

**Croatia**  
(18<sup>th</sup> session)

80. The Committee considered the initial report of Croatia (CEDAW/C/CRO/1) at its 363rd, 364th and 368th meetings, on 21 and 23 January 1998 (see CEDAW/C/SR.363, 364 and 368).
81. The representative of Croatia indicated that her country had acceded to the Convention on the Elimination of All Forms of Discrimination against Women, without reservations, on 8 October 1991. The initial report covers the period up to 1994 and the next report will be a combined second and third report.
82. The representative informed the Committee that, at the time of submission of the initial report, peace is the priority in her country. However, she emphasizes that only through peace and the development of democracy will women be able to achieve advancement in all areas. Croatia has finally achieved a level of peace, stability and security that has enabled it to channel its activities towards social development and the promotion and protection of human rights. The advancement and empowerment of women in all areas of public life are essential for the full implementation of social justice in a democratic society.
83. The Commission for Equality of the Government of the Republic of Croatia was established in May 1996 and has drawn up the national policy for the promotion of equality, based on the Beijing Platform for Action, after consultation with women's non-governmental organizations. The policy was adopted by the Government in December 1997.
84. The national policy provides for specific measures to achieve particular goals in the areas of political decision-making, the economy and the economic position of women, health care, education, human rights of women and violence against women in war and peace.
85. Another representative informed the Committee of the implementation of the Convention in the area of justice. She noted that constitutional rights of Croatian women are protected by the ombudsperson and that both women and men are entitled to all legal remedies available through court proceedings. A new penal law has been introduced and its implementation began on 1 January 1998. She introduced statistics on acts of violence against women, rape in marriage, sexual harassment, prostitution (including international prostitution) and other criminal acts. Trends in such behaviour have instigated changes in the penal code. The representative noted, however, that both men and women may be perpetrators and victims of crime.
86. A number of legislative provisions provide special protection for the family and, in particular, for women in their role as mothers and caregivers. Special rights are accorded to women and these are not regarded as discriminating against men, whose rights are also recognized. Parenthood is seen as a joint responsibility and this is reflected in legislation and by-laws.
87. Women are not allowed to work in jobs involving hard physical labour or underground or underwater labour, nor in any jobs classified detrimental to the life of women. Night work is prohibited by law unless it is approved under special circumstances and conditions. Employers are prohibited from requesting information on matters unrelated to employment issues, and this is a means of protecting pregnant women from discrimination in the workplace.
88. Minor changes to the law on health care have been introduced since the initial report. Health insurance and causes of hospitalization are described and it is noted that statistics on termination of pregnancy showed that abortions and miscarriages are at the lowest level ever.
89. The national policy on equality, which implements the Platform for Action, was adopted in Beijing in December 1997. The policy was developed to promote equality and is a mandatory document, with Ministries and other authorities being obliged to carry out its provisions. The policy, which was developed in cooperation with non-governmental organizations and the Commission for Equality, consists of two parts, a survey of the existing situation and specific measures to address crucial areas.

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

## **Concluding comments of the Committee**

### **Introduction**

91. The Committee congratulates the Government of Croatia for ratifying the Convention without reservations and notes with satisfaction that the country's initial report followed the guidelines and presents comprehensive data on the situation of women in Croatia.

92. The Committee welcomes the excellent oral presentation of the Croatian delegation, which supplements and updates the written report. The Committee expresses its appreciation to the Government of Croatia for its high-level delegation, headed by the Deputy Minister for Labour and Social Welfare. This demonstrates the State party's commitment to the Convention and its appreciation of the work of the Committee.

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

### **Positive aspects**

94. The Committee commends the Government on the fact that the Convention has been incorporated into the national laws of Croatia and may be invoked before the courts by any citizen.

95. The Committee welcomes the establishment of the Commission for Equality in Croatia. It also welcomes the national policy for the promotion of equality, which has been adopted to implement the Beijing Platform for Action. The Committee is pleased to be provided with copies of the national policy.

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

97. The Committee notes with satisfaction the delegation's oral responses, reflecting willingness to give further consideration to areas and concerns raised by the Committee. In this context, the Committee is very pleased to hear the Government's oral commitment to examine the following issues in the light of the Committee's suggestions:

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

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

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

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

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

(f) The need to commence a dialogue and to coordinate efforts with trade unions on measures to protect women in the area of employment, in particular with respect to illegal pressuring of women by employers in relation to pregnancy within a certain period after the commencement of employment;

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

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

98. The Committee notes with great satisfaction the existence of programmes to assist women with special needs.

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

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

### **Factors and difficulties affecting the implementation of the Convention**

101. The Committee notes that Croatia faced significant economic and social difficulties as a consequence of the country's recent involvement in armed conflict. Repercussions include the presence of large numbers of refugees and displaced persons. The Committee also notes difficulties resulting from the transition to a market economy and a democratic political structure. The Committee observed that in the absence of gender-sensitive policies and measures to counteract negative effects, these changes may have a negative effect on women's enjoyment of their human rights and impede the implementation of the Convention.

### **Principal subjects of concern**

102. Despite some clarification during oral responses by the delegation, the Committee remains very concerned about the view expressed in the State party's report that women themselves bear full responsibility for their low level of participation in public life. This suggests that the Government lacked understanding of indirect and structural discrimination and its impact on women.

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

104. The Committee expresses concern that data has not been collected in some areas. In particular, the Committee is concerned that minimal attention has been paid to the issue of women living in poverty and that no sex-disaggregated data are available on that topic. It is also concerned that no sex-disaggregated data have been collected on human immunodeficiency virus/acquired immune deficiency syndrome (HIV/AIDS) and that no reliable data had been collected on teenage pregnancy.

105. The Committee expresses concern that in view of the complex ethnic and religious composition of the population of Croatia, the report does not include statistical information on the social, economic and political standing of minority women.

106. The Committee is disturbed to note the Government's view that there is no need to specify gender inequality every time the issue of equality is raised. The Committee is of the opinion that this might contribute to the

concealment and perpetuation of, in particular, de facto inequality. It points out that, in order to increase the visibility of gender issues and to promote a gender-sensitive national agenda, it is crucial to incorporate gender in all discussions of equality.

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

108. The Committee expresses concern that there is evidence that church-related organizations adversely influence the Government's policies concerning women and thereby impede full implementation of the Convention.

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

### **Suggestions and recommendations**

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

111. The Committee urges the Government of Croatia to adhere to its oral statement of intention to give further consideration to the issues outlined in paragraph 97 above with a view to undertaking measures in response to the concerns of the Committee.

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

113. The Committee recommends that the Government take advantage of existing bodies of knowledge relating to indirect and structural patterns of discrimination. It emphasizes that the Government, rather than women themselves, have primary responsibility for implementing strategies to eliminate these forms of discrimination.

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

115. The Committee recommends that the Government of Croatia collect and make available statistical information pertaining to the social, economic and political status of minority women with a view to developing specific policies to respond to the needs of different groups.

116. The Committee requests that more information be provided about the situation of women with disabilities in future reports.

117. The Committee strongly recommends that the Government take steps to secure the enjoyment by women of their reproductive rights by, *inter alia*, guaranteeing them access to abortion services in public hospitals. It is

suggested that the Government examine fully the implications for women, in particular, of funding cuts for contraceptives and that it implement strategies to address any detrimental impact on women.

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

119. The Committee requests wide dissemination in Croatia of the present concluding comments in order to make the people of Croatia, and particularly government administrators and politicians, aware of the steps that have been taken to ensure de facto equality for women and the further steps required in this regard. It also requests the Government to continue to disseminate widely, and in particular to women's and human rights organizations, the Convention, the Committee's general recommendations and the Beijing Declaration and the Platform for Action.