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**Committee on the Elimination of
Discrimination against Women**
Pre-session Working Group for the thirty-second session
10-28 January 2005

**List of issues and questions with regard to the consideration of
periodic reports***

Croatia

The Pre-session Working Group, after examining the combined second and third periodic reports of Croatia (CEDAW/C/CRO/2-3), noted that the report provides specific information on steps and measures taken in follow-up to the Committee's concluding comments adopted upon consideration of Croatia's initial report.

Constitution, legislation and national machinery

1. Article 14 of the Constitution of the Republic of Croatia guarantees to all citizens of Croatia "all rights and freedoms, regardless of race, colour, sex, language, religion ..." (p. 6 of the report). However, the report does not provide a clear picture of the implementation of the principle of equality between women and men. Please provide information as to whether any court cases have been filed by women who faced discrimination, and what administrative or other remedies are available to women victims of discrimination.
2. What is the Government's assessment of the effectiveness and impact of the various general laws and special anti-discrimination laws mentioned on pages 8 to 15 (the Criminal Code and its amendments, the Criminal Procedure Act, the Family Law, the Law on Misdemeanours, the Labour Act, the Law on Gender Equality, the Law on Protection from Domestic Violence and the Law on Homosexual Communities) in achieving equality of women and men?
3. The Government has adopted the National Policy for the Promotion of Gender Equality, as well as the Law on Gender Equality. However, the report, on page 16, states that the "introduction of principles of gender equality in all human activities and all levels of action (gender mainstreaming) has not yet been entirely shaped and implemented in the Republic of Croatia". What are the obstacles, and how does the Government plan to overcome them?

* The page numbers referred to in the present list of issues and questions correspond to the English version of the report.

4. Please provide a description of the functioning of and coordination among the governmental structures and mechanisms that have responsibility for implementation of the National Policy for the Promotion of Gender Equality, at the national and the regional level, as well as of any mechanism to monitor, and report on progress in, the policy's implementation.

5. The report, on page 17, indicates that according to the Law on Gender Equality, statistical data and information in many areas must be disaggregated on the basis of gender and that such information will be made available to the public. Kindly describe any difficulties encountered in implementation of this requirement and steps taken to overcome such difficulties, and assess progress in the systematic use of such data in policy-making in all relevant areas.

6. The report, on pages 18 to 20, provides information about the situation of certain groups of vulnerable women, as had been requested by the Committee in its previous concluding comments. The report also mentions, on page 19, the anticipated establishment of a working group to collect data on the status of national minority women. Kindly report on the progress made, or results achieved, so far by the working group. Or, kindly provide information on the anticipated date of the completion of this work and the release of the relevant report and its findings.

7. Please indicate what measures are being taken to prevent discrimination against minority women, in particular Roma women, in the areas of employment, education, health, housing, restitution of property and social programmes.

8. Kindly describe the mandate of the Commission for Gender Equality and its secretariat, and whether the institution of the Gender Equality Ombudsperson and the Office for Gender Equality have been established (see pp. 24-25 of the report), as well as their relationship to each other and specific responsibilities with regard to the implementation of the provisions of the Convention.

Participation of women in public life and decision-making

9. The report, on pages 30 and 31, indicates some, albeit limited, progress, in achieving women's full and equal participation in public life and decision-making, while the situation in local self-government and regional government units is quite unsatisfactory. The report also indicates that efforts to use affirmative measures were attempted, but did not produce the desired effect (see p. 25). Kindly describe the current use and effect of temporary special measures to accelerate implementation of article 7, especially in relation to those areas where women are particularly absent at decision-making levels.

10. The report, on page 15, shows that women are very well represented in the judiciary and State Attorney's Offices. What accounts for this success, and what lessons has the Government drawn from this area that could be applied to other areas?

11. The issue of the situation of rural women was raised during the consideration of the State party's initial report in 1998, and the State party recognized the need to collect more detailed data and information on the issue. Kindly provide information on progress in this regard, especially on rural women's representation in policy- and decision-making processes, and whether article 14 of the Law on Gender Equality has had the desired effect on this area of data collection.

Violence against women

12. Kindly describe the impact of the Law on Protection from Domestic Violence (see p. 14), including the number of protection orders issued, cases filed so far and the number of convictions; the steps taken to ensure that women, as well as law enforcement personnel and the judiciary, are fully familiar with the law; and the results of cooperation of the Government with non-governmental organizations in the implementation of the law.

Trafficking and exploitation of prostitution

13. On page 29 the report states that within the context of the problem of trafficking in human beings, Croatia had so far been referred to as a transit State. Do the provisions of article 178 of the Criminal Code, on international prostitution, also apply to those who are transporting trafficked women and girls through the territory of the State party in cases where such women and girls were initially recruited in other States, and if so, what is the extent of the use of this provision?

14. Kindly give an update on the status and precise content of the draft proposal of the Law on Protection of Witnesses mentioned on page 28 of the report.

Employment and reconciliation of work and family responsibilities

15. The State party adopted a new National Family Policy in October 2002, defining national priorities to support families in Croatia. Kindly indicate what lessons learned from earlier policies and legislation are incorporated into this policy, and also elaborate on how this new policy addresses the Committee's concern, expressed in the concluding comments on the initial report, about the State party's then-prevalent emphasis on women's roles as mothers and caregivers.

16. The report indicates, on page 38, that the third amendment to the Labour Act, of July 2003, regulates prohibition of discrimination "in accordance with the guidelines and European standards of the protection of women". Kindly explain how, in the view of the State party, these amendments also ensure compliance with article 11 of the Convention.

17. In its previous concluding comments, the Committee noted that there was a need for a dialogue and coordination with the 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. The report gives details about the legislative situation in regard to maternity protection. Kindly assess adherence in practice to this legislation and any remedies available to and used by women to ensure full implementation of such legislation.

18. The report indicates significant differences between women and men in unemployment rates, part-time employment and old-age and disability pensions. Differences in wages and salaries, especially in the private sector, apparently persist. What measures is the Government taking to address this situation?

19. The report, on page 55, reflects the rate of economic activity and indicates a favourable trend for women. Kindly give more details about trends in women's employment since consideration of the initial report, including in formal, informal and part-time work, as well as in women's entrepreneurship, and measures taken by

the State party to encourage women to enter new and promising fields of business and the labour market.

20. Please give an indication of the number of, and problems encountered by, Croatian women migrant workers, both seasonal and long-term workers.

Refugees

21. Please provide information on the new Law on Asylum, scheduled to enter into force on 1 July 2004, and on the steps intended in the context of implementation of this legislation, to engage in a gender-sensitive approach to determination of refugee status and secure proper protection of refugee women.

Education and stereotypes

22. The Law on Gender Equality aims at reducing the widespread gender-specific division of work and schooling. Please provide information on the impact of measures taken to reduce such gaps (see pp. 34-35 of the report).

23. The report indicates that a significant number of women over 65 are illiterate, and this number is significantly higher than that of men of the same age group. Are there any targeted measures in place to support this group of women in acquiring literacy skills?

24. How is the State party implementing article 14 of the Law on Gender Equality, which “anticipates ... that education on gender equality issues represents [an] integral part of the elementary, secondary and university education as well as whole-life learning” (p. 26), as a tool for reducing and eliminating gender stereotypes?

Health care

25. The report, on page 45, indicates that pregnancy termination is still used as a contraceptive method. Kindly give an overview of women’s and men’s access to and use of family-planning information and services, including any differences between urban and rural areas, and by age groups, and of measures taken to reduce pregnancy termination as a method of contraception.

26. The report notes that breast cancer is the most frequent cancer among women in Croatia. Kindly describe progress in the implementation of the breast-cancer prevention programme alluded to on page 52 of the report.

27. Please provide information on any plans to undertake any general health-awareness programmes for women about the benefits of healthy nutrition, exercise and not smoking.

Marriage and family relations

28. The report, on page 57, explains that a marriage before an authorized official of the church has the effects of a civil marriage. Kindly explain the laws that govern such marriages, in particular women’s rights in such marriages, and their dissolution.

Optional Protocol

29. Please provide information about the measures taken in order to make widely known the Optional Protocol to the Convention, which Croatia ratified in March 2001.