



## **Quality in Gender+ Equality Policies**

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### **Report Analysing Intersectionality in Gender Equality Policies for Croatia and the EU**

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## 1. Introduction

In the present report, we will try to analyse and assess the implications of the intersection of multiple inequalities with gender for the quality of gender+ equality policies in Croatia. We will try to answer the following questions:

- how are inequalities and their intersections with gender conceptualised in terms of their structure and mechanisms in Croatian gender equality policies,
- to what extent does the context matter in the (re)production of inequalities, and
- what attention must be paid to other structural (in)equalities in the making and implementing of European gender equality policies according to the experiences in the Croatian case.

We will analyse policy documents in terms of inclusion of other (in)equalities that intersect with gender, with the help of discursive research based on the **Frame<sup>1</sup> and Voice Analysis** to understand how the problems of gender equality and intersectionality are problematised and shaped – with the assessment of the influence of the discursive »pre-constructed knowledge«. Our aim is to assess the implication of intersections of inequalities (like ethnicity and race, class/regional, sexuality, religion or belief, age, disability, marital status and citizenship status/nationality/ migrant status) with gender for the quality of gender+ equality policies in Croatia.

For purposes of these comparisons chapter 2 starts with some theoretical approaches to intersectionality, which will be of help for our analysis, and in a short literature review we will introduce some texts important for the Frame and Voice Analysis. We will then analyse the range of meanings and definitions of gender equality in all four sub-issues; this is the content of the 3rd chapter. We will continue with the analysis of the range and conceptualisations of forms of intersectionalities, this is the content of the 4th chapter, to then assess the implication of different versions of intersectionality for the meaning and practice of gender+ equality policies in the 5th chapter. In the last chapter we will try to trace and define major important changes occurring in gender+ equality policies in terms of quality of gender+ equality policies.

### 2. 1. Theoretical approach – what is intersectionality

In 1984 Audre Lorde expressed criticism towards western feminists' assumed »sisterhood« of all women. In fact white western women have focused on their kind of oppression and ignored the built-in privileges of whiteness and therefore have not taken into account the manifold problems and connections between gender and ethnicity, age, class, nationality, culture and religion that can contribute to a mutually constitutive discrimination of women. Therefore the Western female subject has turned to the »Other woman« assuming a »sisterhood« (A. Lorde 1984) based on sameness of problems and oppressions. And although it is true that women in this world share many of the same problems and oppression, still Lorde says that »some problems we share as women, some we do not« (Lorde 1984).

The mutually constitutive discrimination is a position of disadvantage which appears at intersections of gender with other inequalities. As Sylvia Walby (Deliverable 13, p. 5) states, the focus on other inequalities firstly included mostly only ethnicity/race and class. However we have to be cautious, because class and ethnic struggles often did not include intersections with gender, on the contrary, gender was sacrificed for the interests of the community (organised around class, ethnicity/race or national minority). As Walby states (Deliverable 13, 14 p. 8) political communities are usually formed either around one of the inequalities (class, ethnicity/race) or gender, but not at the intersections of both. The consequence of this is that the difficulties of the subjects at the intersections, which form a

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<sup>1</sup> Frames are understood as *forms of explanation* or as *sense-making cognitive structures*, according to the disciplinary tradition using the term, which stress either the form or the content of the frame as a cognitive tool (Bacchi forthcoming). In social movement theory the "frames are understood as *intentional* shaping of political claims" (Benford and Snow 2000 in Bacchi forthcoming). Framing is therefore "concerned with the negotiation and (re)construction of reality by social/political actors" (Triandafyllidou and Fotiou 1998: 2 in Bacchi forthcoming), which is therefore presented as *strategic framing*. However, Bacchi brings up the "*unconscious* influences on framing practices", where "actors need to pay particular attention to the shaping impact of social and political contexts on their views and frames". This understanding of framing is connected to the understanding of the term *discourse*, as frame analysis is described as a form of *discourse analysis* (see note 2).

different category, and a new problem or a »new reality« (Crenshaw 1991) of disadvantage and discrimination, are not taken into account.

It is no doubt, that multiple inequalities are still fuelled with, and therefore cannot be understood and analysed separately from imperialism and colonialism, which produced many of these inequalities by defining a hierarchy and normativity of categories of classification of people. It is well true for the Western feminism too, which was influenced by these hierarchical categories. Many authors have noted (R. Braidotti 2005: 171; A. Lourde 1984: 116; G. Wekker and H. Lutz 2001: 4, C. T. Mohanty 1991: 69) that the feminist Western Self or subject, which positions itself as a norm, as a neutral nomos that is supposedly unmarked, non-gendered, non-ethnicised, non-religious, is in fact a category, which is privileged (white, Christian woman).

The production of knowledge (epistemology) is inevitably connected to power relations and contextual experiences of the dominant/subordinated group (Hill Collins 1998) (e.g. colonisers and colonised – European case, master and slave – American case). Because of power relations in knowledge that imperialist and colonialist domination indeed has produced, the normative categories became built-in in a long-lasting discourse of knowledge, which we do not challenge, because it represents a »pre-constructed knowledge«, which relies on sexist and racist prejudices. These prejudices have developed into a descriptive logic which exists »by the grace of continuous repetition« and therefore any explanation is deemed to be unnecessary, because these concepts rely on knowledge, which through the years has acquired confirmation (Wekker, Lutz 2001 ).

Because of this it is necessary to »call into question« (Butler in Lombardo et al. forthcoming) the knowledge, the production of knowledge itself and the NORM, or the taboo of feminists, because this assumption of unitary feminist identity (»sisterhood«) may result in creating »hegemonic feminist discourses« (Lombardo et al. forthcoming) or the *pre-constructed* and *unquestioned knowledge*, or »deeper assumptions that exclude voices that diverge from such feminist discourses« (Lombardo et al. forthcoming).

Therefore we have a range of categories of inequalities that are actually a product of normativization (normativity), which concludes that there is a neutral norm, according to which other categories can be compared and treated. For example the heterosexual relation is an undisputed norm, which is normal and The norm (therefore the term heteronormativity), according to which homosexuality is a deviation and at least a relationship that cannot be assigned the same rights as the heterosexual couples have according to »democracy« and »human rights«.

To realise the ideals of democracy and human rights, it is necessary to include in these rights all groups of people that stand at these the point of intersection of gender and other inequalities (class, ethnicity/race, sexuality, religion/belief, age, disability, marital status, citizenship status). In order to include these people, it means to give space to non-hegemonic actors in debates of contestations about concepts of gender equality (Lombardo et al. forthcoming).

Some of the first attempts to challenge the dominant understanding of inequality and discrimination has come from Black feminists in America and studies like Crenshaw's (1991) criticises identity politics that ignore intragroup differences. Crenshaw shows how, in the context of violence against women, the failure to take into account differences in identity politics is problematic, as violence experienced by women is shaped by dimensions of identities that are usually thought of as separate, while Crenshaw shows that dimensions like class and race act mutually constitutively with gender. There is an intersection of identities, which identity politics do not take into account because they usually push forward only ONE intersectional identity, either class or race, as Walby also points out (see above).

## 2.2. Literature review

We have already presented some important theoretical approaches to intersectionality in general. We will continue with the review of literature and theoretical approaches that will help us with the analysis of the Croatian case. This will be an introduction to texts on how to analyse gender equality within frame analysis. In the report we will mainly rely on Emanuela Lombardo et al.'s text (forthcoming in *The Discursive Politics of Gender Equality: Stretching, Bending and Policy Making, Routledge, 2009*) *Stretching and bending gender equality: the issues at stake* and Carol Bacchi's (forthcoming in *The*

*Discursive Politics of Gender Equality: Stretching, Bending and Policy Making, Routledge, 2009) text*  
*The issue of intentionality in frame theory: The need for reflexive framing.*

The text by **Lombardo et al.** (forthcoming) is relevant for the Croatian case as it describes various ways of describing gender equality, which »stretch« and »bend«, according to the current contextual needs. For example the EU has tended to label gender equality in different ways, but mostly as linked to competition, combating non-employment etc. This clearly reveals the market oriented inclination of definitions of gender equality within the EU, which is also the case of Croatia as we will see below.

This means that gender equality is »bended« to fit »higher« or national goals and interests (e.g. demography). It may also result in de-gendering of the issue at stake as for example in reconciliation policies, where there is a clear shift from *sharing* (tasks within the family by the partners) to *reconciliation* (of work and family life by women). Thus family policies tend to become bent by market policies with re-traditionalisation of women's roles as caregivers to solve the problems of demographic decline and promoting economic development. Another case of bending is the framing of domestic violence from being framed as a gender equality problem to health problem.

Gender equality can be also »fixed« meaning being formally recognised as a goal. While in the Croatian case, we have some cases of definitions of gender equality as a goal *per se* or as a norm to be achieved, it is usually not seen as an important and relevant issue in the general gender equality sub-issues.

Furthermore gender equality can be also »shrink«, which means reduced to for example equality in the labour market. Within the EU, this is often the case and so it is for Croatia. This is accompanied by the perception that within the *employment area* women become equal to men when they have equal access to the labour market or within the *political representation area*, where gender equality is reduced to a women's problem of political representation while leaving other relevant issues like structural obstacles to women's equal representation in politics untouched (Bacchi 1999 in Lombardo et al. forthcoming).

The text refers to other inequalities, which we have discussed above, and points to the importance of this *multidimensional reality*, which influences the »stretching« of gender equality, and extends its initial meaning. Indeed stretching of gender equality is necessary for equality itself and can serve to strengthen the struggle against other inequalities (Squires 2005 in Lombardo forthcoming) but it can also be a problem, as far as this stretching of gender equality to include other dimensions of inequalities can result in tensions between gender and (in)equality (Lombardo et al. forthcoming). This is also one of the main issues we address in this report.

Gender equality is therefore an open concept, which can change its meaning according to the interpretation of different actors. To understand the processes of interpretation of the meaning of gender equality we use »the discursive approach to politics«, which is the main theoretical and methodological tool that helps us analyse »the processes by which different meanings are attributed to the concept of gender equality according to the intentional or unintentional intervention of policy actors who are involved in framing processes« (Lombardo et al. forthcoming).

**Carol Bacchi** (forthcoming) differentiates between *intentional (strategic) framing* and *unintentional framing*<sup>2</sup> and points to the interaction between *agency and structure*. While intentional framing is made by actors (political subjects) who consciously and intentionally shape or *negotiate* political claims and

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<sup>2</sup> For the understanding of this differentiation between intentional and unintentional framing Bacchi (forthcoming) relies on the term »discourse«, the understanding of which is many times different, according to the discipline where it is used. Therefore Bacchi points to the distinction between discourse as a **social psychological focus on patterns of speech (discourse analysis)**, and a **political theoretical focus on the ways in which issues are given a particular meaning within a specific social setting (analysis of discourses)** (Potter & Wetherell 1990; Burr 1995: 164 in Bacchi forthcoming). In the first tradition the term 'discourse' means something very close to language. There is a focus on the 'linguistic and rhetorical devices' used in the construction of a text (Burr 1995: 184 in Bacchi forthcoming). In the second tradition, the goal is to identify, within a text, institutionally supported and culturally influenced interpretive and conceptual meanings (discourses) that produce particular understandings of issues and events. In frame analysis or the »discursive approach to politics« that we use in our research, the second understanding of discourse is applied.

therefore try to change the perception of a problem or concept,<sup>3</sup> the unintentional framing explains the limits of actors' independent action constrained upon them by the structure. In fact the structure constrains the agency of a political subject.

The structure can be here understood in Foucauldian terms as the *hegemonic discourse* or *master frames* (or »*normative assumptions*« (Lombardo et al. forthcoming)) of knowledge and history (see above). Therefore the **frame analysis**, deployed in our research, »aims at identifying the *cognitive schemata* that people use to interpret and give meanings to reality« (Lombardo et al. forthcoming), a cognitive schemata of which people are not aware of.

However Carol Bacchi (forthcoming) points to the fact that not only political actors but also researchers (feminists) are influenced by this hegemonic discourses. Bacchi suggests to use **reflexive framing** as a tool to »reflect on meanings of concepts we unintentionally support«. This is though a very difficult task to accomplish but Bacchi suggests few possible solutions. According to Bacchi it is important to »draw upon a variety of *diverse women's perspectives and experiences*«, which points to the different epistemologies of knowledge that different voices can produce (see also above in the introductory part).

Another tool for the reflexive framing is the »*dual-focus*« *research agenda*, to »include those with greater and those with lesser institutional power« in the framing process or in the production of discourses, to better acknowledge power relations in production of discourse, namely to acknowledge what a subject is *able* and what is *permitted* to say (Terry Threadgold (1988: 5) in Bacchi forthcoming). This research agenda relies on the understanding of the power employed in discourse. This is mainly connected to VOICE analysis, which enables us to »detect who is included and who excluded from the possibility of framing an issue« (Lombardo et al. forthcoming). These are the features of the **CRITICAL FRAME ANALYSIS** as an analysis which enables us to pay attention to the ways that a problem is perceived and constructed (diagnosis of a problem, prognosis for the solution of the problem and active actors, passive actors and responsible actors, who are included in the problem) and to the voices that have power in identifying and *framing* these problems.

The (intentional and unintentional) action of framing of problems in policy realm (policy framing) is therefore an outcome of many actors' (some included and some excluded from framing) negotiation over one problem (or concept), which has concrete material consequences especially for those actors who are not included in the policy framing process. (Lombardo et al. forthcoming). The power that some voices (actors) have while framing a policy problem is reflected in the discourses produced, which thereof influence the understanding and the meaning of a specific problem or concept. Although actors themselves are influenced by hegemonic discourses or meta frames, these cannot be challenged if actors (re)producing them have appropriated the exclusive right in defining/framing policy problems (producing discourses) while excluding others from this activity.

Carol Bacchi (forthcoming) repeats Foucault's questions on how the struggle over appropriation of discourses is conducted between classes and nations, linguistic, cultural or ethnic collectives? What individuals, what groups or classes have access to a particular kind of discourse? In assessing who frames the concept of gender equality itself and how the problem of gender equality is discursively framed, Critical Frame Analysis aims at understanding The Who and How of the framing processes.

The application of Critical Frame Analysis and the Intersectionality approach is useful to assess the framing of gender equality policies in terms of inclusion or exclusion of other (in)equalities and to assess who are the actors framing the concept of gender equality (e.g. institutional framing can be very persisting and institution fix the concepts for long time (Lombardo et al. forthcoming)), how the problem of gender (in)equality is identified (which meta frame or hegemonic discourse influences its

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<sup>3</sup> Concepts are defined by Bacchi (forthcoming) as »open signifiers« and by Lombardo et al. (forthcoming) as »open or travelling« concepts, especially when referring to gender equality as a concept. Bacchi and Lombardo et al. rely on the definition of concepts as »essentially contested« (Gallie 1955-56 in Bacchi forthcoming), which means that concepts and categories have no fixed meaning but reflect specific historical contexts and contested uses (Bacchi forthcoming). According to Bacchi »concepts are so solidly grounded in history and culture that it is difficult to recognize their constructed nature«. According to Bacchi it is therefore »unsurprising that the concept of gender equality is consistently shaped and reshaped« and the aim of Critical Frame Analysis is to identify the »dominant ways in which gender equality is understood and shaped in specific political sites« (Bacchi forthcoming).

framing) and whom the solutions are directed to (women, men, women at intersections with ethnicity, age etc.?).

Within the Quality in Gender+ Equality Policies (QUING) project, intended to identify how EU member and candidate states, and the European Union itself, frame gender equality policies and include or exclude intersectionality issues in their policies, we will analyse the case of one of the candidate states, the case of Croatia.

### **3. The range of the meanings or frames concerning gender equality in gender+ equality policies**

Gender equality as an »open or travelling concept« (Lombardo et al. forthcoming) can be labelled in different ways. It is an open concept, which labelling depends on different contexts and on the meaning that actors attribute to it. Actors intentionally or unintentionally frame the concept. In this discursive construction of gender equality as a policy problem the concept itself undergoes a range of changes from stretching to bending, but whatever form it takes it is always intended to fit the existing context. (Lombardo et al. forthcoming).

European Union for example has labelled gender equality in terms of the market. It was always linked to competition, combating non-employment, etc. - all domains of the economy. EU Directives have extended from traditional employment to goods and services, however, for the European Union we can say that it is dominated by a master discourse of competitive market.

We will assess the range of meanings of gender equality in Croatia by introducing the contextual and historical development of gender equality policies, and by analysing gender equality policy documents.

Croatia legislated on gender equality already under the Yugoslavian socialist regime in the 1970s (as the Socialist Republic of Croatia). Among the most relevant acts is the *1978 Act on Medical Measures for Exercising the Right to Freely Deciding about Giving Birth* (adopted on the basis of art. 272 of the 1974 Constitution of SR Croatia). It is still in force. On 22 December 1990, the Croatian parliament (*Sabor*) passed the *Constitution of the Republic of Croatia*, which in art. 14. para. 1 states that "everyone in the Republic of Croatia shall enjoy rights and freedoms, regardless of race, colour, gender, language, religion, political or other belief, national or social origin, property, birth, education, social status or other characteristics". The 1990 Constitution, however, did not include the right to free decision on childbirth. In November 2000, the principle of gender equality was included among the highest constitutional values (art. 3 of the Constitution of the Republic of Croatia).<sup>4</sup>

Gender equality became fully integrated into law with the adoption of *Gender Equality Act* in July 2003.<sup>5</sup> In the same year, a package of gender equality and anti-discrimination laws was adopted, including. *Act on Same-Sex Unions*, *Act on Protection from Domestic Violence*, and amendments to the *Labour Act* strengthening anti-discrimination guarantees in employment. In addition to the Gender Equality Act, the *National Policy for the Promotion of Gender Equality* was adopted in years 1997, 2001 and 2006. The third National Policy covers the issues of women's human rights, equal opportunities in the labour market, gender sensitive education, equality in decision-making, violence against women, women & health, and institutional mechanisms. In 2004 the *National Strategy for Protection from Domestic Violence 2005-2007* was adopted.<sup>6</sup>

In general, there were no major controversies in Croatian society in relation the adoption of a comprehensive gender equality legislation. As the Gender Equality Act introduced gender equality bodies (*Gender Equality Ombudsperson* and *Office for Gender Equality*), Croatia seems to be

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<sup>4</sup> Jasminka Dedić: Timelines of policy debates in Croatia, Deliverable No. 19

<sup>5</sup> On 16 January 2008, the Constitutional Court (decision no. U-I / 2696 /2003) abolished the Gender Equality Act due to irregularities in legislative procedure while adopting the Act, and ordered the legislator to comply the Act with the Constitution until 15 July 2008. On that date the parliament adopted the new Gender Equality Act, which does not differ from the previous one.

<sup>6</sup> Jasminka Dedić: Timelines of policy debates in Croatia, Deliverable No. 19

successful in transposing EU gender equality directives.<sup>7</sup> However, this can be rather imputed to grassroots activities of women's NGOs and groups and to the active involvement of some female parliamentarians (mainly from SDP – Social Democratic Party) than to the EU's direct influence.<sup>8</sup>

In July 2008 the Croatian parliament passed the *Law on the Elimination of Discrimination (Zakon o suzbijanju diskriminacije)*,<sup>9</sup> which promotes equality as one of the highest values in Croatian constitution, promotes equal opportunities and prohibits all kinds of discrimination on the basis of race, ethnic origin and skin colour, sex, language, religion, political or other belief, national or social origin, property, membership in trade unions, disability, genetic inheritance, birth - gender, expression, or sexual orientation (art. 1(1)).

For the selection of policy documents for the analysis, we have drawn on the Croatian Timelines of Policy Debate (Issue Histories) and selected documents that cover the issue of gender equality comprehensively or represent a shift in gender equality policies in all four sub-issues of Quing (general gender equality, non-employment, intimate citizenship and gender based violence).<sup>10</sup>

For a list of selected documents see Annex 1.

For an account of gender equality and its range of meanings in specific sub-issues of analysed gender+ equality policies in Croatia, we will briefly introduce an account of the range of meanings or frames of gender equality in respective sub-issue.

### **3.1 The range of the meanings or frames of gender equality in general legislation and machinery<sup>11</sup>**

Within general gender equality documents, **gender equality** is explicitly expressed and named in various terms and definitions. For instance both legislation and machinery documents define their goals in terms of gender equality. One of the main goals of gender equality is the achievement of de facto gender equality, which is to be achieved through various mechanisms: affirmative action, institutional protection (for example Gender Equality Ombudsperson) and achievement of gender equality in more practical terms. Besides this the range of meanings of gender equality appears in combinations of various forms and terms like: *elimination of discrimination against women, establishment of gender equality, implementation of equal opportunities, implementation of policies of gender equality, education on gender equality, gender equality awareness raising*. Gender equality is therefore an overwhelming underlying norm in general gender equality documents expressed in the following ways: *gender equality in all spheres of life, equal opportunities, equal representation, equal status, non-discrimination, gender perspective, equal treatment, gender equality in employment, gender equality in the media and implementation of gender equality*.

Gender equality is also stressed in terms of obstacles to gender equality, thus problems of *discrimination of women in everyday reality, problem of political underrepresentation, problem of insufficient statistical research and data, and ineffective implementation of legislative measures* are identified as major obstacles to gender equality. Furthermore, special institutions aimed at the protection and fostering of gender equality are foreseen through which *gender equality education, gender equality awareness raising and gender equality mechanisms* should be pursued. Almost all

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<sup>7</sup> Croatia has successfully transposed European Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation, Directive 2002/73/EC amending Council Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions, and Directive 2004/113/EC implementing the principle of equal treatment between men and women in the access to and supply of goods and services. Nevertheless, there has been limited progress with respect to the transposition of the Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (Jasminka Dedić: Timelines of policy debates in Croatia, Deliverable No. 19).

<sup>8</sup> Jasminka Dedić: Timelines of policy debates in Croatia, Deliverable No. 19

<sup>9</sup> Official Gazette of the Republic of Croatia, no. 85/08.

<sup>10</sup> Jasminka Dedić (2007), List of documents for coding, Deliverable No. 33; LARG country report, Deliverable No.

40

<sup>11</sup> Most of the content of this chapter is from Ana Frank (2008), LARG country report, Deliverable No.40

texts in legislation and machinery mention gender equality, but it is surprising to see that civil society texts do not invoke gender equality in the same manner as the state institutions do. State institutions invoke gender equality more often than NGOs. Civil society (NGO) texts in Croatia criticise the situation of women but provide few concrete recommendations for the improvement of gender equality.

As regards **gender and (de)gendering** of gender equality we can see that **actors responsible for problems** that cause gender (in)equality are usually degendered (mostly as institutional actors, rarely personal actors and men are never seen as responsible for the problem). In case of passive actors, we can see that the actors are very gendered (heavily women) and that men are usually not seen as passive actors; the exception is one document, namely Gender Equality Act, where men are seen as passive actors in same extent as women in the case of domination of one sex in certain professions.

In the solutions to the problems of gender inequality proposed in the documents, , the **responsible actors** are almost exclusively institutional actors (heavily state actors) and they are completely degendered. The target groups are institutional as well as personal actors from state, civil society and few times market sphere. The most frequently mentioned target groups in terms of personal actors are women and men, both in legislation part (law document) and in machinery (policy plan). Men are slightly more emphasised in parliamentary debates. The actors are described in gendered terms only in case where women and men are mentioned explicitly (women, men, women »parliamentarians«) otherwise the actors are mostly degendered (employees, families with children, victims of violations).

As regards gendering of gender equality we can therefore conclude that gendering occurs in definitions of passive actors in problem diagnosis, which are mostly women and in definition of target groups in solution (prognosis) which are both men and women. Actors responsible for the problem and for the solution of the problem (active actors in diagnosis and responsible actors in prognosis parts of the documents) are generally degendered. It is impossible to say for documents as a whole that they are gendering gender equality since it varies across documents and more importantly across sub-issues and diagnostic and prognostic parts. However no document is completely degendered since all texts without exception invoke **gender**. Almost in all documents it is impossible to say if it is biological or social category. Some texts do define gender as social category (mostly machinery texts) and only one document (parliamentary debate from machinery) sees gender as biological category.

**Gender equality** in documents is usually to be **achieved for** institutional actors (which include state, civil society and few times market sphere) as well as personal actors. The most mentioned target groups are women and men, both in legislation part (law documents) and in machinery (policy plans). Men as target group are slightly more emphasised in parliamentary debates. State actors are as usual government, parliament, various ministries, committees and commissions, but also actors as the People's Ombudsperson and Ombudsperson for Gender Equality. Among civil society target groups are the media, NGOs, and the public appear, but never personalised actors.

**Responsible actors for gender equality are generally institutional actors:** government, parliament, ministries, parties, Office for Gender Equality, local and regional self-governmental units, coordinating bodies, commissions, courts, schools) and very few times the media, Journalist's Association, experts and NGOs are mentioned. The only person as responsible actor mentioned is Ombudsperson, but according to his/her function as a state body or institution he/she can be regarded as an institutional actor as well.

**Demands for gender equality** are mainly shaped by **institutional voices** (governmental institutions), except for parliamentary debates which are persons and mostly women (6 out of 8). But again, according to their functions we can say that they are part of state institutions. NGO voices are articulated by persons (only women) NGOs (Women's Human Rights Group B.A.B.E and Women's Network of Croatia, which cover under its umbrella various women NGOs). Surprisingly NGO voices do not invoke gender equality in the same manner as the state institutions do. State institutions invoke gender equality more often than NGOs. NGO voices do not have comprehensive prognostic texts, mostly diagnostic. They focus on diagnosis of problems and locate the problems as well as the solutions for problems in polity, because for NGO texts the main responsible actors are state actors, but NGO texts do not go in detail in proposing concrete policy actions and mechanisms for gender equality.

In general **gender equality** is explicitly relevant to all documents but its relevance changes across types of documents (for example it is not very much a relevant issue in one NGO machinery text). Gender equality is usually seen as end or as end balanced with means to policy goal. Gender equality is seen more as a vision or balance between vision and strategy, and only in few cases as strategy. Vision as transformation is the most invoked category and equal treatment is the most invoked strategy. Framing of gender equality usually occurs as framing of *equality* or *human rights*. In some documents and very rarely the identified frames are also *economic development*, *crime and justice* and marginally *capability* and *well-being*.

### 3.2 The range of the meanings or frames of gender equality in non employment

From the **gender equality** perspective, two main approaches can be identified in the legislation and policy action concerning non-employment. The first approach reflects the attempts of the re-traditionalisation of Croatian society and, consequently of the exclusion of women from the labour market. Such measures are the extension of parental leave, the introduction of a status *mother-nurturer*, the increase of parental compensations etc. This approach was fostered under the Croatian Democratic Union (CDU) rule in the 1990s and, to a smaller extent, after 2003 when the CDU regained the power. However the policy approach of domestication of women and exclusion of women from the labour market (mother-nurturer) changed in 2007 with Social Welfare Act, which in a degendered way introduced the status of parent-caregiver.<sup>12</sup>

The second approach is an outcome of social policy reforms undertaken by the government led by the Social Democrats (SDP) in the period 2000-2003. The policy includes the reduction of parental compensations, shortening of parental leave, promoting of paternity leave, strengthening of anti-discrimination protection in employment, introducing the employment quota for the disabled, reconciliation of work and family life, and tax-benefits policies. These two approaches are particularly relevant for the reconciliation of work and family life, and tax-benefits policies. The issues of gender equality and equal opportunities are relatively significant in the labour market too, while the debates concerning care work are of minor importance, which are also the most degendered debates within non-employment (in terms of gender equality).<sup>13</sup>

In non-employment the issue of gender equality is mainly emphasised in terms of gender equality in the labour market: *elimination of discrimination against women in the labour market, the provision of more and adequate child care services, flexibilisation of working condition, stimulation of population and family policy, equal pay, non-discrimination in employment guarantees, definitions of equal work and work of equal value, equal pay, equal treatment guarantees, prohibition of direct and indirect discrimination, prohibition of sexual harassment and other forms of harassment*. Definitions which are related to a broader norm of »social security« and »protection« are also present and they are sometimes attached to particular gendered groups, such as *social security for women, social security for unemployed mothers, protection of working women, women's (maternity) protection* etc. Within policy actions solutions the following definitions are present under the general norm of »prenatal policy« which aim is to increase the birth rate: *extension/increase of maternity, parental benefits and leave, flexibilisation of work, more child care facilities; strengthening/improving the labour guarantees, incentives for employers and self-employed, investment into early childhood, and flexibility of women*.<sup>14</sup>

Gender equality is therefore mostly expressed in economic terms for economic purposes and interests. As we said at the beginning, the market and competitiveness is the master discourse of European Union's policies in general. It is therefore not surprising that Croatian policies are being harmonised with European directives in economic terms.

It is noteworthy and not surprising, that some policy plans (for example, National Policy for the Promotion of Gender Equality 2006-2010 and National Population Policy) consider the norms of »gender equality« and of »balanced work and family life« as serving to the increase of birth rate and economic effectiveness. So gender equality in sharing family responsibilities is not an end in itself but

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<sup>12</sup> Jasminka Dedić (2008), LARG country report, Deliverable No. 40

<sup>13</sup> Jasminka Dedić (2008), LARG country report, Deliverable No. 40

<sup>14</sup> Jasminka Dedić (2008), LARG country report, Deliverable No. 40

a strategy for pursuing the »higher« national interests of fostering higher birth rates and economic effectiveness, which resembles a demographic frame. Generally speaking, **we can identify a »demographic frame« as the most recurrent in the governmental texts (laws, policy plans) and parliamentary debates within non-employment**, because gender equality and reconciliation of work and family life are frequently understood as strategies for stopping demographic decline and fostering higher birth rate. Therefore gender equality (especially in reconciliation of work and family life) is often understood as strategy for national interests. In fact concerns on »prenatal policy« and advocacy of motherhood (»traditional motherhood«, »long maternity leave« etc.) inform the definition of the problems of gender equality although less frequently.<sup>15</sup>

In general *gender equality in the labour market* is the most identified pattern of gender equality definition according to stretching and bending of definitions of the term. In this case gender equality is shrunked (reduced) to equality in the labour market and bended to fit the higher national goals and interests (demography) (Lombardo et al. forthcoming).

**Gender and (de)gendering** dimensions are articulated in the majority of analysed texts, among which few texts, particularly civil society texts, deal only with »women« and »mothers« as gendered categories. In some parliamentary discussions the focus is primarily on biological role of women (»feeding« vs. »breastfeeding« argument). Laws tend to be the documents with the least articulated gender dimension; the Social Welfare Act (amendments) does not mention gender at all. Also policy documents are partly degendered documents.<sup>16</sup>

**Active actors in problem definition** are usually omitted in policy plans and parliamentary debates (except for the oppositional speaker who blames the government as the responsible actor for problems in non-employment sub-issues.). Civil society texts seem to be the most coherent in recognizing active actors, whereby employers are being identified the most frequently. The most frequently referred actors are institutional ones, i.e. government, individual ministries, employers and Employment Agency and it is noteworthy that almost all civil society responsible actors consist of the market actors, i.e. employers. No document identifies non-institutional actors as causing problems. Active actors are degendered in all types of texts.<sup>17</sup>

**Passive actors** in problem diagnosis are identified much more frequently, and almost all of them are non-institutional actors. The only institutional actors identified are related to »family« (i.e. families, big families and rural families)<sup>18</sup> and employers (i.e. market actors). It is almost always people described in gendered terms, such as women, mothers, unemployed women, men etc., who are seen as facing the problems. Though not frequently, men (categories »men« and »employed men«) are seen as passive actors as well by being discriminated against due to gender differences in retirement age, and because the Labour Act used to exclude fathers from the status of child-nurturer. In the latter case, particularly, it is noteworthy that gender-based discrimination against men is considered to cause discrimination against women. Nevertheless, we can frequently identify also non-gendered groups, such as parents, the unemployed, disabled etc.

In solutions (prognostic part) the texts usually define responsible actors as institutional actors and they are degendered.<sup>19</sup> **In target groups** most of the actors are non-institutional actors - personal actors or groups of people, who are usually constructed in a gendered way, as they are related to gendered categories, such as »women« (women, pregnant women, unemployed women, women entrepreneurs,

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<sup>15</sup> Jasminka Dedić (2008), LARG country report, Deliverable No. 40

<sup>16</sup> Jasminka Dedić (2008), LARG country report, Deliverable No. 40

<sup>17</sup> Jasminka Dedić (2008), LARG country report, Deliverable No. 40

<sup>18</sup> The author of chapter 2.d of the LARG country report (Jasminka Dedić) was hesitant whether to label "family" as an institutional or non-institutional actor, particularly because there are different interpretations within QUING concerning this issue as well. Nevertheless, Dedić decides to label the passive actor and the target group "family" as an institutional actor primarily due to the meaning of the Croatian word for "family"; i.e. "obitelj", which stems from an archaic word "obitovati" that literally mean "to live together". Thus, "obitelj" implies the existence of a set of relations within a group of people living together, and also strongly resonates with the concept "habitus". It is noteworthy to mention that other South Slavic languages that are very similar to Croatian (i.e. Bosnian, Montenegrin and Serbian) use the word "porodica" to denote "family", which stems from the verb "poroditi se" meaning "to give birth". Furthermore, the root word "rod", which bears the same meaning as "genos" in Greek or "genus" in Latin, is used to denote "gender" in Croatian, whereas word "spol" refers to "sex".

<sup>19</sup> Jasminka Dedić (2008), LARG country report, Deliverable No. 40

young women etc.) and »mothers« (unemployed mothers, mothers with (more) children, schooling mothers etc.), however, degendered categories (children, parents, unemployed parents, employees etc.) are common as well. Men are identified as a target group in only one instance; i.e. in relation to the extension of paternity leave as a policy action. Some institutional actors like family, employers and government are identified as well but they are degendered.<sup>20</sup>

As regards **gendering**, the majority of analysed texts do invoke gender, and among those five texts that are completely de-gendered only laws and policy plans can be found. The texts invoking gender tend to understand gender as a social construction, and only in few cases refer to men/women as biological categories or it is impossible to say if gender is a biological or a social construction. Gendering mostly occurs in passive actors in definition of problems and in target groups in proposed solutions. Gendering is present where the actors are persons and not institutions (quite obvious).<sup>21</sup>

**Gender equality** is to be **achieved** mainly for **target groups** which are identified largely in objectives and policy actions, and most of them are non-institutional actors – personal actors (mostly women but also men). Families, employers (i.e. market actors) and government are the most frequently identified as target groups among the institutional actors. For example, government is being asked to adopt legislative changes to achieve gender equality, and to adopt necessary policy actions in order to instigate higher birth rate. **Responsible actors for gender equality** are almost exclusively institutional actors; either state (government, individual ministries, and government offices agencies) or civil society actors; here, besides non-governmental organisations trade unions, also market actors (employers' association, economic chambers etc.) are frequently identified.<sup>22</sup>

**Gender equality is demanded** by **voices** that, in the case of civil society texts, usually are personalised, whereas voices in laws and policy plans are exclusively institutional voices (parliament, government, Ministry for Health and Social Affairs). It is noteworthy that all personalised voices either in civil society texts or in parliamentary debates are **female voices**. Virtually all texts – with the exception of laws due to poorly elaborated Diagnosis – emphasise the need to tackle gender-based discrimination and gender inequality in the labour market. On the other hand, voices from civil society texts and parliamentary debates tend to propose very general **solutions** in Prognosis, in comparison to policy plans and laws that seem to be more elaborated in this respect. In addition to this some parliamentary debates contain the main differences in policy content within gender equality in non-employment. Namely, they presented opposing "visions" of roles of mothers and fathers in the labour market and in family. Thus, Jadranka Kosor fosters a naturalized and traditional images of motherhood, such as mothers staying at home with children as long as possible, opposes the extension of paternity leave and the change of notion »breastfeeding« into »feeding«. Ingrid Antčević-Marinović, on the other hand fosters the idea that mothers should return to work from maternity leave as soon as possible after childbirth and that debate on reconciliation of work and family life should focus more on fathers.<sup>23</sup>

It is noteworthy that ten texts out of 19 analysed do not consider gender equality a relevant dimension, and among those, we can only find governmental texts (laws and policy plans) and some parliamentary debates. The rest of the analysed texts largely consider gender equality as an end in itself. Furthermore, gender equality as a vision yields saliently to gender equality as a strategy, as only in two civil society texts are these perspectives balanced. Both mentioned texts foster the vision of gender equality through *transformation*, whereas those that consider gender equality a strategy mainly adhere to *equal treatment* and *special programmes*, particularly within the sub-issues of reconciliation of work and family life, and pay gap and equal treatment.<sup>24</sup>

*Equality* is the most frequently identified **policy framing**, and usually it represents a sole frame, particularly within gender pay gap and equal treatment. *Capabilities/well-being* and *economic development* are also identified as dominant or significant frames in some cases. *Health and demography* (other) are less frequently invoked, however, in the cases where they had been identified; they represent a dominant or sole frame.<sup>25</sup>

<sup>20</sup> Jasminka Dedić (2008), LARG country report, Deliverable No. 40

<sup>21</sup> Jasminka Dedić (2008), LARG country report, Deliverable No. 40

<sup>22</sup> Jasminka Dedić (2008), LARG country report, Deliverable No. 40

<sup>23</sup> Jasminka Dedić (2008), LARG country report, Deliverable No. 40

<sup>24</sup> Jasminka Dedić (2008), LARG country report, Deliverable No. 40

<sup>25</sup> Jasminka Dedić (2008), LARG country report, Deliverable No. 40

### 3.3 The range of the meanings or frames of gender equality in intimate citizenship

Generally, in a majority of intimate citizenship texts **gender equality** is not addressed as a relevant issue. It is embedded in categories of equality like *gender equality between spouses* in the 2003 Family Act, which regulates the institute of civil partnership and marriage rights and obligations of partners, termination of marriage, definition of extra-marital union, relations between parents and children, maternity, paternity, adoption, and custody.<sup>26</sup>

There has been progress in *decriminalisation of male homosexuality* (however with no reference to female sexuality, which marks a *discriminatory attitude towards lesbians* – marking intersectionality of gender and sexual orientation and a hierarchy of inequalities: male homosexuals vs. female homosexuals; gay vs. lesbian) in the pre-queing period (1977). The Act on Same-Sex Unions, adopted in 2003, although being more a declaratory document, constitutes an important shift in the field of gender equality policies in intimate citizenship, because the issue of discrimination of sexual minorities has become a part of public debate.<sup>27</sup>

The main controversies were debated on the right to *abortion*. There were many legislative attempts to abolish the right, which is guaranteed by the 1978 Act on Medical Measures for Exercising the Right to Freely Deciding about Giving the Birth. The right to abortion was attacked mainly by pro-life groups, conservative/nationalist political parties and Catholic Church in name of higher nationalistic purposes, namely to increase the birth rate.<sup>28</sup> Gender equality in this case serves “higher” state interests of demography, namely increasing birth rate (Lombardo et al. forthcoming).

Problems were encountered as regards the right to *reproductive assistance*, which is though conferred to a single woman, but only under specific circumstances (single woman whose previous treatment of infertility was unsuccessful, if it is approved by the National Commission for Medically Assisted Insemination) and not recognised to homosexual couples (art. 8 states that »the right to medically assisted insemination is guaranteed to an adult and business capable »*woman and man living in marriage or extra-marital union*«).<sup>29</sup> So gender equality is expressed in normative ways (heterosexual couples but not homosexuals, single women but not lesbians).

Gender equality is addressed in intimate citizenship policy texts, however almost two thirds of the texts do not consider gender equality as a relevant issue. If we pay attention to underlying norms we can see that generally *equality* (including *human rights*) and *efficiency* are the most often occurring underlying norms. Another two underlying norms worth mentioning are *health* (mostly in connection to medically-assisted insemination and care for children) and *heteronormativity* (primarily in connection to the policy debate on same-sex partnership). More specifically, *equality* and *human rights* are generally the underlying norms in laws and civil society texts, *health* and *efficiency* in policy plans, and *heteronormativity* in parliamentary debates. We can see that even in underlying norm gender equality is not present as a norm.<sup>30</sup>

However, most of the texts analysed invoke **gender**. Out of 20 texts, only 4 do not address gender. The use of gender as a social construction or as a biological category is balanced across the texts – the same number of texts use it either as a sole category or as a dominant understanding of gender. Still, looking specifically at “sole understanding” of gender, the biological interpretation of gender prevails. Only two texts are degendered – but this ‘degendered understanding of gender’ occurs as a marginal understanding.<sup>31</sup>

Among the **active actors** seen as causing the problem are mainly institutions which are degendered. There are two “gendered” active actors mentioned in intimate citizenship active actors: husbands and

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<sup>26</sup> Roman Kuhar (2008), LARG country report, Deliverable No. 40, Jasminka Dedić (2007), Timelines of policy debates in Croatia, Deliverable No. 19

<sup>27</sup> Roman Kuhar (2008), LARG country report, Deliverable No. 40, Jasminka Dedić (2007), Timelines of policy debates in Croatia, Deliverable No. 19

<sup>28</sup> Roman Kuhar (2008), LARG country report, Deliverable No. 40, Jasminka Dedić (2007), Timelines of policy debates in Croatia, Deliverable No. 19

<sup>29</sup> Roman Kuhar (2008), LARG country report, Deliverable No. 40, Jasminka Dedić (2007), Timelines of policy debates in Croatia, Deliverable No. 19

<sup>30</sup> Roman Kuhar (2008), LARG country report, Deliverable No. 40

<sup>31</sup> Roman Kuhar (2008), LARG country report, Deliverable No. 40

paediatricians. Among **passive actors** affected by the problem the actors are persons and mostly gendered: the most often mentioned category are women (mentioned 14 times), including unemployed women, widows, unmarried women, and divorced women. The second most occurring category of people, suffering from the problems, caused by the active actors, is homosexuals (mentioned 11 times). The third most often mentioned category is children (mentioned 8 times), including children waiting for adoption. There is also a significant number of mentioning of people in extra-marital unions (4 times). There are no references to transgender people (except in one NGO text), while there are few references to men – including male donors and unmarried men – but men are generally not seen as passive actors. However there are other non-gendered categories mentioned such as people, youth, Croats, citizens, and couples.<sup>32</sup>

In the context of **responsible actors** for the solution of the problem, the institutional actors are mentioned most frequently. There is only one mentioning of a civil society actor – namely homosexuals. They are not gendered. In **target group** the actors are mostly non-institutional actors e.g. personal actors and both **gendered** and degendered. Most of the policy actions are **targeted to** children, including young people and youth, followed by women (including mother, married women, women in extra-marital unions and women younger than 42) and homosexuals (also as registered partners or in a same-sex unions and (heterosexual) partners in or outside marital unions (4 times). We encountered with two categories of men – “men in extra-marital unions” and “married men”. Degendered categories such as persons who donate sexual cells, persons who seek medical assistance, parents, and couples (married and in extra-marital unions) are also present.<sup>33</sup>

The policies are to be carried out by predominantly institutional **responsible actors**. One half of the texts analysed under the intimate citizenship issue mention the Government of Croatia as the responsible actor for policy action, while the most often occurring institutions – belonging to the Croatian government – are the Ministry of Health and Social Care and the Ministry of Family, Defenders and Intergenerational Cooperation. There are also several references to local and regional communities and a lot of references to Croatian association for gynaecology and obstetrics, Croatian paediatric association and Croatian association for perinatology (maternal-fetal medicine specialists) – but all these references are due to one document (National Population Policy) which provides long list of policy actions. Excluding the listed associations – which are not governmental actors, but hardly placed in what we understand as civil society – there is only one mentioning of a civil society actor – namely homosexuals.<sup>34</sup>

As regards **voice and demands** for gender equality, civil society actors generally articulate long lists of problems, while governmental actors (for example in law and policy plans) articulate fewer problems. Most of them do not correspond to the problems identified by civil society. Furthermore, it is remarkable that voices producing laws and policy plan articulate objective goals and policy action activities, while civil society actors – in texts analysed – did not articulate a single objective goal or policy action activity. In parliamentary debates, on the other hand, a variety of problems in combination with objective goals, are identified. MPs did not articulate any policy action activity.<sup>35</sup>

Generally, a majority of intimate citizenship texts do not address gender equality as a relevant issue. While in 8 texts, gender equality occurs as an important issue – most often simultaneously as a means to policy goal and as an end in itself, in the remaining 12 texts gender equality is not considered as a relevant issue. When gender equality is invoked, it is primarily seen as a vision and understood as sameness. The policy issues of intimate citizenship are broadly **framed** as either *equality* or *human rights* issue, while the part on artificial insemination and abortions is primarily framed as a *health issue*.<sup>36</sup>

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<sup>32</sup> Roman Kuhar (2008), LARG country report, Deliverable No. 40

<sup>33</sup> Roman Kuhar (2008), LARG country report, Deliverable No. 40

<sup>34</sup> Roman Kuhar (2008), LARG country report, Deliverable No. 40

<sup>35</sup> Roman Kuhar (2008), LARG country report, Deliverable No. 40

<sup>36</sup> Roman Kuhar (2008), LARG country report, Deliverable No. 40

### 3.4 The range of the meanings or frames of gender equality in gender based violence<sup>37</sup>

There are three turning points in gender+ equality policies concerning domestic violence and violence in partnership, particularly marital rape. First, the qualification of rape in marriage as a criminal offence in the 1997 amendments of the Criminal Code; second the introduction of the term »domestic violence« itself into Croatian legislation in 1998; and third the adoption of the Act on Protection from Domestic Violence in 2003, which became the legal framework for the development of long-term policies combating domestic violence/violence against women. The Amendments to the Labour Act in 2003 (art. 2.b) introduce the terms harassment and sexual harassment at work while in trafficking of human beings sub-issue the National Programme for the suppression of trafficking in human beings 2005 – 2008 is considered a turning point in the field. There is also a tendency towards gendering of the issue of trafficking (particularly women and children are mentioned).<sup>38</sup>

In gender based violence sub-issue, we cannot speak of clear **gender equality** policies. In fact, gender equality is rarely or never mentioned (only two documents). The main goals in terms of gender equality that could be identified in this sub-issue are *combating domestic violence*, *violence in partnership* and *violence against women*. When we identify norms and underlying norms in gender based violence sub-issue we do not come across gender equality as a norm. The most appearing underlying norms in diagnosis are *prevention of violence* and *protection of victims* and *non-discrimination* and *human rights* including *women's rights* and *personal dignity*. The underlying norms in solutions in prognosis are *efficiency* (prevention of violence), *protection of victims*, *awareness raising* (education, information) and *non-discrimination* and *human rights* including *dignity*. Underlying norms are articulated in all sub-issues although mostly in domestic violence sub-issue by all documents. Trafficking in human beings documents stress heavily the importance of *effective sanctioning* as underlying norm. The sexual harassment sub-issue texts stress the importance of *non-discrimination* and *prevention* as well. NGO texts stress also the importance of *education* and *human rights* and *rights of women*. They focus is mainly on victims, although education is aimed to influence perpetrators too.

Generally, gender is addressed. 7 documents out of 11 invoke **gender** in all sub-issues, only in one document it is clearly degendered (Act on Protection from Domestic Violence) in others it is usually not clear if it is social or biological category. However, there is a tendency towards **degendering** of the issue, which is the most evident in the change of the terminology used in different documents. Thus, gender equality programmatic documents and NGO documents more frequently use the notion of *violence against women*, whereas the legislative regulations consistently speak about *family violence*.<sup>39</sup> Thus law documents are completely degendered. Policy plans are also degendered although in some cases they are gendered (women as victims), especially the Report on the Implementation of the Beijing Platform of Action and the National Policy of the Republic of Croatia for the Promotion of Equality according to the UN questionnaire. These documents clearly define women as passive actors and target groups, so they are strongly gendered. Parliamentary debates define passive and active actors in diagnosis in gendered way (women and children-girls as passive actors and men as active actors), while they define target groups and responsible actors in a degendered way. Civil society texts analysed define active and passive actors in diagnosis in a gendered way (women as passive actors and men as active actors), while responsible actors (institutions) and target groups (victims) in prognosis are degendered.

**Actors responsible** for the problem are mainly persons and gendered in all types of texts except in laws (men, extramarital husbands, former husbands, male law-partner, father, son, husband, women and mothers). While **passive actors** are identified they are usually persons and gendered (women, elderly women, wife, daughter). **Responsible actors** in prognosis are degendered and mostly institutional actors. Target groups are heavily people and gendered only in civil society texts and policy plans texts (women victims of violence, women victims of domestic violence, women victims of trafficking in human beings), other actors are completely degendered (children, employees, experts, perpetrators, journalists, officials, personnel etc.).

<sup>37</sup> Most of the content of this chapter is from Ana Frank (2008), LARG country report, Deliverable No. 40

<sup>38</sup> Jasminka Dedić (2007), Timelines of policy debates in Croatia, Deliverable No. 19

<sup>39</sup> Jasminka Dedić (2008), LARG country report, Deliverable No. 40. In Croatian, the notion "nasilje u obitelji" is used to denote "domestic violence", although, if translated verbatim, it should be translated as "violence in family" or "family violence"(Jasminka Dedić (2008), LARG country report, Deliverable No. 40).

**Gender equality policies are to be achieved for target groups**, which are heavily construed as people. They range from state to civil society personal actors to victims of violence. Some institutional target groups are mentioned (family) and some state institutions as well (Ministries, hospitals, state authorities). What is important to notice is that state institutions are rarely concrete governmental institutions (ministries), while civil society institutions are rarely mentioned at all (NGOs appear very few times and only in three documents: policy plan and parliamentary debate in domestic violence sub-issue and policy plan in trafficking in human beings sub-issue). Interestingly NGO texts do not mention NGOs as target institutions.

**Responsible actors for gender equality policies** are mainly institutions as state actors (state institutions from government, parliament, offices, committees, ministries, courts, schools, hospitals, police, state-founded counselling centres, local self-administration units) and only sometimes state persons as judges, attorneys, social workers, Ombudsperson for Children and Ombudsperson for Gender Equality. NGO institutions are rarely mentioned (only in domestic violence sub-issue policy plan: National Strategy for the Protection against Family Violence and in the sexual assault policy plan: National Programme for the Suppression of Trafficking in Human Beings). Other relevant civil society responsible actors are the media, independent counselling centres and self-help groups and persons as employers, workers, experts, psychologists).

Policies to prevent violence are demanded by institutional **voices** except from voices in the parliamentary debates. The voices in governmental texts (law, policy plans) are the Government and Parliament of Croatia or their commissions and working groups. Civil society texts are mainly represented by women's NGOs: Coalition of Women's Group in Croatia, Women Network of Croatia and PETRA – Network of NGOs against Trafficking in Women. Civil society voices do stress some parameters that are not stressed by governmental texts (like intersectionalities, active and passive actors in diagnosis) but in general civil society texts do not present a substantial difference from governmental texts. On the contrary, governmental texts seem to be more elaborated on some issues, such as trafficking in human beings. Civil society texts usually focus more on prognosis and in this case they present a clear critique of the state by advising new solutions that the state has to undertake. All in all the voices recognise the importance of fight against all forms of violence, but the documents analysed show that domestic violence, sexual harassment at work and trafficking in human beings are the most recognised types of violence that Croatia is faced with.

In general, gender equality is only relevant in two documents (National Policy for the Promotion of Gender Equality 2006 - 2010 and Excerpt from parliamentary debate on the draft National Policy for the Promotion of Gender Equality 2006 - 2010). In these cases, gender equality is seen as either only end or only a vision, and as balance between vision and strategy. Transformation is the sole vision present and equal treatment and special programs are seen as the sole strategies in two different documents (no 2 and 7 National Policy for the Promotion of Gender Equality 2006 - 2010 and Excerpt from parliamentary debate on the draft National Policy for the Promotion of Gender Equality 2006 - 2010). In **framing** it is clear the *crime and justice* framing, which appears almost in all texts, followed by *human rights* frame. In some cases *equality, economic development, capabilities and well-being* and *health* appears. Legal documents (laws) operate in the framework of *crime and justice*. They often rely on *human rights* and *personal dignity* frameworks.

### 3.5 Summary and comparison

Gender equality is predominantly an important and relevant issue in the general gender equality and the non-employment documents, while its importance and relevance diminish in intimate citizenship and gender based violence. We can clearly see that gender equality is very often 'shrunked' (reduced) to equality in economic terms (equality in labour market) and bended to fit higher national goals and interests (demography – increase of birth rate) – these conceptualisations are clearly present in the non-employment and the intimate citizenship sub-issues.

**Gendering** is usually present in **passive actor** groups in diagnosis of the problem and in **target groups** in prognosis for solution, while it is not present in active actors/responsible actors either in diagnosis or prognosis. Only in the gender based violence sub-issue are active actors gendered too, where men (explicitly) are seen as responsible for the problem. Target groups are usually gendered persons, , while responsible actors are usually degendered institutions.

#### 4. The range of intersecting inequalities

From the inequalities perspective we have found some differences among a huge range of relevant policy documents in Croatia and documents that were selected from within them to be analysed for the purposes of the Quing project. In fact in the Issue Histories (assessing all policy documents in Croatia relevant for our four sub-issues) we have identified intersectionalities that were not present in the documents after the analysis (more precisely **ethnicity** in non-employment and intimate citizenship and **migrant status** in gender based violence – trafficking). This may show how the methodology of selection of documents might have some shortcomings as it may have not included documents with relevant intersectionalities. However, the selection of documents was performed according to specified criteria, among which are the authoritativeness and relevance for gender equality policies; thus, documents with policy programs for specific vulnerable groups, such as Roma, youth, disabled etc. were not included, which may explain the before mentioned differences and shortcomings in terms of intersectionality. The aim of the Quing research is to analyse present gender equality policies and the inclusion/exclusion of intersectionality within them (gender equality policies), so that is why documents which may include some intersectionalities were not included, as they do not represent relevant gender equality policy documents.

From the inequalities perspective we have found particularly relevant the anti-discrimination provisions embedded in the following policy documents (analysed in the four QUING sub-issues):

##### General Gender Equality Machinery and Policies:

One of the most important documents, which comprehensively included gender equality as its main goal is the 2003 **Gender Equality Act**. It prohibits discrimination on the grounds of gender, marital status and sexual orientation in public and private spheres (art. 6) and prohibits harassment and sexual harassment (art. 8).<sup>40</sup> The **National Policy for the Promotion of Gender Equality 2006-2010** in the chapter on women's human rights sets the following goals: improve the social position of women belonging to national minorities and women with disabilities; eliminate discrimination of Roma women; and improve the methods for suppressing and eliminating discrimination on grounds of sexual orientation. These goals are general in scope and are not limited to the field of employment. Intersectionality is framed by equality.<sup>41</sup>

##### Non Employment:

The 2003 **Labour Act** prohibits direct and indirect discrimination in the field of employment and work (arts. 2.a – 2.d), which relates to Directives: 2000/78/EC and 2002/73/EC. Article 2 of the Labour Act prohibits unequal treatment of job seekers and workers on the grounds of race, colour of skin, gender, sexual orientation, marital status, family responsibilities, age, language, religion, political or other affiliation, ethnic or social origin, financial status, birth, social status, membership or non-membership in a political party or trade union, and physical and mental disabilities.<sup>42</sup>

The Labour Act, which was adopted prior to Directive 2000/78/EC (in 1995) already included additional inequality grounds, which was not required by the directive. However some amendments have been adopted after the Directives 75/117/EEC, 2000/78/EC and 2002/73/EC were adopted; art. 2 (equal treatment) of the Labour Act was amended to provide for anti-discrimination guarantees in employment (prohibition of indirect discrimination, shifting the burden of proof, compensation in case of discrimination, procedural guarantees etc.). According to art. 4 (ex art. 2.a) of the Labour Act harassment and sexual harassment constitute discrimination in terms of art. 2 of the Labour Act. Therefore, harassment is prohibited on the same grounds as discrimination. Art. 82 (equal pay) of the Labour Act was amended in accordance with art. 141 of the EC Treaty.<sup>43</sup>

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<sup>40</sup> Jasminka Dedić (2007), Timelines of policy debates in Croatia, Deliverable No. 19

<sup>41</sup> Jasminka Dedić and Ana Frank (2008), Series of WHY country context studies, Deliverable No. 41

<sup>42</sup> Jasminka Dedić (2007), Timelines of policy debates in Croatia, Deliverable No. 19

<sup>43</sup> Jasminka Dedić and Ana Frank (2008), Series of WHY country context studies, Deliverable No. 41

### Intimate Citizenship:

With relation to intersections, the 2003 **Act on Same-Sex Unions** prohibits discrimination on the grounds of same-sex union and sexual orientation in art. 21.

### Gender Based Violence:

**The National Strategy for Protection against Domestic Violence 2005-2007** prescribes in para. 21 as one of the long-term measures the dissemination of information about domestic violence issues to particularly vulnerable population groups (women and children with disabilities, female migrants, women and children members of minority groups, male and female participants and victims of the Homeland war, persons suffering from post traumatic stress syndrome (PTSS) and members of their families, and similar.

### Other acts:

Other for Croatia important documents, which were not included in the research, are the **2003 Asylum Act**, which contains anti-discriminatory provision which stipulates that Croatia shall confer the right to asylum to a foreigner or to a stateless person who was persecuted in his / her country of origin on the grounds of race, religion, national origin, membership in social group or political belief (art. 4). An important piece of equality legislation is the 2002 **Act on Professional Rehabilitation and Employment of Persons with Disabilities**, which imposes on the public bodies the employment quota for the disabled (art. 10). However, it does not contain any anti-discrimination provisions. Of relevance is also the **National Programme for the Protection and Promotion of Human Rights in the period 2005-2008**, adopted in 2004 by the Croatian government. It sets 16 priority fields of protection and promotion of human rights, among others the promotion of gender equality and equal opportunities, and combating racial and other forms of discrimination.

### An important novelty: Law on the Elimination of Discrimination

It is important to notice that in July 2008 the Croatian parliament passed the **Law on the Elimination of Discrimination** (*Zakon o suzbijanju diskriminacije*),<sup>44</sup> which promotes equality as one of the highest values in Croatian constitution. The law promotes equal opportunities and prohibits all kinds of discrimination on the basis of race, ethnic origin and skin colour, sex, language, religion, political or other belief, national or social origin, property, membership in trade unions, disability, genetic inheritance, birth identity - gender, expression, or sexual orientation (art. 1(1)).

An important novelty is that the **Law on the Elimination of Discrimination** goes beyond the demands of the EU directives and states that systematic and forced segregation on any basis as described in art. 1 of this law represents discrimination (art. 5). The Law introduces legal terms as »grievous forms of discrimination« (*teži oblici diskriminacije* art. 6).

Besides these documents, Croatia has adopted a series of strategies and action plans, which contain gender equality policy measures and measures regarding other (in)equalities. They include the **National Programme Combating Poverty and Social Exclusion, National Programme of Education in Human Rights, National Strategy on the Environmental Protection, Strategy on National Security of the Republic of Croatia, Strategy on Development of Official Statistics 2004-2012, National Strategy of a Single Policy for Persons with Disabilities, National Action Programme for the Youth** and action plans for Roma inclusion.

To assess the range of meanings of intersections in Croatia, we have identified the main axes of inequalities, which sometimes intersect with gender, in Croatian gender equality policies. However, it is important to note that after July 2008 (when this report was written) the *Law on Elimination of Discrimination* was adopted. It has important consequences on all inequality strands, as it forbids any discrimination based on race, ethnic origin and skin colour, sex, language, religion, political or other

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<sup>44</sup> Official Gazette of the Republic of Croatia, no. 85/08.

belief, national or social origin, property, membership in trade unions, disability, genetic inheritance, birth identity - gender, expression, or sexual orientation (art. 1(1)).

The inequalities are the following:

### Ethnicity

In general ethnicity is one of the most salient inequality strand. In Croatia there are important ethnicised, racialised, and linguistic political divisions. Ethnicised divisions appear across Croats and Serbs; religious divisions between Catholic and Orthodox; and linguistic divisions between Croatian and Serbian language. Ethnicity is intersected with religion and language: Croat-Catholic-Croatian language / Serb-Orthodox-Serbian language. The most important intersection with gender in the development of gender+ equality policies is the intersection of ethnicity and gender.<sup>45</sup>

As regards the organisation of people of inequality strands (and its importance from a multicultural perspective) ethnicised groups are mainly organised in cultural and/or religious organisations; for example, Bosniaks are mainly of Muslim faith, so they organise both in cultural organisations and religious institutions (i.e. mosques). As ethnic/national minorities have eight representatives in the Croatian parliament, they are also organised politically. For example, members of Serb minority are organised in the Independent Democratic Serb Party (SDSS - Samostalna demokratska srpska stranka; СДСС – Самостална демократска српска странка),<sup>46</sup> the members of Romani minority are organised in the Democratic Party of the Croatian Roma (HRDS - Hrvatska romska demokratska Stranka) and the Croatian Roma Party (Stranka Roma Hrvatske – Hromani partija ande Hrvatska), the members of Bosniak minority are organised in the Party of Democratic Action of Croatia (Stranka demokratske akcije Hrvatske) etc.

In terms of intersections of ethnicity with gender, there is significant engagement of women in women organisations. Serb women are engaged in the Women's Initiative within an umbrella organisation Serbian Democratic Forum (SDF - Srpski demokratski forum),<sup>47</sup> which is one of the largest human rights NGOs in Croatia, and actively cooperate with the Croatian Women's Network. Romani women organise themselves both within an umbrella organisation the Romani Union of Croatia (Unija Roma Hrvatske) in the Association of Women of Roma Union of Croatia (Udruga žena Unije Roma Hrvatske)<sup>48</sup> and within the organisations of Romani women, such as the Association of Romani Women of Croatia "Better Future" (Udruga Romkinja "Bolji život"). Minoritised women are organised separately either within minority organisations (e.g. Women's Initiative in the SDF, Romani women in the Romani Union of Croatia) or independently outside of minority organisations (e.g. Association of Romani Women of Croatia "Better Future").<sup>49</sup>

Ethnicity and gender interactions are evident in the following documents, which are heavily dedicated to Roma minority. The **National Programme for Roma** from 2003 (see above) sets specific goals of the realisation of the right to health care of Romani women. Romani population faces many obstacles in the access to the citizenship, and therefore also lack the access to political participation, employment, and family benefits. In some schools, Romani children are segregated from non-Romani children. Also, Serb refugees, who fled from Croatia during the war 1991-1995, face obstacles in acquiring the Croatian nationality certificate (Domovnica) and in returning to their homes.<sup>50</sup>

**The National Programme for Roma** from 2003 introduces the monitoring over the cases of discrimination against Roma, and obliges the competent authorities to propose legal changes with a view of combating discrimination and making the enforcement of existing anti-discrimination legislation more effective. In the field of health care, the Programme sets as one of the main goals the monitoring over the realisation of the right to health care among Roma, particularly of Roma women and children. The Programme also obliges the police to collect statistical data on the nature and cases of racially motivated violence committed against Roma, and on violence within the Romani community. Following the obligations prescribed by the Programme, the Commission for Monitoring the Implementation of

<sup>45</sup> Jasminka Dedić and Ana Frank (2008), Series of WHY country context studies, Deliverable No: 41

<sup>46</sup> [www.sdss.hr](http://www.sdss.hr)

<sup>47</sup> [www.sdf.hr](http://www.sdf.hr)

<sup>48</sup> [www.unija-roma.hr](http://www.unija-roma.hr)

<sup>49</sup> Jasminka Dedić and Ana Frank (2008), Series of WHY country context studies, Deliverable No: 41

<sup>50</sup> Jasminka Dedić and Ana Frank (2008), Series of WHY country context studies, Deliverable No: 41

the National Programme for Roma was established in 2003, which operates under the auspices of the Office for National Minorities. Following the obligations prescribed by the **Action Plan for the Decade of Roma Inclusion 2005-2015**, the Croatian government established the Working Group for the Monitoring over the Implementation of the Action Plan in 2005, which operates under the auspices of the Office for National Minorities.<sup>51</sup>

However the situation of women who are members of other ethnic minorities has not been tackled yet, although the **National Policy for the Promotion of Gender Equality 2001-2005** imposed the obligation on the then Commission for Gender Equality to establish a working group, which would collect data on the status of women from ethnic minorities, and, in cooperation with the parliament Committee for Human Rights and National Minorities and the government Office for National Minorities, to designate a programme of action for the promotion of women belonging to ethnic minorities.<sup>52</sup>

Until 2008 there has been limited progress with respect to the transposition of the **Race Equality Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin** as a comprehensive anti-discrimination legislation. However, as mentioned before, in July 2008 the Croatian parliament passed the **Law on the Elimination of Discrimination (Zakon o suzbijanju diskriminacije)**,<sup>53</sup> which promotes equal opportunities and prohibits all kinds of discrimination on the basis of race, ethnic origin and skin colour, sex, language, religion, political or other belief, national or social origin, property, membership in trade unions, disability, genetic inheritance, birth identity - gender, expression, or sexual orientation (art. 1(1)). The body responsible for elimination of discrimination is the People's Ombudsperson (art. 12), which can be interpreted as »Equality Body« according to the directive 2000/43/EC. In addition, the Law foresees the establishment of special bodies for equality, like the Gender Equality Ombudsperson. In October 2003, the parliament nominated the first independent institution of **Gender Equality Ombudsperson** pursuant to art. 19 of the Gender Equality Act.

The 1995 Labour Act did introduce the prohibition of discrimination on the grounds of ethnicity/race in employment but it has limited power as it is restricted to employment issues.<sup>54</sup>

### Disability

There is an umbrella organisation for disability "Union of Associations Disabled Persons of Croatia" (Savez udruženja osoba s invaliditetom Hrvatske),<sup>55</sup> which is an umbrella organisation of associations of persons with different disabilities, addresses the intersectionality of gender and disability; e.g. there is an SOS phone for disabled women victims of violence. Their main strategies are lobbying state (fostering legal changes, primarily through the government Commission for Disabled Persons – Povjerenstvo za osobe s invaliditetom) and service provisions for their members. In addition to the associations of disabled persons, there is also the Trade Union of Disabled Persons of Croatia (Sindikata invalida Hrvatske). "Union of Associations Disabled Persons of Croatia" (Savez udruženja osoba s invaliditetom Hrvatske) and the Croatian Union of the Associations of Physically Disabled Persons (Hrvatski savez udruženja tjelesnih invalida)<sup>56</sup> are associate members of the European Disability Forum. It is unknown how women are organised and represented in these organisations.<sup>57</sup>

In 2000, the Croatian government established the Commission for Persons with Disabilities, whose task is, among others, to monitor the implementation of regulations related to persons with disabilities and to propose changes to the laws and other regulations for the improvement of the situation of the disabled. Furthermore, the Commission monitors the implementation of the National Strategy of a Single Policy for Persons with Disabilities 2003-2006, collects data on the activities aimed at the persons with disabilities and proposes measures for more effective implementation of those activities. The 1995 Labour Act contained the prohibition of discrimination on the grounds of disability, but was

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<sup>51</sup> Jasminka Dedić and Ana Frank (2008), Series of WHY country context studies, Deliverable No: 41

<sup>52</sup> Jasminka Dedić and Ana Frank (2008), Series of WHY country context studies, Deliverable No: 41

<sup>53</sup> Official Gazette of the Republic of Croatia, no. 85/08.

<sup>54</sup> Jasminka Dedić and Ana Frank (2008), Series of WHY country context studies, Deliverable No: 41

<sup>55</sup> [www.soih.hr](http://www.soih.hr)

<sup>56</sup> [www.hsuti.hr](http://www.hsuti.hr)

<sup>57</sup> Jasminka Dedić and Ana Frank (2008), Series of WHY country context studies, Deliverable No: 41

limited to employment related issues.<sup>58</sup> The institution of Ombudsperson for Persons with Disabilities was established in 2008(NN 10/2007).<sup>59</sup>

### Age

There is an umbrella organisation for/of older people “Nut of Pensioners of Croatia” (Matica umirovljenika Hrvatske),<sup>60</sup> which fosters the rights and interests of the pensioners. In addition, there is the Croatian Party of Pensioners (Hrvatska stranka umirovljenika)<sup>61</sup> and the Trade Union of Pensioners of Croatia (Sindikata umirovljenika Hrvatske), which is a member the Union of Independent Trade Unions of Croatia (Savez samostalnih sindikata Hrvatske). It is unknown how women are organised and represented in these organisations.<sup>62</sup>

The goal of **the National Action Programme for the Youth from 2002** is the provision of equal opportunities in access to education irrespectively of place of birth, material and social status, gender, health situation, which refers also to the persons with difficulties in development, married young people, pregnant young women and young mothers. Pursuant the Action Programme, the Croatian government established the Council for the Youth in 2003, which is responsible for the monitoring and coordination of the ministries and other state administration bodies related to the implementation of the Action Programme. Pursuant the Action Programme, the Parliament also passed the Youth Councils Act in 2007, which regulates the establishment, status and composition of the youth councils on the levels of municipalities, towns and counties. The 1995 Labour Act contained the prohibition of discrimination on the grounds of age, but it is limited to employment related issues.<sup>63</sup>

### Religion

In Croatia 94,2%<sup>64</sup> of the population are practising members of an organised religion. The largest religious organisation in Croatia is the Roman-Catholic church, and the minor religious organisations are the Islamic community and Serbian Orthodox church. The largest Catholic Church is publicly active through the Croatian Conference of Bishops (Hrvatska biskupska konferencija), which mainly employs public protests and lobbying state as its strategies to influence state policies. There is no information on how women are represented within them. Generally, the Catholic Church does not oppose gender equality,. However, its positions are contrary to some of the gender equality sub-issues covered in QUING, such as reproductive rights, and particularly the abortion issue, homosexual marriages etc. The preferred model of womanhood is a caring mother.<sup>65</sup> Here we can clearly see the conflict of inequality strands among the values they defend.

They are in alliance with other inequalities, mainly with ethnicity. As mentioned above, religion is strongly intersected with ethnicity, therefore, some religious organisations are closely related to ethno-cultural organisations; e.g. Cultural Association of Bosniaks of Croatia “Preporod” (Kulturno društvo Bošnjaka Hrvatske) closely cooperates with the Islamic Community in Croatia (Islamska zajednica u Hrvatskoj) as the majority of Croatian Muslims are of Bosniak ethnic origin.<sup>66</sup>

Discrimination on the grounds of religion is illegal. The 1995 Labour Act contains the prohibition of discrimination on the grounds of religion in employment; however, it is limited to employment related issues.<sup>67</sup>

### Sexual orientation

There are gay/lesbian/transgender/bisexual/intersexual/queer organisations. Their main strategies are public protests (demonstrations, petitions, pride parades etc.), lobbying state (fostering legal changes),

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<sup>58</sup> Jasminka Dedić and Ana Frank (2008), Series of WHY country context studies, Deliverable No: 41

<sup>59</sup> <http://www.nn.hr/clanci/sluzbeno/2007/3127.htm>

<sup>60</sup> [www.muh.hr](http://www.muh.hr)

<sup>61</sup> [www.hsi.hr](http://www.hsi.hr)

<sup>62</sup> Jasminka Dedić and Ana Frank (2008), Series of WHY country context studies, Deliverable No: 41

<sup>63</sup> Jasminka Dedić and Ana Frank (2008), Series of WHY country context studies, Deliverable No: 41

<sup>64</sup> Source: Central Bureau of Statistics, Census of the Population, House holdings an Apartments, 31 March 2001.

<sup>65</sup> Jasminka Dedić and Ana Frank (2008), Series of WHY country context studies, Deliverable No: 41

<sup>66</sup> Jasminka Dedić and Ana Frank (2008), Series of WHY country context studies, Deliverable No: 41

<sup>67</sup> Jasminka Dedić and Ana Frank (2008), Series of WHY country context studies, Deliverable No: 41

legal aid, counselling for LGBTIQ persons, research (on violence and discrimination against LGBTIQ persons) etc. However they do not have a national organisation, but there is an informal network "LGBTIQ Coordination" (LGBTIQ Koordinacija).<sup>68</sup>

As regards intersections of sexual orientation and gender, lesbian and bisexual women are engaged in the Lesbian Organisation LORI,<sup>69</sup> the Lesbian Group "Kontra"<sup>70</sup> and the Iskorak – Center for the rights of sexual and gender minorities.<sup>71</sup> LORI and Kontra are members of the Women's Network), LORI is a member of ILGA and "Kontra" is a member of ILGA-Europe. They work in alliance with women's organisations.<sup>72</sup>

Discrimination on the grounds of sexual orientation is illegal. The 2003 Same-Sex Unions Act (art. 21) prohibits direct and indirect discrimination on the ground of same-sex union and sexual orientation. The 2003 Gender Equality Act, para. 2, art. 6 prohibits any discrimination on the grounds of marital or family status and sexual orientation. The 2003 Labour Act, art. 2 (with amendment prior to which sexual orientation was not stipulated among the discrimination grounds) prohibits discrimination on grounds of sexual orientation but it covers only issues of employment. However the Same-Sex Unions Act and the Gender Equality Act are not restricted to employment and prohibit discrimination generally.<sup>73</sup>

### Class

Specialised policies and practices on gender based violence that address gender as intersecting with class were developed by the Trade Unions' Women's sections<sup>74</sup>, which address intersectionality of gender and class. The women's section of the Union of Autonomous Trade Unions is a member of the Women's Network.<sup>75</sup>

The **National Action Plan for Employment 2005 – 2008** under European Employment Strategy guideline 6 (gender equality) sets some important measures concerning gender equality in the labour market and access to employment, such as:

- measures for encouraging of female entrepreneurship;
- measures for the inclusion of women in non-traditional jobs;
- targeted programs for lone mothers;
- trainings and education for workers on parental leave;
- return to the labour market and improvement of the situation of workers with family responsibilities;
- consideration of costs and variety of institutionalised child care.<sup>76</sup>

### Vulnerable groups

One of the long-term measures of the **National Strategy for Protection against Domestic Violence 2005-2007** (para. 21) is the dissemination of information about domestic violence issues to particularly vulnerable population groups. These groups include women and children with disabilities, female migrants, women and children members of minority groups, male and female participants and victims of the Homeland war, persons suffering from PTSS and members of their families, and similar.

### NGO and intersectionality

NGO texts do not stress the intersectionality dimension more than other texts; NGO texts do not differ much from governmental texts. Women organisations do engage with other intersecting inequalities, but the extent to which women NGO's engage with intersecting inequalities is LOW. Women's

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<sup>68</sup> Jasminka Dedić and Ana Frank (2008), Series of WHY country context studies, Deliverable No: 41

<sup>69</sup> [www.ori.hr](http://www.ori.hr)

<sup>70</sup> [www.kontra.hr](http://www.kontra.hr)

<sup>71</sup> [www.iskorak.org](http://www.iskorak.org)

<sup>72</sup> Jasminka Dedić and Ana Frank (2008), Series of WHY country context studies, Deliverable No: 41

<sup>73</sup> Jasminka Dedić and Ana Frank (2008), Series of WHY country context studies, Deliverable No: 41

<sup>74</sup> The most institutionalised is the Women's Section within the Union of Autonomous Trade Unions of Croatia.

<sup>75</sup> Jasminka Dedić and Ana Frank (2008), Series of WHY country context studies, Deliverable No: 41

<sup>76</sup> Jasminka Dedić and Ana Frank (2008), Series of WHY country context studies, Deliverable No: 41

organisations are most actively engaged in intersections of gender and sexuality (i.e. LGBTIQ persons), ethnicity (i.e. Roma and Serb women), class (i.e. women in the labour market) and “region” (i.e. women in rural areas). Women’s organisations are the least engaged in intersections of gender and disability, age, and religion.<sup>77</sup>

However, concerning the relation with other inequalities, women’s/feminist NGOs cooperate the most closely with LGBTIQ NGOs and groups, such as the Lesbian Group “Kontra”, Lesbian Organisation LORI, “Iskorak” – Centre for Rights of Sexual and Gender Minorities etc. This cooperation between women’s organisations and LGBTIQ organisations is reflected most evidently in the Gender Equality Act, as the outcome of cooperative meetings and talks between the two organisations. As a result of this the Gender Equality Act thus includes the prohibition not only of gender-based discrimination and discrimination on the grounds of marital or family status, but also prohibition of discrimination on the grounds of sexual orientation. In relation to non-employment, women’s/feminist NGOs co-operate closely with trade unions, particularly with the Women’s Section within the Union of Autonomous Trade Unions of Croatia, i.e. a member of the Women’s Network and the Women’s Initiative within the Serbian Democratic Forum, which are also members of the Women’s Network. Cooperative relations have been established with some associations of ethnic minorities as well, such as the Association of Romani Women “Better Future” and the Serbian Democratic Forum. Women’s Network and women’s NGOs in general closely cooperate also with NGOs concerned with general human rights issues, such as Croatian Anti-War Campaign, Centre for Peace Studies etc. Women’s organisations do not have any institutionalised alliances or ad hoc alliances with the organisations representing other axes of inequality, such as associations of disabled persons, religious institutions, associations of retired persons, youth associations. There are no alliances between women’s/feminist groups and men’s group, which are (mostly) fathers’ associations, such as “TATA Split – Association of fathers separated from their children” and “Pateros – Association of lone fathers”.<sup>78</sup>

There are only few organisations which pay attention to intersections of gender and minoritised women, such as Lesbian group “Kontra”, Lesbian organisation LORI, and the Association of Romani Women of Croatia “Better Future”. Minoritised women mainly organise themselves within organisations engaged in other inequality axes (primarily ethnicity), such as the Association of Women of Roma Union of Croatia within the Romani Union of Croatia, and the Women’s Initiative within an umbrella organisation Serbian Democratic Forum. There is no information on the organisations of disabled, elderly and young women, or on women belonging to religious minorities.<sup>79</sup>

There have been disputes between women’s/feminist organisations and the pro-life (i.e. religious/Catholic) movement. These relations have been rather adversarial since the beginning of the 1990s, and particularly in relation to abortion rights they can be described as endemic/constant. This social society controversy was the most intense in the period 1995-2000, and were the result of a series of legislative attempts to restrict or abolish the access to abortion. Thus, the pro-choice women’s groups gathered in the Women’s Ad Hoc Coalition and later in the Women’s Network to defend free access to abortion, which was inherited from the socialist period. On the other hand, the pro-life Catholic groups headed by the Croatian Population Movement were attacking the existing legislation as a remnant of “communist legacy”. Nevertheless, as the legislation on free choice on childbirth from 1978 is still in force, it can be claimed that this competition has been resolved in the favour of the pro-choice women’s groups.<sup>80</sup>

Another controversy recently arose in the public debates on sexual education in schools; i.e. it is an occasional and issue based controversy. In this case, the Women’s Network and LGBTIQ NGOs – along with the Gender Equality Ombudsperson – objected the selection of the association “Grozđ” – Parents’ Voice for Children (Glas roditelja za djecu) to provide health education in primary and secondary schools, which includes sexual education. They argue that, contrary to other selected providers of health education, the Forum for Freedom of Education (Forum za slobodu odgoja), “Grozđ” does not include gender equality principles among the education program’s basic principles.<sup>81</sup>

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<sup>77</sup> Jasminka Dedić and Ana Frank (2008), Series of WHY country context studies, Deliverable No: 41

<sup>78</sup> Jasminka Dedić and Ana Frank (2008), Series of WHY country context studies, Deliverable No: 41

<sup>79</sup> Jasminka Dedić and Ana Frank (2008), Series of WHY country context studies, Deliverable No: 41

<sup>80</sup> Jasminka Dedić and Ana Frank (2008), Series of WHY country context studies, Deliverable No: 41

<sup>81</sup> Jasminka Dedić and Ana Frank (2008), Series of WHY country context studies, Deliverable No: 41. More on these controversies see Jasminka Dedić (2007), Timelines of policy debates in Croatia, 7 November 2007.

## 5. What are the implications of different versions of intersectionality for the meaning and practice of gender+ equality?

In this chapter, we will try to expose relevant parts of the analysed documents that focus on a range of inequalities relevant for intersectionality in Croatian gender+ equality policies. We have identified **intersections of gender with other (in)equalities** in all sub-issues. However, the importance of intersectionality varies across sub-issues and within particular sub-issues, especially according to the type of document. First, however, we want to address the issue of gender equality machinery/institution with special regard to its connection to other inequalities.

### a) The implications of intersectionality for gender equality machinery

Croatian gender equality mechanisms have evolved gradually since 1996, when the first government equality mechanism was established. Following the Beijing Platform of Action, the **Commission for Equality Issues** (CEI) was established as an advisory board composed of representatives of all ministries and other state bodies. The CEI's secretariat operated under the auspices of the Ministry of Labour and Social Welfare. After the elections in January 2000, the CEI was renamed to the **Commission for Gender Equality** (CGE), with which the new government reaffirmed its commitment to the promotion of gender equality. Upon the establishment of the government **Office for Human Rights** in 2001, the CGE's secretariat was transferred from the auspices of the Ministry of Labour and Social Welfare under the Office for Human Rights. Pursuant to art. 18 of the Gender Equality Act, the government established the **Office for Gender Equality** in February 2004. Thus, the Office for Gender Equality replaced the Commission for Gender Equality, and is an expert government office that carries out expert and administrative tasks relating to the realisation of gender equality. The **Office for Gender Equality** (enforcement or monitoring agency) is NOT integrated with machinery for other equalities issues or for human rights. The parliamentary **Gender Equality Committee** was established after the parliamentary elections in January 2000. The Committee was established as a central working body of the Parliament in the procedure of adopting the laws in terms of implementing the principle of gender equality in the Croatian legislation.<sup>82</sup>

In October 2003, the parliament nominated the first independent institution of **Gender Equality Ombudsperson** pursuant to art. 19 of the Gender Equality Act. According to the Act, the Gender Equality Ombudsperson acts autonomously and independently, and monitors the implementation of the Gender Equality Act (GEA) and other regulations relating to gender equality. Although not envisaged by art. 21 of the GEA, Croatian Gender Equality Ombudsperson considers cases of alleged discrimination on the grounds of marital or family status and sexual orientation. Inequalities addressed by the Gender Equality Ombudsperson are gender, marital or family status, and sexual orientation.<sup>83</sup>

Before the establishment of the specialised equality bodies (besides the Gender Equality Ombudsperson's office, there is also the office of Ombudsperson for Children and the Office of Ombudsperson for Disabled Persons) there were suggestions that these should be integrated into a single equality body within the realm of already existing Office of People's Ombudsperson. However, this could not be achieved without amending the Constitution, because the People's Ombudsperson was vested only with powers to protect the constitutional and legal rights of citizens in proceedings before the state administration and other public bodies, and not in the private sphere.<sup>84</sup>

However, in July 2008 the Croatian parliament passed the **Law on the Elimination of Discrimination**, according to which the **People's Ombudsperson** gained powers in terms of considering cases of discrimination in the public and private spheres on the basis of all inequalities included in the Law (art. 8). This was an important step forward since it includes other inequalities in the machinery institutions. Furthermore, the law confers to the People's Ombudsperson more powers than he has according to the institution (art. 92 of the constitution).

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<sup>82</sup> Jasminka Dedić (2007), Timelines of policy debates in Croatia, Deliverable No. 19, Jasminka Dedić (2008), LARG country report, Deliverable No. 40

<sup>83</sup> Jasminka Dedić and Ana Frank (2008), Series of WHY country context studies, Deliverable No: 41

<sup>84</sup> Jasminka Dedić (2008), LARG country report, Deliverable No. 40

Besides the main gender equality bodies mentioned previously, there is an outspread system of gender equality mechanisms on regional and local levels. On regional level, there are **County Commissions for Gender Equality**, and on local level there is the **Municipality/City Commissions for Gender Equality**.

### ***Institutional mechanisms for the protection of other equalities***

Bodies relevant for other (in)equalities are the parliamentary **Committee for Human Rights and National Minorities**, government **Office for Human Rights**, and independent offices of **People's Ombudsperson**, **Ombudsperson for Children** and **Ombudsperson for Persons with Disabilities** who are appointed by the Parliament. In addition to the government Office for Human Rights and ombudspersons' offices, important role in the protection of other equalities have also the government **Office for National Minorities**, government **Commission for Persons with Disabilities** and **Youth Council** – both operating under the auspices of the Ministry of Family, Veterans' Affairs and Intergenerational Solidarity. These bodies are vested with powers to consider cases of discrimination according to inequalities like minority, disability, and age.

In general, the gender equality machinery has separate institutions for gender equality and other inequalities, but changes are taking place. The Gender Equality Ombudsperson, who considers cases of alleged discrimination on the grounds of marital or family status and sexual orientation, and from 2008 on the People's Ombudsperson, who considers discrimination on grounds of race, ethnic origin and skin colour, sex, language, religion, political or other belief, national or social origin, property, membership in trade unions, disability, genetic inheritance, birth identity - gender, expression, or sexual orientation are vested with intersectional powers. With the new **Law on the Elimination of Discrimination** the People's Ombudsperson has important powers in terms of other inequalities, which is a big step further. The Law foresees a general body for equality (People's Ombudsperson) and specialised bodies. Besides the specialised equality body of the Ombudsperson for Gender Equality, the Ombudsperson for Children and the Ombudsperson for Persons with Disabilities were established.

However, integrated bodies are not yet a practice or even a topic of political debates, which is reflected in the analysed documents as only the parliamentary debates mentioned intersections of gender with disability, ethnicity and regional/class and only as a significant lack in terms of statistical data. Furthermore there is no explicit use of the concept *intersectionality* or any other concepts that may attract attention to intersecting inequalities, which means that considering cases of discrimination on different basis does not necessarily mean an awareness of intersecting axes of inequalities that produce specific forms of discrimination. Therefore we can assume that there is still an assumption of »ontological similarity« of inequalities (Walby Deliverable 13, p. 31-32) and that intersectionality is a marginal issue.

### **5.1 Inequalities in general gender equality legislation and gender machinery**

Generally speaking, intersections of gender with other inequalities is not an issue in gender equality machinery and is rarely mentioned in the analysed documents. However when appearing, intersections appear mostly in the general gender equality legislation sub-issue (law, parliamentary debate and NGO text) and only once in machinery parliamentary debate.

Intersectionality in the analysed documents is rarely invoked, only four documents invoke it. We have encountered intersectionality only in parliamentary debates and laws, and in one NGO text, all with regard to passive actors. The parliamentary debates mention marital status, ethnicity/race, class/regional, disability and nationality/migration, the law mentions sexuality, marital status, and class, while the NGO text mentions class.

Active actors in diagnosis are generally degendered institutional actors with no intersecting inequalities. Passive actors in diagnosis are mainly persons and they are highly gendered (heavily women) and intersectionalised (class/regional, age, disability, ethnicity/race, marital status, sexuality). They are presented in a intersectionalised way in parliamentary debates, laws and in machinery, but not in policy plans and rarely (only once) in civil society texts. Responsible actors in prognosis are

almost exclusively institutional actors, which are degendered and not intersectionalised. The target groups in prognosis are institutional as well as personal actors. Both are never intersectionalised.

## 5.2 Intersections in non employment

In the sub-issue of **Non-employment** intersectionality of gender with other inequalities include are disability, marital status, class, and age, which emerge mainly within the sub-issues of tax-benefits (policy plan, parliamentary debate, additional text – constitutional court decision) and gender pay gap and equal treatment in employment sub-issue (law, policy plan, NGO). There is however mentioning of inequality in terms of age but it is never intersectionalised.<sup>85</sup>

Especially worrying is the issue of the gender pay gap and equal treatment in employment because female net monthly wage amounted to 89% of those of men<sup>86</sup>, and differences in pensions are big: women's pensions are nearly 30% lower than those of retired men. Equal pay and non-discrimination in employment guarantees were upgraded in the process of harmonisation of the Croatian labour legislation with EU *acquis communautaire* in 2003. Thus, the amendments to the Labour Act introduced the definitions of equal work and work of equal value, and of pay. In addition, equal treatment guarantees prohibiting direct and indirect discrimination, sexual harassment and other forms of harassment were introduced into the Labour Act.<sup>87</sup>

In the analysis of the documents active actors in diagnosis, which are rarely identified, are mostly institutional ones and are not intersectionalised. Passive actors are identified much more frequently, and almost all of them are non-institutional actors. Passive actors are rarely constructed in an intersectionalised way; but when intersectionality is present we usually find an intersection between gender and other inequalities, such as *gender + class* (differences among unemployed women), *gender + marital/family status* (women are more often asked about family status), and *gender + age* (gender difference in retirement age).<sup>88</sup>

In prognosis, responsible actors are generally institutional actors and not intersectionalised. Target groups are largely identified for objectives and policy actions, and most of them are non-institutional actors. Intersectionality, though mainly "named" in the documents, is also referred to with regard to target groups. We can distinguish among the inequalities added to *gender, class, marital/family status, age* and *disability*. Marital/family status, disability, class and age are also mentioned as inequalities but without reference to their intersections with gender. Intersectionality is invoked only in parts or documents where there is more gendering (passive actors in diagnosis and target groups in prognosis).<sup>89</sup>

Though a minority of Croatian texts on non-employment do refer to some kind of intersectionality, it is evident that this aspect is of minor significance across all sub-issues. Four texts (all of them are parliamentary debates) do not refer to intersectionality at all. *Age, disability* and *marital/family status* are the most frequently mentioned intersections in relation to gender, whereas *ethnicity, religion* and *nationality/migrant status* are not mentioned at all. Therefore, we can conclude that Croatian actors, equally from civil society, government and political parties, seem to detach gender inequalities from other inequalities in the non-employment.<sup>90</sup>

According to a wider look at the documents (especially in the Timelines of policy debates – deliverable No. 19 and Country context study, deliverable No. 41) it is clear that ethnicity appears in intersection with gender but after the selection of the documents with the Quing methodology, ethnicity did not appear in intersection with other inequalities. We have mentioned this problem earlier, which may be caused by the selection of documents for the analysis. In fact, ethnicity appears in policies like tax-benefits and parental leave.

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<sup>85</sup> Jasminka Dedić (2008), LARG country report, Deliverable No. 40

<sup>86</sup> Central Bureau of Statistics, *Women and Men in Croatia in 2006, 2007*, p. 35.

<sup>87</sup> Jasminka Dedić (2008), LARG country report, Deliverable No. 40

<sup>88</sup> Jasminka Dedić (2008), LARG country report, Deliverable No. 40

<sup>89</sup> Jasminka Dedić (2008), LARG country report, Deliverable No. 40

<sup>90</sup> Jasminka Dedić (2008), LARG country report, Deliverable No. 40

### 5.3 Intersections in intimate citizenship

In the issue of **Intimate Citizenship** we have encountered similar problems as in non-employment sub-issue. Namely, intersections of gender and ethnicity emerge across all sub-issues within the intimate citizenship in relation to Roma, particularly Roma women and children when we take a look at the documents in general. But, after the analysis this intersection disappears.

According to the analysed documents in the sub-issue of **Intimate Citizenship** intersections of gender and *sexuality*, *age* and *marital status* emerge across all sub-issues within intimate citizenship. The sub-issue of divorce, marriage and separation (policy report and NGO text) focus mostly on *marital status* and *class* intersections with gender. In same-sex partnership almost all documents (except policy plan) mention *sexuality*, *marital status* and gender intersectionalities, while in the reproduction including abortion and assisted reproduction (law and parliamentary debate) mention *age*, *marital status* and *sexuality* as intersections. In the debate on medically assisted insemination, intersectionality of gender and *sexual orientation* emerges concerning the issue of artificial insemination of single women and lesbians, and the adoption issue has dominated the debate concerning the gay and lesbian marriages.<sup>91</sup>

In the pre-QUING period, one of the most visible shifts that occurred in relation to sexual orientation discrimination was the decriminalisation of male homosexuality (however there was no reference to female homosexuality) in 1977. Nevertheless, the age of consent was set at 18 years in comparison to 14 years for heterosexual relation, a clear discrimination that was abolished with the 1997 Criminal Code.<sup>92</sup>

In the sub-issue of reproduction rights, we can clearly detect the clash of values of different inequalities. In relation to abortion rights, the main antagonists within civil society were the women's NGOs and groups associated in the Women's Ad Hoc Coalition / Women's Network of Croatia on one and pro-life Catholic groups associated in the Croatian Population Movement and the Catholic Church on the other side. There were many legislative attempts to restrict or abolish the access to abortion guaranteed by the 1978 Act on Medical Measures for Exercising the Right to Freely Deciding about Giving the Birth, which has been attacked by the Catholic Church, pro-life groups and conservative / nationalist political parties as a remnant of "communist legacy".<sup>93</sup> These attempts were made because of demographic policies and were serving higher political interests. Thus according to Lombardo gender equality was bended to fit the higher national goals and interests (Lombardo et al. forthcoming).

As regards the documents, generally active actors in diagnosis are not-intersectionalised while passive actors are constructed in an intersectionalised way – gender is most often intersected either with *marital status* or *sexuality*. Similar to the diagnosis, the target groups in prognosis are again predominantly non-institutional actors. In the context of intimate citizenship, most of the policy actions target children (including young people and youth; mentioned 10 times), followed by mothers (6 times), homosexuals (including same-sex unions; 5 times) and (heterosexual) partners in or outside marital unions (4 times). All of these actors are constructed in an intersectionalised way – by either intersecting *age*, *parenthood*, *marital status* or *sexuality*.<sup>94</sup>

When we look at the target groups identified for objectives a broad and quite variable list of actors occur, most of them are civil non-institutional actors. Similarly as in the target groups of the policy actions these include children and young people, women (including mothers, married women, women in extra-marital unions and women younger than 42) and homosexuals (also as registered partners or in a same-sex unions). The list also includes two categories of men – "men in extra-marital unions" and "married men" – and a reasonable share of degendered categories such as persons who donate sexual cells, persons who seek medical assistance, parents, and couples (married and in extra-marital unions). Most of these actors are constructed in an intersectionalised way, the most frequent

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<sup>91</sup> Roman Kuhar (2008), LARG country report, Deliverable No. 40

<sup>92</sup> Jasminka Dedić (2007), Timelines of policy debates in Croatia, Deliverable No. 19

<sup>93</sup> Jasminka Dedić (2007), Timelines of policy debates in Croatia, Deliverable No. 19

<sup>94</sup> Roman Kuhar (2008), LARG country report, Deliverable No. 40

intersections within the context of intimate citizenship are *marital status/parenthood, sexuality and age*.<sup>95</sup>

There are only two texts (part of the parliamentary debate on artificial insemination and civil society text on abortions from 1997 – which is the oldest text analysed) where intersectionality does not occur. The two most often addressed inequalities are *sexual orientation* and *marital/family status*. As most of the texts are from 2003 to 2006, there are no significant changes in relation to gender and intersectionality in time periods. However it is noteworthy that the oldest text analysed (civil society text from 1997) does not address intersectionality, while all other texts – with an exception of one from 2005 (parliamentary debate) – do.<sup>96</sup>

#### 5.4 Intersections in gender based violence

In the sub-issue of **Gender Based Violence** intersections of gender and other inequalities rarely emerge. Again we have encountered the same problem as in non-employment and intimate citizenship. Intersectionality is present in documents when we take a more general look at the documents (usually issues related to **migration** in trafficking in human beings, asylum etc.) but when it comes to document analysis, we can see that intersections with migration almost does not appear in the coding of trafficking.

Generally speaking, the issues of forced marriage, female genital mutilation and 'honour' crimes are virtually non-existing in Croatian public discourse, legislation and government policies. Therefore, all attention is given to trafficking for sexual exploitation, which, besides from domestic violence/violence against women, captures the most of attention of civil society, particularly the women's NGOs. Trafficking for sexual exploitation was first addressed in the 1997 National Policy for the Promotion of Equality. The most important recent development in relation to trafficking was the ratification of the UN Convention against Transnational Organised Crimes and the two pertaining protocols (Protocol to Prevent, Suppress, and Punish Trafficking in Human Beings, particularly Women and Children, and Protocol against Smuggling of Migrants by Land, Sea and Air) in 2002. Furthermore, the National Committee for the Suppression of Trafficking in Human Beings was established, which worked out the first National Programme for the Suppression of Trafficking in Human Beings 2005-2008 that can be considered a turning point in this field. As trafficking in women and children is frequently explicitly mentioned in various programmatic documents, we can assume that there is a tendency towards the gendering of the issue. The most important civil society in the field of fight against trafficking is a network of women's organisations PETRA.<sup>97</sup>

Laws analysed on the issue of gender based domestic violence are usually degendered and with no visible intersectionality. Policy plans are not intersectionalised, except for one. Only the parliamentary debates are gendered and intersectionalised (women and children-girls as passive actors and men as active actors), and NGO texts (e.g. passive actors are intersectionalised (age: young women, old women). The Report on Women's Human Rights in the Republic of Croatia in 2006 mentions some intersectionality. Intersectionality is rarely mentioned in these documents. When mentioned, it is predominantly *age*, and to a lesser extent *marital status* and *disability*, and very rarely *race/ethnicity, citizenship status, religion, and sexuality* intersecting with gender (mostly in policy plan in domestic violence sub-issue). These inequalities are also mentioned on their own, that is, without reference to intersections with gender.

As regards intersections of actors in diagnosis and prognosis, the **active actors in diagnosis** are mainly persons and rarely state actors. Actors are gendered in all types of texts except in laws (men, extramarital husbands, former husbands, male law-partner, father, son, husband or women and mothers) and rarely intersectionalised (*age*). **Passive actors in diagnosis** are mostly persons and are gendered (women, elderly women, wife, daughter) and rarely intersectionalised (*age, class, disability, marital status and citizenship status*). **Responsible actors in prognosis** are heavily institutions as state actors. Responsible actors are degendered and not intersectionalised. **Target groups in prognosis** are predominantly people. They range from state to civil society personal actors to victims

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<sup>95</sup> Roman Kuhar (2008), LARG country report, Deliverable No. 40

<sup>96</sup> Roman Kuhar (2008), LARG country report, Deliverable No. 40

<sup>97</sup> Jasminka Dedić (2008), LARG country report, Deliverable No. 40

of violence. Victims as target groups are gendered only in civil society texts and policy plans texts (women victims of violence, women victims of domestic violence, women victims of trafficking in human beings) and very rarely intersectionalised (*female migrants*, women with *disabilities* and women members of *minority* groups). Indeed, these intersections appear only in one document: policy plan in domestic violence: National Strategy for Protection against Family Violence for the Period from 2005 to 2007).

Civil society voices do stress some parameters that are not stressed by governmental texts (like other inequalities and intersectionalities, active and passive actors in diagnosis) but in general civil society texts do not present a big difference from governmental texts. As regards prognosis civil society (NGO) texts do not differ much from governmental texts. Governmental texts seem to be more elaborated on some issues, such as trafficking in human beings.

Intersectionality appears in 8 out of 11 texts; it is mainly intersection of *gender* with *age*, *class*, *disability*, and *nationality/migrant status*. In some documents intersectionalities of *gender* and *religion*, *sexual orientation*, *marital status* and *ethnicity* appear but these intersectionalities are RARE OCCURRENCES and not stressed much on.

## 5.5 Summary and comparison

In issue histories we have identified intersections of inequalities that were NOT present in the document after the analysis (ethnicity in non-employment and intimate citizenship). This may show how the methodology of selection of documents may have shortcomings as it may have not included documents with relevant intersections. However, the selection of documents was performed according to some criteria, among which are the authoritativeness and relevance for gender equality policies (we did not for example include documents with policy programs for specific vulnerable groups like Roma, youth, disabilities). The aim of Quing research is to analyse gender equality policies and the inclusion/exclusion of intersectionality within them (gender equality policies), so that is why documents which may include some intersections were not included, as they do not represent relevant gender equality policy documents.

It is interesting to see that intersectionality is usually present in passive actor and target group only, at the same time with gendering and personal actors. Intersectionality is the least mentioned in General Gender Equality sub-issue. But when it appears it is present only in some documents. We can say that intersectionality is not yet comprehensively embedded in gender+ equality policies, but there are some steps towards this. We have also noted that some intersections are absent from the document analysis (after coding), but they are present in the overall analysis of the documents. We have already explained possibly reasons for this non-occurrence.

## 6. Identifying changes and the relevance of different forms of intersectionality

In general, the turning points in gender equality policies were the adoptions of Gender Equality Act, Labour Act amendments, Act on Protection from domestic Violence, Family Act and Act on Same-Sex Unions, which were all adopted in the year 2003. They were adopted thanks to the cooperative efforts between women's NGOs and legal experts, and because of a favourable social and political climate after January 2000, when the government was led by Social Democrats. The relevance of these legislative documents was described in previous chapters. In reference to intersectionality, we can conclude that the most important change was actually the adoption of the new **Law on the Elimination of Discrimination** in 2008, according to which the People's Ombudsperson has important powers in terms of elimination of discrimination of other inequalities, which is a big step further. The Law foresees a general body for equality (People's Ombudsperson) and specialised bodies.

We can conclude that the accession of Croatia to EU has some important impact (in terms of implementation of directives) but it is important to note, that Croatia did develop gender equality standards even before the Quing and EU accession period, as described above. In fact, Croatia has implemented gender equality standards that override EU demands.

The question is then, how is the intersectionality dimension being included in Croatian gender equality policies if it is at all, due to the fact that there is no clear debate or controversy evolving around the issue of intersectionality? Are the changes in legislation (especially after 2003 and in 2008) due to the EU impetus and dimension, or is it because of Croatian contextual situation? Indeed, Croatia seems to be successful in transposing EU gender equality directives, however, this can be rather imputed to grassroots activities of women's NGOs and groups and to active involvement of some female parliamentary deputies (mainly from SDP) than to the EU's direct influence. Thus it seems that intersectionality is not included as a policy demand *per se*, but as a consequence of separate inequalities' demands for inclusion. The inclusion of intersectionality is not a conscious and aware demand for tackling issues (mainly of discrimination) at the intersections of gender and other inequalities, which is clearly seen in the analysis of the documents, where intersectionality is not very much present and inequalities appear without their reference to gender.

## 6.1 Changes in general legislation and machinery

The most important changes in legislation and machinery were described above. In general, there were no major controversies in Croatian society in relation the adoption of comprehensive gender equality legislation. As Croatia was granted candidate status for the accession to the EU only in June 2004, the transposition of the EU *acquis communautaire* into domestic legal order has started only recently. As the Gender Equality Act introduced gender equality bodies (Gender Equality Ombudsperson and Office for Gender Equality), Croatia seems to be successful in transposing EU gender equality directives.<sup>98</sup>

Since 1995 (i.e. in the QUING period), two turning points can be identified in the field of gender+ equality policies in Croatia; **first**, the establishment of the government Commission for Equality Issues in 1996 followed by the adoption of the National Policy for the Promotion of Equality in 1997. Following the commitments of the **Beijing Declaration** and the **Platform for Action**, Croatian government established the **Commission for Equality Issues** in 1996 and adopted the first comprehensive policy of acting in the gender equality field, namely the **National Policy for the Promotion of Equality** in 1997. Although the Commission's name and Policy's title were formally degendered, because the commission and national policy referred to general "equality", in substance, these measures were exclusively dedicated to the promotion of gender equality. This was particularly important, if we consider the then tendencies towards re-traditionalisation of Croatian society, which were strongly influenced by fundamentalist Catholic beliefs.<sup>99</sup>

**The second turning point** occurred in the beginning of 2000, when the coalition led by Social Democrats won the elections after a ten-year rule of the Croatian Democratic Union (HDZ). The new government undertook a radical transformation of the then existing model of a the welfare state (reforms of pension and health schemes, social care reform, labour market reform towards its flexibilisation etc.). The coincidence of the growing and organised pressure from the women's groups and a government that was more favourable of (gender) equality issues, gave an impetus to the adoption of gender equality legislation and to the establishment of outspread gender equality machinery in the legislative and executive field, and at all levels of power (i.e. national, regional, local) as well. In addition, after the parliamentary elections in January 2000 the share of female deputies in Croatian parliament (*Sabor*) significantly rose (from 5,7% to 23,5%). The immediate results of these processes were the inclusion of gender equality among the highest constitutional values (art. 3 of the Constitution of the Republic of Croatia) in November 2000, the renaming of the government Commission for Equality Issues into the **Commission for Gender Equality** in 2000, and the establishment of the **parliamentary Committee for Gender Equality** in 2001.<sup>100</sup>

## 6.2 Changes in non employment

The main changes were traced in the introduction of this chapter. However, Croatia has legislated for gender equality mainly in the field of employment. Thus, a range of laws and strategies, which have

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<sup>98</sup> Jasminka Dedić (2007), Timelines of Policy debates in Croatia, Deliverable No.19

<sup>99</sup> Jasminka Dedić (2007), Timelines of Policy debates in Croatia, Deliverable No.19

<sup>100</sup> Jasminka Dedić (2007), Timelines of Policy debates in Croatia, Deliverable No.19,

shaped gender+ equality policies in relation to non-employment, have been adopted in the QUING period.<sup>101</sup> The period since the change in power in 2000 has been marked by a significant revision of social rights undertaken by the new government, which started implementing the savings and restriction economic programme, and initiatives to achieve greater flexibility in labour relations (part-time work, fixed-term contracts etc.). These reforms were intended to reduce the role of the state in the social sphere and to transfer the responsibility for social security to the individual, family, local community and civil society (Puljiz 2001: 180). On the other hand, in this period anti-discrimination guarantees were introduced in the labour legislation, which were strongly influenced by the EU equal treatment and anti-discrimination directives.<sup>102</sup>

From a gender equality perspective, two main approaches can be identified in the legislation and policy actions concerning non-employment, particularly in relation to the reconciliation of work and family life, and tax-benefits policies. The first approach reflects the attempts of the re-traditionalisation of Croatian society and, consequently of the exclusion of women from the labour market; such measures are the extension of parental leave, the introduction of a status mother-nurturer, the increase of parental compensations etc. This approach was fostered under the Croatian Democratic Union (CDU) rule in the 1990s and, to a smaller extent, after 2003 when the CDU re-gained the power. The second approach is an outcome of social policy reforms undertaken by the government led by the Social Democrats (SDP) in the period 2000-2003. This includes the reduction of parental compensations, shortening of parental leave, promoting of paternity leave, promoting women's integration in the labour market, harmonising Croatian labour legislation with the EU gender equality directives, adopting legislation for equal opportunities of the disabled in employment - introducing the employment quota for the disabled, strengthening of anti-discrimination protection in employment, etc.<sup>103</sup>

Two of the key issues within non-employment have been **reconciliation of work and family life** and **parental benefits**, most notably the compensation for maternity/parental leave, which has been going through constant changes since 1995. As a matter of fact, the differences in the orientation of the political options are most evidently manifested in this field. Namely, whereas the HDZ led government has fostered longer maternity/parental leave for parents of three or more children, both in case of employed parents and of unemployed and schooling mothers, which has implicitly stimulated mothers not to (re)enter to the labour market for a longer period, the SDP led government promoted earlier return to work from the maternity leave (for example, through the reduction of compensation for parental leave after the compulsory six-month maternity leave expires) and the use of paternity leave by fathers. The sub-issues of reconciliation of work and family life, and parental benefits have also been the most gendered issues within non-employment.<sup>104</sup>

Some labour protection guarantees, such as the protection of pregnant women and equal pay form women and men, were inherited from the socialist period. In the QUING period, Croatia went through two tax reforms (the major one was passed in 2000) and a reform of pension system in 1999. Although the previous government attempted to equalize the retirement age between women and men, it had not succeeded in this. However, the Constitutional Court decided in its decision from April 2007 that the retirement age for men and women must be equalised by 2018.

The most visible change in non-employment policies was due to the Demographic frame, which has had a huge influence, as mentioned already in the text, in terms of changing the meaning of gender equality. It changed the meaning of gender equality (bending) in terms of serving higher national interests of increasing the birth rate.

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<sup>101</sup> 1995 Labour Act (with subsequent amendments), 1996 Employment Act, 1996 Act on Maternity Leave of Mothers Carrying out Independent Activity and Unemployed Mothers (with subsequent amendments), 1998 Pension Insurance Act (with subsequent amendments), 2000 Tax Income Act, 2002 Act on the Professional Rehabilitation and Employment of Persons with Disabilities and Act on Mediation in Employment and the Rights during Unemployment, national family/population policies (1996, 2002 and 2006), employment action plans etc.

<sup>102</sup> Jasminka Dedić (2007), Timelines of Policy debates in Croatia, Deliverable No.19

<sup>103</sup> Jasminka Dedić (2007), Timelines of Policy debates in Croatia, Deliverable No.19

<sup>104</sup> Jasminka Dedić (2007), Timelines of Policy debates in Croatia, Deliverable No.19

### 6.3 Changes in intimate citizenship

In Croatia, the field of intimate citizenship has been the most controversial among the four QUING issues. In Croatia, turning points in considering gender+ equality policies concerning the issue of intimate citizenship first appeared in the mid-1990s, after the proclamation of Croatian independence. A second turning point appeared after 2000 when the coalition led by the leftist Social Democrats replaced the conservative nationalist government. The first period had been marked by an extreme nationalist/religious discourse that reopened the issue of abortion and questioned women's right to choice. Since 2000, the debate on same-sex partnership came to the fore resulting in the adoption of the legislative framework regulating the rights arising from same-sex unions in 2003.<sup>105</sup> This development is present in the documents, since older documents do not include intersectionality, but newer ones do.

The main controversies have evolved around the (sub)issues of reproductive rights, particularly concerning the access to abortion, assisted reproduction and sexual education, and same-sex partnerships. In relation to abortion rights, the main antagonists within the civil society have been the women's NGOs and groups associated in the Women's Ad Hoc Coalition / Women's Network of Croatia on one side, and pro-life Catholic groups associated in the Croatian Population Movement and the Catholic Church on the other side. There were many legislative attempts to restrict or abolish the access to abortion guaranteed by the 1978 Act on Medical Measures for Exercising the Right to Freely Deciding about Giving the Birth, which has been attacked by the Catholic Church, pro-life groups and conservative / nationalist political parties as a remnant of "communist legacy".

Concerning same-sex partnerships, the major controversy arose in 2002/2003 around the governmental draft of Act on Family, Marriage and Extra-Marital Unions that initially included same-sex partnerships. However, due to strong opposition coming from the opposition political parties (Croatian Democratic Union-HDZ) and some parties in the government (Croatian Peasant Party-HSS), the government eventually lodged two separate draft laws in the parliamentary procedure (Family Act and Act on Same-Sex Unions) in June 2003. A more recent controversies involved the issue of reproductive assistance in 2004/2005. The Catholic Church openly opposed the draft of Act on Medically Assisted Insemination. Another more recent controversy concerns the 2006/2007 debates over sexual education in primary and secondary schools. This latter controversy was among civil society actors, women's and LGBTIQ NGOs on one side and the association "Grozđ" – Parents' Voice for Children on the other side.

### 6.4. Changes in gender based violence

In relation to the sub-issue of domestic violence, the most significant legislative and policy documents are the 2003 Act on Protection from Domestic Violence and the 2004 National Strategy for Protection from Domestic Violence 2005 – 2007. Furthermore, Croatia has adopted a series of other legislative changes concerning domestic violence and violence in partnerships, such as the inclusion of marital rape and domestic violence as criminal offences in the Criminal Code, the prohibition of domestic violence in the 1998 Family Act, the introduction of restraining orders and compulsory psychosocial treatment for the perpetrators of violence. Other relevant sub-issues in the field of gender-based violence are trafficking in human beings, which is addressed by the National Program for the Suppression of Trafficking in Human Beings 2005-2008, and the prohibition of harassment and sexual harassment in the 2003 amendments of the Labour Act.

In Croatia, a consensus has been achieved on the necessity of combating domestic violence and violence against women and an alliance was created among all major actors; i.e. government, political parties and civil society. Therefore, there have not been any major controversies concerning this issue. The field of violence against women and, more recently, the field of trafficking in women, have been the issues which have attracted the most of the attention of the women's NGOs in Croatia. In Croatia, women's NGOs have been the most visible and active in the field of gender-based violence of the four QUING's topics. This can be – at least to some extent – attributed to the relatively long tradition of NGOs providing psychosocial and legal help to women victims of domestic and sexual violence. Namely, an SOS hotline for women and children victims of violence in 1988 and the first

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<sup>105</sup> Jasminka Dedić (2007), Timelines of Policy debates in Croatia, Deliverable No.19

shelter for the victims of violence in 1990 were the first of this kind in Eastern Europe (Dedić 2007). In the beginning of the 1990s, women's NGOs were mainly preoccupied with providing help to women victims of war rapes. The year 1999 tragically marked Croatia when three women were shot dead by a man during his divorce proceeding. On the other hand, due to this tragedy, the issue of violence against women gained greater visibility in the media and general public, and more women's NGOs dealing with violence against women were established. All these developments resulted in the adoption of the first comprehensive legislation for the protection from domestic violence in 2003, and in the later National Strategy for Combating Domestic Violence. In relation to gender-based violence, the Social Democratic led government introduced changes to the criminal legislation, including inclusion of criminal offence "domestic violence", ex officio prosecution in case of violence in partnership, restraint orders, and increased the competence of magistrate courts.

## 6.5 Summary and comparisons

In general, there were no major controversies in the Croatian society in relation to the adoption of the comprehensive gender equality legislation. As Croatia was granted candidate status for the accession to the EU only in June 2004, the transposition of the EU *acquis communautaire* into domestic legal order has only recently started. As the Gender Equality Act introduced gender equality bodies (Gender Equality Ombudsperson and Office for Gender Equality), Croatia seems to be successful in transposing EU gender equality directives.

For all four sub-issues the change of the political party in power was relevant, as Social Democrats prompted more gender equality oriented policies than the traditionally oriented Croatian Democratic Union. The EU has had an impact, but in general, Croatia has followed gender equality policies during the past socialist period as well as during its transitional period and in the last decade. There were some attempts to re-traditionalise gender issues (especially regarding the abortion issue), but due to fierce opposition from civil society and women sections of the Social Democratic party, gender equality standards were preserved. However, some issues remain topics of debates and disputes.

## 7. Conclusions

We can conclude that intersectionality has limited impact, it not very relevant for gender equality policies in Croatia. There are no change in the meanings of gender equality. Nevertheless, we can also see that there is progress in terms of including a range of inequalities as important elements of gender equality policies. However, intersectionality as a conscious decision in policymaking is mostly an exception. Referring to intersectionalised categories mainly appears in diagnostic terms (victims of a problem) and as target groups in prognosis of the documents, but not within mechanisms which would include measures to improve positions of people at intersections. All in all, this tells us that intersectionality is not yet a comprehensive part of gender equality policies in Croatia.

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## Annex 1

### a) List of selected texts on general gender equality policies

#### I) General gender + equality legislation

1. Zakon o ravnopravnosti spolova (Gender Equality Act)
2. Nacionalna politika za promociju ravnopravnosti spolova od 2006. do 2010. godine (National Policy for the Promotion of Gender Equality 2006-2010); chapter "legislative and institutional development and means of implementation"
3. Parliamentary debate on the National Policy for the Promotion of Gender Equality 2006-2010, 4 October 2006
  - Parts selected:
    - 3.1 VOICE 1: Ružica Tomašić (Croatian Party of Rights)
    - 3.2 VOICE 2: Zlatko Kramarić (Social-Liberal Party of Croatia)
4. Parliamentary debate on the Gender Equality Act, 8 July 2003
  - Parts selected:
    - 4.1 VOICE 1: Furio Radin on behalf of the Committee for Human Rights and Rights of National Minorities (representative of Italian national minority)
    - 4.2 VOICE 2: Jadranka Kosor (Croatian Democratic Union)
5. Women's Network, 2007, Report on Women's Human Rights in 2006, pp. 56-59 (chapter "national policy for promotion of gender equality")

#### II) General gender+ equality machinery

6. Nacionalna politika za promociju ravnopravnosti spolova od 2006. do 2010. godine (National Policy for the Promotion of Gender Equality 2006-2010); chapter 7: "institutional mechanisms and implementation arrangements"
7. Parliamentary debate on the National Policy for the Promotion of Gender Equality 2006-2010, 4 October 2006
  - Parts selected:
    - 7.1 VOICE 1: Karmela Caparin (Croatian Democratic Union)
    - 7.2 VOICE 2: Dorotea Pešić-Bukovac (Istrian Democratic Assembly Club)
8. Parliamentary debate on the Gender Equality Act, 8 July 2003
  - Parts selected:
    - 8.1 VOICE 1: Milanka Opačić on behalf of the Committee for Gender Equality (Social Democratic Party)
    - 8.2 VOICE 2: Dubravka Šuica on behalf of the Committee for Family, Youth and Sports (Croatian Democratic Union)
9. BaBe, ed. 2004. NGO report to the Committee on elimination of discrimination against women on the occasion of second and third report of the Republic of Croatia, pp. 18-21 (chapter "Mechanisms for gender equality")

10. Amendments to final draft of the Gender Equality Act (corresponding to relevant articles of the Gender Equality Act on gender equality machinery), Draft bill no. 753, 11 July 2003

## **b) List of selected texts on non-employment**

### Tax-benefit policies

1. Strategija reforme socijalnih naknada 2007-2008 (Strategy of Reform of Social Benefits 2007-2008)
2. Parliamentary debate on legislative changes of labour and social care legislation, 19 September 2001  
→ Parts selected:
  - 2.1 VOICE 1: Snježana Biga-Friganović (Social Democratic Party) on behalf of Committee for Labour, Social Policy and Health
  - 2.2 VOICE 2: Jadranka Kosor (Croatian Democratic Union)
3. "Employment Act"; in Belić, Martina, ed. 2000. Žene i rad: žene na tržištu rada u Hrvatskoj i utjecaj globalizacijskih procesa na žene (Women and work: women on the labour market in Croatia and impact of globalization processes on women), p. 112-123
4. Constitutional Court Decision no. U-I-1152/2000, 18 April 2007 (on retirement age)

### Care-work

5. Zakon o izmjenama i dopunama Zakona o socijalnoj skrbi (Act on changes and amendments of the Social Welfare Act, 2007)
6. Nacionalna populacijska politika (National Population Policy), 2006 (chapter »child care«).
7. B.a.B.e. Statement on B.a.B.e.'s request to the Croatian Constitutional Court to examine the Croatian Labour Law for discrimination, 30 November 1996

### Reconciliation of work and family life

8. Zakon o izmjenama i dopunama Zakona o radu (Act on changes and amendments of the Labour Act), 2004
9. Zakon o izmjenama i dopunama Zakona o porodnom dopustu majki koje obavljaju samostalnu djelatnost i nezaposlenih majki (Act on changes and amendments on the Act on maternity leave of mothers carrying out independent activity and unemployed mothers), 2004
10. Nacionalna populacijska politika (National Population Policy), 2006 (chapter »reconciliation of work and family life«)
11. Parliamentary debate on legislative changes of labour and social care legislation, 19 September 2001  
→ Parts selected:
  - 11.1. VOICE 1: Ingrid Antičević-Marinović (Social Democratic Party)
  - 11.2. VOICE 2: Jadranka Kosor (Croatian Democratic Union)
12. Parliamentary debate on legislative changes of Labour act (amendments), 1 July 2003  
→ Parts selected:
  12. VOICE 1: Jadranka Kosor (Croatian Democratic Union)
13. "Initiatives for the changes of the Labour Act"; in Belić, Martina, ed. 2000. Žene i rad: žene na tržištu rada u Hrvatskoj i utjecaj globalizacijskih procesa na žene (Women and work: women on the labour market in Croatia and impact of globalization processes on women), p. 103-111

### Gender pay gap and equal treatment in employment

14. Zakon o izmjenama i dopunama Zakona o radu (Act on changes and amendments of the Labour Act), 2003

15. Nacionalna politika za promociju ravnopravnosti spolova od 2006. do 2010. godine (National Policy for the Promotion of Gender Equality 2006-2010) (chapter »equal opportunities in labour market«)

16. Parliamentary debate on Labour Act (amendments), 1 July 2003

→ Parts selected:

16. VOICE 1: Milanka Opačić (Social Democratic Party) on behalf of Committee for Gender Equality

17. Women's Network. 2006. *Report on Women's Human Rights in 2005* (chapter »position of women in the job market«)

### **c) List of selected texts on intimate citizenship**

#### I) Divorce, marriage and separation

1. Obiteljski zakon (Family Act)

1.1 Obiteljski zakon (Family Act)

1.2 Obiteljski zakon – obrazloženje (Family Act – explanation)

2. Combined 2<sup>nd</sup> and 3<sup>rd</sup> CEDAW report, 27 October 2003, pp. 56-59

3. Parliamentary debate on draft Act on Bill on Family, Marriage and Extra-Marital Unions, 23 January 2003

→ Parts selected:

3.1 VOICE 1: Milanka Opačić on behalf of the Committee for Gender Equality (Social Democratic Party)

3.2 VOICE 2: Dubravka Šuica on behalf of the Committee for Family, Youth and Sports (Croatian Democratic Union)

3.3. VOICE 3: Jadranka Kosor (Croatian Democratic Union)

4. B.a.B.e – Group for women's human rights, fall/winter 2000, "The status of women's human rights in Croatia", pp. 14-18.

#### II) Sexual orientation discrimination and partnering

5. Zakon o istospolnim zajednicama (Same-Sex Unions Act)

5.1. Zakon o istospolnim zajednicama (Same-Sex Unions Act)

5.2 Zakon o istospolnim zajednicama – obrazloženje (Same-Sex Unions Act - explanation)

6. Parliamentary debate on Act on Same-Sex Unions, 9 July 2003

→ Parts selected:

6.1 VOICE 1: Anto Kovačević (Croatian Party of Rights)

6.2 VOICE 2: Đurđa Adlešič (Social-Liberal Party of Croatia)

7. Legal Team of "Iskorak" and "Kontra", 2007, Izvještaj o stanju ljudskih prava seksualnih i rodni manjina u 2006. godini (Report on the situation of human rights of sexual and gender minorities in year 2006)

8. Prijedlog Zakona o registriranom partnerstvu sa obrazloženjem (Draft Bill on Registered Partnership with an explanation)

8.1. Prijedlog Zakona o registriranom partnerstvu – obrazloženje (Draft Bill on Registered Partnership - explanation)

8.2. Prijedlog Zakona o registriranom partnerstvu (Draft Bill on Registered Partnership)

III) Reproduction including abortion, and assisted reproduction

9. Nacionalna populacijska politika (National Population Policy), chapter “health protection of a mother and child”

10. Parliamentary debate on draft Act on Medically Assisted Insemination

→ Parts selected:

10.1 VOICE 1: Milanka Opačić (Social Democratic Party)

10.2 VOICE 2: Andrija Hebrang (Croatian Democratic Union)

11. B.a.B.e., Javnosti Hrvatske! Povodom tribune “Pobačaj u hrvatskom zakonodavstvu” (To Croatian public! At the occasion of a forum “Abortion in Croatian legislation”)

12. Prijedlog zakona o medicinski pomognutoj oplodnji sa obrazloženjem (Draft bill on medically assisted insemination with an explanation)

12.1. Prijedlog zakona o medicinski pomognutoj oplodnji – obrazloženje (Draft bill on medically assisted insemination – explanation)

12.2. Prijedlog zakona o medicinski pomognutoj oplodnji (Draft bill on medically assisted insemination)

**d) List of selected texts on gender-based violence**

Domestic violence

1. Zakon o zaštiti od nasilja u obitelji (Act on Protection from Domestic Violence)

2. Nacionalna strategija za zaštitu od nasilja u obitelji u razdoblju od 2005. do 2007. godine (National Strategy of Protection against Family Violence for the Period from 2005 to 2007)

3. Parliamentary debate on Act on Protection from Family Violence, 9 July 2003

→ Parts selected:

3.1 VOICE 1: Marijana Petir (Croatian Peasants' Party)

3.2 VOICE 2: Želimir Janjić (Social-Liberal Party of Croatia)

4. Coalition of women's groups of Croatia, International Day for the Elimination of Violence against Women - Letter to the public, 25 November 1997

Sexual assault

5. Zakon o izmjenama i dopunama Zakona o radu (Act on changes and amendments of the Labour Act), articles 2.b & 22.a

6. Beijing+5 report, 2000, pp. 22-23

7. Women's Network (2007). *Report on Women's Human Rights in 2006*, pp. 30-35, chapters on “sexual assault, sexual harassment, rape”

Forced marriage, female genital mutilation, 'honour' crimes and trafficking for sexual exploitation

8. Zakon o izmjenama i dopunama Kaznenog zakona (Act on changes and amendments of the Criminal Code), art. 175

9. Nacionalni program za suzbijanje trgovanja ljudima od 2005. do 2008. (National Programme for the Suppression of Trafficking in Human Beings 2005-2008)

10. PETRA – Network of NGOs for Elimination of Trafficking in Women, a letter “Nacrt prijedloga Zakona o izmjenama i dopunama Kaznenog zakona” (Draft of changes and amendments of the Criminal Code), 23 March 2004