

Pursuant to the Gender Equality Law (Official Gazette RS, No. 52/21), Article 14, Paragraph 4 and Article 60, Paragraph 1, item 4) and the Law on the Planning System of the Republic of Serbia (Official Gazette RS, No. 30/18), Article 38, Paragraph 1,

The Government hereby adopts

## THE GENDER EQUALITY STRATEGY FOR THE PERIOD 2021-2030

### INTRODUCTION

The Gender Equality Strategy (hereinafter: the Strategy) lays down comprehensive measures to advance gender equality as a factor supporting societal development in the Republic of Serbia. This approach is referred to in the Law on the Ratification of the Convention on the Elimination of All Forms of Discrimination against Women (hereinafter: CEDAW)<sup>1</sup>. By accepting this Convention, it has, according to Constitutional provisions, become part of the Republic of Serbia's legal system and its provisions are implemented directly (Constitution, Article 16, Paragraph 2 and Article 18, Paragraph 2). In the Republic of Serbia's legal system, CEDAW, as a ratified international agreement, has higher status than the national legislation, which must be harmonised with ratified international agreements (Constitution, Article 167, Paragraph 1, item 1). The Strategy is also based on the General Recommendations of the Committee on the Elimination of Discrimination against Women<sup>2</sup> (hereinafter: CEDAW Committee), Concluding observations of the CEDAW Committee on the fourth periodic report of Serbia<sup>3</sup>, and CEDAW Committee General Recommendations. In the Republic of Serbia's legal system, the provisions on human and minority rights are interpreted also in line with international human and minority rights standards and practices of international treaty bodies monitoring their implementation (Constitution, Article 18, Paragraph 8).

This Strategy is also based on the United Nations 2030 Agenda for Sustainable Development, and Strategy objectives correspond to Sustainable Development Goals and Targets defined in the 2030 Agenda for Sustainable Development and aligned with the CEDAW Committee recommendations<sup>4</sup>. In addition to Goal 5 which is entirely about gender equality as a factor of development, other goals include: Goal 1 (No poverty), Targets 1.b and 1.4; Goal 2 (End hunger), Targets 2.3, 2.4 and 2.a; Goal 3 (Good health), Targets 3.4, 3.7, 3.8 and 3.a; Goal 4 (Quality education), Targets 4.1, 4.2, 4.3, 4.4, 4.5, 4.6 and 4.a; Goal 6 (Clean water and sanitation), Targets 6.1, 6.2 and 6.4; Goal 7 (Affordable and clean energy), Targets 7.1 and 7.2; Goal 8 (Decent work and economic growth), Targets 8.8 and 8.b; Goal 9 (Industry, innovation and infrastructure), Target 9.5; Goal 10 (Reduced inequalities), Targets 11.1 and 11.7; Goal 12 (Responsible consumption and production), Targets 12.8, 12.a and 12.b; Goal 13 (Climate action), Targets 13.2, 13.3 and 13.a; Goal 15 (Life on land), Target 15.9 and Goal 16 (Peace, justice and strong institutions), Targets 16.1, 16.3, 16.6, 16.7, 16.9, 16.10, 16.a, and 16.b.

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<sup>1</sup> Official Gazette SFRJ, No. 11/81.

<sup>2</sup> Available at: <https://www.rodunaravnopravnost.gov.rs/sites/default/files/2017-02/Op%C5%A1te-preporuke-Komiteta-za-ukidanje-svih-oblika-diskriminacije.pdf>, accessed on 7 May 2021.

<sup>3</sup> Adopted in March 2019, available at: <http://socijalnoukljucivanje.gov.rs/sr/>, accessed on 7 May 2021.

<sup>4</sup> Committee on the Elimination of Discrimination against Women, Concluding observations on the fourth periodic report of Serbia, C. Sustainable Development Goals.

The Strategy and Action Plan are prepared pursuant to the Law on the Planning System of the Republic of Serbia<sup>5</sup> and the Ordinance on the methodology of public policy management, analysis of the effects of public policies and regulations and the content of individual public policy documents with attachments<sup>6</sup>.

This is a national and multi-sectoral strategy for the period 2021-2030, and the Action Plan for its implementation shall be adopted for the period 2021-2023.

The Government adopted the National Gender Equality Strategy for the period 2016-2020<sup>7</sup> together with the AP for 2016-2018, which expired in 2020. No action plan was adopted for the period 2018-2020. Because of the above, as well as in line with the recommendations of the international treaty bodies monitoring CEDAW implementation, it is necessary to adopt a new strategic document.

On 28 April 2021, with the Decision of the Ministry for Human and Minority Rights and Social Dialogue<sup>8</sup> a Special Working Group was established for the preparation of the Draft National Gender Equality Strategy for the period 2021-2030, headed by the Deputy Prime Minister and President of the Coordination Body for Gender Equality Prof. Zorana Mihajlović PhD, and her deputy the Minister for Human and Minority Rights and Social Dialogue, Gordana Čomić. The Special Working Group is composed of representatives and deputy representatives of: the Coordination Body for Gender Equality (CBGE), Ministry of Human and Minority Rights and Social Dialogue, Ministry of European Integration, Ministry of Economy, Ministry of Agriculture, Forestry and Water Management, Ministry of Environmental Protection, Ministry of Finance, Ministry of Construction, Transport and Infrastructure, Ministry of Rural Welfare, Ministry of Trade, Tourism and Telecommunications, Ministry of Justice, Ministry of Public Administration and Local Self-Government, Ministry of Labour, Employment, Veteran and Social Affairs, Ministry of Family Welfare and Demography, Ministry of Youth and Sports, Ministry of Culture and Information, Ministry of the Interior, Ministry of Foreign Affairs, Ministry of Mining and Energy, Secretariat for Public Policies, Statistical Office of the Republic of Serbia, Ministry of Defence<sup>9</sup>, Social Inclusion and Poverty Reduction Unit (SIPRU), Serbian Academy of Science and Art (SANU), Standing Conference of Towns and Municipalities (SCATM), as well as the following associations: Ana and Vlade Divac Foundation, Foundation for Social Democratic Initiatives (FOSDI), Initiative for Equality, Innovation and Social Activism.

Pursuant to the Decision on the establishment of the Working Group, an Expert Team was formed to develop the Baseline for the Strategy, made up of eight women experts. The Coordination Body for Gender Equality appointed two and the Ministry of Human and Minority Rights one individual to assist the expert team in their work. In addition to Working Group members preparing the strategy, Expert Team members and individuals appointed by the Coordination Body for Gender Equality and the Ministry of Human and Minority Rights providing assistance to the Expert Team, the development process has also involved CSO representatives participating in the Working Group preparing the Strategy, as well as CSOs and other stakeholders participating in consultative meetings organised during the development of this document. The consultations were led as two parallel processes. The Ministry of Human and Minority Rights and Social Dialogue organised and led the process of consultations with public authorities and forwarded their inputs to the Expert Team. The Expert Team held five consultation meetings

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<sup>5</sup> Official Gazette RS, No. 30/18.

<sup>6</sup> Official Gazette RS, No. 8/19.

<sup>7</sup> Official Gazette RS, No. 4/16.

<sup>8</sup> Decision No. 021-01-00013/2021/1 of 28 April 2021.

<sup>9</sup> Amendments to the Decision of 17 May 2021.

organized by the association FemPlatz. Representatives of government institutions at the national and local levels, international organisations, academia, numerous CSOs working on human rights and rights of specific groups, as well as the situation and rights of multiply discriminated-against groups (women, women victims of gender-based violence, younger and older women, national minorities, women with disabilities, etc.), as well as other individuals and activists participated in the meetings held 26 – 30 August 2021 via ZOOM and presented their comments and suggestions related to the Baseline for the Draft National Gender Equality Strategy for the period 2021-2030, with Action Plan for its implementation for the period 2021-2023, many of which were incorporated in the document.

The development of the Strategy was supported through the project titled Key Steps to Gender Equality (Phase 2), implemented by the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) in cooperation with the Coordination Body for Gender Equality and funded by the EU.

## 1. PLANNING DOCUMENTS AND THE LEGAL FRAMEWORK RELEVANT FOR THE GENDER EQUALITY STRATEGY

### 1.1. Strategies and action plans

The contents of the Strategy are linked with several other sectoral strategies in different areas, which are referred to in CEDAW as priority areas for the achievement of gender equality. The content-related links between this Strategy and other strategies referring to specific social areas or specific entities, result from the multi-sectoral nature of gender equality. The multi-sectoral nature of gender equality requires interlinkages between the Gender Equality Strategy and sectoral public policies. Societal development is the purpose and aim of strategic documents, with specificities related to areas, issues, or entities that specific strategies may relate to. This also applies to this Gender Equality Strategy, as a strategic document the approach of which, in setting goals to contribute to societal development, comes from the gender perspective. Gender equality as a prerequisite for societal development is a pillar and essential direction of the content of this Strategy and is linked with 2030 Agenda for Sustainable Development<sup>10</sup>, as the universal strategy incorporating the three dimensions of sustainable development – economic growth, social inclusion, and environmental protection in the Republic of Serbia. The Republic of Serbia has accepted this document. Therefore, the expectation is that, through a holistic and intersectoral approach, all resources will be mobilised towards the fulfilment of 17 Sustainable Development Goals (SDGs), by 2030.

Planning documents relevant for this Strategy are grouped together by areas covered by this planning document.

Planning documents referring to the economy, education and science as factors stimulating development, include the following documents: Strategy for the Implementation of Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters – Aarhus Convention<sup>11</sup>; Energy Sector Development Strategy of the

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<sup>10</sup> The resolution Transforming our world: the 2030 Agenda for Sustainable Development was adopted by the United Nations at the Summit held in September 2015.

<sup>11</sup> Official Gazette RS, No. 103/11.

Republic of Serbia until 2025 with projections until 2030<sup>12</sup>; Sustainable Urban Development Strategy of the Republic of Serbia until 2030<sup>13</sup> with AP (2020-2022); Strategy for Agriculture and Rural Development of the Republic of Serbia 2014-2024<sup>14</sup>; Industrial Policy Strategy of the Republic of Serbia 2021-2030<sup>15</sup>; Strategy on Economic Migration of the Republic of Serbia 2021-2027<sup>16</sup>; Strategy for Digital Skills Development in the Republic of Serbia 2020-2024<sup>17</sup>; Strategy of Scientific and Technological Development of the Republic of Serbia – the Power of Knowledge (2021-2025) with AP (2021-2023)<sup>18</sup>; Strategy of Smart Specialisation in the Republic of Serbia 2020-2027<sup>19</sup>; Employment Strategy 2021-2026<sup>20</sup>; and Strategy for the Development of Education until 2030<sup>21</sup>. Some strategies have expired, even though they are important for this priority. These are: National Sustainable Development Strategy<sup>22</sup>; Strategy to Support the Development of Small and Medium Enterprises, Entrepreneurship and Competitiveness 2015-2020 with AP 2015-2016<sup>23</sup>; Waste Management Strategy 2010-2019<sup>24</sup>; Integrated National Energy and Climate Plan of the Republic of Serbia for the period 2021-2030 with a Vision until 2050 and the Strategy Achievement Programme<sup>25</sup>; Economic Reform Programme for the period 2021-2023; Nature Protection Programme of the Republic of Serbia for the period 2021-2023.<sup>26</sup>

The following planning documents refer to gender aspects of human rights, security and violence against women, and political life: Strategy for Preventing and Combating Gender-Based Violence against Women and Domestic Violence for the period 2021-2025<sup>27</sup>; Strategy for Preventing and Combating Trafficking in Human Beings, Especially Women and Children and Protecting the Victims 2017–2022<sup>28</sup> with AP (2021-2022)<sup>29</sup>; Public Security Strategic Assessment (2017); National Strategy on the Rights of Victims and Witnesses of Crime in the Republic of Serbia (2020-2025)<sup>30</sup> with AP (2020-2025)<sup>31</sup>; National Strategy for the Prevention and Countering of Terrorism (2017-2021)<sup>32</sup>; National Action Plan for the Implementation of UNSCR 1325<sup>33</sup> (NAP 1325); AP for Chapter 24 – Justice, Freedom, Security<sup>34</sup>; National Security Strategy (2019)<sup>35</sup>;

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<sup>12</sup> Official Gazette RS, No. 101/15. The new Energy Sector Development Strategy until 2040 with projections until 2050 and Strategy Implementation Programme are under development. Source: as suggested by the Ministry.

<sup>13</sup> Official Gazette RS, No. 47/19.

<sup>14</sup> Official Gazette RS, No. 10/21 and 85/14.

<sup>15</sup> Official Gazette RS, No. 35/20.

<sup>16</sup> Official Gazette RS, No. 21/20.

<sup>17</sup> Official Gazette RS, No. 21/20.

<sup>18</sup> Official Gazette RS, No. 10/21.

<sup>19</sup> Official Gazette RS, No. 21/20.

<sup>20</sup> Official Gazette RS, No. 18/21 and 36/21.

<sup>21</sup> Available at: <https://www.srbija.gov.rs/dokument/45678/strategije-programi-planovi-.php>, accessed on 10 May 2021.

<sup>22</sup> Official Gazette RS, No. 63/21.

<sup>23</sup> Official Gazette RS, No. 35/15.

<sup>24</sup> Official Gazette RS, No. 29/10.

<sup>25</sup> Documents are under development. Source: Comments by the Ministry of Energy on the National Gender Equality Strategy.

<sup>26</sup> Official Gazette RS, No. 53/21.

<sup>27</sup> Official Gazette RS, No. 47/21, AP under development.

<sup>28</sup> Official Gazette RS, No. 77/17.

<sup>29</sup> Action Plan prepared and public hearing finalised – source: as suggested by the Ministry of the Interior during the consultation process.

<sup>30</sup> Available at: <https://www.srbija.gov.rs/dokument/45678/strategije.php>, accessed on 12 May 2021.

<sup>31</sup> Available at: [www.mpravde.gov.rs](http://www.mpravde.gov.rs), accessed on 12 May 2021.

<sup>32</sup> Official Gazette RS, No. 94/17.

<sup>33</sup> Official Gazette RS, No. 53/17.

<sup>34</sup> Available at: <http://www.mup.gov.rs/wps/wcm/connect/a7fbd693-caec-4f3e-b471-187a2be8bcf0/lat-Akcioni+plan+za+P24+-+revidirana+verzija+23+07+2020.pdf?MOD=AJPERES&CVID=ng1k6t5>, accessed on 10 May 2021.

<sup>35</sup> Official Gazette RS, No. 94/19.

Defence Strategy of the Republic of Serbia (2019)<sup>36</sup>; Strategy for Combating Cyber Crime (2019–2023)<sup>37</sup> with Action Plan (2019–2020)<sup>38</sup>; MoI Development Strategy (2018–2023)<sup>39</sup> with AP (2018–2019)<sup>40</sup>; Strategy on the Control of Small Arms and Light Weapons of the Republic of Serbia for the period 2019–2024<sup>41</sup> with Action Plan (2019–2020)<sup>42</sup>; Strategic Police Plan (2018–2021)<sup>43</sup>; Strategy for the Development of Enforcement of Penal Sanctions System of the Republic of Serbia 2021–2027<sup>44</sup>; National Judicial Reform Strategy 2020–2025<sup>45</sup> with AP<sup>46</sup>; Strategy for the Development of the Public Information System in the Republic of Serbia for the Period 2020–2025 with AP 2020–2022<sup>47</sup>. Some strategies of importance for this area have expired: Strategy for Combating Irregular Migration in the Republic of Serbia (2018–2020)<sup>48</sup>; Integrated Border Management Strategy in the Republic of Serbia (2017–2020)<sup>49</sup>; National Strategy for Resolving the Problems of Refugees and Internally Displaced Persons for the period 2015–2020<sup>50</sup>; Strategy for Free Legal Aid System Development in the Republic of Serbia<sup>51</sup>; Personal Data Protection Strategy<sup>52</sup>; National Strategy for Protection and Rescue in Emergencies (2011)<sup>53</sup>; National Strategy on Ageing (2006–2015)<sup>54</sup>.

Planning documents related to gender aspects in the areas of healthcare and social security are: National Social Housing Strategy<sup>55</sup>; Strategy for Stimulating Births<sup>56</sup>; Strategy on Occupational Safety and Health 2018–2022 with AP 2018–2022<sup>57</sup>; Public Health Strategy in the Republic of Serbia 2018–2026<sup>58</sup>; Ordinance on the National Programme for the preservation and promotion of sexual and reproductive health of the citizens of the Republic of Serbia<sup>59</sup>; Strategy for the Prevention and Control of Chronic Non-Infectious Diseases<sup>60</sup>; Strategy for the Prevention and Control of HIV/AIDS in the Republic of Serbia 2018–2025<sup>61</sup>; Programme on Rare Diseases in

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<sup>36</sup> Official Gazette RS, No. 94/19.

<sup>37</sup> Official Gazette RS, No. 71/18.

<sup>38</sup> Action Plan prepared and public hearing finalised – source: as suggested by the Ministry of the Interior during the consultation process. Available at: <http://www.mup.rs/wps/wcm/connect/3470670e-202a-4e78-b851>, accessed on 5 July 2021.

<sup>39</sup> Official Gazette RS, No. 78/18.

<sup>40</sup> Available at: <http://www.mup.rs/wps/wcm/connect/3470670e-202a-4e78-b851-940afe5a5e64/AP+za+Strategiju+za+borbu+protiv+VTK+2019-2020.pdf?MOD=AJPERES&CVID=mtm2Egp>, accessed on 5 March 2021.

<sup>41</sup> Available at: <https://www.srbija.gov.rs/dokument/45678/strategije.php>, accessed on 5 March 2021.

<sup>42</sup> Source: as suggested by the Ministry of the Interior during the consultation process, available at: <https://www.srbija.gov.rs/dokument/45678/strategije.php>, accessed on 5 March 2021.

<sup>43</sup> Official Gazette RS, No. 94/17.

<sup>44</sup> Available at: <https://www.mpravde.gov.rs/tekst/33173/strategija-razvoja-sistema-izvršenja-krivicnih-sankcija-u-republici-srbiji-za-period-2021-2027-godina.php> strategy under preparation; accessed on 12 March 2021.

<sup>45</sup> Official Gazette RS, No. 101/20.

<sup>46</sup> The measures in the Strategy are implemented through activities within the revised Action Plan for Chapter 23. Available at: <https://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/vlada/strategija/2020/101/1/reg>, accessed on 5 March 2021.

<sup>47</sup> Official Gazette RS, No. 11/20.

<sup>48</sup> Official Gazette RS, No. 105/18.

<sup>49</sup> Official Gazette RS, No. 9/17.

<sup>50</sup> Official Gazette RS, No. 62/15.

<sup>51</sup> Official Gazette RS, No. 74/10.

<sup>52</sup> Official Gazette RS, No. 58/10.

<sup>53</sup> Official Gazette RS, No. 86/11.

<sup>54</sup> Available at: <http://otvorenavlada.rs/strategija-starenje-lat-doc/>, accessed on 5 March 2021.

<sup>55</sup> Official Gazette RS, No. 13/12.

<sup>56</sup> Official Gazette RS, No. 25/18.

<sup>57</sup> Available at: <https://www.srbija.gov.rs/dokument/45678/strategije-programi-planovi-.php>

<sup>58</sup> Official Gazette RS, No. 61/18.

<sup>59</sup> Official Gazette RS, No. 120/17.

<sup>60</sup> Official Gazette RS, No. 22/09.

<sup>61</sup> Official Gazette RS, No. 61/18.

the Republic of Serbia for the period 2020-2022 with AP<sup>62</sup>; Ordinance on the National Programme on Alcohol Abuse and Disorders Caused by Alcohol in the Republic of Serbia<sup>63</sup>; Ordinance on the National Programme for the Prevention of Obesity in Children and Adults<sup>64</sup>; Ordinance on the National Breastfeeding Support Programme<sup>65</sup>; Programme for the Protection of Mental Health in the Republic of Serbia for the period 2019-2026<sup>66</sup>; Programme for Improving Cancer Management in the Republic of Serbia 2020-2022<sup>67</sup>; Programme for Protection and Rescue in Emergencies – the Health Sector Response<sup>68</sup>. Some planning documents of importance for these areas have expired: National Ageing Strategy 2006-2015<sup>69</sup>; Palliative Care Strategy<sup>70</sup>; National Healthcare Programme for Women, Children and Youth (2009)<sup>71</sup>; and Strategy for Continuous Improvement of the Quality of Healthcare and Patient Safety<sup>72</sup>.

The following planning documents are relevant for the institutional framework, systems, and tools for creating gender-responsive public policies and budgets: Public Administration Reform Strategy in the Republic of Serbia for the period 2020-2030<sup>73</sup>; E-Government Development Programme in the Republic of Serbia in the period 2020-2022 with AP 2020-2022<sup>74</sup>; Public Financial Management Reform Programme for the period 2021-2025<sup>75</sup>; and the Fiscal Strategy for 2022 with projections for 2023 and 2024<sup>76</sup>.

Planning documents that refer to vulnerable individuals and groups are listed separately, as each of the areas covered by this strategy includes and takes into account the status and needs of vulnerable groups. These are: Strategy for Improving the Status of Persons with Disabilities in the Republic of Serbia 2020-2024<sup>77</sup> with AP 2021-2022; Strategy for Social Inclusion of Roma Men and Women in the Republic of Serbia for the period 2016-2025<sup>78</sup> with AP for 2017-2018; Strategy for Prevention and Protection of Children from Violence 2020-2023<sup>79</sup> with AP for 2022-2023<sup>80</sup>; National Youth Strategy 2015-2025<sup>81</sup> with AP for 2015-2017, and AP for 2018-2020<sup>82</sup>.

## 1.2. Key international acts

The Strategy is based on international law as well as national regulations referring to entities and areas covered by the Strategy, which centres on closing the gender gap and achieving gender equality as a prerequisite and incentive for societal development. The importance of the

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<sup>62</sup> Official Gazette RS, No. 86/19.

<sup>63</sup> Official Gazette RS, No. 115/17.

<sup>64</sup> Official Gazette RS, No. 9/18.

<sup>65</sup> Official Gazette RS, No. 53/18.

<sup>66</sup> Available at: <https://www.zdravlje.gov.rs/tekst/343487/program-o-zastiti-mentalnog-zdravlja-u-republici-srbiji-za-period-2019-2026-godine-.php>, accessed on 12 May 2021.

<sup>67</sup> Available at: <https://www.srbija.gov.rs/dokument/45678/strategije-programi-planovi-.php>, accessed on 12 May 2021.

<sup>68</sup> Available at: <https://www.zdravlje.gov.rs/tekst/344842/program-zastite-i-spasavanja-u-vanrednim-situacijama.php>

<sup>69</sup> Available at: <http://otvorenavlada.rs/strategija-starenje-lat-doc/>

<sup>70</sup> Official Gazette RS, No. 17/09.

<sup>71</sup> Official Gazette RS, No. 28/09.

<sup>72</sup> Official Gazette RS, No. 15/09.

<sup>73</sup> Official Gazette RS, No. 42/21.

<sup>74</sup> Official Gazette RS, No. 85/20.

<sup>75</sup> Official Gazette RS, No. 70/21.

<sup>76</sup> Available at: <https://mfin.gov.rs/sr/dokumenti2-1/fiskalna-strategija-1>, accessed on 3 September 2021.

<sup>77</sup> Official Gazette RS, No. 44/20.

<sup>78</sup> Official Gazette RS, No. 26/16.

<sup>79</sup> Official Gazette RS, No. 80/20.

<sup>80</sup> Available at: <https://www.socijalnouključivanje.gov.rs>, accessed on 12 May 2021.

<sup>81</sup> Official Gazette RS, No. 22/15.

<sup>82</sup> The National Youth Strategy is in the stage of revision, pursuant to the Law on the Planning System.



gender component of societal development and impacts of closing the gender gap and advancing gender equality on development is the leading criterion for the selection of international and national regulations with which the Strategy is closely connected. International references<sup>83</sup> include UN, CoE and EU documents.

The international acts are grouped according to the following areas covered by this Strategy:

International acts related to the economy, education, and science as factors fostering development include the following references: United Nations General Assembly Special Session Women 2000 – Gender Equality, Development and Peace for the Twenty-First Century (2000) – Millennium Declaration A/Res/55/2 (2000)<sup>84</sup>; 2030 Agenda for Sustainable Development – SDG A/RES/70/1<sup>85</sup>; Programme of Action of the International Conference on Population and Development (1994)<sup>86</sup>; Beijing Declaration and Platform for Action (1995)<sup>87</sup>; Beijing+15<sup>88</sup> and Beijing+25 – National-Level Review of the Progress in the Implementation of the Beijing Declaration and Platform for Action<sup>89</sup>; Convention against Discrimination in Education<sup>90</sup>; Universal Declaration on Education in the 21<sup>st</sup> century (UNESCO) adopted at the World Declaration on Higher Education in the 21<sup>st</sup> Century<sup>91</sup>; World Conference on Higher Education<sup>92</sup>; Council of Europe Resolution on Women in Science<sup>93</sup>; Right to Education – Policies and Strategies<sup>94</sup>; the Helsinki Call for Action<sup>95</sup>; EU directives on the principle of equal treatment of women and men and prohibition of gender-based discrimination – Directive 75/117/EEC (equal pay for men and women)<sup>96</sup> and Directive 76/207/EEC (equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions)<sup>97</sup>;

<sup>83</sup> International documents also available at: [http://www.stop\\_vaw.org/Council\\_of\\_Europe4.html](http://www.stop_vaw.org/Council_of_Europe4.html)

<sup>84</sup> Available at [https://www.rodnaravnopravnost.rs/attachments/013\\_Milenijumska%20deklaracija%20UN.pdf](https://www.rodnaravnopravnost.rs/attachments/013_Milenijumska%20deklaracija%20UN.pdf)

<sup>85</sup> Available at <https://www.rs.undp.org/content/serbia/sr/home/sustainable-development-goals/goal-5-gender-equality.html>

<sup>86</sup> The International Conference on Population and Development (ICPD) Programme of Action, Cairo 1994, available at: [https://www.unfpa.org/sites/default/files/pub-pdf/programme\\_of\\_action\\_Web%20ENGLISH.pdf](https://www.unfpa.org/sites/default/files/pub-pdf/programme_of_action_Web%20ENGLISH.pdf), accessed on 24 December 2019.

<sup>87</sup> Declaration and Platform for Action were adopted on 15 September 1995 at the Fourth World Conference on Women. Available at: [http://www.e-jednakost.org.rs/kurs/kurs/download/pekingska\\_deklaracija.pdf](http://www.e-jednakost.org.rs/kurs/kurs/download/pekingska_deklaracija.pdf)

<sup>88</sup> Available at: <https://www.womenngo.org.rs/vesti/vesti-arhiva-2006-2011/24-vesti-arhiva-tekstovi/133-pekingska-15-i-paralelne-aktivnosti-ngo-foruma>, accessed on 24 December 2019.

<sup>89</sup> Available at: <https://www.rodnaravnopravnost.gov.rs/en/node/533>, accessed on 24 December 2019.

<sup>90</sup> Convention against Discrimination in Education, adopted by the General Conference of UNESCO at its eleventh session (Paris, 14. XII 1960.). Available at: [http://portal.unesco.org/en/ev.php-URL\\_ID=12949&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=12949&URL_DO=DO_TOPIC&URL_SECTION=201.html), accessed on 24 December 2019.

<sup>91</sup> World Declaration on Higher Education for the Twenty-first Century, Vision and Action. UNESCO, Paris, 1998. p. 9–12. Available at: [http://www.unesco.org/education/educprog/wche/declaration\\_eng.htm](http://www.unesco.org/education/educprog/wche/declaration_eng.htm) or <http://www.unesco.org>, accessed on 24 December 2019.

<sup>92</sup> World Conference on Higher Education 2009 Final Report Paris, UNESCO Headquarters 5 to 8 July 2009. Available at: <https://ukznextendedlearning.com/wp-content/uploads/2018/08/unesco-2009.pdf>, accessed on 24 December 2019.

<sup>93</sup> Adopted on 20 May 1999. Ibid, p. 138 – 141.

<sup>94</sup> The Right to Education: An Analysis of UNESCO's Standard-setting Instruments, Yves Daudet and Kishore Singh, UNESCO, Paris. Available at: [https://www.right-to-education.org/sites/right-to-education.org/files/resource.attachments/UNESCO\\_RTE\\_Analysis\\_of\\_UNESCO%27s\\_Standard\\_Setting\\_Instruments\\_2001\\_En.pdf](https://www.right-to-education.org/sites/right-to-education.org/files/resource.attachments/UNESCO_RTE_Analysis_of_UNESCO%27s_Standard_Setting_Instruments_2001_En.pdf), accessed on 24 November 2019.

<sup>95</sup> Strategic document adopted on 1 November 2019 by the Standing Working Group on Gender in Research and Innovation, on the occasion of the 20<sup>th</sup> anniversary of the first adopted European Commission document on women in science. Available at: <https://ec.europa.eu/research/swafs/index.cfm?pg=policy&lib=gender>, accessed on 25 November 2019.

<sup>96</sup> Adopted on 10 February 1975, known as the Equal Opportunities Directive. Source: Pajvančić, M. Petrušić, N. et al. Komentar zakona o rodnoj ravnopravnosti, FES, 2010. p. 40 – 43.

<sup>97</sup> Adopted on 9 February 1976 supplementing the Equal Opportunities Directive. This Directive was also amended by the Directive 2002/73/EC EP and CoE and is implemented in the European space. Ibid. p. 43 – 48.

Recommendation of the European Commission on the Protection of Dignity of Women and Men at Work<sup>98</sup>.

International acts related to gender aspects of human rights, security and violence against women and political life are: Universal Declaration of Human Rights (1948)<sup>99</sup>; International Covenant on Civil and Political Rights (2200 A (XXI) (1966)<sup>100</sup> (hereinafter ICCPR); ICCPR Optional Protocol<sup>101</sup> and ICCPR Second Optional Protocol<sup>102</sup>; International Covenant on Economic, Social and Cultural Rights (1996)<sup>103</sup> (hereinafter: ICESCR); UNSCR 1325 – Women, Peace and Security (2000), 1820 (2008), 1888 (2009), 1889 (2009), 1906 (2010), 2016 (2013), 2122 (2013)<sup>104</sup>; UNSCR 65/69 – Women, Disarmament, Non-Proliferation and Arms Control<sup>105</sup>; Beijing Declaration and Platform for Action (1995)<sup>106</sup>; Beijing+15<sup>107</sup> and Beijing+25 – National-Level Review of the Progress in the Implementation of the Beijing Declaration and Platform for Action<sup>108</sup>; European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols<sup>109</sup>; EU Charter of Fundamental Rights 2016/c 202/02<sup>110</sup>; Concluding Observations of the CEDAW Committee on the fourth periodic report of Serbia<sup>111</sup>; CoE Convention on Preventing and Combating Violence against Women and Domestic Violence (2011)<sup>112</sup>; Declaration on Equality between Women and Men as a Fundamental Criterion of Democracy<sup>113</sup>; CoE Convention on Preventing and Combating Violence against Women and Domestic Violence (2011)<sup>114</sup>; Amsterdam Agreement (1997) regulating human rights, the principle of equality of treatment between women and men and prohibition of discrimination on the grounds of sex<sup>115</sup>; Resolution on gender quota for candidates for judges in the ECHR R 1366 (2004) and 1426 (2005)<sup>116</sup>; EP Resolution on women in political decision-making<sup>117</sup>; EP Resolution on women in international politics<sup>118</sup>; Directive 97/80/EC on the burden of proof in

<sup>98</sup> Adopted on 27 November 1991. Ibid, p. 114 – 129.

<sup>99</sup> Available at: [http://www.unhcr.rs/media/Opsta%20deklaracija%20o%20ljudskim%20pravima%20\(1948\).pdf](http://www.unhcr.rs/media/Opsta%20deklaracija%20o%20ljudskim%20pravima%20(1948).pdf), accessed on 6 June 2021.

<sup>100</sup> Official Gazette SFRJ – International Agreements, No. 7/71.

<sup>101</sup> Official Gazette SFRJ – International Agreements, No. 4/01.

<sup>102</sup> Official Gazette SFRJ – International Agreements, No. 4/01.

<sup>103</sup> Official Gazette SFRJ – International Agreements, No. 7/71.

<sup>104</sup> Report of the third United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, UN, 2018. Available at <http://www.mzprs.org>, accessed on 6 June 2021.

<sup>105</sup> United Nations Office For Disarmament Affairs Gender Mainstreaming Action Plan, <https://www.un.org/disarmament/wp-content/uploads/2016/06/update-gender-action-plan-2016.pdf>, accessed on 6 June 2021.

<sup>106</sup> Declaration and Platform for Action were adopted on 15 September 1995 at the Fourth World Conference on Women.

Available at: [http://www.e-jednakost.org.rs/kurs/kurs/download/pekinska\\_deklaracija.pdf](http://www.e-jednakost.org.rs/kurs/kurs/download/pekinska_deklaracija.pdf), accessed on 6 June 2021.

<sup>107</sup> Available at: <https://www.womenngo.org.rs/vesti/vesti-arhiva-2006-2011/24-vesti-arhiva-tekstovi/133-pekings-15-i-paralelne-aktivnosti-ngo-foruma>, accessed on 6 June 2021.

<sup>108</sup> Available at: <https://www.rodnaravnopravnost.gov.rs/en/node/533>, accessed on 6 June 2021.

<sup>109</sup> Official Gazette SCG – International Agreements, No. 9/03, 5/05. and 7/05. - corr. and Official Gazette RS – International Agreements, No. 12/10 and 10/15.

<sup>110</sup> Available at <https://eur-lex.europa.eu/legal-content/HR/TXT/?uri=CELEX%3A12016P%2FTXT>, accessed on 6 June 2021.

<sup>111</sup> Adopted in March 2019, available at: <https://ljudskaprava.gov.rs/sr/node/156>, accessed on 6 June 2021.

<sup>112</sup> Official Gazette RS, No. 12/13.

<sup>113</sup> Adopted at the Fourth European Ministerial Conference on Equality between Women and Men (1997). Ibid. p. 11 – 28.

<sup>114</sup> Official Gazette RS – International Agreements, No. 12/13.

<sup>115</sup> Treaty establishing the European Economic Community (as amended by the Treaty of Amsterdam) – Articles 2, 3, 13, 136, 137, 141, 251. Source: Rodna ravnopravnost u međunarodnim dokumentima – EU, Kancelarija za ravnopravnost polova Vlade Crne Gore, 2005. p. 7 - 14.

<sup>116</sup> <http://assembly.coe.int/Main.asp?link=/Documents/AdoptedText/ta04/ERES1366.htm>, accessed on 6 June 2021.

<sup>117</sup> Ibid, p. 147 – 151.

<sup>118</sup> Adopted in 2006. <http://www.frauensicherheitsrat.de/data/EP-WIIP-FINAL.pdf>, accessed on 6 June 2021.



cases of discrimination based on sex<sup>119</sup>; EU Directive on preventing and combating trafficking in human beings and protecting its victims 2011/36 (2011)<sup>120</sup>; EU Directive on establishing minimum standards on the rights, support and protection of victims of crime (2012)<sup>121</sup>; EU Gender Action Plan<sup>122</sup>; recommendations of the CoE Committee of Ministers on: the elimination of sexism from language<sup>123</sup>, equality between women and men<sup>124</sup>, balanced participation of women and men in political and public decision making<sup>125</sup>, gender equality and the media<sup>126</sup>, representation of women in the electoral system<sup>127</sup>, representation of women in the public and political life of European regions<sup>128</sup>.

International acts relevant for gender aspects in the areas of healthcare and social security include: International Covenant on economic, social and cultural rights (1966)<sup>129</sup>; Conclusions of the European Committee of Social Rights concerning the implementation of the European Social Charter (March 2020)<sup>130</sup>; Revised European Social Charter<sup>131</sup>; Convention on Human Rights and Biomedicine<sup>132</sup>; Safety and Health in Agriculture Convention<sup>133</sup>; Resolution of the Council and of the Ministers for Employment and Social Policy on balanced participation of women and men in the family and working life<sup>134</sup>; Directive 79/7/EEC (social protection)<sup>135</sup>; Directive 86/613/EEC (self-employed capacity, protection of self-employed women during pregnancy and motherhood)<sup>136</sup>; Directive 2006/54/EC (employment and titles)<sup>137</sup>; directives on the protection of pregnant women, mothers and parents, including: Directive 92/85/EEC (on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding)<sup>138</sup>; Directive 96/34/EC (parental leave)<sup>139</sup>; Directive

<sup>119</sup> Adopted on 15 December 1997. Ibid, p. 92 - 98.

<sup>120</sup> Available at: <https://eur-lex.europa.eu/legal-content/HR/TXT/?uri=celex%3A32011L0036>, accessed on 6 June 2021

<sup>121</sup> Available at: <https://www.podrskazrtvama.rs/en/media/medjunarodni/DIREKTIVA-2012-29-EU.pdf>, accessed on 6 June 2021

<sup>122</sup> Available at: [https://ec.europa.eu/international-partnerships/system/files/swd\\_2020\\_284\\_en\\_final.pdf](https://ec.europa.eu/international-partnerships/system/files/swd_2020_284_en_final.pdf), accessed on 6 June 2021.

<sup>123</sup> P (90) 4 adopted on 21 February 1990. Ibid, p. 51 – 53.

<sup>124</sup> P (1229) 1994 available at: <http://assembly.coe.int/Main.asp?link=/Documents/AdoptedText/ta94/EREC1229.htm>, accessed on 6 June 2021.

<sup>125</sup> P (2003) 3. Ibid p. 96 – 104.

<sup>126</sup> P (2002) 1555 available at: <http://assembly.coe.int/main.asp?Link=/documents/workingdocs/doc03/edoc9801.htm>, accessed on 6 June 2021.

<sup>127</sup> P (2010) 1899 available at: <http://assembly.coe.int/Mainf.asp?link=/Documents/AdoptedText/ta10/EREC1899.htm>, accessed on 6 June 2021.

<sup>128</sup> P (68)1999 Available at: <https://wcd.coe.int/com.instranet.InstraServlet?Index=no&command=com.instranet.CmdBlobGet&InstranetImage=1457647&SecMode=1&DocId=833426&Usage=2>, accessed on 6 June 2021.

<sup>129</sup> Official Gazette SRJ – International Agreements, No. 7/71.

<sup>130</sup> Available at: <https://rm.coe.int/rapport-srb-en/16809cfbe6>, accessed on 6 June 2021.

<sup>131</sup> Law on the Ratification of the Revised European Social Charter, Official Gazette RS, No. 42/09.

<sup>132</sup> Law on the Ratification of the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine, Official Gazette RS – International Agreements, No. 12/10.

<sup>133</sup> Law on the Ratification of the Safety and Health in Agriculture Convention, Official Gazette RS – International Agreements, No. 2/19.

<sup>134</sup> Adopted on 29 June 2000. Ibid., p. 141 – 147.

<sup>135</sup> Adopted on 19 December 1978. Ibid., p. 48 – 53.

<sup>136</sup> Adopted on 11 July 1986. Ibid., p. 52 – 57.

<sup>137</sup> Adopted on 5 July 2006. Available at: [http://www.ured-ravnopravnost.hr/slike/File/Dokumenti/Dir\\_2006\\_54\\_EZ\\_EP\\_i\\_vijeca.pdf](http://www.ured-ravnopravnost.hr/slike/File/Dokumenti/Dir_2006_54_EZ_EP_i_vijeca.pdf), accessed on 6 June 2021.

<sup>138</sup> Adopted on 19 October 1992. Ibid., p. 57 – 70.

<sup>139</sup> Adopted on 3 June 1996. Ibid., p. 70 – 80.

2010/18/EC (parental leave)<sup>140</sup>; recommendations of the Committee of Ministers on: reconciling work and family life<sup>141</sup>, the inclusion of gender differences in health policy<sup>142</sup>.

International acts relevant for the institutional framework and creating gender-responsive public policies and budgets are: the European Charter of Local Self-Government<sup>143</sup>; Additional Protocol on the right to participate in the affairs of a local authority<sup>144</sup>; European Charter for Equality of Women and Men in Local Life<sup>145</sup>; Resolution on gender mainstreaming at local and regional level<sup>146</sup>; recommendations of the Committee of Ministers on gender mainstreaming in public policies<sup>147</sup>, and gender equality standards and mechanisms<sup>148</sup>.

International acts related to individuals that belong to vulnerable groups relevant for each of the areas covered by the Strategy are: International Convention on the Elimination of all Forms of Racial Discrimination (1967)<sup>149</sup>; Convention on the Rights of the Child (1989)<sup>150</sup>; Convention on the Rights of Persons With Disabilities (2006)<sup>151</sup>; UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (1992); The Hague Recommendations Regarding the Education Rights of National Minorities (1996)<sup>152</sup>; Framework Convention for the Protection of National Minorities (1998)<sup>153</sup>; The Lund Recommendations on the Effective Participation of National Minorities in Public Life (1999)<sup>154</sup>; European Commission Recommendation against Racism and Intolerance (ECRI) and Fighting Racism, Intolerance and Discrimination against Roma (1998); European Convention for Regional or Minority Languages<sup>155</sup>; Convention relating to the Status of Refugees<sup>156</sup>; Protocol Relating to the Status of Refugees<sup>157</sup>; CoE Recommendation Rec(2000)4 of the Committee of Ministers – on the education of Roma/Gypsy children in Europe; CoE Recommendation Rec(2000)17 of the Committee of Ministers – on improving the economic and employment situation of Roma/Gypsies and Travellers in Europe; CoE Recommendation CM/Rec(2010) of the Committee of Ministers on measures to combat discrimination on grounds of sexual orientation or gender identity<sup>158</sup> and Explanatory

<sup>140</sup> Adopted on 8. 3. 2010. Available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:068:0013:0020:EN:PDF>, accessed on 6 June 2021.

<sup>141</sup> P (96)5 Adopted on 19. 6. 1996. Ibid., p. 60 – 68.

<sup>142</sup> P (2008)1 available at: <https://wcd.coe.int/ViewDoc.jsp?id=1241743>, accessed on 6 June 2021.

<sup>143</sup> Official Gazette RS – International Agreements, No. 70/07.

<sup>144</sup> Adopted in Utrecht on 16 November 2009. Available at: <https://rm.coe.int/the-congress-booklet-european-charter-of-local-self-government-serbian/168098bc1b>, accessed on 16 May 2021.

<sup>145</sup> European Charter for Equality of Women and Men in Local Life, SCTAM, 2009.

<sup>146</sup> P 176 (2004) available at: 2004. <https://wcd.coe.int/ViewDoc.jsp?id=816579&Site=COE>, accessed on 6 June 2021.

<sup>147</sup> P (1998)14 Ibid., p. 68 – 69.

<sup>148</sup> P (2007)1 available at: <https://wcd.coe.int/ViewDoc.jsp?id=1215219&Site=CM>, accessed on 6 June 2021.

<sup>149</sup> Official Gazette SFRJ – International Agreements, No. 6/67.

<sup>150</sup> Official Gazette SFRJ – International Agreements, No. 15/90 and Official Gazette SRJ – International Agreements, No. /96 and 2/97.

<sup>151</sup> Official Gazette SRJ – International Agreements, No. 6/98.

<sup>152</sup> Available at: [https://chris-network.org/wp-content/uploads/2012/07/haske\\_preporuke\\_o\\_pravu\\_nacionalnih\\_manjina\\_na\\_obrazovanje\\_19961.pdf](https://chris-network.org/wp-content/uploads/2012/07/haske_preporuke_o_pravu_nacionalnih_manjina_na_obrazovanje_19961.pdf), accessed on 15 July 2021.

<sup>153</sup> Official Gazette SRJ – International Agreements, No. 6/98.

<sup>154</sup> Available at: [https://chris-network.org/wp-content/uploads/2012/07/preporuke\\_iz\\_Lunda\\_o\\_delotvornom\\_ucescu\\_nacionalnih\\_manjina\\_u\\_javnom\\_zivotu\\_i\\_sa\\_objasnjenij\\_ma.pdf](https://chris-network.org/wp-content/uploads/2012/07/preporuke_iz_Lunda_o_delotvornom_ucescu_nacionalnih_manjina_u_javnom_zivotu_i_sa_objasnjenij_ma.pdf), accessed on 15 July 2021.

<sup>155</sup> The Law on the Ratification of the European Convention for Regional or Minority Languages, Official Gazette SCG – International Agreements, No. 18/05.

<sup>156</sup> Official Gazette SFRJ, No. 7/60.

<sup>157</sup> Official Gazette SFRJ, No. 15/67.

<sup>158</sup> Available at: <http://www.ravnopravnost.gov.rs>

Memorandum to this Recommendation<sup>159</sup>; Yogyakarta Principles – on the Application of International Human Rights Law in Relation to Sexual Orientation, Gender Identity, Gender Expression and Sex Characteristics<sup>160</sup> and the Revised Yogyakarta Principles<sup>161</sup>.

### 1.3. National legislation

The national legislation includes the Constitution, laws and by-laws regulating areas covered by the Strategy.

#### 1.3.1. Constitution

The main provisions of the Constitution<sup>162</sup> guarantee equality of women and men and require the government to advance the policy of equal opportunities (Article 15), prohibiting direct and indirect discrimination on any grounds or personal characteristics, including sex (Article 21, Paragraph 3), stipulating the possibility to undertake special measures to achieve full equality of the person or group of persons in unequal position with other citizens (Article 21, Paragraph 4), guaranteeing equality before the law (Article 21, Paragraph 1), equal legal protection (Article 21, Paragraph 2), protection before the courts (Article 22, Paragraph 1), other government authorities (Article 36, Paragraph 1) and international institutions (Article 22, Paragraph 2), right to appeal or other legal remedy against a decision on their right or duty (Article 36, Paragraph 2), right to legal aid (Article 67, Paragraph 1), by legal practitioners (Article 67, Paragraph 2) and legal aid services in LSGUs (Article 67, Paragraph 2), right to rehabilitation and compensation of material and immaterial damages caused by illegal or irregular actions of a government authority (Article 35, Paragraph 2); personal data protection (Article 42), right to asylum (Article 57), freedom of decision on entering into marriage, equality of spouses, equalising the status of common-law marriage and marriage (Article 62), guaranteeing equality of partners in child support, development and education (Article 65), freedom of choice regarding having children (Article 63) and special protection of mothers, pregnant women, children and single parents (Article 66), as well as special healthcare for pregnant women, mothers and single parents with children under seven years of age, funded from public sources (Article 68), social protection of the family and the employed (Article 69), equal representation of sexes in the National Assembly (Article 100).

#### 1.3.2. Laws and by-laws

Laws and by-laws regulating areas of importance for gender equality may be classified in two groups.

The first group includes laws that directly relate to gender equality, by-laws regulating planning and laws regulating the competences of institutions related to gender equality on various

<sup>159</sup> Available at: [https://www.google.com/search?q=Memorandum+i+objašnjenja+uz+Preporuka+CM%2FRec\(2010\)5](https://www.google.com/search?q=Memorandum+i+objašnjenja+uz+Preporuka+CM%2FRec(2010)5), accessed on 3 September 2021.

<sup>160</sup> Available at: <https://www.rodnaravnopravnost.rs>, accessed on 3 September 2021.

<sup>161</sup> Available at: [http://yogukartanciples.org/wp-content/uploads/2017/11/A5\\_yuogakartaWEB-2.pdf](http://yogukartanciples.org/wp-content/uploads/2017/11/A5_yuogakartaWEB-2.pdf), accessed on 3 September 2021.

<sup>162</sup> Official Gazette RS, No. 98/06.

levels of government. These are: Anti-Discrimination Law<sup>163</sup>; Law on Gender Equality<sup>164</sup>; Law on the Ratification of the Convention on Elimination of All Forms of Discrimination against Women<sup>165</sup>; Law on the Ratification of the CoE Convention on preventing and combating violence against women and domestic violence<sup>166</sup>; Law on preventing Domestic Violence<sup>167</sup>; Law on Preventing Discrimination against Persons with Disabilities<sup>168</sup>; Law on the Planning System of the Republic of Serbia<sup>169</sup>; Ordinance on the methodology of public policy management, analysis of the effects of public policies and regulations and the content of individual public policy documents<sup>170</sup>; Ordinance on the methodology for development of medium-term plans<sup>171</sup>; Law on Government<sup>172</sup>; Law on Ministries<sup>173</sup>; Law on APV Competences<sup>174</sup>; and the Law on Local Self-Government.<sup>175</sup>

The second group consists of laws and by-laws regulating the areas of society relevant for gender equality. The criteria for the selection of these laws are the 2030 Agenda for Sustainable Development<sup>176</sup>, particularly SDG 5<sup>177</sup> relating to gender equality and the empowerment of women and girls, but also other goals and targets, as well as areas identified by CEDAW as important for achieving gender equality. The overview of laws is presented by areas covered by this strategy. This group includes the following:

Laws and by-laws related to the economy, education and science, as factors fostering development. These are: Law on Environmental Protection<sup>178</sup>; Law on Nature Protection<sup>179</sup>; Law on Waters<sup>180</sup>; Law on Agricultural Land<sup>181</sup>; Law on Forests<sup>182</sup>; Law on Mining and Geological Research<sup>183</sup>; Law on Air Protection<sup>184</sup>; Law on Waste Management<sup>185</sup>; Law on Climate Change<sup>186</sup>; Law on Integrated Prevention and Control of Environmental Pollution<sup>187</sup>; Law on Energy Efficiency and Rational Energy Use<sup>188</sup>; Law on Environmental Impact Assessment<sup>189</sup>; Law on

<sup>163</sup> Official Gazette RS, No. 22/09 and 52/21.

<sup>164</sup> Official Gazette RS, No. 52/21.

<sup>165</sup> Official Gazette SFRJ – International Agreements, No. 11/81 and 5/14.

<sup>166</sup> Official Gazette RS – International Agreements, No. 12/13 and 4/14.

<sup>167</sup> Official Gazette RS, No. 94/16.

<sup>168</sup> Official Gazette RS, No. 33/06 and 13/16.

<sup>169</sup> Official Gazette RS, No. 30/18.

<sup>170</sup> Official Gazette RS, No. 8/19.

<sup>171</sup> Official Gazette RS, No. 8/19.

<sup>172</sup> Official Gazette RS, No. 55/05, 71/05 – correction, 101/07, 65/08, 16/11, 68/12 – CC, 72/12, 7/14 – CC, 44/14 and 30/18 – other law.

<sup>173</sup> Official Gazette RS, No. 128/20.

<sup>174</sup> Official Gazette RS, No. 99/09, 67/12 – CC, 18/20.

<sup>175</sup> Official Gazette RS, No. 129/07, 83/14 – other law, 101/2016 – other law and 47/18.

<sup>176</sup> Available at: <https://rsjp.gov.rs/wp-content/uploads/Agenda-UN-2030.pdf>, accessed on 10 May 2021.

<sup>177</sup> Available at <https://www.rs.undp.org/content/serbia/sr/home/sustainable-development-goals/goal-5-gender-equality.html>, accessed on 10 May 2021.

<sup>178</sup> Official Gazette RS, No. 135/04, 36/09, 36/09 – other law, 72/09 – other law, 43/11- VC, 14/16, 76/18, 95/18 – other law, and 95/18 – other law.

<sup>179</sup> Official Gazette RS, No. 36/09, 88/10, 91/10 – correction, 14/16, 95/18 – other law and 71/21.

<sup>180</sup> Official Gazette RS, No. 30/10, 93/12, 101/16 and 95/18 – other law.

<sup>181</sup> Official Gazette RS, No. 62/06, 65/08 – other law, 41/09, 112/15, 80/17 and 95/18 – other law.

<sup>182</sup> Official Gazette RS, No. 30/10, 93/12, 89/15 and 95/18 – other law.

<sup>183</sup> Official Gazette RS, No. 101/15, 95/18 – other law and 40/21.

<sup>184</sup> Official Gazette RS, No. 36/09, 10/13 and 26/21 – other law.

<sup>185</sup> Official Gazette RS, No. 36/09, 88/10, 14/16 and 95/18 – other law.

<sup>186</sup> Official Gazette RS, No. 26/21.

<sup>187</sup> Official Gazette RS, No. 135/04 and 25/15.

<sup>188</sup> Official Gazette RS, No. 25/13 and 40/21.

<sup>189</sup> Official Gazette RS, No. 135/04 and 36/09.

Strategic Environmental Impact Assessment<sup>190</sup>; Law on Chemicals<sup>191</sup>; Law on Biocide Products<sup>192</sup>; Law on Planning and Construction<sup>193</sup>; Law on Agriculture and Rural Development<sup>194</sup>; Law on Incentives to Agriculture and Rural Development<sup>195</sup>; Law on Patents<sup>196</sup>; Labour Law<sup>197</sup>; Law on Simplified Work Engagement for Seasonal Jobs in Certain Activities<sup>198</sup>; Law on Agency Employment<sup>199</sup>; Law on National Qualification Framework of the Republic of Serbia<sup>200</sup>; Law on Professional Rehabilitation and Employment of Persons with Disabilities<sup>201</sup>; Law on Employment of Foreign Citizens<sup>202</sup>; Law on Energy<sup>203</sup>; Law on the Use of Renewable Energy Sources<sup>204</sup>; Law on the Education System Foundations<sup>205</sup>; Law on Preschool Education<sup>206</sup>; Law on Primary School Education<sup>207</sup>; Law on Highschool Education<sup>208</sup>; Law on Dual Education<sup>209</sup>; Law on Higher Education<sup>210</sup>; Law on Adult Education<sup>211</sup>; Law on Science and Research<sup>212</sup>; Rulebook on continuous professional development of teachers and assisting professionals<sup>213</sup>; Rulebook and detailed criteria to identify forms of discrimination by employee, child, student or third person in an educational institution<sup>214</sup>; Rulebook on additional educational, health and social support to child, student and adult<sup>215</sup>; Rulebook on criteria and standards to provide additional support in education of children, students and adults with developmental difficulties and disabilities in an educational group, or other school and family<sup>216</sup>; Rulebook on pedagogical and andragogical assistants<sup>217</sup>; and Rulebook on student loans and scholarships<sup>218</sup>.

The following laws and by-laws refer to gender aspects of human rights, security and violence against women and political life: Law on Personal Data Protection<sup>219</sup>; Law on Public

<sup>190</sup> Official Gazette RS, No. 135/04 and 88/10.

<sup>191</sup> Official Gazette RS, No. 36/09, 88/10, 92/11, 93/12 and 25/15.

<sup>192</sup> Official Gazette RS, No. 36/09, 88/10, 92/11 and 25/15.

<sup>193</sup> Official Gazette RS, No. 72/09, 81/09 – correction, 64/10 – CC, 24/11, 121/12, 42/13 – CC, 50/13 – CC, 98/13 – CC, 132/14, 145/14, 83/18, 31/19, 37/19 – other law and 9/20.

<sup>194</sup> Official Gazette RS, No. 41/09, 10/13 – other law and 101/16.

<sup>195</sup> Official Gazette RS, No. 10/13, 142/14, 103/15 and 101/16.

<sup>196</sup> Official Gazette RS, No. 99/11, 113/17 – other law, 95/18 and 66/19.

<sup>197</sup> Official Gazette RS, No. 24/05, 61/05, 54/09, 32/13, 75/14, 13/17 – YC, 113/17, 95/2018 – authentic interpretation.

<sup>198</sup> Official Gazette RS, No. 50/18.

<sup>199</sup> Official Gazette RS, No. 86/19.

<sup>200</sup> Official Gazette RS, No. 27/18 and 6/20.

<sup>201</sup> Official Gazette RS, No. 36/09 and 32/13.

<sup>202</sup> Official Gazette RS, No. 128/14, 113/17, 50/18 и 31/19.

<sup>203</sup> Official Gazette RS, No. 145/14, 95/18 – and other law, and No. 40/2021.

<sup>204</sup> Official Gazette RS, No. 40/21

<sup>205</sup> Official Gazette RS, No. 88/17, 27/18 – other law, 10/19, 27/18 – other law and 6/20.

<sup>206</sup> Official Gazette RS, No. 18/10, 101/17, 113/17 – other law, 95/18 – other law, 10/19, 86/19, 157/20.

<sup>207</sup> Official Gazette RS, No. 55/13, 101/17, 10/19 and 27/18 – other law.

<sup>208</sup> Official Gazette RS, No. 55/13, 101/17, 27/18 – other law and 6/20.

<sup>209</sup> Official Gazette RS, No. 101/2017, 6/2020.

<sup>210</sup> Official Gazette RS, No. 88/17, 73/18, 27/18 – other law, 67/19 and 6/20 – other law.

<sup>211</sup> Official Gazette RS, No. 55/13, 88/17 – other law, 27/18 – other law and 6/20 – other law.

<sup>212</sup> Official Gazette RS, No. 49/2019.

<sup>213</sup> Official Gazette RS, No. 81/17.

<sup>214</sup> Official Gazette RS, No. 22/2016.

<sup>215</sup> Official Gazette RS, No. 80/2018. Available at: <https://www.paragraf.rs/propisi/pravilnik-dodatnoj-obrazovnoj-zdravstvenoj-socijalnoj-podrsce.html>

<sup>216</sup> Official Gazette RS, No. 70/2018. Available at: <https://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/ministarstva/pravilnik/2018/70/1/reg>

<sup>217</sup> Official Gazette RS, No. 87/2019. Available at: <https://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/ministarstva/pravilnik/2019/87/14/reg>

<sup>218</sup> Official Gazette RS, No. 36/2019. Available at: <http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/ministarstva/pravilnik/2019/36/2/reg>

<sup>219</sup> Official Gazette RS, No. 87/2018.

Information and Media<sup>220</sup>; Family Law<sup>221</sup>; Law on Civil Procedure<sup>222</sup>; Criminal Code<sup>223</sup>; Criminal Procedure Code<sup>224</sup>; Law on Police<sup>225</sup>; Law on Weapons and Ammunition<sup>226</sup>; Law on Public Order and Peace<sup>227</sup>; Law on Execution of Criminal Sanctions<sup>228</sup>; Law on International Legal Aid in Criminal Matters<sup>229</sup>; Law on foreigners<sup>230</sup>; Law on Juvenile Criminal Offenders and Criminal Protection of Juveniles<sup>231</sup>; Law on the Protection Programme for Participants in Criminal Proceedings<sup>232</sup>; Rulebook on police powers<sup>233</sup>; Rulebook on more detailed conditions to approve temporary residence, the appearance of the request to approve temporary residence, appearance and manner of inserting the temporary residence label in the travel document<sup>234</sup>; Law on Critical Infrastructure<sup>235</sup>; General protocol for action and cooperation of institutions, authorities and organisations in the situation of domestic and intimate partner violence against women<sup>236</sup>; Special protocol on conduct of police officers in cases of domestic and intimate partner violence against women<sup>237</sup>; Law on Free Legal Aid<sup>238</sup>; Law on Legal Practice<sup>239</sup>; Law on the Public Prosecution Office<sup>240</sup>; Law on the Organisation of Courts<sup>241</sup>; Law on Ombudsman<sup>242</sup>; Law on the Seats and Territorial Jurisdictions of Courts and Public Prosecution Offices<sup>243</sup>; Law on the Constitutional Court<sup>244</sup>; Law on the Election of the Members of Parliament<sup>245</sup>; Law on Local Elections<sup>246</sup>; Law on Political Parties<sup>247</sup>; Law on Disaster Risk Reduction and Management in Emergencies<sup>248</sup> and Law on Radiation and Nuclear Safety and Security<sup>249</sup>.

<sup>220</sup> Official Gazette RS, No. 83/2014, 58/2015, and 12/2016 – authentic interpretation.

<sup>221</sup> Official Gazette RS, No. 18/2005, 72/2011 – other law and 6/2015.

<sup>222</sup> Official Gazette RS, No. 72/2011, 49/2013 – CC, 74/2013 – CC, 55/14, 87/18, 18/20, 27/21 and 62/21.

<sup>223</sup> Official Gazette RS, No. 85/05, 88/05 – corr., 107/05 – corr. 72/09, 111/09, 121/2012, 104/2013, 108/2014 and 94/2016.

<sup>224</sup> Official Gazette RS, No. 72/2011, 101/2011, 121/2012, 32/13, 45/13, 55/14 and 35/19.

<sup>225</sup> Official Gazette RS, No. 6/16, 24/18 and 87/18.

<sup>226</sup> Official Gazette RS, No. 20/15, 10/19 and 20/20.

<sup>227</sup> Official Gazette RS, No. 6/16, 24/18.

<sup>228</sup> Official Gazette RS, No. 55/14 and 35/19.

<sup>229</sup> Official Gazette RS, No. 20/09.

<sup>230</sup> Official Gazette RS, No. 24/18 and 31/19.

<sup>231</sup> Official Gazette RS, No. 25/05.

<sup>232</sup> Official Gazette RS, No. 85/05.

<sup>233</sup> Official Gazette RS, No. 41/19.

<sup>234</sup> Official Gazette RS, No. 62/18.

<sup>235</sup> Official Gazette RS, No. 87/18.

<sup>236</sup> Available at: <https://www.minrzs.gov.rs/sites/default/files/2018-11/Opsti%20protokol%20nasilje%20u%20porodici.pdf>, accessed on 10 May 2021.

<sup>237</sup> Available at: [https://www.paragraf.rs/propisi/posebni\\_protokol\\_o\\_postupanju\\_policijskih\\_sluzbenika\\_u\\_zastiti\\_maloletnih\\_lica\\_od\\_zlostavljanja\\_i\\_zanemarivanja.html](https://www.paragraf.rs/propisi/posebni_protokol_o_postupanju_policijskih_sluzbenika_u_zastiti_maloletnih_lica_od_zlostavljanja_i_zanemarivanja.html), accessed on 10 May 2021.

<sup>238</sup> Official Gazette RS, No. 87/2018.

<sup>239</sup> Official Gazette RS, No. 31/2011 and 24/2012 – CC.

<sup>240</sup> Official Gazette RS, No. 116/08, 104/09, 101/10, 78/11 – other law 01/11, 38/12 – CC, 121/12, 101/13, 111/2014 – CC, 117/14, 106/2015 and 63/2016 – CC.

<sup>241</sup> Official Gazette RS, No. 116/08, 104/09, 101/10, 31/11 – other law, 78/11 – other law 101/11, 101/13, 10/15, 106/15, 13/16, 108/16, 113/17, 65/18, 87/18 and 88/18.

<sup>242</sup> Official Gazette RS, No. 79/05 and 54/07.

<sup>243</sup> Official Gazette RS, No. 101/213.

<sup>244</sup> Official Gazette RS, No. 109/07, 99/11, 18/13 – CC Decision, 40/15 103/15.

<sup>245</sup> Official Gazette RS, No. 35/00, 57/03 – YC, 72/03 – other law, 18/04, 101/05 – other law, 69/07, 28/11 – CC, 36/11, 12/2020 and 68/20.

<sup>246</sup> Official Gazette RS, No. 129/07, 34/10 – CC, 54/11, 12/20, 16/20 – authentic interpretation and 68/20).

<sup>247</sup> Official Gazette RS, No. 36/09 and 61/15 – CC.

<sup>248</sup> Official Gazette RS, No. 87/18.

<sup>249</sup> Official Gazette RS, No. 95/18 and 10/19.



The following laws and by-laws refer to gender aspects in the areas of healthcare and social security: Law on Social Protection<sup>250</sup>; Law on Healthcare<sup>251</sup>; Law on Public Health<sup>252</sup>; Law on Health Insurance<sup>253</sup>; Law on Patients' Rights<sup>254</sup>; Law on Pregnancy Termination Procedures in Healthcare Institutions<sup>255</sup>; Law on Health Documents and Records in the Health Sector<sup>256</sup>; Law on Financial Support to Families with Children<sup>257</sup>; Law on Pension and Disability Insurance<sup>258</sup>; Law on Housing and Building Maintenance<sup>259</sup>; Law on Air Protection<sup>260</sup>; Law on the Protection of the Population from Exposure to Tobacco Smoke<sup>261</sup>; Law on Social Care for Children<sup>262</sup>; Rulebook on more detailed conditions and standards for the provision of social protection services<sup>263</sup>; General protocol for action and cooperation of institutions, authorities and organisations in the situation of domestic and intimate partner violence against women<sup>264</sup>; Special protocol of the Ministry of Health for the protection and treatment of women exposed to violence<sup>265</sup>; Special protocol on action of centres for social work / guardianship authorities in cases of domestic and intimate partner violence against women<sup>266</sup>; and Rulebook on the protocol for action in the institution in response to violence, abuse and neglect.<sup>267</sup>

The following laws and by-laws refer to the institutional framework and creating gender-responsive public policies and budgets: Law on Official Statistics<sup>268</sup>; Law on Records and Data Processing in the Internal Affairs Sector<sup>269</sup>; Law on Health Documents and Records in the Health Sector<sup>270</sup>; Law on the Budget System<sup>271</sup>; Law on RS Budget for 2021<sup>272</sup>; Law on Government<sup>273</sup>;

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<sup>250</sup> Official Gazette RS, No. 24/11.

<sup>251</sup> Official Gazette RS, No. 25/19.

<sup>252</sup> Official Gazette RS, No. 15/2016.

<sup>253</sup> Official Gazette RS, No. 25/2019.

<sup>254</sup> Official Gazette RS, No. 45/13, 105/17 – other law and 25/19 – other law.

<sup>255</sup> Official Gazette RS, No. 16/95 and 101/05 – other law.

<sup>256</sup> Official Gazette RS, No. 123/14, 106/15, 105/17 и 25/19 – other law.

<sup>257</sup> Official Gazette RS, No. 113/17, 50/18, 46/21 – YC, 51/21 – CC, 53/21 – CC and 66/21.

<sup>258</sup> Official Gazette RS, No. 34/03, 64/04 – YCPC, 84/04 – other law, 85/05, 101/05 – other law, 63/06 – CC, 5/09, 107/09, 101/10, 93/12, 62/13, 108/13, 75/14, 142/14, 73/18, 46/19 – CC, 86/19 and 62/21.

<sup>259</sup> Official Gazette RS, No. 104/16 and 9/20.

<sup>260</sup> Official Gazette RS, No. 36/09, 10/13 and 26/21 – other law.

<sup>261</sup> Official Gazette RS, No. 30/10.

<sup>262</sup> Official Gazette RS, No. 49/92, 29/93, 53/93, 67/93, 28/94, 47/94, 48/94, 25/96, 29/01, 16/02 – other law, 62/03 – other law, 101/05 – other law, 18/10 – other law and 113/17 – other law.

<sup>263</sup> Official Gazette RS, No. 42/13, 89/18 and 73/19.

<sup>264</sup> Available at: <https://www.minrzs.gov.rs/sites/default/files/2018-11/Opsti%20protokol%20nasilje%20u%20porodici.pdf>, accessed on 10 May 2021.

<sup>265</sup> Available at: <https://www.minrzs.gov.rs/sites/default/files/2018-11/Posebni%20protokol%20zdravlje.pdf>, accessed on 10 May 2021.

<sup>266</sup> Available at: <http://www.zavodsz.gov.rs/sr/resurs-centar/propisi-od-zna%C4%8Daja-za-socijalnu-za%C5%A1titu/ostali-propisi/>, accessed on 10 May 2021.

<sup>267</sup> Official Gazette RS, No. 46/19 и 104/20.

<sup>268</sup> Official Gazette RS, No. 104/09.

<sup>269</sup> Official Gazette RS, No. 24/18.

<sup>270</sup> Official Gazette RS, No. 123/14, 106/15, 105/17 и 25/19 – other law.

<sup>271</sup> Official Gazette RS, No. 54/09, 73/10, 101/10, 101/11, 93/12, 62/13, 63/13 - correction, 108/13, 142/14, 68/15 – other law, 103/15, 99/16, 113/17, 95/18, 31/19, 72/19 и 149/20.

<sup>272</sup> Official Gazette RS, No. 149/20, 40/21.

<sup>273</sup> Official Gazette RS, No. 55/05, 71/05 - corr. 101/07, 65/08, 16/11, 68/12 – CC, 72/12, 7/14 – CC, 44/14 и 30/18 – other law.

Law on Ministries<sup>274</sup>; Law on APV Competences<sup>275</sup>; Law on Local Self-Government<sup>276</sup> and Decision on the establishment of the Coordination Body for Gender Equality<sup>277</sup>.

The following laws and by-laws refer to vulnerable groups, and are relevant for all areas covered by this Strategy: Law on Youth<sup>278</sup>; Law on the Protection of Rights and Freedoms of National Minorities<sup>279</sup>; Law on National Minority Councils<sup>280</sup>; Law on Preventing Discrimination against Persons with Disabilities<sup>281</sup>; Law on Professional Rehabilitation and Employment of Persons with Disabilities<sup>282</sup>; Law on Special Measures to Prevent Criminal Offences against Sexual Freedoms of Children<sup>283</sup>; Law on Asylum and Temporary Protection<sup>284</sup>; Law on the Use of Sign Language<sup>285</sup>; Decision of the National Electoral Committee on the Assessment of the accessibility of electoral places in the Republic of Serbia (2019)<sup>286</sup>; Recommendation of the Council of the Regulatory Body for Electronic Media on more available content for persons with disabilities (2019)<sup>287</sup> and Recommendation of the Council of the Regulatory Body for Electronic Media on the use of subtitles and sign language<sup>288</sup>.

## 2. ANALYSIS OF THE EFFECTS OF THE IMPLEMENTATION OF PREVIOUS PUBLIC POLICY PLANNING DOCUMENTS IN THE AREA OF GENDER EQUALITY

### 2.1. Analysis of the effects of the National Gender Equality Strategy for the period 2016-2020

The process of advancing gender equality continued despite the fact that National Gender Equality Strategy AP for the period 2018-2020 was not adopted, as well as extraordinary circumstances caused by the COVID-19 pandemic<sup>289</sup>. Under these circumstances also, several factors influenced the ongoing process of advancing gender equality: continuity of activities, particularly in the areas in which activities were efficiently initiated during the previous period;

<sup>274</sup> Official Gazette RS, No. 128/20.

<sup>275</sup> Official Gazette RS, No.99/09, 67/12 – CC, 18/20 and 47/18.

<sup>276</sup> Official Gazette RS, No.129/07, 83/14 – other law and 101/16 other law.

<sup>277</sup> Official Gazette RS, No.121/14, 147/14, 32/15, 37/15, 5/16 and 91/16 of 5 November 2014, 147 of 31 December 2014, 32 of 3 April 2015, 37 of 24 April 2015, 5 of 25 January 2016, 91 of 10 November 2016.

<sup>278</sup> Official Gazette RS, No. 50/11.

<sup>279</sup> Official Gazette SRJ, No. 11/02, Official Gazette SCG, No.1/03 – Constitutional Charter and Official Gazette RS, No. 72/09 – other law, 97/13 – CC and 47/18.

<sup>280</sup> Official Gazette RS, No.72/09, 20/14 – CC 55/14 and 47/18.

<sup>281</sup> Official Gazette RS, No.33/06 and 13/16.

<sup>282</sup> Official Gazette RS, No.36/09 and 32/13.

<sup>283</sup> Official Gazette RS, No. 32/13.

<sup>284</sup> Official Gazette RS, No. 24/18.

<sup>285</sup> Official Gazette RS, No. 38/15.

<sup>286</sup> Available at: <https://www.rik.parlament.gov.rs/extfile/sr/339/Odluka%20o%20pristupacnosti%20bm.pdf>, accessed on 14 May 2021.

<sup>287</sup> Available at:

<https://www.rik.parlament.gov.rs/extfile/sr/428/Preporuka%20o%20vecoj%20dostupnosti%20programskih%20sadrzaja%20osobama%20sa%20invalidetom.pdf>, accessed on 14 May 2021.

<sup>288</sup> Available at: <https://www.rik.parlament.gov.rs/extfile/sr/425/8256-Preporuka%20titlovi%20i%20znakovni%20jezik.pdf>, accessed on 14 May 2021.

<sup>289</sup> Finding 6 of the Final Evaluation of the National Gender Equality Strategy for the Period 2016-2020. Available at <https://rodunaravnopravnost.gov.rs/index.php/sr/dokumenti/strategije-i-akcioni-planovi/evaluacija-strategije-za-rodnu-ravnopravnost-2016-2020>, accessed on 10 June 2021.

combination of different action forms and methods; broad and continued mobilization and dedication of various stakeholders participating in the implementation; robust normative framework; working on institutionalizing and implementing standards in practice; coherence and consistency of activities; gradual recognition of gender equality as priority area of national importance; content-related links with reforms under the 2030 Agenda for Sustainable Development and the process of EU integration.<sup>290</sup>

Generally speaking, the implementation of the previous National Gender Equality Strategy was the most effective when it comes to gender mainstreaming in the creation, implementation and monitoring of public policies, programmes and budgets, which initiated processes of importance for gender equality, despite that their dynamics were not always as desired. Positive advancements<sup>291</sup> have been recorded in: improved normative framework, adopted or innovated laws that had been long due<sup>292</sup>, which created the normative prerequisites for gender equality and protection of women's rights; gender mainstreaming in public policies; increased representation of women in parliaments<sup>293</sup>, their participation in political life and institutions and making decisions on public affairs; gender-responsive budgeting; preventing and sanctioning violence against women and domestic violence; reporting to international organisations monitoring the implementation of gender equality standards (CEDAW Committee<sup>294</sup>, GREVIO), in which women's CSOs also actively participated and submitted several shadow reports<sup>295</sup>. Lower level of effectiveness in the implementation of the National Gender Equality Strategy was recorded in the area of economic empowerment of women, improving the position of women belonging to vulnerable groups and gender sensitive education.<sup>296</sup> Mild positive steps were recorded in raising knowledge and awareness of the importance of gender equality for societal development (training, mild decrease in patriarchal attitudes, more equal participation of women and men in parenting and the economy of care, gender mainstreaming in strategic documents) and improved intersectoral coordination. However, cooperation between government institutions and CSOs working on improving the situation of women and gender equality weakened. Although the representation of women in parliaments increased at all levels, still a very low share of women is recorded among mayors, the representation of women in the provincial Government (14%) is lower than in the Government of the Republic of Serbia (46%). The mechanisms of coordination and reporting were not institutionalized and are underdeveloped on the horizontal, and particularly the vertical planes. There is insufficiently strong direction towards changing patriarchal culture and stereotypes, and the discontinuation of gender studies at universities was evaluated as negative.

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<sup>290</sup> Op. cit. Finding 7.

<sup>291</sup> Ibid. Finding 7.

<sup>292</sup> Law on the Prevention of Domestic Violence (2016), Law on Free Legal Aid (2018), Law on Asylum and Temporary Protection (2018), Law on the Election of the Members of Parliament (2020), Law on Local Elections (2020), Provincial Parliament Decision on the election of MPs in APV Parliament (2020), Law on Gender Equality (2021), Law on Amendments to the Anti-Discrimination Law (2021), etc.

<sup>293</sup> Representation of women in the Republic of Serbia Parliament, APV Parliament and LSGU parliaments is the result of the application of legal quota of 40% and reserved places for the less represented sex, but the Evaluation of the Strategy finds that this achievement is not the result of its implementation but other circumstances and incentives.

<sup>294</sup> The fourth periodic report on CEDAW implementation was submitted by Serbia in 2017. The Committee delivered its conclusions and recommendations in 2018. The report on the implementation of the Istanbul Convention was submitted in 2018, and GREVIO submitted its recommendations in early 2020.

<sup>295</sup> A total of 15 shadow reports were submitted. Available at:

[https://tbinternet.ohchr.org/\\_layouts/15/TreatyBodyExternal/Countries.aspx?CountryCode=SRB&Lang=EN](https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Countries.aspx?CountryCode=SRB&Lang=EN), accessed on 18 June 2021.

<sup>296</sup> Op. cit. Finding 6.

The reduced effectiveness of the National Gender Equality Strategy was affected by insufficiently strong institutional GE mechanisms and lack of financial resources for their activities<sup>297</sup>, lack or late adoption of by-laws for the implementation of laws and policies, lack of a single financial mechanism and mechanisms for monitoring invested resources, lack of necessary data monitoring purposes, difficulties regarding data collection, underused potential of women's CSOs, non-functioning system for the provision of free legal aid, obstacles and limitation in access to justice, especially for women belonging to vulnerable groups, insufficient capacities and knowledge of employees in public authorities for gender-responsive policy planning, lack of systematic monitoring of the effects of training, lack of research on attitudes of civil servants and employees in the public administration on gender equality, etc.

## 2.2. Analysis of the effects of the National Gender Equality Strategy for the period 2016-2020, for the period 2018-2020 for which there was no Action Plan

The evaluation of the effects of the AP for the implementation of the National Gender Equality Strategy for the period 2018-2020 is lacking<sup>298</sup> because the AP for the period 2018-2020 was not adopted, even though a draft AP was prepared and the procedure initiated. The implementation of the National Gender Equality Strategy continued even without the AP<sup>299</sup>. Therefore, the analysis in this part refers to activities implemented pursuant only to the National Gender Equality Strategy. There were additional factors caused by the COVID-19 pandemic, which influenced limitations to activities during 2020. Despite the aggravated circumstances in which action took place, there were no major reductions in the activities on advancing gender equality, and the processes initiated during the implementation of the AP for the period 2016-2018 did not completely cease. The Coordination Body for Gender Equality, with limited capacities when it comes to the number of staff, organizational and logistical support and financial resources, managed to some extent to maintain activities on initiated processes even under such circumstances. During this period, there was a notable disbalance among different areas regarding the effectiveness of the implementation of the National Gender Equality Strategy.

The activities continued even though an Action Plan for the period 2018-2020 was not adopted. The continuity of action is particularly visible in areas in which activities were institutionalized, incorporated in standardized procedures<sup>300</sup>, as well as in areas in which activities unfolded within already initiated projects<sup>301</sup>, where the work continued and financial resources

<sup>297</sup> Op. cit. Finding 8.

<sup>298</sup> Evaluation of the AP was made for the period 2016-2018. See: Babović, M. et al. Finalni izveštaj evaluacije Akcionog plana za sprovođenje Nacionalne strategije za rodnu ravnopravnost RS, SeConS, UN Women (2018). Available at: <https://www.secons.net/files/publications/99-publication.pdf>, accessed on 12 June 2021.

<sup>299</sup> Op. cit. Finding 8.

<sup>300</sup> For example, after the first 2016 Gender Equality Index report, Gender Equality Index was published in 2018 and a report for 2019 prepared; the government reporting on CEDAW implementation (2017) and the Istanbul Convention (2018), but also numerous shadow reports submitted by CSOs. Nacionalni izveštaj o primeni CEDAW i Istanbulske konvencije u RS – diskriminacija i nasilje prema Romkinjama, BIBIJA and UN Women (2019); Rodna ravnopravnost u Srbiji – Izveštaj o stanju rodne ravnopravnosti u Srbiji, Mreža SOS Vojvodina, SeConS (2018). Žene i muškarci u Srbiji, Statistical Office of the Republic of Serbia (2020). Training on gender equality for employees in the public administration, Annual Reports on GRB, jointly developed by the CBGE and the Ministry of Finance: Fourth Report (2019) and Fifth Report (2020), National-Level Review of the Progress in the Implementation of the Beijing Declaration and Platform for Action +25 (2019). Available at: <https://drive.google.com/drive/folders/16Bg45r57ZTFuXwayRds62Qf5xifHht0u?usp=sharing>, accessed on 10 June 2021.

<sup>301</sup> The activities under the project Key Steps to Achieve Gender Equality, implemented in cooperation between CBGE and UN Women with EU support have continued. Several studies have been organised and published. For example: Cvijetićanin, Knežević H. et al. Priručnik za upotrebu rodno osjetljivog jezika (2018); Anđelković, B. et al. Rodna nit digitalnog preduzetništva, Centre for Public Policy Research (2019); Smernice za razvoj ženskog digitalnog preduzetništva, Jednake

were provided. The implementation of the following interventions continued: gender-responsive budgeting, improving the situation of women in rural areas<sup>302</sup>, gender analysis of public policies and measures, gender mainstreaming in public policies, strategies and regulations<sup>303</sup>, gender-sensitive record-keeping<sup>304</sup>, and international cooperation<sup>305</sup>.

In addition, during 2018 and 2019, there were also other activities (analyses, studies, scientific events) of importance for the advancement of gender equality<sup>306</sup>, and in particular for the situation of vulnerable groups<sup>307</sup>. This is an additional verification of a finding in the Final Evaluation of the National Gender Equality Strategy, that “the probability of results and initiated changes being sustainable is higher in those areas where the results have been integrated in systemic solutions – laws, regulations and regulatory procedures – when there is high level of awareness and commitment of stakeholders to support change and when change is an integral part of the prioritized reform processes, especially those connected to EU accession”<sup>308</sup>.

### 2.3. Key recommendations for the new Gender Equality Strategy

The first set of recommendations relates to the approach to the Strategy – from sectoral policies towards integrated public policy and includes: 1. Separation from sectoral policies and focus on areas that previous strategic documents on gender equality did not focus on (development, green and circular economy, environmental protection, climate change, access to energy and

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mogućnosti (2019), Digitalne i preduzetničke veštine za žene iz ruralnih područja, Belgrade (2019); Rikanović, M. et al. Rodno odgovorno urbanističko planiranje i projektovanje, Belgrade (2020); Uticaj kovid-19 pandemije i mera za njeno sprečavanje na socio-ekonomski položaj žena koje žive na selu sa fokusom na poljoprivredu, SeConS (2020). Available at: <https://drive.google.com/drive/folders/16Bg45r57ZTFuXwayRds62Qf5xifHht0u?usp=sharing> accessed on 10 June 2021.

<sup>302</sup> This particularly refers to incentives in agriculture aimed at women, measures of support to plant and animal production, measures of active employment of women in rural areas, IT training for women entrepreneurs in rural areas, programmes of innovative social inclusion in rural areas, improving the property-related situation of rural women. Source: Evaluation of the Gender Equality Strategy, Objective 3.1.

<sup>303</sup> Objectives 3.2 (mild gradual advancement in improving the tools for testing and verifying the gender component of planning documents) and 3.3 (e.g. the analysis of gender equality in transport, the analysis of economic programmes and financial measures, gender equality study in sports and media programmes, study on media reporting and violence against women, integrating the gender perspective in the Digital Skills Strategy, trainings on the gender component in environmental policies, e-commerce development programme, etc. Source: GE Strategy Evaluation.

<sup>304</sup> For example: gender-sensitive property records, database of the Geodetic Institute of the Republic of Serbia.

<sup>305</sup> This particularly refers to the cooperation with EIGE, certain EU countries and countries in the region.

<sup>306</sup> Zbornik Univerziteta između meritokratije i patrijarhata: žene i moć delanja, University of Belgrade, Institute for Philosophy and Social Theory (ed. Delibašić, B., Pudar D., G. Fiket, I.), (2018), Zbornik Rodna ravnopravnost – od jednakih mogućnosti do jednakih prava, (ed. Varadi, T, Pajvančić, M.), Serbian Academy of Sciences and Arts (2019), Pajvančić, M., et al. Naša urušena prava (2019), Zbornik Rodna ravnopravnost u visokom obrazovanju, (ed. Vujadinović, D. and Antonijević Z.), Akademska knjiga, (2019), Zbornik Naučnice u Srbiji, Institute of Ethnography SANU, (2020), Naučni rad i rod: sinhrono i dijahrono perspektive, Glasnik Etnografskog instituta SANU, (2020), Zbornik Parlamentarizam u Srbiji iz ženskog ugla (ed. Pajvančić M. Urošević, B.) (2020). Zbornik Žene u inženjerstvu, Engineering Academy, (2020), Nikolin, S., et al. Pregled programa i mera Razvojne agencije Srbije i analiza uticaja na rodnu ravnopravnost, NALED (2019). Nikolin, S., et al. Rodna analiza programa, rezultata i uticaja Fonda za inovacionu delatnost sa preporukama zasnovanim na identifikovanim rodnom jazovima, NALED (2019), Rikanović, M. et al. Vodič ka rodno-osetljivim javnim prostorima, Women's Architectural Society and UN Women, (2020). Available at: <https://drive.google.com/drive/folders/16Bg45r57ZTFuXwayRds62Qf5xifHht0u?usp=sharing> Accessed on 10. 6. 2021.

<sup>307</sup> Petrušić, N. Et al., Položaj i učešće starijih žena u političkom i javnom životu u Srbiji, FemPlatz, Amity, (2020); Mapiranje žena i devojaka sa invaliditetom na rukovodećim pozicijama u organizacijama osoba sa invaliditetom, CSŽ (2019), available at: <https://drive.google.com/drive/folders/16Bg45r57ZTFuXwayRds62Qf5xifHht0u?usp=sharing>; Priručnik za obuku za izgradnju kapaciteta mladih žena i devojaka sa invaliditetom (2019), available at:

[http://cilsrbija.org/ebib/202010131839090.PRIRUCNIK\\_ZA\\_OBUKU\\_ZA\\_IZGRADNJU\\_KAPACITETA.pdf](http://cilsrbija.org/ebib/202010131839090.PRIRUCNIK_ZA_OBUKU_ZA_IZGRADNJU_KAPACITETA.pdf), accessed on 10 June 2021.

<sup>308</sup> Op. cit. Finding 12.

energy efficiency, access to property, financial markets, digital technologies, etc). 2. Systematic and comprehensive inclusion of all vulnerable groups (in addition to the groups that have so far been identified as vulnerable, extend to other vulnerable groups, such as homeless persons, poor persons, and others). 3. Gender mainstreaming in public policies (laws, planning documents) related to emergencies.

The second set of recommendations refers to the continuity of initiated processes: 1. Building the culture of gender equality and overcoming gender stereotypes. 2. Gender mainstreaming in public policies, strategies, and laws. 3. Permanent work on the implementation of GRB at the national and provincial, and, in particular, the local level. 4. Raising the capacities of GE mechanisms, improving coordination, particularly vertical coordination. 5. Cooperation between institutions and CSOs and coordination of activities. 6. International and regional cooperation.

### 3. OVERVIEW OF KEY ACHIEVEMENTS AND CHALLENGES

Equal opportunities policy and the promotion of gender equality are some of the highest-priority goals of the Government, in line with the Constitutional provision<sup>309</sup> by which the State guarantees the equality of women and men and implementation of the equal opportunities policy. By acting continuously and engaging different stakeholders to participate in the creation and implementation of public policies in this area, significant steps have been made in the previous period to advance gender equality in the areas of prevention and protection from gender-based discrimination<sup>310</sup> and gender-based and domestic violence against women<sup>311</sup>, in the area of security<sup>312</sup>, introducing gender-responsive budgeting<sup>313</sup> and the representation of women in parliaments at all levels. Progress has also been recorded in improved legislation<sup>314</sup>, but some laws have reduced the level of attained rights<sup>315</sup>. Monitoring and reporting on the implementation of regulations and planning documents at the national level and to international organisations have been improved<sup>316</sup>. Certain positive steps forward have been recorded in raised knowledge and awareness of the importance of gender equality for societal development, more equal participation of women and men in parenting and the economy of care, gender mainstreaming in regulations and planning documents and intersectoral coordination. It is notable that the achievements in different areas are unbalanced. These general observations are confirmed by the Gender Equality Index for the Republic of Serbia, recording that in the period between 2014 and 2016, the value

<sup>309</sup> Constitution, Article 15.

<sup>310</sup> For more details visit: <http://ravnopravnost.gov.rs>, accessed on 26 June 2021.

<sup>311</sup> For more details see the newly adopted National Strategy for Preventing and Combating Gender-Based and Domestic Violence against Women for the period 2021-2025, adopted in 2021.

<sup>312</sup> The second National Action Plan for the Implementation of the UNSC Resolution 1325 – Women, peace and Security in the Republic of Serbia (2017-2020) was adopted, as well as the second Strategy on the Control of Small Arms and Light Weapons (2019-2024).

<sup>313</sup> GRB was introduced in the Budget System Law, and the promotion of gender equality is one of the aims of the budget system. The implementation is gradual and it is expected to be implemented in the entire budget by 2024. Progress Report. Available at: <https://www.rodnaravnopravnost.gov.rs/index.php/sr/rodna-ravnopravnost/rodno-odgovorno-budzetiranje-izveshtaj-o-napretku-za-2020-godinu>, accessed on 26 June 2021.

<sup>314</sup> For example, the Law on the Registration Procedure with the Cadastre of Real Estate and Utilities (2018), Law on Asylum and Temporary Protection (2018) or innovated laws that used to contain gender-discriminatory norms, for example, amendments to the Law on Pension and Disability Insurance (2018, 2019).

<sup>315</sup> For example, Law on Financial Support to Families with Children (2017).

<sup>316</sup> For example, despite the fact that the AP for the period 2018-2020 was not adopted, as well as special circumstances due to the COVID-19 pandemic, these activities continued.



of the index rose by 3.4 points<sup>317</sup>, reports by national institutions<sup>318</sup>, special reports by CSOs<sup>319</sup>, as well as the evaluation of the National Gender Equality Strategy<sup>320</sup>.

Although positive steps have been made in the previous period on advancing gender equality, the initiated processes need to be intensified, by mainstreaming gender in all public policies and the Budget, through direct interventions in specific areas, as well as by strengthening the institutional gender equality framework, to eliminate the gender gap.

Key challenges in this area are the following:

- Patriarchal cultural patterns and norms, widely spread gender stereotypes and prejudice are still predominant, whereas the anti-gender discourse and misogyny have strengthened, and have not been efficiently eliminated.
- Delays in adopting laws<sup>321</sup> and by-laws to implement the laws, delayed implementation of the laws<sup>322</sup>, delays or lack of adoption of planning documents<sup>323</sup>, even non-existence of planning documents of importance for achieving gender equality<sup>324</sup>.
- Incomplete, inconsistent and unbalanced gender mainstreaming in public policies (laws, planning documents and the budget) in different areas of importance for achieving gender equality.
- Insufficient recognition and understanding of the specific circumstances of persons belonging to vulnerable groups, incomplete and inconsistent integration of their needs in public policies and measures contributing to their inclusion in areas of importance for achieving gender equality.
- Insufficiently efficient and effective implementation of existing laws, policies and measures for advancing gender equality.
- Lack of implementation instruments and the coordination of activities in this multi-sectoral area and limited capacities of GE mechanisms represent an obstacle for comprehensive

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<sup>317</sup> This increase is in the most part an effect of the rise of Index value in the domain of power, which has recorded the highest increase, but also moderate or mild increase of the Index value in the domains of work, money, knowledge, and health. Compared to the average of EU (28) member states, Serbia has recorded a lower Index value by 10.4 points, with this difference having reduced compared to 2014, when it was 12.6 points. The differences between Serbia and EU average are the highest in the domains of power, time, and money, and the lowest in the domains of health, knowledge, and work. Looking at the total Index value, compared to Member States, Serbia ranks 22<sup>nd</sup>, which was the position it occupied according to the 2014 Index values. Still, in the domain of money, Serbia ranks one before last.

<sup>318</sup> For example: CBGE Report for 2019; National-Level Review of the Progress in the Implementation of the Beijing Declaration and Platform for Action for 2019, available at: <https://www.rodnaravnopravnost.gov.rs/sites/default/files/2021-02/Izvestaj%20o%20radu%20KTRR%202019.pdf>; Annual Report and special reports of the Commissioner for the Protection of Equality, available at: <http://ravnopravnost.gov.rs/wp-content/uploads/2021/04/Poverenik-za-zastitu-ravnopravnosti-Godisnji-izvestaj-za-2020.pdf>; and the Ombudsman, available at: <https://www.ombudsman.rs/index.php/izvestaji/godisnji-izvestaji>, accessed on 26 June 2021.

<sup>319</sup> For example: Progress Reports for the period 2016-2018 and progress report for the period 2016-2020, WPDS, available at: <http://www.fes-serbia.org>, accessed on 26 June 2021; numerous reports of women's CSOs to CEDAW Committee, available at: [https://tbinternet.ohchr.org/\\_layouts/15/TreatyBodyExternal/Countries.aspx?CountryCode=SRB&Lang=EN](https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Countries.aspx?CountryCode=SRB&Lang=EN), accessed on 26 June 2021.

<sup>320</sup> Evaluation of the Gender Equality NAP 2016-2018, Belgrade: SeConS, 2019.

<sup>321</sup> The new Gender Equality Law, as well as the amendments to the Anti-Discrimination Law were adopted in May 2021, after years of waiting for their adoption, even though they were prepared and the procedure initiated.

<sup>322</sup> For example, the Law on Free Legal Aid, even though it was adopted in 2018, has only been implemented since 1 October 2019.

<sup>323</sup> For example, the Strategy for Prevention and Protection from Discrimination, which expired in 2018, National Strategy for Preventing and Eliminating Violence against Women in the Family and in Intimate Partner Relations, which was adopted in May 2021, Gender Equality AP for the period 2018-2020 expired and the new one has not been adopted, even though AP was prepared and the procedure initiated, AP for the implementation of the Strategy for Social Inclusion of Roma Men and Women in RS expired in 2018, etc.

<sup>324</sup> For example, Strategy on Ageing, National Programme for Healthcare of Women, Children and Youth, Poverty Reduction Strategy, etc.

and coordinated activities of all stakeholders participating in activities on advancing gender equality and closing the gender gap.

- The gender gap in the economy has widened.
- There is a lack of recognition and acknowledgement of different needs and problems faced by women and men, especially vulnerable groups, and monitoring data and indicators on this. Many data relevant for reviewing the gender equality situation are lacking or are not publicly available, although this is a legal requirement. A uniform and standardised system for data collection, recording, monitoring and exchange, to facilitate gender-responsive policy making, has not been established.
- Stable, transparent, and sustainable funding of public policies, measures and activities on advancing gender equality has not been ensured, as well as of GE mechanisms, but also of all other stakeholders that with their competences participate in the creation and implementation of public policies in this area.
- Cooperation with CSOs and the academia has not been institutionalised, and CSO and academia potentials have still not been sufficiently engaged in the creation and implementation of public policies and budgets in the area of gender equality. Long-term support to the operations of women's CSOs has not been provided, including also those providing specialised support services to women.
- The circumstances caused by the COVID-19 pandemic have shown that crisis situations affect women and men differently, and particularly persons belonging to vulnerable groups, as well as that gender aspects of crises have not been recognised sufficiently, which has also reflected on creating and undertaking measures during the state of emergency and the emergency situation, so it is necessary to change this when planning recovery and create gender-responsive measures.

#### 4. COMPARATIVE INTERNATIONAL PRACTICE

This part contains examples of comparative practice in the areas covered by the Strategy, which have been used in its development.

**Economy and public finance.** The importance of including gender equality in public finance management has been supported and recognised by leading multilateral organisations, such as the UN Entity on Gender Equality and the Empowerment of Women (UN Women), World Bank (WB) and International Monetary Fund (IMF). In its Briefing published in February, IMF encourages economic decision makers to promote alternative gender sensitive policies, while gender impact assessments are transversal to all advice given by the IMF.<sup>325</sup> On its website, the European Gender Equality Institute (EIGE)<sup>326</sup> provides best practice examples for gender mainstreaming in all areas of public policy, as well as toolkits, publications and other useful references.

**Education and science.** In many countries, in the domain of higher education, gender mainstreaming is approached systematically, by adopting strategies and action plans<sup>327</sup>. Many universities throughout Europe adopt action plans encouraging the promotion of equality and

<sup>325</sup> Available at: <https://www.brettonwoodsproject.org/2019/02/the-imf-and-gender-equality-operationalising-change/>, accessed on 10 June 2021.

<sup>326</sup> Available at: <https://eige.europa.eu/gender-mainstreaming/policy-areas>, accessed on 10 June 2021.

<sup>327</sup> L. Husu, Gender Equality in Nordic Academia: Advances and Challenges, in: Vujadinović, D., Antonijević, Z. (ed), op.cit, p. 66.

respect for diversity, which also includes measures to achieve gender equality. So, for example, action plans have been adopted by universities in Helsinki, Cambridge, Edinburgh, Freiburg, Bergen, Örebro, Berlin, Vienna<sup>328</sup>, as well as many other universities. These plans include measures focusing on assessment, review and amendment of university procedures and practices that need to enable the identification of gender disbalances, implementation of new strategies for their elimination, as well as definition of goals, measures and indicators for monitoring their effects. In some universities, there are special equal opportunities offices, and in individual schools, equal opportunity commissioners, providing advice on attaining the principles of equal opportunities, including responding to complaints about the violation of equal opportunity principles in election procedures, sexual harassment, stalking, etc.<sup>329</sup>

Human security. Implementation of UNSCR 1325 was in the past twenty years extended with the adoption of nine new resolutions, which have all together become known as the Women, Peace and Security Agenda<sup>330</sup>. By January 2019, 79 UN Member States (40% of UN Member States) had adopted national action plans for UNSCR 1325<sup>331</sup>, with 11 regional action plans adopted, such as the African Union<sup>332</sup>, Asia-Pacific Union<sup>333</sup>, EU<sup>334</sup>, and OSCE Mission<sup>335</sup> plans. In addition to the Republic of Serbia, which adopted the second NAP for UNSCR 1325 in 2017, for the period 2017-2020, second NAPs were also adopted by the Republic of Slovenia (2018-2020) and the Kingdom of Spain (2017-2023). Third NAPs 1325 were adopted by the Kingdom of Belgium (2017-2021), Bosnia and Herzegovina (2018-2022), the Kingdom of Denmark (2014-2019), the Republic of France (2015-2018), the Federal Republic of Germany (2021-2024), the Republic of Italy (2016-2019), the Kingdom of Sweden (2016-2020) and Ireland (2019-2024). The only country that has adopted the fourth NAP is the United Kingdom (2018-2022)<sup>336</sup>. In the majority of world countries, including the Western Balkans, the participation of women in reconciliation processes is neglectable, which has a negative impact on changing realities towards achieving human security. Instead of investing in the well-being and welfare of individual men and women, within the Women, Peace and Security Agenda, states still invest in security structures: military, police, and security services.

Gender-based and domestic violence against women. The Republic of Austria is one of the leading countries in Europe in the fight against gender-based violence.<sup>337</sup> The legal framework for the protection from violence was established in 1996 with the Law on the Protection from

<sup>328</sup> The University of Helsinki Equality and Diversity Plan 2019–2020, [https://www2.helsinki.fi/sites/default/files/atoms/files/equality\\_and\\_diversity\\_plan\\_2019-2020\\_english.pdf](https://www2.helsinki.fi/sites/default/files/atoms/files/equality_and_diversity_plan_2019-2020_english.pdf), accessed on 2 June 2021; University of Cambridge Equality & Diversity Strategy 2016-2021; University of Edinburgh Equality outcomes action plan 2021-2025, [https://www.ed.ac.uk/files/atoms/files/equality\\_outcomes\\_2021-2025\\_and\\_mainstreaming\\_progress\\_report\\_2017-2021.pdf](https://www.ed.ac.uk/files/atoms/files/equality_outcomes_2021-2025_and_mainstreaming_progress_report_2017-2021.pdf), accessed on 6 June 2021; Albert-Ludwigs-Universität Freiburg Equal Opportunity Plan for 2009 to 2014 [https://www.gleichstellung.uni-freiburg.de/Info/Equal\\_Opportunity\\_Plan.pdf](https://www.gleichstellung.uni-freiburg.de/Info/Equal_Opportunity_Plan.pdf), accessed on 7 June 2021.

<sup>329</sup> See, for example, Equal Opportunities Officer of the University of Freiburg and Uniklinik Freiburg. Available at: <https://www.gleichstellungsbuero.uni-freiburg.de/en/UniversityEqualOpportunitiesOfficer>, accessed on 7 June 2021.

<sup>330</sup> UNSC has adopted 10 resolutions related to the Women, Peace and Security (WPS) Agenda: 1325 (2000), 1820 (2008), 1888 (2008), 1889 (2009), 1960 (2010), 2106 (2013), 2122 (2013), 2242 (2015), 2467 (2019), и 2493 (2019).

<sup>331</sup> Available at: <https://www.euractiv.com/section/defence-and-security/news/global-military-spending-in-2018-reached-post-cold-war-peak/>, accessed on 7 June 2021.

<sup>332</sup> Available at: <https://www.peacewomen.org/action-plan/regional-action-plan-ecowas>, accessed on 7 June 2021.

<sup>333</sup> Available at: <https://asiapacific.unwomen.org/en/focus-areas/peace-and-security/national-action-plans>.

<sup>334</sup> Available at: <https://data.consilium.europa.eu/doc/document/ST-11031-2019-INIT/en/pdf>, accessed on 7 June 2021.

<sup>335</sup> Available at: <https://www.osce.org/files/f/documents/3/4/444577.pdf>; Žene, mir, bezbednost: regionalna perspektiva, Ministarstvo za rad, zapošljavanje, boračka i socijalna pitanja, available at: <https://www.minrzs.gov.rs/sr/aktuelnosti/vesti/zene-mir-i-bezbednost-regionalna-perspektiva>, accessed on 7 June 2021.

<sup>336</sup> Available at: <https://www.wpsnaps.org/nap/irish-national-action-plan-iii/>, accessed on 7 June 2021.

<sup>337</sup> This is found in the CEDAW Committee report. See CEDAW/C/AUT/CO/7-8, 2013, Para. 24.

Domestic Violence, which established the so-called Austrian intervention model in cases of domestic violence<sup>338</sup>, followed by the 2008 Law on the Protection from Violence, which affected the amendments of a number of laws with the aim to improve protection and provide support to victims<sup>339</sup>. A comprehensive reform of the system of protection from violence followed after the adoption of the Law on the Protection from Domestic Violence in 2019<sup>340</sup>, based on the Federal Government's 2017-2022 programme, with one of its priorities related to more severe punishments for sexual and violent offenders. In cases of high-risk violence, a case conference is applied, and health workers are obliged to report violence and abuse. In all provinces there are Intervention Centres for the Protection from Domestic Violence<sup>341</sup>, funded from the budget and providing specialized services to violence victims. Services are provided by more than 130 counselling centres, as non-profit organisations, whose work is funded by the Austrian government, and 30 women's shelters provide accommodation services, psychosocial support, job search support, legal support, legal and psychological aid during the court proceedings, etc.<sup>342</sup>. Women's helpline is available non-stop throughout the country, as the first point of contact for the victims of domestic violence<sup>343</sup>. The Crime Statistics Department collects police reports and classifies them according to crimes. In the Republic of Italy, there are databases with gender sensitive data on violence. One is in the Ministry of the Interior, which contains data on crimes, the number of reported cases of violence and the number of victims. Another is in the Ministry of Justice, which contains data on the number of court proceedings, criminal acts, duration of the procedure from when the crime is reported until proceedings are initiated, and the total duration of proceedings. In the Kingdom of Norway, there are centres for rape and sexual violence victims in each region connected with inter-municipal emergency clinics, as well as one National and five Regional Resource Centres collecting expert information on violence and its effects, providing specialized services for professionals working in this area and coordinating cooperation among various victim support services. In the Republic of Finland, in 2010, using the MARAC method<sup>344</sup>, a multi-sectoral violence risk assessment system was introduced, and towards the end of 2016, 32 MARAC working groups were active in the Republic of Finland. In the Kingdom of the Netherlands, the Screening Assessment for Stalking and Harassment (SASH) has been used since 2018<sup>345</sup>, and for assessing the risks of violence in intimate partner relationships also the RIHG<sup>346</sup> tool, which is mandatory to apply before a decision on a protection order is issued. The Kingdom of Sweden established the National Centre for Abused and Raped Women in a hospital in Upsala, where medical examinations, treatment, and support are provided to women exposed to violence. In the Kingdom of Spain, the Government Observatory for Domestic and Gender-Based Violence has been functioning since 2007, under the auspices of the Ministry of Health, Social Policy and

<sup>338</sup> More in: Logar, R. *Austrijski model intervencije u slučajevima nasilja u porodici*. Belgrade: Autonomous Women's Centre, 2005, available at: <http://www.womenngo.org.rs/publikacije-dp/Austrijski%20model.pdf>, accessed on 7 June 2021.

<sup>339</sup> Available at: [https://www.parlament.gv.at/PAKT/VHG/XXIII/ME/ME\\_00193/index.shtml](https://www.parlament.gv.at/PAKT/VHG/XXIII/ME/ME_00193/index.shtml), accessed on 7 June 2021

<sup>340</sup> Bundesgesetzblatt Nr. BGBl. I Nr. 105/2019. Available at: <https://www.ris.bka.gv.at/eli/bgbl/I/2019/105>, accessed on 7 June 2021.

<sup>341</sup> Data on centres available at: <https://www.aeof.at/index.php/gewaltschutzzentren>, and data on intervention centres at: <https://www.interventionsstelle-wien.at>, accessed on 7 June 2021.

<sup>342</sup> Ibid.

<sup>343</sup> Ibid.

<sup>344</sup> MARAC (Multiagency Risk Assessment Conference) questionnaire sample is available at: <https://www.safershetland.com/assets/files/RIC%20Without%20Guidance.pdf>, accessed on 7 June 2021.

<sup>345</sup> Report submitted by the Netherlands pursuant to Article 68, paragraph 1 of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Baseline Report). Available at: <https://rm.coe.int/netherlands-state-repot-grevio/16808d91ac>, accessed on 7 June 2021.

<sup>346</sup> Ibid.

Equality, with the General Judiciary Council collecting data from judicial bodies quarterly, and publishing them in the Special Bulletin on Violence against Women<sup>347</sup>.

Representation of women in parliaments. According to UN Women, women are underrepresented at all decision-making levels throughout the world. The highest positions of authority are occupied by women in only 22 countries, 10 are Presidents and 12 Prime Ministers<sup>348</sup>. In 119 countries, women have never performed these functions. There is only 21% of women on the position of minister, leading sectors in charge of family, children, older persons, persons with disabilities, social issues, gender equality, culture, but also environmental protection, natural resources, labour and employment. In only 14 countries there are 50% of women in the Government. The total representation of women in all national parliaments is 25.4%.<sup>349</sup> Only in three countries, women account for 50% and more<sup>350</sup> of the MPs, and in 20 countries women account for 40% or more of MPs. There is a total of 58 (20.86%) of women on the position of parliament speaker. Women are represented (36%) a little more at the local level. In only two countries, the share of women in these bodies is 50%, and in 18 countries over 40%<sup>351</sup>.

Forms of informal women's action in parliaments. There are various informal forms of action of parliamentarians on issues of importance for gender equality in several parliaments, acting continuously or with interruptions for over 30 years<sup>352</sup>. Their status and *modus operandi* differs, which is also demonstrated in the comparative practices<sup>353</sup> in numerous countries, such as: the Swiss Confederation since 1990<sup>354</sup>, the Republic of Finland and the Republic of Poland<sup>355</sup> since 1991, Canada and the Republic of France since 1993<sup>356</sup>, Kingdom of Sweden since 1995<sup>357</sup>,

<sup>347</sup> Spanish Government Report on the implementation of the Council of Europe convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), 31 January 2019.

<sup>348</sup> Status on 1 January 2020 – country presidents (10/152=6.6%) and prime ministers (12/193=6.2%): Bangladesh (PM), Barbados (PM), Belgium (PM), Bolivia (P and PM), Denmark (PM), Estonia (President), Ethiopia (President), Finland (PM), Georgia (President), Germany (PM), Iceland (PM), Nepal (President), New Zealand (PM), Norway (PM), San Marino (President), Serbia (PM), Singapore (President), Slovakia (President), Switzerland (President and PM), Trinidad and Tobago (President). Source: Women in Politics: 2020, Situation on 1 January 2020, available at: <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2020/women-in-politics-map-2020-en.pdf?la=en&vs=827>, accessed on 4 June 2021.

<sup>349</sup> Interparliamentary Union data: Global and regional averages of women in National Assemblies, Parline, December 2020, available at: <https://data.ipu.org/women-averages?month=12&year=2020>, accessed on 4 June 2021.

<sup>350</sup> United Arab Emirates 50%, Cuba 53.4% and Rwanda 61.3%.

<sup>351</sup> Source: Women's leadership and political participation, UN Women, 2020, available at: [https://www.unwomen.org/en/what-we-do/leadership-and-political-participation/facts-and-figures#\\_edn3](https://www.unwomen.org/en/what-we-do/leadership-and-political-participation/facts-and-figures#_edn3), accessed on 4 June 2021.

<sup>352</sup> See: Pajvančić, M. Neformalni oblici delovanja u parlamentu, (ur. Orlović, S. Kovačević D.) Zbornik Trideset godina obnovljenog višepartizma u Srbiji – (ne)naučene lekcije, FPN, Hanns Seidel Stiftung, 2020. p. 157 – 175. Available at: <https://www.fpn.bg.ac.rs/wp-content/uploads/pdfjoiner.pdf>, accessed on 9 June 2021. Džambaširević, N, Jovanović D, Uloga neformalnih parlamentarnih grupa u zakonodavnoj i kontrolnoj funkciji parlamenta Zbornik (ed. Stojiljković, Z, Lončar, J., Spasojević, D.) „Parlament i demokratija”, 2015. p. 69 – 74. Drašković, B. Ženska parlamentarna mreža, Zbornik (ed. Pajvančić, M. Urošević B.) 2020, op. cit. p. 107 – 125.

<sup>353</sup> See: Women's Caucuses Fact Sheet, Washington, NDI; available at: <http://archive.ipu.org/pdf/publications/caucus-e.pdf>, <http://www.ipu.org/pdf/publications/equality08-e.pdf>, Equality in Politics: A Survey of Women and Men in Parliaments. Geneva. Inter-Parliamentary Union, 2008, available at: <http://www.ipu.org/english/surveys.htm#equality08>;

<http://www.ipu.org/pdf/publications/equality08-e.pdf>, Komparativna studija radnih tela parlamentarki u državama članicama OESS (2014), available at: <https://www.osce.org/hr/odihr/118575?download=true>, accessed on 4 March 2020.

<sup>354</sup> See: Marković, J. et al.: Ženske parlamentarne mreže priredila Biblioteka Narodne Skupštine RS, 2012. Available at: <http://www.parlament.gov.rs/narodna-skupstina/-organizacija-i-strucna-sluzba/biblioteka-narodne-skupstine>, accessed on 7 March 2020.

<sup>355</sup> Op. cit. (2012) p. 67. Available at: <https://www.osce.org/hr/odihr/118575?download=true> accessed on 4 March 2020.

<sup>356</sup> In each house of the National Assembly there is a standing working body – Delegation for the Rights of Women and Gender Equality, available at: <http://www.assem-blee-nationale.fr/connaissance/delegation-femmes.asp> and at: <http://www.senat.fr/commission/femmes/>, accessed on 8 March 2020.

<sup>357</sup> There are several women's networks active in the Riksdag (e.g. Q-sam, gathering MPs, Krikon, gathering working body secretaries), as well as a men's parliamentary network. Available at:

Republic of Albania since 1995<sup>358</sup>, Republic of Estonia since 1998<sup>359</sup>, Kingdom of Denmark between 2002 and 2007, Republic of Lithuania between 2002 and 2010, Republic of North Macedonia since 2003<sup>360</sup>, Kingdom of Norway and the Republic of Austria since 2008, Georgia since 2009, Tajikistan since 2010, Ukraine, Kyrgyzstan and United States of America since 2011<sup>361</sup> and in the United Kingdom since 2012<sup>362</sup>.

Policies on work-life balance are key for achieving gender equality and are included in EU policies promoting the participation of women in employment and participation of men in the family life. The European Institute for Gender Equality<sup>363</sup> indicates practices enabling to move toward reconciliation of professional, family and personal life. Many measures were prioritised because they were successful in promoting the participation of men in care and other unpaid family work. The examples are: Austrian campaign “four Walls – Four Hands”, Danish programme “Hug With Dad”, Polish campaign “Full-Time Dad – I like it!” and company workshops on parental leave for fathers in the Republic of Austria. Some campaigns focus on raising awareness on reconciliation policies and gender stereotypes that are obstacles to gender equality in the Federal Republic of Germany, Republic of Malta, and Republic of Italy. Best practice examples in mobilising multiple stakeholders and social partners show that success rests on close cooperation among social partners, companies, and local authorities.

Preventative healthcare is illustrated with examples of positive effects of the HPV vaccination and cervical screening practices. In Australia, which was among the first countries to include the 4-valent HPV vaccine<sup>364</sup> in its national immunisation programme, provides free vaccination for girls, ages 12 to 13 since 2007, with 70% vaccinated girls of school age. Since 2013, the programme was extended to include boys of the same age. One year after the introduction of the HPV vaccination, a considerable and fast drop of the incidence of genital warts in women (by 52%) and heterosexual men under 30 years of age was perceived. Similar findings were discovered in the USA, New Zealand, the Kingdom of Sweden, Kingdom of Denmark and the federal Republic of Germany. There has been a notable drop of pre-cancerous cervical alterations and cervical cancer. In ten years of the vaccine’s application in Australia, the incidence of HPV in the general population has dropped from 22% to 1%<sup>365</sup>.

In countries in which cervical cancer screening is well organised, the number of cases and deaths from cervical cancer have decreased considerably. A significant drop in the incidence and mortality in England, Republic of Finland and Iceland is connected with the quality of organised screening. The best example is the Republic of Finland, in which organised screening was

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[http://www.europarl.europa.eu/meetdocs/2009\\_2014/documents/femm/dv/contribution\\_sweden\\_/contribution\\_sweden\\_en.pdf](http://www.europarl.europa.eu/meetdocs/2009_2014/documents/femm/dv/contribution_sweden_/contribution_sweden_en.pdf)  
accessed on 7 March 2020.

<sup>358</sup> Op. cit. p. 36. Available at: <https://www.osce.org/hr/odihr/118575?download=true>, accessed on 4 March 2020.

<sup>359</sup> Op. cit. p. 57. Available at: <https://www.osce.org/hr/odihr/118575?download=true>, accessed on 4 March 2020.

<sup>360</sup> Available at: <http://www.sobranie.mk/?ItemID=9C370FCE2282B24995726AD076E6F6D5>; <http://www.sozm.org.mk/>  
accessed on 7 March 2020.

<sup>361</sup> The first meeting of the Women’s Caucus was held on 19 April 1977 in a small room on the Capitol, which was called the Reading Room. Today it is named after the first Women’s Caucus Secretary, Lindy Boggs (Corrine Lindy Boggs Congressional Women’s Reading Room). Marković, J. Ostojić, Op. cit. (2012) p. 7-8.

<sup>362</sup> In the UK Parliament, the Group on Women is active as one of the several so-called All-Party Parliamentary Groups (APPG) for different areas of equality. Marković, J. Ostojić, Op. cit. (2012) p. 9-10.

<sup>363</sup> Supporting reconciliation of work, family and private life, good practices, p. 21-22. Available at:

<https://eige.europa.eu/publications/supporting-reconciliation-work-family-and-private-life-good-practices>, accessed on 19 June 2021.

<sup>364</sup> Human Papilloma Virus (HPV) – around 40 types of this disease can infect genital organs, and some cause alterations on the cervix which can turn into cervical cancer, and some cause genital warts.

<sup>365</sup> Source: Vojvodina Institute for Public Health, available at: [http://www.izjzv.org.rs/uploads/74163419-f49-3ff2-946-5958efc77a97/HPV\\_brosura\\_roditelji.pdf](http://www.izjzv.org.rs/uploads/74163419-f49-3ff2-946-5958efc77a97/HPV_brosura_roditelji.pdf), accessed on 18 June 2021.



introduced over half a century ago, and mortality rates reduced by 80%.<sup>366</sup> Its commitment to address this issue was reaffirmed by the Republic of Finland by participating in the Innovative Partnership for Action Against Cancer (iPAAC), which included 44 partner organisations in 24 European countries with the aim to develop new approaches to improving cancer control, promoting healthy lifestyles and controlling the way governments implement policies for the prevention and elimination of cancer. The action was directed at new prevention measures and the most modern treatment, and the Republic of Finland coordinated part of the joint action on prevention and screening, because it feels that primary prevention is crucial and the most efficient. Therefore, it explored how to make health prevention and promotion more appealing, and one of the challenges was how to familiarise policy creators of importance for improving cancer control with the recommendations on cancer prevention<sup>367</sup>.

## 5. SITUATION DESCRIPTION AND ANALYSIS

Description of the situation and analysis of the problem are structured in a way to follow priority areas set out in this Strategy. In addition, the area of human security contains a special addendum related to gender aspects of the COVID-19 pandemic.

### 5.1. Development factors – Economy and Knowledge

#### 5.1.1. Economy as incentive and prerequisite for societal development

This priority area is linked to the factors supporting development and includes: economy, especially the gender gap in economy, gender mainstreaming in the areas of green and circular economy, labour market, women's entrepreneurship, support to innovation and women's participation, as well as knowledge as a developmental factor, education and science in particular.

##### 5.1.1.1. Gender gap in the economy

Closing the gender gap in the economy and improving the economic situation of women is directly connected with several goals defined in the 2030 Agenda for Sustainable Development, in particular: World without poverty, World without hunger, Quality education, Gender equality, Available and renewable energy, Dignified work and economic growth, Innovation, industry and infrastructure, Reduced inequalities, Sustainable cities and communities, Sustainable consumption and production. Advancing gender equality will contribute to the achievement of SDGs, and the achievement of these goals will create the preconditions for reducing the gender gap in the economy. These processes are very closely interconnected. The gender gap means that women and men do not have equal access to resources, do not participate equally in resource distribution, nor have equal benefits from resource use, and as a result of different social roles, unequal position and gender-based discrimination. Thus, for example, the Global Gender Gap Report of the World Economic Forum, which evaluates the gender gap through four key dimensions in 156 countries,

<sup>366</sup> See: Nacionalni vodič dobre kliničke prakse za dijagnostikovanje i lečenje raka grlića materice, available at: [https://www.zdravlje.gov.rs/view\\_file.php?file\\_id=657&cache=sr](https://www.zdravlje.gov.rs/view_file.php?file_id=657&cache=sr), accessed on 18 June 2021.

<sup>367</sup> Source: Cancer Society of Finland, available at: <https://www.cancersociety.fi/news/releases/finland-helps-boost-cancer-prevention-and-early-detection-in-ipaac-joint-action/>, accessed on 18 June 2021.

published in 2021, indicates that due to the global pandemic, a considerable step back is recorded when it comes to closing the gender gap, and that the time needed to eliminate the gender gap globally has in this pace increased from 99.5 to 135.6 years. When it comes to closing the gender gap in the economy, the situation is even worse, and it will take another 267.6 years to eliminate the gender gap. The reason for this, as stated, can be seen through two opposite trends. On one hand, the share of women among educated professionals has been rising continuously, and the pay gap has decreased, while on the other, the general inequality in income persists as well as lower participation of women in managerial positions, which is only 27%. In this report, the Republic of Serbia ranks 19, but when it comes to the dimensions of participation and opportunities in the economy, it ranks as low as 54, while the sub indicators within this dimension are even lower (76 for participation in the labour market and equal wages, and 79 for managerial positions).

The gender gap in the economy in the Republic of Serbia is visible through the unequal position of men and women in the labour market, differences in wages, pensions and income in general, differences in entrepreneurial activity, access to resources to support employment and self-employment, participation in the informal economy, differences in ownership of real estate and land, and participation in decision-making in the economy. In each of these observed elements, women are still far more disadvantaged, while there are vulnerable groups of women<sup>368</sup>, whose economic situation is even worse.

According to the latest Gender Equality Index for the Republic of Serbia, compared to the EU-28 average, the Republic of Serbia records lower values in two domains that are key for the economic situation: in the domain of work 3.3 ranking 22, and the domain of money, where it ranks one before last.

There are big differences in the domain of money for different groups, so single households, single parents with children and families with multiple children display additional disadvantages and are exposed to higher risks of financial poverty. When it comes to access to resources, young women and men are at a particular disadvantage, as well as women and men from rural areas. In particular, older women over 65 years of age, men of lower education, and young women and men are at risk of financial poverty.

For the domain of time, or participation of women and men in unpaid domestic work, new data for the Republic of Serbia will be available in 2022, because the Time Use Survey (TUS) is under way, which is conducted once in ten years by the SORS using Eurostat methodology<sup>369</sup>. According to the latest available data, regardless of whether they are employed or not, women work twice as much as men in the house, and spend half the time on paid work. Most of the time is spent in unpaid activities by women and men married with a child under seven years of age (a little under eight hours a day for women and three hours a day for men). Unpaid domestic work, economy of care and the way women and men use their time is also of great significance for their economic situation and the reduction of the gender gap in the economy. Gender Equality Law (Article 28), provides regular monitoring and valuating unpaid domestic work<sup>370</sup>, while taking unpaid work into consideration is key for creating measures of support to economic activities, employment and self-employment programmes, and creating the conditions for achieving a better

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<sup>368</sup> Rural women, victims of violence, groups of persons who, due to their social origins, nationality, financial situation, sex, gender identity, sexual orientation, age, psychological or physical disability, living in underdeveloped areas or for other reasons, find themselves in an unequal position.

<sup>369</sup> According to information submitted by SORS to the working group, "if financial resources are provided, SORS can repeat the Seasonal Time Use Survey, which was conducted in 2015 and which is conducted at 4 points in time and on a smaller sample.

<sup>370</sup> Time Use Survey using Eurostat methodology is conducted once in ten years, but SORS can conduct seasonal time use surveys, which needs to be budgeted. (Source: suggested by SORS to the working group).

work-life balance, which is important to all employees, especially women, who still bear the biggest burden of unpaid domestic work.

#### 5.1.1.2. Labour market and earnings

The Employment Strategy in the Republic of Serbia for the period 2021-2026 (ES) was adopted as a multi-sectoral strategy, in order to achieve better results through coordination with other relevant policies that influence employment-related outcomes. These are education, tax, economic and regional development, as well as social policies. As gender equality is an inter-sectoral issue, it is necessary to link this Strategy and its APs with the adopted ES to ensure gender-responsive approach to planning, implementation and reporting on all ES measures and improve the situation of women and men in the labour market.

The gender pay gap for 2018 was 8.8%, which is how much women were paid less than men in the Republic of Serbia. When data are analysed by level of education, the gender pay gap is much wider, so for women without school and incomplete or complete primary school it is 21.2%. Observed by occupations, the widest pay gap is in the following: craft workers (23.8%), experts and artists (19%), engineers, professional associates and technicians (19.3%), and in simple occupations (15.45%). Observed by age, the widest pay gap is for women 30-49 years of age. Even among young women and men 15-29 years of age, there is a pay gap of 4.6%.

Average annual earnings of women were 917,000 RSD in 2018, and average annual earnings of men 1,008,000 RSD, which constitutes a 9% pay gap in favour of men. However, the annual earnings median is 752,000 RSD for women and 779,000 RSD for men, so for 50% of women and men the difference is 3%. Observed by activity sectors, the lowest annual earnings are in three sectors: accommodation and food services (662,000 RSD for women and 785,000 RSD for men), administrative and assisting activities (722,000 RSD for women and 862,000 RSD for men) and wholesale and retail trade (735,000 RSD for women and 848,000 RSD for men). The highest average annual earnings are in the following three sectors: financial affairs (1,558,000 RSD for women and 2,011,000 RSD for men, with a pay gap of 1% in favour of women. However, if we look at the annual earnings median, we can see that there is a difference here of 5% in favour of men.

When it comes to pensions, in 2019, in all categories, the average age pension of women was lower by 20% and by 16% for disability pensions. There is a pay gap also by type of pension. The lowest average pensions in nominal value belong to the beneficiaries of agricultural pensions (11,567 RSD for women and 12,623 RSD for men), which is 45% of average pension for women, or 47% of average pension for men.

Activity and inactivity. The gender gap in activity rate is 13.6. Observed by sex among the work age population, women have lower activity rates on the labour market with 61.3% (men 74.9%). These rates, however, are different if you also look at the education level. Also, the lowest activity rates are among women without school 6% (men 16.6%), women with lower education levels 25.5% (men 45.1%), women with high-school education 51.9% (men 67.9%), while among women with the highest education levels, activity rates are higher than among men, with 72.3% (men 71%). Observed by age, the highest activity levels are among women and men 25-54, which is for 77.8% women and 88.5% for men. In the period 2015-2019, activity rates for women increased by 5.7 percentage points. The improved performances among women in the labour market, regarding primarily activity and employment, also occurred as a result of institutional changes. The most direct influence on the activity of women in the labour market was brought

about by legal changes in age limits for accessing pension entitlements, but also by the introduction of penalties for early retirement. Continued increase in the age limit for retirement has without a doubt increased the activity and employment of women, having extended, willingly or unwillingly, the participation of the older women's cohort in the labour market.

The plan to make retirement age for women and men equal by 2032 is not followed by appropriate redistribution of unpaid work, which is still a greater burden on women, and which has until now been some kind of compensation and reason for the differences in the retirement age. Related to this, adjustments need to be made in the pension system, and provided for increased top-ups on women's years of insurance, until the burden of unpaid work becomes equal.

Gender gap in inactivity rates is 13.6. In 2019, inactivity rates were 25.1% for men and 38.7% for women.

Employment. Gender gap in employment is 12.8.

Observed by employment status, in the 15-64 age group, 54.3% of women and 67.1% of men were employed. Looking at age, in the group 25-54, there were 69.1% employed women and 79.9% men. Among youth, in the age group 15-24, there were 15.9% employed young women and 26.7% young men. In the 55+ group, there were 20.5% employed women and 36.5% men. Employment by activity sector in 2019 shows that women were employed in the services (74.9%), industry (22.6%), agriculture (1.5%) and construction (1%) sectors. In the same period, men were employed in the services (53.1%), industry (34.8%), construction (8.1%) and agriculture (4%) sectors. In the government sector, women are the majority (53%) of employees, compared to men (47%).

Looking at occupations, women account for the majority of employees in services and trade (57%), among engineers, professional associates and technicians (53%), experts and artists (59%), as well as administrative officers (60%), and in simple occupations they represent one-half of the employed. Men are the majority among managers (directors), officials and legislators (67%), machine operators (78%), agricultural producers (58%) and craft workers (83%).

Looking at working hours, women are the majority of the employed working part-time (50%–62%) in all age groups. The most common reasons for working part time are care for children or incapable older persons (87%), family or personal reasons (61%), illness or disability (51%). The most common reasons why men work part-time are the inability to find full-time work (62%), education or training (61%) and other reasons (54%).

In the total employment, informal employment is 5.8% for women and 10.2% for men. Among the informally employed in the age group 15-64, there are 36% of women and 64% of men. The highest percentage of informally employed women is in the age group over 55 (41.8%), while the highest percentage of informally employed men is among youth 15-24 years of age (69%). Looking at employment status in the age group 15-64, there are 31% of self-employed women and 69% men. It is similar in other age groups, except among youth 15-24 years of age, in which the percentage of self-employed young men is 78% compared to 22% young women. Women are self-employed mostly in the services (64.6%) and agriculture (30.1%) sectors, while industry comes third (4.8%). Men are self-employed in the agriculture (43.7%), services (40.4%), construction (8.2%) and industry (7.7%) sectors.

Women are self-employed more than men in unregistered enterprises, the so-called informal economy (44.4% women and 34.1% men)<sup>371</sup>.

Unemployment. Gender gap in unemployment rates is (–1.1).

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<sup>371</sup> Žene i muškarci u Republici Srbiji, SORS, p.76.

The unemployment rate in 2019 was 11.5% for women and 10.4% for men. With total registered unemployment of 529,508 unemployed in 2019, 54.2% were women and 45.8% men. The number of unemployed women registered with NES in 2019 was around 287,000 persons, which is by around 93,000 (24.6%) less than in the period 2015-2019. Although the number of registered unemployed women dropped during the observed period, the share of unemployed women in the total number of unemployed persons increased by 3% (from 51.2% in 2015 to 54.2% in 2019). The reason for increased share of women is that the unemployment of men reduced in the observed period (by about 120,000 persons or 33.1%) more than the unemployment of women. Unemployment rate among young women (15-29) was 37.4% in 2015 (by 5 p.p. higher than young men). In the period 2015-2019, young women improved their relative situation in the labour market, with their unemployment rates dropping by even 14.9 p.p., which reduced the gender gap to 1.7 p.p. in 2019 (from 5 p.p. as it was in 2015). Young women also improved their situation by employment rate, so employment rates increased by 6.1 p.p. during this period, but this was not enough to reduce the gender gap, because the employment of young men rose faster (by 7.2 p.p.). Compared to their male peers, young women have greater difficulties becoming active in the labour market, considering their activity rate was 40.1% in 2019 (lower by 13.4 p.p. than the young men's activity rate) and it did not change during the observed period.

Data on the unemployment of persons with disabilities show that in 2020, there were 12,528 registered unemployed persons with NES, active in searching for jobs, with 42.6% women. By education levels, 54.7% completed high school, 38.8% are persons that did not complete high school, and only 6.6% of unemployed persons with disabilities have university education. According to years of age, 46.7% unemployed persons with disabilities are 50+, 41.8% 30-49, and 11.6% are youth under 30. 76.4% of persons with disabilities were looking for work longer than 12 months, and 61.9% longer than 2 years. Unfavourable educational and age structure, as well as high participation in long-term unemployment, are the characteristics of unemployed persons with disabilities.

When it comes to Roma men and women as one of the vulnerable groups, data for 2020 show that there are 27,595 unemployed Roma, with 50.2% women. High participation of unqualified persons or persons with low qualifications out of the 89.5% is the main characteristic of the educational structure of this group of the unemployed. High-school education level is attained by 10% and university level by only 0.6% of Roma women. In the structure of the unemployed, observed by years of age, 28.3% are youth under 30, 48.6% are persons 30-49, while 23.1% are 50+. Long-term unemployment of Roma men and women registered with NES is at 68.4%, with 53.7% of these persons being unemployed for a very long term.

#### 5.1.1.3. Women's entrepreneurship

Strategy to Support Development of Small And Medium Enterprises, Entrepreneurship And Competitiveness for the period 2015-2020 (MSME Strategy) and the National Gender Equality Strategy (2016-2020) have recognised the importance of interventions on closing the gender gap in the economy, including entrepreneurship development. Not enough has been done on systematic gender-responsive policy and programme planning for entrepreneurship development. Annual reports on the situation in the MSME sector do not include data on women's entrepreneurship, with no data on the business performance of enterprises by owner's sex, and there are no publicly available reports on the implementation of the MSME Strategy and its Pillar no. 6 related to women's entrepreneurship. There are still no systematically collected gender

statistics on women's entrepreneurship. More needs to be done, especially when it comes to various registries, particularly those kept by the Business Registers Agency.

Some progress has been achieved as the result of the gender-responsive budgeting processes in SORS, with the introduction of new gender indicators in business-related statistics. Progress has also been achieved with the Public Procurement Office (PPO), which has since 2020 started to monitor the share of enterprises owned by women in the total number of contracts or framework agreements signed within public procurement processes annually. PPO 2020 Performance Report says that this percentage was 23%, which is by 8% higher than estimated. So far, the most reliable assessment on the participation of women in business, 31.7%, was presented in the research on the situation of women in the business sector in the Republic of Serbia (Babović, 2014), which makes a distinction between the share of women in companies (24%) and registered entrepreneurs (32%)<sup>372</sup>.

The success of entrepreneurship as an important aspect of the economic activity is influenced by several factors: access to finance, supportive and business-friendly environment, cultural barriers, choice and type of business and sector, access to information and training, business contacts and access to social support networks, segregation of sexes in education and twofold burden of domestic duties and work-place responsibilities (reconciliation of work, private and family life). These factors can be a challenge for both women and men, but facts indicate that barriers faced by women entrepreneurs are often considerably bigger, because it is more difficult for them to access loans, finances and capital, they have fewer opportunities for networking, there is gender segregation in education, it is more difficult to reconcile work, private and family life and often more difficult to do business due to prejudice and stereotypes about women in business, and there are no measures developed that would systemically remove these barriers. This has been identified in the MSME Strategy, which says that "although the majority of these difficulties is common for both sexes, there is a particular impact on women entrepreneurs, who are conditioned in the choice of sector by gender discrimination and stereotypes, insufficiently developed and inflexible childcare, difficulties in reconciling family, private and work-related duties, or the differences in attitudes between women and men about entrepreneurship. Women also have less property and real estate under their names, which makes their access to finance more difficult."<sup>373</sup>. It is important in the future to develop appropriate measures to respond to these challenges.

Within GRB, the Republic Geodetic Authority (RGA) has improved the gender statistics in its records on real estate. According to available data, in 2019, 25% of real estate was solely owned by women, 65% solely owned by men and 10% owned jointly. The Ministry of Economy reported that in 2020, 251 business entities were supported in starting their business, out of which 100 or 39.8% owned by women<sup>374</sup>.

In 2019, several gender analyses were conducted on the programmes of support to entrepreneurship in the Republic of Serbia<sup>375</sup>, which pointed to key obstacles for women to use existing measures of support to entrepreneurship, inter alia, because support to entrepreneurship is directed at sectors with lower share of women, while the major part of support is directed at sectors with fewer companies owned by women. There are no continuous targeted measures to support women to engage in innovative activities, fast-growing businesses, green and circular economy,

<sup>372</sup> We are using here the Author's composite share of 31.7% as the assessed share of women in business in Serbia until new studies are conducted and statistics harmonised with the Gender Equality Law, adopted in May 2021.

<sup>373</sup> <https://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/vlada/strategija/2015/35/1/reg>, accessed in May 2021.

<sup>374</sup> Women were approved grants in the amount of 88,007,122.95 RSD (42.8% of the total allocated budget funds in this programme).

<sup>375</sup> Rodna analiza ekonomskih programa i finansijskih mera u Srbiji, NALED and UN WOMEN, 2019.



which would enable women to engage and to overcome gender-related obstacles. Gender analysis of the programmes implemented in 2018 by the Development Agency of Serbia indicate that the share of women in the programmes of support to entrepreneurship (22.7% and 17.9%) was below their share in the overall economy (31.7%). The key driver of indirect discrimination leading to lower participation of businesses owned by women in the programmes was that the advantage was given to production and processing activities, i.e. sectors in which the share of women is traditionally below the levels in other sectors of the economy. Main data for programmes are often not available by sex, which makes the gender analysis difficult, and lack of data at the time of initiating a new programme makes it impossible to improve programmes from the perspective of gender equality. This has also made planning gender sensitive measures during the pandemic difficult. Gender analysis of budget reallocations in 2020, including amendments to the Ministry of Economy Budget, which increased in 2020 by 695%, to respond to the crisis caused by the COVID-19 pandemic, demonstrated that the swift response was particularly beneficial for the MSME sector, that the coverage was broad, which was also beneficial for women entrepreneurs, but also those who are normally not included, particularly rural women, Roma women, women agricultural producers and numerous seasonal men and women workers, as well as those in the informal economy. The analysis has shown that in the first year of the pandemic there was a lack of focus on particularly affected service sectors, which needed much broader support, and which employ a high number of women, as well as that the majority of measures were insufficiently gender sensitive. The leading recommendation in the gender analysis was the necessity for gender-responsive economic recovery of the economy from the pandemic by improving measures from the aspect of gender equality and introducing complementary additional measures to support women's entrepreneurship.

#### 5.1.1.4. Support to innovation and women's participation

Business, technological, and social innovations are of great importance for societal development, as they contribute to creating new and more sustainable jobs, development and growth of businesses and entrepreneurship, creating new values, and starting entrepreneurship because of market opportunities rather than necessity. Innovation is also important for the traditional sectors, like agriculture, where it is of particular importance to support it. Development and support to innovation activity is regulated by the Law on Innovation Activity. A continuous support system has been established through the Innovation Fund and available information on measures to support the development of innovation economy. Science and technology parks and start-up centres have been supported. In the Public Procurement Law, the model "partnership for innovation" has been identified, the aim of which is to develop innovative goods, services, or works and subsequent procurement. This is a very big change enabling investments in new innovative solutions, which can contribute to the development of both the economy and the society. The gender perspective, however, is not integrated in support to innovation, and special measures are hardly used, despite significant differences in the access to resources, so it is necessary to continue targeted, systemic and long-term support to the participation of women and companies the majority share of which is owned by women in programmes supporting innovation in all sectors of activity. Programmes implemented as support to women's innovation entrepreneurship were mainly ad hoc and with smaller individual allocations. There are no corresponding programmes for innovation coming from the non-profit sector, which include both technological and social innovative aspects. Infrastructure needs to be developed to support

innovation and cover different forms of organisation, suitable for women (CSOs, cooperatives, registered women entrepreneurs). The gender analysis of Innovation Fund programmes has shown that Budget funds and grants are invested in a way that widens the gender gap. For example, the grant scheme provided support and companies the majority share of which was owned by men received the same amount of support in one year as companies the majority share of which was owned by women received in five. As a response to the results of the gender analysis, Innovation Fund began taking care to cover companies owned by women in their information campaigns, but this is still far from removing all barriers to women's participation. Advances were also made in the Intellectual Property Office, which prepared a publication on women inventors in the 20<sup>th</sup> century who protected their patents there for the 100<sup>th</sup> anniversary of the Office, in an attempt to make the contributions of women in this area more visible. Social innovation in the Republic of Serbia has not been recognised in strategic and legal frameworks, nor is it supported through the Innovation Fund and the importance of social innovators working in businesses, but also CSOs, cooperatives, social cooperatives, social enterprises and multi-sectoral hybrid structures has not been recognised, which is also important for formulating innovative solutions to address various problems in the society. Support to innovation should be directed also at other sectors in which women constitute a large majority: education, health, services in the area of social protection, especially in the segment of care, which is a field yearning for different and more sustainable solutions. A visible advance was made when SIPRU recognised the importance of social innovation for fostering inclusive development, and from 2016 started implementing a programme of early development, piloting/testing and scaling up socially innovative solutions in the area of youth employment<sup>376</sup>, particularly youth belonging to vulnerable groups, as well as in social protection services at the local level<sup>377</sup>. Social innovation is also applicable in all areas and for various social challenges and represents a good way to respond to needs and to strengthen various social groups, and has already given good results, especially in employment and self-employment initiatives, developed by SIPRU and numerous CSOs.

#### 5.1.1.5. Gender mainstreaming in the area of environmental protection, circular and green economy and information technologies/green economy

The new Law on Gender Equality (Art. 42) regulates the implementation of equal opportunity policy for women and men in the area of environmental protection and the obligation to mainstream gender in this intersectoral area. This is particularly important now when new development directions are promoted, including green and circular<sup>378</sup> economy, for which there is also a roadmap detailing activities to be implemented in the Republic of Serbia in the future. Shift from linear to circular economy will also bring about changes in the functioning of the economy and provide opportunities for new jobs, development of entrepreneurship and social

<sup>376</sup> More information available at: <http://socijalnoukljucivanje.gov.rs/rs/o-nama/inicijativa-za-zaposljavanje-mladih/>, accessed in May 2021.

<sup>377</sup> More information available at: <http://socijalnoukljucivanje.gov.rs/rs/rezultati-programa-program-lokalnih-inicijativa-za-socijalno-ukljucivanje-i-smanjenje-siromastva-podrska-razvoju-inovativnih-modela-za-socijalno-ukljucivanje-lip-2/>, accessed in May 2021.

<sup>378</sup> Circular economy is a renewable industrial economy with changed production and consumption concepts according to design, use of resources and waste generation. In the circular economy concept, waste does not exist, but only raw materials that can be reused for the same or different production processes. Also, renewable energy sources have priority, energy is used efficiently, innovative technologies are encouraged, green public procurement, replacing dangerous chemicals with less dangerous ones, and changes in habits are inevitable. Available at: <https://www.ekologija.gov.rs/sites/default/files/2021-01/mapa-puta-za-cirkularnu-ekonomiju-u-srbiji.pdf>, accessed in May 2021.

entrepreneurship. There are great changes expected as the result of the initiated processes of decarbonising<sup>379</sup> Europe's economy<sup>380</sup>, relating to nearly all sectors, also including those with fewer women, such as the energy sector, or like environmental protection, for example in the part related to waste and waste water management, as well as natural resources management. It is also of great importance to make sure from the start that women and men are equally involved in this process, that they have equal access to knowledge, information and resources in order to have equal opportunities due to changes in the economy. Strategic documents to be prepared in this area should include gender equality aspects. For increased chances in employment and self-employment, it is also important to involve women, and particularly women belonging to vulnerable groups, in digital economy, green economy, circular economy, as well as in the application of new technologies, for example in the area of waste recycling and wastewater treatment. It is particularly important to identify also the past pioneering efforts in the sphere of circular and green economy coming from the CSO sector, as well as the role that CSOs have in these areas.

Gender mainstreaming in climate change policy is also particularly important. Towards the end of 2019, a Draft Report to Establish Gender-Sensitive Reporting and Monitoring of Climate Change was prepared, which also included a draft Framework for Monitoring Gender-Sensitive Information on Climate Change (developed within the project Establishing Transparency Framework in the Republic of Serbia, implemented by the Ministry of Environmental Protection, with UNDP/GEF support), which provides guidelines in which areas the gender dimension needs to be integrated and environmental aspects, and identifies seven broader areas (access to resources, participation in the domain of decision-making, business and economy, consumption and lifestyles, education, health and knowledge, environmental attitudes and behaviours). All this will serve to finalise the first Gender Action Plan (GAP) for the Republic of Serbia, according to UNFCCC guidelines<sup>381</sup>.

Activities need to be continued on mainstreaming gender in the area of public policy on chemicals management, especially when it comes to exposure to POPs chemicals, and not exclusively in the sense of toxicology analyses, but also socio-economic aspects determining different exposure of men and women in the Republic of Serbia. This should be particularly emphasised because the previous two gender-sensitive analyses in this area have demonstrated that men, less often than women, participate in activities and institutional activities of chemicals management and environmental protection; as well as that, among professional users in certain sectors of industry, transport, security, men are potentially more exposed to POPs chemicals.

Gender disbalance is highly pronounced in the technology, i.e., the ICT sector, which offers the best perspectives for advancement, both economical and in terms of participation in creating the future. Data on gender structure indicate predominant participation of men in the ICT sector, who account for two-thirds of employees in the entire sector. In the more specific area of information technology, men occupy even 70% of jobs, which means that the share of women in

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<sup>379</sup> Decarbonisation is the process of the reduction of carbon amounts, mainly carbon dioxide (CO<sub>2</sub>) released into the atmosphere. Its aim is to achieve the global economy with low emissions in order to achieve neutral effects on the climate through energy transition.

<sup>380</sup> Available at: <https://www.europarl.europa.eu/legislative-train/theme-a-european-green-deal/file-revised-regulatory-framework-for-competitive-decarbonised-gas-markets>, accessed in May 2021.

<sup>381</sup> Available at: <https://www.klimatskepromene.rs/wp-content/uploads/2020/08/Gender-and-Climate-Change-monitoring-framework-DRAFT-18122019.pdf>, accessed on 08 October 2021.

ICT is 30%. It is assessed that less than 20% of women are on managerial positions, while under 10% of women are on leading positions as company directors<sup>382</sup>.

The European Parliament Resolution of 21 January 2021 on closing the digital gender gap: women's participation in the digital economy (2019/2168(INI)) stresses that the digital transition should leave no one behind<sup>383</sup>.

The Strategy of digital skills development in the Republic of Serbia for the period 2020-2024, also includes activities on promoting ICT among women and girls, introducing special programmes for advanced digital skills development for young women, women from rural areas and other vulnerable groups, specially in areas in which unemployment or digital gender gap is wider, promoting greater inclusion of youth, especially young women and girls in the ICT sector, etc.

#### 5.1.1.6. Economic situation of rural women

The disadvantaged economic situation of rural women, reflected in fewer opportunities for sustainable employment, in addition to less ownership over private resources, such as land, arable land and real estate, also affects the inadequate approach to community services that would increase their chances in the labour market (care services for children, ill and older persons), transport, access to information about rights and available forms of support, access to information technology, access to knowledge and lifelong learning programmes that would create chances for sustainable employment, self-employment, cooperatives and social entrepreneurship. The existing support to women in agriculture and in rural development is insufficient, and it is necessary to replace it with systemic support contributing to sustainable change and improvement of the quality of everyday life in rural areas. All proposed measures to reduce the gender gap in the economy within this Strategy in particular, should also involve rural women of all age groups.

#### 5.1.2. Knowledge as development factor

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<sup>382</sup> Information submitted to the Working Group by the Ministry of Tourism, Trade and Telecommunications.

<sup>383</sup> The resolution welcomes the Commission's commitments to boosting the participation of women in the digital economy and information society included in the Gender Equality Strategy 2020-2025; calls on the Commission to continue to address the serious gender gap within the ICT sector in the digital agenda, the European digital strategy and all other digitalisation skills and education policies and initiatives, with concrete measures aimed specifically at increasing the participation of women and girls in the sector; stresses that increasing women's participation in the digital sector can have an important impact on combating gender inequalities, stereotypes and discrimination, improving access to the labour market for women and their working conditions, as well as addressing the gender pay gap; calls on the Commission and the Member States to provide appropriate funding to programmes aimed at attracting more girls and women to study and work in STEM, to set up entrepreneurship programmes that finance women and girls who start tech projects or new companies, to develop strategies aimed at increasing girls' and women's digital inclusion, and digital financial inclusion, in fields relating to STEM, AI and the research and innovation sector, and to adopt a multi-level approach to address the gender gap at all levels of education and employment in the digital sector; calls on the Commission to take equal opportunities for women and men and the digital gender gap into due account while negotiating programmes within the next multiannual financial framework and funds and loans under the Recovery Plan, and to increase awareness of these mechanisms among women; stresses that gender mainstreaming and gender budgeting with measurable indicators should be part of the policies supporting ICT development; calls on the Commission to ensure the gender mainstreaming of the Digital Services Act and all upcoming proposals related to the digital realm; calls on the Commission and the Member States to ensure the full implementation of the Ministerial Declaration of Commitment on 'Women in Digital'; calls on the Commission to monitor the implementation of Member States' cross-sectoral national plans on women in digital. Source: Information submitted to the Working Group by the Ministry of Tourism, Trade and Telecommunications.

### 5.1.2.1. Education

Gender-sensitive education is the essential driver of sustainable development and key prerequisite for building an inclusive society, based on human rights and social justice. Experience confirms that achieving gender equality is not possible without gender mainstreaming at all levels and in all aspects of education. Mainstreaming gender in education entails engendering educational plans and programmes, educational material and processes, as well as improving the gender competences of teaching staff. Education bears the key transformative and empowering role in promoting human rights, overcoming gender stereotypes and prejudice, and it has been identified as the path towards gender equality and women's empowerment<sup>384</sup>. Quality and inclusive education, which is a prerequisite for sustainable development and improved quality of lives of women and men, entails equal availability of education and mainstreaming gender in educational programmes, teaching materials and educational practices. At the global level, providing inclusive, good-quality and equitable education and promoting life-long learning was set as one of the goals (SDG 4) of the 2030 Agenda for Sustainable Development<sup>385</sup>. One of the targets within this goal (Target 4.3), refers to equal access for all women and men to affordable quality technical, vocational and tertiary education, including university, and another (Target 4.5) to eliminating gender disparities in education and ensuring equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations. In the Strategy Europe 2020, education is recognised as one of the pillars of Smart Growth which rests on knowledge and science, putting an accent on fighting discrimination, which also entails improving gender equality, rights of persons with disabilities and Roma men and women, as well as vulnerable and marginalised groups<sup>386</sup>.

The Republic of Serbia strategically dedicated to developing gender inclusive education, by mainstreaming gender in education contents and practices. The key strategic document was the National Gender Equality Strategy for the period 2016-2020<sup>387</sup>, which set out gender sensitive education as one of the objectives within the first strategic aim: Changed gender patterns and improved gender equality culture. This strategy finds that educational programmes and teaching contents at all levels of formal education are not gender sensitive, setting out several measures for gender mainstreaming in education, also relevant for the area of higher education.<sup>388</sup> In addition, as a separate strategic aim, this strategy sets out knowledge development and visibility of academic results in gender studies.

Although some progress has been recorded on the plane of gender mainstreaming in education, it is, as a whole, still not sufficiently gender sensitive, which is also confirmed by data in the Gender Equality Strategy (2016-2020) and reports by independent bodies<sup>389</sup>. In this strategy, gender sensitive education was one of the objectives (1.2), and a series of measures were planned

<sup>384</sup> Gender in education and training, EIGE, 2016. p. 3; Milić, A. Patrijarhalni poredak, revolucija i saznanje o položaju žene, in: Milić, Anđelka (ed.), *Položaj žene kao merilo modernizacije*, Beograd: Institut za noviju istoriju Srbije, 1998, p. 558–559.

<sup>385</sup> More in: UN, Sustainable Development Agenda 2030, available at: <https://sdgs.un.org/2030agenda>.

<sup>386</sup> Strategy Europe 2020, [https://europa.rs/images/publikacije/29-Evropa\\_2020.pdf](https://europa.rs/images/publikacije/29-Evropa_2020.pdf), accessed on 3 June 2021.

<sup>387</sup> Official Gazette RS, No. 4/2016.

<sup>388</sup> These were the following measures: Introduce mandatory gender-sensitive and anti-discriminatory educational programmes and teaching contents at all educational levels, including adult education and the education of media professionals; Review teaching contents and books to eliminate gender stereotypes, discriminatory content and discriminatory language; Improve competencies of employees in education by introducing mandatory gender equality education programmes; Introduce gender sensitive language in all teaching contents; Include women's contribution to science, culture and art in the contents of courses.

<sup>389</sup> Poseban izveštaj Poverenika za zaštitu ravnopravnosti o diskriminaciji žena, Commissioner for the Protection of Equality, Belgrade, 2015.

in this area within the objective related to improving the economic situation and status of women in the labour market (2.3), also including encouraging and supporting the education of girls, young women, and women in occupations that yield high added value, such as engineering and new technologies. AP for the implementation of this strategy for the period 2016-2018 contained a series of measures to improve gender sensitivity of education: improving gender competencies of employees in education by introducing mandatory educational programmes on gender equality, including content on gender equality in the licensing examination for work in schools, as well as initiating the revision of teaching contents and books in order to eliminate gender stereotypes, discriminatory content and discriminatory language<sup>390</sup>. According to the findings in the evaluation of the AP for the National Gender Equality Strategy 2016-2018<sup>391</sup>, the expected results were not achieved, and interventions in the area of education were areas of low effectiveness<sup>392</sup>, which was the result of the lack of an explicit and comprehensive theory of change in this area. Therefore, to achieve gender equality in education, gender mainstreaming approach in sectoral policies<sup>393</sup> needs to be applied and measures and goals targeting gender segregation in education introduced.

Strategy for the Development of Education until 2030<sup>394</sup>, which defines goals, directions and priorities for the development of all levels of education, including university education, does not include gender inequalities in education, nor set gender mainstreaming as a strategic priority. The laws in the area of education and science are mainly gender-neutral, although there are laws which gradually integrate gender. An analysis of these laws shows that the majority contain provisions on the prohibition of discrimination and use of gender-sensitive terminology, but there is an obvious lack of special measures targeting women and girls, both related to schooling at different educational levels, and related to working in educational institutions.<sup>395</sup> For example, the Law on Higher Education<sup>396</sup> stipulates that the representation of women and men must be considered for appointing the members of the Steering Committee, Accreditation Panel, National Accreditation Body, as well as the representatives of the founders in the councils of higher education institutions founded by the Republic of Serbia<sup>397</sup>.

In their Concluding Observations on the Fourth periodic report of Serbia<sup>398</sup>, the CEDAW Committee acknowledged the progress made by Serbia in the education sector, especially by increasing scholarships for girls and acknowledging the need to prevent school dropouts, but also expressed concerns about an increasingly prevalent anti-gender political agenda that translates into gender-stereotypical content in teaching materials, widespread discriminatory gender stereotypes among the teaching personnel, who are predominantly male, gender segregation in education, Roma girls leaving school even before completing primary school and being almost fully absent from the education system after the age of 18, girls with disabilities being less involved in inclusive education than boys with disabilities and an alarmingly widespread incidence of gender-based violence, especially sexual violence, in schools, in the context of the withdrawal of a proposed

<sup>390</sup> A number of activities were also planned in the Draft AP for the implementation of the National Strategy 2019-2020, but it was not adopted.

<sup>391</sup> Evaluacija NAP-a za rodnu ravnopravnost 2016-2018, SeConS, Belgrade, 2019.

<sup>392</sup> Ibid, p. 8

<sup>393</sup> Ibid. p. 13.

<sup>394</sup> Official Gazette RS, No. 107/2012.

<sup>395</sup> Petrušić, N., Beker, K., Integrisanje rodne perspektive u zakonodavstvo, in: Pajvančić, M., Urošević, B. (ed), Parlamentarizam u Srbiji iz ženskog ugla, OSCE Mission in Serbia, 2020, p. 41-82.

<sup>396</sup> Official Gazette RS, No.88/17, 73/18, 27/18 – other law, 67/19 and 6/20 – other law.

<sup>397</sup> Law on Higher Education, Art. 16, Para. 2, Art. 20, Para. 4 and Art. 62, Para. 7..

<sup>398</sup> Committee on the Elimination of Discrimination against Women, Concluding observations on the fourth periodic report of Serbia, CEDAW/C/SRB/CO/4, 8 March 2019.

teaching tool on sexuality and sexual violence<sup>399</sup>. A number of recommendations have been given to the Republic of Serbia: to develop content on gender-based discrimination and gender equality and introduce age-appropriate gender-sensitive content in curricula and textbooks at all levels of education; integrate age-appropriate education on sexual and reproductive health and rights, including issues of responsible sexual behaviour; to reduce gender segregation at all levels of education and encourage girls and boys to choose non-traditional women's/men's occupations; to strengthen the mechanisms to retain Roma girls in the educational system; to increase efforts to promote and ensure inclusive school and pre-school education in regular classes for Roma children, especially girls and girls with disabilities, adjust the school infrastructure and sports facilities and leisure time to girls with disabilities and adopt and implement a national framework for monitoring inclusive education and education quality indicators<sup>400</sup>.

The Strategy on Higher Education in the Republic of Serbia until 2030<sup>401</sup> provides, *inter alia*, for new programmes to be sensitive to gender equality issues and the specificities of different social groups, including underrepresented ones, as well as to apply this approach in textbooks and to improve the capacities of employees in education. It also provides for establishing a framework for monitoring and evaluating the quality of higher education institutions, including indicators on anti-discrimination, gender equality and vulnerable groups. The AP for this strategy (2021-2023) does not contain any specific measures for achieving objectives related to gender mainstreaming in teaching programmes and materials, except for reviewing the status of the Civil Education course in the educational system and redefining the way in which Civil Education teachers are trained, which is relevant, having in mind that this course also teaches gender equality. The Strategy for Digital Skills Development in the Republic of Serbia 2020-2024<sup>402</sup> plans for activities advancing ICT skills among women and girls, introducing special programmes for the development of advanced digital skills for young women, rural women and other vulnerable groups, especially in areas with higher unemployment or digital gender gap, promoting the inclusion of youth, especially young women and girls in the ICT sector, etc.

For the first time, the Law on Gender Equality lays down concrete duties for public authorities and other entities performing tasks in the area of education on gender mainstreaming in all aspects of the educational process, which also entails taking out gender stereotypes, sexist contents from programmes and books and including contents related to gender equality, promoting equality and increasing the visibility of vulnerable social groups, use of gender sensitive language, integrating the gender perspective in the programmes of education of teaching staff. Assessing the contents of books and other teaching materials from the aspect of their impact on the promotion of gender equality, etc.<sup>403</sup>.

Although there are visible positive steps forward in the domain of gender mainstreaming in education, there are still gender disparities and horizontal gender segregation in access to education, especially among vulnerable groups. Educational programmes and teaching materials are insufficiently gender sensitive and they are based on the traditional gender matrix. There are considerable gender disbalances regarding the situation of women and men employed in educational institutions and their participation in management structures.

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<sup>399</sup> Ibid, Para. 33.

<sup>400</sup> Ibid, Para. 34.

<sup>401</sup> Available at: <https://www.srbija.gov.rs/extfile/sr/552501/strategija-razvoj-obrazovanja-srbija-2030-0061-cyr.zip>, accessed on 1 June 2021.

<sup>402</sup> Available at: <https://www.srbija.gov.rs/dokument/45678/strategije-programi-planovi-.php>, accessed on 1 June 2021.

<sup>403</sup> Gender Equality Law, Article 37.



Access to all levels of education in the Republic of Serbia is based on the principle of equality, with considerable differences and gender disparities with regards to the education of children and youth belonging to some marginalised and deprived groups. In order to improve this situation, by amending several laws in the area of education<sup>404</sup>, prerequisites have been created to improve access to education and continued schooling for women and girls belonging to vulnerable groups, by improving the procedure<sup>405</sup> and applying special measures<sup>406</sup> in education including: facilitated procedures for enrolment in primary school and increased coverage of Roma men and women by primary education, affirmative measures for enrolment in high school and increased coverage by high-school education, individual education plans, pedagogical assistants, teacher training, scholarships, loans, accommodation and food (10% of capacities for girls and boys belonging to vulnerable groups); affirmative measures for the enrolment of Roma men and women in higher education institutions<sup>407</sup>. According to data in the National-Level Review of the Progress in the Implementation of the Beijing Declaration and Platform for Action +25<sup>408</sup>, there are visible results regarding increased access of girls to education and their retainment in the education system, which was contributed by awarding scholarships out of the Budget for Roma high-school students, which were received by 930 children, among whom 65% girls. Mentorship support is provided to high-school students who receive scholarships, with 225 Roma pedagogical assistants engaged in preschool institutions and primary schools, with a share of women at 53%<sup>409</sup>.

Despite the measures undertaken, the situation is still not fully satisfactory. Regarding enrolment in preschool institutions and primary schools, there are no differences in the rates of enrolment between girls and boys, but the differences are notable when it comes to the enrolment of Roma children, children with disabilities, rural children and children from financially deprived families. Despite a significant increase in the capacities of preschool institutions and increased number of facilities, according to SORS data, in the year 2019/2020, 6,902 children were not enrolled in preschool institutions because the capacities were filled. In the context of equity, there are still two negative issues: differences among LSGUs regarding the coverage of children in general and coverage of children from Roma settlements, who are the least included in preschool education<sup>410</sup>. In the general population, 58.3% of boys and 63% of girls are covered by education in early childhood, while in Roma communities, only 6.8% of boys and 8% of girls are covered by these programmes. Nearly all children in the general population attend the preparatory preschool programme, but there are gender disparities among children from Roma settlements, with 78.4% of boys and 70.2% of girls covered by this programme. Nearly all children in the general population attend primary school (99.5% of boys and girls), but the rates of completion of the first cycle of primary education are lower among children living in Roma settlements (88.9%), while the rates of completion of the second cycle of primary education are even lower (63.7%). At

<sup>404</sup> Law on the Foundations of the System of Education, Official Gazette RS, No. 88/2017, 27/18 – other law and 10/19; Law on Preschool education, Official Gazette RS, No. 55/13, 101/17 и 27/18 – other law and 10/2019; Law on Primary School Education, Law on High-School Education, Official Gazette RS, No. 55/2013, 101/2017 and 27/2018 – other law; Law on Dual Education, Official Gazette RS, No. 101/2017; Law on Textbooks, Official Gazette RS, No. 27/2018.

<sup>405</sup> Ministry of Education, Science and Technological Development RS, Prilog za pripremu Sveobuhvatnog pregleda, March 2019.

<sup>406</sup> Introduced in 2009, available at: <http://socijalnoukljucivanje.gov.rs/wp-content/uploads/2016/07/Analiza-primene-afirmativnih-mera-u-oblasti-obrazovanja-Roma-i-Romkinja-i-preporuke-za-unapredjenje-mera.pdf>, p. 12, accessed in June 2021.

<sup>407</sup> Analiza primene afirmativnih mera u oblasti obrazovanja Roma i Romkinja i preporuke za unapredjenje mera, Republic of Serbia Government, Social Inclusion and Poverty Reduction Unit, June 2016.

<sup>408</sup> Available at: <https://www.rodunaravnopravnost.gov.rs/sites/default/files/2020-04/Nacionalni%20pregled%20Pekinska%20deklaracija%20SRB.pdf>, accessed on 7 June 2021.

<sup>409</sup> Ibid, p. 42.

<sup>410</sup> Strategija razvoja obrazovanja u RS do 2030. godine, p.20.

the high-school level, the rates drop slightly in the general population compared to primary education (97.7%), with the coverage in 2019 being 85.9% for boys and 88.9% for girls<sup>411</sup>. High-school enrolment rates also drop in the population of children from Roma settlements (61%), and they are the lowest among girls from Roma settlements (59.5%)<sup>412</sup>. This is primarily influenced by specific obstacles in education affecting exclusively girls of Roma nationality, which are related to gender roles of women and traditional gender patterns in the Roma community<sup>413</sup>. Girls account for the majority of young people who complete four-year vocational high schools (53% girls and 47% boys)<sup>414</sup>. Three-year vocational high schools are completed by nearly two and a half times more boys than girls<sup>415</sup>. Inequalities are also visible related to the education of children with developmental issues and disabilities. Out of the total number of persons with disabilities in the Republic of Serbia, 12.2% did not attend primary school, which constitutes 41.9% of the total population of the Republic of Serbia that never went to primary school. One in eight persons with disabilities, 15 years and older, have never gone to primary school, while in the general population this percentage is 2.7%<sup>416</sup>. However, among the youngest age category of persons that have never gone to primary school (15-18 years), there are 1.6% of persons with disabilities, 13-15% from one generation do not complete primary school, and 25.3% of youth 18-24 years of age do not complete high school. There are considerable gender differences: there are 18.6% men with disabilities without official qualifications, with 81.4% women in the total number of persons with disabilities that did not attend primary school<sup>417</sup>. In the period 2014-2019, among the children in primary school for children with developmental disorders, there was a decreasing trend in the number of girls compared to the number of boys<sup>418</sup>. In inclusive education in primary schools, there was considerably more boys than girls (one-third of girls follow individual education plans, and nearly two-thirds are boys)<sup>419</sup>. According to the Progress Report on the Implementation of Sustainable Development Goals by 2030 in the Republic of Serbia<sup>420</sup>, Target 4.5 on eliminating gender disparities in education and ensuring equal access to all levels of education and vocational training for the vulnerable, at the level of primary school, in the period 2014-2019, disparities increased in favour of boys, while at the level of senior high school, disparities reduced, and the situation is the same at the level of junior high school. When it comes to disparities among children from the poorest and the richest households, there was a twist in favour of children from the poorest strata at the primary education level, while at the level of junior and senior high school, disparities in favour of children from the richest households are sustained.

Gender segregation in education is also confirmed by the fact that there are more girls (58%) than boys (42%) among youth completing four-year general education high schools

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<sup>411</sup> Istraživanje višestrukih pokazatelja za 2019. godinu (MICS 6), Statistical Office of the Republic of Serbia and UNICEF, 2019, available at: <https://www.unicef.org/serbia/media/16056/file/MICS%206%20Istra%C5%BEivanje%20vi%C5%A1estrukih%20pokazatelja%20za%202019.%20godinu.pdf>, accessed on 2 June 2021.

<sup>412</sup> Ibid.

<sup>413</sup> Situaciona analiza obrazovanja i socijalne uključenosti romskih devojčica – rezultati istraživanja, CARE, Novi Sad, 2013.

<sup>414</sup> Žene i muškarci u Srbiji, Statistical Office of the Republic of Serbia, 2020.

<sup>415</sup> Ibid, p. 57.

<sup>416</sup> Marković, M. M, Osobe sa invaliditetom u Srbiji, Statistical Office of the Republic of Serbia, 2014.

<sup>417</sup> Stop napuštanju škole, Social Inclusion and Poverty Reduction Unit, 2016. Available at:

[http://socijalnoukljucivanje.gov.rs/wp-content/uploads/2016/06/stop\\_napustanju\\_skole.pdf](http://socijalnoukljucivanje.gov.rs/wp-content/uploads/2016/06/stop_napustanju_skole.pdf), accessed on 1 June 2021.

<sup>418</sup> Žene i muškarci u Srbiji, op. cit. p. 58.

<sup>419</sup> Ibid, p. 50.

<sup>420</sup> Izveštaj o napretku u ostvarivanju Ciljeva održivog razvoja do 2030. godine u RS, Statistical Office of the Republic of Serbia, available at: [http://sdg.indikatori.rs/media/1545/izvestaj-o-napretku-u-ostvarivanju-ciljeva-odrzivog-razvoja-do-2030-godine-u-srbiji\\_web.pdf](http://sdg.indikatori.rs/media/1545/izvestaj-o-napretku-u-ostvarivanju-ciljeva-odrzivog-razvoja-do-2030-godine-u-srbiji_web.pdf), accessed on 1 June 2021.

(grammar schools). Girls also account for the majority among youth completing four-year vocational high schools (53% of girls and 47% of boys). Boys are more numerous in the following educational fields: electrical technology, machine technology and metal processing, geodetics and civil engineering, transport, forestry and wood processing and geology and mining<sup>421</sup>. High schools and universities are enrolled and completed by more women: among students, there are 57% women, among graduated students 59%, as well as among those with PhDs (57% women and 43% men)<sup>422</sup>. According to the 2014 Gender Equality Index, in the domain of knowledge<sup>423</sup>, the difference between women and men in the share of graduate tertiary students was only 0.1%, while in 2016 it rose to 2.5%, with the differences between sexes even greater in the area of social sciences and arts. The share of men and women in lifelong learning is low, and the gender gap is also narrow (0.4% during 2014)<sup>424</sup>. The Gender Equality Index for 2016<sup>425</sup> shows that there is still horizontal gender segregation regarding the choice of future occupation, which is based on the persisting traditional division of occupations to male and female ones. In the domain of knowledge, a slight rise in the Index value has been perceived owing to the increased results in the subdomains of participation and achievement, whereas there has been a slight negative change in the subdomain of segregation. The segregation is still stressed, as among the women who do study, there is a larger share of those that acquire their education in the areas of education, health, social protection, humanistic sciences and arts than among the men who study<sup>426</sup>. This is also confirmed by SORS findings: women make up the majority in many areas of education, such as health (71%), art (68%) and natural sciences (66%), while men are more numerous in engineering, production and civil engineering (57%), information and communication technologies (66%) and services (56%)<sup>427</sup>.

Gender-responsiveness of primary and secondary school education. The teaching and learning programmes in the primary and secondary education do not sufficiently include topics promoting gender equality and developing knowledge and skills among students that are necessary for living in a democratic society based on the principles of non-discrimination and gender equality, in which a variety of gender and other identities is respected. The programmatic contents related to education for democracy and civil society are included in the Plan and Programme of Teaching and Learning for Primary and Secondary Schools and are implemented through the curriculum of the course Civil Education, which is one of the compulsory electives, Religious Education being the other one, in each school year. During 2017, the Institute for the Improvement of Education prepared new teaching and learning plans and programmes for the primary education level. The programmes are outcome-oriented and ensure the development of interdisciplinary competencies, one of which is “Responsible participation in the democratic society”, which is

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<sup>421</sup> Žene i muškarci u Srbiji, op. cit, p. 50.

<sup>422</sup> Ibid, p. 50.

<sup>423</sup> According to the methodology developed by the European Institute for Gender Equality, in the domain of knowledge, gender inequalities are measures in educational attainments and participation, as well as segregation. The subdomain of educational achievements and participation show the situation regarding the success of women and men to achieve high education and to get included in formal and informal forms of education. The situation is measures through two indicators: percentage of women and men who have acquired a university diploma and the participation of women and men in formal and informal education and training during their lifetimes. The second subdomain is directed at gender segregation in higher education, which is measures through the share of women and men among persons studying in the areas of education, health, social protection, humanistic sciences and arts..

<sup>424</sup> Indeks rodne ravnopravnosti u RS, Merenje rodne ravnopravnosti u Srbiji 2014, Republic of Serbia Government Social Inclusion and Poverty Reduction Unit, 2016. p. 51.

<sup>425</sup> Ibid.

<sup>426</sup> Ibid, p. 53.

<sup>427</sup> Žene i muškarci u Srbiji, op. cit, p. 50.

recognised in the outcomes related to the respect for human rights and freedoms. The aim of teaching and learning in the new curriculum of the elective Civil Education, is that the student, by learning the basic principles, values and procedures of a civil society, can become aware of his/her rights and responsibilities, sensitive to the needs of individuals and the community and ready to actively participate in the community by respecting democratic values.

Three handbooks have been developed with the aim to improve the competencies of Civil Education teachers: handbook for the first and the second cycle of primary education<sup>428</sup>, and one for high school<sup>429</sup>. The handbooks are equipped in line with the reformed Civil Education programmes and focus on achieving outcomes and developing competencies. The content of the handbooks includes the topics of tolerance, respect for diversity, gender equality and non-discrimination, which are the most frequent ones in the programme of Civil Education for the 8<sup>th</sup> year of primary school. Handbooks provide teachers with basic information on these topics, as well as instructions on the proper use of relevant terms, such as tolerance, diversity, discrimination, sex, gender, gender roles, sexism, etc., information on gender and other stereotypes and prejudices, on gender-based discrimination and discrimination on other grounds and ways to respond to discrimination. Handbooks also contain topics on gender-based violence against women and relevant phenomena, as well as information on regulations and institutional mechanisms to achieve equality. It is, however, unknown if there has been a decrease in gender stereotypes and prejudice that was rather widespread in the past, as the last study on this was done in 2010<sup>430</sup>.

New electives have been introduced in the (grammar) high-school programme: Language, media and culture; Individual, group and society; Health and sports; Education for sustainable development; Art and design; Applied sciences; The basics of geopolitics; Economy and business; Religions and civilisations; Methodology of scientific research and Modern technologies. Within other courses, to the extent possible, outcomes have been introduced related to gender equality, diversity and intercultural dialogue.

Despite positive advances, the situation is not satisfactory. This is why the Strategy for the Development of Education in the Republic of Serbia until 2030, as a measure to improve teaching and learning, plans to apply approaches ensuring that teaching and learning programmes are gender-sensitive and that they incorporate the specificities of different social groups, including the vulnerable ones.

Textbooks and other teaching materials still have abundant stereotypical content. The rights of women are viewed in the context of fight for fairer order, but certain topics related to issues of importance for understanding gender (in)equalities are lacking, the presence of male and female characters is very uneven – both in the images and in the text there are many more male than female characters, with a particularly uneven number of important persons represented in the textbooks, as well as authors quoted, and they are predominantly men. Compared to men, women are disproportionately represented as key holders of domestic work, and as wives and mothers with stereotypical gender characteristics. A number of analysed textbooks systematically use gender-stereotypical language<sup>431</sup>. Contents that perpetuate stereotypical roles of the sexes refer to the representation of professional roles. Professions, the work sphere and managing positions are

<sup>428</sup> Available at: <https://zuov.gov.rs/wp-content/uploads/2020/10/Prirucnik-prvi-ciklus-approved.pdf> and <https://zuov.gov.rs/wp-content/uploads/2020/10/Prirucnik-drugi-ciklus-approved.pdf>, accessed on 1 June 2021.

<sup>429</sup> Available at: <https://zuov.gov.rs/wp-content/uploads/2020/12/gradjansko-srednja-skola.pdf>, accessed on 1 June 2021.

<sup>430</sup> Đorić, G., et al. *Obrazovanje za rodnu ravnopravnost, Analiza nastavnog materijala za Građansko vaspitanje*, UNDP, 2010, p. 119.

<sup>431</sup> Milinković, M. *Rodne razlike u obrazovnim ishodima: studija dobijenih mera i trenutna situacija u Evropi*, University of Belgrade, Faculty of Philosophy, Psychology Department; January 2014.

almost exclusively represented through male characters<sup>432</sup>. Gender analysis of teaching programmes and textbooks for the Serbian language for years 1-4 of primary school<sup>433</sup>, has demonstrated that the concept of gender equality is not included in the terminology neither in teaching programmes nor textbooks for the first four years of primary school. None of the offered contents cover in their titles the topic of gender equality, nor does the presentation of this content entail explaining the conditions for achieving gender equality, or the sources of gender inequalities in the society.

For the gender sensitivity of education, the “hidden” curriculum is important, by which the unprescribed and unplanned value-related attitudes and behavioural patterns are presented to the students<sup>434</sup>. These attitudes and patterns, which are transferred by way of formal and informal contacts and implicit organisational culture, mainly reproduce traditional gender matrices. Considering that the “hidden” curriculum is a prerequisite for creating a tolerant and inclusive educational environment, as well as for introducing the gender perspective in work plans with children and youth, during the past, a number of activities were implemented on improving the competencies of teaching staff in civil values and gender equality<sup>435</sup>. Among others, a training titled “Teachers as agents of quality education for all children” was conducted, as part of the single list of special training courses, which was attended by 275 educational counsellors and external associates. Some of the seminars where teachers gained the required knowledge, skills and tools for implementing activities with primary and high school students, focused on topics related to gender equality<sup>436</sup>, while some programmes dealt with the issue of gender-based violence forms. This process needs continue because the programmes for the development of gender competencies need to cover the entire teaching staff at all education levels.

Gender equality in higher education is one of the key conditions for effective implementation of gender equality and equal opportunities policy in all areas of social life. The Law on higher education stipulates that higher education is based on the principles of respect for humanistic and democratic values of the national and European tradition and values of cultural heritage and respect for human rights and civil liberties, including the prohibition of all forms of discrimination<sup>437</sup>, but gender equality is not mentioned explicitly. The Law contains a clause on the use of gender-sensitive language, but it is as a whole gender neutral. The Rulebook on the standards for accreditation of study programmes<sup>438</sup> does not contain any gender sensitive conditions regarding the general competencies of graduated students. It instructs educational institutions, when creating study programmes, to determine the general qualifications of graduated

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<sup>432</sup> Zaharijevski Stjepanović, D. et al. *Obrazovanje za rodnu ravnopravnost, Analiza nastavnog materijala za osnovnu i srednju školu*, 2010, p. 123.

<sup>433</sup> *Rodna analiza nastavnih programa i udžbenika za srpski jezik od prvog do četvrtog razreda osnovne škole*, Republic of Serbia Government, Social Inclusion and Poverty Reduction Unit, 2019.

<sup>434</sup> Jarić, I. *Javni i skriveni kurikulumi srednjoškolske nastave sociologije: obrazovne reforme u Srbiji (1960–2006)*, University of Belgrade, Faculty of Philosophy, 2012, p. 16.

<sup>435</sup> In the Catalogues of continuous vocational training for teachers and professional associates for the schoolyear 2018/2019, 2019/2020 and 2020/2021, 19 programmes in the area of gender equality and the protection from violence and discrimination were approved. The Catalogues of continuous vocational training for teachers and professional associates for the schoolyear 2018/2019, 2019/2020 and 2020/2021 have been adopted. There is a total of 32 programmes on human rights. In the area of improving the competencies for civil values, there are seven programmes, and 24 programmes have the aim to improve the capacities of teachers and other professional associates to act on protection from gender-based violence and discrimination. Available at: <https://zuov.gov.rs/katalog-programa-strucnog-usavršavanja-za-skolsku-2018-2019-2020-i-2020-2021-godinu/>, accessed on 1 June 2021.

<sup>436</sup> E.g., Group MOST, Gender Equality.

<sup>437</sup> Law on Higher Education, Article 4.

<sup>438</sup> Official Gazette RS, No. 13/19.

students in line with the National Qualifications Framework<sup>439</sup>, but this regulation that establishes for each level of education a set of general knowledge, skills, abilities and attitudes, does not contain any descriptors related to human rights and gender equality, which reflects negatively on the definition of qualifications acquired by students at certain types and levels of studies. The Rulebook on standards and the procedure for accreditation of higher education institutions<sup>440</sup> does not contain any standards regarding the achievement of gender equality. Only the standards regarding students stipulate that higher education institutions provide additional support to students from vulnerable groups. This standard is not adequately operationalised<sup>441</sup>. The Rulebook on standards for self-evaluation and assessment of the quality of higher education institutions and study programmes<sup>442</sup> does not contain standards relevant for achieving gender equality either.

Analyses of the curriculum of some study programmes and course syllabuses<sup>443</sup> have shown that the gender perspective has not been integrated in their contents, that the textbooks are mainly gender neutral, and some contain also gender stereotypes in the approach to interpreting social phenomena. Teaching materials used in the higher education is in the majority of cases gender insensitive. There is no equal representation of male and female gender roles, and the existing ones are stereotypical and based on traditional patriarchal paradigms. Gender-sensitive language is not present almost anywhere, but the terms and expressions are used exclusively in the male gender, nor is the adequate terminology used indicating the social construct of gender and gender roles, etc. Textbooks that have even partially a gender-sensitive approach and deal with women or some other socially vulnerable groups, do this either insufficiently or, which is even more common, in an inappropriate way, by excluding or disrespecting socially vulnerable groups, discriminating customs, culture and religion of minority ethnic groups, untraditional families, LGBT population, etc.<sup>444</sup>.

The area of higher education in the Republic of Serbia is characterised by gender inequality, strong vertical segregation and insufficient representation of women in decision and policy making at universities and in the scientific community. Research shows that the position of women in the higher education system is disadvantaged compared to that of men. There is a high gender disbalance regarding the share of women in leadership positions, during their career development women are faced with specific gender-based barriers, and there are also considerable differences in the ways that women and men in science combine their professional and family lives, considering that the women's successful careers are not followed by emancipation within the

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<sup>439</sup> The Law on the National Qualifications Framework, Official Gazette RS, No. 27/20.

<sup>440</sup> Official Gazette RS, No.13/19.

<sup>441</sup> Commissioner for the Protection of Equality initiated in 2018 additions to the Rulebook on standards and procedure for accreditation of higher education institutions, by introducing standards of accessibility, which would ensure free movement and access of persons with disabilities, standards related to adaptation of textbooks, teaching materials and tools, or appropriate assistive technology aids, pursuant to the Rulebook on the methods of adaptation of content and/or formats of textbooks and standards to make the presentation of information in higher education institutions accessible to all. The initiative to change standards in the procedure for accreditation of higher education institutions, 110-00-10/2018-02 of 1 November 2018. Available at: <http://ravnopravnost.gov.rs/inicijativu-za-izmenu-standarda-u-postupku-za-akreditaciju-visokoskolskih-ustanova-dostavl%201%20enu-nacionalnom-savetu-za-visoko-obrazovanje-i-nacionalnom-telu-za-akreditaciju-cir/>, accessed on 8 June 2021.

<sup>442</sup> Official Gazette RS, No. 13/19.

<sup>443</sup> Vujadinović, D., Petrušić, N. Neophodnost urođjavanja studijskih programa prava i pravničkih predmeta, Zbornik D. Vujadinović, Z. Antonijević (ed.), *Rodna ravnopravnost u visokom obrazovanju: koncepti, prakse i izazovi*, Akademska knjiga, 2019. p. 303-324.

<sup>444</sup> Bačević, J. et al. *Analiza rodne dimenzije u visokoškolskom obrazovnom materijalu*, Centre for Gender Studies and Politics, Faculty of Political Science, University of Belgrade, 2010, p. 18-19.

private domain, which places women in the situation of twofold burden.<sup>445</sup> The analysis of the normative framework for academic work indicates a lack of awareness of the importance of gender equality and the issues of gender inequalities, gender-dependant careers of academic workers and unequal working conditions, which also opens additional room to create gender inequalities within the higher education system<sup>446</sup>. It is of particular concern that neither women nor men in leading positions in higher education institutions see that the academic community is marked by gender divisions, and consider that the academic sector is based on meritocracy and immune to discrimination<sup>447</sup>. In the higher education in the Republic of Serbia, there is an almost complete lack of regulations and practices related to gender mainstreaming in learning contents at the institutional university level, at the plane of teaching programmes and plans, as well as teaching materials and textbooks<sup>448</sup>. The literature recognises that for additional education and gender sensitisation of knowledge, it is of special importance to introduce and promote courses and study programmes in Gender Studies at all levels of higher education, with the aim to encourage critical approach to knowledge and its further building from a gender perspective, through an interdisciplinary approach<sup>449</sup>. However, in this domain, regression has been recorded in the past several years. The number gender studies students decreased (2017/18 – 14; 2016/17 – 15 in the Master programme and one PhD student), and there is no adequate financial support available to students or teachers and researchers in this area<sup>450</sup>. Having all this in mind, it is clear that there is a good strategic and legal framework to achieve gender equality in higher education, but a gender sensitive reform of higher education is necessary<sup>451</sup>. Change needs to come from outside, but also inside. This means that it is necessary for leadership of higher education institutions to educate teaching staff in the area of gender equality, improve teaching contents and materials and thus improve the quality of knowledge and contribute to a change in social relations<sup>452</sup>. Also, a requirement should be set to review teaching contents and textbooks from a gender perspective, as well as to respect the contribution of women to the development of the discipline from a gender perspective, promoting gender studies<sup>453</sup>. It is necessary to introduce measures to improve the

<sup>445</sup> Delibašić, B. et al. *Univerziteti između meritokratije i patrijarhata: žene i moć delanja*, Institute for Philosophy and Social Theory, 2018. p. 118 and 120.

<sup>446</sup> Ibid, p. 118.

<sup>447</sup> Ibid, p. 119.

<sup>448</sup> Varadi, T., Pajvančić, M., (es), *Rodna ravnopravnost – od jednakih prava do jednakih mogućnosti*, Zbornik radova sa naučnog skupa održanog 27. septembra 2019, Serbian Academy of Sciences and Arts, Beograd, 2020, p. 230.

<sup>449</sup> Popović, D. Duhaček, D. *Od cirkularnog kruga do studija roda: rodna ravnopravnost i visoko obrazovanje u Srbiji*, Godišnjak Fakulteta političkih nauka, 2009, vol. 3. no. 3. p. 681-693; Ćeriman, J., Milutinović-Bojanić, S., i Pudar, G. *Serbia at the Crossroads. Gender Inclusiveness in Higher Education: Real or just Wishful Thinking? U: From gender studies to gender in studies: case studies on gender-inclusive curriculum in higher education* Bucharest: UNESCO-CEPES, 2011, p. 185-210; Petrušić, N. Konstantinović Vilić, S. *Integriranje studija roda u univerzitetski sistem obrazovanja*, Zbornik radova Zaštita ljudskih i manjinskih prava u evropskom pravnom prostoru, Niš, Pravni fakultet, 2012, p. 17-40; Antonijević, Z. *Proizvodnja znanja i javne politike u Srbiji: za i protiv urođnjavanja*, Sociologija, vol. LX, 2018, no. 1, p. 299-301; Antonijević, Z. *Proizvodnja znanja i javne politike u Srbiji: za i protiv urođnjavanja*, Sociologija, vol. LX (2018), No.1, p. 299-301; Duhaček, D. *Izazovi u praksama institucionalizacije i izvođenja ženskih studija*, u: Vujadinović, D., Antonijević Z. (ed.), *Rodna ravnopravnost u visokom obrazovanju – koncepti, prakse i izazovi*, Akademski knjiga Novi Sad, 2019, p. 223-235; Jarić, I. *Javni i skriveni kurikulumi rodni studija u Srbiji (1978–2018)*, in: Vujadinović, D., Antonijević Z. (ed.), op. cit. p. 235- 250. Šobot, A. *Rodna segregacija u visokom obrazovanju na primeru Srbije*, in: Vujadinović, D., Antonijević Z. (ed.), op. cit. p. 221-234.

<sup>450</sup> *Demokratija i ljudska prava. Izveštaj o napretku II, Drugi izveštaj o napretku po oblastima za period oktobar 2016 – 1. jun 2020*, sačinjen na osnovu okvira za monitoring i evaluaciju, ŽPRS and Friedrich Ebert Foundation – Office in Serbia, 2020, p. 80-81.

<sup>451</sup> For more see: Antonijević, Z., *Proizvodnja znanja i javne politike u Srbiji: Za i protiv urođnjavanja*, Sociologija 60(1), 2018, p. 299-312.

<sup>452</sup> Varadi, T., Pajvančić, M (ur.), op. cit, p. 231.

<sup>453</sup> For more details see: Vujadinović, D., Petrušić, N., *Od rodno slepog ka rodno inkluzivnom visokom obrazovanju u Srbiji: akcioni planovi za urođnjavanje*, Sociologija 60 (1), 2018, p. 313-329 and Vujadinović, D., Petrušić, N., *Uvođenje rodne*



environment and overcome the so-called hidden curriculum reproducing stereotypes and prejudices in behaviour and discourse among teaching staff, during classes and in student relations, as well as to establish the legal framework for the protection from gender-based discrimination and violence<sup>454</sup>. Regarding gender-based discrimination and violence, a 2019 study showed that one in four students considers that calling after girls in the street is nothing bad, 43% of students consider that it is the girls' own fault when someone harasses them because they dress provocatively, while one in five students consider forced sex in marriage is not rape<sup>455</sup>. Certain faculties have started adopting general acts on the prohibition of sexual harassment and blackmail<sup>456</sup>, which is a positive example, but it is necessary to institutionalise these issues at the level of university and not leave the possibility to the faculties to choose individually whether to adopt similar general acts.

Although action plans are the key mechanism for gender mainstreaming in higher education<sup>457</sup>, there are no such action plans in universities in the Republic of Serbia. An exception is the University of Belgrade, which adopted its Plan for Achieving Gender Equality in 2019<sup>458</sup>. Its aim sets out initiating the process of the development of a gender equality strategy and identified the following priority action areas: 1) human resource management; 2) decision-making; and 3) content of study programmes and research. The plan finds that a system for following academic careers of women and men has still not been established, which would consider different factors that could contribute to inequalities. The University is required to: establish institutional capacities for relevant data identification and continuous maintenance, establish systematic procedures and information systems for improved data collection on trends, when it comes to the gender composition of teaching and research staff, to increase the visibility of gender equality and work on raising the awareness of the importance and advantages of gender balance at all levels, promote gender diversity within academic structures, increase the participation of women in decision-making bodies and processes, work on addressing implicit prejudice and stereotypes about women on the positions of power, establish a database on all study programmes and individual courses focusing on gender equality, and work on developing appropriate indicators for monitoring the status of gender equality in the research content and teaching plans and programmes in higher education. The Faculty of Law of the University of Belgrade has prepared a draft Action Plan for achieving gender equality, but it has not yet been adopted<sup>459</sup>.

Action plans for achieving gender equality are of key importance for integrating the gender perspective, because they provide long-term and systemic approach to addressing gender inequalities and transforming social practices and hierarchical gender power relations within

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perspektive u pravničko obrazovanje u Srbiji: pilot analiza studijskih programa i udžbenika, in: *Perspektive implementacije evropskih standarda u pravni sistem Srbije*, Knjiga 7, Pravni fakultet Univerziteta u Beogradu, 2017, p. 84-103.

<sup>454</sup> Vujadinović D., Antonijević, Z., *Rodna ravnopravnost u visokom obrazovanju: Feministički izazov za 21. vek*, in: Vujadinović, D., Antonijević, Z., op. cit, p. XV.

<sup>455</sup> Presented research results of students of the Faculty of Political Science, Faculty of Political Science, 29 May 2019, available at: <https://www.fpn.bg.ac.rs/26141>, accessed on 13 June 2021.

<sup>456</sup> For example, *Pravilnik o ponašanju zaposlenih u vezi sa prevencijom i zaštitom od seksualnog uznemiravanja i učenjivanja studenata i studentkinja Univerziteta u Beogradu-Fakulteta političkih nauka*, 2014, available at: <http://www.fpn.bg.ac.rs/wp-content/uploads/2016/07/pravilnik-o-ponasanju-zaposlenih-u-vezi-sa-prevencijom-i-zastitom-od-seksualnog-uznemiravanja-i-ucenjivanja.pdf>, accessed on 13 June 2021 and *Pravilnik o zaštiti od seksualnog uznemiravanja i učenjivanja*, Pravni fakultet Univerziteta UNION, available at: <http://pravnikafakultet.rs/wp-content/uploads/2019/03/Pravilnik-o-zastiti-od-seksualnog-uznemiravanja-i-ucenjivanja-22.03.2019..pdf>, accessed on 13 June 2021.

<sup>457</sup> *Gender Equality in Academia and research*, GEAR Tool, EIGE, 2016, Luxembourg: Publications Office of the European Union, available at: <http://eige.europa.eu>, accessed on 12 September 2021.

<sup>458</sup> Available at: [https://www.bg.ac.rs/files/sr/univerzitet/ravnopravnost/Plan\\_UB\\_za\\_postizanje\\_rodne\\_ravnopravnosti\\_2019.pdf](https://www.bg.ac.rs/files/sr/univerzitet/ravnopravnost/Plan_UB_za_postizanje_rodne_ravnopravnosti_2019.pdf), accessed on 7 June 2021.

<sup>459</sup> Available at: [http://centar.ius.bg.ac.rs/attachment.php?id\\_attachment=392](http://centar.ius.bg.ac.rs/attachment.php?id_attachment=392), accessed on 7 June 2021.

academic institutions<sup>460</sup>. The need to adopt them was also indicated by the Commissioner for the Protection of Equality, initiating amendments to accreditation standards for higher education institutions and study programmes, by introducing a requirement for these institutions to adopt a strategy with AP for achieving gender equality, alongside measures to identify and eliminate gender inequalities and monitor their implementation, as well as the requirement to provide students with training on the importance of gender equality, through existing courses, seminars, debates, workshops, training courses and in other appropriate ways<sup>461</sup>.

#### 5.1.2.2. Science and research

EU has recognised science and research as key for development policies contributing to the economic growth and employment generation. The most important intellectual resource – knowledge, is increasingly important, while the existence of a stable research system is seen as a *spiritus movens* contributing to improving the quality of life in modern society<sup>462</sup>. EU has been investing more and more in the development and implementation of strategies and programmes providing a quality framework for scientific research and innovation development, with the aim to encourage economic growth, i.e., the EU plan to become the most competitive and the most dynamic world economy based on smart, sustainable, and inclusive principles<sup>463</sup>. Funds invested in science and research are gradually increased, and the plan is to amount to 3% of Member States' GDP. The Europe 2020 Strategy has contributed to the creation of new and improvement of existing EU science and research programmes, as well as the further development of the European Research Area, by establishing the Innovation Union, initiative enabling Member States to bring together all scientific capacities and improve communication and cooperation among scientists and researchers. Further, the financial instrument Horizon 2020 is the largest EU programme on science and innovation (value around 80 billion EUR), the aim of which is to remove obstacles for innovation and facilitate cooperation between the public and private sectors in creating and delivering innovation, which will establish a joint research space and improve the capacities to form research networks<sup>464</sup>.

In 2014, the Republic of Serbia opened Chapter 25 – Science and Research, which was temporarily closed in 2016, having found that this chapter does not require the transposition of EU Acquis in the national legislation, considering that the level of preparedness of the Republic of Serbia is generally good in these areas, as well as the limited scope and special nature of the obligations deriving from the EU Acquis within this chapter<sup>465</sup>. It was also mentioned that this chapter may be reopened any time before the negotiations on accession. This EU document finds that research and innovation policies in the Republic of Serbia have been developed, that there are

<sup>460</sup> L. Husu, Gender Equality in Nordic Academia: Advances and Challenges, in: Vujadinović, D., Antonijević, Z. (ed.), op. cit, p. 66; Petrušić, N. Vujadinović, D. Od rodno slepog ka rodno inkluzivnom visokom obrazovanju u Srbiji: Akcioni planovi za urođjavanje, Blagojević, M. (ed.) Sociologija, 1/2018, 313-329.

<sup>461</sup> Initiative for the amendment of standards in the procedure of accreditation for higher education institutions, no. 6-00-1/2018-02 of 9 January 2019. Available at: <http://ravnopravnost.gov.rs/rs/inicijativa-za-izmenu-standarda-u-postupku-za-akreditaciju-visokoskolskih-ustanova/>, accessed on 7 June 2021.

<sup>462</sup> Progovori o pregovorima, Poglavlje 25 - Nauka i istraživanje, Beogradska otvorena škola, Available at: <https://eupregovori.bos.rs/progovori-o-pregovorima/poglavlje-25/1563/2016/02/11/poglavlje-25---nauka-i-istrazivanje-.html>, accessed on 7 June 2021.

<sup>463</sup> Ibid.

<sup>464</sup> Ibid.

<sup>465</sup> European Union Common Position, Chapter 25: Science and research, 2016, available at: [https://www.mei.gov.rs/upload/documents/pristupni\\_pregovori/pregovaracke\\_pozicije/pg\\_25\\_eu\\_pozicija.pdf](https://www.mei.gov.rs/upload/documents/pristupni_pregovori/pregovaracke_pozicije/pg_25_eu_pozicija.pdf), accessed on 12 June 2021.

institutional capacities, that the Republic of Serbia is well positioned to respond to the priorities of the European Research Area, and that the Republic of Serbia fully acceded to the Framework Programme Horizon 2020 (since 1 January 2014)<sup>466</sup>. However, it was indicated that the share of investment in research and development in the Republic of Serbia is stagnating at between 0.7 and 0.9% GDP, with Republic of Serbia's commitment to invest 1.5% GDP in research activities by 2020. Therefore, the EU encourages the Republic of Serbia to increase public funding for research and development. In the context of the European Research Area, six priority areas have been identified: more effective national research system, optimal transnational cooperation and competition, open labour market for researchers, gender equality and gender mainstreaming in research, optimal circulation, access to and transfer of scientific knowledge, including through digital ERA, and international cooperation<sup>467</sup>. Although gender equality and gender mainstreaming are one of the six priority areas, it is not explicitly referred to in the Republic of Serbia negotiation position for this chapter<sup>468</sup>. The document refers to the Scientific and Technical Development Strategy of the Republic of Serbia for the period 2016-2020, Research for Innovation<sup>469</sup>, with one of its objectives being: Ensuring excellence and availability of human resources for science, economy and social activities. In the measures used to achieve this goal, improved gender and minority equality in science and innovation was included, but not the specific activities with which to implement this measure, except stating that gender and minority equality will be improved at all decision-making levels. In early 2021, the Republic of Serbia saw the adoption of the new Scientific and Technical Development Strategy of the Republic of Serbia for the period 2021-2025, Power of Knowledge, with AP (2021-2023)<sup>470</sup>. The part related to the achievement of objectives in the previous strategy states that there were four key achievements: established institutional funding; established Science Fund of the Republic of Serbia; significant increase in the budget for science and improved innovation infrastructure. Weaknesses listed include inadequate identification of priority, ambition and insufficient focus of the Strategy<sup>471</sup>. The measure related to improving gender and minority equality was assessed as partially achieved, without any further details. Gender equality is almost completely left out of the new Scientific and Technical Development Strategy of the Republic of Serbia. The following aim of the Strategy was listed: scientific, technological and innovation system contributes to accelerated development of the Republic of Serbia by improving the quality and efficiency of science, technological development and innovation and further integration in the European Research Area, as well as that the strategy represents the national Roadmap of the Republic of Serbia for integration into the European Research Area, which is why it refers to priorities, including gender equality on managerial positions and development of gender equality policy in research organisations. However, gender equality principles have not been developed under objectives or measures and activities. A positive example is the adoption of the Gender Equality Action Plan, which was adopted on 27 May 2021 by the Mathematical Institute of the Serbian Academy of Sciences and Arts.

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<sup>466</sup> Ibid.

<sup>467</sup> Ibid.

<sup>468</sup> Vlada RS, Pregovaračka pozicije RS za Međuvladinu konferenciju o pristupanju RS Evropskoj uniji za Poglavlje 25 „Nauka i istraživanje”, oktobar 2016. godine, available at: [https://eupregovori.bos.rs/progovori-o-pregovorima/uploaded/pg\\_poglavlje\\_pg\\_25.pdf](https://eupregovori.bos.rs/progovori-o-pregovorima/uploaded/pg_poglavlje_pg_25.pdf), accessed on 12 June 2021.

<sup>469</sup> Official Gazette RS, No. 25/16

<sup>470</sup> Official Gazette RS, No. 10/21.

<sup>471</sup> Strategija naučnog i tehnološkog razvoja RS – moć znanja (2021-2025), Official Gazette RS, No. 10/2021.

The Law on Science and Research<sup>472</sup>, in addition to the provision regulating the use of gender-sensitive terminology for all positions, professions, occupations and titles<sup>473</sup>, mentions gender equality in science and research and decision-making bodies<sup>474</sup> as one of the principles on which science and research are built upon, without further elaboration. In addition, it is stipulated that the records on researchers are kept, inter alia, by sex<sup>475</sup>, as well as a special measure enabling women researchers to defer deadlines for election to title while they are on maternity leave, so that this period does not make the calculation on election or re-election<sup>476</sup>.

Having in mind the strategic and legal frameworks related to gender equality in science and research, it can be concluded that despite that there is a solid legal framework, there is also room for improvement. The equal opportunities policy is not consistently operationalised in the regulations related to science and research, as there is no set of special measures directed at overcoming gender inequalities in science, particularly in relation to the careers and advancement of women scientists, establishing a gender balance in research teams, management and supervisory bodies, as well as with gender mainstreaming research contents<sup>477</sup>. Strategies and laws are not mutually harmonised, which is particularly visible with regards to the special measures planned in strategies, which cannot be found in laws<sup>478</sup>, which makes it even more difficult to achieve gender equality. Strategies and regulations on science and research are not sufficiently harmonised with international documents on gender equality in science, which can and should represent a stronghold for creating and introducing special measures contributing to the achievement of gender equality in science and research<sup>479</sup>.

In the period 2014-2019, the total number of students enrolled in higher education institutions and universities in the Republic of Serbia increased, with the numbers of women rising continuously, while the number of men was decreasing.

Table 1: Students enrolled in higher schools and universities, by sex, 2014–2019<sup>480</sup>

Year	Number		%	
	Women	Men	Women	Men
2014	134,460	106,594	55.8	44.2
2015	138,971	112,191	55.3	44.7
2016	146,899	115,190	56.0	44.0
2017	144,871	111,301	56.6	43.4
2018	141,679	108,092	56.7	43.3
2019	137,910	104,058	57.0	43.0

In the schoolyear 2019/2020, there were 241,968 students enrolled in all higher education institutions and all study levels in the Republic of Serbia. Out of the total number of enrolled

<sup>472</sup> Official Gazette RS, No. 49/19.

<sup>473</sup> Law on Science and Research, Art. 1, Para. 2.

<sup>474</sup> Law on Science and Research, Art. 4, Para. 1, item 8.

<sup>475</sup> Law on Science and Research, Art. 68, Para. 10.

<sup>476</sup> Law on Science and Research, Art. 101.

<sup>477</sup> Pajvančić, M., Rodna ravnopravnost u nauci – jednake mogućnosti i posebne mere, in: Stefanović, L. et al. (ed.), Naučnice u društvu – Radovi sa konferencije održane od 11. do 13. februara 2020. godine and SANU, Ethnography Institute SANU, 2020, p. 29-40.

<sup>478</sup> Ibid.

<sup>479</sup> Ibid.

<sup>480</sup> Žene i muškarci u Republici Srbiji, op. cit. p. 61.

students, there were 104,058 men (43%) and 137,910 women (57%)<sup>481</sup>. At state and private universities, there were a total of 204,627 enrolled students (86% at public and 14% at private universities). Looking at the funding of studies, 41.4% of students were funded out of the Budget and 58.6% of students were self-funded<sup>482</sup>. In the schoolyear 2020/2021, the total number of students who enrolled the first year of studies at public and private universities, vocational academies and higher schools was 47,823, with 20,856 (43.6%) men and 26,967 (56.4%) women<sup>483</sup>.

There is still gender segregation in higher education. Among the graduated students in 2019, the share of women was nearly 60%, with men still prevailing in the following areas: ICT (66%), engineering, production and civil engineering (61%)<sup>484</sup>. In 2019, more women completed PhD degrees (57%) than men (43%). Women are the majority in the areas of health (71%), art (68%), and natural sciences, while men are in engineering, production and civil engineering (57%), ICT (66%) and services (56%)<sup>485</sup>.

There were more women (51%) in 2018 among employees in research and development, as well as among scientific researchers (51.4%). Women are the majority in all categories, except professional associates (48%). Although they constitute the majority, they far less often occupy leadership positions compared to men (38.1%). Even when they are in leadership positions, women are much more often than men in charge of administration, organisation of work and care of employees<sup>486</sup>. It should be kept in mind that since the University of Belgrade was founded until today, only two women have been on the position of Rector. Men are predominant members of the Serbian Academy of Sciences and Arts. In 2020, 90% of all members were men. The highest participation of women is in the Department of languages and literature and the Department of historical sciences, while there is only one female member in the departments of social sciences, technical sciences and mathematics, physics and geo-science, respectively<sup>487</sup>.

Table 2: Research and development staff, by title and sex, 2014, 2016, and 2018.<sup>488</sup>

	2014				2016				2018			
	F	M	F %	M%	F	M	F %	M%	F	M	F %	M%
Total	10,863	11,017	49.6	50.4	11,533	12,009	49.0	51.0	11,645	11,326	50.7	49.3
Researchers	7,452	7,711	49.1	50.9	8,032	8,560	48.4	51.6	8,329	7,884	51.4	48.6
Professional associates	715	1,001	41.7	58.3	876	943	48.2	51.8	733	794	48.0	52.0
Technical staff	1,454	1,175	55.3	44.7	1,632	1,521	51.8	48.2	1,542	1,489	50.9	49.1
Managerial staff	198	260	43.2	56.8	203	364	35.8	64.2	253	411	38.1	61.9
Other staff	1,044	870	54.5	45.5	790	621	56.0	44.0	788	748	51.3	48.7

There has been a notable rise in the number of women researchers over the last several years, in all scientific areas. Data from 2018 show that the highest share of women researchers was

<sup>481</sup> Statistical Office of the Republic of Serbia, 2020, available at: <https://publikacije.stat.gov.rs/G2020/Pdf/G20201165.pdf>, accessed on 10 June 2021.

<sup>482</sup> Ibid.

<sup>483</sup> Newly enrolled students of academic/vocational studies in 2020/2021, Statistical Office of the Republic of Serbia, Belgrade, 2020, available at: <https://publikacije.stat.gov.rs/G2020/Pdf/G20201349.pdf>, accessed on 11 June 2021.

<sup>484</sup> Žene i muškarci u Republici Srbiji, op. cit, p. 62.

<sup>485</sup> Ibid.

<sup>486</sup> Delibašić, B., Pudar, G., Fiket, I. (ed.), op. cit, p. 119.

<sup>487</sup> Ibid, p. 61. and 65.

<sup>488</sup> Žene i muškarci u RS, op. cit, p. 64.

in medical sciences and health-related sciences (58.6%), and the lowest share in engineering and technology (40%), which is also the only scientific area in which women are represented less compared to men<sup>489</sup>. An analysis covering the period from October 2016 until June 2020, has shown that the position of women academic and scientific workers did not improve significantly in this period<sup>490</sup>. Except from a mild rise in the number of women employed in research and development, as well as a mild increase in the number of women researchers, no other indicators of progress can be seen.

Table 3: Researchers by science areas and sex, 2014, 2016, and 2018.<sup>491</sup>

	2014				2016				2018			
	F	M	F %	M%	F	M	F %	M%	F	M	F %	M%
Total	7,452	7,711	49.1	50.9	8,032	8,560	48.4	51.6	8,329	7884	51.4	48.6
Natural sciences	1,763	1,516	53.8	46.2	2,016	2,094	49.1	50.9	2,135	1541	58.1	41.9
Engineering and technology	1,555	2,705	36.5	63.5	1,809	3,051	37.2	62.8	1,839	2,714	40.4	59.6
Medical sciences and health-related sciences	1,216	825	59.6	40.4	1,406	944	59.8	40.2	1,454	1,029	58.6	41.4
Agricultural sciences	560	556	50.2	49.8	594	581	50.6	49.4	588	554	51.5	48.5
Social sciences	1551	1526	50.4	49.6	1,400	1266	52.5	47.5	1470	1,397	51.3	48.7
Humanistic sciences	807	583	58.1	41.9	807	624	56.4	43.6	843	649	56.5	43.5

These data obviously show that the patterns of segregation established during high-school education, continue also at the higher education level, which results in labour market segregation. Men are still more directed at engineering, informatics, natural and technical sciences, while women are still directed at social and humanistic sciences, as well as areas related to care for others<sup>492</sup>. However, although vertical segregation is very much present, this problem is not in institutional focus<sup>493</sup>.

For the gender mainstreaming process in higher education, science and research to be efficient and to contribute to full achievement of the gender equality principle, it is important to establish a good strategic framework that would be institutionalised through laws, in which there would be a clear division of responsibilities and duties, alongside developing awareness on the necessity for joint action. It is necessary to ensure adequate financial resources for strategic measures and activities, including those that relate to research, data collection, support to projects, promotion and visibility of gender studies and similar, to be realised<sup>494</sup>. In addition, it is important

<sup>489</sup> Ibid.

<sup>490</sup> Demokracija i ljudska prava. Izveštaj o napretku II, Drugi izveštaj o napretku po oblastima za period oktobar 2016 – 1. jun 2020, sačinjen na osnovu okvira za monitoring i evaluaciju, ŽPRS, FES, 2020, p. 81.

<sup>491</sup> Žene i muškarci u RS, op. cit, p. 65.

<sup>492</sup> Varadi T., Pajvančić, M. (ur), op. cit, p. 208.

<sup>493</sup> Demokracija i ljudska prava. Izveštaj o napretku II, op. cit, p. 81.

<sup>494</sup> Demokracija i ljudska prava. Izveštaj o napretku II, op. cit, p. 83. When it comes to applications for research projects, one of the eligibility criteria is whether the gender perspective is included in the project content and gender balance in the proposed project team (See GEAR Tool 7). The European Commission project awards, such as those within the Horizon 2020 programme, are largely conditioned by whether gender is included in the projects, and the announced prerequisite for applying for Horizon projects is also that the institutions that apply must have formally adopted gender action plans, which are in the process of

to promote and use accumulated knowledge in gender studies to create and implement public policies, work more intensively on strengthening mutual support for women in science and the academia, networking of women experts, activists and scientists in different areas, so together they could contribute to identifying and reacting to gender inequalities in science and the academia<sup>495</sup>. By acting jointly and multi-sectorally, contribution is made to creating the conditions for equal access of women and men to higher education, equal access to work, decision-making and management positions, as well as increasing gender-responsiveness of study programmes, textbooks and teaching materials, which, alongside ensuring gender-sensitive statistics, gender-responsive budgeting and continuous fight against gender-based discrimination and violence in the academic space<sup>496</sup>, represents good grounds for consistent achievement of the gender equality principle.

## 5.2. Gender aspects of human rights, rule of law, security and violence against women, and political life

This area includes gender aspects of human rights, rule of law, equal opportunities for achieving human rights and their efficient protection, human security, especially in crises and emergencies, gender-based violence against women and domestic violence as the most drastic forms of human rights violations, as well as participation of women in political life and decision-making on public affairs.

### 5.2.1. Rule of law, access to justice and rights protection

Rule of law, access to justice effective instruments and efficient protection of rights, which shape a consistent and stable legal system, are key assumptions for the development of the society as a whole, and for achieving gender equality as a factor of social development. Situation assessment in the area of the rule of law and access to justice starts with the findings of the evaluation of the National Gender Equality Strategy for the period 2016-2020 with AP for 2016-2018<sup>497</sup> and the evaluation of the National Gender Equality Strategy 2016-2020 for the period 2018-2020<sup>498</sup>, Serbia and 2030 Agenda for Sustainable Development – mapping the national strategic framework against the Sustainable Development Goals (SDG 5 and SDG 16, Target 16.3 and Recommendation 9)<sup>499</sup>, Concluding Observations of the CEDAW Committee on the fourth periodic report of Serbia<sup>500</sup>, Judicial Development Strategy (2020-2025)<sup>501</sup>, and the revised Action Plan for Chapter 23<sup>502</sup>, Strategy for Preventing and Combating Gender-Based and Domestic

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implementation. For more see: Petrušić, N. Vujadinović, D. Od rodno slepog ka rodno inkluzivnom visokom obrazovanju u Srbiji: akcioni planovi za urođnjavanje, Sociologija, Vol. LX (2018), No. 1. p. 313-329.

<sup>495</sup> Demokracija i ljudska prava. Izveštaj o napretku II, op. cit, p. 83.

<sup>496</sup> Čeriman, J., et al. Razumevanje koncepta rodne ravnopravnosti u normativnom okviru visokog obrazovanja u Srbiji, in: Vujadinović, D., Antonijević, Z. (ed.), op. cit, p. 117.

<sup>497</sup> Available at : <https://www.secons.net/files/publications/99-publication.pdf>, accessed on 31 May 2021.

<sup>498</sup> In this period AP did not exist but it was prepared. The document was shared at the meeting of the Working Group for the preparation of the National Gender Equality Strategy, but at this moment it is not available on the Internet.

<sup>499</sup> Available at: <https://rsjp.gov.rs/wp-content/uploads/Agenda-UN-2030.pdf>, accessed on 31 May 2021.

<sup>500</sup> CEDAW/C/SRB/CO/4 of 8 March 2019. Available at: <https://undocs.org/en/CEDAW/C/SRB/CO/4>, accessed on 31 May 2021.

<sup>501</sup> Official Gazette RS, No. 101/20.

<sup>502</sup> Available at: <https://www.mpravde.gov.rs/sr/tekst/30402/revidirani-akcioni-plan-za-poglavlje-23->, accessed on 6. June 2021.



Violence against Women for the period 2021-2025<sup>503</sup>, as well as Gender Equality Law<sup>504</sup>, relying on the sources of publicly available data owned by public authorities and data from academic and CSO research. The rule of law and access to justice depend on the normative framework, but also on the undertaking of practical measures contributing to an effective access to justice. Both these aspects are included in the situation assessment.

Rule of law, which presumes independence of court and judges and of the public prosecution office, is a condition for the citizens to be able to fulfil all their rights to their full capacity and efficiently, regarding fair trial (decision-making in fair proceedings, exclusively based on the law and without inappropriate influence)<sup>505</sup>. The Constitution guarantees equality before the law<sup>506</sup>, rights to equal legal protection<sup>507</sup>, right to court protection<sup>508</sup>, right to the protection of rights before the constitutional court<sup>509</sup>, right to address international institutions to protect freedoms and rights<sup>510</sup> and guarantees ensuring the respect of these rights. The system of rights protection is complemented by protection provided by independent institutions, the Commissioner for the Protection of Equality and the Ombudsman. On several occasions, the Venice Commission made critical remarks on constitutional solutions regarding the judiciary<sup>511</sup>. In the process of accession of the Republic of Serbia to the EU (Chapter 23), amendments to constitutional solutions on the judiciary have been identified as an important prerequisite for establishing normative requirements for the rule of law. Work on the amendments to the Constitution was initiated in 2017. The Ministry of Justice prepared a draft text of the Draft Amendments to the Constitution<sup>512</sup> and this amendment was on public hearing in 2018. Critical remarks to the proposed solutions were submitted by the: High Judicial Council<sup>513</sup>, professional

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<sup>503</sup> Available at: <https://www.minrzs.gov.rs/sr/dokumenti/ostalo/sektor-za-socijalnu-zastitu/strategija-za-spreccavanje-i-borbu-protiv-rodno-zasnovanog-nasilja-prema-zenama-i-nasilja-u-porodici-za-period-2021-2025-godine>, accessed on 8 September 2021.

<sup>504</sup> Official Gazette RS, No. 52/2021.

<sup>505</sup> Paragraph 1, item 1-3 UN Basic Principles on the Independence of the Judiciary – UN General Assembly Resolution UN 40/32(1985) and 40/146 (1985), Article 6 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, Recommendation CM/Rec(2010)12 of the Committee of Ministers to member states on judges: independence, efficiency and responsibilities (Adopted by the Committee of Ministers on 17 November 2010 at the 1098<sup>th</sup> meeting of the Ministers' Deputies). Available at: <https://rm.coe.int/cmrec-2010-12-on-independence-efficiency-responsibilites-of-judges/16809f007d>, accessed on 2 June 2021.

<sup>506</sup> RS Constitution, Article 21, Paragraph 1.

<sup>507</sup> RS Constitution, Article 21, Paragraph 2.

<sup>508</sup> RS Constitution, Article 22, Paragraph 1.

<sup>509</sup> RS Constitution, Article 170.

<sup>510</sup> RS Constitution, Article 22, Paragraph 2.

<sup>511</sup> First in 2005, when it reviewed several drafts of the RS Constitution (Opinion No. 349/2005, Document CDL-AD(2005)023), then six months (March 2007) after the RS Constitution was adopted in 2006, and thus digressed from the practice to submit an opinion before the constitution is adopted. Available at: [www.venice.coe.int/webforms/documents/default.aspx?pdffile](http://www.venice.coe.int/webforms/documents/default.aspx?pdffile), accessed on 11 February 2018, as well as during the work on the preparation of amendments to the RS Constitution.

<sup>512</sup> Available at: <https://www.mpravde.gov.rs/files/amandmani%20za%20objavljivanje1.pdf>, accessed on 3 June 2021.

<sup>513</sup> Available at: <https://vss.sud.rs/sr-lat/saop%C5%A1tenja/saop%C5%A1tenje-visokog-saveta-sudstva-u-vezi-promena-ustava>, accessed on 3 June 2021.

association of the organisation of judges<sup>514</sup> and prosecutors<sup>515</sup>, several CSOs<sup>516</sup>, academia<sup>517</sup>. After the remarks were presented during the public hearing, several (4) versions of the Draft Amendments to the Constitution were produced<sup>518</sup>. The Proposal for the Amendments to the Constitution was submitted by the Government to the National Assembly in November 2018. In 2019 and 2020<sup>519</sup> there were no activities on the amendments to the Constitution, however they intensified in 2021. The Committee for Constitutional Affairs and Legislation organised public hearings<sup>520</sup> and a debate on the necessary amendments to the RS Constitution<sup>521</sup> in the area of justice<sup>522</sup>, and on 21 June 2021, it formed a Working Group for the preparation of Draft Amendments to the Constitution, which included representatives of professional associations of judges and prosecutors. Constitutional amendments need to set foundations for normative prerequisites for the rule of law, in line with European and international standards set out in EU, UN, CE documents, and those of the Venice Commission, but also the Group of States against Corruption (GRECO), European Commission for the Efficiency of Justice (CEPEJ), Consultative Council of European Judges and the European Networks of Councils for the Judiciary.

Several laws were adopted, of importance for gender equality, rule of law and access to justice, the adoption of which was awaited for nearly a decade. In addition to the amendments to the Anti-Discrimination Law<sup>523</sup> and the adoption of the new Law on Gender Equality<sup>524</sup>, which regulates the protection from gender-based discrimination comprehensively and pursuant to international standards, special measures are also stipulated, the aim of which is to create equal opportunities for women and men to fulfil all human rights, regulate the duties of public authorities, employers and other stakeholders, instruments and responsibilities of the government

<sup>514</sup> Svedočanstvo pripreme za promenu Ustava Srbije iz 2006. i struka. Društvo sudija Srbije, 2018, available at [https://www.sudije.rs/images/Dru%C5%A1tvo\\_sudija\\_Srbije\\_-\\_Svedo%C4%8Danstvo.pdf](https://www.sudije.rs/images/Dru%C5%A1tvo_sudija_Srbije_-_Svedo%C4%8Danstvo.pdf) and the Consultative Council of European Judges, available at: <https://wcd.coe.int/ViewDoc.jsp?p=&id=2198457&Site=COE&direct=true>, accessed on 3 June 2021.

<sup>515</sup> Available at: <https://uts.org.rs/images/2018/280218.dvt.misljenje.ustav.pdf> and the Consultative Council of European Judges, available at: <https://wcd.coe.int/ViewDoc.jsp?p=&id=2198457&Site=COE&direct=true>, accessed on 3 June 2021.

<sup>516</sup> Women's Platform for the Development of Serbia formulated its proposals for amendments to the RS Constitution, which was a requirement to participate in the public hearing and participated in the public hearing on constitutional amendments. Available at: <https://media.genderhub.org.rs/2021/04/Ustavne-promene-iz-ugla-Zenske-platforme.pdf>, accessed on 6 June 2021.

<sup>517</sup> Društvo sudija Srbije, 2018, op. cit. Available at: [https://www.sudije.rs/images/Dru%C5%A1tvo\\_sudija\\_Srbije\\_-\\_Svedo%C4%8Danstvo.pdf](https://www.sudije.rs/images/Dru%C5%A1tvo_sudija_Srbije_-_Svedo%C4%8Danstvo.pdf), accessed on 3 June 2021.

<sup>518</sup> Draft Amendments I to XXIX (18 April 2018), available at: <https://www.paragraf.rs/dnevne-vesti/160418/160418-vest15.html>, Draft Amendments to the Constitution of Serbia I to XXXII, available at: <http://www.emins.org/wp-content/uploads/2018/11/Ustavni-amandmani-IV-verzija-srp.pdf>, accessed on 3 June 2021.

<sup>519</sup> COVID-19 pandemic, parliamentary elections held in June 2020.

<sup>520</sup> Until now, public hearings were held on the 19, 24, 26, 27, 31 May and 2 June. Available at: <http://www.parlament.gov.rs/aktivnosti/narodna-skupstina/radna-tela/javna-slusanja.3012.html>, accessed on 3 June 2021.

<sup>521</sup> On the outstanding issues related to the procedure of amending the RS Constitution see: Zbornik Reviziona vlast u Srbiji (ur. Šarčević, et al. Sarajevo 2017.; Zbornik, Svedočanstvo pripreme za promenu Ustava od 2006. godine i struka, annexes: Vučić, O. p. 250 – 252, Stojanović, D. p. 259 – 263, Pejić, I. Simović, D. p. 243 – 244, Nenadić, B. p. 292 – 293, Rakić, Vodinelić V. p. 322 – 323; Pajvančić M.: Postupak odlučivanja o promenama Ustava RS, Zbornik (ed. Dajović, G.) „Srpsko pravosuđe na ustavnoj raskrsnici – svedočanstvo o „debatu” povodom inicijative za promenu Ustava RS u oblasti pravosuđa”, CEPRIS, 2019, p. 166 – 176. Available at: <https://www.cepris.org/wp-content/uploads/2019/06/Zbornik-CEPRIS.pdf>, accessed on 3 June 2021.

<sup>522</sup> On several occasions, during the public hearings, the need for RS to “analyse existing provisions of the Constitution from the perspective of widespread European and International standards expressed through EU, UN, CE documents, and those of the Venice Commission, but also the Group of States against Corruption (GRECO), European Commission for the Efficiency of Justice (CEPEJ), Consultative Council of European Judges and the European Networks of Councils for the Judiciary”. Available at: [http://www.parlament.gov.rs/Odr%C5%BEano\\_Sedmo\\_javno\\_sluC5%A1anje\\_na\\_temu\\_promene\\_Ustava.41696.941.html](http://www.parlament.gov.rs/Odr%C5%BEano_Sedmo_javno_sluC5%A1anje_na_temu_promene_Ustava.41696.941.html), accessed on 3 June 2021.

<sup>523</sup> Official Gazette RS, No. 52/21.

<sup>524</sup> Official Gazette RS, No. 52/21.

authorities for the implementation of laws, indicators relevant for gender statistics<sup>525</sup>, stipulated sanctions for violations of laws, etc. This removed normative gaps (incomplete and mutually unaligned legal solutions, years of delay to amend these laws) that made the implementation of anti-discrimination legislation and advancing gender equality difficult. The effects of the implementation of these recently adopted laws cannot yet be assessed.

Free legal aid is an important prerequisite for equal opportunities in access to justice. Effective access to justice entails an adequate legal aid system, which ensures the provision of good-quality legal aid, free or at reduced costs, to all who cannot afford it.

After a long time, in 2018, the Law on Free Legal Aid was adopted<sup>526</sup>, the implementation of which started on 1 October 2019, and which establishes the system of the provision of free legal aid. A positive advancement is the guarantee of rights to free legal aid to victims of domestic violence, persons accessing legal protection from torture, inhuman or degrading treatment or punishment or human trafficking<sup>527</sup>. The circle of free legal aid beneficiaries does not include victims of all forms of gender-based violence, so the amendments to the law should broaden this circle to include the victims of gender-based violence against women, which was also stressed in the Strategy for Preventing and Combating Gender-Based and Domestic Violence against Women (2021-2025)<sup>528</sup>.

The law introduces the Registry of free legal aid and support providers<sup>529</sup>, which is pre-approved. During the first six months of the implementation of the Law, 2,079 requests were reviewed, 1,902 persons were provided aid in civil and administrative proceedings<sup>530</sup>. According to administration authority data, during the first six months of the implementation of the law, only six LSGUs reported that free legal aid was approved for domestic violence. However, it is not known how many approved requests there were, considering that LSGUs submitted cumulative data, and it is also not known how many women there were among them, because the collected data are not disaggregated by sex<sup>531</sup>. When it comes to free legal support provided by mediators, or agents in conflict resolution, public notaries and CSOs, the total number of persons provided with legal advice was 7,460<sup>532</sup>.

The right to free legal aid has been awarded to persons meeting the requirements for financial social assistance or child allowance, as well as their family or household members. This right also belongs to those that do not fulfil the conditions to exercise it, but who would by paying the legal aid from their own income fulfil the stipulated conditions. The eligibility criteria for free legal aid should be re-examined, and in addition to the victims of domestic violence and victims of torture, inhuman or degrading treatment or punishment, as well as human trafficking victims, also include the victims of gender-based violence, especially victims belonging to vulnerable groups and victims of multiple discrimination. Otherwise, the victims of other forms of gender-based violence who access their rights to free legal aid under general stipulations, would be

<sup>525</sup> Law on Gender Equality, Article 65.

<sup>526</sup> Official Gazette RS, No. 87/18.

<sup>527</sup> Law on Free Legal Aid, Article 4, Paragraph 3.

<sup>528</sup> Official Gazette RS, No. 41/21.

<sup>529</sup> Available at: <https://www.mpravde.gov.rs/vest/26213/poziv-za-upis-u-registar-pruzalaca-besplatne-pravne-pomoci-i-besplatne-pravne-podrske.php>, accessed on 20 May 2021.

<sup>530</sup> Available at: [https://www.rtv.rs/sr\\_lat/drustvo/za-6-meseci-1.902-gradjana-dobilo-besplatnu-pravnu-pomoc\\_1117081.html](https://www.rtv.rs/sr_lat/drustvo/za-6-meseci-1.902-gradjana-dobilo-besplatnu-pravnu-pomoc_1117081.html), accessed on 1 June 2021.

<sup>531</sup> Izveštaj Ministarstva pravde o sprovođenju Zakona o besplatnoj pravnoj pomoći od 31. mart 2020. godine. Available at: <https://www.mpravde.gov.rs/files/Izvestaj%20o%20sprovođenju%20ZBPP%201.okt%20do%2031.%20marta.pdf>, accessed on 1 September 2021.

<sup>532</sup> Ibid.

discriminated against and placed in an unequal position compared to the victims of domestic violence.

The circle of free legal aid providers includes only lawyers and free legal aid services in LSGUs<sup>533</sup>. Currently, there are 3,304 lawyers among the registered free legal aid and support providers, 24 LSGUs have not registered free legal aid providers, and among the registered legal support providers there are only 31 CSOs, 11 of which in Belgrade<sup>534</sup>. This is also why the victims of gender-based violence are not equal in terms of access to good-quality free legal aid and support.

Civil society organisations that have provided long-term and systematic free legal aid, especially to victims of gender-based violence, are allowed by the law only to provide free legal support (provision of general legal information and filling out forms)<sup>535</sup>, explicitly prohibited to provide free legal aid, and the violation of this prohibition is fined with a high penalty (50,000-500,000 RSD)<sup>536</sup>. The right to provide free legal support also belongs to public notaries, agents and law schools, which are also prohibited by the law to provide free legal aid<sup>537</sup>. As legal aid services have not been established in all LSGUs<sup>538</sup>, and lawyers do not have the obligation to provide free legal aid but they decide to do so, the number of possible free legal aid providers is additionally narrowed down and unevenly distributed across territories<sup>539</sup>. Therefore, the option should be re-examined to extend the circle of free legal aid providers to law schools and CSOs, setting the criteria that must be fulfilled by these legal aid providers (e.g., background in law, licensing). The option for CSOs to provide free legal aid already exists in the Law on Free Legal Aid<sup>540</sup>, regulating asylum and anti-discrimination.

The decision-making procedure on acquiring the right to free legal aid is complex, and LSG officers in free legal aid services have the discretion to decide on and broad possibilities to reject the application for free legal aid. The records on the beneficiaries of free legal aid that by law must be kept by the administration authorities in charge of approving free legal aid<sup>541</sup> is not complete: there is no proscribed obligation to keep records on free legal aid beneficiaries disaggregated by sex and reasons to apply for aid. There is no obligation to collect data disaggregated by sex, nor to record the right for the protection of which legal aid was sought/approved, but only the “legal area” in which the free legal aid or support was provided. These gaps make it impossible to adequately monitor the implementation of the law from the aspect of meeting women’s needs for legal protection. Obligations related to keeping records relevant to gender equality are regulated by the Law on Gender Equality<sup>542</sup>.

<sup>533</sup> Law on Free Legal Aid, Article 9, Paragraph 1. Registry of free legal aid and free legal support providers available at: <https://www.mpravde.gov.rs/sr/tekst/26350/registar-pruzalaca-besplatne-pravne-pomoci-i-besplatne-pravne-podrske.php>, accessed on 1 June 2021.

<sup>534</sup> Available at: <https://www.drzavnauprava.gov.rs/tekst/26350/registar-pruzalaca-besplatne-pravne-pomoci-i-besplatne-pravne-podrske.php>, accessed on 1 June 2021.

<sup>535</sup> Law on Free Legal Aid, Article 9, Paragraph 5.

<sup>536</sup> Law on Free Legal Aid, Article 58, Paragraph 1, item 2.

<sup>537</sup> Law on Free Legal Aid, Article 12.

<sup>538</sup> For example, all municipalities in the North Bačka District provide free legal aid, compared to only 25% of municipalities in the Zaječar District. See: Filipović, M. Zakon o besplatnoj pravnoj pomoći – Prvih šest meseci primene, YUCOM – Komitet pravnika za ljudska prava, Belgrade, 2020. Available at: <https://www.yucom.org.rs/zakon-o-besplatnoj-pravnoj-pomoci-prvih-sest-meseci-primene/>, accessed on 8 September 2021.

<sup>539</sup> See Report of the Ministry of Justice on the Implementation of the Law on Free Legal Aid. Available at: <https://mpravde.gov.rs/files/Izvestaj%20o%20sprovedjenju%20ZBPP%201.okt%20do%2031.%20marta.pdf>, accessed on 1 June 2021.

<sup>540</sup> Law on Free Legal Aid, Article 9, Paragraph 2..

<sup>541</sup> The way records are kept is regulated by the Rulebook on record keeping on free legal aid and free legal support (Official Gazette RS, No. 68/ 2019).

<sup>542</sup> Gender Equality Law, Article 65.

Free legal aid services are difficult to access in LSGUs in which they do exist, because often there is no public transport, especially between rural areas and municipal centres, and the use of other types of transport requires considerable costs.<sup>543</sup>

In all LSGUs it is necessary to establish free legal aid services and provide human, financial and technical resources for their work and thus create the conditions for access to rights and justice. The law needs to regulate also special measures (ensure accessibility of buildings, interpreters for sign language, accessible formats for the sight-impaired, etc.) to remove obstacles faced by persons with disabilities in access to justice and establish equal opportunities for access to justice for persons with disabilities. There is no transparent mechanism for monitoring the quality of legal aid services provided. Also, a strategic document in this area is lacking. The Strategy for Free Legal Aid System Development and the AP for its implementation (2011-2013) do not have a defined time framework, so they are considered to be valid. An ex-post analysis of the existing strategy in this area needs to be conducted and based on it assess whether the existing strategy needs changes.

Access to justice is impeded. This is influenced by the unbalanced territorial distribution of courts and mutually unharmonized networks of courts and public prosecution offices<sup>544</sup>, as well as high costs of court proceedings<sup>545</sup>. Courts or prosecution offices do not exist in numerous municipalities, so access to the protection of rights in court is impeded not only for the residents of rural areas, but also for those in smaller municipalities<sup>546</sup>. Public transport lines do not exist, or they are closed, so access to court is impeded also because it requires additional costs for transportation, which needs to be hired or own transport used, and very few women own cars. Legal solutions in the Law on Seats and Territorial Jurisdictions of Courts and Public Prosecution Offices need to be re-examined and better access to courts and prosecution offices ensured, and the network of courts harmonised with the network of prosecution offices to enable access to justice. High costs of court proceedings are also an obstacle for access to justice, and are often the reason for many women, but also men, not to seek court protection. For example, the fees for filing for divorce range from 1,900 to 19,000 RSD, fees in the executive procedure between 1,999 and 97,000 RSD, legal fees – for drafting submissions or attending hearings is at least 1/3, and drafting an appeal over 2/3 of average wages in the Republic of Serbia; forensic fees range from 50% of average wages for forensic experts without high school, to 300% for experts with PhDs<sup>547</sup>; various fees, costs and rewards for executors (only rewards for their work range from 3,000 to 47,000 RSD)<sup>548</sup>. The right to exemption from advanced payment of costs is applied rarely and inconsistently. The costs are significantly increased if protection is also sought before the European Court of Human Rights (higher fees, translation, transportation costs, etc.)<sup>549</sup>. The

<sup>543</sup> More at: Beker, K. et al. Izveštaj o pravima žena i rodnoj ravnopravnosti u Srbiji za 2019. p. 65 – 67 FemPlatz, 2020. p. 65 – 67. Available at: <https://www.femplatz.org>; as well as: [https://www.femplatz.org/library/reports/2020-08-10\\_PreneraZena.pdf](https://www.femplatz.org/library/reports/2020-08-10_PreneraZena.pdf), accessed on 31 May 2021.

<sup>544</sup> Law on the Seats and Territorial Jurisdictions of Courts and Public Prosecution Offices, Official Gazette RS, No. 101/2013.

<sup>545</sup> Law on Court Fees, Official Gazette RS, No. 28/94, 53/95, 16/97, 34/2001 – other law, 9/2002, 29/2004, 61/2005, 116/2008 – other law, 31/2009, 101/2011, 93/2012, 93/2014, 106/2015 and 95/2018.

<sup>546</sup> For example, the inhabitants of Krajišnik live 57 km away from the Basic Court and the Basic Public Prosecution Office in Zrenjanin. In municipalities Sečanj and Žitište, which are closer to them, there is no basic court nor basic public prosecution office (Article 3, Paragraph 1, item 21 and Article 9, Paragraph 1, Item 20 of the Law on the Seats and Territorial Jurisdictions of Courts and Public Prosecution Offices, Official Gazette RS, No. 101/2013).

<sup>547</sup> Article 7 of the Rulebook on the compensation of costs in court proceedings, Official Gazette RS, No. 57/03 and 69/11.

<sup>548</sup> Articles 2 and 7 of the Rulebook on rates, rewards and compensation of costs for the work of executors, Official Gazette RS, No. 50/2012.

<sup>549</sup> More: Pajvančić, M.: Naša urušena prava, FES, 2019, p. 9 – 13, available at: <http://library.fes.de/pdf-files/bueros/belgrad/15439.pdf>, accessed on 31 May 2021.



current situation regarding the exemption from advanced payment of the costs of proceedings is unsatisfactory. The level of public knowledge about the conditions for exemption from advanced payment of the costs of proceedings is very low. Regulations on exemption from advanced payment of the costs of proceedings are applied unequally, which leads to inconsistent access to justice for the poor part of the population<sup>550</sup>, as there are no guidelines, nor standardised forms that would be used by judges when deciding on applications for exemption from advanced payment of the costs of proceedings.

The protection of rights is neither efficient nor effective. Proceedings before courts last a long time, despite that the Law on the Protection of the Right to Trial within a Reasonable Time has been adopted<sup>551</sup>. Legal solutions have not contributed to more efficient protection of rights, which is also substantiated by the increased number of constitutional appeals to court decisions<sup>552</sup>, which is also found by the Constitutional Court<sup>553</sup>. Human rights protection before the Constitutional Court is extremely inefficient. The number of cases related to human rights protection has been on a continuous and accelerated rise<sup>554</sup>. This is becoming the predominant competence of the Constitutional Court (e.g., in 2019, 97.87% cases), and all other competencies, including normative control as the main competence of this court, have been repressed (2% of cases)<sup>555</sup>. Despite the attempts to achieve higher efficiency of work through the organisation of work and process rules, the numbers of unresolved constitutional appeals have still been continuously rising. The number of finalised constitutional appeals is increasing, but this increase does not follow the dynamic of the inflow of constitutional appeals. Most of constitutional appeals get rejected, and few are resolved on their merits<sup>556</sup>. Among the rights that are sought for protection before the Constitutional Court, the predominant are violations of the rights to trial within a reasonable timeframe, and the violation of the right to a fair trial<sup>557</sup>. The normative framework is incomplete, which is also witnessed by the positions taken by the Constitutional Court to remove legal gaps regarding constitutional appeals as an instrument for the protection of rights. The Law on Constitutional Court needs to include positions<sup>558</sup> related to the conditions for the submission of constitutional appeals and several particularly important process-related issues<sup>559</sup>. Inefficient

<sup>550</sup> Analiza sudske prakse – Postupanje sudova po predlogu za oslobođanje od plaćanja sudskih troškova u parničnoj materiji, Belgrade: YUCOM, 2018. p. 2. Available at: <https://www.yucom.org.rs/wp-content/uploads/2018/06/Analiza-sudske-prakse-Postupanje-sudova-po-predlogu-za-oslobodjenje-od-placanja-sudskih-troskova-u-parnicnoj-materiji.pdf>, accessed on 31 May 2021.

<sup>551</sup> Official Gazette RS, No. 40/15.

<sup>552</sup> For more see: Pajvančić, M. Analiza načina odlučivanja Ustavnog suda u: Beljanski, S. Ustavnog suda i sudske vlasti – stanje i perspektive, CEPRIS, 2019. p. 33 – 38. Available at: <https://www.cepris.org/wp-content/uploads/2019/10/CEPRIS-Odnos-Ustavnog-suda-i-sudske-vlasti2.pdf>, accessed on 14 June 2020.

<sup>553</sup> Pregled rada Ustavnog suda za 2017. p. 10. Available at: <http://www.ustavni.sud.rs/page/view/137-101100/pregled-rada> accessed on 23 February 2019.

<sup>554</sup> For example, the number of constitutional appeals in 2008 was 1,927, and reached 25,846 in 2017. Available at: <http://www.ustavni.sud.rs/page/view/137-101100/pregled-rada>, accessed on 23 February 2019.

<sup>555</sup> For more see: Pajvančić, M. Op. cit. 2019, p.

<sup>556</sup> For example, in 2018, the constitutional court rejected 87.06% of Constitutional appeals, and only 12.94 were decided on their merits.

<sup>557</sup> For more see: Pajvančić, M. et al. Op. cit. 2019, p. 37.

<sup>558</sup> Constitutional Court positions for 2009, 2010, 2011, 2012, 2019. Available at: <http://www.ustavni.sud.rs/page/view/163-100890/stavovi-suda>, accessed on 23 February 2019.

<sup>559</sup> For example: the period in which one can submit, particularly in case of omission; supplement and timeliness of subsequent submissions; permission to revise; mandatory content of constitutional appeal; procedure of merit-based decision making particularly the issuance of the decision accepting the appeal, removal of harmful consequences and compensation of damages; structure of the justification for the decision to accept the constitutional complaint; assessment of constitutionality of a general act in the decision-making proceedings on a constitutional appeal; procedure of review of a constitutional appeal; procedure by submission, appeal or constitutional appeal against a decision, executive decision or conclusion of the Constitutional Court, etc.

constitutional court protection threatens the constitutionally guaranteed right of citizens to address ECHR to protect their rights, because the constitutional appeal, as the last legal instrument for the protection of rights in the internal legal system is a condition for addressing ECHR. With the aim to improve the rule of law and access to justice, efficient human rights protection needs to be ensured, and the efficiency of court proceedings improved, in line with UN, EU and CE standards<sup>560</sup>, and ECHR practices.

Human rights protection instruments are not equally available to all without any form of discrimination (network of courts and prosecution offices, costs of proceedings) and are not effective and efficient (long duration of court proceedings, the number of unresolved constitutional appeals that is continuously rising), and in some cases there are no instruments provided for the protection of rights<sup>561</sup>.

The protection of rights provided by independent institutions is a specific form of the protection of rights to equality provided by the Commissioner for the Protection of Equality and human rights protection when they are violated by administration authorities, which is provided by the Ombudsman. The Provincial Ombudsman, within APV competences, and local Ombudsmen, within LSGU competences. The proceedings before these institutions are simpler. There are no costs of the proceedings for the person submitting the complaint. Acting on complaints is more efficient, and the modalities of resolving complaints more flexible (recommendations, warnings, strategic lawsuits, initiating the procedure to assess constitutionality and legality<sup>562</sup>). During 2020, the Commissioner for the Protection of Equality received 674 complaints, 39.3% of which by women and 47.8% by men<sup>563</sup>. These include 105 complaints on the grounds of sex as personal characteristic, so these grounds, like the year before that, are among the top ones, with similar numbers of complaints<sup>564</sup>. 28% of complaints refer to the judiciary and proceedings before public authorities. The Commissioner sent 476 recommendations, 12 warnings, 12 initiatives for amending regulations, 2 criminal charges, etc. Recommendations are respected, which is evident from the information that they were acted on in 89% of the cases<sup>565</sup>. Among the personal characteristics as grounds for discrimination, complaints regarding health status prevail (121), followed by age, particularly persons over 65 years (115), nationality and ethnicity (114, with 94 related to discrimination based on belonging to the Roma national minority), and sex (105). On all the mentioned grounds for discrimination, an increase is recorded compared to the previous year<sup>566</sup>. In 2020, the Ombudsman was addressed by 18,165 citizens, which is an increase of 67% compared to 2019. In 2020, a total of 6,965 cases were reviewed, and 5,456 (78.33%) were finalised, which speaks to the efficiency of operations increasing by over 10%. In the area of gender equality and the rights of LGBTI persons, the Ombudsman reviewed

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<sup>560</sup> For example, Law on the Organisation of Courts; Law on Judges; Law on Public Prosecution Office; Law on the High Judicial Council; Law on the State Prosecutorial Council; Law on the Seats and Territorial Jurisdictions of Courts and Public Prosecution Offices; Law on the Bar Examination; Law on Judicial Academy.

<sup>561</sup> For example, Law on Temporary Regulation of the Payment of Pensions, which violated the property rights of numerous pensioners, excludes the possibility to use any instrument for the protection of rights. See, Pajvančić, M. et al. Op. cit. p. 40 – 47, 2019.

<sup>562</sup> In 2020, deciding on the proposal by the Commissioner for the Protection of Equality, the Constitutional Court established that the provisions of the Law on Financial Support to Families with Children, which treats agricultural insurance beneficiaries unequally, are not in accordance with the Constitution (Decision IUz-216/2018).

<sup>563</sup> Regular Annual Report of the Commissioner for the Protection of Equality for 2020, p. 40 – 41, available at: <http://ravnopravnost.gov.rs/wp-content/uploads/2021/04/Poverenik-za-zastitu-ravnopravnosti-Godisnji-izvestaj-za-2020.pdf>, accessed on 31 May 2021.

<sup>564</sup> Ibid, p. 21.

<sup>565</sup> Ibid, p. 39.

<sup>566</sup> Ibid, p. 41.



140 cases in 2020, which is by 62% more compared to the previous year. The number of recommendations sent increased by 111% compared to 2019, and the efficiency of the Ombudsman in acting on cases in this area increased by over 12% compared to 2019. Out of 5,056 cases decided on by the Ombudsman, 1,253 related to civil and political rights, with 317 (6.27%) relating to justice and the judiciary<sup>567</sup>.

The knowledge of international conventions (CEDAW, Istanbul Convention, Convention on the Rights of Persons with Disabilities) and national anti-discrimination regulations by the stakeholders participating in the decision on the protection against discrimination is insufficient. Knowledge in this area is not acquired at law schools. Training courses organised by the Judicial Academy for judges and prosecutors have for years also covered anti-discrimination regulations, case law and practice of the European Court of Human Rights. These activities should in the future also be implemented in continuity. There is no organised training on anti-discrimination legislation in bar associations. During 2019, first training courses were organised for attorneys to extend their knowledge in this area, so they could take upon themselves to train other attorneys. This training was supported by the OSCE Mission in the Republic of Serbia. It is necessary to continue permanently with training and capacity building of judges, prosecutors, attorneys, employees in the public administration and public services (including these contents in regular annual training as well as licensing training) on international gender equality standards and anti-discrimination (ratified international conventions, practice of the European Court of Human Rights, recommendations of international bodies monitoring the implementation of ratified international conventions), as well as on anti-discrimination legislation and practice of the Constitutional Court and courts in the Republic of Serbia.

Access to justice for women belonging to vulnerable groups. Starting with the obligation of the state not only to ensure that women have at their disposal available and efficient legal tools to protect their rights, but also access to institutions for the protection of rights, accessible and timely legal aid and support, it is necessary to point out the far more disadvantaged situation of women belonging to vulnerable groups when it comes to access to justice. Vulnerable groups exposed to discrimination and multiple discrimination are Roma, women, the LGBT population, persons with disabilities, poor and older persons, migrants, national minorities<sup>568</sup>, Roma women<sup>569</sup>, poor women, women from rural areas and older women<sup>570</sup>. Their access to justice is more difficult (lack of knowledge about regulations and information on rights and opportunities for the protection of rights, costs of proceedings, inadequate distribution of the network of courts and prosecution offices, lack of public transport), as well as women from national minorities, because of language barriers (national minority languages are only used in the first instance court proceedings, and not before higher courts; there are no data in court statistics on the number of cases in which national minority languages are used). Women with disabilities (court buildings are physically inaccessible, there is an insufficient number of sign language interpreters, court documents are not available in

<sup>567</sup> Annual Report of the Ombudsman, p. 7, 8 and 25, available at: <https://www.ombudsman.rs/index.php/izvestaji/godisnji-izvestaji>, accessed on 31 May 2021.

<sup>568</sup> See: Odnos građana i građanki prema diskriminaciji u Srbiji, Poverenik za zaštitu ravnopravnosti, Belgrade, 2019, available at: <http://ravnopravnost.gov.rs/wp-content/uploads/2019/11/izvestaj-o-istrazivanju-javnog-mnjenja.pdf>, accessed on 1. 6. 2021.

<sup>569</sup> Istraživanje Percepcija Romske zajednice o diskriminaciji, Poverenik za ravnopravnost, 2021. Available at: <http://ravnopravnost.gov.rs/rs/istrazivanje-percepcija-romske-zajednice-o-diskriminaciji/>, accessed on 2 June 2021.

<sup>570</sup> Istraživanje Položaj starijih žena u Srbiji, Poverenik za ravnopravnost, Belgrade, 2021. Available at: <http://ravnopravnost.gov.rs/rs/istrazivanje-o-polozaju-starijih-zena-u-srbiji/>, accessed on 2 June 2021.

accessible formats, proceedings are not adjusted to different genders and ages)<sup>571</sup>, and in particular women with intellectual and psycho-social disabilities, placed in residential institutions, who are unable to access justice independently, because they are deprived of legal capacity, are at a very difficult situation. This is also mentioned in CEDAW Committee recommendations<sup>572</sup>, related to abolishing the possibility to deprive of legal capacity on the grounds of disability. Although persons with disabilities encounter numerous obstacles in access to justice, the Law on Free Legal Aid does not regulate special measures to remove these obstacles, nor, in line with the equal opportunities principle, does it enable persons with disabilities to access justice. The Law on Free Legal Aid<sup>573</sup>, guarantees the right to free legal aid to victims of domestic violence, persons applying for legal protection from torture, inhuman or degrading treatment or punishment, or human trafficking, asylum seekers, children, refugees, internally displaced persons, older persons, persons on compulsory psychiatric treatment in health institutions, adults and older persons in social protection institutions without their consent<sup>574</sup>. Victims of all other forms of gender-based violence, vulnerable groups in particular, except for the victims of domestic violence, are not among the beneficiaries of free legal aid, so amendments to the law (article 4), should also include the victims of all forms of gender-based violence among free legal aid beneficiaries. The rights of migrants to access to justice are regulated by the Law on Asylum and Temporary Protection<sup>575</sup>, which prohibits discrimination on the grounds of sex<sup>576</sup> and expulsion if freedom or security of the person would be endangered because of their sex<sup>577</sup>, regulates the principle of gender equality (gender-sensitive interpretation of legal provisions, interviewing applicant with the help of an interpreter of the same sex, women asylum seekers escorted by men give statements separately from the person escorting them)<sup>578</sup>, stipulates special process-related admission guarantees for children, persons with disabilities, older persons, single parents with underage children, human trafficking victims, severely ill persons, persons with mental disorders, persons who have been tortured, raped or exposed to other forms of psychological or sexual violence, women victims of female genital mutilation<sup>579</sup>, guarantees the right to family reunion<sup>580</sup>, etc. There is also a problem with the lack of data to enable continuous monitoring of the situation of women belonging to multiply discriminated groups, as well as a comprehensive analysis of their situation, which would help to better capture and understand their needs related to access to justice and result in including appropriate measures in public policies to remove obstacles that impede access to justice. The need to implement a comprehensive situation analysis, of women exposed to multiple discrimination, is also included in CEDAW Committee recommendations, as well as the need to continue working on eliminating multiple and intersecting forms of discrimination when it comes to access to justice<sup>581</sup>.

It is necessary to continuously inform the public, men and women citizens about their guaranteed rights, instruments and possibilities to protect their rights. Media play a very important

<sup>571</sup> See: Petrušić, N. et al. Ravnopravnost u praksi – primena antidiskriminacionih zakona u Srbiji, Equal Rights Trust, London, 2019, p. 89. Available at: [www.equalrightstrust.org/resources/ravnopravnost-u-praksi-primena-antidiskriminacionih-zakona-u-srbiji](http://www.equalrightstrust.org/resources/ravnopravnost-u-praksi-primena-antidiskriminacionih-zakona-u-srbiji), accessed on 1 June 2021.

<sup>572</sup> CEDAW/C/SRB/CO/4 para. 45. and 46.

<sup>573</sup> Official Gazette RS, No.87/18.

<sup>574</sup> Law on Free Legal Aid, Article 4.

<sup>575</sup> Official Gazette RS, No. 24018.

<sup>576</sup> Law on Asylum and Temporary Protection, Article 7.

<sup>577</sup> Law on Asylum and Temporary Protection, Article 6.

<sup>578</sup> Law on Asylum and Temporary Protection, Article 16.

<sup>579</sup> Law on Asylum and Temporary Protection, Article 17.

<sup>580</sup> Law on Asylum and Temporary Protection, Article 9.

<sup>581</sup> CEDAW/C/SRB/CO/4, Para. 44.

role in these activities, but also have the duty to continuously undertake activities related to sharing information about the rights and options for their protection, gender prejudice and stereotypes, as well as promoting the rule of law. Activities of the network of Women Journalists against Violence against Women is a good practice example<sup>582</sup>. In addition, other opportunities should be used to inform vulnerable groups (direct contact, cooperation with various CSOs that focus their activities on vulnerable groups, campaigns, leaflets, guides, handbooks, etc.).

### 5.2.2. Human security

Crisis and conflicts affect men and women, boys and girls differently, and the gender dimension is key to more complete understanding of any life situation. The presence and rise of xenophobic populism, threats to women's rights worldwide, increased inequalities, especially related to women, directly or indirectly reflect on the personal safety of both men and women. Achieving gender equality in human rights and human safety is closely connected with SDG 5, Target 5.1 (End all forms of discrimination against all women and girls everywhere), Target 5.2 (Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation), and Target 16.b (Promote and enforce non-discriminatory laws and policies for sustainable development). Objectives and activities in the EU AP on Women, Peace and Security (2019-2024)<sup>583</sup> supplements the new EU GAP 3 (2021-2025)<sup>584</sup>, which provides: (i) gender-responsive leadership at all EU levels, from political to managerial, (ii) sufficient in-house capacity and capability to systemically integrate a gender perspective and conduct gender analysis, and, (iii) close dialogue and cooperation with EU Member States and the engagement of civil society and other partners, such as multilateral and regional organizations, academia, think-tanks and the private sector, through the following priority areas: Participation, Gender Mainstreaming, Leading by Example, Prevention, Protection, Relief and Recovery.

In Concluding observations on the Fourth periodic report of Serbia, the CEDAW Committee welcomed the adoption of the National Action Plan (2017-2020) for the implementation of the UNSC Resolution(2000) – Women, Peace and Security.<sup>585</sup> The Committee expressed concerns about: (a) the absence of specific information on the steps taken to monitor and assess the impact of the second national action plan and on services provided to women and girls who are victims of conflict-related violence; (b) the insufficient budget allocation to implement the second national action plan; (c) the reported lack of engagement with women affected by conflict and with civil society organizations that work with survivors in the development of the report; (d) the lack of statistics on conflict-related violence against women and girls. Referring to the General Recommendation No. 30<sup>586</sup>, UNSCR 1325 (2000) and subsequent resolutions, the Committee recommends that the state party: (a) allocate sufficient resources and enhance mechanisms to effectively implement, monitor and evaluate the impact of the second

<sup>582</sup> This group was established on the initiative of the UN, CBGE, and B92 Fund. See e.g., Smernice za medijsko izveštavanje o nasilju prema ženama, 2019. Kako izveštavati o sudskim procesima o nasilju etc. More on network activities available at: <https://www.womenngo.org.rs/vesti/1083-novinarke-protiv-nasilja-prema-zenama>, accessed on 13 June 2021.

<sup>583</sup> Available at: <https://data.consilium.europa.eu/doc/document/ST-11031-2019-INIT/en/pdf>, accessed on 14 June 2021.

<sup>584</sup> Available at: [https://ec.europa.eu/international-partnerships/system/files/swd\\_2020\\_284\\_en\\_final.pdf](https://ec.europa.eu/international-partnerships/system/files/swd_2020_284_en_final.pdf), accessed on 14 June 2021.

<sup>585</sup> Paragraph 9, CEDAW/C/SRB/CO/4, available at: <https://ljudskaprava.gov.rs/sh/node/19867>, accessed on 01 June 2021.

<sup>586</sup> Available at: <https://www.ohchr.org/documents/hrbodies/cedaw/gcomments/cedaw.c.cg.30.pdf>, accessed on 01 June 2021.

national action plan and undertake a mid-term evaluation of the plan without further delay; (b) actively involve civil society, including women affected by conflict and organizations that work with survivors, in the implementation, monitoring and impact assessment of the national action plan, as well as in the development of any related strategy document, peace negotiations and post-conflict rebuilding and reconstruction; (c) strengthen and promote the representation of women among peace negotiation and mediation personnel, including at senior levels, and collect data, disaggregated by age, gender and geographical area, on the participation of women in the implementation of the national action plan in the legislative, executive and judicial branches; (d) ensure the conduct of a needs assessment and effective access with regard to legal, health-care and psychosocial services for all women and girls who are victims of conflict-related violence, including rural women and girls and those belonging to other disadvantaged groups; (e) take measures to protect internally and externally displaced women and girls against forced displacement and violence; (f) improve standardized data collection on conflict-related violence against women and girls.

The National Security Strategy<sup>587</sup> and Defence Strategy<sup>588</sup> are the fundamental political documents in the area of national security and defence. A positive novelty is the solution providing for the Government's continued monitoring of both strategies, based on the APs, the development of which is in the charge of the MoD, which has not yet been done. The Law on the Planning System of the Republic of Serbia, which provides for an obligation to conduct an ex-ante analysis of its effects, the Government is authorised to more closely regulate for which public policy documents this analysis needs not be conducted. This solution is contradictory. Ordinance on the methodology of public policy management, analysis of the mentions "public policy documents and regulations, at the national level, of importance for defence and security, or those that mitigate or remove the effects of catastrophes, natural and other disasters and emergency situations". Strategy for Preventing and Combating Trafficking in Human Beings, Especially Women and Children and Protecting the Victims 2017–2022<sup>589</sup> with AP (2017-2018) and AP (2019-2020) is also an important planning document for the area of public security. Draft Action Plan was developed for the period 2021-2022 for the Strategy for Preventing and Combating Trafficking in Human Beings, Especially Women and Children and Protecting the Victims 2017–2022<sup>590</sup>. National Coordinator for Combating Trafficking in Human Beings has been appointed<sup>591</sup>, which is one of the prerequisites for its implementation. Training and seminars for police officers working on human trafficking cases are continuously implemented. Certain organisational changes have also been introduced. Within the Police Directorate, the Office for the coordination of activities on combating trafficking in human beings has been established. Competences for cases of human trafficking were moved from the Border Police Directorate to the Criminal Police Directorate. Within the Service for Combating Organised Crime, a Department was formed for combating trafficking in human beings and human smuggling, with three sections: Section for coordination, analysis and prevention of trafficking in human beings, Section for eliminating trafficking in human beings and Section for eliminating human smuggling. Changes were also introduced within

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<sup>587</sup> Adopted in 2011. Available at: [https://www.rsjp.gov.rs/mapa1/3.%20Odbrana/f\\_strategija\\_nacionalne\\_bezbednosti.pdf](https://www.rsjp.gov.rs/mapa1/3.%20Odbrana/f_strategija_nacionalne_bezbednosti.pdf), accessed on 15 June 2021.

<sup>588</sup> Adopted in 2012. Available at: [https://www.rsjp.gov.rs/mapa1/3.%20Odbrana/f\\_strategija\\_odbrane.pdf](https://www.rsjp.gov.rs/mapa1/3.%20Odbrana/f_strategija_odbrane.pdf), accessed on 14 June 2021.

<sup>589</sup> Available at: [https://media.srbija.gov.rs/medsrp/dokumenti/nacionalna\\_strategija\\_i\\_akcioni\\_plan.pdf](https://media.srbija.gov.rs/medsrp/dokumenti/nacionalna_strategija_i_akcioni_plan.pdf), accessed on 11 June 2021.

<sup>590</sup> Available at: <http://javnerasprave.euprava.gov.rs/javna-rasprava/289>, accessed on 5 July 2021.

<sup>591</sup> Government Decision 24 No. 119-9273/2017 of 6 October 2017.

police administrations in major towns.<sup>592</sup> AP for the implementation of this Strategy, provides for considerably fewer activities. The report of the prEUgovor coalition on the Republic of Serbia progress in Chapters 23 and 24, states that 23 activities were left out of 4 measures, the majority of which regarding direct support to victims<sup>593</sup>. The Republic of Serbia is one of the rare UN Member States with NAP for UNSCR 1325 that contains the measure regarding disarmament of the society and control of illicit sales of small and light arms and gender-based violence. The Report for 2019 and 2020 on implementation of the AP for Strategy for Preventing and Combating Trafficking in Human Beings, Especially Women and Children and Protecting the Victims 2017–2022 says: some tasks are set unrealistically, both by scope and implementability; certain indicators are defined in a complex way and cannot be reported on without deeper analysis; several different activities contain identical indicators, which leads to repetitions during reporting on the results of implementation<sup>594</sup>.

Even though it does not mention UNSCR 1325, the new Strategy on the Control of Small Arms and Light Weapons (2019-2024) recognises that “possession, use, misuse and effects of small arms and light weapons exhibit clear gender dimensions”, which is in line with the measures of the second NAP for UNSCR 1325 in the Republic of Serbia. CSO Centre for Public Policy Research was active in advocacy and considerably contributed to the fact that the gender dimension of SALW control in the NAP and conducted a series of studies on the gender dimension of the use of firearms in the period 2017-2019, in this way supporting the implementation of the NAP for UNSCR 1325<sup>595</sup>. NAP for UNSCR 1325 is compatible with the Law on Preventing Domestic Violence and the Law on Weapons and Ammunition, which recognise the importance of prevention, including the measure of seizure of firearms from perpetrators of domestic violence, legalising firearms possessed illegally, and safe handling of legal arms, as important measures in the prevention of femicides. According to the findings of the Centre for Public Policy Research, citizens are interested to get involved in the local campaigns for weapons legalisation as part of the efforts to improve security in communities, especially of women and other vulnerable groups<sup>596</sup>.

NAP 1325 (2017-2020)<sup>597</sup> included five sections: stakeholders, institutional bodies and mechanisms, prevention, participation, relief and recovery, and three annexes. Objectives, activities, responsible parties and partners, required resources and performance indicators were directed at improving all aspects of women’s security. Activities were largely focused on

<sup>592</sup> Available at: <https://scindeks-clanci.ceon.rs/data/pdf/0409-2953/2020/0409-29532003124R.pdf>, accessed on 12 June 2021.

<sup>593</sup> According to official data, until October 2020, 48 victims of trafficking in human beings were identified in Serbia, including 15 girls and 8 boys, who were victims of sexual exploitation and forced marriages, forced begging or criminal activity. A representative of organisation Astra gave an interview in January this year, in which she said that the pandemic had stripped the system bare, and showed how fragile and slow it was, so that CSOs providing support to the victims of trafficking in human beings in this case reacted faster than the system. Radio 021 (08 January 2021). Available at: <https://www.021.rs/story/Info/Srbija/262993/Astra-Identifikovali-smo-31-zrtvu-trgovine-ljudima-tokom-2020-godine.html>, accessed on 13 June 2021.

<sup>594</sup> Available at: <http://www.mup.gov.rs/wps/wcm/connect/cd2d35c1-10a0-4dae-b17e-4a376d55057a/Izve%C5%A1taj+AP+trgovina+ljudima+2019-2020.pdf?MOD=AJPERES&CVID=nugibDG>, accessed on 13 September 2021.

<sup>595</sup> The last research titled, Gender and Firearms – Why is NAP 1325 so Important, focuses on promoting gender responsible and transparent approach in responding to security challenges related to firearms in LSGUs in Serbia, see: The Public Policy Research Centre (CENTER) “Gender and Firearms – Why is NAP 1325 so important” Final Report June 20, 2019 – December 19, 2019. Available at: <https://www.publicpolicy.rs/files/NAP%201325.pdf>, accessed on 28 August 2021.

<sup>596</sup> Centar za istraživanje javnih politika, Iskustva primene NAP 1325, available at:

<https://www.publicpolicy.rs/publikacije/8503f622ab8ce6981bfbd8f57bcd415357450725.pdf>, accessed on 6 June 2021.

<sup>597</sup> Nacionalni akcioni plan za primenu Rezolucije 1325 SB UN - Žene, mir i bezbednost u RS (2017–2020), Official Gazette RS, No. 53/2017.

preventing violence against women in multinational operations, in conflict and post-conflict recovery, crises and emergency situations, with special attention on prevention, relief and recovery of women from the effects of contemporary challenges, risks and security threats particularly affecting marginalised and multiply discriminated population categories. The working group for the development of the new NAP was faced with uneven gender records in some central and local government authorities, and unequal reporting systems, needed for the new NAP to contain accurate baseline and target values and goals to be achieved by end 2020.<sup>598</sup> The Report on the Implementation of NAP 1325 in the Ministry of Defence (MoD) and Serbian Armed Forces (SAF) for 2020<sup>599</sup> says that MoD and SAF continued with the implementation of NAP 1325 to achieve more comprehensive and complete defined objectives<sup>600</sup>. The Government adopted amendments to the Conclusion on the establishment of the Political Council for the implementation of NAP 1325 (2017-2020)<sup>601</sup>. The Minister of Defence adopted the Decision on appointment of the Advisor to the Minister of Defence for the implementation of NAP 1325 (2017-2020)<sup>602</sup> and a Decision on establishing the Analytical Group for the implementation of NAP 1325 (2017-2020) within MoD and SAF competences<sup>603</sup>. This analytical group was established in 2019, pursuant to the Ministerial Decision, and during 2020 it developed two gender analyses and draft annual and semi-annual reports on the implementation of the NAP in MoD and SAF.

The tasks of the Multi-Sectoral Body, which was renamed into Operational Body, are now performed by the Government's CBGE. During 2020, Person of Trust, the mechanism for gender equality in MoD and SAF was functioning regularly, pursuant to the Instruction of the Election and Function of the Person of Trust<sup>604</sup>, regularly reporting on their work to the Gender Advisor. Budget allocations for MoD and SAF in 2020 were reduced from 93.8 billion RSD in 2019 to 92.4 billion RSD<sup>605</sup>. The 2020 Budget was increased for MoI from 85.2 billion RSD in 2019 to 109.6 billion RSD in 2020.<sup>606</sup> In MoD and SAF, the process of gender-responsive budgeting was established. No budget funds were used in 2020 for MoD activities on the implementation of NAP 1325. MoI Analytical Group implemented numerous activities, such as appointing focal points in police directorates for monitoring NAP implementation, development of gender analyses and MoI

<sup>598</sup> This document focused on the local level, i.e., achieving visible change in the everyday lives of women and men in local communities, to improve their personal security and ensure greater participation of women in peacekeeping and security at the local community level. The document stipulated involving CSOs in the implementation of activities. Available at: [http://www.mod.gov.rs/multimedia/file/staticki\\_sadrzaj/dokumenta/akcioni\\_planovi/2017/Zakljucak%20Vlade%20o%20usvajanj u%20NAP%20za%20primenu%20R\\_1325%20SB%20UN%20u%20R\\_Srbiji.pdf](http://www.mod.gov.rs/multimedia/file/staticki_sadrzaj/dokumenta/akcioni_planovi/2017/Zakljucak%20Vlade%20o%20usvajanj u%20NAP%20za%20primenu%20R_1325%20SB%20UN%20u%20R_Srbiji.pdf), accessed on 30 May 2021.

<sup>599</sup> Available at:

[http://www.mod.gov.rs/multimedia/file/staticki\\_sadrzaj/dokumenta/akcioni\\_planovi/2021/Izvestaj%20za%20NAP%20za%202020%20Prilog.pdf](http://www.mod.gov.rs/multimedia/file/staticki_sadrzaj/dokumenta/akcioni_planovi/2021/Izvestaj%20za%20NAP%20za%202020%20Prilog.pdf), accessed on 30 May 2021.

<sup>600</sup> Results of NAP implementation during 2020 were submitted by competent MoD and SAF organisational units and processed by the MoD and SAF Analytical Groups for the analysis of the implementation of NAP for UNSCR 1325 in RS.

<sup>601</sup> Conclusion 05 No: 02-4504/2020, of 4 June 2020

<sup>602</sup> There is no publicly available document. Reference based on information submitted by MoD during information gathering for reporting on Beijing Platform for Action.

<sup>603</sup> There is no publicly available document. Reference based on information submitted by MoD during information gathering for reporting on Beijing Platform for Action.

<sup>604</sup> Official Army Gazette, No. 1/18.

<sup>605</sup> Available at: <https://www.slobodnaevropa.org/a/vojska-srbija-naoruzanje-novac/29637678.html>, accessed on 16 June 2021.

<sup>606</sup> Unlike army costs, the planned budget funds for the implementation of the women, peace and security programme in the period 2017-2020 amount to 2,480,000.00 RSD, but the funds have not been used for the implementation of the plan yet, nor are the provided funds sufficient to fully implement the plan. This is why donor support was also taken into account, as well as cooperation with CSOs with the aim to implement the plan. In the period 2017-2020, the implementation of the women, peace and security programme was mostly funded by donor organisations (e.g., OSCE Mission in Serbia and UNDP, Kvinna till Kvinna, Norwegian Embassy, USA Embassy, Netherlands Embassy, Norwegian Government, NATO, etc.), independently or through CSO projects. Available at:

<http://www.parlament.gov.rs/upload/archive/files/cir/pdf/zakoni/2019/BUDZET%202020.pdf>, accessed on 16 June 2021.

plan for NAP implementation, as well as NAP implementation report, which were during the period of the second NAP implementation submitted to the Coordination Body for Gender Equality. Analytical Group and the Gender Advisor to the Minister, through coordination with foreign MoI partners, primarily through cooperation and communication with Swedish Police Office in Belgrade, initiated the development of the project titled, Developing a Gender Agenda in MoI RS. Project objectives and activities were based on the objectives and activities defined in the second NAP, to provide systematic implementation of NAP activities for which MoI is responsible, especially when it comes to increased participation and role of women in police tasks, protection from violence and discrimination, gender equality education and integration in the police system, more women in operational and leadership positions.

The implementation of the project Developing Gender Agenda in MoI RS<sup>607</sup> within the Swedish Police Assistance Programme in Serbia (SPAP II), which was implemented by MoI with expert support of the Swedish Police, as implementation partner and financial supporter and support of the Swedish Development Agency, started in 2016. In late 2019, the project was extended by end 2021, with the aim to ensure sustainability of the achieved results within MoI<sup>608</sup>. One of the most important outcomes of the project is the establishment of the Network of Women in Police in late 2018<sup>609</sup>. The Network represents a model of support and encouragement to women in the police to develop their skills and competencies so they can contribute to the efficiency of the police and encourage police services to respect the equal opportunities policy in all reform processes. MoI is the first example of a government institution in the Republic of Serbia systematically regulating anti-discrimination within the authority. GE mechanisms in the security sector, such as the Political Council or the Analytical Groups, have been the main agents of change in the past. The Political Council has provided political support to the implementation of the plan within government authorities in the security sector, and analytical groups in the MoD, MoI, Customs Administration, Prison Administration, and Security-Information Agency, have implemented activities from the plan within their institutions, collected data and reported to the Multi-Sectoral Body and the Political Council on the progress of the implementation of the first NAP. Continued education of the members of these bodies was performed by CSOs with donor support, primarily UN Women and UNDP. After personnel changes in the membership of these

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<sup>607</sup> The aim of the project Developing Gender Agenda in MoI RS is to move from ad hoc approach to gender-related issues to concrete, practical and measurable implementation of gender equality policy, by removing real and formal obstacles for greater participation and retention of women in police tasks and managerial positions, not only as the basic assumption for the implementation of the equal opportunities policy, but also for the development of a police that recognises and adequately responds to different security-related challenges in the society. Focused on creating formal and factual requirements for institutional integration of gender equality in all internal processes, structures and functions in the police, especially in the human resources management system, by identifying the measures that need to be taken to keep women in police work and remove existing obstacles for their work and progress within the police.

<sup>608</sup> The project developed and adopted guidelines on measures to achieve gender equality in MoI, through the human resource management system, and these measures have been integrated in all human resource management functions with indicators for monitoring the implementation of the impact achieved; a training programme was developed for managers and employees on gender mainstreaming in police work, and trainers within the police organisation trained, to implement this training within MoI education programme; Guidelines were adopted for prevention and protection from gender-based discrimination and discrimination on the grounds of other personal characteristics in the MoI; Handbook was prepared on action in cases of gender-based discrimination and discrimination on the grounds of other personal characteristics in the MoI; training programme for mediators was adopted, as one of the key mechanisms for procedure to respond to reports of discrimination within MoI; training of a number of appointed mediators in MoI was conducted; organisational and normative preconditions were created for efficient prevention and response to the cases of gender-based discrimination and discrimination based on other personal characteristics in MoI and the police; in several cycles, training of high-level managers was organised, etc.

<sup>609</sup> Work has been done on raising the capacities of Network members so they could efficiently communicate Network aims and values, through the police organisation and promoting women in the police, also numerous promotional activities and space and funds were provided for the work of the Network.

bodies, their activity and influence has been reduced, and the topic of women, peace and security marginalised. The parliamentary oversight over the implementation of the first NAP was performed during a short period of time by the Committee for Monitoring the Implementation of NAP 1325 in the Republic of Serbia. The new committee that would perform parliamentary oversight over the implementation of the second NAP has not been formed. In the past, the Commissioner for the Protection of Equality has monitored the work of the security sector, providing opinions and recommendations to remove discrimination and in cooperation with the MoI implemented activities on the implementation of their AP. The challenges encountered by GE mechanisms in LSGUs<sup>610</sup> are also characteristic for Security Councils in LSGUs. Since 2015, the establishment and action of these councils has intensified. MoI and SCATM, with OSCE financial support, prepared the Handbook on Aspects of Work of Municipal Safety Councils in Serbia<sup>611</sup>, which contains information on the establishment, competences, and importance of the actions of these councils in crime prevention and in strategic long-term planning of prevention in LSGUs, and similar. Based on monitoring the situation in the Rasinski District, on the occasion of the 20th anniversary of UNSCR 1325, a round table was organised, during which negative trends were mentioned, showing that “the local security councils were established, but in some places members were not appointed for a long time, or there were no women in them, nor CSOs that need to be there, while other organisations which do not belong in those councils were,” as well as that the implementation of the NAP for UNSCR 1325 is impossible to assess at the level of implementation of all the activities, due to insufficient transparency of local self-government and lack of up-to-date public data<sup>612</sup>. Research conducted by the National Convention on the EU, conducted after the state of emergency ended, showed the LSGUs in Serbia activated their emergency headquarters, as part of the measures to coordinate relevant institutions and organisations to prevent spreading of the pandemic on their territories, as well as that in some LSGUs, crisis headquarters, or expert and operational teams, were established with a smaller membership than the emergency headquarters<sup>613</sup>.

Since the NAP was adopted, there has been a continuous increase in the percentage of women employed in the security sector. Among the total number of employees in the MoD and SAF at the end of 2020, women account for 22.94%, which is by 1.01% more than in 2019. Among officers, the share of women is 7.91% (an increase by 0.92%), among non-commissioned officers 2.40% (increase by 0.44%), among professional soldiers 15.89% (increase by 0.48%) and among civilians 52.99% (increase by 1.02%). The representation of women in command and managerial duties at the end of 2020, compared to the total number of command and managerial duties in MoD and SAF was 8.96% (0.47% more than in 2019). During NAP implementation (2017-2020), the share of women in the Military Intelligence Agency (MIA) increased by around 19.5% to 24% (increase by about 4.5%), which was also contributed by the changes in MIA formation, which

<sup>610</sup> See special report of the Ombudsman, Zastupljenost žena na mestima odlučivanja i pozicija i aktivnosti lokalnih mehanizama za rodnu ravnopravnost u jedinicama lokalne samouprave u Srbiji, available at:

<https://www.ombudsman.rs/index.php/izvestaji/posebnii-izvestaji/5901-p-s-b-n-izv-sh-z-sh-i-ni-gr-d-n-z-s-uplj-n-s-z-n-s-i-dluciv-nj-i-p-zici-i-ivn-s-i-l-lnih-h-niz-z-r-dnu-r-vn-pr-vn-s-u-dinic-l-l-n-s-upr-v-u-srbi-i>, accessed on 16 June 2021.

<sup>611</sup> Published in 2015. Available at: <https://www.osce.org/files/f/documents/a/0/217011.pdf>, accessed on 2 June 2021.

<sup>612</sup> More in the report: Pomirenje iz ženske perspektive: ka normalizaciji odnosa Srbije i Kosova, which was prepared by the Women's Association Pešćanik from Kruševac and Association of Mitrovica Women for Human Rights from Kosovska Mitrovica, representing part of the project, Women for Peace and Security: towards Good Neighbourly Relations between Serbia and Kosovo, supported by the EU and the Swedish organisation Kvinna till Kvinna, available at:

[https://udruzenjepescanik.org/izvestaji/pomirenje-iz-zenske-perspektive-ka-normalizaciji-odnosa-srbije-i-kosova/#\\_Toc61949668](https://udruzenjepescanik.org/izvestaji/pomirenje-iz-zenske-perspektive-ka-normalizaciji-odnosa-srbije-i-kosova/#_Toc61949668), accessed on 5 June 2021.

<sup>613</sup> Available at: [https://uploads-ssl.webflow.com/5e9038a5fc30d378d256622b/5f8dac20b5dfb27e678f8991\\_Monitoring-izvestaji--Delovanje-jedinica-lokalne-samouprave-tokom-vanrednog-stanja.pdf](https://uploads-ssl.webflow.com/5e9038a5fc30d378d256622b/5f8dac20b5dfb27e678f8991_Monitoring-izvestaji--Delovanje-jedinica-lokalne-samouprave-tokom-vanrednog-stanja.pdf), accessed on 11 June 2021.



increased the number of formation positions for civilians, which women can equally apply for if they have the necessary qualifications. MIA, taking into account gender equality, adapted regulations accordingly, so professional SAF members of both sexes can participate in the calls for defence emissaries. The share of women in SAF increased from 11.7% in 2019 to 12.35% in 2020. The share of women in command and managerial duties in SAF was 4.80%, which constituted 1.05% of the total number of SAF members (increase by 0.15% compared to 2019). In 2020, 43 (13.78%) MoD and SAF members out of a total of 312 deployed staff (4.34% more compared to 2019) were deployed to UN and EU multinational operations. In the school year 2020/2021, 68% of girls enrolled undergraduate studies of the Military Medical Academy, which is a slight increase (by 1%, or 3%) compared to 2019. In the school year 2020/2021, 57% girls enrolled the first year of the Military Grammar School and 46% the High Vocational Military School, which is much higher (by 21% and 25% respectively) than the previous year. During 2020, the Course for Reserve Officers was attended by a total of 88 candidates, 25 of whom, or 29.54% were girls. During 2020, four instructional rounds of voluntary service training were held (March, June, September and December), which were attended by 1,154 candidates, 200 of whom (17.33%) were women<sup>614</sup>.

In the Ministry of the Interior, following the trend since 2016, by end of 2020 the share of women increased from 23% to 26%, with a tendency to grow further

Negotiations on the status of the Autonomous Province of Kosovo and Metohija are the greatest security challenge the Republic of Serbia has faced for years, and particularly during 2020. Women did not participate in the making of numerous technical agreements achieved during dialogues, nor in the making of the 2013 Brussels Agreement. The second NAP 1325 provides for including the gender perspective and more women in the dialogue between Belgrade and Priština, especially women in leading positions in the composition of the delegations. The conclusions of independent monitoring<sup>615</sup> of the negotiations between Belgrade and Priština from the perspective of women indicate that women are systematically marginalised in formal dialogue and peacebuilding processes. This tells us that there is no adequate mechanism nor political will to involve women in this process<sup>616</sup>. Women's CSOs, feminists and peace activists have been continuously advocating for dealing with the past and punishing war crimes, which has since 2017 been part of the NAP 1325, they have also advocated for transitional justice being part of the political agenda in the dialogue and the process of normalising relations between Serbs and Albanians. Transitional justice, however, is not the only topic of interest for men and women citizens. Women in the Kosovska Mitrovica region feel that the negotiation teams do not recognise or initiate issues of interest for the everyday lives of women and men, such as, for example, issuance of personal documents, education, employment, and safety. This is why it is necessary to involve women, their priorities and women's group and individual initiatives in the process of EU integration and the negotiations between Belgrade and Priština, because it ensures that the

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<sup>614</sup> Available at:

[http://www.mod.gov.rs/multimedia/file/staticki\\_sadrzaj/dokumenta/akcioni\\_planovi/2021/Izvestaj%20za%20NAP%20za%202020%20Prilog.pdf](http://www.mod.gov.rs/multimedia/file/staticki_sadrzaj/dokumenta/akcioni_planovi/2021/Izvestaj%20za%20NAP%20za%202020%20Prilog.pdf), accessed on 15 June 2021.

<sup>615</sup> Independent monitoring of the negotiations between Belgrade and Priština are the result of the cooperation between the Women's Organisation for Human Rights from (Kosovska) Mitrovica and Women's Association Pešcanik from Kruševac on enhancing the role of women in the process of EU integration, and especially within the negotiations between Belgrade and Priština. Udruženje žena Pešcanik, Pregovori Beograda i Prištine iz ženske perspektive, 28 March 2018. Available at:

<https://udruzenjepescanik.org/aktuelnosti/688-pregovori-beograda-i-pristine-iz-zenske-perspektive>, accessed on 15 June 2021.

<sup>616</sup> Independent monitoring states that "even when women's organisations are implementing activities directed at reconciliation on their own initiative, the representatives of public authorities do not wish to participate in them, and in some cases they are actively working on preventing dialogue between Serbian and Albanian women", *ibid*.

achieved agreements are founded in the real priorities and needs of men and women citizens, so they can be sustainable in the future<sup>617</sup>.

### 5.2.3. Gender-based and domestic violence against women

Violence in general, and against women in particular, is the most widespread and the gravest form of violation of basic human rights. It is present in the media, spreading misogynous, sexist messages<sup>618</sup>, as structural violence excluding them from decision-making, from the labour market, from property, new technologies, from the political and public life<sup>619</sup>. Violence against women is present in the workplace, in institutions where they should access social protection or healthcare<sup>620</sup>, in the family, in intimate partner relationships. The results of the Research on Well-being and Safety of Women<sup>621</sup> in the countries of South-East and East Europe, indicates widespread and various forms gender-based violence against women. Research data on the violence against women in the Republic of Serbia are the reason for great concern. Any form of violence, including non-partner and partner violence, as well as sexual harassment and stalking, since the age of 15, was experienced by 62% of women ages 18-74 (1.7 million women in the Republic of Serbia). Almost one-third of women can share some form of violence during childhood<sup>622</sup>.

In 2017, the Law on the Prevention of Domestic Violence<sup>623</sup> was adopted in the Republic of Serbia, as one of the responses of the government to the widespread occurrence of violence against women, and the aim of this law is to regulate, in a general and uniform way, the actions of government authorities primarily regarding prevention, but also protection from domestic violence. The majority of efforts regarding the law and policies are mainly directed at domestic violence as the most widespread form of violence against women. After the law was adopted and before its implementation began, mandatory licensed training was organised for police officers<sup>624</sup> and for the representatives of prosecution offices, courts and misdemeanour courts<sup>625</sup>, but not for officials in Centres for Social Work (CSWs), which is not stipulated in the law, nor continuous training for the representatives of other institutions that have the obligation to respond to cases of violence. The Special Report of the Ombudsman on the Operation of the Groups for Coordination and Cooperation on the Territory of the City of Belgrade<sup>626</sup> states that the Ministry for Labour, Employment, Veteran and Social Affairs, and the Republic Social Protection Institute, in cooperation with the Judicial Academy, Human Resource Management Service, and other authorities and institutions, should ensure continuous training of experts in CSWs implementing the Law on the Prevention of Domestic Violence. The Public Prosecution Office, Ministry of Labour, Employment, Veteran and Social Affairs, and the Ministry of the Interior must ensure

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<sup>617</sup> Ibid.

<sup>618</sup> Available at: <https://rc.gradjanske.org/kako-mediji-izvestavaju-o-nasilju-prema-zenama/> accessed on: 26 May 2021.

<sup>619</sup> Available at: <https://www.danas.rs/drustvo/pasalic-zabrinjavajuci-stepen-mrnje-kojoj-su-zene-u-javnosti-izložene/>, accessed on 26 May 2021.

<sup>620</sup> Available at: <https://www.021.rs/story/Info/Biznis-i-ekonomija/132358/Recenice-koje-mozda-slusate-svaki-dan-a-koje-su-mobing.html>, accessed on 30 May 2021.

<sup>621</sup> OSCE-led Survey (2018), available at: <https://www.osce.org/sr/secretariat/419756>, accessed on 15 June 2021.

<sup>622</sup> Ibid.

<sup>623</sup> Available at: [https://www.paragraf.rs/propisi/zakon\\_o\\_sprecavanju\\_nasilja\\_u\\_porodici.html](https://www.paragraf.rs/propisi/zakon_o_sprecavanju_nasilja_u_porodici.html), accessed on 20 May 2021.

<sup>624</sup> Available at: <https://www.kpu.edu.rs/cms/>, accessed on 14 June 2021.

<sup>625</sup> Available at: <https://pars.rs/sr/tags/sprecavanje-nasilja-u-porodici>, accessed on 14 June 2021.

<sup>626</sup> See: Poseban izveštaj Zaštitnika građana o radu Grupa za koordinaciju i saradu sa područja grada Beograda, 2020, available at: <https://www.ombudsman.rs/index.php/izvestaji/posebnii-izvestaji/6804-p-s-b-n-izv-sh-z-sh-i-ni-gr-d-n-r-du-grup-z-rdin-ci-u-i-s-r-dnju-n-p-druc-u-gr-d-b-gr-d>, accessed on 13 September 2021.

continued education of employees responding to domestic violence cases, who are also the members of the groups for coordination and cooperation, to acquire and improve their knowledge and competencies on prevention, elimination and protection from domestic violence and child abuse and neglect.

Monitoring of the implementation of this Law indicates that there are challenges in the implementation of Article 17<sup>627</sup> and that it is necessary to improve the understanding of rights and needs of the victims of domestic violence and other criminal acts covered by the Law. Data on the implementation of the Law on the Prevention of Domestic Violence in the period March-August 2020 indicate considerable reductions in activities of competent authorities – police, prosecution offices and CSWs, which could have negative effects on victim protection. During the state of emergency caused by the COVID-19 pandemic (March-April), the police received by 10% fewer reports of violence events compared to the same period in 2019, and this trend also continued in July 2020 (11% fewer reports of events). The number of issued emergency orders in the same period was lower by 6.6%<sup>628</sup>. The 2018 Law on the Amendments to the Criminal Code<sup>629</sup> introduced three new crimes: stalking, sexual harassment and forced marriage, with the aim to harmonise the national criminal legislation with the Istanbul Convention. Provisions stipulating that prosecution is undertaken on suggestion for the crimes of rape, copulation with a helpless person performed over a spouse, and prohibited sexual acts were taken out of the Criminal Code. The establishment of new criminal acts alone do not represent sufficient, safe or adequate protection from violence. Consistent implementation of the law is required, and also the use of existing mechanisms for the protection of the victims of violence. Restrictive interpretation of rights is the main cause for poor legal protection of the victims of violence<sup>630</sup>. Amendments to the 2018 Law on Asylum enable women refugees and migrants to fulfil their right to asylum also on the grounds of gender-based violence experienced in the country of origin or in transit, and asylum has been granted on these grounds<sup>631</sup>. The long-awaited Gender Equality Law<sup>632</sup>, as well as amendments to the Anti-Discrimination Law<sup>633</sup>, were adopted in May 2021. In its introduction, Gender Equality Law defines the terms of gender-based violence, violence against women, domestic violence<sup>634</sup>, harassment, sexual harassment, sexual and gender-based blackmail<sup>635</sup>, in accordance with international standards. A separate chapter regulates the prevention of gender-based violence and violence against women, in particular: special measures (Article 52), obligation to report violence (Article 53), general services of support to the victims of gender-based violence (Article 54), specialised services of support to the victims of gender-based violence (Article 55), programmes for the perpetrators of gender-based violence (Article 56), gender-based violence prevention (Article 57) and financial resources to provide general and specialist support services (Article 58). The adoption of the Law has completed the gender equality normative framework in this area. The Strategy for Preventing and Combating Gender-Based Violence against Women and Domestic

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<sup>627</sup> Article 17 does not adequately cover the specific needs of Roma women exposed to domestic violence. As Roma women live in extended families with the parents of the perpetrator, when the emergency order is issued, they are exposed to additional torture and violence by the perpetrator's family and are forced to withdraw criminal charges for domestic violence.

<sup>628</sup> Ibid.

<sup>629</sup> Available at: [https://www.paragraf.rs/izmene\\_i\\_dopune/241116-zakon\\_o\\_izmenama\\_i\\_dopunama\\_krivicnog\\_zakonika.html](https://www.paragraf.rs/izmene_i_dopune/241116-zakon_o_izmenama_i_dopunama_krivicnog_zakonika.html), accessed on 7 June 2021.

<sup>630</sup> Available at: <https://www.paragraf.rs/dnevne-vesti/140916/140916-vest10.html>, accessed on 13 June 2021.

<sup>631</sup> Available at: <https://www.paragraf.rs/propisi/zakon-o-azilu-i-privremenoj-zastiti.html>, accessed on 13 June 2021.

<sup>632</sup> Official Gazette RS, No. 52/01.

<sup>633</sup> Official Gazette RS, No. 52/01.

<sup>634</sup> Gender Equality Law, Article 6, Paragraph 1, items 10, 11 and 12.

<sup>635</sup> Gender Equality Law, Article 6, Paragraph 1, items 13, 15 and 16.

Violence for the period 2021-2025 was adopted in April 2021, and the AP for the period 2021-2023 was prepared, the adoption of which is expected.

Unified statistics on the number of femicides and murders of women in the Republic of Serbia still do not exist<sup>636</sup>. The Statistical Office of the Republic of Serbia publishes information on the number of deaths, by cause of death and sex, based on regular statistics on deaths<sup>637</sup>. The Ministry of the Interior has developed a KDU (Crimes&Perpetrators) application, which, pursuant to the Criminal Code, serves to enter criminal charges and it can be used to extract the number of murders, aggravated murders and events with mortal outcomes in domestic situations and partnership relations disaggregated by sex, considering that when the criminal charges are entered there is a mandatory field to fill on kinship. Data on the number of women killed are submitted and published as needed. According to the records of the Women against Violence Network, collecting data on the number of women killed by their partners, over 355 women were killed during over two decades, and over 400 children lost their mothers<sup>638</sup>. The killers were partners, married or unmarried, and the largest number of murders were perpetrated using firearms and knives<sup>639</sup>. Study conducted by the organisation FemPlatz and Women's Research Centre on femicide in the Republic of Serbia covers cases of femicide followed-up in court, but there is a lack of records of cases of women followed by the suicide of the perpetrator<sup>640</sup>.

The analysis of court practice showed that sanctions issued are always closer to the minimum defined sanctions (period 2016-2020). The amendments to the Criminal Code have not led to changes in the courts' lenient policy<sup>641</sup>. Data on the situation in the area of violence against women are still not harmonised, nor available. As open data, they must be requested, the responses of some institutions are not satisfactory, and even when submitted, data are not in adequate format to monitor the implementation of norms. The protection of violence victims is still insufficiently efficient and effective. A good part of reported cases of violence for which emergency orders have not been issued remains unplanned and unmonitored. According to the prEugovor Alarm Report for 2020, the Council for Eliminating Domestic Violence does not monitor the implementation of the Law on Preventing Domestic Violence, which decelerates and impedes the improvement of protection and support to victims. Data and experiences speak to the necessity for better protection and support to victims of violence at the time of the COVID-19 pandemic. Data on Helpline operations in 2019 indicate there was no need to establish a new national Helpline. In the Republic of Serbia, the issue of violence against women is also linked with the possession of weapons.

Out of the total number of weapons owners in the Republic of Serbia, men own 94.7% of firearms<sup>642</sup>. Men perpetrated 96.6% of all crimes related to firearms<sup>643</sup>. The Republic of Serbia undertook measures to improve the normative framework regarding the possession and illicit

<sup>636</sup> Available at: <https://www.danas.rs/drustvo/mreza-zene-protiv-nasilja-od-pocetka-2020-ubijeno-sest-zena-brojke-mogu-biti-vece/> accessed on 23 May 2021.

<sup>637</sup> Available at: <https://publikacije.stat.gov.rs/G2021/Pdf/G20213009.pdf>, accessed on 13 September 2021.

<sup>638</sup> Available at: <https://www.zeneprotivnasilja.net/femicid-u-srbiji#2010-godina>, accessed on 17 June 2021.

<sup>639</sup> Ibid.

<sup>640</sup> Available at: [http://www.femplatz.org/library/publications/2019-11\\_Femicid\\_monografija\\_Prva\\_publicacija\\_E\\_primerak.pdf](http://www.femplatz.org/library/publications/2019-11_Femicid_monografija_Prva_publicacija_E_primerak.pdf) accessed on 17 June 2021.

<sup>641</sup> In 2019, the proceedings were finalised for criminal charges including 92,797 adult perpetrators, which is by 0.1% fewer than in 2018, while final decisions were issued to 28,112 adult persons, which is by 6% fewer than 2018. Crimes against marriage and family are among the most numerous in the final decisions issued to adult persons (14.8%). Available at: <https://www.stat.gov.rs/sr-latn/oblasti/pravosudje/>, accessed on 17 June 2021. In the Revised AP for Chapter 23, a (new) indicator was added on public available quarterly reports on the implementation of the law, and the Autonomous Women's Centre (AŽC) has continued with independent reporting on the implementation of this law<sup>641</sup>.

<sup>642</sup> Božanić, D. Rod i malokalibarsko oružje u Srbiji: Ključne činjenice, UNDP SEESAC, 2019, p. 9

<sup>643</sup> Ibid.

possession of weapons. Amendments to the Law on Weapons and Ammunition<sup>644</sup> contain two important novelties, introduced to reduce the misuse of legal weapons possessed by citizens. The first relates to the purchase of weapons and provides that the applicant, in addition to a security check, health condition, proof of not having been convicted or sanctioned and proof of training for handling firearms, must also have a justified cause for procuring weapons – proof that their personal safety is under threat or because of the nature of their work. The second relates to the health status of the applicant for weapons and must be proven once in five years with a doctor's certificate. When the permit is issued, MoI notifies the chosen doctor that their patient was issued a permit, and the doctor must report back to the MoI any changes in their health status (or suspicion thereof), which would influence handling of arms. The 2016 Law on the Amendments to the Criminal Code, made sanctions for illicit procurement, keeping and carrying weapons, as well as for unauthorised production, alteration, sale and exchange of firearms more rigorous. Possession of firearms presents a significant security threat in the case of gender-based violence. In the majority of cases, in registered examples of domestic violence illegal (unregistered) firearms were used, but there are also examples of misuse of legal weapons. Women in the Republic of Serbia survivors of violence in conflicts, still do not have access to effective protection. Women have not been recognised as participants in armed conflict, nor as civilian victims of war in the legislation of the Republic of Serbia<sup>645</sup>. The Law on the rights of fighters, disabled military personnel, disabled civilians and their families<sup>646</sup> contains discriminatory solutions regarding civilian war victims<sup>647</sup>. In Serbia, there is no reparation or recognition for women survivors of sexual violence in war.

#### 5.2.4. Participation of women in politics and decision-making on public affairs

Gender gap is still present in the political life, especially in political parties, access to leading positions in institutions, public institutions, highest positions in LSGUs and local communities. Stereotypes and prejudice still exist, which lead to the political engagement of women being reduced to areas and issues that are traditionally considered women's issues. Equal participation of women in the political and public life is of essential importance for the achievement of SDGs – 2030 Agenda for Sustainable Development, especially SDG 5. Although the gender gap in this area has been reduced, and the engagement of women in the political life increased, particularly their share in national, provincial and local parliaments<sup>648</sup>, there are still

<sup>644</sup> Official Gazette RS, No.20/2015, 10/2019 and 20/2020.

<sup>645</sup> Independent report on the localisation of NAP 1325 in Serbia made within the project, Support to Civil Society Participation in the Implementation and Monitoring of the NAP for UNSCR 1325 (2017-2020) at the Local Level (2018-2019), Centre for Women's Support, supported by OSCE Mission in Serbia, prepared by Bjeloš, M.

<sup>646</sup> Official Gazette RS, No. 18/20

<sup>647</sup> According to the expert opinion of the Humanitarian Law Centre, this draft Law is discriminatory in the part in which the Draft stipulates that for the victim to acquire the status of civilian war victim or family member of a civilian war victim, they need to meet several criteria simultaneously: to be the citizen of Serbia, to have physical impairment of 50%, to have suffered the injury by an enemy during the war or armed conflict, as well as that the injury has occurred on the territory of Serbia. This legal solution prevents many victims from fulfilling their rights. So, victims of sexual violence cannot acquire the status of civilian war victim, because sexual violence most often does not lead to bodily but psychological injuries that the draft Law does not recognise.

<sup>648</sup> Compare the situation in 2017 with the situation in 2021. See: research Rodna ravnopravnost na pozicijama odlučivanja u jedinicama lokalne samouprave – presek stanja u sprovođenju preporuke mera jedinicama lokalne samouprave za ostvarivanje rodne ravnopravnosti, Commissioner for the Protection of Equality, Belgrade 2017, available at: <http://ravnopravnost.gov.rs/rs/rodna-ravnopravnost-u-jedinicama-lokalne-samouprave-presek-stanja-u-sprovođenju-preporuke-mera-jedinicama-lokalne-samouprave-za-ostvarivanje-rodne-ravnopravnosti/>, accessed on 5 June 2021, as well as Poseban izveštaj Zaštitnika građana Zastupljenost žena na mestima odlučivanja i pozicija i aktivnosti lokalnih mehanizama za rodnu

fewer women among decision makers (UN: indicator 5.5.1). The widest gender gap is in the highest LSGU positions and local communities<sup>649</sup>. Women are less represented on the positions of mayors, ambassadors, as well as leading positions in public enterprises<sup>650</sup>. In addition to the representation of women in public authorities, their share in managerial positions in these authorities; procedures enabling them to influence decision-making in public affairs; as well as overcoming stereotypes which reduce the political participation of women only to areas of social life that are traditionally considered women's jobs (family, social issues, care for children, older persons, persons with disabilities and sometimes healthcare, education and culture) are equally important. The National Gender Equality Strategy is a particularly important instrument for advancing gender equality in this area too.

The representation of women in parliaments has increased, but not in managing positions. In early 2020, the amendments to the Law on the Election of the Members of Parliament<sup>651</sup>, Law on Local Elections<sup>652</sup>, as well as APV Assembly Decision on the Election of the Members of Parliament<sup>653</sup>, which regulate quota for the less represented sex of 40% and reserved places in electoral lists<sup>654</sup>. Parliamentary, local, and provincial elections were held on 21 June 2020. The current composition of the National Assembly<sup>655</sup> consists of 98 women (39.2%)<sup>656</sup> and 152 men (60.2%) MPs. The National Assembly is headed by the President. The National Assembly has 20 committees. Women lead five (25%)<sup>657</sup>, and men 15 (75%) committees. There are ten women and nine men among deputy committee leaders<sup>658</sup>, and as many as 16 (80%) women among the committee secretaries. In the committees, women are the majority members of six<sup>659</sup>, half of which cover areas that stereotypically concern women, and men in committees covering areas that stereotypically concern men<sup>660</sup>. There are GE mechanisms in the National Assembly. The representation of women in the positions of committee leaders, the composition of working bodies

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ravnopravnost u jedinicama lokalne samouprave u Srbiji, available at: <https://www.ombudsman.rs/index.php/izvestaji/posebni-izvestaji/5901-p-s-b-n-izv-sh-z-sh-i-ni-grd-n-z-s-uplj-n-s-z-n-s-i-dluciv-nj-i-p-zici-i-ivn-s-i-llnih-h-niz-z-r-dnu-r-vn-pr-vn-s-u-dinic-l-l-n-s-upr-vu-srbi-i>, accessed on 6 June 2021.

<sup>649</sup> Commissioner for the Protection of Equality sent special recommendations for improving gender equality in LSGU. Available at: <http://ravnopravnost.gov.rs/rs/preporuka-mera-za-ostvarivanje-ravnopravnosti/>, accessed on 7 June 2021. The Ombudsman also sent recommendations to increase the representation of women at decision-making positions in LSGU authorities, available at: [https://www.ombudsman.rs/attachment/5901/Zastitnik%20gradjan\\_srpski.pdf](https://www.ombudsman.rs/attachment/5901/Zastitnik%20gradjan_srpski.pdf), accessed on 7 September 2021.

<sup>650</sup> Srbija i agenda 2020 – 2030. – Mapiranje nacionalnog strateškog okvira, p. 21. Available at: <https://rsjp.gov.rs/wp-content/uploads/Agenda-UN-2030.pdf>, accessed on 5 June 2021.

<sup>651</sup> Law on the Election of the Members of Parliament, Official Gazette RS, No. 35/2000, 57/2003 - YCPC, 72/2003 - other law, 75/2003 - corr. other law, 18/2004, 101/2005 - other law, 85/2005 - other law, 28/2011 - CC, 36/2011, 104/2009 - other law, 12/2020 and 68/2020.

<sup>652</sup> Law on Local Elections, Official Gazette RS, No. 129/2007, 34/2010 - CC, 54/2011, 12/2020, 16/2020 - authentic interpretation and 68/2020.

<sup>653</sup> Official Gazette of AP Vojvodina, No. 12/20.

<sup>654</sup> Among each 5 candidates according to the rank list (first 5 places, second 5 places and so on until the end of the list) there must be at least two candidates of the less represented sex on the list.

<sup>655</sup> Available at: <http://www.parlament.gov.rs/1.html>, accessed on 5 June 2021.

<sup>656</sup> In the previous composition of the National Assembly, there were 93 (37.2%) women MPs.

<sup>657</sup> These are: European Integration Committee, Culture and Information Committee, Spatial Planning, Transport, Infrastructure and Telecommunications Committee, Committee for Constitutional Issues and Legislation and Committee for Finance, Republic Budget and Control of Public Spending. It is notable that women lead committees covering areas that are traditionally not considered "women's affairs".

<sup>658</sup> There is no deputy in one of the committees.

<sup>659</sup> Out of 6 committees led by women, one-half covers areas that stereotypically concern women: child rights (14 women, 9 men), health and family (12 women, 5 men), labour, social affairs, social inclusion and poverty reduction (10 women, 7 men), and one-half of the issues traditionally not connected with women: European integration (10 women, 7 men), economy, regional development, tourism and energy (9 women, 8 men), culture and information (9 women, 8 men).

<sup>660</sup> Committee for the control of security services, in which there are no women, Committee for defence and internal affairs (4 women, 13 men), Committee for justice, public administration and local self-government (4 women, 13 men).

and much higher representation of women among working body secretaries, indicate that gender stereotypes are still present. Despite increased representation of women in parliaments at all levels, which is the result of the application of a quota of at least 40% for the less represented sex, the gender gap is still present in the political life and in government institutions. The recently adopted Gender Equality Law, establishes a quota of 40% for the less represented sex<sup>661</sup>, and mandates public authorities to apply the quota of at least 40% for the less represented sex in management and oversight bodies in which the balanced representation of sexes has not been achieved as a special measure<sup>662</sup>, to reduce the gender gap in order to achieve balance in the representation of sexes in managerial positions.

The representation of women in executive power has increased, but the gender gap is still obvious in leadership positions, and gender stereotypes recognisable by lack of gender balance in the composition of the sectors in charge of areas traditionally not viewed as women's affairs. The Prime Minister heads the Government. Among the five Deputy Prime Ministers, there are two women (40%). Out of the total of 23 sectors, 10 are led by women ministers (43.4%)<sup>663</sup>, and among the state secretaries, in 17 ministries for which data is available, there is a total of 60 women, 18 of whom (30%) are at the position of state secretary. Women constitute the majority in the Ministry of Construction, Transport and Infrastructure, with women as five of six state secretaries (83.3%). Women account for 1/3 in the Ministry of Human and Minority Rights and Social Dialogue and the Ministry of Public Administration and Local Self-Government, and there is one woman state secretary in each ministry. In six ministries, only men are state secretaries<sup>664</sup>. At the position of ministry secretaries, in 18 ministries for which data are available, the share of women is 83.3% (15 women and 3 men)<sup>665</sup>. The government administration at the national level employs 61% women, APV administration 55.9%, and the local administration 58%<sup>666</sup>. GE mechanisms (councils, commissions) have been established within LSGUs.

Women in the judiciary. Unlike the legislative and executive power in which women are still underrepresented, women prevail among judges and court presidents, which is also an indicator of gender disbalance in this area. Among the total number of judges, 71.5% are women<sup>667</sup>. In the Administrative Court the share of women is 85.7%, in appellate courts 77.4%, in misdemeanour courts 75.8%, in commercial courts 75.2%, and in the Supreme Court of Cassation 65.9%. Among the presidents of general and special courts, there are 58.2% women, and the Supreme Court of Cassation is headed by a woman, while the presidents of all appellate courts are men<sup>668</sup>.

Women in diplomacy. Out of the total number of employees in the Ministry of Foreign Affairs with diplomatic titles, the share of women is 56.23%. Out of the total of 71 heads of diplomatic-consular missions (embassies, missions in international organisations and general consulates), 22 are women, which is 30.98% (out of the total of 50 ambassadors, 12 are women; out of the total of 14 general consuls, six are women). In addition to the heads of DCMs who are

<sup>661</sup> Gender Equality Law, Article 6, Paragraph 1, item 9.

<sup>662</sup> Gender Equality Law, Article 26, Paragraph 2.

<sup>663</sup> Available at: <https://www.srbija.gov.rs/sastav/177/sastav-vlade.php> accessed on 5 June 2021.

<sup>664</sup> Ministry of Justice, Ministry of Trade, Tourism and Telecommunications, Ministry of Health, Ministry of Defence, Ministry of Foreign Affairs and Ministry of Rural Welfare. Available at official websites of the ministries. Accessed on 9 March 2021.

<sup>665</sup> Available at official websites of the ministries. Accessed on 9 March 2021.

<sup>666</sup> Data from the Ministry of Public Administration and Local Self-Government, letter no. 021-01-00062/2021-02 of 25 January 2021 sent to the Commissioner for the Protection of Equality. Accessed on 9 March 2021.

<sup>667</sup> Out of the total of 2,676 judges, 1,921 are women. Available at: <https://vss.sud.rs/sr-lat/spisak-sudija>, accessed on 27 January 2021.

<sup>668</sup> Available at: <https://vss.sud.rs/sr-lat/spisak-sudija>, accessed on 27 January 2021.



appointed officials, among diplomats temporarily leading DCMs until a new head of DCM is appointed, out of the total of 19 mission chiefs – five are women or 26.31%, while, out of the total of nine consuls – seven are women, or 77.77%<sup>669</sup>.

Women in political parties. Gender gap persists in political parties as participants in the political life, little has been done on internal democratisation of political parties, and gender equality is not viewed as a factor of the party's internal democratisation. Law on Political Parties<sup>670</sup> or Law on Funding Political Parties<sup>671</sup> do not contain any special measures that would contribute to increase the share of women in political parties and their bodies. In the organisational structure of political parties, there are some forms of women's activity, which is most often advisory in character<sup>672</sup>, and the president or certain number of representatives in the gender equality body in some parties occupy positions in the party's leadership bodies<sup>673</sup>. Special measures to advance gender equality are rarely stipulated in the party's statutes<sup>674</sup>. Within political parties, gender is not monitored systematically<sup>675</sup>, data on membership in political parties and their bodies have not been disaggregated by sex, they are often not updated or not accessible on the party websites, and comprehensive research on gender in political parties is lacking<sup>676</sup>. This speaks to the need to undertake special measures with the aim to remove the gender gap in party membership, within the organisational structure of parties and introduce gender mainstreaming in programmes and concrete party activities. The coming activities on the implementation of the Gender Equality Law, which obligated political parties to undertake special measures if the party does not include a balanced representation of sexes, which also requires amendments to the Law on Political Parties and the Law on Funding Political Activities, as well as political party statutes and action plans that contain special measures to improve gender equality and a balanced representation of sexes in party bodies and ensure active participation of the less represented sex in the work of these bodies<sup>677</sup>. In addition, continued activity of political parties is necessary, focusing on overcoming gender stereotypes, both through their everyday political activity and through participation of the membership education on the topics of gender equality.

<sup>669</sup> Source: as suggested by the Ministry of Foreign Affairs during consultations.

<sup>670</sup> Official Gazette RS, No. 36/09 and 61/15 – Constitutional Court decisions.

<sup>671</sup> Official Gazette RS, No. 43/11, 123/14 and 88/19.

<sup>672</sup> For example: SNP Women's Union, Article 75, Paragraph 1 and Article 82 of SNS Statutes, available at: <https://www.sns.org.rs/lat/o-nama/statut-sns>; SPS Women's Forum, Article 71, Paragraph 1 of SPS Statutes available at: <https://www.sps.org.rs/wp-content/uploads/2019/02/STATUT-SPS-2018.pdf>; DS Women's Forum, Article 76 of DS Statutes, available at: <https://www.ds.org.rs/fajlovi/dokumenta/Statut-DS.pdf>; SDP Women's Forum, Article 63 of SDP Statutes, available at: <https://sdp.co.rs/wp-content/uploads/2019/06/STATUT-SDP.pdf>; Socialist Women's Movement, Article 83 of the Statutes of the Socialist Movement, accessed on 6 June 2021.

<sup>673</sup> For example, Article 71, Paragraph 3 of the SPS Statutes, available at: <https://www.sps.org.rs/wp-content/uploads/2019/02/STATUT-SPS-2018.pdf>; Article 29, Paragraph 2, item 8 of the Socialist Movement Statutes, available at: <https://pokretsocijalista.rs/page/osnivacki-program/statut.html>; Article 27, Paragraph 1, item 8 of the Statutes of the Sandžak Democratic Party, available at: <https://sdp.co.rs/wp-content/uploads/2019/06/STATUT-SDP.pdf>; accessed on 6 June 2021.

<sup>674</sup> For example, gender non-discriminatory language in DS Statutes, available at: <https://www.ds.org.rs/fajlovi/dokumenta/Statut-DS.pdf>, quota for the less represented sex in party bodies (DS, SPS, SDP, PS), which do not provide for a balanced representation of sexes in party bodies.

<sup>675</sup> For example, at official websites of political parties there are no data, or they are not updated, on the number of party members, as well as members of party bodies disaggregated by sex.

<sup>676</sup> For example: Bačanović, V. and Pajvančić – Cizelj A. Kapaciteti političkih stranaka u Vojvodini za ostvarivanje rodne ravnopravnosti. Available at: <https://genderhub.org.rs/kapaciteti-politickih-stranaka/>, accessed on 6 June 2021.

<sup>677</sup> Article 48, Paragraph 1 and 2 of the Gender Equality Law.



Women belonging to vulnerable groups in political and public life. Overall, there is insufficient attention paid to this issue. This is also pointed out in CEDAW Committee recommendation related to undertaking activities that would accelerate the achievement of an equal share of women, especially Roma women and persons with disabilities in all areas of public and political life<sup>678</sup>. There has been some advancement in the creation of conditions for better accessibility of persons with disabilities to fulfil their rights to elections. Instructions for the implementation of the Law on the Election of the Members of Parliament and the Law on Local Elections, the Rules of procedure of electoral committees, Reminder for the training of instructors and permanent members of electoral committees, Guide for communication and support to voters who are persons with disabilities, improving the fulfilment of active electoral rights of persons with disabilities, have been amended<sup>679</sup>. A decision has also been adopted on the assessment of accessibility of polling stations to persons with disabilities, a questionnaire for the assessment of accessibility composed, and the accessibility of all polling stations examined<sup>680</sup>, technical insight into the electoral list has been provided to blind and near-sighted persons, and additional educational materials were prepared for persons with disabilities on the possibilities to achieve their voting rights<sup>681</sup>. All these measures focus exclusively on the fulfilment of active voting rights of persons with disabilities. Important questions regarding the fulfilment of passive voting rights of persons with disabilities have not been regulated, including also legal capacity, which is a prerequisite for access to voting rights, which prevents persons deprived of legal capacity from exercising this right. The need to re-examine and enable access to voting rights for persons with psychological disabilities is also indicated by the CEDAW Committee recommendation<sup>682</sup>.

#### 5.2.5. Gender aspects of the COVID-19 pandemic

The circumstances caused by the COVID-19 pandemic, which have to a great extent disturbed the daily lives of men and women citizens, especially during the state of emergency, when numerous rights and freedoms were subjected to limitations in order to preserve the fundamental human right – the right to life, pointed to the necessity to establish a balance between protecting the health of the population, respecting human rights, and minimising numerous and various effects caused by this crisis. Everyday problems that the citizens encountered inspired a review of the impacts that the pandemic has had on gender equality in various spheres of social life. During the state of emergency, and implementation of measures to counter the pandemic, there were several initiatives, activities and reactions focusing on reviewing the gender aspects of the new situation, especially in relation to vulnerable groups. The result of these activities were analyses and research conducted in the Republic of Serbia<sup>683</sup>, as well as within the auspices of

<sup>678</sup> CEDAW/C/SRB/CO/4 para. 27-28.

<sup>679</sup> Available at: <https://shorturl.at/afixG>, accessed on 26 January 2021.

<sup>680</sup> Available at: <http://shorturl.at/goPWZ>, accessed on 26 January 2021.

<sup>681</sup> Vodič za glasanje osoba sa invaliditetom, available at: <https://rb.gy/uotkfe>, Vodič za glasanje van biračkog mesta, available at: <https://rb.gy/wlzb69>, video material: Glasanje van biračkog mesta i uz pomoć pomagača, available at: <https://shorturl.at/yCMY0>, accessed on 26 January 2021.

<sup>682</sup> CEDAW/C/SRB/CO/4 para. 44.

<sup>683</sup> For example: Pajvančić, M. et al., Rodna analiza odgovora na COVID-19 u Republici Srbiji, OSCE Mission in Serbia and WPDS 2020, available at: <https://www.osce.org/files/f/documents/3/9/459391.pdf>, accessed on 3 June 2021. Ekonomija brige za vreme pandemije KOVID-19 i mera za njeno sprovođenje, SeConS, UN Women, 2020; Uticaj KOVID-19 pandemije i mera za njeno sprečavanje na preduzetnice u Srbiji, SeConS, UN Women, 2020; Uticaj KOVID-19 pandemije i mera za njeno sprečavanje na zaposlenost i uslove rada žena i muškaraca u Srbiji, SeConS, European Commission, UN Women, 2020; Consequences of COVID-19 on women's and men's economic empowerment, SeConS, UN Women, UNFPA, 2020. Deklaracija

international organisations active in the area of gender equality<sup>684</sup>. Based on the findings of these analyses and studies, recommendations were made to address the identified issues, especially for vulnerable groups<sup>685</sup>. Research and analysis findings and recommendations showed that gender equality was not integrated in the regulations on emergencies and strategies defining activities and measures in such situations. This is particularly visible when it comes to vulnerable groups, whose needs, often very different in nature, were not taken into consideration when creating the measures of protection from the pandemic. Independent human rights institutions, the Commissioner for the Protection of Equality<sup>686</sup> and Ombudsman<sup>687</sup>, responded with instruments at their disposal, adapting their operations to the new circumstances.

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ženskih organizacija civilnog društva i ekspertkinja za rodnu ravnopravnost nakon nacionalnih konsultacija za borbu protiv epidemije KOVID-19 u RS, WPDS; KOVID – 19 zajednička regionalna izjava OCD; available at:

<https://drive.google.com/drive/folders/16Bg45r57ZTFuXwayRds62Qf5xifHht0u?usp=sharing>, accessed on 6 June 2021

<sup>684</sup> COVID-19 and Ending Violence Against Women and Girls, UN Women; Violence Against Women and Girls Data Collection during COVID-19, UN Women; ODIHR & UN Women launch surveys on COVID-19 and Human Trafficking in 25 languages; Making Indigenous Women and Girls Visible in the Implementation of the UN Framework for the Immediate Socio-Economic Response to COVID-19 Accessing Funds Through the Multi-Partner Trust Fund, UN Women, 2020; Impact of the COVID-19 pandemic on specialist services for victims and survivors of violence in Serbia, a proposal for addressing needs – Country report Serbia, UN Women, 2020; UN Women series: Women at the forefront of COVID-19 response in Europe and Central Asia - Voices of gender equality mechanism on COVID-19, UN Women, 2020. Women's Political Participation: Guidance on COVID-19 Policy and Programme Responses, UN Women, 2020. Available at:

<https://drive.google.com/drive/folders/16Bg45r57ZTFuXwayRds62Qf5xifHht0u?usp=sharing>, accessed on 6 June 2021.

<sup>685</sup> For more see: Nikolin, S., Rajkov, G. Političko učešće žena sa invaliditetom tokom pandemije KOVID-19, CSŽ, 2020, available at: [http://cilsrbija.org/ebib/202010201257060.Političko\\_ucesce\\_osi\\_u\\_Srbiji\\_tokom\\_pandemije\\_KOVID19.pdf](http://cilsrbija.org/ebib/202010201257060.Političko_ucesce_osi_u_Srbiji_tokom_pandemije_KOVID19.pdf), accessed on 15 June 2021; Uticaj KOVID-19 pandemije i mera za njeno sprečavanje na socio-ekonomski položaj žena koje žive na selu sa fokusom na poljoprivredu, SeConS, UN Women, 2020; KOVID-19 Kako uključiti marginalizovane i ranjive grupe u komunikaciju o riziku i angažovanje zajednice, UN Women; Brkić, S. et al. Šta osobe koje žive sa HIV-om treba da znaju o obolenju izazvanom novim virusom korona pod nazivom KOVID-19?, USOP – Unija PLWHA organizacija u Srbiji, 2020; Stefanović, S. et al. Biti dete za vreme pandemije KOVID-19 – analiza istraživanja uticaja mera vanrednog stanja na decu tokom pandemije KOVID-19 u Srbiji, MODS, 2020. Available at:

<https://drive.google.com/drive/folders/16Bg45r57ZTFuXwayRds62Qf5xifHht0u?usp=sharing>, accessed on 6 June 2021.

<sup>686</sup> The largest number of complaints (121) referred to the health situation, 115 to age, 114 to nationality, out of which 94 complaints or 82% of complaints by the Roma minority; 105 to sex, 89 to disability (p. 18). The Commissioner sent out 312 recommendations for measures and 12 initiatives to public authorities, with the aim to improve the situation of some groups of the population that were particularly vulnerable during the pandemic, which referred to the provision of information and notification in accessible formats, regular provision of the home assistance service to all beneficiaries, and ensuring the necessary permits for the movement of persons providing this assistance, the need to cover with social protection services and assistance programmes all persons who are in the situation of need, broader coverage with economic assistance measures, etc. (p. 13), Godišnji izveštaj Poverenika za zaštitu ravnopravnosti, 2020, available at: <http://ravnopravnost.gov.rs/wp-content/uploads/2021/04/Poverenik-za-zastitu-ravnopravnosti-Godisnji-izvestaj-za-2020>, accessed on 10 June 2021.

<sup>687</sup> The Ombudsman reacted at the beginning of the epidemiological crisis, when all forms of international transport were disrupted, in order to, through bilateral contacts with ombudsmen in other countries, help return our citizens from abroad to the Republic of Serbia. Initiatives have emerged that enabled free movement for children and parents of children with autism during movement restrictions, maintaining personal relationships between children and parents that the children do not live with. Movement of persons providing care to older persons, immobile persons and persons with disabilities during movement restrictions, movement of the victims of violence during restrictions to get protection from violence, as well as changed procedures for sharing information with families on the health situation of COVID-19 patients on treatment in the Clinical Centre Niš. Increased monitoring in the field, checking the conditions in which citizens are, especially vulnerable groups – children, persons with disabilities, Roma, migrants, as well as persons deprived of liberty. Extended hours of operation to seven days a week, several telephone lines were introduced, operating 8-22h. See: Poseban izveštaj Zaštitnika građana za vreme vanrednog stanja, available at: [https://ombudsman.rs/attachment/article/6643/poseban%20izveštaj20zg\\_vanredno%stanje.docx](https://ombudsman.rs/attachment/article/6643/poseban%20izveštaj20zg_vanredno%stanje.docx), accessed on 11 September 2021; Tematski izveštaj NPM o primeni principa CPT o postupnju prema licima lišenim slobode za vreme pandemije korona bolesti, 2020, available at: <https://ombudsman.rs/artisile6630/izveštaj.pdf>, accessed on 11 September 2021; Poseban izveštaj Zaštitnika građana Uslovi u romskim naseljima i primena mera zaštite usled epidemije korona bolesti (COVID 19), 2020, available at: <https://zastitnik.rs/index.php/izvestaji/posebni-izvestaj/6608-10>, accessed on 11 September 2021; Godišnji izveštaj Zaštitnika građana za 2020, p. 5, available at: <https://www.ombudsman.rs/index.php/izvestaji/godisnji-izvestaji>, accessed on 15 June 2021.

Human rights limitations during the state of emergency and extraordinary circumstances. The COVID-19 pandemic, which threatened the right to life as a fundamental human right, was the cause to proclaim the state of emergency in the Republic of Serbia and adopt measures limiting a number of basic human rights: freedom of movement, freedom of gathering, right to a fair trial, etc.<sup>688</sup> Some of the measures were discriminatory (measures for restricting the freedom of movement to persons over 65). The Commissioner for the Protection of Equality stressed that “the COVID-19 pandemic had a disproportionate effect on older people, persons with disabilities, poorer strata of the society, residents of informal settlements, beneficiaries residing in social protection institutions, persons with chronic health issues, youth, employment, education, and similar; and the measures restricting movement, the risk of infection, transferring more and more activities online, and similar, affected also the access to certain rights and fulfilment of the rights to services, court protection, and similar”<sup>689</sup>, and when the measures were proscribed, the needs of vulnerable groups were not taken into account<sup>690</sup>. This is also mentioned in initiatives<sup>691</sup> and General Recommendations on Crisis Situations of the Commissioner for the Protection of Equality<sup>692</sup>. The Ombudsman reacted regarding the protection of rights to a fair trial and right to a trial in a reasonable timeframe. The control over the work of courts and public prosecution offices is not within the mandate of the Ombudsman, but this period was marked by complaints sent to the Ombudsman about these bodies. Complaints concerned violations of rights to a fair trial and rights to a trial in a reasonable framework, under the measures introduced to prevent the spread of the COVID-19 pandemic. The Ombudsman appealed on relevant authorities to enable access to alternative methods of communication (Skype) between the accused and defender in a separate room, without third parties present<sup>693</sup>.

The gender aspect of emergency situations and measures adopted to prevent the spread of COVID-19 was not sufficiently recognised, nor were security-related risks for women during emergency situations identified. Women account for the majority of workforce in the health sector,

<sup>688</sup> For more see: Ljudska prava i KOVID-19, - analiza pravnog okvira tokom epidemije, uticaj na ostvarivanje ljudskih prava, YUCOM, 2020, available at: <https://en.yucom.org.rs/analysis-of-the-changes-in-legal-framework-during-the-covid-19-epidemic-and-impact-on-enjoying-human-rights-in-the-republic-of-serbia/>, accessed on 14 June 2021.

Analiza mera odstupanja od ljudskih i manjinskih prava tokom vanrednog stanja u RS izazvanog epidemijom zarazne bolesti KOVID-19 u Srbiji, A11 – Initiative for Social and Economic Rights, 2020, available at: <https://www.a11initiative.org/wp-content/uploads/2020/03/Analiza-mera-odstupanja-derogacija-od-ljudskih-i-manjinskih-prava-tokom-vanrednog-stanja-u-Republici-Srbiji-izazvanog-epidemijom-zarazne-bolesti-COVID-19-1.pdf>

OSCE Mission prepared special tools for member states regarding the Respect for democracy, rule of law and human rights in the context of health crisis caused by COVID-19 – Tools for Participating States, OSCE, 2020. Available at: [www.osce.org](http://www.osce.org), accessed on 14 June 2021.

<sup>689</sup> Redovni godišnji izveštaj Poverenika za zaštitu ravnopravnosti, p. 37.

<sup>690</sup> The report states the following: “During the crisis, the need to improve access to adequate and timely information related to the crisis event and the ways to overcome it could be largely identified, but also other issues, such as: identifying the specificities of various social groups that were under increased risk during the crisis, providing timely response to their needs; necessity to possess as precise as possible disaggregated population data, to avoid that some groups of citizens are left out of some measures; necessity to establish cooperation and include as many representatives of vulnerable groups as possible in creating appropriate responses to crisis situations; strong need to encourage volunteerism and social responsibility; develop and detail possibilities for continued access to rights to healthcare but also social protection, in the situations of crises; need to detail the provisions of certain regulations (such as the regulation on work from home, occupational safety and health in situations of crisis, etc.) and stresses that “practice has shown that representatives of organisations working on the protection of rights of certain groups as well as human rights institutions, such as the Commissioner, need to be involved in the creation of measures for prevention and protection of citizens, as well as that sufficient time should have been left for preparing and informing the citizens for the introduction of measures, with the aim to achieve better and more efficient results”, p.15.

<sup>691</sup> Ibid, p. 45.

<sup>692</sup> Ibid, p. 26 – 27.

<sup>693</sup> See: Godišnji izveštaj Zaštitnika građana, str. 7 – 8, available at: <https://www.ombudsman.rs/index.php/izvestaji/godisnji-izvestaji>, accessed on 15 June 2021.

as well as in other so-called contact services (wholesale and retail trade, purchase and delivery services, hospitality and tourism, culture and art). The majority of primary care providers to the ill are women, which makes them exposed to multiple safety risks during the COVID-19 pandemic<sup>694</sup>.

A rise in gender-based violence was recorded. The number of reported cases of domestic violence increased<sup>695</sup>, which transitioned from psychological to physical and sexual violence<sup>696</sup>. These circumstances also influenced the availability of service provision in the circumstances in which the regime of the provision of healthcare services and support to women with the experience of violence changed<sup>697</sup>, especially women belonging to vulnerable groups (Roma women, older women, rural women, women with disabilities, refugees, migrants, LGBTI, etc.)<sup>698</sup>. The Committee of Parties of the CoE Convention on Preventing and Eliminating Violence against Women and Domestic violence adopted a declaration<sup>699</sup> which calls on the states that have ratified the Istanbul Convention to use standards and recommendations in the Convention as guidelines for activities and measures undertaken during the COVID-19 pandemic. After the global introduction of the measures of movement restrictions, numerous international organisations issued warnings against increase of gender-based violence, especially in family contexts<sup>700</sup>.

Access to healthcare is more difficult for all patients, especially pregnant women, cancer patients and risk groups. Lower priority is given to routine procedures, those that are not urgent, due to the system's efforts to limit the transfer of the illness among patients on hospital treatment. COVID-19 has also become an obstacle to access preventative protection. The delay of these services will lead to a huge number of backlogged cases in the healthcare system, which will make treatment more difficult and probably increase morbidity and mortality rates<sup>701</sup>.

The majority of social protection services were either discontinued or provided with limitations or under different conditions. During the state of emergency, CSWs operated under aggravated conditions, limitations related to immediate contacts with beneficiaries and field visits

<sup>694</sup> Available at: COVID-19: Kako uključiti marginalizovane i ranjive osobe u komunikaciju o riziku i u angažovanje zajednice, UN Women Srbija, accessed on 14 June 2021.

<sup>695</sup> Available at: <https://www.womenngo.org.rs/vesti/1576-saopštenje-za-javnost-zastita-i-podrska-zenama-zrtvama-nasilja-tokom-prvih-mesec-dana-vanrednog-stanja>, accessed on 30 May 2021.

<sup>696</sup> Available at: [https://www.femplatz.org/library/newsletters/Bilten\\_4\\_SR.pdf](https://www.femplatz.org/library/newsletters/Bilten_4_SR.pdf), 12 June 2021.

<sup>697</sup> Impact of the COVID-19 pandemic on specialist services for victims and survivors of violence in the Western Balkans and Turkey, UNW 2020.

<sup>698</sup> Rodna analiza odgovora na KOVID-19 u RS, OSCE 2020. Available at: <https://www.osce.org/files/f/documents/3/9/459391.pdf>; accessed on: 15 June 2021. Human Rights Committee Vranje and Roma Women's Association OSVIT Niš submitted two proposals: for supplementing the Ordinance on movement restrictions and Draft supplement to the Ordinance on the organization of work of social protection institutions, social protection organisations for the provision of accommodation in homes during the state of emergency, which would enable the women experiencing violence to go into the safe houses during the COVID-19 pandemic. Neither of the proposals were adopted.

<sup>699</sup> Available at: <https://rm.coe.int/declaration-committee-of-the-parties-to-ic-covid-/16809e33c6n-cases-of-violence-against-women>, accessed on 13 June 2021.

<sup>700</sup> Available at: <https://www.osce.org/secretariat/449797>; <https://eige.europa.eu/news/covid-19-and-gender-based-violence-has-pandemic-taught-us-anything>; [https://victimsupport.eu/covid-19information/?fbclid=IwAR3KYSC14Elm055wqRVwrMKIbd-1Bao3mJ2n\\_-kOD5K7g32-Upcypv7hFY](https://victimsupport.eu/covid-19information/?fbclid=IwAR3KYSC14Elm055wqRVwrMKIbd-1Bao3mJ2n_-kOD5K7g32-Upcypv7hFY); <https://www.euro.who.int/en/health-topics/disease-prevention/violence-and-injuries/areas-of-work/violence/violence-against-women>; <https://www.rosalux.de/en/news/id/42140/feminism-now>, accessed on 17 June 2021.

<sup>701</sup> Rupasinge, N. et al. Uticaj kovid-19 na zdravstvene sisteme na Zapadnom Balkanu Available at: <https://pubdocs.worldbank.org/en/726641590707354436/RER17-Health-note-SRB.pdf>, accessed on 15 June 2021.

were cancelled<sup>702</sup>, day-care centres for children with developmental disabilities were closed, and direct provision of other services to beneficiaries was limited<sup>703</sup>.

COVID-19 pandemic caught many systems unprepared, including the education system. In mid-March 2020, classes were closed in primary schools and distance learning was provided via the public media service<sup>704</sup>. This form of teaching was also organised for high schools, and higher education institutions independently organised distance learning. In the situation when live classes were not possible, alternative forms became necessary. Their realisation, under the circumstances, was accompanied by numerous challenges, which were encountered by students, their parents, as well as teachers. Resources of the education system were directed at organising and ensuring the availability of TV classes and distance learning. For students who did not have access to the Internet, or they had poor Internet connection, schools provided printed exercises to prepare for the final exam. More ICT equipment was purchased and relevant training for teachers implemented<sup>705</sup>. During the state of emergency, as well as during the school year 2020/2021, the work of the pedagogical assistants (PA), providing support to Roma children<sup>706</sup>, continued and was adapted to the state of emergency conditions. There are numerous difficulties and challenges also related to the education of students with development disorders and disabilities, which was the reason for the line ministry to develop a special operational plan for additional support to the education of students belonging to vulnerable groups with distance learning, both during the state of emergency (2020), and for the school year 2020/2021<sup>707</sup>. There are no aggregate data on how

<sup>702</sup> Supervision of the Republic Institute for Social Protection on the functioning of CSWs during the pandemic showed that the centres functioned with difficulty and adjusted the organisation of operations – working in shifts, on-call duty, working in rotas with some of the staff working from home and some in CSW premises. Although there was no strict instruction on the prioritisation of cases, emergency accommodation and violence cases were addressed first. Restrictions in direct contact were made by discontinuing field visits to beneficiaries and receiving applications for financial allowances. The greatest difficulties and many doubts were faced by CSWs in the situations of visits of children with parents that they do not live with, by court decisions, because of movement restrictions imposed on the citizens and CSW professionals. Source: Komentar Republičkog zavoda za socijalnu zaštitu tokom konsultacija o Polaznim osnovama Strategije za rodnu ravnopravnost za period 2021-2030, avgust 2021..

<sup>703</sup> Pajvančić, M. et al. Rodna analiza odgovora na COVID-19 u Republici Srbiji, 2020, p. 47, Available at: <https://www.osce.org/files/f/documents/3/9/459391.pdf>, accessed on 12 June 2021.

<sup>704</sup> When the state of emergency was proclaimed, educational programmes were provided via distance learning on the TV channel RTS 3, RTS Planeta platform and Internet learning platform. The decision to discontinue classes in higher education institutions, high schools and primary schools, and regular operations of preschool institutions, Official Gazette RS, No. 30/2020.

<sup>705</sup> According to data provided by the line ministry, the ministry purchased and distributed 2,450 IT devices and 2,400 Internet cards, with the support of the Roma Education Fund and the Open Society Foundation another 550 IT devices were given to schools attended by Roma students, which did not have the necessary IT equipment to follow distance learning classes. During the school year 2020/2021, through partnership with UNICEF, over 2,000 devices were purchased for 30 most vulnerable schools attended by Roma students, training for 900 teachers, as well as grants for schools (5,000 EUR) to establish the Learning Club, which provides online learning requirements for students who do not have these at home.

<sup>706</sup> According to research findings, conducted by the line ministry in cooperation with UNICEF and the Institute for Psychology, the majority of PAs, using modern communication technologies, were in contact with students at least three times a week, with parents at least two times a week and with teachers daily, with whom they exchanged teaching materials and notes on activities of some students, collected the homework from students and submitted them to their teachers, if the students did not do that directly. For students that followed classes only via TV, teaching assistants increased communication with students, recorded the work and educational achievements of the students, which was used in the evaluation process, pursuant to the supplements to the Rulebook on the evaluation of students in primary education (Official Gazette RS, No. 34 of 17 May, 59 of 22 April 2020). See: Praćenje načina učešća i procesa učenja učenika iz osetljivih grupa tokom ostvarivanja obrazovno-vaspitnog rada učenjem na daljinu, available at: <http://www.mpn.gov.rs/wp-content/uploads/2020/06/4.b-Prvi-izve%C5%A1taj-osetljive-grupe-u%C4%8Denje-na-daljinu.pdf>, accessed on 28 August 2021.

<sup>707</sup> Schools were mandated to include in their operational plans also distance learning with students following individual education plans, and teachers were to develop special adapted materials for students who needed structured individualised approach to work, and make them available to students, as well as to prepare the contents, instructions for learning and ways of receiving feedback, to ensure monitoring of student progress and provide additional support. The line ministry also sent a letter to all municipalities, with a recommendation to establish an inter-sectoral committee to provide additional support to children and

in practice education was following individual education plans, but many schools managed to overcome difficulties<sup>708</sup>. During the state of emergency, there were also challenges around youth education was, such as, for example, contradictory information on online graduation examinations for primary and secondary schools, not including young people in the process of the selection of platforms for online learning, etc.<sup>709</sup>.

All this indicates the need to create a comprehensive alternative model for the functioning of the education system to be implemented in crisis situations, and to enable equal availability of good-quality education for all children.

Measures adopted with the aim to prevent the spread of the pandemic did not take into account vulnerable groups and their needs. Women, single parents, Roma men and women, persons with disabilities, children, people over 65 years of age, migrants, asylum seekers, homeless persons, LGBTI all faced specific difficulties during the state of emergency and the pandemic in general<sup>710</sup>. Special measures for these vulnerable groups were not adopted, and many of the existing services discontinued operations<sup>711</sup>. The COVID-19 pandemic once again reaffirmed the necessity for urgent deinstitutionalisation, as it is not possible to organise adequate protection of beneficiaries and employees in residential institutions for persons with disabilities<sup>712</sup>. During the state of emergency, risk of domestic and intimate partner violence for women with disabilities increased, and they also faced a lack of access to information, discontinued or reduced scope and manner of service provision<sup>713</sup>. Restrictive measures introduced during the pandemic increased the risk of poverty for Roma men and women, who the state did not recognise as a vulnerable population group, so specific directed support measures were lacking<sup>714</sup>. Persons with disabilities are under increased risk of infection and more severe symptoms of COVID-19 because of their general health, obstacles in access to healthcare services, difficulties in adhering to measures of physical distancing, needs for support from other people, touching surfaces to obtain information, living in group settings, barriers in access to information about health and measures. Persons with disabilities, women in particular, were exposed to higher risk of deteriorating health status, because of cancelled or postponed regular treatments, inability to acquire the necessary medication, long-term isolation, which is detrimental for physical condition in general. Reproductive healthcare and access to gynaecological examinations fell to the background, considering that to use these and other healthcare services, women with disabilities often need adequate transport and assistance, and when they can access this, they come to inaccessible clinics, which often do not have hydraulic

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students during the state of emergency. Also, during the preparations of the final examination in online environment, schools received special instructions on the modalities to adapt this examination to students following individual educational plans.

Information on the measures undertaken are available at the line ministry's website: <http://www.mpn.gov.rs/>.

<sup>708</sup> Rodna analiza odgovora na KOVID-19 u RS, op. cit. p. 51. UN Women, 2020.

<sup>709</sup> Ibid, p. 25.

<sup>710</sup> Mršević, Z. 2020. Položaj lezbejki i trans žena u vreme pandemije korona bolesti. A11 Initiative, available at: <https://www.a11initiative.org/zorica-mrsevic-polozej-lezbejki-i-trans-zena-u-vreme-pandemije-korona-virusa/>, accessed on 30 May 2021.

<sup>711</sup> Pajvančić, M. et al. Rodna analiza odgovora na KOVID-19 u Republici Srbiji, 2020, p. 47, available at: <https://www.osce.org/files/f/documents/3/9/459391.pdf>, accessed on 12 June 2021.

<sup>712</sup> Beker, K. et al. KOVID -19 mere i socijalna i ekonomska prava žena sa invaliditetom u Srbiji, CSO FemPlatz, Iz kruga Belgrade, 2021. p. 11, available at: [https://www.femplatz.org/library/reports/2021-02-16\\_Kovid-19\\_i\\_zene\\_sa\\_invaliditetom.pdf](https://www.femplatz.org/library/reports/2021-02-16_Kovid-19_i_zene_sa_invaliditetom.pdf), accessed on 6 June 2021.

<sup>713</sup> Ibid.

<sup>714</sup> Posledice KOVID-19 na položaj osetljivih grupa i grupa u riziku, Social Inclusion and Poverty Reduction Unit, Belgrade, 2020, p. 11, available at: [http://socijalnoukljucivanje.gov.rs/wp-content/uploads/2020/12/Posledice\\_Kovid-19\\_na\\_polozej\\_osetljivih\\_grupa\\_i\\_grupa\\_u\\_riziku.pdf](http://socijalnoukljucivanje.gov.rs/wp-content/uploads/2020/12/Posledice_Kovid-19_na_polozej_osetljivih_grupa_i_grupa_u_riziku.pdf), accessed on 11 May 2021.



gynaecological chairs<sup>715</sup>. The issue with healthcare among the Roma population was that health mediators did not operate during the state of emergency. This had negative effects on pregnant women, new mothers, children, persons with disabilities, older persons and persons suffering from chronic diseases. The price of protective equipment makes more adequate protection and access to healthcare services impossible for the poorest Roma men and women. A problem was also to schedule appointments online or over the telephone<sup>716</sup>. Roma women who have health cards did not visit doctors and the scheduled appointments were cancelled. There were no measures adopted for children with developmental disorders, which would make it possible to them to access the right to education under equal conditions, while for Roma children, the problem was that they did not have the technical equipment to participate in distance learning, with their situation additionally exacerbated by the discontinuation of work of the pedagogical assistants<sup>717</sup>. Research results showed that nearly 70% of CSOs feel that during the COVID-19 pandemic, there was increased risk in the area of inclusive education for children with disabilities and for Roma children<sup>718</sup>.

Research findings, response by independent human rights institutions during the state of emergency and emergency situation, as well as activities regarding the gender aspects of the pandemic caused by COVID-19, show that gender aspects must be included in measures taken in emergencies caused not only by the pandemic, but also by many other factors (disasters, floods, earthquakes, climate change, air pollution, large-scale accidents, etc.). Inter-sectoral approach to gender in emergencies caused by various factors is needed, because they present particular security risks to women's rights. Therefore, it is necessary to perform a comprehensive analysis of the gender aspects and effects of measures undertaken in such circumstances, as well as the measures directed at removing the effects caused by emergency circumstances and make recommendations on gender mainstreaming in regulations and planning documents related to emergencies.

### 5.3. Gender aspects of healthcare and social security

Gender aspects of healthcare and social security are represented in this section in the context of the social justice principle as one of the fundamental principles of the Constitution.

#### 5.3.1. Healthcare

The World Health Organisation (WHO) defines health as “a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity”<sup>719</sup>. Healthy life and the promotion of well-being for people of all generations is in SDG3, and one of the Targets (3.7) refers to ensuring universal access to sexual and reproductive health services, including family planning, information and education, and the integration of reproductive health into

<sup>715</sup> Beker, K. et al. B. Kovid-19 mere i socijalna i ekonomska prava žena sa invaliditetom u Srbiji, FemPlatz, Iz kruga, 2021. Available at: [https://www.femplatz.org/library/reports/2021-02-16\\_Kovid-19\\_i\\_zene\\_sa\\_invaliditetom.pdf](https://www.femplatz.org/library/reports/2021-02-16_Kovid-19_i_zene_sa_invaliditetom.pdf), accessed on 15 June 2021.

<sup>716</sup> Posledice kovid-19 na položaj osetljivih grupa i grupa u riziku, Social Inclusion and Poverty reduction Unit, 2020, available at: [http://socijalnoukljucivanje.gov.rs/wp-content/uploads/2020/12/Posledice\\_Kovid-19\\_na\\_polozej\\_osetljivih\\_grupa\\_i\\_grupa\\_u\\_riziku.pdf](http://socijalnoukljucivanje.gov.rs/wp-content/uploads/2020/12/Posledice_Kovid-19_na_polozej_osetljivih_grupa_i_grupa_u_riziku.pdf), accessed on 11 May 2021.

<sup>717</sup> For more see: Pajvančić, M. et al., 2020, op. cit. p. 51 and 53.

<sup>718</sup> Posledice KOVIDa-19 na položaj osetljivih grupa i grupa u riziku uzroci, ishodi i preporuke, UN High Commissioner for Human Rights (OHCHR), Social Inclusion and Poverty Reduction Unit, Belgrade, 2020, p. 7 and 12.

<sup>719</sup> Available at: <http://www.izjzv.org.rs/app/soc.katedra/Zdravljeifakorikojinanjegauticu.pdf>, accessed on 6 June 2021.



national strategies and programmes<sup>720</sup>. Ratifying CEDAW<sup>721</sup>, Republic of Serbia has committed to ensure accessible healthcare to women throughout their lives, without discrimination, including family planning, birth, post-natal and subsequent care, which also refers to women belonging to vulnerable groups<sup>722</sup>.

Gender aspects of healthcare. When it comes to the protection of health of women and achieving gender equality, the Law on Equality of the Sexes<sup>723</sup> (valid until May 2021), proscribed the prohibition of sex-based discrimination in accessing the right to healthcare<sup>724</sup>, while the Gender Equality Law<sup>725</sup> regulates obligations in the area of social protection and healthcare in much more detail<sup>726</sup>. Women's health is influenced not only by their biological characteristics, but also living conditions, poverty, employment, family obligations and status in the private sphere. Women's health is also influenced by gender-based violence which causes chronic consequences that can be fatal. Inequality of power means that women have less access to and control over resources to protect their health, as well as fewer opportunities to be involved in decision-making. Important health-related issues for women also include cardio-vascular diseases, depression, dementia, osteoporosis and anaemia<sup>727</sup>. Diseases and conditions related to pregnancy and childbirth are among the leading causes of women's illnesses in the reproductive period, and health status indicators also include life expectancy at birth, which has been growing continuously, and in 2019 was 73 years for men and 78 years for women<sup>728</sup>. An effect of the longer lives of women is higher probability of living in poorer health, which they report as worse than men's<sup>729</sup>. During the last year, 10.2% of women and men have not visited a doctor, and 11.1% of women and 12.6% of men have not visited a dentist, even though they have had health issues. The main reasons for not

<sup>720</sup> Sekulović, I. et al. Pripremljenost za sprovođenje Agende 2030, Beogradska otvorena škola, Beogradska otvorena škola, 2020, p. 49, available at: <http://www.centaronline.org/userfiles/files/publikacije/sdgs4all-srbija-2030-pripremljenost-za-sprovođenje-agende-2030.pdf>, accessed on 16 June 2021.

<sup>721</sup> Official Gazette SFRJ – International Agreements, No. 11/81.

<sup>722</sup> Ignjatović, T. et al. Tri godine od usvajanja Programa – bez očekivanih rezultata, Analiza primene Nacionalnog programa očuvanja i unapređenja seksualnog i reproduktivnog zdravlja građana Republike Srbije, Autonomni ženski centar, Belgrade, 2021. p. 5, available at: [https://www.womenngo.org.rs/images/publikacije-dp/2021/TRI GODINE OD USVAJANJA PROGRAMA Analiza primene Nacionalnog programa ocuvanja i unapredjenja seksualnog i reproduktivnog zdravlja gradjana.pdf](https://www.womenngo.org.rs/images/publikacije-dp/2021/TRI%20GODINE%20OD%20USVAJANJA%20PROGRAMA%20Analiza%20primene%20Nacionalnog%20programa%20ocuvanja%20i%20unapredjenja%20seksualnog%20i%20reproduktivnog%20zdravlja%20gradjana.pdf), accessed on 20 May 2021.

<sup>723</sup> Official Gazette RS, No. 104/09.

<sup>724</sup> Women's healthcare covers in particular: 1) prevention and early detection of diseases; 2) healthcare related to family planning, during pregnancy, birth and motherhood; 3) healthcare in case of disease and injury, in accordance with the law regulating healthcare (Article 24).

<sup>725</sup> Official Gazette RS, No. 52/21, available at: <http://www.parlament.gov.rs/upload/archive/files/lat/pdf/zakoni/2021/741-21-lat.pdf>, accessed on 27 May 2021.

<sup>726</sup> According to Article 36, public authorities must ensure equal opportunities in the provision of social protection and healthcare to all service beneficiaries and right users, regarding sex or gender; all women and men, girls and boys under equal conditions, with easy access to information, education and services, appropriate to their age, regarding sexuality, contraception, family planning, marriage and family life, particularly taking into account the situation of persons belonging to vulnerable groups. Discrimination does not include general and special measures supporting births, equality of parents in exercising parental rights and duties and ensuring sexual and reproductive health of women and men. These bodies are particularly in charge to ensure: implementation of special measures for monitoring, support and promotion of sexual and reproductive health; organising and implementing programmes to prevent and overcome the issue of early pregnancy and entering into partnerships with persons under 18; implementation of special measures for early detection of diseases.

<sup>727</sup> Group of authors: Izveštaj o napretku - drugi izveštaj o napretku po oblastima za period 2016-2020 sačinjen na osnovu okvira za monitoring i evaluaciju, ŽPRS, 2020. p. 56, available at: <https://media.genderhub.org.rs/2021/04/DRUGI-IZVESTAJ-O-NAPRETKU.pdf>, accessed on 31 May 2021.

<sup>728</sup> Žene i muškarci u Republici Srbiji, Belgrade, 2020, p. 29. Available at [www.stat.gov.rs/sr-Latin/oblasti/stanovnistvo/statistika-polova](http://www.stat.gov.rs/sr-Latin/oblasti/stanovnistvo/statistika-polova), accessed on 7 June 2021.

<sup>729</sup> Stojiljković Gnjatović, J. et al. Upotreba podataka iz SILC ankete za izračunavanje zdravih godina života, p. 6. Available at: [http://socijalnoukljucivanje.gov.rs/wp-content/uploads/2016/09/SILC\\_004\\_Jelena-Stojilkovic-Gnjatovic-Dragana-Paunovic-Radulovic-Natalija-Miric-Upotreba-potadaka-iz-SILC-ankete-za-izracunavanje-zdravih-godna-zivota.pdf](http://socijalnoukljucivanje.gov.rs/wp-content/uploads/2016/09/SILC_004_Jelena-Stojilkovic-Gnjatovic-Dragana-Paunovic-Radulovic-Natalija-Miric-Upotreba-potadaka-iz-SILC-ankete-za-izracunavanje-zdravih-godna-zivota.pdf), accessed on 15 June 2021.

visiting a doctor are the following: could not afford it (28% of women and 23.7% of men), expected that the health situation would stabilise (20.9% of women and 23.3% of men), and did not have time because of work, child care or other care (14.8% of women and 17.7% of men)<sup>730</sup>. Due to limited opportunities for mobility, women more often than men give up on using healthcare services<sup>731</sup>. Men more often than women assess their health as good/very good. Mental well-being is constantly decreasing. The Republic of Serbia has the highest risk of depression compared to other countries that are candidates for membership and compared to the average among EU countries<sup>732</sup> (39% of men and 46% of women)<sup>733</sup>, and it is also a matter of concern that only a small percentage of the population takes part in sports or physical exercise (19%)<sup>734</sup>. The Gender Equality Index for the health domain<sup>735</sup> shows slight improvements in women's health by 0.6 points (increased values from 83.4 in 2014 to 84.0 in 2016) and records the highest increase compared to other domains<sup>736</sup>.

Sexual and reproductive healthcare. Issues related to sexual and reproductive healthcare are covered in many legal and strategic documents. The Law on Healthcare and Law on Health Insurance provide for free healthcare to all insurance beneficiaries, as well as all girls, pregnant women and new mothers, regardless of insurance status<sup>737</sup>. The Law on Healthcare<sup>738</sup> provides, under equal conditions, the provision of healthcare to population groups exposed to higher risk of disease, prevention, elimination, early detection and treatment of diseases and conditions of greater importance to public health, as well as to the socially vulnerable population.

It covers 19 groups, including: persons related to family planning and during pregnancy, birth and maternity up to 12 months after birth; victims of domestic violence; victims of trafficking in human beings; persons provided with targeted preventive examinations (screening), according to appropriate national programmes. Law on Health Insurance<sup>739</sup> contains 28 insurance groups, and the right to healthcare covers, among others, measures of prevention and early detection of diseases, examinations related to family planning, during pregnancy, birth and up to 12 months

<sup>730</sup> Žene i muškarci u Republici Srbiji, Belgrade, 2020, p. 29.

<sup>731</sup> Rodna ravnopravnost u saobraćaju, SeCons, 2019, p. 59, available at: <https://www.secons.net/publications.php?p=109>, accessed on 12 September 2021.

<sup>732</sup> In Serbia, 19% of citizens take part in sports or physical exercise once a week, while EU average is 42%. Source: Eurofound (2019), Life and society in the EU candidate countries, p. 39, available at: <https://www.eurofound.europa.eu/publications/report/2019/life-and-society-in-the-eu-candidate-countries>, accessed on 16 September 2021..

<sup>733</sup> Beker, K. et al. Izveštaj o pravima žena i rodnoj ravnopravnosti u Srbiji za 2019. godinu, FemPlatz, 2020, p. 55, available at: [https://www.femplatz.org/library/reports/2020-08-10\\_PreneraZena.pdf](https://www.femplatz.org/library/reports/2020-08-10_PreneraZena.pdf), accessed on 11 May 2021.

<sup>734</sup> In Serbia, 19% of citizens take part in sports or physical exercise once a week, while EU average is 42%. Source: Eurofound (2019), Life and society in the EU candidate countries, p. 39, available at: <https://www.eurofound.europa.eu/publications/report/2019/life-and-society-in-the-eu-candidate-countries>, accessed on 16 September 2021.

<sup>735</sup> This index consists of three subdomains: health status, risky behaviour and access to healthcare.

<sup>736</sup> Babović, M. Indeks rodne ravnopravnosti u Republici Srbiji, 2016. p. 10. Available at: [http://socijalnoukljucivanje.gov.rs/wp-content/uploads/2018/12/Indeks\\_rodne\\_ravnopravnosti\\_u\\_Republici\\_Srbiji\\_2018.pdf](http://socijalnoukljucivanje.gov.rs/wp-content/uploads/2018/12/Indeks_rodne_ravnopravnosti_u_Republici_Srbiji_2018.pdf), accessed on 2 June 2021.

<sup>737</sup> Četvrti periodični izveštaj o primeni Konvencije o eliminisanju svih oblika diskriminacije žena, Član 12, Zdravstvena zaštita žena, Preporuka iz stava 33. Zaključnih zapažanja Komiteta, p. 45-47. Available at: <http://socijalnoukljucivanje.gov.rs/rs/zakljucna-zapazanja-cedaw-u-vezi-sa-cetvrtim-periodicnim-izvestajem-o-primeni-konvencije-o-eliminisanju-svih-oblika-diskriminacije-zena/>, accessed on 6 June 2021.

<sup>738</sup> Official Gazette RS, No. 25/19, Article 12, available at: [https://www.paragraf.rs/propisi/zakon\\_o\\_zdravstvenoj\\_zastiti.html](https://www.paragraf.rs/propisi/zakon_o_zdravstvenoj_zastiti.html), accessed on 31 May 2021.

<sup>739</sup> Official Gazette RS, No. 25/19, available at: [https://www.paragraf.rs/propisi/zakon\\_o\\_zdravstvenom\\_osiguranju.html](https://www.paragraf.rs/propisi/zakon_o_zdravstvenom_osiguranju.html), accessed on 31 May 2021.

after birth<sup>740</sup>. The Law on Biomedically Assisted Fertilisation<sup>741</sup>, except for the principle of medical justification, also provides for the principle of equality achieved by ensuring equal opportunities for women and men in biomedically assisted fertilisation procedures. This right belongs to spouses, or civil partners, who need assistance with infertility treatment, under the same conditions for women or men, who delayed the use of their reproductive cells because there is a possibility for reduction or loss of reproductive function, and living together, as well as adult women, with legal capacity, living alone, but “exceptionally”<sup>742</sup>. Issuance of the permit for the biomedically assisted fertilisation procedure is under the remit of the Directorate of Biomedicine, unlike the previous law, which stipulated that this was the competence of the Minister<sup>743</sup>.

Gender inequalities in healthcare. One of the aims of the Public Health Strategy in the Republic of Serbia 2018-2026<sup>744</sup> is to improve the health and reduce health-related inequalities, which includes the implementation and monitoring of the National Programme for the preservation and promotion of sexual and reproductive health of the population<sup>745</sup>. The aim of the programme is to preserve and improve sexual and reproductive health of the Republic of Serbia citizens, with respect to the right to make informed decisions related to sexuality and reproduction, independently from individuals’ personal characteristics. Other strategic documents also contain provisions on the protection of sexual and reproductive health<sup>746</sup>, and one of the objectives of the National Gender Equality Strategy for the period 2016-2020<sup>747</sup>, is improved health of women and equal access to healthcare services. According to the findings of the evaluation of National Gender Equality Strategy<sup>748</sup> and AP, expected results in this area have not been achieved. The UN Committee on the Elimination of Discrimination against Women (CEDAW) presented several recommendations to the Republic of Serbia<sup>749</sup> to ensure equal access to healthcare services and improve women’s health, particularly taking into account the needs and the situation of vulnerable groups<sup>750</sup>. In 2019, preventative gynaecological examinations covered around 9% of women over

<sup>740</sup> Prevention measures include health education on family planning, pregnancy prevention, testing and treatment for sexually transmitted diseases and HIV; hygienic and epidemiological, and other legally provided measures and procedures related to prevention, detection and treatment of HIV infection and other infectious diseases. The right to healthcare covers examinations and treatment related to family planning, pregnancy, birth and post-natal period: 1) sterility diagnostics and treatment; 2) examinations and treatments related to pregnancy (including the pre-natal period, birth and post-natal period), conditions that can cause complications with pregnancy, as well as termination of pregnancy for medical reasons; 3) stationary treatment when it is medically necessary and birth in health institutions; 4) field visits and assistance to new mothers and routine new-born care by field nurses..

<sup>741</sup> Official Gazette RS, No. 40/17 и 113/17 – other law, available at:

[https://www.paragraf.rs/propisi/zakon\\_o\\_biomedicinski\\_potpomognutoj\\_oplodnji.html](https://www.paragraf.rs/propisi/zakon_o_biomedicinski_potpomognutoj_oplodnji.html), accessed on 6 June 2021.

<sup>742</sup> Exceptionally, the right to biomedically assisted fertilisation also belongs to adult women with legal capacity living alone and capable of fulfilling parenting duties, and in such a psycho-social condition based on which it may be expected that she would be able to perform parenting duties in accordance with the law, in the best interest of the child. Law on Biomedically Assisted Fertilisation, Art. 25, Para 2.

<sup>743</sup> Mršević, Z. Analiza uslova i načina ostvarivanja biopotpomognute oplodnje u Srbiji, Labris, 2021. p. 12, available at: <http://labris.org.rs/sites/default/files/Pravna%20Analiza%20BMPO.pdf>, accessed on 6 June 2021.

<sup>744</sup> Official Gazette RS, No. 61/18, available at: <http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/vlada/strategija/2018/61/1/reg>, accessed on 8 June 2021.

<sup>745</sup> Official Gazette RS, No. 120/17.

<sup>746</sup> Strategy for Birth Promotion, National Programme for Healthcare of Women, Children and Youth, Youth Health Development Strategy in RS, and National Youth Strategy for the period 2015-2025.

<sup>747</sup> Objective 2.7. Available at: <https://www.mgsi.gov.rs/lat/dokumenti/nacionalna-strategija-za-rodnu-ravnopravnost-za-period-od-2016-do-2020-godine-sa-akcionim>, accessed on 5 June 2021.

<sup>748</sup> Finalni izveštaj evaluacije Akcionog plana za sprovođenje Nacionalne strategije za rodnu ravnopravnost (2016-2018), SeCons, p. 71-72, Available at: <https://www.secons.net/files/publications/99-publication.pdf>, accessed on 8 May 2021.

<sup>749</sup> Para. 38, Concluding Observations of the CEDAW Committee on the Fourth Period Report of Serbia, available at: <https://ljudskaprava.gov.rs/sr/node/156>, accessed on 8 May 2021.

<sup>750</sup> Recommendations: 1) raise awareness on modern forms of contraception and not using abortion as method of contraception, including education and media campaign targeting youth and adolescents, especially among the Roma population and older

15 years of age who have the right to examination once a year<sup>751</sup>. According to available data, breast cancer is the most common malignant tumour in women in Serbia, with 4,600 new cases and 1,600 deaths annually<sup>752</sup>. Early detection of breast cancer through screening diagnostics (mammography)<sup>753</sup> covers 2.7% of women 50-69 years of age<sup>754</sup>. Available information on the response of women by districts are available, but there is no data about the response of women from rural and urban areas. Within early detection of cervical cancer<sup>755</sup>, screening diagnostics cover around 9% of women 25-64 years of age<sup>756</sup>. The programme for early detection of cervical cancer was implemented in two cycles between 2013 and 2018 in 17 health centres<sup>757</sup>, and average response of women was around 60% of those invited<sup>758</sup>. Despite this, Serbia ranks fourth in Europe by the number of women suffering from cervical cancer, while the risk of dying is twofold than in the majority of European countries<sup>759</sup>. Women over 65 years of age are excluded from preventative examinations, which women's organisations consider to be a form of discrimination<sup>760</sup>, regardless that national programmes for early detection of breast cancer and cervical cancer rely on the recommendations of the medical profession<sup>761</sup>. Due to the low coverage and response to preventative screenings, more frequent and intense public health campaigns need to be implemented by institutions, with higher participation and support by CSOs and media in raising the awareness of the importance of preventative screenings for two most common malignant tumours in women, as well as the HPV vaccine which is only recommended in Serbia, but is not on the list of vaccines funded from the compulsory health insurance<sup>762</sup>. The Republic of Serbia

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women; improved access to contraception, including ensuring universal coverage of associated costs within the public health insurance; 2) collect statistical data on adolescent pregnancies, disaggregated by age, background and geographically, as well as ensure that healthcare professionals report adolescent pregnancies to social services and the police; 3) unimpeded access to healthcare, including programmes of early prevention of sexual and reproductive health, early breast cancer and cervical cancer and free antiretroviral treatment to all women and girls, including Roma women, women with disabilities, including those in institutions, and raise the awareness of women about the advantages of early prevention, guaranteeing women information and free consent; 4) improve access to family planning and artificial fertilisation services for LGBT women.

<sup>751</sup> Analiza planiranog i ostvarenog obima i sadržaja prava osiguranih lica na primarnu zdravstvenu zaštitu u 2019. godini, Public Health Institute Milan Jovanović Batut, 2020. p. 28, available at: <http://www.batut.org.rs/index.php?content=1787>, accessed on 14 June 2021.

<sup>752</sup> Beker, K. 2020, p. 54.

<sup>753</sup> Ordinance on the national programme for early detection of breast cancer (Official Gazette RS, No. 73/2013), available at: [https://pravni-skener.org/pdf/sr/baza\\_propisa/33.pdf](https://pravni-skener.org/pdf/sr/baza_propisa/33.pdf), accessed on 14 June 2021.

<sup>754</sup> Analiza planiranog i ostvarenog obima i sadržaja prava osiguranih lica na primarnu zdravstvenu zaštitu u 2019. godini, Public Health Institute Milan Jovanović Batut, 2020. p. 28, available at: <http://www.batut.org.rs/index.php?content=1787>, accessed on 14 June 2021.

<sup>755</sup> Ordinance on the national programme for early detection of cervical cancer (Official Gazette RS, No. 73/13 и 83/13), available at: [https://www.skriningsrbija.rs/files/File/Nacionalni\\_program\\_ranog\\_otkrivanja\\_karcinoma\\_grlica\\_materice.pdf](https://www.skriningsrbija.rs/files/File/Nacionalni_program_ranog_otkrivanja_karcinoma_grlica_materice.pdf), accessed on 14 June 2021.

<sup>756</sup> The analysis of the planned and realised access and contents of the rights of insured individuals to primary healthcare does not cover mammography organised in x-ray services of hospitals or by mobile mammographs. Source: Analiza planiranog i ostvarenog obima i sadržaja prava osiguranih lica na primarnu zdravstvenu zaštitu u 2019. godini, Public Health Institute Milan Jovanović Batut, 2020, p. 28, available at: <http://www.batut.org.rs/index.php?content=1787>, accessed on 14 June 2021.

<sup>757</sup> There are 141 functioning health centres (including several health stations) and 16 health centres in the City of Belgrade. Available at: <https://www.zdravlje.gov.rs/tekst/333549/zdravstvene-ustanove.php>, accessed on 14 June 2021.

<sup>758</sup> Group of authors 2020, p. 59

<sup>759</sup> Ignjatović, T. 2021, p. 5

<sup>760</sup> Prioriteti i preporuke za eliminisanje diskriminacije nad ženama u Srbiji: Izveštaj u senci CEDAW komitetu, 2018, p. 32, available at: <http://sosvojvodina.org/wp-content/uploads/2019/02/Anex-Cedaw-izvestaj-SOSMV-srpski-2018.pdf>, accessed on 7 June 2021.

<sup>761</sup> The National Programme for early detection of cervical cancer mentions that age groups were selected based on the recommendations in European guidelines saying that screening should start between 20 and 30 years of age, and should go on until 60 to 65 years of age.

<sup>762</sup> Group of authors, 2020, p. 59

does not screen for prostate cancer, or implement PSA prevention<sup>763</sup>, although this is one of the malignant conditions that men, after lung and colon cancer, most commonly suffer and die from<sup>764</sup>. There is no special programme for the protection of men's reproductive health<sup>765</sup>, and some forms of protections are implemented within the existing organisation of healthcare, such as family planning, counselling and sterility treatment. Specialised services for the prevention and treatment of men's reproductive organs are at the secondary and tertiary level<sup>766</sup>. This makes prevention action difficult, so they should be part of primary healthcare.

Access to high-quality, accessible services of protection and promotion of sexual and reproductive health and health-related information are of essential importance for women and men to be able to fulfil their rights, and adequate contraception enables the protection from harmful health-related and socio-economic effects of unintended pregnancies, or termination of pregnancy, and sexually transmitted diseases. Despite the harmful effects of terminations on women's health, their right to freely decide on birth must not be violated. The services of sexual and reproductive healthcare, according to women's organisations, are not accessible enough<sup>767</sup>, and all indicators on the situation and rights of women in the Republic of Serbia are unfavourable<sup>768</sup>. The Multiple Indicator Cluster Survey (MICS 6, 2019)<sup>769</sup> tells the situation in the domain of sexual and reproductive health has not changed significantly compared to 2014. The same survey has shown that more than one-fifth of women (22%), who are married or living with their partners, have never used any contraception method, and the main reason they gave was that they wanted to get pregnant (71%)<sup>770</sup>. In 2019, there were 13,901 reported terminations of pregnancy. The most common among them are the medically induced terminations, 9,843 (70.8%). Out of all the women who had a medical, or legally induced termination of pregnancy, the majority were in the age group 25-34 (45.1%), and women under 20 years of age account for 3.6% of the total number of legally induced terminations of pregnancy<sup>771</sup>. The experience of abortion is more common in women with primary school education (28%) and women from the poorest households (15%)<sup>772</sup>. Adolescent pregnancy rates in Serbia are at 19.3 (to 1,000) pregnancies, which puts these girls at special risk of school dropout, which leads to other consequences, also including poverty and violence<sup>773</sup>.

<sup>763</sup> These examinations (prostate tumour markers) were enabled during the Ministry of Health action on free preventive examinations in 2019. See: <http://www.kcs.ac.rs/index.php/vesti/3464-veliki-broj-gradana-obavio-preventivne-preglede-u-klinickom-centru-srbije>, accessed on 20 June 2021.

<sup>764</sup> Prostate cancer is the third most common cancer locality in men in RS, and estimated incidence rate (35.4/100.000), is two times lower compared to men in Western European countries (75.8/100.000). See: Program unapredenja kontrole raka u Republici Srbiji za period 2020-2022, Official Gazette RS, No. 105/2020, Available at: <http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/vlada/drugiakt/2020/105/1>, accessed on 20 June 2021.

<sup>765</sup> The most commonly registered reproductive organ diseases in men are prostate hyperplasia (enlargement), male genital diseases, and sexually transmitted diseases.

<sup>766</sup> Izveštaj Pokrajinskog zaštitnika građana – ombudsmana, 2014, p. 120, available at: [https://www.ombudsmanapv.org/riv/attachments/article/1552/Godisnji\\_izvestaj\\_PZG\\_2014.pdf](https://www.ombudsmanapv.org/riv/attachments/article/1552/Godisnji_izvestaj_PZG_2014.pdf), accessed on 20 June 2021.

<sup>767</sup> Ibid, p. 59.

<sup>768</sup> Ignjatović, T. 2021, p. 5

<sup>769</sup> Srbija - Istraživanje višestrukih pokazatelja 2019 i Srbija – romska naselja – istraživanje višestrukih pokazatelja položaja žene i dece, 2019, (Multiple Indicator Cluster Survey – MICS), UNICEF, 2020. Available at: <https://www.unicef.org/serbia/media/16056/file/MICS%206%20Istra%C5%BEivanje%20vi%C5%A1estrukih%20pokazatelja%20za%202019.%20godinu.pdf>, accessed on 7.6.2021.

<sup>770</sup> Ibid, p. 20

<sup>771</sup> Zdravstveno-statistički godišnjak RS 2019, p. 442. Available at: <http://www.batut.org.rs/download/publikacije/pub2019a.pdf>, accessed on 7 June 2021.

<sup>772</sup> According to MICS, in Serbia, 11% of women 15-49 years of age had at least one induced abortion, with the percentage rising with age, and it is the highest among women 45-49 years of age (24%). Simultaneously, 28% of women 25-49 years of age from Roma settlements had at least one induced abortion, p. 21.

<sup>773</sup> Beker, K. 2020. p. 54



Simultaneously, birth rates among adolescents in Roma settlements are 163 to 1,000 women 15-19 years of age<sup>774</sup>. The attitude of all institutions, and health institutions in particular regarding child pregnancies, or girls that get pregnant before they turn 14, is a matter of concern<sup>775</sup>. Significant numbers of health professionals explain such situations as being customs and tradition, primarily in Roma families, and do not report these cases to the police<sup>776</sup>. In the National Programme for the Preservation of Sexual and Reproductive Health of the Republic of the Citizens of Republic of Serbia<sup>777</sup>, problems are highlighted, such as the predominantly conservative birth control, risky sexual behaviours among youth, as well as unsatisfactory scope of involvement in the preservation of sexual and reproductive health of the entire population, deprived and marginalised groups in particular. The analysis of the implementation of these programme stresses that contraceptives are not easily accessible; pregnancy termination for non-medical reasons does not fall under healthcare services covered by compulsory health insurance, there are systemic solutions lacking in the education and information of youth; there is no special grounds provided for insurance of rape victims, apart from general insurance rules<sup>778</sup>, there are no data on advisory activities, issues of free and informed decision-making and women's choices<sup>779</sup>.

Vulnerable group healthcare. Roma women are a group exposed to multiple discrimination, and their health status is worse compared to non-Roma population. They live in inadequate living conditions, in poverty, they are victims of early marriages, early births and multiple pregnancies with short intervals between them. They are faced with obstacles in accessing healthcare and health services, including health professionals' prejudices. Discrimination is particularly visible in the provision of healthcare during and after birth<sup>780</sup>. Child marriages have very harmful effects on Roma girls, including health status and reproductive health deterioration, causing risky behaviours, such as child pregnancies, which jeopardise the health of both child and mother. Among the women who had their first child while underage, 14.3% did not have a gynaecologist monitor the pregnancy<sup>781</sup>. The work of health mediators has significantly contributed to including Roma women and children in the health insurance system, but information on reproductive health is still not sufficiently available to them. Activities regarding reproductive health and prevention and education of Roma women are not conducted systematically. They are mainly conducted by CSOs, and the position of health mediators is not regulated in a sustainable and durable way, which is why the Ombudsman has recommended to the Ministry of Health to fill the missing positions and permanently hire health mediators within the healthcare system<sup>782</sup>. Persons over 65 are a population group at particular risk of disease, and older women have weaker health compared to older men, and the majority assess that their health status disrupts their daily activities, so they need assistance. They most often rely on family support, neighbours, friends and relatives. Not all older women have equal opportunities and equal access to health institutions, most often because the health centres are remote, because of poverty, lack of availability and access to public transport,

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<sup>774</sup> Serbia – Survey, 2020, p. 19

<sup>775</sup> These girls are most often the victims of crime of copulation with a child, and other child pregnancies may be and most often are, the victims of the crime of common-law marriage with a child. SOS Vojvodina, p. 32.

<sup>776</sup> Priorities and recommendations, 2018, p. 32

<sup>777</sup> Official Gazette RS, No.120/17.

<sup>778</sup> Ignjatović, T. 2021, p. 5.

<sup>779</sup> Ignjatović, T. 2021, op. cit, p. 6.

<sup>780</sup> Beker. K. 2020, p. 56

<sup>781</sup> Ibid, p. 56.

<sup>782</sup> Poseban izveštaj Zaštinika građana o reproduktivnom zdravlju Romkinja sa preporukama 2017. p. 3, available at: [https://www.rodnaravnopravnost.rs/attachments/article/276/Poseban%20izvestaj%20ZG%20Rep%20zdravlje%20Romkinja%2011.pdf](https://www.rodunaravnopravnost.rs/attachments/article/276/Poseban%20izvestaj%20ZG%20Rep%20zdravlje%20Romkinja%2011.pdf), accessed on 6 February 2021.

health institutions and services<sup>783</sup>. Also, there is the practice of referrals to private health offices for specialist examinations because of long waiting lists, which practically denies specialist healthcare services because of the lack of financial resources<sup>784</sup>. The Commissioner for the Protection of Equality warns that older women are in an unequal situation because of the lack of healthcare, especially in rural areas, as health stations and clinics are closed, home care services are rarely formed, and integrated services at the local level, which include home assistants for older people, palliative and hospice care, are not sufficiently developed<sup>785</sup>. Women with disabilities are faced with the issue of accessibility and availability of services, because of the lack of capacities and/or maladjustment of healthcare institutions and professionals to work with persons with disabilities, which is reflected in the lack of medical staff, waiting times for specialist examinations and inability to connect the schedule of examinations, inaccessible buildings and premises, lack of equipment, such as hydraulic gynaecological tables, and services are not adjusted to include assistance with examination or sign language interpreters<sup>786</sup>. Women and girls with disabilities living in residential institutions are at higher risk because they are exposed to forced sterilisation, forced abortion, giving contraceptives without informed consent, sexual harassment and sexual violence. Women with intellectual and psychosocial disabilities are at increased risks of being deprived of legal capacity, which is why they cannot make their own decisions on treatment, medical interventions, pregnancies, and similar. Healthcare service providers are not sensitised for issues related to individuals of the same-sex sexual orientation, and they lack adequate knowledge to provide lesbians with complete medical care, related to physical and psychological issues they may encounter, and since the law excludes them<sup>787</sup>, persons that do not live in heterosexual unions, finance their own artificial fertilisation and the procedure is often performed abroad<sup>788</sup>. According to CSO data, over 40% of persons living with HIV/AIDS (PLHIV) are below the poverty line, which is a result of stigma and discrimination. Not only are the social protection services very often unavailable or unadjusted to them, but often they cannot fulfil their legally guaranteed rights for certain forms of healthcare (doctors avoid examining them, operating on them, they do not have access to institutions for stationary rehabilitation). Mother-to-child transmission has stopped, owing to mandatory HIV testing among pregnant women. In the Republic of Serbia, patients with chronic HIV infection have access to nearly all antiretrovirals on the European Aids Clinical Society (EACS) list (Guidelines), and treatment is free. Unfortunately, children with chronic HIV infection do not have access to all existing medicines in the Republic of Serbia<sup>789</sup>.

### 5.3.2. Social protection

<sup>783</sup> Pristupačnost usluga zdravstvene i socijalne zaštite starijim građanima tokom epidemije COVID-19, Amity, 2021. p. 3, available at: <http://www.amity-yu.org/wp-content/uploads/2021/05/03-Istra%C5%BEivanje-o-pristupa%C4%8Dnosti-usluga-zdravstvene-i-socijalne-za%C5%A1tite-starijima-tokom-pandemije.pdf>, accessed on 14 June 2021.

<sup>784</sup> Beker, K. 2020, p. 57.

<sup>785</sup> Poseban izveštaj o diskriminaciji starijih građana, Commissioner for the Protection of Equality, 2021. p. 70. Available at: <http://ravnopravnost.gov.rs/rs/izvestaji/>, accessed on 15 June 2021.

<sup>786</sup> Beker, K. and Baćanović, V. Reproductivno zdravlje žena sa invaliditetom u AP Vojvodini, Pokrajinski zaštitnik građana – ombudsman and OSCE, 2018. p. 27. Available at: <https://www.ombudsmanapv.org/riv/index.php/istrazivanje/2125-istrazivanje-reproductivno-zdravlje-zena-sa-invaliditetom.html>, accessed on 21 January 2021.

<sup>787</sup> Law on Biomedically Assisted Fertilisation, Official Gazette RS, No. 40/2017 and 113/2017 – other law, available at: [https://www.paragraf.rs/propisi/zakon\\_o\\_biomedicinski\\_potpomognutoj\\_oplodnji.html](https://www.paragraf.rs/propisi/zakon_o_biomedicinski_potpomognutoj_oplodnji.html), accessed on 6 June 2021.

<sup>788</sup> Beker, K. 2020, p. 57.

<sup>789</sup> Group of authors, 2020, p. 61.



End poverty in all its forms everywhere is the first goal of 2030 Agenda for Sustainable Development. This SDG promotes, among other things, poverty reduction, support to the most vulnerable people, access to resources and services<sup>790</sup>. One of the targets (1.b) calls to create sound policy frameworks at the national, regional and international levels, based on pro-poor and gender-sensitive development strategies, to support accelerated investment in poverty eradication actions. By 2030 (target 1.4) ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, etc. Serbia has still not opened negotiation Chapter 19 – Social policy and employment, but Draft Action Plan on transposition of EU acquis into the Republic of Serbia legislation and create the necessary capacities for their implementation in areas covered by this chapter, such as social inclusion, social protection, anti-discrimination and equal opportunities<sup>791</sup>. The European Pillar of Social Rights (EPSR) establishes 20 principles and rights for support to the labour market and social protection systems.

Poverty risk reduction. Pursuant to the Law on Social Protection<sup>792</sup>, each individual and family who need help and support to overcome social and life-related difficulties and create the conditions to meet the needs of daily life, are entitled to social protection ensured by social protection service provision<sup>793</sup> and financial support<sup>794</sup>. All citizens fulfil all social protection rights and services under equal conditions, without discrimination to beneficiaries on any personal characteristics<sup>795</sup>. Developing an integral social protection, through the development of services<sup>796</sup>, pluralism of providers and improvement of the quality of services and professional work, strengthening accountability and improving the role of local authorities, but also increased importance and influence of various social stakeholders in public, civil and private sectors, largely depend on the economic policy and the budget<sup>797</sup>. Draft Social Protection Strategy<sup>798</sup> provides that by the end of 2025, the number of men, women and children living in poverty should be reduced by 25%<sup>799</sup>. Simultaneously, an increase of 25% in public expenditures for social protection services in LSGUs is provided for the reduction of social exclusion and promotion of active

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<sup>790</sup> Srbija i Agenda 2030, mapiranje nacionalnog strateškog okvira u odnosu na ciljeve održivog razvoja, Vlada RS Sekretarijat za javne politike, 2020, p. 20. Available at: <https://rsjp.gov.rs/wp-content/uploads/Srbija-i-Agenda-2030-novembar-2020.-lat.pdf>, accessed on 16 June 2021.

<sup>791</sup> Ignjatović, T. Socijalna politika u Srbiji: da li su postupci transponovanja pravnih tekovina Evropske unije i sprovođenja obaveza prihvaćenih međunarodnih ugovora u najboljem interesu korisnika – sagledano iz rodne perspektive žena sa iskustvom rodno zasnovanog nasilja?, 2020, p. 5. Available at: <https://www.womenngo.org.rs/vesti/1599-socijalna-politika-u-srbiji-iz-rodne-i-perspektive-zena-sa-iskustvom-rodno-zasnovanog-nasilja>, accessed on 9 May 2021.

<sup>792</sup> Official Gazette RS, No. 24/11

<sup>793</sup> Social protection is organised social activity of public interest the aim of which is to provide assistance and empower individuals and families to live independently and productively in the society, as well as to prevent the occurrence and eliminate the effects of social exclusion (Law on Social Protection, Article 2).

<sup>794</sup> Law on Social Protection, Art. 4.

<sup>795</sup> The goals of social protection are: achieve or maintain minimum financial security and independence of individuals and families to meet their life needs, ensuring the availability of services and fulfilment of social protection rights, create equal opportunities and encourage for independent life, encourage social inclusion, improve family relations, as well as family, gender and intergenerational solidarity, prevent abuse, neglect and exploitation, and/or eliminate their effects (Law on Social Protection, Article 3).

<sup>796</sup> Draft Social Protection Strategy aim is to develop integrated and sustainable social protection developing services for the preservation and improvement of the quality of life and well-being of vulnerable and marginalised groups and individuals.

<sup>797</sup> Ignjatović, T. Op. cit., p. 14.

<sup>798</sup> Available at: <http://www.zavodsz.gov.rs/sr/aktuelnosti/strategija-socijalne-za%C5%A1tite-2019-2025-konsultacije/>, accessed on 10 June 2021.

<sup>799</sup> Nacrt Strategije socijalne zaštite u Republici Srbiji od 2019-2025. godine, p. 52. Available at: <http://www.zavodsz.gov.rs/sr/aktuelnosti/strategija-socijalne-za%C5%A1tite-2019-2025-konsultacije/>, accessed on 10 June 2021.

participation of men and women in the society with special emphasis on the provision of support to (natural) families at risk and the improvement of gender and intergenerational solidarity<sup>800</sup>.

Right to social protection and access to social services. The development of social protection policies is affected by numerous external factors, above all, the unfavourable demographic situation<sup>801</sup>, which produces long-term pressure on expenditures in the area of social protection, through increased demand for care-related services or meeting the needs related to work-life balance, etc<sup>802</sup>. Data show that only 3.7% of the population in the Republic of Serbia receive social assistance, even though as many as 7% of the population live in absolute poverty<sup>803</sup>, that is, half a million people cannot meet their basic life needs<sup>804</sup>. The share of persons at risk of poverty or social exclusion in 2019 was 31.7%, and at-risk-of-poverty rate was 23.2%<sup>805</sup>, while expenditures for social protection and social security in 2018 amounted to 19.4% GDP<sup>806</sup> (in 2016, expenditures were at 23.4% GDP, lower than EU average<sup>807</sup>). Expenditures on social protection and social security are some of the most important indicators of the scope of intervention ensuring citizens with protection and security, with the help of different benefits and services<sup>808</sup>. These indicators are important for monitoring the fulfilment of the goal to reduce the number of men, women and children living in any form of poverty<sup>809</sup>. Some population groups are particularly vulnerable: Roma men and women, especially in informal settlements, internally displaced persons, persons with disabilities, older persons without a pension and others<sup>810</sup>. Persons most exposed to risk of poverty are children, youth under 14 years of age and persons over 75, more so those living alone, away from urban areas<sup>811</sup>. Women of all age groups are at a slightly higher risk than men, except women between 55 and 64 years of age, who are less vulnerable than men. At-risk-of-poverty rate for women with 65 years and older is 23.2% and for men in the same group 18.3%<sup>812</sup>. In 2019, single-parent households with one child or several supported children had at-risk-of-poverty rate of 41.6%<sup>813</sup>. The number of social protection system services is growing, and around one-third of all beneficiaries are children. The most important financial benefits for poor and child protection are financial social assistance and child allowance, characterised by low

<sup>800</sup> Ibid, p. 53

<sup>801</sup> Demographic factors are the following: emigration of younger working age population, reduced number of people and population ageing that affects the reduction in working age population, followed by changes in family structure, increase of elderly and single households, lower GDP per capita compared to EU standards, etc. See: Nacrt strategije socijalne zaštite u Republici Srbiji za period od 2019. do 2025. godine, p. 10-12.

<sup>802</sup> See: Nacrt strategije socijalne zaštite, p. 10-11.

<sup>803</sup> According to last available data, absolute poverty rates in 2019 was 7% (around 480,000 persons). Source: SIPRU (2020), Oцена kretanja siromaštva, životnog standarda i odgovor na posledice Covid-19 pandemije, available at:

[http://socijalnoukljucivanje.gov.rs/wp-content/uploads/2020/10/Oцена\\_kretanja\\_siromaštva\\_CIR.pdf](http://socijalnoukljucivanje.gov.rs/wp-content/uploads/2020/10/Oцена_kretanja_siromaštva_CIR.pdf); as well as in the table available at: [http://socijalnoukljucivanje.gov.rs/wp-content/uploads/2020/10/APD\\_Apsolutno\\_siromastvo\\_2006-2019\\_lat.xlsx](http://socijalnoukljucivanje.gov.rs/wp-content/uploads/2020/10/APD_Apsolutno_siromastvo_2006-2019_lat.xlsx), accessed on 15 September 2021.

<sup>804</sup> Ignjatović, T. Op. cit., p. 17.

<sup>805</sup> Source: Survey on Income and Living Conditions (SILC), SORS, p.1. Available at: [www.stat.gov.rs/sr-latn/oblasti/potrošnja-prihodi-i-uslovi-zivota](http://www.stat.gov.rs/sr-latn/oblasti/potrošnja-prihodi-i-uslovi-zivota), accessed on 12 June 2021.

<sup>806</sup> See: [https://ec.europa.eu/eurostat/databrowser/view/SPR\\_EXP\\_SUM\\_custom\\_1194727/default/table?lang=en](https://ec.europa.eu/eurostat/databrowser/view/SPR_EXP_SUM_custom_1194727/default/table?lang=en), accessed on 15 September 2021.

<sup>807</sup> Draft Strategy, p. 17.

<sup>808</sup> Matković, G. Praćenje socijalne uključenosti u Republici Srbiji – Indikatori socijalne zaštite i socijalne sigurnosti, Social Inclusion and Poverty Reduction Unit, p. 3. Available at: [http://socijalnoukljucivanje.gov.rs/wp-content/uploads/2017/10/Praćenje\\_socijalne\\_uključenosti\\_u\\_Republici\\_Srbiji\\_trece\\_dopunjeno\\_izdanje\\_Indikatori\\_socijalne\\_zastite\\_i\\_socijalne\\_sigurnosti.pdf](http://socijalnoukljucivanje.gov.rs/wp-content/uploads/2017/10/Praćenje_socijalne_uključenosti_u_Republici_Srbiji_trece_dopunjeno_izdanje_Indikatori_socijalne_zastite_i_socijalne_sigurnosti.pdf), accessed on 18 June 2021.

<sup>809</sup> Serbia and Agenda 2030, p. 20.

<sup>810</sup> Serbia and Agenda 2030, p. 20 -21.

<sup>811</sup> Draft Strategy, p. 18.

<sup>812</sup> Income Survey, 2020, p. 6.

<sup>813</sup> Ibid, p. 3.

coverage and low amounts of assistance, which are insufficient to meet basic needs<sup>814</sup>. The number of recipients of the child allowance was 196,224 in 2020 (48% lower than in 2012), and the number of recipients of financial social assistance was 218,166 (13% lower)<sup>815</sup>. Draft Social Protection Strategy states that families for whom financial social assistance is the only source of income, receive by 40% lower funds they would need to reach the poverty risk threshold, as well as the low level of access to rights by older people to financial social assistance<sup>816</sup>. Only around 10% of older people use financial social assistance, although around 12% of people over 65 years of age do not have the right to pension<sup>817</sup>. The provisions of the Law on Financial Support to Families with Children<sup>818</sup> should help improve the conditions for meeting children's basic needs, give special incentives for childbirth and provide support to financially vulnerable families, families with children with developmental disorders, and children with disabilities, as well as children without parental care<sup>819</sup>. Child allowance is, because of the verification of the financial situation of the parents before it is awarded, considered a poverty reduction measure, while parental allowance is a form of population policy. Amendments to the Law on Financial Support to Families with Children<sup>820</sup> removed several discriminatory provisions, such as the different years of service to be able to access the right to remuneration during maternity leave. Women with different work status need 18 months of continuous employment to access this right, which also applies to agricultural producers who used to be able to access this right if they paid contributions for compulsory pension and disability insurance for 24 months previously. New mothers cannot receive remuneration that is lower than the minimum wage on the date of the start of maternity leave, until the third month of the child's life. Amendments to this law enable parents who have a child with an illness not to have to choose anymore between the remuneration for special childcare and allowance that the child gets on the grounds of disability. However, women entrepreneurs are not equal to employed women/parents in accessing the right to remuneration during maternity and childcare leave. During the validity of the previous law, the situation of women entrepreneurs was to an extent equal with employed pregnant women and mothers, because they were able to use the remuneration during their leave in the same way, and now they are classified under the category of other remunerations on the grounds of birth, childcare and special childcare, as all women that acquired their years of service outside labour relations. In this way, their situation deteriorated in terms of duration, conditions for access, and amount of remuneration received, and they were deprived of the rights they used to have, to the remuneration for third and each subsequent child, in the duration of two years. Such legal provisions influence the professional choices of women entrepreneurs, decrease their entrepreneurial chances and force them to be employees, rather than employers. There is also the issue of the right of fathers – entrepreneurs to use the leave for childcare and other life situations which cannot be resolved because of legal obstacles, so a change

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<sup>814</sup> Draft Strategy, p. 20.

<sup>815</sup> See: <http://devinfo.stat.gov.rs/Opstine/libraries.aspx/dataview.aspx>, accessed on 15 September 2021.

<sup>816</sup> Ibid, p. 21.

<sup>817</sup> Ibid, p. 22.

<sup>818</sup> Official Gazette RS, No.113/17, 50/18, 46/21 – CC, 51/21 – CC и 53/21 – CC, available at: <https://www.paragraf.rs/propisi/zakon-o-finansijskoj-podrsi-porodici-sa-decom.html>, accessed on 14 June 2021.

<sup>819</sup> The Law (Art.11) defines 8 measures, provided and implemented at the national level: 1) wages or salary remuneration during maternity leave, leave for providing child care and special child care; 2) other remunerations on the grounds of birth and child care and special child care; 3) parental allowance; 4) child allowance; 5) compensation of costs for preschool institution for children without parental care; 6) remuneration of costs for preschool institution for children with developmental disorders or children with disabilities; 7) remuneration of costs for preschool institution for children of financial social assistance beneficiaries; 8) reimbursement of costs for preschool institution for children from financially vulnerable families.

<sup>820</sup> Official Gazette RS, No. 66/21, available at: [https://www.paragraf.rs/izmene\\_i\\_dopune/300621-zakon-o-izmenama-i-dopunama-zakona-o-finansijskoj-podrsi-porodici-sa-decom.html](https://www.paragraf.rs/izmene_i_dopune/300621-zakon-o-izmenama-i-dopunama-zakona-o-finansijskoj-podrsi-porodici-sa-decom.html), accessed on 16 September 2021.

of the rights system for registered entrepreneurs is required<sup>821</sup>. At the local level, the most common measures of support to parenting are: one-time financial assistance to pregnant women, new mothers, new-born essentials kits, as well as car seats, but the effects of these measures are still not known<sup>822</sup>. Although normatively, all citizens have the right to social protection services, their geographical, physical and financial availability is questionable. CSWs exist in nearly all municipalities/towns, but daily social protection services do not exist in all municipalities, especially not in rural areas, they are not continuously provided throughout the year, and the coverage of beneficiaries does not meet their needs<sup>823</sup>. Potential service beneficiaries, due to illness, lower mobility and lack of finances, cannot go into towns to access existing services<sup>824</sup>. Social services in the community are annually used by around 50 thousand people. In 2018, there were 23,415 beneficiaries in residential institutions for adult and older persons, which is by 22% more than in 2016<sup>825</sup>, while daily services in the local community were used by around 22 thousand beneficiaries, the majority from urban areas. Women account for more than one-half of the beneficiaries of the home assistance service, day centre for adult and older persons and drop-in services<sup>826</sup>. An extremely low number of social protection services are directed directly at women experiencing violence. Decisions on social protection rights and services made by LSGUs pursuant to the Law on Social Protection, are only the basis for their implementation in practice, but do not respond to the question of how many women had the need and used some of the services, nor do they speak of service development, plurality of providers, quality of services and professional work, of which there should be publicly available data<sup>827</sup>. It is only the Gender Equality Law<sup>828</sup> that makes a distinction between general and specialised support services for the victims of gender-based violence<sup>829</sup>, but not other laws or strategic documents. There are also issues regarding the sustainability of services, while women's organisations providing licensed services are in a more disadvantaged situation compared to service providers in the public sector<sup>830</sup>. All municipalities in

<sup>821</sup> The initiative Mums Rule (orig. *Mame su zakon*), has defined three recommendations: entrepreneurs, who during pregnancy leave temporarily freeze their activity, should have the right to full remuneration of wages; equitable calculation of remuneration of wages for entrepreneurs, so they could, during the maternity and childcare leave, have contributions for compulsory social insurance paid; right to leave from work for childcare in the duration of two years for the birth of the third and each subsequent child, as well as the right to transfer the leave to the partner. Available at: <https://mamesuzakon.org/ipreduzetnicesumame>, accessed on 17 September 2021.

<sup>822</sup> Group of authors: Izveštaj o napretku - drugi izveštaj o napretku po oblastima za period 2016-2020 sačinjen na osnovu okvira za monitoring i evaluaciju, ŽPRS, 2020. p. 44, available at: <https://media.genderhub.org.rs/2021/04/DRUGI-IZVESTAJ-O-NAPRETKU.pdf>, accessed on 31 May 2021.

<sup>823</sup> In 2018, 137 out of 145 LSGUs provided social protection services, most common being the services of day centre – home care for adults and older persons and personal escort for child, day care for children with disabilities. See: Mapiranje usluga socijalne zaštite i materijalne podrške u nadležnosti JLS u Republici Srbiji u 2018. godini, available at: <http://socijalnoukljucivanje.gov.rs/rs/objavljeno-mapiranje-usluga-socijalne-zastite-i-materijalne-podrske-u-nadleznosti-jedinica-lokalnih-samouprava-u-republici-srbiji/>, accessed on 9 September 2021.

<sup>824</sup> Group of authors, Op. cit. 2020. p. 42.

<sup>825</sup> Izveštaj o radu ustanova za smeštaj odraslih i starijih za 2018. Republičkog zavoda za socijalnu zaštitu, 2019, p. 12. Available at: <http://www.zavodsz.gov.rs/media/1878/izvestaj-o-radu-ustanova-za-sme%C5%A1taj-odraslih-i-starijih-u-2018.pdf>, accessed on 12 June 2021.

<sup>825</sup> Izveštaj o radu ustanova za smeštaj odraslih i starijih za 2018. Republičkog zavoda za socijalnu zaštitu, 2019, p. 12. Available at: <http://www.zavodsz.gov.rs/media/1878/izvestaj-o-radu-ustanova-za-sme%C5%A1taj-odraslih-i-starijih-u-2018.pdf>, accessed on 12 June 2021.

<sup>826</sup> Matković, G. et al. Mapiranje usluga socijalne zaštite i materijalne podrške u nadležnosti jedinica lokalne samouprave u Republici Srbiji, Tim za socijalno uključivanje, 2020, p. 18. Available at: <http://socijalnoukljucivanje.gov.rs/wp-content/uploads/2020/09/Mapiranje-usluga-socijalne-zastite-i-materijalne-podrske-u-nadleznosti-JLS-u-RS.pdf>, accessed on 12 June 2021.

<sup>827</sup> Ignjatović, T. Op. cit. 2020, p. 7

<sup>828</sup> Official Gazette RS, No. 52/21

<sup>829</sup> Gender Equality Law, Art. 54 and 55.

<sup>830</sup> Ibid, p. 9.

the Republic of Serbia have general services for women victims of violence provided by CSWs, including counselling support and other family-legal protection services, financial support, accommodation in shelters and safe houses (15 safe houses), CSWs and other community services, if they exist<sup>831</sup>.

Social policy and the economy of care. The evaluation of the National Gender Equality AP for the period 2016-2018 has shown that the measures for gender mainstreaming in social policy and the economy of care yielded limited results, as they were based on awareness-raising campaigns, rather than legal interventions<sup>832</sup>. Report on the Gender Equality Index shows that the participation of women and men in parenting and the economy of care is an area of considerable gender inequalities, as every day, as many as 67.9% of women cook or do domestic work and only 11.5% of men, while the tasks of care for older persons, children and family members with disabilities are performed by 41.2% of women and 29.5% of men<sup>833</sup>. Women spend around 20% of their time on unpaid work, and care for children and other family members is the reason why they work less than full time and are not active<sup>834</sup> in the labour market<sup>835</sup>. The burden of care for children and family also affects women's ability to find employment, but also the well-being of employed women, who, because of the disbalance in responsibilities carry the double burden of paid and unpaid work<sup>836</sup>. The transformation of gender relations in parenting and the economy of care are highly relevant, having in mind that this is an area in which gender inequalities are very persistent<sup>837</sup>. Results have not been achieved in this area, as the measures for achieving the goals were not sufficiently defined, and those that related to the creation of new services of care for children, older persons and dependant persons were mainly directed at reducing the burden carried by women, rather than the redistribution of responsibilities between women and men<sup>838</sup>. With the aim to improve the situation in this area, the CEDAW Committee is calling on the states to introduce flexible working arrangements for women and men, expand services provided by child-care institutions, and for the care of persons depending on these services, promotes equal distribution of family duties and household duties, as well as responsible fatherhood, including introducing paid paternity leave<sup>839</sup>. Measures for reconciliation between work and parenting should contribute to closing the gender gap<sup>840</sup>.

<sup>831</sup> Group of authors, Op. cit. 2020, p. 43.

<sup>832</sup> Group of authors, Op cit. 2020, p. 42

<sup>833</sup> Social Inclusion and Poverty Reduction Team, Gender Equality Index in RS. Merenje rodne ravnopravnosti u RS 2018, p. 41. Available at: <http://socijalnoukljucivanje.gov.rs/rs/objavljen-novi-indeks-rodne-ravnopravnosti-zarepubliku-srbiju/>, accessed on 2 June 2021.

<sup>834</sup> In 2019, there were 1,621,000 inactive women, and among the inactive who do not search for jobs because of care for children or adult dependent persons is around 59 thousand women and 1,900 men.

<sup>835</sup> Ekonomska vrednost neplaćenih poslova staranja u RS, UN Women 2020. p. 29, 33. Available at: [http://socijalnoukljucivanje.gov.rs/wp-content/uploads/2020/08/Analiza\\_monetarne\\_vrednosti\\_neplacenog\\_rada\\_UN\\_Women\\_SRB.pdf](http://socijalnoukljucivanje.gov.rs/wp-content/uploads/2020/08/Analiza_monetarne_vrednosti_neplacenog_rada_UN_Women_SRB.pdf), accessed on 12 June 2021.

<sup>836</sup> Usklađivanje poslovnih i brige o domaćinstvu i porodici, SeCons, 2020, p. 4. Available at: <https://www.secons.net/files/publications/116-publication.pdf>, accessed on 18 June 2021.

<sup>837</sup> Finalni izveštaj evaluacije Akcionog plana za sprovođenje nacionalne strategije za rodnu ravnopravnost RS (2016-2018), SeCons, p. 53. Available at: <https://www.secons.net/files/publications/99-publication.pdf>, accessed on 8 June 2021.

<sup>838</sup> Ibid, p. 65, 66.

<sup>839</sup> Para 36 (d).

<sup>840</sup> In the Gender Equality Strategy (2016-2020), objective 2.1 was defined to facilitate the distribution of domestic work in the area of care for children and older persons. Long-term objectives within this measure include decreased burden of women with unpaid work in the economy of care and improved quality of life of women, increased employment and increased birth rates, and the expected result: time spent by women and men on unpaid work, was distributed equally. Available at: <https://www.mgsi.gov.rs/lat/dokumenti/nacionalna-strategija-za-rodnu-ravnopravnost-za-period-od-2016-do-2020-godine-sa-akcionim>, accessed on 5 June 2021.



European Commission Reports (2018 and 2019), regarding negotiations on Chapter 19, find moderate preparedness, and provide recommendations, primarily regarding increased financial and institutional resources for employment and social policy, their systematic focus on youth, women and other unemployed persons, increased adequacy of the social benefits system and considerable strengthening of the social dialogue on all levels, improved quality of services, increased oversight and regulatory mechanisms, monitoring and evaluation<sup>841</sup>. WPDS progress report related to social policy and the economy of care states that there are no data on the percentage of women and men without personal income, by age and education. Over 144 thousand women over 65 years (14.37%) and over 25 thousand men (4.25%) have no pension. Old-age pensions among women are at 84% of the amount of old-age pensions of men<sup>842</sup>.

The share of the population without access to social services at the local level, by sex and type of missing services<sup>843</sup> is unknown, and so are data on the number of people who need social protection services (e.g. homes for older persons, support to independent living for persons with disabilities, supported living for PWD, specialised foster care, home assistance for children with developmental disorders)<sup>844</sup>. Between October 2016 and June 2020, there were 345 public calls for social services, mostly for home assistance, child personal escort, personal assistant, and day centre for children and youth with developmental disabilities. However, the increase in the number of public calls does not mean that there is an increased number of service beneficiaries nor the number of municipalities/towns in which they are provided. Progress has been made in ensuring pluralism of service providers: in 2021, according to MoLEVSA, licenses were given to 662 community service providers<sup>845</sup>. According to WPDS information, 136 service providers come from the civil sector, but the problem is that licensed CSOs do not always have the chance to receive funds from the local self-government for the provision of these services<sup>846</sup>. According to MoLEVSA, 90% of helpline and 40% of shelter services for violence victims are provided by CSOs<sup>847</sup>. When it comes to the number of innovative social services funded from the budget, WPDS mentioned the importance of opening (in early 2019) the shelter for victims of trafficking in human beings for women and girls over 16, as the first shelter of its kind in the social protection system.

Poverty reduction and social protection of vulnerable groups. Women with disabilities are one of the most vulnerable population groups, when it comes to the rate and risk of poverty, and the most important factors include: employment status, education, number of household members, residence and the number of children. Women with disabilities are very vulnerable due to discrimination and obstacles in access to rights. Discrimination is particularly pronounced in

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<sup>841</sup> Ignjatović, T. Op. cit. 2020, p. 5.

<sup>842</sup> Group of authors, Op. cit. 2020, p. 43.

<sup>843</sup> Ibid.

<sup>844</sup> Development of LSGU capacities in the area of establishing the need for social protection services in the community is 37.7% on average, compared to the desired level of development, and the level of development of LSGU capacities is also low. Strategic and planning frameworks is the area achieving only 30.7% of the desired level. See: Procena institucionalnih kapaciteta JLS u oblasti utvrđivanja potreba za uslugama socijalne zaštite u zajednici. Available at: [https://www.swisspro.org.rs/uploads/files/139-240-sp\\_procena\\_institucionalnih\\_kapaciteta\\_sr.pdf](https://www.swisspro.org.rs/uploads/files/139-240-sp_procena_institucionalnih_kapaciteta_sr.pdf), accessed on 12 June 2021.

<sup>845</sup> Out of 662 service providers: day care services are provided by 62, assisted living 9, personal escort 40, shelter 18, drop-in 3 and home assistance 146. The highest number of service providers include home for adult and older persons in private institutions 304. In 2021, 17 service providers were licensed for the shelter services for violence victims – 7 and for helpline services for violence victims – 10. Source: comments by the Ministry of Labour, Employment, Veteran and Social Affairs, during the consultations on the Baseline for the Gender Equality Strategy for the period 2021-2030, August 2021.

<sup>846</sup> Group of authorities, Op. cit. 2020, p. 44.

<sup>847</sup> Data source: Ministry of Labour, Employment, Veteran and Social Affairs, during the consultations on the Baseline for the Gender Equality Strategy for the period 2021-2030, August 2021.

healthcare, education, employment, access to social protection, etc<sup>848</sup>. Many, especially older women with disabilities, lead isolated lives, they cannot leave their homes, or they are confined in them due to many obstacles<sup>849</sup>. Women with disabilities are faced with the problem of service accessibility and availability, either because of the lack of capacities and/or adjustment<sup>850</sup>. Lack of appropriate services of support and adequate education results in low economic status and dependence on the family or care providers<sup>851</sup>. Insufficient personal assistance service is a large obstacle. According to available data, only around 200 personal assistants provide services to 200 beneficiaries, who are funded from the budgets of 12 local self-governments<sup>852</sup>. When it comes to physical access to CSW premises, last data are for 2014, when only 32% of these institutions had ramps to access the building, 39% had accessible toilets, 62% accessible ground floor and 2% had lifts<sup>853</sup>. There are no official data on geographic availability of services, nor reliable data on the measure in which women with disabilities have information available on the rights to protection and support, that is, services, because social protection institutions most often publish information about this on their websites<sup>854</sup>. Social protection system reform has not contributed to improve the situation of persons with intellectual and psychosocial disabilities, as there are still no adequate services in the community, and the system of support has practically not been reformed<sup>855</sup>. Information on social and economic situation of Roma men and women is incomplete and unsystematised, and official statistics on poverty do not contain information on the nationality of the poor, which is why the UN Committee on Economic Social and Cultural Rights asked for regular collection of these data<sup>856</sup>. Roma women are at a disadvantage because of their poor educational status, exposure to child marriages and early births, unemployment, poor living conditions, economic dependence, etc.<sup>857</sup>. Child marriages are an effect of gender-based discrimination, poverty, lack of education and inadequate institutional response. Girls are forced to give up on school, which reduces their prospects for employment, increases their vulnerability to domestic and partner violence and early pregnancies, which leads to deteriorated health status and staying in the circle of poverty<sup>858</sup>. One of the positive examples include health mediators, who, in addition to support in health institutions, also assist with easier access to personal documents, social protection rights, health insurance, labour market, education, etc.<sup>859</sup>. Women, who on average live longer than men, longer use pensions and are in a more disadvantaged situation, which causes greater and longer needs for various services of assistance and support so they can meet

<sup>848</sup> Beker, K. Op. cit. 2020, p. 31

<sup>849</sup> Rajkov, G. ed. *Prepreke za jednakost – dvostruka diskriminacija žena sa invaliditetom*, 2004, p. 14. Available at: [file:///C:/Documents%20and%20Settings/Developer/My%20Documents/Downloads/9.\\_Zene\\_sa\\_invaliditetom%20\(2\).pdf](file:///C:/Documents%20and%20Settings/Developer/My%20Documents/Downloads/9._Zene_sa_invaliditetom%20(2).pdf), accessed on 17 June 2021.

<sup>850</sup> Beker, 2018, p. 27

<sup>851</sup> Ibid, p. 14.

<sup>852</sup> Group of authors, 2020, p. 44

<sup>853</sup> In its Special Report for 2018, titled *Accessibility for All*, the Ombudsman found that CSW were mainly placed in inaccessible or partially accessible buildings and recommended LSGUs, with MoLEVSA support, to provide adequate space for unimpeded work of the CSWs, which will fulfil all accessibility standards. Available at:

<https://www.ombudsman.rs/index.php/izvestaji/posebnii-izvestaji/5893-p-s-b-n-izv-sh-z-sh-i-ni-gr-d-n-pris-up-cn-s-z-sv>, accessed on 15 September 2021.

<sup>854</sup> Ibid, p. 42.

<sup>855</sup> Beker, K. and Baćanović, V. *Reproduktivno zdravlje žena sa invaliditetom u AP Vojvodini*, 2018, Provincial Ombudsman and OEBS, available at: <https://www.ombudsmanapv.org>, accessed on 21 January 2021.

<sup>856</sup> Beker, K. Op. cit., 2018, p. 28 and 29.

<sup>857</sup> Nacionalni izveštaj o primeni CEDAW i Istanbulske konvencije u Republici Srbiji – Diskriminacija i nasilje prema Romkinjama, Romski centar Bibija, 2019, p. 52, available at:

[http://www.bibija.org.rs/images/cedaw/nacionalni\\_izvestaj\\_Republika\\_Srbija\\_Compressed.pdf](http://www.bibija.org.rs/images/cedaw/nacionalni_izvestaj_Republika_Srbija_Compressed.pdf), accessed on 14 June 2021.

<sup>858</sup> Beker, K. Op. cit. 2020, p. 31.

<sup>859</sup> Group of authors, op. cit. 2020, p. 45.



their basic life needs<sup>860</sup>. Women over 65 years of age are also at higher risk of poverty compared to men, and at-risk-of-poverty rates among older persons living in single households are above average for the total population (27.2%)<sup>861</sup>.

Accommodation services are the most common social protection services, with the number of beneficiaries constantly rising, predominantly older persons. In 2019, the majority of beneficiaries were over 80, 65% of whom women, which accounts for over one-half of the total number of home assistance services for adults and older persons and day centres for adults and older persons, but this service is insufficient in rural areas<sup>862</sup>. The research on the situation of older women conducted by the Commissioner for the Protection of Equality found that as many as 88% respondents had decreased ability to perform activities of daily life over a period longer than six months, and that they most often rely on their immediate family, specifically children and grandchildren (54.5%) and spouses (15.7%), and to a lesser extent on neighbours and friends (9.6%) and other relatives (5.7%). Respondents very rarely use social protection services, only 4% of them. The use of social protection services is related to independence, so the services are most commonly used by older women reporting their ability to perform activities of daily life was severely limited (8.8%)<sup>863</sup>. With the aim to remove the perceived problems, the CEDAW Committee<sup>864</sup> calls upon the State party to vigorously pursue efforts to eliminate multiple and intersecting forms of discrimination experienced by women belonging to disadvantaged groups and to ensure their economic empowerment. The Committee encourages the State party to conduct a comprehensive survey to assess the situation and the particular needs and aspirations of women belonging to disadvantaged groups, such as Roma women, older women, poor women, women with disabilities, refugee and internally displaced women and women heads of household, to inform its legislation and policies<sup>865</sup> and to urgently address the situation of deprived single-parent families, especially those run by women and ensure the timely recovery of child support payments, including by introducing enforcement mechanisms and deterrent penalties in the case of non-compliance<sup>866</sup>.

#### 5.4. Institutional framework and tools for creating gender-responsive public policies and budgets

Gender equality is the precondition for development and key in addressing the greatest development-related challenges Republic of Serbia is facing. Institutional framework and activity within institutions are recognised as an important prerequisite for undertaking measures directed at closing the gender gap and advancing gender equality, as long ago as 1995 in the Beijing Declaration and Platform for Action and still represent a valid goal<sup>867</sup>. The relevant guide for these issues is SDG 16 (Peace, justice and strong institutions), Targets 16.6 (Develop effective,

<sup>860</sup> Poseban izveštaj o diskriminaciji starijih građana, Poverenik za zaštitu ravnopravnosti, 2021, p. 61, available at: <http://ravnopravnost.gov.rs/posebni-izvestaji/>, accessed on 31 May 2021.

<sup>861</sup> Ibid, p. 67.

<sup>862</sup> Ibid, p. 62, 64, 65.

<sup>863</sup> Istraživanje o položaju starijih žena, Poverenik za zaštitu ravnopravnosti, 2017. p. 33, 34. Available at: <http://ravnopravnost.gov.rs/wp-content/uploads/2019/08/Polozaj-starijih-zena-u-Srbiji-10.4.2019.-digitalna-verzija.pdf>, accessed on 31 May 2021.

<sup>864</sup> CEDAW Committee, Concluding observations on the fourth periodic report of Serbia, available at: <http://socijalnoukljucivanje.gov.rs/rs/zakljucna-zapazanja-cedaw-u-vezi-sa-cetvrtim-periodicnim-izvestajem-o-primeni-konvencije-o-eliminisanju-svih-oblika-diskriminacije-zena/>, accessed on 15 June 2021.

<sup>865</sup> Ibid, Para. 44.

<sup>866</sup> Ibid, Para. 48.

<sup>867</sup> Beijing Declaration and Platform for Action (Chapter Five, A, B, and C), Beijing+15 and Beijing +25.

accountable and transparent institutions at all levels) and 16.7 (Ensure responsive, inclusive, participatory and representative decision-making at all levels), and 16.b (Promote and enforce non-discriminatory laws and policies for sustainable development).

#### 5.4.1. Institutional GE mechanisms

One of the important assumptions for the implementation of activities on advancing gender equality is not only the share of women in government institutions, but also the existence of special institutional forms of operation within the government organisation at all levels. This is the assumption that, through the work of these special mechanisms, not only participation but also influence of women is ensured in institutions on decision-making, creating and implementing public policies of importance for gender equality and the advancement thereof.

Years of experience and issues encountered by gender equality mechanisms have been collected in numerous analyses and studies by the Commissioner for the Protection of Equality, Ombudsman, women's NGOs, men and women experts<sup>868</sup>, and repeated several times in CEDAW Committee recommendations<sup>869</sup>. In general, key issues encountered by GE mechanisms have been identified as: sub normative and unstable status in the structure of government authorities, unclear or incompletely defined competences and responsibilities, lack of systemic interlinkages and coordination of activities, low number of employees, who often perform these tasks on top of others, insufficient level of gender awareness and knowledge of gender equality, instable sources of finance, often relying on donor funds, scarce results and difficulties to monitor the status, lack of gender mainstreaming procedures in laws and strategies as well a quantitative and qualitative indicators of performance. GE mechanisms have demonstrated their vitality more or less (un)successfully, because under such circumstances they have succeeded in making at least small steps towards improving gender equality, which is recorded in the Gender Equality Index<sup>870</sup>.

Regulating gender equality mechanisms legally established the normative framework for a more stable position of these mechanisms in the government structures. The effects of new legal solutions cannot be reviewed in this short period of time, and urgent adoption of relevant by-laws is needed for more efficient implementation. The National Gender Equality Strategy is certainly one of the instruments that can accelerate the implementation of the Gender Equality Law and thus improve the work of gender equality mechanisms. In addition, continuous systematic training for awareness raising and raising the capacities and knowledge on gender equality, gender stereotypes, prejudice and the ways to overcome them needs to be organised for all stakeholders working on advancing gender equality.

GE mechanisms in representative bodies. GE mechanisms have been established in parliaments as directly elected citizen representative bodies, where public policies related to gender equality are decided on. The National Assembly has established the Committee on Human

<sup>868</sup> For example: Rodna ravnopravnost u jedinicama lokalne samouprave, 2017. Commissioner for the Protection of Equality, available at: <http://ravnopravnost.gov.rs/rs/rodna-ravnopravnost-u-jedinicama-lokalne-samouprave-presek-stanja-u-sprovođenju-preporuke-mera-jedinicama-lokalne-samouprave-za-ostvarivanje-rodne-ravnopravnosti/>; Prvi izveštaj ŽPRS i prioriteta za 2017 – 2018, available at: <http://library.fes.de/pdf-files/bueros/belgrad/12991.pdf> and Drugi izveštaj o napretku za 2016 – 2020, available at: <http://library.fes.de/pdf-files/bueros/belgrad/12991.pdf>, accessed on 28 August 2021.

<sup>869</sup> Concluding observations on the fourth periodic report of Serbia, CEDAW/C/SRB/CO/4, of 4 March 2019.

<sup>870</sup> Gender Equality Index, Serbia ranks 39 out of 153 countries, and 41 in the area of political inclusion. Compared to the countries in the region, Albania (20) and Slovenia (36) rank better, while Croatia (60), Bosnia and Herzegovina (69), North Macedonia (70) and Montenegro (71) fall behind Serbia. Available at: [https://www.rodnaravnopravnost.gov.rs/sites/default/files/2018-12/Indeks%20rodne%20ravnopravnosti%202018\\_SRP.PDF](https://www.rodnaravnopravnost.gov.rs/sites/default/files/2018-12/Indeks%20rodne%20ravnopravnosti%202018_SRP.PDF) accessed on 18 June 2021.

and Minority Rights and Gender Equality<sup>871</sup>, which is active, and the APV Assembly, the Committee on Gender Equality<sup>872</sup>. The application of quota for the less represented sex resulted in the establishment of the network of women parliamentarians<sup>873</sup>, as a specific, informal but recognised form of action of local and national MPs belonging to different political parties on issues related to gender equality<sup>874</sup>. APV Parliament has formed the Committee on Gender Equality, as its permanent working body<sup>875</sup>. LSGUs also establish commissions as standing working bodies of the local parliament. Novelty in the Gender Equality Law also refer to gender equality mechanisms, and legal solutions remove perceived normative weaknesses related to their status, competences and activities.

GE mechanisms in executive authorities. In the executive branch, the powers of which are related to creating, proposing, monitoring and implementing public policies, gender equality mechanisms have been established and they are active. Within the Government, this is the Coordination Body for Gender Equality (CBGE)<sup>876</sup> which is headed by Deputy Prime Minister, as working body coordinating activities on achieving gender equality both vertically and horizontally. For the multi-sectoral nature of gender equality, inter-sectoral coordination is essential, as well as coordination among different stakeholders at all levels of authority, with creation, proposal, monitoring, direct participation and responsibility in public policy implementation. Gender Equality Council has been established, as an advisory body to the Government. Before the Gender Equality Law was adopted, CBGE and Gender Equality Council were established by Government regulation, which made their position weaker, leaving room for them to be simply terminated and discontinue their work after elections and a new Government is formed. Many years of efforts to incorporate GE mechanisms established within the executive power in the positive legislation, and thus ensure minimum security for their status, resulted in their place in the Gender Equality Law<sup>877</sup>, which stipulates that the activities related to creating, implementing, monitoring and promoting gender equality policies are performed by: the Government, ministries and other government bodies, which, within their scope of work define and implement general and special measures to achieve and promote gender equality; Coordination Body for Gender Equality, autonomous province and local self-government unit bodies, as well as other public authorities, organisations and institutions, in line with their powers, participate in the prevention of discrimination based on sex or gender, and prevention of gender-based violence. This legislative approach ensures normative prerequisites enabling a stable status for gender equality mechanisms in the system of the organisation of government at all levels, and integrated action by all public authorities on the promotion of gender equality. This is a big step forward, important for gender equality, and the main, but not the only requirement (necessary but not sufficient), to achieve synchronised and coordinated action in this multi-sectoral area by different government stakeholders and achieve the desired synergetic effect. The duties of the Government in the area of gender equality are

<sup>871</sup> Available at: <http://www.parlament.gov.rs/narodna-skupstina/-sastav/radna-tela/odbori.101.895.html>, accessed on 6 June 2021.

<sup>872</sup> Available at: <https://www.skupstinavojvodine.gov.rs/Strana.aspx?s=odbori&j=SRL>, accessed on 6 June 2021.

<sup>873</sup> WPN in the National Assembly (2013) <https://zpmrsrbija.wordpress.com/>, APV Parliament (2016), available at: <http://www.skupstinavojvodine.gov.rs/Strana.aspx?s=zenskamreza&j=SRL>, accessed on 6 June 2021, and women's local MP networks in LSGU parliaments.

<sup>874</sup> See: Žene u parlamentu – kvota ili stvarni uticaj? Available at:

[http://www.mc.rs/upload/documents/istrazivanje/2014/Zene\\_u\\_parlamentu\\_Samo\\_kvota\\_ili\\_stvarni\\_uticaj.pdf](http://www.mc.rs/upload/documents/istrazivanje/2014/Zene_u_parlamentu_Samo_kvota_ili_stvarni_uticaj.pdf), accessed on 6 June 2021.

<sup>875</sup> Available at: <https://www.skupstinavojvodine.gov.rs/Strana.aspx?s=odbori&j=SRL>, accessed on 6 June 2021.

<sup>876</sup> Available at: <https://www.mgsi.gov.rs/lat/dokumenti/odluka-o-formiranju-koordinacionog-tela-za-rodnu-ravnopravnost>, accessed on 6 June 2021.

<sup>877</sup> Gender Equality Law, Article 59.

detailed<sup>878</sup>, including the establishment of CBGE, with the task to direct and coordinate the work of government authorities in relation to gender equality, and review all issues related to the promotion of gender equality<sup>879</sup>, as well as the Gender Equality Council, as an advisory body to the Government, which also includes the civil society in its broadest scope<sup>880</sup>. The implementation of these solutions in practice requires that the weaknesses and gaps that have been pointed out in several studies and reports on the status of gender equality<sup>881</sup>, as well as in CEDAW Committee recommendations<sup>882</sup> (unclear mandate and competences, lack of staff, weak technical and logistical support, lack of or symbolic funds for activities and reliance on donor assistance, etc.) be removed and accompanying regulations for the implementation of the Gender Equality Law be adopted as soon as possible, which would regulate the composition and method of election in these bodies, their competences, operations and funding of activities, as well as to ensure sufficient qualified staff to work in these bodies and the necessary technical and logistical support for their work.

GE mechanisms in government authorities. Ministries and all other government authorities, when creating, implementing, monitoring and promoting sectoral policies, laws and by-laws, and through activities within their mandates, have to integrate gender equality goals in all areas, especially those in which general and special measures are implemented<sup>883</sup>. This provision sets the legal grounds for activity and obligations of all government authorities to mainstream gender in public policies in a systematic and organised way. The Ministry of Human and Minority Rights and Social Dialogue, which is in charge of gender equality<sup>884</sup> and which has a Sector on Anti-Discrimination Policy and Gender Equality<sup>885</sup> is not the only stakeholder in this area but is provided with support from all other ministries and public authorities. The implementation of this legal provision would need regulating in more detail communication and mutual cooperation procedures, specifying measures and concrete activities on gender equality advancement within the context of 2030 Agenda for Sustainable Development, as well as the responsible parties. In addition, within the ministries there are also other forms of organisation and action by women as models for support, promotion and encouragement of women (for example: Network of Women in the Police in the Republic of Serbia, Gender Advisor and Persons of Trust in MoD and SAF).

GE mechanisms in the autonomous province. For the first time, the law stipulated APV authorities' obligations to lead equal opportunities policy, advance gender equality and in line with autonomous province competences, establish GE mechanisms and regulate their composition, election and operation methods, and competences in line with the autonomous province competences<sup>886</sup>. Gender Equality Law stipulates that the Autonomous Province Assembly should establish a standing working body on gender equality. The Provincial Government establishes the Coordination Body for Gender Equality, which coordinates and aligns positions of the authorities and organisations of the provincial administration and promotes gender equality, as well as the

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<sup>878</sup> Gender Equality Law, Article 60.

<sup>879</sup> Gender Equality Law, Article 60, Paragraph 1, item 5.

<sup>880</sup> Gender Equality Law, Article 60, Paragraph 1, item 5.

<sup>881</sup> For example, CBGE Report for 2019, available at: <https://www.rodnaravnopravnost.gov.rs/sites/default/files/2021-02/Izvestaj%20o%20radu%20KTRR%202019.pdf> accessed on 17 June 2021; first WPDS report for 2017 and 2018, available at <https://library.fes.de/pdf-files/bueros/belgrad/12991.pdf> ; Demokratija i ljudska prava – ŽPRS, drugi izveštaj o napretku, available at: <https://docplayer.rs/210758908-Izveštaj-o-napretku-ii.htm>, accessed on 17 June 2021.

<sup>882</sup> Concluding observations on the fourth periodic report of Serbia, CEDAW/C/SRB/CO/4, of 4 March 2019.

<sup>883</sup> Gender Equality Law, Article 61.

<sup>884</sup> Law on Ministries, Article 12, Official Gazette RS, No. 128/2020.

<sup>885</sup> Available at: <https://www.minlmpdd.gov.rs/>, accessed on 6 June 2021.

<sup>886</sup> Gender Equality Law, Article 62.

Gender Equality Council, as advisory body to the Provincial Government. In APV, gender equality falls within the scope of the Provincial Secretariat for Social Policy, Demography and Gender Equality<sup>887</sup>, but there is no standing working body of the Provincial Government that would coordinate activities in the area of gender equality, so it should be established and its composition and election, competencies, operation and funding regulated and sufficient qualified staff and necessary technical and logistical support for work and activities provided. Gender Equality Law provides the opportunity to establish also other bodies dealing with gender equality. Gender equality bodies established in the autonomous province cooperate with all other gender equality bodies on issues of importance for gender equality.

GE mechanisms in LSGUs. Various gender equality bodies are also established in LSGUs – commission, as the standing working body in LSGU parliament and gender equality council, which is formed within LSGU administration. Gender Equality Law regulates in more detail the composition, election of members, competences and operation of these bodies<sup>888</sup>. There are focal points for gender equality in the local administration.

GE mechanisms in government authorities. In all government authorities, with over 50 staff or employees, a person from among the staff is appointed as focal point for gender equality, whose competences are defined in the Gender Equality Law, and must be trained to perform the tasks related to gender equality<sup>889</sup>.

#### 5.4.2 Gender sensitive statistics

Gender sensitive statistics is not a discreet or isolated field. It intersects traditional areas of statistics, such as economy, agriculture, health or employment, and all other areas, to explore differences that exist between women and men, girls and boys in the society. Such information is of vital importance for making decisions to achieve gender equality. Identifying the necessary information to understand and identify goals related to gender issues, is of essential importance for the production of gender statistics. Therefore, public-policy orientation, rather than simple separation of data by sex, is in the centre of gender-sensitive statistics<sup>890</sup>.

It is an important tool for comprehensive systematic and information-based monitoring of the situation in the area of gender equality, and reporting on the progress or stagnation in the area, and one of the instruments for achieving SDG 16 and Target 16.b within the 2030 Agenda for Sustainable Development. Gender-sensitive statistics is also a necessary source of information for creating the gender equality index as a comprehensive indicator of progress in the area of gender equality. A uniform, based on precise indicators, system of collecting, processing and publicly presenting data, is a requirement for this tool to be a reliable support for reviewing the situation and undertaking measures in the domains recording improvement, stagnation or deterioration.

Since 2005, SORS has permanently kept and improved statistics disaggregated by sex, and every three years, these data are published, and they are publicly available. Statistics disaggregated by sex are also kept in the following areas: population, health, social protection, education and science, employment, wages and pensions, life standard, time use, justice, decision-making and international indexes. This is an important base for reviewing the situation in the area of gender equality, and longitudinal situation monitoring also enables to follow trends in these areas relevant

<sup>887</sup> Available at: <http://www.socijalnapolitika.vojvodina.gov.rs/> accessed on 6 June 2021.

<sup>888</sup> Gender Equality Law, Article 63, Paragraph 4.

<sup>889</sup> Gender Equality Law, Article 64.

<sup>890</sup> Available at: [https://unece.org/DAM/stats/publications/Developing\\_Gender\\_Statistics.pdf](https://unece.org/DAM/stats/publications/Developing_Gender_Statistics.pdf), accessed on 20 August 2021.

for gender equality, which is particularly important, not only for reporting to international bodies monitoring the implementation of international standards in the area of gender equality, but also for creating public policies and measures that must be undertaken in order to remove obstacles and bottlenecks, improve the situation in the area of gender equality and prevent gender-based discrimination.

Republic of Serbia was the first non-EU member state that, on the initiative of CBGE and SIPRU, introduced the use of the Gender Equality Index as early as 2016, which enables comprehensive measuring of gender equality created in accordance with EU policy standards and context, which the Republic of Serbia legislation is being harmonised with in the accession process. This is undoubtedly a big step forward, as it sets baseline values as parameters to monitor progress, but also stagnation in certain periods of time, and enables the comparison of the gender equality situation in the Republic of Serbia with the situations in EU member states.

Gender statistics do not only entail disaggregation and presentation of existing data by sex, but also respecting and including the differences in everyday lives and challenges faced by women and men in all spheres of society. What is lacking in gender statistics only disaggregated by sex, is the acknowledgement and recognition of differences in needs and problems faced by women and men. This was also mentioned that this data is lacking in the Strategy section on the situation in different areas. This lack is mitigated, but not fully removed by organising and conducting specific research, analysis and reports by the Commissioner for the Protection of Equality, Ombudsman, women's CSOs and academia, listed in the above-mentioned section. Therefore, it is necessary to provide an overview of the gender-related discrepancies in the everyday lives and challenges faced by women and men, create the parameters and indicators on this, include them in statistical monitoring, in order to improve gender statistics.

Data related to the needs and problems encountered by vulnerable groups often exposed to multiple discrimination are missing, or incomplete, which has been recorded in the situation assessment in all areas covered by the Strategy. There are no data on free legal aid applicants and beneficiaries, and particularly data on the reasons why free legal aid is applied for.

Data is also missing in the domain of professional statistics, which includes data on MSMEs, disaggregated by sex of owner. Data on bank accounts by sex, loans and other financial products are also missing. In addition to SORS, there are also other institutions collecting data and keeping various registries, which are then used by SORS, so improving the system of data collection is very important to cover all the relevant institutions that are data sources, such as, for example, the National Bank of Serbia or the Business Registers Agency, but also many others.

Statistics kept by various public authorities are often incomplete, and aggregated data are not always readily available. For regularly publishing data, such as for example, average net and gross salary, data are not disaggregated by sex, but additional efforts must be invested to obtain this data. Also, for example, data on: femicide, number of reported cases of gender-based violence and violence against women disaggregated by form of violence, sex of victim of violence and sex of violence perpetrator; number of court cases tried in relation to sex- or gender-based discrimination, and finalised to benefit employees, as well as the enforcement of court decisions; number of court cases; number of reports by staff and employees exposed to harassment, sexual harassment or blackmail or other actions resulting in sex- or gender-based discrimination, disaggregated by sex and age, etc.

Lack of data, or incomplete data, to be able to identify and acknowledge discrepancies in the needs and problems faced by both women and men, influencing their daily lives, speaks to the necessity to improve gender statistics and facilitate statistical monitoring of the progress in the

area of gender equality. Coordinating the work of various stakeholders working on recording data, synchronising activities, a unified recording and monitoring system, methodology providing data comparability, are required to establish valid databases, which are an important tool for shaping policies and designing measures with the aim to reduce the gender gap and advance gender equality.

The recently adopted Gender Equality Law regulates in detail gender-sensitive data that need to be collected, specifying exactly that this is the duty of public authorities, employers, and gender equality bodies, specifying which data should be recorded by employers and public authorities and which by gender equality bodies, dictates data to be expressed in numbers and percentages, not to contain personal data and data to be updated, regulates instruments for implementation and oversight of the implementation of these provisions as well as a set of issues relevant for reporting on the status of gender equality, including: annual reports by government authorities, employers and gender equality bodies on the status of gender equality, structure and content of the reports and the form for reporting on the political parties' obligation to report on gender equality, obligations of the competent ministry regarding the reports (adopt by-laws for the implementation of the law, publish data on the ministry and Government websites, submit data to SORS, etc.), as well as SORS obligation to each year publish data on its website, and once in three years in a special publication. All these new obligations need to be detailed and regulated by additional acts. Regulating the most important issues relevant for gender statistics and the implementation of these legal provisions create a solid normative framework for improving gender statistics. An important condition for their implementation is urgent adoption of regulations and of the National Gender Equality Strategy, which need to stipulate activities, responsible parties and timelines, because these are necessary and useful tools for applying the new solutions, and the effects of the implementation of legal solutions need to be monitored continuously. Continuous training of stakeholders working on these issues is equally important.

Access to gender statistics for individual municipalities, data search and retrieval and presentation need to be facilitated and improved, and training increased on applications of available data and databases, which are insufficiently used for gender-responsive planning.

#### 5.4.3. Gender-responsive budgeting

Gender-responsive budgeting (GRB) was introduced as mandatory in the Republic of Serbia in December 2015, with the amendments to the Budget System Law (BSL) and has been incrementally implemented since the 2016 Budget, and by 2024, it should be fully implemented in the entire budget at the national, provincial and LSG levels. GRB is also stipulated by the Gender Equality Law.

GRB represents introducing the principles of gender equality in the budget process, which entails gender analysis of the budget and restructuring revenues and costs, with the aim to improve gender equality. BSL Article 4 defines that the goals of the budget system is also achieving allocation efficiency, which entails distributing budget funds with the aim to advance gender equality. GRB is implemented in such a way that on 31 March of the current year, the Minister of Finance, Provincial Secretary for Finance and LSG authority in charge of finance, adopt the Plan for Incremental Introduction of GRB, which sets out the obligations of budget users during Budget planning, implementation and reporting.

According to the Instruction issued by the competent finance authority, budget users must present GRB within their programme budget structure. GRB is a tool that ensures that the funded



priorities also define gender-sensitive goals and indicators within the programme budget structure, which are to close the gender gap in various areas. Annual performance reports also contain the report on GRB performance, by goals and indicators. In the process of GRB implementation, budget users are given technical support, and annual progress reports are publicly available. Good practice examples, and the ways in which budget users contributed to the advancement of gender equality are available in progress and performance reports.

GRB at national and provincial levels. Since the start of implementation, the number of budget users who started the implementation of this obligation has continuously increased. In the 2020 Budget, 41 budget users at the national level fulfilled their obligations. GRB was implemented in 66 programmes, 83 programmatic activities and 21 projects, and incorporated in 86 goals and 232 gender-sensitive indicators. In the 2020 Budget at the Autonomous Province level, 25 budget users implemented GRB in 41 programmes, 70 programme activities, two projects through 116 gender-responsive goals and 288 gender-sensitive indicators. The process of GRB implementation is running continuously, it is coordinated by the Ministry of Finance and the Provincial Secretariat for Finance, and in cooperation with institutional mechanisms and additional expert support.

The number of budget users and implementation by years is presented in the table below:

Table 4

	Number of budget users that implemented GRB in the budget for 2017	Number of budget users that implemented GRB in the budget for 2018	Number of budget users that implemented GRB in the budget for 2019	Number of budget users that implemented GRB in the budget for 2020	Number of budget users that implemented GRB in the budget for 2021
National level	26	33	34	41	Information will be available in July
Autonomous province	10	14	18	25	Information will be available in July

Since the start of implementation, over 1,300 civil servants have been trained, and all budget users have formed GRB teams. Training and support in GRB implementation continue and extend to indirect budget users. A promotional video on GRB has been developed. GRB training is under development at the National Academy for Public Administration, which has included GRB in its official training programme, and it will be available to all employees in the public administration in 2022.

Within its annual audits, the State Audit Institution also checks GRB implementation with budget users and reports on this in its annual reports.

Five years after implementation, considerable results have been achieved. However, for GRB to become a sustainable part of the public management system, it is necessary to strengthen GRB quality in the following cycles, identify and make use of missed opportunities to go deeper in GRB by articulating gender transformative GRB goals and indicators, that is, by more decisively directing investments in gender equality and removing the gender gap in sectors. One of the main points of GRB is to reduce the time required to achieve full gender equality by reallocating resources to close the gender gap and remove barriers to full participation of women and men from different groups. The continuation of joint and coordinated work at the national and provincial

levels on institutionalising GRB processes still represents the key priority in strengthening the sustainability of the GRB process. By strengthening the control and oversight role to be performed by the national gender equality mechanism (at the technical level and at the level of intersections with the gender agenda), both the National Assembly and the APV Parliament (respecting the intent of the Budget System Law and antidiscrimination laws), represents the most important momentum towards an excellent domestic GRB model.

The GRB process needs to be procedurally regulated within the budget users. Often the required synergies are lacking, which originate from cross-sectional and adequately interlinked gender-responsive and sectoral policies. There is no adequate knowledge or procedures to identify the gender gap within the budget user competences, or gender-responsive planning, which is reflected in the development of priorities for financing, and later on the budget. To provide adequate support to introducing GRB, it needs to be integrated in all the phases of the budget process, which also includes the preparation of priority funding areas, the development of additional GRB rulebooks and procedures, which would help each individual budget user to recognise the gender gap and to implement gender-responsive planning in sectoral policies and budgets. Additionally, it is necessary to further improve the national-level information system, in order to facilitate and accelerate GRB consolidation in budget proposals, adopted budget and performance reports. The information system has been improved at the Autonomous Province level.

The stabilisation of the GRB process needs to be ensured by establishing and strengthening the pillars of support: coordinate the GRB process with the rest of the budget processes developed by the Ministry of Finance and the Provincial Secretariat for Finance; coordinate gender policies and priorities, and the quality of content of GRB goals and indicators, which is the role of the national gender equality mechanism in cooperation with provincial and local-level mechanisms and other bodies and organisations that have specific sectoral knowledge, and the control of effects by reviewing and measuring the quality of the GRB process, both at the level of individual budget users and as the entire gender-responsive budget. This important role could pertain to different stakeholders, including the National Assembly, and the Finance Committee in particular, Gender Equality Committee and the State Audit Institution, Fiscal Council of the Republic of Serbia and CSOs, the statutes of which include gender equality strengthening and empowering women as their priority objectives. GRB should be additionally strengthened by improving the system in line with the recommendations provided in the annual GRB Progress Reports in the Republic of Serbia, but also in line with international best practices and recommendations provided through the assessment of public expenditures and public finance (PEFA) and GRB framework.

GRB at LSGU level. Information on the implementation at the local level is incomplete, and the practice of working in the field, primarily through SCATM support in this area, shows that the implementation at the local level started much later. Therefore, a number of LSGUs have started GRB implementation, but a considerable number do not yet implement GRB. Also, LSGUs do not have sufficient capacities for gender-responsive planning and budgeting. In addition, the way budgets are planned and LSG programme structure do not leave room for adequate presentation of gender-responsive goals and indicators. There are examples of LSGs allocating funds for advancing gender equality, but these activities are not visible enough in the budget structure. As GRB is a permanent obligation deriving from the BSL, as well as that gender mainstreaming is defined in the Gender Equality Law and BSL, it would be necessary to consider introducing programme activities at the level of each budget programme in the LSGU budget structure. Additionally, forms and instructions need to be standardised, and GRB allocations made

visible in the software used by LSGUs, to enable simple consolidation and reporting at the level of a single, and then all LSGUs. This would also increase oversight over compliance with GRB obligations, by having available data.

Oversight over the implementation at LSGU level needs to be enhanced, and necessary steps taken to build all the required capacities for gender-responsive planning and budgeting and provide the necessary gender statistics and records. The Gender Equality Law supports this direction.

Numerous trainings have been held as support to budget users in GRB implementation at LSGU level. SCATM has been providing continuous support, and various handbooks and guidelines have been developed. In addition to SCATM, support has also been provided by UN Women, which has developed an online platform with free training and tools.

## 6. VISION

Vision achieved by this Strategy is a gender-equal Republic of Serbia, where women and men, girls and boys, as well as persons of different gender identities, are equal, have equal rights and opportunities for personal development, provide equal contribution to the sustainable development of the society, enjoy equal benefits of societal development, participate equally in decision-making on societal development and accept equal responsibility for the future.

## 7. STRATEGIC GOALS AND MESURES FOR THEIR ACHIEVEMENT

7.1. Aim: Overcome the gender gap and achieve gender equality as a prerequisite for societal development and improved daily lives of women and men, girls and boys.

Outcome indicator	Unit of measure	Baseline	Target	Source of verification
Gender Equality Index	GEI value	2021: 58	2030: 80	SORS: Gender Equality Index

Strategic objectives are in line with the objectives and measures covered in other national strategic documents, primarily in judiciary and human rights promotion, as well as other areas covered by this strategic document.

The Strategy is also based on the 2030 Agenda for Sustainable Development, it is in compliance with this Agenda and the EU accession process, and the objectives set in this Strategy correspond to SDG goals and targets, and are in line with CEDAW Committee recommendations. In addition to SDG 5, which is entirely about gender equality as a factor of development, there are also: SDG 1 (No poverty), Targets 1.b and 1.4; SDG 2 (Zero hunger), Targets 2.3, 2.4 and 2.a, SDG 3 (Good health and well-being), Targets 3.4, 3.7, 3.8 and 3.a, SDG 4 (Quality education), Targets 4.1, 4.2, 4.3, 4.4, 4.5, 4.6 and 4.a, SDG 6 (Clean water and sanitation), Targets 6.1, 6.2 and 6.4, SDG 7 (Affordable and clean energy), Targets 7.1 and 7.2, SDG 8 (Decent work and economic growth), Targets 8.8 and 8.b, SDG 9 (Industry, innovation and infrastructure), Target 9.5, SDG 10 (Reduced inequalities), Targets 10.2, 10.3, 10.4 and 10.7, SDG 11 (Sustainable cities and communities), Targets 11.1 and 11.7, SDG 12 (Responsible consumption and production),

Targets 12.8, 12.a and 12.b, SDG 13 (Climate action), Targets 113.2, 13.3 and 13.a, SDG 15 (Life on land), target 15.9 and SDG 16 (Peace, justice and strong institutions), Targets 16.1, 16.3, 16.6, 16.7, 16.9, 16.10, 16.a and 16.b. One of the major criticisms in the evaluation of the previous strategy was that it did not deal with development issues but was focused on sectoral strategies and that this approach should change.

Their interdependence has been reviewed, so the implementation and fulfilment of the objectives and measures herein is also connected with the fulfilment of other reform objectives defined in valid public policy documents related to EU accession, development and gender equality and human rights promotion in the Republic of Serbia.

Monitoring the achievement of the aim shall be done by monitoring and evaluating the performance and effects of the first AP for the period 2021-2023, which is an integral part of this Strategy, as well as all subsequent APs, and also through reporting on results achieved.

The effects of the implementation of public policy in the area of gender equality shall be measured based on data available on the rights and the situation of women in different spheres of life and work, based on the reports of international bodies monitoring the situation in the areas of gender equality and women's human rights, as well as based on the fulfilment of indicators at the level of measures and activities defined in all APs, which will regulate the implementation of this Strategy.

Official information and data provided by institutions, academia, and other publicly available information and data from human rights CSOs, especially women's human rights, will be used as sources of verification for achieved results and effects of the implementation of measures within this document.

To achieve the Aim, three alternative options have been taken into consideration from the perspective of the capacities of the government and other stakeholders involved, as established by the situation and problem assessment in the area of gender equality in the Republic of Serbia, as well as by establishing the reasons that led to the development of the Strategy.

#### Options under consideration:

1. STATUS QUO – Aim is achieved in the measure and scope appropriate to the existing situation with regards to the implementation of international norms and the national legislative framework for gender equality, through the implementation of provisions of ratified international documents, generally accepted international law rules, as well as the practices of international bodies monitoring the implementation of international documents and domestic legislation.

2. OPTION 1 – Adopt new and amend existing laws and regulations in the areas covered by the Strategy, to enable improvements and harmonisation of many substantial and procedural legal provisions, which would contribute to advancing the situation of women in the Republic of Serbia.

All amendments to existing as well as adoption of new legal and strategic documents in areas covered by this strategy, relating to gender equality, and used to affect the rights and the position of women in the Republic of Serbia, must be harmonised with international standards and regulations (Beijing Declaration and CEDAW). This option must also include budget allocations at all levels of government, for the implementation of measures and activities defined in this strategy and APs, as well as the amounts of potential donor funds.

This option includes improving the situation and addressing the problems gradually and partially, by allocating sufficient budget resources, and through joint action of responsible

institutions and the civil sector on achieving the Aim and Objectives of this Strategy. As this Strategy is adopted for the period 2021-2030, Option 1 covers the analysis of the effects for the first period of five years of Strategy implementation.

3. **OPTION 2** – Comprehensive achievement of the Aim of this Strategy is reflected in the full achievement of the criteria within the AP for Chapter 23 – Judiciary and fundamental rights and Chapter 19 – Social policy and employment, harmonisation of policies with EU standards, ratified international agreements in relevant areas and generally accepted rules of international law, as well as conclusions and recommendations received by the Republic of Serbia from the relevant bodies: conclusions in the EC Serbia Progress Report (2018-2020), conclusions of the European Committee for Social Rights regarding the implementation of the European Social Charter, Concluding Observations of the CEDAW Committee on the fourth periodic report of Serbia, recommendations of the GREVIO group of experts on legislative and other measures for implementing the provisions of the Council of Europe Convention on preventing and combating violence against women and domestic violence in Serbia, Gender Equality Index and SDG monitoring reports, especially of SDG 5.

This option covers a broader and more coordinated scope compared to option 1.

Option 2 covers gradual and partial achievement of the Aim and complete achievement of more than one-half of Strategy Objectives, continuity in achieving them and consistency of results, throughout the entire period of Strategy implementation, which represents a realistic and possible option for a ten-year period of implementation, with APs.

A Multi-Criteria Analysis (MCA)<sup>891</sup> was used to compare options, using the following criteria:

- a) Effectiveness – the extent to which the Aim is achieved;
- b) Consistency – the extent to which policies covering overall area of gender equality are consistent with one another, or which option achieves the highest level of harmonisation of policies at the national level, as well as the level of harmonisation with international standards in this area;
- c) Implementation costs – what are the costs to implement the option;
- d) Sustainability – what are the prospects that the chosen mode will result in sustainable progress;
- e) Coordination level – efficiency of oversight over implementation, or which option ensures the best mechanism to monitor the implementation of this strategic document.

The analysis uses the model awarding each option on each criterion a score between 1 and 5 (5 being the highest). Also, decisive criteria have been determined, so in this respect, effectiveness, sustainability, allocated costs for the implementation of measures, coordination level, as well as consistency, were determined as the most important criteria for the evaluation of the option. Weight was defined in the total value of ten, and the final ranking is obtained by multiplying the score for each option with the weight amount.

Criteria/Options	Weight	Status quo	Option 1	Option 2
Effectiveness	3	x1	x3	X4

<sup>891</sup> Strategy of Regulatory Reform and Improvement of the Public Policy Management System for the Period 2016-2020 (Official Gazette RS, No. 8/16).

Consistency	2	X1	X3	x4
Costs	2	X2	x3	X4
Sustainability	2	X2	x4	X4
Coordination level	1	x3	X4	X5
Result	10	16	33	41

By analysing the options, it was concluded that only through a comprehensive approach to achieving the government's undertaken national commitments in this area can the highest level of achievement of the Aim be attained, taking into consideration public policy consistency, comprehensiveness and sustainability of effects, as well as the level of coordination in implementing reforms and monitoring progress in the area of gender equality.

## 7.2. Objectives and measures for their achievement

Objective 1: Reduced gender gap in economy, science and education, as a prerequisite and incentive for socio-economic development

This objective will contribute to reduce the gender gap in the economy, by increasing chances and opportunities for sustainable employment and self-employment, strengthening women's entrepreneurial activities and participation in innovative activities, reducing the pay gap in the labour market, recognising, valuating and redistributing unpaid work, increasing women's participation in circular, green and digital economy, as well as including knowledge and scientific potential and social responsibility towards the preservation and promotion of the environment and natural development resources.

Outcome indicator	Unit of measure	Baseline	Target	Sources of verification
Gender Equality Index in the domain of work (participation, segregation and quality of work)	Index value	2021: 68.2 (77, 62.5),	2030: 71.4 (80.9, 62.9);	SORS: GEI 2021
Gender Equality Index in the domain of money (financial resources and economic situation)		2021. 59,760.2 (47.7, 74.8)	2030: 81.6 (75.5, 88.1)	

Pay gap between men and women	%	2018: 9,6 %	2030: 5%	Structure of earnings survey, SORS
Gender Equality Index in the domain of knowledge (educational achievement and participation, segregation)	Index value	2021: 57.3 (61.1; 53.7)	2030: 60	SORS, GEI

Measure 1.1: Support to innovative programmes and services for the activation of women in the labour market, and increased employability and employment, followed by job creation for women with special difficulties in accessing sustainable employment and self-employment

Description and effects: This measure should result in increased activation of women in the labour market, in particular women who have special difficulties in accessing employment and self-employment due to discrimination, place of residence, health status, circumstances of life or other reasons, such as young women, especially in the NEET (Not in Education, Employment, or Training) group, women of all age groups, living in rural areas, engaged in informal economy, Roma women, women and girls with disabilities, women over 55 years of age, single mothers, women survivors of gender-based violence or victims of trafficking in human beings. Activation in the labour market needs to particularly include the LGBT community and transgender women and men, who are, due to discrimination, often forced to find employment in the informal economy. Having in mind difficulties in finding employment for women over 45 years of age, this measure will also focus on them.

This measure is particularly aiming to support the creation of sustainable programmes and services at the national, provincial and local levels, which will contribute to increased activation and employability or self-employability of this group of women. This measure has several activity clusters, including the following: support to designing, piloting and implementing innovative activation programmes, support to cooperatives and social cooperatives and social entrepreneurship, support to women's associations implementing activities in the area of women's economic empowerment or providing services assisting women with labour market access, support to programmes and services which are jointly implemented by employers, national, provincial and local institutions, in partnerships with CSOs, cooperatives and social enterprises and the academic community, support to the development of educational programmes for improving knowledge and skills, increasing employability, and especially in the domain of digital skills, financial literacy, and jobs in the domain of green and circular economy.

Responsible institution: Ministry of Labour, Employment, Veteran and Social Affairs.

Participating institutions: SIPRU, Ministry of Economy, Ministry of Rural Welfare, Ministry of Trade, Tourism and Telecommunications, Ministry of Agriculture, Forestry and Water Management, Provincial Secretariat for Economy and Tourism, Provincial Secretariat for Agriculture, Water Management and Forestry, LSGUs, CSOs, cooperatives, academia, employers' associations.

Indicators of the results of Measure 1.1	Sources of verification
1.1.1: Activity rate of women in the target group who have participated in the programmes	Reports on the effects of programmes, data from the National Employment Service
1.1.2: Employment rate of women in the target group who have participated in the programmes	Reports on the effects of programmes, data from the National Employment Service



1.1.3: Unemployment rate of women in the target group who have participated in the programmes	Reports on the effects of programmes, data from the National Employment Service
1.1.4: Number of created jobs as the results of support to cooperatives and social enterprises	MoLEVSA reports, reports of cooperatives on new jobs created, reports of the Ministry of Rural Welfare, Ministry of Economy and Provincial Secretariat for Economy and Tourism and Provincial Secretariat for Agriculture, Water Management and Forestry, budget performance reports at the national and provincial levels
1.1.5: Number of programmes and services created as support to women's activation at the labour market, by target groups, age groups, territory and level of implementation	Reports of the National Employment Service, reports and insights into relevant ministries' and provincial secretariats' programmes, budget performance report

Measure 1.2. Recognise, value and redistribute unpaid domestic work and increase available time for paid work, personal development and free time.

Description and effects: This measure aims to result in reducing unpaid domestic work and increasing available time for paid work and personal and free time of women and men by recognition, valuation and redistribution. The measure includes several groups of activities, such as: continuous research and measuring and recording unpaid work, and the analysis of the effects of unpaid work on the quality of daily lives of women and men, valuation of unpaid work through various fiscal and tax measures, educational programmes and campaigns on equal distribution of unpaid domestic work and care for children and older family members, development of care services for older household members, development of services of support for the persons providing care to household members who are persons with disabilities, development of child care services that meet the parents' needs, especially the needs of single parents, development of support services for children and families, increased access to care services for older people and children in rural areas, support to innovative services providing support to mothers and fathers with regards to the reconciliation of unpaid work and their activities on the labour market, identifying good practice examples, and support to scale up these good practices. This measure includes also amendments to the framework for standardising and accrediting community services, to identify more complex, flexible measures, covering several sectors at once, as well as where continuous adjustments are required (for example services that contain elements of support to education, care for children and older persons, health prevention services, home assistance, etc.). This is particularly important for smaller communities where there are few beneficiaries, but the needs are great, as well as for the area of support to unpaid work where only some services have been developed for now. Further, this measure includes working with employers to encourage programmes helping to reconcile work and parenting and private life.

Responsible institution: Ministry of Labour, Employment, Veteran and Social Affairs.

Participating institutions: Ministry of Economy, Ministry of Rural Welfare, Ministry of Family Welfare and Demography, Ministry of Health, Ministry of Public Administration and Local Self-Government, SIPRU, Statistical Office of the Republic of Serbia, associations of employers, chambers of commerce, LSGUs, provincial secretariats, CSOs, academia, etc.

Indicators of the results of Measure 1.2	Sources of verification
1.2.1: Number of available services of care for older persons, ill persons, and children, by municipality, number of beneficiaries per	MoLEVSA reports on services, reports of local self-governments on service availability, independent analyses of service availability

population size and burden, type of service provider	SIPRU report: Mapping social protection and financial support services within LSGU competences in the Republic of Serbia
1.2.2: Number of available programmes helping reconcile work and parenting by employers	MoLEVSA reports on services, LSGU reports on service availability, citizen satisfaction surveys, reports by employers' associations, information in submitted plans for advancing gender equality and Gender Equality Law
1.2.3: Number of hours and changes in time use towards a reduction of hours of unpaid work	Time Use Survey, SORS Implement survey once in 3 years, which would mean 3 surveys during the period of Strategy implementation
1.2.4: Number of laws and by-laws and mechanisms for appropriate institutional framework for the standardisation and accreditation of integrated services	Insight into contents of laws and by-laws, analysis of frameworks for standardisation and accreditation of services, MoLEVSA reports, LSGU reports on existing integrated services and their functioning
1.2.5: Number of public information campaigns on equal time use	Reports on the effects of public campaigns, insight into print, video, audio, digital materials, public opinion polls, time use surveys
1.2.6: Number of laws and by-laws and mechanisms for the valuation of unpaid work	Insight into the contents of laws and by-laws, analyse contents

**Measure 1.3 Reduce the pay gap between women and men in the labour market in all sectors and increase women's participation in highly paid jobs**

**Description and effects:** This measure aims to contribute to reducing the pay gap between women and men, until it is completely eliminated. This measure includes amendments to relevant legislation, research and analysis on the causes of pay gap by economy sectors and types of occupation, and recommendations to reduce the pay gap, work with employers in the public and private sectors, information and education campaigns and awareness-raising activities about this issue among employers and employees and activities to identify good practice examples. This measure also includes an evaluation of different jobs, in particular jobs in the so-called social infrastructure (health, education, science, culture, and arts; care for children, older persons, ill persons, persons with disabilities, etc.) and their re-evaluation in line with the importance of these jobs for the society. This measure will also be directed at removing the barriers that women encounter in advancing their careers in various sectors, especially in the most profitable sectors of the economy where they are underrepresented, such as the ICT, financial sector, energy, etc. This measure also includes a gender analysis of the pension and tax systems, and the implementation of recommendations and improvement of these systems from the gender perspective in a way to help reduce the gender pay gap.

**Responsible institution:** Ministry of Labour, Employment, Veteran and Social Affairs.

**Participating institutions:** Ministry of Finance, Ministry of Economy, Tax Administration, Employers' Association, Trade Unions, Fund for Pension and Disability Insurance (PIO Fund).

Indicators of the results of Measure 1.3	Sources of verification
1.3.1: Average pay gap between men and women by sectors	MoLEVSA reports, independent studies and analyses by institutes, organisations, academia, SORS statistical data, GEI
1.3.2: Amended laws and by-laws and programmes, and improved system to help reduce the gender pay gap	Insight into the content of laws and by-laws, reports by stakeholders implementing the measure, proposals and contents of the programme of the Ministry of Finance, Ministry of the Economy Ex-post analysis of the amendments

1.3.3: Amended laws and by-laws and programmes and pension system improved helping to reduce the gender pay gap	Insight into the content of laws and by-laws, reports by stakeholders implementing the measure, proposals and contents of the MoLEVSA and PIO Fund programmes Ex-post analysis of the amendments
1.3.4: Adopted acts improving the institutional framework and creating mechanisms to achieve gender equality in wages	Insight into the content of laws and by-laws, reports by stakeholders implementing the measure
1.3.5: Share of women in highest wages	Data on wages

Measure 1.4. Establish support systems for start-up, development and growth of businesses the majority share of which is owned by women and increase the profitability of women's entrepreneurial activities.

Description and effects: This measure aims to reduce the gender gap in entrepreneurship, increase the participation of women in entrepreneurship resulting from market opportunities, facilitate their leaving the informal economy, increase access to information, knowledge, capital, financial and non-financial support resources, increase income, profitability, sustainability and rate of survival of businesses owned by women.

The goal of this measure is to create a continuous support system, recognising stages in business development (start-up, development, and growth), and following the needs of each stage, provide appropriate support in continuity, identify areas in which businesses owned by women are clustered and support their sustainable development and growth; identify areas of the economy in which there are fewer women, but they have good perspectives, and assists in increasing participation of women in these areas (for example: green and circular economy, renewable energy sources, digital and knowledge economy, etc.); recognise the gender aspects of the entrepreneurial activity and propose ways to balance entrepreneurial activity with family and private life. This measure also includes an analysis of the laws forming entrepreneurial business operations, especially when it comes to entrepreneurs paying flat-rate taxes and the way they can access the right to maternity and parental leave and/or allowance, rights to insurance in case of unemployment, etc.

This measure has several activity clusters, including: improve gender statistics in the area of business statistics and registries on companies, loans and financial products, as well as record-keeping on women's participation in measures of support to the economy, regular monitoring and analysis of business operations by sex of owner, sector, region, etc. at annual level; create educational programmes and campaigns aiming to bring entrepreneurship closer to women, as a way to generate revenue, increase access to information and knowledge important for business development, programmes contributing to increased participation of women in public procurement and supply chains, access to start-up programmes of support to business development and growth, targeting women in particular, access to financial support programmes for business development and growth, in a percentage higher than share in entrepreneurship, innovative and other financial products responding to the needs of entrepreneurs in different sectors of the economy, business infrastructure development programmes, targeting women in particular, such as, for example, business incubators and other similar support systems, as well as support to women's organisations and other CSO programmes targeting women's entrepreneurial activities in particular.

Responsible institution: Ministry of Economy and Serbian Chamber of Commerce.

Participating institutions: Ministry of Labour, Employment, Veteran and Social Affairs; Ministry of Public Administration and Local Self-Government, Provincial Secretariat for

Economy and Tourism, Development Agency of Serbia (RAS), Serbian Business Registers Agency (APR), chambers of commerce and employers' associations.

Indicators of the results of Measure 1.4	Sources of verification
1.4.1: Women's participation in entrepreneurship	Reports by the Ministry of Economy, Serbian Chamber of Commerce, SORS statistical data, APR databases
1.4.2: Survival rate for newly established businesses with women as majority owners, by sectors	Reports by the Ministry of Economy, Serbian Chamber of Commerce, SORS statistical data, APR databases
1.4.3: Growth rate for newly established businesses with women as majority owners, by sectors	Reports by the Ministry of Economy, Serbian Chamber of Commerce, SORS statistical data, APR databases
1.4.4: Profitability rate for newly established businesses with women as majority owners, by sectors	Reports by the Ministry of Economy, Serbian Chamber of Commerce, SORS statistical data, APR databases
1.4.5: Number and type of support programmes established for support to women's entrepreneurship	Insight into the content of programmes established by stakeholders relevant for measure implementation
1.4.6: Percentage of budget funds allocated for support to women's entrepreneurship	Insight into budget plans and consumption reports
1.4.7: Percentage of women's participation in digital, circular, and green economy sectors <sup>892</sup>	Reports and analyses of stakeholders in charge of measure implementation, analyses of the Coordination Body for Gender Equality, independent assessments and reports by institutes, CSOs
1.4.8.: Share of businesses owned by women in fastest-growing industries <sup>893</sup>	Reports by the Ministry of Economy, Serbian Chamber of Commerce, SORS statistical data, APR databases

Measure 1.5. Establish support systems to encourage women's participation in social and technological innovations and increase the benefits of innovation activity

Description and effects: This measure aims to reduce the gender gap in participation and profits arising from innovation activity. This measure includes a cluster of various activities, including: develop institutional framework to include women and girls in the areas of research and development, increase women's participation in the programmes of support to innovation, increase access to information, knowledge, capital, resources for support to innovation, encourage, identify and promote social innovators, promote and support social and technological innovation and investment in innovation also in the sectors in which there is a higher share of women in companies the majority share of which is owned by women and in the labour market. Further, this measure includes encouraging women and girls to participate in innovation activity connected with digital, circular and green economy, through research teams, as experts, or entrepreneurs, in these areas. This measure also entails increased participation of women in intellectual property and patent protection, enhanced knowledge and information on intellectual property protection and innovation activity. In addition, this measure encourages particularly involving women and girls in science and technology parks, innovation incubators and similar centres, as well as forming and supporting existing multidisciplinary networks of women innovators and scientists, providing them with support in these activities. Additionally, this measure is also directed at establishing continuous funding for development, piloting and scaling-up innovative solutions and innovation products. This measure also includes an increase in gender competencies in the science and

<sup>892</sup> Baseline and indicator, and detailed calculation method will be further developed in the first AP.

<sup>893</sup> Sectors growing at higher rates than average (number of businesses engaged in the activity, number of employees, profitability rate).

technology sector, and gender mainstreaming in all strategic documents related to innovation activity.

Responsible institution: Ministry of Education, Science and Technological Development.

Participating institutions: Ministry of Economy, Innovation Fund, business incubators and technology parks, SIPRU, Intellectual Property Office of the Republic of Serbia, chambers of commerce, employers' associations, RAS, and the network of development agencies.

Indicators of the results of Measure 1.5	Sources of verification
1.5.1: Number of legal and strategic documents for social innovation development	Insight into the content of legal and strategic documents, analysis of gender mainstreaming in legal and strategic documents for social innovation development
1.5.2: Degree of gender mainstreaming in the innovation activity area	Insight into the content of legal and strategic documents, analysis of gender mainstreaming in legal and strategic documents for social innovation development, Women and Men in Serbia
1.5.3: Number of training programmes for strengthening gender competencies of the national innovation system (organisations, institutions and their interlinkages to generate, diffuse and apply scientific knowledge in the Republic of Serbia) at all levels	Reports on training effects, independent assessments and analysis of the national innovation system capacities
1.5.4: Percentage of women in intellectual property and patent protection, by type of protection	Reports and data of the Intellectual Property Office of Serbia
1.5.5: Percentage of women in innovation activity at all levels, who have access to budget support	Insight in budget planning and reports, independent analyses and studies, Innovation Fund reports
1.5.6. Number and type of programmes of support to social and technological innovations specifically targeting women	Support programmes

Measure 1.6. Gender mainstreaming in public policies and legislation on preschool and primary school education, strengthening the capacities of all relevant stakeholders and institutions and raising awareness on the importance of achieving gender equality.

Description and effects: The main aim of this measure is to contribute to reducing the gender gap in education by gender mainstreaming in preschool and primary school education. Gender mainstreaming is a process that needs to be implemented continuously by improving public policies and legal frameworks, strengthening the capacities of all relevant stakeholders and institutions and raising the level of awareness on the importance of achieving the gender equality principle. This measure is very broad and complex and will be implemented through several clusters of activities. First, this measure entails introducing mandatory gender-sensitive and anti-discriminatory educational programmes and teaching contents in preschool and primary school education, including new learning and teaching outcomes and programmes for primary schools with content promoting gender equality and increasing the visibility of the contribution of women in science and culture. The measure also includes reviewing teaching contents and textbooks to eliminate gender stereotypes, discriminatory content and discriminatory language, as well as to correct this content by introducing gender-sensitive language in all teaching materials. In addition, the measure includes introducing age-appropriate education on sexual and reproductive health and rights. Also, this measure entails the establishment of a regulatory framework for improving the competencies of professionals in education, by introducing compulsory gender equality educational programmes and including contents on gender equality and discrimination in the

licensing examination for preschools, schools/teaching, that is, implementing educational programmes. Also, in order to realise this measure, regulations in the area of preschool and primary school education need to be improved, as well as competencies of all relevant stakeholders and institutions in preschool and primary school education strengthened. It is necessary to change the stereotypes and discriminatory content in teaching plans, programmes and textbooks, and introduce new gender-sensitive and non-discriminatory content. Also, numerous activities are necessary to overcome gender stereotypes and prejudice, stereotypical understanding of gender roles, changes in existing social behavioural concepts, as well as to sensitise all stakeholders and institutions in preschool and primary school education. Special attention should be paid to girls and boys from vulnerable groups (with disabilities, from the Roma community, from rural and deprived areas, poor), both in teaching plans, programmes and textbooks, and in raising the level of awareness, in cooperation with CSOs and other stakeholders working on the protection of rights of certain groups under increased risk from discrimination. In addition, it is necessary to improve inclusive education and ensure that Roma girls and girls with disabilities have equal chances in education.

Responsible institution: Ministry of Education, Science and Technological Development, Institute for the Improvement of the Quality of Education.

Participating institutions: school administrations, autonomous province and LSGU authorities, preschool institutions, primary schools, SCATM.

Indicators of the results of Measure 1.6	Sources of verification
1.6.1: Number of reviewed teaching and learning programmes and textbooks and removed gender-based stereotypes, discriminatory contents, and discriminatory language	Gender analysis of teaching contents and textbooks, reports by the Institute for the Improvement of Education and the Ministry of Education, Science and Technological Development, reports by the Institute for Education Quality and Evaluation
1.6.2: Number of outcomes and teaching and learning programmes promoting gender equality and increasing the visibility of women's contribution at the level of preschool and primary school education	Gender analysis of outcomes and teaching and learning programmes of the Ministry of Education, Science and Technological Development, Institute for Education Quality and Evaluation and Institute for the Improvement of Education
1.6.3: Number of professional development programmes, for the development of competencies of educational professionals on sexual and reproductive health and rights in primary school education	Reports of the Ministry of Education, Science and Technological Development on the implementation of education programmes on sexual and reproductive health, at annual level
1.6.4: Number of by-laws for preschool and primary school education including improving gender equality competencies of employees in education	Insight into the content of by-laws
1.6.5: Number of professionals in pre-university education attending training in gender equality, disaggregated by sex, level of education, school administration/regions	Reports and evaluation of the effects of trainings, prepared by the implementers and the Institute for the Improvement of Education
1.6.6: Number of accredited training courses on gender equality	Insight into the content of the catalogue of accredited programmes for professional training of employees in education, at annual level; reports by the Institute for the Improvement of Education on implemented training courses at annual level
1.6.7: Number of adult women from vulnerable groups included in the programme of functional primary education of adults (FOOO)	Report by the Ministry of Education, Science and Technological Development

Measure 1.7. Gender mainstreaming in public policies and legislation on high-school education, strengthening the capacities of all relevant stakeholders and institutions, raising awareness on the importance of achieving gender equality and promoting inclusive gender-sensitive lifelong learning

Description and effects: The aim of this measure is to contribute to reducing the gender gap in education by introducing gender mainstreaming in high-school education. Gender mainstreaming is a process that needs to be implemented continuously by improving public policies and legal frameworks, strengthening the capacities of all relevant stakeholders and institutions and raising the level of awareness on the importance of achieving the gender equality principle. This measure is very broad and complex and will be implemented through several clusters of activities. Inter alia, this measure entails introducing mandatory gender-sensitive and anti-discriminatory educational programmes and teaching contents in high-school education, as well as creating new teaching and learning outcomes and programmes for high schools with content promoting gender equality and improving the visibility of women's contributions in science and culture. Also, this measure entails the establishment of a regulatory framework for improving the competencies of professionals in education, by introducing compulsory gender equality educational programmes and including contents on gender equality and discrimination in the licensing examination for school and teaching professionals. In addition, the measure includes reviewing teaching contents and textbooks for high schools to eliminate gender stereotypes, discriminatory content and discriminatory language, followed by changing them. The measure includes introducing education on sexual and reproductive health and rights, including the issues of gender relations, gender roles and responsible sexual behaviour, with special focus on developing programmes of work with boys and young men about their responsibility and role in the preservation of reproductive health and the use of contraception. Further, the measure includes a set of activities to reduce gender segregation in high school education, including also encouraging girls and boys to follow education for non-traditional occupations, which entails working with primary school students through professional orientation programmes. It is also necessary to work on strengthening the mechanisms for retaining Roma girls in the educational system, and provide equal access to high-school education to girls belonging to vulnerable groups. Also, the measure includes activities of support to young women who have dropped out of education, as well as young and child mothers, to continue schooling. In addition, a set of activities relates to adult education and lifelong learning.

To realise this measure, it is necessary to improve regulations in the area of high-school education and in parallel work on strengthening the competencies of all relevant stakeholders and institutions in high-school education. It is also necessary to change stereotypical and discriminatory content in teaching plans, programmes and textbooks and introduce new contents, which will be gender-sensitive and non-discriminatory. Also, numerous activities are necessary to overcome gender stereotypes and prejudice, stereotypical understanding of gender roles, changes in existing social behaviour patterns, and to sensitise all stakeholders and institutions in high-school education. Special focus should be on girls and boys belonging to vulnerable groups, both in teaching and learning programmes and textbooks, and in raising awareness in cooperation with CSOs and other stakeholders working on protecting the rights of individual groups that are at higher risk of discrimination. In addition, special focus should be placed on girls and young mothers who have dropped out of education, and work on raising their awareness and level of information about the opportunities to continue education, simultaneously creating special measures for them to continue education. Further, active and coordinated action of all relevant



stakeholders and institutions in high-school education is needed, in a joint effort to gender mainstream high school education. This, inter alia, includes also broad national campaigns for strengthening girls and boys to choose non-traditional “women’s” and “men’s” occupations, to reduce gender segregation in education.

Responsible institution: Ministry of Education, Science and Technological Development.

Participating institutions: school administrations, high schools, National Employment Service.

Indicators of the results of Measure 1.7.	Sources of verification
1.7.1: Number of teaching programme outcomes with contents promoting gender equality and increasing the visibility of women’s contribution in science and culture	Gender analysis of teaching and learning programme outcomes, reports of the Ministry of Education, Science and Technological Development and Institute for Education Quality and Evaluation
1.7.2: Number of reviewed high-school textbooks with the aim to eliminate gender stereotypes, discriminatory content and discriminatory language	Gender analysis of teaching contents and textbooks, reports by the Institute for the Improvement of Education, Ministry of Education, Science and Technological Development and reports by the Institute for Education Quality and Evaluation
1.7.3: Number mandatory contents on sexual and reproductive health and rights in high-school programmes	Reports of the Ministry of Education, Science and Technological Development on the implementation of education programmes on sexual and reproductive health in high schools, at annual level
1.7.4: Number of informed young women and young mothers, who have dropped out of education, on the opportunities to continue education	Reports and evaluations of effects; insight into informational material (print, video, audio, digital), feedback from young women (user satisfaction survey)
1.7.5: Share of girls and boys in educational profiles with under 40% participation	Reports by the Ministry of Education, Science and Technological Development, SORS statistical data
1.7.6: Coverage of girls and boys belonging to vulnerable groups (Roma men/women, girls/boys with disabilities with high school based on the principles of available inclusive education	Reports of the Ministry of Education, Science and Technological Development, MICS data

Measure 1.8. Gender mainstreaming in public policies and legislation on education and science, strengthening the capacities of all relevant stakeholders and institutions, raising the level of awareness of the importance of achieving gender equality and achieving equal opportunities for career advancement of employed women and men.

Description and effects: The aim of this measure is to contribute to reducing the gender gap in education by gender mainstreaming in higher education and science. Gender mainstreaming is a process that needs to be implemented continuously by improving public policies and legal frameworks, strengthening the capacities of all relevant stakeholders and institutions and raising the level of awareness on the importance of achieving the gender equality principle. This measure is very broad and complex and will be implemented through several clusters of activities. One set of activities relates to gender mainstreaming in regulations on higher education and science, and scientific research, including also regulations referring to standards for the accreditation of higher education institutions, as well as standards for self-evaluation and evaluation of the quality of higher education institutions. Also, this measure entails analyses that would identify gender insensitive, stereotypical and discriminatory content in syllabuses and university textbooks, and change them. This measure includes a set of activities that refers to improving and supporting gender studies as a source of knowledge on gender relations with the aim to develop a critical mass

of human potential in this area and ensuring professional development of human resources for the implementation and promotion of the equal opportunities policy, gender equality and elimination of gender-based discrimination. In addition, it includes activities to increase the visibility of gender studies and strengthen the influence of gender studies among the broader academia, encourage and support interdisciplinary academic study programmes, introducing new gender equality courses at universities. Also, this measure relates to encouraging and supporting studies in specialist, master and doctoral gender studies, especially among representatives of vulnerable groups, as well as increasing the number of these students funded from the Budget. Furthermore, the measure entails activities to encourage and financially support targeted scientific theoretical and empirical research and projects on gender equality, including support to research about the specificities of the situation of multiply discriminated groups of women.

To realise this measure, numerous activities need to be undertaken on amending regulations and strengthening the capacities of professionals in higher education and science. This, inter alia, entails making gender equality research high-priority topics of basic and focused research in social and humanistic sciences, introducing quotas for funding scientific research on gender equality, stipulating that the gender perspective in science and research projects and gender balance of research teams should be included in their evaluation criteria, and similar.

Responsible institution: Ministry of Education, Science and Technological Development.

Participating institutions: National Council for Higher Education, higher education institutions, Science Fund of the Republic of Serbia, scientific institutes.

Indicators of the results of Measure 1.8.	Sources of verification
1.8.1: Number of by-laws containing gender-sensitive standards and procedures for the accreditation of study programmes and higher education institutions	Insight in the by-laws for accreditation of study programmes and higher education institutions
1.8.2: Share of women and men, students, in higher school institutions in which they are less represented, disaggregated by region, university, level of higher education	Reports by universities, Ministry of Education, Science and Technological Development on enrolment; reports with data from higher education institutions at annual level
1.8.3: Number of students on gender studies funded from the Budget	Reports by the Ministry of Education, Science and Technological Development on enrolment
1.8.4: Number of studies and analyses identifying and correcting gender stereotypes and discriminatory contents in syllabuses and university textbooks	Overview of studies and analyses at annual level
1.8.5: Number of scientific and research projects on gender equality	Reports by scientific institutes, higher education institutions, National Higher Education Council

Objective 2. Ensured equal opportunities to achieve and protect human rights as a prerequisite for development and safe society.

The achievement of this objective will create normative and social prerequisites for equal fulfilment and protection of basic human rights, especially human security, gender-based discrimination, gender-based violence, domestic violence, equality of women and men in the political life and in decision-making on public tasks as a precondition for the development of a safe society with ensured rule of law, equal access to justice for women and men, and particularly vulnerable groups, in line with international standards, effective rights-protection instruments and efficient rights protection, in line with the rule of law principle and inalienable human rights, which is the basis of the constitutional order of the Republic of Serbia (Article 3 of the Constitution).

Outcome indicator	Unit of measure	Baseline	Target	Sources of verification
Gender equality index in the domain of power.	Index value	2021: 37.3	2030: 40	SORS: Gender Equality Index
Ensured rule of law through unimpeded implementation of anti-discriminatory laws and policies for the achievement of sustainable development and access to justice for all	Partial/full implementation	2020: Partial implementation	2030: Full implementation	Reports by international human rights bodies, reports by competent ministries and independent mechanisms and bodies, analyses and research
% of citizens discriminated against because of a personal characteristic and % of citizens who do not trust independent institutions	%	2020: 25%; 34%	2030: 20%; 30%	Reports by international human rights bodies, reports by competent ministries and independent mechanisms and bodies, analyses and research
Share of women in the security system (MoD and SAF, MoI)	%	2020: 22,94% MoD and SAF; 26% MoI	2030: 50% (in MoD and SAF, and in MoI)	Reports by the Ministry of Defence and Serbian Armed Forces on the implementation of NAP 1325, independent reports on the implementation of NAP 1325
Gender Equality Index for the satellite domain of violence	Index value	2018. A little over one-fifth of women at 15 years of age have experienced physical and/or sexual violence by partners or other persons.	2030: GEI value for the satellite domain violence; 20% reduction in the rate of all forms of violence against women by the time they turn 15, especially physical and/or sexual violence, by partners or other persons and domestic violence	Gender Equality Index for the Republic of Serbia

Measure 2.1. Establish institutional assumptions and normative guarantees for rule of law, equal opportunities for access to justice and ensuring efficient and effective human rights protection and gender equality

**Description.** The measure focuses on establishing and improving institutional, normative and strategic framework, and practice, in line with international EU, UN, CoE standards, as preconditions for the rule of law, improved access to justice, ensuring efficient and effective rights protection and capacity enhancement of stakeholders participating in human rights protection. The measure includes adoption, and/or amendments to regulations regulating the independence of the judiciary, prosecution offices, free legal aid, and the criteria for accessing it, the circle of beneficiaries thereof, especially persons belonging to vulnerable and multiply discriminated groups, free legal aid providers, as well as the harmonisation of acts on internal organisation of institutions with competencies related to rights protection, which are the basic conditions for citizens to access justice, fair trial and fulfil and protect their rights in full capacity and without any gender-based discrimination. In addition, the measure relates also to establishing equal opportunities for access to justice and removing obstacles, such as the availability of rights protection instruments, physical accessibility, high costs of court proceedings, lack of information of citizens on human rights and rights protection, etc. which make access to justice difficult for citizens, in particular vulnerable groups, and contribute to fulfilling the rights to access to justice and efficient rights protection.

The measure includes also raising the capacities of institutions, continued improvement of knowledge and competencies of stakeholders responsible for the fulfilment and protection of human rights and gender equality, the rights of vulnerable groups in particular, through various forms of systematic education on gender equality, international standards in this area, gender stereotypes and prejudice, as well as continuous information-sharing with citizens about their rights and rights protection and rule of law promotion.

The aim of this measure is to establish normative and institutional assumptions, as well as guarantees ensuring the rule of law, remove obstacles in access to justice and ensure efficient human rights protection, without gender-based discrimination, and in line with international standards. This measure also includes capacity strengthening, raising the level of knowledge about gender equality, gender stereotypes and prejudice and achieving competencies of all stakeholders, who, within their competences, work on promoting gender equality and protecting rights, including also all gender equality-related rights, as well as promoting the rule of law and informing the broadest public, citizens, vulnerable groups in particular, about the importance of the rule of law and gender equality for societal development and their everyday lives.

The effects of this measure will be reflected in establishing systemic guarantees, which are assumptions for the rule of law in line with international standards, and will include the division of power, independence of courts, prosecution offices, accessible and effective rights protection instruments and efficient rights protection, as well as strengthening the capacities and raising the knowledge and competencies not only of institutions in charge of human rights protection and gender equality, but also the broadest public, citizens, in particular vulnerable groups, by informing them about the importance of the rule of law and gender equality for societal development and their everyday lives.

The measure needs to be implemented continuously throughout the period of the Strategy.  
Responsible institution: Ministry of Justice.

Participating institutions: Coordination Body for Gender Equality, Ministry of Human and Minority Rights and Social Dialogue, High Judiciary Council, State Prosecutorial Council, Judicial Academy, Bar Association of Serbia.

2.1.1: The number of adopted or amended regulations on the independence of courts, prosecution offices, free legal aid, available and effective instruments for efficient rights protection in line with international EU, UN, CoE standards	Insight into adopted or amended regulations and their compliance with international standards (EU, UN, CoE)
2.1.2: Number of free legal aid service beneficiaries, disaggregated by sex, and grounds for applying for the service, at annual level	Insight into law and by-law amendments, reports by free legal aid providers, disaggregated by sex, territory, workload and Ministry of Justice reports
2.1.3: Number of free legal aid service providers, disaggregated by number and type of assistance, and territorial distribution	Registry of free legal aid and free legal support providers, reports by the Ministry of Justice at annual level, insight into laws and by-laws
2.1.4: Number of acts ensuring access to justice and fair trial and improving the efficiency of institutions in the protection of rights, in line with international standards and regulations	Insight into harmonised acts on the organisation of institutions; compiled analyses, studies and evaluations by institutes, CSOs, CBGE, and Ministry of Human and Minority Rights and Social Dialogue
2.1.5: Number of acts ensuring standards and rights to access to justice and fair trial, access courts and prosecution offices, especially for persons belonging to multiply discriminated groups, to ensure effective and efficient rights protection	Insight into by-laws and public policies; reports by the Ministry of Justice on ensuring availability standards of courts and prosecution offices; independent reports, studies and evaluations by institutes, CSOs; reports by the High Judicial Council and State Prosecutorial Council
2.1.6: Number of trained professionals in the judiciary and legal practice on the topics of fulfilment and protection of human rights, anti-discriminatory legislation and gender equality, especially the rights of vulnerable groups, disaggregated by sex, territorial distribution, type of institution	Reports and evaluations of the effects of various types of trainings on the topics of fulfilment and protection of human rights and gender equality; reports by the Judicial Academy and Bar Association of Serbia on training conducted
2.1.7: Percentage of trained men and women professionals with improved knowledge and skills on human rights protection, vulnerable groups in particular, anti-discrimination legislation and gender equality	Reports and evaluations of the effects of various types of training on the topics of fulfilment and protection of human rights and gender equality, pre- and post-questionnaires
2.1.8: Number of public information campaigns on the fulfilment and protection of human rights and gender equality and protection from discrimination	Evaluation of the effects of public campaigns, informational materials (print, audio, video, digital), coverage and influence of campaigns on the broader public, results of public opinion polls, media reports

Measure 2.2. Improved security of women in peace, conflict and post-conflict recovery, crises and emergencies, through integrated implementation of UNSCR 1325 – Women, Peace and Security.

Description: The measure focuses on improving the institutional and normative framework ensuring increased representation, involvement and decision-making of women in all processes related to the preservation of peace and security, developing prevention mechanisms to increase the safety of women in peace, conflict and post-conflict recovery of the society, crises and emergencies, accessible and effective protection of women as well as improved system of support to the recovery of women who have experienced some form of threat to their safety, pursuant to the Gender Equality Law (Article 39), CEDAW, UNSCR 1325, as well as relevant EU documents in this area (EU GAP III 2021-2025 and EU AP on Women, Peace and Security 2019-2024). This measure includes impact assessment of the second NAP 1325 (2017-2020), and services provided to women and girls, victims of conflict-, crisis- and emergency-related violence, as well as the development and adoption of new strategic documents in the area of security (new NAP 1325), having in mind UNSCR 1325 (2000) on women, peace and security and subsequent related resolutions, CEDAW Committee General Recommendation No. 30 on women in conflicts, conflict

prevention and post-conflict situations, as well as CEDAW Committee Concluding Observations on the fourth periodic report of Serbia. The measure also includes harmonising acts in the area of security with commitments resulting from the implementation of the Gender Equality Law (Section 5. Gender equality in defence and security, Article 39).

The aim of the measure is to ensure equal participation of women in all areas related to peace and safety and all activities related to conflict prevention and resolution in post-conflict public life, crises and emergencies, achieving full security of women and girls in the public and private sphere, by eliminating all forms of violence, including trafficking in human beings, sexual and other forms of exploitation, especially in times of crises and emergencies.

The effects of this measure will be reflected in allocating sufficient funds for the implementation of the gender equality policy in defence and security; establishing mechanisms for efficient implementation, monitoring and impact assessment of NAP1325, both at the national and the local level; active involvement of the civil society, including women affected by conflict and organisations working with survivors, in the NAP 1325 implementation, monitoring and impact assessment, as well as in the development of any strategic document, peace negotiations, post-conflict rehabilitation and reconstruction; in increased representation and promotion of women in peace talks and negotiations, including at the highest levels; in data collection on women's participation in NAP 1325 implementation at the legislative, executive and judicial levels; in ensuring needs assessments and efficient access to legal, health and psychosocial services for all women and girls victims of conflict-related violence, including women and girls from rural areas and women and girls from other socially vulnerable groups; in undertaking measures for the protection of internally displaced women and girls from forced resettlement and violence; and through improved standardised data collection on violence against women and girls connected to conflict, crises and emergencies.

Although crises affect men and women, boys and girls differently, and identifying their gender dimensions is a precondition for more complete understanding of the challenges faced by women and men, and vulnerable groups in particular, during the COVID-19 pandemic the gender-based dynamics of crises has not been sufficiently recognised, which limits the prevention of escalating violence and efficient work on security-related risks for women and girls. The effects of the measure are also seen in the improvement of the protection and support systems, which will during any future crises be able to adequately respond to the needs of women and men.

The measure needs to be implemented continuously throughout the period of the Strategy.

Responsible institution: Ministry of Defence.

Participating institutions: Coordination Body for Gender Equality, MoI, Ministry of Public Administration and Local Self-Government, Ministry of Human and Minority Rights and Social Dialogue, GE mechanisms and security mechanisms at national, provincial and local levels.

Indicators of the results of Measure 2.2	Sources of verification
2.2.1. Number of adopted or amended regulations on gender equality in defence and security at all levels of government	Insight into adopted or amended regulations and their compliance with international standards (EU, UN, CoE), adopted NAP 1325, GE LAPs, and Security LAPs
2.2.2. Number/percentage of women equally participating in all areas in relation to peace and security, activities in relation to conflict prevention and resolution, post-conflict situations, crises and emergencies at national and local levels	Reports by the Political Council of the Government, Operational Body of the Government, Committee for NAP implementation monitoring, analytical groups of the MoD on NAP 1325 implementation, reports by line institutions, CBGE

2.2.3. Number of appointed persons of trust, advisors for NAP implementation, gender advisors in all UN and EU civilian and military missions	Reports by the Political Council of the Government, Operational Body of the Government, Committee for NAP implementation monitoring, analytical groups of the MoD on NAP 1325 implementation
2.2.4. Number of training sessions held and number of trained persons of trust, NAP advisors, gender advisors in all civilian and military missions on gender-based violence and anti-discrimination legislation	Reports from implemented training sessions, evaluations of training effects at annual level, evaluation of long-term effects and application of knowledge and skills acquired at the training, MoD analytical group reports on NAP 1325 implementation; reports by line institutions, report on NAP 1325 implementation
2.2.5. Number of training sessions and number of representatives from the judiciary, defence and security, who attended training on security sector reform, disarmament and reintegration, humanitarian assistance, good governance, human rights and transitional justice	Reports from realised training sessions, evaluation of training effects at annual level, evaluation of long-term effects and application of knowledge and skills acquired during training Reports by MoD, SAF, MoJ, and NAP 1325 implementation reports
2.2.6. Number of appointed and trained focal points for NAP 1325 implementation in national and local government authorities at all levels	Data from national and local government authorities. NAP 1325 implementation reports, CBGE
2.2.7. The number of developed and adopted LAPs and built-in measures to support specific security-related needs of women and girls in local communities, multiply discriminated and vulnerable groups in particular	GE LAPs, Security LAPs NAP 1325 implementation reports, CBGE
2.2.8. Number of adopted measures for firearm seizure or limited access to firearms for violence perpetrators	Reports by MoI and MoD, NAP 1325 implementation reports
2.2.9. Number of services and number of women/girls using comprehensive legal protection and psychosocial support for victims of gender-based violence, shelters, particularly those belonging to multiply marginalised and discriminated groups in conflicts, crises and emergencies, at all levels of government	NAP 1325 implementation reports, CBGE, reports by MoI, reports by service providers (social protection institutions and specialised women's organisations providing services to women victims of violence)
2.2.10. Amount/percentage of funds for NAP 1325 implementation in budgets at all levels of government, as well percentage of funds allocated for services provided by women's CSOs	RS Budget, APV and local self-government budgets, Budget Execution Reports
2.2.11. Number of CSOs included in creating and implementing measures, monitoring and reporting on human rights violations against women and girls in conflicts, including sexual exploitation and abuse, harassment, sexual harassment and other forms of sexual and gender-based violence, including violent extremism	Report on NAP 1325 implementation, CBGE, CSO reports, reports on human rights defenders in the Republic of Serbia, reports on human rights situation in the Republic of Serbia

Measure 2.3. Improved security of women and girls in the public and private sphere by eliminating all forms of violence, including trafficking in human beings, sexual and other forms of exploitation, especially at times of crises and emergencies

Description: The measure is directed at improving a comprehensive normative, political and institutional framework for the prevention and elimination of all forms of gender-based violence against women and domestic violence. The measure ensures the improvement of the legal framework for the prevention and protection from gender-based violence against women,



including incrimination and victim reparation, in compliance with international standards and the Istanbul Convention, as well as harmonisation of legal definitions for different forms of violence.

This measure contributes to the implementation of the Gender Equality Law, Section 6 – Prevention and elimination of gender-based violence: prohibition of violence on the grounds of sex, sexual characteristics, or gender and violence against women (Article 51), special measures and programmes (Article 52), obligation to report violence (Article 53), General and Specialised support services (Article 54 and 55), violence perpetrator programmes (Article 56), prevention of violence and funds to organise and provide specialised services (Article 57 and 58). In addition, implementing the measure improves the implementation of existing policies and measures within the comprehensive and coordinated response of relevant institutions in combating gender-based and domestic violence against women, proposing the adoption of by-laws and establishing mechanisms for efficient implementation of laws in this area; ensuring institutional proceedings, standards and procedures to ensure a satisfactory level of security for women and men, girls and boys. Also, this measure ensures transparent, stable and sustainable funding of policies, measures and specialised services of support to women provided by institutions and women's CSOs, which contribute to reducing violence against women and improving access to effective protection and support to leave the situation of violence, overcome trauma and strengthen all women survivors of gender-based violence, especially when it comes to Roma women, women with disabilities, rural women, older women, homosexual or bisexual women, and women with different gender identities, women victims of trafficking in human beings, asylum seekers and migrant women.

The measure contributes to establishing a single and standardised data collection, recording, monitoring and exchange system on all forms of violence against women and domestic violence, including femicide, sexual harassment and sexual blackmail, including all relevant government agencies and institutions, as well as women's CSOs working on eliminating violence against women and victim protection and timely, objective, regular and evidence-based information-sharing with the public on the effects and causes of violence against women and the effects of the implementation of the measures of prevention and victim protection in the Republic of Serbia.

Considering gender aspects represents a precondition for more complete understanding of the challenges faced by women and men, girls and boys in the situations of violence. During the COVID-9 pandemic, gender-based dynamics of violence have not been recognised, which limits the prevention of violence escalation and effectiveness of work of institutions on security-related risks for women, protection and support to violence victims.

The measure invests additional efforts to improve the protection and support system, which will also be able to respond to the needs of women and men, girls and boys in any future crises and emergencies. Women belonging to vulnerable groups, such as Roma women, women with disabilities, rural women, single mothers, women victims of trafficking in human beings, asylum seekers and migrant women, homosexual or bisexual women and women of different gender identities, etc., are at particular risk from gender-based violence during crises and emergencies. The measure will contribute to preventing the spread of misogynistic and sexist messages and sensationalism in reporting on violence against women.

The aim of this measure is to achieve full safety of women and men, girls and boys, in the private and public sphere, by preventing and eliminating all forms of gender-based violence.

The effects of this measure will be reflected in the provision of protection and sanctioning of any form of violence on the grounds of sex, sexual characteristics, or gender and gender identity, and violence against women in the private and public sphere, protection of other persons that are

directly or indirectly threatened by the act or effects of violence, as well as persons who reported the act of violence. In addition, the effects of the measure are reflected in the protection of violence victims with the aim to prevent violence and achieve the right to life without violence, by providing the availability of general assistance and support services, housing support and women's economic empowerment, preventative action and perpetrator programmes, as well as affecting the spread of misogynistic and sexist messages and sensationalistic reporting on violence against women in the media and on violence on the Internet. The effects of the measure are also seen in coordinated action of institutions with the aim to achieve zero tolerance to violence.

The measure needs to be implemented continuously throughout the period of the Strategy.

Responsible institution: Ministry of Justice.

Participating institutions: Coordination Body for Gender Equality, Ministry of the Interior, Ministry of Human and Minority Rights and Social Dialogue, Ministry of Labour, Employment, Veteran and Social Affairs.

Indicators of the results of Measure 2.3	Sources of verification
2.3.1. Number of adopted or amended regulations improving the efficiency of institutions in preventing and protecting women and men, girls and boys, in the public and private sphere, from all forms of gender-based violence	Insight into adopted or amended regulations and their compliance with international standards (EU, UN, CoE)
2.3.2. Number of adopted or amended regulations ensuring the harmonisation of legal definitions of various forms of violence	Insight into adopted or amended regulations and their compliance with international standards (EU, UN, CoE) Report on SDG implementation for SDG 5. Target 5.1.1 Reports to CEDAW and GREVIO
2.3.3. The number of adopted or amended regulations improving the coordinated institutional response to all forms of gender-based violence	Insight into adopted or amended regulations and their compliance with international standards (EU, UN, CoE) MoJ reports, Coordination and Cooperation Group, MoI, CSW reports
2.3.4. Number of reports on all forms of gender-based violence against women and girls, in the public and private sphere, by type of violence, relationship with perpetrator and age of victim, in particular violence based on sex, sexual characteristics, gender and gender identity	MoI and MoJ reports, reports by specialised CSOs
2.3.5. Number of human trafficking victims, disaggregated by sex, age, and form of exploitation	MoI and MoJ reports, reports by specialised CSOs
2.3.6. Percentage/number of criminal charges/indictments and number of final decisions for crimes with elements of violence, especially for the crime of sexual violence and trafficking in human beings	MoJ report
2.3.7. Number of available general and specialised services for women victims of violence and trafficking in human beings, at the local level, especially housing and economic empowerment services, and the number of beneficiaries of these services, disaggregated by type of service, age of beneficiary and vulnerable group	MoLEVSA report, reports to CEDAW and GREVIO, reports by specialised CSOs
2.3.8. Amount/percentage of funds allocated to services for women victims of violence in budgets at	Republic of Serbia Budget, APV and LSGU budgets, Budget Execution Reports

all levels of government, as well as percentage of funds allocated for funding these services provided by women's CSOs	
2.3.9. Number of CSOs providing services to victims of violence, active in the protection of victim rights, advocating for changes in discriminatory social norms and gender stereotypes, monitoring the implementation of international standards in the protection of victims of gender-based violence	CEDAW and GREVIO reports, CSO reports
2.3.10. Number of preventative programmes/interventions for perpetrators, with the aim to prevent violence	MoLEVSA reports, LSGU reports
2.3.11. Number of studies on the prevalence of violence, public campaigns to change awareness and public attitudes on gender-based violence and gender-sensitive media reports on cases of gender-based violence	Study on the prevalence of violence in the Republic of Serbia, report on the effects of public campaigns, analysis of media reporting on the cases of gender-based violence
2.3.12. The number of women and men, girls and boys, who understand that no violence is acceptable	Research reports, reports on the effects of information campaigns, media presence, insight into informational materials (print, video, audio, digital), reports on citizen participation (movements, associations, informal groups) in the collection of information

Measure 2.4. Strengthen the capacities, improve the institutional and normative gender equality framework in political life and ensure equal participation of women and men, vulnerable groups in particular, in decision-making on public affairs.

Description: The measure focuses on improving the institutional and normative framework for the political life and establishing preconditions to achieve gender equality in this area, as well as equal participation of women and men, vulnerable groups in particular, in decision-making on public affairs, pursuant to the Gender Equality Law (Art. 1, 3 and 7). The measure includes development and adoption and/or amendment of regulations on the political life, equal opportunities for the participation of women and men and vulnerable groups in the political life, stakeholders participating in the political life, as well as the participation of citizens and vulnerable groups in decision-making on public affairs. This measure also entails harmonising acts on internal organisation of government authorities, acts of political parties, unions and CSOs and undertaking special measures to reduce the gender gap and ensure gender-balanced representation in management and supervisory bodies and in leadership positions in institutions, public institutions, especially in LSGUs, local communities, in electoral lists and in authorities implementing elections, political parties, trade unions and CSOs, to establish assumptions for equal participation of women and men, and vulnerable groups in particular, in planning, preparation, adoption and implementation of decisions affecting their situation, with respect to their interests, needs and priorities when shaping and developing public policies, pursuant to the Gender Equality Law (Article 7, 10, 26, 47 and 48), as well as CEDAW Committee recommendations.

The measure also focuses on continuous improvement of knowledge and competencies of stakeholders participating in the political life (public institutions at all levels, political parties, trade unions, CSOs, etc), related to gender equality, gender stereotypes and prejudices, especially regarding vulnerable groups, through different forms of continued and systematic education organised in public authorities, political parties, trade unions and CSOs, on issues of importance for gender equality, gender stereotypes and prejudice and overcoming them, especially with regards to vulnerable groups and gender mainstreaming in political life and public policies, as well

informing the broadest public, citizens, on gender equality-related issues relevant for their daily lives, as well as the right to equal citizen participation in decision-making on public affairs.

The aim of this measure is to reduce the gender gap in political life and overcome prejudice and stereotypes reducing the political participation of women down to the areas of social life, traditionally considered to be women's affairs, especially in political parties, trade unions, CSOs and in leadership positions in public authorities, public institutions, highest positions in LSGUs and local communities as well as ensuring equal participation of women and men, and particularly vulnerable groups, in making decisions on public affairs and issues of importance for their daily lives.

The effects of this measure will be reflected in the establishment of systemic, institutional guarantees, enhancing the capacities and competencies of stakeholders participating in the political life, improving knowledge on gender equality and the right to equal participation in decision-making on public affairs and informing the broadest public of citizens as prerequisites for equal participation of women and men, vulnerable groups in particular, in the political life and decision-making on public affairs and issues of importance for their daily lives.

The measure needs to be implemented continuously throughout the period of the Strategy.

Responsible institution: Ministry of Human and Minority Rights and Social Dialogue.

Participating institutions: Coordination Body for Gender Equality, Ministry of Culture and Information, Ministry of Public Administration and Local Self-Government, GE mechanism at APV and LSGU levels, political parties, trade unions, CSOs, media, National Academy for Public Administration, Judicial Academy.

Indicators of the results of Measure 2.4	Sources of verification
2.4.1. Number of laws and by-laws amended or adopted to achieve gender equality in the political life and decision-making on public affairs	Insight into law and by-law texts, content analysis
2.4.2. Share of women in the public and political life at the national, provincial and local level, in legislative, executive and judicial authorities, as well as in leadership positions in governing bodies, disaggregated by sex and vulnerable group (Roma women, women with disabilities, older women, etc.)	Data and reports by institutions of the system at the national, provincial and local levels (National Assembly, Government, APV Assembly, APV Government, LSGU) on the number of women and men and vulnerable groups Gender Equality Index for the power domain
2.4.3. Share of women in trade unions, political parties and movements, associations, disaggregated by leadership and executive positions, areas, vulnerable groups (Roma women, women with disabilities, older women, etc.)	Available data and reports by trade unions, political parties and movements, associations on their membership
2.4.4. Number of training sessions on gender equality, reducing gender stereotypes and equal participation of women and men in the public and political life for representatives of government institutions	Reports and evaluation of the effects of training on gender equality, reducing gender stereotypes and equal participation in public and political life, at annual level; reports and evaluations by the National Academy for Public Administration
2.4.5. Number of trained representatives of public institutions on gender equality, reducing gender stereotypes and equal participation of women and men in the public and political life, disaggregated by sex, public authority institution, region	Reports and evaluation of the effects of training on gender equality, reducing gender stereotypes and equal participation in public and political life, at annual level; reports and evaluations by the National Academy for Public Administration
2.4.6. Number of trained representatives of trade unions, political parties and movements, associations on gender equality, reducing gender stereotypes and equal participation of women and men in the public	Reports from conducted training sessions, evaluation of the effects of training at annual level, evaluation of long-term effects and application of knowledge and skills acquired

and political life, disaggregated by sex, affiliation and levels of government organisation	
2.4.7. Number of public campaigns for equal participation of women in the public and political life, disaggregated by levels of government, campaign implementers, regional/territorial coverage, funding sources	Evaluation of the effects of public campaigns, materials produced (printed, video, audio, digital); media reports on the coverage and representation on television and radio programmes with national and/or local frequencies; public opinion polls (feedback on the effects of the campaign); reports by the Coordination Body for Gender Equality, Ministry of Human and Minority Rights and Social Dialogue and Ministry of Culture and Information

### Objective 3. Accessible and comprehensive healthcare established, and social security ensured

By achieving this objective, healthcare and social security will be ensured for all women and men, in line with social justice as one of the fundamental principles of the Constitution, by implementing measures and activities enabling accessible and comprehensive healthcare to all women and men as the assumption for the promotion of health, reduction of inequalities between women and men, their social security and redistribution of unpaid care work.

Outcome indicator	Unit of measure	Baseline	Target	Sources of verification
Gender equality index in the domain of health (health status, behaviour, access to healthcare)	Index value	2021: 84.1, (88.3, 72.3, 93.1)	2030: 87.8; (92.0, 74.8, 98.3).	Gender equality index
Coverage of women over 15 with preventative gynaecological examinations	%	2019: 9%	2030: 60%	Data and reports by the Public Health Institute, reports by the Ministry of Health
Share of women at risk of poverty and social exclusion	%	2019: 31.7%	2030: 30%	Survey on Income and Living Conditions (SILC)
Availability and accessibility of social protection services for citizens, disaggregated by users and sex, service providers, public expenditures, territorial coverage	Insufficiently/partially/fully available and accessible social protection services	2021: Insufficiently available and accessible social protection services	2030: Fully available and accessible social protection services	Reports by the Ministry of Labour, Employment, Veteran and Social Affairs, reports on budget allocations, insight into annual budget planning
Gender equality index in the domain of time (household management, social activities)	Index value	2018: 65.7 (56, 41.9)	2030: 64.9 (69.1, 61.0).	Gender Equality Index

Measure 3.1. Improved availability and quality of healthcare without discrimination, including programmes of early prevention of sexual and reproductive health, breast cancer and cervical cancer, as well as raising awareness on modern forms of contraception and improved access to family planning services.

Description: The measure focuses on improving the availability and quality of healthcare services, early detection of diseases and treatment of women and men, especially regarding cardiovascular and malignant diseases, depression, dementia, as well as osteoporosis, anaemia, followed by pregnancy and birth related conditions, which are the leading causes of disease in women's reproductive period. The measure also includes developing and/or amending healthcare regulations, as well as increasing available financial, technical and human resources in this area, which need to contribute to increased availability and accessibility of healthcare, especially to multiply discriminated groups of women and girls. In addition, the measure refers to improving organised screening examinations for early breast and cervical cancer detection, to raising awareness on modern forms of contraception and improving access to contraception, including ensuring universal coverage of related costs within the mandatory health insurance, as well as increasing the number of reproductive health counselling centres. The measure includes organising education and media campaigns for youth, Roma and older women, and also includes sharing information and educating the population on the importance of health protection, prevention of diseases and improved quality of life by practicing healthy lifestyles, sports and physical exercise. The measure includes monitoring the effects of pollution caused by environmental risk factors on the health of women and men and organising preventative examinations in the most vulnerable parts of the Republic of Serbia. The measure also includes activities of continued improvement of knowledge of healthcare professionals on gender equality, rights of vulnerable groups and discrimination.

The aim of this measure is to create the conditions for improving health and reducing health-related inequalities by increasing the availability and quality of healthcare services, in order to reduce leading health-related risks, prevent and eliminate diseases, as well as improve the reproductive health of women and men.

The measure should improve the implementation of organised preventative examinations, level of information of women and men about health protection, importance of prevention and healthy lifestyles, which entails taking part in sports and physical exercise, and also includes raising the level of knowledge among healthcare professionals on gender equality, gender stereotypes, prejudice and discrimination, to improve patient relations, with vulnerable population groups in particular.

The effects of the implementation of this measure will be reflected in improved health of women and men, due to improved availability and quality of healthcare, organised preventative examinations, increased financial, technical and human resources in healthcare institutions at primary, secondary and tertiary levels, as important assumptions for improved availability and quality of healthcare services.

The measure needs to be implemented continuously throughout the period of the Strategy.  
Responsible institution: Ministry of Health.

Participating institutions: Coordination Body for Gender Equality, Ministry of Labour, Employment, Veteran and Social Affairs, healthcare institutions at primary, secondary and tertiary levels (in the Healthcare Institutions Network Plan, and privately owned), Health Council of Serbia, Serbian Medical Chamber, Chamber of Medical Nurses and Technicians of Serbia, Public

Health Institute Dr Milan Jovanovic Batut (Vojvodina Public Health Institute and local public health institutes), social protection institutions, educational and scientific institutions, experts, CSOs and women's organisations, international donors, Ministry of Education, Science and Technological Development, Ministry of Youth and Sports, Ministry of Culture and Information, PMI (public media institutions RTS and RTV), media houses and associations of journalists.

Indicators of the results of Measure 3.1	Sources of verification
3.1.1: Number of health services fully available and accessible to all citizens, especially multiply discriminated groups	Reports by the Ministry of Health on the availability and accessibility of health services; SILC, National Report on Social Inclusion and Poverty Reduction in the Republic of Serbia, EHIS, independent reports, evaluations and studies, CSO reports
3.1.2: Number of citizens using preventative examinations and early treatment, especially from cardiovascular and malignant diseases, depression, dementia, as well as osteoporosis, anaemia, diseases caused by environmental risk factors, disaggregated by sex, age, territory	Reports by the Ministry of Health, Public Health Institute on the use of healthcare services and the health status of the population
3.1.3: Number of women in reproductive period using preventative gynaecological examinations, regular examinations related to pregnancy and birth, disaggregated by age, territory, vulnerable social groups	Reports by the Ministry of Health, Public Health Institute on the use of healthcare services and the health status of the population
3.1.4: Number of women covered by mandatory organised preventative examinations (screening)	Reports by the Ministry of Health, Public Health Institutes (Screening Offices) on the organisations and response to organised preventative examinations
3.1.5: Number of amended and adopted laws and by-laws ensuring access to and quality of healthcare services	Insight into the content of laws and by-laws, analyses of the effects of public policies; reports on the improvement of the quality of healthcare
3.1.6: Number of healthcare workers attending mandatory training on gender equality and rights of multiply discriminated groups	Reports and evaluation of training effects
3.1.7: Share of the budget provided for healthcare in the Republic of Serbia, also including the provision of adequate technical, material and human resources	Budget monitoring reports
3.1.8: Number of public campaigns for the broader public on the importance of healthcare, disease prevention and improved quality of life, by practicing healthy lifestyles, sports and physical exercise	Reports on implemented public campaigns, reports on media coverage of public campaigns, insight into the informational material; public opinion polls
3.1.9: Number of informational campaigns targeting citizens on the advantages of early prevention, modern forms of contraception, importance of reproductive health	Reports on the effects of informational campaigns, insight into informational material public opinion polling; reports on the use of preventative examination and contraception services; reports by the Public Health Institute on the use of modern forms of contraception

Measure 3.2. Ensure social security, reduce poverty, social exclusion and improve the availability of social protection services for the preservation and increased quality of life, well-being of women and men belonging to vulnerable groups, as well as support families in meeting their life needs.

Description: The measure focuses on reducing the number of women, men and children living in poverty, improving access to resources and support services, under equal conditions for the most vulnerable population groups. The measure entails conducting a comprehensive analysis of needs and tendencies of vulnerable groups of women, collecting data on the percentage of



women and men without personal income and without access to social services at the local level. The measure focuses on improving the availability of existing and developing new support services in the community and adapting them to the needs of women and men, girls and boys belonging to vulnerable groups (with disabilities, belonging to the Roma community, from rural and deprived areas, poor older women). The measure also relates to needs assessment for financial social assistance, raising its amount, especially for families with children, followed by improving support to single-parent families, of the mother-with-children type, who are at higher risk of poverty. The measure includes increasing available financial, technical and human resources to meet the needs of social protection service beneficiaries. Also, the measure focuses on systematic support to redistribution of unpaid domestic work and care-related tasks between women and men, on the development of various care services, increasing their availability and coverage of beneficiaries – children, older and ill household members, persons with developmental disorders, etc., taking into consideration the situation and needs of poor women and other vulnerable groups. The measure entails strengthening the capacities of all relevant stakeholders and institutions, as well as improving the cooperation between social protection and other sectors.

The aim of this measure is to create assumptions to ensure social security, poverty reduction and development and improvement of services for the preservation and improvement of the quality of life and welfare of vulnerable groups and individuals. Also, the aim of the measure is to create equal opportunities for independent living and independence of individuals and their inclusion in the community. The aim is to provide support to families and meet their daily needs, as well as to provide support and various services that affect the reduction of unpaid work and redistribution of care-related tasks. Gender mainstreaming of public policies and legislative framework in social protection is a continuous process that needs to contribute to improving social protection, public policies and legal frameworks, strengthening the capacities of all relevant stakeholders and institutions for the development of integral social protection.

The effects of this measure will reflect in creating the assumptions to ensure social security, poverty reduction, social inclusion and equal distribution of financial and all other resources in the social protection system on women and men, girls and boys belonging to vulnerable groups, to meet their life needs, as well as the assumptions for redistributing unpaid care work between women and men by improving existing and introducing new support services.

Responsible institution: Ministry of Labour, Employment, Veteran and Social Affairs.

Participating institutions: Coordination Body for Gender Equality, Ministry of Health, Ministry of Family Welfare and Demography, social protection institutions, Republic Institute for Social Protection, Chamber of Social Protection, health, education and scientific institutions, expert CSOs and women's organisations, international donors, Ministry of Education, Science and Technological Development, Ministry of Youth and Sports and Ministry of Culture and Information, PMI (public media institutions RTS and RTV), media houses and associations of journalists.

Indicators of the results of Measure 3.2	Sources of verification
3.2.1: Reduced poverty rates of women, men and children, in particular children from single-parent families	SILC, National Report on Social Inclusion and Poverty Reduction in the Republic of Serbia, Women and Men in the Republic of Serbia, SORS 2020 Report
3.2.2: Number of municipalities/towns in which new social protection services have been introduced and financed, by sex of beneficiary, municipality, type of service, type of service provider (public, private, CSO)	LSGU reports, reports by the Ministry of Labour, Employment, Veteran and Social Affairs, and Ministry of Public Administration and Local Self-Government; mapping social protection services and support in LSGUs; analyses and research

3.2.3: Number of municipalities/towns that have ensured full accessibility and availability of social protection services to all citizens, especially those belonging to multiply discriminated groups	LSGU reports, reports by the Ministry of Labour, Employment, Veteran and Social Affairs; independent reports, studies and evaluations of social protection system services, insight of CSOs in making social protection services accessible and available
3.2.4: Number of social protection service beneficiaries, disaggregated by sex, municipality/town, vulnerable groups, age	Annual reports by CSWs and other institutions and services in the social protection system; reports by the Institute for Social Protection and Provincial Institute for Social Protection; independent reports, studies and evaluations of services in the social protection system; satisfaction surveys among social protection service beneficiaries
3.2.5: Number of hours spent by women in unpaid work	Time Use Survey
3.2.6: Percentage of time used by fathers compared to mothers to care for children	Time Use Survey
3.2.7: Number of training sessions for social protection system professionals on gender equality, rights of persons belonging to multiply discriminated groups, disaggregated by profession, territory	Reports and evaluations of the effects of trainings, reports by the Chamber of Social Protection
3.2.8: Budget allocations on social protection at national, provincial and local levels, compared to the needs for social protection	Reports on budget planning and spending
3.2.9: Amount of social assistance, especially for persons belonging to multiply discriminated groups	Allocations and reports by the Ministry of Labour, Employment, Veteran and Social Affairs

Objective 4. Comprehensive and functional system for creating and implementing gender-responsive public policies and budgets established.

By achieving this objective, the normative and social assumptions will be created for the institutionalisation and establishment of a comprehensive and functional system for making and implementing gender-responsive public policies and budgets, which enables the coordination of programmes, activities and actions of all stakeholders participating in the implementation of this Strategy, especially GE, mechanisms, which is extremely important for the achievement of gender equality, having in mind its multi-sectoral nature. In addition, this objective also includes gender-responsive statistics, gender-responsive planning and gender-responsive budgeting, as tools necessary for creating and implementing gender-responsive public policies and budgets.

Outcome indicator	Unit of measure	Baseline	Target	Sources of verification
Established GE mechanisms at all levels and in all public authorities	Partially/fully	2021: Partially	2030: Fully	Publicly available data on the number and composition of GE mechanisms at all levels of government, reports by gender equality mechanisms, reports and studies by independent institutions, institutes, research centres, associations; annual reports/reviews by the Ministry of Human and Minority Rights and Social Dialogue
Share of GE mechanisms funded from the Budget at all levels of government	%	2021: data unknown	2030: 45%	Insight into budget allocations at all levels of government, annual budget reports, annual reports by the

				Ministry of Human and Minority Rights and Social Dialogue
Methodology of available databases with gender statistics harmonised in all areas, as well as data on the situation of women and men, girls and boys belonging to vulnerable groups	Partially/fully	2021: Partially	2030: Fully	Insight into databases of individual institutions at all levels, SORS studies and data, methodologies and data coordinated by the Coordination Body for Gender Equality
Gender-responsive budgeting institutionalised at all levels of government	Partially/fully	2021: Partially	2030: Fully	Reports and analysis of GRB implementation in the Ministry of Finance, Provincial Secretariat for Finance, Coordination Body for Gender Equality, provincial and local mechanisms, reports by the State Audit Institution and the Fiscal Council, CSO reports

Measure 4.1: Improved capacities, institutional and normative frameworks shaping an environment advancing gender equality, with an accent on institutional gender equality mechanisms as part of a comprehensive and functional system and mechanisms for making gender-responsive public policies.

Description: The measure focuses on improving institutional and normative frameworks shaping an environment in which the process of advancing gender equality is undergoing and the capacities for making gender-responsive policies in all areas of social life are raised, with an accent on GE mechanisms at all levels of government and strengthening of their capacities. The measure also includes the development and adoption and/or amendment of regulations on GE mechanisms at all government levels pursuant to the Gender Equality Law, their status, competences and procedures, thus creating the conditions for systemic linking and coordinating the work and activities of these mechanisms as an important part of a comprehensive and functional system and mechanisms for creating gender-responsive public policies, as well as harmonising acts on internal organisation of public authorities, which ensure a stable position of GE mechanisms in the structure of public authorities at all levels and create conditions for ensuring unimpeded functioning and implementation of planned activities by GE mechanisms, in creating and implementing gender-responsive public policies in all spheres of social life. The measure also focuses on continuous improvement of knowledge and competencies of stakeholders on all levels of government working in this area, related to gender equality and gender mainstreaming in public policies and laws, as well as institutional gender assessments, especially when it comes to vulnerable groups, gender stereotypes and prejudice, through different forms of systematic education on issues of importance for gender equality, and gender mainstreaming in public policies, as well as informing citizens on issues related to gender equality of importance to their daily lives.

The aim of this measure is to create normative and institutional assumptions for establishment, stable status, operations and activities of GE mechanisms within the system of government organisation at all levels, and their harmonisation with the Gender Equality Law, as well as to improve and raise the level of knowledge and competencies of all stakeholders working in this area, for making gender-responsive public policies.

The effects of the implementation of this measure will be reflected in normative foundations and stable status, clearly regulated competences and responsibilities, horizontal and vertical coordination of GE mechanism operations and activities, the establishment of GE mechanisms at all levels pursuant to the Gender Equality Law, as well as improved knowledge and competencies, not only of the members of GE mechanisms, but also of all stakeholders participating in the creation and implementation of gender-responsive public policies.

The measure needs to be implemented continuously throughout the period of the Strategy  
Responsible institution: Ministry of Human and Minority Rights and Social Dialogue.

Participating institutions: Coordination Body for Gender Equality, Ministry of Human and Minority Rights and Social Dialogue, Ministry of Public Administration and Local Self-Government, ministries, government authorities and other public authorities in which GE mechanisms are established, Gender Equality Council, GE mechanisms at APV level, GE mechanisms in LSGUs, and SCATM.

Indicators of the results of Measure 4.1	Sources of verification
4.1.1: The number of regulations on GE mechanisms at all levels of government organisation pursuant to the Gender Equality Law, their status, competences and procedures, and which define the procedures of participation in making gender-responsive public policies	Insight into the content of regulations
4.1.2: The number of GE mechanisms at the national, provincial and local government levels and all levels of internal organisation, with provided human, financial and material conditions for functioning, disaggregated by levels of organisation, regions/territory	Reports by local, provincial and national institutions, reports by GE mechanisms (available at websites) on functioning and activities, insight into budget allocations for the sustainability of gender equality mechanisms at all levels
4.1.3: Number of gender-responsive public policies and areas they refer to at all levels, with active participation of GE mechanisms	Insight into the number and content of public policies at all levels, monitoring the inclusion of GE mechanism representatives.
4.1.4: Number of trained government representatives and GE mechanism members on gender-based stereotypes, gender equality and gender-based discrimination, gender mainstreaming in public policies and laws, especially women belonging to socially vulnerable groups, disaggregated by sex, institutions and levels of organisation	Reports and evaluations of the effects of trainings for public authority representatives and GE mechanism members
4.1.5: The level of involvement of women's organisations and relevant CSOs in the planning and implementation of gender-responsive public policies at all levels	Reports by GE mechanisms at all levels, annual reports by the Ministry of Human and Minority Rights and Social Dialogue, feedback by women's organisations
4.1.6: Number of informational public campaigns on the role, importance and functioning of GE mechanisms at all levels, and the participation of citizens in the processes of planning and implementing gender-responsive public policies at all levels	Reports and evaluations of the effects of informative campaigns, presence in the media, insight into informative materials (printed, video, audio, digital), reports on the participation of citizens in the development of gender-responsive public policies at all levels

Measure 4.2. Develop and improve gender statistics, increase data and information availability, and use data reflecting the reality of women's and men's, girls' and boys' lives in policymaking.

Description and effects: This measure aims to increase the availability of gender-responsive data in all areas of importance for daily life and to build the capacities for using these

data for the creation of policies and measures. This measure involves the analysis of existing statistics and identification of missing data and information, and gender-responsive indicators, which are important for creating gender-responsive policies and monitoring the status of gender equality in all areas; increasing the number of available indicators by sex and crossing them with other factors; as well as making a roadmap to improve gender statistics. This measure also includes amendments to regulations and all by-laws related to statistics and records, in a way to regulate collection, processing and publishing of gender-responsive data. Further, this measure provides for strengthening the capacities of the SORS and for the establishment of a gender statistics department, which would work continuously on improving the systems for collection and processing, and in particular publishing gender-responsive data, in a way adapted to various target groups, by using modern communication tools.

Additionally, SORS will strengthen the capacities, and through GRB ensure funds for monitoring the situation in the area of gender equality, by developing domestic monitoring indices and tools to supplement gender equality situation monitoring, in line with international practices. In cooperation with institutions, SORS will develop a data processing system by sex and other characteristic, about the beneficiaries of budget-funded measures and services. Further, this measure entails also raising the knowledge in this area, connecting with universities and faculties with the aim to recognise the importance of gender statistics for policy making and analysis, as well as further development of knowledge and encourage research in this area. This measure also includes strengthening institutional capacities at all levels, but also of other stakeholders, like CSOs, to use gender statistics with analytic tasks and for policymaking. The effect of this measure will be improved collection and processing of gender-relevant data, which, in addition to being disaggregated by sex, also includes reviewing and monitoring different needs and problems faced by women and men, identifying missing data and information and gender-responsive indicators of importance for creating gender-responsive policies and monitoring the gender equality status in all areas, increasing the number of indicators available by sex and crossing them with other factors, as well as developing a roadmap for improving gender statistics.

Responsible institution: Statistical Office of the Republic of Serbia.

Participating institutions: universities and institutes, LSGUs, national and provincial institutions, National Bank of Serbia, Ministry of Finance, Business Registers Agency and other relevant institutions designated by SORS, collecting and/or processing statistical data.

Indicators of the results of Measure 4.2	Sources of verification
4.2.1. Degree of improvement of gender statistics in all areas monitored by SORS against the plan for improvement of gender statistics	SORS report
4.2.2. Increased number of available gender-responsive indicators in all statistical areas among the total number of indicators in the area compared to the baseline year (baseline year 2021)	SORS report
4.2.3. SORS capacities built for gender statistics: internal organisation and systematisation acts, data collection, processing and publishing plans improved, all statistical areas have a gender equality focal point	SORS report
4.2.4. Republic of Serbia budget funds focusing on developing and improving gender statistics as well as % of total funds allocated for SORS	SORS report, Republic of Serbia Budget
4.2.5. Number and type of published specialised gender-responsive statistical reports or publications	SORS report and SORS website

4.2.6. Number of institutions with built capacities for gender statistics in the area in which they collect data: improved internal organisation and systematisation acts, data collection, processing and publishing plans	Reports by relevant institutions
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Measure 4.3 Continued and enhanced implementation of gender-responsive budgeting at the national, provincial and local levels in budget planning and execution processes, institutionalised GRB in RS Budget System, and increased investments in gender equality

Description and effects: This measure aims GRB to become a sustainable and whole part of the public finance management and budget systems of the Republic of Serbia, as well as to increase investments in gender equality by articulating gender transformative GRB objectives and indicators. This measure includes several clusters of activities, further strengthening the coordination and capacities regarding GRB implementation in the Ministry of Finance, Provincial Secretariat for Finance and LSGU authorities, building and enhancing the capacities for technical monitoring of the process, simple and fast consolidation of GRB proposals in the budget and analysis of the implementation from the technical aspect through appropriate software, strengthening the capacities for gender-responsive budget planning of budget users and linking sectoral priorities with gender, strengthening the capacities of institutional GE mechanisms on GRB, and in particular for the preparation of progress and performance reports, strengthening the capacities for monitoring the implementation within the State Audit Institution and the Fiscal Council, strengthening the role of the parliament and CSOs, as well as increasing the transparency of investments into gender equality and the promotion of good practice examples. Further, this measure includes improving procedures of work on GRB with budget users, increasing capacities for gender analysis of revenues and expenditures, systematic application of GRB at the start of the planning process (in the Fiscal Strategy and priority funding areas), as well as in all other stages of the budget process (planning, implementation, and reporting). This measure also provides for investments in an adequate information system to facilitate GRB consolidation in budget proposals, adopted budgets and performance reports, at all levels. Further, the measure entails revising instructions for the development of programme budgeting and provides improving gender equality both as programmes and/or programmatic activities, having in mind that all budget users are under the obligation to apply GRB, pursuant to the Budget System Law, as well as to improve and standardise forms to present GRB in budgets. Further, this measure includes building the capacities and strengthening the knowledge in this area in institutions, among gender equality experts, in the academia and CSOs. This measure provides also for improving the system of GRB implementation, in line with the recommendations provided through annual reports on GRB progress in the Republic of Serbia, but also in line with international best practices and PEFA recommendations and GRB frameworks.

Responsible institution: Ministry of Finance.

Participating institutions: Provincial Secretariat for Finance, LSGU finance departments, SCATM, State Audit Institution, SORS, institutional GE mechanisms, Finance Committees in parliaments, the Fiscal Council, CSOs, academia.

Indicators of the results of Measure 4.3	Sources of verification
4.3.1. All direct and indirect budget users at all levels apply GRB when planning and executing budgets (number of budget users that introduced GRB by years and levels in priority funding areas and draft budgets)	Priority funding areas of budget users contain GRB goals and indicators Annual GRB progress report Annual GRB performance report Planning and reporting software/report Consolidated annual report for LSGUs

	State Audit Institution reports
4.3.2. Number of gender transformative GRB goals and indicators compared to the total number of GRB goals and indicators	Annual GRB progress report Annual GRB performance report Planning and reporting software/report
4.3.3. Number of programmes applying GRB among the total number of programmes	Annual GRB progress report Annual GRB performance report Planning and reporting software/report State Audit Institution reports
4.3.4. Share of investments in gender equality compared to the total budget of individual direct budget users	Annual GRB performance report Planning and reporting software/report
4.3.5. Number and type of activities from this Strategy and GE AP funded by applying GRB	Annual GRB performance report Reports on AP implementation Planning and reporting software/report
4.3.6. Developed appropriate software solution for planning, monitoring and reporting on GRB application, budget classifications facilitate consolidation of allocated funds for investments in gender equality, programme budgeting and budget preparation instructions contain planning and reporting instructions and forms, facilitating data consolidation	Reports by the Ministry of Finance Instruction for the preparation of priority funding areas, and budget preparation, forms for budget and report preparation, rulebooks, classifications and expenditure records contain GRB and enable information consolidation
4.3.7. Number of procedures, internal acts of budget users facilitating GRB planning, monitoring and reporting	Reports by budget users, insight into the contents of adopted acts

Measure 4.4 Improved capacities for gender-responsive sectoral public policy making and monitoring the effects of public policies on gender equality.

Description: This measure aims to ensure identification and description of the gender gap in all sectoral policies and gender aspects within the competences of public authorities and create assumptions for the creation of gender-responsive measures in these sectors. This measure includes gender-sensitive needs analyses, ex-post and ex-ante gender analyses of measures, activities, policies, and/or competences of public authorities. Further, this measure includes training for the development of ex-post and ex-ante gender analysis, development of handbooks and guidelines for all public authorities. This measure also includes the development of gender-responsive public policy documents in all sectoral policies, especially those not covered by this strategy, or where there is need for separate public policies, such as, for example, the following areas: sports, culture and information, young women and men, mining and energy, information technologies, environmental protection, agriculture, and all other areas.

Effects: This measure will contribute to identify and document the gender gap in sectoral policies and contribute to the creation of gender-responsive measures in sectoral policies, followed by gender-responsive planning of funding priorities. This measure will contribute to strengthening gender competencies with practitioners working in public policy planning, monitoring and reporting departments/sectors. This measure will contribute to strengthening gender competencies of all employees in public authorities at all levels.

Responsible institution: Ministry of Human and Minority Rights and Social Dialogue.

Participating institutions: Coordination Body for Gender Equality, Republic Secretariat for Public Policies, direct budget users, public authorities, National Academy for Public Administration, LSGUs, provincial institutions, academia, institutes, CSOs.

Indicators of the results of Measure 4.4	Sources of verification
4.4.1. Number of adopted gender-responsive public policy documents (e.g., plans)	Reports on budget user performance Reports by public authorities on their operations

4.4.2. Number of conducted gender-sensitive needs analyses, ex-post and ex-ante gender analyses of measures, activities, policies and/or public authority competences, by sectors and types of public policies	Reports on budget user performance Reports by public authorities on their operations
4.4.3. Number of sectoral public policies containing gender-responsive measures	Reports on budget user performance Reports by public authorities on their operations
4.4.4. Number of trainings and trained individuals in gender-responsive sectoral policy planning	Reports on budget user performance Reports by public authorities on their operations National Academy for Public Administration
4.4.5. Number of instructions and guides for implementing gender-responsive ex-post and ex-ante gender analysis of measures	Reports on budget user performance Reports by public authorities on their operations

## 8. THE MECHANISM FOR MONITORING AND EVALUATION OF THE GENDER EQUALITY STRATEGY AND ACTION PLANS FOR ITS IMPLEMENTATION

Monitoring of the implementation of activities provided in this Strategy is entrusted to:

The Government, which, in line with its competences, develops and leads active equal opportunities policy in all spheres of social life, ensuring equal participation of women and men in all stages of planning, preparation, and implementation of decisions affecting the situation of women and men, setting measures contributing to this and ensuring the compliance of policies and measures undertaken in the area of gender equality with the Republic of Serbia international commitments<sup>894</sup>.

Within the Government, these activities are performed by:

The Coordination Body for Gender Equality<sup>895</sup> as standing working body of the Government coordinating the operations of the public administration regarding gender equality (horizontal coordination), operations and activities of institutional GE mechanisms at various levels of government (vertical coordination), as well as all other activities related to monitoring and reporting on the implementation of this Strategy.

Gender Equality Council, as advisory body to the Government<sup>896</sup>.

Ministry of Human and Minority Rights and Social Dialogue<sup>897</sup> (or ministry or other body within the executive branch in charge of gender equality) as a special Government sector responsible for gender equality and discrimination, disposing of monitoring and oversight instruments for regulations and strategies relevant for this area, reporting on the status in this area and responsible for the status in this area. These activities are entrusted to organisational units established by the Ministry with its act on internal organisation.

Other GE mechanisms also participate in the implementation, monitoring and reporting on this Strategy and AP:

<sup>894</sup> RS Constitution, Articles 122 and 123; Law on Government, Article 1, Official Gazette RS, No. 55/2005, 71/2005 – corr., 101/2007, 65/2008, 16/2011, 68/2012 – CC, 72/2012, 7/2014 – CC, 30/2018; Gender Equality Law, Article 60.

<sup>895</sup> Gender Equality Law, Article 60, Paragraph 1, Item 5.

<sup>896</sup> Gender Equality Law, Article 60, Paragraph 1, Item 5.

<sup>897</sup> Ministry of Human and Minority Rights and Social Dialogue is at the moment of adoption of this Strategy in charge of the area of gender equality. This Strategy is adopted for a period of 10 years. Within this period, it is possible that the competences performed by the Ministry of Human and Minority Rights and Social Dialogue now will be entrusted to a different ministry or authority. In all parts of the Strategy explicitly mentioning the Ministry of Human and Minority Rights and Social Dialogue, these competences will transfer to the ministry or other authority within the executive branch that becomes in charge of gender equality.



Working bodies in parliaments at all levels of authority (committees at national and provincial levels and commissions at local level).

Ministries, government authorities and other public authorities which, in their respective areas, include gender equality in sectoral policies, budget, laws and other regulations and undertake activities, and in particular in areas in which they implement special measures to advance gender equality<sup>898</sup>.

Coordination Body for Gender Equality of the Provincial Government<sup>899</sup>, which, within APV competences, coordinates activities related to gender equality, as well as the Gender Equality Council, as advisory body to the Provincial Government<sup>900</sup>.

Gender equality councils established within LSGU authorities<sup>901</sup>.

Gender Equality Focal Points in public authorities with over 50 employees and staff, who monitor the status of gender equality, initiate and propose measures to advance gender equality.

Independent human rights protection and anti-discrimination mechanisms include the Commissioner for the Protection of Equality<sup>902</sup> providing protection from discrimination, including also gender-based discrimination and the Ombudsman<sup>903</sup>, protecting the rights of citizens, controlling government authorities and working on the protection and promotion of human and minority freedoms and rights, Provincial Ombudsman, as well as LSGU ombudsmen.

In addition, CSOs also participate in the implementation and monitoring of activities set out in this Strategy and AP, in line with their respective missions.

## 9. MONITORING AND EVALUATION

Coordination, monitoring and evaluation of planned measures and activities on advancing gender equality should be entrusted to the Coordination Body for Gender Equality. This body is active within the government as standing working body, which enables multi-sectoral coordination among different ministries, which is of extreme importance within this multi-sectoral area (horizontal coordination), as well as the coordination of the activities of GE mechanisms in other levels of authority (vertical coordination). CBGE also cooperates with the Gender Equality Council, as advisory body to the Government, which also includes representatives of CSOs<sup>904</sup>.

As form of activity, the CBGE shall establish a special group to monitor the implementation of this Strategy and AP. In addition, the possibility to establish special groups (committee, section, operative/expert working group) should be envisaged, by the CBGE for specific areas, which require expertise in the area for which the group is formed, which would help CBGE with their knowledge and expertise in the coordination and evaluation of this Strategy.

The dynamics of achievement of measures shall be defined in action plans. The first AP for the implementation of the Strategy shall be adopted for the period 2021-2023. Pursuant to the Law on Planning System, Article 43, the Ministry of Human and Minority Rights and Social Dialogue shall prepare an ex-post analysis and report on the results of the implementation of the

<sup>898</sup> Gender Equality Law, Article 61.

<sup>899</sup> Gender Equality Law, Article 62, Paragraph 3, Item 1.

<sup>900</sup> Gender Equality Law, Article 62, Paragraph 3, Item 2.

<sup>901</sup> Gender Equality Law, Article 63.

<sup>902</sup> RS Constitution, Articles 122 and 123; Law on Government, Article 1, Official Gazette RS, No. 55/2005, 71/2005 – corr., 101/2007, 65/2008, 16/2011, 68/2012 – CC, 72/2012, 7/2014 – CC, 30/2018; Gender Equality Law, Article 1, Paragraph 2, Official Gazette RS, No. 22 /2009.

<sup>903</sup> Article 1, Paragraphs 1 and 2, Official Gazette RS, No. 79/2005 and 54/2007.

<sup>904</sup> Gender Equality Law, Article 60, Paragraph 1, Item 5.

Action Plan for the period 2021-2023 within 60 days after the expiration of each calendar year. For each AP to be adopted throughout period for which this Strategy is adopted (2021-2030), the Ministry, or government authority in charge of gender equality, shall prepare an ex-post analysis and report on the results of the implementation of each subsequent AP, within 60 days after the expiration of each calendar year from the date of AP adoption. The work on the preparation of each subsequent AP should start timely at the latest six months before the expiration of the current AP, and annual reports on AP implementation shall serve as basis for the preparation of the next AP. After four years (in 2025) of the adoption of the first AP, the Ministry, or government authority in charge of gender equality, shall prepare a special ex-post analysis and evaluation of the implementation of APs adopted thus far, to review the status of gender equality and the effects of AP implementation. The Ministry, or government authority in charge of gender equality, shall also prepare a final ex-post analysis, report, and evaluation of this Strategy and AP for its implementation, no later than six months after the expiration of the period for which the action plans have been adopted.

The Ministry of Finance, Provincial Secretariat for Finance and LSGU authority in charge of finance are responsible for the preparation of consolidated information on all funds allocated for gender equality and the implementation of this Strategy and relevant action plans, in a transparent and user-friendly manner.

## 10. THE ASSESSMENT OF FINANCIAL RESOURCES REQUIRED FOR THE IMPLEMENTATION OF THE STRATEGY AND THE ANALYSIS OF FINANCIAL EFFECTS

Funds for the implementation of this Strategy will be provided from different sources: the national budget, funds for advancing gender equality in APV and LSGU budgets, donor funds, through programmes and projects to be adopted and implemented based on this Strategy and its AP.

All funds provided for the implementation of activities in the AP for 2021-2023, as well as those to be prepared for the period by 2030, shall be planned within the budgets of relevant and competent ministries, budget users, the national budget, as well as APV and LSGU budgets.

For a number of measures for which there is a cost estimation, but funds have not been clearly allocated, sources of funding shall be planned further after the adoption of this Strategy and its AP. In the implementation of this document, the government will completely rely on its own funds, with the aim to take over the financial accountability and ownership over this public policy document.

The implementation of measures provided in this Strategy and the first two-year action plan shall not have any impact on international financial obligations of the government, because no borrowing is planned.

## 11. ACTION PLAN

The first action plan for the implementation of the Strategy for the period 2021-2023 shall be adopted within 90 days of the adoption of this Strategy.

## 12. FINAL PROVISIONS

This Strategy shall be published on the Government website, Ministry of Human and Minority Rights and Social Dialogue website, and the e-Government website, within seven days of adoption.

This Strategy shall be published in the Official Gazette of the Republic of Serbia.

05 Number: 021–9503/2021  
In Belgrade, 14 October 2021

GOVERNMENT

PRIME MINISTER

Ana Brnabić

## Acronyms

A11 – Initiative for Social and Economic Rights  
 AŽC – Autonomous Women’s Centre  
 AP – Action Plan  
 APV – Autonomous Province Vojvodina  
 APR – Business Registers Agency  
 BSL – Budget System Law  
 CBGE – Coordination Body for Gender Equality  
 CEDAW – Convention on the Elimination of All Forms of Discrimination against Women  
 CEDAW Committee – Committee on the Elimination of Discrimination against Women  
 CoE – Council of Europe  
 CSO – Civil Society Organisation  
 CSW – Centre for Social Work  
 DCM – Diplomatic Consular Missions  
 EC – European Commission  
 EP – European Parliament  
 ECHR – European Court for Human Rights  
 EU – European Union  
 EHIS – European Health Interview Survey Serbia  
 EIGE – European Institute for Gender Equality  
 ES – Employment Strategy  
 GDP – Gross Domestic Product  
 GEI – Gender Equality Index  
 GEL – Gender Equality Law  
 GE mechanisms – institutional gender equality mechanisms  
 GRB – Gender-Responsive Budgeting  
 ICCPR – International Covenant on Civil and Political Rights  
 ICESCR – International Covenant on Economic, Social and Cultural Rights  
 ICT – Information and Communication Technologies  
 IMF – International Monetary Fund  
 LAP – Local Action Plan  
 LSGU – Local Self-Government Unit  
 MP – Member of Parliament  
 MSME – Micro, Small, and Medium Enterprises  
 MoD – Ministry of Defence  
 MoJ – Ministry of Justice  
 MoLEVSA – Ministry of Labour, Employment, Veteran and Social Affairs  
 MoI – Ministry of the Interior  
 NALED – National Alliance for Local Economic Development  
 NAP – National Action Plan  
 NES – National Employment Service  
 OSCE – Organisation for Security and Cooperation in Europe  
 OECD – Organisation for Economic Cooperation and Development  
 PACE – Parliamentary Assembly of the Council of Europe  
 PEFA – Assessment of Public Expenditures and Public Finance

PIO – Pension and Disability Insurance  
 PEFA – Assessment of Public Expenditures and Public Finance  
 POPs – Persistent Organic Pollutants  
 PPO – Public Procurement Office  
 p.p. – Percentage Points  
 RAD – Serbian Development Agency  
 RS – Republic of Serbia  
 SORS – Statistical Office of the Republic of Serbia  
 SAF – Serbian Armed Forces  
 SANU – Serbian Academy of Sciences and Arts  
 SALW – Small Arms and Light Weapons  
 SCATM – Standing Conference of Towns and Municipalities  
 SDGs – Sustainable Development Goals  
 SeConS – Development Initiative Group  
 SILC – Survey on Income and Living Conditions  
 SIPRU – Social Inclusion and Poverty Reduction Unit  
 UN – United Nations  
 UNDP – United Nations Development Programme  
 Unicef – United Nations Children’s Fund  
 UNSCR – United Nations Security Council Resolution  
 UN Women – United Nations Entity for Gender Equality and the Empowerment of Women  
 WPN – Women Parliamentarians’ Network  
 WPDS – Women’s Platform for the Development of Serbia 2014-2020  
 YUCOM – Lawyers’ Committee for Human Rights  
  
 2030 Agenda for Sustainable Development – United Nations Sustainable Development Agenda by 2030