



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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Excellency,

In my capacity as Rapporteur on Follow-up on Concluding Observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honor to refer to the examination of the combined fourth and fifth periodic report of Croatia, at the Committee's sixty-first session, held in July 2015. At the end of that session, the Committee's concluding observations (CEDAW/C/HRV/CO/4-5) were transmitted to your Permanent Mission. You may recall that in paragraph 48 on follow-up on the concluding observations, the Committee requested Croatia to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 19 (a), (c), (d) and (e) and 31 (b) of the concluding observations.

The Committee welcomes the follow-up report received with a four-month delay in November 2017 (CEDAW/C/HRV/CO/4-5/Add.1) under the CEDAW follow-up procedure. At its sixty-ninth session, held in March 2018 in Geneva, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 19** of the concluding observations, urging the State party to “**expeditiously ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence**”: The State party indicated that it set up a working group to start drawing up a draft bill for the ratification of the Convention in February 2017. The State Party added that it organized consultations regarding this draft proposal for 30 days and a public debate to assess the effects of regulations implementing the Istanbul Convention.

The Committee welcomes elaboration of a draft bill for the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence in consultation with civil society. Regretting the absence of a calendar for the adoption of corresponding legislation, the Committee considers that the State party has taken some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**.

The Committee considers that the State party has provided thorough and extensive information, but that it fails to respond fully to the recommendation. It therefore considers that the information provided is **partially satisfactory**.

Her Excellency
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In relation to the recommendation urging the State party to “**abolish the practice of dual arrests in cases of domestic violence**”: The State party indicated that dual arrests are not a common practice, but are used in isolated cases. It added that it is implementing training of the police, together with the Gender Equality Ombudsperson and civil society organizations, in order to raise their capacity to recognize and identify the predominant aggressor in cases involving self-defence.

The Committee welcomes the conduct of training programs to strengthen capacities of the police to recognize and identify the predominant aggressor in cases involving self-defence. The Committee regrets, however, that the State party has not taken steps to abolish the practice of dual arrests. It thus considers that the State party has not taken sufficient steps to implement the recommendations. It considers that the recommendation **has not been implemented**.

The Committee considers that the information provided is vague and incomplete, and fails to address the recommendation. It therefore considers that the information provided is **unsatisfactory**.

Regarding the recommendation urging the State party to “**amend its criminal legislation on domestic violence to ensure the provision of expeditious protection orders for victims while criminal proceedings are pending**”: The State party indicated that the Criminal Procedure Code provides for one or more alternative measures in cases where there are grounds for investigative custody, punishable by a prison sentence. The State party further informed that these can be ordered before and during the criminal proceedings, and last up to the issuing of a final verdict.

The Committee takes note of the description of current procedures under the criminal code providing for alternative measures. It regrets, however that the State party has not taken steps to amend its criminal legislation to ensure the provision of expeditious protection orders for victims, as recommended. The Committee considers that the State party did not take sufficient steps to implement the recommendation. It considers that the recommendation **has not been implemented**.

The Committee considers that the information provided by the State party is thorough and extensive, and relates directly to the recommendation. It therefore considers that the information provided is **satisfactory**.

With regards to the recommendation urging the State party to “**provide for civil protective measures that allow for both emergency, ex parte protective measures and/or long-term protective measures, as appropriate**”: The State party indicated that the Criminal Procedure Code provides for protective measures in cases where there are grounds for investigative custody. Those measures include the prohibition of approaching a particular person, establishing or maintaining contact with that particular person, harassing a victim or a removal of the perpetrator from one’s home. The State party further informed that these measures can be ordered before and during the criminal proceedings, and may last up to the issuing of a final verdict.

The Committee takes note of information received from the State Party on provisions of the Criminal Procedure Code providing for civil protective measures. The Committee however regrets that the State party has failed to provide for ex parte protective measures, emergency situations and to guarantee long term protection, despite the Committee’s recommendation. The Committee considers that the State party has taken some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**.



The Committee considers that the information provided by the State party is vague and incomplete. It considers that the information provided is **unsatisfactory**.

The Committee recommends that, in relation to **paragraph 19** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

1. **Expediently ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.**
2. **Abolish the practice of dual arrests and reinforce training of the police to recognize, identify and detain only the predominant aggressor.**
3. **Amend its criminal legislation on domestic violence to ensure the provision of expeditious protection orders for victims while criminal proceedings are pending.**
4. **Provide for civil protective measures that allow for both emergency, ex parte and/or long-term protective measures, as appropriate.**

With regards to the recommendation made in **paragraph 31** of the concluding observations, urging the State party to “**ensure universal coverage of abortion within the Croatian Health Insurance Fund**”: The State party reported that as part of compulsory health insurance, it is possible to carry out an induced abortion if it has been prescribed by a specialist doctor due to the existence of medical indications.

The Committee welcomes the information provided by the State party that abortion is only covered by health insurance when prescribed and in cases where medical indications are present. The Committee considers that the State party has not taken steps to ensure universal coverage of abortion within health insurance. It thus considers that the recommendation **has not been implemented**.

The Committee considers that the information provided by the State party is thorough and extensive, but fails to respond to the recommendations. The Committee considers that the information provided is **partially satisfactory**.

In relation to the recommendation urging the State party to “**ensure universal coverage of modern contraception within the Croatian Health Insurance Fund**”: The State party reported that a large number of contraceptives are funded by the Croatian Health Insurance Fund, that their supply is guaranteed and that they are available in pharmacies along with other medicine.

The Committee welcomes the information provided by the State party that a large number of contraceptives are funded by the Croatian Health Insurance Fund. The Committee however regrets that the State party has not taken steps to ensure universal coverage of modern contraception. It considers that the recommendation **has been substantially implemented**.

The Committee considers that the information provided by State party is thorough and extensive, but fails to respond to the recommendations. The Committee thus considers that the information provided is **partially satisfactory**.



The Committee recommends that, in relation to **paragraph 31** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

- 1. Ensure universal coverage of modern contraception by the Croatian Insurance Fund.**
- 2. Ensure universal coverage of abortion by the Croatian Insurance Fund, even in cases where there are no medical indications.**

Accept, Excellency, the assurances of my highest consideration.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Hilary Gbedemah'.

Hilary Gbedemah
Rapporteur on follow-up
Committee on the Elimination of Discrimination against Women