

UNITED NATIONS HUMAN RIGHTS SPECIAL PROCEDURES

Working group on the issues of human rights and transnational corporations and other business enterprises

Questionnaire

In what ways do women experience the impact of business-related human rights abuses differently and disproportionately?

Women sometimes face difficulties in job applications, namely during interviews, regarding questions about their marital status and (number of) children. Such questions are not allowed by national legislation (Labour Act) and are defined as a misdemeanour with determined fine for the violator. Questions regarding family status are not that common for male applicants. In addition, a higher number of the fixed-term contracts of employment can be found when it comes to young women of reproductive age. Women tend to spend periods off the labour market more often than men. These interruptions influence salary because in some sectors there are bonuses for length of service. Women are overrepresented in some sectors like textile industry and teaching where salaries are at average or lower level. On the other hand, they are underrepresented in some sectors with higher salaries like IT industry. Like in many other countries women take charge of important unpaid tasks, such as household work and caring for children on a far larger scale than men do. Therefore, Republic of Croatia supported the new Directive on Work-Life Balance for Parents and Carers which promotes equality between men and women as a fundamental principle of the European Union.

How to address sexual harassment and sexual or physical violence suffered by women in the business-related context, including at the workplace, in supply chains and in surrounding communities?

Pursuant to Article 134 of the Labour Act each employer employing at least 20 workers is obliged to appoint a person who would be authorised to receive and deal with complaints related to the protection of the workers' dignity. Additionally, the employer is obliged to proscribe procedure and measures for the protection of the workers dignity from harassment or sexual harassment. According to the national legislation of the Republic of Croatia in the cases of sexual harassment and sexual or physical violence, as well as in other cases of any direct or indirect discrimination where it is not likely the employer can provide protection for a worker, the worker is entitled to special protection measure. In such case the worker has the right, as a final measure, to stop working with the entitlement to the remuneration of the salary provided that he or she sought protection before the competent court and notified the employer thereof, within eight days of the date of work interruption.

Which State laws and policies or social, cultural and religious norms continue to impede women's integration into economic activities and public life generally?

Gender Equality is one of the highest values of the constitutional order of the Republic of Croatia and the basis for the interpretation of the Constitution, as defined by the Gender Equality Act (Official Gazzete, No. 82/08 and 69/17).

Gender Equality Act promotes gender equality, regulates protection against discrimination on the grounds of gender and creates equal opportunities for women and men in all areas of social life. For the first time, gender discrimination is defined as real inequality in all its forms in accordance with the definition of the UN Convention on the Elimination of All Forms of Discrimination against Women.

Gender Equality Act expanded the grounds for prohibiting discrimination in the field of employment and labour. Furthermore, Gender Equality Act introduced a quota system for elections at all levels, enhanced the area of judicial protection against discrimination and established an independent body for combating discrimination in the area of gender equality, redefining and expanding the powers and scope of work of the Gender Equality Ombudsperson.

Anti-Discrimination Act (Official Gazzete, No. 85/08 and 112/12) also prohibit any form of sexual discrimination. The Anti-Discrimination Act has created the preconditions for achieving equal opportunities and defines protection of discrimination on the basis of number of criteria, including sex. Anti-discrimination provisions have also been introduced in numerous other laws.

Policy of Gender Equality and Empowerment of Women, as one of the fundamental principles of democratic organization and the social order in the Republic of Croatia, is accepted at the highest state level. Since 2001, the Gender Equality Committee has been working in the Croatian Parliament.

Article 13 of the Anti-Discrimination Act prohibits any discrimination in the field of employment and work in the public as well as in the private sector, including state bodies.

Discrimination in the field of employment and work is prohibited in relation to conditions for employment, self-employment or occupation, including criteria and conditions for selection of candidates for job vacancies, advancement at work, access to all types and degrees of education, professional orientation, vocational training and qualification, vocational training and retraining. Additionally discrimination is prohibited in relation to employment and work conditions, all work and labour rights, including equal pay for equal work and work of equal value, membership and activity in the associations of workers or employers or in any other professional organization, including the benefits arising from such membership, the reconciliation of professional and private life, pregnancy, birth, parenting and all forms of custody.

Are there any good practices of integrating a gender perspective into States' economic sphere (e.g., state-owned enterprises, public procurement agencies, trade missions, export credit agencies, privatisation of public services, public-private partnerships, and trade and investment agreements)?

In order to ensure the implementation of the Gender Equality Act, the Gender Equality Office of the Government of the Republic of Croatia, the Gender Equality Ombudsman, the Gender Equality Coordinators, and the Gender Equality Commission in the Counties are established.

Based on Art. 27 of the Gender Equality Act in state administration bodies, for conducting gender equality coordinators, the head of the body appoints an official or a senior civil servant.

He or she will also carry out, in addition to his/her regular duties, the work of the Gender Equality Coordinator. The coordinator's work is to coordinate the implementation of the Law and the National Strategy Document on Gender Equality, and work with the Office for Gender Equality in line with the competencies and scope of work of the state administration bodies.

The same person is required to prepare reports on the implementation of a national strategic document in the area of gender equality, which the state administration bodies submit to the Office every two years. The rights and obligations of the Gender Equality Coordinator are set out in the Action Plan for the Promotion and Establishment of Gender Equality.

The state administration bodies are obliged to adopt Action Plan every four years, and Plans must be approved by the Office for Gender Equality.

The Law on Gender Equality, as one of the bodies responsible for ensuring the implementation of the Gender Equality Act, also established the commissions for gender equality in the counties. Article 28 of the Gender Equality Act provides that, with the aim of promoting gender equality at the local level and the implementation of the National Strategy Document on Gender Equality, counties shall establish committees for gender equality in the counties, while the City of Zagreb establishes the Gender Equality Committee of the City of Zagreb. These commissions are the work advisory bodies of county assemblies or the assembly of the City of Zagreb and are composed of members of these assemblies, coordinators in the state administration offices in counties, representatives of non-governmental organizations and independent experts.

In addition to the above-mentioned commissions that need to be established, the Gender Equality Act allows for the establishment of city and municipal gender equality commissions, which can be established in accordance with the national document of gender equality

How could policy coherence be improved between different government ministries or departments dealing with women issues and business-related matters?

Coordination of public authorities in providing targeted action.

What is the role of businesses in dealing with domestic laws, policies and societal practices which are discriminatory to women?

Generally speaking, subjects conducting business always have the possibility to implement '*in favorem*' policy towards workers.

How could media and advertising industries fight against gender stereotyping and disempowerment of women?

In accordance with Art. 16. of the Gender Equality Act, the media are required through program content, program basics, program orientations and self-regulation acts to promote the development of awareness of equality between women and men.

The same article provides for the prohibition of public display and representation of women and men by offending, disparaging or humiliating gender, with regard to gender and sexual orientation.

In that sense, in May 2018, the Ministry for Demography, Family, Youth and Social Policy published a second revised edition of the Handbook with the Guidelines for media reporting on family violence. This Handbook, inter alia, contains an overview of the Council of Europe Recommendations on Equality of Women and Men in Media, women in the media as well as an overview of the applicable Croatian legal provisions and regulations on media coverage.

The Anti-Discrimination Act applies to the treatment of all state bodies, bodies of local and regional self-government units, legal persons with public authority and the treatment of all legal and natural persons, in particular, in the following areas:

- Work and working conditions; the ability to perform self-employment, including selection criteria and conditions for employment and promotion; access to all kinds of professional guidance, vocational training and refresher training and retraining
- Public information and media.