



FEMM Delegation to Croatia

I. Croatian Presidency of the Council of the European Union held between 1 January and 30 June 2020¹

Priorities of the Croatian Presidency

- **A Europe that develops**

In the era of the digital revolution, deepening of the single market, encouraging the digitalisation agenda, investment in research and innovation, greater accessibility of high-quality and lifelong learning and developing new skills adjusted to jobs of the future are guarantees for the Union's competitiveness.

- **A Europe that connects**

In a world that is becoming increasingly connected, the progress of the European Union depends on it having a networked economy and making full use of its infrastructural and human potential.

- **A Europe that protects**

The Presidency aims at strengthening internal security, providing more effective control of external borders, ensuring full interoperability of IT systems, and strengthening resilience to external threats, as well as hybrid and cyber threats.

- **An influential Europe**

Further development of capacities and instruments for common action is the only way to strengthen the Union's leading role on a global scale.

I.1 The priorities of the Presidency in the area of the Employment, Social Policy, Health and Consumer Affairs Council

The European Union is facing both significant changes in the labour market and a number of demographic and social challenges additionally spurred by globalisation processes. Negative demographic trends, the lack of skills required for the labour market of the future, the work-life imbalance and the underrepresentation of women in the labour market require high-quality solutions.

¹ https://vlada.gov.hr/UserDocImages/Vijesti/2019/12%20prosinac/31%20prosinca/web_FINAL_PROGRAMME_EN_FINAL.pdf



They are keys to further strengthening of social convergence and sustainable economic growth. The Presidency will devote special attention to defining the measures to deal with demographic challenges.

Emphasis will be also placed on the implementation of policies focused on strengthening access to the labour market, equal opportunities, equality between women and men, and promoting lifelong health care. The Presidency will also seek to protect the most vulnerable social groups that are at risk of poverty and social exclusion.

The Croatian Presidency will focus on achieving progress in negotiations, i.e. on finalising negotiations on the European Globalisation Adjustment Fund and on the Decision on enhanced cooperation between Public Employment Services. It will also continue to work on other current initiatives and new proposals.

I.2 Equality between women and men and women's empowerment in the labour market

Equality between women and men is a fundamental value of the Union. It is therefore important to promote equal opportunities and non-discrimination based on sex. The inclusion of women in the labour market is one of the key prerequisites for equal economic independence of men and women, which reduces poverty and social exclusion, and allows sustainable economic growth.

Croatia will organise a conference (*see below*) to analyse the existing obstacles to the full participation of women in the labour market, taking into account elements such as the lack of accessible quality care for dependent and ill family members, the lack of specific skills in the labour market, precarious and atypical forms of employment, and the risk of workplace harassment. It will propose conclusions determining the correlation between the participation of women in the labour market and the obligations of long-term care for dependent family members.

In order to address the issues of gender equality, the regular meeting of the **High Level Group on Gender Mainstreaming (HLG)** is held on 29 January 2020 in Zagreb. The High Level Group on Gender Mainstreaming is an informal group chaired by the European Commission, which helps the Presidencies, and the Commission to identify gender equality subjects and priorities which are of political relevance, including for the Council debate.

On 30th January the Presidency will hold an EU **Conference on Gender Equality: "Participation of women on the labour market – Benefit for society!"** The aim of the Conference is to discuss the possibility of decreasing the employment gap between women and men by addressing influencing factors to women's full participation in the labour market.

The priorities of the Croatian presidency builds up on the **Trio Presidency Declaration on Gender Equality**, presented by Romania, Finland and Croatia as the Member States holding the presidencies of the Council of the European Union during the 18-month period from January 2019 to June 2020².

II. The Croatian governmental and legal system and anti-discrimination

The Republic of Croatia is a constitutional parliamentary democracy with a population of 4.3 million. The government is organised on the principle of separation of powers into legislative, executive and judicial branches, and limited by the constitutionally guaranteed right to local and regional self-government. The administrative division includes 20 counties and the City of Zagreb (regional level), and 128 cities and 428 municipalities (local level). The Croatian legal system is a civil law system, characterized by a hierarchy of legal norms, whereby laws must comply with the Constitution, and other regulations must comply with laws and the Constitution.

²<https://ravnopravnost.gov.hr/UserDocsImages/dokumenti/Trio%20Presidency%20Declaration%20on%20Gender%20Equality%20RO%20FI%20CRO.pdf>

Anti-discrimination legislation is organised around three main levels of protection: the Constitution (prohibition of discrimination and gender equality guarantee), special horizontal anti-discrimination laws (Anti-Discrimination Act and Gender Equality Act) and other laws containing anti-discrimination provisions.

II.1 Gender equality³

The Croatian Constitution enshrined gender equality in a Constitutional amendment in 2000 (Article 3). Gender equality is reinforced in Article 14 of the Constitution, which prohibits discrimination based on race, skin colour, sex, language, political or other opinion, national or social origin, property, birth, education, social status or other characteristics.

The European Union (EU) gender equality acquis has been transposed into Croatian law as part of its accession to the EU. In anticipation of becoming an EU member, the Republic of Croatia invested significant effort in the promotion of gender equality through national policies to improve the position of women, such as the creation of a Gender Equality Commission as a government advisory body (1996–2004). The Commission produced the first National Policy for the Promotion of Gender Equality, taking the Beijing Platform for Action (BPfA) as a starting point.

In 2001, the Committee for Gender Equality was established in the Croatian Parliament, with the aim of mainstreaming gender equality in legislation, regulation and policy. In 2008, the Gender Equality Act was adopted, which is most relevant to the promotion of gender equality in Croatia. Article 3 of the Act refers to gender mainstreaming and stipulates that public bodies should – at all stages of the planning, adoption and implementation of legal acts, decisions and actions – assess their gender impact with a view to achieving genuine equality between women and men. Both the National Policy for Gender Equality 2011–2015 and the Gender Equality Act ensure the application of the equality principle in all aspects of national policy.

II.2 Legislative and policy framework for gender equality

The Law on Gender Equality⁴ was approved in 2003 and consolidated in 2008 and 2017. As the legal framework for gender equality in Croatia, it establishes the protection and promotion of gender equality as a fundamental value.

The development of Croatian legislation on gender equality is closely linked to European integration and the country's 2013 accession to the EU. The European Directives regulating gender equality in occupation and employment⁵ particularly influenced the Croatian body of legislation, as did the Directives on social services and security⁶, with each transposed into national legislation.

The first National Policy for Gender Equality was developed and adopted for the period 2001–2005⁷, followed by a plan for 2006–2010, and a final plan for 2011–2015⁸. As of 2019, the Office for Gender Equality is

³ <https://eige.europa.eu/gender-mainstreaming/countries/croatia>

⁴ <https://ravnopravnost.gov.hr/UserDocsImages//dokumenti/Zakoni/2018//Zakon%20o%20ravnopravnosti%20spolova%20HRV.pdf>

⁵ Directive 2006/54/EC of the European Parliament and of the Council on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and labour; Directive 2010/41/EU of the European Parliament and of the Council on the application of the principle of equal treatment for men and women who are self-employed; Council Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation; Council Directive 1992/85/EEC on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth.

⁶ Council Directive 2004/113/EC on the implementation of the principle of equal treatment for men and women in access to and supply of goods or services; Council Directive 79/7/EEC on the gradual implementation of the principle of equal treatment for men and women in matters of social security.

⁷ [Parliament of the Republic of Croatia \(2001\). Policy for the Promotion of Gender Equality with the National Policy Implementation Program for the Promotion of Gender Equality in the Republic of Croatia from 2001 to 2005](#) (Nacionalna politika za promicanje ravnopravnosti spolova, s programom provedbe nacionalne politike za promicanje ravnopravnosti spolova u Republici Hrvatskoj od 2001. do 2005. Godine). Available in Croatian.

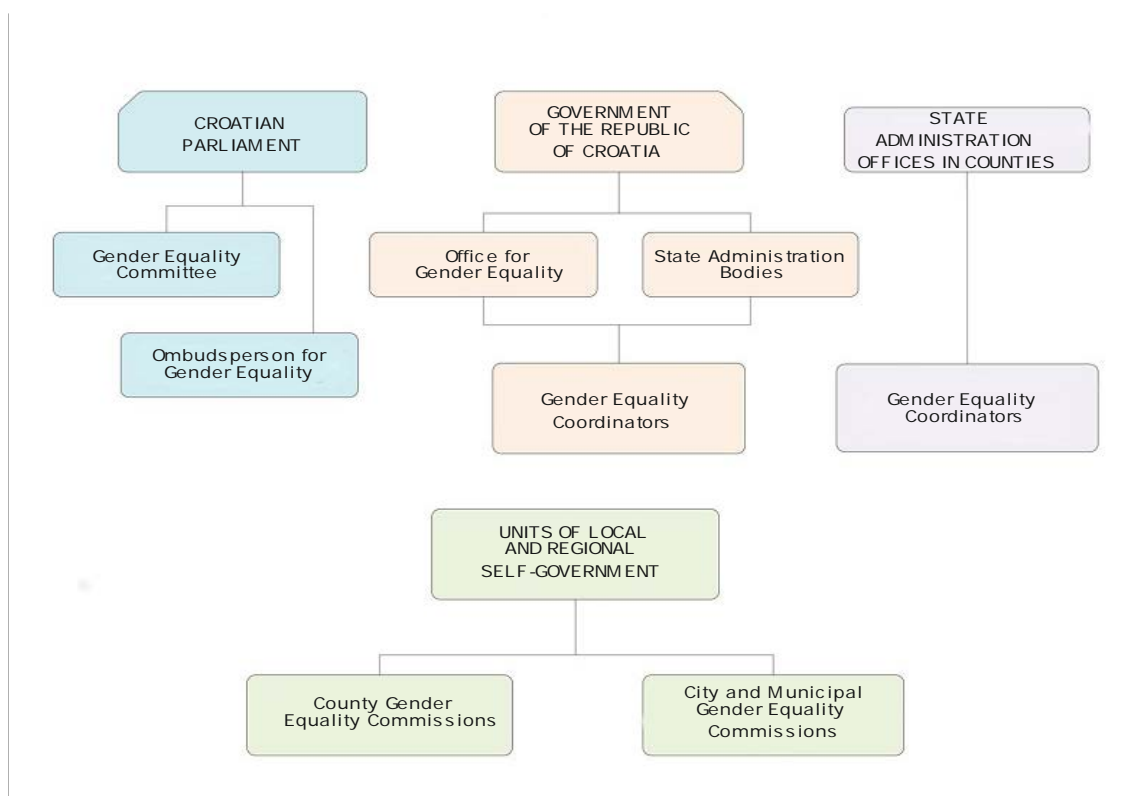
⁸ Government of the Republic of Croatia, Office for Gender Equality (2011). [National Policy for Gender Equality for the period 2011–2015](#). Available in English.

developing a National Policy for Gender Equality 2019-2022, in collaboration with other bodies of state administration, local and regional self-governments, and regional committees for gender equality. The previous National Policy plans aimed to redefine national priorities and to implement and introduce specific measures to reflect social and political circumstances and challenges. The strategic approach of these plans was also based on the commitments stemming from Croatia becoming a Party to the various international treaties on women’s rights and gender equality.

The Committee on the Elimination of Discrimination Against Women, in its 2015 recommendations on the implementation of the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and, in particular, on the institutional mechanisms for gender mainstreaming, recommended that ‘the State party increase the human, technical and financial resources, including at the county and citycommittee levels, allocated to the Office for Gender Equality and the Ombudsperson for Gender Equality in order to improve their effective functioning as the national machinery responsible for the advancement of women and the full implementation of the Convention’⁹

II.3 Government responsibilities and structures

Figure 1: Institutional framework for implementation of gender equality policies in the Republic of Croatia



Source: Office for Gender Equality, 2017.

Following the adoption of the BPfA in 1995, the Commission for Equality Issues was established in 1996 as the first government body with responsibility for gender equality policy, including monitoring and enacting relevant legislation.

The Commission was renamed the Gender Equality Commission, becoming the Office for Gender Equality in 2004.

⁹ Committee on the Elimination of Discrimination against Women (2015). [Concluding observations](#). CEDAW/C/HRV/CO/4-5, p. 3.

II.3.1 Office for Gender Equality

The Office for Gender Equality is responsible for the development of national policy for the promotion of gender equality and supervision of its implementation, as well as oversight of compliance with laws and other regulations on gender equality in relation to international documents. It is also responsible for the preparation of national reports on the fulfilment of international standards.

The Office for Gender Equality has regional departments (Equal Opportunities Committees), organised at county, city and municipal level, that are responsible for promoting and coordinating all activities concerning gender equality and the advancement of women in society. There are a further 21 Gender Equality Committees at regional level, which are local advisory bodies tasked with promoting gender equality and implementing the Law on Gender Equality and the National Gender Equality Policy. Local Government Units may also establish municipal Gender Equality Commissions.

There is no specific cabinet minister with sole responsibility for the promotion of gender equality. Rather, the Office for Gender Equality consults and supports various ministries with tasks related to gender equality impact and policies.

II.3.2 The Ombudsperson for Gender Equality

The Ombudsperson for Gender Equality was established in 2003 and is Croatia's independent body. It is appointed by the Croatian Parliament, at the proposal of the government.

In addition to the government, county and city Committees for Gender Equality and the Gender Equality Ombudsperson, some other institutions and offices support and implement equal opportunities, policies and gender mainstreaming. These include coordinators appointed within state administration bodies, in compliance with the Law on Gender Equality (Article 27). According to this Law, state bodies, units of local and regional self-government, public legal entities and legal entities predominantly owned by the state, and units of local and regional self-governments are obliged, at all stages of the legal acts, to evaluate the effects on the position of women and men, in order to achieve real equality.

II.3.3 Gender Equality Committee

Parliament Gender Equality Committee's scope of activity includes the drafting and monitoring of policy measures, as well as encouraging the adoption of international documents related to GE, as well as promoting awareness through various programs that are drafted by the Committee.

II.3.4 The Board for Gender Equality

The Board for Gender Equality (established by parliament in 2000) is appointed by the parliament, at the proposal of the government (Article 20 Law on Gender Equality), which shares this mandate with the parliament. The mandate of the Board corresponds to the election of parliament and it consists of 13 Members of Parliament (including the president and vice-president) and three external members (recognised by professionals and NGO members in the field of gender equality and selected through a public competition procedure). The Board's scope includes determining and monitoring the implementation of gender equality policy. In the process of adopting laws and regulations, the Board has the right and duty to promote and monitor the implementation of gender equality in the legislation of the Republic of Croatia. In the process of enacting laws and other regulations, it has the same rights and duties as the main (parent) working body in the area with respect to the promotion and monitoring of the application of the principle of gender equality in the legislation.

III. Methods and tools used to promote the gender equality

The most relevant gender equality institutions generally undertake projects and develop handbooks aimed at promoting gender mainstreaming within government bodies, administrations and strategies. All of these

actions form part of the policy framework for gender mainstreaming contained in the Government Programme 2016-2020.

According to EIGE, the available guidelines for methods and tools chiefly concern gender analysis, gender indicators, gender monitoring, and gender statistics, but do not make sufficient reference to gender impact assessment and gender budgeting. These represent the main challenges for the future of gender mainstreaming policy implementation, particularly in light of Article 3 of the Law on Gender Equality (see above), requiring certain bodies to consider policy effects on the positions of women or men, in order to achieve real equality. These actors are also required to implement gender equality training for their employees.

III.1 Training and awareness-raising

In accordance with the National Policies for Gender Equality and the action plans of elected bodies, there have been many campaigns, projects and publications to raise public awareness of gender issues (women's position in the labour market, violence, rural women), as well as training on general gender issues and more specific training on gender mainstreaming. Almost 70 % of the Office for Gender Equality staff are engaged in such activities, with each member of staff spending some eight hours a year in voluntary training.

III.2 Gender statistics

According to Article 17 of the Law on Gender Equality¹⁰, all statistical data and information on persons collected, recorded and processed by state authorities, bodies of local and regional self-government bodies, and legal and natural persons performing regulated activities must be reported by gender. These shall be made available to the public, in line with the regulations governing the protection of personal data and the provisions of a special law governing the area of official statistics.

In addition, on the EU level in 2018, Eurostat invited EU Member States to pilot a survey on gender-based violence¹¹. The pilot survey will interview women and men concerning their experiences, including physical, sexual and psychological violence by an intimate partner. The Eurostat pilot survey is similar to and builds on a survey that FRA conducted, which collected, for the first time in the EU, comparable data on violence against women in 2014. The Eurostat pilot will inform the development of the full-scale surveys in Member States, which are planned to be carried out in 2020–2021.

IV. Council of Europe Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention)

The Council of Europe Convention on preventing and combating violence against women and domestic violence is the first instrument in Europe to set legally binding standards specifically to prevent gender-based violence, protect victims of violence and punish perpetrators.

Regarding the EU Member States, to date 21 of them have signed and ratified the Convention, including Croatia.

Croatia signed the Convention on preventing and combating violence against women and domestic violence on 22 January 2013. In order to address concerns expressed by some groups, a national referendum was held in Croatia on 1 December 2013 on the inclusion in the country's Constitution of the definition of marriage as a union between a woman and a man. About 65% of the voters supported the amendment and the proposed definition. Hence, the marriage is now defined in the Constitution as a union between a "man and a woman".

¹⁰<https://ravnopravnost.gov.hr/UserDocImages//dokumenti/Zakoni/2018//Zakon%20o%20ravnopravnosti%20spolova%20HRV.pdf>

¹¹ https://fra.europa.eu/sites/default/files/fra_uploads/fra-2019-frr-chapter-9-justice_en.pdf

Following heated discussions and protests of the pro and anti- Istanbul Convention groups, on 22 March 2018 the Croatian Government adopted a draft law on the ratification of the Istanbul Convention along with an interpretative statement and sent it to the parliament.

The interpretative statement was introduced, in order to mitigate anxieties and tensions regarding the Convention's so-called 'gender ideology' which, according to critics, is a socially constructed term. It states that the Convention is compatible with the Constitution of the Republic of Croatia, that its aim is to protect women from all forms of violence and that its provisions do not contain the obligation to introduce a gender ideology in the Croatian legal and educational system.

In spite of the protests, which took place prior to the vote, on 12 June 2018 the Croatian parliament ratified the Convention with 110 votes in favour, 30 against and 2 abstentions.

The Convention entered into force in Croatia on 1st October 2018.

V. Sexual health and rights in Croatia

According to the recent Study commissioned by the Policy Department¹², women's sexual health and reproductive rights are recurring topics of heated public debates. Interest groups regularly organise public campaigns, events and rallies, including continuous vigil actions and 'prayer circles' in front of hospitals' gynaecology wards in which abortions are performed.

In recent years, the question on the right to abortion intensified in anticipation of the Constitutional Court's decision on constitutionality of the 1978 Act on health measures for the realisation of the freedom of choice in childbirth, which is still a valid law in Croatia.

Under that Act, abortion is defined as a medical procedure and permitted at the request of a woman within 10 weeks from the date of conception, unless it would severely aggravate a woman's health. After that period, abortion is performed only if a special medical commission issues its consent, and only if certain conditions are fulfilled (medical indications showing that women's health is jeopardised, or that the baby will suffer from severe congenital physical or mental disability; or if pregnancy is the result of a criminal offence). Abortions may be performed only in hospitals. The procedure for review of constitutionality of this Act lasted 26 years, and it grew into a highly sensitive and controversial political issue.

The Constitutional Court finally settled this issue in February 2017 by dismissing all motions, but at the same time instructing the legislator to adopt a new act within 2 years. The decision confirms that the right to life is protected only in so far as it does not conflict with the woman's right to privacy.

Woman's right to privacy, including the right to self-determination and freedom of choice in childbirth is part of the Croatian Constitution and protected by the Constitutional court. No legislation can limit or prohibit this right. Although the legislator is allowed a certain latitude regarding the time-limit for performing the abortion, the Court confirmed that the existing time window (10 weeks from conception) is in compliance with the 1990 Constitution, and is constitutionally balanced and fair. When adopting a new law, the legislator will have no possibility to completely ban abortion or to make it extremely difficult.

However, heated debates will certainly arise regarding the educational and preventive measures, as well as the issue of the cost of abortion.

In practice, the issues concerning reproductive health persist, primarily concerning access to a legally induced termination of pregnancy, the accessibility of modern forms of contraception and different standards for the care and protection of women during delivery (giving birth).

Regarding the first issue, health workers in many health institutions in Croatia refuse to perform abortions, based on a so-called 'appeal to conscience' or a 'conscientious objection'. This is a personal right of health

¹² [https://www.europarl.europa.eu/RegData/etudes/STUD/2017/596803/IPOL_STU\(2017\)596803_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2017/596803/IPOL_STU(2017)596803_EN.pdf)

workers, but health institutions are nevertheless obliged to engage a qualified person to perform this procedure.

However, a study conducted by the Ombudsperson for Gender Equality¹³ showed that abortions could not be performed in 20 % of health institutions because all the health workers at those institutions had a conscientious objection to abortion. Many of these hospitals are in rather remote areas, meaning that women in need of such a service have to travel to another facility far from their place of residence.

The Croatian Health Insurance Fund covers the cost of abortion only if it is necessary due to medical reasons.

The second issue regarding access to healthcare concerns the accessibility of modern forms of contraception, in particular the emergency contraceptives and the procedure for their delivery in pharmacies. Following a number of complaints regarding the unnecessary restrictions, even though these are prescription-free medicines, and as a result of combined pressure of competent institutions, the Croatian Chamber of Pharmacists issued in 2016 new, more lenient guidelines with instructions for delivery of prescription-free emergency contraceptives.

The third issue concerns unequal standards for the care and protection of women giving birth, depending on the hospital in question. For example, maternity units in several clinical hospitals do not comply with the required quality standards, the practice of organising and charging maternity courses differs, the possibility of a partner being present during childbirth is limited in some hospitals, the fees for voluntary abortions may vary significantly from hospital to hospital, etc. These standards and prices should be equalised to ensure equal quality and standards of care.

VI. The employment and social situation in Croatia

According to the recent Study commissioned by the Policy Department¹⁴, after a six-year downturn from 2009, the Croatian economy has been on a recovery path since 2015, yet the situation on the labour market is still far from satisfactory. Despite declining overall unemployment, Croatia still has one of the highest unemployment rates in the EU for both the adult and youth population, while both employment and activity rates are among the lowest in the EU (Table 1).

The 2013 EU accession opened the EU labour market for Croatian workers resulting in massive emigration and causing labour shortages in some sectors. Employment has shown moderate post-recession growth, but its structure seems to be changing; namely, the share of self-employment in total employment has fallen, while the share of temporary employment has risen. Undeclared work and discrimination against certain groups, especially women, Roma and LGBTI persons, are still a feature of the Croatian labour market.

Working conditions are considered by a large share of workers as bad and worse than at the start of the recession. Almost a quarter of the Croatian population is at risk of poverty or social exclusion, an improvement compared to the time of the crisis (Table 1). Older people, the unemployed and the low-skilled are the most vulnerable groups, and Croatia is one of the countries with the highest share of children living at risk of poverty.

The effectiveness of social transfers in reducing (the risk of) poverty is also relatively low, and worsening over time (Table 1).

¹³ Ombudsperson for Gender Equality (2015), Ombudsperson for Gender Equality (2016), Ombudsperson for Gender Equality (2017a).

¹⁴ [https://www.europarl.europa.eu/RegData/etudes/STUD/2019/642345/IPOL_STU\(2019\)642345_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2019/642345/IPOL_STU(2019)642345_EN.pdf)

Table 1: Main Labour market and social indicators for Croatia

	Employment rate (% of population aged 20-64)	Youth unemployment rate (% of active population aged 15- 24)	People at risk of poverty or social exclusion (AROPE) (% of total population)	Impact of social transfers (other than pensions) on poverty reduction (% reduction of AROP)
2013	57.2	50.0	29.9	34.3
2018	65.2	23.7	24.9	24.2

Source: Eurostat

VI.1 Discrimination in the workplace

Women in the labour market

According to the Study, women fare worse than men on a number of labour market indicators. According to Eurostat data on activity rates, 66.1 % of women and 75.9 % of men aged 20–64 were active in 2018. The difference is large, but smaller than for the EU-28. In 2018, for 58.6 % of inactive women the main reason for inactivity was some type of family or caring responsibility¹¹, compared to only 13.1 % of men¹². Thus, women's inactivity is largely driven by a combination of conforming to traditional attitudes toward gender roles and a lack of out-of-home care facilities such as kindergartens and nursing homes. The 2018 employment rate was also substantially lower for women (60.1 %) than for men (70.3 %), a difference slightly smaller than for the EU-28. The female employment rate has been growing since 2012, from 52 %, and since the male employment rate has increased less, the gender gap has been reduced. There is no significant gender gap in the quality of employment, at least when measured by the share of temporary employment and precarious employment. Women are on average paid less than men. The gender pay gap was 11.9 % in 2017 and it has increased since 2010, when it was 5.5 %.

A recent study by Boll and Lagemann (2018), based on the Structure of Earnings Survey 2014, shows that the unadjusted gender pay gap of 5.8 % in Croatia was not due to women's personal characteristics and characteristics of their employers being inferior in comparison to men's, but rather due to women being compensated less than men. Women lagging behind men on the labour market might be partly due to societal attitudes towards gender roles, which according to the Eurobarometer survey on gender equality from 2017 (European Commission, 2017a), are far from equitable. Although the answers to many questions from Croatian respondents are quite similar to those for the EU-28 on average, in some aspects attitudes are more conservative in Croatia. For example, while in the EU-28 44 % agree that women's most important role is to take care of their homes, in Croatia the share is 60 %.

VI.2 Measures against discrimination

The Gender Equality Act is the key statute for the protection and promotion of gender equality in Croatia. The key policy document is the National Policy for Gender Equality, with the last such document covering the period 2011-2015 (Government of the Republic of Croatia, 2011).

A new document has been under preparation for some time but has not yet been adopted. However, in the Programme of the Government of the Republic of Croatia for 2016-2020 (Government of the Republic of Croatia, 2016), gender equality is prioritised in terms of:

a) gender equality on the labour market, and in political and public life,

b) protection of the victims of family violence. In implementation, under the ESF financial support, the project Women's Employment Programme "Wish for" (Zaželi), administered by the MLPS has recently gained popularity.

In the broader policy domain and as a part of its preparation for the Presidency of the Council of the EU, Croatia has signed the Trio Presidency Declaration on Gender Equality . The Declaration aims to send a strong political message that gender equality is a fundamental value of the EU and its implementation is "an urgent priority in all policy areas", while Croatia in particular commits to addressing issues influencing lower women's labour market participation and to strengthening actions to ensure a dignified working environment and working conditions for women. Overall, as summarised by the last European Parliament report on gender equality policies in Croatia, "many issues in Croatian society are still not recognised as gender equality issues (primarily economic independence, which has spill-over effects throughout a person's life) and some are too politicised (such as the reproductive rights of women)" (Bodiroga-Vukobrat and Martinović, 2017).

Regarding discrimination based on sexual orientation and gender identity, in a 2013 referendum a majority voted for a constitutional definition of marriage as a union of two persons of opposite sexes, whereby same-sex marriages were effectively ruled out legally. However, in 2014 a new law was introduced which grants same-sex unions the same set of rights as those enjoyed by the traditional opposite-sex marriages, except the right to adopt children.

According to the 2012 EU-LGBT survey¹⁸ (FRA, 2013), Croatia is among the EU countries with the most widespread labour market discrimination based on sexual orientation. About a quarter of those surveyed felt discriminated against on the grounds of sexual orientation when looking for a job (EU-28: 20 %). A 2017 World Bank survey in Central and Southeast Europe confirms that discrimination against LGBT people in the workplace is widespread in Croatia (World Bank, 2018a): 93 % of respondents think that discrimination based on sexual orientation is fairly or very common.

VII. General observations¹⁵

Overall, gender equality policies in the Republic of Croatia have been steadily improving since the adoption of the first National Policy for the Promotion of Equality in 1997. The procedures for drafting the relevant legislation and strategic documents progressively became more open to public, especially since the adoption of the Codex of public consultation in the procedures of adoption of laws, regulations and other acts in 2009 and the Guidelines for Application of the Codex in 2010. Public consultations are conducted through the e-consultations portal, which was launched in 2015. NGOs are included in the working bodies for preparation of various national policies, including gender equality policy. Surprisingly, however, according to the Study commissioned by the Policy Department, the Ombudsperson for Gender Equality, as an independent body in charge of combating gender-based discrimination, is not included in the ongoing work for the preparation of the new National Policy for Gender Equality for the period from 2017 to 2020 .

The Republic of Croatia has implemented the gender equality acquis of the EU even before it became a Member State in July 2013. The most important piece of legislation in this field is the Gender Equality Act, which was first adopted in 2003 and replaced with a new act in 2008. It seeks to implement the constitutional guarantee of gender equality in the broadest areas of private and public life. Despite the relatively well-developed policy and legislative instruments aimed at eradication of gender discrimination, numerous challenges and gaps in the implementation of gender equality standards are still evident throughout all fields analysed in the study .

In particular, open issues include:

¹⁵ [https://www.europarl.europa.eu/RegData/etudes/STUD/2017/596803/IPOL_STU\(2017\)596803_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2017/596803/IPOL_STU(2017)596803_EN.pdf)

- Unbalanced participation of women in the labour market. Activity rate of women is 45 – 46 % and the position of women in the labour market deteriorates with age: less than one third of women over 54 years of age participate in the labour market.
- Underrepresentation of women in entrepreneurship. The share of women owner of companies is under 20 %. Women are less likely than men to start a business venture, and less likely to benefit from entrepreneurship incentive programmes.
- The ratio of women and men in company management and supervisory boards is 1:4 on average, with significant oscillations in women participation depending on the type of legal entity.
- Political participation of women in representative bodies and executive functions at the local, regional and national levels is still very low, despite the obligation to observe gender quotas on electoral lists. In practice, the chances for women to actually be elected depend more on their hierarchical positioning on the electoral lists, than on the formal compliance with the gender quota.
- Strategic, institutional and legislative framework for dealing with the cases of violence against women, especially domestic and intimate partner violence, is still not satisfactory. Perpetrators of domestic violence and victims are often treated in the same manner and even arrested and charged for public nuisance; individual acts of violence are treated as one-time incidents, without taking into account a history of violent behaviour; psycho-social treatment of perpetrators is weak due to serious lack of funding. The system of sanctioning acts of domestic violence in the sphere of misdemeanours is not effective. Monitoring and gathering of data by various institutions is inconsistent and incompatible, which makes it difficult to evaluate the efficiency of existing measures and propose new, better targeted solutions. Although the system of support for victims is improving, some acute problems persist, such as finding suitable housing for women victims of violence when they leave the shelters, especially since they either have no or extremely limited financial support and income.
- Work-life policies are underdeveloped, which in turn affects the labour market position of women, who assume the majority of family obligations.
- Gender stereotyping and sexism are cross-sectoral problems, which are fuelling and perpetuating gender discrimination in all spheres of life. They require a new approach for changing the way of thinking, primarily in the field of education from earliest age.
- Women's sexual and reproductive health and rights are being called into question by conservative circles – a lot of public attention, energy and discussion are spent on averting those attacks, when those efforts could be better employed to improve the position of women in other areas.
- Gender minorities are in a vulnerable position and often subject of gender-based violence, which is not recognised and prosecuted as hate crime. Policies and measures aiming to protect these groups are often attacked and labelled as an attempt to force 'gender ideology' in the traditional Croatian society, with distorted views of what 'gender' means in the framework of gender equality.

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