



REPUBLIC OF CROATIA
GENDER EQUALITY OMBUDSPERSON

OFFICIAL REPORT FOR 2006

Zagreb, March 2007

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PART ONE

INTRODUCTION

The Gender Equality Ombudsperson monitors the implementation of the Gender Equality Law, effective on July 30, 2003 (The Official Gazette 116/03), and all other gender equality-related regulations. According to the Gender Equality Law, the Gender Equality Ombudsperson acts as an independent entity.

Gender equality is one of the fundamental principles of the Constitution of the Republic of Croatia.

The Gender Equality Law (hereinafter: GEL) defines protection against discrimination on the grounds of gender and equal opportunity mechanisms for women and men.

The Official Report on the work of the Gender Equality Ombudsperson is an annual report submitted to the Croatian Parliament by March 31 of the current year, in accordance with Article 21, para. 1 of the Gender Equality Law and Article 18 of the Rules of Procedure of the Office of Gender Equality Ombudsperson (The Official Gazette 29/04). It presents, describes and analyzes all activities carried out by the Office of the Gender Equality Ombudsperson during the reporting year, as well as their outcomes and results.

This is the fourth report submitted by the Gender Equality Ombudsperson during her mandate.

PART TWO

2. WORK INDICATORS FOR THE OFFICE OF THE GENDER EQUALITY OMBUDSPERSON IN 2006

2.1. STATISTICAL DATA FOR 2006

Individual citizens, citizens within formal and informal groups, and within institutions and other legal entities, contact the Office of the Gender Equality Ombudsperson by written statements, complaints, phone calls or come to the office in person.

Case files are opened for written complaints and in cases when citizens come in person to submit complaints about the violation of the principle of gender equality or discrimination, and refer directly to the complainants or other affected party. According to the GEL and all other gender equality regulations, these rights violations fall within the scope of authority of the Office of the Gender Equality Ombudsperson. In cases of counseling by phone, calls are noted and documented.

Case files are also opened at the initiative of the Gender Equality Ombudsperson or state bodies and agencies, non-governmental organizations and other legal entities.

During 2006, a total of 2432 cases were addressed:

- a) 1175 cases opened in 2006
- b) 1257 from previous years.

These 2432 cases include:

-a total of 217 cases based on citizens' complaints, out of which 193 new cases are from 2006 and 24 from previous years;

-a total of 2215 cases not based on citizens' complaints, out of which 982 cases were opened at the initiative of the Ombudsperson or on the basis of memos received from other state institutions, organizations or legal entities in 2006, and 1233 from previous years.

On average, there were 20 phone counseling sessions a week.

During 2006, 2204 cases were resolved, out of which:

-182 cases based on citizens' complaints,

-2022 cases opened at the initiative of the Ombudsperson or on the basis of memos received from other institutions, organizations or legal entities.

There were 228 unresolved cases that will be continued in 2007 (35 of which are based on citizens' complaints).

Figure 1. Cases addressed in 2006 based on the state of the case file on December 31, 2006

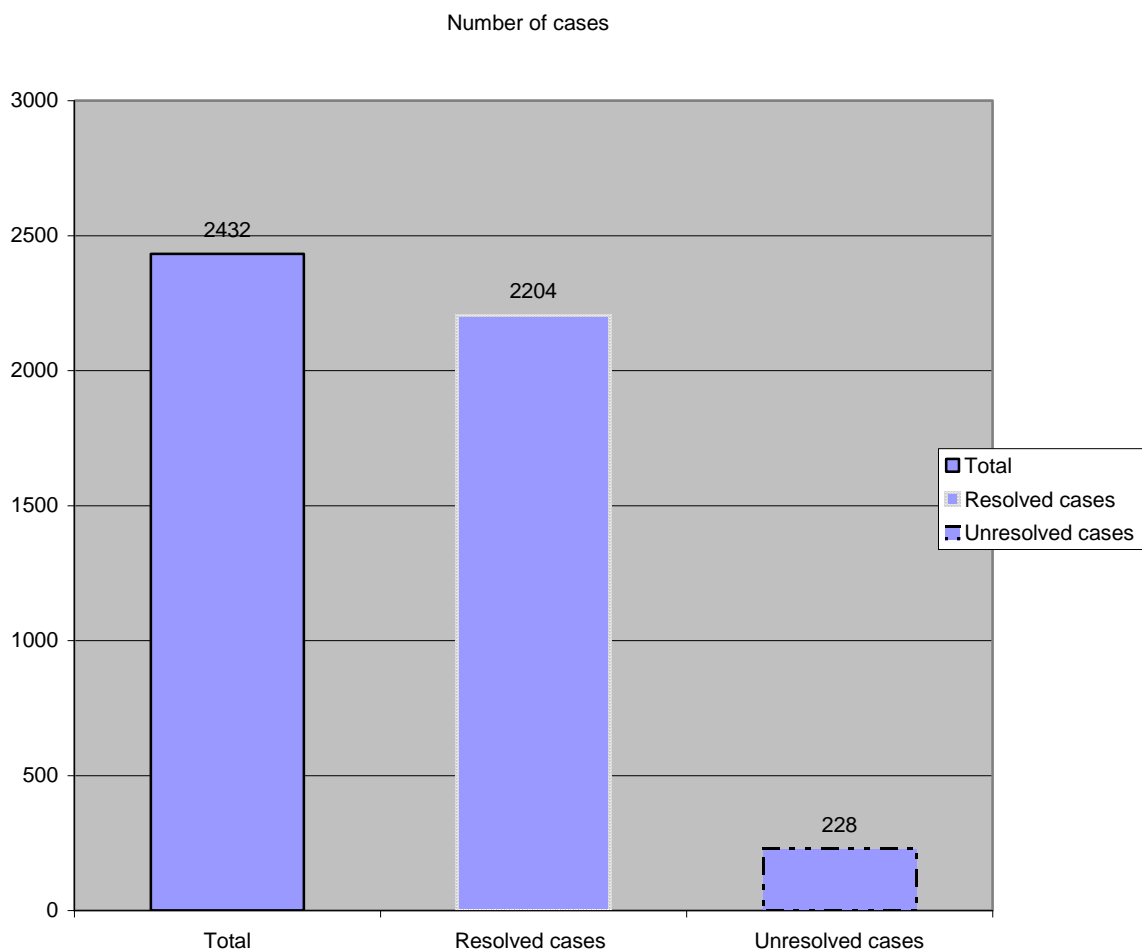


Table 1. Structure of 1175 newly opened cases in 2006 according to areas of activity

| Protection and promotion of gender equality according to areas of activity in 2006 | Number of cases |
|--|-----------------|
| 1. Employment and work - complaints | 68 |
| 2. Parental care, violence in the family and other cases of violence - complaints | 115 |
| 3. Discrimination - other (complaints) | 27 |
| 4. Education - complaints | 4 |
| 5. Job advertising | 667 |
| 6. Media | 23 |
| 7. State bodies, local and regional governments, legal entities | 231 |
| 8. Civil society | 15 |
| 9. Statistics | 25 |
| TOTAL: | 1175 |

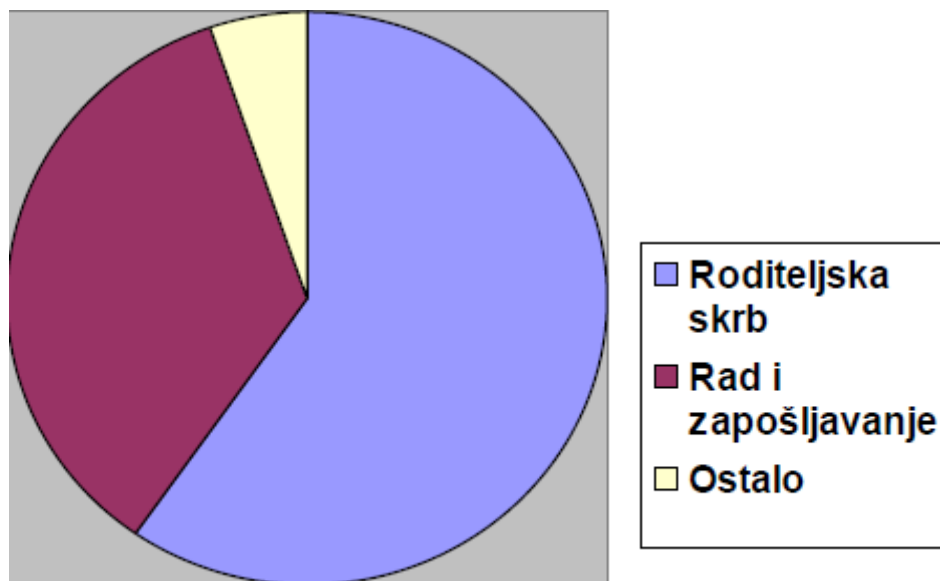
In the following part of this chapter, we will analyze the data referring to the 193 new cases based on citizens' complaints in 2006.

2.2. STRUCTURE OF COMPLAINTS

During 2006, 193 new complaints (by citizens, groups and institutions) were received, which is 11 % more than in 2005. The complaints covered the following areas:

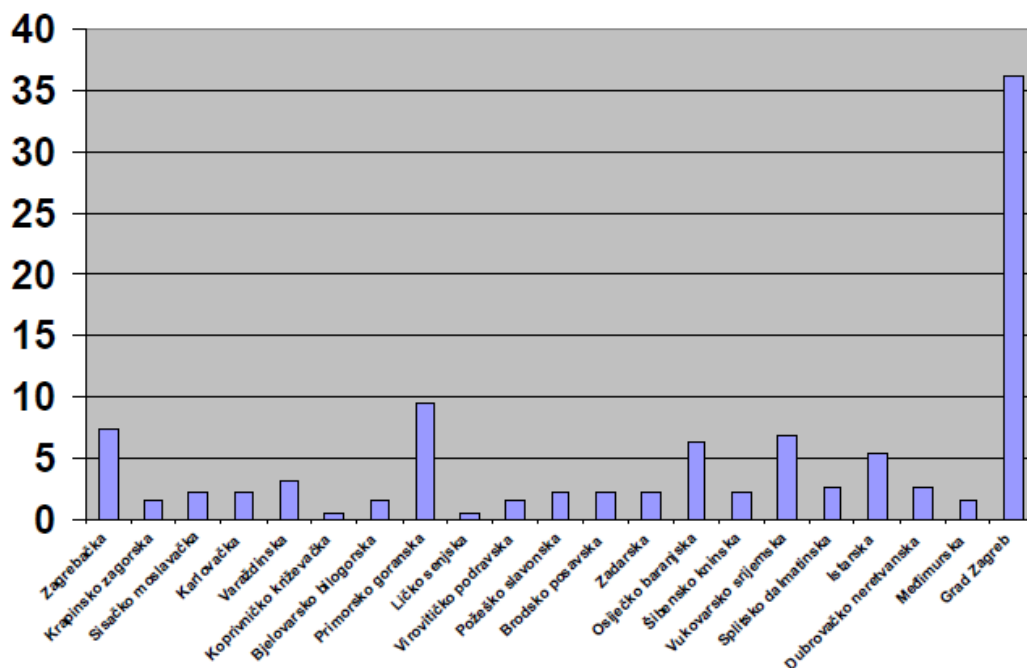
- parental care, violence in the family and violence-other in 115 cases or 59.6 %, which is 49.3 % more than in 2005;
- harassment and discrimination in the sphere of employment and work in 68 cases or 35.2 %, which is 1,5 % more than in 2005;
- discrimination-other in 10 cases or 5.2 %, which is 66 % less than in 2005.

Figure 2. Citizens' complaints received in 2006 according to the area of activity for the protection and promotion of gender equality



Individuals from all parts of Croatia complained or sought help from the Ombudsperson. The statistics also include data from phone counseling.

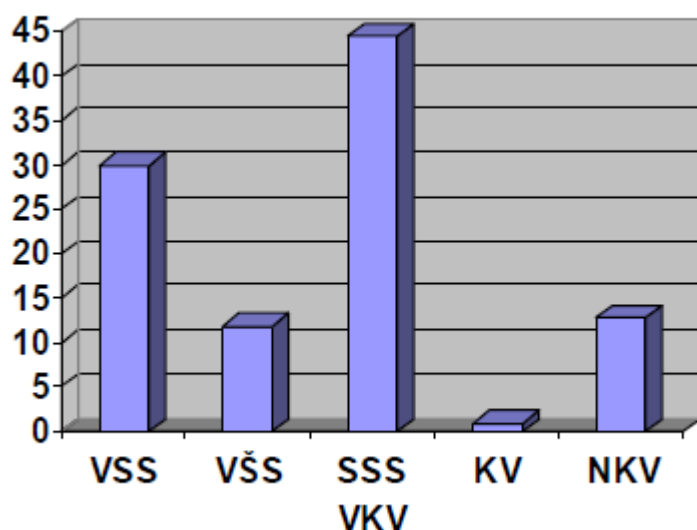
Figure 3. Structure of newly opened cases in 2006 according to the place of residence of complainants (counties and the City of Zagreb)



In 2006, in 44.55 % of cases, the complainants had SSS (secondary education); in 30.0 % of cases, VSS (university degree); in 11.82 % of cases, VŠS (college or any form of shorter higher education) and VKV (highly skilled workers); in 0.91 % of cases, KV (skilled workers); and in 12.73 % of cases, NKV (low-skilled workers).

Compared with the data from 2005, there were 7.8 % more complainants with VSS, 27.4 % more complainants with VŠS and 12.2 % more complainants with NKV. The percentage of complainants with SSS fell from 50.5 to 44.5 %.

Figure 4. Cases from 2006 according to the complainants' level of education



Data for 2006 show a mild increase in the number of complainants with VSS, VŠS and NKV and a slight decrease in the number of complainants with SSS, VKV and KV.

At the same time, the employment status of complainants in 2006 was as follows:

- 44.32 % of employed persons,
- 31.89 % of unemployed persons;
- 3.78 % of pensioners;
- and for 20 % of complainants, the employment status was unknown.

These data are almost identical to the data for the previous year.

In the greatest majority of cases, complainants are women. In 2006, 63.0 % of complainants were female, 21.4 % of them were male, whereas 2.0 % of complainants were women's groups and mixed groups, 7.6 % were other persons on behalf of the damaged parties and 4.0 % were other groups on behalf of the damaged parties.

The grounds for discrimination in cases opened in 2006 were:

| | | |
|----------------------|-------|---------|
| - sex | ----- | 91.98 % |
| - family status | ----- | 1.07 % |
| - sexual orientation | ----- | 1.06 % |
| - marital status | ----- | 5.35 %. |

Compared to 2005, the share of discrimination on the grounds of marital and family status has increased, and the percentage of discrimination on the grounds of sex and sexual orientation has decreased.

The Gender Equality Ombudsperson sent 49 warnings (53.1 % more than in 2005), 55 recommendations (5.7 % more than in 2005) and 12 proposals (33.3 % more than in 2005). In six cases, she requested control and inspection (in 2005, there were 4 such cases).

After the Gender Equality Ombudsperson carried out the necessary procedures and established discrimination, that is, implemented all available measures, the police initiated misdemeanor or criminal proceedings against some of the perpetrators.

2.3. STRUCTURE OF OTHER CASES ADDRESSED IN 2006

As we already mentioned, during 2006, a total of 2432 cases were addressed (either opened in 2006 or continued from previous years). For these cases, which were not based on citizens' complaints and for which no statistical data are available, we provide a few statistical notes referring to the measures taken by the Ombudsperson in 2006:

- in 667 cases opened at the initiative of the Ombudsperson (implementation of the GEL in the sphere of employment), the Ombudsperson sent warnings;
- in 322 cases opened at the initiative of the Ombudsperson (implementation of the GEL related to the adoption of operational plans for promoting and establishing gender equality), the Ombudsperson sent warnings and gave recommendations.

PART THREE

3. EMPLOYMENT AND WORK

3.1. DISCRIMINATION IN THE SPHERE OF EMPLOYMENT AND WORK

In 2006, the majority of complaints related to discrimination in the sphere of work and employment were submitted by women.

In order to avoid possible consequences, that is, an unfavorable employer's reaction, some complainants submit anonymous complaints. In these cases, the Gender Equality Ombudsperson was unable to fully consider the case, most often due to the lack of data in the complaint.

However, when addressing anonymous complaints, the Ombudsperson requested reports and documentation from the employers, and reports from the State Inspectorate. Some of these complaints refer to the working conditions of female workers in textile factories, employers' unwillingness to take measures to ensure hygienic and technical protection at work, unlawful introduction of overtime work, unwillingness to pay for overtime work and forcing workers to work both Saturdays and Sundays under the threat of termination of employment. In all of these cases, the Ombudsperson warned the employers that they are preventing their workers from exercising their rights in an equal way and on the basis of equal opportunities.

Non-anonymous complainants usually ask the Ombudsperson to take measures within the scope of her authority when they are facing termination of employment or after they lost their jobs, obviously trying to avoid losing their jobs or realizing they have nothing more to lose.

Complaints also include obstructing career advancement on the grounds of sex, inequality in exercising labor and work rights, termination of the job or position performed by the complainants and/or demotion to a lower-paid job etc.

When considering these cases, the Ombudsperson has, similarly to the previous reporting period, noticed the following:

- Some employers (those who employ more than 20 employees) still did not introduce in their legal acts the procedures and measures for the protection of employees' dignity or appoint a person authorized to receive and resolve complaints related to the protection of employees' dignity, but the number of such employers is significantly lower than in previous reporting periods.
- Among the employers who introduced the procedures and measures for the protection of employees' dignity, some of them did not implement them in a satisfactory way and/or did not properly allow the employees to get acquainted with the procedure and duties and responsibilities of the person authorized to receive and resolve complaints related to the protection of employees' dignity.
- Some employers did not process the complaints filed by their employees concerning the protection of their dignity as discrimination on the grounds of sex, in a separate procedure.

A relatively large number of complaints refer to the violation of the right to protect motherhood, and complainants are exclusively women.

The Ombudsperson noticed that employers most often violate the rights of female workers in the following ways: they transfer them to another job after their return from maternity leave, and in cases when the workers complained about these decisions, they often lost their jobs; they unlawfully terminate permanent employment contracts for pregnant women; they do not offer new fixed-term employment contracts to pregnant women after they learn about their pregnancy; and they generally discriminate against female employees who return to work after maternity leave and female employees who must take special care for their under-aged children, very often for the purpose to drive them away. In these cases, the Ombudsperson sent to employers both warnings and recommendations to reexamine their treatment of this category of workers, and put special emphasis on their obligation to respect the rights to protect the safety and health of pregnant women, workers who recently gave birth, and workers who breastfeed or take special care of under-aged children.

Complaints arising from discrimination in employment were submitted by both women and men. Men complained about the fact that they are denied access to jobs and positions traditionally occupied and performed by women.

It is disconcerting that there are no complaints about the inequality of wages on the grounds of sex, which is an issue causing the greatest possible concern in the EU countries, since, according to arguments made by the trade unions, there are numerous examples and evidence of such inequality.

A significant number of women file complaints to the Ombudsperson at the incentive of trade unions, but not in relation to the inequality of wages.

It is important to note that the Ombudsperson is contacted by persons who are discriminated against on the grounds of marital status, and not merely sex, in the sphere of employment and work, since this type of discrimination is banned under the Gender Equality Law, and has been clearly acknowledged in this reporting period as being under the jurisdiction of the Gender Equality Ombudsperson.

In many cases when the procedure was explained to them during counseling, that is, they were told which measures the Ombudsperson will take in order to investigate the case and that the Ombudsperson will contact the employer directly to obtain reports and documentation, the complainants abandoned the complaint if they were still working and there was no direct threat of termination of employment.

It was evident even in the previous reporting period that the fear of losing their job prevents women from actively protecting their rights. They also fear that this would lead to lengthy judicial proceedings, because they regard the judicial system as slow and ineffective, and are also concerned about the costs of judicial procedures.

3.2. ANALYSIS OF INDIVIDUAL CASES

3.2.1. CASE SUMMARY (P-PRS-01-01/06-01): The Human Rights Office of the Croatian Government forwarded to the Ombudsperson a complaint made by female police officers from S. concerning sexual harassment at the workplace. According to the claims from the complaint, a large number of female police officers have been for a longer period of time subjected to sexual harassment by their superior M. In order to protect their dignity, they reported the sexual harassment to the commissioner of their Police Department.

MEASURES TAKEN: The Ombudsperson examined the documentation in the official premises of the Internal Control Unit. The report of the Ministry of Internal Affairs claimed that, after analyzing the collected information, it has been established that there were elements of improper behavior on the part of the superior M. towards several female police officers, and that the Unit for Disciplinary Action has been sent a motion to initiate disciplinary proceedings against him on the grounds of grave violation of official duty - improper behavior in or out of the line of duty - as described in Article 112, para. 1., p. 4. of the Law on Police. The Ombudsperson discovered that the relevant Police Department promptly carried out the necessary measures against the perpetrator of sexual harassment, immediately informing the Internal Control Unit and submitting a report about the actions taken to the Minister's Cabinet. They also interviewed individual female officers who had knowledge about M.'s improper behavior and consulted the municipal state attorney's office, which concluded that there were no elements of criminal act and no need for processing under legal duty. In addition, the commissioner of the Police Department sent to the Department for Human Resources of the Ministry of Internal Affairs a proposal to demote M., who has subsequently been transferred to another unit, at the position of police officer.

3.2.2. CASE SUMMARY (PRS-01-01/06-04): The Office for Gender Equality of the Croatian Government forwarded to the Ombudsperson an anonymous complaint filed by female students of an institution of higher education in Z. concerning sexual harassment by a male professor. The students claim that they are subjected to constant sexual harassment by their professor J.M., who incites them to sexual conversations through jokes, comments and sexual allusions. Two students admitted to having slept with him. In addition, they claim that the professor N.G. calls them pejorative names, humiliates and abuses them, saying he is doing this for their own good. They tried to talk with the dean and other professors about this problem, but to no avail.

MEASURES TAKEN: The Ombudsperson requested a report and documentation from the institution of higher education. The dean claims that, as soon as he learned about the contents of the anonymous

complaint, which the complainants sent to several addresses, he invited both professors for a talk. They also made a written statement completely rejecting the claims from the complaint. Their statements were sent to the Ombudsperson. Apart from vigorously denying the allegations, the professors believe that the complaint is an attack on their integrity, lacking any concrete facts, while the students are safely hiding behind anonymity. The dean claims that he has also talked with the students' representatives, who said that they are not familiar with the issues mentioned in the complaint. The dean also had a conversation with the deputy of the Chief State Attorney and answered questions about the case in question at the request of the Ministry of Education. It is important to note that the dean explicitly said that he is expecting the Code of Ethics to be adopted by the university.

After considering all the claims from the complaint and the information from the reports, including the statements made by the professors, the Ombudsperson did not conclude that the anonymous students were abused and sexually harassed by the professors.

3.2.3. CASE SUMMARY (PRS-01-02/06-01): A town organization of a political party from V. submitted to the Ombudsperson a complaint concerning harassment and sexual harassment at the workplace experienced by an employee from V. The complaint says that the employer did not adequately protect her dignity while she was performing her job and did not ensure working conditions free of harassment or sexual harassment. The incident in question was described: an employee kicked in the butt his colleague N.N., humiliating her as a woman. Although the incident was reported to the director, who eventually took some measures, the affected person did not receive adequate protection.

MEASURES TAKEN: After examining the documentation, the Ombudsperson concluded that the employer did not adequately protect the dignity of the employee in accordance with the existing regulations. The employer claims that N.N. accepted the employee V.B.'s apology.

Although the director warned V.B. about the obligations from employment relations and the possibility of termination of employment contract, it is clear that this incident was treated as a violation of obligation from employment relations, without specifically naming the type of violation. It is stated in the warning that this was merely a case of improper behavior, and the claim that V.B. "did not kick N.N. very hard" is particularly questionable. It is clear that harassment and sexual harassment were not established in this case. The violation of the employee's dignity in the form of harassment at the workplace is not even mentioned, and the warning was not issued on the grounds of her violated dignity through harassment at the workplace, but on the grounds of violations of obligations from employment relations.

Thus, the Ombudsperson sent to the employer a warning, in which she stated that the procedure for the protection of dignity of the employee in question, which would have established all the relevant circumstances of the case, was not implemented, and it was not possible to reach an informed decision about whether the incident was a case of harassment or sexual harassment at the workplace. Therefore, the employee was not given protection as stipulated by the GEL for cases of violation of employee's dignity while performing his or her job.

The employer also received a recommendation to reexamine his actions in the case and take appropriate measures to protect the employees' dignity while performing their jobs in the future.

3.2.4. CASE SUMMARY (PRS-01-02/06-02): Complainant K.J. from S. lodged a complaint about discrimination related to the payment of severance pay practiced by the employer R.B. "D.L-S." d.d. She states that the employer, when she lost her job due to business-related reasons, acknowledged her right to severance pay in the amount of 50,060.70 kn, but has not paid it yet because of the judicial proceedings in process, which were initiated by the complainant on the grounds of legitimacy of the termination of employment contract. On the other hand, the complainant claims that the employer paid the severance pay to male employees M. M. and S.Ć., although they are also involved in judicial proceedings on the grounds of legitimacy of the termination of employment contract. The complainant believes that this treatment represents discrimination, that is, she is being treated differently than her male colleagues in the same situation, which has reflected on her health and viability, since she supports her two children who are college students. She asks the Ombudsperson to intervene in the payment of severance pay.

MEASURES TAKEN: In the report submitted to the Ombudsperson, the employer did not dispute the claims from the complaint, namely, that the complainant has not received her severance pay although she is entitled to it and that the men received their severance pays, but stated that he had filed a counter-suit against the men asking them to return the severance pay in case they as plaintiffs win the lawsuit by proving that the termination of the employment contract was unlawful.

Based on the received documentation, the Ombudsperson concluded that the principle of equal treatment of men and women under identical circumstances has been violated, and warned the employer that he discriminated against the complainant by denying her severance pay. It has been established that the complainant as a former employee has not received her severance pay, although her former male colleagues did receive it. It has also been established that both the complainant and the former male employees, who received their severance pays, are involved in judicial proceedings aimed at establishing the legitimacy of the termination of employment contract. This is particularly important since the employer has filed a counter-suit against the complainant to return the severance pay if she wins the lawsuit. The Ombudsperson also gave the employer an appropriate recommendation.

3.2.5. CASE SUMMARY (PRS-01-02/06-04): Complainant S.R. from S. submitted to the Ombudsperson a complaint concerning discrimination by the employer S. d.o.o. She claims that, after she returned from mandatory maternity leave, the employer did not return her to the job she performed before the maternity leave, and when the complainant refused the unlawful transfer, explaining that working in shifts would affect her ability to take care of her 14-month-old baby, the employer terminated her employment contract.

MEASURES TAKEN: Based on the received documentation, the Ombudsperson concluded that the employer discriminated against the complainant on the grounds of sex, by not returning the complainant, after her maternity leave ended, to the job she performed before the leave. She also concluded that the overall employer's treatment of the complainant shows his insufficient concern for the provisions on the protection of motherhood and parenthood from the Labor Law and their implementation in practice. That is why the Ombudsperson warned the employer that his actions were in contradiction with Article 79 of the Labor Law (The Official Gazette 137/04 - revised text). The Ombudsperson established that, based on the CEO's Decision dated August 25, 2005, the complainant was temporarily transferred to the position of salesperson in Store 14, and after that, based on the CEO's Decision dated October 7, 2005, temporarily transferred to the position of salesperson in Store 12. Both decisions were in contradiction with her employment contract dated March 28, 1996 and Article 79 of the Labor Law. The complainant's maternity leave ended on August 18, 2005, and the CEO made the decision on cancellation and termination of the department she worked in on November 8, 2005. This means that, at the moment the complainant returned from maternity leave, her position was not cancelled and she was entitled to return to the same job she performed before maternity leave. The Ombudsperson also gave the employer an appropriate recommendation.

OUTCOME: After receiving the warning and recommendation, the employer informed the Ombudsperson in writing that he accepts the recommendation.

3.2.6. CASE SUMMARY (PRS-01-02/06-05): M. B. from Z. submitted to the Ombudsperson a complaint in which she claims that, as an employee with the firm K. from Z., she has been for a longer period of time now subjected to insults, harassment and threats by the employer. The complainant stresses that, for this reason, she has filed a complaint to the firm's Committee for the protection of employees' dignity, which has not been investigated. She also claims that the employer unlawfully orders overtime work for female workers of this textile factory, especially for those with children under 3 years of age.

MEASURES TAKEN: After considering the report and documentation obtained from the employer, including the report of the State Inspectorate, the Ombudsperson warned the employer that both he and the firm's Committee for the protection of employees' dignity failed to consider, in an adequate procedure and in accordance with Article 30, para. 6 of the Labor Law and Workplace Rules and Regulations, the complaint about harassment at the workplace. Due to unlawful ordering of overtime work (as established by the State Inspectorate in its report, after which appropriate misdemeanor charges were filed) and unpaid overtime and night work, the female workers can be put into a position in which they are unable to exercise all of their rights.

The Ombudsperson has also sent to the employer a recommendation that, in the future, he should consider the complaints made by his employees in relation to the protection of employees' dignity and evaluate, in the course of planning, adoption and implementation of appropriate decisions, the effects they might have from the perspective of women and men for the purpose of upholding the principle of gender equality and ensuring equal opportunities for female workers in exercising their rights, both rights deriving from work and on the basis of work.

3.2.7. CASE SUMMARY (PRS-01-02/06-11): Ž. P. from K. filed to the Gender Equality Ombudsperson a complaint in which she claims that she and her colleague, working as receptionists in hotel D. from Z., were subjected to insults and threats by the hotel owner's relative. They have already contacted their Police Department and asked them for help. She also says that the employer terminated their employment contracts.

MEASURES TAKEN: After considering the report and documentation obtained from the former employer and the General Police Directorate - Criminal Police Directorate, the Gender Equality Ombudsperson established that this is a case of harassment at the workplace on the grounds of sex of the complainants. The Gender Equality Ombudsperson reached this conclusion on the basis of documentation, which shows that the complainants suffered insults and threats while performing their work for the employer during the notice period, since the owner called them "whores and scum".

In accordance with her legal authority, the Gender Equality Ombudsperson issued a warning to the employer.

3.2.8. CASE SUMMARY (PRS-01-02/06-12): M. L. from Z. submitted a complaint to the Gender Equality Ombudsperson in which she claims that she and her colleague were harassed at the workplace during their employment at the hotel D. from Z. as receptionists. She claims that they were harassed by their superior, the hotel owner's relative, who insulted and threatened them. At one point, he put his hands around her neck and said: "I'll kill you, I'll kill you."

MEASURES TAKEN: After considering the report obtained from the employer and the General Police Directorate - Criminal Police Directorate, the Gender Equality Ombudsperson concluded that the complainant was discriminated against on the grounds of sex because she was harassed at the workplace on the grounds of sex by her superior, and issued a warning and recommendation to the employer.

The Gender Equality Ombudsperson based such a conclusion (in contradiction to the employer's statement that they were fired because they did not perform their jobs conscientiously and that they filed a complaint to take revenge) on the fact that the police report said that the police investigated the claims and, on the basis of gathered information, filed criminal charges to the relevant state attorney's office against J.D. relating to the criminal act of violent behavior from Article 331, para. 1 of the Criminal Law and threat from Article 129, para. 2 and 3 of the Criminal Law to the detriment of the complainant.

3.2.9. CASE SUMMARY (P-PRS-01-03/06-01): Complainant S.P. from L. submitted to the Gender Equality Ombudsperson a complaint in which she claims that, as an employee at the position of administrative clerk, she was, without her consent and unlawfully, "transferred" from police station L. to police station N.M. When making the decision about her "transfer", her family circumstances were not taken into account, namely, that she is a single mother of an under-aged child with psychological and physical difficulties in development, who needs special care. The complainant also adds that the criteria according to which she was transferred to police station N.M. were not explained, that her position was not terminated, and that the number of people at the position of "administrative clerk" was reduced from four to three. The complainant claims that, out of the four employees at the position of administrative clerk at the police station L., she was not the youngest or had the least years of employment, that, in the evaluation of her work, she was regularly ranked as successful and very successful, that she was never reported for breach of duty, and that, most importantly, family and social circumstances of the employee to be transferred were not taken into account, and her circumstances were the most unfavorable. In addition, the complainant claims that her transfer was proposed by the commissioner of police station L., who already tried to unlawfully transfer her on two occasions, that the first transfer already aggravated her health, and that she is now again on sick leave due to the stress caused by the transfer.

MEASURES TAKEN: The Gender Equality Ombudsperson obtained a report and documentation from the relevant ministry including the explained criteria (years of employment, social and family criteria) that were crucial for the decision to transfer the complainant to the position of administrative clerk at the police station N.M. The Gender Equality Ombudsperson concluded that, when the decision about filling out the position at the police station N.M. was made, relevant criteria were taken into account, such as years of employment and work characteristics of all employees at the position of administrative clerk in police station L. (one employee has 33 years of employment and -11 dioptr, another has two under-aged children - one diagnosed with epilepsy, and the third has two under-aged children - one with aseptic necrosis of the hip treated in a hospital in Z.), but all family and social circumstances were not given enough attention, such as the

fact that only the complainant is a single mother of an under-aged child with psychological and physical difficulties. Given the fact that the relevant ministry, in a report submitted to the Gender Equality Ombudsperson, stated that it will comply with the complainant's request for a position at police station L. when a suitable vacancy opens, the Gender Equality Ombudsperson gave a recommendation to the ministry to transfer the complainant to a position at the police station L. as soon as a suitable vacancy opens, and, when that happens, to inform the Gender Equality Ombudsperson.

3.2.10. CASE SUMMARY (PRS-01-03/06-02): Male complainant V. B. from D. filed a complaint to the Gender Equality Ombudsperson in which he claims that, as a man, he was discriminated against in the sphere of employment because he was not given employment at a kindergarten in D., although he had better qualifications than the candidate selected for the position of a kindergarten teacher. He believes that this decision represents a deliberate and grave violation of the provisions of the Gender Equality Law and Operational Plan for Promoting and Establishing Gender Equality that the employer had adopted.

MEASURES TAKEN: The employer denied discrimination on the grounds of sex and stressed that they were not obliged to implement the Operational Plan for Promoting and Establishing Gender Equality adopted on August 18, 2005, that is, before the public call for the job vacancy was issued, since it was approved by the Office for Gender Equality of the Croatian Government on February 9, 2006, although it was submitted to the Office as early as August 22, 2005.

After considering the case, the Gender Equality Ombudsperson warned the employer that, when making the decision about the public call, job advertisement, and proposal and selection of the candidate, they did not take into account the position of women, that is, men, for the purpose of establishing equality of women and men (the still unapproved Operational Plan shows that, out of the 20 employees, none of them are male). The Gender Equality Ombudsperson warned the employer about the practice of selecting only persons of a particular sex for certain professions (kindergarten teacher), and that such practice and its effects create and reproduce stereotypes that only men or only women can perform certain jobs. At the same time, the Gender Equality Ombudsperson recommended to the employer, based on the explicit provisions of the Gender Equality Law, to assess and evaluate, in all stages of planning, adoption and implementation of a certain decision or action, the effects that this decision or action could have on the position of women or men, for the purpose of achieving true equality of women and men.

Note: The relevant court, before which a lawsuit was filed for compensation of damages due to a violation of the Gender Equality Law in employment, requested from the Gender Equality Ombudsperson the warning and recommendation sent to the employer, which she has obliged.

3.2.11. CASE SUMMARY (PRS-01-03/06-04): Complainant A.Z. from Z. submitted to the Gender Equality Ombudsperson a complaint in which she claims that, after counseling with the legal department of the Croatian Health Insurance Office, the regional office in Z., on September 8, 2004, she took up employment in her mother's household, used sick leave due to a complicated pregnancy, and gained the right to a maternity leave and financial compensation for maternity leave and the right to health insurance. She claims that these rights were unlawfully terminated. The Croatian Health Insurance Office, the regional office in Z., rejected her request for the recognition of the right to compensation for equipment for a new-born baby and salary compensation during temporary inability to work and the request for the recognition of the right to mandatory maternity leave.

MEASURES TAKEN: Based on the report and documentation obtained from the Croatian Health Insurance Office, the Gender Equality Ombudsperson concluded that the complainant was not discriminated against on the grounds of sex. The Croatian Health Insurance Office, in a renewed procedure, by a decision dated January 19, 2006, annulled the complainant's insured person status on the basis of employment relations, and established a status of prior insurance, as an unemployed person (believing that the purpose of employment in her mother's household was to gain the right to salary compensation and other rights, and not to gain employment). On the basis of its legal authority, the Croatian Health Insurance Office made a decision concerning the complainant's rights from basic health insurance. The Directorate of the Croatian Health Insurance Office rejected the complainant's appeal, and the Gender Equality Ombudsperson does not have the authority to establish whether the complainant's employment in her mother's household was in accordance with the law.

3.2.12. CASE SUMMARY (PRS-01-03/06-05): Complainant M.F. from S. submitted to the Gender Equality Ombudsperson a complaint concerning the termination of employment during pregnancy. The complainant claims that, during pregnancy, her employment with the employer S. p. d.o.o. was unlawfully terminated. The employer returned her employment record to her on January 24, 2006, despite the fact that he knew at the time that the complainant is taking a sick leave as of January 3, 2006 due to a complicated pregnancy. The complainant stresses that she worked for the same employer without interruption from March 1, 2001 to January 24, 2006 in the working premises of the employer, on the basis of several fixed-term employment contracts.

MEASURES TAKEN: After considering the case, the Gender Equality Ombudsperson sent to the employer a warning that the complainant's employment was terminated during her pregnancy, that is, use of sick leave due to a complicated pregnancy. All fixed-term employment contracts were concluded and ended so that her employment relationship would not run uninterruptedly for more than 3 years (after three years, the employment contract would, according to the law, be treated as a permanent employment contract). From March 1, 2001 to February 26, 2004, the complainant signed fixed-term employment contracts with the same employer, after which her contract was not extended, for the obvious reason that the contract was 4 days short of being considered as a permanent employment contract. After the complainant accepted a fixed-term employment with another legal entity, she in fact remained working in the premises of the previous employer. After two months, which is a legally prescribed period of time that must pass before she could start working for the previous employer without the contract being considered as a permanent employment contract, the employer again concluded with her a fixed-term employment contract and she started working on April 30, 2004.

She continued to work on the basis of three fixed-term employment contracts and ten annexes that prolonged the expiration date of the contracts. However, after she started using sick leave on January 3, 2006 due to a complicated pregnancy, and the last employment contract expired on January 24, 2006, the employer refused to conclude a new fixed-term employment contract.

In addition to a warning, the Gender Equality Ombudsperson sent to the employer a recommendation to reexamine his treatment of the complainant and to analyze the position of employees who are pregnant women and mothers, as well as the scope and justifiability of the practice of concluding fixed-term employment contracts with these categories of workers.

3.2.13. CASE SUMMARY (PRS-01-03/06-07): M. Š. from O. submitted to the Gender Equality Ombudsperson a complaint in which she claims that she was harassed at the workplace. Her superiors in the textile company O. from O. insulted and threatened her, she was exposed to constant psychological harassment and the employer terminated her employment contract, because of which she was forced to seek medical help. She also adds that she, as all the other female workers, had to work overtime, although she has a small baby, and was forced to work in conditions that prevent normal work because the employer did not implement measures of protection at work.

MEASURES TAKEN: Since the employer did not submit the requested report and documentation, the Gender Equality Ombudsperson asked the State Inspectorate to carry out an inspection of the employer on the basis of Article 22, para. 2 and Article 24, para. 1 of the Gender Equality Law, after which the employer complied with the request.

After she obtained the report from the employer and State Inspectorate and examined all the available documents, the Gender Equality Ombudsperson sent to the employer a warning that they failed to process the complaints made by M. Š. and other workers concerning harassment at the workplace by superiors, which the Labor Law obliges them to do, and failed to investigate the potential credibility of these complaints for the purpose of protecting the dignity of the workers.

She also warned about the fact that, according to the State Inspectorate's report, the female workers were put into a position that prevented them from exercising all of their rights, because the employer unlawfully demanded overtime work, particularly for workers that belong to a protected category of female workers (mothers with children under 3 years of age, one of which was the complainant M. Š., as well as single parents with children under 6 years of age) without their consent, and about the failure to implement measures of protection at work, which was one of the findings of the inspection (including the lack of a separate changing room for men).

Because of these violations of the rights of female textile workers, the State Inspectorate filed misdemeanor and criminal charges against the employer and responsible persons.

The Gender Equality Ombudsperson also sent to the employer an appropriate recommendation.

3.2.14. CASE SUMMARY (PRS-01-03/06-10): M. B. from O. submitted to the Gender Equality Ombudsperson a complaint in which she claims that, as a worker in the textile company O-K.d.o.o.

in O., she was harassed by the employer and her superiors (insults, profanities, threats and psychological harassment), that the employer did not ensure obligatory measures of protection at work for her and the other female workers, and that the employer unlawfully demands overtime work. She stressed that the work quotas for textile workers are constantly being increased and are impossible to meet, that the employer asked her to translate the swearwords and insults that the owner, his wife, and the supervisor hurled at the workers, which she refused to do, that she was forced to tell each individual worker what to say to the inspectors, and that she was asked to perform tasks that were not in her job description, some of which she refused and got fired.

MEASURES TAKEN: The Gender Equality Ombudsperson obtained the report and documentation from the State Inspectorate, but did not, after a repeated request, receive the report and documentation from the employer, which is why she, in accordance with her authority from Article 22, para. 2 of the GEL, requested from the State Inspectorate to carry out an inspection of the employer.

After she obtained the report from the employer and State Inspectorate and examined all the available documentation, the Gender Equality Ombudsperson sent to the employer a warning that they failed to process the complaints made by the complainant M. B. and other workers concerning harassment at the workplace by the employer and superiors, which the Labor Law obliges them to do, and failed to examine the potential credibility of these complaints for the purpose of protecting the personal dignity of the workers.

Also, the employer received a warning that, by unlawfully demanding overtime work from the complainant and other workers of this textile company, especially from the protected category of female workers from Article 41, para. 6 of the Labor Law (mothers with children under 3 years of age, and single mothers with children under 6 years of age) without their consent, and by failing to implement obligatory measures of protection at work, which was one of the findings of the inspection (they did not set up the organization of protection at work, the workers with sewing and mechanical jobs did not have personal protective equipment, they did not develop written instructions for working with machines with increased risk, they did not hire an expert for protection at work, they did not organize properly the first-aid equipment and procedure in case of injury at the workplace for workers on the production floor), they put the workers into a position that prevented them from exercising all of their rights.

Because of these violations of the rights of female textile workers, the State Inspectorate filed misdemeanor and criminal charges against the employer and responsible persons.

3.2.15. CASE SUMMARY (PRS-01-03/06-12): The Human Rights Office of the Croatian Government forwarded to the Gender Equality Ombudsperson an anonymous complaint made by a group of employees of a bank with offices in the Republic of Croatia. According to the claims from the complaint, the employees are systematically discriminated against at the workplace, the most common forms of discrimination being: harassment at the workplace, discrimination in career advancement (hindering and obstructing the rise on the hierarchical ladder to higher executive positions), discrimination related to working conditions, all rights derived from work and on the basis of work, violation of the right to privacy and violation of the right to the protection of motherhood.

MEASURES TAKEN: After considering the case, the Gender Equality Ombudsperson did not establish that the employer practiced any form of discrimination against the women. The employer sent to the Gender Equality Ombudsperson an extensive statement commenting all the allegations from the complaint, citing all measures introduced for the purpose of protection from discrimination on the grounds of sex, and explaining that the system of camera supervision was installed for safety reasons only, and only in those parts of the bank that do not require protection of employees' privacy. They also submitted relevant documentation, including the Working Rules and Regulations that stipulate the procedure and measures for the protection of employees' dignity, statement made by the person authorized to receive and process complaints (who did not yet receive any complaints concerning the protection of employees' dignity), data on the total number of employees disaggregated by sex, data on the total number of employees disaggregated by sex at the top positions (management, supervisory board, department heads and executive directors in management office, supervisory board office, sectors and branch offices).

In addition, the Gender Equality Ombudsperson requested from the State Inspectorate a report on the inspection of the employer, with signed statements of employees who are listed in the anonymous complaint as victims of discrimination at the workplace. The obtained report showed that these employees stated that the employer did not practice and had not practiced any form of discrimination at the workplace against them.

3.2.16. CASE SUMMARY (PRS-01-03/06-13): D.N. from Z. submitted to the Gender Equality Ombudsperson a complaint in which she states that, for five and a half years now, she has been an associate for a TV broadcasting company on the basis of regular monthly author's contracts (simultaneous translation of holy mass for viewers with damaged hearing).

According to her claims, on March 14, 2006, the head of the program for religious culture called her to thank her for her cooperation, informing her that they are no longer counting on her unless she gets a church divorce. He explained that he is acting on the alleged phone calls of the viewers with damaged hearing, who told him about the divorce and protested that it was impossible to watch the broadcast of the holy mass knowing about her divorce.

MEASURES TAKEN: The Gender Equality Ombudsperson obtained and examined the report of the media company in question and the conclusion of the Program Board that this incident "was in contradiction with professional standards" and the cooperation with the complainant as an outside associate was continued.

The Gender Equality Ombudsperson established that this is a case of direct discrimination on the grounds of marital status banned by Article 6, para. 2 of the Gender Equality Law, as well as a violation of Article 14 of the Constitution of the Republic of Croatia, and not merely acting "in contradiction with professional standards", and warned the TV broadcasting company in question.

3.2.17. CASE SUMMARY (PRS-01-03/06-14): The Ministry of Family, War Veterans and Inter-Generational Solidarity contacted the Gender Equality Ombudsperson with a request to take action in a case in which the permanent employment contract of the employee B. S. from Z. was terminated immediately by the employer V. from Z. while she was using her maternity leave. The complainant believes that this treatment is unlawful because, regardless of the valid decision by the Croatian Health Insurance Office about the use of maternity leave up to the child's 12 months, on more than one occasion (before and during the maternity leave) she informed the employer that she is planning to use her maternity leave up to the child's third year, that is, that the employer could not terminate her permanent employment contract because she did not return to work after the expiration of the maternity leave up to the child's 12 months.

MEASURES TAKEN: Based on the report and documentation requested from the employer on March 31, 2006, the Gender Equality Ombudsperson established that, on April 6, 2006, the employer annulled the decision about the immediate termination of the complainant's employment contract and the decision about the suspension of the rights and obligations of the complainant from her employment contract and stopped the process of cancellation of the complainant's pension and health insurance from the day the complainant, according to his opinion, should have started working (after the child's 12 months), restoring the complainant's employment and legal status as though the employment contract was never terminated.

The employer accepted the fact that the complainant was not obliged to start working after the child's 12 months, because, on the basis of the decision by the Croatian Health Insurance Office, she continued to use her maternity leave up to the child's third year and that, because of this, he should not have cancelled her pension and health insurance after the child's 12 months.

3.2.18. CASE SUMMARY (PRS-01-03/06-15): K. B. from V. submitted to the Gender Equality Ombudsperson a written complaint in which she claims that she was harassed at the workplace by the head of the Center for Social Welfare and other employees of this institution in which she works as a social worker, that the employer does not pay her pension insurance benefits and that her salary is miscalculated.

MEASURES TAKEN: Based on the report and documentation of the Center in question, the Gender Equality Ombudsperson concluded that this is not a case of discrimination on the grounds of sex. She founded this conclusion primarily on the fact that the complainant herself stated that she is being discriminated in relation to the other employees of the Center, and not on the grounds of sex, and on the facts established in a formal procedure in which all the relevant state bodies sent to the complainant their opinions about her complaints, that the rights derived from employment relationship that might have been violated (those related to the payment of salary and benefits) can be granted to her in a judicial procedure and that the relevant ministry will set up a special committee to question the justifiability of her complaint about harassment at the workplace.

3.2.19. CASE SUMMARY (PRS-01-03/06-18): Complainant S.D. from I.G. submitted to the Gender Equality Ombudsperson a complaint concerning harassment at the workplace. She claims that the principal of the school spreads false rumors in the teacher's room that she is an escort, and that he did not take measures to protect her dignity, although she contacted the trade union

representative, school board, social pedagogue and education inspection, both in writing and in person, to protect her dignity. She states that she informed the principal about the complaint concerning harassment on the grounds of sex in a conversation conducted in the presence of a representative of the education inspection, and that the parents, in a meeting called at the initiative of the school board, asked the principal to take measures to protect the complainant's dignity. She adds that, after she contacted the Department for Inspection of the Ministry of Science, Education and Sport and reported harassment at the workplace on December 8, 2005, the principal handed her a written warning about the possibility of termination of employment contract on January 18, 2006. Her health is significantly aggravated - she is currently on sick leave due to exposure to psychological pressures and spreading of false rumors.

MEASURES TAKEN: The Gender Equality Ombudsperson concluded that the employer did not protect the complainant's dignity and failed to implement the necessary procedure and measures to prevent the harassment in accordance with the existing regulations. That is why the Gender Equality Ombudsperson sent to the employer a warning and recommendation in which, among other things, she proposes that the school review its actions in the case in accordance with the provisions of the Workplace Rules and Regulations and Labor Law, and, in the future, to examine every complaint or information about harassment and sexual harassment and take appropriate measures to prevent the continuation of harassment, if proven. She also recommended that the school should align its Workplace Rules and Regulations with the provisions of the Labor Law regulating the protection of employees' dignity, develop concrete measures for preventing the continuation of harassment and take all necessary measures to implement the provisions of the Labor Law and Gender Equality Law concerning the protection of employees' dignity and protection from discrimination on the grounds of sex.

3.2.20. CASE SUMMARY (PRS-01-03/06-20): K. S. from P. filed to the Gender Equality Ombudsperson a complaint accompanied by documentation in which she claims that she is being harassed at the workplace by her employer and superiors in the production company in which she works as a chemical technician, and that she is discriminated against on the grounds of sex because she was transferred to other jobs within the company and received from the employer a warning about her work duties and obligations.

MEASURES TAKEN: Based on the report and documentation obtained from the employer, the Gender Equality Ombudsperson concluded that this is not a case of discrimination on the grounds of sex.

The Gender Equality Ombudsperson based this conclusion, among other things, on the fact that the employer did consider the employee's complaint with the aim of protecting the employee's dignity in accordance with Article 30 of the Labor Law, but her complaint to the employer does not point out her sex as the grounds for harassment. The complainant claimed that her employment and legal status with the employer was still not resolved in a satisfactory way and that she was beginning to suspect that the employer's behavior is a reaction to her activities in the trade union and the Association of Shareholders, and her testimony in favor of the workers as plaintiffs in lawsuits against the employer.

3.2.21. CASE SUMMARY (PRS-01-03/06-22): Complainant P.T. from L., a religious instructor, contacted the Gender Equality Ombudsperson with a complaint about discrimination at the workplace on the grounds of marital status. He claims that "he has divorced his first wife in a civil court", after which he was denied career advancement. When he concluded a new civic marriage in March 2006, his canonic mandate was revoked with the explanation that a religious instructor should, according to canonic law, demonstrate true doctrine and live as a true Christian. He also says that he has already contacted the relevant ministries, but they did not show any interest in his case. He believes that his constitutional right to work has been violated and that he has been discriminated against on the grounds of marital status. Although discrimination is banned by the Croatian Constitution and laws, in his case, everyone is invoking the Agreement between the Republic of Croatia and the Vatican.

MEASURES TAKEN: The Gender Equality Ombudsperson obtained the report and documentation from the employer (hereinafter: the Employers). On two occasions, she requested a report from the Ministry of Science, Education and Sport, but did not receive it.

In their reports, the Employers claim that the complainant worked as a religious instructor on the basis of his canonic mandate. As his mandate was revoked, the Employers were obliged to act in accordance with the Agreement between the Vatican and the Republic of Croatia, and it was not possible to offer him another position, so they terminated his employment contracts.

After considering all the claims from the complaint and examining all the available documentation, the Gender Equality Ombudsperson concluded that the Employers' actions in this case represent discrimination on the grounds of marital and family status, which is explicitly banned by the provision of Article 6, para. 2 of the Law.

The complainant's canonic mandate was revoked on August 31, 2006, on the basis of Article 3, para. 2 of the Agreement between the Vatican and the Republic of Croatia on cooperation in the sphere of education and culture (The Official Gazette - International Agreements, no. 2/97 - hereinafter: the Agreement), after which the Employers terminated his employment contracts. According to Article 3, para. 2 of the Agreement, religious instructors must have a proof of canonic mandate issued by the diocesan bishop, so that revocation of mandate leads directly to the loss of the right to teach the Catholic doctrine.

To better understand the problem, it should be noted that Article 140 of the Constitution of the Republic of Croatia stipulates that concluded and ratified international agreements published in accordance with the Constitution represent a part of the internal legal order of the Republic of Croatia, and are, by its legal force, above the law.

Therefore, this case brings up the issue of alignment between international agreements and the Constitution.

In Decision no. U-I-825/2001 (The Official Gazette, no. 16/04), the Constitutional Court of the Republic of Croatia has taken a position that it does not have the authority to decide on the alignment between international agreements and the Constitution of the Republic of Croatia, explaining that Article 128 of the Constitution does not mention this in its definition of the scope of authority of the Constitutional Court. This decision rejected the motion for initiating a procedure for the evaluation of alignment of the Agreement between the Vatican and the Republic of Croatia with the Constitution.

It also stressed that, within the constitutional order of the Republic of Croatia, there is no system of prior control (prior to ratification) of the constitutionality of international agreements.

In this case, which received much media coverage, the decision will be made by the relevant court, and the Gender Equality Ombudsperson is not authorized to intervene in court cases.

3.2.22. CASE SUMMARY (PRS-01-03/06-29): The Office for Gender Equality of the Croatian Government forwarded to the Gender Equality Ombudsperson a complaint by A.N. from M., a judicial police officer employed in the prison in D. The complaint refers to discrimination on the grounds of sex in the sphere of work. The complainant claims that she is being discriminated against as a woman at the workplace, and, as the most common forms of discrimination, she specifies harassment and sexual harassment, discrimination in career advancement, discrimination related to working conditions, all rights derived from work and on the basis of work, and violation of the right to privacy. She names her superiors as the potential discriminators. The complainant stresses that she has on numerous occasions voiced her complaints with the aim of protecting her own dignity, and was exposed to different forms of pressure, but did not file written complaints because she was afraid of potential consequences.

MEASURES TAKEN: The Gender Equality Ombudsperson obtained a report from the Ministry of Justice, the Directorate for Prison System (hereinafter: Directorate) concerning the control and inspection in the prison in D., as well as the follow-up report after the written reaction of the complainant to the performed inspection.

The allegations in the complaint that the complainant regards as discrimination, such as the use of daily break, the procedure of taking official notes, the organization of work, the status of the trade union representative T.B. etc., were not examined by the Gender Equality Ombudsperson because they are not within the scope of her authority. According to Article 7 of the GEL, direct discrimination on the grounds of sex exists if a person is treated or may be treated less favorable in identical or similar circumstances than a person of the opposite sex. As regards the part of the complaint about the insults she suffered from K.D, M.M., and A.B. on the grounds of sex, the report says, and the documentation supports this, that the statements of all employees on duty (23 of 30) were taken, and that none of them had any knowledge of the events that the complainant describes.

The Gender Equality Ombudsperson sent a warning to the Directorate about the unequal treatment of the complainant in relation to men who work in uniform, because she was the only one without winter uniform trousers, and was performing jobs that involved exposure to cold weather. She

added that the lack of funds, which the Directorate offers as the explanation, cannot justify such a practice.

In addition, she stressed that the act of changing into her uniform, as was established during inspection, represented for the complainant, as a woman in a predominantly male setting, a violation of her dignity and created an uneasy and degrading working atmosphere. The Gender Equality Ombudsperson also sent to the Directorate a recommendation to familiarize all employees of the prison in D. with the contents of the warning and, in the future, to take all necessary measures to implement all relevant legal provisions, including the provisions of the Gender Equality Law concerning the dignity of male and female employees and protection from discrimination on the grounds of sex.

3.2.23. CASE SUMMARY (PRS-01-03/06-30): Complainant Ž.S. from B. submitted to the Gender Equality Ombudsperson a complaint in which she claims that she was discriminated against on the grounds of sex in employment. She was one of the candidates applying for the position "Expert Administrative Officer for General Affairs" at the Municipal Directorate of the K.V. municipality and was not offered employment, although she met all the requirements from the public call, which was, in her opinion, a violation of the Gender Equality Law and Labor Law. She adds that, by a decision of the municipal government dated August 22, 2006, a male candidate was employed, who invoked Article 22, para. 4 of the Constitutional Law on National Minorities and Article 15a of the Statute of K. V. municipality. The complainant stresses that she is not familiar with the ratio of representatives of national minorities in the municipal government, but she knows that the female sex is underrepresented.

MEASURES TAKEN: Based on the report and documentation obtained from the K.V. municipality, the Gender Equality Ombudsperson established that, before the public call for a job vacancy at the Municipal Directorate (Administrative Department of the K. V. municipality), 5 female employees were employed on the basis of a permanent employment contract, and there were 5 full-time male employees who performed utility-related jobs, and that the selected candidate met all the requirements from the public call and invoked Article 22, para. 4 of the Constitutional Law on National Minorities and Article 15a of the Statute of K. V. municipality, according to which the selected candidate has precedence under the same conditions. However, when making the decision about issuing and publishing the public call, the municipality did not take into account the provision of Article 13, para. 2 of the Gender Equality Law, according to which a job advertisement must clearly specify that persons of both sex can apply for the position. That is why the Gender Equality Ombudsperson sent a warning and recommendation to the K.V. municipality related to the above mentioned provision.

3.2.24. CASE SUMMARY (PRS-01-03/06-31): Complainant B.M. from Z. submitted to the Gender Equality Ombudsperson a complaint concerning discrimination at the workplace, that is, termination of employment contract during pregnancy. The complainant claims that she took a sick leave upon her physician's advice due to a complicated pregnancy, and immediately, on the same day, delivered the proof of temporary inability to work to her employer and explained the reasons for the sick leave. She adds that, after several days, she was told by the firm's accountant to bring her health care card so that employment relationship could be cancelled. She says that for three years she has been employed with the same employer and conscientiously performed the duties and obligations from the employment relationship, and there was no mention of termination of employment before the pregnancy. That is why the complainant believes that the employer is trying to terminate her employment contract only because of her pregnancy.

MEASURES TAKEN: The Gender Equality Ombudsperson urgently obtained from the employer a report and documentation in which the employer claims that he concluded with the complainant a new permanent employment contract and admits that he terminated the earlier employment contract at an "inappropriate time".

The complainant has abandoned the complaint in writing explaining that, after the Gender Equality Ombudsperson requested the report with all the circumstances of the case and accompanying documentation, the employer asked her to sign a new permanent employment contract and added that there are no more problems with the employer.

3.2.25. CASE SUMMARY (PRS-01-03/06-32): The Committee for Gender Equality of the Croatian Parliament forwarded to the Gender Equality Ombudsperson a complaint made by N. F. from U. together with a decision by the assembly of the trading company from U. dismissing the

complainant's appeal against the decision to appoint the member of the Board - company director, and stating the working conditions and the nature of the field job demanding considerable physical effort as the reasons for rejecting her appeal.

MEASURES TAKEN: Based on the report and documentation obtained from the head of the municipality U., who is also the only member of the assembly of the trading company in question, the Gender Equality Ombudsperson concluded that the head of the municipality U. has committed a violation of the principle of gender equality from Article 5 of the GEL and discrimination on the grounds of sex from Article 6, para. 1 and Article 13 of the GEL.

She informed the head of the municipality U. about this, explaining that the complainant N. F. was discriminated against on the grounds of sex in a way that the decision maker has, through direct differentiation, exclusion or restriction based on sex, denied to the complainant equal exercise of her right to employment in company H. d.o.o. The company assembly selected the male candidate on the basis of the assessment of his abilities on the grounds of criteria that were not specified in the job advertisement and did not ensure equal possibilities to the complainant in the exercise of her employment rights in relation to the selected candidate.

It is obvious from the submitted documentation that both the complainant N. F. and the selected candidate applied for the job by submitting all the documents proving that their qualifications meet the requirements from the public call.

However, in the decision made by the assembly on September 21, 2006, responding to the complainant's appeal against the Decision to appoint the member of the Board - director of the company dated September 8, 2006, it is said that the decision was made by the company assembly on the basis of the assessment of the candidate in terms of the following criteria: 1. Field work requiring considerable physical effort; 2. Work organizing and management on the field; 3. Design and documentation development prior to works execution (primarily construction works); 4. Application of acquired experience on same or similar jobs; and 5. Organizing other activities within the scope of work of H.d.o.o.

The report to the Gender Equality Ombudsperson also says that the assembly has established that N. F. formally meets the job requirements and that they gave preference to the selected candidate, among other things, because of the nature of the job and circumstances in which the job is performed in accordance with Article 3 of the Labor Law.

Therefore, although the complainant fulfilled the job criteria, she was not appointed at the position of Board Member - Director of the Company because the assembly assessed that she does not meet the criteria that were not described in the job advertisement in advance, stressing that they gave preference to another candidate because of the nature of the job and circumstances in which the job is performed, invoking Article 3 of the Labor Law.

The view that the complainant, as a woman, could not be appointed at the position of Board Member because of the nature of the job and circumstances in which the job is performed represents a stereotype and prejudice that women cannot perform the same jobs as men.

The provision of Article 3, para. 1 of the Labor Law that the employer invoked in his report to the Gender Equality Ombudsperson stipulates that differentiating, excluding or giving preference for a specific job when the nature of the job is such or the job is performed in such circumstances that characteristics related to some of the grounds from Article 2, para. 1 of this Law represent a crucial requirement for performing the job, provided that the intended purpose is justified and the requirement is reasonable, is not to be considered as discrimination.

The criteria that the assembly of the company is invoking in its decision, one of which is "field work requiring considerable physical effort", are not mentioned in the job advertisement, and such criteria, in terms of the above cited provision of the Labor Law, cannot be a deciding requirement for the position of the Board Member - Company Director.

Therefore, this treatment of the complainant represents a violation of the principle of gender equality from Article 5 of the GEL and discrimination on the grounds of sex against the complainant from Article 6, para. 1 and Article 13, para. 1, point 1 of the GEL, and the Gender Equality Ombudsperson sent to the assembly of the trading company from U. an appropriate warning and recommendation.

3.2.26. CASE SUMMARY (PRS-01-03/06-36): J. D. from R. submitted to the Gender Equality Ombudsperson a written complaint in which she claims that she was working as an employee in a hair dresser's salon when the owner terminated her employment contract after the complainant informed her that she was pregnant.

MEASURES TAKEN: After obtaining and considering the report and documentation from the employer and State Inspectorate, the Gender Equality Ombudsperson concluded that this was a case of discrimination on the grounds of sex. She based this conclusion on the fact that, in accordance with the Labor Law, the complainant informed the employer in writing (by regular mail) that she is taking a sick leave due to pregnancy, and attached all the relevant documentation, but the employer (who denies any knowledge of the complainant's pregnancy) refused to accept the mail with that information, as well as on the fact that the employer, within the 15 days' deadline from the date the complainant started her sick leave, learned that the reason for the complainant's sick leave is pregnancy from the labor inspector, who established this while acting on the complainant's complaint and informed the employer about this.

According to the explicit provision of Article 77 (prohibiting termination of employment for pregnant women etc.), para. 2 of the Labor Law, the termination of employment is not valid if, on the day employment was terminated, the employer was familiar with the circumstances from para. 1 of this Article (pregnancy etc.) or if the employee, within 15 days from the date she was informed about the termination of employment, informs the employer about the circumstances from para. 1 of this Article and delivers a valid proof from the authorized physician or other authorized body.

That is why the Gender Equality Ombudsperson sent to the employer a warning about the discrimination against the employee and a recommendation to re-examine her decision about the termination of employment.

3.2.27. CASE SUMMARY (PRS 01-03/06-39): The Gender Equality Ombudsperson received a complaint made by V.Š. from D. concerning discrimination in the sphere of employment and work. The complainant claims that she is a mother of an under-aged child, employed at M.H.d.o.o., and that, in February 2005, she was listed as one of the employees in a program for resolving surplus labor. She also says that, in the meantime, she took a sick leave due to a complicated pregnancy and a maternity leave. When she returned to work, the management of M.H.d.o.o. implemented an earlier decision on the program for resolving surplus labor (although she was pregnant at the time the decision was made), and was given permission by the workers' council to terminate V.Š.'s employment contract, provided that a period of 8 days from receiving medical proof of her possible pregnancy (second child) had passed.

MEASURES TAKEN: The Gender Equality Ombudsperson requested from the employer a report and documentation related to V.Š.'s case. The CEO of M.H.d.o.o. sent an extensive statement supported by documentation in which he claims that, after learning from V.Š. that she might be pregnant with her second child, the president of the workers' council requested an extension of the date for delivering their opinion, and the management agreed. After the employer received a physician's note confirming the pregnancy of the complainant, the management proposed to the workers' council to suspend their consent for the termination of employment, because it was void due to an absolute prohibition of termination of employment, and the workers' council complied.

3.3. THE NATIONAL ACTION PLAN FOR EMPLOYMENT - RESULTS OF EMPLOYMENT INCENTIVES IN THE REPUBLIC OF CROATIA IN 2006

Based on the National Action Plan for Employment 2005-2008, the Croatian Government adopted the Annual Plan for Stimulating Employment for 2006 drawing upon the directives from the European Employment Strategy. The plan stipulates measures and financial incentives for co-funding employment implemented by the Croatian Employment Office and other relevant legal entities. The National Action Plan for Employment 2005-2008 (adopted on December 2, 2004) is based on 10 directives for employment developed by the European Union for 2003 for its Member States. One of the directives refers to the equality of sexes (EU Directive 6), and the Annual Plan for Stimulating Employment, among other things, includes the promotion of equal opportunities in employment for women and men.

However, in August of 2005, the Croatian Government decided to terminate the program of employment incentives from 2002 and commissioned:

- the bodies implementing the measures for the execution of the National Action Plan for Employment 2005-2008 to carry out their planned regular programs and activities aimed at stimulating employment;
- the inter-ministerial working group to develop a program for implementing the measures from the National Action Plan for Employment for 2006.

3.3.1. RESULTS OF EMPLOYMENT INCENTIVES IN 2006

Having in mind the above-mentioned directives and the adopted National Action Plan for Employment, it is useful to look at the results of the measures for stimulating employment implemented by relevant bodies from the Annual Plan for Employment.

The 2006 Annual Plan for Stimulating Employment was adopted by the Croatian Government at its session on March 3, 2006, and the bodies commissioned to implement the measures were the Ministry of Economy, Labor and Entrepreneurship, the Ministry of Family, War Veterans and Intergenerational Solidarity, the Ministry of Sea, Tourism, Transport and Development, the Ministry of Health Care and Social Welfare, the Ministry of Science, Education and Sport and the Croatian Employment Office.

THE CROATIAN EMPLOYMENT OFFICE

The measures implemented by the Croatian Employment Office were aimed at stimulating the employment of young people, long-term unemployed persons, older persons and special groups of unemployed persons from the registry of unemployed persons on the open labor market. The data for individual measures and according to sex are presented in the following table of the Croatian Employment Office.

Table 2.

The number of employed persons and persons involved in education and training according to active policy measures from the Annual Plan for Employment (on December 31, 2006)

Tablica 2.

Prizak broja zaposlenih osoba i osoba uključenih u obrazovanje po mjerama aktivne politike iz Godišnjeg plana zapošljavanja za (na dan 31. prosinca 2006.)

| Županija | Sufinanciranje zapošljavanja mladih osoba bez radnog iskustva | | Sufinanciranje zapošljavanja dugotrajno nezaposlenih osoba | | Sufinanciranje zapošljavanja ženskih osoba iznad 45 i muških osoba iznad 50 godina starosti | | Sufinanciranje zapošljavanja posebnih skupina nezaposlenih osoba | | Sufinanciranje obrazovanja za poznatog poslodavca | | | | Sufinanciranje obrazovanja za nepoznatog poslodavca | | Javni radovi | | UKU |
|------------------------|---|------------|--|------------|---|------------|--|-----------|---|-----------|---------------------------|------------|---|------------|--------------|-----------|-------------|
| | | | | | | | | | Novozaposleni | | Zadržavanje radnog mjesta | | | | | | |
| | Ukupno | Žene | Ukupno | Žene | Ukupno | Žene | Ukupno | Žene | Ukupno | Žene | Ukupno | Žene | Ukupno | Žene | Ukupno | Žene | |
| Zagrebačka | 29 | 18 | 36 | 28 | 24 | 15 | 6 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 95 |
| Krapinsko-zagorska | 57 | 10 | 30 | 21 | 7 | 6 | 9 | 2 | 0 | 0 | 45 | 39 | 59 | 48 | 5 | 0 | 212 |
| Sisačko-moslavačka | 48 | 17 | 91 | 58 | 33 | 24 | 21 | 7 | 0 | 0 | 1 | 1 | 98 | 65 | 15 | 1 | 307 |
| Karlovačka | 20 | 11 | 25 | 18 | 10 | 8 | 8 | 3 | 0 | 0 | 0 | 0 | 17 | 0 | 32 | 10 | 112 |
| Varaždinska | 98 | 41 | 100 | 55 | 41 | 15 | 13 | 1 | 10 | 10 | 31 | 1 | 6 | 1 | 1 | 0 | 300 |
| Koprivničko-križevačka | 29 | 10 | 43 | 24 | 8 | 3 | 4 | 1 | 0 | 0 | 7 | 0 | 33 | 0 | 20 | 10 | 144 |
| Bjelovarsko-bilogorska | 24 | 7 | 35 | 22 | 11 | 8 | 8 | 1 | 0 | 0 | 46 | 3 | 139 | 85 | 46 | 7 | 309 |
| Primorsko-goranska | 48 | 31 | 41 | 26 | 36 | 25 | 7 | 3 | 0 | 0 | 6 | 0 | 34 | 5 | 0 | 0 | 172 |
| Ličko-senjska | 2 | 1 | 13 | 7 | 2 | 1 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5 | 0 | 29 |
| Virovitičko-podravska | 22 | 13 | 39 | 22 | 22 | 15 | 13 | 1 | 1 | 0 | 10 | 0 | 44 | 14 | 38 | 1 | 189 |
| Požeško-slavonska | 18 | 5 | 27 | 18 | 7 | 3 | 4 | 0 | 0 | 0 | 0 | 0 | 12 | 0 | 0 | 0 | 68 |
| Brodsko-posavska | 27 | 12 | 50 | 28 | 14 | 9 | 15 | 1 | 0 | 0 | 0 | 0 | 61 | 0 | 0 | 0 | 167 |
| Zadarska | 25 | 11 | 16 | 11 | 20 | 14 | 5 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 66 |
| Osječko-baranjska | 67 | 26 | 158 | 104 | 62 | 41 | 31 | 1 | 0 | 0 | 0 | 0 | 73 | 16 | 92 | 2 | 483 |
| Šibensko-kninska | 16 | 5 | 49 | 28 | 19 | 11 | 14 | 0 | 0 | 0 | 29 | 3 | 8 | 0 | 35 | 8 | 170 |
| Vukovarsko-srijemska | 28 | 14 | 97 | 65 | 28 | 20 | 28 | 2 | 1 | 0 | 0 | 0 | 19 | 9 | 81 | 4 | 282 |
| Splitsko-dalmatinska | 92 | 38 | 111 | 75 | 56 | 34 | 24 | 6 | 0 | 0 | 32 | 0 | 96 | 30 | 43 | 9 | 454 |
| Istarska | 26 | 9 | 10 | 5 | 14 | 7 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 51 |
| Dubrovačko-neretvanska | 19 | 8 | 12 | 5 | 16 | 9 | 5 | 0 | 0 | 0 | 0 | 0 | 26 | 9 | 4 | 1 | 82 |
| Međimurska | 72 | 21 | 80 | 49 | 24 | 14 | 12 | 0 | 1 | 1 | 60 | 0 | 41 | 25 | 11 | 0 | 301 |
| Grad Zagreb | 257 | 162 | 175 | 123 | 125 | 72 | 33 | 4 | 0 | 0 | 95 | 61 | 107 | 76 | 20 | 1 | 812 |
| Ukupno: | 1024 | 470 | 1238 | 792 | 579 | 354 | 268 | 36 | 13 | 11 | 362 | 108 | 873 | 383 | 448 | 54 | 4805 |

Izvor: HZZ

On the basis of measures under the responsibility of the Croatian Employment Office, by December 31, 2006, a total of 4,869 persons from the registry of unemployed persons were encompassed by the program, out of which 3,996 persons gained employment, and 873 of them got involved in the education program. Employers were most interested in the measures related to state support for employment:

Co-financing of employment of young people - a measure directed at young people under 29 years of age, with no work experience or less than 6 months of work experience outside of their profession, provided that they were listed in the unemployment registry for at least 6 months or registered within 90 days from completing education or graduation. On the basis of this measure, a total of 1,024 persons gained employment, out of which 470 women or 45.9%.

Co-financing of employment of long-term unemployed persons - a measure directed at persons registered at the Croatian Employment Office for at least 12 months or, if they are younger than 25, at least 6 months. On the basis of this measure, 1,238 persons were employed, out of which 792 women or 64.0%.

Co-financing of employment of women older than 45 and men older than 50 - a measure aimed at persons who, in addition to the age criterion, meet the condition of duration of registration with the Croatian Employment Office of at least 6 months, the condition of a signed Professional Employment Plan or the condition that their notice period is currently running and they lost their job due to a technological surplus. On the basis of this measure, 579 persons were employed, out of which 354 women or 61.1%.

Co-financing of employment of special groups of unemployed persons - a measure directed at employment of persons with an increased factor for unemployment, unemployed single parents of under-aged children, unemployed women who, before losing their job, used their rights to maternity leave for their third and each next child, unemployed war veterans, women victims of violence, victims of trafficking, asylum seekers, recovered addicts, former prisoners, parents with four or more under-aged children, disabled persons, provided that they are registered with the

Croatian Employment Office for at least 6 months. On the basis of this measure, 268 persons gained employment, out of which 36 women or 13.4%.

During 2006, the Croatian Employment Office also carried out educational activities through the following measures:

- **co-financing of employee training for a known employer** - training co-financed for 375 persons, out of which 119 women or 31.7 %;

- **financing training for an unknown employer** - financing training costs for unemployed persons from the registry of the Croatian Employment Office for professions, additional learning and skills that unemployed persons lack according to the needs of specific local labor markets. This measure helped finance training for a total of 873 persons, out of which 383 women or 43.9 %.

The measure for **public works** co-financed employment of long-term unemployed persons, young people who discontinued their education after primary school or did not finish secondary school, long-term unemployed persons receiving financial compensation for unemployment, users of rights from the Social Welfare Law, women victims of violence, victims of trafficking, asylum seekers, recovered addicts, former prisoners, and parents with four or more under-aged children. This measure helped employ 448 persons, out of which 54 women or 12.0 %.

Out of a total of 4805 persons employed, including those in education and training programs, according to active policy measures from the 2006 Annual Employment Plan, 2208 or 45.9 % were women.

Table 3.

The number of persons employed and involved in education and training programs according to measures from the National Program for Roma People/Decade Action Plan for Involvement of Roma People 2005 - 2015 (on December 31, 2006)

| Županija | Javni radovi | | Osposobljavanje za nepoznatog poslodavca | | Subvencioniranje zapošljavanja Roma u trajanju od 24 mjeseca | | Ukupno | |
|------------------------|--------------|-----------|--|----------|--|----------|------------|-----------|
| | Ukupno | Žene | Ukupno | Žene | Ukupno | Žene | Ukupno | Žene |
| Bjelovarsko-bilogorska | 8 | 1 | 2 | 1 | 2 | 0 | 12 | 2 |
| Međimurska | 29 | 4 | 11 | 5 | 8 | 1 | 48 | 10 |
| Koprivničko-križevačka | 51 | 7 | 0 | 0 | 1 | 0 | 52 | 7 |
| Sisačko-moslavačka | 12 | 0 | 0 | 0 | 0 | 0 | 12 | 0 |
| Osječko-baranjska | 74 | 9 | 0 | 0 | 1 | 0 | 75 | 9 |
| Varaždinska | 7 | 4 | 0 | 0 | 0 | 0 | 7 | 4 |
| Virovitičko-podravska | 4 | 0 | 0 | 0 | 0 | 0 | 4 | 0 |
| Grad Zagreb | 0 | 0 | 1 | 1 | 0 | 0 | 1 | 1 |
| Brodsko-posavska | 9 | 0 | 0 | 0 | 0 | 0 | 9 | 0 |
| Ukupno: | 194 | 25 | 14 | 7 | 12 | 1 | 220 | 33 |

Izvor: HZZ

It is important to note that the indicators of the number of employed persons involved in education and training activities according to the measures of the national program for Roma people from the Decade Action Plan for Involvement of Roma People 2005 - 2015 are documented separately, which is visible from Table 3.

THE MINISTRY OF ECONOMY, LABOR AND ENTREPRENEURSHIP

Some state ministries also implemented their own employment incentive programs in 2006. The Ministry of Economy, Labor and Entrepreneurship stimulated employment by granting incentives to seven projects (see Table 4.)

Table 4.

| Naziv projekta | Broj zahtjeva | Odobreno poticaja ženama |
|--|---------------|--------------------------|
| Poticanje marketinških aktivnosti | 178 | 108 |
| Poduzetništvo ciljnih skupina | 254 | 143 |
| Poticanje uvođenja novih tehnologija | 157 | 80 |
| Inovacijsko-proizvodni cluster - središte znanja | 23 | 16 |
| Dokvalifikacije i prekvalifikacije u obrtništvu | 695 | 266 |
| Umjetnički obrti | 104 | 22 |
| Tehničko usklađivanje | 44 | 42 |
| Ukupno | 1.455 | 677 |

Izvor: Ministarstvo gospodarstva, rada i poduzetništva, odgovor na upit Ureda pravobraniteljice

The data show that the most productive projects for women were two projects: Additional Qualifications in Small Businesses and Entrepreneurship of Target Groups. As far as Innovation and Production Cluster - Knowledge Center is concerned, it is important to note that, in 2005, only men benefited from this project, whereas in 2006, the majority of beneficiaries were women.

THE MINISTRY OF FAMILY, WAR VETERANS AND INTER-GENERATIONAL SOLIDARITY

The employment incentive measure implemented by the Ministry of Family, War Veterans and Inter-Generational Solidarity was the Program of Professional Training and Employment of unemployed Croatian war veterans and children of dead, imprisoned or missing Croatian war veterans, which supported the following activities:

Table 4.

| Mjera | Broj ukupno podnesenih zahtjeva | Broj odobrenih zahtjeva ženama | % |
|--|---------------------------------|--------------------------------|------|
| Stručno osposobljavanje za nepoznatog poslodavca | 628 | 55 | 8,8 |
| Samozapošljavanje | 946 | 18 | 1,9 |
| Kreditiranje malog i srednjeg poduzetništva | 136 | 5 | 13,9 |
| Poticanje osnivanja zadruga hrvatskih branitelja | 33 | 4 | 12,1 |
| Potpore pojedinačnim projektima | 6 | 2 | 33,3 |
| Ukupno: | 1.749 | 84 | 4,8 |

Izvor: Ministarstvo obitelji, branitelja i međugeneracijske solidarnosti

THE MINISTRY OF SEA, TOURISM, TRANSPORT AND DEVELOPMENT

Requests for entrepreneurship loans in tourism are not disaggregated by sex, which is contrary to the provision of Article 17 of the Gender Equality Law (The Official Gazette, 116/03), and are not presented and commented on.

3.3.2. UNEMPLOYMENT - STATISTICS AND DEVELOPMENTS

From 1997, the percentage of women in the total number of unemployed persons has increased to more than 50 %, and on December 31, 2006, it was 60.6%.

Table 5. Unemployment 2002-2006 (on average)

| Godina | Ukupno | Verižni indeks | Žene | Verižni indeks |
|--------|---------|----------------|---------|----------------|
| 2002. | 389.741 | 102,5 | 212.987 | 104,7 |
| 2003. | 329.799 | 84,6 | 189.721 | 89,1 |
| 2004. | 309.875 | 93,9 | 180.847 | 95,3 |
| 2005. | 308.738 | 99,6 | 180.796 | 99,9 |
| 2006 | 291.616 | 94,4 | 175.097 | 96,8 |

Izvor: Mjesečni statistički bilten HZZ 01/07.

In 2002, the largest number of unemployed persons was registered (389,741 people), and the percentage of women in the total number of unemployed persons was 54.6%. After 2002, the number of unemployed persons has been constantly falling off, although this decrease is not proportional to the decrease in unemployment of women. The link index for the total number of unemployed persons in 2003 was 84.6, and the link index for the number of unemployed women was 89.1; in 2004, it was 93.9 for the total number of unemployed persons, and 95.3 for women; in 2005, it was 99.6 for the total number of unemployed persons, and 99.9 for women; and finally, in 2006, it was 94.4 for the total number of unemployed persons, and 96.8 for women.

3.3.3. STRUCTURE OF UNEMPLOYED WOMEN BY AGE AND REGION

As far as the age structure of unemployed persons is concerned, the situation on December 31, 2006 (Source: The Monthly Statistical Bulletin of the Croatian Employment Office no. 12) is identical to the situation from the previous year. The highest percentage of unemployment is found among persons aged 20-24, and the lowest among persons aged 15-19 (unless we include persons over 60). Behind these indicators and the indicators between the described extremes, there is a large number of women (see Table 6).

The analysis by counties shows the following results:

In general, the largest percentage of women among the unemployed is found in Primorsko-goranska county (64.1%), whereas the Bjelovarsko-bilogorska county has the smallest percentage of women among the unemployed persons (55.1%);

In the age group 20-24, the percentage of women in the total number of unemployed persons is the largest in Krapinsko-zagorska county (73.1 %), and the smallest in Ličko-senjska county (52.4%);

In the age group 25-29, the largest percentage of women in the total number of unemployed persons is found in Krapinsko-zagorska county (79.7%), and the smallest in Dubrovačko-neretvanska county (58.6%);

In the age group 45-49, the largest percentage of women in the total number of unemployed persons is found in Istarska county (72.6%), and the smallest in Bjelovarsko-bilogorska county (53.5 %);

In the age group 50-54, the largest percentage of women in the total number of unemployed persons is found in Istarska county (76.1%), and the smallest in Bjelovarsko-bilogorska (52.0%).

These indicators show that the share of women in the total number of unemployed persons in 2006 has been increasing in comparison to 2005, both in general and for all age groups except the age group 35-39.

| Županija | Ukupno Žene% | 15-19 | 20-24 | 25-29 | 30-34 | 35-39 | 40-44 | 45-49 | 50-54 | 55-59 | 60 i više |
|------------------------|--------------------------|-----------------------|------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|-----------------------|---------------------|
| Zagrebačka | 12.870 62,9 | 925 59,1 | 1.819 67,9 | 1.444 72,4 | 1.114 74,0 | 1.023 72,1 | 1.159 67,5 | 1.454 68,7 | 2.185 66,7 | 1.450 28,7 | 297 7,6 |
| Krapinsko-zagorska | 5.480 60,7 | 455 65,6 | 774 73,1 | 513 79,7 | 363 69,7 | 357 67,7 | 466 59,0 | 708 65,0 | 1.104 62,7 | 606 19,6 | 134 7,4 |
| Sisačko-moslavačka | 17.050 58,1 | 928 51,0 | 2.173 58,0 | 1.899 65,1 | 1.699 70,4 | 1.809 66,6 | 2.023 63,6 | 2.124 59,3 | 2.305 56,9 | 1.676 35,5 | 414 18,3 |
| Karlovačka | 12.851 61,7 | 573 54,8 | 1.451 64,6 | 1.380 72,3 | 1.205 72,2 | 1.276 70,0 | 1.529 66,2 | 1.830 63,7 | 2.177 60,8 | 1.184 36,6 | 246 6,5 |
| Varaždinska | 8.800 57,5 | 631 55,4 | 1.319 62,2 | 1.001 68,7 | 681 63,0 | 625 63,3 | 808 55,3 | 1.154 65,5 | 1.511 61,6 | 857 27,2 | 213 5,2 |
| Koprivničko-križevačka | 7.417 57,7 | 612 48,3 | 1.258 63,9 | 947 63,7 | 745 67,2 | 653 65,1 | 654 60,5 | 870 60,2 | 979 59,4 | 592 24,0 | 107 6,5 |
| Bjelovarsko-bilogorska | 11.886 55,1 | 942 54,7 | 1.975 62,6 | 1.491 63,0 | 1.180 64,6 | 1.162 60,3 | 1.221 57,2 | 1.345 53,5 | 1.371 52,0 | 934 25,4 | 265 9,4 |
| Primorsko-goranska | 16.899 64,1 | 780 48,6 | 2.106 60,5 | 2.236 66,6 | 1.626 69,4 | 1.526 70,6 | 1.581 73,1 | 2.024 72,1 | 2.860 71,3 | 1.824 42,2 | 336 17,8 |
| Ličko-senjska | 3.832 56,2 | 219 46,6 | 490 52,4 | 465 67,5 | 361 67,6 | 391 68,5 | 435 62,5 | 496 54,0 | 561 55,6 | 322 34,5 | 92 8,7 |
| Virovitičko-podravska | 9.421 58,2 | 637 56,8 | 1.550 63,7 | 1.310 63,8 | 986 70,2 | 923 66,3 | 1.048 57,6 | 1.056 54,9 | 1.061 52,8 | 688 30,6 | 162 21,0 |
| Požeško-slavonska | 5.477 59,1 | 436 52,0 | 993 67,1 | 753 70,0 | 536 63,1 | 482 61,8 | 513 58,5 | 569 54,8 | 741 58,7 | 364 28,8 | 90 7,7 |
| Brodsko-posavska | 15.311 62,5 | 1.103 57,9 | 2.209 65,6 | 1.958 74,0 | 1.686 74,4 | 1.635 68,8 | 1.708 66,1 | 1.791 61,1 | 1756 57,6 | 1.065 34,6 | 400 15,0 |
| Zadarska | 11.898 62,0 | 590 51,8 | 1.252 59,2 | 1.346 68,9 | 1.236 73,5 | 1.341 73,4 | 1.417 68,4 | 1.465 63,7 | 1.770 62,7 | 1.202 39,0 | 279 11,8 |
| Osječko-baranjska | 29.767 60,7 | 1.907 54,2 | 4.676 62,1 | 4.009 67,8 | 3.057 71,2 | 3.041 70,0 | 3.113 65,9 | 3.270 61,0 | 3765 59,1 | 2.342 33,2 | 587 10,6 |
| Šibensko-kninska | 9.122 57,9 | 404 47,5 | 1.074 55,5 | 1.068 59,6 | 940 65,2 | 1.137 67,6 | 1.183 64,5 | 1.240 58,2 | 1.328 57,5 | 632 35,6 | 116 7,7 |
| Vukovarsko-srijemska | 18.280 57,5 | 1.181 53,2 | 2.870 57,0 | 2.350 64,4 | 2.167 64,9 | 2.034 64,3 | 2.026 59,5 | 1.979 57,9 | 2.071 57,4 | 1.258 36,4 | 344 7,3 |
| Splitsko-dalmatinska | 38.836 62,6 | 2.109 49,3 | 5.228 56,8 | 5.356 64,3 | 4.736 68,1 | 4.778 71,3 | 4.635 70,4 | 4.382 66,6 | 4.476 64,7 | 2.597 40,9 | 539 19,1 |
| Istarska | 7.232 65,5 | 345 50,1 | 896 62,8 | 867 68,8 | 638 73,6 | 636 74,5 | 679 69,4 | 953 72,6 | 1.380 76,1 | 724 31,5 | 114 16,6 |
| Dubrovačko-neretvanska | 8.400 60,5 | 344 46,8 | 1.085 55,5 | 1.192 58,6 | 928 65,6 | 860 71,2 | 918 67,9 | 1.017 66,1 | 1.218 68,0 | 676 37,3 | 162 11,9 |
| Međimurska | 6.563 63,8 | 676 59,6 | 1.113 67,7 | 883 69,4 | 643 67,6 | 494 69,4 | 564 65,4 | 743 70,1 | 899 69,3 | 430 28,4 | 118 4,2 |
| Grad Zagreb | 35.761 60,4 | 1.820 56,0 | 5.023 62,3 | 4.949 66,2 | 3.126 66,8 | 2.804 69,2 | 3.276 64,1 | 3.951 65,0 | 5.764 65,8 | 3.974 36,8 | 1.074 20,1 |
| Ukupno Žene % | 293153 177649 60,5 | 17617 9463 53,7 | 41334 25394 61,4 | 37417 24963 66,7 | 29653 20454 68,9 | 28987 19946 68,8 | 30956 20182 65,2 | 34421 21771 63,2 | 41282 25855 62,6 | 25397 8797 34,6 | 6089 824 13,5 |

Table 6. shows the data on unemployed persons by age and county in the Republic of Croatia at the end of December 2006 (Source: The Monthly Statistical Bulletin of the Croatian Employment Office 12/06).

CONCLUSION

In order to initiate the processes of reducing unemployment, the Croatian Government proposed special programs for stimulating employment - through the Croatian Employment Office and individual ministries, and through special measures for stimulating employment targeting specific groups of unemployed persons. The majority of women employed through these programs have high school education, and there are many women with higher education, which is the same as in 2005. In terms of employment by region and type of job, the largest number of these women come from Splitsko-dalmatinska county, the City of Zagreb and Primorsko-goranska county (in 2005, most of them came from the City of Zagreb, then Splitsko-dalmatinska county and Osječko-baranjska county). Employment incentives implemented by the Ministry of Economy, Labor and Entrepreneurship show a slow upward trend in the share of women in the total number of approved incentives, whereas, in case of the Ministry of Family, War Veterans and Inter-generational Solidarity, a relatively low share of women in the approved incentives is not surprising, given a relatively small number of women in the population of war veterans. Because of the 2006 Annual Plan for Stimulating Employment, featuring different measures and implementing bodies than the 2005 plan, and since, in some spheres, the data is not disaggregated by sex, it is not possible to compare the effects of employment in 2006 with previous years.

Since co-financing of employment of special groups of unemployed persons does not keep separate data on employment of single parents of under-aged children, based on the fact that, out of a total of 268 employed persons, there were only 36 women, we can guess that among them, there is a very small number of single mothers of under-aged children.

The Gender Equality Ombudsperson proposes:

- 1. Introduction of programs targeting single mothers at greater risk of unemployment and social exclusion.**
- 2. Increased financial support for employment of women aged 45 or more, who lost their jobs in the process of transition as technological surplus and are considered as the least employable social group.**

3.4. ANALYSIS OF GENDER STRUCTURE OF EMPLOYEES IN MINISTRIES OF THE REPUBLIC OF CROATIA ACCORDING TO THE LEVEL OF EDUCATION AND TYPE OF EMPLOYMENT

The requirements for positions and salaries of employees in state administration bodies are stipulated by the Law on Civil Servants (The Official Gazette 92/05, effective on January 1, 2006). According to Article 145, para. 1, point 6 of this Law, the Croatian Government was obliged to adopt a regulation that would elaborate the jobs and positions within each category, but this regulation has not been adopted yet. Therefore, the analysis of jobs and positions on the basis of the requirement of level of education can be done only according to the jobs and positions of employees defined by the Law on Civil Servants (The Official Gazette 27/03 - out of effect from January 1, 2005), because civil servants, due to the absence of the above mentioned regulation, have not in the meantime been transferred from jobs and positions stipulated by this law to jobs and positions according to Article 74, para. 3 of the Law on Civil Servants (The Official Gazette 92/05).

Article 63 and 64 of the Law on Civil Servants (The Official Gazette 27/03) define the following jobs and positions, depending on the level of education as the general requirement:

- class I. jobs and positions, with university education as the general requirement,
- class II. jobs and positions, with college education as the general requirement,
- class III. jobs and positions, with secondary education as the general requirement.

Depending on the level of education as the general requirement for transfer to jobs and positions, the following positions are established:

- class III. jobs and positions, with secondary education as the general requirement,
- class IV. jobs and positions, with primary education as the general requirement.

Article 109, para. 4 of this Law stipulates the values of coefficients of complexity of jobs and positions within which these coefficients can range:

- class I. jobs and positions - 1,05 to 3,50
- class II. jobs and positions - 0,90 to 1,20
- class III. jobs and positions - 0,65 to 1,
- class IV. jobs and positions - 0,50 do 0,75.

Regulation on the titles of jobs and positions and coefficients of complexity of civil service jobs and positions (The Official Gazette 37/01) defines the titles of jobs and positions and matching coefficients for employees in state administration bodies.

Evaluation of salaries of employees in state administration bodies could, without a more detailed analysis, lead us to the conclusion that there is no difference between employees' salaries in terms of gender, because, for every job and position within the state administration bodies, there are coefficients of complexity identical for all employees.

However, to give an informed judgment on this, it is necessary to conduct an analysis of the gender structure of workforce in individual administration bodies and their arrangement across individual jobs and positions. That is why, during 2006, the Gender Equality Ombudsperson collected and analyzed data for all ministries concerning the total number of employees, and their arrangement across individual jobs and positions according to gender.

The data cover all employees in ministries whose funds for salaries are secured through the state budget, through the job description as regulated by the above said regulation and the description of specific jobs characteristic for individual ministries.

In addition to evaluating the current situation, the goal of the research was to point out potential differences and anomalies to be corrected in the future *de lege ferenda* - when introducing the regulation from Article 74, para. 6 of the Law on Civil Servants (The Official Gazette 92/05), that is, the regulation on detailed elaboration of jobs and positions within each category of jobs and positions, which the Croatian Government must adopt.

The following tables show the analyzed data for each ministry:

Table 7. THE MINISTRY OF INTERNAL AFFAIRS

| ZAPOSLENICI/E | Žene % | Muškarci % |
|--|--------|------------|
| Ukupno zaposleni | 25 | 75 |
| Ukupno zaposleni I. vrste | 27 | 73 |
| Ukupno zaposleni II. vrste | 17 | 83 |
| Ukupno zaposleni III. vrste | 22 | 78 |
| Ukupno zaposleni IV. vrste | 90 | 10 |
| Ukupno zaposleni I. vrste – položaji | 14 | 86 |
| Ukupno zaposleni II. vrste – položaji | 12 | 88 |
| Ukupno zaposleni III. vrste – položaji | 0 | 0 |

Table 8. THE MINISTRY OF SCIENCE, EDUCATION AND SPORT

| ZAPOSLENICI/E | Žene % | Muškarci % |
|--|--------|------------|
| Ukupno zaposleni | 74 | 26 |
| Ukupno zaposleni I. vrste | 71 | 29 |
| Ukupno zaposleni II. vrste | 82 | 18 |
| Ukupno zaposleni III. vrste | 77 | 23 |
| Ukupno zaposleni IV. vrste | 80 | 20 |
| Ukupno zaposleni I. vrste – položaji | | |
| Ukupno zaposleni II. vrste – položaji | 100 | 0 |
| Ukupno zaposleni III. vrste – položaji | 100 | 0 |

Table 9. THE MINISTRY OF HEALTH CARE AND SOCIAL WELFARE

| ZAPOSLENICI/E | Žene % | Muškarci % |
|--|--------|------------|
| Ukupno zaposleni | 75 | 25 |
| Ukupno zaposleni I. vrste | 71 | 29 |
| Ukupno zaposleni II. vrste | 72 | 28 |
| Ukupno zaposleni III. vrste | 92 | 18 |
| Ukupno zaposleni IV. vrste | 0 | 0 |
| Ukupno zaposleni I. vrste – položaji | 74 | 26 |
| Ukupno zaposleni II. vrste – položaji | 40 | 60 |
| Ukupno zaposleni III. vrste – položaji | 66 | 34 |

Table 10. THE MINISTRY OF ENVIRONMENT, PHYSICAL PLANNING AND CONSTRUCTION

| ZAPOSLENICI/E | Žene % | Muškarci % |
|--|--------|------------|
| Ukupno zaposleni | 65 | 35 |
| Ukupno zaposleni I. vrste | 62 | 38 |
| Ukupno zaposleni II. vrste | 73 | 27 |
| Ukupno zaposleni III. vrste | 79 | 21 |
| Ukupno zaposleni IV. vrste | 100 | 0 |
| Ukupno zaposleni I. vrste – položaji | 54 | 46 |
| Ukupno zaposleni II. vrste – položaji | 100 | 0 |
| Ukupno zaposleni III. vrste – položaji | 0 | 0 |

Table 11. THE MINISTRY OF FOREIGN AFFAIRS AND EUROPEAN INTEGRATIONS

| ZAPOSLENICI/E | Žene % | Muškarci % |
|--|--------|------------|
| Ukupno zaposleni | 60 | 40 |
| Ukupno zaposleni I. vrste | 62 | 38 |
| Ukupno zaposleni II. vrste | 59 | 41 |
| Ukupno zaposleni III. vrste | 54 | 46 |
| Ukupno zaposleni IV. vrste | 100 | 0 |
| Ukupno zaposleni I. vrste – položaji | 58 | 42 |
| Ukupno zaposleni II. vrste – položaji | 14 | 86 |
| Ukupno zaposleni III. vrste – položaji | 100 | 0 |

Table 12. Data on employees in embassies and consulates of the Republic of Croatia

| Naziv | Žene % | Muškarci % |
|-----------------------------------|--------|------------|
| Veleposlanik/ica u MVP | 28 | 72 |
| Opunomoćeni/a ministar/ministrice | 28 | 72 |
| Ministar/ministrice savjetnik/ca | 36 | 64 |
| Diplomatski/a savjetnik/ca | 67 | 33 |
| Prvi/a tajnik/ca | 69 | 31 |
| Drugi/a tajnik/ca | 68 | 32 |
| Treći/a tajnik/ca | 57 | 43 |
| Attache/ica | 52 | 48 |

Table 13. THE MINISTRY OF TOURISM, TRANSPORT AND DEVELOPMENT

| ZAPOSLENICI/E | Žene % | Muškarci % |
|--|--------|------------|
| Ukupno zaposleni | 47 | 53 |
| Ukupno zaposleni I. vrste | 46 | 54 |
| Ukupno zaposleni II. vrste | 22 | 78 |
| Ukupno zaposleni III. vrste | 56 | 44 |
| Ukupno zaposleni IV. vrste | 90 | 10 |
| Ukupno zaposleni I. vrste – položaji | 48 | 52 |
| Ukupno zaposleni II. vrste – položaji | | |
| Ukupno zaposleni III. vrste – položaji | 0 | 100 |

Table 14. THE MINISTRY OF JUSTICE

| ZAPOSLENICI/E | Žene % | Muškarci % |
|--|--------|------------|
| Ukupno zaposleni | 49 | 51 |
| Ukupno zaposleni I. vrste | 70 | 30 |
| Ukupno zaposleni II. vrste | 85 | 15 |
| Ukupno zaposleni III. vrste | 36 | 64 |
| Ukupno zaposleni IV. vrste | 100 | 0 |
| Vježbenici | 59 | 31 |
| Ukupno zaposleni I. vrste – položaji | 70 | 30 |
| Ukupno zaposleni II. vrste – položaji | 75 | 25 |
| Ukupno zaposleni III. vrste – položaji | 100 | 0 |

Table 15. THE MINISTRY OF AGRICULTURE, FORESTRY AND WATER MANAGEMENT

| ZAPOSLENICI/E | Žene % | Muškarci % |
|--|--------|------------|
| Ukupno zaposleni | 52 | 48 |
| Ukupno zaposleni I. vrste | 49 | 51 |
| Ukupno zaposleni II. vrste | 88 | 12 |
| Ukupno zaposleni III. vrste | 83 | 17 |
| Ukupno zaposleni IV. vrste | 0 | 0 |
| Ukupno zaposleni I. vrste – položaji | 50 | 50 |
| Ukupno zaposleni II. vrste – položaji | 0 | 0 |
| Ukupno zaposleni III. vrste – položaji | 71 | 29 |

Table 16. THE MINISTRY OF DEFENSE

| ZAPOSLENICI/E | Žene % | Muškarci % |
|------------------|--------|------------|
| Ukupno zaposleni | 17 | 83 |

Table 17. THE MINISTRY OF FAMILY, WAR VETERANS AND INTER-GENERATIONAL SOLIDARITY

| ZAPOSLENICI/E | Žene % | Muškarci % |
|--|--------|------------|
| Ukupno zaposleni | 79 | 21 |
| Ukupno zaposleni I. vrste | 75 | 25 |
| Ukupno zaposleni II. vrste | 50 | 50 |
| Ukupno zaposleni III. vrste | 87 | 13 |
| Ukupno zaposleni IV. vrste | 100 | 0 |
| Ukupno zaposleni I. vrste – položaji | 77 | 23 |
| Ukupno zaposleni II. Vrste – položaji | 0 | 100 |
| Ukupno zaposleni III. Vrste – položaji | 77 | 23 |

Table 18. THE MINISTRY OF CULTURE

| ZAPOSLENICI/E | Žene % | Muškarci % |
|--|--------|------------|
| Ukupno zaposleni | 71 | 29 |
| Ukupno zaposleni I. vrste | 68 | 32 |
| Ukupno zaposleni II. vrste | 75 | 25 |
| Ukupno zaposleni III. vrste | 71 | 29 |
| Ukupno zaposleni IV. vrste | 100 | 0 |
| Ukupno zaposleni I. vrste – položaji | 81 | 19 |
| Ukupno zaposleni II. Vrste – položaji | 75 | 25 |
| Ukupno zaposleni III. Vrste – položaji | 100 | 0 |

Table 19. THE MINISTRY OF ECONOMY, LABOUR AND ENTREPRENEURSHIP

| ZAPOSLENICI/E | Žene % | Muškarci % |
|--|--------|------------|
| Ukupno zaposleni | 71 | 29 |
| Ukupno zaposleni I. vrste | 68 | 32 |
| Ukupno zaposleni II. vrste | 93 | 7 |
| Ukupno zaposleni III. vrste | 75 | 25 |
| Ukupno zaposleni IV. vrste | 0 | 0 |
| Ukupno zaposleni I. vrste – položaji | 93 | 7 |
| Ukupno zaposleni II. Vrste – položaji | 0 | 0 |
| Ukupno zaposleni III. Vrste – položaji | 0 | 100 |

Table 20. THE MINISTRY OF FINANCE

| ZAPOSLENICI/E | Žene % | Muškarci % |
|--|--------|------------|
| Ukupno zaposleni | 56 | 44 |
| Ukupno zaposleni I. vrste | 62 | 38 |
| Ukupno zaposleni II. vrste | 54 | 46 |
| Ukupno zaposleni III. vrste | 52 | 48 |
| Ukupno zaposleni IV. vrste | 78 | 22 |
| Vježbenici | 69 | 31 |
| Ukupno zaposleni I. vrste – položaji | 54 | 46 |
| Ukupno zaposleni II. Vrste – položaji | 18 | 82 |
| Ukupno zaposleni III. Vrste – položaji | 17 | 83 |

The analyzed data point to the following:

In general, the ministries employ much more men than women, primarily because of a large number of male employees in the two "typically male" ministries - the Ministry of Defense and the Ministry of Internal Affairs. However, if you exclude these two ministries, women are significantly more represented and the ratio is 58% to 42%;

In 9 ministries, the majority of employees are women, and in 4 ministries, men;

Out of the 9 ministries with female majority, in 7 of them women are significantly more represented than the average for female and male population in Croatia (from 60% to 79%), and in 2 ministries, they are close to the average (from 52% to 56%);

If we exclude the Ministry of Defense, we can conclude that women are more represented in 9 ministries, but in 7 of them, they are underrepresented at class I. jobs and positions, while in 5 ministries, the situation is vice versa;

In general, when we look at all employees at class I. jobs and positions, which are regarded as the best paid within the state administration (apart from officials' salaries), not taking into account the Ministry of Defense, it turns out that women are represented with 39%, and men with 61%, and if we also exclude the Ministry of Internal Affairs, the ratio is 58% to 42% in favor of women, which

actually corresponds to the total ratio of employees by gender without the two above mentioned ministries (see paragraph 1. of this section);

If we look at the total number of employees at class II. jobs and positions (best paid jobs within class II. profession), not taking into account the Ministry of Defense, we can conclude that women are represented with 16%, and men with 84%, and if we also exclude the Ministry of Internal Affairs as in the previous paragraph, the ratio is 23% to 77%, which is significantly below the figures for the total number of employees;

Regarding the employees at class III. jobs and positions (also the best paid within class III. profession), we can see that women are represented with 35%, and men with 65%, not taking into account the Ministry of Internal Affairs;

If we look at employees by gender and classes of profession and exclude the two "typically male" ministries, we can conclude that, among the employees in class I. profession, including employees at positions, women are represented with 61%, and men with 41%. The figures for employees in class II. profession are 53% to 47% in favor of women, and for employees in class III. profession, 55% to 45%, also in favor of women; for employees in class IV. profession, the ratio is significantly higher in favor of women, 85% to 15%;

As far as the Ministry of Foreign Affairs and European Integrations is concerned, it is particularly important to note the extremely high percentage of men in relation to women at positions such as ambassador, minister's assignee, and minister advisor, which is higher "rank" than diplomatic advisor, first secretary, second secretary, third secretary and attaché, where the majority are women.

CONCLUSION:

If we exclude the two "typically male" ministries (the Ministry of Defense and the Ministry of Internal Affairs), we can conclude that the representation of women in state ministries is, in general, satisfactory. But, in addition to the fact that there actually exist two ministries that are, by their gender structure, already marked as "typically male", it is also disturbing that, among the employees in class IV. profession, that is, jobs and positions requiring the lowest level of education, the number of women is by far larger than the number of men (85% to 15%), and that, in the Ministry of Foreign Affairs and European Integrations, the jobs and positions in class I. profession are practically inaccessible to women.

3.5. DISCRIMINATION IN THE SPHERE OF EMPLOYMENT AND WORK - JOB ADVERTISEMENTS

For the purpose of monitoring the implementation of Article 13, para. 2 of the GEL, stipulating that "job advertisements must clearly specify that persons of both sexes can apply for advertised job vacancies", during 2006, the Gender Equality Ombudsperson analyzed job advertisements in daily (national and regional) press and the Official Gazette.

The Gender Equality Ombudsperson concluded that 667 job advertisements did not clearly specify that persons of both sexes can apply for the advertised job vacancy as stipulated by Article 13, para. 2 of the GEL and sent a total of 667 warnings about the violation of the GEL to these employers. For the purposes of this report, we categorized these warnings into three groups:

- a) 142 warnings to state administration bodies, legal entities with public authority and legal entities predominantly owned by the state;
- b) 320 warnings to the bodies of local and regional government and legal entities predominantly owned by them;
- c) 205 warnings to other legal and physical entities.

For the purpose of monitoring the implementation of the GEL related to discrimination in the sphere of work and employment and according to Article 13, para. 2 of the GEL, the Gender Equality Ombudsperson also conducted two analyses of job advertising in newspapers and publications.

From September 1 to September 30, 2006 (hereinafter: Analysis 1), the Gender Equality Ombudsperson monitored and analyzed job advertisements in daily newspapers Vjesnik, Večernji list and Jutarnji list, and from December 1 to December 31, 2006 (hereinafter: Analysis 2), job advertisements in daily newspapers Slobodna Dalmacija, Novi list, Glas Istre, Glas Slavonije and the official publication of the Republic of Croatia, the Official Gazette (no. 131 of December 4, 2006; 132 of December 6, 2006; 133 of December 11, 2006; 135 of December 13, 2006; 136 of December 18, 2006; 138 of December 20, 2006; 139 of December 22, 2006; 141 of December 27, 2006; and 143 of December 29, 2006).

In the following analyses, the advertisers are categorized into more than three groups, for methodological reasons.

3.5.1. ANALYSIS 1 - JOB ADVERTISEMENTS IN NEWSPAPERS AND PUBLICATIONS (SEPTEMBER 1 - SEPTEMBER 30, 2006)

From September 1 to September 30, 2006, the Gender Equality Ombudsperson monitored job advertisements in daily newspapers Vjesnik, Večernji list and Jutarnji list in order to examine the implementation of the provisions of Article 13, para. 2 of the Gender Equality Law, stipulating that "job advertisements must clearly specify that persons of both sexes can apply for advertised job vacancies".

Methodology

By surveying the above mentioned daily newspapers, we singled out all job advertisements published from September 1 to September 30, 2006 and divided them into three groups: those that do not clearly specify that persons of both sexes can apply for the advertised job vacancies, those that are in full compliance with the Gender Equality Law and those that cannot be put into either of these categories because they only partially comply with Article 13, para. 2 of the Gender Equality Law. We grouped the advertisers/employers into the following groups:

- o companies (joint stock companies, limited companies, banks);
- o group 1. educational institutions (elementary and high schools, vocational-technical schools, music schools, educational centers, kindergartens);
- o group 2. educational institutions (universities, faculties, colleges);

- o state bodies and institutions (ministries, agencies, institutes, cities, tourist offices, national parks);
- o health-care institutions (hospitals, clinics, outpatient clinics)
- o other (small businesses, attorneys at law, trade unions, theatres)

The percentages are expressed in round numbers.

Out of the total number of regular and irregular job advertisements, we singled out and described those that were confusing, those written in foreign language and those we wanted to highlight because of their specific way of advertising.

Job advertisements in numbers

The total number of job advertisements published from September 1 to September 30, 2006 was: 391.

1. 234 job advertisements did not clearly specify that persons of both sexes can apply for the advertised job vacancy.

2. 157 job advertisements applied the provision of Article 13, para. 2 of the GEL.

234 advertisements did not comply with the provision of Article 13, para. 2 of the Gender Equality Law because advertisers/employers did not clearly specify that persons of both sexes can apply for the advertised job vacancies. We divided these advertisements according to groups of advertisers/employers:

Table 21.

| Grupa | Broj oglasa | Postotak |
|---|-------------|--------------|
| Poduzeća (d.d., d.o.o., banke) | 133 | 57 % |
| Obrazovne ustanove I. grupe (osnovne, srednje škole, centri za odgoj, glazbene škole, dječji vrtići) | 48 | 20 % |
| Obrazovne ustanove II. grupe (visoka učilišta, sveučilišta, fakulteti) | 27 | 11 % |
| Državna tijela i institucije (ministarstva, zavodi, agencije, instituti, nacionalni parkovi, turističke zajednice, zavodi za javno zdravstvo) | 12 | 5 % |
| Zdravstvene ustanove (bolnice, poliklinike, domovi zdravlja) | 11 | 5 % |
| Ostalo (obrtnici, odvjetnici, sindikati, kazališta) | 3 | 2 % |
| Ukupno | 234 | 100 % |

157 advertisements that were in full compliance with Article 13, para. 2 of the Gender Equality Law were also divided according to groups of advertisers/employers:

Table 22.

| Grupa | Broj oglasa | Postotak |
|---|-------------|--------------|
| Poduzeća (d.d., d.o.o., banke) | 110 | 70 % |
| Obrazovne ustanove I. grupe (osnovne, srednje škole, centri za odgoj, glazbene škole, dječji vrtići) | 28 | 18 % |
| Državna tijela i institucije (ministarstva, zavodi, agencije, instituti, nacionalni parkovi, turističke zajednice, zavodi za javno zdravstvo) | 15 | 10 % |
| Ostalo (obrtnici, odvjetnici, sindikati, kazališta) | 2 | 1 % |
| Zdravstvene ustanove (bolnice, poliklinike, domovi zdravlja) | 1 | 0,5 % |
| Obrazovne ustanove II. grupe (visoka učilišta, sveučilišta, fakulteti) | 1 | 0,5 % |
| Ukupno | 157 | 100 % |

Analysis:

- 82 advertisements added m/ž (m/f) next to the title of the advertised position;
- 52 advertisements specified the female and male gender of the occupation, for example, učitelj/ica, or kandidat/kandidatkinja or izvršitelj/izvršiteljica;
- 23 advertisements explicitly said that "persons of both sexes can apply for the advertised vacancy".

Companies (joint stock companies, limited companies, banks) prefer using m/ž - 75, educational institutions prefer using the male and female gender of the noun - 18, and state bodies stress that persons of both sexes can apply for the advertised vacancy - 9.

Comparison by groups

When we compare the groups of advertisers from both tables, we can see that there are more advertisements that are not in accordance with the Gender Equality Law (234 to 157). Approximately the same number of companies and banks both comply and do not comply with Article 13, para. 2 of the Gender Equality Law. Regarding group 1. educational institutions, there are twice as many advertisements that do not indicate that persons of both sexes can apply for the advertised vacancy than those that point this out in some way. Unfortunately, colleges, universities and faculties, as well as hospitals, clinics and outpatient clinics still do not specify in their advertisements that persons of both sexes can apply for the advertised job vacancies. An almost equal percentage of state bodies and institutions have both regular and irregular advertisements.

Table 23. shows percentages for individual groups of advertisers complying with or violating Article 13, para. 2 of the Gender Equality Law

| Grupe oglašivača | Ukupan broj natječaja | Kršili Zakon (Tablica 1) | U skladu sa Zakonom (Tablica 2) |
|---|-----------------------|--------------------------|---------------------------------|
| Poduzeća (d.d., d.o.o., banke) | 243 | 55 % | 45 % |
| Obrazovne ustanove I. grupe (osnovne, srednje škole, centri za odgoj, glazbene škole, dječji vrtići) | 76 | 63 % | 37 % |
| Državna tijela i institucije (ministarstva, zavodi, agencije, instituti, nac. parkovi, turističke zajednice, zavodi za javno zdravstvo) | 27 | 44 % | 56 % |
| Obrazovne ustanove II. grupe (visoka učilišta, sveučilišta, fakulteti) | 28 | 96 % | 4 % |
| Zdravstvene ustanove (bolnice, poliklinike, domovi zdravlja) | 12 | 92 % | 8 % |
| Ostalo (obrtnici, odvjetnici, sindikati, kazališta) | 5 | 60 % | 40% |
| Ukupno | 391 | | |

Conclusion

There are still twice as many job advertisements that are not in accordance with Article 13, para. 2 of the Gender Equality Law than those that are;

42 % of advertisers that do not comply with this Article are educational institutions, state bodies and institutions, and health-care institutions (hospitals, polyclinics and outpatient clinics);

With only a few exceptions, advertisers still distinguish between "female" and "male" occupations so that secretarial, administrative and cleaning jobs are perceived as female occupations, whereas seamen, conductors, security guards, engineers and construction workers are perceived as male;

Occupations related to banking, business agencies, commerce, sales, marketing and the like are more and more often advertised as open to persons of both sexes regardless of the level of hierarchy (salesmen, heads of accounting, personal bankers, heads of departments, coordinators of back office affairs for securities etc.);

None of the advertisements for the position of director or principal of any profile stated that persons of both sexes can apply for the vacancy.

3.5.2. ANALYSIS 2 - JOB ADVERTISEMENTS IN NEWSPAPERS AND PUBLICATIONS (DECEMBER 1 - DECEMBER 31, 2006)

From December 1 to December 31, 2006, the Office of the Gender Equality Ombudsperson monitored job advertisements in daily newspapers Slobodna Dalmacija, Novi list, Glas Istre, Glas Slavonije, and the official publication of the Republic of Croatia, The Official Gazette (no. 131 of December 4, 2006; 132 of December 6, 2006; 133 of December 11, 2006; 135 of December 13, 2006; 136 of December 18, 2006; 138 of December 20, 2006; 139 of December 22, 2006; 141 of December

27, 2006; and 143 of December 29, 2006). The aim of the analysis was to examine the implementation of the provisions of Article 13, para. 2 of the Gender Equality Law (hereinafter: GEL), stipulating that "job advertisements must clearly specify that persons of both sexes can apply for advertised job vacancies".

Methodology

By surveying the above mentioned daily newspapers and the Official Gazette, we singled out all job advertisements published from December 1 to December 31, 2006 and divided them into two groups: those that do not clearly specify that persons of both sexes can apply for the advertised job vacancies, and those that are in full compliance with the Gender Equality Law. We grouped the advertisers into the following groups:

- o companies (joint stock companies, limited companies, banks);
- o group 1. educational institutions (elementary and high schools, vocational-technical schools, music schools, educational centers, kindergartens);
- o group 2. educational institutions (universities, faculties, colleges, academies);
- o state bodies and institutions and local and regional government (ministries, institutes, agencies, national parks, tourist offices, institutes for public health, cities, counties, centers for social welfare);
- o health-care institutions (hospitals, polyclinics, outpatient clinics)
- o other (small businesses, theatres, NGOs)

The percentages are expressed in round numbers.

Table 1. shows how many and what percentage of members of each group did not comply with the provision of the GEL concerning job advertising. Table 2 shows how many and what percentage of members of each group were in full compliance with the GEL, and Table 3 shows the percentage in which each group violated or complied with Article 13, para. 2 of the GEL in relation to the total number of job advertisements issued by that group. Table 4 compares the results of this research with the percentages from the analysis conducted in September 2006 on daily newspapers Večernji list, Jutarnji list and Vjesnik.

Job advertisements in numbers

The total number of job advertisements published from December 1 to December 31, 2006 was: 465.

- 309 job advertisements (208 from the daily newspapers and 101 from the Official Gazette) did not clearly specify that persons of both sexes can apply for the advertised job vacancy.
- 156 job advertisements (60 from the daily newspapers and 96 from the Official Gazette) applied the provision of Article 13, para. 2 of the GEL.

During December 2006, the Office of the Gender Equality Ombudsperson sent by regular mail 303 warnings to advertisers stating that the job advertisements published in the above mentioned publications were not in accordance with the provision of Article 13, para. 2 of the GEL. Six advertisers that did not comply with this Article could not receive the warning by regular mail since only their e-mail address or phone number was mentioned in the advertisement, but we included them in the total number of irregular job advertisements for the purposes of this research.

309 job advertisements that did not comply with the provision of Article 13, para. 2 of the Gender Equality Law were divided according to groups of advertisers:

Table 24. Job advertisements that did not comply with the provision of the GEL concerning job advertising

| Grupa | Broj oglasa | Postotak |
|---|-------------|----------|
| Obrazovne ustanove I. grupe (osnovne i srednje škole, centri za odgoj, strukovne škole, glazbene škole, dječji vrtići) | 108 | 35 % |
| Državna tijela i institucije i lokalna (regionalna) uprava i samouprava (ministarstva, zavodi, agencije, instituti, nacionalni parkovi, turističke zajednice, zavodi za javno zdravstvo, gradovi, županije, centri za socijalnu skrb) | 76 | 24 % |
| Poduzeća (d.d., d.o.o., banke) | 64 | 21 % |
| Obrazovne ustanove II. grupe (visoka učilišta, sveučilišta, fakulteti, akademije) | 49 | 16 % |
| Zdravstvene ustanove (bolnice, poliklinike, domovi zdravlja) | 6 | 2% |
| Ostalo (obrtnici, kazališta, udruge) | 6 | 2 % |
| Ukupno | 309 | 100% |

Out of the total number of job advertisements that did not comply with the provision of the GEL, the group that most often violated this provision includes group I. educational institutions such as primary and secondary schools, vocational-technical schools, and kindergartens (35%), followed by state bodies and institutions and local (regional) government (24%).

156 job advertisements were in accordance with Article 13, para. 2 of the Gender Equality Law and clearly specified that persons of both sexes can apply for the advertised position:

Table 25. Job advertisements in full compliance with the GEL

| Grupa | Broj oglasa | Postotak |
|---|-------------|----------|
| Državna tijela i institucije i lokalna (regionalna) uprava i samouprava (ministarstva, zavodi, agencije, instituti, nacionalni parkovi, turističke zajednice, zavodi za javno zdravstvo, gradovi, županije, centri za socijalnu skrb) | 76 | 49 % |
| Obrazovne ustanove I. grupe (osnovne i srednje škole, centri za odgoj, strukovne škole, glazbene škole, dječji vrtići) | 39 | 25 % |
| Obrazovne ustanove II. grupe (visoka učilišta, sveučilišta, fakulteti, akademije) | 21 | 13 % |
| Poduzeća (d.d., d.o.o., banke) | 19 | 12 % |
| Zdravstvene ustanove (bolnice, poliklinike, domovi zdravlja) | 1 | 1 % |
| Ostalo (obrtnici, kazališta, udruge) | 0 | 0 % |
| Ukupno | 156 | 100% |

There are various ways in which job advertisements specify that persons of both sexes can apply for the advertised position:

23 advertisements put m/ž after the title of the advertised position;

65 advertisements mention the female and male gender of the profession, for example, učitelj/ica, or kandidat/kandidatkinja or izvršitelj/izvršiteljica;

67 advertisements state: Persons of both sexes can apply for the advertised position.

One advertisement by an institution of higher education in Zagreb includes this statement: Terms used in this advertisement that have a gender meaning, whether used in male or female gender, include in the same way persons of both male and female gender.

Companies (joint stock companies, limited companies, banks) most often use m/ž - 12, group I. educational institutions use male and female gender of the noun - 23, and state bodies and institutions and local (regional) government most often use the phrase "persons of both sex" - 43. In the analyzed period, 8 ministries issued a total of 27 job advertisements (18% of the total number of advertisements by state bodies and institutions and local (regional) government), out of which only 2 were not in accordance with the GEL.

In the group "companies, large department store chains and foreign banks with franchises in Croatia", almost 100% of job advertisements comply with the provision of the GEL.

In Table 26, the groups of advertisers are arranged by the total number of published job advertisements, and percentages in which they violated or complied with Article 13, para. 2 of the GEL are calculated:

Table 26. Percentages of violation or compliance with the provision of Article 13, para. 2 of the GEL in the total number of advertisements by individual groups of advertisers

| Grupe oglašivača | Ukupan broj Natječaja | Kršili Zakon (Tablica 1) | U skladu sa Zakonom (Tablica 2) |
|---|-----------------------|--------------------------|---------------------------------|
| Državna tijela i institucije i lokalna (regionalna) uprava i samouprava (ministarstva, zavodi, agencije, instituti, nacionalni parkovi, turističke zajednice, zavodi za javno zdravstvo, gradovi, županije, centri za socijalnu skrb) | 152 | 50% | 50% |
| Obrazovne ustanove I. grupe (osnovne i srednje škole, centri za odgoj, strukovne škole, glazbene škole, dječji vrtići) | 147 | 73% | 27% |
| Poduzeća (d.d., d.o.o., banke) | 83 | 77% | 23% |
| Obrazovne ustanove II. grupe (visoka učilišta, sveučilišta, fakulteti, akademije) | 70 | 70% | 30% |
| Zdravstvene ustanove (bolnice, poliklinike, domovi zdravlja) | 7 | 86% | 14% |
| Ostalo (obrtnici, kazališta, udruge) | 6 | 100 % | 0 % |
| Ukupno | 465 | 66% | 34 % |

It is visible from Table 26 that state bodies and institutions and local (regional) government published the largest number of advertisements in the analyzed period (152), out of which 50% were in accordance with the GEL, and 50% were not. The largest percentage of violations of the provision of the GEL concerning job advertising is found among companies (joint stock companies, limited companies, banks) - 77% and group I. educational institutions - 73%, followed by group II. educational institutions - 70 %.

If we add up all the advertisements by group I. educational institutions (147) and group II. educational institutions (70), the sum is the total number of advertisements by educational institutions in the Republic of Croatia (217), which is around 47 % of the total number of all published advertisements. In the total number of published job advertisements, both groups of educational institutions violated the GEL in 72% of cases or in 157 advertisements.

Out of the total number of all job advertisements published in Slobodna Dalmacija, Novi list, Glas Istre, Glas Slavonije and the Official Gazette (465), 309 advertisements or 66% did not comply with the provision of Article 13, para. 2 of the GEL. Although the Gender Equality Law has been in force for three years now, almost twice as many published job advertisements are not in accordance with the GEL than those that are (309 to 156).

Conclusion

- there are still twice as many job advertisements that are not in accordance with Article 13, para. 2 of the Gender Equality Law than those that are (66% to 34%);
- in the total number of published job advertisements (465), there are 47% of advertisements by both groups of educational institutions; out of the total number of all published advertisements, these two groups together violated the GEL in as many as 72% of cases;
- the group "companies, large department store chains and foreign banks with franchises in Croatia" complies with the provisions of the GEL in almost 100% of advertisements.
- state bodies and institutions and local (regional) government both respect and violate the GEL in an equal percentage of cases (50%);
- a more positive shift, that is, a greater compliance with the GEL in the sphere of job advertising, is visible among advertisers of occupations traditionally understood as "male" than among those traditionally regarded as "female" (a growing number of advertisements for masons, electrical welders, warehouse workers etc. include a statement that persons of both sexes can apply for the job, more often than advertisers looking for business secretaries or cleaning ladies)
- discrimination against men is still visible in advertisements for business secretaries, cleaning ladies, masseuses and beauty salon workers
- discrimination against women in occupations traditionally regarded as "male" is constantly decreasing.

PART FOUR

When compared to 2005, the number of complaints about violence in the family submitted to the Gender Equality Ombudsperson has increased. The greatest majority of complainants are by far women, who mostly claim that they are subjected to violence in the family by men, that is, their present or former marital or extramarital partners. A significantly lower number of complainants claim that they are suffering domestic violence by other family members (father, stepfather, mother, sister and other members of the family).

In this reporting period, some of the complainants are men. They usually claim that the relevant institutions failed to protect them from violence in the family committed by women, that is, their present or former marital or extramarital partners. In their complaints, men typically point out inequality in parental care, execution of parental care activities (arranging meetings with under-aged children) and other examples.

The fundamental reason for filing a complaint to the Gender Equality Ombudsperson is the failure of the police and centers for social welfare to take appropriate measures and actions when citizens contact them for help. The greatest number of complaints is related to police work and/or work of centers for social welfare. Some complaints also refer to dissatisfaction with court decisions, over which the Gender Equality Ombudsperson has no authority.

4.1. STATISTICAL DATA ON VIOLENCE IN THE FAMILY

To illustrate the cumulative increase in violence in the family in 2006, which was reflected in the increased number of complaints about violence in the family submitted to the Gender Equality Ombudsperson, we can look at the data of the General Police Directorate - Criminal Police Directorate:

- in 2006, the police received 16,433 citizens' requests for police intervention for protection against violence in the family (in 2005, it received 15,696 requests), out of which 13,438 persons (or 64.04%) were women (under-aged and adult persons of the female sex).

In 2006, upon receiving reports on violence in the family, the police filed a motion to initiate misdemeanor proceedings against 15,277 persons for violent behavior in the family, and filed criminal charges against 675 persons for committing 1985 criminal acts of violent behavior in the family. As a result of intervention in these cases, the police brought into custody 6263 persons (or 40.99%), whereas, in the premises of the law enforcement authorities, in accordance with Article 145 and 147 of the Misdemeanor Law, 5979 persons were detained (or 39.13%).

According to police statistics, the most frequent perpetrators of violence in the family are:

- husband against his wife - in 6019 cases (or 28.68%);
- father against his children - in 4158 cases (or 19.81%);
- son against his parents - in 2865 cases (or 13.65%);
- extramarital male partner against his female partner - in 1184 cases (or 5.64 %);
- wife against her husband - in 1124 cases (or 5.35%).

From January 1 to December 31, 2006, the police recommended to misdemeanor courts to ordain 9888 protective measures (PM) in cases of violence in the family:

- 4591 - PM of mandatory psycho-social treatment;
- 849 - PM forbidding contact with the victim of violence;
- 285 - PM forbidding harassing or stalking the victim of violence;
- 508 - PM removing the perpetrator from the apartment, house or any other housing facility;
- 34 - PM securing protection of the victim of violence;
- 3262 - PM of mandatory addiction treatment;
- 359 - PM of appropriation of objects intended or used to commit the misdemeanor.

Out of 9888 proposed protective measures, the police implemented 339 protective measures that had been, in accordance with the Law on Protection from Violence in the Family, included into its scope of activity:

- 203 - PM forbidding contact with the victim of violence;
- 45 - PM forbidding harassing or stalking the victim of violence;
- 91 - PM removing the perpetrator from the apartment, house or any other housing facility.

Conclusive remarks (4.1.)

Based on complaints about violence in the family submitted to the Gender Equality Ombudsperson during 2006, and because the importance of fighting violence in the family, particularly against women, has been recognized in the Republic of Croatia as an integral part of the program of promoting gender equality, we can see that progress is being made in the protection from violence against women or other victims of violence in the family. Further progress in police work is particularly visible, since the police intervene on every report of violence, more and more promptly, and in a greater number of cases, acts in accordance with the Protocol. In contrast, there is no such visible progress in the work of centers for social welfare, especially in terms of their duty to urgently and without delay report cases of violence in the family to the police, and their duty to carry out other activities aimed at helping the victim of violence within the scope of their authority. The Gender Equality Ombudsperson based the analysis of police work and work of centers for social welfare related to the improvement of protection of victims of violence, including prevention, on the complaints received, without making any generalizations.

Since the implementation of the Protocol, which is an extremely important document, had begun in 2005, the Gender Equality Ombudsperson also analyzed how it was being implemented in practice.

I. Basic objections to police work noticed by the Gender Equality Ombudsperson:

- police officers sent to intervene at the scene of the incident (violence) are mostly male, which is not in accordance with the Protocol.

Women as victims of violence complain that male police officers are not sufficiently responsive to and aware of domestic violence.

- In police interventions, police officers collect mostly information related to the intervention in question or the incident for which intervention was requested, sometimes without taking into account all the facts related to the duration, frequency and history of domestic violence, even if violence in the family was established during earlier interventions.

- if physical violence or bodily injuries are not observed during the police intervention (in most cases, violence is not physical in nature), and the potential victim of violence and perpetrator of violence give contradictory statements on violence in the family, sometimes police officers do not file misdemeanor or criminal charges.

- police officers still fail to recognize some behaviors as violence in the family - most often in cases of stalking and harassing the victim of violence by phone or cell phone, or unlawful isolation or restriction of the freedom of movement or communication with third persons, damaging or destroying property or attempting to do it.

- police officers do not inform in a proper and clear way the victim of violence about her legal rights, especially the measures and actions that the police will take against the perpetrator in the future, the addresses of institutions and organizations that provide help, support and protection to victims of violence in the family, and possibilities of accommodation in a suitable shelter for victims of domestic violence or home for children and adult victims of violence in the family
- perpetrators of violence in the family are not brought into custody to be detained and brought before the misdemeanor or investigative judge even though the circumstances demand it. This is particularly noticeable in places that do not have a misdemeanor judge on duty or where the police stations do not have premises for detaining perpetrators until the working hours of the misdemeanor court.
- it is still evident that the police rarely decides to file criminal charges, but an increase in the number of criminal charges is to be expected because of the modified definition of the criminal act of violent behavior in the family
- along with the motion for misdemeanor proceedings, police officers do not propose protective and cautionary measures often enough.
- when the police files to the misdemeanor court a motion for initiating misdemeanor proceedings, they, as a rule, do not take part in the court proceedings, so that only the victim of violence testifies about the violence in the family; upon receiving the ruling of the misdemeanor court, particularly when the proceedings were called off, the police did not lodge appeals against the misdemeanor court ruling in any of the cases considered by the Gender Equality Ombudsperson.

According to the data of the General Police Directorate - Criminal Police Directorate for 2006, the law enforcement authority submitted 98 appeals against court rulings.

The Gender Equality Ombudsperson believes that, in spite of the numerous police interventions, the victims of violence are often dissatisfied with the results of the proceedings, because they are not sufficiently informed about the measures taken by the police or about the outcome of court procedures. Their ignorance is often the result of the fact that they are not familiar with their rights, and do not exercise their right to get information about the development or outcome of the proceedings at personal request, in accordance with the Protocol.

II. Basic objections to the work of centers for social welfare noticed by the Gender Equality Ombudsperson:

- upon receiving information or learning about violence in the family, employees of centers for social welfare fail to take official notes with the data on the victim, perpetrator and the violence committed and do not create a file or submit to the Gender Equality Ombudsperson an official note, report or minutes, although the Gender Equality Ombudsperson explicitly requests all the relevant documentation.
- employees of centers for social welfare, upon receiving information or learning about violence in the family, still do not report the violence often enough, in a written form, to the police or state attorney's office. Immediately upon receiving information or learning about domestic violence, the employees of centers for social welfare are obliged to report it to the police urgently and without delay, regardless of whether another entity has already done so, and submit all available information about the case. Employees do not make an official note in which they would enter the data on the victim, perpetrator and the violence committed or create a file. When the Gender Equality Ombudsperson asks them directly about their knowledge about the violence, they most often reply that they do not have or did not have any knowledge about the violence, although it is evident from the documentation that they were familiar with the family situation and the violence, even with the entire history of domestic violence. In some cases, there is no reply whatsoever, and sometimes they selectively submit documents to the Gender Equality Ombudsperson, omitting those that prove that they are familiar with violence in the family or other relevant facts about their actions.
- employees of centers for social welfare, upon receiving information or learning about violence in the family, fail to carry out other activities within their scope of authority aimed at helping the victim of violence in the family. It is important to note that they do not inform the victim of violence about her legal rights, especially the measures and actions that the center for social welfare will take in the future and that are particularly important for the safety of the victim or children, particularly in terms of accommodation of the victim and children in a shelter or home for victims of domestic violence in cooperation with relevant NGOs. When communicating with the victims of violence in the family, employees often do not approach them with a special sensitivity for the problem of domestic violence, their causes and different manifestations. In addition, it is important to note that employees do not give advice or instructions to the victims of violence on

concrete ways to protect their children from violence or help them find accommodation in shelters for women victims of violence.

Instead, they give them general warnings, which the victims of violence often interpret as risks - that they will not be able to live with under-aged children if they do not get a job and leave their home - whereas on the other hand, the perpetrators are in no way told to leave the joint house or apartment.

Examples of individual warnings sent to the parties are completely absurd since they are not individualized and grounded in any real, concrete situation.

According to the explicit provision of Article 3 of the Law on Protection from Violence in the Family, the family also includes persons who lived together in a marital or extramarital partnership.

That is why former marital and extramarital partners can be perpetrators of violence in the family, but if such a partnership no longer exists, and the victims report violence in the family, it is inappropriate for the centers for social welfare to state the following in the warning: "Based on the intervention of the employees of the J. police station and information about your family circumstances, we believe it is necessary to send you a warning with the aim of creating a positive family atmosphere..."

The parties contacting the Gender Equality Ombudsperson complain about this, stressing that they are victims of violence and that the warnings should be sent to the perpetrators of violence in the family, and not to them.

Some warnings state the addresses of both partners in the same letter, even though it is obvious from the letter that they have different places of residence, or do not even live in the same town.

The Gender Equality Ombudsperson regards these warnings as formulaic, pre-structured, extremely bureaucratic and discouraging for the victims of violence.

- centers for social welfare often take the same measures and initiate the same proceedings both against the perpetrators and victims of violence - for example, they order measures from the Family Law (warning, supervision over parental care for both parents, reporting both parents for neglect and abuse of children) without taking into account who is the victim, and who is the perpetrator of violence in the family.

- there is also not enough efficient work with the perpetrators of violence in the family to help them change their behavior (counseling, ordering psychosocial treatment within health care institutions or NGOs that have programs for perpetrators of violence in the family, sending them to join therapy groups for addiction treatment).

On December 9, 2004, the Croatian Government adopted the National Strategy for Protection from Violence in the Family 2005-2007 (The Official Gazette 182/04).

In addition to the adoption of the Protocol for Cases of Violence in the Family (together with amendments from September 7, 2006), a series of measures set in the National Strategy were implemented:

- Analysis of laws sanctioning violence in the family, including the Criminal and Misdemeanor Law;
- Proposal of amendments to the Law on Protection from Violence in the Family;
- Amendments to the Criminal Law adopted at the session of the Croatian Parliament on June 9, 2006 and published in the Official Gazette 71/06, concerning stricter punishments for criminal acts committed at the detriment of family;
- The Program of Psychosocial Treatment for perpetrators of violence in the family (and recommendation for the implementation of the treatment) that has become an integral part of the Code on Amendments to the Code on the Implementation of Psychosocial Treatment (The Official Gazette 78/06);
- The Program of Empowerment and Professional Training aimed at economic independence of victims and the Program of Employment of Women Victims of Violence developed by the Ministry of Economy, Labor and Entrepreneurship within the framework of the National Action Plan for Employment 2006. On the basis of this measure, 25 women were employed during 2006;
- Analysis of the level of awareness and understanding of the issue of violence in the family of police officers, courts, centers for social welfare, hospitals, primary health care institutions, kindergartens, primary, secondary and higher education institutions and the media, which serves as a basis for the development of the Program of Systematic Training and Education of all persons working on the implementation of laws sanctioning violence in the family;
- Address book of all institutions and organizations providing help, support and protection to victims of violence in the family, in a written form;
- Informative leaflet for victims of violence, in a written form;

▫ Marking as urgent all court cases concerning violence in the family.

Other measures from the National Strategy are also being implemented, such as the development of the Program of Free Psychosocial and Legal Aid to Women and Children Victims of Violence; forming family divisions of regular courts in accordance with the judicial reform; promoting and setting up family counseling centers with the aim of preventing violence in the family; securing access to information about the issue of violence in the family for particularly vulnerable groups of persons; planning and organizing public actions for commemorating the dates related to the promotion of human rights; and improvement of the position of victims of violence in the family - aimed at better understanding and awareness of the public.

Although the Gender Equality Ombudsperson has, within her scope of authority, noticed some oversights in police work related to the implementation of the Protocol, such as the failure to take appropriate actions for the purpose of accommodating the victims of violence in a suitable shelter, to inform the victims about their legal rights concerning protection from domestic violence (for example, possibility to order protective measures against the perpetrators, preconditions for ordering such measures by the relevant court, measures and actions relevant for the safety of the victims), to take actions and measures in accordance with the Protocol, due to the absence of physical signs of violence on the victim, as well as not paying enough attention to the consequences for under-aged children of the victims of violence when they are asked to give statements at the police station, it can be concluded that, in the majority of cases, the police acted in accordance with its duties and responsibilities from the Protocol. This claim and the claim that the police is trying to correct oversights in their work on violence in the family are also supported by the fact resulting from the report of the General Police Directorate - Criminal Police Directorate, namely, that relevant police departments have in some cases initiated disciplinary procedures against those police officers that did not implement the Protocol in a consistent way and have taken appropriate actions and measures against the perpetrators of violence in the family.

It is also important to note that, in a large number of individual cases considered by the Gender Equality Ombudsperson, in which the complainants claimed that the police did not act on the reports of domestic violence, the complainants were wrong, because it can be concluded from the submitted reports that police officers had in most cases filed misdemeanor and criminal charges while taking prior action against the perpetrators of violence in the family.

In spite of numerous police interventions, victims of violence are often dissatisfied with the results of the proceedings, because they have insufficient information about the measures taken by the police or the outcome of court procedures. Due to the fact that they are unfamiliar with their rights, victims of violence often fail to make use of their right to get information about the development or outcome of the proceedings at personal request, in accordance with the Protocol.

The criminal act from Article 215a of the Criminal Code, "Violent behavior in the family", can be committed, according to Article 89, para. 30 of the CC, by family members mentioned in this Article living in a joint household.

That is why criminal charges for the criminal act of violent behavior from Article 215a of the Criminal Code could not be filed against present or former marital or extramarital partners not living in a joint household until the adoption of Amendments to the Criminal Code (The Official Gazette no. 71/06). According to these amendments, living in a joint household is no longer required for reporting violence in the family.

This was undoubtedly one of the reasons why the police filed more misdemeanor than criminal charges for violence in the family.

It has been established that centers for social welfare rarely, and contrary to the Protocol, report to the police their knowledge about violence in the family, which is a continuation of the practice from previous years. Judging from the cases considered by the Gender Equality Ombudsperson, the reason for this is inconsistent implementation of the Protocol.

Regarding violence in the family and failure to take appropriate mandatory measures related to the implementation of the Protocol by centers for social welfare, employees still do not make an official note or report when they receive information about this type of violence, so that, in practice, the documentation submitted at the request of the Gender Equality Ombudsperson often

does not contain any written evidence of the reports of violence in the family, although, indirectly, it can be concluded from their statements sent to the Gender Equality Ombudsperson that the centers had knowledge about the violence in the family.

In a large number of cases, when centers for social welfare receive information from the police about a case of violence in the family, they take further actions and measures from the Family Law with the aim of preventing the recurrence of violence. On the basis of these reports and the fact that the police acted according to the Protocol, the Gender Equality Ombudsperson gave the centers for social welfare adequate recommendations for the prevention of violence in the family in each individual case.

4.2. COMPLAINTS SUBMITTED TO THE OMBUDSPERSON

In all the cases described below, the Gender Equality Ombudsperson obtained, in accordance with her legal authority, the reports and documentation from employers and all institutions and bodies relevant for each individual case, and examined the existing documentation before considering them.

In the summaries of individual cases, full titles of relevant institutions that the Gender Equality Ombudsperson contacted to obtain reports and documentation related to the cases in question were omitted for reasons of concision and better understanding. Instead of the full title "Center for Social Welfare", we use "Center", and instead of "Police Station", we use the abbreviation "PS".

4.2.1. CASE SUMMARY (PRS-03-02/06-24): Complainant J.B. from I. submitted a complaint to the Gender Equality Ombudsperson for the second time, in which she claims that the relevant institutions again failed to protect her from violence in the family. She claims that her husband has been verbally abusing her for a longer period of time, blackmailing her, insulting her and restricting her freedom of movement; he uses economic violence against her and physical confrontations have also started. She stresses that on July 26, 2006, her husband: "...beat her up, I had black bruises all over my arms", as well as on August 26, 2006, when he: "...jumped on me, I wanted to call the police, he cut the phone wires on the attic, took my cell phone and threw it away." The complainant claims that the police intervened, acting on the call of the employee of the Center in I. on duty, from whom she asked help in finding accommodation. The complainant believes that she was not given adequate protection because no measures were taken against the perpetrator.

MEASURES TAKEN: The Gender Equality Ombudsperson obtained a report from the General Police Directorate and the report and documentation from the relevant Center. Since it was not clear from the Police Directorate report when the police officers of the relevant PS filed a motion to initiate misdemeanor proceedings against the husband based on their intervention on August 26, 2006, and whether and when the police officers of the relevant PS knew about the medical documentation of the complainant, the Gender Equality Ombudsperson requested additional explanations. In addition, the Gender Equality Ombudsperson requested a special statement from the General Police Directorate: was the police intervention on August 26, 2006, in the complainant's family home done in accordance with the Protocol for Cases of Violence in the Family.

The Police Directorate submitted additional explanations to the report, in which it stated that the police officers acted in accordance with the Protocol, because they filed misdemeanor charges against the husband after receiving medical documentation (on October 6, 2006). Before that time, they only had the contradictory statements of the spouses on the basis of which they could not establish the facts of the case, and the complainant refused medical help.

The Gender Equality Ombudsperson concluded that the police did not take measures in accordance with its authority with the aim of protection from violence in the family, that is, that they could establish the elements of misdemeanor from Article 4 of the Law on Protection from Violence in the Family, but they filed charges only after the Gender Equality Ombudsperson requested the report. She based this conclusion on the fact that the complainant was offered medical help, which she herself noted in her complaint, and they probably would not have done it if there was no need for it. Moreover, it is clear from the medical documentation that there were hematomas on the complainant's body, which is contradictory to the police statement that they were no visible injuries.

The starting point in the Police Directorate report - that a visible bodily injury is needed for filing charges (charges were filed only after receiving medical documentation) - is not only in opposition with the provisions of the Law on Protection from Violence in the Family, but makes the fight against domestic violence backslide into a period when physical violence with bodily injuries as consequences was recognized as the only form of violence subject to legal punishment. That is why, in the opinion of the Gender Equality Ombudsperson, it is irrelevant whether the complainant refused medical help or not, all the more because she claims in the complaint that she said to the police that she will go to the doctor herself, and it was also established that her husband, a judicial police officer, damaged the property by cutting the phone wires (Article 4 of the Law on Protection from Violence in the Family). In addition, the complainant claims that she hid at her neighbor's apartment, where she called the police - this fact should also have been taken into account when making the decision. Furthermore, according to the Protocol for Cases of Violence in the Family, the police must take into account earlier history of domestic violence, which it failed to do, although they knew about it, since they informed the Gender Equality Ombudsperson about this after the first complaint was submitted by the complainant.

On May 18, 2005, the Gender Equality Ombudsperson sent a warning and recommendation related to the actions of the relevant PS, which obviously yielded no results, so that the complainant submitted a second complaint to the Gender Equality Ombudsperson.

That is why the Gender Equality Ombudsperson sent to the General Police Directorate a warning in which she questions the view of the Police Directorate stated in the report - that, in the case in question, they could not establish any elements of a misdemeanor because of contradictory statements of the parties, "anxiety-depression syndrome" of the complainant, and no visible injuries on the complainant's body. She suggested that, in the future, police officers keep in mind the recommendations of the Gender Equality Ombudsperson concerning the treatment of women victims of violence, starting from the fact that violence is a form of discrimination and drawing on the Protocol for Cases of Violence in the Family, which demands a gender sensitive approach and protection of women's interests. The Gender Equality Ombudsperson also warned the Police Directorate that, according to explicit provisions of the Protocol, police officers are obliged to show special awareness of the issue of domestic violence, so that it is necessary to organize adequate training of police officers on the issue of consequences of domestic violence.

4.2.2. CASE SUMMARY (PRS-03-02/06-01): Complainant D.Š. from D.L. filed a complaint to the Gender Equality Ombudsperson because relevant institutions did not ensure him adequate protection from long-lasting violence in the family he was subjected to. He claims that he suffered violence by his ex-wife and her parents, particularly during meetings and activities with his under-aged children. He was insulted, threatened to, humiliated, physically assaulted etc. The complainant says that he contacted the relevant PS for the first time in September 2003 and requested protection from violence in the family, after which he reported violence in the family several times, most recently in October 2005. The complainant also claims that he contacted the relevant Center asking for protection and to be able to maintain normal contacts with his children, since he was most often exposed to violence in front of the children. He also demanded from the Center to take measures to protect the children's rights.

MEASURES TAKEN: The Gender Equality Ombudsperson obtained a report from the General Police Directorate and a report and documentation from the relevant Center. Acting on the request made by the Gender Equality Ombudsperson, the Police Directorate found that the police officers of the relevant PS made certain oversights concerning the qualification of the misdemeanor and failed to lodge appeals on time. The relevant police department warned the PS about these oversights in order to avoid identical or similar oversights in the future.

The report quotes the explanation of the decision made by the Misdemeanor Court: "In the case in question, no elements of misdemeanor from Article 18, para. 3 of the Law on Protection from Violence in the Family were found because the argument and physical assault took place between the family members, that is, former spouses, at a public place, so that the accused could have committed only the misdemeanor from Article 13 on violation of public order of the Misdemeanor Law."

The Gender Equality Ombudsperson concluded that the police officers treated the complainant and his ex-wife in the same way, filing misdemeanor and criminal charges against both. The employees of the Center took all actions and measures in accordance with the existing regulations.

4.2.3. CASE SUMMARY (P-PRS-03-02/06-01): Complainant S.I. from M. submitted to the Gender Equality Ombudsperson a complaint in which she claims that the relevant institutions did not give

her protection from the long-lasting violence in the family she was subjected to by her husband. The complainant claims that, because of the mistake made by the Center, she was forced to leave the shelter for victims of domestic violence where she was accommodated together with her under-aged child. The Center disclosed to her husband, who recently finished serving a prison sentence, the address of the shelter by delivering him by hand the decision in which it mentions the temporary place of residence of the complainant. The complainant says that she warned the social worker of the relevant center for social welfare about this mistake, and she replied to her that they, as the Center for Social Welfare, as well as her husband, have to know where she and her child are. The complainant adds that the Center did not examine or evaluate the potential danger that her husband poses, although they knew that he is a registered drug dealer and heroine addict and that he threatened to kill the complainant if she leaves him.

MEASURES TAKEN: On the basis of the obtained documentation, the Gender Equality Ombudsperson concluded that the relevant Center failed to protect the rights and well-being of the complainant and her child as persons exposed to violence in the family. The Gender Equality Ombudsperson warned the Center that, by delivering its decision on July 28, 2006, to the husband and disclosing the place of residence of the complainant and her child, as victims of violence in the family, it put at risk their safety, and the safety of all other persons accommodated at the shelter. The Gender Equality Ombudsperson gave to the Center a recommendation in which she noted that the Center is obliged to promote the protection of the victims of violence in the family, prevent the recurrence of violence in the family and develop measures for the protection of rights and well-being of persons exposed to violence in the family, in accordance with the Protocol for Cases of Violence in the Family. Since the complainant's safety is still at risk, the Gender Equality Ombudsperson advised the Center to urgently inform her about the measures taken. The Center submitted the report and documentation to the Gender Equality Ombudsperson.

4.2.4. CASE SUMMARY (P-PRS-03-02/06-02): Complainant S. P. from R. contacted the Gender Equality Ombudsperson with a complaint in which she stated that the relevant Center did not take necessary measures to accommodate her and her under-aged children, as victims of violence in the family, in a shelter for victims of violence in the family, although the employees knew that she was subjected to violence in the family by her husband. Furthermore, she claims that, after finding accommodation in a shelter, the Center did not provide her with financial aid in the form of lump sum funds and money for buying school books for children, that is, it refused to send the money to the complainant claiming that the deadlines for receiving these funds have expired. Moreover, the complainant claims that the Center did not inform her about all of her rights.

MEASURES TAKEN: The Gender Equality Ombudsperson obtained a report and documentation from the relevant Center. After considering the claims from the complaint and examining the documentation, the Gender Equality Ombudsperson recommended to the relevant Center that, in the future, it should take into account the interests of women victims of domestic violence and maintain a gender sensitive approach to the protection of women's interests. In accordance with this, the Gender Equality Ombudsperson stressed that they should keep in mind that the victims of violence request accommodation in shelters to get away from circumstances of violence (leaving their place of residence), and not solely because of direct risk for life, and that they use this type of accommodation for social reasons (such as unemployment), so that they would not be forced to return to the circumstances of violence, and the relevant state bodies are obliged to help them. The Gender Equality Ombudsperson also informed the Center that, starting from the Center's right to act on her expert assessment, she will continue to follow the case, making sure that the victims of discrimination do not suffer damaging consequences because they contacted the Gender Equality Ombudsperson and the relevant Center.

4.2.5. CASE SUMMARY (PRS-03-02/06-05): Complainant D.P. from S. submitted to the Gender Equality Ombudsperson a complaint in which she claims that the relevant institutions failed to ensure her protection from long-lasting violence in the family she was subject to and that the police officers of the relevant PS did not protect her from violence in the family, when on the night of April 3 to 4, 2006, her husband was violent towards her and her under-aged children. She says that the police did not help her in spite of the fact that they intervened twice that night - when they were taking statements, the police officers warned her that, if she calls the police again, she and her husband will be equally fined at the amount of 5,000 kunas. The complainant adds that the husband was not at home during the intervention, because he hid from the police in the woods, and the police officers denied the complainant's request that they protect her from her husband's threats (the husband told her before leaving that "when he returns, he will finish the job") by at

least driving her to the city of S., claiming that they are not allowed to do this and telling her that her husband will probably calm down, and that she goes to bed and calms down. When she asked for phone numbers of women's shelters, the police officers told her that they do not know them by heart and that they cannot give them to her because the numbers are secret. The complainant claims that she had to walk at 2.a.m. in the morning with her under-aged children for 7 kilometers to the bus station in S. and that along the way they met a police patrol twice and were not offered a ride. Tired and broken, they arrived at the bus terminal in S. at 4 a.m., where they waited for the relevant Center to open office. They asked the employees of the Center for help with finding accommodation, but the social worker told them she has to get some field work done and that the complainant find accommodation on her own.

MEASURES TAKEN: The Gender Equality Ombudsperson obtained the report, addition to the report, and documentation from the General Police Directorate, as well as the report and documentation of the relevant Center. Acting on the request by the Gender Equality Ombudsperson, the Police Directorate established that the actions of police officers who carried out the interventions on the night of April 4, 2006, were not in accordance with the duties and obligations of the police defined by the Protocol for Cases of Violence in the Family.

It is clear from the report of the Police Directorate that they will act preventively by familiarizing the entire staff of the PS in S. with the case, in order to educate the police officers and avoid the same or similar events in the future.

The Gender Equality Ombudsperson concluded that the police officers did not adequately protect the complainant and her under-aged children from violence in the family in accordance with the duties of the police defined by the Protocol. That is why the Gender Equality Ombudsperson sent to the relevant police station a warning that they did not inform the victim of violence with her legal rights, particularly the protective measures and conditions under which they are ordered, that they did not, during the intervention on the night of April 4, 2006, drive the complainant and her under-aged children to a shelter, although she asked them to, and that they did not promptly request from the relevant Center to take measures necessary to immediately accommodate the victims of violence in a suitable shelter.

She stressed that the general attitude implied in the report of the Department for Legality of Actions, that unethical actions that are not in accordance with the police occupation "cannot be subject to disciplinary proceedings", will be a topic of general analysis of the Gender Equality Ombudsperson concerning police actions in cases of domestic violence.

Furthermore, after examining the report and documentation of the relevant Center, the Gender Equality Ombudsperson concluded that the Center knew about the violence in P. family, but did not take all the measures stipulated by law to protect the victims and prevent violence. The Center had the information about the violence from May 31, 2005, when the complainant's son reported his stepfather to the Center claiming that he is violent towards him and his mother. Thus, the employees of the Center learned about the violence in the family while performing their official duty. This information was not forwarded to the police or relevant municipal state attorney's office. The Center failed to act in accordance with Article 4, para. 1 of the Law on Protection from Violence in the Family and the Protocol for Cases of Violence in the Family. It did not carry out activities directed at helping the victims of violence in the family within the scope of its authority. On April 4, 2006, when the complainant contacted them directly with a request for accommodation in a shelter, the Center failed to take measures to protect the complainant's safety and safety of children as victims of violence in the family (such as contacting the shelter). That is why the Gender Equality Ombudsperson sent to the Center a warning and recommendation in which she, among other things, asked to be promptly informed about the measures taken, having in mind that failure to act or insufficient effort in taking measures for the protection from violence in the family has the effect of discrimination on the grounds of sex, since victims of violence are predominantly women, in exercising their rights in various spheres of life. In accordance with the recommendation, the Gender Equality Ombudsperson received a new report from the relevant Center, in which she was informed that the situation in the P. family improved, that is, there was no recurrence of violence, and that the relevant Municipal Court M.P. delivered a sui generis one year prison sentence, with a probationary period, protective inspection and a special requirement to undergo addiction treatment in a health-care institution or therapy community.

4.2.6. CASE SUMMARY (P-PRS-03-02/06-05): The Shelter for Women and Children Victims of Domestic Violence contacted the Gender Equality Ombudsperson on behalf of their beneficiaries M.D. and V.D., who were accommodated at their institution as victims of violence through the mediation of the relevant Center. They claim that, quote: "...according to the statements of both

beneficiaries, they were informed by the employees of the Center that, through accommodation in our shelter, they will be given at their disposal an apartment and possibility for employment...It is obvious that this information is completely false...We believe that, in this way, beneficiaries are misinformed about their rights and deluded, which makes it harder for them to plan their future."

MEASURES TAKEN: The Gender Equality Ombudsperson obtained a report and documentation from the relevant Center. After considering the case, the Gender Equality Ombudsperson concluded that the relevant Center did not sufficiently familiarize the victims of violence in the family with their legal rights in accordance with the Protocol for Cases of Violence in the Family. The Gender Equality Ombudsperson warned the relevant Center that, in the case in question, they failed to inform the victims of violence in the family about the measures and actions they had taken or were planning to take in relation to the safety of the victims, particularly their accommodation. They failed to give them full and precise information about the opportunities offered by the institution after their accommodation ends, and about possibilities of finding employment. Furthermore, the Gender Equality Ombudsperson gave to the Center the following recommendations: regarding the accommodation of the victim of violence and children in a shelter, and in cooperation with relevant NGOs and the woman victim of violence, they should make a plan of her safety, and, when communicating with the victim of violence in the family, they are obliged to approach her with a special awareness of the issue of domestic violence, its causes and various manifestations and to show special understanding of the issue of domestic violence in their treatment of the victim. In addition, since M.D.'s safety is still at risk, the Gender Equality Ombudsperson recommended to the Center to inform her about the measures they had taken, having in mind that failure to act or insufficient effort in taking measures for the protection from violence in the family has the effect of discrimination on the grounds of sex, since the victims of violence are predominantly women, in exercising their rights in various spheres of life.

4.2.7. CASE SUMMARY (PRS-03-02/06-06): Complainant I.Š. from Z. submitted to the Gender Equality Ombudsperson a complaint in which she claims that the relevant institutions failed to provide her with protection from violence in the family that she was exposed to by her ex-husband, which she divorced in 2004. She says that he was violent to her before and during marriage, as well as after the divorce, in the form of physical coercion and assaults (beating her with fists on all parts of the body, inflicting various injuries), as well as psychological violence - threats, insults and violations of her dignity. In addition, she claims that her ex-husband was also violent to their joint under-aged child, who is at the moment temporarily accommodated in a home for children. The complainant claims that the employees of the relevant Center also knew about the violence in the family, but took no measures to protect her.

MEASURES TAKEN: The Gender Equality Ombudsperson obtained the report and addition to the report from the General Police Directorate, as well as the report and documentation from the relevant Center.

The Gender Equality Ombudsperson concluded that the relevant Center did not protect the complainant from violence in the family in accordance with its duties defined in the Protocol for Cases of Violence in the Family. The Gender Equality Ombudsperson warned the Center that, although they were familiar with the violence in the family, they did not take all the necessary measures for protection from violence in the family and its prevention.

In its report, the Center claims: "In contacts with this office, I.Š. has on several occasions said that the relations between her and her husband were disturbed, and that the husband abuses her when he gets drunk. She also claimed that she informed the police about this and requested adequate protection. Since this office learned about the reports of domestic violence to the police from I. herself, we did not file criminal charges against the husband..."

However, after examining the documentation of the Center, the Gender Equality Ombudsperson established that repeated reports of violence in the family filed by the complainant were not forwarded to the police or relevant municipal state attorney's office, and the Center did not act in accordance with Article 5, para. 1 of the Law on Protection from Violence in the Family (The Official Gazette no. 116/04) and the Protocol for Cases of Domestic Violence.

The Gender Equality Ombudsperson also gave to the Center a recommendation that they should, in all cases, immediately upon learning about or receiving information about domestic violence, promptly and without delay forward it to the police regardless of whether another body has already done this.

Regarding the actions of the police officers of the relevant PS, the Gender Equality Ombudsperson concluded that all legal measures had been taken.

4.2.8. CASE SUMMARY (P-PRS 03-02/06-06): Complainant K.Š. from C., temporarily accommodated in a shelter for victims of domestic violence, filed a complaint to the Gender Equality Ombudsperson because the police did not give her protection from long-lasting violence in the family she suffered by her husband. The complainant claims that her husband was violent from the beginning of the marriage and maintained control over her at all times. She lists the following forms of violence: physical coercion and assaults (beating her up on all parts of the body, inflicting injuries) and psychological violence - threats, insults and violation of her dignity. For a long time the complainant did not report the violence to the police or the relevant Center, since she was afraid of her husband, a war veteran and police officer diagnosed with PTSS. She finally reported him to the police in May 2006. In her complaint, she stresses her dissatisfaction with the actions of the police officers because they did not bring her husband into custody or keep him away from her, but allowed him to come to the hospital in V. by following the ambulance vehicle.

MEASURES TAKEN: The Gender Equality Ombudsperson obtained a report and documentation from the General Police Directorate and concluded that the police officers of the relevant PS did not take all the actions and measures in accordance with the Protocol for Cases of Violence in the Family. That is why the Gender Equality Ombudsperson warned the police officers that, when collecting the facts, they did not take into account all the information about the circumstances related to the duration, forms and continuity of violence, that they did not take the perpetrator into custody in their premises and detained him, that they did not immediately file a motion for initiating misdemeanor proceedings for violent behavior in the family, and did not file criminal charges for the same criminal act or brought the perpetrator before the misdemeanor judge, that is, investigative judge, that they did not in a proper and clear way inform the complainant as the victim of violence about her legal rights, particularly the protective measures and conditions under which they are ordered and implemented, and the measures and actions that the police would take against the perpetrator in further proceedings and that are especially important for the protection of her safety, and that they did not immediately ask the relevant Center to take measures necessary to accommodate the complainant in a suitable shelter.

4.2.9. CASE SUMMARY (PRS-03-02/06-08): J. T. from V. submitted to the Gender Equality Ombudsperson a written complaint in which he claimed that he was the victim of domestic violence committed by his ex-wife with whom he lives in the same apartment, and that he had contacted the relevant Center and police for help, but they had done nothing to stop the violence against him.

MEASURES TAKEN: After obtaining the reports and documentation from the relevant Center and the General Police Directorate - Criminal Police Directorate, the Gender Equality Ombudsperson established that the relevant Center did not act in accordance with the Protocol for Cases of Violence in the Family, because, after receiving information about the violence in the family, it did not promptly and without delay inform the police, regardless of the fact that the victim of violence (the complainant) himself reported the violence to the police the day before, about which the police did not inform the relevant Center.

That is why the Gender Equality Ombudsperson gave to the relevant Center a warning that, in the case in question, it did not act in accordance with its duties and obligations from p. 1 and 2 of the Protocol for Cases of Violence in the Family, as well as a recommendation for future compliance with the Protocol.

CASE SUMMARY (PRS-03-02/06-10): M. V. from P. contacted the Gender Equality Ombudsperson with a complaint in which she claims that she contacted the Center in P. to gain social welfare rights, but the relevant Center has not yet processed her request because her husband (who needs to give a statement in the same procedure) is not responding to the Center's notices. In addition, the complainant stresses that she and her daughter suffered domestic violence by her husband, that no one did anything about it, and that the relevant court did not resolve her divorce appeal, although she filed it five months ago.

After obtaining the report and documentation from the Center in P., the Gender Equality Ombudsperson established that the Center took all necessary measures in the procedure for resolving the complainant's request to be granted social welfare rights, that the Center had no knowledge about the violence in the family, and that the police had such information and filed a misdemeanor charge against the complainant's husband, after which he was punished by a fine. In addition, it has been established that the divorce procedure is in process and that there is no obstruction of proceedings. That is why the Gender Equality Ombudsperson, in accordance with her legal authority, gave to the Center in P. a recommendation that it should continue to actively follow the situation in the family, and, if it receives any information about violence, act in

accordance with the Protocol for Cases of Violence in the Family, that is, to inform the police promptly and without delay, regardless of whether another body has already done it.

4.2.10. CASE SUMMARY (PRS-03-02/06-11): Complainant I.Š. from Z. submitted to the Gender Equality Ombudsperson a complaint in which he claims that the relevant institutions failed to give him protection from long-lasting violence in the family he was exposed to, that is, they may have given him unequal treatment in relation to his ex-wife. According to the claims from the complaint, the complainant is dissatisfied with the work of police officers of the relevant PS and the employees of the Center, and says that he reported his ex-wife because of his exposure to violence, but the claims from his statement were neglected, quote: "...if I was a woman, the relevant institutions would react promptly, as they did when my ex-wife brought false allegations against me."

MEASURES TAKEN: The Gender Equality Ombudsperson obtained a report from the General Police Directorate and a report and documentation from the relevant Center. After considering the case, the Gender Equality Ombudsperson did not conclude that the police officers and employees of the Center treated the complainant unequally or discriminated against the complainant in relation to his ex-wife. As a result of the event that took place on July 11, 2004, the police officers filed a motion to initiate misdemeanor proceedings against his ex-wife for committing the misdemeanor from Article 4 of the Law on Protection from Violence in the Family, and the written statements of the complainant, processed by the police, were forwarded to the relevant state attorney's office in a Special Report.

4.2.11. CASE SUMMARY (PRS-03-02/06-12): Complainant S.B. from Z. submitted a second complaint to the Gender Equality Ombudsperson (after considering the first complaint, the Gender Equality Ombudsperson gave a warning and recommendation to the relevant PS) in which she claimed that she had not yet received protection from violence in the family by her ex-husband. The complainant claims that, although she changed the lock on the doors of the house after he moved, her ex-husband is harassing her by secretly entering the house while she is at work. Since she regards his unlawful entries and visits to the house as a form of violence in the family, the complainant phoned the police and reported his ex-husband on July 7, 2006. She was told that the police would carry out the intervention if her husband was in the house. When she asked for an advice on how to protect herself from harassment, she was not given an appropriate answer. She has still not received a reply to her request from December 12, 2005, in which she asked the police the minutes of the intervention carried out the day before.

MEASURES TAKEN: The Gender Equality Ombudsperson obtained a report from the General Police Directorate. Acting on the request by the Gender Equality Ombudsperson, the Police Directorate established that the police officers have acted in accordance with the legal regulations and police practice. They received the complainant's calls in December 2005 and July 2006 and went out on interventions. They informed the complainant about the importance of self-protection, and informed the relevant state attorney's office about the reports of domestic violence, measures and actions (in the form of a special report). Regarding the claims from the complaint that the complainant did not receive the minutes on the police intervention from the day before, the report of the Police Directorate says that "...the usual practice of police conduct implies that the party should come in person at the official police premises to receive the requested written report."

4.2.12. CASE SUMMARY (PRS-03-02/06-14): Complainant A.Š. from V. submitted to the Gender Equality Ombudsperson a complaint in which she claims that the relevant institutions did not give her protection from long-lasting violence in the family she was exposed to and that the police officers of the relevant PS did not protect her from violence in the family by her ex-husband, who was already convicted in a criminal procedure for the criminal acts of rape, violence in the family, neglect and abuse of an under-aged child, and threat, along with the precautionary measure of a restriction order and in a misdemeanor procedure for violence in the family, along with a protective measure of a restriction order regarding the family house in which the complainant lives. The complainant adds that she has been living with her parents since June 2004, and that her family members cannot live a normal life because her ex-husband, since he returned from prison in October 2005, often comes to the house or near the house, harasses and threatens her, her father and other relatives. The complainant says that her ex-husband has secretly entered the house twice, and he often sits or stands across the street, provokes and threatens. The complainant and her family members have on numerous occasions reported to the police various forms of violence in the family, such as stalking, intimidation, threats, harassment and other forms of violence, but to no avail, since her ex-husband has continued with violence. The complainant claims that, even after

the police intervention, her ex-husband used to stay sitting or standing in front of the house, and the police officers most often told her that they cannot do anything about it, that they should address the court, that they should file a private lawsuit, that they cannot remove her ex-husband because he is in a public space, that the police cannot do anything because there were no threats, and once the policeman on duty called the social worker to solve the problem. The complainant says that she also contacted the relevant Center in V. and that they are familiar with her case.

MEASURES TAKEN: The Gender Equality Ombudsperson obtained a report and addition to the report from the General Police Directorate, and a report and documentation from the relevant Center. Acting on the request made by the Gender Equality Ombudsperson, the Police Directorate established that the police officers who intervened at the scene of the incident did not acknowledge that, by remaining in the vicinity of the complainant's family house and harassing the complainant and her family by frequent phone calls, the ex-husband has committed violence in the family. Furthermore, it is clear from the statement of the relevant police department that, since the police officers did not act in accordance with the Protocol for Cases of Violence in the Family, measures and actions will be taken to establish their accountability. Having in mind the measures taken, the Gender Equality Ombudsperson recommended to the Police Directorate to inform her about the results of the procedure for determining the accountability of the police officers of the relevant PS.

4.2.13. CASE SUMMARY (PRS-03-02/06-15): Complainant Ž.R.K. from Z. submitted to the Gender Equality Ombudsperson a complaint in which she claims that the police did not provide her with protection from violence in the family and that she was treated unequally during the police intervention. The complainant claims that she is a victim of long-lasting violence committed by her husband, in the form of physical assaults and psychological violence - threats, insults and violation of her dignity. She addressed the police for protection in 2006. She stresses the unequal treatment in relation to her husband during the requested police intervention on July 30, 2006 at 9 p.m. She requested the intervention because her husband yelled and insulted her in front of her building. The police officers first brought the husband into custody, and half an hour later, one police officer returned and told her that she must come to the PS with him because her husband testified that she insulted him as well. The complainant claims that she also gave a statement in the PS and told the police that it is not true that she insulted her husband, but the police detained them both to spend the night at the police premises, because, as the police officers told her, the husband does not want to retract his statement; that is why the next morning they were both taken before the misdemeanor judge. The complainant believes that, having in mind the long-lasting violence in the family she and her children suffered by her husband, there was no need to take her into custody. Because of this treatment, she completely lost faith in the entire system of protection from violence in the family.

MEASURES TAKEN: The Gender Equality Ombudsperson obtained a report and documentation from the General Police Directorate and the relevant Center. In addition, the Gender Equality Ombudsperson also obtained an addition to the report from the Police Directorate. After considering the case, the Gender Equality Ombudsperson concluded that the police officers and employees of the Center took all necessary actions and measures in accordance with the Protocol for Cases of Violence in the Family. The police officers of the relevant PS carried out an intervention on July 30, 2006, at the request of the complainant, during which both the husband and the complainant were brought into custody and detained, and finally brought before the misdemeanor judge and given conditional sentences. In an additional statement, the Police Directorate claims that the complainant was brought into custody together with her husband because their verbal argument took place in the presence of her under-aged daughter. Regarding the complainant's exposure to long-lasting violence in the family, an informative interview was carried out with the complainant, and after criminal processing, the police informed the relevant state attorney's office in due time.

4.2.14. CASE SUMMARY (PRS-03-02/06-38): The Gender Equality Ombudsperson was contacted by the employees of a shelter for victims of domestic violence on behalf of their beneficiary and victim of violence in the family, B.Š. The complaint referred to police conduct, that is, failure to provide protection from violence in the family. It chronologically outlines the long-lasting exposure of B.Š. and her under-aged children to violence in the family by her ex-husband and former police officer. They have been accommodated at the shelter as victims of violence for three years. The ex-husband as the perpetrator of violence was imprisoned and convicted for violence in the family and threats several times, and in 2005, he was sentenced to imprisonment in the prison in P., and ordered

mandatory psychiatric treatment. On several occasions since August 2004, the ex-husband has come drunk in front of the shelter and threatened B.Š. and the employees of the shelter, because of which he was brought into custody several times. The situation culminated on November 6, 2006, when the ex-husband arrived in front of the shelter and stopped the head of the shelter on the street, insisting to be told where his ex-wife is. In a conversation with the head of the shelter, he again threatened to kill B.Š., because of which the head of the shelter sent a written statement to the relevant state bodies.

MEASURES TAKEN: The Gender Equality Ombudsperson obtained a report from the General Police Directorate. Acting on the request made by the Gender Equality Ombudsperson, the Police Directorate established that the police officers took all necessary measures and actions to gather information about the threats made by the ex-husband and necessary measures and actions to find him, and the relevant PS was asked to carry out an informative interview with him. Furthermore, the Police Directorate noticed certain ambiguities in the received report and documentation of the relevant police department, so they requested additional explanations. Since the police department with jurisdiction at the place of residence of the ex-husband also filed several criminal and misdemeanor charges against him, the Police Directorate requested from them a detailed report on all interventions in the family. After considering the case in question, the Gender Equality Ombudsperson concluded that the Police Directorate took active part in re-examining the conduct of police officers.

4.2.15. CASE SUMMARY (PRS-03-02/06-43): Complainant N.T. from R. submitted to the Gender Equality Ombudsperson a request for solving the problems she has with her ex-husband. The complainant and her ex-husband, with whom she has two children (25-year old son and 9-year old daughter) divorced in 2004, and a court procedure for the increase of alimony is currently in process, initiated at the request of the complainant. Because of this, the ex-husband has been making frequent phone calls, sometimes in late hours of the evening, and threatened her and their son. They were even forced to disconnect the phone. The complainant claims that the ex-husband sometimes calls her at work, and once she was forced to call the police and report the harassment. At the end of March, the husband waited for an opportunity for her to be walking alone and physically assaulted her by pulling her hair. The complainant reported this assault to the police and the Misdemeanor Court ordered him a reprimand (she did not receive the official decision). The second assault happened on August 10, 2006, in front of the complainant's apartment, and the court procedure for this assault is still in process. The complainant says that, regardless of the fact that she reported him to the police, his harassment of her, their children and her work colleagues continues.

MEASURES TAKEN: The Gender Equality Ombudsperson obtained a report and an addition to the report from the General Police Directorate. She warned the Police Directorate that the police did not act in accordance with the Protocol for Cases of Violence in the Family, and that they should familiarize the police station in R. with this warning. In the addition to the report of the PS in R., it is said that certain irregularities had been noticed in the conduct of three police officers, and a disciplinary procedure for determining their accountability was proposed.

4.2.16. CASE SUMMARY (PRS-03-01/06-02): Complainant J.S.J. from K.I., employed, accommodated at a women's shelter at a secret address, has on January 17, 2006 personally filed a complaint to the Office of the Gender Equality Ombudsperson regarding the way she was treated as a mother/victim of violence in relation to the father of the child/abuser in a procedure for placing their child in the Children's Home in Z. (hereinafter: Home) by the relevant Center in I.G. and the failure to take measures for protection from violence in the family.

She attached the documentation showing that, before the decision to place the child in a home was made (December 12, 2005), she informed in detail the relevant Center (December 6, 2005) that her husband T.J. had kidnapped their child and left it at his mother's, and later threatened her and the child with a bomb. The Center explained to her that they will place the child in the Home for fear that the father T.J. might again take him and disappear in an unknown direction after he returns from prison. However, the decision of the Center from December 12, 2005, apart from placing the child in the Home, also forbids both the complainant and the father any contacts with the child.

The complainant believes that she has been deceived by these actions on the part of the Center, which she stressed while voicing the complaint in the Office of the Gender Equality Ombudsperson. She thinks that she has been discriminated against as a mother and woman because the Center treated her, as the victim of domestic violence, equally as her husband T.J. - a person with a criminal record, and a convicted abuser who neglected and abused their joint child.

She emphasized that the Center did not take measures to protect her from violence in the family, but taken her child away from her, placed the child in the Home and forbid her to see the child. She attached the documentation showing that the decision of the Center from December 12, 2005 grants the custody of the child to the Home, and that she and the father are forbidden to see the child until this will be in the interests of the under-aged child A., because she agreed that she cannot take care of the child.

The complainant believes that she has been deceived by the Center and attached the documentation showing that the Center explained to her that the main reason for placing the child in the Home was displacement to a safe place for fear that the father might take him again and disappear in an unknown direction after he returns from prison. The documentation also shows that she described in detail to the employees of the Center that the husband kidnapped the child against his will, placed him at his mother's and later threatened her and the child with a bomb, because of which she visited the Center the next day.

MEASURES TAKEN: On February 8, 2006, the Gender Equality Ombudsperson requested an addition to the report and documentation saying: "I have received your incomplete report. Also, apart from the decision from December 12, 2005, you did not send me the documentation I requested. In the report, you claim that J.S.J. has contacted you on August 1, 2005, for help and accommodation of her and her under-aged child, because she was abused by her husband T.J. Apart from accommodating the victim of violence and her child in a shelter, you do not mention any other measures you took in order to improve the protection and help to the victim of violence in the family (reporting the violence, informing the victim about her rights, implementing a procedure for granting rights to the victim of violence and measures for the protection of the child's well-being etc.). Furthermore, in your report, you claim that, after the incident that took place between J.S.J. and her husband T.J., which culminated on December 5, 2005, the under-aged A. was left at his grandmother's, but you do not describe the incident and circumstances under which it occurred, as well as under which circumstances the under-aged child was left at his grandmother's. The Center could ban meetings with the child to the parent who does not live with the child, but only with the aim of protecting the health and other important interests of the child. But, in the case in question, it was not explained, either in the report or the decision, apart from a general statement "until the child's adaptation period in the Home passes", why J.S.J., as the victim of violence in the family, was forbidden to see the child. J.S.J. complains that as a mother and woman she was treated equally as her husband, the perpetrator of violence in the family. Although you established that she was the victim of violence in the family, you did not protect her rights."

In the addition to the report, the Center denies all allegations made by J.S.J., claiming that they did all they could for the benefit of the child, but failed to attach their minutes from December 6, 2005 that support the claims of J.S.J. that she was deceived about the reasons the child was placed in the Home.

It is clear from these minutes, which J.S.J. handed over to the Gender Equality Ombudsperson while voicing her complaint, that on December 6, 2005 they noted down the statement by J.S.J., that on the very same day, December 6, 2005, they were informed by the police about the violence against J.S.J. committed on December 5, 2005 and earlier, and that on the very same day, December 6, 2005, they placed the child in the Home.

That is why the claims of the Center in a reply sent to the Gender Equality Ombudsperson, that at the moment of the event, the Center could not contact the damaged party, are true only if they refer to December 5, 2005 (but it was also justifiable, because on that day she was threatened by a bomb), because the Center still had no information about the event.

The child was placed in the Home on the very same day they learned about the violence and were able to contact J.S.J., and the Center sent to the Gender Equality Ombudsperson the following addition to the report: "At the moment of the event, J.S.J. was not accessible to the Center, and T.J. was in prison, and the under-aged A. was accommodated in accordance with Article 103 of the Family Law."

Furthermore, the reply completely disregards the fact that the child was taken to his grandmother, T.J.'s mother, by force (about which the Center was informed by the police on December 6, 2005). The documentation of the Center says that the child was "left" there, which suggests that she, the mother, left him there, which opened up the possibility for placing the child in the Home and forbidding the mother contacts with the child (which were continued at J.S.J.'s insistence only after the decision of the relevant court). In the report of the Center, J.S.J. is treated as unemployed, although their own minutes show that she recently found employment.

The Gender Equality Ombudsperson concluded that the relevant Center had knowledge about the existence of violence in the family, but failed to take all necessary measures for protection from

violence in the family in accordance with the provisions of the Law on Protection from Violence in the Family and Law on Social Welfare.

That is why on March 29, 2006, the Gender Equality Ombudsperson sent to the Center a warning that, although they knew about the violence in the family committed by the husband, the Center did not take any measures against him, particularly when the husband/father on December 3, 2005, took their under-aged child without the complainant's consent to his mother and left him there. Because the Center failed to take appropriate measures against the husband, the basis was created for future decisions about the care for the child, which were all unfavorable for the complainant.

She also warned that the Center's actions prevented the complainant as a mother to carry out her parental care duties, such as the parent's right to live with the child, and for a period of time she was denied contacts with the child, although the complainant was already discriminated against by the very fact that she was a victim of domestic violence.

The Center was given a recommendation to promptly inform the Gender Equality Ombudsperson about the measures that were taken.

The Center failed to do it.

OUTCOME: J.S.J. was killed on June 16, 2006, in front of the Home in which the child was placed, by her husband T.J. According to media reports, after the inspection was carried out at the Center, no irregularities were established.

4.2.17. CASE SUMMARY (PRS-03-01/06-12): Complainant Ž. B. from N. submitted to the Gender Equality Ombudsperson a complaint regarding the potential unequal treatment as a parent in carrying out his parental care duties. The complainant claims that, as a father of an under-aged child, who lives in dangerous and inadequate conditions, he was not able to take part in parental care, because his requests sent to the relevant Center and the statements he gave have almost no effect and the complainant is unable to provide appropriate care to his child.

MEASURES TAKEN: On the basis of documentation collected, the Gender Equality Ombudsperson concluded that the Center did not put the complainant in an unequal position because it is clear from the documentation that the Center made a decision on parental care on December 2, 2005, and all objections, requests and suggestions made by the complainant were considered. In addition, on September 20, 2006, the Center forwarded the case to the relevant Municipal Court before which a procedure was initiated regarding the complainant's request to reconsider the decision about child care and all other requests and suggestions. However, having in mind the allegations from the complaint, the disturbed communication with the former extramarital partner, the lack of statement by the Center concerning the violence in the family, as well as the measures taken with the aim of protection from violence in the family, the Gender Equality Ombudsperson gave to the Center a recommendation that, in the future, they should take measures for the protection of victims of violence in the family in accordance with the Protocol for Cases of Violence in the Family and should have in mind the principle of gender equality in the broadest sense. Despite the fact that women are discriminated against in many spheres of life, they should also pay special attention to potential inequality of men (fathers) during the psychosocial analysis of the family and implementation of measures for the protection of the child's well-being, and to giving opinions and suggestions to courts and other bodies, since this is often pointed out by men (fathers) in their complaints to the Gender Equality Ombudsperson.

4.2.18. CASE SUMMARY (PRS-03-01/06-13): Complainant D.M. from T. submitted to the Gender Equality Ombudsperson a complaint referring to the possible unequal treatment as a parent in the exercise of his parental care duties and failure to receive protection from violence in the family. The complainant claims that the employees of the relevant Center in various ways implied that his under-aged daughter is better off with her mother, since she is a girl, whereas he as a father was criticized for trying to convince the child to stay with him.

MEASURES TAKEN: The Gender Equality Ombudsperson concluded that the employees of the relevant Center, as well as the police officers of the relevant PS, did not put the complainant in an unequal position. The report says, quote: "the person in question was not suggested to, but explained to that it is better for the child, until a final decision is made about custody and parental contacts, to stay in the environment she has lived in so far, since the conditions at her mother's were adequate."

4.2.19. CASE SUMMARY (PRS-03-01/06-17): D.Č. from Z. submitted to the Gender Equality Ombudsperson a complaint in which he asks for help in establishing contacts with his under-aged

child who is accommodated with his mother in a women's shelter at a secret address, because the relevant Center told him that he should address the relevant court for the exercise of this right.

MEASURES TAKEN: After obtaining and considering the report and documentation of the relevant Center, the Gender Equality Ombudsperson informed the interested party about the contents of the report, that is, that court procedures for determining the contacts between him, his mother (the child's grandmother) and his under-aged child are in process, with two hearings already scheduled, and that the Center, until these court procedures are concluded, will take action to organize these contacts, and to take further measures for the protection of the under-aged child, that is, the entire family.

4.2.20. CASE SUMMARY (PRS-03-01/06-19): Complainant W.H. from R. submitted to the Gender Equality Ombudsperson a complaint about the actions of the relevant Center in which he states that his wife, with whom he no longer lives in a marital community (divorce proceedings are currently under way), prevents him from seeing his under-aged child. He could not reach an agreement with his wife about the contacts with his child even during the mediation process before filing for divorce.

MEASURES TAKEN: After examining the report and documentation of the Center, the Gender Equality Ombudsperson concluded that the Center did not put the complainant in an unequal position. The Gender Equality Ombudsperson established that the Center carried out the mediation process before divorce during July, August and September 2006, after which an expert opinion was delivered to the complainant and his wife, and that the contacts between the father and his under-aged child will be decided by the relevant municipal court in a divorce procedure that is currently in process, and in which the Gender Equality Ombudsperson is not authorized to intervene.

4.2.21. CASE SUMMARY (PRS-03-04/06-02) and MEASURES TAKEN: Reacting on the newspaper articles about the police raid in massage parlors in Z. on the grounds of suspicion of prostitution business, during which the police officers allegedly sexually harassed the employees of these parlors, the Gender Equality Ombudsperson requested from the General Police Directorate a report about the incident.

Acting on the request made by the Gender Equality Ombudsperson, the Police Directorate submitted their written report in which they claim that no oversights were found in the conduct of police officers of the relevant police department during the raid of massage parlors.

4.2.22. CASE SUMMARY (PRS-03-04/06-03): Complainant S.S.M. from Z. filed a complaint to the Gender Equality Ombudsperson about the unequal treatment by the police during the incident on December 19, 2005. She claims that on that day, at 10 a.m. she had a hearing scheduled at the Municipal Court in Zagreb, and after the hearing ended, when she came down to the ground floor of the court building, she was physically and verbally assaulted by the judicial police officers, quote: "...he brutally grabbed me by my back and told me that I cannot phone from here and took the phone receiver from me. When I told him that he cannot push me around, he asked me how I dare behave like that. Since he was aggressive without any reason, and no one helped me, I said to him that I will call the police, and he replied that he will call the police."

She adds that the police intervention was done by a police officer of the relevant PS in a way that he did not even talk with the complainant, although she insisted on it, but took the statement only from the judicial police officer whom the complainant accused of abuse. The complainant believes she was discriminated against as a woman, and that, instead of receiving protection as the victim of abuse by a judicial police officer, an unfounded charge was filed against her for an imaginary event.

MEASURES TAKEN: After examining the report and documentation obtained on two occasions, the Gender Equality Ombudsperson concluded that the police officers had taken all actions and measures according to the regulations. Acting on the request made by the Gender Equality Ombudsperson, additional inspections were carried out and it was established that the police officers and the judicial police officers stated that the police officers interviewed the complainant as well, the police officers who carried out the intervention also stated that they interviewed the complainant, and the clerk at the information desk of the Municipal Court in Z. confirmed that the complainant behaved inappropriately, shouted and insulted the judicial police officers.

4.2.23. CASE SUMMARY (PRS- 03-04/06-07): Complainant J.S. from D.Z. submitted to the Gender Equality Ombudsperson a complaint about the conduct of police officers. She claims that the police

failed to protect her when a man assaulted and threatened her in a store she works in. The police filed misdemeanor charges against her for the disturbance of public order, instead of against the persons who threatened her. She was unfoundedly exposed to misdemeanor prosecution, instead of being protected by the police officers as a victim of violence at her workplace. The complainant stressed that the police officer showed no interest in taking her statement during the intervention and that the police officers did not even bring into custody the person who assaulted her. The complainant says that, as a consequence of the assault, anxiety, threats and the lack of adequate police protection, she was forced to take a six months' sick leave.

MEASURES TAKEN: Acting on the request made by the Gender Equality Ombudsperson, the General Police Directorate established that the police officers acted unprofessionally and perfunctorily, since they filed misdemeanor charges against the complainant as well, although there were no legal reasons for this, and that no informative interviews were conducted with the complainant in order to establish whether her claims from the complaint were founded. Furthermore, the relevant police department did not inform the complainant on time about their actions regarding her motion for the criminal prosecution of the perpetrator. The Gender Equality Ombudsperson concluded that the police officers did not adequately protect the complainant from the violence and threats she experienced.

The Police Directorate subsequently informed the Gender Equality Ombudsperson that the police officers of the relevant PS did act on the motion for the criminal prosecution for the criminal act of threat, which was filed by the complainant, and that the relevant state attorney stated that there is a pending investigation concerning the criminal act of threat and infliction of physical injuries. That is why the Gender Equality Ombudsperson has sent a warning to the relevant PS through the Police Directorate, and as the Police Directorate requested from the relevant police department to determine the accountability of police officers and take measures to eliminate the unprofessional and perfunctory conduct of police officers, the Gender Equality Ombudsperson requested from the Police Directorate to inform her about the measures they have taken.

4.2.24. CASE SUMMARY (PRS-03-04/06-10): The Gender Equality Ombudsperson was contacted by the activists of NGOs for the protection of women's rights and NGOs for the protection of sexual and gender minorities in connection with the conduct of police officers towards six Spanish nationals. According to press captions and reports in the electronic media, the event took place on September 5, 2006, at the beach K. in S. The women were brought into custody because they were topless and because they caused an incident, detained and subjected to a hearing, their passports were temporarily taken away, and then misdemeanor charges were filed against them. The complaint says that Spanish citizens were physically assaulted on the beach by two men. The complainants believe that, as some media reported, the Spanish citizens did nothing that would deflect from normal behavior on the beach, so there was no reason to bring them into custody. In addition, the complainants think that the police officers did not give adequate protection to the women from the two attackers, and that they were not treated equally as the men, which resulted in media reports in which the Spanish citizens were portrayed in an insulting and humiliating way.

MEASURES TAKEN: After considering the claims from the complaint and report, and examining the printed media reports, the Gender Equality Ombudsperson did not establish that the police officers discriminated against the six Spanish citizens, but took actions and measures according to the regulations. The police officers have received reports that the Spanish citizens and other swimmers on the beach K. in S. are disturbing the public order. The police officers sent on the scene established that the women's behavior caused dismay of the surrounding swimmers, which lead to an argument and shouting between the swimmers and Spanish citizens.

The Spanish citizens were brought into the official police premises of the relevant PS and informed about the provision of Article 36 of the Vienna Convention on Consular Relations. At the request of the Spanish citizens, the Spanish Embassy was informed about the incident. In order to ensure the presence of Spanish citizens at the Misdemeanor Court in S., and after the misdemeanor processing, their passports were temporarily taken away from them, after which they were released from the official premises of the PS. On the next day, the Spanish citizens and the two Croatian citizens involved in the beach incident were brought before the Misdemeanor Court in S., where they were found guilty and fined according to the Law on Misdemeanors against Public Order - in the case of Spanish citizens, on the basis of Article 14 ("...for insulting and devaluating the moral sentiments of citizens...") and Article 30 ("...who keeps animals that can hurt or endanger citizens in a careless way and without supervision..."), and in the case of one Croatian citizen, on the basis of Article 13 ("...who fights, argues, shouts or in any other way disturbs the public order..."), while the misdemeanor proceedings against the other Croatian citizen were discontinued.

4.2.25. CASE SUMMARY (PRS-03-05/06-02): Complainant D.H. from N.P. submitted to the Gender Equality Ombudsperson a complaint as a beneficiary of health-care services of a health-care institution concerning the discriminatory treatment of women in the delivery of health-care services during gynecological exams. The complainant claims that she was first "shocked" by the caption on the doors of the changing room, which, among other things, says: "patients must wear a skirt", and "...if you are not wearing a skirt, the nurses will walk you through the waiting room in your underwear, where there are both men and women waiting." The complainant claims that, in the ultrasound room, there is a window with the shutters up so that passers-by can see the patients during the exam, there are no slippers, so that women in skirts, without panties, and in boots wait for the exam, and lie like that on the exam table. The complainant says that after such an exam, she did not feel like a woman taking care of her health, and believes that her dignity was violated. MEASURES TAKEN: After reading the report of the health-care institution, the Gender Equality Ombudsperson concluded that the health-care institution should pay more attention to creating exam conditions in which women would not feel uncomfortable, humiliated or undignified. That is why the Gender Equality Ombudsperson gave a recommendation to the health-care institution that it should, in its written announcements, leaflets, brochures and posters about the preparation for the gynecological exam, use more appropriate formulations such as, for example, "we recommend wearing a skirt for convenience during exam" and the like, and create a setting in which women would not feel uncomfortable, humiliated or undignified.

4.2.26. CASE SUMMARY (PRS-03-05/06-09): Complainant R.D. from M.L. submitted to the Gender Equality Ombudsperson a complaint in which he claims that he and other men were discriminated against when entering the building in which town, county and state government offices are located. He claims that the city of M. L. ordered the employees at the entrance not to allow men with $\frac{3}{4}$ length trousers to enter the building. On July 19, 2006, he tried to enter the building dressed in $\frac{3}{4}$ length trousers, but the employee stopped him at the entrance with an explanation that the major ordained that men dressed in such a way be forbidden to enter. The complainant believes that men are being discriminated against in this way, since women, including the employees in the town government, enter the building freely dressed in clothes - skirts and pants - that are shorter and even above the knee. The complainant asks for help so that he and other men would not be denied access to public services.

MEASURES TAKEN: After examining the report, the Gender Equality Ombudsperson informed the complainant about the important parts of the report. The report says that people working at the entrance where the city public services are located are not employees of the city government, but guards of a private security firm, that they have no knowledge of the incident because there is no record of the persons who are not allowed to enter the building because of a personal assessment of authorized and trained guards, so there is no written evidence of the complainant's attempt to enter the building on the day in question, that because of the fluctuation of the guards and because three months have passed since the incident, it is not possible to establish what happened, and that the City of M. L. did not enact any decision about the prescribed look of persons visiting the building. The complainant thanked the Gender Equality Ombudsperson for the interest she has shown for his case.

4.2.27. CASE SUMMARY (PRS-03-05/06-11): D. R. from T. submitted to the Gender Equality Ombudsperson a written complaint in which she claims that she was denied the fundamental human right of the freedom of movement because of her status of a divorced woman, and that her status was, in her opinion, the key reason she was denied Croatian citizenship by a relevant body, although she was born and living on the territory of the Republic of Croatia. She adds that her ex-husband and children have Croatian citizenship.

MEASURES TAKEN: After examining the attached documentation, the Gender Equality Ombudsperson established that the complainant's request for permanent residence in the Republic of Croatia and for Croatian citizenship was not rejected by the Ministry of Internal Affairs and Administrative Court because she has the status of a divorced woman, this is not even mentioned in the request, but it is questionable whether she meets the conditions stipulated by the Law on Movement and Stay of Foreigners and Law on Croatian Citizenship.

That is why the Gender Equality Ombudsperson concluded that she is not authorized to resolve the case in question, and forwarded the complaint and attached documentation to the People's Ombudsperson.

4.2.28. CASE SUMMARY (PRS-03-04/06-09): Complainant I.K. from Z. submitted to the Gender Equality Ombudsperson a complaint in which she states that she is dissatisfied with the work of the police. She claims that, on September 19 and 22, 2006, she reported to the relevant PS disturbing phone calls on the fixed phone line, including threats made to her through her child, related to the published ads on the Internet and in Plavi Oglasnik. The complainant believes that the published ads, phone calls and threats made on the phone by an unknown man disturbed her and her child's privacy and safety. Since she did not receive a reply from the police about the measures they had taken, the complainant contacted the relevant PS again on September 23, 2006, asking to be informed about the measures taken.

MEASURES TAKEN: After examining the two reports by the General Police Directorate, the Gender Equality Ombudsperson concluded that the police officers have taken all actions and measures in accordance with the regulations. The police officers did the following: on September 19 and 22, 2006, they received the complainant's call and on September 22, 2006, intervened at the request of the complainant. They also advised the complainant to solve the problem of harassment over the mobile phone in a private lawsuit, but told her that she can file a motion for criminal proceedings against an unknown male person for the criminal act of threat (Article 129 of the Criminal Code) and informed the complainant in writing on October 23, 2006, that all the documentation of the case was submitted to the relevant municipal state attorney's office for informative purposes and decision.

4.2.29. CASE SUMMARY (PRS-03-05/06-08): Complainant T.R. from P. submitted to the Gender Equality Ombudsperson a complaint concerning the conduct of police and other state institutions. The complainant complains about years of "disregard" by the judiciary, police and other bodies. She claims that all of these institutions in the area of V. and P. plotted against her and her husband (aged 78) in connection with the procedure of dissolution of real property initiated by her husband A. in 1987, as the heir of real property in an inheritance procedure. This is when problems for her and her husband arose, and soon after that, the abuse and disregard started, first on the part of their relatives, and then the police and judiciary. Dissatisfied with the work of judicial bodies and the police, the complainant decided to publicly demonstrate the violation of her constitutional rights on July 11, 2006 in front of the Ministry of Justice, because the municipal court in V. did not deliver a decision in her lawsuit in a reasonable amount of time, because of which she suffers huge and irreparable damage because she is unable to execute her ownership authority. Since she does not know Zagreb well, she did not know that she is in a place where it is not allowed to protest, since her only intention was to peacefully protest in front of the Ministry of Justice. She claims that the police officers treated her very rudely during the intervention, brought her into custody without any reason and questioned her for several hours, unlawfully detained her for longer than 5 hours, did not allow her phone contact, to go buy a bread roll or offered her water. The complainant stresses that she did not know or could not know that peaceful and individual protest such as hers can be banned, particularly because she believes that the term "public gathering" refers exclusively to a group of people, and not an individual, so she does not understand why she, as a woman, had to be exposed to the brutal conduct of the police.

MEASURES TAKEN: In the report of the General Police Directorate, it is said that all the allegations of the complainant have been investigated, and no irregularities or conduct that would point to failure to take measures and actions or incorrect and unprofessional conduct of police officers were found. Regarding the treatment of the complainant in Zagreb on July 11, 2006, in an addition to the report, it is said that the relevant police officer took the prescribed measures and actions and that the intervention was carried out according to legal regulations, quote: "Upon arrival at the St. Marc's Square, in front of the building of the Croatian Parliament, the police officer established that T. R. is in protest...after she ignored the warning and order of the police officer to stop the protest and walk away, without the use of force, at 9.45 a.m. she was brought into custody at the premises of the 1st PS Zagreb for further misdemeanor processing...To verify the legally prescribed measures and actions taken by the police officer, that is, the allegations about the brutality used when Mrs. R. was brought into custody and denied the right to a phone call and going to buy a bread roll, on October 18, 2006, the relevant police officer was again interviewed, categorically denied these claims and said that he was extremely polite and professional...Mrs. R. did not object to the work of the police officer, but only commented what kind of a police station this is, in which she cannot drink a cup of coffee, and after the officer offered to buy her coffee, she denied."

4.3. COMPLAINTS RELATED TO THE WORK OF CENTERS FOR SOCIAL WELFARE

In 2006, the Office of the Gender Equality Ombudsperson received complaints related to the work of centers for social welfare, mainly because of the unequal treatment of mothers or fathers in the execution of their parental duties.

It is important to note that the provisions of the Family Law introducing big changes in the jurisdiction over decisions concerning parental care started to be implemented from January 1, 2006. Court jurisdiction in parental care procedures has been significantly extended. Since, from 2006, the decision about parental care has been delivered by a court in an extra-contentious procedure, this affected the number of complaints concerning the work of centers for social welfare on decision-making on parental care.

There is a growing number of male complainants, and some concrete examples are described in this report.

The Gender Equality Ombudsperson again stresses good cooperation with centers for social welfare in terms of timely submittal of reports and documentation.

However, during 2006, some oversights in their work have been observed, primarily the lack of attention to the history of domestic violence (in decision-making and giving expert opinions), and to the consequences of violence for persons exposed to it (mostly women), as well as belated reactions to violence in the family - which can all lead to preventing or limiting one of the parents in equal realization and execution of parental care duties.

4.4. COMPLAINTS RELATED TO VIOLENCE AGAINST WOMEN

Some of the complaints were related to the dissatisfaction with the conduct of police officers during interventions and insufficient protection in cases of various forms of violence against women in apartment buildings, in entering state institutions, on beaches and other places - in cases that cannot be categorized as violence in the family. It has been established that the police took all necessary measures, and certain oversights in the conduct of police officers have been eliminated at the request of the relevant police department.

4.5. COMPLAINTS RELATED TO DISCRIMINATION AGAINST HOMOSEXUAL PERSONS

Regarding discrimination on the grounds of sexual orientation, there is still a small number of complaints. Typical examples are: violence, harassment and destruction of property based on the sexual orientation of the complainant; discriminatory treatment in renting hotel rooms; violation of dignity and storage of personal data of persons of same-sex orientation when the police are taking necessary measures to find the perpetrators of criminal acts; termination of employment contract based on the employee's sexual orientation, inappropriate conduct of police officers, including discriminatory entrance of data on sexual orientation in police registers. In one case, the complainant refused to give the Gender Equality Ombudsperson his consent for further actions, when this consent was needed for a procedure, because he did not want his name to be mentioned in any way.

4.6. OTHER COMPLAINTS

Some of the complaints were related to discrimination against women in the provision of health-care services, sexist advertising and the like, and a small number of complaints were forwarded to other relevant institutions for consideration.

4.7. THE NATIONAL CAMPAIGN FOR FIGHTING DOMESTIC VIOLENCE AGAINST WOMEN, LOCAL EVENTS AND PROGRAMS

The campaign of the Council of Europe for fighting violence against women, including domestic violence, began in the Republic of Croatia at the end of 2006, in accordance with the guidelines of the Council of Europe, which declared year 2007 as the Year of Fighting Violence against Women, including domestic violence. The campaign itself was officially launched at the end of 2006, will be carried out during 2007, and will end on the International Women's Day, March 8, 2008.

Based on the plan of the Campaign of the Council of Europe for combating violence against women, including domestic violence (from June 21, 2006), concrete activities have been launched at the level of the Council of Europe and at national levels.

Within the Ministry of Family, War Veterans and Inter-generational Solidarity, a Committee for the Implementation of the National Campaign for Fighting Domestic Violence against Women was founded, and the campaign was launched with the following goals:

- to empower the view of the state, society and relevant state bodies on the necessity of securing the structure, organization and sufficient number of experts dealing with the issue of violence in the family, as a precondition for a more effective protection from violence in the family;
- to present to the public the Protocol for Cases of Violence in the Family and the duties and obligations of relevant bodies in cases of violence, including the police, centers for social welfare, health-care and educational institutions and judicial bodies, that is, mechanisms with which the Republic of Croatia protects the rights of persons exposed to violence;
- to define violence in the family in all of its manifestations as socially unacceptable behavior that should be rigorously sanctioned;
- to raise public awareness about a violence-free life as one of the fundamental human rights.

During the campaign, the public will be informed about the harmfulness of violent behavior, various forms of violence and prevention, help and protection of victims of violence in the family.

The realization of these goals depends on the simultaneous and coordinated activity of the state and local government and the vice-president of the Croatian Government and the Minister of Family, War Veterans and Inter-generational Solidarity, Mrs. Jadranka Kosor, called for the development of local programs commemorating the National Campaign for Fighting Domestic Violence against Women (in a document dated September 14, 2006) and addressed this call to all counties, county committees for gender equality and cities in the Republic of Croatia.

The Gender Equality Ombudsperson supports the idea that the realization of the campaign goals depends on the simultaneous and coordinated activity of state and local governments, and, acting in accordance with her authority, and with the aim of taking measures within her scope of authority, that is, monitoring the implementation of the Campaign, has in November 2006 asked all relevant bodies on the local level whether they have developed local programs commemorating the National Campaign for Fighting Domestic Violence against Women.

The replies to the query whether the relevant representatives on the local level have taken active part in the National Campaign for Fighting Domestic Violence against Women will contribute to the realization of its goals. The following is a report and analysis of the replies received by December 31, 2006:

4.7.1. LOCAL EVENTS AND PROGRAMS WITHIN THE FRAMEWORK OF THE CAMPAIGN FOR FIGHTING DOMESTIC VIOLENCE AGAINST WOMEN

During November 2006, the Gender Equality Ombudsperson requested data on the adoption of local programs within the framework of the National Campaign for Fighting Domestic Violence against Women from:

- 20 county heads and major of the City of Zagreb;

- 19 county committees for gender equality and the Committee for Gender Equality of the City of Zagreb;
- 126 cities.

In the annual report, we present the analysis of the replies for counties.

As far as cities are concerned, out of 126 cities to which the Gender Equality Ombudsperson sent a query about the adoption of local programs within the framework of the National Campaign for Fighting Domestic Violence against Women, only 27 cities replied. They all claimed that they still did not adopt a program to mark the Campaign, but they announced the adoption of such a program, explaining that the procedure for its adoption is under way or will be initiated soon. The other 99 cities did not reply to the query of the Gender Equality Ombudsperson from November 2006.

4.7.2. COUNTIES

Zagrebačka county

The Zagrebačka county replied to the Office of the Gender Equality Ombudsperson that they did not adopt a local program commemorating the National Campaign for Fighting Domestic Violence against Women. The Administrative and Technical Department of the Zagrebačka county assembly has sent a letter dated December 4, 2006, that the county assembly has at its 8th session, held on September 28 and October 2, 2006, made a decision on founding and duties of the Committee for Gender Equality of Zagrebačka county, and that on December 14, a session will be held at which one of the points on the agenda will be the adoption of conclusions about the appointment of members of the Committee for Gender Equality of Zagrebačka County.

The letter also stresses that the county assembly will make sure that the future Committee for Gender Equality, when developing the Work Plan for 2007, will include as one of its priorities the adoption of the local program marking the National Campaign for Fighting Domestic Violence.

Bjelovarsko-bilogorska county

The head of Bjelovarsko-bilogorska county replied to the query by the Gender Equality Ombudsperson. In a memo from December 13, 2006, he stresses the activities of the county in the local media through which it systematically informs the public about violence against women, especially domestic violence, the causes and number of reported cases of violence, the trend of increase in violence, the number of interventions, and the program on the basis of which the relevant bodies (centers for social welfare, police, NGOs and the like) should and can help in such situations.

The reply also says that the local program commemorating the National Campaign for Fighting Domestic Violence against Women was not adopted, but is being developed. The county head also claims that they are committed to continually and effectively carrying out activities through the media in cooperation with other responsible bodies, in order to address this important issue more efficiently.

By the end of the reporting period, no other head of county or their administrative office or the mayor of the City of Zagreb, that is, his administrative and technical office, has sent a reply to the Office of the Gender Equality Ombudsperson.

4.7.3. COUNTY COMMITTEES FOR GENDER EQUALITY

Primorsko-goranska county

The Committee for Gender Equality of Primorsko-goranska county states in the memo from December 14, 2006, that they adopted the local program for commemorating the National Campaign for Fighting Domestic Violence against Women in October 2006, and plan the following activities:

- commemorating the National Day of Fighting Violence against Women through press conferences and cooperation with civil society organizations active in promoting non-violence against women;
- familiarizing with the problems in the work of women's shelters and giving assistance in solving the problems;
- cooperation with the Ministry of Internal Affairs in connection with the submittal of data on domestic violence against women and data analysis;
- including the issue on the agenda of the County Assembly;
- commemorating the International Day of Fighting Violence against Women by organizing a press conference, setting up an info stall, invitations for participation sent to male public figures,

appearances on local radio and TV stations, media coverage of all events, organizing round-tables and discussions.

They also informed the Gender Equality Ombudsperson about their activities during 2006. They held public discussions on the issue of "Victims of Domestic Violence"; organized press conferences, appeared on local radio and TV stations, visited the Caritas' Home of St. Anna in Rijeka, and celebrated the International Day of Fighting Violence against Women by setting up an info stall and distributing leaflets and T-shirts with the participation of the head of county, chairman of the county assembly, members of the city government, heads of administrative departments of Primorsko-goranska county and the City of Rijeka, athletes, singers, journalists and representatives of political parties.

Brodsko-posavska county

In a memo from December 7, 2006, the Committee for Gender Equality of Brodsko-posavska county submitted the local program for marking the National Campaign for Fighting Domestic Violence against Women. They plan to carry out numerous activities related to the promotion of non-violence against women throughout the year: raising public awareness through the media, radio shows and articles in the local press, organizing round-tables on the topic of domestic violence against women, commemorating the National Day of Fighting Violence against Women by distributing promotional materials, initiating and coordinating the founding of a safe house for victims of domestic violence in the county and collecting statistical data on domestic violence.

Varaždinska county

In Varaždinska county, the local program marking the National Campaign for Fighting Domestic Violence against Women was not adopted, but the Committee for Gender Equality of Varaždinska county stresses in its reply to the Office of the Gender Equality Ombudsperson that it will propose such a program for 2007 and 2008. They described the activities they carried out during 2006 with the aim of fighting violence against women and violence in the family: lobbying for enhancing the capacities of the Home for Victims of Domestic Violence, public discussions etc.

Koprivničko-križevačka county

The Committee for Gender Equality of Koprivničko-križevačka county, in a memo from November 28, 2006, claims that the local program marking the National Campaign for Fighting Domestic Violence against Women was not adopted.

Vukovarsko-srijemska county

In Vukovarsko-srijemska county, the local program marking the National Campaign for Fighting Domestic Violence against Women was not adopted, but a series of activities were carried out - workshops, round-tables and events in cooperation with civil society organizations, for the purpose of informing the public about the harmfulness of violent behavior, as the Committee for Gender Equality of Vukovarsko-srijemska county claims in a memo from December 20, 2006. They stress the need for opening a shelter for women and children victims of domestic violence and the need to educate and train employees dealing with the issue of violence in the family in their everyday work in the county, as well as the members of the county committee for gender equality. Also, a series of activities were carried out during 2006 with the aim of preventing violence: workshops, public discussions, round-tables, street actions "Stop violence against women", distributing leaflets "Silence is approval of violence" marking the International Day of Fighting Violence against Women and 16 days of activism against violence against women.

City of Zagreb

The Committee for Gender Equality of the City of Zagreb reported in the memo from December 11, 2006, that the City of Zagreb did not adopt a local program marking the National Campaign for Fighting Domestic Violence against Women, but they are planning to adopt it at the beginning of 2007. They described everything that was done on this issue in the previous period with the active participation of the committee.

They are continually raising public awareness on the issue of violence, and violence in the family, and cooperate on the local level with all relevant bodies, institutions and NGOs. They evaluated the results of the action "Stop the violence behind closed doors" at the beginning of 2006, and developed a preventive program for all primary and secondary schools in the Zagreb area.

Furthermore, they informed the Gender Equality Ombudsperson about the contents of the Report on Safety Indicators and Work of the Zagreb Police Department and their actions in connection with its

findings. The relevant city departments were engaged in the opening of the Home for Children and Adults - Victims of Domestic Violence "Duga - Zagreb" at the beginning of December 2006, and they all regularly cooperate and provide assistance to the social welfare institution "Dobri dom". They also emphasize the contents of the social program of the City of Zagreb and the work of the Office for the Promotion of Human Rights within the Mayor's Office.

4.7.4. PROTOCOL FOR CASES OF DOMESTIC VIOLENCE

For the purpose of monitoring the implementation of the Gender Equality Law and other regulations concerning gender equality and with the intention of making sure that these regulations are fully implemented, during October 2006, the Gender Equality Ombudsperson has sent a memo in connection with the monitoring of the implementation of the Protocol for Cases of Violence in the Family to the offices of state administration in all counties, and to all county committees for gender equality. She reminded these bodies about their obligations in connection with the existing regulations, and asked whether the Protocol is monitored and implemented.

The Protocol states the obligations of relevant bodies and other stakeholders taking part in the discovery and prevention of violence in the family and providing help and protection to persons exposed to any form or modality of violence in the family, and the Gender Equality Ombudsperson stresses the following duties and obligations of stakeholders on the level of units of local and regional government:

I. In order to exchange experiences and create good practice, the Protocol obliges the county committees for gender equality to establish cooperation and exchange data with (p. 2. title 2. Forms, modes and contents of cooperation): units of local and regional government, coordinator for gender equality in the state administration offices in the county and NGOs that work programmatically with the aim of protecting the victims of violence and affirming their rights.

II. For the same reasons, the Protocol prescribes regular meetings of relevant stakeholders in the county (county committee for gender equality, county, units of local government, representatives of relevant bodies, coordinator for gender equality in the office of state administration and representatives of NGOs that work programmatically with the aim of protecting the victims of violence and affirming their rights) in connection with individual cases of violence in the family and results in solving the problem of domestic violence (p.3 title 2. Forms, modes and contents of cooperation).

Acting in accordance with her authority, the Gender Equality Ombudsperson requested from the above-mentioned bodies information on whether they established cooperation and data exchange with the county, other units of local government, coordinator for gender equality in the office of state administration in their county and NGOs that work programmatically with the aim of protecting the victims of violence and affirming their rights; and whether and how often they hold meetings with relevant stakeholders in the sphere of their authority related to individual cases of violence in the family and results in solving the problem of domestic violence in accordance with p. 3 title 2 of the Protocol for Cases of Violence in the Family.

By the end of this reporting period, the Gender Equality Ombudsperson received replies from almost all coordinators from offices of state administration in counties, but there was a smaller number of replies from the committees of gender equality.

All the replies state that they are familiar with the provisions of the Protocol for Cases of Violence in the Family. Regarding cooperation and data exchange with other bodies, most of them claim that they need targeted education in order to implement the provisions of the Protocol for Cases of Violence in the Family and the National Strategy of Protection from Violence in the Family more effectively.

The Gender Equality Ombudsperson believes that, at the level of the office of state administration in counties and at the level of counties and cities, an extensive education and training of persons should be organized for persons involved in committees for gender equality, as well as the education of coordinators of all activities related to this issue, so that the Protocol for Cases of Violence in the Family and the National Strategy of Protection from Violence in the Family could be effectively implemented, with full cooperation of all stakeholders at the level of local government.

PART FIVE

5. MONITORING THE IMPLEMENTATION OF THE GENDER EQUALITY LAW: ADOPTION OF OPERATIONAL PLANS FOR PROMOTING AND ESTABLISHING GENDER EQUALITY

In accordance with her authority, the Gender Equality Ombudsperson monitored the implementation of the GEL in connection with the adoption of operational plans for promoting and establishing gender equality that, on the basis of analysis of the position of women and men, the state bodies, legal entities with public authority and legal entities predominantly owned by the state or units of local and regional government are obliged to adopt (Article 21 of the GEL). She investigated whether the operational plans for promoting and establishing gender equality were adopted (Article 11 of the GEL) and, in accordance with the GEL, submitted for prior approval to the Office for Gender Equality of the Croatian Government (Article 18 and 30 of the GEL).

The Gender Equality Ombudsperson did not merely formally monitor the implementation of the GEL by establishing whether the operational plans for promoting and establishing gender equality were adopted or not, but also actively urged their adoption. She warned the relevant bodies about their duties and obligations according to the GEL, gave additional explanations and interpretations, and encouraged the responsible bodies to adopt the plans through frequent phone calls and written rush notes.

5.1. RESULTS OF MONITORING THE ADOPTION OF OPERATIONAL PLANS FOR PROMOTING AND ESTABLISHING GENDER EQUALITY

The bodies obliged to adopt the operational plans for promoting and establishing gender equality are state bodies, legal persons with public authority, and legal persons predominantly owned by the state or units of local and regional government (Article 11, para. 1 of the GEL).

5.1.1. Legal entities predominantly owned by counties, cities and municipalities

Before establishing whether the legal entities predominantly owned by units of local and regional government adopted operational plans for promoting and establishing gender equality, the Gender Equality Ombudsperson had to determine the type of legal entities that have such an obligation. Since the state bodies and units of local and regional government do not keep an official record of such affairs, the Office of the Gender Equality Ombudsperson had to collect the data.

The Gender Equality Ombudsperson had to issue several requests for data on legal entities predominantly owned by cities and municipalities, and 25 units of local government failed to submit them by the end of 2006.

Since, in 2005, by invoking Article 22, para. 2 of the GEL and Article 78, para. 2 of the Law on Local and Regional Government (The Official Gazette, no. 33/01, 60/01 and 129/05), the Gender Equality Ombudsperson contacted the Central State Office for Administration with a request for inspection of the work of 5 city and 21 municipal governments to obtain data on legal entities predominantly owned by them, in 2006 she has not contacted the cities and municipalities personally, but has on two occasions requested in writing the inspection from the Central State Office for Administration. In the meantime, one city from Primorsko - goranska county submitted the data at its own initiative.

The Central State Office for Administration has, in its memos from November 14, 2006, requested from the remaining 25 questionable units of local government to urgently submit to the Gender Equality Ombudsperson the data on legal entities in their ownership and to inform them about the actions taken. These are cities and municipalities from 6 counties: 4 from Krapinsko-zagorska county, 3 from Primorsko-goranska county, 1 from Ličko-senjska county, 4 from Zadarska county, 2 from Osječko-baranjska county and 11 from Splitsko-dalmatinska county.

The work of legal entities predominantly owned by 25 questionable units of local government will be monitored after their cities and municipalities submit the requested data to the Gender Equality Ombudsperson.

In 2006, the Gender Equality Ombudsperson has also established and succeeded the following:

- she continued communication with 946 legal entities for which she has already established in the previous reporting period that they still did not adopt an operational plan to check whether they are working on the analysis of the position of women and men and planning to adopt the plans. She conducted numerous phone calls to provide additional interpretations and explanations, after

which, in this reporting period, a total of 635 legal entities informed the Gender Equality Ombudsperson that they adopted the plans and submitted them to the Office for Gender Equality of the Croatian Government for approval.

- for 17 new cases from 2006, she established that 14 legal entities predominantly owned by the cities and municipalities adopted the operational plans for promoting and establishing gender equality and submitted them for prior approval to the Office for Gender Equality of the Croatian Government.

- at the end of 2006, the Gender Equality Ombudsperson established that 322 legal entities she tried to contact on a regular basis and informed them several times about their obligations according to the GEL, did not submit any statements. That is why the Gender Equality Ombudsperson, in accordance with her authority from Article 22, para. 1 of the GEL, sent a warning to 147 units of local and regional government that these legal entities predominantly owned by them did not inform her about whether they fulfilled their obligations according to Article 11 of the GEL. At the same time, the Gender Equality Ombudsperson gave a recommendation to every legal entity predominantly owned by individual counties, cities or municipalities that they adopt the operational plans for promoting and establishing gender equality and submit them to the Office for Gender Equality of the Croatian Government.

The Gender Equality Ombudsperson asked the counties, cities and municipalities to inform the above-mentioned legal entities about the warning and recommendation.

With warnings and recommendations addressed to 147 representational and executive bodies of units of local and regional government, the Gender Equality Ombudsperson called upon the founding, that is, ownership accountability of counties, cities and municipalities in connection with the implementation of the GEL. It is expected that the members of bodies from units of local government, specially appointed in administrative or supervisory boards, will influence the adoption of operational plans for promoting and establishing gender equality and their actual implementation by the legal entities under their jurisdiction.

Međimurska county, with all of its cities and municipalities, is the only county to which the Gender Equality Ombudsperson did not have to send warnings and recommendations.

Example:

PRS 07-01/05-89: In a memo from September 4, 2006, representatives of the City of O. have informed the Gender Equality Ombudsperson that they are considering their duties and obligations and other activities related to the implementation of the GEL. They did not have any information about the activities at the level of other units of local government (such as the adoption of plans and measures stipulated by Article 11 and 12 of the GEL) and wanted to know whether there are plans and measures for the implementation of the GEL at the level of cities and municipalities. They asked for a recommendation concerning the whole concept of implementation of the GEL at the level of units of local government.

This city was listed as one of the units of local government that were mentioned in the report sent by the Gender Equality Ombudsperson to the Central State Office for Administration, in which at the end of 2005 she requested the inspection of their work in order to obtain data on legal entities predominantly owned by them, about which the Gender Equality Ombudsperson informed the City of O. in a memo from September 12, 2006.

In a memo from September 18, 2006, the City of O. submitted to the Gender Equality Ombudsperson the requested list of 7 legal entities.

This case is a special example of the engagement of executive bodies of units of local government in the implementation of the GEL that the Gender Equality Ombudsperson came upon while monitoring the implementation of the GEL because:

- the mayor of O. has familiarized all legal entities in the public sector in a circular letter from September 18, 2006 with basic information about the contacts with the Gender Equality Ombudsperson and about the implementation of the GEL;

- the city government of O. has in a circular letter from October 5, 2006, familiarized the same legal entities with the conclusion of the city government at the session held on September 25, 2006, which, regarding the implementation of the GEL, obliges the representatives of the City of O. in administrative councils of public institutions and supervisory boards of utility companies, as well as some city administrative bodies;

- in a circular letter from October 16, 2006, the legal entities were forwarded examples of analysis of the position of women and men and of operational plans for promoting and establishing gender equality.

After receiving the data for the City of O., the Gender Equality Ombudsperson has from October 4 to December 31, 2006 monitored the adoption of operational plans by 7 legal entities and concluded the following:

- 4 legal entities adopted the plans, out of which 3 legal entities submitted them for approval to the Office for Gender Equality of the Croatian Government;
- 3 legal entities did not adopt the plans.

Despite the support she received in monitoring the adoption of plans in the area of O. from the major, city government and administrative offices, at the end of the year, the Gender Equality Ombudsperson still had to issue 3 individual warnings and recommendations due to the failure to adopt operational plans for promoting and establishing gender equality and sent them to the city council and city government of the City of O.

5.1.2. State bodies

State bodies and legal entities with public authority are obliged to adopt operational plans for promoting and establishing gender equality (Article 11, para. 1 of the GEL).

That is why the Gender Equality Ombudsperson has in 2006, as in the previous reporting period, continued to actively monitor whether the ministries, central state offices and state administrative organizations adopted these plans.

The majority of ministries, central state offices and state administrative organizations did not adopt the plans by the end of 2005. Since they, within the scope of their activity, monitor the work of the office of state administration, bodies of units of local and regional government and legal entities with public authority in affairs of state administration (Article 22, para. 1 of the Law on the System of State Administration, the Official Gazette, no. 190/03 - revised text and 199/03), the Gender Equality Ombudsperson primarily checked whether these state bodies adopted the plans, since they are the central state administration bodies (Article 3, para. 2 of the Law on the System of State Administration), before she began monitoring the implementation of the GEL by other entities.

By continually monitoring the adoption of operational plans, the Gender Equality Ombudsperson established that, by the end of 2006, in accordance with the provisions of the GEL, the plans were adopted by the following state bodies:

From 2004 to 2005:

- Ministry of Family, War Veterans and Inter-generational Solidarity
- Ministry of Foreign Affairs (now Ministry of Foreign Affairs and European Integrations)
- Ministry of Justice
- State Inspectorate
- Central State Office for Development Strategy (now the Central State Office for Development Strategy and Coordination of EU)

In 2006:

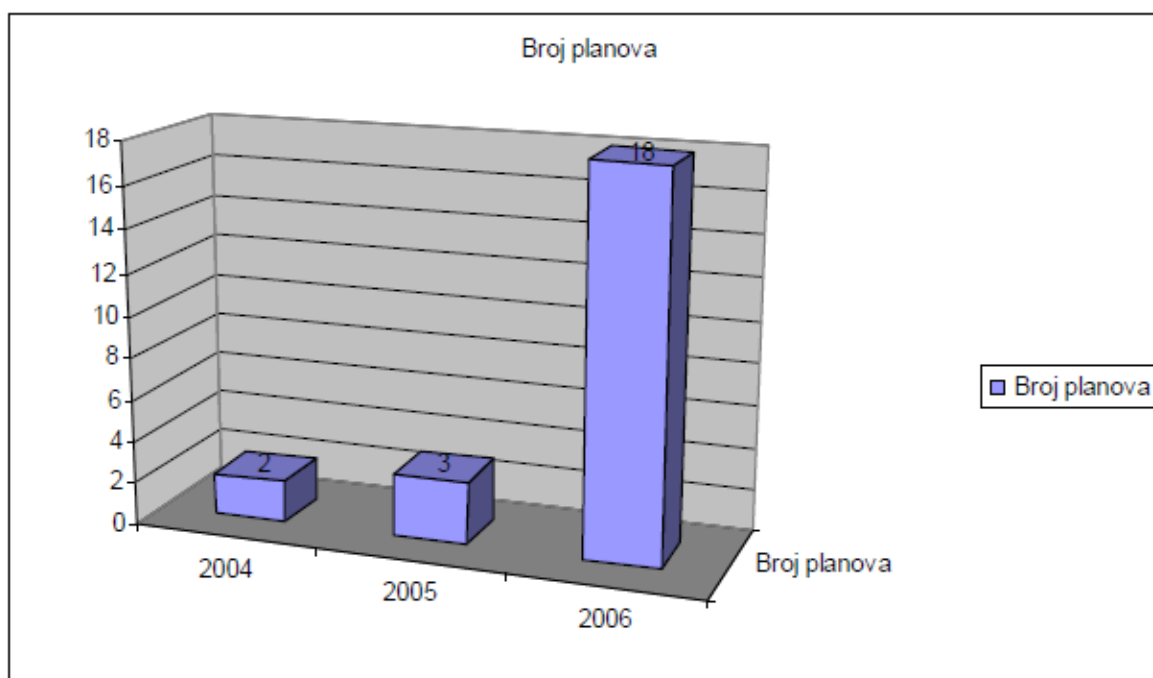
- Ministry of Finance
- Ministry of Defense
- Ministry of Internal Affairs
- Ministry of Sea, Tourism, Transport and Development
- Ministry of Agriculture, Forestry and Water Management
- Ministry of Environment Protection, Physical Planning and Construction
- Ministry of Health Care and Social Welfare
- Ministry of Science, Education and Sport
- Ministry of Culture
- Central State Office for Administration
- Central State Office for E-Croatia
- Central State Office for Management of State Assets
- State Geodetic Administration
- State Hydro-meteorological Institute
- State Institute for Intellectual Property
- State Institute for Measurement
- State Office for Statistics
- State Office for the Protection from Radiation

At the end of 2006, the representatives of the Ministry of Economy, Labor and Entrepreneurship informed the Gender Equality Ombudsperson that their operational plan is in the final stages of development.

In case of the State Administration for Protection and Rescue and State Institute for Nuclear Safety, the Gender Equality Ombudsperson stopped the already initiated procedures because these bodies were in the founding stage, so that monitoring of their adoption of operational plans will be continued during 2007.

The following graph shows the number of adopted operational plans for promoting and establishing gender equality on the basis of data on implementation of the GEL submitted to the Office of the Gender Equality Ombudsperson by the central bodies of state administration in the period from 2004 to 2006.

Figure 5.



PART SIX

6. EDUCATION

6.1. THE NATIONAL POLICY FOR PROMOTING GENDER EQUALITY 2006 - 2010

On October 13, 2006, the Croatian Parliament enacted the new National Policy for Promoting Gender Equality 2006 - 2010. In Chapter V, Strategic Framework for the Implementation of the Gender Equality Policy and Action Plan, one of the areas mentioned is gender sensitive education (point 3.) with measures that include the introduction of gender sensitive education into the education system, along with the elimination of gender stereotypes and curriculums and systematical education on gender equality for implementing bodies at all levels of the system; achieving gender balance in the choice of field of education in high schools and institutions of higher education; enabling acquisition of knowledge about issues of gender equality on the academic level and encouraging scientific research to determine the position of women and men, monitoring the implementation and evaluating the effects of gender equality policy at all levels of public and private life.

The National Policy for Promoting Gender Equality 2006 - 2010 mostly envisages these measures for gender sensitive education as multi-year activities, so that the Gender Equality Ombudsperson will monitor the implementation of the National Policy from 2007 onwards.

6.2. HEALTH EDUCATION PROGRAMS FOR PRIMARY AND SECONDARY SCHOOLS (PRS 02-02/06-01)

Regarding the composition of the Committee for Health Education in Primary and Secondary Schools, founded in December 2005, the Gender Equality Ombudsperson has on December 21, 2005, sent a warning to the Ministry of Science, Education and Sport because they did not include in the Committee the representatives of institutional mechanisms for gender equality, non-governmental organizations and their experts in the area of gender equality on whose role and responsibility for the improvement of the position of women the National Policy for Promoting Gender Equality 2001 - 2005 insisted. However, according to the information the Gender Equality Ombudsperson has, the composition of the Committee has not changed in accordance with her warning and recommendation in 2006.

On February 23, 2006, the Ministry of Science, Education and Sport has issued a public call for the application of proposals for health education programs for primary and secondary school, whose contents would be an integral part of the class meeting with the class master. Both individuals and institutions could apply, and the applied experimental programs had to take into account the existing programs of subjects from regular teaching and Plan and Program of Measures of Health Protection from basic health insurance, and be in accordance with the Statute on Conditions and Mode of Realization of Experimental Programs in Primary Schools, the Law on Primary Education and the Law on Secondary Education.

Reacting on the press reports that the health education program for primary and secondary schools had been selected, on July 10, 2006, the Gender Equality Ombudsperson asked the Ministry to send her the selected programs. The Ministry replied that the Committee had not selected the programs yet, but, as soon as they reach a decision, they would forward the programs to the Gender Equality Ombudsperson to evaluate their alignment with the GEL.

According to the information published on the Ministry's web pages on July 13, 2006, contrary to the press reports, the Committee had not yet selected the programs that it would propose to the Minister because it requested elaborations of shortlisted programs - programs of NGO Grozd and the Forum for the Freedom of Education. The new deadline for submitting the modified parts was August 18, 2006.

As late as the end of 2006 (December 29, 2006), on the web pages of the Ministry, the data on the number of programs were published (24 programs were received from 13 applicants; 11 proposals for primary schools, 8 proposals for four-year high schools and 5 proposals for three-year high schools) along with an announcement that, for primary schools, the Committee evaluated the program of NGO Grozd as the best, and for four-year and three-year high schools, programs of NGO Grozd and the Forum for the Freedom of Education. The best ranked Experimental Programs of Health Education were sent for approval to the Ministry of Health Care and Social Welfare, with an emphasis on the provision that the programs will be carried out with prior consent by the parents. The selected programs were not sent to the Gender Equality Ombudsperson by the end of 2006.

6.3. THE DRAFT OF THE ADULT EDUCATION LAW (PRS 10-02/06-08)

The Ministry of Science, Education and Sport has submitted to the Gender Equality Ombudsperson the Draft of Adult Education Law on March 30, 2006 (hereinafter: Draft). After the analysis of the Draft, and in accordance with the Gender Equality Law (The Official Gazette 116/03), the Gender Equality Ombudsperson submitted to the Ministry on April 13, 2006, the proposal to introduce the principle of gender equality into the Law on Adult Education. Introducing the principle of gender equality as one of the principles on which adult education is based would satisfy the international and constitutional provisions on gender equality and provisions of the Gender Equality Law. If this proposal is adopted, this provision would later oblige all creators and implementing bodies of adult education programs to obey this principle and avoid possible violations of anti-discriminatory provisions of relevant laws and regulations. On June 1, 2006, the Gender Equality Ombudsperson gave the same opinion to the Committee for Gender Equality of the Croatian Parliament.

The programs and development of adult education should be adjusted to the needs of society and the students themselves, particularly to the needs that contribute to the promotion of population policy and gender equality, such as, for example, programs/occupations for various service industry jobs that would enable alignment of family and parental duties with professional and educational activities (household jobs, babysitting, taking care of the elderly and handicapped/special needs children). Regarding the keeping of andragogical documentation and records on adult education, the Gender Equality Ombudsperson reminded of legal duties and obligations to disaggregate all statistical data by gender, which is particularly important for the purpose of recognizing the needs of representatives of vulnerable social groups with a particularly unfavorable position on the labor market (women, women from national minorities, persons with disabilities etc.). The Adult Education Law was not passed by the end of 2006.

6.4. THE FINAL DRAFT OF THE LAW ON PRIMARY AND SECONDARY SCHOOL TEXTBOOKS (02-06/05-03)

In March 2006, the Croatian Parliament passed the Law on Primary and Secondary School Textbooks (The Official Gazette 36/06).

According to the earlier proposal made by the Gender Equality Ombudsperson to the relevant ministry, in Article 3, para. 3 of the general provisions of the Law on Primary and Secondary School Textbooks, the text "A textbook whose contents are contrary to the Croatian Constitution and inappropriate in terms of human and minority rights, fundamental freedoms and gender relations, as well as education for democratic society, will not be approved" was re-included.

The Gender Equality Ombudsperson believed that, without the inclusion of these principles into the Law on Primary and Secondary School Textbooks, they will not be integrated into or respected in the announced by-laws: the Textbook Standard and Statute on the Work of Expert Committees, and welcomes the re-inclusion of this text.

However, the Gender Equality Ombudsperson concluded that the proposal to enter into the Law a provision that a textbook can be withdrawn if its contents are contrary to the Croatian Constitution and if it is unacceptable in terms of human and minority rights, fundamental freedoms and gender relations, as well as education for democratic society, and that there should be a punishment for the violation of this provision, was not accepted.

6.5. HIGHER EDUCATION

In the sphere of higher education and science, the Gender Equality Ombudsperson monitors, among other things, the compliance with Article 5 of the Gender Equality Law that stipulates that gender equality means that women and men are equally present in all spheres of public and private life, have equal status and equal opportunities to realize their rights, as well as equal benefits from the results achieved.

For the purpose of monitoring equal presence, equal opportunities, equal status and equal benefits from the results achieved by women and men in higher education and science, the Gender Equality Ombudsperson conducted a comparative research on the presence of women and men in scientific projects, committees and other groups that evaluate and select scientific projects, in higher education (enrolled students and graduates) according to scientific fields within which scientific projects are later approved, and the ratio of professors with academic titles in higher education.

The Gender Equality Ombudsperson gathered the necessary data for this analysis by using the list of approved scientific projects that the Ministry of Science, Education and Sport published on its web pages, the Ministry's report "Presenting the results of evaluation of scientific projects in 2006", also published on the Ministry's web pages and press releases of the State Institute for Statistics for 2006.

The Gender Equality Ombudsperson analyzed the approved scientific projects and membership structure of councils and selection committees by gender and scientific fields. According to the same criteria, she analyzed and processed the numerical data from the overview of the State Institute for Statistics for enrolled students and graduates at the faculties of Croatian universities, which are not expressed in percentages and according to scientific fields that were of interest to the Gender Equality Ombudsperson in the analysis.

6.5.1. SCIENTIFIC PROJECTS

Within the strategic framework for the implementation of policy in the sphere of gender sensitive education, the National Policy for Promoting Gender Equality 2006 - 2010 mentions measure 3.3.5, that, in funding science and research projects and cultural projects, special attention will be given to the inclusion of gender perspective and balanced funding of projects in terms of their effects in the area of gender equality.

By using the list of evaluated and approved scientific projects from six scientific fields in 2006, published on the web pages of the Ministry (<http://zprojekti.mzos.hr>) as a list of the names of the recipients of funding for scientific projects for the next period with a short description of projects, the Office of the Gender Equality Ombudsperson analyzed 1968 names of project leaders in order to calculate the percentage in which women scientists are represented as project leaders in the total number of approved projects, in each of the 37 assessment groups in 6 scientific fields.

The results of the analysis of the Office of the Gender Equality Ombudsperson show that, out of the total of 1968 approved scientific projects, 717 or 36% have a female project leader, and 1251 or 64% a male project leader.

Percentages by scientific fields show that the number of female project leaders is the smallest in the fields of technical sciences (19%) and natural sciences (28%), and the largest in the field of biomedicine and health care (47%) and social sciences (44%).

By individual assessment groups within scientific fields, the lowest percentage - less than 10% - of female project leaders is found in the following groups:

- 6-07. Theology (the field of humanist sciences): 0%
- 2-02. Electrical engineering, computing: 9%
- 2-04. Engineering, shipbuilding, traffic and transport technology, aviation and rocket and space science: 9%

Less than 20% of female scientific project leaders are found in projects of natural sciences such as physics (17%) and mathematics (18%).

For biomedicine and health care projects, which have the highest percentage of female project leaders, in the field of research of cardiovascular diseases, there are only 19% of female project leaders.

The highest percentage of female scientific project leaders is found in assessment groups for 3. biomedicine and health care, 5. social sciences and 6. humanist sciences:

- 3-04. Research of human infective diseases: 70%
- 5-06. Psychology: 68%
- 3-03. Research of tumor diseases: 57%

- 3-07. Public health research: 57%
- 6-03. Philology: 54%

Analysis of approved scientific projects by gender of project leaders
Table 27.

| Br. | Prosudbena skupina | Broj odobrenih projekata | Broj voditeljica projekata | % |
|-------|---|--------------------------|----------------------------|------|
| 1-01. | Biologija | 58 | 21 | 36 % |
| 1-02. | Fizika | 72 | 12 | 17% |
| 1-03. | Geoznanosti | 52 | 15 | 29% |
| 1-04. | Kemija | 67 | 28 | 42% |
| 1-05. | Matematika | 51 | 9 | 18% |
| | | | | |
| | Ukupno prirodne znanosti | 300 | 85 | 28 % |
| | | | | |
| 2-01. | Arhitektura i urbanizam; geodezija; građevinarstvo | 66 | 16 | 24 % |
| 2-02. | Elektrotehnika; računarstvo | 111 | 10 | 9 % |
| 2-03. | Kemijsko inženjerstvo; rudarstvo, nafta i geološko inženjerstvo; metalurgija; tekstilna tehnologija; grafička tehnologija | 78 | 31 | 40 % |
| 2-04. | Strojarstvo; brodogradnja; tehnologija prometa i transport; zrakoplovstvo, raketna | 106 | 10 | 9 % |

| | | | | |
|-------|---|-----|-----|------|
| | i svemirska tehnika | | | |
| | | | | |
| | Ukupno tehničke znanosti | 361 | 67 | 19 % |
| | | | | |
| 3-01. | Istraživanje znanstvenih standarda za primjenu lijekova | 32 | 17 | 53% |
| 3-02. | Istraživanja mozga | 56 | 27 | 48% |
| 3-03. | Istraživanja tumorskih bolesti | 67 | 38 | 57% |
| 3-04. | Istraživanja humanih infektivnih bolesti | 23 | 16 | 70% |
| 3-05. | Istraživanja kardiovaskularnih bolesti | 26 | 5 | 19% |
| 3-06. | Istraživanja kroničnih bolesti | 73 | 35 | 48% |
| 3-07. | Javnozdravstvena istraživanja | 68 | 39 | 57% |
| 3-08. | Presadba gena i tkiva | 20 | 8 | 40 % |
| 3-09. | Istraživanje humane reprodukcije | 20 | 8 | 40% |
| 3-10. | Stomatologija | 34 | 14 | 41% |
| 3-11. | Veterina | 56 | 18 | 32% |
| | | | | |
| | Ukupno biomedicina i zdravstvo | 475 | 225 | 47% |
| | | | | |
| 4-01. | Poljoprivreda | 131 | 48 | 37% |
| 4-02. | Šumarstvo, Drvna tehnologija | 38 | 8 | 21% |
| 4-03. | Prehrambena tehnologija, Biotehnologija | 45 | 20 | 44% |
| | | | | |
| | Ukupno biotehničke znanosti | 214 | 76 | 35 % |
| | | | | |
| 5-01. | Ekonomija | 102 | 46 | 45% |
| 5-02. | Informacijske znanosti | 35 | 12 | 34% |
| 5-03. | Odgojne znanosti | 46 | 24 | 52% |
| 5-04. | Politologija, sociologija, socijalna | 52 | | |

| | | | | |
|-------|--|------|-----|-----|
| | geografija, socijalna djelatnost i sigurnosne znanosti | | 18 | 35% |
| 5-05. | Pravo | 49 | 18 | 37% |
| 5-06. | Psihologija | 31 | 21 | 68% |
| | | | | |
| | Ukupno društvene znanosti | 315 | 139 | 44% |
| | | | | |
| 6-01. | Povijest | 62 | 15 | 24% |
| 6-02. | Arheologija | 29 | 11 | 38% |
| 6-03. | Filologija | 124 | 67 | 54% |
| 6-04. | Filozofija | 28 | 8 | 29% |
| 6-05. | Povijest umjetnosti | 24 | 9 | 37% |
| 6-06. | Etnologija i antropologija | 21 | 12 | 57% |
| 6-07. | Teologija | 5 | 0 | 0% |
| 6-08. | Znanost o umjetnosti | 10 | 3 | 30% |
| | | | | |
| | Ukupno humanističke znanosti | 303 | 125 | 41% |
| | | | | |
| | Ukupan broj prihvaćenih znanstvenih projekata | 1968 | 717 | 36% |

6.5.2. REGIONAL SCIENCE COUNCILS AND MEMBERS OF ASSESSMENT GROUPS

In accordance with Article 6 of the Law on Science Work and Higher Education, 6 regional science councils were founded with a total of 66 members, at whose proposal the National Council for Science appointed 37 assessment groups with a total of 244 members (180 members and 64 substitute members).

Since the assessment groups were in charge of the whole evaluation procedure, including sending the applied science projects to reviewers for evaluation, the Office of the Gender Equality Ombudsperson investigated to what extent is the equal representation of women and men respected in bodies that approve scientific projects.

According to Appendices 1, 2 and 3 in "Presenting the results of evaluation of scientific projects in 2006" (published on the Ministry's web pages), containing the lists with the names of members of the National Council for Science, members of regional science councils and members of assessment groups, the Gender Equality Ombudsperson analyzed the percentages in which women are represented in the National Council for Science and bodies that make decisions about the procedures of evaluation and approval of scientific projects and how many women preside over these councils.

The results of the analysis on the basis of listed names showed that, although the number of men and women presiding over these councils is identical in six (6) regional science councils, the share of women in the total number of the council members shows that, out of the total of 66 members, there are only 16 women, or 24%. Only 1 woman is found in the regional science council for technical sciences and humanistic sciences.

As many as 30 assessment groups out of the total of 37 that lead the evaluation of the scientific projects are presided over by a man (81%).

Out of the total number of members, 244 (including substitute members), there are 29% of women.

GENDER ANALYSIS OF MEMBERS OF THE NATIONAL COUNCIL FOR SCIENCE, MEMBERS OF REGIONAL SCIENCE COUNCILS AND MEMBERS OF ASSESSMENT GROUPS

Table 28. Representation of men and women in national and science councils and assessment groups

| Naziv tijela | Predsjednik/ predsjednica M/Ž | Ukupan broj članova/ članica | Ž | % | M | % |
|------------------------------|-------------------------------------|------------------------------------|---|-----|---|-----|
| Nacionalno vijeće za znanost | Ž | 13 | 4 | 31% | 9 | 69% |

| | Naziv tijela | Predsjednik/ predsjednica M/Ž | Ukupan broj članova/ članica | Ž | % | M | % |
|-----|---|-------------------------------------|------------------------------------|----|-----|----|-----|
| 01. | Područno znanstveno vijeće za prirodne znanosti | Ž | 11 | 3 | 27% | 8 | 73% |
| 02. | Područno znanstveno vijeće za tehničke znanosti | M | 11 | 1 | 9% | 10 | 91% |
| 03. | Područno znanstveno vijeće za biomedicinu i zdravstvo | M | 11 | 3 | 27% | 8 | 73% |
| 04. | Područno znanstveno vijeće za biotehničke znanosti | Ž | 11 | 4 | 36% | 7 | 64% |
| 05. | Područno znanstveno vijeće za društvene znanosti | Ž | 11 | 4 | 36% | 7 | 64% |
| 06. | Područno znanstveno vijeće za humanističke znanosti | M | 11 | 1 | 9% | 10 | 91% |
| | Ukupno: | 3M/3Ž | 66 | 16 | 24% | 50 | 76% |
| | | | | | | | |
| | Naziv tijela | Predsjed. M/Ž | Br. član. | Ž | % | M | % |
| | Prosudbena skupina – Prirodne znanosti | 4 M 1 Ž | 37 | 10 | 27% | 27 | 73% |
| | Prosudbena skupina – Tehničke znanosti | 3 M 1 Ž | 28 | 4 | 14% | 24 | 86% |
| | Prosudbena skupina – Biomedicina i zdravstvo | 8 M 3 Ž | 76 | 27 | 36% | 49 | 64% |
| | Prosudbena skupina – Biotehničke znanosti | 3M 0 Ž | 17 | 3 | 28% | 14 | 82% |
| | Prosudbena skupina – Društvene znanosti | 5 M 1 Ž | 44 | 18 | 41% | 26 | 59% |
| | Prosudbena skupina – | 7 M | 42 | 8 | 19% | 34 | 81% |

| | | | | | | | |
|--|-----------------------|-------------------------|-----|----|-----|-----|-----|
| | Humanističke znanosti | 1 Ž | | | | | |
| | Ukupno: | 30 M (81%) 7 Ž (19%) | 244 | 70 | 29% | 174 | 71% |
| | | | | | | | |

6.5.3. FEMALE STUDENTS WITHIN THE TOTAL NUMBER OF STUDENTS ENROLLED IN THE SCHOOL YEAR 2006/2007 AND ACCORDING TO SCIENCE GROUPS TO WHICH THE FACULTIES WITHIN THE UNIVERSITY BELONG

In the strategic framework for implementation in the sphere of gender sensitive education, the National Policy for Promoting Gender Equality 2006 - 2010 describes measure 3.2. To achieve balance in the choice of field of education in high schools and institutions of higher education, and stresses in para. 3.2.3 encouraging interested female students to take part in optional programs of information technology, biology, physics, chemistry and/or mathematics, as well as male students interested in traditionally "female spheres", for example, mother tongue and foreign languages, art and music.

Based on the figures of the State Institute for Statistics for 2006 concerning the number of students enrolled in institutions of higher education according to the name and place of the institution, type of enrollment and gender in academic year 2005/2006, the Gender Equality Ombudsperson conducted the analysis by grouping the number of students enrolled in faculties within the University according to science groups, and calculating the percentages by groups and by individual faculties within the groups in order to find out which faculties within the university across Croatia women enroll in more and which they enroll in less, which is a good indicator of where it is necessary to achieve gender balance in the choice of field of education in institutions of higher education.

The total percentage of women who enroll in faculties within Universities in the Republic of Croatia exceeds 50 % of all enrolled students (according to the data of the State Office for Statistics for the winter semester of academic year 2005/2006, a total of 132 952 students enrolled in institutions of higher education of the Republic of Croatia, out of which 54.1% of women. Only for the 1st year, 52% of female students enrolled).

The statistical data for university studies cite the total number of 86,368 enrolled students, out of which 55% were women. We could call these figures satisfactory.

However, the Gender Equality Ombudsperson calculated the percentage of female students according to scientific fields. This means that she grouped the faculties into science groups, and by adding up all the enrolled female students by faculties that belong to individual groups, obtained percentages in fields where there are more female than male students and in fields where there is a great shortage of women.

Here are the results of the processed data:

Female students who study:

Natural sciences: 61%

Technical sciences: 27%

Biomedicine and health care: 65%

Biotechnical sciences: 53%

Social and humanistic sciences: 66%.

However, the percentages calculated on the basis of the number of enrolled students vary depending on the geographical area. If we look at faculties individually, the smallest number of women study at:

Technical Faculty in Rijeka (9%)

Faculty of Engineering and Shipbuilding in Zagreb (10%)

Faculty of Electrical Engineering and Computing in Zagreb (15%)

Faculty of Traffic Science in Zagreb (18%)

and the largest number of women study at:

Faculty of Pharmaceutics and Biochemistry in Zagreb (82%),

Faculty of Design and Technology in Zagreb (82%),

Faculty of Food Technology and Biotechnology in Zagreb (80%).

The Gender Equality Ombudsperson analyzed which faculties women most often enroll in. By adding up the number of enrolled female students by all faculties belonging to a specific field, the Gender Equality Ombudsperson established that the female students most often enroll in:

70% - faculties of philosophy

68% - law schools

64% - faculties of economics

64% - faculty of medicine and stomatology

61% - faculties of natural sciences and mathematics and departments for biology and physics

60% - art academies (music academy, academy of fine arts, academy of dramatic art, academy of applied arts;

and least often:

13% - faculties of engineering, shipbuilding, electrical engineering, computing, technical faculties;

29% - faculties of nautical science, department for the study of sea and nautics in Split;

32% - faculties of civil engineering.

6.5.4. FEMALE STUDENTS WITHIN THE TOTAL NUMBER OF GRADUATES IN 2005 ACCORDING TO SCIENCE GROUPS TO WHICH THE FACULTIES WITHIN THE UNIVERSITY BELONG

The rate of success for female students in higher education is almost identical to the number of enrolled female students.

The share of female students who graduated from institutions of higher education in 2005 (the most recent available statistical data) is 59.6% of the total number of graduated students (18,190). An almost identical percentage (59.7%) graduated from university studies.

The Gender Equality Ombudsperson divided and processed the female students who graduated in 2005, for whom the statistical data show only the cumulative percentage of graduated students and the number of graduates for every faculty, by the same criteria, that is, by science groups, and calculated the percentages to get the ratio of enrolled and graduated female students. (For calculation, she used the statistical data available in the overviews of the State Office for Statistics.)

Table 29. Comparative results of enrolled and graduated female students by faculties that the Gender Equality Ombudsperson grouped by science groups and calculated percentages by gender

| Fakulteti sveučilišta u RH koji pripadaju znanstvenim skupinama + umjetničke akademije | Ukupan broj upisanih | Postotak upisanih studentica u ak. g. 2005./2006. | Ukupan broj diplomiranih | Postotak diplomiranih studentica 2005. |
|--|----------------------|---|--------------------------|--|
| Prirodne znanosti | 4.295 | 61% | 427 | 68% |
| Tehničke znanosti | 21.367 | 27% | 1.937 | 26% |
| Biomedicina i zdravstvo | 5.278 | 65% | 766 | 69% |
| Biotehničke znanosti | 4.859 | 53% | 511 | 55% |
| Društvene i humanističke znanosti | 45.706 | 64% | 5.338 | 69% |
| Umjetničke akademije | 1.508 | 60% | 233 | 60% |
| Ukupno | 83.013 | 55% | 9.212 | 59% |

Note: Although social and humanistic sciences, according to the scientific categorization, represent two distinct groups, we grouped them together since we do not have separate data for some departments at faculties of philosophy, so we cannot distinguish departments that belong to social sciences, such as, for example, sociology, from those that belong to humanistic sciences, such as, for example, philosophy. We also did not include the students enrolled in the Faculty for Natural Sciences and Mathematics and educational fields from Split, university department of the University of Dubrovnik and university department of the University of Zadar, since we do not have the data on the number of enrolled students by individual departments, some of which belong to natural sciences, and some to social science. But, we calculated the percentage of female students at these faculties of the university and, out of the total number of 4,863 enrolled students, 61% are women. We did the same calculation for graduates (out of the total number of graduates, 520, in 2005, 73% were women). We added the academies of arts to science groups of faculties.

It is visible from Table 29. that women still most rarely enroll in, and graduate from, faculties that belong to technical sciences, such as civil engineering, engineering, shipbuilding, electrical engineering and computer science, traffic sciences, metallurgy, chemical technology, mining and geology etc. Since, according to the percentages, women graduate in almost identical percentages in which they enroll in technical faculties, the success of failure at these faculties cannot be the reason for such a significant shortage of female students who enroll in these faculties.

6.5.5. WOMEN IN EDUCATIONAL PROFESSIONS IN HIGHER EDUCATION

Although the statistical data show the percentage of women in the total number of professors at institutions of higher education (41%) and the share of female Ph.D.s (33.62%) and postgraduates of science (47.59%) in the total number of professors in higher education, that is, in the total number of doctors and post-graduates in science, the Gender Equality Ombudsperson calculated the percentages in which women work in academic professions such as professors, docents, lecturers, assistant professors, which show that, the higher the level of expertise and academic level, the lower the share of women.

The data analysis shows that, out of the total number of assistant professors, lecturers, senior lecturers, docents, associate and regular professors, the percentage of women is as follows: 50% assistant professors, 49 % lecturers, 47 % senior lecturers, 41 % docents, 31 % associate professors and 23 % regular professors.

The conclusion of the Gender Equality Ombudsperson on the basis of the analysis of representation of women in higher education, scientific projects and science bodies that approve scientific projects

In the sphere of science, female project leaders are still underrepresented, with only 34% (on its web pages, the Ministry of Science, Education and Sport does not use gender sensitive language when describing each of the approved projects - they use the term "project leader" for both women and men.)

The smallest percentage of female scientists/project leaders is found in the field of technical sciences (19%).

Women are also underrepresented in the bodies that decide on funding science projects:

- 24% in science councils (only 1 woman in the regional science council for technical sciences)
- 29% of members of assessment groups for scientific projects
- 19% of women presiding over bodies deciding on scientific projects.

At the same time, women make the majority of students enrolling in university studies (52%) and graduating from them (59.6%), but the higher the level of expertise and academic level, the lower the share of women.

Women are least represented in the field of technical sciences - as scientists, as students and as members of bodies deciding on the funding of scientific projects. That is why the Gender Equality Ombudsperson believes that gender sensitive education at all levels is extremely important for establishing gender equality and that it is necessary, through various measures and from the earliest age, to encourage equal representation of women in the fields in which they are to a large extent underrepresented, such as, for example, the technical sciences.

6.5.6. WOMEN'S STUDIES

Although at the European and global level, gender/women's studies gain in importance and are regarded as strategically relevant to the transformation of higher education and society as a whole, in Croatia they are still studied outside of institutions.

The new National Policy for Promoting Gender Equality 2006 - 2010 mentions as a national priority the introduction of gender sensitive education at all levels and implementation of provisions of the Gender Equality Law. According to the National Policy for Higher Education, women's studies should be institutionalized at the undergraduate, graduate and postgraduate level according to the Law on Science Work and Higher Education. Since the Gender Equality Ombudsperson believes that the institutionalization of women's studies is extremely important, she will monitor the implementation of the National Policy in the next reporting period.

It should be noted that in 2006, gender/women's studies in Croatia exist mostly as individual courses within various faculty departments (for example, Text and Identity by Andrea Zlatar Ph.D., regular professor, Women's Genres by Maša Grdešić, junior researcher, Virginia Woolf and Feminist Criticism by Lada Čale Feldman, Ph.D., regular professor at the Department of Comparative Literature of the Faculty of Philosophy in Zagreb, and Sexual and Gender Identities at the Department of Culturology at the Faculty of Philosophy in Rijeka, or the optional course Feminist Theories by Biljana Kašić docent, Ph.D. at the Department of Sociology of the Faculty of Philosophy in Zadar). "Women's studies are still situated between gendered politics and resistance to women's studies as a distinct field of cognition that autonomously creates its programs", as it is said in the minutes of the symposium "The Role of the Human Right to Education in the Democratization of Higher Education in Croatia", organized by the Institute for Development of Education in October 2006 and attended by the Gender Equality Ombudsperson, whose goal was to determine the degree of respect for all aspects of the human right to education and human rights in education in Croatia and to establish to what extent are the Croatian institutions of higher education truly democratic.

6.5.7. RESEARCH ON PROTECTION OF FEMALE AND MALE STUDENTS FROM UNWANTED BEHAVIOR IN THE UNIVERSITY

The Gender Equality Ombudsperson monitors the implementation of the Gender Equality Law and other regulations concerning gender equality. The Gender Equality Law (The Official Gazette 116/03) bans discrimination on the grounds of gender, including sexual harassment.

We remind that in 2005, in cooperation with the Women's Section of the Union of Autonomous Trade Unions of Croatia, the Gender Equality Ombudsperson conducted the research "Protection of Women from Unwanted Behavior in the Workplace" on a sample of 1,598 women from all parts of Croatia.

In 2006, the Gender Equality Ombudsperson has, in cooperation with the Center for Women's Studies, organized a survey of male and female students of the University of Zagreb on the protection of dignity and protection from sexual harassment at the university. 12,000 leaflets "For a dignified study" were distributed from December 5 to 13, 2006, to female and male students at 21 faculties in Zagreb, and in front of five student dormitories and the Student's Center.

Goals

The primary goal was to raise awareness of the student population about the forms of harassment and sexual harassment and inform them about relevant legal provisions and mechanisms for the protection from harassment and sexual harassment. For this purpose, the leaflet for students contained the following information:

- definitions of harassment from the Gender Equality Law;
- the scope of activity of the Gender Equality Ombudsperson in the sphere of protection from sexual harassment;
- list of laws and Croatian and international documents related to gender equality;
- information about the Center for Women's Studies.

The second goal of the survey was to gain insight into the level of awareness and sensitivity of the student population about various forms of sexual harassment and familiarity with the relevant legal provisions and mechanisms for protection from this type of discrimination. For this purpose, an integral part of the leaflet was a questionnaire "Protection of male and female students from unwanted behavior at the University" with 22 open and closed questions. Students could fill it out and send it by December 31, 2006 at the latest at the address of the Office of the Gender Equality Ombudsperson.

The third goal was to invite students to influence, by their replies to the survey questions, the adoption of measures for the protection from sexual harassment at the University and contribute to better protection of dignity of their colleagues and a more pleasant study.

Questionnaire: Protection of male and female students from unwanted behavior at the University

A total of 731 filled out questionnaires were returned: 17% men (125) and 83% women (606) from all study years. This is 6% of all distributed questionnaires.

The questionnaire consisted of three parts. The first part, titled "A. I believe that", consisted of 10 questions related to the opinions and attitudes of student population about the various forms of sexual harassment of students by their professors. The second part, "B. I testify...", included 9 questions about the personal experiences of students as potential or real victims of sexual harassment or witnesses of cases of sexual harassment at the University, about the bodies who should commit themselves intensively on the protection of students from harassment, discrimination and violation of privacy at the university and about their familiarity with the laws protecting them from discrimination on the grounds of sex and from sexual harassment. The third part, "C. I am...", stated the sex and year of study of the respondents. The questionnaire was confidential and the respondents did not have to identify themselves or specify their place of study.

Since 202 respondents did not answer at what faculty they study, the analysis of the questionnaire does not offer a comparative overview by faculties.

Survey results

The respondents' answers related to the opinions/attitudes of student population about various forms of sexual harassment from Part A show the following:

Table 29.

| Tablica 29.Br. pitanja iz upitnika | Vrsta seksualnog uznemiravanja | Snažno protiv | Protiv | Neutralan Neutralna | Uglavnom se slažem | Potpuno se slažem |
|---|-----------------------------------|------------------|--------|------------------------|-----------------------|----------------------|
| 10. | uvjetovanje zapošljavanja | 82% | 11% | 5% | 1% | 1% |
| 9. | uvjetovanje ocjene | 79% | 13% | 6% | 1% | 1% |

| | | | | | | |
|----|------------------------------------|-----|-----|-----|----|----|
| 8. | negativni komentar o izgledu | 76% | 18% | 4% | 1% | 1% |
| 3. | komentari o nesposobnosti | 65% | 24% | 7% | 3% | 2% |
| 4. | komentari o privatnom životu | 61% | 27% | 8% | 2% | 1% |
| 5. | tjelesni dodir | 59% | 27% | 11% | 2% | 1% |
| 1. | napadno zurenje | 55% | 32% | 8% | 3% | 2% |
| 7. | pozitivni komentar o izgledu | 50% | 28% | 17% | 4% | 1% |
| 6. | učestali pozivi na kavu | 38% | 30% | 27% | 4% | 2% |
| 2. | posebno zakazivanje ispita | 37% | 33% | 22% | 4% | 4% |

Students are most sensitive to blackmail and negative comments about one's appearance (fat, dirty, homosexual, clumsy, manlike - for women, ugly), ability or private life on the grounds of gender/sex by the professor, while they are less ready to condemn situations that can create a possibility for sexual harassment (special exam dates and invitations for coffee).

Personal experiences of students, either as potential or real victims of sexual harassment or as witnesses of cases of sexual harassment at the university. The collected data can point to the degree of presence of various forms of sexual harassment at the university:

62% respondents who filled out the survey questionnaire did not personally witness any, even the mildest form of unwanted behavior, harassment or abuse on the grounds of sex at the university;

38% personally witnessed such a behavior;

74% never personally experienced harassment or sexual harassment, nor did they have similar experiences of unwanted behavior by their colleagues, professors or other persons at the University; 26% were exposed to the above-mentioned forms of unwanted behavior by their colleagues, professors or other persons at the university, and experienced it as a violation of personal dignity and creation of unpleasant, unfriendly, humiliating or insulting environment at the university.

If we arrange the received replies about forms of behavior and harassment that the respondent experienced and/or witnessed according to the number of affirmative answers, we gain insight into which forms of harassment are, according to the statements of the respondents, most frequent at the university. The answers refer to the exposure to harassment or sexual harassment and similar experiences of unwanted behavior by colleagues, professors or other persons at the university, which they understood as a violation of personal dignity and creation of unpleasant, unfriendly, humiliating or insulting environment at the university. Only the third question in Part B was related to blackmail by professors since it involves blackmail by a person in a position of power; giving grades, approving scholarships and engagement of a junior researcher and the like. Considering the character of the survey and sample, the collected data cannot point to a real incidence of cases of sexual harassment at the university, but the absolute number of replies by individual forms of harassment points to the degree of presence of various forms of sexual harassment at the university. For example, 1% of respondents who witnessed blackmail by a professor for the purpose of sexual encounter to get a passing or better grade, scholarship, junior researcher position and the

like, or had such a personal experience can seem like a very small number, but the absolute number of 10 such cases out of the total of 731 respondents points to a very large number of cases of unacceptable behavior of professors at the university.

Table 30.

| Oblik uznemiravanja ili spolnog uznemiravanja na Sveučilištu | Postotak | Broj odgovora |
|---|----------|---------------|
| c. seksualni komentari, šale, dobacivanja | 30,5% | 223 |
| d. komentari o privatnom životu, izgledu | 25% | 185 |
| a. neželjeni fizički dodir ili geste | 16% | 118 |
| f. uvrede seksualne naravi, tračevi | 10% | 73 |
| b. neželjena pitanja i ponude seksualne naravi | 10% | 70 |
| k. nešto drugo | 8% | 61 |
| g. neželjeni pozivi na sastanak, kavu, večeru | 8% | 59 |
| h. nametljivo komuniciranje e-mailom, telefonom | 4% | 27 |
| e. izlaganje eksplicitnim materijalima | 3% | 24 |
| i. prisilne seksualne radnje | 2% | 16 |
| j. ucjenjivanje od strane nastavnika/ce s ciljem traženja seksualnog zblžavanja kako bi dobili prolaznu ili bolju ocjenu, stipendiju, i sl. | 1% | 10 |

When asked about which bodies and institutions should commit to the protection of students from discrimination and violation of privacy at the university, the students replied as follows:

- 71% Ministry of Science, Education and Sport,
- 67% dean of faculty,
- 52% rector of university,
- 51% students' assembly,
- 41% student representatives,
- 36% professors,
- 31% heads of departments,
- 10% believe it is a personal matter
- 4% believe it should be some other body (one of the respondents mentions the Ministry of Internal Affairs).

A large number of respondents believe that in Croatia, female students are not more protected from harassment, unwanted behavior or unpleasant situations at the university because they are women (60%), whereas 10% believe that female students are more protected. A relatively high percentage of respondents admit that they do not know the answer to this question (30%).

FAMILIARITY WITH LEGAL MECHANISMS OF PROTECTION FROM GENDER DISCRIMINATION, HARASSMENT AND SEXUAL HARASSMENT

Awareness and familiarity with legal regulations banning discrimination on the grounds of gender, including sexual harassment: 58% students know that harassment and sexual harassment are banned by the Gender Equality Law; 42% of them are not familiar with that fact.

Comparison of data collected through replies to this question with the replies to the question about the year of study does not show any statistically relevant increase of familiarity with the ban on sexual harassment in the Gender Equality Law proportional to the year of study.

The leaflet urged the students to give replies that would influence the adoption of measures for the protection from sexual harassment and contribute to better protection of dignity of their colleagues and a more pleasant study:

- 82% respondents believe that harassment and sexual harassment at the university should be banned by special regulations;
- 79% of them believe that there should be a special expert body to receive complaints about harassment and sexual harassment at the university;
- 72% of them welcome the founding of a special student body for receiving complaints about harassment and sexual harassment.

CONCLUSION

Having in mind the small number of filled out questionnaires in comparison to the number of distributed leaflets, the collected data are merely indicators of how students understand and perceive sexual harassment in their environment and of their attitudes towards possible mechanisms for protection from sexual harassment within the university. The collected data refer only to the group of respondents who filled out the survey questionnaire and sent it by regular mail, and cannot give a real picture about the incidence of sexual harassment at the University of Zagreb and the attitudes towards sexual harassment at the level of student population as a whole. However, although the data cannot be generalized, we believe that they can be used as indicators of students' attitudes towards sexual harassment, of how aware they are about the various forms of sexual harassment, of how familiar they are with the mechanisms of protection from sexual harassment and of their attitudes about possible mechanisms for the protection from sexual harassment within the university.

Although the 6% of filled out questionnaires that were returned to us is a small percentage, the Gender Equality Ombudsperson believes that, because of the total of 12,000 leaflets "For a dignified study", it is reasonable to assume that 12,000 students learned about the issue of harassment and sexual harassment.

PART SEVEN

7. POLITICAL PARTIES

At the end of 2005, the Gender Equality Ombudsperson sent memos to 105 addresses of political parties from the register, in which she warned about the provision of Article 15 of the Gender Equality Law and asked them to submit operational plans concerning a balanced representation of women and men or a report on measures that the parties have taken in that direction. None of the parties submitted their operational plans concerning a balanced representation of women in 2006. Political parties from the register of political parties are obliged according to Article 15 of the Gender Equality Law to adopt an operational plan concerning a balanced representation of women and men every four years, and in accordance with the plan, to determine the methods for promoting a more balanced representation of women and men in party bodies, and on the lists of candidates for parliamentary and local elections.

After examining the existing web pages of political parties, we established that they have not published any data on the adoption of these operational plans. The deadline for their adoption is July 31, 2007.

7.1. CASE SUMMARY (PRS-07-04/05-01): The Gender Equality Ombudsperson received a complaint by A.P. from R. concerning a violation of the principle of gender equality, that is, discrimination on the grounds of sex in the sphere of politics. The complainant claims that, on the election list of her political party for the county assembly, she was ranked immediately behind the person leading the list of candidates (the president of the party), and on the joint coalition list, she was at 9th place. By a decision of the party president, her party colleague was appointed to the assembly instead of the complainant, although he was at 15th place on the joint coalition list. The complainant believes that the appointment of a male candidate without respecting the order of candidates on election lists represented a violation of her human rights, as well as a violation of the principle of gender equality and discrimination on the grounds of sex.

MEASURES TAKEN: The Gender Equality Ombudsperson has on several occasions contacted the political party and requested a report and complete documentation concerning the case in question (the Party Statute and Program, list of members of party bodies by gender, lists of candidates for county assemblies, city and municipal councils, the decision of party body on appointment of persons to county assemblies, city and municipal councils, particularly the decision on the appointment of the deputy of the person leading the list to the county assembly and the operational plan concerning a balanced representation of women and men, if adopted). The Gender Equality Ombudsperson received only one memo in which the political party apologizes and claims that the requested documents were not submitted due to a misunderstanding, asking the Gender Equality Ombudsperson to again specify her request. The Gender Equality Ombudsperson requested twice from the party to submit a report and documentation, warning them that, if they do not meet her request, on the basis of Article 22, para. 2 of the Gender Equality Law, she will request an inspection from bodies supervising their work. Since the political party failed to submit the requested information and documentation even after several rush notes, the Gender Equality Ombudsperson requested an urgent inspection of the work of the political party from the Central State Office for Administration in order to decide about further actions. At the same time she informed the complainant about the steps taken concerning her complaint. The supervising body did not inform the Gender Equality Ombudsperson about the performed inspection by the end of 2006.

7.2. CASE SUMMARY (PRS-07-01/06-04): A county organization of a political party and the club of councilmen of the same political party in the county assembly in V. submitted to the Gender Equality Ombudsperson a complaint concerning discrimination against women in the elections of members of the county government in the county assembly. The complainants claim that, at the session of the county assembly for the 13th and last member of the county government, another man was elected, so that the body is composed exclusively of male members. They stress that this procedure is a violation of the provisions of the Gender Equality Law (Articles 5 and 12) and ask for the intervention of the Gender Equality Ombudsperson.

MEASURES TAKEN: The Gender Equality Ombudsperson obtained a report and documentation from the relevant county. After considering the case, she warned the county bodies that the county government is composed exclusively of men, which is contrary to the Gender Equality Law. The Gender Equality Ombudsperson recommended to county bodies to take into account a balanced

representation of men and women when proposing and selecting members of the county government and other bodies.

Since 2007 is the year of parliamentary elections, and July 2007 is the deadline within which political parties are obliged to adopt operational plans concerning a balanced representation of women and men according to Article 15 of the Gender Equality Law, the Gender Equality Ombudsperson expects that the political parties will fulfill their obligations.

PART EIGHT

8. MEDIA

Introduction

Since the media are powerful opinion makers, the status of women in the media and the way they represent women and men are key factors in establishing the principle of gender equality. That is why media monitoring, reacting to violations of existing legal provisions concerning the media and insisting on compliance with them are extremely important for creating predispositions to eliminate discrimination on the grounds of sex and sexual orientation and establish gender equality and equal opportunities for women and men in all areas of private and public life.

The Gender Equality Ombudsperson regularly monitors the media and the implementation of the laws whose provisions refer to the media (Article 15 of the Gender Equality Law, The Official Gazette 116/03; the Law on Media, The Official Gazette 59/04) in order to establish whether the provisions of the Law concerning the following are respected:

- promoting awareness of the equality of women and men through program concepts (GEL, Article 16, para. 1);
- ban on public representation of women and men in an insulting, degrading or humiliating way, in terms of their sex and sexual orientation (GEL, Article 16, para. 2);
- ban on broadcasting programmatic contents that encourage or glorify national, racial, religious, sexual or any other inequality or inequality on the grounds of sexual orientation (Article 3, para. 4 of the Law on Media, The Official Gazette 59/04);
- respect of privacy, dignity, reputation and honor of citizens, especially children, youth and family regardless of sex and sexual orientation (Article 16, para. 1 of the Law on Media);
- ban on advertising in which women and men are represented in an insulting or humiliating way, in terms of sex or sexual orientation (Article 20, para. 8 of the Law on Media);
- encouraging program contents that promote awareness on equality of women and men (Article 5, para. 2, point 5 of the Law on Media);
- obligation that legal entities predominantly owned by the state and units of local and regional government, which includes the media and media publishers, assess and evaluate, in all stages of planning, adopting and implementing a decision or action, the effects these decisions or actions would have on the position of women and men, in order to achieve true equality of women and men (GEL, Article 3).

The Gender Equality Ombudsperson monitored the media at several levels:

8.1. PROGRAM CONCEPTS

According to Article 64 of the Law on Media, publishers are obliged to align their work, business and general acts with the provisions of the Law on Media within six months from their coming into effect (May 8, 2004).

In accordance with her authority from Article 24, para. 1 of the GEL, even during 2006, the Gender Equality Ombudsperson sent warnings to editors in chief of printed and electronic media and requested from them to submit, within the prescribed deadline, their program concepts or framework. She also directed their attention to the provisions of Article 16 of the GEL and Article 20, para. 8 of the Law on Media. By the end of 2006, 24 replies from various media were received.

In 2006, the Gender Equality Ombudsperson again sent the requests and rush notes to editors and publishers of printed media with a larger circulation, as well as to electronic media covering a larger broadcasting area (a total of 28), asking her to inform her whether they fulfilled their obligation to include a provision on the need to promote gender equality into their program concepts, according to the Gender Equality Law (The Official Gazette 116/03) and the Law on Media (The Official Gazette 59/04). This time, the Gender Equality Ombudsperson received program concepts only from the City TV Zadar, Croatian Radio of CTR and City Radio Osijek.

Although, due to inconsistencies in legal terminology (the GEL speaks of media concepts, and the Law on Media speaks of program contents and program framework defined as selected program contents (general or specialized), which are determined and issued by the publisher when starting their business - Article 2, indent 3 and 4), editors, publishers and media owners can avoid the adoption of program concepts that would oblige them to promote awareness of gender equality and elimination of contents that are discriminatory in terms of sex or sexual orientation, the Gender Equality Ombudsperson believes that media publishers were obliged to include into their program contents and self-regulating acts (Article 2, indent 7 of the Law on Media) the contents and principles compliant with their obligations from the Law on Media and the GEL.

8.1. CASE SUMMARY (PRS-05-04/06-001), Program Orientation of the Croatian Radio for 2006: The Gender Equality Ombudsperson received the Program Orientation of the Croatian Radio for 2006, adopted at the 119th session of the Governing Board of the Croatian National Television on February 2, 2006. The analysis of this Program Orientation, in accordance with the provision of Article 16, para. 1 of the GEL about the obligation of the media to promote awareness of the equality of women and men through its program concepts, showed the following results:

It is clear from the submitted Program Orientation that none of its programs - informative, educational, cultural and scientific, documentary and entertainment - contain shows related to the promotion of gender equality, and the text about the program orientation does not mention gender equality or topics related to gender equality such as, for example, definitions of discrimination, sex/gender, equality, sexism, gender stereotypes, sexual orientation and the like.

The informative program of the Croatian Radio 1 and 2, international program Voice of Croatia and local radio stations (Radio Osijek, Radio Zadar, Radio Dubrovnik, Radio Split, Radio Rijeka, Radio Pula, Radio Sljeme and Radio Knin), in its program orientation, does not envisage any thematic shows about the promotion of gender equality or elimination of discrimination on the grounds of sex and gender, although there are numerous informative shows dedicated to specific topics and interest groups, such as retired people, national minorities, disabled people, war veterans, religious communities, rural communities and agriculture.

The educational and children's program also do not envisage special educational shows that would inform and educate young people for the issue of gender equality, although they have shows such as Open Wednesday for "education of citizens about the EU" or History on Thursday for learning about the history of wars. The show Learning about Health will talk about women's health in connection with gynecological health of women, pregnancy, and gynecological carcinoma, and the show Guide for Modern Times, dedicated to modern trends in society such as Feng Shui, team-building, solar architecture or contemporary jet-set in Croatia and the world, will talk about the "phenomenon of modern feminism".

The regional programs offer an overview of existing and planned shows. Gender equality, discrimination on the grounds of gender and sexual orientation, women's human rights in any sphere of private and public life, and equal opportunities for women and men are not envisaged in the regional programs of the Croatian Radio. Only Radio Pula has a thematic show on women's issues, Ona, but it is not clear from the program orientation in what way they are discussed and whether they include the issue of gender equality.

However, although the program concept of the Croatia Radio does not specify how it will systematically promote awareness of gender equality, the Gender Equality Ombudsperson followed the radio program and established that the topics of gender equality and position of women in public life (in the sphere of work and employment, health, education, political participation, fighting domestic violence etc.) are addressed within various shows of the Croatian Radio.

8.2. MEDIA CONTENTS

During 2006, reactions of female viewers of TV shows came at the address of the Office of the Gender Equality Ombudsperson, in which they expressed their protest because of sexist and insulting representations of women (one of the examples is the show on HTV2, Goleo, broadcasted during the World Football Championship, against which complainants protested for representing women exclusively as sexual objects during the breaks between matches). It is a positive change that women started to actively react to the stereotypical roles that women are given in the media, warn about their dissatisfaction and demand changes from those that manage the media and are responsible for programs. The Office of the Gender Equality Ombudsperson was recognized as one of the institutions that addresses these cases.

8.3. COMMERCIALS

8.3.1. CASE SUMMARY (PRS-05-03/06-01), Commercial for the World Football Championship on Croatian National Television (HTV): After the reaction of an informal women's group at the commercial produced by HRT as a commercial announcing the World Football Championship, broadcasted on May 29, 2006, the Gender Equality Ombudsperson sent to the Croatian National Television a warning because of discriminatory contents and demanded from them to stop broadcasting the commercial.

Explanation: The commercial shows a woman tied with a rope in the bathroom, with a duck tape on the mouth, while the baby is left in the child's seat, neglected, and the apartment is in a mess. The Gender Equality Ombudsperson warned that the commercial is extremely humiliating and discriminatory, because, contrary to the Gender Equality Law, it represents women in an insulting and degrading way, implying that a woman should be restrained so that a man could "peacefully" enjoy watching football, and in a discriminatory way, because it excludes the possibility that a woman could watch football matches that are, as the commercial suggests, "reserved" for men. This commercial also almost grotesquely and very directly shows violence in the family, and the distorted picture of a caricatured family situation has an extremely negative effect on public awareness because the reproduction of stereotypes about women and men encourages undesirable differentiation and discrimination and brings into question the true equality of women and men. The Gender Equality Ombudsperson stressed that the status of women in the media and the way in which women and men are represented in the media are one of the key social factors for establishing the principle of gender equality, so that insulting and stereotypical images of women in the media support the discriminatory value system and social relations in which women cannot be equal participants of public life.

OUTCOME: It is clear from the statement that the Gender Equality Ombudsperson received from the adviser to the chief of HRT, accompanied by a statement by the program director of HTV, that, immediately after the premiere of the commercial, its contents were evaluated as insulting to women and promptly taken off the program, and the employees of the Sport Program who created this commercial will be given a reprimand.

8.3.2. CASE SUMMARY (PRS-05-03/06-02 i PRS-05-03/06-03), Jumbo posters for cigarettes: On December 28, 2006, the Gender Equality Ombudsperson sent a warning to an advertiser from R. because of advertisements for cigarettes. One version of the poster shows women as figures on a chess board governed by a male hand, and the other shows a woman as a bull in corrida, with a man waving a red scarf in front of her face, with a slogan "For those who achieve more". The Gender Equality Ombudsperson reacted to the insulting character of the poster because of the extremely humiliating and subordinate role of women, and on the basis of prior warnings and requests by individuals from the sanitary inspection from V. Since it was many times established and proven that insulting representations of women lessen the possibility that they appear in public, act and be regarded as equal, and that their integrity is respected in private and public life, the Gender Equality Ombudsperson also issued a recommendation that all commercials that are contrary to the Gender Equality Law be withdrawn.

OUTCOME: The posters were not withdrawn from public spaces by the end of the reporting period.

8.3.2.1. Warnings, recommendations and proposals sent to media

In 2006, the Gender Equality Ombudsperson reacted to cases of discrimination through public statement.

Examples of public statements:

8.3.2.1.1. CASE SUMMARY (PRS-05-06/06-04): After RTL announced that it will not extend the employment contract to its sport journalist T.T., the Gender Equality Ombudsperson sent them on June 29, 2006, a warning and recommendation, and a public statement to the media. Starting from the fact that T.T. stated in the printed media that she is a victim of domestic violence and following the consequences and effects of this statement, the Gender Equality Ombudsperson concluded that T.T. as a possible victim of domestic violence was prevented from doing her job. The Gender Equality Ombudsperson reached this conclusion on the basis of the fact that the decision by RTL not to extend the employment contract to T.T. ensued shortly after her public confession about the marriage crisis.

Since, in its report for 2005 submitted to the Croatian Parliament, the Gender Equality Ombudsperson pointed out RTL Hrvatska d.o.o. as a good example because, in its program

guidelines, under the provision of "Ban on Discrimination", bans encouraging discrimination and intolerance on the grounds of sex, marital status and sexual orientation, and this move is obviously not in alignment with those guidelines, the Gender Equality Ombudsperson demanded from RTL a public statement explaining the reasons why it broke off the cooperation with T.T. in order to avoid the perception that, just as pregnant women are not being extended their fixed-term employment contracts, the same will happen to women victims of violence. She asked them to inform the public about this request through their program.

OUTCOME: RTL replied to the Gender Equality Ombudsperson that on June 30, 2006, T.T.'s fixed-term employment contract expired and was not renewed exclusively for business reasons, although it is a fact that immediately after T.T. publicly admitted that she is a victim of domestic violence, RTL announced the termination of employment contract with T.T., although the contract was still in effect.

8.3.2.1.2. CASE SUMMARY (PRS-05-02/06-01): The Gender Equality Ombudsperson sent a warning to the editor in chief of a daily newspaper because of the contents and photos in article "Vinkovci: 19 year old raped his grandmother" published on the cover page on January 2, 2006. She stressed that it was not in accordance with journalist ethics and regulations to report on sexual violence, family tragedies and related issues in a sensationalist manner, and to reveal the identity and violate the privacy of the victim, as well as the identity of the perpetrator before criminal proceedings are initiated. By writing about this case, the daily newspapers unnecessarily exposed the older woman to the public eye after she suffered sexual violence. The Gender Equality Ombudsperson issued a public statement related to the reporting on this case, and warned the police to avoid unnecessary publicity and not to reveal prematurely the identity of the victim or perpetrator, and to take special care about how the unnecessary publicity will affect the victims, particularly vulnerable groups such as children, minors, women or older women. She reminded that, in accordance with the legal provisions, contents and information that represent women and men in an insulting, degrading and humiliating way in terms of their sex and violate their right to privacy and protection should not be published. The public statement was available at the official Internet pages of the Office of the Gender Equality Ombudsperson under the title "Disrespect of professional ethics and regulations."

8.3.2.1.3. CASE SUMMARY (PRS-05-02/06-02): The Gender Equality Ombudsperson sent a public statement to the editor in chief of a daily newspapers related to the text published on January 22, 2006, under the title "Kićo: Bandić is like a woman, he can't say no". Although this was a view of one of the participants in a conversation published in a weekly rubric, the Gender Equality Ombudsperson believed that this cannot be an excuse for the publisher, because neither the journalists nor the editing board distanced themselves or protested against this view, but, on the contrary, included it in the title. The Gender Equality Ombudsperson stressed that this approach produces and perpetuates sexism and gender stereotypes that should be recognized and condemned, and not tolerated and promoted in public. This act is a violation of Article 3, para. 4 of the Law on Media (The Official Gazette 59/04) because, by representing women and men in the public in an insulting and degrading way, it encourages and glorifies sexual inequality and causes sexual antagonism and intolerance, and a violation of Article 19 of the Code of Honor of Croatian Journalists because it expresses pejorative qualifications about women and men. This public statement was published on the official Internet pages of the Gender Equality Ombudsperson.

8.3.2.1.4. CASE SUMMARY (PRS-05-02/06-05): S. P. from R. reacted to the interview with the head of KBC Rijeka, head of the Clinic for Gynecology and Obstetrics and professor at the Faculty of Medicine, published in a regional daily newspaper on June 18, 2006 under the title "A salvation for women or an incentive for promiscuity". The text clearly stresses that it is necessary for "other categories to voice their opinion" about the official introduction of inoculation against cervical cancer in Croatia, that is, that this topic should be discussed and decided on at numerous social levels and institutions, including the Church. In several places, it is mentioned that the introduction of this inoculation for women in their reproductive years would allow them greater sexual freedom because they would not have to pay attention to a possible infection by a virus that causes cervical cancer, and implied that this inoculation would allow women "to behave promiscuously". This view "stigmatizes" women as the promiscuous sex and suggests it would be better not to protect them with this inoculation because the absence of fear from disease would encourage undesirable sexual behavior, which is discriminatory and humiliating to women.

On June 21, 2006, the Gender Equality Ombudsperson sent to the editor's board of the daily newspapers that published the interview a warning that, according to legally and politically binding

international documents ratified by the Republic of Croatia, as well as national documents that refer to gender equality, the state is obliged "to promote and secure the rights of women at the highest standards of physical and mental health", and "to promote, encourage and implement programs, with support from the media, aimed at prevention, early detection and treatment of breast, uterine cancer and other malignant diseases related to the women's reproductive system". Since H.H.'s statements in the interview are in contrast to the obligations and policies of the Republic of Croatia concerning promotion of gender equality, the Gender Equality Ombudsperson sent a public statement to the daily newspapers in which the interview is published and asked them to inform the public about the issue in question. This public statement was published on the web pages of the Association Pacijent danas/Patient today and official Internet pages of the Gender Equality Ombudsperson.

8.4. ANALYSIS OF DAILY PRESS AND PRESS CLIPPING

The Office of the Gender Equality Ombudsperson monitors the media on a daily basis. Through the agency for monitoring and analysis of the media Briefing d.o.o., the Gender Equality Ombudsperson is provided with a daily overview of daily (national and regional), weekly, semi-monthly, and monthly press, Internet portals and informative shows on radio.

The list of monitored press: Arena, Bjelovarac, Dnevnik, Dubrovački vjesnik, Dubrovački list, 24 sata, Banka, Cosmopolitan, Extra, Feral Tribune, Fokus, Glas Istre, Glas Slavonije, Glas Podravine i Prigorja, Elle, Globus, Gloria, Gloss, Grazia, Hrvatski narodni list, Jutarnji list, Karlovački list, Karlovački tjednik, Lisa, Menimurske novine, Metro Express, Moby, Nacional, Novi list, Novi sisački tjednik, Osječki dom, Posavska Hrvatska, Poslovni tjednik, Slobodna Dalmacija, Stars, Story, Šibenski list, Varaždinske vijesti, Večernji list, Virovitički list, Vita, Vjesnik, Vukovarske novine, Zadarski regional, Zadarski list, Zagreb News, Zaposlena, Zarez.

Informative shows on radio: HR1: Dnevne novosti, Dnevnik, Kronika dana; Radio 101: Aktualni 101

Internet portals: Biznis infoforum, Bankamagazine.hr, Bug online, Corner, Hina, Indeks online, Iskon, Izvješća Sabora, Moj htnet, Monitor, www.liderpress.hr, www.business.hr, croatiabiz.com, VIP online, www.h-alter.org, T-portal, Indeks online, www.net.hr

Apart from the press-clipping by the Briefing agency, the Gender Equality Ombudsperson regularly follows: daily/weekly press to which the Office is subscribed (Jutarnji list, Večernji list, Novi list, Vjesnik, Globus, Nacional, Feral Tribune), Internet portals with current news, and the news service available on the web pages of HINA, radio and TV shows related to the issue of gender equality and all public events that could have an effect on the position of women and/or gender equality.

From January 1 to December 31, 2006, the Gender Equality Ombudsperson monitored and analyzed a total of 3,105 articles provided by the agency for media monitoring that are related to gender equality, including the rights of sexual minorities, all forms of discrimination on the grounds of sex or sexual orientation, insults and degradation in any format (interview, statements, news reports and the like), and all thematic areas concerning equality between women and men in the private and public life, from legislature and politics to education, entertainment, art, work and employment.

ANALYSIS OF MONITORED TOPICS

During 2006, the largest percentage of articles (66%) was dedicated to the following issues:

Violence against women 28%

Women on the labor market 16%

Homosexual orientation 11%

Women and politics 6%

Women and education 3%

Roma women 1%

Interviews 1%

In the remaining 34% of articles, each of the topics covered by the media was represented by less than 1% in the total number of analyzed articles. The remaining issues repeatedly covered by the media are: activities of women's groups, prostitution and trafficking in women, harassment at the workplace, women's health, position of women in the Church, alimony etc.

Although the percentages show that some of the issues are less represented, the figures point to a relative coverage of the issues. For example, women in politics account for only 6%, according to the above mentioned selection criteria, but, expressed in numbers, it is covered in 187 articles.

It is symptomatic that the number of articles on topics related to the position of women was increasing in March, September and November, when the dates such as the International Women's Day (March 8), the National Day against Violence against Women (September 22) and the International Day against Violence against Women (November 25) are commemorated. Apart from the topics related to these dates, during the above said months, there is a general increase in the number of articles dedicated to the position of women on the labor market, domestic violence against women, status of women in politics and gender equality.

MEDIA REPRESENTATIONS OF WOMEN still hold on to the discourse of stereotypical experience and image of woman as a person with primary roles of wife and mother. In almost all articles/interviews/portrayals of women who succeeded in some sphere of public life, their marital/family status is mentioned, and professional success is always accompanied by highlighting family/children as a priority in their lives.

Although, in addition to quoting women in articles on various topics, more and more attention is given to information about women's achievements or long interviews with female entrepreneurs, publishers and/or authors, editors in publishing houses, managers, musicians, successful business women, company executives, officials in Croatian Army Forces, the first women to conquer nine mountains over 8000 feet, top five war photojournalists, film directors, university professors, it is still a fact that male and female journalists cannot refrain from stereotypical and discriminatory questions that are always addressed to women, and never to men. For example, in an interview with the first woman appointed at the head of the Zagreb county court, Mirjana Rigljan (Globus, January 6, 2006), a female journalist asks her: Have you ever felt like you are doing a "male" job, a job that always comes first? The phrase "male job", although most often used with quotation marks, still insists on the distinction between male and female jobs. Also, "a male job" would be, according to the journalist, a job that always comes first, which suggests that this is its "male" determinant, whereas the "female" determinant would be that something else comes first - home/family/children. Since judge Rigljan offered a very insightful reply: "I believe that we, women, are absolutely equal and up to any task in everything, including this job", the journalist "had to" add: "You are not married, you have no children. Is this the price of a successful career in this job? because it is socially incomprehensible that a woman can be successful without "paying" a price, that is, that she might not want to marry and/or have children.

Several good articles on female scientists were published (for example, "Scientists from Zagreb stop plankton blooms" - Jutarnji list, January 9, 2006; "From Ruđer to Paris to discover the secrets of DNA and proteins", about dr. Anita Kriško, the winner of a prestigious L'Oreal and UNESCO scholarship - Poslovni dnevnik, March 13, 2006; "How I did it: I run a lab at Harvard and am married to Kristy", about an associate professor at Harvard, Sandra Oršulić, who researches the development of ovarian cancer at a molecular level - Jutarnji list, April 9, 2006). An interesting article was published in Nacional on January 10, 2006 about a female scientist born in Zagreb, Hedvig Hricak - the first woman in the US to be appointed the head of the Department of Radiology of the Memorial Sloan Kettering Center in New York and the first woman to whom the Ludwig-Maximilians University from Germany awarded an honorary Ph.D. degree and the first female radiologist to be elected as a member of Institute of Medicine in Washington, D.C. The title of the text was: Hedvig Hricak, one of the most famous American radiologists, and after that continues with "the woman in charge of the radiology department". It is obvious that the media need a language standard when it comes to female and male gender of the title of profession.

What should be applauded is a large number of affirmative articles on women who challenge the stereotypes of typically male and typically female professions. For example:

Women beset the police academy - one third of candidates for the occupation of police officers are women (Vjesnik/T-portal, January 23, 2006);

Colleagues were shocked (about a saleswoman at the gas station) - (Novi list, February 2, 2006)

Being the only woman among army pilots is not such a big scare - Captain Dijana Doboš, the only woman in the Republic of Croatia working on military plains (Zadarski list, March 30, 2006);

Danijela Friganović - the first woman in charge of a police station (Novi sisački tjednik, March 9, 2006);

The prettier sex in a male occupation "When an occupation causes disbelief in men" (about the only two female pilots in Croatia Airlines; Extra, March 7, 2006);

Women's nuclear drive (about the visit of an American army ship on nuclear drive anchored near Split; out of 5 800 crew members, one tenth are women, officers, non-commissioned officers and soldiers; Globus, May 26, 2006);

Women in dangerous professions (about women in the police forces - Smart, May 25, 2006);

Ivana Ćusak, the first female warden of a prison in Bilice (Slobodna Dalmacija, July 24, 2006)
A referee is not a man (about female football referees - Gloria, September 28, 2006);
Grandmas stronger than steel (about women who have been working for 30 years in the Split zinc factory - Slobodna Dalmacija, September 27, 2006)

However, these positive examples (not all articles are listed) contain stereotypical phrases, which are probably used to contrast the gentleness, beauty and mildness traditionally attributed to women with individual professions that are perceived as professions in which strength, roughness, assertiveness and determination prevail. In the article on women in dangerous professions, that is, women in the police, it is said that these are "three gentle and feminine ladies. At first sight it is hard to believe that all three of them are members of the Croatian police forces who are doing a great job at the pride of the entire female gender". Most frequently used terms are: the gentler sex, the prettier sex, ladies.

Articles on women in politics cannot abandon stereotypical and discriminatory representations of female politicians. The articles are always more interested in their appearance than in what they are saying. The titles themselves point to a different media perception of male and female politicians:

- Female shrews, and men with an attitude (Dubrovački vjesnik, April 21, 2006)
- Questionable elegance of female politicians (Nacional, January 17, 2006)
- They are desirable and attractive (iPortal, May 31, 2006)
- What a beautiful country we would have if our beautiful women would run it (T-portal, May 22, 2006)
- I respect every woman, but I love a cleavage with a size D (Dubrovački vjesnik, July 29, 2006)

Although one female politician replied to a sexist remark of her parliamentary colleague directly and with confidence, the media used this incident to "ask around how "horny" are Zadar city councilors" in an article titled "Dalmatinac da te štipka, ti bi opet bila vitka"/"If a Dalmatia man squeezed you, you would still be slender" - a title of a pop song (Narodni list, July 21, 2006).

Unfortunately, the media still use extreme sexism and insulting articles/columns. One article implies that the urge to iron, dust and wash the dishes is inherent to women since a man who was transplanted his wife's kidney suddenly started doing household chores, and his wife was very happy about it ("He cooks and cleans since he got a female kidney" - 24 sata), and in Glas Slavonije, on March 18, 2006, one of the columnists in the text titled "The return of polygamy" says: "To a smart man, one woman is enough. But, when serious European institutions start thinking about legalizing polygamy, then the only solution is (mental) self-castration..."

Although there are numerous articles promoting gender equality in public life, the family is still the domain in which the main role is performed by women. Also, the woman who works and has a successful career is still expected to balance her private and professional obligations, whereas the media will always seek to highlight her double role and double burden.

PART NINE

OTHER ACTIVITIES AIMED AT PROTECTION AND PROMOTION OF GENDER EQUALITY

9.1. DISCRIMINATION ON THE GROUNDS OF SEXUAL ORIENTATION

The Gender Equality Ombudsperson also monitors the implementation of Article 6, para. 2 of the GEL, which bans discrimination on the grounds of sexual orientation.

The Gender Equality Ombudsperson believes that, from education to writing in the media, particularly when it comes to public statements made by individuals, we should work to eliminate stereotypes about the members of sexual and gender minorities whose rights are still being violated, so that they could exercise their rights along with legislative changes.

On March 17, 2006, the Croatian Parliament discussed the Proposal of the Law on Registered Partnership (hereinafter: Proposal) submitted by parliamentary representatives Šime Lučin and Ivo Banac.

In their opinion, the existing Law on Same-Sex Partnerships (The Official Gazette 116/03) does not solve in practice the inequality of persons of different sexual orientations. Discrimination is particularly visible in the areas of inheritance, health protection, property relations, pension insurance, tax system, social security etc.

The following parliamentary committees voiced their opinion on the proposal: Committee for Legislature, Committee for Gender Equality and the Committee for Human and National Minority Rights, and only the Committee for Gender Equality supported the Proposal. At the session of the Committee for Gender Equality, the Gender Equality Ombudsperson supported the Proposal of the Law on Registered Partnership by agreeing with the reasons stated by the proponents as well as by civil society organizations advocating its enactment, and, during the discussion, she warned about the Resolution of the European Parliament on Homophobia in Europe 2006, which demands from the member states to adopt legislature that eliminates discrimination in the above-mentioned areas.

The Croatian Parliament rejected the Proposal of the Law on Registered Partnership on its 19th session on March 17, 2006.

In 2006, the Croatian Parliament passed the Law on Amendments to the Criminal Code (The Official Gazette 71/06), with a special lobbying from the Committee for Human Rights and National Minorities, which defines the new criminal code term of hate crime in the following way:

"A hate crime is every criminal act from this Code, committed out of hate towards a person because of his or her race, skin color, sex, sexual orientation, language, religion, political or other belief, national or social origin, property, birth, education, social status, age, health status or other characteristics."

The Gender Equality Ombudsperson supported the introduction of the criminal act of hate crime into the Criminal Code because she believes that it contributes to the anti-discriminatory legislature of the Republic of Croatia.

9.2. THE NATIONAL POPULATION POLICY

The National Population Policy (The Official Gazette 132/06) proposed by the Ministry of Family, War Veterans and Intergenerational Solidarity was adopted at the session of the Croatian Parliament on November 24, 2006. One of the fundamental principles of the National Population Policy, among the respect for fundamental human rights, voluntariness, free and responsible parenthood is also "gender equality" (page 7). Gender equality is explicitly listed as a fundamental human principle in procreation. "The national population policy respects this premise and accepts it as its fundamental value". One of the measures of sustainable economic growth and its fundamental and developmental preconditions listed in the National Population Policy is "ensuring the respect of the principle of gender equality in access to the commodity and service market within the relevant aspects of social and economic life." The planned activities are: 1. analysis of current situation and monitoring the compliance with the principle of gender equality; 2. developing guidelines for eliminating discriminatory conditions on the grounds of gender in achieving equal access to the market of commodities and services and equality in the modes and conditions of free contracting; 3. ensuring legal instruments that would guarantee sanctioning violations of the principle of gender equality. One of the implementing bodies of this measure is the Office of the Gender Equality Ombudsperson.

PART TEN

CONCLUSION AND FINAL REMARKS

The report of the Gender Equality Ombudsperson for 2006 shows that the Gender Equality Law is still not implemented in a satisfactory way.

However, there have been significant improvements in the implementation of specific provisions of the Law.

In contrast to the previous reporting period, a large number of state bodies, legal entities with public authority and legal entities predominantly owned by the state or units of local and regional government fulfilled their legal obligation to adopt operational plans for promoting and establishing gender equality.

In this reporting period, these plans were adopted by 9 ministries, 2 central state offices and 5 state administrative organizations.

There are considerable improvements visible in the efforts to prevent violence in the family by the Ministry of Family, War Veterans and Intergenerational Solidarity and the Ministry of Internal Affairs.

However, the number and severity of the cases of reported violence, as well as the number of murdered women as victims of domestic violence in the last year, show that the efforts made so far obviously did not solve the question of prevention and that it is not possible to achieve this without the efficiency of all bodies addressing the problem of domestic violence. The local and regional governments must take a more important role in strengthening prevention.

The legal provision on collecting statistical data disaggregated by gender is the obligation of the State Office for Statistics, but more and more state bodies, public services and institutions that gather, document and process statistical data and information, disaggregate them by gender. It is important to note that this is now done for violence in the family by the State Attorney's Office of the Republic of Croatia.

A growing number of complaints submitted to the Gender Equality Ombudsperson indicate that the rights of citizens are being violated on the grounds of their gender in all spheres of life, particularly in the sphere of employment and work and protection from violence in the family. A larger number of complaints also has one positive connotation - greater awareness of citizens about the possibilities of demanding protection and achieving their rights in the sphere of gender equality, work and employment and protection from violence in the family, and a greater understanding of whom to ask for protection or help in exercising their rights - which is partly a joint result of many actions, campaigns, strategies and programs carried out by state bodies, institutions, NGOs and offices dealing with gender equality and protection from violence.

The number of male complainants is still increasing, especially for complaints concerning parental care.

The National Policy for Promoting Gender Equality in the Republic of Croatia 2006 - 2010 was adopted at the end of the reporting period, but it can be expected that its implementation will improve the social status of women from national minorities and disabled women from 2007 onwards.

However, it is not to be expected that a consistent implementation of measures envisaged by the National Policy for Promoting Gender Equality and aimed at achieving equal opportunities for women on the labor market would be enough to reduce the high rate of women's unemployment, as well as a strong vertical and horizontal segregation and predominance of women in lower-paid sectors.

Therefore, the Gender Equality Ombudsperson proposed that, in the next period, at the national, local and regional level, additional measures and policies should be adopted, which would increase women's employment and improve their position on the labor market.

Urgent adoption of the Law on Free Legal Aid is necessary to ensure protection in cases of violations of anti-discriminatory provisions of Croatian laws. In cases of discrimination in the sphere of work and employment, the work of the State Inspectorate is not sufficient, and running court procedures, which in the case of labor law should be initiated in relatively short, preclusive deadlines, is not possible without professional representation in court.

It is also necessary to prevent abusing the conclusion of fixed-term employment contracts, both in terms of legislative changes and changes in practice.

The State Inspectorate should be strengthened in terms of funds and human resources because severe violations of labor rights - including, among other things, discrimination, protection at the workplace, unpaid and illegal overtime work, and rights of pregnant women - are repeated by the

same employers, and the capacities of the State Inspectorate do not allow prompt inspection on the basis of every report against the same employer.
The Gender Equality Ombudsperson proposes to the Croatian Parliament to adopt the Official Report of the Gender Equality Ombudsperson for 2006.

THE GENDER EQUALITY OMBUDSPERSON

Gordana Lukač Koritnik