

“Human rights and economic challenges - gender equality”

Legislation and institutional mechanisms

The Croatian Constitution recognizes gender equality as the highest value of the constitutional order. During the last few years, a series of legal regulations have been passed and several state bodies have been set up with an aim to promote gender equality and eradicate discrimination against women. The Gender Equality Act, passed in 2003, regulates the general principles for the protection from discrimination. It defines and regulates the manner of protection against discrimination based on gender, and the creation of equal opportunities for women and men.

In cases of violation of gender equality, everybody can address the Ombudswoman on account of infraction of the regulations of this law. Women faced with occurrences of gender discrimination can submit complaints to the Ombudsman's Office, the Government Office for Gender Equality or the Ministries, which are then given for proceedings to other bodies of state administration.

In addition, a number of anti-discriminatory laws have been adopted such as the Protection from Family Violence Act. Since it came into force the number of reported offences and crimes related to domestic violence has increased as the public had been introduced to the mentioned law through a number of campaigns. It is important to stress the efforts of nongovernmental organizations in this field, as well as actions of the Ministry of Family, Veterans' and Intergenerational Solidarity. Croatian Government has adopted, a new *National Strategy for Protection of Family Violence*, for the period from 2004 until 2007. Along with the Strategy, the *Rules of Procedure in Cases of Family Violence* have been defined. In addition we would like to stress out that Croatia, as a member of the Council of Europe Task Force for combating violence against women, participates in joint campaign lasting from 2006- 2008. In July 2003, the changes and amendments have been introduced in the Labour Law, which now, in a new manner, regulates the matters of prohibition of sex-based discrimination of persons seeking employment and employees.

The passing of the anti-discrimination laws package acted in favour of raising awareness of the entire society about inequality.

Apart from the national anti-discriminatory legislation, the fundamental legal act for the regulation of the legal position of women in the Republic of Croatia is UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), to which Croatia is a party since 1992.

Since 1997, Croatia regularly, every five years, adopts a national action plan called the National Policy for the Promotion of Gender Equality, with the aim of introducing gender

mainstreaming means in all policy areas. With this aim, national and local mechanisms for gender equality have been established.

Despite of all this legal changes the real gender equality still has not been achieved. Therefore, several institutional mechanisms have been established on the national and local level, such as: Parliamentary Gender Equality Committee, formed in 2001, the Ombudswoman for Gender Equality, appointed in 2003 on the basis of the Gender Equality Act, then in March 2004, the Government has established the Office for Gender Equality as a professional service to carry out tasks relating to the gender mainstreaming, by coordinating all activities aimed at achieving the real gender equality, and the implementation of other Gender Equality Act provisions. In addition, all the ministries and other state offices have appointed the gender equality coordinators with the mandate to introduce gender mainstreaming means in specific policy areas.

The process of setting up an entire institutional framework and the mechanisms for the implementation of gender equality policy continued with establishing county and city commissions for gender equality. The county commissions exist in all counties, with the main task to raise the awareness about equal opportunities and gender equality in cooperation with women's NGOs. The work on establishing and improving a network and coordination of activities between the commissions from all counties, as well as between them and the bodies on the national level, is still going on. Concrete measures are taken in this direction, including the organization of seminars, since it was of a great importance to popularise the basic documents and inform the local officials about legal provisions and other regulations dealing with the issue of gender equality.

The most important activities undertaken by the Government of the Republic of Croatia, in order to remove obstacles for the implementation of the national legislation and action plans, can be seen exactly in the founding of these key new institutions. All those institutions cooperate with a large number of non-governmental organizations dealing with various issues of gender equality. The Government has been providing financial support for the projects and activities of the NGOs whose strategic role in promotion of the women's human rights is of a great importance.

Women's participation in political life and decision-making process

Political participation of women in the Republic of Croatia is not satisfactory even though there is a tendency of continual gradual increase. From the first multiparty elections in 1990 until today, the number of women in parliament has increased considerably, levelling at the moment at approximately 21%. The cause for this is the political recognition of the significance of this problem, the development of political tactics and strategies by the state authorities, political parties and the non-governmental sector. Public opinion surveys also find the awareness of the insufficient number of women in politics and quite a high degree of preparedness to vote for female candidates.

6th European Ministerial Conference on equality between women and men

National memorandum of the Republic of Croatia

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At the moment, two women are vice-presidents of the Parliament out of five vice-presidents in total. There has also been an increase in the total participation of women in the exercise of executive authority. Of a total of 13 ministers, 4 are women, and a woman also exercises the function of one of the two deputy prime ministers of the government. Of the total leading positions in the government, about 35% are filled by women. This is very positive change brought about by a lively public debate that has lasted for more than ten years and also by recognition of the political relevance of this question. We can not be completely satisfied with this change because the aim is at 50 per cent of the political representation of women.

Croatia has adopted a number of provisional special measures, not only in the Gender Equality Act, but also in the electoral legislation adopted earlier. In the Act of the Election of Members of the Representative Bodies of the Units of Local and Regional Self-Management there is a provision according to which the political parties that propose the lists of candidates are required to take gender equality into account. Also, the Act on Political Parties contains a positive action measure, according to which parties are allocated 10 per cent more funds for each deputy of the under-represented gender. However, these special measures were not sufficient to significantly increase the representation of women on both, the national or local level.

According to the last elections in May 2005, there are about 11% of women county councillors. Office for gender equality has launched a number of activities aimed at changing this state of affairs. Council of Europe publication «Genderware – the Council of Europe and the participation of women in political life» was translated into Croatian, promotional materials were published, and during the year 2005, the staff of the Office promoted the need for inclusion of as many women in politics as possible around the Republic of Croatia. There was also a discussion, led by women NGOs, on the proposals for changes to be made in the electoral jurisdiction, as well as a consideration of other legislative initiatives to be taken, aimed at including female candidates in party candidate lists.

Despite all efforts, significant increase of the number of women participating in political life on local level has not been achieved. In relation to the situation after the local elections in 2001, the representation of women at local level increased only for 1, 1% after the local municipal elections held in 2005.

Women make up the majority of judges in most first instance courts of the Republic of Croatia. They comprise 65% of the total number of municipal judges, 57% of the commercial judges and 74% of the minor offence court judges. Women also comprise the majority of the judges in the Administrative Court of the Republic of Croatia (71%), as well as in the High Magistrates Court (62%). In the Supreme Court of the Republic of Croatia, 46% of the justices are women, and in the Constitutional Court 30.8%. The percentage of women trainees in the judiciary also suggests a continued trend in the increase of the number of women in judicial positions.

According to the opinion of the Ministry of Judiciary, the reason for such an increase is most

of all the fact that in the judicial sector, men apply for jobs in the judiciary less, and even when appointed for judges they, as a rule, leave in favour of better-paid occupations – lawyers or notaries public. Also, due to their more frequent absence from work (for example, in case of pregnancy or childcare, or in case of sick leave), and compared to the work in practices and public notaries, women more often choose to work in the judiciary, than in other occupations they are qualified for.

Employment, economic opportunities and social justice

Women's employment remains a key to their economic autonomy and to greater equality between women and men in society as a whole. Addressing women's situation in relation to the labour market, especially regarding their difficult employment and the lower incomes, demands a multifaceted approach. A coherent policy should incorporate macro-economic policy, employment policy, social protection, and issues of care.

Women are concentrated in lower-income professions; for example, they make up most of the employed in the textile industry, the catering and trade services, education, etc. The employment rate of women (approximately 45%) is considerably lower than the employment rate of men. Within the total number of unemployed persons, almost 60% are women. Social benefits for unemployed in 2004 received 70.467 persons which is 1,5% of the entire population. Out of this number 60% were women. If the Lisbon declaration goal with 60% employment rate for women by the year 2010 is to be reached, a lot of additional work needs to be done.

Women in Croatia are still seeking their economic rights and independence, including access to employment and decent working conditions. Recently, some researches have been done on *pay discrimination based on sex*. According to these researches women are paid 19,4% less than men for the same type of work. Women's under-paid positions are visible in all sectors, but the biggest difference exists in the business consultancy and management. Reliable statistical data are still needed on women managers, as well as women as different board members in private and public sector. Among the number of reasons for that salary gap, one of them certainly lies within the area of women's opportunities to build successful careers, known as the syndrome of the "*glass ceiling*".

When it comes to equal treatment of women and men, the most important laws prohibiting discrimination based on gender regarding employment and labour market position are the Labour Law and Gender Equality Act, which stipulates that "The employer is obliged to pay equal income to women and men for equal labour and labour of equal value."

The general strategic goals of the Government in the area of economic empowerment of women contain objectives such as the reduction of the unemployment rate and the increase of the female entrepreneurship share up to 50%. At the moment, the number of female entrepreneurs is around 30% and women are generally rarely in leading positions in entrepreneurship. In order to strengthen female entrepreneurship, the Ministry of Economy, Labour and Entrepreneurship has

introduced a project called «Female entrepreneurship», with different measures for promotion of greater support to the development of female entrepreneurship. One of the measures was the introduction of the preferential credit lines for women within the Ministry of Economy, Labour and Entrepreneurship. The project was promoted on television and especially through the billboard network.

The National Employment Action Plan for 2006 drafts special programs for women. It contains concrete measures of subsidising the employment of women older than 45 years of age, regardless of their professional vocation, who are at least 6 months in evidence of unemployment, who lost their jobs or are in process of losing the jobs due to redundancies. The same measures apply also to women who were using maternity leave rights for third and every next child before becoming unemployed, women victims of violence, trafficking, asylum seeking women, unemployed single mothers, former prisoners and other vulnerable groups of women.

Considering the previously described position of women in the labour market, the Economic-Social Council adopted some additional guidelines regarding the improvement of the position of women in the labour market and the decrease of their unemployment level.

Due to the need for combating social exclusion and poverty among women, specific policy actions in support of groups of women which face higher risk of poverty and social exclusion such as ethnic minority women, older women and disabled women are recently being discussed on all state levels.

Croatia is considered an "old country" due to the fact that 22,1% of its inhabitants are over 65 years of age, out of which 59,5% are women. Women's life expectancy in Croatia is 79,0 of age, being seven years higher than for men. Proportion of pensioners is growing every year. By the end of 2004, the ratio between pensioners and working population was 1:1,37. Pensioners, unfortunately, represent one third of the total number of people within the poverty group. Differences in salaries during work lead women to lower pensions. According to statistical data for 2004, pensions for women, on the basis of age, were 26% lower than pensions for men.

Reconciliation of work and family responsibilities

Many tasks need to be fulfilled in order to change gender division of home and family obligations and to achieve an equal sharing of domestic and care work. This work is still carried out mostly by women due to the absence of affordable and good quality care services for dependent persons.

The reconciliation of family and work obligations demands a development of supporting structures and services as well as flexible and individualized forms of employment, especially the employment of both parents. Nevertheless, the childcare provisions are still dependent on the level of

financial income and global economic development of the country. Only those households with children whose income per household member is lower than 30% of average Croatian income are entitled to the childcare provision. Unfortunately, childcare provision and maternity leave remuneration are still included in the concept of income.

In addition, only 43% of children are covered by institutional, pre-school care, although the development of family policy includes plans to increase the enrolment of pre-school children in kindergartens by 2010 up to 60%. Some measures ensuring affordability and accessibility of care services across the country are inevitably linked to the system of financing, which is currently dependent on local resources and causes great local differences.

The National Family Policy defines measures in the area of labour market regarding the affirmation of employing women through measures of professional orientation, education, stimulating female entrepreneurship, training for occupations in deficit, and programs for groups of women with difficulties in employment as well as taking measures for the fight against grey economy; the legal definition of work-at-home, making work more flexible and the stimulation of development of family entrepreneurship.

The stereotypes about gender roles are still widely accepted in Croatian culture and everyday life. Portrayal of women include traditional clichés about women's role in domestic and caring tasks as well as largely spread attitudes towards their submissiveness to men as necessary condition for successful family life. For instance, even though less than 1% of the men is, at the moment, using a new measure for promotion of sharing parental responsibility for childcare, which is paid paternity leave, this measure is gaining support among younger couples.

These stereotypes, conveyed through the education and the media, constitute strong obstacles to the achievement of equality between women and men in the labour market and gender equality in general. Imbalances in power, gender stereotypes in education materials and discrimination on the labour market still act as barriers preventing women from making certain career choices, from progressing at the same speed as men in their careers and from earning the same income for the same job. Significant gender differences in subject areas persist, hindering women and girls' life chances.

Need for gender sensitive education as a prerequisite for equal opportunities

Regarding equal access to education, it is evident from the statistical indicators that there is no gender discrimination. Croatian legislation assures equal access by female and male students to all levels of education, with compulsory elementary education.

Statistical data indicate the equal representation of male and female students in elementary and secondary schools, while female students predominate in college enrolment (53% of the total enrolled students). Differences exist in the selection of secondary schools and colleges, which reflect

on the continued presence of the division of labour into male and female occupations. The female portion of the population shows a greater tendency to choose the social and humanistic sciences while they are less represented in the technical sciences, although in recent years there has been an increase in the number of enrolled female students. But, there is a lack of gender sensitivity in the curricula and school programs, so the national priority is to introduce gender sensitive education into the curricula and programs and eliminate stereotypes.

The Elementary and Secondary School Textbook Act stipulates that textbooks shall not be approved if they treat the relations between the sexes in an unsuitable manner, and the banning of gender discrimination is stipulated as a requirement of the Textbook Standard, a document passed by the Parliament of the Republic of Croatia. One of the most important tasks of the Office for Gender Equality is to initiate the introduction of gender-sensitive education in all school curricula, especially through the elimination of stereotypes from textbooks and curricula on all levels of education and training, to promote the inclusion of female experts into the curricula-drafting commissions, to promote the continual education of preschool and school teachers and staff, as well as to promote and support gender research and gender studies. The Office has undertaken a number of activities in regard to this. Along with other government offices and ministries, it has ensured the partial funding of nongovernmental projects aimed at awareness-raising activities in the field of gender equality.

Tools and mechanisms for achieving gender equality

The existing statistical data on the representation of women in political life, decision making, economic development and other mentioned issues are without exception used in the fields of planning the policies in all areas of society. There is also a great need to improve the system for data gathering and to develop a methodological framework for the analysis. The goal is to forward the statistical data management through ensuring a systematic statistical monitoring in the areas of social welfare and the labour market, and the publication of statistical data sorted by gender.

Considering that modern, democratic and prosperity society can not exist without women's involvement in economic or political life and decision making process, their empowerment is a crucial element of good governance which must be understood and supported not only legally, but also financially. Therefore, a debate about gender sensitive budget was recently opened by translation and promotion of the European women's lobby study named Gender Budgeting. The new National Policy for Promotion of Gender Equality contains gender budgeting as one of the measures for reaching the goals of equal opportunities and economic empowerment of women.

Concluding remarks

Croatia attaches great importance to improvement of the state of women human rights and defines further steps for achievement real gender equality as one significant prerequisite for the economic and social development. In that sense, the main goal is to strengthen the work of democratic institutions in cooperation and dialogue with nongovernmental organisations and international community.