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SUMMARY OF THE ANNUAL REPORT 2017

This summary is an overview of the **full Annual Report for 2017** of the Ombudsperson for Gender Equality of the Republic of Croatia (further Ombudsperson), which **on 322 pages** includes detailed description of **72 cases from the Ombudsperson's practice,** detailed **analysis of data and trends** in the fields of: work and employment, social security, education, media, sports, political participation and reproductive health, **conclusions** based on monitoring the implementation of the Gender Equality Act (further GEA) and other laws and regulations pertaining to gender equality, and **123 recommendations** to the authorized bodies.[[1]](#footnote-1)

I. CASE STATISTICS

In 2017, the Ombudsperson worked on **the total of 2,685 cases**[[2]](#footnote-2) out of which:

**- 1,076** cases were complaints in which citizens sought protection from discrimination, out of which **1,018 cases were opened** in 2017.[[3]](#footnote-3)

In 1,018 new cases, **the grounds** for the Ombudsperson's proceedings, according to GEA, were found **in 426 cases**, while 23 cases were opened upon the Ombudsperson's initiative. Out of 426 cases, **108 (25.4%) were related to the protection** of citizens exposed to physical, psychological and other forms of **domestic or partner** **violence**, as well as violence in public space. In those cases the protection was sought by **women in 79.6% of cases** and men in 20.4% of cases.

The co-operation with the competent bodies at the state, regional and local level, as well as with other stakeholders, was good, because all competent authorities and other stakeholders submitted replies to the Ombudsperson within the deadline.

**- 1.609** cases were opened upon the Ombudsperson's initiative or on the basis of the reports of other institutions, organizations or legal persons, out of which 192 cases were related to the implementation activities of 2 EU projects the holder of which is the Ombudsperson.[[4]](#footnote-4)

The Ombudsperson received complaints from the citizens from all over the Republic of Croatia. **The majority of complainants were women - 66.7%**. Classified by the grounds of discrimination, the complaints were related to the ground of: sex - 86.2%, gender identity and/or expression - 4.2%, sexual orientation - 3.8%, family status - 2.5%, marital status - 0.5%, other grounds from the Anti-discrimination Act[[5]](#footnote-5) - 0.7%. In 2.1% of cases there were no grounds for the procedure within the scope of the Ombudsperson's authorities.

The percentage in which the Ombudsperson's recommendations, suggestions and proposals have been accepted by the public bodies, units of local and regional self-government or other bodies with public authorities, increased up to **90.9%** (in comparison to 84.4% in 2016). The suspicion that the criminal act had been committed, the Ombudsperson reported to the competent State Attorney's Office in one case[[6]](#footnote-6) and in one case for misdemeanor offense[[7]](#footnote-7). Through the mediation the Ombudsperson solved the dispute in 2 cases[[8]](#footnote-8) and was involved in 2 court proceedings[[9]](#footnote-9).

The Ombudsperson **issued the total of 302 written recommendations, 229 warnings and 214 proposals** tostate bodies, units of local and regional self-government, bodies with public authority and other legal persons who violated the principle of gender equality or discriminated on the grounds of sex, marital and family status and sexual orientation**.** In the light of GEA, the Ombudsperson analyzed numerous laws and regulations, as well as the proposals for the amendments of the existing laws and addressed her recommendations, commentaries and proposals to the relevant authorities (law proposers).

In 2017, the Ombudsperson **conducted** **1 independent research** related to the role and the importance of the policy for balancing family obligations and paid work and **9 analysis** related to monitoring implementation of GEA in the fields of: labor market and working conditions (3), mass communications and the media (3), political parties (1), implementation of public policy (strategies/protocols) (2). The Ombudsperson **published 3 publications** (2 from the area of work and 1 from the area of social security), **produced and participated in one 30-minutes long documentary** „Equality“, **implemented 4 memorandums of collaboration** signed with: (1) the Police Academy of the Ministry of the Interior (2012.), (2) Legal Clinic of the Faculty of Law in Zagreb (2013.), (3) Ministry for Demography, Family, Youth and Social Policy (2017.), (4) Ministry of Defense of the Republic of Croatia (2017.).

The Ombudsperson was a **holder of two projects financed by EU[[10]](#footnote-10):** *„In Pursuit of Full Equality between Men and Women: reconciliation of Professional and Family Life“(January 1st, 2016-January 1st, 2018)*; (2) „*Building more effective protection: transforming the system for combating violence against women*“(*June 1st 2017-November 30th, 2019)*.

In 2017, **the Ombudsperson organized** 6 conferences, 1 regional meeting and held 6 educational workshops.[[11]](#footnote-11) The Ombudsperson actively cooperated with the state administration bodies, units of local and regional self-government, especially with the commissions for gender equality on national and local levels, and was a member of 5 working groups and 4 working bodies out of which one was established by the Ombudsperson - *Monitoring body for comprehensive supervision, data collection, analysis of cases of femicide and reporting - Femicide Watch*“).[[12]](#footnote-12)

## 2.1. concluding remarks

In 2017, the number of complaints increased in comparison to the previous reporting period. The biggest share of complaints is still related to social security issues (30.1%) and labor conditions (22.3%), followed by the area of state administration (18.1%) and mass communication and the media (8.5%).

In cases related to the protection of citizens exposed to physical, psychological and other forms of domestic or partner violence, as well as in public space, protection was sought mostly by (79.6% of cases)[[13]](#footnote-13) and men in 20.4%.

Within the second EU project *„In Pursuit of Full Equality between Men and Women: Reconciliation of Professional and Family Life“,* the Ombudsperson’s project partner, the Croatian National Theatre Split, held 30 performances of the play about gender equality „What are we waiting for“ for 4.000 high school students[[14]](#footnote-14), Association „Riječi/Prave/Predstave/“ held 12 performances of another play „Equality - a woman and a man“ in 12 high schools in 6 counties and the City of Zagreb for more than 850 high school students. Furthermore, the Ombudsperson actively participated in 20 sessions of the committees of the Croatian Parliament and commissions for gender equality at local level (counties and municipalities); visited counties 15 times and met with the county prefects and mayors, presidents and members of the commissions for gender equality and coordinators for gender equality; organized and co-organized 17 public events; actively participated and gave presentations on 160 round tables and seminars in Croatia and on 23 international and regional conferences; held 23 meetings on international and regional level; regularly cooperated with other ombudspersons in Croatia; cooperated and supported work of 65 organizations of civil society and state bodies, institutions, trade unions, international organizations' branches in Croatia, parliamentary parties and other legal persons; gave 16 public statements, had 74 appearances on TV and radio shows, and her statements or activities were published in 678 articles.

Beside the official web site [www.prs.hr](http://www.prs.hr), the Ombudsperson has opened a separate web site for every EU project <http://staklenilabirint.prs.hr/>, <http://rec.prs.hr/>, <http://www.vawa.prs.hr>. In 2017, the pages of all **four web sites** were hit **3.904.767 times.**

II. ANALYSIS BY AREA OF WORK

# 1 EMPLOYMENT AND LABOR

## 1.1. LABOR MARKET – trends WHICH DESERVE SPECIAL ATTENTION

### 1.1.1. Low working activity rate of women

According to the Central Bureau of Statistics (CBS) data, the share of women in the total population of Croatia in 2017 was 51.7%, in working active population 45.1% and in working inactive population 57.1%. There is still a trend of higher rates of male workforce in all age groups from 15 to 65+ years of age. The Ombudsperson warns that high rates of working inactivity of men and women means that the huge work potential has not been used and that it is necessary to look at the causes of demotivation for employment seeking and explore the available opportunities for attracting people to the labor market.

### 1.1.2. Trends related to an unequal status of women and men in regard to employment

According to the latest Eurostat data, the average employment rate of women was 53.6%, which is a slight increase in comparison to the last year's 52.6%. At the same time, employment rate of men in the same period was 63.8%. The employment rate of women of 55+ ages is still very low - 31.4%, due to which they are exposed to the risk of poverty and economic dependence. Women with higher education continue to be employed the fastest, while the increase of the employment rate of women with secondary or tertiary level of education is slower than the increase of employment rate of men in the same age groups. The drop in employment rates of highly educated women over the age of 50 is considerably lower than the decline in the employment rate of women with secondary education. Therefore, the Ombudsperson points out the importance of encouraging women to achieve high qualifications, given that such a measure would certainly contributed to the increase in working activity and employment of women of middle and older age.

During 2017, women were almost equally employed per fixed-term contracts as men. There was also a reduction from 2.8 percentage points to 1.9 of the imbalance between the shares of men and women employed on a part-time basis. Although some positive steps have been observed, the equal opportunities for women and men in the Croatian labor market have still not been achieved, as women continue to be employed less than men in all age groups and with all levels of education.

According to the Eurostat data, the unemployment rate for women fell from last year's 13.6% to 12.3%. At the same time, the unemployment rate for men in the same period fell from 12.8% to 10.6%.

The continuously high rate of long-term unemployment (12 months and over) which is 47.8% for men and 39.6% for women is worrisome. Years long non-involvement of people in the labor market poses a risk due to the fact that the passage of time lessens the possibilities for employment of the unemployed and thus closes the circle of long-term unemployment.

### 1.1.3. Sex-based segregation in the labor market

Previously established gender-based segregation remains a permanent feature of the Croatian labor market. Out of 19 industry branches in the labor market, only 4 are balanced to a certain degree (no sex is represented with more than 55%). In the remaining 15 areas, there is a significant underrepresentation (one sex is represented with more than 55%, and less than 70%), or extreme underrepresentation of one sex (one sex is represented with more than 70%).

Women are overrepresented in 6 areas and significantly overrepresented in the area of „education“(78.2%) and „health insurance and social care“(78.4%). Horizontal segregation of the labor market is directly linked with gender stereotypes about men and women and the prejudices about their abilities, capabilities and interest. For breaking the above-mentioned stereotypes, the Ombudsperson proposes raising the awareness level through media campaigns and education system, as well as enabling women and men vocational training for jobs which are, according to traditional understanding, considered to be more appropriate for the other gender. The trend of vertical segregation on the labor market continues. It is confirmed by the latest available data collected by the Croatian Financial Services Supervisory Agency (CFSSA - HANFA), according to which the share of women in the management of the joint stock companies, whose shares were included in Zagreb Stock Exchange, on December 31st 2016 was 15.12%, while the share of women in the supervisory boards of these companies was 20.37%. The data indicate that there are still no adequate measures that would effectively encourage women's participation in economic decision-making positions.

### 1.1.4. Equal pay for equal value work – pay gap

The latest data on average monthly gross earnings per sex of the employee refer to 2015 when woman's wage was 7.471 HRK and man's 8.422 HRK, which means that the share of the average woman's wage in an average man's was 88.7%. These figures show that on average men earn 11,412 HRK more than women per year, or 1.47 of an average Croatian gross wages more. According to Eurostat data, the wage gap is generally considerably lower among younger employees and is gradually deepening with years due to maternity leaves or care about older and helpless family members. A larger wage gap has been recorded in public rather than in private sector. According to Eurostat data for 2012-2014, the wage gap in public sector has risen from 9.3% to 16.4%. On the other hand, in the same period in the private sector the gap increased from 3.7% to 11.2%. The wage gap in the public sector is most commonly reported as the result of vertical segregation, i.e. greater representation of women in hierarchically lower positions.

### 1.1.5. Trends which additionally contribute to gender inequality in the labor market

Continuous gender-based division of the labor market, both vertical and horizontal, is one of the main reasons for the wage gap existence, but also the source of a noticeable pension gap which was 20.4% in 2014. Another factor concerning the pension gap between men and women is the existing pension calculation system. Until 31st of December 1998, the calculation of pensions included the period of the 10 most favorable years of employment, which means that the most unfavorable years[[15]](#footnote-15) spent on maternity and/or parental leave were exempted from the calculation. However, as of January 1st, 1999, the accounting period was prolonged and the time spent on maternity and/or parental leave is included. The Ombudsperson sent a proposal to the competent ministries to set up an Interagency Working Group which would consider the issues regarding the pension gap, as well as the possibility of introducing mechanisms to correct inequalities that could lead to differences in pensions between men and women. The Ombudsperson recommended that consideration be given to the introduction of a system of "*caring points*" as the compensation for the breaks in work due to unpaid informal care for family members and periods of formal leave because of this care, or maternity and parental leaves, and to design a „*system of pension credit points*".

### 1.1.6. Conclusion remarks and recommendations

Slight improvements and trend changes indicate that a long-term and comprehensive development of gender-based policy would lay the foundations for achieving real equality of men and women in the labor market. Therefore, the Ombudsperson **recommends:**

1) Introducing measures to encourage women to enter the labor market in order to overcome the existing stagnation of women's working activity rate, measures being vocational training and additional qualifications and retraining for unemployed women over the age of 50 and tax benefits for employers who hire women of younger age without previous work experience.

2) Development of measures within tax policy, public tendering system and state incentives, supervision over the implementation of special measures and legal measures related to the employment procedure, in order to promote gender-balanced structure of employees.

3) Introducing measures to eliminate horizontal/sectoral segregation of the labor market by directing women who are entering the labor market towards those areas of activity which have been traditionally considered as "male" and dominated by men, with the emphasis on the professions with the highest income. Measures could be introduced through grants, scholarships, opening of scientific/associate positions and programs of professional development, as well as with tax policy measures.

4) The introduction of measures aimed at removing vertical segregation or achieving a gender-balanced structure in economic decision-making positions, such as the legal commitment of all employers with a larger number of employees (for example 50 and over) to introduce a transparent system of selection for management positions.

5) Developing measures to reduce the wage gap between women and men, including the transparency of all forms of cash and non-cash benefits such as, for example, the obligation to conduct deep analysis of the earning system and the employee's right to request information on payment grades and the amounts for specific working places, sorted by sex/gender.

6) Introducing measures for more effective protection of pregnant women and mothers, such as strict prohibition of termination of employment or relocation to a disadvantaged position for a minimum of one year after returning from maternity and/or parental leave and benefits for the employers who choose to hire a pregnant woman or a mother of a small child.

7) Developing measures that will enable the harmonization of family and professional life, such as ensuring a sufficient number of providers of formal and informal care for children and sick family members, encouraging more fathers to use maternity and/or parental leave, and encouraging employers to introduce flexible working hours.

### 1.1.7. Demographic policy and the Ombudsperson's activities

The Republic of Croatia has been in a demographic crisis for a long period - the birth rate is constantly decreasing and the rates of fertility and population decline while the population ages. According to the provisional data of the CBS, bad demographic and birth rate trends persisted and accelerated; the least number of children born in the last 100 years, with a record negative natural increase of -17,614 or even 48% people who died more than the number of children born. The fact that demographic and pro-natality policy has an important place in the programs of the current Government of the Republic of Croatia encourages. The Ombudsperson continued to point out that effective demographic policy should be closely linked to the implementation of the constitutional principle of gender equality and that it should in no way be to the detriment of women. Demographic policy should focus on greater employment of women (employment of both parents), expanding services and support to families and creating a family and children friendly. Therefore, the Ombudsperson proposes a comprehensive and long-term demographic and population policy which will respect the principles that affirm gender-oriented policy.

## 1.2. DISCRIMINATION IN EMPLOYMENT AND LABOR

In order to provide the Croatian Parliament with an insight into the type of complaints submitted by the citizens in the field of labor and employment and the way in which the Ombudsperson acts and make decisions in specific cases, a total of 15 case studies are outlined in the full report.

### 1.2.2. Mediation procedures

With the aim of preventing further disputes and normalizing relations and speed of action, and pursuant to the provisions of Art. 19, paragraph 4, item 4 of GEA, Ombudsperson in some cases conducts mediation between the complainant and the person s/he complained about for the discrimination on the grounds from the Ombudsperson's authority.

## 1.3. SEXUAL HARRASMENT IN THE AREA OF EMPLOYMENT AND LABOR

In 2017, all Ombudsperson's procedures initiated on the basis of sexual harassment were related exclusively on the protection of women. More and more victims of sexual harassment files their complaints anonymously, or the complaints are filed by persons close to them on their behalf, indicating that the mechanisms of protecting victims and sanctioning this illegal acts do not really work in practice. The Ombudsperson emphasizes again that in combination with discrimination on the grounds of pregnancy and maternity, pay gap and the effect of 'glass ceiling', this form of discrimination significantly and directly jeopardizes the position of women in the labor market and reduces efforts to achieve full gender equality, hampering, at the same time, the efforts to create a stable and effective demographic revitalization policy for the Republic of Croatia.

Sexual harassment is regulated by GEA (Article 8), if sexual harassment takes place between colleagues of the same rank, but without any sanctioned penalties. Protection is further prescribed by the Labor Act (Art.134), but again without any serious sanctions for perpetrators. On the other hand, the process of protecting the dignity of workers is the only option for a victim who wants rapid protection and immediate termination of illegal behavior. Judicial protection through a private lawsuit against an employer who has not properly reacted and secured that sexual harassment does not continue, appears to be a slow option with a very uncertain outcome for the victim. Finally, the protection of victims is also offered through the Penal Code (Article 156) provided that there is a relationship of dependence (superiority and subordination) between the perpetrator and the victim or the victim is particularly vulnerable due to his/her age, illness, disability, etc. with a fine of up to 1 year, without the prosecution *ex officio*, but by the motion of the injured party. This legal framework is to the advantage of perpetrators, both in terms of penalties and in terms of legal definitions. On the other hand, due to this type of illegal acts, court practice records, from year to year, extremely low numbers of court proceedings, and those proceedings which have been initiated are conducted largely without the necessary understanding of sexual discrimination or sensitive approach to the victims. When we examine this problem from an angle of poor legal solutions and practically on court practice, it becomes clear why the number of complaints decreases year after year, i.e. why the victims are afraid of revealing their identity.

### 1.3.2. Intervening in court proceedings

On the basis of the Article 21 of the Anti-discrimination Act, the Ombudsperson is authorized to intervene in court proceedings initiated on the basis of a lawsuit for the protection against discrimination. In 2017, the Ombudsperson was an intervener in 3 court proceedings.

## 1.4. EU PROJECTS

### 1.4.1. EU PROJECT: „In Pursuit of Full Equality between Men and Women: Reconciliation of Professional and Family Life“

The project, whose value is 437,172.29 EUR, was implemented in the period of 2 years (January 1st 2016-January 1st, 2018). Project partners were Croatian National Theatre Split, Association „Riječi/Prave/Predstave“ and Spona code d.o.o. It was supported by the Ministry of the Economy, Entrepreneurship and Crafts and Ministry of Science and Education.[[16]](#footnote-16) For the purpose of fulfilling project's goals, the following activities held place: 2 empirical researches, 9 expert educations and trainings, 8 round tables, 6 public events for raising awareness on gender equality; 2 theatre plays had 42 performances, 3 videos were created, 6 publications were published. Documentary „Equality“ about this project (9 minutes and 30 minutes duration) was broadcast on Croatian National Television and two local televisions. The project was estimated as extremely successful in the final evaluation report. The final conference of the project was held on December 19th 2017 in the Croatian Parliament.

### 1.4.2. PUBLICATION „Impact of gender based division of family responsibilities and household chores on the professional life of employed women“

The Ombudsperson published the research "Impact of gender based division of family responsibilities and household chores on the professional life of employed women" conducted in 2016 within the EU project "In Pursuit of Full Equality between Men and Women: Reconciliation of Professional and Family Life“. The researcher’s objectives were to examine the ways in which family responsibilities and housework within the family were distributed between partners. The data indicate that there are large differences in the amount of time and type of engagement that women and men devote to household and other family responsibilities.[[17]](#footnote-17)

### 1.4.3. RESEARCH „Work or family? Role and importance of the policies for harmonization of family duties and paid work“

Results of the research conducted and published within EU project „In Pursuit of Full Equality between Men and Women: Reconciliation of Professional and Family Life“ showed that although women on Croatian market have been participating for a long time and that the working hours of men and women is not significantly different, the duties women have in private sphere of life still remain the same. Regardless of whether they are employed or not, women take on a much larger share of household work and family responsibilities, especially routine ones that need to be carried out on a daily basis, which limits their free time. Croatia still does not follow the trends of Western European countries that attach more and more importance to father's leave and the generally active role of fathers in early years of their children.

### 1.4.4. EU PROJECT „Building more effective protection: transforming the system for combating violence against women“

On November 21st 2017, the Ombudsperson presented in the Croatian Parliament the third EU project of which the Ombudsperson is a holder. The value of the project is 427.782,27 EUR and it will be implemented from June 2017 till November 2019. It deals with the role of the police, judiciary and the media in cases of violence against women with special emphasis on femicide cases.[[18]](#footnote-18) The purpose of the project is to identify, empirically describe and bring into focus most problematic aspects of existing legal practice constituting barriers to effective legal prosecution and punishment of violence against women. Through the work with the media representatives and two analysis of the media content, a Media Codex, a guide for professional and sensible reporting on cases of violence against women, will be developed. Another part of this project is the *„Expert analysis of valid court verdicts in cases of violence perpetrated against women in the period 2012-2016“*, within which the advisors of the Ombudsperson visited 17 courts in 10 cities of Croatia. The sample of the analysis will be court verdicts from 18 courts (13 criminal and 5 misdemeanors) from 11 towns of Croatia.[[19]](#footnote-19) The project includes 4 empirical researches, 2 deep analysis, 13 expert educations and trainings, 1 short documentary and 6 publications.Project is conducted in cooperation with the civil society organization Women's Room - Center for sexual rights, Judicial Academy, Police Academy and Croatian Journalist Association.

## 1.5. MATERNITY AND PARENTAL BENEFITS

### 1.5.1. ANALYSIS of the use of maternity and parental benefits

The analysis of the data obtained by the Croatian Institute for Health Insurance (CIHI) about the number of beneficiaries of maternity and parental benefits has confirmed that among the EU members the Republic of Croatia is the country where men (fathers) use maternity/parental support the least. In the reporting year there were a total of 3,844 or 2.35% male users of maternity and parental benefits in all categories. There was a slight increase in the number of male users of maternity leave, from 0.24% in 2016 to 0.31% in 2017, and a slight increase in the use of parental leave, from 4.42% in 2016 to 4.47% in 2017. The Ombudsperson received an increased number of complaints from women who complained about CIHI regarding the right to maternity and parental benefits. The measures for harmonization of professional and family life are still insufficiently implemented. Regardless of the legislative solutions, the cause for the current state in which a small number of fathers use maternity and parental benefits lies in the fact that the care for the children is the primary role of women. Therefore, new and better solutions must be urgently sought in order to employ more women and in the direction of creating additional initiatives that will be directed towards inclusion of fathers in family life as well as to the development of social services. What can be done relatively quickly is the introduction of **compulsory father's leave**.

## 1.6. GUIDELINES FOR THE DEVELOPMENT AND IMPLEMENTATION OF THE ACTIVE EMPLOYMENT POLICY IN CROATIA 2015-2017, IMPLEMENTATION ANALYSIS FOR 2017

The Ombudsperson continuously monitors the implementation of measures for encouraging employment and from the institutions responsible for implementing those requests information on the activities performed by the counties based on the gender of the beneficiary. The Ombudsperson analyzed the implementation of the „Guidelines for the development and implementation of the active employment policy in Croatia for the period 2015-2017“on the basis of collected data from 3 ministries and 2 institutes. The analysis by the counties and by the sex of the beneficiary shows that measures in all the counties had been used by both, men and women, and that there were no significant differences, although some measures were still not being implemented in all the counties. The Ombudsperson is **concerned about the decline in the number of beneficiaries from a particularly vulnerable group of unemployed "victims of domestic violence",** which was not at the satisfactory level in previous years as well (data from the Croatian Employment Service[[20]](#footnote-20)). As in previous years, fewer women than men asked for financial support, and for this reason men had greater financial gain (78.7%) in the approved funds (data from the Ministry of the Economy, Entrepreneurship and Crafts). The Ombudsperson carefully monitors the implementation of the program „Zaželi-program zapošljavanja žena“("Wish for-program for the employment of women") funded by the European Social Fund under the Operational Program for Effective Human Resources 2014-2020, because it is not directed towards all women, but exclusively towards socially vulnerable groups of disadvantaged women on the labor market. In addition, it is targeted at rural areas and islands, i.e. towards areas where the unemployment rate and long-term unemployment rate are higher than the Croatian average, so the project, as a whole, has characteristics of so-called *specific measure*.[[21]](#footnote-21) The Ombudsperson welcomes the fact that this program is implemented, among others, by the units of local and regional self-government, because for several years she has warned about the need for greater and more significant engagement of the state, but also of all counties, cities and municipalities, in the implementation of activities related to decreasing women's unemployment by developing additional incentives at the local level. According to the Ministry of Labor and Pension System data for the implementation of this program, project proposals from all counties and the City of Zagreb have been received.

# 2 FAMILY

## 2.1. DOMESTIC VIOLENCE

For several years now, the Ombudsperson has highlighted negative trends in the processing cases of violence against women and domestic violence, the result of which are fewer reported cases of domestic violence of misdemeanor nature while, at the same time, the number of criminal offenses of violence against women and domestic violence is increasing, as well as the number of femicide cases in the past two years.

### 2.1.1. Misdemeanor acts of domestic violence

In 2017, the police reported the total of 11.506 persons for misdemeanor offenses of domestic violence, which is 3.7% less than in 2016. According to the sex structure of the reported perpetrators of domestic violence, out of the total number of reported persons, 8.882 were men (335 men or 77% -3.6% less than in 2016) and 2.624 women (107 or 23% or 3.9% less than in 2016) which are identical percentages to those in 2015 and 2016. As for the number of arrested individuals, the police arrested a total of 7,265 persons for domestic violence, of whom 84% were male and 16% female.

On the other hand, according to data submitted by the Ministry of Justice, out of the total number of reported perpetrators (11,506 persons), 7,864 men and 2,167 women (10,031 or 87%) were accused, while only 806 (7%) were convicted to an unconditional imprisonment, out of which 761 men and 45 women. All the others, 7,190 persons or 63% were sentenced to fines or suspended jail sentences (of which 5,792 men and 1,398 women), and 3,510 (30%) were either acquitted or the proceedings were suspended or filing with the police did not result in any proceeding.

### 2.1.2. Domestic violence as criminal offence committed between closely related persons

The analysis of the dana received by the Ministry of the Interior (MI) a total of 3,073 criminal offenses with elements of domestic violence were recorded, which is 21% more than in 2016. The aforementioned criminal offenses resulted in hurting 3,275 victims (up 723 more than in 2016). Out of the total number of victims, 2,488 were women (21% more than in 2016) and 787 men (23% more than in 2016). There were 2,046 perpetrators of criminal offenses among close persons, which are 19% more perpetrators than in 2016. Out of the total number of perpetrators of violence among close persons, there were 1,880 (92%) men and 166 (8%) women. As can be seen from the enclosed figures, there is an average increase of 20% at all levels, while in all criminal offenses the predominant perpetrators among close persons are men. Among perpetrators of criminal offenses against sexual freedom, men are perpetrators in 100% of cases and no women. The Ministry of the Interior data show that, in comparison to 2016, the following **criminal acts increased**: Threat (25%), Bodily Harm (9%), Obtrusive Behavior (20%), and the following **decreased**: Heavy Bodily Harm (9%), Sexual Intercourse without Consent (60%), Rape (26%). Regarding the criminal offense referred to in Article 177a - Domestic Violence, in 554 of these criminal offenses (last year 330) 89 males and 4 female perpetrators committed this crime against 464 women (last year 279 women) and 90 men (last year 51 men). Compared with 2016, the number of this criminal offense is rising, which means that sanctions, prevention, suppression and protection of victims - do not work in practice.

### 2.1.3. Femicide

In 2017, the Ombudsperson founded „*Monitoring body for comprehensive supervision, data collection, analysis of cases of femicide and reporting - Femicide Watch“[[22]](#footnote-22)* the members of which are representatives of the Ministry of the Interior, High Misdemeanor Court, Ministry of Justice, organizations of civil society, Ministry of Demography, Family, Youth and Social Policy and the Faculty of Law. This monitoring body will collect detailed gender statistics on femicide cases, monitor and analyses individual cases and situations which resulted in femicide for the purpose of finding out the key omissions by the relevant authorities and for the purpose of enhancing the legislative framework and practice, prevention of violence and protection of victims.

### 2.1.4. Persisting problems and 'new trends'

One of the persisting trends is the trend of increasing number of women killed by close persons. The perpetrators were most often men who were close to women or their intimate partners. **In 2017, the total of 18 women were killed** (in 2016 - 19), out of which 15 were killed by closely related men. As we emphasized last year, some of the major causes of transition of violence against women and domestic violence from the field of misdemeanor-legal protection into the area of criminal justice, and then migration from lighter criminal offenses to the more serious ones, are: formal, disorganized and to gender violence insensitive system of victim protection and support; an extremely mild judicial policy toward offenders; the overall inefficiency of implementing protective measures for victims with a low number of adopted measures; the lack of quality and long-lasting programs for the rehabilitation of perpetrators, primarily psychosocial treatment.

### 2.1.5. Police and judiciary treatment of domestic violence victims

In their treatment of domestic violence, police and judiciary rarely take into account the overall context and chronology of violence among family members and they still, in some cases, do not distinguish the act of violence from the victim's right to the necessary defense. Courts regularly release offenders to await trials by imposing mild, mostly conditional sentences or fines, and in many cases avoid the protective measures proposed by the police. Police are often unable to effectively enforce protective measures, particularly because of the strict and sometimes illogical interpretation of regulations, focusing on victim rather than on perpetrator.

### 2.1.6. Treatment of victims of domestic violence by the centers for social care

Obligations of social welfare centers related to domestic violence, except in the legal provisions, are regulated by the Protocol on the Treatment of Family Violence, whose implementation is being monitored by the Ombudsperson, in particular through individual citizen complaints. As in the previous reporting period, the practice is generally good, and the perceived shortcomings were related mainly to a certain level of negligence in dealing with victims of domestic violence. In some cases, the centers did not fully take into account all the specific circumstances of the particular case, particularly the history of the earlier domestic violence, which could lead to further complications of the already unfavorable status of victims. However, these failures represent individual cases and are not a common standard in treatment of victims.

## 2.2. OTHER FORMS OF VIOLENCE

### 2.2.1. Partner violence

In 2017, as in the previous reporting periods, the Ombudsperson dealt with many cases involving violence between intimate partners. The persons who are, or were, in intimate relationships still lack proper legal protection in criminal and misdemeanor proceedings. Among other things, the Ombudsperson proposed that, in accordance to the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (further Istanbul Convention), the Law on Protection from Domestic Violence extends the circle of persons who are protected onto the persons who do not live in the same household, that is, onto the persons who do not share the same residence address. However, the Ombudsperson's proposal was not accepted.

In the recent years, the violence (including femicide) between partners has become more brutal. The Ombudsperson regularly acquires data from the Ministry of the Interior about the cases in which the police initiated misdemeanor procedures according to the Article 31. of GEA. There is total of 19 registered misdemeanors for which the police filed a motion, and 22 perpetrators, from which 19 persons were male and 3 persons were female. In conclusion, there has been a decrease in number of misdemeanor offenses according to the Article 31. of GEA and, therefore, new and more effective legal solutions for better protection of persons in the intimate partner relationships have to be found.

With the ratification of the Istanbul Convention, Croatian legislation will have to be adjusted accordingly, that is - it will need to provide appropriate protection to victims of violence between partners in intimate relationships.

### 2.2.2. Rape

During 2017, there has been a certain decrease in the number of registered criminal offenses such as rape and sexual intercourse without consent, committed between closely related persons or in general population. According to data from the Ministry of the Interior, there is a total of 33 recorded criminal offenses of sexual intercourse without consent between close persons (in regard to 83 in 2016), and 25 criminal offenses of rape between close persons (in regard to 34 during 2016) whereby the listed crime offenses were in the most cases committed between spouses (former and present). In regard to overall population, crime offense of sexual intercourse without consent has been registered in 67 cases (decrease by 42%) out of which 49% refers to close persons, and criminal offense of rape has been registered in 61 cases (decrease by 25%) out of which 40% refers to close persons. All the victims were females, and all the perpetrators were males, which indicate that it is a dominant form of gender-based violence.

## 2.3. PARENTAL CARE

The majority of complaints from this area were submitted by fathers - 60.76% of cases. They complained about gender stereotypes prevailing in social welfare centers’ staff while making decisions about the custody of children or difficulties in realization of regular meetings of a father with a child who lives with his/her mother. Mothers complained mostly about their unfavorable life situation resulting from the previous domestic violence. The Ombudsperson noticed that on the overall the work of social care centers was good but that in some individual cases there were certain oversights, such as the lack of sensitive treatments of domestic violence and no differentiation between a victim and a perpetrator, which consequently led to unfavorable or biased treatment of parents. The question of gender equality in the area of parental care needs to be reviewed in a wider context since the achieving of equality in private life (duties such as child care, housework etc.) is the precondition for equality on the labor market and in other areas of life.

## 2.4. IMPLEMENTATION OF THE NATIONAL STRATEGY FOR PROTECTION AGAINST DOMESTIC VIOLENCE, 2017-2022

The Croatian Government adopted the *4th* *National Strategy for Protection against Domestic Violence, for the period 2017-2022* in whose drafting the Ombudsperson participated. Having in mind the fact that in recent years the financial resources for the implementation of the measures from the National Strategy have not increased, the Ombudsperson is concerned about the implementation of the measures which provide appropriate financial resources for the shelters and support services for women victims of violence. In the following period the challenges are to ensure housing for domestic violence victims, financial support for the work of shelters and counseling centers for domestic violence victims and the employment of domestic violence victims. In 2017 the Ombudsperson monitored, encouraged and continually emphasized the need of implementation of the measure *1. Ensuring the housing of children and adults victims of domestic violence*.[[23]](#footnote-23) The overall housing policy for domestic violence victims needs to be revised, and the new and more effective model of permanent and temporary housing for domestic violence victims needs to be found. In cases when women - domestic violence victims - complained in regard to their housing, the Ombudsperson recommended to the central state office for reconstruction and housing, the units of local self-government and social welfare centers, to bear in mind the implementation measure from the National Strategy for Protection against Domestic Violence during their consideration of domestic violence victims requests for housing.

## 2.5. IMPLEMENTATION OF THE PROTOCOL IN CASES OF DOMESTIC VIOLENCE

### 2.5.1. Coordinators for gender equality

As in the previous years, almost all the coordinators obtained data from the police, the centers for social care and judiciary, and most of them obtained data from the health institutions and judiciary bodies, while in a lesser degree from educational institutions. Almost all the coordinators stated the collaboration with county commissions for gender quality, local self-government units and civil society organizations. However, the meetings on issues of individual cases of domestic violence are still not being held in the majority of counties.

### 2.5.2. County committees for gender equality

Almost all the committees have established a cooperation and data exchange with relevant subjects prescribed by the Protocol (with coordinators, social care centers, police, civil society organizations and counties), only the Committee for Gender Equality of Šibensko-kninska County during 2017 (as well during 2015 and 2016) has not taken any actions and it has not been allocated with any financial funds, which means that they have not been active in the past 3 years. The Committee for Gender Equality of Splitsko-dalmatinska County states that appointment of the new committee is in the process. Having in mind that local elections in 2017 have been held, individual committees undertook certain activities linked to political participation of women.[[24]](#footnote-24) During this reporting period a disproportion between activities of the committees and amount of the funds allocated was noticed again (financial funds 1,000 - 117,900 KN).

## 2.6. WORKING GROUP FOR THE RATIFICATION OF THE COUNCIL OF EUROPE CONVENTION ON PREVENTING AND COMBATING VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE

As a member of the Working group for drafting the Proposal for the Law on Ratification of the Convention[[25]](#footnote-25)coordinated by the Ministry of Demography, Family, Youth and Social Policy, the Ombudsperson actively participated in the work, suggested practical solutions, gave expert opinions and shared her experience on the cases of domestic violence with other members of the Working group.[[26]](#footnote-26)

# 3 SEXUAL AND GENDER MINORITIES

## 3.1. LEGAL GROUNDS AND SITUATION ASSESSMENT

### 3.1.1. Implementation of the Law on Lifelong Partnership of Persons of the Same Sex[[27]](#footnote-27)

According to the official statistics of the Ministry of Administration, 64 life partnerships were registered, of which 36 between male life partners and 28 between female life partners. During the reporting year, Croatian Parliament changed the Personal Name Act and Immigration Law in order to comply with the *Law on Lifelong Partnership of Persons of the Same Sex*. The Ombudsperson received 2 complaints which referred to the implementation of this Law.

### 3.1.2. Physical integrity, dignity and criminal offenses motivated by hatred

According to the Ministry of the Interior data, 7 criminal offenses motivated by hatred towards the persons of same sex orientation were registered in 2017, while the Ministry does not conduct the statistics based on the grounds of discrimination for misdemeanor cases. The State Attorney reported that in the same period, only 3 criminal charges were filed for hate crime motivated by prejudices based on sex orientation, out of which the investigation is still in the process for one case, in another case the charges were filed for the criminal act of physical injury, but qualification for the crime act as the hate crime is missing. According to the Ministry of Justice’s records, no court proceedings on cases which could be marked as hate crimes, motivated by prejudices based on sex orientation, were initiated in 2017, and no cases with characteristics of misdemeanor offence motivated by prejudices based on sex orientation were registered. Members of sexual and gender minorities were exposed to physical and verbal assaults and hate speech, which was visible from the complaints, but they were unwilling to talk to the police or to the judicial system.

### 3.1.3. Freedom of assembly and expression

During 2017 on the Pride parades, on which the constitutional freedom of public gathering and expression is exercised, no bigger accidents as a result of expressing intolerance were registered. However, the Ombudsperson received 1 complaint regarding the police treatment in securing the Pride in Split.

### 3.1.4. Labor market and access to goods and services

In 2017, only 3 complaints about discrimination based on sexual orientation in the area of work and employment were received. Practical experience shows that a relatively small number of complaints is caused by fear of revealing one’s identity and become victimized and exposed to harsher forms of harassment. Since there is a small number of complaints related to the discrimination in the area of access and supply of goods and services based on all discriminatory bases, this small number of complaints about discrimination in this area based on sexual orientation is understandable.

### 3.1.5. Closing commentary and recommendations

Despite the significant progress made in regard to the rights of persons of same sex orientation, primarily through the passing of the new legislative framework, which regulated the civil status of same sex partnership, there are still certain obstacles for achieving the real equality of male and female citizens of the same sex orientation. It is therefore necessary: (1) to clearly define the boundaries between misdemeanor offenses motivated by prejudices based on sexual orientation and criminal acts motivated by hatred of the persons of same-sex orientation, (2) to improve records in relation to civil, administrative, misdemeanor and criminal disputes, (3) to introduce the records into the Ministry of the Interior about the misdemeanor offenses motivated by prejudices based on sexual orientation, (4) to introduce professional training programs for state attorneys and judges who decide on anti-discrimination disputes and (5) to undertake urgent actions by all competent authorities in accordance with the Protocol on Procedures in Hate Crime Cases.

## 3.2. PROBLEMS OF GENDER DYSPHORIC PERSONS

During the reporting period The Ombudsperson intensified the collaboration with the Ministry of Science and Education, Ministry of Administration and the Croatian Health Insurance Fund. Namely, since 2013 one of the crucial unsolved problems of gender dysphoric persons has been the absence of the unique procedure and instructions for the change of certificates/diplomas after the sex change and/or after choosing a life in another gender identity. In order to mitigate the consequences of this problem, in 2016 the Ombudsperson produced *Procedural guidelines for educational institutions in cases of gender dysphoric persons’ requests for the change of certificates/diplomas upon the change of the name and gender, i.e. upon the change of the name and choosing a life in another gender identity.* Following citizens’ complaints, the Guidelines were delivered to high schools/universities and other educational institutions. However, the problem had to be resolved on the systematic level. Therefore, the same Guidelines were submitted to the Ministry of Science and Education which has committed to draw up, as soon as possible in cooperation with the Ministry of Administration, the official instruction to all educational institutions about the procedure of changing the certificates, diplomas and other educational and vocational certificates resulting from the change of gender of their recipients. The second unresolved problem was the costs that the state would partially have to bear in the sex transition process. Namely, there is currently no clear guidance regarding this procedure, so the therapeutic regimen has remained unadjusted and dependent solely on the interpretation of some ministers or employees in local branches of Croatian Health Insurance Fund. Such uneven and discretionary practice is unacceptable, and most commonly leads to discrimination of these persons. In order to address this and all other outstanding issues, the Ombudsperson met with the Minister of Health. At the meeting, the Minister provided assurances that a working group would be set up to deal with all remaining issues regarding the protection and improvement of the rights of gender-dysphoric persons.

# 4 RISKS OF MULTIPLE DISCRIMINATION OF VULNERABLE SOCIAL GROUPS

## 4.1. WOMAN IN RURAL AREAS

Women in rural areas still encounter numerous obstacles, and their potential has still not been recognized sufficiently. Therefore it is necessary to provide them with support on all levels. The significance of this issue is confirmed by the fact that it has been recognized also at the level of the European Parliament which adopted the *Resolution on Women and Their Role in Rural Areas* (March 8, 2017). In view of the above, the Ombudsperson hopes that greater attention at national level will be devoted to this issue, and in particular with regard to the possibility of regulating professional status of women in rural areas, establishing thematic sub-programs for women in rural areas and protecting women in rural areas of all forms of violence.

## 4.2. WOMEN WITH DISABILITIES

The disadvantageous position of women with disabilities is reflected in almost all areas of life, and therefore greatly influences the quality of their lives as well. The risk of multiple discrimination is particularly pronounced in achieving economic independence, finding work and continuing education. A particular problem is social prejudices and the lack of knowledge about the problems that women with disabilities face. Because of the inadequate availability of services for women with disabilities in rural areas and existing prejudices, these issues require special attention. There is a need to continue working on raising awareness and informing women with disabilities about their reproductive rights as well as on the sensitization of medical staff for their particular issues, especially given the relatively small number of women with disabilities who gave birth, only 765 in 2017.

## 4.3. WOMEN FROM NATIONAL MINORITIES

Activities to combat discrimination of Roma women, continued. However, their position still requires an additional effort to prevent discrimination occurrences. The patriarchy of Roma communities is a great obstacle and challenge, and the modification of life patterns and customs, which contribute to the maintenance of discrimination, has been taking place very slowly. The major issue, highlighted by the European Parliament in Resolution P8\_TA (2017) 0413 on the Fundamental Rights in the Integration of Roma into the EU (Oct. 25th, 2017), is early and forced marriages and the violation of women's bodily integrity. Activities aimed at educating the Roma minority on the multiple hazards of such forms of life are of crucial importance for changing the disadvantaged status of members of that national minority.

## 4.4. VICTIMS OF SEXUAL VIOLENCE IN HOMELAND WAR

Since the adoption of the Law on the Rights of Victims of Sexual Violence in Homeland War[[28]](#footnote-28) (further: the Law), the Ombudsperson has been monitoring the dynamics of submittal of the request for the realization of the rights, the implementation of the Law itself and the work of the Commission for victims of sexual violence who decides on the rights of victims of sexual violence during the Homeland War. According to the information submitted to the Ombudsperson, the Ministry of Croatian War Veterans has received a total of 215 applications for obtaining the status of victims of sexual violence in the Homeland War and the exercise of the rights deriving from the Law. By the end of 2017, the Commission issued 212 decisions, of which 132 were positive and 76 negative. In 4 cases there was a suspension of administrative proceedings due to the death of the party in question. According to the Ministry of Croatian War Veterans' records, only 3 requests were unsolved, of which 2 were received by the end of 2017. The Ministry states that the unsolved cases are in the decision-making process in accordance with the Law and the Law on General Administrative Procedure. The Ministry did not submit to the Ombudsperson data segregated by the sex of the victims.

## 4.5. WOMEN in PROSTITUTION

The current legislative in Croatia provides misdemeanor sanctions for the prostitutes, but not for the users of their services, although a client may be liable in certain cases in accordance with Article 157, paragraph 2 of the Criminal Code. Having in mind that prostitution is one of the harshest and the worst forms of exploitation, mostly of women, the Ombudsperson has been advocating for years for the Swedish model of criminalization of users of sex services and decriminalization of the sexual service providers. According to the Ministry of the Interior data, a total of 93 criminal offenses of prostitution were recorded with which total of 100 persons were harmed, who were, like in the previous years, exclusively women of younger ages. Considering that in 2016, 81 people were harmed with criminal offense of prostitution, a rise in number of people harmed with criminal offense of prostitution for 23% in 2017 is visible.

## 4.6. VICTIMS OF TRAFFICKING, SPECIALLY WITH WOMEN AND CHILDREN

According to the Ministry of the Interior data, in Croatia 29 victims of human trafficking were identified in 2017 (30 victims during 2016), out of which 16 were male (55%) and 13 were female (45%). Unlike in previous reporting periods in which the victims of human trafficking were usually women of younger ages who were mainly sexually exploited, in 2017 the most of victims were exploited to commit unlawful acts (42%), then as labor force (33%) and then for sexual exploitation (21%). While in the largest share of cases (58%) men were exploited to commit unlawful acts, and only in 1 case were sexually exploited (share of 4%), women were most often exploited for sex (44% cases), then as labor force (27%) and to commit unlawful acts (22%).

# 5 EDUCATION

Positive steps were taken to improve the integration of civic education in the primary and secondary schools and in introduction of contents related to gender issues. The translations of six *Council of Europe's manuals for teachers of civic education*, issued by the Croatian Education and Training Agency are of great importance. The manuals cover topics related to the discrimination grounds under the jurisdiction of the Ombudsperson for Gender Equality (gender and sexual orientation), which contributes to the enhancement of the representation of such anti-discrimination content in the national educational system. Mentioned activities are in accordance to the standpoint of the European parliament[[29]](#footnote-29) which emphasized the need to invest in civic education and education about gender equality throughout Europe.

On the other hand, there are still examples of gender stereotypes in educational materials. There have been no announcements that such contents will be changed, since the responsible bodies do not respond to the Ombudsperson's recommendations. The most recent example was recorded in the workbook "Sveznalica 2", about which the Ombudsperson received a complaint, in which the mother was mentioned solely in the role of a person who carries out household activities and cares for children, while the father played socially responsible roles. Bearing in mind the problem of gender stereotypes in textbooks and other educational materials, and the adoption of a new Catalog of compulsory textbooks and accompanying supplementary teaching materials, the Ombudsperson sent to the three largest publishers of school textbooks in Croatia (Alfa dd, Profil Klett doo and Školska knjiga dd) a letter with 6 recommendations resulting from a series of relevant regulations governing the integration of gender issues into the school textbooks. However, creating new school textbooks for the school year 2018/2019 was postponed until the end of the implementation of the Curricular Reform due to the need for their alignment with the new curricula. Nonetheless, the Ombudsperson expects publishers to act in accordance with the stated recommendations. The UN Women's Discrimination Committee called upon the revision and development of non-stereotypical educational curricula, textbooks and teaching materials in their General Recommendation No.36 (2017) on the Right of Girls and Women to Education (Nov. 27th, 2017).

Upon the Ombudsperson’s initiative for Amendments to the National Classification of Occupations for the purpose of introduction of all the names of occupations in both genders (male and female), the Ministry of Labor and Pension System responded that this process is in progress, that the working group will start activities in 2018, and that the process will require cooperation and engagement of many stakeholders and a long period of time. In doing so, the provisions of the GEA about the usage of gender sensitive language will be taken into account.

Upon the Ombudsperson’s initiative for the amendments of the National Classification for the purpose of introduction of all professions and occupations in male and female gender, the Ministry of Labor and Pension System responded that this procedures was taking place and that the working group will start with activities beginning of 2018 and that the process will call for the cooperation and involvement of various social actors for a longer period of time. The Ministry also said that they will respect the provisions of GEA and the usage of gender sensitive language.

# 6 MEDIA

In 2017, as in previous years, with her own public announcements and media statements, the Ombudsperson commented on the media practice of using gender stereotypes and sexism. The conduct of independent thematic analysis of media content was also carried out as well as acting upon citizens’ complaints about media content. The Ombudsperson issued warnings and recommendations to media publishers, editors and advertisers about gender stereotypes and sexism in advertising campaigns, and about offensive, humiliating and degrading portrayal of women which they often justified by freedom of expression. In the full Annual Report for 2017, the Ombudsperson described in detail 9 cases including examples of good practice. The public is increasingly sensitive about sexism and sexual stereotypes, and this is evident from the reactions and complaints of citizens on particular media contents. One of the trends is that although the majority of the media will be very critical towards individual sexist statements of public figures or gender stereotypes, on the other hand they daily use sexism and gender stereotypes in their own contents. Other trends the Ombudsperson noticed monitoring media are: focus on physical appearance of the women in politics, using gender stereotypes in language and flaws in media coverage of domestic violence cases.

## 6.1. Analysis of media reporting about local elections campaigns - May 21st 2017.

The Ombudsperson monitored media reporting (6-19 May, 2017) of the election campaign for the *Election of members of representative bodies of local and regional self-government units, municipal mayors, city mayors and prefects and their deputies* to check whether and how often gender equality was represented in the media during a 14-day election campaign. Of the 704 reviewed articles published during this period on 9 Internet portals, only 1.7% was related to gender equality, and mostly about the issue of gender quotas. Neither male nor female candidates recognized the specific problems faced by women in local communities, especially women in rural areas, women victims of domestic violence or women members of national and ethnic minorities. No reference was made to the work of local commissions for gender equality, the need to adopt gender-sensitive budgets or the importance of signing the European Charter on Gender Equality at the local level of the Council of European Municipalities and Regions. In only two articles, one male and one female candidate mentioned the issue of reproductive rights, but solely in response to the blitz questions which include the issue of renaming squares and street names, religious education and health education in schools or which a football club they prefer. If the parties had nominated more women and if the candidates had referred to gender issues, the media would have reported about it. On the other hand, the media are free and obliged to speak up about any subject, including gender equality, and nothing prevented them to ask candidates related questions.

## 6.2. ANalysis of the press and internet portals: representation of gender equality issues (3,038 articles)

We conducted a media analysis on 3,038 articles[[30]](#footnote-30) related to the areas[[31]](#footnote-31) which the Ombudsperson monitors from the aspect of gender equality. **The most frequent topic** for 2 years in a row is the **violence against women and domestic violence** (38%). Almost half of that percentage were articles dedicated to the rights of sexual minorities (20%) and the issues connected with the labor market (13%). With **less than 10%** are represented the subjects connected to reproductive rights (6%), family issues (5%)[[32]](#footnote-32), gender equality in general (5%), political participation (4%), education (2%) and media (1%). With less than 1% represented are the subjects connected to the position of women with disabilities, women in sport and rural women, women in prostitution and trafficking. Approximately 4% consisted of other articles that only mentioned gender equality in regard to CSO activities, adoption of the National Anti-Discrimination Plan, various reports on human rights, etc.).

## 6.3. Quantitative analysis of media reporting about violence against women

Within our new EU project *„Building more effective protection: transforming the system for combating violence against women“,* the Ombudsperson carried out the analysis of the media reporting about violence against women on the sample of 3,499 articles collected from 5 Internet portals (index.hr, 24sata.hr, jutarnji.hr, vecernji.hr, tportal.hr) in the period of 5 years (1/1/2012 - 12/31/2016). According to the questionnaire with 35 questions, and 150 variables, which the Ombudsperson developed in cooperation with the project partner, the Croatian Journalists' Association, data about each and every article was entered into the SPSS program in order to get statistical data. In this Report we provided only a brief overview of the results of the first phase (statistics) that was completed by the end of 2017. Based on the obtained results and qualitative analysis, the Media Codex about sensitive reporting on cases of violence against women will be drawn in cooperation with journalists and editors-in chief.

Conclusions of the quantitative analysis were that one in three articles had a sensationalistic title to draw the reader's attention as if the case of violence against women itself is not a matter of public interest. The perpetrator of violence was the primary focus of the highest percentage of articles and at the same time the perpetrator was quoted in the highest percentage of the texts. Nearly half of the articles about violence against women described their guilt and assumptions. Almost one in ten articles directly or indirectly accused the victim and described her as guilty or responsible for the violence committed against her. One in ten articles placed violence in the context of jealousy and love triangle or excessive expression of love, minimizing the act of violence, and emphasizing the victim's love for the perpetrator while also using humorous remarks. One third of all the articles published full name and surname of the victim or perpetrator and one in five articles contained the address where a violent act was committed.

## 6.4. Promotion of gender equality through the appearances of the ombudsperson in the media

The Ombudsperson issued 16 public statements about current events. All the public statements are available on the official internet page [www.prs.hr](http://www.prs.hr). The Ombudsperson participated 74 times in radio and TV shows, either in the studio or with recorded statements, and responded 42 times to journalists’ inquiries. Statements, interviews, parts of annual or other reports and activities of the Ombudsperson were published in the media 678 times. The official pages of the Ombudsperson were viewed 3,708,302 times which is 18% more than in 2016. For all three EU-projects, the Ombudsperson launched special web pages (<http://staklenilabirint.prs.hr>; <http://rec.prs.hr>; <http://vawa.prs.hr>).

# 7 GENDER EQUALITY IN THE AREA OF POLITICAL PARTICIPATION

On the occasion of the local elections in 2017, the Ombudsperson conducted a series of activities: issued 2 public announcements, participated in several thematic meetings, made statements for the media and was a guest on TV Nova in a special broadcast dedicated to election results. Overall, at the local elections in 2017, women were not significantly underrepresented gender as candidates - out of 47,601 candidates, 41.7% were women. Overall, at the local elections in 2017, women were not significantly under-represented as candidates - out of 47,601 candidates, 41.7% were women. This is a direct consequence of the gender quota GEA stipulation of at least 40% of one sex on a candidate list, which came into force. **Quota was not respected on 14% of the candidate lists.**

Despite relatively good quantitative representation of women on candidate lists, other forms of inequality remained. Women were mostly represented on lower positions on candidate lists, **only 15% of women were the list carriers.** The consequence of such a ratio was that the share of women in all representative and executive bodies of local and regional self-government units is **24.4%** (increase of their representation of 6.7% compared to the results of the previous local elections). Unfortunately, the zig-zag system, which the Ombudsperson had suggested to political parties ahead of the election, was generally not applied. Local elections in 2017 were the first elections when there were no obstacles to apply misdemeanor fines for non-compliance with sex/gender quotas. The State Attorney Office informed the Ombudsperson that they were preparing the Report for 2017, after which they will submit the requested information. Taking into account the substantial underrepresentation the results of the local elections showed, the Ombudsperson advised to all the counties in the Republic of Croatia, who had still not signed the *European Charter on Gender Equality at the local level* of the Council of European Municipalities and Regions (CEMR), to do so. Out of 11 counties, 7 counties adopted the recommendation (Ličko-senjska, Sisačko-moslavačka, Koprivničko-križevačka, Požeško-slavonska, Brodsko-posavska, Grad Zagreb, Primorsko-goranska), 2 counties announced that they will take it into consideration on the next sessions of county bodies (Karlovačka, Osječko-baranjska), while 2 counties did not adopt the recommendation (Splitsko-dalmatinska and Zadarska). Unfortunately, these two counties were the ones in which gender equality at the local elections was the most prominent (25% of the list of candidates without quotas), so they were the ones who needed the implementation of the Charter the most. The results of gender representations are within the expected boundaries, given that the practice of other countries has shown that initial introduction of mandatory quotas results in the share of elected women in similar percentages. However, according to the GEA, the significant imbalance of one sex should be eliminated at the latest on the implementation of the third regular elections since the law enters into force. The envisaged deadline has passed, and in Croatia that normative has not been met at any level of political decision-making, except for the election of members of the European Parliament.

# 8 NATIONAL POLICY FOR GENDER EQUALITY

Although the National Policy on Gender Equality referred to the period from 2011 to 2015, analyzing certain measures (whose carriers were the Ministry of Demography, Family, Youth and Social Policy, the Ministry of Justice, the Judicial Academy and the Police Academy), it is evident that certain activities were undertaken with a view to the continuous implementation of the measures. The Ombudswoman notes that sufficient funds, in addition to the activities of their holders, have been one of the key factors for the implementation of these measures. Given that the drafting of the new National Policy continued during 2017, the Ombudsperson recommended: (1) Developing and adopting a new National Gender Equality Policy as soon as possible, (2) Providing sufficient financial resources for the continuous implementation of all measures envisaged.

# 9 WOMEN AND SPORT

Despite sporadic positive shifts that contribute to the gradual change of discriminatory patterns, the position of women in the field of sport is continually unfavorable at all levels. The perceived under-representation of women, especially at the highest hierarchical positions, is due to the deeper structural aspects of discrimination, primarily stereotypical gender roles. Gender stereotypes about female athletes are widespread in the media with the focus on their femininity and sexual attraction, which contributes to the marginalization of their sporting achievements. Continuous work is needed to combat the stereotype that sport is primarily "male" area, to empower and encourage women to engage in sports activities and to work on changing the perception of the role of women in sports.

# 10 REPRODUCTIVE HEALTH

The Ombudsperson continued to work on improving situation regarding women’s rights in the area of reproductive health. Following the received complaints, the Ombudsperson sent recommendations to the health institutions pointing out relevant national and international regulations in this area and drawing their attention that treatment should be in accordance with the guarantees of prohibition of discrimination. As a rule, health institutions responded affirmatively to the Ombudsperson's recommendations and took measures to comply with all professional standards and ethical principles that they must deal with.

The year was marked by the Decision of the Constitutional Court, which will be followed by the process of adopting a new law regulating the right to abortion, which the Croatian Parliament has to adopt within two years from the date of this Decision. The Ombudsperson expects that a new legal solution will not worsen the existing rights guaranteed to women by the current Act. Consequently, it is necessary to consistently implement measures to ensure comprehensive sexual education, to provide women with access to family planning and to the full range of services related to sexual and reproductive health, including modern contraception and safe and lawful termination of pregnancy. This is also pointed out by the European Parliament through several resolutions passed in 2017, as well as by the Council of Europe warning that the threats to sexual and reproductive health and the rights of women in Europe have emerged in recent years.

# 11 WOMEN - INTERNATIONAL PROTECTION SEEKERS

The Ombudsperson continuously monitors the overall policy of approving the international protections[[33]](#footnote-33) and the questions of integration of strangers in Republic of Croatia, especially the status of the women refugees and seekers of international protection. For the monitoring purpose, the Ombudsperson collects the data based on gender structure. The refugee crisis (2016-2017) resulted in the increase of requests for approval of international protection. According to the Ministry of the Interior data, the international protection was requested by 1,887 people in total (which is 346 or 15.46% less people than in 2016), from which 1,583 or 83.88% were men, and 304 or 16.11% were women. 183 asylums and 28 subsidiary protections were granted, 211 international protections in total, which is by far the largest number ever since the establishment of the asylum system. Having in mind that the proportion of female gender in the submitted requests is only 16.11%, women were granted more international protections (28.9%) in relation to men. It fits the trend so far. Croatia accepted the total of 102 persons on the grounds of relocation, which is 436% more than in 2016. Although the legal integration of persons under the international protection in Croatia has been relatively well set up, in practice the integration system is still being built. The Ombudsperson gave certain recommendations regarding the procedural and acceptance guarantees for women refugees and seekers of international protection, as well as regarding the issue of their integration.

# 12 IMPLEMENTATION OF UN SECURITY COUNCIL RESOLUTION 1325 (2000) ON THE STATUS OF WOMEN, PEACE AND SECURITY AND RELATED RESOLUTIONS

Following the expiry of the *National Action Plan for the Implementation of Security Council Resolutions 1325 (2000) on Women, Peace and Security and Related Resolutions for the period 2011-2014* (NAP) and the formal completion of the first cycle, most of the measures from that action plan continued to be implemented. At its session (January 18th, 2018), the Government of the Republic of Croatia adopted a Decision on the Establishment of the Working Group for the Development of the New NAP. The Ombudsperson was appointed as a member of this working group. The Ombudsperson continued to monitor the progress of the protection and empowerment of women in the areas of conflict and post-conflict situations, and among other things participated in various meetings of international and regional significance. The achievements in the implementation of Resolution 1325 and related resolutions are particularly visible in the efforts to introduce gender balance in the armed forces (the share of women in active military service is 11.54%), police and the state security system (the share of women is from 39-50%) and in increasing the number of women in managerial and management functions in the mentioned institutions. While respecting dramatic changes in the world, the Ombudsperson also considers it necessary, to identify new priorities, namely strengthening efforts to increase women's participation in preventing and addressing situations of crisis arising from armed conflict. It is necessary to include more the perspective of gender equality in all activities and strategies and to increasingly involve civil society organizations in shaping, implementing and evaluating policies for women, peace and security.

# 13 LAWS AND REGULATIONS - OMBUDSPERSON’S INITIATIVES

During the reporting period, the Ombudsperson analyzed numerous laws and regulations, or amendments to existing laws, in order to ascertain whether the provisions of the same are in conformity with the Gender Equality Act. The Ombudsperson analyzed the law and submitted comments, suggestions and recommendations to the competent bodies. Of particular importance are the following: *Family Law, Law on Protection against Domestic Violence, Law on Confirmation of the Convention of the Council of Europe on the Prevention and Combating of Violence against Women and Domestic Violence, Law on Social Welfare, Law on Maternal and Parental Benefits, Health Insurance Act, Pension Insurance Act, Employment Mediation and Unemployment Rights Act, Criminal Procedure Act, Act on Health Care Measures for the Realization of the Right to Free Decision-Making on Childbirth, Primary and Secondary Education Act, Defense Law and the Protocol on the Procedures in Cases of Sexual Violence.* The Ombudsperson was a member or actively participated in various working groups and bodies as a professional body for counseling on gender equality issues like discrimination, protection from domestic violence and others. The Ombudsperson also conducted numerous comparative analyzes of various laws, regulations, protocols and regulations in the area of jurisdiction, as well as self-initiating or upon the proponents' request, assessed compliance of numerous other legislative proposals and regulations with the provisions of the Gender Equality Act.

III. DISCRIMINATION IN ACCESS TO GOODS AND SERVICES

The largest number of cases in this area concerns discriminatory treatment in the field of health services related to reproductive health of women, which is due to its particular importance included in a separate chapter on *Reproductive Health*. The Ombudsperson points out relatively small number of complaints in the area of access to and procurement of goods or services, as well as the poor court practice in this area. The causes for this might be poorly developed awareness of users of goods and services about possible discrimination in this field.

IV. COOPERATION ON NATIONAL, REGIONAL AND INTERNATIONAL LEVEL

The Ombudsperson participated and gave presentations in 160 events in Croatia, had 46 international and regional meetings; visited or was present through her activities in 15 counties and 19 towns all over Croatia with the total of 65 events (Croatian National Theater from Split, the partner on EU project "In Pursuit of Full Equality between Men and Women: Reconciliation of Professional and Family Life“ performed the play „What are we waiting for? “ 30 times in 9 towns in 6 counties; the other project partner, theatrical group *Riječi/Prave/Predstave,* performed the play „Equality - a man and a woman“ 12 times in 7 towns in 7 counties); organized and co-organized 17 public events in and out of the City of Zagreb; participated and produced the shooting of the documentary „Equality“ as a part of EU project „Building more effective protection: transforming the system for combating violence against women“, actively participated on 20 sessions of the committees of the Croatian Parliament or municipal and county commissions for gender equality, held 6 educational workshops, cooperated with 65 different organizations of civil society, ministries, agencies, local committees, international organizations stationed in Croatia, political parties, academic institutions and other ombudspersons.

V. OMBUDSPERSON'S CONCLUSION REMARKS

This 2017 Annual Report the an independent and anti-discrimination institution of the Ombudsperson for Gender Equality is a cross-section of the annual work of the institution which points to some trends related to discrimination based on gender, marital and family status, motherhood, gender orientation and gender identity in areas such as: labor, employment and social security, family matters (including domestic violence), education, political participation, media and other areas of life.

Within the scope of our authorities and based on the Gender Equality Act (GEA), during 2017 we worked on **the total of 2,685 cases.** The Ombudsperson considered the cases that **mostly referred to women - 66.7%** and were related to **discrimination on the grounds of sex - 86.2%.** There has been a slight decline in the number of complaints about sexual orientation compared to the previous period, suggesting that the empowerment of the people of the same sex orientation should continue so that they would more actively use the available legal instruments for protection against discrimination, including the possibility of addressing the Ombudsperson. At the same time, there has been a slight increase in the number of complaints about gender identity and expression, suggesting the increasing activity of these persons in the use of legal instruments for protection against discrimination with the Ombudsperson's assistance.

The highest number of complaints relates to **the area of labor and employment and social security** **52.4%.** The Ombudsperson reported to the competent State Attorney's Office the suspicion of the criminal offense in 1 case and in 1 case for misdemeanor offense. **Amendments to the legal regulations** have been requested in cases where we have determined that the provisions are not in compliance with GEA. Using the powers of the Anti-Discrimination Act, we were **intervening in 2** court proceedings and used **mediation in 2 cases**.

The Ombudsperson **conducted 1 independent research** „The Role and the Importance of the Policy of Balancing Family Responsibilities and Paid Work“ and **9 analysis** (3 concerning labor market and working conditions, 3 concerning the media, 1 concerning political parties and 2 concerning strategies and protocols related to gender equality); published 3 publications (2 concerning labor market and 1 concerning social security); produced and participated in **shooting of 1 documentary „Equality**“ dedicated to the activities within EU project „In Pursuit of Full Equality between Men and Women: Reconciliation of Professional and Family Life“.

The Ombudsperson also carried out **2 new memoranda on cooperation**: 1 with the Ministry of the Interior and 1 with the Ministry of Demography, Family, Youth and Social Policy, established an independent Monitoring body for comprehensive supervision, data collection, analysis of cases of femicide and reporting „Femicide Watch“, participated and gave presentations in 160 events in Croatia, had 46 international and regional meetings; visited or was present through her activities in 15 counties and 19 towns all over Croatia with the total of 65 events, actively participated on 20 sessions of the committees of the Croatian Parliament or municipal and county commissions for gender equality, held 6 educational workshops, cooperated with 65 different organizations of civil society, ministries, agencies, local committees, international organizations stationed in Croatia, political parties, academic institutions and other ombudspersons.

The Ombudsperson **issued the total of 302 written recommendations, 229 warnings and 214 proposals**. The percentage in which the Ombudsperson's recommendations, suggestions and proposals have been accepted by the public bodies, units of local and regional self-government or other bodies with public authorities, increased up to **90.9%** (in comparison to 84.4% in 2016).

In 2017 the Ombudsperson conducted **2 EU projects**: „„In Pursuit of Full Equality between Men and Women: Reconciliation of Professional and Family Life“ and „Building more effective protection: transforming the system for combating violence against women“. We are proud of the fact that in the past 4 years we received grants for **3 EU projects in the total value of 1,122,457 EUR.** With all other activities we are conducting, and which are visible from this report, it is a great success for an office with **only 12 employees.**

Statistics indicate that for years **2/3 of all complaints** on discriminatory treatment in all segments of society are **made by women**. Because of this, we deal mostly by addressing the problems and obstacles that women face today in society, representing thus a social group faced with discrimination based on gender, motherhood and family status in the social, public and private spheres.

Since the period of recession, **the highest number of complaints is related to the area of labor, employment and social security - 52%** (10% increase in comparison to 2016). Complainants in this area were mostly women which is not surprising because women make up: the majority of the unemployed - 57% (still less employed in comparison to men of all age groups and all levels of education), the majority in the underpaid sectors, the majority as victims of sexual harassment at work, underrepresented on high levels of business management facing „glass ceiling“ (15% in management and 20% in supervisory boards), do not have the same opportunities for advancement (there are still no adequate measures that would effectively boost equal participation of women at the positions of economic decision-making) and have lower wages - **gender wage gap of about 11.3%. I**n the field of labor and employment, **age and maternity** are increasingly being seen as obstacles to employment and promotion of women (termination of fixed-term employment employers often use as an excuse that they should not retain in the employment the workers using maternity rights). For the first time, **the highest percentage of unemployed women was in the age group of 50 to 54 (12.6%),** followed by women aged 25 to 29 (12.3%). **The gap in pensions** is directly linked to the existing gap in wages and thus the unfavorable position of women and the increased risk of their poverty continue after they leave the labor market. During 2017, there were **positive shifts in the number of women employed for a fixed period of time**, equal to men, and there was a decrease in the disparity between the share of men and women employed on the basis of the **contract on part-time work** from last year's difference of 2.8 percentage points to 1.9 percentage points.

The **reasons for not reporting harassment and sexual harassment** or withdrawing their complaints on the same matter is the concern about the existence or loss of employment in the case of filing a complaint, fear of social and business stigma, mistrust in institutions, the length of court proceedings (the procedure is not initiated ex officio but upon the victim's proposal) and the discomfort of the victim to testify of the manner and occasion of sexual harassment.

In solving individual cases of discriminatory practices by employers in the labor market, we have established **good cooperation with labor inspection** and other inspections, which show the urgency in such procedures.

During 2017 an unfavorable demographic process, which has been present for the past few decades, continued (the lowest number of children born in the past 100 years). The Ombudsperson points out that due to the long-term low fertility[[34]](#footnote-34) and the increasing number of emigrants in the reproductive age[[35]](#footnote-35) the population of Croatia is decreasing and the depopulation process has affected many regional and local areas. We have pointed out several trends that reflect women's inequalities in the labor market, while at the same time contribute to an unfavorable demographic context. Therefore we gave recommendations that point to the need of introducing measures to encourage fathers to maximize the use of parental / maternity leave, which will facilitate re-engagement of women into the labor market after giving birth, investing additional efforts and resources to expand the institutional support network and public services to parents related to caring about children and the elderly family members.

Although a slight increase from 4.42% to 4.47% in the use of parental leave by male users was observed, it was again confirmed that Croatia among the EU member states is the country where males (fathers) use maternity and parental support the least. The Ombudsperson concludes that measures are still inadequate to enable the harmonization of private and professional obligations, i.e. the reconciliation of family and business life.

In the area of **family relations and parental care**, about 61% of fathers complain due to their discontent with the decisions of the competent bodies - social welfare centers and courts - on parental care, while mothers complain about the lack of sensitivity of professional staff in social welfare centers related to domestic violence they had been previously exposed to within their family.

Good cooperation with the police and social welfare centers, who almost regularly respect the Ombudsperson's recommendations and improve their work, is encouraging. Taking into consideration a series of practical cases, we confirm extremely good cooperation with the Ministry of the Interior and Police Directorate and the Ministry of Demography, Family, Youth and Social Policy (MDFYSP) in dealing with complaints of domestic violence and parental care. However, there is still room for educating professionals - which is carried out twice a year with the police. In 2017 we signed an agreement with MDFYSP regarding the education of the employees in social welfare centers, which we consider to be the necessary step forward and the confirmation of our long-standing recommendations.

Regarding the cases of **domestic violence**, women are still, in vast majority, victims. They still submit complaints concerning the lack of recognition of certain forms of violence, double arrests (of the perpetrator and of the victim), violation of protective measures, misunderstanding of the dynamics of domestic violence by the police and social welfare centers, etc. There are also an ever-increasing number of women victims of violence withdrawing from testimonies against their violent spouses or partners after they have filed a complaint or even during the trial. Therefore, the trend of reducing the number of reported persons does not give a complete picture of the scope of this problem, as it actually increases the number of unreported cases and victims who are suffering from violence, while at the same time the cases of criminal offences of violence against women and family increase, including the most serious criminal offenses at the expense of close persons, mostly women, such as murders, threats, severe and especially severe bodily injuries.

With a mild penal policy (only 7% unconditional imprisonments), the reason for this trend is actually the mistrust of the victims in the work of the institutions, primarily the judiciary, and poor and uncoordinated victim support as well as the absence of any systematic and serious preventive or rehabilitative activities directed at the perpetrators of violence.

We record the continuous **decrease of misdemeanor offences of domestic violence by 3%.** In terms of the sex structure of the perpetrator, there are 77% of men and 23% women, which is the same percentage as in 2015-2016. Out of the total number of **perpetrators of criminal offenses of violence** between close persons, **92% are men**, and 8% are women. Analysis of cases of domestic violence show growing **trend of brutalization** with a deadly outcome; **15 women killed** by closely related men. It worries that the courts confirm only 17% of the total number of protective measures proposed by the police.

**Victims of partner violence** still lack adequate legal protection, so they should urgently seek better legislative solutions aligned with the Istanbul Convention.

Concerning the rights of **sexual and gender minorities**, the Law on the Lifelong Partnership of Persons of the Same Sex continued to be successfully implemented in practice. Last year, we have taken steps to encourage judicial bodies to sanction **homophobic hate speech** based on sexual orientation as well as the violence motivated by hatred towards homosexuals. We the recommendations the Ombudsperson suggests that actions motivated by hatred based on prejudices towards citizens of same-sex orientation be persecuted within criminal proceedings rather than as a misdemeanor, and that the system of collecting and processing data related to court disputes, as well as a system of education of professional persons acting in such cases, be improved.

By addressing the citizens' complaints about discrimination on the basis of their **gender identity**, we have established cooperation with the Ministry of Health and pointed out the possibilities of taking further measures in order to provide access to health and medical services on the basis of which the gender dysphoric persons would experience life in another gender identity. The Ombudsperson also dealt with resolving the cases of gender dysphoric individuals regarding the re-issuance of certificates, diplomas, and health certificates after gender change, therapeutic system, and so on.

The Ombudsperson gives special attention to the cases concerning vulnerable social groups that are at risk of **multiple discrimination** - women in rural areas, women with disabilities, women from national minorities, victims of sexual violence in the Homeland War, women harmed by criminal acts of prostitution and trafficking in human beings.

In the area of **education,** there were several cases related to gender equality in school textbooks and other teaching materials. Positive steps were taken to improve the integration of civic education in the primary and secondary schools and the introduction of contents related to gender issues. On the other hand, there are still examples of gender stereotypes in educational materials. Therefore the Ombudsperson sent a recommendation regarding respect for the principle of gender equality in the new generation of textbooks for elementary and secondary schools to three largest publishers of school textbooks in Croatia.

Based on many years of monitoring **the area of the media,** we still cannot say that there has been a positive shift in the way the media portray women.In the vast majority of media content women are portrayed as (sexual) objects with the primary interest for their looks. However, critical way of thinking about this has been noticed with more and more citizens, who turn over to our institutions complaining about **sexism in the media and sexist statements of public persons**. Based on the citizens' complaints and our own monitoring of the media, we point out for years to continuous media trends: sensationalism in reporting about violence against women and domestic violence, the use of gender stereotypes and sexism in advertising and humiliating, insulting and degrading statements based on sex by prominent public figures. The Ombudsperson issued **16 public statements** regarding current events.

In 2017, out of 704 reviewed articles on 9 Internet portals published in the period of local election campaign (May 6-19, 2017), only 1.7% were related to gender equality, and that exclusively concerning the issue of quotas on candidate lists. Unfortunately, the candidates did not recognize specific problems faced by women locally, especially women in rural areas, women victims of domestic violence or members of national and ethnic minorities. In the analysis of the Ombudsperson's media on a sample of 3,038 articles, the most frequent issue for the second year in a row is violence against women and domestic violence (38%).

Promoting the principle of gender equality in the area of **political participation** remains a major challenge. Before the local elections, the Ombudsperson sent a memo to all active political parties with a recommendation to fulfill the obligation under Article 15. of GEA, according to which they are obliged to respect the principle of gender equality and include at least 40% of members of each sex on the lists of candidates. Overall, at the local elections in 2017, women were not significantly under-represented as candidates - out of 47,601 candidates, 41.7% were women. This is a direct consequence of the gender quota of at least 40% of one sex on a candidate list which came into force. **Gender quota was not respected on 14% of the candidate lists.** Despite relatively good quantitative representation of women on candidate lists, other forms of inequality remained. Women were mostly represented on lower positions on candidate lists, **only 15% of women were the list carriers.** The consequence of such a ratio was that the share of women in all representative and executive bodies of local and regional self-government units is **24.4%** (increase of their representation of 6.7% compared to the results of the previous local elections). Unfortunately, the zig-zag system, which the Ombudsperson had suggested to political parties ahead of the election, was generally not applied. Local elections in 2017 were the first elections when there were no obstacles to apply misdemeanor fines for non-compliance with sex/gender quotas. The State Attorney Office informed the Ombudsperson that they were preparing the Report for 2017, after which they will submit the requested information.

Gender discrimination in sports is still present. The Ombudsperson reacted with warnings towards sport associations or with public statements. The complaints received confirmed the subordinate position that women have in the field of sport. The significant under-representation of women, especially at the highest hierarchical positions, is due to the deeper structural aspects of discrimination, primarily stereotypical gender roles. Gender stereotypes about sportswomen are widespread in the media; they are often portrayed with an emphasis of their femininity or sexual attraction, which contributes to the marginalization of their sporting achievements. Continuous work is needed to combat stereotypes about sports as the primary "male" area, to empower and encourage women to engage in sports activities and to work on changing the perception of the role of women in sports.

The Ombudsperson continued to work on improving women's rights in the area of **reproductive health**. On the basis of citizens' complaints, the Ombudsperson addressed health institutions which, in the majority of cases, positively reacted to the recommendations and undertook measures for the purpose of respecting all professional and ethical standards. The Ombudsperson recommends consistent implementation of measures which will ensure comprehensive sexual education, provide women with access to family planning and the full range of services related to sexual and reproductive health include modern contraception and a safe and lawful termination of pregnancy which is in accordance to recommendations of the European Parliament and the Council of Europe.

The largest number of cases in the **area of access to goods and services** continues to refer to discriminatory treatment in the field of health services related to women's reproductive health. The Ombudsperson points out that relatively small number of complaints to her office about this issues, as well as poor court practice in this area, could point to the poorly developed awareness of the users of goods and services about possible discrimination.

We emphasize **great progress** regarding the acknowledgment of the Ombudsperson’s warnings and recommendations by those to whom they were addressed. The latest statistics show that compared to 2011, when only 35% of state administration bodies, units of local and regional self-government and other bodies with public authority and other legal and natural persons were fully respecting and acting upon the Ombudsperson’s warnings and recommendations, the percentage increased significantly to **91%.**

Based on citizens' complaints, the results of the conducted researches and analysis and our own initiatives, we included the total of 75 case studies and 123 recommendations in the full Annual Report, segregated by the relating areas, convinced that the Croatian Government and the Croatian Parliament will take them into consideration and apply in the following year for the common purpose of improving the implementation of the constitutional principle of gender equality of men and women.

Zagreb, March 2018

**OMBUDSPERSON FOR**

**GENDER EQUALITY**

Višnja Ljubičić, dipl. iur.



1. The complete Annual Report for 2017 is available on our official web site [www.prs.hr](http://www.prs.hr) only in Croatian language. [↑](#footnote-ref-1)
2. In 2016 - 2.757 cases, in 2015. - 2.467 cases [↑](#footnote-ref-2)
3. 58 cases were reported in previous year, but the procedure continued in 2017 [↑](#footnote-ref-3)
4. „In pursuit of full equality between men and women: reconciliation of professional and family life“ (JUST/2014/RGEN/AG/GEND/7796) from 2016 and “Building more effective protection: transforming the system for combating violence against women (JUST/2016/RGEN/AG/VAWA/9940) from 2017 [↑](#footnote-ref-4)
5. Official Gazette no. 85/2008, 112/2012 [↑](#footnote-ref-5)
6. Area of mass communications and the media [↑](#footnote-ref-6)
7. Area of political participation [↑](#footnote-ref-7)
8. Mediation in cases of discrimination on the basis of maternity and domestic violence [↑](#footnote-ref-8)
9. Intervening in two cases: sexual harassment at work and discrimination at work place/severance for women [↑](#footnote-ref-9)
10. So far the Ombudsperson was a holder of three EU projects financed by the European Commission, in the total value of **1.122.457 EUR** (project which started in 2013, 2016 and 2017). [↑](#footnote-ref-10)
11. In the final phase of the EU project, the Ombudsperson organized **4 regional conferences** (Zadar, Zagreb, Osijek and Rijeka) and a final conference of the project in the Croatian Parliament where she also **organized 1** **kick-off conference** fornew EU-project; **organized the** **II. Conference of Regional Equality Bodies in Southeast Europe:** *"Challenges of collecting statistics on discrimination grounds"*, also held in the Croatian Parliament and attended by the representatives from 6 countries, the OSCE from 5 countries and the World Bank; **organized a** **meeting of representatives of the Network "Balkan region**" in Zagreb, attended by the representatives from 5 countries. [↑](#footnote-ref-11)
12. In 2017, the Ombudsperson was a member of **5 working groups for drafting**: (1) Proposal of the National plan for combating trafficking for the period 2017 - 2020; (2) Proposal of the National plan for combating discrimination for the period 2017 - 2022; (3) Protocol on the Treatment of Sexual Violence; (4) Proposal of the National strategy for the protection against domestic violence;

    (5) Proposal of the Law on Ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence. Participated in **4 working bodies** (1) Monitoring body for comprehensive supervision, data collecting, analysis of femicide cases and reporting - *„Femicide Watch“;*(2) National preventive mechanism for prevention of torture and other cruel, inhuman and degrading procedures and punishments; (3) Committee for monitoring Operative program „Efficient human potentials 2014-2020“ and (4) Committee for monitoring Operative program „Competitiveness and cohesion 2014- 2020“. [↑](#footnote-ref-12)
13. Violence against women is considered a form of sex based discrimination with the most severe consequences on physical integrity of women. According to the Article 4 of GEA, the provisions of the Act shall not be interpreted or implemented so as to restrict or diminish the purpose of warranties on gender equality enshrined in the universal rules of international law, the acquis communautaire of the European Community, The United nations Convention on the Elimination of All Forms of Discrimination against Women, the UN Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights and the European Convention for the Protection of Human Rights and Fundamental Freedoms. [↑](#footnote-ref-13)
14. The play was developed and put on stage within the same EU project of which the Ombudsperson was the main a holder. [↑](#footnote-ref-14)
15. Unfavorable in a sense that the realized salary benefits, which are as a rule lower than the beneficiary's salary, are used as the basis for determining the pension. [↑](#footnote-ref-15)
16. More about the project on project web page <http://rec.prs.hr/>. [↑](#footnote-ref-16)
17. Details of the research are published in full Annual Report for 2016. of the Ombudsperson for Gender Equality. [↑](#footnote-ref-17)
18. Details about the project are available in Croatian on the web site: http://www.vawa.prs.hr/. [↑](#footnote-ref-18)
19. Zagreb, Pula, Rijeka, Zadar, Split, Karlovac, Varaždin, Čakovec, Vukovar, Slavonski Brod and Gospić [↑](#footnote-ref-19)
20. In 2017 - 16 victims of domestic violence in comparison to 2016 - 43, 2015 - 41, 2014 - 27, 2013 - 73, 2012 - 49 and 2011 - 19. [↑](#footnote-ref-20)
21. Specific measures are „*specific benefits which enable persons of a specific gender to participate equally in public life, eliminate existing inequalities or ensure the rights they were denied in the past“*  and are „*introduced on a temporary basis with a view to achieving genuine equality of women and men and are not considered to be discrimination“*(Art.9.item.1.-2. GEA). [↑](#footnote-ref-21)
22. According to the Ministry of the Interior data, from 2012 to 2017, 90 women were killed in Croatia by their present or former spouses or close relatives. **Femicide in Croatia accounts for 25-30% of all murders, which is really a worrying percentage**. [↑](#footnote-ref-22)
23. Measure in the thematic area III. Care and support for the domestic violence victims, National strategy for Protection against Domestic Violence for the period 2017 - 2022. [↑](#footnote-ref-23)
24. Committees for Gender Equality in the following counties: Bjelovarsko-bilogorska, Primorsko-goranska, Ličko-senjska, Vukovarsko-srijemska, Krapinsko-zagorska. [↑](#footnote-ref-24)
25. In its Preamble, Istanbul Convention recognizes that violence against women is a manifestation of historically unequal power relations between women and men, which have led to domination over, and discrimination against, women by men and to the prevention of the full advancement of women; it recognizes the structural nature of violence against women as gender-based violence, and that violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men, and ,,gender-based violence against women” shall mean violence that is directed against a woman because she is a woman or that affects women disproportionately (point d. of the definition) [↑](#footnote-ref-25)
26. Along with the Ombudsperson, in the Working group participated representatives of authorized ministries, legal experts, representatives of civil society associations, Governmental Office for Gender Equality, Faculty of Law and others. [↑](#footnote-ref-26)
27. Official Gazette, no. 92/2014. [↑](#footnote-ref-27)
28. Official Gazette, no. 64/2015. [↑](#footnote-ref-28)
29. Resolution P8\_TA(2017)0487 (Dec. 12th, 2017) on the EU Citizenship Report 2017: *Strengthening citizens’ rights in a Union of democratic change* (2017/2069(INI)). [↑](#footnote-ref-29)
30. Collected through the press-clipping agency which monitors over 365 daily, weekly and monthly press and Internet portals in Croatia and chooses articles according to thematic issues linked with the areas of the Ombudsperson's interest and authority. [↑](#footnote-ref-30)
31. Labor market, violence agains women, political participation, education, sexual and gender minority rights, reproductive rights, multiple discrimination, family issues etc. [↑](#footnote-ref-31)
32. Family issues (166 articles) included parental rights, fathers' parental leave, custody and alimony, Family Law, etc. [↑](#footnote-ref-32)
33. International protection includes asylum and subsidiary protection [↑](#footnote-ref-33)
34. According to the *Statistical Yearbook of the Republic of Croatia in 2017*, the fertility rate in 2016 was - 1.43, in 2015 - 1.41, in 2013 and 2014 - 1.46, in 2012 - 1.52. [↑](#footnote-ref-34)
35. According to official data published in the *Statistical Yearbook of the Republic of Croatia in 2017,* in 2016 - 36,436 persons left Croatia, which is 7.185 or 24.56% more than in 2015. [↑](#footnote-ref-35)