of women's organizations with 565,500.00 Kn, 5 of which were directly involved in violence against women, all within the programme „Promotion Of Knowledge And Awareness On Gender Equality“. Through partnership and co-organization, without bidding, the Office invested another 95,500.00 Kn.

Organizations for gender minority rights are not satisfied with the funds distribution, saying that this area has been neglected. For instance Lesbian Group Kontra was the only lesbian organization to which funds were awarded. The funds in question were significantly lower than those awarded most other women's organizations (6,600. kn).

Representatives of the Office for Gender Equality were present at some round tables on gender

equality and sexual orientation organized by NGOs in 2006, showing their willingness to cooperate with civil society organizations.

In the area of legislative initiatives, the Office sent a memo to the Ministry of Science, Education and Sports in which it supports the position of WNC and the Legal Team of Iskorak and Kontra regarding appointing experts into the health education council. The memorandum stresses that one of the priorities of the Ministry, concerning its obligations towards the Gender Equality Act is gender sensitive education. However, the office has not always reacted unambiguously or satisfactorily to initiatives of the civil society. We have never received an answer of the Office to the request of WNC and the Legal Team of Iskorak and Kontra for an opinion and support to an amendment of the Sports Act which would include sexual orientation into anti-discrimination provisions of the Act or to the amendments to the Bill on Registered Partnership. The Legal Team of Iskorak and Kontra has also never received an answer to their request for statement on the Bill on Registered partnership. The Office has not answered the request of the Women's Network Croatia to provide a report for the 2005, based on the Act on Public Access to Information. After the same request was forwarded to the Government of the Republic of Croatia, the Office stated that the report for 2005 will be delivered to the Government by 30 April 2007, whereby the Office gave a bad example of not respecting the provisions of the Gender Equality Act.

The Office continued its valuable publishing activities. With very educational and informatively published „National Policy for Affirmation of Gender Equality 2006-2010“, the edition „Ona“ contains new EU strategies for gender equality affirmation, *A Roadmap for Equality of Men and Women 2006 – 2010* and *Recommendation Rec(2002)5 of the Committee of Ministers to member States on the protection of women against violence adopted on 30 April 2002 and Explanatory Memorandum*

A great asset to these editions is that they can be downloaded directly from the Office website. Internet web-site of the Office is very informative, regularly updated and contains lots of

useful information, especially concerning European and other regulation of gender equality as well as information on activities of the Office and other mechanisms and women's NGOs in the country.

This report must also address the events following the adoption of the Promotion of Gender Equality in November 2006. The Coordinator of the Women's Network Bojana Genov gave some critical remarks to the media concerning the National Policy in the name of the Network. In her interview to Vjesnik anent the National Policy, (22 November 2006), Head of Office Helena Štimac Radin retorted in a personal tone, saying that Bojana Genov used phraseology that is more in line with certain political options than it is in the interest of affirming gender equality policy. Head of Office did not, in any segment of her statement, address the criticism to the content of the National Policy made by the Women's Network.

### **Gender Equality Committees**

County committees have been founded in fulfilling the obligations set forth by the National Policy for Promotion of Gender Equality. One of the problems in operation of the Committees is that most of the members are appointed according to the political parties currently in power in the county assemblies. For this reason, members are often not acquainted with the issue, neither are they motivated nor trained for their role. Training is further impaired by constant change of political parties in power. The level of training and activities of different county committees varies widely. Here we might stress the County of Istria as an example of efficiency and good will in working with NGOs, and the County of Karlovac as its opposite by the same criteria.

Some committees refuse any co-operation with civil society organizations, the only source of training that is competent and available to them.

Activities of the Committees mainly, according to information available to Women's Network,

consist of celebrating important dates, especially those related to domestic violence. We find the activities of county committees less than transparent and insufficient, and that only a small number of them develop, create and implement gender-aware policies.

There is no instance for evaluation or directing their efforts, as the founders have no actual interest in the issue, or the necessary knowledge, while the Office for Gender Equality lacks resources and jurisdiction for the activity.

National Policy for Promotion of Gender Awareness adopted in 2006 has adopted a measure concerned with coordinating national mechanisms with the local ones, and the stakeholder designated for implementation is the Parliamentary Committee for Gender Equality

### **National Policy for Promotion of Gender Equality**

National Policy for Promotion of Gender Equality has been adopted in the Croatian Parliament on 23 October, almost ten months after the expiration of the previous Policy, so the larger part of 2006 was not covered by a strategic document on measures for establishing gender equality.

The proposal was drawn up by the Workgroup instituted by the Government of the Republic of Croatia, with representatives from Office for Gender Equality, Ministry of Science, education and Sports, Ministry of Foreign Affairs and European Integration, Ministry of Health and Social Welfare, Ombudswoman for gender Equality, Parliamentary Committee for Gender Equality, Office for Human Rights, a member of the Committee for Gender Equality of the Split-Dalmatian County and a representative of Women's Network Croatia. The Workgroup convened seven times from October 2005 to July 2006, coming to a proposal after reconciling initially very diverse opinions. The final proposal of the National Policy then went through a process of changing in the Office for Gender Equality / Coordination for Social Activities of the

Government of Croatia, and was sent for review to various institutions, associations and unions in the autumn, with a very tight schedule and with practically no way to hold a public debate. The adoption of the National Policy was not well publicized by the media, who found the discussion with critical overtones between the Head of Office and the Co-ordinator of Women's Network Croatia the most attractive one.

Women's Network holds the position that the Policy is not concrete. The 145 measures that are to improve the position of women in the next four years are more of a wish list than a realistic expression of political will of the government to have an impact on the position of women.

The policy contains a large number of general and vague measures (almost half the measures are dated 2006. – 2010.) formulated with verbs like incite (5 occurrences), follow (4 occurrences), take into account (2 occurrences), mark (4 occurrences), support, continue, plan, raise the level, increase, question and further.

Some solutions are postponed for a time when 3 programmes, 2 analyses and plans, 2 strategies and 2 Protocols will be adopted, 6 researches completed that will form a base for further planning, statistics made (7 occurrences), databases introduced (2 occurrences) and workgroups founded (5 occurrences). Some measures are merely prerequisites for changes, two measures will initiate law amendments if necessary, another two will adjust the legislative to the European one, and four of them will remove discrimination from official documents.

Several measures pertain to existing measures of previous National strategies (Roma population) or call upon them, while some even state that they will implement the existing legislation (e. g. *5.2.6. Corruption of the police will be systematically sanctioned in investigations / cases related to prostitution*).

Aside from other areas of discrimination, touched by the National Policy only in a perfunctory and cosmetic sense, this strategic document does not offer an approach to the increasing

economic gap between genders, unequal position of women in the job market and increasing poverty in women.

Vague formulations and postponed activities numbered in measures of the National Policy for Promotion of Equality of Genders indicate that solutions to the unequal and unsatisfying position of women are left for a later time

### **Implementation Analysis of the National Policy in 2006:**

Out of 145 measures of the National Policy, activities in 2006 are set for 77. Women's Network Croatia have no knowledge of a potential implementation inception for these measures.

Implementation of 7 measures was placed in 2006:

*1.2.2. Completion and distribution of gender terminology glossary and EU standards among official on the national and local levels; Responsible Authority: Office for Gender Equality with co-operation of NGOs*

*1.4.4. Workgroup for promoting data collection on Roma women position in local communities and society in general, in the area of education, employment, healthcare and taking part in public and political life; Responsible Authorities: Office for Gender Equality, Office for National Minorities, Office for Human Rights, Central Bureau of Statistics, Croatian Employment Bureau, responsible bodies of public administration in co-operation with organizations of Roma women*

*2.2.4. Regulation of the Government of the Republic of Croatia on workplace classification for government officials which will regulate use of feminine and masculine genders in nomenclature of workplaces; Responsible Authorities: Central State Administration Office, Government of the Republic of Croatia*

*3.1.1. Textbook Standard which follows the demands of the Act on Equality of Genders;*

*Responsible Authorities: Ministry of Science, Education and Sports, Office for Gender Equality*

*5.2.7. Ratification of European Council convention on suppressing trafficking in human beings; Responsible Authorities: Office for Human Rights/Government of the Republic of Croatia, Croatian Parliament*

*5.2.12. Amendments to the Criminal Procedure Act for the purpose of protection and reducing trauma in victims of sexual violence as well as simplifying and speeding up the investigative and court proceedings, including improvement of conditions of court proceedings; Responsible Authorities: Ministry of Justice, Government of the Republic of Croatia, Croatian Parliament*

*7.3.3. Founding of the independent body for following and evaluation of implementation of gender equality in accordance with the Act on Gender Equality; Responsible Authorities: Office for Gender Equality, in co-operation with Croatian Journalists' Association, independent experts and organizations.*

None of these measures have been realized in 2006.