

NGO REPORT

**To Committee on Elimination of Discrimination against Women
On the occasion of Second and Third Report of Republic of Croatia**

Zagreb, November 2004

Submitted for the 32nd CEDAW Session
January 2005

**Report edited by Women's Human Rights Group
B.a.Be., Be active. Be emancipated**

Authors of chapters:

**Center for Women's Studies, Zagreb
Women's Group Brod, Slavonski Brod
Serbian Democratic Forum (SDF), Zagreb
Centre for Women War Victims - ROSA
Autonomous Women's House, Zagreb
CESI, Center for Counseling and Education of Women, Zagreb
Women's Room, Zagreb
Center for Civil Initiatives, Poreč
Croatian Association of People with Physical Disability (HSUTI), Zagreb
B.a.B.e., Zagreb
Association of Independent Trade Unions – Women's Section, Zagreb
Retirement Home for Jewish People**

Content:

Introduction

Article 1.

- Legal Protection against Discrimination against Women
- Penal Code
- Law on Protection against Family Violence
- Violence in Family – Assessment of Status

Article 3 .

- Measures for Full Development and Progress of Women
- Gender Mainstreaming
- Assessment of status and measures for its improvement
- Protection and Popularization of human rights of certain groups of women
- Mechanisms for Gender Equality
- Commission on Equality of Sexes
- Regional level – County coordination's and commissions on equality of sexes
- Mechanisms according to the Law on Sex Equality

Article 5.

- Diminishing Stereotypes
- Media
- Education on Shared Responsibility of Men and Women in Family

Article 6.

- Trafficking in Human Beings
- Legal Framework for annihilation of all forms of trafficking in women and abuse of women's prostitution

Article 7. - Elimination of Discrimination of Women in Political and Public Life

Article 10. - Elimination of Discrimination against Women in Education

Article 11. - Elimination of Discrimination of Women in Labor and Employment

Article 12.

- Health Protection
- Reproductive health of Women
- Sexuality and contraception
- Sexual education for girls and boys
- Women's Rights in the System of Health Insurance

Article 14. - Status of Rural Women

Article 16. - Equality in all Matters Regarding Marriage and Family Relationships

Introduction

NGO Report on the occasion of Second and Third Report of Republic of Croatia has been written by several prominent and experienced women's non-governmental organizations in order to secure more complete and more accurate perception of the status of women in Croatia.

As a general remark, the problem of improvement of the status of women in Croatia and of the elimination of discrimination against women is not so much within the legal framework, but in the implementation of provisions of laws and measures of National Policy for Promotion of Sex Equality¹, as well as in misunderstanding important concepts like gender mainstreaming.

More often than not, the lack of political will is one of the primary reasons why numerous legal provisions and measures are not being implemented.

Since the report was written by different organizations, the structure of chapters may vary, but the general idea is to follow the governmental report in order to provide different insights into the data presented by the official report.

When needed, the authors or editors of the NGO Report provided draft of necessary improvements in the form of recommendations.

We did not comment on all the articles of the Convention, either because we thought that the official Report is pretty accurate, or we did not find the matter especially interesting at this moment for Croatian development, or we did not have sufficient data to do so. In order to facilitate easier following of the official report, we have kept its numeration.

¹ Although the official translation of the Nacionalna politika za unapređivanje ravnopravnosti spolova is National Policy for Promotion of Gender Equality, we are using the term National Policy for Promotion of Sex Equality because it is correct translation. The term spol in Croatian language means sex, and term rod means gender. Rod is not used in official documents in Croatian (nor in the names of institutions nor in the legal documents).

Legal Protection against Discrimination against Women

Article 2.

by Center for Women – Rosa and Autonomous Women’s House Zagreb

1. Penal Code

In the last few years Penal Code has been changing almost constantly. Regarding the elimination of discrimination against women, it has seen some improvements and some setbacks. The criminal act of marital rape has seen its first process started in spring 2004, but has not finished yet.

Since 2000, article 215.a has introduced the act of violent behavior in family. Although this measure is necessary and we have positive experiences in the protection of some victims through this article, the definition of the criminal act of violent behavior in family, as well as implementation of that article is often insufficient.

Definition is too narrow, as it includes only members of the same household (including former partners). According to our experience, the violence is often committed by ex-partners who do not live in the same household anymore, or the violence starts after the divorce. According to that provision, significant number of victims of family violence can not be properly protected.

On the other hand, definition is not precise, leaving decision to the police, public attorneys and courts whether violent act qualifies as a criminal act. The Penal Code is used only when the violence is a long term process lasting for several years or if there is a heavily body harm (defined as a harm that can be potentially or immediately life threatening condition). Psychological violence is not prosecuted in the framework of Penal Code, unless it is accompanied by physical violence.

The general slowness of the judiciary is also a great obstacle for the prompt and appropriate protection of the victims of family violence.

2. Law on Protection against Family Violence

by Autonomous Women's House Zagreb

Definition of the family in this Law is broader than in the Penal Code. Unfortunately, there is no inclusion of women in relationship with violent men with separate households. That excludes significant number of women from the protection under this Law, as they can not get restraining order.

Law defines the act of family violence as misdemeanor and implies low penalties for the offenders. Also, according to the Law on Process for Misdemeanor, all imprisonment penalties are interchangeable with financial fines. The result of this Law is low percentage of short term imprisonment, and high percentage of financial fines that usually further burden the family budget penalizing the women victims.

Probably the greatest problem of the process of promulgation of this Law has showed the incompetence of our legislative bodies. When promulgated, The Family Law come into force momentarily and Law on Protection against Family Violence eight (8) days after promulgation. As the former Family Law contained the provisions for protection against family violence, the eight days gap resulted due to different dates of newly promulgated laws coming into force. Women were without any protection during that gap. Later on, the High Court for Misdemeanor ruled that all the processes that were not finished until the date of coming into force of new Family Law were terminated. The police reported that with that decision of the High Court and due to the negligence of the Parliament services, more than 10 000 hours of their work became useless.

Generally speaking, neither the police, nor the courts are sufficiently educated for the implementation of Article 215.a of the Penal Code and the Law on Protection against Family Violence. It still happens that judge issues only a warning to the offender, or that police does not initiate court procedure deciding that situation is not serious enough. In the heart of the problem is misunderstanding of violence in the family.

Although women's NGOs offered different types of education to the police, including free of charge education that would be provided by Austrian police officers, all the offers were turned down on the account of enough education already received.

On the other hand, judges are prone to decide on the measure of obligatory psychiatric treatment for the perpetrators as alternative to imprisonment or financial fine. Presently, no programs of re-socialization of the perpetrators exist, so they are sent to psychiatry. Psychiatrists are not satisfied with that solution as most of the perpetrators are not mentally ill, so they are not to be psychiatric patients.

3. Violence in Family – Assessment of Status

B.a.B.e.

The concept of the whole chapter of the Report is describing the police procedures that are prescribed in the case of violence. What is missing, beside the results of the prosecution, is description of the measures for the protection and re-socialization of the victims of family violence.

The reasons for the lack of the descriptions of the measures geared towards the survivors of family violence are simple – they are non-existent. The sporadic financing of the shelters for survivors, or some educational activities of different NGOs active in the field, as well as occasional financial aid distributed through the system of centers for social welfare to the survivors can not even partially substitute the lack of the National Program for Prevention of and Protection against Family Violence.

The cooperation of the women's NGOs working with the survivors of family violence and governmental, regional and local institutions is still meager, although it is improving on declaratory level. The financing of autonomous shelters in Croatia (only few of them) is still not systematically solved, and they are left to uncertainty that usually starts at the end of the each year, and is solved by March next year from the reserve funds of government or regional authorities. Some shelter run by other NGOs than women's organizations (e.g. Caritas) were already closed due to the lack of financial resources (in coastal town of Šibenik).

Recommendations:

- a) Analyze current measures in order to evaluate effective measures and shortcomings in networking and cooperation between different institutions that work on prevention and protection from gender based violence;
- b) Change the school curricula in order to annihilate patriarchal stereotypes and promote models of partnership and tolerance among partners, parents and children;

- c) Change the shortcomings of existing legislature: violence against women should not be treated as misdemeanor, parental custody should not be joint in the cases of family violence; definition of family should be extended to include all women in risk;
- d) Introduce systematic education for all professionals that are supposed to prevent or protect from violence against women (police, public attorneys, judges, social workers, health professionals and teachers);
- e) Secure financial resources for legal aid to victims of violence against women;
- f) Secure continuing and long term financial resources for the shelters for women victims of violence;
- g) Secure programs of life long education for the victims in order to secure their economic independence.

Measures for Full Development and Progress of Women

Article 3.

B.a.B.e.

1. Gender Mainstreaming

Gender mainstreaming is defined as "the (re)organization, improvement, development and evaluation of policy processes, so that a gender equality perspective is incorporated in all policies at all levels and at all stages, by the actors normally involved in policy-making." (Council of Europe, EG-S-MS (1998) 02)

In the same document, gender equality is defined as "an equal visibility, empowerment and participation of both sexes in all spheres of public and private life."

Nowadays, social engineering in the field of gender equality is in the broadest political context determined through the implementation of gender mainstreaming. The term is difficult to translate and refers to a group of measures oriented towards the achievement of equality between men and women by active and open consideration (as early as in the planning stage) of possible effects of specific measures and policies on the position of men and women, which involves a systematic questioning of these measures and policies and analysis of their effects in all institutions of public authority. (Rodin, S. "Rodna jednakost – temeljni pojmovi i uloga europskog konteksta", IMO, 2003)

What is missing from this definition of "gender mainstreaming"? And why are there no concrete measures in relation to the planning "of possible effects of specific measures and policies on the position of men and women" mentioned in the report of the Croatian Government?

In reference to the 3rd question of CEDAW – (gender mainstreaming has not yet been entirely formulated and implemented in the Republic of Croatia, Report, p. 16 , but this is not mentioned on p. 16)

Although it is stated in the Report of the Government of Croatia that the UNDP's "Manual on Gender Mainstreaming in Practice"² has been translated and that a seminar was organized for members of the Commission for Sex Equality of the Government of Croatia, members of the Sex Equality Committee of the Croatian Parliament and representatives of political parties, it is clear from the remainder of the report that the Government and all authorized bodies implement "gender mainstreaming" on a formal level, often confusing it with the integration strategy employed by the pre-1990s regime. (for example, simply enumerating institutions that have introduced gender-sensitive statistics)

The key to understanding the differences between the two strategies is as follows:

1. INTEGRATION STRATEGY (known as Women in Development) focused more on women's involvement and participation on the formal level; the Government insisted on gender-sensitive statistics and development of *quantitative* methodologies for the purpose of determining the factual situation. Women were defined in relation to the differences between men's and women's roles, as a social issue/victims and not as a creative potential for resolving existing relations in accordance with the ultimate goal – achieving gender equality.
2. MAINSTREAMING STRATEGY (also known as Gender in Development) is more complex and goes beyond figures and lists. The most important characteristic of this strategy is that gender analysis includes subjective perceptions and analysis of power relations, recognizes established stereotypes and develops new ways to overcome existing conflicts and confrontations within organizational cultures (for example, the report would include various perceptions, values and needs and the analysis of the

² Even in the translation of the mentioned UNDP manual, gender and sex were confused. All references to gender were translated as sex. The explanation was that term "rod" (gender) is not widespread and that concept will not be understood.

structure of power relations between those members of political parties, the Commission and the Parliamentary Committee who have attended the seminar on gender mainstreaming, and evaluation would be made after the new relations between men and women in the above mentioned institutional bodies were introduced)

3. The problem that arises in the implementation of gender mainstreaming strategy is the introduction of measures such as: "in the National Family Policy (2002), the emphasis was put on harmonizing family and working responsibilities, particularly on creating equal opportunities for men and women."

What kind of gender analysis was conducted in order to assess the different needs of men and women within the family and workplace? Where and how were the stereotypes related to household roles of men and women deconstructed? What measures were taken to effect changes? How do the needs of women and men differ when it comes to balancing family and workplace responsibilities?

It is evident from the data collected by women's NGOs that in the Republic of Croatia most women perform all household and unpaid work and that there have been no significant changes in the last four years – which could mean that the measure mentioned in the National Family Policy has not brought any changes in the real lives of women and men. And there are numerous similar examples.

The fact that the institutionalization of gender mainstreaming has already started and the integration strategy was never fully implemented in the Republic of Croatia created confusion about the differences and effects of these two very different strategies. A true transformation of gender relations, which is methodologically developed by the gender mainstreaming strategy (whose only aim is to achieve gender equality), will be possible only after the implementation of integration measures (such as gender sensitive statistics, which was so far not collected).

It is clear from the Report that gender mainstreaming strategy is turning into a series of meaningless measures, where gender mainstreaming means all and nothing (concepts are introduced as value units in all documents, but without clear indications of how and what or during which time period changes are expected). This is one of the main objections to this strategy and it seems that so far the mainstreaming strategy has only been misinterpreted and relieved of any sense whatsoever.

Recommendations:

- a) The development of qualitative methodology that will enable the implementation of the gender mainstreaming strategy (which includes gender analysis of needs, power relations and points of conflict, and deconstruction of existing stereotypes about women and men for all members of institutions and bodies that should implement gender equality policies).
- b) Each listed measure should be accompanied by gender analysis and a system for monitoring initiated changes in the power relations of women and men.
- c) Transformations of traditional power relations are processes that take place in certain time intervals and it is necessary to establish mechanisms for evaluation of specific gender mainstreaming measures.

2. Assessment of status and measures for its improvement**2.1 Gender sensitive statistics**

By Aida Bagić, MAP Consulting d.o.o., Women's Studies

The Report mentions that in some areas gender sensitive data collection still does not exist, but that in some important areas gender sensitive data collection is almost traditional. The small survey was done on 15th October 2004 to check the current status of available gender sensitive data. The surveyor checked web sites of the institutions listed in The Report.

Croatian Institute for Employment: all data mentioned in The Report as gender sensitive were obtainable on the www.hzzo.hr either on the web site or in the electronic publications obtainable from the web.

Croatian Institute for Public Health: on the web site www.hzzj.hr there is introduction to the Croatian health statistics for 2002. The data are gender segregated in the Introduction as well as in the others reports on the web site.

Ministry of Justice on the www.pravosudje.hr does not have gender segregated data.

Croatian Institute for Health Insurance on the web site www.hzzo-net.hr there is no gender segregated data.

Croatian Institute for Retirement Insurance on the web site www.hzmo.hr has «statistical Information» that incorporates gender segregated data until the May 2003.

Although there is no mention of newly established mechanisms for gender equality it is worth to note that the Office for Sex Equity still does not have a web site. On the site of Ombudsperson for Sex Equality www.prs.hr there are data on family violence from 2000 to 2002.

In the Report it is mentioned that former Commission on Sex Equality had an obligation to publish «Women in Numbers» brochure once a year. The brochure was aimed to collect all relevant statistical data on women in one year. Unfortunately, The Report does not mention that such brochure was published only in 2000 and that most of the data were based upon the census done in 1991. It is unclear whether the Commission repeated the publishing of the brochure after the census from 2001. Regarding the wide dissemination of the brochure, it is hard to explain that the brochure is not recorded in on-line index of National and University Library that is central point of collection of all printed materials in Croatia. Although Croatia is rather small country in terms of territory and in terms of population, the circulation of 500 copies hardly allows wide dissemination.

The key problem regarding gender sensitive statistics and segregated data collection is lack of the accessible and comprehensive point where the data on women's economic, social, cultural and political status can be easily accessible.

Recommendations:

- a) Annual publishing of brochure «Women in Numbers» and proper dissemination of it.
- b) Improvement of the data collection and data publication so that they are easily accessible.

2.2. Protection and Popularization of human rights of certain groups of women

Disabled Women

By Croatian Association of People with Physical Disability (HSUTI), Zagreb

The whole part of The Report dealing with women with disabilities is more important for what is not mentioned than for what is. Actually, there is no decent widely implemented measure that improved the life of a single woman with disability.

The only initiative that would improve the general health of disabled women is opening of the first gynecological surgery equipped for the exams of disabled women in Zagreb. The initiative was carried out due to the advocating of Croatian Association of People with Physical Disability.

Although there were several round tables and the survey, the results are not known yet, or at least, are not circulated to interested parties. The formal compliance with the National Politics did not influence the everyday lives of women with disabilities.

The claim that decrease in the number of women acquiring earlier retirement on the ground of disability is diminishing due to the improved women's health is arbitrary and it can be also claimed that the diminishing of the percentage of women retired on the ground of disability may indicate that their employability is lower, that there are less women in position to claim retirement. Also, it can be claimed that conditions for the early retirement on the ground of disability are harsher now than previous years. According to our observation, we would claim that two later conditions are more significant than the first one.

According to the workshop held in 2002 on 9th Motovun Health Summer School the recommendations are:

- a) Conduct thorough surveys on the status of women with disabilities including habilitation and rehabilitation, education, employment, accessibility and transport, family position and status, parental roles, single mothers with disability;
- b) Design and implement measures that will improve the status of women with disabilities;
- c) Support the families that women with disabilities live within in order to diminish their discrimination in family surroundings;
- d) Support professional women with disabilities and work with the employers to change their prejudices against women with disabilities;
- e) Encourage the inclusion of women with disabilities in all sphere of public life including social and political life.

Women from National Minorities

Our comments on the Report are mainly concerning women returnees in the so called areas of special state interest (the areas directly torn by the war). Most of the returnees are either of Serbian or Bosniac ethnic origin and they have severe problems in enjoying whole array of human rights. Their experiences of double discrimination on the ethnic and gender basis are clear sign of reluctant political will to protect human rights of women from national minorities.

Most of the women returnees are older women trying to sort out their citizenship, property, social rights, retirement and health insurance. Much needed legal aid is not provided by state as well it is not financed by state. The providers of legal aid are specialized NGOs supported by foreign donators.

Although the most discriminative legislation that was promulgated in the early nineties is not in place any more, discriminatory stance of local administration that consists in more then 90% of ethnic Croats is still operational.

One of the main issues is getting into the possession of property after the valid court decision.

D.K. (76 years) from Vojnić had a valid court decision to enter into the possession of its own house that was occupied by temporary user. He refused to move out for 3 years, and the first eviction was organized on 26th of June 2004. It was unsuccessful. The second one was scheduled for 29th June, but the woman judge Vesna Gračan abruptly decided to go to the vacation. D.K. finally got into possession on 20th September 2004, three and half years after valid court decision.

The right to employment and labor is also severally breached when it comes to employment of Roma and Serbian women. Although, the unemployment rate is generally high for women, it is even higher for Roma women (up to 96% according to the survey done by NGO Bolja budućnost in 2002), as well as for Serbian women. The exact data do not exist, as the statistics on employment are not recording nationality of unemployed.

In the municipality of Gvozd, there are only 2 women from national minorities employed in judiciary, police station and municipality, although the prevalent ethnicity in that area is Serbian.

Recommendations:

a) Strict implementation of already existing laws regarding protection of minorities.

Elderly women

By Retirement Home for Jewish People

Although the elderly women, according to our laws, have tremendous protection and all necessary support in reality, it is not so. Dissolution of social protection of elderly citizens has double effect on women. As women live longer, they comprise the larger proportion of people over 65. So, basically, the women are denied decent means and ways of living with the possibility to have even worse situation in near future as the women's pensions are diminishing due to the retirement reform carried out in nineties.

Older women are most often left to take care of themselves or be taken care of by members of their family. Women account for 62 % of people older than 65 (According to the last census, persons older than 65 make up almost 16 % of population). Poverty indicators for 2002 and 2003 in Croatia show that 19 % of all households are threatened by poverty, and the risks increase with age and are greater for women (the rate of poverty risk for older women is 31,2 %, whereas for men of same age it is 25,6 %). The newly established pension system "produces" mass poverty of pensioners, and the gap between women's and men's average old-age pensions is growing (in 1988, the gap was 20 %, and in 2003 it was 26 %).

Dissolution of state sponsored and owned system of social care for elderly put additional burden to younger women, as they are care takers of elderly.

The number of beds in the retirement homes is not sufficient to cover all needs. Waiting period after application for the admittance in retirement homes in Zagreb area are now more than 3,5 years.³ Although, there is a possibility to have lodging in state owned retirement houses and pay it according to the amount of pension, due to the latest version of the

³ As checked on 11th November 2004 during the telephone calls to different retirement homes.

Family Law, the children are obliged to financially support their parents if they are in need. The average pension of women can not cover monthly costs of staying in the state owned retirement homes, so additional support of the other family members is needed.

Daily stay in organized manner is rather rare in Croatia, and there are counties where that service does not exist although government officially recognizes the need for such services.

One of the strangest explanations in the whole Report is the one linked with the lack of evaluation of status of elderly women. Replacement of that desperately needed evaluation with the ad hoc conclusion that the program of employment of women older then 40 years was successful because their employability was increased does not need any future comments.

Recommendations:

- a) The obligation from National Politics on Promotion of Sex Equality to do a survey on status of elderly women should be fulfilled;
- b) Reform of retirement system in order to diminish the gender gap between average pensions;⁴
- c) Organization of affordable and accessible services for elderly women (e.g. delivery of food to their homes, organized daily activities for elderly women).

3. Mechanisms for Gender Equality

3.1. Commission on Equality of Sexes

by B.a.B.e.

Even the name of the Commission⁵ shows the lack of understanding of concept of gender equality and its societal consequences. Although Croatian language has the word for gender (rod) it is not used in governmental documents. The only exception of the rule is office of the Ombudsperson for Equality of Sexes.

⁴ At the moment of writing, November 2003 the new changes of the Retirement Law are in consideration. The draft of changes includes moving the age of retirement for women from 63 up to 65 – the same as for men. Unfortunately, due to the triple burden of women, it is not feasible, as well as due to the fact that women in retirement also have important role in social and family network in supporting younger women (e.g. grandmothers are usually taking care of children, as network of kindergartens and schools with extended working time is meager).

⁵ Until 2000 the Commission's official name did not include neither sex nor gender. Since 2000 it becomes Commission on Sex Equality

Until 2000 the Commission on Equality had advisory role to Government and was attached to Ministry of Work and Social Welfare. The Commission was formal body that usually met once a year. The members of the Commission were from different ministries without sincere interest and proper sensibilisation and conscience for the gender equality issues. The additional members were also representatives of five NGOs who took active part in the sessions. The traditional role of the NGO representatives was to question the secretary of the Commission on different issues as the representatives of ministries usually did not have a clue what was going on. The first National Politic was a kind of «underground», «clandestine» document not widely published and not recognized even among civil servants, not to mention general public. Most of the proposed actions were not carried out, or were carried out in formal and not substantially influential and serious manner.

After the 2000 the Commission got one professional person who was placed in the Office for Human Rights. The principle of recruiting the members remained the same; the members were representatives from different Ministries. The most important part in the work of the Commission was preparation of the National Policy for Promotion of Sex Equality and Law on Equality of Sexes.

In the preparation of the draft of the National Policy NGOs were included although the proposal of Women's Network of Croatia⁶ to prioritized 5 areas of greatest concern was not even taken into account for discussion.

The National Policy was once again a wish list without political will that would encourage implementation. Nevertheless, the percentage of fulfillment of the Politics is greater than the previous one, and some important legal changes happened during the period 2003 to 2004.

At the time when the Commission was operational the main argument of the validity of Commission as the only mechanism for gender equality was that Commission is much better as it is in accordance with the concept of gender mainstreaming. The fact that most of its members were not aware of the distinction between gender and sex was not important.

The level of the cooperation with women's NGOs has not been satisfactory.

⁶ The Network is an association of more than 40 women's organization from whole Croatia

B.a.Be. asked the Commission to secure one governmental accreditation for CSW in year 2002 but it was not granted although B.a.Be. had its own financial resources to send a representative to New York.

Although the part of the Commission role was to encourage and support work of regional and local mechanisms for gender equality it was not happening.

The Commission was dissolved as the Office for Equality of Sexes was established at the begging of 2004 to everybody's relief.

3.4. Regional level – County coordination's and commissions on equality of sexes

By Center for Civil Initiatives, Poreč

During the reporting period Croatia has experienced the development of regional and municipal gender equality mechanisms. Although, there are serious shortcomings of the mechanisms, the fact that some regional and municipal units showed political will to found the mechanisms is encouraging.

In the period from 1996 to 2002 Commission on Equality and its successor Commission on Equality of Sexes did not find important to spread the network of Commissions on regional and municipal level. Anyway, in the foundation of the county or municipal mechanisms the instrumental role had women's NGOs and some political parties or to be more precise their women's sections.

Regional and municipal mechanisms did not have any kind of support from National one. Even the materials that were published by National Commission were not distributed to regional and municipal commissions or co-ordinations. The activities of different commissions were not synchronized so the effect of them was lesser than possible. There was no needs assessment of regional and municipal Commissions, and at one time during 2001 and 2002 the national commission even did not have thorough list of the already established commissions.

Formal establishment of regional or municipal mechanism is not enough. The education of the members is desperately needed in most areas.

The commissions are operating on pro bono voluntary basis without any employed professionals who would provide back up to mechanisms. There is no uniform structure of the mechanisms they can be attached to local municipality or to municipal assembly. Their financial resources are meager and they do not have clearly defined terms of references. As a result most of them were following the actions of local or regional NGOs that usually took active part in their formation. The main activities were related to data collection, action against violence against women, preventive health measures, supporting women's small business. Nobody monitored the decisions of the regional assemblies or municipal councils or work of municipalities from gender perspective.

The serious lack of possibility to exchange experiences, to discuss needs and opportunities influence the quality of the work of the regional and local mechanisms as they do not have opportunity to meet.

3.5. Mechanisms according to the Law on Sex Equality

According to the Law on Sex Equality, two new mechanisms were established at the end of 2003 (Office of Ombudsperson for Sex Equality) and governmental Office for Sex Equality at the beginning of 2004.

Both offices had a long time of establishment on the level of securing basics for their work (premises, stuff and equipment). Since May 2004, they are both fully operational, but extent of their work is still to be evaluated in the next year. Nevertheless, establishment of those offices is an important sign that some attention to gender equality is given by different governments *in continuo* even if the establishment of the governmental Office was questioned at one period.

Recommendations:

- a) Profesionalization of one person in each county to support existing mechanisms for gender equality;
- b) Clear scope of work for the commissions/committees/coordination;
- c) Establishing the network of mechanisms on regional and local level;
- d) Common work of all mechanisms for gender equality;
- e) Evaluation of the work of newly established mechanisms after the 4 years of their work in order to have clear review of theirs shortcomings and best practices.

Diminishing Stereotypes

Article 5.

By B.a.B.e.

1. Media

Croatian Government in its report displays the lack of understanding of its role in dealing with the issue of diminishing stereotypes in the media, and gives less relevant remarks and insignificant examples of the matters that need to be commented on.

As Croatia has been going through the process of transition, the media also had to be transformed. However, the route of privatization, which was in itself expected and reasonable, remained completely non transparent to the very end. The situation we face today gives a reason to two possible ways of evaluating that process: either Croatian politicians do not understand how to conduct it, or there have been strong lobbies which succeeded in establishing liaisons with decision makers. Today we have one print media monopolist EPH (Europe Press Holding) holding shares with the German media corporation WAZ, corporation that owns majority of press publications in several transitional countries (Bulgaria, Serbia and Monte Negro, Hungary, Romania). Law on the Media, preventing monopolization, has been ratified only after majority of *mainstream* dailies, weeklies and various magazines have been already sold. Even today, with this new law, EPH is trying to buy another regional daily Slobodna Dalmacija, and odd interpretations of the Law have been disseminated. Two TV channels have also been sold to foreign corporations (RTL with Bertelsmann), and not to national organization that presented high quality standards and has reasonable financial resources.

In such a situation, feminization of the journalist profession was immediately launched. Poor trade union and problematic relationship within the Croatian Journalist Association enabled owners not to sign agreements, improve statutes, and establish safe labor conditions for employees. The majority of journalists and other technical professions involved in media production have no or part time contracts. There is formal protection of their independence of freedom of expression, but nobody dares to oppose editor-in-chief's or owners' remarks as there are no free job posts available. There are only few smaller and relatively independent companies, mostly on the regional or local level. The Croatian Government does not address the problem of discrimination at work, predominantly of

female employees. There is also no ministry or official body that has a mandate for monitoring and evaluating media.

Positive changes have happened with the transformation of the state television into the public one. Nevertheless, during the appointment of the representatives of the civil society, MPs have not established transparent criteria, and prolonged the process of election to the very last day of the former Parliament existence. At the end, nobody understands how appointed people have been elected. A representative of 47 women's human rights NGOs was among the nominees, but she had not been chosen. If the Government really wants to support gender equality in the media, it should ensure financial support within the budget for independent media production as the Croatian television is obliged to broadcast diverse programs produced by other production companies.

National Policy for the Promotion of Sex Equality, that is still valid, has planned many activities and actions in order to target discrimination and sexism in the media. Unfortunately, almost none of them have been implemented. The Report submitted to the CEDAW Committee does not mention this. There has been a plan to establish a commission, a governmental body, to monitor the media, and react whenever sexism, stereotyping or any form of gender discrimination is found, but not even the initial information and invitation have been disseminated so far. In the National Plan the establishing of the annual award for gender sensitive journalism has been planned. When B.a.B.e., supported by the Women's Network of Croatia, finally decided to organize the election of gender sensitive journalists, nobody from the Government was willing to join us. We have given awards in the year 2002 and 2003, without any financial support or individual involvement from the part of the Government. There were no official reactions to the programs or ads bluntly offending women. The Report mentions Gavrilović ad, but forgets to stress that even more offensive advertising campaign has been conducted this year in April. Again, only women's human rights groups reacted to it. For the first time only a week ago chairperson of the governmental Office for Sex Equality wrote a letter of protest to the public television due to the commercial stating that women love to iron and spend money, but they failed to send the same letter to commercial televisions and the bank advertised in this commercial. There are no reactions to the show called "Let's exchange wives!", commercials that regularly portray women as housewives, sex objects, etc. Even female politicians accept to be models at fashion shows, and talk about their underwear or cosmetics, while the female president of one party suggested the Parliament to build fitness center for MPs.

Minority women are in especially difficult situation, specifically Roma women, as they are regularly discriminated against in the media. Whenever there is a case of theft where a Roma woman was involved, titles explicitly stress her ethnicity which never happens when Croatians are involved in the same offence. At the same time, when a Roma child was kidnapped, there was hardly any visible remark of her ethnic roots.

Picture Gallery:



Future lawyer



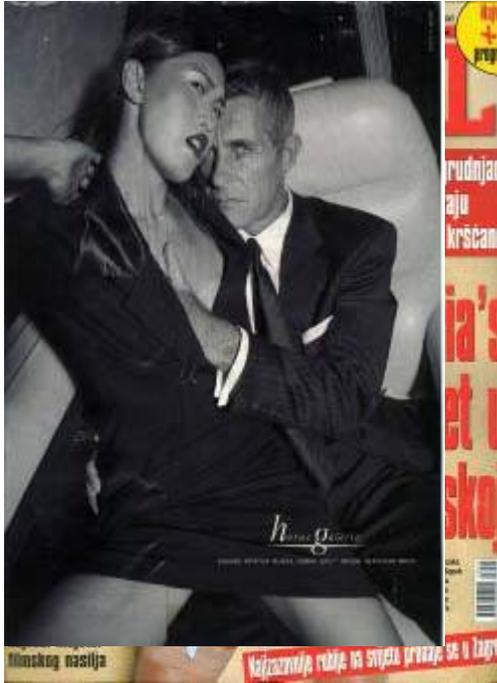
Crosswords Magazine



Sentenced to six years of prison for killing a wife who did not love him!



Car Magazine



**Ad for a new fashion program –
Croatian company Heruc**

**Cover of the national political weekly
magazine**

Recommendations:

Implementation of all the activities that have already been planned in the National Policy on Promotion of Sex Equality:

- a) Establishment of the independent body that will monitor media;
- b) Establishment of the annual award for gender sensitive journalism;
- c) Educational programs for journalists and editors;
- a) Incorporation of media literacy programs into school curricula – stress on politics of representation.

As well as:

- a) Creating a budget line within the budget of the Office for Sex Equality for gender sensitive media production;
- b) Supporting gender sensitive programs targeting media.

2. Education on Shared Responsibility of Men and Women in Family

As the concept of gender and gender mainstreaming is not clarified in the Croatian institutions yet, the concept of shared responsibility also has almost humorous turn that includes coloscopies and gynecologist. The reductionist approach to the one of the central concepts of gender equality in public and private sphere led to the strange concept of solely sharing responsibilities in the area of family planning. No mentioning of the removal of stereotypes in house work, no mentioning of the proportion of the women's unpaid labor compared to men's unpaid labor in the domestic sphere clearly shows that all work done on the removal of stereotypes is just declamatory on the most superficial level. As the social safety net for the elderly people is crumbling down, as the public care of young children is also diminishing in scope of services and their availability, the share of women's unpaid labor in the domestic sphere is increasing. Unfortunately, the men's share is not increasing in same percentage.

Recommendations:

- a) Properly done campaigns either by governmental institutions or by NGOs financially supported by government;
- b) Change in school curricula and school textbook in order to avoid gender stereotypes.

Trafficking in Human Beings

Article 6.

By Center for Women – Rosa and Women's Room

Legal Framework for annihilation of all forms of trafficking in women and abuse of women's prostitution

Although in the Report there is thorough elaboration of the new changes in Criminal Code regarding trafficking in women, the Report does not mention that the changes were not promulgated due to the procedural mistake in parliamentary procedure. As there was no parliamentary quorum needed to promulgate the law according to the decision of Constitutional Court in December 2003 the changes never come into power. According to the

new draft of changes of Criminal Code⁷ important paragraphs on protection of victims were not existent any more. The promulgation of the new, less thorough changes happened on 15th July 2004.

There is no Law on Protection of Victims; in the procedure is only Law on Protection of Witnesses. According to that draft, there is no protection for victims of trafficking if they decide that they do not want to be witnesses.

Generally speaking, Croatian legal framework does not recognize the term victims, only witness. In our opinion the Law on Protection of Victims of Trafficking in Human Beings is badly needed, but the Government managed to avoid the drafting of that Law in order to circumvent financial obligations that are streaming out of the status of victims. The excuse was that European Convention against Trafficking in human beings will be created. As the international conventions are part of Croatian legislature, additional law is not needed according to Ministry of Justice and Ministry of Work and Social Welfare in 2003. The Croatian representative was supposed to be nominated in drafting Commission of Council of Europe. There is no information whether somebody was nominated. The other problem with that kind of decision is that it is not following the usual Croatian practice. According to our knowledge, the direct application of international bidding legal instruments is non-existent in our judiciary.

Beside problems with legal framework for the protection of victims of trafficking in human beings, the real lack of political motivation to seriously deal with the problem of trafficking is visible in the history of SOS telephone line and shelter for victims.

The mentioned SOS telephone line in Zagreb was opened by Center for Women War Victims - ROSA (experienced women's NGO who dealt with victims of sexual crimes during the war period) and after 5 months (from October 2002 to February 2003) it was included by National Committee on Elimination of Trafficking in Human Beings in national activities against trafficking (National Committee since then is covering phone bill of that line free of charge for users). Though at first sight it shows successful cooperation and acceptance of NGO work, further work experiences are not confirming it.

⁷ Published on web site of Ministry of Justice www.pravosudje.hr

Since SOS line's foundation there was no proper feedback to the reported cases from police about the results of conducted investigations. Police, according to their statements, 'is not obliged to report back to SOS line', while on the meetings of National Committee, inter-agency cooperation is proclaimed as one of the basic principles of work against trafficking.

One of the cases of trafficking survivor is also significant: since June 2002 CWWV – ROSA has been requesting from relevant institutions (like Ministry of Interior and National Action Team against Trafficking) to solve her status, and still the appropriate solution has not been reached. Prolonging temporary residence permit based on a humanitarian grounds for a victim with no citizenship can not be all what Croatian institutions could offer taking in consideration so many activities, laws, regulations, international conventions and National Action Plan for suppressing trafficking in women.

The example of the most significant financial support for NGO's anti-trafficking projects by the Government was support to CWWV – ROSA Program against Trafficking in Women: grant for 3 years (2002-2004) was aimed at supporting all the activities of CWWV - ROSA including counseling, accommodation, campaigns, SOS line, trainings of NGOs and state agencies, public panels, etc. Though the state representatives highlighted that example on many occasions, their annual support in amount of 11.000 \$ was not even enough to cover one annual salary, let alone for setting up and running a shelter.

The other example of problems NGOs face concerns education in schools – NGOs are rejected as partners and are considered not professional enough to gain official permission from Ministry of Education to approach school teachers and pupils with the topic of trafficking. So far NGOs managed to approach schools only after individual invitations from schoolteachers and schoolmasters.

The shelter story is even sadder one. During the 2002, two shelters for victims of trafficking existed in Croatia, the shelter of Center for Women War Victims Rosa in Zagreb, and shelter of Korak – women's NGO from Karlovac, a town on the route of trafficking. According to the Report those two shelters were used until the opening of «official shelter» under the auspices of Ministry for Work and Social Welfare.⁸ According to our knowledge the shelter was not really established. The only trace of the shelter can be found in the decision made on the 4th session of National Committee: «Adopted proposal of Ministry for Work and Social

Welfare on preparation of certain premises for official shelter for victims of trafficking in human beings..... Shelter can accommodate 15 persons; admittance of adults and persons under 18 years of age is predicted. Regarding provision of assistance to victims, NGOs will be contracted. » Additionally it was decided that «the adaptation of the premises should start as soon as possible. »

The shelter did not start to work properly at least until May 2004. Nonfunctioning of the shelter is corroborated by the fact that Commission coordinator was asking the municipal authorities in Zagreb to locate satisfactory premises for the shelter. As two NGOs that were providing shelter for victims were left without financial support, victims of trafficking were not properly covered, as there was no operational shelter. Center for Women Rosa offered their house that was already adapted for that kind of activities in March 2001. The NGO received the first and only negative answer in July 2003 although Center has had extensive experience in providing support to victims of sexual violence in last 11 years. In a meantime IOM and National Committee used the capacities of different organizations providing rather symbolic financial investives. As a result there is no capacity to provide effective support to victims of trafficking 24 hours a day in a sensitive manner.

The part of the letter⁹ of director of governmental Office for Human Rights and national coordinator for elimination of trafficking in human beings shows the lack of political will to cooperate with NGOs and to try to diminish the problems of victims of trafficking:

«Victims in trafficking in human beings identified in Republic of Croatia were, so far, lodged in the different objects mostly in ownership of nongovernmental organizations. That practice did not solve the problem, as it was unsatisfactory due to the security reasons as well as due to the need for systematic approach to aid and protection of victims. In order to solve the problem, Office for Human Rights in which is National Committee, contracted Red Cross due to the fact that above mentioned organization is in compliance with the needs established through National Plan for Elimination of Trafficking in Human beings and has experience in working with asylum seekers and refugees, as well as adequate expertise and technical facilities. The issue that is not solved yet and whose solution is one of the priorities of National committee is location of premises for the shelter, so we ask for your help in that matter. We would like to organize a joint meeting with you and chairperson of Red Cross in order to discuss the above mentioned issue....»

⁸ After the last national election in 2003 administrative system in Croatia was again reformed. The Ministry for Work and Social Welfare was transformed and social welfare was joined with Ministry of Health.

⁹ Letter of 5th May 2004 to local authorities of City of Zagreb, Office for Health, Work and Social Welfare

Over the last decade Red Cross in Croatia never showed any sign of interest in victims of trafficking and does not possess expertise in that field. Thus, Red Cross has shelters that we used for sheltering victims only when there was no other alternative as they are not adequate for victims of trafficking.

Not one women, trafficking survivor, was directed by police to women's NGO shelters during the years 2003 and 2004 (police identified most of the victims and IOM took care about their accommodation).

Recommendations:

- a) Promulgation of Law on Protection of Victims of Trafficking in Human Beings and changes of provisions regarding prostitution (Law on Offences against Public Order and Peace) and trafficking in women (Penal Code) in direction of punishing the users and decriminalization of women in prostitution;
- b) Introduction of Legislative and other appropriate measures that permit victims of trafficking in women to remain in its territory, temporarily and permanently, (giving appropriate consideration not only to humanitarian, but also to compassionate factors) as well as not conditioning support with testifying against traffickers;
- b) Providing continued financial support to experienced NGOs to continue with running shelters for victims and with the provision of needed psycho-social services;
- c) Additional training to all involved in the process of re-socialization of victims: police, social workers, health providers (Changes of attitudes/understanding of causes of violence against women, within state institutions working in suppression of trafficking in women and prostitution – in accordance to Beijing Platform for Action and CEDAW, this has to be visible in all documents aimed at suppressing trafficking in women and all training programs);
- d) Additional monitoring of judiciary system when dealing with cases involving trafficking in human beings;
- e) Acceptance of NGOs by state institutions as real partners – not only to fulfill international obligations towards monitoring institutions. To include in police interventions and giving feedback on cases, accepting NGOs in training programs in schools, providing counseling and shelter for victims, working groups drafting laws, etc;
- f) Allocation of adequate financial support from the state budget to realize aims from the National plan to suppress trafficking in women.

Elimination of Discrimination of Women in Political and Public Life

Article 7.

by Aida Bagić, MAP Consulting d.o.o., Women's Studies

Importance of gender equality for the government is illustrated through the data given regarding the financial support to the programs and projects through the governmental Office for NGOs. In the Report there are only total amounts and number of projects, but not the total amounts of the financial supports given to the different NGOs. According to our analysis it is obvious that percentage of the total amount allocated to the NGOs dealing with gender equality was only 4.91% in 1999, 7.25% in 2000, 8.71% in 2001, 9.60% in 2002 and 8.36% in 2003¹⁰ of total amount given to NGOs in general. It should also be mentioned that the financial support given to each organization was effectively diminishing, as the number of the organizations that received grants increased disproportionately in correlation with significantly smaller increase of the amount given to the gender equality programs and projects.

Once again, we can recognize the pattern of declamatory support that is not sufficient for proper, serious in depth work.

Elimination of Discrimination against Women in Education

Article 10.

By Center for Women's Studies

1. COMMENTARY ON THE GOVERNMENT REPORT

The Croatian Government document "Second and Third Report According to Article 18 of the Convention on the Elimination of All Forms of Discrimination of Women" from 2004 in Article 10¹¹ entitled "Elimination of discrimination against women in the area of education" analyzes the state of and gives general guidelines in the direction of improving the status of women in that area.

The Government Report is not integral even in a substantial sense, with reference to the analysis of the state in the area of education, and even less in the area that refers to measures for improving and the possible application of measures for the

¹⁰ data from www.uzuvrh.hr; web site of Office for NGOs

¹¹ It should be noted that first mention is made at all of the elimination of discrimination in the area of education and the status of women in education in the aforementioned document in Article 10. Namely, this is not contained in either the Report that the Government submitted (First Report in 1997) or in the *Shadow Report: NGO Report on the Status of Women in the Republic of Croatia 1997*, and which was, in cooperation with several nongovernmental organizations, prepared by B.a.B.e. – Women's Group for Human Rights.

elimination/abatement of discrimination of women in education. It is also lacking in the part that concerns the defining or rather the content of discrimination and the approach to discrimination in education as well as in the part related to the analysis of the actual state and status of women and gender sensitive policy in the area of education in the period referred to in the Report (from 1997 to January 2004). What the Report does give is but an overview into some levels of the area/problem and some aspects of discrimination in education and proportionally to this gives some indicators of discrimination.

The Government Report is based on several indicators that concern:

- sex/gender representation in the area of literacy and literacy education as well as in elementary, secondary and higher education (only pupil populations)
- the trend in higher education relating to the selection of occupations with regards to sex/gender representation ("male" and "female" occupations, faculties and feminization)
- the selection of postgraduate and doctoral studies on the basis of gender representation
- legal terms of reference around the elimination of stereotypes in textbooks
- declarative framework – National Programme for Education in Human Rights

From the Report and congruous to the rather spare set of indicators and the reduced understanding/comprehension of the discrimination of women in the sphere of education, the actual level of discrimination in general cannot be discerned, especially the absence of Government programs which are necessary to eliminate or at least diminish sex/gender discrimination in the area of education. The indicators which are presented, such as those on the state of literacy of the female population, do not encompass the age group of women over 65, therefore, the group that is the most important indicator of concern for literacy education and which is outside from the education standards established long ago as an obligation for young girls and boys. In addition, the mentioned National Programme for Education in Human Rights is in no way applicable to the declarative framework as it does not contain gender equality as a specific value and goal, nor any mechanisms for implementation of the same.

2. INTRODUCTORY REMARKS: COMPREHENSION/UNDERSTANDING/ DEFINING DISCRIMINATION

2.1 DISCRIMINATION IN THE AREA OF EDUCATION (content and spaces for analysis)

The discrimination of women in the area of education relates to several areas that are the object of analysis, or rather indicators and markers of the type and content of the discrimination of women.

Discrimination against women is all-encompassing, and is related to the educational politics, that is, to the content of educational-teaching programs in regular education and in higher education on the one hand (including education programs, conceptualisation and methodology in carrying out the teaching, the tendencies of education and the value system on which it is based, textbook-teaching material and other educational aids), and, on the other, the politics of equality of women in relation to men in the system of education itself (politics of equal opportunities, anti-discriminatory measures, propulsive advancement in the system of power, and similar).

What is especially important is the relation of society towards the education of women in general, and which can be detected from an assorted set of indicators: from those that indicate the processes of literacy education for women in their 'third age' to those which refer to the possibilities of life-long education for women, namely to the opportunities for women to educate themselves and come to awareness in accordance with their interests. This indirectly points to emancipatory or retrograde trends in society, and not only to the sphere of education, even though it is mirrored through it.

2.2. INDICATORS IMPORTANT FOR ANALYSIS

Indicators which point to the processes or to the abatement of discrimination against women in the area of education are: legal foundations, measures and mechanisms for implementation in all spheres and aspects of the educational system and non-institutional education, contents of educational-teaching programs, textbooks and teaching aids in the educational system, the status of women in the educational system; transformation/processes of awareness on the importance of gender sensitive programs for the implementation of gender equality; the status of centres/groups for non-institutional and alternative education regarding Women's/Gender Studies programs and others.

A) Legal foundations for gender sensitive programs in the sphere of education

The implementation of *gender mainstreaming* policy in the area of education (especially that of higher education) and science as a comprehensive system of measures and mechanisms

with the goal of achieving an integral gender mainstreaming educational program and politics of gender equality on sex/gender and equal opportunities for women in Croatia, is based on both international declarations and conventions and on Croatian laws and programs within Croatian national politics.

At the end of the nineties, Croatia became the co-signer of several declarations and resolutions adopted on international and European levels, and which along with a declarative also have binding power. In particular, these are declarations that include Croatia in the reform processes of higher education in accordance with the politics of contemporary tendencies in Europe, such as for example the Bologna declaration¹² and the Convention of Higher Education Institutions, also called the Salamanca Convention¹³.

Documents and laws, passed by the Government of the Republic of Croatia, and which especially refer to education such as for example, the National Programme for Education in Human Rights (1999)¹⁴, the White Document on Croatian Education (July, 2001) and the Law on Science and Higher Education¹⁵ (voted on July 17, 2003) as well as the Law on Amendments on the Law on Science and Higher Education (July 21, 2004) do not recognize the importance of sex/gender dimension in education and nowhere is gender equality expressly stated nor mentioned.

In contrast to these, the National Policy for the Promotion of Sex Equality in the Republic of Croatia 2001–2005 (adopted at the December 4, 2001 Parliamentary session) emphasizes gender sensitive education as one of its priority goals ("to develop a program for the systematic study of gender equality and sex/gender relations, and fostering awareness for

¹² Bologna Declaration / Joint Declaration of the European Ministers of Education; CRE/Confederation of EU Rectors' Conference. Bologna, 1999. URL: <http://www.unige.ch/cre/activities/Bologna%20Forum/Bologna>

¹³ Salamanka Convention of Higher Education Institutions, Salamanka 2001; Message from the Salamanca Convention of European Higher Education Institutions – Shaping the European Higher Education Area, Salamanka 2001.

¹⁴ The National Programme for Education in Human Rights, which refers to pre-school education, lower and higher elementary grades and secondary school, mentions equality only quite generally and has no clearly defined goal about gender equality. It is interesting to note that it lists the *Convention on the Elimination of All Forms of Discrimination against Women* in its literature list.

¹⁵ For example, the *Law* defines election into councils and senates, expert councils but nowhere is mention made of the gender quota as an important instrument for the policy of gender equality. In addition, the law is written in the male gender, and is gender differentiated only with the mention of *baccalaureus*, or *baccalaurea*.

the question of sex/gender in regular education...")¹⁶ and the direction of activity of the then Ministry of Science and Technology towards establishing Women's Studies programs at the faculties as carriers of their realization.

In addition to this, even the *Law on Sex Equality*, which was declared July 2003, contains a binding directive in Article 14 with the goal of eliminating discrimination in the sphere of education. By the regulations of this Law, the question of gender equality is established both institutionally-integrationally (encompassing all degrees and all spheres of the educational system from elementary school to higher education) and contextually through gender sensitive programs as well as through a comprehensive educational policy for teaching-educational personnel from a gender sensitive perspective.

It is important to note that National Policies just like legislative regulations in the direction of promoting equality of sexes/genders originated from the active participation, pressure and advocacy, but also the use of expert knowledge and creative knowledge of women's groups and centres, in other words, nongovernmental women's organizations. This is also how the Law on Gender Equality, with the indisputable pressure by the European Union, originated, in the section that refers to education, thanks to the amendments proposed by the Centre for Women's Studies¹⁷ and which was adopted by the Parliament of the Republic of Croatia.

B) Implementation of the elimination of discrimination against women in the area of education (analysis of the state)

I Educational-teaching program (contents, application, textbooks)

In the time-frame that the Report refers to, the Croatian Government, or rather, its ministries and offices have not carried out a single creative step forward towards the implementation of some of the goals outlined in the National Policy program or defined by the Law on Sex Equality nor has a coherent program of mechanism and/or measures which would enable the institutionalisation and application of gender studies programs in the educational process been conceptualized.

¹⁶ *National Policy for the Promotion of Sex Equality*, with its Implementation Program the National Policy for the Promotion of Sex Equality in the Republic of Croatia 2001–2005, *Narodne novine* [Official Gazette] no. 112, from 18.12.2001, 6.9. p. 23/30.

¹⁷ The amendments by the Centre for Women's Studies were presented by Marijana Petir, then MP of the Croatian Peasant Party (HSS).

The only shifts that have occurred during 2004 are related to the naming of a coordinator for gender equality at the Ministry of Education, Science and Sport¹⁸ and the establishing of Commissions for small financial support for non-institutional types of education for youth, even though the latter at the first such call for applications, or rather, its result (summer/autumn 2004) was accompanied by a scandal and voluntaristic and unprofessional work.

Not one of the outlined program goals in the National Policy for the Promotion of Sex Equality has been realized nor have any of the regulations of the Law on Sex Equality been implemented, and which are related to the elimination of discrimination against women in education, nor have any changes been fostered in that direction on the part of the Government of the Republic of Croatia or of its authorized Ministries.

In this way, Women's/Gender Studies programs have not been integrated into the university system nor verified as an academic discipline despite the clear national directives and regulations as well as the proposals and conventions that Croatia signed and the activities of the Centre for Women's Studies around their institutional recognition. In Croatia, *Women's Studies* in view of a coherent educational model exist only as a non-institutional program thanks to the Centre for Women's Studies which has the status of a women's NGO and which has been carrying out this program since 1995.

Changes in favour of women's studies content at the university and the introduction of a gender sensitive perspective in university curricula of individual programs, and which have been occurring since the late 90s with the introduction of elective courses¹⁹ at several faculties, are based exclusively on the personal initiative and scholarly interest of individual professors (both female and male). But also the fact that the existence of the Centre for Women's Studies whose enrollees are most often students from various faculties and the programs that the Centre offers, directly influences the sensitizing of the university public on the importance of a female perspective and anti-discriminatory content on a sex/gender basis and successive to that changes in curricula.

¹⁸ This information, however, cannot be obtained officially from the Ministry itself, but rather, this information was come across coincidentally and with direct contact with the newly named coordinator herself.

¹⁹ Above all, this refers to several courses that deal with teaching about sexuality and gender contents in literature and theatre, social work, and philosophy.

According to the action research²⁰ that the Centre carried out in 2001 around the integration of Women's Studies into the Croatian University system, 68% students (both female and male) of faculties of social sciences and humanities of the Zagreb University considered it necessary to introduce Women's Studies to the university and the reasons given referred equally to the policy of equality in education and the status of women in society as to the acquisition of new knowledge, approaches and perspectives suitable to contemporary educational trends in the world.

The main reasons for the non-existence of a policy for a systematic program in the area of gender sensitive education are the unwillingness, ignorance and indifference on the part of political authority to establish such programs into the higher education system and the resistance on the part of university communities to transform their programs with the integration of gender, multidisciplinary and ethical contents and perspectives. Similar reasons are applicable for the state of the entire educational system.

Considering that there is no national program for systematic education on the gender equality, sex/gender relations and sexuality, such contents are not taught in elementary and secondary schools. Even though it is exceptionally important during that socialization period to bring one's own gender role to awareness and to understand femaleness and maleness, the Croatian school system remains closed for this issue. In the atmosphere of the repatriarchalization of values and the active influence of the Catholic Church on the education of the young and youth, there have been several cases noted of the presentation of impermissible contents on sex/gender relations and sexuality as well as reproductive politics within 'religious instruction' taught at school. Namely, the right to choice ("right to abortion") was rendered as "child-murder". It is clear that this type of approach has more far-reaching effects on the understanding of sexuality, love and love relationships within the younger generation.

For this reason, several demands for changes to the elementary curriculum were made during the Women's Network Croatia campaign in 2003: educative inclusion and implementation of good practice and achievements from the sphere of human rights and

²⁰ Barada, V. et al. *Institucionalizacija ženskih studija u Hrvatskoj – Akcijsko istraživanje* [Institutionalization of Women's Studies in Croatia – Action Research], Centre for Women's Studies, Zagreb 2003, pp. 85-86.

education on gender equality, sex/gender relations and sexuality²¹, the implementation of the taken over obligations from the National Policy for the Promotion of Sex Equality in the area of education and the Convention on the Elimination of All Forms of Discrimination Against Women was sought from the Government of Croatia, and special insistence was given to the critical examination of the patriarchal system of values and the elimination of stereotypes on sex/gender roles and the acknowledgement and respect of the right to difference. Therefore the necessity of gender-sensitive education for teachers in order to promote gender equality was emphasized as a special demand.

During the holding of this same campaign in 2003, and the carrying out of the project for gender awareness of teachers in schools during 2002 and 2003, the Ministry of Education, which is now within the Ministry of Science, Education and Sport, showed itself to be an especially sluggish institution closed off in a bureaucratic system and adverse to cooperation. Even though ministry officials and the minister himself publicly communicated messages on their readiness for change, openness and cooperation²² and actual qualitative changes in programs, this did not occur. What is cause for concern is that they did not actively support the program for gender awareness of teachers which was organized by nongovernmental organizations, despite stating that non-institutional programs were more than welcome and that such would receive the support of the Ministry of Education. This refers to the programs organized by the groups B.a.B.e. (2002) and CESI "Spajalica – obrazovanje za nenasilje toleranciju i ravnopravnost spolova kroz izvaninstitucionalne programe" [*Spajalica* – education for non-violence, tolerance and gender equality through non-institutional programs] (2002–2004) and "Sustavna edukacija o pitanjima roda i spola u školama" [Systematic education on issues related to gender and sex in schools] (2003) which were allotted funding from the Government budget.

Among the obstacles to eliminating discrimination on the sex/gender basis in the area of education, along with the content and quality of the educational-teaching program itself, and its realization, certainly belongs the content of educational-teaching aids, in first place,

²¹ The Campaign itself was comprised of demands such as the inclusion of education on human rights, nonviolence, peace and tolerance in regular school programs and textbooks; the opening of schools towards cooperation with quality programs by civil initiatives – workshops, lectures, presentations for pupils and teachers, and the assessment of the openness towards learning and dialogue and sensitizing to human rights on the part of personnel employed and named by the Ministry of Science, Education and Sport.

²² The Minister and representatives of the Ministry of Education were invited to participate in public debates and round tables on several occasions, to which they did not respond, except in one instance when the adviser for relations with NGOs was present.

textbooks and the perspective from which they are written. Despite the fact that legal regulations²³ from 2003 include the policy of gender equality and elimination of discrimination, an entire series of contents tied in with gender sensitive programs and the teaching of sexuality and sex/gender roles does not exist, and the textbooks that are used in the educational-teaching process are based on stereotypes of men and women and their gender roles. The existence of gender stereotypes as well as discriminating content toward women and social minorities²⁴ was also substantiated by the results of certain research²⁵ as well as the analysis of textbooks from subjects in social sciences and humanities which were carried out by NGOs, members of the Women's Network Croatia and especially the women's group NONA.

This research showed that men and women are shown in traditional roles: women are often shown in the roles of mothers and homemakers who cook and clean, and professionally shown as teachers, female 'farmers' or as nurses; men are shown as creative persons who are led by logic in decision-making, and if they do appear in a parental role, they are most often shown with cars or how they are playing football. Women are often shown with the marked characteristics of rural surroundings, from the clothing they wear to their hairstyles, and as pleasant and not entirely capable of making their own decisions. In addition to this, the greatest values that are generally mentioned are connected with male archetypal values such as courage, honour and loyalty to the homeland.

II Status of women in the educational-teaching system and science

Although the entire education system has been continuously feminized, in the sense that personnel in the upbringing and educational-teaching process (from preschool upbringing to elementary school education up to the higher education system) are mostly female, this does not in fact mean that a process of "harmonization" between authority and responsibility according to a sex-gender basis is taking place. In other words, there has been no actual transformation of power in favour of women's sex/gender.

²³ This refers to the Law on Primary and Secondary School Textbooks (*Narodne novine*, no. 110/01 and 59/03) and the Textbook Standard (*Narodne novine*, no. 63/03).

²⁴ In addition to the analysis of gender roles, what was also observed was that textbooks do not show persons with any type of physical handicap and that illustrations showing different races are a rarity.

²⁵ Mention should also be made, for instance, of the scholarly research by dr. Branislava Baranović conducted on readers for the Croatian language "Slika" žena u udžbenicima književnosti ["Image" of woman in literature textbooks] (IDIZ, Zagreb, 2000) or the analysis of history textbooks by Rajka Polić "Povijesni sukob mitova o ženskoj emancipaciji" [Historical conflict of the myths on women's emancipation], *Žena* 44 (5), 1986, pp. 73-88).

Furthermore, a segment of women within the framework of educational-teaching personnel falls away with regards to the greater degree or level of the educational institution, if moving from kindergarten to the university. "If we analyze the gender representation of personnel employed in higher education institutions (...), the number of women drastically drops: 47% women are in the position of junior assistant lecturers, 46% are assistant lecturers, 45% are senior assistant lecturers, 35% are senior lecturers, 29% are associate professors and only 19% are full professors.²⁶ Also, according to the same expertise conducted by prof. Dr. Inga Tomić-Koludrović, the vertical mobility of women in science and in general in higher education is noticeably less than with men, even though it is considerably higher in research institutes where there is no teaching in classrooms. "In the research and education institutions supported by the Ministry of Science and Technology, 49% women take up the lower positions (assistantships), 36% are in the position of senior lecturers/research associates, 34% are in the position of associate professors/senior research associates, and only 21% in the position of full professors/research advisers." What is noticeable is that women are more vertically mobile up until the point where they receive their doctorate, and then the situation changes. Namely, only 39% women become research associates. With the syndrome of double/triple burden²⁷, their position is not even suitably validated especially within the administrative structures of power in higher education and research institutions and universities where women in such positions (from deans to rectors²⁸) are in fact rare and an exception.

Due to the relatively present models of competition in the academic community which, along with politics, most lucidly sublimes the power of knowledge and teaching with reputation and prestige, and often with unconscious obstacles and perceptions of the possibilities for cooperation with other women in the educational-teaching process, women often work isolated, frantically keeping to their academic 'gender-neutral' status and resisting any linking to gender mainstreaming policy in the field of education.

²⁶ Source: dr. Inga Tomić-Koludrović (University of Zadar) *Žene u znanosti u Hrvatskoj: današnji položaj i perspektive*, tekst za radionicu Enwise "Kako stupiti u dijalog sa znanstvenicama s balkanskog područja. Bruxelles", 11.-12.11.2003., u organizaciji Europske komisije.

²⁷ According to prof. Inga Tomić-Koludrović, Croatian researchers share the same 'fate' as other women who, because of the economic circumstances of a transitional economy, are forced to work three jobs: within official institutions, at home and one more that is part-time, which in fact influences the possibility of advancement in their academic careers.

²⁸ The University of Zagreb, for the first time in its history, elected a woman as rector in 2002.

For this reason the resistance to recognizing and being aware of the various aspects of discrimination which is related not only to their academic status, but also, for example, to the activities and behavior of the teaching personnel within concrete working environments and to sex/gender perceptions, is more understandable. Thus, the results of the research on the theme of sexual harassment and abuse – carried out at the Philosophy Faculty of the University of Zagreb (in 2002)²⁹ – are indicative not only because of the lack of response to the research (even though women showed a greater degree of cooperativeness than the men) but because of the results themselves. Namely, around 13% of the respondents called to attention the perception of sexual discrimination, of which more women (around 18%)³⁰ than men reported that they had noticed discrimination of their colleagues in the past year, and 27% had been witness to situations in which their colleagues had been subjected to touching and similar. What is indicative here is the familiar phenomenon of discrepancy between personal and collective discrimination, or in other words, the minimization or negation of one's own discrimination. It is also interesting that the *Ethical Code for Lecturers, Associates and Researchers of the Philosophy Faculty* (from September 17, 2001) has not been changed in accordance with the findings of this research which certainly influenced the sensibilization of the concrete academic environment on the understanding and aspects of discrimination towards personnel at the Faculty.

In conclusion, we can affirm that, even if it should be necessary, there is no operative action program on the national level which would systematically encompass a set of measures and mechanisms for the elimination of discrimination against women in the area of education, and which would make use of the rich and respectful expert knowledge and experience of nongovernmental organizations and centers. Unfortunately, there is no structural framework within the university institutions which could and be willing to link together these interests and knowledge as useful resources in the promotion of gender equality.

Recommendations:

a) that in accordance with the National Policy for the Promotion of Sex Equality (2001) and the Law on Sex Equality (2003) an integral systematic program of gender mainstreaming policy in the area of education and science would be quickly passed, and that women's groups and

²⁹ www.ffzg.hr/dokumenti.html – *Seksualno uznemiravanje i zlostavljanje na Filozofskom fakultetu Sveučilišta u Zagrebu: Istraživački izvještaj* [Sexual harassment and abuse at the Philosophy Faculty of the University of Zagreb: Research report], by dr.sc. Zdenka Janeković Roemer, dr.sc. Meri Tadinac Babić and dr.sc. Aleksandar Štulhofer.

³⁰ Derogatory jokes, stories, provocations, "feigned compliments", allusions to pregnancy, making fun of unmarried colleagues, sexual provocation and touching, all belong to the spectrum of that what the respondents most often named as sexual abuse and sexual harassment.

centres for civil society based on their competency and experience in this area, along with representatives of the government and representatives of the educational system, especially higher education, be involved in its conceptualisation and elaboration;

b) that pursuant to recommendation A, Women's/Gender Studies programs which promote anti-discriminatory knowledge about women and men and contribute to the elimination of sex/gender inequality and gender stereotypes at all levels and in all educational-teaching areas be introduced, and that financing for these be secured from the Government budget;

that Women's/Gender Studies be introduced into the university system and that they are given the recognition of the status of an academic discipline;

c) that all laws on education and educational-teaching contents, textbooks and other teaching aids be harmonized with the Law on Sex Equality with the goal of eliminating discrimination against women in the area of education, and that special regulations be passed on the necessity of 'gendered' statistics in the area of education and science with the goal of monitoring and eliminating measures of discrimination;

d) that the implementation of a system of gender mainstreaming policy be enabled in the area of education as being binding and permanent for all state bodies, legal persons with public authority and especially educational institutions with the goal of teaching and bringing awareness to the importance of gender sensitive education;

e) that the content of all textbooks and other educational-teaching materials that are used within the entire educational system, be permanently and systematically analyzed from a gender sensitive perspective, with the goal of eliminating sex/gender stereotypes and the affirmation of the content of gender/sex equality as well as the positive images and roles of women and other discriminatory groups;

f) that the mechanism for affirmative measures be integrated within the educational system which would allow women a greater vertical mobility in the respective field and the possibilities for advancement., especially in the sphere of the higher education system and science as well as in outstanding positions both in the educational field and related ministries;

g) that the institution of adviser for gender equality within the Ministry of Science, Education and Sport begins to function;

h) that the various forms of non-institutional and alternative education of women and for women (including women-oriented knowledge and the concept of "life-long" learning) and which aim towards the elimination of discrimination against women in the area of education be acknowledged, verified and financially supported, and that their experience and knowledge be incorporated into institutional form of education.

Elimination of Discrimination of Women in Labor and Employment

Article 11.

By Association of Independent Trade Unions of Croatia – Women's Section

Generally speaking, in the period of the report, status of women in labor market has worsened. In the pervasively patriarchal country in aftermath, without proper measures that will encourage employment of women, with the economy in disarray due to the wild privatization in early nineties slowly recuperating, women rate of unemployment is rising.

The data presented in the report of the Government of Croatia are not correct (p. 36, paragraph 2, pensions). The average working years for women users of old-age pensions are 28 (and not 21, as is mentioned), in contrast to 31 years for men (and not 27, as is mentioned). This average includes agricultural workers, who have less working years than ordinary workers (female agricultural workers who retired in 2003 had 18 working years on average, whereas ordinary female workers who retired in 2003 had 31 years and 11 months on average). The average working years for female workers who gained the right to old-age pension between 1999 and 2003 (since the new pension law has come into effect) have increased for more than 2 years during that period: 29 years and 10 months in 1999 in comparison to 31 years and 11 months in 2003. However, during that same period, the gap between women's and men's pensions has increased (from 19 % in 1999 to 26 % in 2003) and it is expected that the "new" system of old-age pensions will be even more detrimental to women and will increase the gap. Moreover, much more women than men receive the lowest old-age pension (protected category), which the report fails to mention: among 58 000 female workers who retired from 1999 to 2003, more than 67 % received the lowest old-age pension, whereas among 55 000 male workers who retired during the same period, only 47 % received the lowest pension.

Old-age pensions of female agricultural workers acquired between 1999 and 2003 are higher than old-age pensions of male agricultural workers (as a consequence of the so-called additional working years in the period from 1999 to 2004), although the level of "agricultural" old-age pensions is extremely low. The gap between "new" women's pensions and those acquired in 1999 is increasing, so the female agricultural workers who retired in 2003 gained 24 % lower old-age pensions than those who retired in 1999.

The average family pension, which is mostly used by unemployed women (and children) after the death of their husband/father, amounts to only 37 % of the average monthly pay.

Judging by the current trends on the labor market, discriminative practices still limit (in spite of positive changes) women's opportunities to achieve economic and social security as well as greater social visibility. The disparity between the proclaimed political equality and the real social inequality in practice contributes to a lesser social representation/participation of all economically and socially marginalized groups, including women.

In these times of fast changes and the development of a new economic, legal and institutional system, the patriarchal status quo, cultural patterns and attitudes to women's roles and the social practices that reflect them stubbornly remain the same (albeit with oscillations). The dominant attitude that the "natural" place for a woman is family and home is often reflected in schoolbooks, media etc. Moreover, women are primarily legally protected during pregnancy – the biological function of birth is highly socially valued and desirable, but is not accompanied by adequate public policies that would alleviate the position of male and female workers with family responsibilities. In Croatia, only one third of all children can enjoy the benefits of preschool facilities; in Zagreb, there are as much as 6 000 children on the waiting list for kindergartens and nurseries. Young women are encouraged to have more children, but at the same time the society expects them to be efficient and highly productive workers, competent and competitive in the fast changing world of labor. This dual pressure – the expectation to give birth to more children and the unwillingness to provide a stronger social support to motherhood – has extremely negative effects on women's lives.

The situation on the labor market shows alarming tendencies that have become more and more evident in recent years: women are having difficulties in accessing the labor market; employers regard young women as undesirable employees; age is a greater employment disadvantage for women than for men; and women make up a great majority of workers in atypical forms of employment and informal economy. These claims are confirmed by statistical data. The percentage of women among the employed is gradually (but constantly) decreasing (46,3 % in 1994 in comparison to 44,5 % today), and their share among the registered unemployed persons is increasing (52 % in 1994 in comparison to 58,5 % today). They also make up the majority of long-term unemployed persons ("combined" factors of sex and age – female and above 40 – in fact mean lesser chances for employment). So far there is no successful public employment policy focused specifically on women. The measures of support to the employers employing the unemployed women over 45 years of age have not been properly evaluated, so the exact number of women employed through

that measures is not known. According to the pervasive percentage of women still waiting for a job, the measures were not enough. Also, the measures for special credit lines for women wishing to start small or medium businesses were not successful due to the lack of loan collaterals asked by banks (women did not possess enough properties and there is no any form of guaranty agency). The current total rate of registered unemployment is 17,2 %; the rate of unemployment in case of women is 21,2 %, in contrast to 13,6 % for men.

The relatively high rate of representation of women on the labor market (44,5 %) is a result of, on one hand, the legacy of the pre-transition era, and on the other, the fact that women managed to "keep" their jobs due to the segregation of the service sector (the privatization process brought damage primarily to "male" industries and production sectors). Paradoxically, a significant economic progress in recent years has not been beneficial to women.

The guaranteed principle of equal pay for equal work has yet to be implemented. The current disparity in wages is obvious, but there is a lack of research that would confirm that these differences are a result of gender. According to one research study conducted on the basis of a labor force survey, the average woman's monthly wages are 10 % lower than man's. One case study conducted by an NGO in Zagreb shows that women's wages are on average 13 % lower than men's.

Women's economic ability (their incomes) decrease with age faster than men's. The effects of the pension system reform (which we already discussed above) will increase the gap between women's and men's pensions for several reasons. Women can retire 5 years earlier than men. Most often it is not even their choice – they are pressured by employers, who don't need older female workers. This, of course, results in lower pensions. Women use pregnancy leaves, they are more often absent from work to take care of sick children and family members, they outnumber men in atypical forms of employment (part time and fixed term contracts) and in informal economy – all of which means lower incomes after retirement.

Health Protection

Article 12.

By CESI

1. Reproductive health of Women

Reproductive health is an area that is politically touchy and highly depends on the political will. Also, it is an area where the serious breaches of women's human rights are detectable. Most of the part of Governmental Report is centered on the protection of motherhood and it is more or less valid.

Abortion

Although according to the law quoted in the report the abortion should be accessible, affordable and safe, it is not necessarily so.³¹ As it is stated in the Report, officially, Croatia is experiencing dramatic decline in the abortion rate. Nevertheless, at the same time the usage of different methods of contraception is not increasing, nor the birth rate. The number of miscarriages and abortions classified as others is in the step increase over the last ten years. The description of that category includes the miscellanies subcategories and we suspect that there are hidden complications of the abortions done in private clinics that are not legally mandated to perform abortions but do them anyway. In that way, those technically illegal abortions are not recorded, so official statistics is not valid.

Croatia is still in the strange position that illegal abortions are accessible, affordable and medically safe. The other problem is that it is not possible to obtain abortion in hospitals and policlinics that are obliged by law to perform them due to the conscience objection of the gynecologist working in those institutions or due to the unwillingness of the hospitals to provide abortions. Their unwillingness does not have repercussion by the Ministry of Health and Social Welfare, so the low percentage of abortions in some counties is due to the inaccessibility of legal abortions.

The abortions are the service that has to be paid by women regardless whether they have health insurance or not. The price is formed according to the decisions of different providers, so the price is ranging from 1.200 HRK to 3.600 HRK (162 to 486 EU)³² depending on the hospital stance regarding reproductive rights.

³¹ At the moment of writing report, Croatian society is experiencing a new anti-abortion campaign lead by the different religious communities that are for the first time since 1990 cooperating together (Catholic Church, Orthodox Church and Muslim Community in Croatia). It should be noted that anti-abortion campaign is launched in the time of presidential campaign. Also, it should be noted that during the armed conflict in ex-Yugoslavia, there were no organized and united efforts of different major religious communities to work together.

³² The average monthly income in the city of Zagreb for September 2003 was 648 EUR. Zagreb has the largest average income.

The rise of percentage of teenagers requesting abortion shows that sexual education is insufficient in the primary and secondary schools.

2. Sexuality and contraception

The insufficient knowledge on sexuality and contraception is visible through additional data apart from those obtained in the Report. 22% of young women and 30% of young men claim that girls and women are responsible for the contraception. Strong prejudices against oral contraceptives still exist in general population, as well as among teenagers. 40% of young women and 43% of young men believe that oral contraception has negative repercussions on the health and appearance of young women. There is not sustained effort within the medical profession or in the school system to cure the existing prejudices.

Generally speaking the prevalence of the contraception in general population is still low, and the withdrawal method is still the widespread method.

Medical profession is still tightly controlling the usage of oral contraceptives and they can be obtained only after the visit to gynecologist. The other problem dominant in Croatia is small number of available contraceptives. Oral contraceptives on the list of National Institute for Health insurance is rather low (only 4 types of oral contraceptives), IUDs are the most common recommendation from gynecologist for women after the birth, and still the condoms and diaphragms are not recorded as contraception in the medical records.

3. Sexual education for girls and boys

Sexual education is incorporated in curriculum of subject Nature for the first 6 years of schooling (7 – 12 years) and in curriculum of Biology for the 8th grade. In practice that means one to three school hours (45 minutes) during the whole primary education. Topics covered are mainly basic facts about human body and reproductive system. On the other hand during the catholic religious lessons there is 17 school hours for the 6th, 7th and 8th grade (12 – 15 years) on sexual education. Nevertheless, the sexual education during the religious lessons is in accordance with Catholic doctrine, meaning that sexuality is placed only within the context of marriage with exclusion of the correct information on condoms, oral contraceptives, STDs, abortion, sexual orientation etc. The existing education and its disproportion is not an adequate answer for the needs of Croatian adolescents.

Teen star program has been introduced in the school system few years ago and is going on in numerous primary and secondary schools in Croatia with the support of Ministry of Education, Sports and Science and Ministry of Health and Social Welfare. The content of the program shows that it is based on gender inequality, as well as inequality on the base of marital status and sexual orientation. As the program is geared toward the development of "whole persons" who are sexually active only in the framework of marriage, it is effectively discriminating the persons and their life styles if they are in premarital, out of wedlock or homosexual communities and partnerships.

Due to the lack of systematic and comprehensive national program for sexual education in Croatian schools, NGOs dealing with sexual and reproductive rights, as well as some institutions of public health started to provide support in psychosexual development of youth. As well as providing aid to problems linked to sexual and reproductive rights.

Preventive program MEMOIDS based on the peer education with the aim to promote safe sex and increase the usage of condoms was financially supported by The Global Fund to Fight AIDS, TBC and Malaria. It was foreseen that program will include 95% of youth in the age 14 – 18. At the beginning of 2004 after the negative reaction of Catholic Church and lack of support from relevant governmental institutions, the number of schools included in the program is decreasing significantly.

4. Women's Rights in the System of Health Insurance

The main problem of the health system in Croatia in general is its unavailability. The long waiting lists for specific check ups and services and widespread corruption, as well as permanently changing lists of the services and medicines covered fully or partially by National Institute for Health Insurance are creating the atmosphere of insecurity and suspicion. Vital statistics are not gender sensitive; missing data of patterns of women's usage of health insurance system is the first obstacle for the analysis of real status of women's rights in this area.

Recommendations:

- a) Making abortion available and affordable in all the polyclinics and hospitals that are legally obliged to provide it;
- b) Expanding the list of contraceptives that are partly or totally covered by the Institute for health Insurance;

- c) Introducing religiously independent, thorough and informative sexual education and education on gender relations in primary and secondary schools;
- d) Running public campaigns against STDs;
- e) Introduction of gender sensitive statistics in health insurance system

Status of Rural Women

Article 14.

According to our knowledge, there are no real activities geared towards the improvement of rural women status implemented neither by government or by regional and local authorities nor by women's NGOs.

The efforts of the Ministry of Agriculture and Forestry to commemorate International Day of Rural Women by contest for «The Role Model Rural Women» are rather discriminatory and offensive.

Equality in all Matters Regarding Marriage and Family Relationships

Article 16.

By B.a.B.e.

The main issue in the Family Law and in its implementation is securing the payment of alimony. The statement that in Croatia sometimes it is hard to obtain alimony is understatement of the whole report. According to the surveys, 80% of the payments of the alimonies for the children who are mostly (in more than 90%) in custody of mothers have to be solved in courts. As the procedure is lengthy by itself (with all delays), as is initially costly, and as our courts are slow, the payment of the alimony can occur after 5 years. According to the interview³³ with one woman, she and her child have been waiting for the payment of alimony for 18 years.

Although there was initiative to establish an Alimony Fund that would pay alimonies to its recipients and the state will sue the parents not willing to fulfill their duties, due to the lack of political will, the initiative was never implemented. The allocated 20.000.000 HRK (around 2,635.000 EUR) for year 2004 was not spent and will be returned to state treasury. In the budget for the next fiscal year, there is no budget line for Alimony Fund.

Recommendations:

a) Establishment of Alimony Fund

³³ (source: daily paper Jutarnji list)