**Annex I**

**Call for contributions: Ageism and Age – Discrimination**

***1. What forms does age discrimination affecting older persons take and which ones are the most prevalent? Where available, please provide concrete examples and collected data including in employment, education, social protection, and health, financial and social services.***

The Republic of Croatia has been active in combating discrimination and promoting equal rights.

In the social welfare system, the elderly are equally represented as all other age groups, they equally exercise all rights from the system for which they meet the requirements in accordance with the Social Welfare Act (OG 157/13, 152/14, 99/15, 52/16, 16/17, 130/17, 98/19, 64/20, 138/20) and other regulations governing the field of social welfare.

The Croatian Employment Service issued Guidelines for Combating Discrimination and Promoting Diversity in the Croatian Market, and conducted a report based on a survey on the prevalence and characteristics of discrimination in the Croatian labour market. There are also numerous non-governmental organizations and representatives of civil society in Croatia, all with the aim of combating any type of discrimination, including age discrimination. The project “Stimulating equality on the Croatian labour market” from 2010 (CES in cooperation with OHRRNM and research institutions) resulted in the “Collection of good practices in combating discrimination and promoting diversity on the labour market” and the “Guidelines” of the same time, for including antidiscrimination into labour market policies. Research was conducting among unemployed persons and employers on discrimination on six bases (gender, age, disability, ethnicity, religious affiliation and sexual orientation).

The Ministry of Science and Education promotes adult education that is based on lifelong learning. In Croatia, adult education is recognized as an important component of the education system, supported by a number of important strategic documents. The most important steps in the development of the adult education system are the adoption of the Adult Education Strategy in November 2004 by the Government of Republic of Croatia, the establishment of the Adult Education Agency by Government Decree in May 2006 (Agency for VET and Adult Education since 2010) and the adoption of the Adult Education Act in February 2007. Furthermore, the Strategy of Education, Science and Technology, adopted by the Croatian Parliament on 17 October 2014, recognizes adult education as an integral part of a comprehensive education system based on the concept of lifelong learning. It emphasizes two main goals of adult education: 1. The acquisition of transversal competencies of the individual: initiative and entrepreneurship, learning to learn, cultural expression, social inclusion (volunteer, environmental, political and other activism, adoption and application of democratic values ​​and attitudes), parenting skills, creative and artistic evaluation and expression, development of basic economic, financial and media literacy, etc. 2. The acquisition of knowledge and skills that enable employability, greater adaptability, i.e. mobility in the labour market.

**Legal, policy and institutional frameworks related to ageism and age-discrimination**

***4. What international, regional and national legal instruments are in place to combat ageism and age-discrimination?***

The basic legal act in the Republic of Croatia, the Constitution of the Republic of Croatia states equality as one of the fundamental values. After the Constitution, the next important document is the Anti-Discrimination Act (OG 85/08, 112/12), which ensures the protection and promotion of equality as the highest values ​​of the constitutional order of the Republic of Croatia. The Anti-Discrimination Act creates preconditions for the realization of equal opportunities and regulates protection against discrimination on the basis of age, among other things. The social welfare system is based on principles, including the principle of non-discrimination on any grounds. Furthermore, age discrimination is prohibited also in the Labour Act (OG 93/14, 127/17, 98/19).

***6. At the national level, please outline the legal protections available against age discrimination and indicate whether age is explicitly recognized as a ground for discrimination?If so, are there specific areas for which equality is explicitly guaranteed? Are there any areas where differential treatment based on older age is explicitly justified?***

In the social welfare system, one of the principles of operation is the principle of non-discrimination. Thus, any person who requests any assistance in the social welfare system will be treated in the same way regardless of their age or some other characteristic.

***7. Do existing legal protections against age discrimination allow for claims based on intersectional discrimination, that is discrimination which is based on the intersection of age and other characteristics such as race, ethnicity, gender, disability, sexual orientation or other status?***

The Anti-Discrimination Act fulfills the preconditions for achieving equal opportunities and regulates protection against discrimination on the grounds of race, ethnicity, color, sex, language, religion, political or other belief, national or social origin, property status, trade union membership, education, social status, marital or family status, age, health status, disability, genetic inheritance, gender identity, expression or sexual orientation.

Criminal Code (Official Gazette, no. 125/11, 144/12, 56/15, 61/15, 101/17, 118/18 and 126/19 - hereinafter: the Criminal Code), as one of the criminal offenses by which human rights and fundamental freedoms are protected, prescribes the criminal offense of violation of equality (Article 125). The legal description of this criminal offense contains a number of discriminatory motives such as: race, ethnicity, skin color, gender, language, religion, political or other beliefs, national or social origin, property, birth, education, social status, marital or family status, age, health status, disability, genetic inheritance, gender identity expression and sexual orientation. With this incrimination, and in the context of the age of the victim, it is ensured that, inter alia, the person who, on the basis of age difference, denies or conditions to another the right to acquire goods or receive services, the right to perform activities, or who gives to another privileges or benefits in respect of the said rights, is punished. For this offense, a prison sentence of up to three years is imposed.

In addition to the described criminal offense, the Criminal Code prescribes a number of other incriminations by which the commission of a criminal offense against a person particularly vulnerable due to age is prescribed as a qualifying form of commission for which a heavier punishment is prescribed, in relation to the basic form of commission in which the stated qualifying circumstance is not prescribed as an essential feature of the criminal offense.

For example, criminal offenses that contain a special vulnerability due to age, as an element of the nature of the offense, are: aggravated murder (Article 110), bodily injury (Article 117, paragraph 2), grievous bodily injury (Article 118, paragraph 2), especially grievous bodily injury (Article 119, paragraph 2), grievous bodily injury resulting in death (Article 120), threat (Article 139, paragraph 3), serious criminal offenses against sexual freedom (Article 154, paragraph 1, item 2).

**Annex II**

**Call for contributions: The Human Rights of Older Women**

**The rights of older women in international, regional and national law, policies and programmes**

***1. What legal instruments, policies and programmes exist to address the particular challenges faced by older women, and how are they implemented and monitored?***

Regarding the rights of older women, as well as older people in general, the Ministry of Science and Education has issued a Strategic Plan for the period 2020-2022, which also aims to improve the quality and relevance of adult education programs. In addition, Croatia has National Development Strategy in which states that the new Adult Education Act will stipulate new provisions that will be a key precondition in achieving the stated objective (objective: Aligning education with labour market needs). The Act will define areas not covered by existing legal solutions or only partially covered: ensuring quality of the adult education programme, ensuring a quality system for adult education institutions, monitoring the adult education system and recognising unofficially and informally acquired competences.

***2. What type of statistical data are collected on older women, if any, and is it disaggregated by age, gender, and other relevant factors? How are older women defined for the purposes of law, policy and data collection?***

In the social welfare system in the Republic of Croatia, data on beneficiaries and exercised rights are collected in accordance with the Gender Equality Act (OG 82/08, 69/17), which stipulates that all statistical data and information on persons collected, recorded and processed in state authorities, bodies of local and regional self-government units, legal bodies and physical persons who perform activities in accordance with regulations, must be expressed by gender. Data are broken down by age groups. An elderly person is defined in the Social Welfare Act as a person aged 65 and over.

**Economic, social and cultural realities lived by older women**

***4. What are the specific challenges and concerns faced by older women, including on the basis of their accumulated life experience as compared to older men, in enjoying their economic, social and cultural rights (for example in terms of social protection, health, education, work, adequate standard of living, land and property ownership)? Please provide related data and statistics, including disaggregated data, where available.***

In the Republic of Croatia, all poverty-related analyzes emphasize that in the greatest risk of poverty are older women, however, according to statistics kept in the social welfare system, which relate to the guaranteed minimum benefit intended to meet basic living needs, it is not so. According to statistical data, in 2019, 7,066 elderly people received this benefit, of which 3,307 (or 46.85%) were women, from which it is possible to conclude that older men are more exposed to poverty.

Within the pension system, regarding the pension entitlement, no specific challenges have been identified that older women face in relation to older men.

In the Republic of Croatia, a gradual equalization of conditions for men and women to an old-age pension entitlement and early retirement pension entitlement has been introduced. This ensures equal ability to exercise the pension insurance rights for women and men and enables a longer working period for women, which will have a positive impact on the amount of pensions and better income for older women. Also, in order to eliminate the differences in the amount of pension between women and men, an additional contribution period was introduced - for the mothers for each born and adopted child when they are entitled to retirement and when they meet the age and contribution period requirements. In order to calculate the amount of their pension according to the total contribution periods they have acquired, a six months period is added, for each born or adopted child; which is increase of about 2% for each child (exceptionally, it is applicable to the father who has used a major part of the maternity leave).

However, differences in pensions between women and men exist as a result of on average slightly lower wages of women, during their working life (lower wages due to circumstances outside work – due to family care, more frequent use of sick leave or part time work). Taking into account the statistics in pensions from the general system, the difference is about 17,5% in favor of men due to longer average qualifying period for men and higher salaries during working life. However, positive trends should be noted according to the statistical data on new pensions in the previous year, for example old-age and early old-age pensions, the difference is about 7,5% in favour of men, and when disability pensions and survivors pensions are taken into account, the difference is 10% in favour of men. The differences are significantly reduced for new pensions according to the general regulation.

Thus, a positive trend is evident in further reducing the difference in the amount of pensions between men and women.

***6. Has the Covid – 19 pandemic affected older women differently than older men and how?***

In the social welfare system, the Covid-19 pandemic had an equally negative impact on older women and men.

***7. Please share examples of how older women participate in and contribute to economic, social and cultural life, including inter-generational solidarity and support.***

Certain target groups such as women, and especially elderly women, women with lower education levels and women belonging to vulnerable groups, are among the most represented in the unemployment register and need continuous assistance to enter the labour market.

Therefore, in June 2017, Croatian Ministry of Labour, Pension System, Family and Social Policy (hereinafter: MLPSFSP) launched an open Call for Proposals ***“Make a Wish - Women Employment Program”***, under the Operational Program "Efficient Human Resources 2014-2020", funded by the European Social Fund, with a total value of more than 1 billion HRK. The Call was closed in February 2020 due to completion of the evaluation of all received project proposals and exhaustion of the financial envelope of the Call. Within that Call, a total of 322 projects were granted with a total value of HRK 1.07 billion (140,7 mil EUR), within which the employment of more than 6,000 women has been contracted to provide support and care services for almost 30,000 elderly and/or disadvantaged people.

Following the very good experiences within Phase I, the MLPSFSP launched in February 2020 an open Call for Proposals ***“Make a Wish - Women Employment Program - Phase II”***, opened until 28 February 2021, with a current total value of HRK 586 million (77,1 mil EUR). The aim of publishing this Call (Phase II) was to ensure the continuation of funding for the employment of hard-to-employ women who will provide support and care services for the end users, activities that have proven to be very successful and irreplaceable in local communities. It is foreseen to employ more than 6.000 women who will be providing support and care services for about 36.000 elderly and/or disadvantaged people in their households.

Main objective of the Call is to provide access to employment and the labour market for women belonging to vulnerable groups with an emphasis on hard-to-reach (under-developed), rural areas and islands. Beneficiaries are local and regional self-government units and non-profit organizations. The target groups are unemployed women with no more than secondary education, who are registered in the unemployment register of the Croatian Employment Service. Additionally, it is recommended, within target group, that emphasis is put on vulnerable groups (for example, **women aged over 50,** women with disabilities, victims of human trafficking, victims of domestic violence and other).

Women employed in "Make a Wish" projects are paid a salary in the amount of the prescribed amount of the minimum wage and end users are not charged in any way to participate in the projects.

The outcomes of the “Make a Wish” program will positively affect a number of different aspects of socio-economic problems of individuals and local communities, by reducing women's unemployment through their employment in the projects, but also by increasing the employability of employed women upon completion of the projects and improving quality of life and out-of-institutional care of the elderly and disadvantaged. Most local communities do not have their own funds for financing such activities, which are highly needed in many regions. In this way, the Call directly contributes to reduction of poverty and social exclusion and contributes to the revitalization of rural and under-developed areas.