

**The Rights of Sexual and Gender Minorities
in Serbia:
Progress, Challenges, and Pathways Forward**

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Executive Summary

This report provides a comprehensive analysis of the legal, institutional, and lived realities of sexual and gender minorities in the Republic of Serbia, situated within broader international and regional contexts. The research is situated in the context of persistent shortcomings: missing or insufficient recognition of LGBTI rights, widespread experiences of discrimination and violence, and the continuing stigma and exclusion affecting sexual and gender minorities. These challenges underscore the urgency of a systematic and evidence-based assessment.

The study applies an actionable analysis of both existing and absent legal rights, the efficiency and accessibility of institutions, the engagement of civil society organizations, and the lived experiences of LGBTIA and non-binary people. A mixed-methods approach was used, combining qualitative and quantitative data, and grounded in key international instruments. These include: *Recommendation CM/Rec(2010)5 of the Committee of Ministers to Member States on Measures to Combat Discrimination on Grounds of Sexual Orientation or Gender Identity*, *LGBTI Inclusion Index: Report on the Pilot Implementation*, *Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention)*, and *Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)*.

The central research question is: *What is the current status of sexual and gender minorities in Serbia?* This is complemented by two additional questions: *Why do they have this status?* and *What can be done to improve it?* Together, these questions frame the inquiry into both the structural causes of exclusion and the possibilities for advancing equality. Data collection relied on three main methods, each adapted to its respective source. Desk research covered legislation, media, and scholarly literature. Surveys were conducted among civil society organizations and members of the LGBTIA and non-binary communities. Questionnaires, in the form of requests for information of public importance, were directed to relevant institutions.

The Introduction presents the study's objectives, overall goal, and purpose, followed by the theoretical and methodological framework and the scope of the research. It outlines the limitations and suggestions for further inquiry, addresses terminological issues often overlooked, and highlights the significance of the study. The section on **International, Regional, and Local Politics** reviews international human rights standards, socioeconomic conditions influencing rights struggles, and Serbia's political and legislative environment. This chapter focuses specifically on the strengthening of the right, and thus anti-gender mobilizations. The analysis of **Private and Family Life** addresses issues of intersex persons, gender

identity, same-sex unions, parenthood, and domestic violence, identifying persistent gaps in protection and support. The chapter on **Economic Well-Being** considers employment, workplace conditions, and poverty risks faced by sexual and gender minorities, underscoring structural challenges. Within the **Educational System**, the study examines access, attainment, the learning environment, and curricula, with particular attention to inclusion. The section on **Healthcare** explores the treatment of sex characteristics and intersex issues, gender transition, general health, sexual and reproductive health, and mental health, highlighting barriers and unmet needs. The discussion on **Political and Civic Participation** covers freedom of association, expression, assembly, media representation, and political representation, noting both progress and shortcomings. The chapter on **Security and Protection from Discrimination and Violence** provides a comparative approach to individual and institutional discrimination, addresses the situation of asylum-seekers, and outlines key challenges. The **Conclusion** synthesizes findings across all domains in relation to the main research questions. The **Recommendations** propose targeted actions for civil society, academia, policymakers, and international partners, aimed at strengthening protection, reducing discrimination and violence, and advancing the rights and well-being of sexual and gender minorities in Serbia.

This research serves a threefold purpose. It provides reporting to national and international institutions, including the Government of the Republic of Serbia, the Council of Europe, and the United Nations. Second, it supplies data and guidelines to support the continued joint advocacy efforts of civil society organizations. Finally, it presents a comprehensive overview of the rights of LGBTIA and non-binary persons, identifying the topics that should be addressed in future research.

List of Acronyms

AIDS	Acquired Immunodeficiency Syndrome
CAT	Convention Against Torture
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CM/Rec(2010)5	Recommendation CM/Rec(2010)5 of the Committee of Ministers to Member States on Measures to Combat Discrimination on Grounds of Sexual Orientation or Gender Identity
CERD	Convention on the Elimination of All Forms of Racial Discrimination
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
CSO	Civil Society Organizations
DSCRM	Discrimination
DSD	Disorders of Sex Development
ECHR	European Convention on Human Rights
ECtHR	European Court of Human Rights
EU	European Union
EUR	Euro
F	Female
HIV	Human Immunodeficiency Virus
IAN	International Aid Network
ICCPR	International Covenant on Civil and Political Rights
ICD	International Statistical Classification of Diseases and Related Health Problems
ICESCR	International Covenant on Economic, Social, and Cultural Rights
ID	A Document Used to Prove Someone's Identity
IPV	Intimate-Partner Violence
LGBTI	Lesbian, Gay, Bisexual, Transgender, Intersex
LGR	Legal Gender Recognition
LGU	Local Self-Government Unit
M	Male
MSM	Men Who Have Sex with Men
n	The Standard Notation for the Number of Respondents (n =)
NB	Non-Binary

OIC	Organization of Islamic Cooperation
PCOS	Polycystic Ovary Syndrome
PTSD	Post-Traumatic Stress Disorder
RSD	Serbian Dinar
SFRY	Socialist Federal Republic of Yugoslavia
SOC	Serbian Orthodox Church
SOGI	Sexual Orientation and Gender Identity
SOGIESC	Sexual Orientation, Gender Identity, Gender Expression, and Sex Characteristics
SRH	Sexual and Reproductive Health
STI	Sexually Transmitted Infection
TSCH	Trans-Specific Healthcare
UDHR	Universal Declaration of Human Rights
UN	United Nations
V	Violence
WCF	World Congress of Families
WHO	World Health Organization
WPV	Workplace Violence
YUCOM	Lawyers' Committee for Human Rights

I Introduction

This report is written in a globally and locally challenging moment, when spaces of freedom are shrinking under pressure from governments that limit agency and silence dissent. Yet, the experiences of marginalized and oppressed communities remind us that these struggles have always persisted, regardless of the context.

The lives of sexual and gender minorities, like those of all people, unfold across different social spheres that are deeply interconnected. In some, discrimination and violence are reinforced; in others, equality may be more attainable. This study therefore examines their position through private and family life, socioeconomic circumstances, education, healthcare, political and civic participation, and institutional functioning. Chapters can be read individually by area of interest, or together as a whole that highlights the overlaps and interconnections across domains.

The Introduction presents the study's objectives, theoretical and methodological framework, limitations, key terminology, and overall significance.

1.1. Objectives, Overall Goal, and Purpose

The research aims to provide a comprehensive understanding of the de jure and de facto status of sexual and gender minorities in Serbia, addressing why this status exists and how it can be improved. It analyzes existing and absent legal rights, the accessibility of institutions, the engagement of civil society organizations (CSOs), and the lived experiences of LGBTIA and non-binary people. By identifying the most critical gaps, the study seeks to inform clear advocacy strategies and policy recommendations for activists, human rights defenders, policymakers, and academia to advance equality and improve quality of life for all.

The overall goal is to drive progress toward equality, inclusion, and human rights protections. It includes a will to ensure access to and availability of state institutions' services, meeting the needs for *quality of life*: personal health, relationships, education status, work environment, social status, wealth, a sense of security and safety, freedom, autonomy in decision-making, social belonging, and physical surroundings.¹

¹ Dac Teoli and Abhishek Bhardwaj, "[Quality of Life](https://shorturl.at/WTVal)," *National Library of Medicine. National Center for Biotechnology Information*, March 27, 2023, <https://shorturl.at/WTVal>.

The research serves a double purpose of reporting to the nationally and internationally institutions (the National Government, the Council of Europe, the United Nations) and providing data and guidelines for COSs' further joint advocacy work.

1.2. Theoretical Framework

The theoretical framework for this research draws on three perspectives: Natural Law, Feminist, and Queer theories. Natural Law emphasizes universal values and minimum standards that guarantee dignity regardless of political systems or socio-economic conditions. Feminist and Queer perspectives ensure that rights are not treated as abstract, but as lived experiences shaped by power, diversity, and resistance. Although contemporary discourse often highlights a division between feminist and LGBTI movements (and theories), their historical and ideological interconnectedness remains a vital foundation for the broader struggle for human rights.

Natural Law, as a philosophical tradition, is today embodied in the idea of inherent and inalienable human rights, most clearly articulated in the Universal Declaration of Human Rights. This interpretation ensures that dignity remains a universal criterion for assessing quality of life, despite changes in governments or legal systems. For LGBTIA and non-binary people, Natural Law provides the foundation that their rights cannot be recognized in some contexts but denied in others. While international declarations are not binding and often lack sanctions, their universal scope compels states to expand rights frameworks to the supranational level and strengthens the possibility of their realization nationally.

Because gender, gender identity, and sexual orientation remain common grounds of discrimination, this research connects Natural Law with feminist and queer theories. These perspectives expand the conception of the “human” and provide key concepts – such as sexual orientation, gender identity, gender expression, heteronormativity, patriarchy, and neoliberalism – that are central for contextualizing data and understanding lived realities.

Queer theory, as a poststructuralist perspective, challenges cultural restrictions and redefines the boundaries between normal and pathological, dignity and shame, recognition and ignorance.² It helps interpret how social relations affect marginalized groups, while also recognizing that stable, collective identities are necessary for claiming rights and legal protection.

² Warner, *The Trouble with Normal*, 38, 59.

In this research, specific terms were consistently applied to ensure conceptual clarity and comparability. “**Sexual orientation** refers to each person’s capacity for profound emotional, affectional, and sexual attraction to, and intimate and sexual relations with, individuals of a different gender, the same gender, or more than one gender.”³ **Gender** is both an individual experience and a social construct shaped by cultural norms, while **gender identity** refers to a deeply felt internal sense of self that may or may not align with the sex assigned at birth. **Gender expression** denotes external manifestations such as appearance, behavior, or speech, evaluated against prevailing social norms. The distinction between sex and gender is emphasized in this study, as it provides an essential basis for interdisciplinary understanding and for explaining the complexity of sexual and gender minority experiences.

An intersectional perspective was also applied to account for the multidimensional nature of individual and collective experiences. Although the primary focus of the analysis is sexual orientation and gender, it was also necessary to consider individuals’ achieved statuses – such as a level of education, parenthood, social prestige, and personal economic circumstances – to ensure a comprehensive understanding of their lived realities.⁴

These realities also unfold within the context of dominant **heteronormativity**. It privileges heterosexuality as natural and moral, structuring institutions and everyday life. Heterosexuality is thus framed as a moral standard, serving as the foundation of both personal identity and social organization. While the governance of sex and sexual preference is central to heteronormativity, its influence extends far beyond sexuality into many other spheres of social life.⁵

Just as heteronormativity privileges heterosexuality as the socially normative form of relationality, **patriarchy**, as a systemic and institutionalized structure of power, functions to reproduce, legitimize, and normalize the dominance of men over women across all spheres of social, political, and economic life.⁶

To contextualize heteronormativity and patriarchy, it is also necessary to consider the economic and socio-political dimensions of **neoliberalism**. “Neoliberalization was born in the midst of the 1970s crisis of accumulation, emerging from the womb of a played-out embedded liberalism.”⁷ Neoliberalism reshaped governance through privatization of assets and social services, reductions in welfare, and policies to

³ International Commission of Jurists and International Service for Human Rights, *The Yogyakarta Principles: Principles on the Application of International Human Rights Law in Relation to Sexual Orientation and Gender Identity* (2006), 8, <https://shorturl.at/68Iqq>.

⁴ Lorber, *Paradoxes of Gender* (Yale University Press, 1994), 31.

⁵ Berlant and Warner, “Sex in Public,” 554–5.

⁶ Sylvia Walby, *Theorizing Patriarchy* (Basil Blackwell, 1990); Carol Pateman, *Sexual Contract* (Stanford University Press, 1988).

⁷ Harvey, *A Brief History of Neoliberalism*, 189.

liberalize trade and attract investment. To justify these shifts, it relied on the assumption that “individual freedoms are guaranteed by freedom of the market and trade.”⁸ As a result, social life was reframed and measured by market terms, deepening inequalities and constraining social justice.

In sum, heteronormativity, patriarchy, and neoliberalism are interwoven systems that reinforce one another. They sustain normative ideals of gender and sexuality, legitimize unequal power, and maintain structures that marginalize those outside prescribed norms.

1.3. Methodology and Scope of the Research

Given the breadth of topics (legislation, institutions, CSOs, and the experiences of LGBTIA and non-binary people), this study applies a mixed-methods approach that combines qualitative and quantitative methods. The conceptual starting point draws on key international human rights instruments that shape national laws and policies. The research is guided by four core documents:

1. *Recommendation CM/Rec(2010)5 of the Committee of Ministers to Member States on Measures to Combat Discrimination on Grounds of Sexual Orientation or Gender Identity*;
2. *LGBTI Inclusion Index. Report on the Pilot Implementation*;
3. *The Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention)*;
4. *Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)*.

These instruments are both universal in scope and specific enough to inform the needs of distinct groups.

CM/Rec(2010)5⁹ has been recognized as a seminal instrument directing European governments on SOGI rights and addressing intolerance, discrimination, and violence (including “deprivation of economic, social and cultural rights, including the right to health”). *The LGBTI Inclusion Index*¹⁰ extends the analysis beyond legislation to lived experiences across education, health, economic well-being, political and civic participation, and personal safety/violence, with adaptable indicators that also include less common topics (e.g., conversion therapy, intersex-related indicators).

⁸ Ibid., 8, 24, 29.

⁹ Committee of Ministers, *Recommendation CM/Rec(2010)5*, 1.

¹⁰ United Nations Development Programme, [LGBTI Inclusion Index. Report on the Pilot Implementation](#) (2024), 8.

Two additional instruments - the Istanbul Convention¹¹ and CEDAW¹² were incorporated because (1) women, including within LGBTIA and non-binary communities, face higher rates of discrimination and violence, and (2) these treaties address topics not fully covered by CM/Rec(2010)5 and the Inclusion Index (e.g., aspects of family/partnership, violence, and access to services relevant to gender justice).

The Istanbul Convention and CEDAW complement the core SOGI instruments by addressing dimensions of violence, family life, and broader gender equality. They provide an explicit framework for recognizing discrimination and violence and adopt an intersectional approach that prohibits discrimination on grounds including sex, gender, sexual orientation, and gender identity. While not focused solely on sexual and gender minorities, both treaties contribute relevant insights – for example, on family and partner violence, reproductive rights, and the situation of rural women – making them indispensable for a comprehensive analysis.

From these instruments, seven social dimensions were defined to assess LGBTIA rights. Indicator counts vary by dimension and were adapted to the research focus, recognizing overlaps across domains. The seven dimensions are:

1. Basic Legal Recognition (6 indicators);
2. Private and Family Life (14 indicators);
3. Economic Well-Being (7 indicators);
4. Education (8 indicators);
5. Health (10 indicators);
6. Political and Civic Participation (15 indicators);
7. Security and Protection from Violence (7 indicators).¹³

Except for *Basic Legal Recognition*, which is treated here as a foundational pre-dimension, the remaining categories align with the Inclusion Index. Some indicators (e.g., legal gender recognition, conversion therapy) cut across domains. For analytical clarity, they were assigned to primary dimensions while noting cross-domain relevance. A full list of indicators and mappings is provided in *Appendix 1: Indicator List*.

¹¹ Council of Europe, Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention), May 11, 2011, <https://shorturl.at/wNXK8>, 3.

¹² United Nations General Assembly, Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Adopted 18 December 1979, <https://shorturl.at/BU9N9>, 5–6.

¹³ A list of the indicators can be found in Appendix 1.

Each social dimension is examined and presented on four levels, which at the same time represent the main data sources:

1. **Legislation** regarding particular social dimension: the (non-)existence of laws, strategies, action plans, and other relevant legal acts relating to sexual and gender minorities' rights;
2. **Institutions**, that is, official data collected from different ministries, institutes, independent state organs, et cetera regarding the results achieved about the rights of sexual and gender minorities, in accordance with their jurisdiction;
3. **Civil society organizations and informal collectives** that deal with the problems of sexual and gender minorities: financial sustainability, safety of the organization and employees/activists, topics, services, and areas they engage with;
4. **Lived experiences of LGBTIA and non-binary people.**

Legislation was analyzed through **desk research**, focusing on how Serbian laws address SOGI rights and where discrimination and violence remain barriers. This mapping against selected indicators highlights both guarantees and gaps.

Institutional data were collected through **tailored FOI requests** aligned with the defined indicators. This method reduced the likelihood of refusal and ensured relevance to each domain. Response rates, timelines, and data quality varied; detailed results are provided in *Appendix 2: Institutional FOI Summary*.

A survey of **LGBTI CSOs and informal collectives** gathered insights on programs, services, safety, and organizational sustainability. It combined closed and open questions, administered via Google Forms. The survey achieved limited response rates, which is noted as a limitation. The list of surveyed CSOs is available in *Appendix 3: Civil Society Organizations Surveyed on SOGI rights*.

A **community-based online survey** targeted gays, lesbians, bisexual, asexual, pansexual, transgender, non-binary, and intersex people. Participation was voluntary and limited to adults. Recruitment relied on Rainbow Ignite social platforms and distribution to maximize reach. The survey was accessible on both mobile and desktop devices.

The survey used **routing** to tailor questions to respondents' identities and health needs (e.g., modules for intersex, transgender, and asexual participants; gynecology/urology pathways). Each section included at least one **open-ended** question to capture experiences beyond predefined options. Closed-ended items provided quantifiable data.

The community survey collected 590 responses, spanning diverse sexual orientations, gender identities, regions, and socioeconomic backgrounds. The sample skews younger (majority aged 18–34) and includes 5% of respondents with disabilities. A detailed profile of the sample, including distributions by identity, orientation, region, settlement type, ethnicity, age, religion, and disability, is provided in *Appendix 4: Sample Profile*.

Intersectionality was a priority when compiling all questionnaires and surveys. Cross-referencing data on sex and gender, gender identity and sexual orientation with geographic data, economic conditions, and disability conducted a comprehensive study that tries to assess progress and uncover the main factors in the area with the highest stagnation, enabling evidence-based decisions in the future.

In addition to the four main data sources, **desk research** also covered media, scholarly literature, and verified websites (e.g., health institutions). These supplementary materials provided broader context on socioeconomic conditions and on the scope and limitations of rights afforded to sexual and gender minorities.

In summary, three collection methods were applied and adapted to each source:

1. **Desk research** (legislation, media, scholarly literature);
2. **Surveys** (CSOs, LGBTIA, and non-binary people);
3. **Requests for access to information of public importance** (institutions) (institutions).

Data analysis combined **quantitative** (descriptive, inferential) and **qualitative** (content, diagnostic) techniques, enabling prescriptive recommendations. The study addressed three guiding questions:

1. What is de jure and de facto status of LGBTIA and non-binary people?
2. Why does this status persist?
3. What actions are needed next?

1.4. Limitations

While this study provides valuable insights into the status of sexual and gender minorities in Serbia, it is important to recognize several methodological limitations. The most significant challenge concerns **sample representativeness**. Research on LGBTIA and non-binary populations rarely achieves fully representative

samples because no comprehensive population frame exists and participation is often based on self-selection. Online surveys tend to reach primarily younger, urban, and digitally connected respondents, while older persons, ethnic minorities, and those in rural areas are less represented. These limitations are widely documented in recent research, including the *EU LGBTIQ Survey III*, which highlights uneven representation across age and region in online samples, as well as methodological studies on how to more effectively survey LGBTQ+ populations¹⁴.

A further limitation is related to **response rates from institutions and organizations**. Not all state bodies and civil society organizations provided information or completed questionnaires, and the quality of responses varied. This reduced the completeness and comparability of data across sectors. At the same time, non-response itself is a meaningful finding, pointing to institutional resistance, lack of capacity, or unwillingness to engage on these issues.

The **scope of the study** also imposed boundaries. While it aimed to cover a wide range of social dimensions, it was not possible to analyze in detail the specific situations of some particularly vulnerable groups. Migrants, sex workers, and persons experiencing multiple or intersecting forms of marginalization (such as ethnic minority LGBTIA individuals with disabilities) remain underexplored. These groups warrant dedicated, in-depth research that can account for their specific legal, social, and economic contexts.

Another set of limitations concerns **data collection methods**. Relying primarily on self-reported surveys introduces risks of underreporting or overreporting due to stigma or social desirability bias. The exclusive use of online data collection further limited participation by those with restricted internet access or lower digital literacy. Language and terminology also posed potential challenges: not all participants may fully identify with or understand terms such as “queer” or “gender expression,” which can influence participation and the accuracy of responses.

Finally, several **technical and analytical constraints** should be acknowledged. The **length and complexity of the survey** contributed to differential completion rates across sections, resulting in varying denominators for particular items, even those designed for all respondents. This introduces potential **non-response bias** at the item level. In addition, the relatively small number of respondents within specific subgroups (e.g., bisexual women, intersex people, or older LGBTIA individuals) reduces the **statistical**

¹⁴ FRA (European Union Agency for Fundamental Rights). (2023). *EU LGBTIQ Survey III*. Luxembourg: Publications Office of the European Union.

power of subgroup analyses and limits the generalizability of findings. To mitigate this, results were triangulated with external studies; however, gaps remain in the depth and precision of analysis.

1.5. Terminology

The selection of an appropriate and inclusive term to represent sexual and gender minorities poses a significant terminological and conceptual challenge. International legal instruments are not consistent in their usage: the UN *LGBTI Inclusion Index* employs the acronym “LGBTI”, while Recommendation CM/Rec(2010)5 refers to “lesbian, gay, bisexual and transgender persons” and to “sexual orientation and gender identity.” Prominent civil society organizations such as ILGA-Europe and IGLYO also use “LGBTI.” Other organizations and activist circles have adopted variations such as “LGBT+,” “LGBTQ,” or “LGBTIQ+.”

The reliance on the acronym “LGBTI” in formal legal and policy contexts reflects the codification of rights associated with these identities within international frameworks. However, the inclusion of non-binary identities presents particular difficulties. Non-binary identities, characterized by fluidity, do not fit easily into the fixed and bureaucratic language that dominates legal discourse. While non-binary persons were explicitly included in this study, their recognition in legal frameworks remains limited.

The situation is further complicated by the use of “queer” (often abbreviated as “Q”), which functions both as a politicized umbrella term and as an identity marker. Although increasingly prevalent in popular culture and academic discourse, “queer” resists precise definition and was not adopted here as the central category.

Given these challenges, this report adopts the term sexual and gender minorities as the primary descriptor, as it is both inclusive and accessible for a broad audience. Where abbreviations are required in legislative or policy contexts, the acronym “LGBTI” is used to align with international standards. The longer formulation “LGBTIA and non-binary people” is retained in the methodology section to reflect the terminology applied in the survey instrument. This approach ensures consistency while maintaining clarity regarding the identities included in the scope of the study.

1.6. Significance of the Research

This report provides a broad and multi-dimensional analysis of the status of sexual and gender minorities in Serbia. Unlike earlier studies that often addressed only one or two domains, it systematically examines

six social dimensions—Private and Family Life, Economic Well-Being, Education, Healthcare, Political and Civic Participation, and Security and Protection from Violence. This breadth allows for a more complete picture of the everyday realities of sexual and gender minorities and offers a basis for comparison across domains.

A key contribution lies in the methodological framework developed for this study. By operationalizing indicators across multiple domains and linking them with international standards, the report establishes a structure that can be reused and adapted in future research. This approach provides a practical tool for monitoring progress, identifying gaps, and guiding reforms. Its adaptability makes it useful for reporting to institutions, for civil society advocacy, and for academic studies.

The theoretical perspectives introduced—natural law, feminist, and queer approaches—provide an additional lens for situating findings within broader questions of power, normativity, and social justice. Their inclusion underscores the importance of examining how structural forces such as heteronormativity and patriarchy shape access to rights and services, and it points to directions for further, more detailed analysis.

The findings carry clear strategic and practical value. They inform international reporting processes by providing evidence-based insights on gaps in implementation and areas requiring reform, with the aim of harmonizing local frameworks with internationally accepted human rights standards for the protection and inclusion of sexual and gender minorities. For civil society, the study offers a framework not only for targeted advocacy and policy development but also for focusing services and support to their constituencies. For academia, it provides a foundation for future research design, clarifying methodological challenges and pointing to underexplored groups such as migrants, sex workers, and non-binary persons. By combining breadth of coverage with a structured methodological approach, the report lays the groundwork for both policy change and continued scholarly inquiry.

II Politics and Rights Frameworks

Notwithstanding the existence of numerous international instruments and institutions established to safeguard human dignity, it would be an understatement to assert that various forms of violence remain pervasive. Such violence is often perpetrated by states, through their institutions, against both individuals and groups, targeting not only foreign, but also domestic citizens. Furthermore, violence is frequently inflicted by individuals and groups upon one another. There has been a “tremendous gap between the proclaimed and the unfulfilled natural human rights, which today constitutes a fateful question for the survival of legal and every other form of civilization.”¹⁵

When it comes to the failure to exercise natural rights on the broadest level, the multitude of causes can be reduced to three basic ones: extreme poverty in a significant number of countries, the existence of a large number of anti-juridical states, and the abuse of human rights.¹⁶ In certain manifestations, neoliberalism exerts influence over legislative changes in (economically) “disadvantaged” countries, at times aligning these reforms with the demands of the global market, with or without incorporating human rights as a request (in the law, not necessarily in the society).

Besides these unacceptable power structures in something called “democracy”, the idea of “pure citizenship”¹⁷ is what contributes to the degradation and misunderstanding of this concept. The realization of “pure citizenship” is achieved, among other things, with national heterosexuality – “the mechanism by which a core national culture can be imagined as a sanitized space of sentimental feeling and immaculate behavior.”¹⁸ As “the culture has thousands of ways for people to govern the sex of others – and not just harmful or coercive sex, like rape, but the most personal dimensions of pleasure, identity, and practice,”¹⁹ the culture also has thousands of ways for stigmatization, condemnation, and punishment. Accordingly, the crimes against sexual and gender minorities are neither always nor necessarily recognized as criminal acts. “Sometimes they are denounced by governments and international agencies; sometimes they are not included as legible or real crimes against humanity by those very institutions.”²⁰

¹⁵ Perović, “Prirodno pravo i zapovest razuma” [Natural Law and the Order of Reason], 83.

¹⁶ Ibid.

¹⁷ Berlant and Warner, “Sex in Public.”

¹⁸ Berlant and Warner, “Sex in Public,” 549.

¹⁹ Warner, *The Trouble with Normal*, 1.

²⁰ Butler, *Undoing Gender*, 34.

Starting from the premise that legal science, legislation, and the practical application of law constitute the three fundamental pillars of a legally and morally organized society, the following text will address international, regional, and local legal frameworks concerning sexual and gender minorities.

2.1. Overview of International Legal Frameworks Regarding Sexual and Gender Minorities

Maintaining the legal order is a challenge of its own, as it consists of both permanent (legal certainty) and variable parts (legislation, rules, and working methods of legal institutions).²¹ At the same time, this implies that the public order of the state must not be isolated, “but expanded by modern international standards expressed through codified law established by various declarations, conventions, and international standards, which include human rights as natural rights inherent to every person and all nations.”²²

Even though the contemporary international human rights framework did not mention SOGIESC explicitly, the development of the human rights has led to the inclusion of these personal grounds primarily due to the fact that the international human rights framework did not limit them, but has rather kept the possibility to include *other statuses* or similar when addressing protected personal grounds. On the other hand, it became clear that sexual and gender minorities are in great need of protection, given that this group was affected by high levels of societal stigma, discrimination, violence, hate speech, and criminalization of their identities across the globe. The latter is still the reality in approximately one-third of the United Nations member states.²³ With that said, one can say today without any doubt that LGBTI persons enjoy protection of their basic human rights under the international human rights framework, which is not enough. Further efforts and case-law development are needed to secure adequate protection of transgender and intersex individuals, and the adoption of laws relating to the human rights of sexual and gender minorities at the state level.

Although the **Universal Declaration of Human Rights** (UDHR, adopted in 1948), as the foundation of the contemporary human rights framework, did not explicitly reference sexual orientation or gender identity, given that these identities were largely excluded from political discourse and rights-based struggles at the time, it nonetheless established a universal framework for the protection of human rights on all grounds of personal status. This foundational document served as the basis for subsequent international and

²¹ Perović, “Prirodno pravo i zapovest razuma” [Natural Law and the Order of Reason], 27.

²² Ibid., 32.

²³ Daniele Paletta, “[Laws on Us: New Global Report Maps Relentless Opposition and Progress on LGBTI People’s Human Rights](https://shorturl.at/MpRYz),” *Ilgga World*, May 30, 2024, <https://shorturl.at/MpRYz>.

domestic legislation addressing these issues. Moreover, Article 2 of the Declaration explicitly allows for the protection of rights on grounds of other personal status, thereby leaving room for the inclusion of characteristics initially omitted: “Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”²⁴

Further development of the international human rights framework has led to the adoption of the **International Covenant on Civil and Political Rights** (ICCPR, adopted in 1966) and **International Covenant on Economic, Social and Cultural Rights** (ICESCR, adopted in 1967) also apply equally to LGBTI persons, even though those identities are not directly mentioned in them.

ICCPR, 1966 guarantees rights such as freedom from discrimination, freedom of expression and assembly, protection, and security. Articles 1, 7, 22, and 24 demonstrate how interpretations of those rights are important regarding sexual and gender minorities’ rights: “All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development”; “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment”; “Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests”; “Every child shall have, without any discrimination as to race, color, sex, language, religion, national or social origin, property or birth, the right to such measures of protection as are required by his status as a minor, on the part of his family, society and the State.”²⁵

One of the most important developments related to ICCPR is the landmark case *Toonen v. Australia*, which clearly determined that the prohibition on discrimination based on ‘sex’ found in articles 2(1) and 26 in ICCPR, 1967 includes sexual orientation.²⁶

ICESCR, 1966 protects rights to work, health, education, and an adequate standard of living.²⁷ The UN Committee on Economic, Social and Cultural Rights issued its clarification regarding “other status” in 2009: “Sexual orientation and gender identity ‘Other status’ as recognized in article 2(2) includes sexual orientation. States parties should ensure that a person’s sexual orientation is not a barrier to realizing

²⁴ United Nations General Assembly, *Universal Declaration of Human Rights*, adopted 10 December 1948, <https://shorturl.at/kNJZb>.

²⁵ United Nations General Assembly, *International Covenant on Civil and Political Rights*, adopted 16 December 1966, 1, 5, 11, 12, <https://shorturl.at/f4nYN>.

²⁶ Remedy Australia, *Toonen v Australia (HRC, 1994)*, <https://remedy-australia.au/cases/24/>.

²⁷ United Nations General Assembly, *International Covenant on Economic, Social and Cultural Rights*, adopted 16 December 1966, <https://shorturl.at/KpPmz>.

Covenant rights, for example, in accessing survivor's pension rights. In addition, gender identity is recognized as among the prohibited grounds of discrimination; for example, persons who are transgender, transsexual, or intersex often face serious human rights violations, such as harassment in schools or in the workplace."²⁸

Convention on the Rights of the Child (CRC, 1989) guarantees children's rights to non-discrimination, protection, and development. In General Comment No. 4 (2003) – Inclusion of Sexual Orientation under Non-Discrimination the UN Committee on the Rights of the Child has explicitly called for measures to protect LGBTI youth from violence and exclusion: "with regard to 'race, color, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status'. These grounds also cover adolescents' sexual orientation and health status (including HIV/AIDS and mental health)."²⁹ In 2016, the same Committee stressed that:

*Adolescents who are lesbian, gay, bisexual, transgender and intersex commonly face persecution, including abuse and violence, stigmatization, discrimination, bullying, exclusion from education and training, as well as a lack of family and social support, or access to sexual and reproductive health services and information.*³⁰

Similar developments in inclusion of sexual and gender minorities have also taken place with other United Nations international conventions, such as the 1956 **Convention on the status of refugees**, the 1965 **Convention on the Elimination of all Forms of Racial Discrimination** (CERD), the 1979 **Convention on the Elimination of All Forms of Discrimination Against Women** (CEDAW), the 1984 **Convention Against Torture** (CAT), and the 2006 **Convention on the Rights of Persons with Disabilities** (CRPD).

In 2013, the UN issued a report highlighting the human rights violations faced by children born with atypical sex characteristics.³¹ The report condemned non-consensual medical interventions, including irreversible sex assignment, involuntary sterilization, and genital-normalizing surgeries performed without the informed consent of the individuals or their parents. The Special Rapporteur called upon all states to repeal any laws permitting such intrusive and irreversible treatments,

²⁸ United Nations Committee on Economic, Social and Cultural Rights, [General Comment No. 20, Non-Discrimination in Economic, Social and Cultural Rights \(art. 2, para. 2\)](https://shorturl.at/BInZY), U.N. Doc. E/C.12/GC/20 (2 July 2009), 10, <https://shorturl.at/BInZY>.

²⁹ United Nations Committee on the Rights of the Child, [CRC General Comment No. 4: Adolescent Health and Development in the Context of the Convention on the Rights of the Child](https://shorturl.at/pkTaw), U.N. Doc. CRC/GC/2003/4 (1 July 2003), 2, <https://shorturl.at/pkTaw>.

³⁰ United Nations Committee on the Rights of the Child, [General Comment No. 20 \(2016\) on the Implementation of the Rights of the Child during Adolescence](https://shorturl.at/yu7Ik), U.N. Doc. CRC/C/GC/20 (6 December 2016), 9, <https://shorturl.at/yu7Ik>.

³¹ United Nations General Assembly, Human Rights Council, [Report of the Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Juan E. Méndez, A/HRC/22/53](https://shorturl.at/70YnZ), 1 February 2013, <https://shorturl.at/70YnZ>.

emphasizing the importance of bodily autonomy and the prohibition of torture in healthcare settings.

Development of the human rights framework in Europe has had its foundation set within the auspices of the Council of Europe, particularly in the **European Convention on Human Rights** (ECHR, 1950), which similarly to UN conventions, did not directly mention sexual and gender minorities, but developed later the practice to protect their rights under the auspices of the European Court of Human Rights (ECtHR). Today, the case-law of the ECtHR related to sexual and gender minorities is very extensive and includes various aspects of their lives. For instance, ECtHR made a pioneering judgment in 1981 in the case of *Dudgeon v. United Kingdom*,³² declaring that criminalization of same-sex identities is breaching the ECHR. Other important case-law relates to the prohibition of inhuman or degrading treatment (Article 3), the prohibition of discrimination (Article 14), the right to respect for private and family life (Article 8), and the right to marriage (Article 12), etc.³³ ECtHR has also dealt with case-law related to rights of adoption of same-sex partners, parenthood, surrogacy, property rights, freedom of assembly, freedom of speech, social rights, legal gender recognition, forced sterilization of trans individuals, international protection cases, and others.³⁴

The European Union has also played a leading role in protecting the rights of LGBTI people. For instance, in 1989, the European Parliament adopted a resolution titled **Resolution on Discrimination Against Transsexuals**,³⁵ calling on Member States to take concrete steps to protect transsexual persons and to adopt appropriate legislation.³⁶ The resolution urged governments to ensure that individuals seeking gender reassignment through endocrinological treatment, plastic surgery, and cosmetic procedures have access to such services, and that the costs are covered by public health insurance systems. It also called on raising public awareness of the

³² European Court of Human Rights, *Case of Dudgeon v. United Kingdom* (Application no. 7525/76), October 22, 1981, <https://shorturl.at/5nGsZ>.

³³ European Court of Human Rights, “[European Convention on Human Rights](https://www.echr.coe.int/documents/d/echr/convention),” *Council of Europe*, 1950, 13, <https://www.echr.coe.int/documents/d/echr/convention> ENG.

³⁴ For further reference on the case law related to LGBTI persons: Evropski sud za ljudska prava, *Vodič kroz sudsku praksu prema Evropskoj konvenciji o ljudskim pravima. Prava LGBTI osoba* [Guide to Judicial Practice According to the European Convention on Human Rights. Rights of LGBTI People], ed. Ured registrara, 2024, <https://shorturl.at/KSmxE>.

³⁵ There were many anti-discriminatory documents within European Parliament that continued the development of LGBTI rights, like: Declaration against Discrimination towards Homosexuals (1988), Discrimination against Homosexuals Regarding Employment in Member States (1990), Discrimination against Homosexual Staff Members in EU Institutions (1996), Discrimination Based on Sexual Orientation against a Council Official (1999) (Historical Archives of the European Union, *LGBTQ+ at Work. Archives and Commitments of the European Parliament*, (European University Institute, 2024), online exhibition, https://archives.eui.eu/en/audio_visual/exhibitions/28/exhibition_pages/49).

³⁶ Cristina Castagnoli, *Transgender Persons' Rights in the EU Member States* (European Parliament, 2010), 14–15, <https://shorturl.at/GcsEJ>.

issues faced by transsexual/transgender persons, with particular emphasis on targeted training for staff in state social services, border control authorities, registry offices, the military, and prison administrations. This was intended to reduce discrimination, improve institutional understanding, and ensure respectful, rights-based treatment.³⁷ In 2009, the Intergroup on sexual and gender minorities' rights was established as an informal network of Members of the European Parliament dedicated to promoting and protecting those rights.³⁸ It monitors EU actions, advocates for inclusive policies, and serves as a platform for dialogue between members of the European Parliament, civil society, and other stakeholders on equality and non-discrimination issues.

Resolution 2191 (2017), **Promoting the Human Rights of and Eliminating Discrimination Against Intersex People**, was adopted by the Parliamentary Assembly of the Council of Europe. The resolution recommends that member states ensure their laws neither create nor perpetuate obstacles to the full equality of intersex persons.³⁹

In this section, it is important to mention the **Yogyakarta Principles** (2006), updated in 2017 as **Yogyakarta Principles Plus 10**, which is a set of non-binding international principles detailing how existing human rights law applies to sexual orientation, gender identity, gender expression, and sex characteristics (SOGIESC). The initial document, adopted in 2006, comprised a total of 29 principles, several of which directly address the specific challenges faced by gender minorities. Among these is the principle concerning the right to recognition before the law.⁴⁰

The second document, *Yogyakarta Principles Plus 10*, added 9 more principles and additional state obligations concerning some of the 29 principles from the first document. The right to freedom from criminalization and sanction based on sexual orientation, gender identity, gender expression, or sex characteristics, and the right to bodily and mental integrity are two of the new principles.⁴¹

³⁷ Ibid.

³⁸ LGBTIQ+ Intergroup, “[Our Role](https://lgbti-ep.eu/),” <https://lgbti-ep.eu/>.

³⁹ Parliamentary Assembly of the Council of Europe, *Resolution 2191 (2017): Promoting the Human Rights of and Eliminating Discrimination against Intersex People*, October 12, 2017, <https://shorturl.at/1hMaA>.

⁴⁰ International Commission of Jurists and International Service for Human Rights, *The Yogyakarta Principles*.

⁴¹ International Commission of Jurists and International Service for Human Rights, *The Yogyakarta Principles Plus 10. Additional Principles and State Obligations on the Application of International Human Rights Law in Relation to Sexual Orientation, Gender Identity, Gender Expression and Sex Characteristics to Complement the Yogyakarta Principles*, 2017, 10, <https://shorturl.at/14mZx>.

As mentioned in the introduction, **CEDAW** and the **Istanbul Convention** should not be underestimated in the protection of women within sexual and gender minorities. CEDAW sets the global human rights standard for eliminating discrimination against women, while the Istanbul Convention focuses on practical protection from violence. All policies and interventions that thoroughly address the problems of discrimination and violence must be grounded in a deep understanding of how heteronormativity and patriarchy operate in society. Only by recognizing and addressing these intertwined systems of domination can legislation effectively dismantle the root causes, ensuring meaningful equality, inclusion, and empowerment for all marginalized groups.

2.2. The Socioeconomic Context of the Struggle for Human Rights

The strengthening of right-wing ideologies in the 21st century has manifested in various forms, with key actors including religious representatives and right-wing, ultraconservative groups, political parties, and citizens who support right-wing orientations.

The specific focus on the concept of gender started with the Vatican's resistance and hostility to the concept of gender and gender equality policies concerning the 1995 Beijing World Conference on Women.⁴² The Holy See advocates against rights related to abortion, sexual orientation, and gender identity, in part by falsely arguing that these are new or not rights at all.⁴³ The Russian Orthodox Church has consistently opposed both the concept of gender and legal measures addressing domestic violence.⁴⁴ In the United States, evangelical Protestant advocates for the integration of national identity and Christian faith, banning abortion, restoring prayer in public schools, eliminating special rights for homosexuals, and re-establishing traditional gender roles for men and women.⁴⁵

By portraying CSOs that fight for human rights as “foreign minions” who are paid to import ideas from Western, those extreme conservative actors, such as the Catholic Church, U.S. Christian Right organizations, the Russian Orthodox Church, and the Organization of Islamic Cooperation, are well-

⁴² Mary Anne Case, “[After Gender the Destruction of Man – The Vatican's Nightmare Vision of the 'Gender Agenda' for Law](https://doi.org/10.58948/2331-3528.1785),” *Pace Law Review* 31, no. 3 (2011): 804. <https://doi.org/10.58948/2331-3528.1785>.

⁴³ Catholics for Human Rights, [Report on the Holy See at the United Nations](https://shorturl.at/zJWtW). UN CSW 63 Parallel Event, March 14, 2019, 6, <https://shorturl.at/zJWtW>.

⁴⁴ Regina Elsner, “[Gender, Russian Orthodoxy, and the Invention of 'Traditional' Values](https://shorturl.at/ykjlP),” *Canopy Forum*, October 31, 2024, <https://shorturl.at/ykjlP>.

⁴⁵ Shaoqing Zhou, “American Evangelical Nationalism: History, Status Quo, and Outlook,” *International Journal of Anthropology and Ethnology* 7, no. 22 (2023): 2, 9, 11, <https://doi.org/10.1186/s41257-023-00101-3>.

resourced global actors:⁴⁶ “US Christian Right groups, many with close links to the Trump administration, have spent at least US\$280 million in ‘dark money’ fuelling campaigns against the rights of women and LGBTIQ people across five continents.”⁴⁷ In the 2024 election cycle alone, right-wing politicians invested nearly US\$215 million in anti-trans network television advertisements.⁴⁸ “[...] Between 2013–2017 LGBTI movements worldwide received US\$1.2 billion, while the anti-gender movement received US\$3.7 billion – more than triple the LGBTI funding.”⁴⁹

The previous and current Donald Trump presidencies and administrations have had a tremendous effect on human rights.⁵⁰ Women’s rights and the rights of sexual and gender minorities have been reduced, or taken away, for example, the federal judiciary with staunch abortion opponents and blanket bans on gender-affirming care for transgender youth.⁵¹

The strengthening of far-right parties has also become a defining feature of Europe’s political landscape.⁵² The rise of far-right parties in the European Parliament has introduced a complex dynamic within the EU’s consensus-based decision-making framework. While it is a safeguard against the sudden seizure of power by far-right parties, the problem arises with the formation of majority coalitions now, when it is more difficult to have it without them.⁵³ Centrist political parties become more open to cooperation, thereby supporting “creeping normalization” of the far-right discourse.⁵⁴

Attacks on the domestic and international legislative framework are a frequent target. Anti-gender campaigns have pursued such aims as introducing a total ban on abortion in Poland, and even though they did not succeed completely, Poland has extremely restrictive abortion law.⁵⁵ The frequent target is also the

⁴⁶ McEwen and Narayanaswamy, *The International Anti-Gender Movement*, 8–9.

⁴⁷ Nandini Naira Archer and Claire Provost, “[Revealed: \\$280M ‘Dark Money’ Spent by Us Christian Right Groups Globally](https://shorturl.at/KSHud),” *Open Democracy*, October 27, 2020, <https://shorturl.at/KSHud>.

⁴⁸ Human Rights Watch, “[‘They’re Ruining People’s Lives’. Bans on Gender-Affirming Care for Transgender Youth in the US](https://shorturl.at/7LuO9),” June 3, 2025, <https://shorturl.at/7LuO9>.

⁴⁹ Global Philanthropy Project, “[Meet the Moment: A Call for Progressive Philanthropic Response to the Anti-Gender Movement](https://shorturl.at/QHagK),” November 12, 2020, <https://shorturl.at/QHagK>.

⁵⁰ Human Rights Watch, “[The Trump Administration and Human Rights](https://www.hrw.org/tag/the-trump-administration-and-human-rights),” <https://www.hrw.org/tag/the-trump-administration-and-human-rights>.

⁵¹ American Civil Liberties Union, “[Trump on Abortion. Threatening to Ban Abortion Nationwide and Take Away Our Reproductive Freedom](https://shorturl.at/V3ekP),” <https://shorturl.at/V3ekP>; Human Rights Watch, “They’re Ruining People’s Lives”; Amnesty International, “[President Trump’s First 100 Days: Attacks on Human Rights, Cruelty and Chaos](https://shorturl.at/svSec),” 30 April 2025, <https://shorturl.at/svSec>.

⁵² Tamara Ivančević, *Izazovi feminističke politike: Podsetite nas šta to beše bezbednost* [The Challenges of Feminist Politics: Remind Us What Security Was] (Udruženje Feministički kulturni centar BeFem, 2024), 13–15, <https://shorturl.at/9KjcA>.

⁵³ Manuel Müller, *The Rise of the Far Right in the European Union: Gaining Power Not through Sweeping Victory, but through Creeping Normalisation*, Finnish Institute of International Affairs, Briefing Paper No. 387, May 2024, 2, <https://shorturl.at/Wj58D>.

⁵⁴ Ibid.

⁵⁵ Center for Reproductive Rights, “[New UN Report: Polish Abortion Law Violates Human Rights](https://shorturl.at/fk10I),” September 16, 2024, <https://shorturl.at/fk10I>.

Istanbul Convention, against which protests found place in North Macedonia, Croatia, the Czech Republic, etc.⁵⁶ Multiple other topics were also anti-gender targets: from demonstrations for preventing the introduction of marriage equality, like those in France, the U.S., or Malawi,⁵⁷ to protest against sex education, gender in curricula, and gender studies.⁵⁸ When right-wing and anti-gender ideas move into legislation and institutional action, sexual and gender minorities can easily be detained and tortured by authorities, as Russia illustrated.⁵⁹

The other constant targets are Pride parades and other LGBTI events and protests. Equality Marches in Poland have been attacked on several occasions.⁶⁰ Threats and attacks against sexual and gender minorities also end in murders in the most extreme cases, like in the mass shooting in a nightclub in Orlando, where 49 people were killed in 2016 because of their sexual orientation and gender identity.⁶¹ In the case of Ahmet Yildiz, Ahmet's father is the primary suspect for the murder of his son, and the trial is still ongoing.⁶² Kurdish transgender woman, Doski Azad, was brutally murdered in 2022 by her estranged brother in Iraq.⁶³ Unfortunately, these cases are not isolated incidents.

The following part seeks to situate the local context of Serbia within the broader socioeconomic context and the legal framework that serves to protect the rights of sexual and gender minorities.

⁵⁶ Metamorphosis Foundation, "[Disinformation Fuels Church Protest Against Gender Equality in North Macedonia](#)," *Global Voices*, August 10, 2023; Al Jazeera, "[Završen protest protiv ratifikacije Istanbulske konvencije](#)" [The Protest Against the Ratification of the Istanbul Convention Has Ended], March 24, 2018, <https://shorturl.at/HUjya>.

⁵⁷ Sam Ball, "[Protesters Take to Streets over French Govt's 'Familyphobia'](#)," *France 24*, October 5, 2014, <https://shorturl.at/ZZFmy>; Euronews, "[US Anti-Same Sex Marriage March in Washington](#)," April 26, 2015, <https://www.euronews.com/2015/04/26/us-anti-same-sex-marriage-march-in-washington>; Lameck Masina, "[Religious Leaders in Malawi Protest Same-Sex Marriage](#)," *VOA News*, July 13, 2023, <https://www.voanews.com/a/religious-leaders-in-malawi-protest-same-sex-marriage/7179790.html>.

⁵⁸ Elizabeth Schumacher, "[Sex Education Sparks Protests](#)," *DW*, November 16, 2016, <https://www.dw.com/en/wave-of-protests-against-sex-education-reform-in-germany/a-36413964>; Gabriella Elbied Pettersson, "[Genusforskare får ta emot hot och hat](#)" [Gender Researchers Face Threats and Hatred], *Göteborgs-Posten*, December 18, 2018, <https://shorturl.at/ajqbu>; Anna Zsubori, "[Gender Studies Banned at University – The Hungarian Government's Latest Attack on Equality](#)," *The Conversation*, October 9, 2018, <https://shorturl.at/kQZuh>.

⁵⁹ BBC, "[Chechnya LGBT: Dozens 'Detained in New Gay Purge'](#)," January 15, 2019, <https://shorturl.at/KtqDq>; Yaroslav Rasputin, "[We Closed the Doors, but It Didn't Help. LGBT People in Russia Have Become Extremists](#)," *The Council for Global Equality*, April 11, 2024, <https://shorturl.at/VsecM>.

⁶⁰ Tara John and Muhammad Darwish, "[Polish City Holds First LGBTQ Pride Parade Despite Far-Right Violence](#)," *CNN*, July 21, 2019, <https://shorturl.at/kEx1Y>.

⁶¹ Jessica Lussenhop, "[Orlando Shooting: Latest Attack on LGBT Community](#)," *BBC News*, June 13, 2016, <https://shorturl.at/qNjqc>.

⁶² ILGA-EUROPE and IGLYO, *A Complex Picture of Progress*, 13; VOA, "[Death of Gay Activist Brings Turkey's Attitude toward Gays into Focus](#)," January 20, 2010, <https://shorturl.at/Ksc8V>.

⁶³ ILGA Asia, "[Commemorating the One-Year Anniversary of Doski Azad's Murder: A Call for Justice and an End to Queerphobic Violence in Iraq](#)," February 8, 2023, <https://shorturl.at/QMui3>.

2.3. The Republic of Serbia: Politics and Legislation

Today, Serbia is characterized by the subordination of parliament and the judicial system, with the absence of party and media pluralism, equality of citizens before the law, and fair and free elections.⁶⁴ The state president, Aleksandar Vucic, and the ruling Serbian Progressive Party [Srpska napredna stranka] captured the institutional system.⁶⁵ Since the collapse of a train station canopy in the city of Novi Sad killed 16 people, students and citizens across Serbia have been demanding that the institutions act in accordance with the rule of law and against corruption.⁶⁶ Protests have taken place across Serbia, in numerous cities and towns.

Concerning anti-gender and right-wing movements in Serbian, religious authorities have a strong position and contribute to the degradation of different human rights. The Serbian Orthodox Church (SOC) continuously tries to abolish the abortion right.⁶⁷ The attitude towards sexual and gender minorities is not better:

*The hate speech of the highest representatives of the SOC, such as the one that the bishop is ready to 'use weapons against Europride, but that he doesn't have it', that 'LGBTIQ+ ideology is unacceptable for Orthodox Christians', or that Pride is 'the tip of the iceberg of immorality, a collection of all flaws and vices', undoubtedly generates and contributes to the appearance of the most diverse forms of violence against LGBTIQ+ people. The connection between the SOC and formal and informal right-wing groups could also be seen when organizing a religion procession and signing a petition against holding the Pride Parade.'*⁶⁸

Despite all of the above, the legislative framework in Serbia is largely shaped by the following principle: "In a significant part of the world that does not belong to extreme poverty, human rights are generally accepted on paper through the ratification or implementation of these rights in national legislation."⁶⁹ The

⁶⁴ Gordana Vaš, "[Diktatura, autokratija ili demokratija: čemu je najbliža Srbija?](https://shorturl.at/iiMMY)" [Dictatorship, Autocracy or Democracy: What Is Serbia Closest To?], *NI*, January 7, 2024, <https://shorturl.at/iiMMY>.

⁶⁵ Vladimir Marović, "[Vučićevo samovlašće i istorijske paralele](https://shorturl.at/XM4lk)" [Vučić's Autocracy and Historical Parallels], *Radar*, June 25, 2025, <https://shorturl.at/XM4lk>.

⁶⁶ Markus Kaiser, "[The Struggle of a Society for Itself](https://shorturl.at/VbQLk)," *Friedrich Naumann Foundation for Freedom*, March 17, 2025, <https://shorturl.at/VbQLk>; Federica Marsi, "[What Are Serbia's Protesters Demanding, and What's Next?](https://shorturl.at/3S8UK)," *Al Jazeera*, Jun 30, 2025, <https://shorturl.at/3S8UK>.

⁶⁷ Balkan Insight, "[Serbian Church Demands Crackdown on Abortion](https://shorturl.at/cQDe1)," *BIRN*, June 5, 2013, <https://shorturl.at/cQDe1>.

⁶⁸ *Ibid.*, 18.

⁶⁹ Perović, "Prirodno pravo i zapovest razuma" [Natural Law and the Order of Reason], 84.

Republic of Serbia, as the successor state of the Socialist Federal Republic of Yugoslavia (SFRY) and as a member of the United Nations, has ratified the following UN conventions:

	Adopted by the UN	Ratified by the SFRY
Convention Relating to the Status of Refugees and the Protocol	1951, 1967	1959, 1967
Convention on the Elimination of All Forms of Racial Discrimination	1965	1967
International Covenant on Civil and Political Rights and International Covenant on Economic, Social and Cultural Rights	1966	1971
Convention on the Elimination of All Forms of Discrimination Against Women	1979	1981
Convention on the Rights of the Child	1989	1990
Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	1984	1991

Table 1: UN Conventions, Often Used in Relation to Sexual and Gender Minorities, Ratified by SFRY

The **Convention on the Rights of Persons with Disabilities** (2006) was ratified directly by Serbia in 2009. The **Universal Declaration of Human Rights** (1948) is non-binding. The same applies to the **Yogyakarta Principles Plus 10** as an international law instrument.

Regarding the documents of the Council of Europe:

	Adopted by the Council of Europe	Ratified by Serbia
European Convention on Human Rights	1950	2004 ⁷⁰
Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention)	2011	2013

Table 2: The Conventions of the Council of Europe Often Used in Relation to Sexual and Gender Minorities, Ratified by Serbia

Since the **Resolution on Discrimination Against Transsexuals** is a non-binding resolution, Serbia is under no legal obligation to implement it. However, as a member state of the Council of Europe, Serbia is expected to take such recommendations into account in shaping its policies. When it comes to the **CM/Rec(2010)5 Recommendation of the Council of Europe Committee of Ministers on Measures to Combat**

⁷⁰ Serbia is as a member of the Council of Europe since 2003.

Discrimination on Grounds of Sexual Orientation or Gender Identity, which is also a non-binding recommendation, it is applied through policies in Serbia since its adoption in 2010.⁷¹

The **Constitution of the Republic of Serbia** (hereafter referred to as “the Constitution”) establishes that the generally accepted rules of international law and confirmed international treaties are an integral part of the legal order of the Republic of Serbia and that they are directly applicable. However, they must be in accordance with the Constitution.⁷² The Constitution guarantees, and as such, directly applies human and minority rights guaranteed by generally accepted rules of international law, confirmed by international treaties and laws. Provisions on human and minority rights are interpreted in favor of promoting the values of a democratic society, in accordance with international standards and practices of international institutions that supervise their implementation.

The necessity of adopting a special systemic law on the prohibition of discrimination arose from the need to elaborate several constitutional provisions relating to this matter, in order to ensure the effective implementation of the prohibition of discrimination in Serbia. Adopted in 2009, **Law on Prohibition from Discrimination**⁷³ represents the first systemic law to introduce a general prohibition of discrimination. The law comprehensively regulates the prohibition of all forms of direct and indirect discrimination, including aggravated and specific forms of discrimination, as well as the procedures for protection against such practices. Furthermore, it defines discrimination, specifies severe and individual forms of discriminatory conduct, and establishes the institution of the Commissioner for the Protection of Equality as an independent state authority, autonomous in carrying out the functions prescribed by this law.

Sexual orientation and gender identity are explicitly recognized in the Law on the Prohibition from Discrimination (Articles 2, 21–22) as prohibited grounds of discrimination: “Sexual orientation is a matter of private life, and no one may be compelled to publicly disclose their sexual orientation. Everyone has the right to declare their sexual orientation, and any form of discriminatory treatment on the basis of such

⁷¹ Savet Evrope, *Preporuka CM/Rec(2010)5 Komiteta ministara državama članicama o merama za borbu protiv diskriminacije na osnovu seksualne orijentacije ili rodnog identiteta* [Recommendation CM/Rec(2010)5 of the Committee of Ministers to Member States on Measures to Combat Discrimination on Grounds of Sexual Orientation or Gender Identity], Komitet ministara, March 31, 2010, <https://shorturl.at/1QmkO>.

⁷² Republika Srbija, *Ustav Republike Srbije* [The Constitution of the Republic of Serbia], *Službeni glasnik RS*, br. 98/2006, art. 16, <https://shorturl.at/hBoG4>.

⁷³ Republika Srbija, *Zakon o zabrani diskriminacije* [Law on Prohibition from Discrimination], *Službeni glasnik RS*, br. 22/2009 i 52/2021, <https://shorturl.at/1UFIG>.

declaration is strictly prohibited.”⁷⁴ With the 2021 amendments to the law, sex characteristics were expressly added as an additional protected personal ground.⁷⁵

The **Commissioner for the Protection of Equality** (hereafter referred to as “the Equality Commissioner”) is an independent state authority established to protect individuals from discrimination. This is an independent body established under the Law on Prohibition from Discrimination. Anyone who has suffered discriminatory treatment has the right to file a lawsuit in court, as well. Moreover, the **Protector of Citizens** (hereafter referred to as “Ombudsman”) is an independent state body established under the **Law on Protector of Citizens** responsible for protecting the rights of citizens and monitor the legality and proper functioning of state administrative bodies, as well as bodies responsible for the legal protection of the property rights and interests of the Republic of Serbia, and other organizations, companies, and institutions entrusted with public authority.⁷⁶ The Protector of Citizens safeguards and promotes human and minority rights and freedoms by receiving and investigating complaints regarding violations of rights by state authorities or public institutions, monitoring the legality and proper functioning of administrative bodies, and issuing recommendations and opinions to rectify violations. The office also proposes legislative and policy changes within its competence, raises public awareness through educational activities and outreach to vulnerable groups, and collaborates with national and international organizations to ensure that Serbia’s practices align with human rights standards and best practices.

Other laws used to protect the rights of sexual and gender minorities will be addressed in subsequent chapters in relation to the social dimensions and questions they examined: non-regulation of same-sex partnerships and parenting, legal recognition of transgender persons, information about intersex conditions, health, discrimination at work and risks of poverty, physical mental health – availability of procedures, medicines and support, education system, queer organizations and political engagement, police and courts, institutional violence, etc.

⁷⁴ Ibid., art. 21.

⁷⁵ Ibid., art. 2.

⁷⁶ Republika Srbija, [Zakon o Zaštitniku građana](https://shorturl.at/tHnBr) [Law on Protector of Citizens], *Službeni glasnik RS*, br. 105, <https://shorturl.at/tHnBr>.

III Private and Family Life

LGBTIA civil society organizations, together with other CSOs and institutional representatives, have actively contributed to developing model laws for sexual and gender minorities, incorporating explanatory notes aligned with international standards and jurisprudence.

This chapter includes both quantitative and qualitative data on intersex, transgender, and non-binary people, lesbian, bisexual, pansexual, heterosexual, and asexual women and men, accompanied by an analysis of terminology, lived experiences, and the advocacy efforts of civil society organizations, as well as the legal framework concerning the right to private and family life. In addition to examining identities and their shared and distinct elements, particular attention is given to domestic violence, which, due to societal condemnation and legal gaps, remains a neglected area, despite being of critical importance for ensuring a high quality of life. It is structured around four main areas: Intersex: Differences in Sex Characteristics, Gender Identity, Sexual Orientation, Same-Sex Unions and Parenthood, Domestic Violence: Family and Intimate-Partner Violence, and Identified Gaps and Challenges.

3.1. Intersex: Differences in Sex Characteristics

The modern term “intersex” refers to a variety of chromosomal, gonadal, hormonal, and/or genital conditions in which a person is born with reproductive or sexual traits that do not align with the most typical or common female and male bodies. Over time, several alternative terms have been introduced to describe these variations, including “disorders of sex development (DSD),” “intersexuality” and “intersex.” These were intended to replace older and now widely rejected medical terms such as “hermaphroditism” or “pseudohermaphroditism.”⁷⁷

The struggles for intersex rights primarily center on ethical concerns in medical practice. Central issues include the negative and often irreversible consequences of medically unnecessary surgeries (like impaired sexual function or loss of sensitivity), along with the risks of incorrect gender assignments in infancy or childhood.⁷⁸ Beyond the medical dimension, many intersex individuals face long-term psychological challenges, including depression, shame, and guilt.⁷⁹ First and foremost, it is essential to postpone cosmetic and non-urgent surgeries on intersex children and to strictly limit any early medical interventions to those

⁷⁷ Nuria Gregori Flor, S. García Dauder, and Inmaculada Hurtado García, “Bioethics and Intersex: ‘Time Out.’ A Paradigm Shift on Intersex Management in the Spanish Context,” *Athenea Digital* 18, no. 2, e1899 (2018): 2. <https://doi.org/10.5565/rev/athenea.1899>.

⁷⁸ Ibid., 2.

⁷⁹ Ibid.

that are medically necessary. This is applicable only if parents and, when possible, the children themselves are provided with complete and accurate information about intersex variations, the potential risks of surgery, and the full range of options available. Equally important is the provision of psychological counseling and peer support, which can help with reducing stigma.⁸⁰

Although the rights of intersex people are directly recognized and protected by the Law on Prohibition from Discrimination⁸¹, it is important to note that sex characteristics are not recognized under any other laws or bylaws in Serbia. A further concern arises from Article 48 of the **Law on Registry Books**⁸² which stipulates that the birth of a child must be registered within 15 days from the date of birth, at which time the male or female sex marker must be entered into the registry. In practice, this provision can result in surgical interventions on intersex infants, undertaken to assign a sex within the prescribed time limit.

In 2016, the United Nations estimated that 1.7% of newborn babies are intersex.⁸³ This could mean that there are around 112.000 individuals with intersex conditions living in Serbia; “Approximately ten children each year are referred to the team of doctors at the Institute for Mother and Child Health Care of Serbia, “Dr. Vukan Čupić,” in Belgrade, because it is impossible to assign them sex at birth.”⁸⁴ This means that a total of 17 intersex respondents, representing 3% of the sample in the survey, are far from representative.⁸⁵ Although the results of this study cannot be generalized, it is important to consider these findings, particularly given the absence and marginalization of intersex people in various research efforts, including official government statistics. The scarcity of data and the lack of systematic inclusion of intersex individuals in studies underscore the significance of even limited research, as it provides critical insight into the lived experiences and needs of this often-overlooked community.

The higher prevalence of variations among females, 4% (n = 15), than males, 1% (n = 2), in the survey conducted for this research, does not mean that intersex conditions are more common in individuals assigned female at birth. In relation to gender identity, most of those reporting a variation are cisgender women (n = 8), followed by 3 female non-binary individuals, 4 transgender men, 1 transgender woman,

⁸⁰ Ibid.

⁸¹ Republika Srbija, *Zakon o zabrani diskriminacije* [Law on Prohibition from Discrimination].

⁸² Republika Srbija, *Zakon o matičnim knjigama* [Law on Registries], *Službeni glasnik RS*, br. 20/2009, 145/2014, 47/2018, <https://shorturl.at/mvKei>.

⁸³ United Nations Office of the High Commissioner for Human Rights, “[Estimated 1.7 Per Cent of New-Born Babies Are Intersex](https://news.un.org/en/audio/2016/11/619332),” *UN News, UN Free & Equal Campaign*, November 12, 2016, <https://news.un.org/en/audio/2016/11/619332>.

⁸⁴ Sonja Gočanin, “[Biti interseks osoba u Srbiji](https://shorturl.at/HhmcN)” [Being an Intersex Person in Serbia], *Radio Slobodna Evropa*, October 4, 2024, <https://shorturl.at/HhmcN>.

⁸⁵ One possible explanation for the small number of intersex respondents in the survey is that some individuals with intersex variations do not identify as part of the LGBTI community, particularly given the absence of heterosexual intersex participants in the sample.

and 1 cisgender man. It is in line with the note that one should not “assume that people with intersex variations identify their sex and gender in ways that are non-binary – some may do so, but many do not;” actually, most identify as exclusively female or male.⁸⁶ Given this diversity in terminology, the survey included a question about whether the respondents were familiar with the term “intersex”. Of the 17 intersex respondents, 16 were familiar with the term at the time of completing the survey.

The University Children’s Clinic in Tirsova Street (hereafter referred to as “the University Children’s Clinic”) and the Institute for Mother and Child Health Care of Serbia, “Dr. Vukan Cupic” (hereafter referred to as “the Institute for Mother and Child Health Care”) are two main health institutions for children in the country and for the past decade there is a multidisciplinary team working with intersex babies and children.⁸⁷ The Institute for Mother and Child Health Care uses the term DSD. In its response to a request for information of public importance, it stated that: “In accordance with current international practice, our multidisciplinary team does not assign a child’s sex. Instead, it provides parents with information about the child’s biological and phenotypic characteristics that are relevant to chromosomal composition, gonads, anatomy, hormone levels, fertility, and so forth, thereby assisting parents in making an informed decision. Regarding surgical interventions, these are also planned in accordance with current international standards.”⁸⁸ The University Children’s Clinic did not respond to a request for information of public importance.

3.2. Gender Identity

Transgender refers to those persons who cross-identify or who live as another gender, but who may or may not have undergone hormonal treatments or sex reassignment operations. Among transgender people, some identify as men (female to male) or women (male to female), and yet others who, with or without hormones and surgery, identify first and foremost as transgender. In this context, non-binary people, who were once subsumed under the broader category of transgender, are now increasingly recognized as a distinct gender identity, although they remain underrepresented in research and public debates.

The survey was completed by 35 transgender individuals: 11 transgender women and 24 transgender men, and 54 non-binary people: 44 female and 8 male.

⁸⁶ Department of Health and Human Services, *Health and Wellbeing of People with Intersex Variations*, 11, 13, 15.

⁸⁷ Randjelovic, *Intersex Research Study*, 38.

⁸⁸ Nataša Grbić, “Odgovor na zahtev za informacije od javnog značaja. Dugina iskra” [Response to a Request for Information of Public Importance. Rainbow Ignite], Institut za zdravstvenu zaštitu majke i deteta Srbije “Dr Vukan Čupić”, 5422/2, May 29, 2025.

Under the **Family Law of the Republic of Serbia**,⁸⁹ every individual has the right to a personal name, including both a first name and a surname, which is recorded in the birth registry. Individuals aged 15 or older, who are capable of reasonable judgment, may independently request a name change.

While the law applies broadly to all citizens, it holds particular significance for transgender individuals securing legal recognition of their gender identity through a name change. Among transgender respondents who sought to change their name on the identity card, 13 out of 35 individuals (37%) reported having done so. Of these, two individuals changed their name after transition, six of them did so during the transition process, and five respondents before transition. During the name change process, the majority (10 respondents) were able to choose their name freely, while three reported being provided with a restricted list of options:

“I was able to choose my name because the head of the registry office was reasonable and understanding.” (Transgender man, asexual, 18–34)

“I changed my name both during and after transition. Before transition, I chose a gender-neutral name to avoid rejection of my request. After transition, I added a male name.” (Transgender man, bisexual, 18–34)

“Instead of the male name I wanted, I was forced to choose a version of that name that was similar but sounded neutral.” (Transgender man, bisexual, 18–34)

“I was able to choose my name, but not to change it to a *traditional male name* before the sex marker was also changed.” (Transgender man, heterosexual, 35–49)

“In Belgrade, choosing a name is done independently. There are names that cannot be accepted, but this does not apply only to trans people – it applies to anyone changing their name.” (Transgender man, heterosexual, 18–34)

The survey examined which official documents transgender respondents had changed their names on, in addition to the previously mentioned identity card:

1. Health card (n = 12)
2. Diplomas (n = 8)
3. School certificates (n = 6)

⁸⁹ Republika Srbija, [Porodični zakon](#) [Family Law], *Službeni glasnik RS*, br. 18/2005, 72/2011, 6/2015, <https://shorturl.at/bzoD4>.

Respondents also reported making name changes on passports, property ownership documents, and vehicle registrations. This question was used to check whether the right to change one's name is being violated and whether transgender people are exercising this right. Five transgender persons were denied in relation to the request to change the name on the health card (n = 1), school certificates (n = 4), diploma (n = 1), and certificate of passed professional exam from the Ministry of Health (n = 1). Although it is of great importance that name changes are made accessible to all, shared experiences indicate that institutional employees may discriminate against transgender individuals with respect to the permitted choice of name, as well as in cases of discrepancies between the name and sex designation.

By the **Law on Amendments to the Law on Registry Books**,⁹⁰ which entered into force on January 1, 2019, it became possible in the Republic of Serbia to record a change of sex marker in the registry books. At the same time, **the Registry of Civil Status Records** was established as a unified electronic database of citizens' personal status, containing the registers of births, marriages, and deaths. The responsibility for maintaining the registry books was assigned to local self-government units (LGUs) or city administrations, which, upon receipt of confirmation of a sex change issued by the competent health institution, issue decisions and record annotations of the change. Thus, according to this law, information about the change of sex marker is entered in the register of births based on the decision of the relevant state authority, which is adopted on the basis of the prescribed certificate of the competent health institution. That means that the process is not fully based on self-determination. Even though it does not require surgical interventions related to sex change, the prescribed certificate of the competent health institution can be delivered only after one year of psychiatric evaluation and hormonal therapy.⁹¹ Applying for a passport or ID card implies "male" or "female" marker. It is, then, indirectly through the Law on Registry Books that the assigned sex indicated in these documents is indirectly required to correspond to an individual's gender identity. If a sex marker is changed, a new ID and passport need to be obtained. According to the Ministry of State Administration and Local Self-Government, from the beginning of its application in 2019 until the date of the response to the request for access to information of public importance (March 2025), 111 annotations of sex marker change have been entered into the Registry of Civil Status Records.⁹²

⁹⁰ Republika Srbija, *Zakon o matičnim knjigama* [Law on Registries].

⁹¹ In line with the Rulebook on the method of issuing and the form of confirmation of the competent health institution on sex change.

⁹² Ivan Kovačević, "Odgovor na zahtev za informacije od javnog značaja. Dugina iskra" [Response to a Request for Information of Public Importance. Rainbow Ignite], Ministarstvo državne uprave i lokalne samouprave, 001075595 2025 14800 005 005 041 001, March 10, 2025; Information on positively and negatively resolved cases under such requests would have to be sought from LGUs and city administrations, as the Ministry does not possess this data.

Of the 35 transgender respondents, 11 submitted a request to change the sex marker on their birth certificate. Of these 11 individuals, 9 received a positive response, while two transgender women were denied. The majority of those whose request was approved also changed their unique personal identification number (8 out of 9). The Commissioner for Gender Equality, Brankica Janković, has also issued a *Recommendation of Measures for the Achievement of Equality and Protection from Discrimination* addressing the issue of discrimination in the process of changing one's name or legal sex marker.⁹³

With regard to LGR, one individual from a small town had applied to change the name on official documents, whereas two had not. Similarly, the respondent from the compact rural village had also not initiated this process. By contrast, the majority of transgender individuals who reported having changed their name on an identification card resided in central Belgrade municipalities (8 respondents) or in another large city (3 respondents). This points to the necessity of intensified engagement with local communities to ensure the effective realization of rights guaranteed by law. At the same time, such efforts should not be directed solely toward transgender individuals who require concrete support or employees in institutions, but also toward the general population, to enhance overall understanding of gender identity.

3.3. Sexual Orientation, Same-Sex Unions and Parenthood

The pursuit of marriage rights by sexual minorities in Serbia has been marked by significant legal and societal challenges, and here, also, the institutional resistance is compounded by the influence of the Serbian Orthodox Church.

This influence extends to legal and constitutional matters, particularly concerning family law and the definition of marriage. The 2006 Constitution of the Republic of Serbia explicitly defines marriage as “a union between a man and a woman”, reflecting the SOC's doctrinal position that marriage is inherently heterosexual and oriented toward procreation.⁹⁴ Same-sex partners and the scope of rights they could be entitled to in accordance with the nature of their relationship (including their children and other family members) are not explicitly recognized under **Family Law**⁹⁵ and **Inheritance Law**⁹⁶ of Serbia, both crucial

⁹³ Poverenik za zaštitu ravnopravnosti, *Preporuka mera svim JLS povodom postupka promene pola u matičnim knjigama* [Recommended Measures for All Local Self-Government Units Concerning the Procedure for Changing Sex in Civil Registry Records], br. 021-01-169/2021-02, September 6, 2021, <https://shorturl.at/liejj>.

⁹⁴ Republika Srbija, *Ustav* [Constitution], art. 62.

⁹⁵ Republika Srbija, *Porodični zakon* [Family Law].

⁹⁶ Based on the law, the testator is inherited by: their descendants, their adopted children and their descendants, their spouse, their parents, their adoptive parents, their brothers and sisters and their descendants, their grandparents and their descendants and his other ancestors. This legal provision excludes extramarital partners from the possibility of inheriting the deceased's property or pension, and it should be taken into account when dealing with the issue of inheritance of same-sex extramarital partners. Republika Srbija, *Zakon o nasleđivanju* [Inheritance Law], *Službeni glasnik RS*, br. 46/95, 101/2003, <https://shorturl.at/yV0Hc>.

for enjoying private and family life. This leads to systemic discrimination of these persons when exercising numerous rights such as: acquisition of joint property of same-sex partners, right to (spousal) support, joint adoption of children, rights during criminal proceedings and execution of criminal sanctions, legal inheritance, rights from pension, health, and insurance in case of illness or death, and others.

In 2010, a draft civil union bill was proposed but failed to gain traction. After numerous consultative meetings, the final version of the model was developed in 2012 under the title *Model Law on Registered Same-Sex Partnerships* and submitted to the competent authorities for consideration and adoption.⁹⁷ In the meantime, information about this model law was inadvertently leaked to certain media outlets, which launched a negative and sensationalist campaign, resulting in public disapproval and the withdrawal of all state representatives from the legislative process.⁹⁸

In April 2020, CSO *Labris – Lesbian Human Rights Organization*, in collaboration with the Center for the Advancement of Legal Studies, developed a *Model Law on Civil Partnerships*, building on the earlier *Model Law on Registered Same-Sex Partnerships*.⁹⁹ During the conversation about a *Model Law on Civil Partnerships* in 2020:

*[...] the advocacy group was told in a conversation with the competent authorities that it is necessary to follow the French model, that is, that there should not be any connection with 'marriage', that the partnership should be concluded at a notary, not at the registrar, and that there should be no change of surname.*¹⁰⁰

The Ministry for Human and Minority Rights and Social Dialogue (Ministry) began work on the preparation of the **Draft Law on Same-Sex Unions** in early February 2021. The text of the Basic Principles for Drafting the Law on Same-Sex Unions (Basic Principles) was submitted to the public for inspection and comment as part of the consultation process, and then the Draft Law on Same-Sex Unions was put to public discussion and formulated. Civil society organizations were also involved.

The first dialogue on the Draft Proposal of the Law on Same-Sex Unions was held on March 10, 2021. According to the Ministry, the goal was to create conditions in Serbia as soon as possible so that lesbians,

⁹⁷ Aleksandra Aksentijević, Mirjana Miroslavljević Bobić and Tamara Ivančević, *Izoštavanje medijske slike. S ove strane duge – izveštaj o rezultatima medijske analize. Vol. 2.0* [Sharpening the Media Image: On This Side of the Rainbow – Report on the Results of Media Analysis, Vol. 2.0] (Labris – organizacija za lezbejska ljudska prava, 2021), 24, <https://shorturl.at/8IBHq>.

⁹⁸ Ibid.

⁹⁹ Ibid.

¹⁰⁰ Activists Aleksandra Gavrilović and Ana Petrović in Ivančević, *Izazovi feminističke politike* [The Challenges of Feminist Politics], 26.

gays, bisexuals, trans and intersex people (LGBTI people) can plan and organize their own family life without hindrance. It was stated, among other things, that same-sex unions are a part of reality that can no longer be ignored, especially since the dynamics of their legal recognition and regulation of the consequences of their existence represent one of the most intense legal changes today, viewed on a global scale, and visible also in the neighborhood (Croatia and Montenegro). Legal recognition of the private and family life of persons of the same sex and the rights that derive from it, with the condition that the arrangement is not discriminatory in relation to the position of married and cohabiting partners finds its foundation both in the Constitution of the Republic of Serbia and the Law on Prohibition of Discrimination, as well as in the European Convention on the Protection of Human Rights and Fundamental Freedoms. It was noted that the obligation to regulate the private and family life of persons of the same sex has been confirmed by the practice of the European Court of Human Rights. The initial foundations and later the Draft Law on Same-Sex Unions (Draft) broadly regulated their legal position.

The first part of the Draft contained the basic provisions, which includes the definition of the concept of registered and unregistered same-sex unions, the basic principles on which it is based, as well as protection against violence and prohibition of discrimination. An important provision also referred to the fact that same-sex unions are subject to the provisions of the law governing family relations. The second part regulated the detailed procedure for forming a same-sex union, which included the regulation of the same-sex union procedure itself, the existence of impediments to the union and registration in the register of same-sex unions. The third part regulated the termination of a same-sex union, which included the nullity, dissolution and termination of same-sex unions. The fourth part regulated the legal consequences of same-sex unions. This included the rights and obligations of same-sex partners during the criminal proceedings and in the case deprivation of liberty, then in case of illness and during hospital treatment, as well as certain personal rights, and the right to support the partner and the partner's child. The fifth part regulated property relations in detail, including the separate and joint property of partners, restrictions on the disposal of property, the agreement on partner property and the right to inheritance. The sixth part regulated taxes, and the seventh part regulated pensions. The eighth part dealt with other rights based on the same-sex union, which included health, social and child protection rights, as well as the right to compensation for damages. The draft stipulated that the implementation of the Law will begin one year after the entry into force of this Law. However, the difference between same-sex unions and married unions prevailed, given that the scope of rights that married partners have is much broader than the rights provided for in the Draft Law on Same-Sex Unions.

Organizations dealing with the rights of LGBTI persons rated the Basics poorly. Civil society organizations (*Labris – Lesbian Human Rights Organization, Da se zna, COME OUT, Geten, Belgrade Pride, and Civil*

Rights Defenders),¹⁰¹ submitted joint comments, providing 85 recommendations during the public consultation, of which 23 were fully and 2 partially adopted.¹⁰² First of all, they did not consider the existing Model Law governing same-sex unions. Then, they contained numerous errors and did not cover certain issues that were extremely important for the common life of same-sex partners. Thus, the criticisms related both to material errors, which fundamentally lower the level of respect for rights in relation to the solutions of the Model Law, and to formal errors, that is, to legal-systemic, nomotechnical and linguistic deficiencies. Not enough time and space was devoted to the written Basic Principles, and this reflected on their quality and essence. Criticisms were also related to the inadequate application of the Law on the Planning System when drafting the Basic Principles. Although the Draft Law on Same-Sex Unions underwent significant changes in relation to the Basic Principles, the dialogue between the Ministry and civil society organizations did not take place with full respect¹⁰³ for all proposals for changes to the text of the law.¹⁰⁴

Meanwhile, the stigmatization of sexual minorities continues. Regarding sexual orientation, respondents identified as follows:

- 191 gay individuals (32%);
- 169 lesbian individuals (29%);
- 142 bisexual individuals (24%);
- 57 pansexual individuals (10%);
- 11 heterosexual individuals (2%);
- 20 asexual individuals (3%).

However, due to unclear answers and mismatches in gender identity and sexual orientation, four answers were excluded when the data were analyzed in relation to SO – one female gay non-binary person, one lesbian transgender man, and two gay transgender women. These four cases do not change the percentages mentioned above.¹⁰⁵

¹⁰¹ CSOs Regional Info Center [Regionalni info centar], Egal and Center for Research and Development of Society IDEAS [Centar za istraživanje i razvoj društva IDEAS] are also mentioned in participating in this process according to CeSID, *Ka boljem razumevanju prava LGBTI osoba* (Towards a Better Understanding of the Rights of LGBTI People), 5.

¹⁰² Ibid., 25.

¹⁰³ For example, allegations were made in the public that during one working group meeting, the Minister for human and minority rights at the time Gordana Čomić rejected 48 proposals from a group of LGBTI organizations, and accepted 7, and all without explanation. The draft was sent to other ministries for their opinion, and opinions were also given by the Protector of Citizens and the Commissioner for the Protection of Equality. Their opinions, however, have not been properly incorporated into the Draft itself.

¹⁰⁴ Jelena Pejić Nikić ur, ALARM prEUgovor Report on the progress of Serbia in Cluster 1, November 2021, p. 80-81.

¹⁰⁵ Compared to 586 respondents after four were excluded.

With this small change, the sample of respondents is as follows in terms of gender identity:

- **Gay (n = 188):** 182 cisgender men, 4 male non-binary persons, 2 transgender men;
- **Lesbian (n = 168):** 151 cisgender women, 14 female non-binary persons, 3 transgender women;
- **Bisexual (n = 142):** 107 cisgender women, 15 cisgender men, 11 female non-binary persons, 9 transgender men;
- **Pansexual (57):** 32 cisgender women, 11 female non-binary persons, 2 transgender women, 9 cisgender men, 3 male non-binary persons;
- **Heterosexual (n = 11):** 3 transgender women, 8 transgender men;
- **Asexual (n = 20):** 7 cisgender women, 7 female non-binary persons, 4 transgender men, 1 male non-binary person, 1 transgender woman.

Since marital benefits are extensive, covering state tax advantages, inheritance rights, property division, custody and support in divorce, spousal support, hospital visitation, medical decision-making, and wrongful death claims.¹⁰⁶ They also include federal entitlements, such as immigration and tax benefits, as well as various social and economic benefits, including joint services, memberships, and insurance policies.¹⁰⁷ Ironically, sexual and gender minorities face discrimination not only in relation to rights that should be guaranteed within same-sex partnerships, but also within the primary family itself. In many cases, they experience direct familial discrimination, most notably through the denial of inheritance rights, which excludes them from both material support and recognition within family structures. At a broader societal level, they may also be excluded as potential tenants or property buyers.

Eighty-five percent of respondents reported that they had not been denied any of the rights associated with marriage, such as inheritance, the right to a partner's pension, tax relief, hospital and prison visits. Additionally, they were asked about inheritance and housing. Fifteen percent of respondents (n = 87) reported having been denied one or more of these rights:¹⁰⁸

- **Joint loans (41%):** 19 cisgender women, 16 cisgender men, 1 transgender man;
- **The right to a partner's pension (13%):** 7 cisgender women, 4 cisgender men;

¹⁰⁶ Warner, *The Trouble with Normal*, 117–119.

¹⁰⁷ Ibid.

¹⁰⁸ In order to include all respondents, data were presented in relation to gender identity, since ambiguities between sexual orientation and gender identity did not exist among cisgender individuals, and that it is important to include transgender and non-binary experiences.

- **The right to tax relief (33%):** 13 cisgender women, 13 cisgender men, 2 non-binary persons (1 F, 1 M); 1 transgender man;
- **Hospital visits (37%):** 15 cisgender women, 14 cisgender men, 2 non-binary persons (2 F), 1 transgender woman;
- **Prison visits (7%):** 3 cisgender women, 2 cisgender men, 1 transgender woman;
- **Inheritance (25%):** 10 cisgender women, 10 cisgender men, 2 transgender men;
- **Housing (30%):** 8 cisgender women, 13 cisgender men, 1 non-binary person (1 F), 3 transgender women, 1 transgender man.

Illustrative examples of such violations of rights are the following:

“A major problem is that my partner has a chronic condition, which has led to several hospitalizations, yet I am unable to visit her because I am not legally recognized as family, even though we have been in a relationship for eight years.” (Bisexual woman, 18–34)

“I cannot obtain Serbian temporary residence as a partner.” (Lesbian, 18–34)

Additionally, the question of whether transgender individuals are required to dissolve their marriages when obtaining legal gender recognition was included primarily because same-sex marriage is not permitted. Among the respondents, however, no one had changed their gender while married. The Ministry of State Administration and Local Self-Government emphasized: “The regulations governing marriage should address the legal consequences of a change in sex marker on marriage, after which the conditions for registering the change in the marriage register will be met.”¹⁰⁹

Unlike lesbian, gay, or bisexual people, asexual individuals – those who never, rarely, or occasionally experience sexual attraction towards others – face a distinct form of discrimination often termed “acephobia”. They are frequently rendered invisible in both public discourse and LGBTIA activism, leading to erasure and misunderstanding of their identity.¹¹⁰

Concerning asexual respondents in the survey, they constitute 3% of the total sample (n = 20). In relation to sexual and romantic attraction that asexual individuals may feel, opposite to common belief, respondents were able to select multiple answers. The results are as follows:

¹⁰⁹ Kovačević, “Odgovor na zahtev za informacije od javnog značaja. Dugina iskra” [Response to a Request for Information of Public Importance. Rainbow Ignite].

¹¹⁰ Ashton Stansel, “[Acephobia in the LGBT community](https://shorturl.at/hbUDF),” *The Daily Campus*, October 23, 2019, <https://shorturl.at/hbUDF>.

- “I have never felt sexual attraction towards other people”: 8 respondents (40%)
- “I occasionally feel sexually attracted to women”: 7 respondents (35%)
- “I occasionally feel sexually attracted to men”: 5 respondents (25%)
- “I have never felt an emotional-romantic attraction towards other people”: 5 respondents (25%)
- “I occasionally feel an emotional-romantic attraction to women”: 11 respondents (55%)
- “I occasionally feel an emotional-romantic attraction to men”: 7 respondents (35%)

Among asexual respondents, 55% reported that they had never been in a relationship ($n = 11$), while 45% had been in a relationship ($n = 9$). Of those nine, six stated that they experienced understanding from their partners for their sexuality, even though five of them were in relationships with partners for whom sex was important. Three respondents stated that they did not encounter understanding from their partners. This was further illustrated in their qualitative responses, where they emphasized the lack of acceptance and pressure to conform to sexual expectations within relationships:

“I was not aware that in relationships sex is not an obligation, nor that sex is something that not everyone actually desires; all engage in it ‘because it is expected.’ As a result, I ended up in relationships where I was repeatedly coerced into sex, and I did not realize that this was wrong until I met other asexual people.” (Female, non-binary individual, 18–34)

“In relationships with allosexual¹¹¹ partners, I consistently experience a total lack of understanding of my sexual orientation. I often feel almost compelled to have sexual relations with my partner on an almost daily basis, whenever he wishes. I have not met anyone who understands what asexuality means to me.” (Transgender woman, 18–34)

Furthermore, 70% of asexual respondents ($n = 14$) indicated that they had never engaged in sexual intercourse. An equal number ($n = 5$) reported that they had engaged in sexual activity, primarily due to their partner’s needs and because of an occasional personal sexual desire. Emotional intimacy was cited as a reason for sexual activity by three respondents, while two noted that they did not identify as asexual at the time of the sexual encounter.

With regard to the frequent lack of understanding they encounter, asexual respondents shared the following experiences:

¹¹¹ Allosexual refers to individuals who experience sexual attraction.

“It’s hard to live in a world that wasn’t made for you. From the situations where I never understood dirty jokes, which made me uncomfortable at best and unknowingly victimized at worst. I don’t understand many movies and shows, or when my friends complain about or seek a partner. Besides, my partner is bisexual, and it took a lot of patience and understanding for us to find the best ways to make it work. For my part, I should have realized that I can’t control who will be sexually attractive to her, and that this is a totally normal thing for many people. It was difficult for her to get over the feeling of guilt that she still felt some sexual attraction outside of our relationship. The fact that I am asexual is definitely not a problem in the relationship; I would never change.” (Cisgender woman, 18–34)

“I constantly felt as if I were ‘broken.’ I went to psychotherapy, thinking it could be ‘cured.’ I kept trying to justify myself to others, but only encountered misunderstanding and statements like, ‘just fuck, what’s the big deal?’ In the end, I gave up on romantic feelings altogether, knowing that I cannot really offer anything in that regard.” (Cisgender woman, 18–34)

“When I tell someone that I consider myself to belong to the asexual spectrum, I most often encounter a misunderstanding. People cannot believe that someone can have an absence or reduced sexual attraction. I often get comments that I just haven’t found the right partner or that I will definitely change my mind when I try.” (Cisgender woman, 18–34)

“I’m prepared for the single life, and it doesn’t seem like a bad life to me right now. I’m trying to expand my circle of friends so I won’t be lonely socially.” (Female, non-binary individual, 18–34)

In many legal systems, including the legal system of Serbia, parental responsibility does not mean ownership of the child but rather an obligation to act in the best interests of the child: “Parental responsibility constitutes a set of rights and duties assigned to parents under the norms of objective law. These rights and duties are to be exercised jointly, in mutual agreement, and always with the paramount consideration of the best interests of the child.”¹¹² The rules about parental responsibility apply also in cases where only one parent is raising the child. Even though children are one of the main focuses of “safety” and “protection” discourses from anti-LGBTIA opponents, they are those who often experience the most challenging consequences of the lack of legal connection to their parents.¹¹³

¹¹² Ministarstvo pravde i državne uprave, *Atlas pravosuđa Republike Srbije: Roditeljska odgovornost* [Atlas of the Judiciary of the Republic of Serbia: Parental Responsibility] (2008), <https://shorturl.at/dWk29>; *Republika Srbija, Porodični zakon* [Family Law], art. 67–76.

¹¹³ ILGA-EUROPE and IGLYO, *A Complex Picture of Progress*, 42. They may encounter difficulties accessing health insurance, benefits, and inheritance, and grow up at risk of separation from their parents if the only legally recognized parent passes away or if their parents separate.

Of the respondents in the survey, 97% are not parents, while 3% are. A significant difference exists between women (n = 14) and men (n = 1) regarding parenthood. Among LGB parents, 80% (n = 12) also have custody of their child/children. Two women reported being single mothers. None of the transgender or non-binary individuals are parents. Among LGB respondents, 73% had a child/children from a previous heterosexual relationship (n = 10), one person had a child/children from a previous homosexual relationship, and two persons from a current homosexual relationship.

Respondents were also asked about their use of assisted reproduction, a topic frequently discussed in the context of sexual and gender minority rights. A total of 73% reported not having used any form of assisted reproduction (n = 11). Among those who have utilized assisted reproduction, the distribution is as follows:

- Sperm donor: n = 1;
- Medically assisted reproduction abroad:¹¹⁴ n = 1;
- Medically assisted reproduction in the Republic of Serbia: n = 1;
- Adoption: n = 1.

Of course, in the absence of legislation, these rights were exercised by individuals solely in their personal capacity, rather than jointly with a same-sex partner.

In light of the aforementioned discriminatory challenges faced by parents from sexual and gender minorities, qualitative questions were included to explore this issue. Two respondents reported experiencing difficulties in obtaining custody of their child/children:

“Although the parental capacities of both myself, as the mother, and the father of our two children were assessed as equally high, the Center for Social Work recommended to the court that the children be entrusted to the father’s sole custody, based on his suspicions that my homosexual lifestyle posed health risks to the children. The Lawyers’ Committee for Human Rights (YUCOM), which represented me in court, successfully challenged this opinion and requested a review of the proceedings, which resulted in joint custody.” (Bisexual woman, 50–64)

Additionally, four respondents stated that they had problems related to exercising the right to visitation and spending time with their child/children:

¹¹⁴ Intrauterine insemination, in vitro fertilization, gamete intrafallopian transfer, or zygote intrafallopian transfer.

“The kids can’t see their dad because ‘they’re being punished for homework’.” (Gay, over 65)

“The ex-husband, with whom the children currently live, does not allow the children to come to me outside of the court ruling.” (Bisexual woman, 35–49)

“After the divorce, the father successfully carried out the parental alienation of my son from me. Our son has been living with his father for three years and sees me only rarely and reluctantly. The daughter alternates weekly between her mother’s and father’s homes.” (Bisexual woman, 50–64)

Furthermore, eight respondents (53%) reported experiencing discrimination on the basis of their sexual orientation in relation to their parenthood, while two respondents reported that their child/children had faced discrimination because they have LGB parents:

“I was told that I am a seriously ill person.” (Lesbian, 35–49)

“Because of the father’s connections in the Center for Social Work and the only seemingly sensitized representatives of the Center and the so-called ‘Counseling Service on LGBTQ+ Issues,’ I almost lost custody of my two children due to my sexual orientation.” (Bisexual woman, 50–64)

These cases highlight the broader challenges in exercising parental rights, where sexual orientation is, either explicitly or implicitly, used as grounds to question their parental capacities. Such obstacles reflect deeply rooted social prejudices and discriminatory practices within institutions:

“During my stay in the Safe House, I was subjected to discrimination based on sexual orientation by older staff and women survivors of violence: ranging from inappropriate comments and intrusive questions about my sex life, to claims that I was only running away from men because of violence, comments about my partner’s appearance, and accusations that I was responsible for the ‘destruction of the family and a promoter of the West’, a statement made by the Safe House psychologist. In another similar institution, some mothers asked inappropriate questions about sex and insisted that my child must not find out about my ‘unnatural tendencies,’ because then ‘it too would go astray.’ The staff prohibited such behavior.” (Bisexual woman, 18–34)

3.4. Domestic Violence: Family and Intimate-Partner Violence

Domestic violence is generally defined as any form of physical, sexual, psychological, or economic abuse committed by one family member against another, regardless of whether such behavior is criminalized by

legal provisions or whether the perpetrator has been reported to law enforcement authorities.¹¹⁵ To provide a more comprehensive account of the specific features of domestic violence experienced by members of sexual and gender minorities, the phenomenon will be examined in relation to both family violence and intimate partner violence. This dual lens makes it possible to highlight the intersections between structural dynamics within the family and the particular vulnerabilities that arise in intimate relationships.

The **Law on the Prevention of Family Violence** constitutes a key framework for combating family violence and gender-based violence in the Republic of Serbia. Although this law has generated debate, at its core lie strong obligations derived from the ratified Istanbul Convention, under which Serbia has assumed responsibility for the recognition, prevention, and sanctioning of violence.¹¹⁶ However, homophobia and transphobia, mutually reinforced across society and thus families, create conditions in which it is especially hard to protect children and adolescents who are not heterosexual or gender congruent.

Regarding family violence, 10% (n = 58) of LGBTIA and non-binary respondents reported experiencing it once, while 39% (n = 229) reported experiencing it multiple times. A total of 303 respondents (51%) stated that they had never experienced family violence:

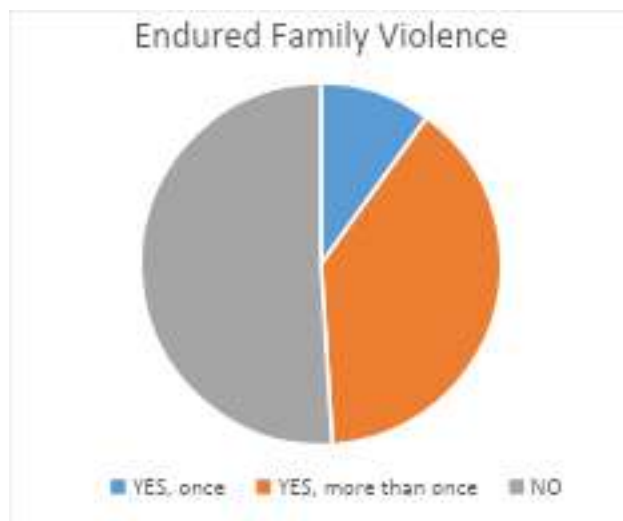


Chart: Family Violence Among LGBTIA and Non-Binary Respondents

¹¹⁵ Nevena Petrušić and Slobodanka Konstantinović Vilić, *Porodičnopravna zaštita od nasilja u porodici u pravosudnoj praksi Srbije* [Family Law Protection Against Domestic Violence in the Judicial Practice of Serbia] (Autonomni ženski centar, 2010), 7, <https://shorturl.at/D3o5C>.

¹¹⁶ Gorjana Mirčić Čaluković, *Unapređeni model koordinacije u skladu sa Zakonom o sprečavanju nasilja u porodici* [Improved Coordination Model in Accordance with the Law on Prevention of Domestic Violence] (Autonomni ženski centar, 2025), 5, <https://shorturl.at/94rGJ>.

Detailed analysis indicates that the prevalence of violence is higher among women than men, regardless of whether data is considered in terms of gender, gender identity, or sex:

	% YES, once	% YES, more than once	% NO
Cisgender women (n = 297)	12	36	52
Cisgender men (n = 206)	7	35	57
Non-binary persons (F) (n = 44)	11	52	36
Non-binary persons (M) (n = 8)	0	50	50
Transgender women (n = 11)	0	73	27
Transgender men (n = 24)	13	54	33

Table: *Percentage of Sexual and Gender Minorities' Experience of Family Violence*

Regarding the primary family member who perpetrated the violence, it was:

- Father in 69% (n = 198);
- Mother in 66% (n = 190);
- Guardian(s) (7 F, 6 M) in 4% (n = 12);
- Brother(s) in 19% (n = 54);
- Sister(s) in 14% (n = 41).

Overall, among the 287 LGBTIA and non-binary respondents (49%) who experienced one or more types of family violence, for at least one member of their primary family:

- 95% experienced psychological violence;

Psychological violence¹¹⁷ is the deliberate use of words, actions, or behaviors with the aim of inflicting emotional or mental suffering. It is often considered both a companion to and an indicator of other forms of violence, including physical, sexual, and economic abuse. This form of violence can manifest in various

¹¹⁷ Sometimes called emotional violence.

ways, such as belittling, insulting, mocking, issuing threats, coercion, intimidation, excessive control, social isolation, unjustified blame, verbal attacks, and persistent humiliation.¹¹⁸

- 45% experienced physical violence;

Physical violence involves the use of force against another person with the intent to inflict, or attempt to inflict, bodily harm.¹¹⁹

- 4% experienced sexual violence;

Sexual violence is any unwanted sexual act, attempted unwanted sexual act, unwanted sexual comment, or suggestion directed against someone and is characterized by the use of force, threats, or blackmail to endanger the well-being and/or life of the victim or those close to them.¹²⁰ In the context of sexual violence by members of the primary family, it usually occurs in childhood.¹²¹

- 22% experienced economic violence;

Economic violence is recognized both as a consequence of exposure to other forms of abuse and as an independent form of violence, serving as a means through which the perpetrator exercises control and dominance.¹²² It may manifest in various ways, including the confiscation of money or valuables, control over earnings and income, spending resources exclusively to satisfy personal needs, failure to provide financial support to economically dependent family members, preventing access to employment or education, denying property rights, coercing individuals to relinquish ownership, or selling possessions without the owner's consent.¹²³

¹¹⁸ Tanja Ignjatović, *Nasilje prema ženama u intimnom partnerskom odnosu: Model koordinacionog odgovora zajednice* [Violence Against Women in Intimate Partner Relationship: A Community Coordination Response Model] (Rekonstrukcija Ženski fond, 2011), 43, <https://shorturl.at/1oqjm>.

¹¹⁹ Dalibor Krstinić and Jovana Vasiljković, "Oblici nasilja u porodici" [Domestic Violence Forms], *Pravo – teorija i praksa*, no. 7–9 (2019): 70, <https://doi.org/10.5937/ptp1907067K>.

¹²⁰ Marija Kulović, "Intervju sa Anom Bukvić, konsultantkinjom Autonomnog ženskog centra, za psihološku podršku ženama koje su preživele nasilje" [Interview with Ana Bukvić, Consultant of the Autonomous Women's Center, for Psychological Support for Women Who Have Survived Violence], *Psihološko savetovalište Reč po reč*, <https://shorturl.at/JdyH9>.

¹²¹ Incest Trauma Centar – Beograd, *Sažetak statističkih podataka Incest Trauma Centra – Beograd koji se tiču prijavljenih slučajeva seksualnog nasilja preživljenog u detinjstvu sa teritorije Srbije u periodu maj 2022. – decembar 2023. godine* [Summary of Statistical Data from the Incest Trauma Center – Belgrade Concerning Reported Cases of Sexual Violence Experienced in Childhood from the Territory of Serbia in the Period May 2022 – December 2023] (2004), <https://shorturl.at/uNact>.

¹²² Ignjatović, *Nasilje prema ženama u intimnom partnerskom odnosu* [Violence Against Women in Intimate Partner Relationship], 44.

¹²³ Krstinić and Vasiljković, "Oblici nasilja u porodici" [Domestic Violence Forms], 74.

- 3% experienced digital violence;

Digital violence refers to the use of digital technologies, such as mobile phones, computers, and the Internet, with the intent to harm, humiliate, or distress the targeted individual, as well as to cause material or non-material damage.¹²⁴ Within the context of family violence, digital abuse is increasingly recognized as a means by which perpetrators extend control and intimidation beyond the physical household.

Of the 287 LGBTIA and non-binary respondents who reported experiencing one or more forms of violence, 37% (n = 106) stated that the violence was related to their SOGI, 34% (n = 98) reported that it was sometimes related and sometimes not, while 29% (n = 83) stated that the violence was not related to their SOGI:

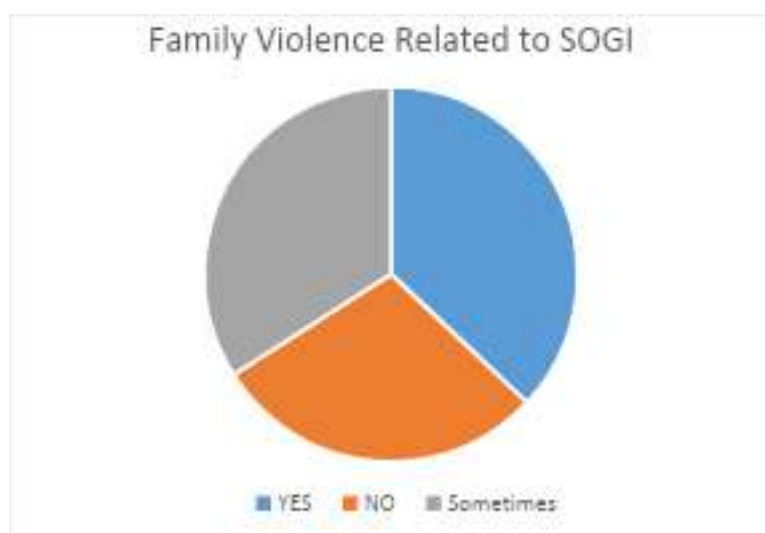


Chart: Family Violence and SOGI

To better understand the types of violence in relation to gender groups, the data for women and men are presented separately below:

	Cisgender women (n = 143)	Transgender women (n = 8)	Non-binary persons (F) (n = 28)
Psychological violence	96%	100%	96%
Physical violence	43%	50%	54%
Sexual violence	4%	0%	7%

¹²⁴ Republika Srbija. Platforma Čuvam te, “[Digitalno nasilje](https://shorturl.at/TGSfg)” [Digital Violence], <https://shorturl.at/TGSfg>.

Economical violence	18%	38%	18%
Digital violence	3%	0%	4%

Table: Data on Experienced Family Violence; Women/Female

	Cisgender men (n = 88)	Transgender men (n = 16)	Non-binary person (M) (n = 4)
Psychological violence	94%	94%	n = 4
Physical violence	45%	56%	0
Sexual violence	3%	6%	0
Economical violence	25%	31%	n = 1
Digital violence	6%	0%	0

Table: Data on Experienced Family Violence; Men/Male

With respect to the total number of respondents who experienced violence, a follow-up question was asked about the period in which the violence occurred (multiple answers could be selected):

2021–2025	2012–2020	Earlier
47% (n = 134)	56% (n = 161)	46% (n = 133)

Table: The Period when Family Violence Happened

The higher incidence of violence recorded during the period 2012–2020 may in part be attributed to the COVID-19 pandemic. In Serbia, a state of emergency was declared between 15 March and 6 May 2020, accompanied by strict curfews, restrictions on movement, and limitations on access to public spaces and services.¹²⁵ Such conditions created environments in which opportunities for escape or help-seeking were reduced, and survivors were placed in closer proximity to perpetrators for extended periods of time. During this period, feminist CSOs, both globally and in Serbia, reported a surge in calls to helplines and an increase in reports of domestic violence.¹²⁶ LGBTIA CSOs highlighted an increased risk of violence faced by many young LGBTIA people, particularly those compelled to return to primary family households where they lacked support and, in some cases, were subjected to threats or hostility.¹²⁷ The research on the impact of

¹²⁵ Katarina Stevanović, “[Korona virus u Srbiji: Mesec dana vanrednog stanja](#)” [Corona Virus in Serbia: A Month of State of Emergency], *BBC NEWS na srpskom*, April 15, 2020, <https://shorturl.at/v2Gh0>.

¹²⁶ Aleksandra Đorđević, Larisa Ranković, Tamara Ivančević, Jelena Višnjić and Nataša Niškanović, [Standardno loše u nestandardno doba: Izveštavanje medija o nasilju prema ženama i devojčicama tokom vanrednog stanja u Srbiji izazvanog pandemijom kovida-19](#) [Bad as Usual, in Unusual Times: Media Reporting on Violence Against Women and Girls During the State of Emergency in Serbia Caused by the COVID-19 Pandemic] (UN Women, 2021), 9–11.

¹²⁷ Kancelarije za ljudska prava Ujedinjenih nacija (OHCHR), [Posledice Kovid 19 na položaj osetljivih grupa u riziku. Uzroci, posledice i preporuke](#) [Consequences of COVID-19 on the Position of Vulnerable Groups at Risk. Causes, Consequences and

the pandemic on sexual and gender minorities found that one-fifth of LGBTIA individuals did not feel safe in their living environments.¹²⁸

While the struggle for the recognition of same-sex marriage or civil unions in Serbia continues to be obstructed by persistent moralizing arguments, the issue of forced marriage receives little to no attention from those advancing such objections. In response to the question: “Have your parents/guardians ever tried to marry you off without your consent? The question refers to attempts at marriage or marriage itself that lack the personal expression of full, informed, and free consent of one or both parties,” 3% (n = 8) of respondents answered affirmatively. Two of the situations cannot be considered attempted forced marriage, however: “They didn’t force me to marry, but wanted me to have a relationship” and “It hasn’t happened yet, but I know it will.”¹²⁹ This reduces the number of respondents reporting experiences of attempted forced marriage to 2% (n = 6). With regard to gender identity, this included one cisgender woman (Region of upbringing: Russia), three cisgender men (Vojvodina, Belgrade, Russia), one non-binary person (M; Vojvodina), and one transgender man (Šumadija and West Serbia). Four of eight respondents reported that their parents either suspected or became aware that they were not heterosexual. Respondents were also invited to provide additional descriptions of these experiences through open-ended qualitative responses. The situations described are as follows:

“I didn’t report it to anyone; the solution was to move out.” (Transgender man, heterosexual, 18–34)

“I left home and stopped communicating with them.” (Lesbian, 18–34)

“My mother’s friend and her husband had lost their jobs and were living very poorly. They did not contact us for years, and then suddenly, the friend of a girl my age started coming to our house more frequently. Even though they disliked me and spoke terribly about me, their intention was for me to marry into a wealthy family so that they would have one less mouth to feed and my mother could fulfill her role as a mother. I sensed this myself, and when I confirmed it, I immediately drove them away, which made my mother angry, and she constantly blamed me.” (Gay, 50–64)

Recommendations] (2020), 42, <https://shorturl.at/4MoDr>; Labris – organizacija za lezbejska ljudska prava, *Analiza položaja LGBTI osoba tokom krize COVID-19 i preporuke za adekvatan odgovor države na društvene potrebe LGBTI zajednice* [Analysis of the Position of LGBTI Persons During the COVID-19 Crisis and Recommendations for an Adequate State Response to the Social Needs of the LGBTI Community] (2020), <https://shorturl.at/ctBRY>.

¹²⁸ Boris Milićević and Anđela Čeh, *Covid-19 i LGBTI zajednica u Srbiji* [Covid-19 and the LGBTI Community in Serbia] (*Loud & Queer i Egal*, 2020), 5, <https://shorturl.at/iGfsM>.

¹²⁹ That does not mean the answers are not worrying.

The purpose of introducing this question was to highlight the issue of forced marriage in Serbia as it relates to sexual and gender minorities. To date, discussions and research on forced marriage have primarily focused on Roma children, particularly girls. Therefore, it should be noted that the percentage of respondents affected will be higher if more Roma individuals had participated in the survey.

Existing research on family violence has already established that such violence represents a pattern of behavior rather than an isolated incident.¹³⁰ The impact of family violence on later life is profound. For sexual and gender minorities, who are not only socially unsupported but also exposed to heightened risks in society, these experiences create an additional layer of vulnerability. Survivors of such violence face an increased likelihood of being exposed to further forms of violence later in life.¹³¹

A partnership, whether it takes the form of a marital or non-marital relationship, and whether heterosexual or same-sex, represents one of the most intimate forms of human connection.¹³² Such relationships are inherently complex, encompassing both positive and negative challenges, and containing the potential for serious risks.

Regarding intimate partner violence in this study, 12% (n = 73) of total LGBTIA and non-binary respondents (n = 590) reported experiencing it once, while 16% (n = 95) reported experiencing it multiple times. Meanwhile, 72% (n = 422) stated that they had never experienced this type of violence:

¹³⁰ Petrušić and Konstantinović Vilić, *Porodičnopravna zaštita od nasilja u porodici* [Family Law Protection Against Domestic Violence in the Judicial Practice of Serbia], 8.

¹³¹ OEBS, *Anketa o nasilju nad ženama: Dobrobit i bezbednost žena* [Survey on Violence Against Women: Women's Well-Being and Safety].

¹³² Ignjatović, *Nasilje prema ženama u intimnom partnerskom odnosu* [Violence Against Women in Intimate Partner Relationship], 23.



Chart: Intimate Partner Violence Among LGBTIA and Non-Binary Respondents

Detailed analysis indicates that the prevalence of violence is higher among women than men:

	% YES, once	% YES, more than once	% NO
Cisgender women (n = 297)	13	19	68
Cisgender men (n = 206)	10	10	80
Non-binary persons (F) (n = 44)	18	27	55
Non-binary persons (M) (n = 8)	0	0	100
Transgender women (n = 11)	27	36	36
Transgender men (n = 24)	8	13	79

Table: Percentage of Intimate-Partner Violence Experienced by Sexual and Gender Minorities

Given that this was intimate partner violence, it was important to take sexual orientation into account:

	% YES, once	% YES, more than once	% NO
Lesbian (n = 154)	16	18	66
Bisexual ¹³³ (n = 107)	11	19	69

¹³³ There was none bisexual transgender woman.

Pansexual (n = 34)	15	26	59
Heterosexual (n = 3)	n = 1	n = 0	n = 2
Asexual (n = 8)	0	13	88

Table: *Sexual Orientation as a Parameter in Intimate-Partner Violence; Cisgender and Transgender Women*

It is important to emphasize that, when considering the parameter of sexual orientation, notable differences emerge in the prevalence of intimate-partner violence among lesbian, bisexual, and pansexual women. Specifically, the reported rates of such violence are lowest among bisexual (30%) and highest among pansexual women (41%), with lesbian (34%) situated between these two groups. These differences may reflect varying levels of stigma and vulnerability within each subgroup. For example, pansexual women, whose orientation is often misunderstood or delegitimized, may face heightened exposure to prejudice, invalidation, and partner-related conflict:

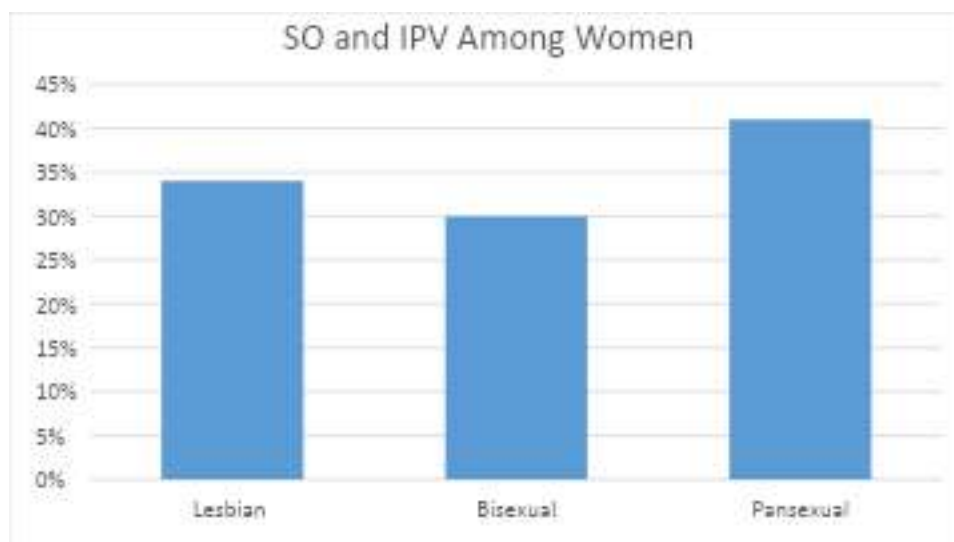


Chart: *Endured Intimate Partner Violence by Lesbian, Bisexual and Pansexual Cisgender and Transgender Women*

It is also important to notice that a large number of non-binary female individuals have experienced violence in a same-sex relationship (lesbians): 8 out of 14 (57%). Regarding 11 bisexual non-binary female individuals, 6 out of 11 (55%) experienced that type of violence. Two asexual non-binary female individuals out of 8 experienced IPV.

When it comes to men, bisexual transgender men significantly change the presented statistics; without their IPV experience, the percentage of bisexual men who have not experienced violence is increasing from 75% to 87%:

	% YES, once	% YES, more than once	% NO
Gay (n = 184)	10	10	80
Bisexual (n = 24)	4	21	75
Pansexual ¹³⁴ (n = 9)	22	11	67
Heterosexual (n = 8)	13	0	88
Asexual men ¹³⁵ (n = 4)	0	0	n = 4

Table: Sexual Orientation as a Parameter in Intimate-Partner Violence; Cisgender and Transgender Men

When it comes to pansexual men, the situation is similar – they report the most IPV:

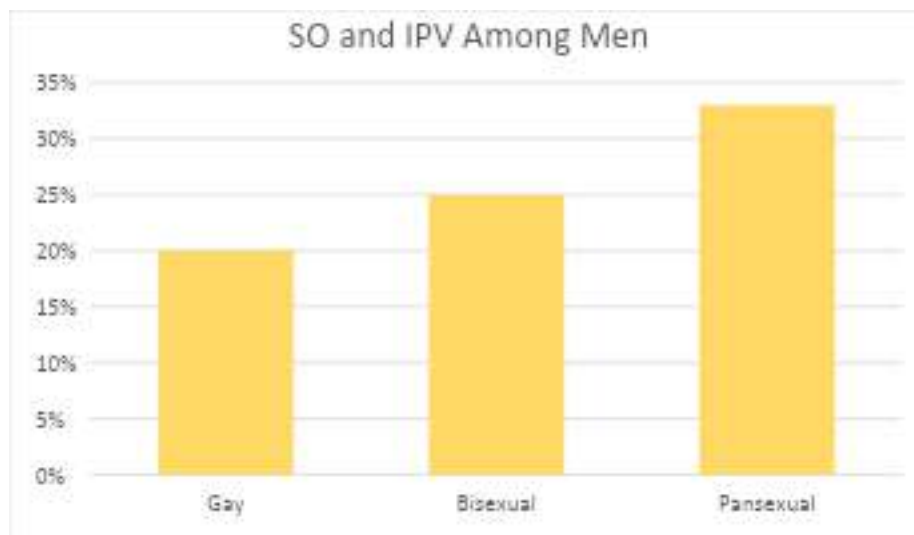


Chart: Endured Intimate Partner Violence by Gay, Bisexual and Pansexual Cisgender and Transgender Men

Violence is reported more frequently among women and female non-binary individuals of all sexual orientations than among men and male non-binary individuals, a pattern that may be linked to the persistence and internalization of heteronormative gender roles. Within such a framework, women are often

¹³⁴ There was none pansexual transgender man.

¹³⁵ There was none asexual cisgender man.

positioned in ways that reinforce unequal power dynamics and expectations of submission, while men are associated with authority and control. Consequently, women, regardless of their sexual orientation, may experience higher levels of intimate-partner violence, reflecting the broader influence of entrenched gender hierarchies and cultural assumptions about femininity and masculinity.

Overall, among the 168 LGBTIA and non-binary respondents (28%) who experienced one or more types of intimate-partner violence:

- 89% experienced psychological violence;
- 53% experienced physical violence;
- 34% experienced sexual violence;
- 12% experienced economic violence;
- 20% experienced digital violence.

To better understand the types of IPV among gender groups, the data for women and men are presented separately below:

	Cisgender women (n = 94)	Transgender women (n = 7)	Non-binary persons (F) (n = 20)
Psychological violence	88%	71%	95%
Physical violence	59%	57%	25%
Sexual violence	37%	57%	45%
Economical violence	12%	29%	5%
Digital violence	18%	29%	20%

Table: Data on Experienced Intimate-Partner Violence; Women/Non-Binary Female

	Cisgender men (n = 42)	Transgender men (n = 5)	Non-binary person (M) (n = 0)
Psychological violence	93%	80%	0%
Physical violence	52%	60%	0%
Sexual violence	17%	40%	0%
Economical violence	14%	0%	0%
Digital violence	19%	40%	0%

Table: Data on Experienced Intimate-Partner Violence; Men/ Non-Binary Male

Research on intimate partner violence in lesbian relationships in Serbia from 2023¹³⁶ has shown that 40% of respondents reported having been exposed to at least one situation of IPV; approximately 20% of respondents experienced physical violence, while as many as 30% reported experiencing sexual violence. This research highlighted the threatening potential of coerced or forced outing as one of the specific forms of psychological violence, which distinguishes same-sex relationships from heterosexual ones:

“Physical violence is less frightening than being blackmailed with outing. In that case, one’s entire life collapses, and it delivers a devastating blow. Because of shame, social condemnation, the fear of losing one’s job, friends, losing everything. It represents an existential threat.”¹³⁷

Regarding the form of experienced IPV and SO in this study, the results are as follows:

	Lesbian ¹³⁸ (n = 60)	Bisexual (n = 38)	Pansexual (n = 18)	Asexual (n = 3)	Heterosexual (n = 1)
Psychological	88%	89%	89%	n = 2	n = 1
Physical	58%	47%	56%	n = 1	n = 1
Sexual	30%	53%	39%	n = 2	0
Economical	8%	11%	22%	n = 1	n = 1
Digital	12%	18%	28%	n = 1	0

Table: Data on Experienced Intimate-Partner Violence, Sexual Orientation, Women/Non-Binary Female

	Gay ¹³⁹ (n = 36)	Bisexual (n = 6)	Pansexual (n = 3)	Asexual (n = 0)	Heterosexual (n = 1)
Psychological	94%	100%	n = 3	0	0
Physical	61%	50%	n = 2	0	n = 1
Sexual	22%	50%	n = 1	0	0
Economical	14%	0%	n = 1	0	0
Digital	19%	33%	n = 1	0	0

Table: Data on Experienced Intimate-Partner Violence; Sexual Orientation, Men/ Non-Binary Male

¹³⁶ Anđela Čeh, *Nasilje u lezbejskim partnerskim odnosima* [Violence in Lesbian Partnerships] (Labris – organizacija za lezbejska ljudska prava, 2023), 5–6, <https://shorturl.at/80deH>.

¹³⁷ Ibid., 34.

¹³⁸ One lesbian transgender man was excluded from this part.

¹³⁹ Two gay transgender women were excluded from this part.

With respect to the total number of respondents who experienced this type of violence, a follow-up question was asked about the period in which the violence occurred:

2021–2025	2012–2020	Earlier
56% (n = 94)	55% (n = 93)	13% (n = 21)

Table: *The Period When Intimate-Partner Violence Happened*

The COVID-19 pandemic, which has already been identified as a circumstance contributing to an increase in family and intimate partner violence, also exacerbated difficulties in accessing support services and reinforced dynamics of dependence on and control by an abusive partner. Unfortunately, the effects of the pandemic have not disappeared with the formal declaration of its end; rather, its social and economic consequences continue to be felt. In addition to these lingering effects, subsequent global crises have further undermined the creation of a safer environment.

3.5. Identified Gaps and Challenges

Serbia should adopt clear legal provisions prohibiting irreversible and non-emergency surgical or other medical interventions on intersex children, unless free and fully informed consent has been provided, following the receipt of comprehensive information and psychosocial support by the families concerned. Such regulation should ensure that intersex children are protected from unnecessary medical procedures, while at the same time guaranteeing timely access to appropriate health care in cases where interventions are medically necessary and urgent. In addition, the legislation should establish effective monitoring mechanisms and provide binding guidance for medical professionals.

The current deadline of 15 days from birth for registering the sex of a child should be reconsidered. To ensure that decisions regarding intersex children are made in a manner that fully respects their rights and well-being, it is essential to establish a consensus between professionals and activists on the appropriate timeframe for such registration. Drawing on good practice examples from other countries (Germany, the Netherlands) and taking into account the specificities of the local context, an amendment to this provision should be advocated.

Considering that transgender people who undergo one year of hormone therapy and psychiatric evaluation are currently entitled to change their sex marker in Serbia, it is necessary to re-examine these conditions in light of human rights standards and medical best practice. The participation of both activists and professionals in this process is essential to ensure that future reforms reflect the lived realities of transgender

people as well as the expertise of medical and legal practitioners. Meaningful dialogue and sustained cooperation are indispensable for achieving legal amendments that can be effectively implemented and that will provide genuine protection of rights.

Equally important is the availability of qualified medical professionals with experience in working with transgender individuals, so that access to doctors and appropriate health care is guaranteed when a person decides to transition. This requires not only the development of medical capacity but also the removal of unnecessary barriers that delay or complicate access to treatment. Furthermore, transparency and openness in discussing these issues, together with the provision of accurate accessible information for both the wider public and professional communities, constitute a necessary prerequisite for building understanding, reducing stigma, and creating the conditions for legal and social change.

This necessarily includes the broader terminological question of how population data will be collected: whether through the category of sex, gender, or both, whether a third designation (such as “diverse,” “unspecified,” or “other”) will be introduced, and how existing and new methods of data collection will be coordinated and integrated. On this matter, professional cooperation and a shared understanding of the complexity of the problem are essential. Examples from other countries, both “good” and “bad” practices, together with long-term experiences and differing cultural contexts, must be carefully considered in order to identify the most appropriate and sustainable solution for the local context.

Legislation in the Republic of Serbia needs to recognize same-sex unions to ensure that individuals in such relationships are not denied a wide range of legal family-related rights (inheritance, pension, hospital visitation, etc.). Equally important is the provision of legal protection in cases of violence within these relationships. This legislative need has been emphasized for years; without a clear legal framework, neither adults nor children who belong to sexual and gender minorities are adequately protected from discrimination and abuse. Unlike traditional family structures, which enjoy broad normative and societal support, non-heteronormative relationships lack built-in protections and social validation. Furthermore, homophobia and transphobia exacerbate the stigma experienced by survivors of violence, who may feel shame not only because of the abuse itself but also due to their sexual orientation or gender identity. In addressing these issues, it is crucial not only to resist overt violence but also to challenge the more pervasive forms of sexual oppression, including moralism, stigma, shame, and social isolation.¹⁴⁰

¹⁴⁰ Warner, *The Trouble with Normal*, 17.

Given the heightened risks associated with domestic violence in relation to SOGI, longitudinal monitoring is essential. Currently, no publicly available monitoring exists from either state institutions or CSOs. This is, however, critical for comparative analyses and for designing effective prevention strategies. Additionally, there are LGBTIA individuals who have faced, or face, attempts at forced marriage, often linked to parental awareness or suspicion of their SO. More data on this issue is needed, as well as monitoring. Research should prioritize understudied groups, including Roma communities and the Sanjak region. Furthermore, it is necessary to intensify community-based efforts aimed at addressing and regulating intimate-partner violence. Sexual and gender minorities are by no means immune to such experiences; on the contrary, they are often left outside mainstream prevention programs and protection mechanisms.

IV Economic Well-Being

The post-socialist liberal transformation in Serbia, as in other countries, positioned the economy in a structurally dependent role within the global market. The inflow of foreign capital, primarily in the form of foreign direct investment, deepened this dependence on external resources.¹⁴¹ As a result, business strategies became closely tied to subsidies and other incentives designed to attract foreign companies, often through the relocation of parts of their production to the region.¹⁴² In these already disadvantaged working conditions, sexual and gender minorities, who lack institutional support and protective mechanisms, exacerbate their vulnerability. They often face wage disparities, limited career advancement opportunities, and heightened exposure to discrimination and harassment, making economic and professional security particularly precarious. Besides, rejection within the primary family based on personal characteristics can further increase their exposure to economic abuse.

This chapter examines the obstacles and challenges encountered by LGBTIA and non-binary individuals in the recruitment process, within the workplace, and in the broader labor market. The analysis is conducted through a review of the legislative framework, an assessment of monthly income, and the exploration of lived experiences. In parallel, levels of poverty and economic security are addressed, taking into account additional parameters such as property ownership.

4.1. Employment and Work Environment

The research findings from Serbia reveal that only one-fifth of LGBTIA individuals feel free to openly express their sexual orientation and gender identity in the workplace, while two-thirds do not disclose them at all,¹⁴³ although, according to the **Labour Law** of the Republic of Serbia, direct and indirect discrimination of persons seeking employment, as well as employees, is prohibited, with regard to gender, birth, language, race, skin color, age, pregnancy, state of health, i.e. disability, nationality, religion, marital status, family obligations, *sexual orientation*, political or other belief, social origin, property status, membership in political organizations, trade unions or *some other personal attribute*. This law does not explicitly mention gender identity and expression or sex characteristics. However, it does include *some*

¹⁴¹ Bojana Tamindžija and Vladimir Simović, *Položaj radnika i radnica u automobilske industrije u Srbiji* [The Position of Workers in the Automotive Industry in Serbia] (Centar za politike emancipacije, 2024), 5, <https://shorturl.at/kLOUm>.

¹⁴² Ibid.

¹⁴³ Marko Milanović and Mladen Antonijević Priljeva, *Dostojanstvo na radu. Istraživanje o položaju LGBTI+ osoba u oblasti rada i zapošljavanja* [Dignity at Work. Research on the Position of LGBTI+ People in the Field of Work and Employment] (Centar za istraživanje i razvoj društva IDEAS, 2018), 5, <https://shorturl.at/uRINi>.

other personal attribute in its clause on the prohibition from discrimination.¹⁴⁴ Importantly, the employer may not request from the candidate information about family or marital status and family planning and employees are guaranteed equal pay for the same work or work of the same value that they perform at the employer.¹⁴⁵

But, of course, to respect the rights under the contract at all, the contract must exist. The basic data presented here relate to the predominant type of employment contract or its absence:

	Cisgender women (n = 297)	Transgender women (n = 11)	Non-binary persons (F) (n = 44)
Entrepreneur	8%	9%	2%
Permanent employment	31%	45%	9%
Fixed-term employment	14%	9%	23%
Other contracts ¹⁴⁶	10%	9%	11%
Without a contract ¹⁴⁷	13%	0%	9%
Unemployed	34%	27%	50%
Pensioner/Retiree	n = 1	0%	0%

Table: Type of Employment Contract, Women/Non-Binary Female

Permanent employment is most prevalent among transgender women (45%) and cisgender women (31%). Yet, these figures remain relatively low, highlighting the limited access to stable labor market positions for sexual and gender minorities. A significant proportion of cisgender women from these groups are either unemployed (34%) or working without a contract (13%), reflecting structural vulnerabilities within the labor market. Non-binary respondents exhibit the highest rates of fixed-term employment (23%) and unemployment (50%), which may be linked to precarious working conditions during youth and early career stages. Across all groups, engagement in entrepreneurial activity remains relatively low, suggesting that alternative forms of employment do not sufficiently compensate for structural barriers to economic security.

	Cisgender men (n = 206)	Transgender men (n = 24)	Non-binary persons (M)
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¹⁴⁴ Republika Srbija, *Zakon o radu* [Labor Law], *Službeni glasnik RS*, br. 24/2005, 61/2005, 54/2009, 32/2013, 75/2014, 13/2017 – US, 113/2017 i 95/2018 – autentično tumačenje, art. 18, <https://shorturl.at/W6Rg7>.

¹⁴⁵ Ibid., art. 26, 104.

¹⁴⁶ Contract for work or copyright work, Supplementary work contract, Contract for professional work and training, Contract for temporary or occasional work.

¹⁴⁷ People who work without a contract are officially counted as unemployed.

			(n = 8)
Entrepreneur	9%	8%	n = 1
Permanent employment	38%	25%	n = 2
Fixed-term employment	15%	21%	n = 0
Other contracts ¹⁴⁸	14%	13%	n = 0
Without a contract	9%	13%	n = 1
Unemployed	29%	42%	n = 4
Pensioner/Retiree	n = 1	0%	n = 0

Table: *Type of Employment Contract, Men/Non-Binary Male*

Permanent employment is most common among cisgender men (38%) across all examined groups. However, even among men from sexual minorities, permanent employment remains below 50%, reflecting limited access to stable labor market positions. Transgender men (25%) and non-binary men (25%) are particularly affected, and they also experience higher rates of unemployment, underscoring structural vulnerabilities within the labor market.

In general, the data also indicate that individuals often hold multiple contracts even when they have permanent employment, reflecting the insufficiency of a single source of income.

In addition to the type of employment contract, the level of remuneration constitutes a fundamental parameter for evaluating economic security, as it directly influences an individual's capacity to meet basic living standards and maintain financial stability. In relation to current monthly income, LGBTIA and non-binary respondents reported the following:¹⁴⁹

- **None:** 34% (n = 203);

It is noteworthy that 195 individuals aged 18–34 have no income, reflecting the high unemployment rates among young people. The remaining eight individuals who have no income are (working) aged 35–49. Four of these individuals live in a compact type village, ten in a small town, and 23 in a medium-sized city. The remaining individuals reside in a large city or in Belgrade.

- **Up to 50,000 RSD ($\approx$ 426 EUR):** 9% (n = 53);

¹⁴⁸ Contract for work or copyright work, Supplementary work contract, Contract for professional work and training, Contract for temporary or occasional work.

¹⁴⁹ A comma is used for the thousands separator.

- **50,000–80,000 RSD (≈ 426–681 EUR):** 13% (n = 77);
- **80,000–110,000 RSD (≈ 681–936 EUR):** 18% (n = 108);
- **Over 110,000 RSD (≈ 936 EUR and above):** 25% (n = 149).

The minimum net salary in Serbia for December 2024 was **47,696 RSD (≈ 408 EUR)**,¹⁵⁰ while for January 2025 it increased to **56,672 RSD (≈ 484 EUR)**.¹⁵¹ At the same time, the average net salary for December 2024 amounted to **108,312 RSD (≈ 926 EUR)**.¹⁵² The figures from the survey indicate that a substantial percentage of LGBTIA and non-binary respondents earn below or near the national minimum or average salary levels in Serbia. Eight individuals who have zero monthly income are people with disability. There are also eight people who earn up to 50,000 RSD. It means that 52% (n = 16) of the respondents who have disability are without a minimum wage.

Although the representativeness of individual groups varies, it remains important to examine and highlight monthly income levels in relation to gender and gender identity:

	Cisgender women (n = 297)	Transgender women (n = 11)	Non-binary persons (F) (n = 44)
None	35%	27%	50%
Up to 50,000 RSD	10%	18%	14%
50,000–80,000 RSD	14%	18%	14%
80,000–110,000 RSD	18%	18%	14%
Over 110,000 RSD	23%	18%	9%

Table: A Monthly Income; Women/Non-Binary Female

	Cisgender men (n = 206)	Transgender men (n = 24)	Non-binary persons (M) (n = 8)
None	29%	42%	n = 4
Up to 50,000 RSD	5%	21%	n = 1
50,000–80,000 RSD	13%	0%	n = 1
80,000–110,000 RSD	20%	21%	n = 0

¹⁵⁰ Informativno-poslovni centar, “[Iznos minimalne zarade u 2024](https://shorturl.at/HBBui)” [Minimum Wage Amount in 2024], <https://shorturl.at/HBBui>. Exchange Rate List of the National Bank of Serbia as of December 31, 2024.

¹⁵¹ Informativno-poslovni centar, “[Iznos minimalne zarade u 2025](https://shorturl.at/zxCqe)” [Minimum Wage Amount in 2025], <https://shorturl.at/zxCqe>. Exchange Rate List of the National Bank of Serbia as of January 31, 2025.

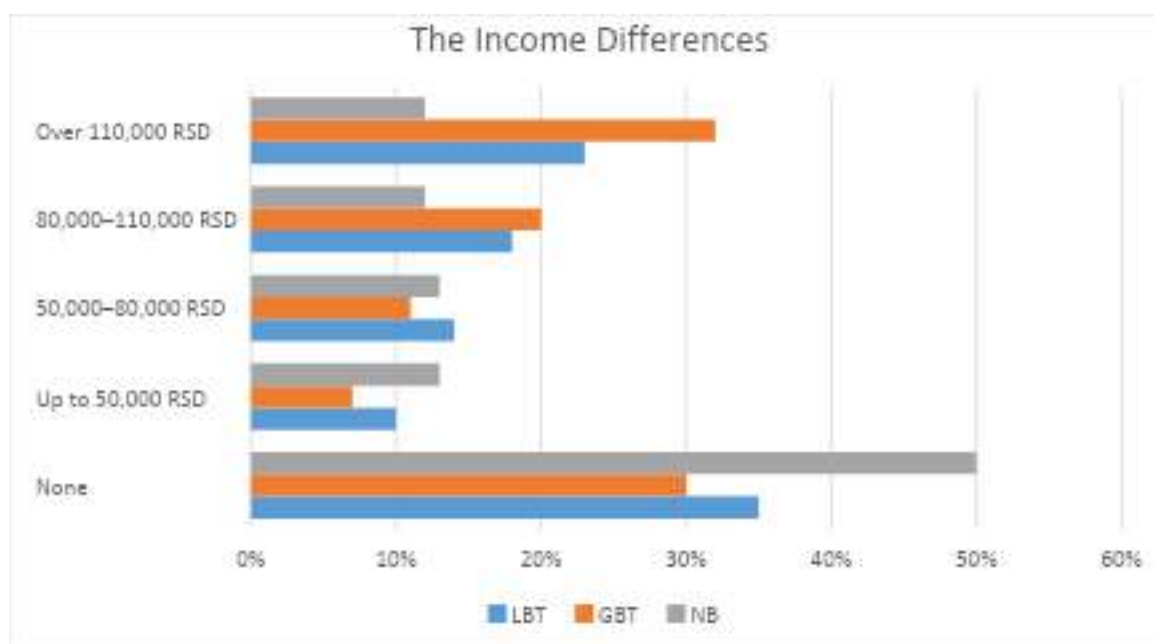
¹⁵² Informativno-poslovni centar, “[Prosečna zarada za decembar 2024. godine](https://shorturl.at/1QAFF)” [Average Wage for December 2024], <https://shorturl.at/1QAFF>. Exchange Rate List of the National Bank of Serbia as of December 31, 2024.

Over 110,000 RSD	33%	17%	n = 2
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Table: *A Monthly Income; Men/Non-Binary Male*

Cisgender women belonging to sexual minorities are disproportionately represented at the lower end of the income scale, in contrast to cisgender men (predominantly with gay SO), who are concentrated at the higher end, particularly in the over 110,000 RSD bracket. Lesbian workers could be disadvantaged because of the interaction between sexism and homophobia, and typically earn less than gay men in absolute terms, due to the overarching gendered pay gap favoring men across most sectors. On the other hand, gay men, who benefit from male-associated structural advantages, face penalties compared to heterosexual men. Non-binary female individuals report the highest share of having no income, followed by transgender men (42%).

If the data were typically displayed as LBT women versus GBT men, the income differences would appear like this:



Graph: *The Income Differences between LBT¹⁵³, GBT¹⁵⁴, and Non-Binary People (NB)*

The percentage of transgender women does not affect the overall percentage in the women's group due to the big differences in the number of representatives. At the same time, the presence of transgender men is

¹⁵³ With pansexual, asexual and intersex women; without female non-binary individuals.

¹⁵⁴ With pansexual, asexual and intersex men; without male non-binary individuals.

not sufficiently visible. Representing non-binary people solely through gender identity does not reveal substantial differences compared to female and male individuals. Overall, gender identity appears to represent a more significant barrier to employment and earnings than sexual orientation alone, which can also be linked to the role of gender expression in shaping labor market outcomes.¹⁵⁵ However, these results must be interpreted with caution, as the categories under comparison are not equally representative in terms of sample size.

When cross-referenced with educational attainment, the data reveal significant disparities in income.¹⁵⁶ Among those who have completed primary education, 88% (n = 15) report having no earnings. This proportion decreases to 55% (n = 146) among individuals with a secondary education, 24% (n = 10) among those who have completed high school, 14% (n = 20) among holders of a bachelor's degree, and 8% (n = 9) among those with a master's degree. Notably, all respondents with a doctoral degree (n = 13) report having some income. These findings indicate a clear correlation between higher educational attainment and increased likelihood of earning an income, highlighting the critical role of education in improving economic opportunities and reducing financial vulnerability.

There are actually two main laws that protect workers from discrimination and violence in the workplace in Serbia. The **Law on Prevention of Workplace Abuse** does not specifically recognize particularly vulnerable categories of employees who are at risk of abuse, and this omission includes the LGBTI people.¹⁵⁷ The **Law on Employment and Unemployment Insurance** regulates, among other things, the rights and obligations of the unemployed and the employer; active employment policy; unemployment insurance and other issues relevant to employment. The law rests on, among others, the principles of prohibition from discrimination, in accordance with the law; impartiality when performing employment tasks; gender equality; affirmative actions aimed at unemployed persons who are more difficult to employ; freedom of choice of occupations and workplaces and others.¹⁵⁸

When it comes to the professional sphere, colleagues at work were reported 118 times for engaging in discrimination at least once (8% of all reported perpetrators of discrimination) of which 49 were female and 69 were male colleagues. A male supervisor was reported by 48 individuals, while a female supervisor

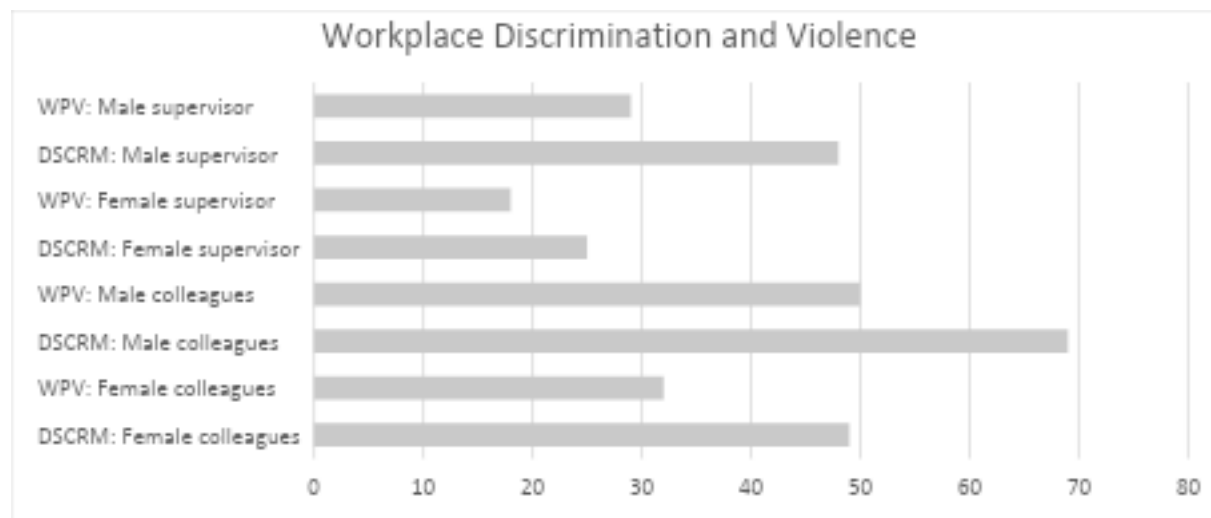
¹⁵⁵ Similar conclusions: Ashley Hunter Lourdes, Ashe McGovern, and Carla Sutherland, eds., *Intersecting Injustice: Addressing LGBTQ Poverty and Economic Justice for All: A National Call to Action* (Social Justice Sexuality Project, Graduate Center, City University of New York, 2018), 13, <https://socialjusticesexuality.com/files/2018/04/Poverty-Reports-Exec-Summary.pdf>.

¹⁵⁶ Detailed educational information is presented in Chapter V.

¹⁵⁷ Republika Srbija, *Zakon o sprečavanju zlostavljanja na radu* [Law on Prevention of Workplace Abuse], *Službeni glasnik RS*, br. 36/2010, <https://shorturl.at/yWJxf>.

¹⁵⁸ Ibid., art. 5.

was reported by 25 individuals. Together, supervisors account for 5% of all reported perpetrators of discrimination. Furthermore, 16% of respondents (n = 49) reported experiencing workplace mobbing or harassment.¹⁵⁹ A total of 82 colleagues (32 F, 50 M) and 47 supervisors (29 M, 18 F) were reported as perpetrators of some form of workplace violence, accounting for 7% and 4% of all perpetrators of violent acts, respectively.



Graph: *Colleagues and Supervisors as Perpetrators of Discrimination and Violence based on SOGIGE (Number of Cases)*

Regarding the discrimination and violence they experienced at work, the respondents to this survey shared the following:

“I was once rejected in a job interview because they said they didn’t know which locker room to put me in.” (Female non-binary, pansexual, 18–34)

“Targeted exclusion and discrimination at work, such as only me being denied a salary increase, promotion, and being warned that I wasn’t doing my job properly, even though we all did the same work in the same way and to the same extent.” (Transgender man, heterosexual, 18–34)

“I lost jobs and was given less food at work.” (Bisexual man, 18–34)

“I was overlooked, marginalized, and hindered in career advancement.” (Lesbian, over 65)

¹⁵⁹ Relative to the total number of those who stated that they had experienced some form of violence (excluding domestic violence) (n = 297).

“I didn’t dare to come out because of my colleagues’ homophobic comments.” (Gay, 18–34)

“Mockery in front of colleagues and dismissal of my business contacts and proposals, with the publicly stated assumption that they were my girlfriends.” (Lesbian, 18–34)

“Refusal to communicate with me in the workplace.” (Lesbian, 18–34)

“I was deliberately overburdened with work tasks compared to other employees and subjected to general workplace mobbing in order to push me to resign.” (Gay, 35–49)

“I was treated like a bogeyman because I reported to HR that a colleague was mocking me daily.” (Transgender woman, pansexual, 18–34)

“They call me a faggot in front of the entire workplace collective.” (Gay, over 65)

“Gossiping, name-calling, making comments, and outing me to other people without my knowledge or consent.” (Gay, 18–34)

“Being unable to bring a +1 to any company event.” (Lesbian, 18–34)

“I was subjected to discriminatory practices, such as being the only woman excluded from receiving recognition on International Women’s Day. Additional manifestations included workplace mobbing, exclusion from women’s programs by female colleagues, derogatory remarks, and stigmatization through the repeated emphasis on illness, primarily by women, but also by more conservative male colleagues.” (Lesbian, 35–49)

“They stopped hiring me as a match cameraman once they found out I was gay.” (Pansexual man, 35–49)

“I experienced insults and colleagues taking away my belongings.” (Bisexual woman, 18–34)

“My employer was questioning whether I was mentally ill.” (Gay, 35–49)

“Insults from the manager and spreading false, assumed stories.” (Transgender man, heterosexual, 18–34)

“I was paid less than my other cisgender straight male colleagues.” (Lesbian, 18–34)

“Workplace harassment.” (Gay, 35–49)

“The town where I live is small, and everyone knows each other. Because most people know that I am a trans person, I have difficulty finding a job.” (Transgender man, heterosexual, 18–34)

The Equality Commissioner and the Ombudsman are independent state authorities entrusted with safeguarding individuals from discrimination. Their mandate explicitly includes addressing instances of employment discrimination against LGBTIA and non-binary persons. In the exercise of their competencies, these institutions may issue opinions and recommendations concerning discriminatory acts, such as calling for an apology or other corrective measures. However, their role is largely advisory, and their decisions are neither broadly followed nor valued, which diminishes their practical impact on perpetrators of discriminatory or violent conduct.

4.2 Poverty Risk

Given the persistently high unemployment rate and economic vulnerability in Serbia, coupled with widespread labor insecurity and unfavorable working conditions, additional questions regarding property ownership were included to illuminate potential sources of economic security, as well as areas of vulnerability, among LGBTIA and non-binary individuals. To assess ownership and, by extension, economic stability, respondents were asked to indicate whether they owned any of the following assets: motorcycle or scooter, car, garage (in urban areas), house, cottage, rental property, or plot of land. Overall, the data reveal that 62% of LBT women do not own any of these assets, compared to 53% of GBT men and 73% of non-binary individuals. A more detailed examination of the data provides a clearer picture of ownership patterns within these groups:

	Cisgender women (n = 297)	Transgender women (n = 11)	Non-binary persons (F) (n = 44)
Apartment or house	25%	27%	16%
Vehicle	22%	9%	9%
Minimum two properties ¹⁶⁰	5%	0%	7%
Nothing	62%	73%	77%

Table: *Ownership: Women/Non-Binary Female*

	Cisgender men (n = 206)	Transgender men ¹⁶¹ (n = 23)	Non-binary persons (M)
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¹⁶⁰ Apartment, house, garage, cottage and/or rental space.

¹⁶¹ One respondent refused to answer this question.

			(n = 8)
Apartment or house	36%	26%	n = 2
Vehicle	22%	13%	n = 2
Minimum two properties ¹⁶²	5%	4%	n = 2
Nothing	52%	65%	n = 4

Table: *Ownership: Men/Non-Binary Male*

It is worth noting that in the previous section, it was shown that, among 87 respondents, the right to inheritance was denied in 25% of cases, while housing-related rights were denied in 30% of cases. Under Serbian law, housing discrimination occurs when access to housing support programs or rights is denied, made more difficult, or unfairly prioritized for others based on a person's or group's personal characteristics.¹⁶³ Several respondents shared experiences of discrimination in relation to housing, while some reported facing both employment and housing discrimination, which points to an additional layer of economic vulnerability:

“My partner and I were refused a rental apartment, even though we met all the requirements, in favor of a married couple, with the explanation that we would eventually quarrel and that one of us might even get married.” (Lesbian, 18–34)

“Inability to find housing because of sexual orientation, risk of losing employment.” (Lesbian, 18–34)

“Rejection from job positions, refusal to rent housing.” (Gay, 18–34)

“My roommate and I were denied an apartment, even though we were not in a relationship, because we *looked like* a couple to the landlord.” (Pansexual woman, 18–34)

In general, poor compliance with labor rights and inadequate workplace protection, combined with low wages, the inability to cover the average cost of living, and difficulties in securing housing, are challenges faced by many workers. These difficulties are further exacerbated when an individual's actual or presumed sexual orientation or gender identity becomes known or is suspected.

¹⁶² Apartment, house, garage, cottage and/or rental space.

¹⁶³ Republika Srbija, [Zakon o zabrani diskriminacije](#) [Law on Prohibition from Discrimination], art. 27a.

4.3 Identified Gaps and Challenges

With regard to sexual and gender human rights, minorities in Serbia face either insufficient legislative protection or inadequate implementation of existing laws. In the existing legal frameworks that refer to economic rights, it is necessary to directly introduce personal characteristics relating to sexual orientation, gender identity, and gender expression.

More work is needed with employers in small, medium, and large companies, and with different professions. Here, state pressure, in relation to legally regulated rights, is crucial. Additionally, a dedicated platform should be created to showcase examples of good practice, highlighting companies and enterprises that effectively implement these laws, as well as experiences of discrimination and violence. Transparency could lead to increased pressure on companies to respect workers' rights in all spheres. The state should regularly conduct research on this issue at the national level and work to improve working conditions.

It is equally important that sexual and gender minorities are well-informed about their working conditions and available mechanisms of protection. In this regard, various civil society organizations have developed manuals and guidelines aimed at raising awareness and strengthening legal literacy. However, for these resources to have a meaningful impact, it is essential that they are systematically disseminated, communicated through appropriate channels (social networks, internal groups, etc.), and actively promoted, including through outreach initiatives and local community visits.

Cooperation between CSOs and trade unions is of particular importance, as their areas of work frequently intersect and overlap around labor rights, equality, and social justice. Building stronger partnerships could enhance advocacy efforts and expand the reach of awareness-raising campaigns. This cooperation could be strengthened through the establishment of joint working groups, regular dialogue platforms, coordinated policy proposals, and collaborative training programs that address both workers' rights and broader human rights concerns.

V Education and Inclusion

Considering enormous impact that formal education, that is, all its segments, can have on the quality of life and personal development, this section examines access to education, the learning environment, and curricular content through the lens of gender equality and the inclusion of LGBTIA and non-binary people and themes. It will explore barriers to enrollment and completion of formal education, the implementation of anti-discrimination and anti-violence policies in schools, the role of teacher training and professional attitudes, and institutionalized discrimination. Additionally, it will consider how curricula address, or fail to address, gender equality, SOGIESC issues, and the safe participation of all pupils and students in school activities. The discussion concludes by identifying gaps and challenges that hinder inclusive education and outlining areas where systemic reforms and cooperation with civil society are needed.

5.1. Educational Access and Attainment

The legal framework of the Republic of Serbia governing access to education guarantees the right to primary and secondary education for all children. The **Law on the Basics of the Education and Upbringing System** that regulates the basics of the system of preschool, primary and secondary education and upbringing and adult education in Serbia, prescribes the prohibition of discrimination and discriminatory treatment in educational institutions.¹⁶⁴ The **Law on Higher Education** stipulates that the activity of higher education is based on 14 principles, one of which is respect for human rights and civil liberties, including the prohibition of all forms of discrimination.¹⁶⁵ In addition, this law stipulates that a student of a higher education institution has the rights and obligations established by this law and the general act of the higher education institution, which includes the *right to diversity* and protection against discrimination.¹⁶⁶ Finally, the **Law on Adult Education** stipulates that adult education is based on certain principles, among which is the principle of equal opportunities, i.e. inclusion and acquisition of education regardless of age, gender, difficulties and disabilities in development, disability, racial, national, social, cultural, ethnic and religious

¹⁶⁴ Republika Srbija, [Zakon o osnovama sistema obrazovanja i vaspitanja](#) [Law on the Basics of the Education and Upbringing System], *Službeni glasnik RS*, br. 88/2017, 27/2018 – drugi zakoni, 10/2019, 27/2018 – drugi zakoni, 6/2020, 129/2021, 92/2023 i 19/2025, art. 110, <https://shorturl.at/vjfU3>.

¹⁶⁵ Republika Srbija, [Zakon o visokom obrazovanju](#) [Law on Higher Education], *Službeni glasnik RS*, br. 88/2017, 73/2018, 27/2018 – drugi zakoni, 67/2019, 6/2020 – drugi zakoni, 11/2021 – autentično tumačenje, 67/2021, 67/2021 – drugi zakoni, 76/2023 i 19/2025, art. 4, <https://shorturl.at/4rDiw>.

¹⁶⁶ Ibid., art. 101.

affiliation, language, *sexual orientation*, place of residence, material or health condition and other personal characteristics.¹⁶⁷

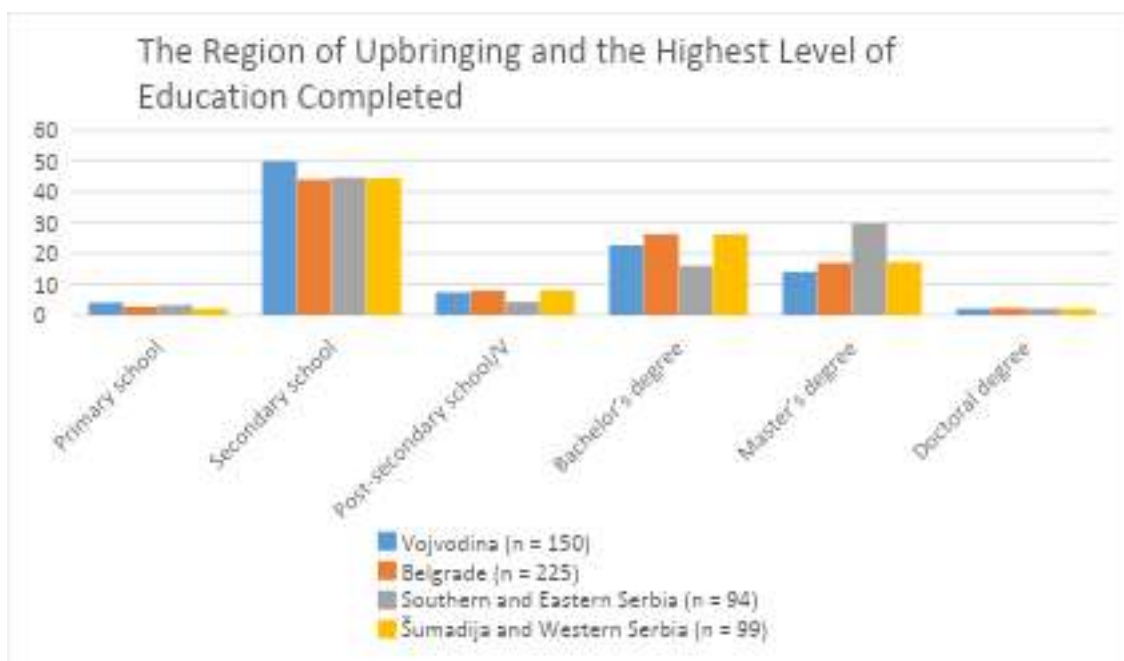
In addition to the well-established legal framework in the field of education, respondents belonging to sexual and gender minorities were asked in the questionnaire about the educational dimension. Within this segment, attention was directed to the influence of geographical region, the highest level of education attained, as well as differences related to gender and gender identity within this community and in regard to the general population.

The largest proportion of LGBTIA and non-binary respondents from the survey done for the purpose of this research, 45% (n = 267), have completed secondary education as their highest level of formal education. Furthermore, 3% respondents from the sexual and gender minorities (n = 17) report primary education, 7% (n = 42) have completed post-secondary school/vocational college, 24% (n = 140) hold a bachelor's degree, 19% (n = 111) a master's degree, and 2% (n = 13) a doctoral degree.

With respect to the region of upbringing and the highest level of education completed, the results indicate that individuals across all regions have been able to complete education at every level, from primary school to doctoral studies.¹⁶⁸ No region demonstrates a huge barrier to progressing through the educational system, highlighting that access to education is not regionally restricted:

¹⁶⁷ Republika Srbija, *Zakon o obrazovanju odraslih* [Law on Adult Education], *Službeni glasnik RS*, br. 55/2013, 88/2017 – drugi zakon, 27/2018 – drugi zakon i 6/2020 – drugi zakon, art. 3, <https://shorturl.at/aiwrw>.

¹⁶⁸ Those who grew up in other countries are not included here (n = 22).



Graph: Educational Attainment by Region of Upbringing Among LGBTIA and Non-Binary Respondents

What remains particularly important, especially concerning compulsory primary education, is the situation of Roma children, who are frequently withdrawn from school to work or are subjected to forced marriages, which severely limit their educational opportunities.¹⁶⁹ It is essential to remain attentive to the difficult circumstances faced by children from these settlements, as their exclusion from education reflects broader structural inequalities and social marginalization. Since Roma people are almost entirely absent (n = 2) from this research, it is impossible to draw any conclusion on this topic.

Regarding gender and gender identity, all groups are overwhelmingly concentrated at the secondary level of education:

	Cisgender women (n = 297)	Transgender women (n = 11)	Non-binary persons (F) (n = 44)
Primary school	3%	0%	9%
Secondary school	46%	82%	66%

¹⁶⁹ Maja Savić, “[Odustajanje od školovanja među decom iz romske zajednice kao problem: Zaposlenje roditelja karika koja nedostaje](https://shorturl.at/e1uM2)” [Dropping Out of School Among Children from the Roma Community as a Problem: Employment of Parents Is the Missing Link], *Magločistač*, April 8, 2024, <https://shorturl.at/e1uM2>; Jelena Đukić Pejić, “[Srbija: Romska deca i dalje uskraćena za obrazovanje](https://shorturl.at/9W52N)” [Serbia: Roma Children Are Still Deprived of Education], *Deutsche Welle*, September 11, 2023, <https://shorturl.at/9W52N>; Udruženje Roma Novi Bečej i Romski ženski centar Rromnjako Ilo – Zrenjanin, *Suprotstavljamo se običaju, volimo sebe* [We Oppose Tradition, We Love Ourselves].

Post-secondary school/Vocational college	6%	9%	7%
Bachelor's degree	30%	9%	7%
Master's degree	14%	0%	11%
Doctoral degree	2%	0%	0%

Table: Educational Attainment by Women/Non-Binary Female

	Cisgender men (n = 206)	Transgender men (n = 24)	Non-binary persons (M) (n = 8)
Primary school	1%	4%	n = 0
Secondary school	37%	54%	n = 4
Post-secondary school/Vocational college	9%	8%	n = 0
Bachelor's degree	20%	17%	n = 2
Master's degree	29%	17%	n = 1
Doctoral degree	3%	0%	n = 1

Table: Educational Attainment by Men/Non-Binary Male

Higher education is more varied: 30% of cisgender women hold a bachelor's degree, 14% a master's degree, and 2% a doctoral degree, whereas transgender women and female non-binary respondents are far less represented in these categories. Among men respondents, the distribution is somewhat more balanced across secondary and higher education. Although women from sexual minorities hold 10% more undergraduate degrees, men from this group possess 15% more master's degrees.

Once again, gender identity seems like one of the most significant barriers to accessing and completing education. Individuals whose gender identity does not conform to societal norms often face stigma and exclusion within educational institutions, which can limit their opportunities for academic advancement. Consequently, gender identity can have a profound impact on educational attainment and professional opportunities.

5.2. Learning Environment

Even when formal access to schools is achieved, the broader learning environment often remains unsafe or unwelcoming for LGBTIA and non-binary students. In addition to the previously mentioned legal

framework, which guarantees equality in education and prohibits discrimination, several other laws and regulations complement this framework, explicitly mentioning sexual orientation and/or gender identity and facilitating their effective implementation.

The **Law on Pupil and Student Standards**¹⁷⁰ and two rulebooks: the **Rulebook on Detailed Criteria for Recognizing Discrimination by Employees, Children, Students, or Third Parties in Educational Institutions**¹⁷¹ and **Rulebook on the Protocol of Behavior in the Institution in Response to Violence, Abuse and Neglect**¹⁷² prohibit discrimination. Under the last Rulebook, employees are required to inform The Ministry of Education, Science and Technological Development (hereafter referred to as “the Ministry of Education”) of incidents of peer violence classified as level three, as well as of situations of violence involving a pupil, through the national platform I Protect You [*Čuvam te*], and to report on the measures taken by the school.¹⁷³ Furthermore, in accordance with the **Rulebook on the Procedures of Institutions in Cases of Suspected or Established Discriminatory Behavior and Violation of the Reputation, Honor, and Dignity of the Person**,¹⁷⁴ during the 2023/2024 school year, the Ministry of Education was notified of seven incidents of discriminatory behavior that occurred among pupils.¹⁷⁵ In one of these cases, sexual orientation was identified as the personal characteristic based on which the discrimination was carried out.¹⁷⁶ Importantly, if an institution becomes aware that an employee has committed a certain form of violence, it is obliged to notify the police and the competent public prosecutor’s office.¹⁷⁷

Recognizing that teacher training is crucial for raising awareness among professionals who have the most direct impact on the education of LGBTIA learners and on future generations more broadly,¹⁷⁸ requests for

¹⁷⁰ Republika Srbija, [*Zakon o učeničkom i studentskom standardu*](#) [Law on Pupil and Student Standards], *Službeni glasnik RS*, br. 18/2010, 55/2013, 27/2018 – drugi zakon, i 10/2019, art. 36, <https://shorturl.at/7DY7N>.

¹⁷¹ Republika Srbija, [*Pravilnik o bližim kriterijumima za prepoznavanje oblika diskriminacije od strane zaposlenog, deteta, učenika ili trećeg lica u ustanovi obrazovanja i vaspitanja*](#) [Rulebook on Detailed Criteria for Recognizing Discrimination by an Employee, Child, Student or Third Party in an Educational Institution], *Službeni glasnik RS*, br. 22/2016, art. 2, <https://shorturl.at/N0frd>.

¹⁷² Republika Srbija, [*Pravilnik o Protokolu postupanja u ustanovi u odgovoru na nasilje, zlostavljanje i zanemarivanje*](#) [Rulebook on the Protocol of Behavior in the Institution in Response to Violence, Abuse and Neglect] *Službeni glasnik RS*, br. 11/2024, <https://shorturl.at/swrAW>.

¹⁷³ Slavica Đukić Dejanović, “Odgovor na zahtev za informacije od javnog značaja. Tamara Ivančević” [Response to a Request for Information of Public Importance. Tamara Ivančević], Ministarstvo prosvete Republike Srbije, 07-00-00323/1/2025-01, March 6, 2025.

¹⁷⁴ Republika Srbija, [*Pravilnik o postupanju ustanove u slučaju sumnje ili utvrđenog diskriminatornog ponašanja i vređanja ugleda, časti ili dostojanstva ličnosti*](#) [Rulebook on the Procedures of Institutions in Cases of Suspected or Established Discriminatory Behavior and Violation of the Reputation, Honor, and Dignity of the Person], *Službeni glasnik RS*, br. 65/2018-12, <https://shorturl.at/swrAW>.

¹⁷⁵ Đukić Dejanović, “Odgovor na zahtev za informacije od javnog značaja” [Response to a Request for Information of Public Importance].

¹⁷⁶ Ibid.

¹⁷⁷ Đukić Dejanović, “Odgovor na zahtev za informacije od javnog značaja” [Response to a Request for Information of Public Importance].

¹⁷⁸ ILGA-EUROPE and IGLYO, *A Complex Picture of Progress*, 47.

information of public importance were submitted to the Ministry of Education. These requests sought data on the number of mandatory and voluntary trainings attended by employed teachers in primary and secondary schools, as well as at higher levels of education, across all regions of Serbia. The Ministry responded that it did not possess this information and indicated that the Institute for the Advancement of Education and Upbringing is the competent authority.¹⁷⁹ The Center for Professional Development of Employees, part of the Institute for the Advancement of Education and Upbringing, has never responded to the request submitted on 27 February 2025.

On the contrary, there were many responses from the community. Discrimination was reported across all levels of education, though its prevalence varied. Among the 316 respondents who reported ever experiencing discrimination,¹⁸⁰ 52% of respondents (n = 165) indicated having experienced discrimination at least once in elementary school, rising slightly to 57% (n = 179) in secondary school,¹⁸¹ and decreasing to 19% (n = 61) at higher educational levels.¹⁸² Teaching staff were responsible for 15% of a total of 1,558 reported discriminatory incidents, that is, 237 cases across all educational levels. Peer-perpetrated discrimination accounted for 15% of cases in elementary school (n = 239) and 16% in secondary school (n = 253). At the higher educational level, colleagues were reported in 8% (n = 125) cases.

Violence was also reported across all levels of education. Among the 289 respondents who reported ever experiencing violence, 11% of respondents (n = 33) indicated having experienced violence at least once in elementary school, 12% (n = 34) in secondary school, and 8% (n = 22) at higher educational levels. Teaching staff were responsible for 14% of a total of 1,133 reported violent incidents, that is, 162 cases across all educational levels. Peer-perpetrated violence accounted for 18% of cases in elementary school (n = 201) and 19% in secondary school (n = 210). At the higher educational level, colleagues were reported in 7% (n = 81) cases.

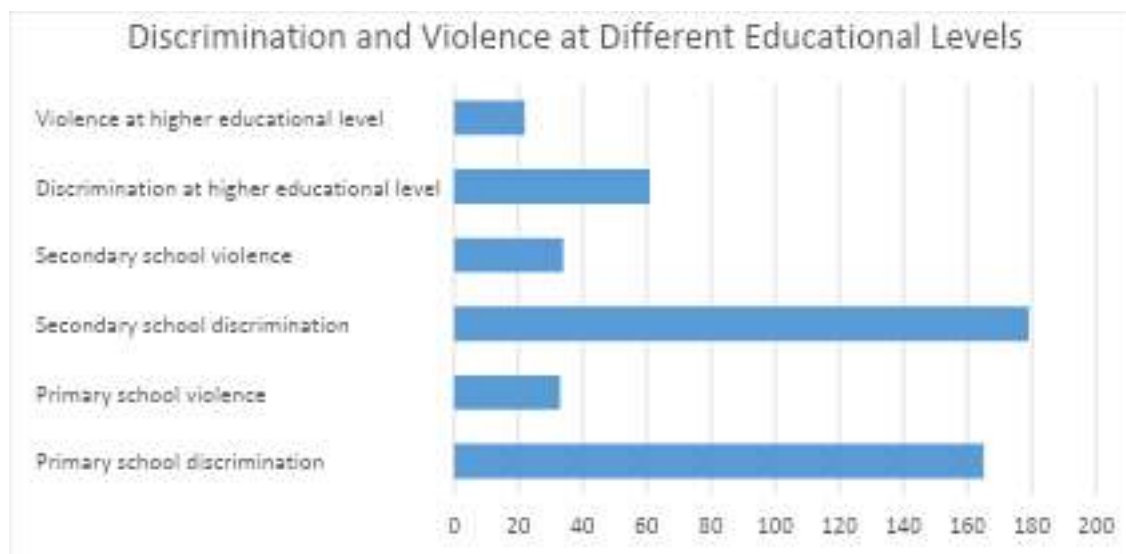
A comparative look at the data provides insight into how experiences of discrimination and violence vary across different stages of education:

¹⁷⁹ Đukić Dejanović, “Odgovor na zahtev za informacije od javnog značaja” [Response to a Request for Information of Public Importance].

¹⁸⁰ Ages 7–14.

¹⁸¹ Ages 15–18/19.

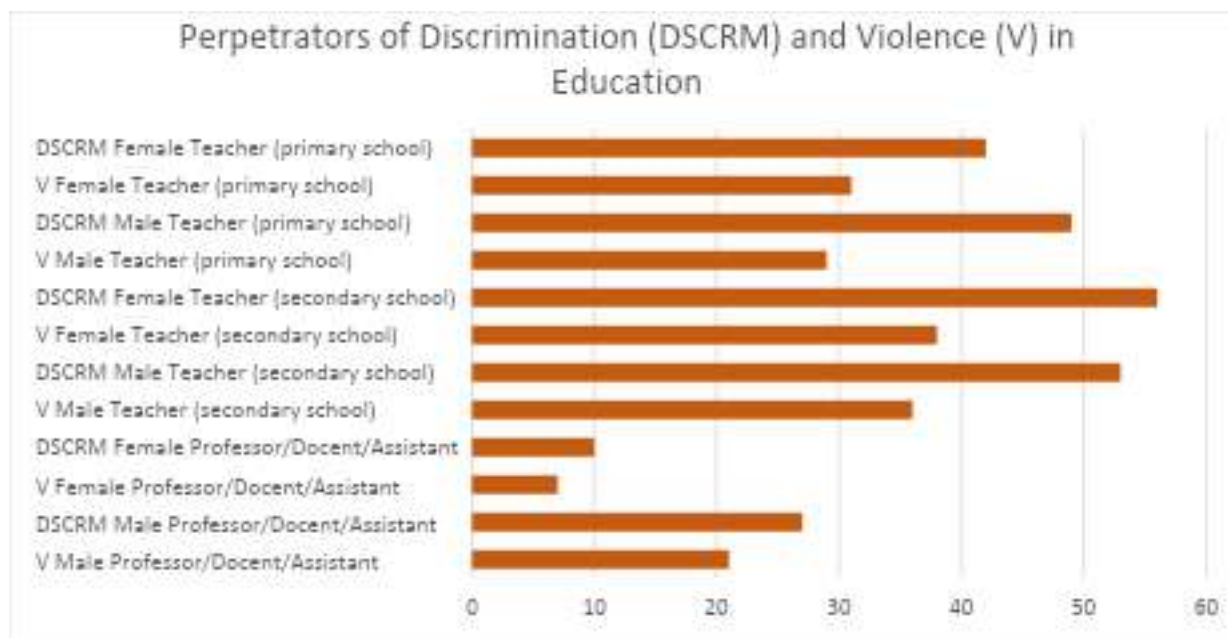
¹⁸² All data related to experiences of discrimination will be presented in Chapter X.



Graph: *Discrimination and Violence Based on SOGIE at Different Educational Levels (Number of Cases)*

Secondary school discrimination is the most frequently reported form, followed closely by primary school discrimination. Both in primary and secondary schools, violence is far less frequent compared to discrimination, but it is important to keep in mind that violence is likely to occur alongside various forms of discrimination when it occurs. Both cases of discrimination and violence against LGBTIA and non-binary adolescents are lower at higher levels of education, but they are also present. At the same time, the data from above showed that the majority of LGBTIA and non-binary people have a secondary school education, which appears to be the peak period for discrimination, possibly linked to identity formation and insecurity, and social and peer pressure.

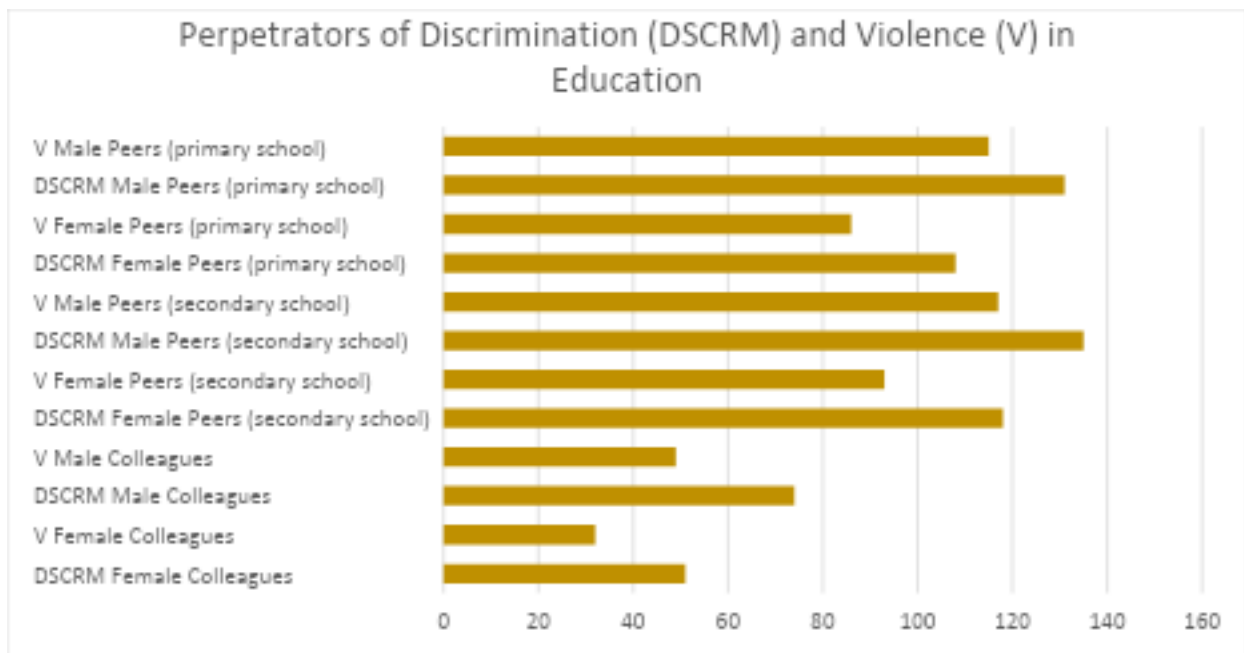
With regard to teaching staff as the perpetrators of discrimination and violence, the distribution is presented in the following graph:



Graph: *Teaching Staff as Perpetrators of Discrimination and Violence Based on SOGIGE (Number of Cases)*

Discrimination is consistently higher than violence for both genders and at all educational levels. Male academic staff are reported significantly more often than female staff at higher educational levels in both discriminatory ($n = 27$ vs. 10) and violent cases ($n = 21$ vs. 7). At secondary and primary levels, discriminatory practices appear widespread and not strongly linked to gender.

About teaching staff as the perpetrators of discrimination and violence, the distribution is presented in the following graph:



Graph: *Peers and Colleagues as Perpetrators of Discrimination and Violence Based on SOGIGE (Number of Cases)*

High rates of both discrimination and violence already appear at the primary school level. Male peers ($n = 246$) are reported more frequently than female peers ($n = 194$). The difference between discrimination and violence is smaller in primary and secondary schools than in higher education, meaning school bullying often includes physical elements alongside exclusion and verbal abuse. Both male and female peers are frequently reported as perpetrators of discrimination (118F, 135M) and violence (93F, 117M) at the secondary school, with numbers much higher than those for colleagues later, and with male peers being reported slightly more often than female peers. Male colleagues ($n = 123$) are more frequently reported as perpetrators than female colleagues ($n = 83$), both for discrimination and violence. Discrimination is again more common than violence across genders and at all educational levels.

Rejection and exclusion from peer groups emerged as a recurring theme in the qualitative responses, frequently accompanied by experiences of social isolation. Many respondents reported experiences of belittlement, exclusion from important arrangements and information flows, as well as acts of sabotage during schooling. Others described persistent mockery and abuse from peers, and cases of physical and psychological violence at school, frequently resulting in broader social exclusion. Through the qualitative answers, the respondents shared the experiences of stigma, discrimination, and violence during primary and secondary education:

“My female friends could no longer feel comfortable hanging out with me once they found out about my sexual orientation. They felt threatened and unsafe.” (Bisexual woman, 18–34)

“In high school, at a volleyball competition, girls from another school asked not to share the locker room with us because of me, and some parents from that same school also got involved and pressured the organizers. In the end, my physical education teacher reacted and said he would withdraw all our teams from the competition and advised me to sue the organizers for discrimination. I’m not even, so to speak, a stereotypical lesbian. That helped me quite a bit in high school, so people wouldn’t point fingers at me. However, one person deliberately spread the information, and that’s when the agony began.” (Lesbian, 18–34)

“Physical assault and hate speech in school.” (Lesbian, 18–34)

“Peer violence to which the school did not respond.” (Gay, 18–34)

“Threats, rejection, abuse, and hate speech in schools, outing without consent, discrimination, and psychological violence from a professional (school psychologist).” (Lesbian, 18–34)

“Exclusion, both by peers and teachers/professors.” (Gay, 18–34)

“In high school physical education classes, girls mocked me for practicing with them instead of with the boys.” (Gay, 18–34)

“Being ostracized from my class in elementary school for a period of two years, the period of completing elementary school and enrolling in high school.” (Lesbian, 18–34)

“I was insulted, physically and psychologically abused, excluded from society; they told me I should kill myself because it would be better that way.” (Gay, 50–64)

“Mostly verbal abuse – insults and offensive remarks from peers.” (Lesbian, 18–34)

“Public humiliation by professors.” (Gay, 18–34)

“Constant verbal and physical abuse in elementary and high school because of my sexual orientation.” (Bisexual woman, 18–34)

“When classmates at school talked about ‘male topics,’ and I joined in, there would usually be a comment like – ‘What do you know, you’re a faggot?’” (Gay, 18–34)¹⁸³

“From mockery to being locked in classrooms and bathrooms. Running after me and following me home several times while I was a child.” (Transgender woman, pansexual, 18–34)

“Bullying in elementary school, constant taunting because I practiced dance, humiliation.” (Gay, 18–34)

“In elementary and high school, I was called a faggot.” (Gay, 18–34)

“Exclusion from the community and refusal by a teacher to prepare me for university because of my gender identity.” (Transgender man, bisexual, 18–34)

“My then-best friend didn’t allow me to hug her because she was afraid I might fall in love with her...” (Lesbian, 18–34)

“Alienation from peers during schooling, verbal harassment, being denied entry to toilets and locker rooms, exclusion from conversations and social activities.” (Lesbian, 18–34)

As the figures above highlight, discrimination occurs at every stage of education, involving both peers and institutional actors, though its intensity and nature differ across contexts. Although one might assume that experiences of violence come to an end after the completion of secondary school, various forms of discrimination and violence were also reported at the university level:

“Verbal violence, grade sabotage, and damage to my reputation in high school by teachers; threats of physical violence from a colleague at university.” (Pansexual woman, 18–34)

“Mockery at school under the assumption that I was gay. I was also discriminated indirectly through hate speech in high school by a civics and philosophy teacher, as well as at university by one professor.” (Gay, 18–34)

“At university, I often experienced inappropriate comments from colleagues about my religion (Wiccan), sexual orientation, and gender identity. At one point, a colleague recorded me kissing my boyfriend in a bar and blackmailed me with that video.” (Transgender woman, asexual, 18–34)

¹⁸³ This respondent is from Montenegro

“I’m a woman in a male-dominated department at university, which automatically makes me a ‘tomboy.’” (Lesbian, 18–34)

“Discrimination in the form of social exclusion, because some colleagues at university believed I was a lesbian.” (Bisexual woman, 18–34)

To summarize the educational realm with official data. In response to a request for information of public importance, the Ministry of Education highlighted the Platform I Protect You [*Čuvam te*], which has allowed the reporting of violence involving children since 2023. This national platform is implemented in all primary and secondary schools and forms part of the legislative and sub-legislative framework for the protection against violence within the education system.¹⁸⁴ Official data for the period from May 2023 to July 2025 include 3,344 reported cases of peer violence.

It is therefore important to highlight the prevention activities and measures that have been implemented. As part of the project “Together and Safely through Childhood”, multiple activities have been carried out with pupils across all primary schools to raise awareness of all forms of violence and discrimination.¹⁸⁵ These activities are organized by the Ministry of Education in cooperation with the Ministry of Interior. Additionally, the Ministry of Education initiates the commemoration of *Pink Shirt Day*, an international day against peer violence, during which education staff and pupils jointly organize activities aimed at fostering empathy and collaboration.¹⁸⁶ While it is crucial to ensure that such activities are as numerous as possible and reach the widest possible audience of employees and pupils in primary and secondary schools, questions remain regarding the underlying, unspoken causes of discrimination and violence addressed in these activities, as these issues are not formally included in the official curriculum.

5.3. Curricula in the Context of Gender Equality

Curricular content plays a central role in shaping pupils’ perceptions of diversity and equality. Integrating information on SOGIESC into school curricula is vital to eliminating stereotypes and promoting inclusive education. This requires systematic revision of textbooks, the development of new curricula, and the organization of public debates to secure broad societal support for such reforms. Furthermore, cooperation

¹⁸⁴ Đukić Dejanović, “Odgovor na zahtev za informacije od javnog značaja” [Response to a Request for Information of Public Importance].

¹⁸⁵ Đukić Dejanović, “Odgovor na zahtev za informacije od javnog značaja” [Response to a Request for Information of Public Importance]; Ministarstvo prosvete Republike Srbije, “Predstavljen projekat ‘Zajedno i bezbedno kroz detinjstvo’” [The Project “Together and Safely Through Childhood” Was Presented], September 2, 2023, <https://shorturl.at/DAUJB>.

¹⁸⁶ Đukić Dejanović, “Odgovor na zahtev za informacije od javnog značaja” [Response to a Request for Information of Public Importance].

with civil society organizations can reinforce these efforts by raising public awareness and providing schools with expertise and resources.

The **Law on Textbooks** regulates the preparation, approval, selection, issuance, withdrawal, and monitoring of textbooks and textbook sets, manuals and teaching materials, and additional teaching aids for primary and secondary schools.¹⁸⁷ The law stipulates that “the content and form of the textbook, manual, electronic supplement to the textbook, additional teaching tool, didactic tool and didactic game tool should ensure the implementation of the principle of equal opportunities and respect for diversity.”¹⁸⁸

One of the issues related to curricula was that the educational package on the prevention of various forms of sexual violence against children was developed over several years by a women’s civil society organization – Incest Trauma Center, in cooperation with school staff, international experts, and the Ministry of Education.¹⁸⁹ It provided guidance for preschool teachers, primary teachers, and subject teachers on how to address issues such as sexuality, desired or unwanted physical contact, and advising children in cases of sexual or gender-based violence.¹⁹⁰ In 2017, after two weeks of agitation by a small group of intellectuals, the educational package was withdrawn, having been reframed as a threat to families.¹⁹¹

After a few years, a similar scenario occurred again. The eighth-grade biology curriculum and textbooks, prepared by a committee that included representatives from the Faculty of Biology, received a positive opinion from the National Education Council, were subsequently adopted by the Ministry of Education, and published in 2019.¹⁹² After two years of use, they came under criticism from conservative circles because of the inclusion of gender in biology textbooks.¹⁹³ On textbooks’ occasion in 2022, Patriarch of the Serbian Orthodox Church, Porfirije, called for the withdrawal of all textbooks containing “lessons on gender ideology.”¹⁹⁴

¹⁸⁷ Republika Srbija, [Zakon o udžbenicima](https://zakon.rn.gov.rs/Zakoni/actDoc.aspx?id=144000) [Law on Textbooks], *Službeni glasnik RS*, br. 27/2018 i 92/2023, <https://shorturl.at/v14uC>.

¹⁸⁸ Ibid., art. 13.

¹⁸⁹ Zaharijević and Lončarević, “Rod i ideologija: o pobuni protiv jednakosti” [Gender and Ideology: On an Insurrection Against Equality], 38.

¹⁹⁰ Ibid.

¹⁹¹ Ibid.; Antoniće, “Postizborna LGBT ‘inkluzija’” [Post-Election LGBT “Inclusion”].

¹⁹² Vesna Andrić, “[Polni i rodni identitet: Šta je sporno u programu i udžbenicima biologije za osmi razred?](https://www.danas.rs/vesti/drustvo/polni-i-rodni-identitet-sta-je-sporno-u-programu-i-udzbencima-biologije-za-osmi-razred/)” [Sex and Gender Identity: What’s Controversial in the Eighth Grade Biology Curriculum and Textbooks?], *Danas*, September 13, 2022, <https://www.danas.rs/vesti/drustvo/polni-i-rodni-identitet-sta-je-sporno-u-programu-i-udzbencima-biologije-za-osmi-razred/>.

¹⁹³ Ibid.

¹⁹⁴ Petrušić, “Bezgrešno začecje kao biološka kategorija” [The Immaculate Conception as a Biological Category].

At the request of the Ministry of Education, the National Education Council issued an expert opinion on whether the part of the curriculum for biology in the eighth grade of primary education, concerning the diversity of the biological basis of sex and sexual characteristics – both primary and secondary – including behavior and the individual sense of gender, was aligned with accepted scientific theories, facts, conclusions, and interpretations.¹⁹⁵ In the same year, at the request of the Ministry of Education to review the contents of the approved biology textbooks for the eighth grade of primary education, specifically the section interpreting the curriculum content relating to the biological meaning of adolescence (gender and sex identity in the context of hormonal activity and individual genetic variability) and the corresponding part of the Guidelines for the didactic and methodological implementation of the curriculum, the Institute for Education and Upbringing Advancement carried out an analysis of the content of eight biology textbooks for the eighth grade of primary education.¹⁹⁶ In response to a request for information of public importance, the Center for Curriculum and Textbook Development at the Institute for Education and Upbringing Advancement answered that: “The Institute does not carry out analytical tasks itself but relies on research conducted by faculties and institutes. When providing expert evaluations, textbooks are not reviewed thematically but based on the Textbook Quality Standards.”¹⁹⁷

Various studies have confirmed that religious education in schools within multiethnic and multireligious communities often results in division, while civic education is frequently absent due to a lack of interest on the part of children (and their parents).¹⁹⁸ Furthermore, when it comes to believers belonging to sexual and gender minorities, important questions arise regarding the role of religious authorities: both the indirect influence they exert by shaping attitudes within religious communities and right-wing groups, as well as the direct impact through their exclusion from the religious community. As this study also showed, sexual and gender minority communities include adherents of various religions: Orthodoxy (n = 166), Catholicism (n = 5), Protestantism (n = 1), Islam (n = 2), Judaism (n = 1), Hinduism (n = 2), as well as individuals practicing other religious traditions. This points to the necessity of bridging the gap between sexual and gender identities and religion.

¹⁹⁵ Đukić Dejanović, “Odgovor na zahtev za informacije od javnog značaja” [Response to a Request for Information of Public Importance].

¹⁹⁶ Đukić Dejanović, “Odgovor na zahtev za informacije od javnog značaja” [Response to a Request for Information of Public Importance].

¹⁹⁷ The Center for Curriculum and Textbook Development responded via e-mail.

¹⁹⁸ Predrag Petrović and Marija Ignatijević, *Resilience to Violent Extremism in Serbia: The Case of Sanjak* (Belgrade Centre for Security Policy, 2022), 14, 30, <https://shorturl.at/11EOB>; Ivančević, *Pokret ka pokretu* [Movement Towards the Movement], 4; Ivančević, *Izazovi feminističke politike* [The Challenges of Feminist Politics], 20–21, 32.

5.4. Identified Gaps and Challenges

The legal framework in the field of education is strong, with the prohibition of discrimination based on personal characteristics clearly emphasized, specifically highlighting sexual orientation and gender identity.

The main problems, as is often the case, lie in implementation. The research covered adult citizens of Serbia and their experiences related to the period of growing up and schooling. Since the majority of respondents belong to the youngest age group (18–34), their experiences are by no means negligible, and there is no reason to conclude that the level of peer violence and violence within schools is lower now. On the contrary, with the increasing digital dimension in children's lives, violence could only have deepened. A particular challenge arises in relation to underage pupils, since they cannot independently decide on participation in research. Therefore, in cooperation with state institutions, it is necessary to conduct larger-scale research on this topic across Serbia. An interdisciplinary and intersectional approach is essential here.

Structural problems, including insufficient teacher training, lack of consistent monitoring mechanisms, and inadequate accountability for discrimination and violence within the education system, undermine existing protections. It seems like responses from the education sector to violence based on SOGIGE lack comprehensive measures to address violence in schools or to promote mutual tolerance and respect, while monitoring mechanisms remain insufficient to adequately track cases of bullying, hate speech, and other forms of harassment. For a thorough mapping of the situation in schools, it is necessary to conduct the aforementioned research, which would include primary and secondary schools throughout Serbia. In an effort to improve education, the degradation of the teaching profession, manifested through low salaries, poor working conditions, and increasing pressure from parents, must also be taken into account. Here again, strong cooperation with relevant trade unions and associations would be necessary.

As for information on whether the Ministry of Education, Science and Technological Development, particularly the Sector for the Advancement of Human and Minority Rights in Education and the Sector for the Prevention and Protection from Violence and the Inclusion of Vulnerable Groups in Education, has developed a monitoring mechanism for tracking the following data, the Ministry has stated that it does not possess such information:

- a) The number of reported cases of peer violence in primary schools where the cause was the actual or perceived sexual orientation and/or gender identity of the child;
- b) The number of reported cases of peer violence in secondary schools where the cause was the actual or perceived sexual orientation and/or gender identity of the child;

- c) The number of reported cases of violence in higher education institutions (colleges and universities) where the cause was the actual or perceived sexual orientation and/or gender identity of the student;
- d) The attitudes of employees in educational institutions (teaching staff, pedagogues, and psychologists) towards LGBTI rights;
- e) The number of primary school teaching staff against whom a complaint of sexual harassment has been filed;
- f) The number of secondary school teaching staff against whom a complaint of sexual harassment has been filed;
- g) The number of teaching staff in higher education institutions (colleges and universities) against whom a complaint of sexual harassment has been filed;
- h) The number of teaching staff (in primary schools, secondary schools, and universities) who reported being discriminated against in the workplace based on sexual orientation and/or gender identity;
- i) The number of teaching staff (in primary schools, secondary schools, and universities) who reported being victims of violence in the workplace based on sexual orientation and/or gender identity.

All of this would be important to take into account in the further development of the platform I Protect You [*Čuvam te*], as well as in the planning of similar platforms that would ensure access to information and greater transparency.

Curricula fail to incorporate gender equality and SOGIESC-related content, leaving harmful stereotypes unchallenged. The elimination of stereotyped notions of the roles of men and women at all levels and in all forms of education, the inclusion of sexual and reproductive education, a distinction between sex and gender, and the introduction of diverse ways of living, while emphasizing acceptance and dignity, are all essential. A more developed space for dialogue is necessary, one that includes different professional fields and actors, and where transparency is ensured. Responsible media, institutes, and organizations can play a crucial role in this process. Naturally, dialogue is not possible with those whose starting point is exclusionary and discriminatory. Yet this does not mean that argumentation and explanations should not be clear and accessible to the wider population – they must be. Without ensuring fertile ground for legislative and other decisions to take root, even once initiatives are adopted (as in the case of the biology textbooks or the Gender Equality Law), their application and effectiveness will be short-lived or limited.

Particular attention should be given to the treatment of physical education, where LGBTIA and non-binary students are at heightened risk of social exclusion and therefore require safe environments that allow for full participation. Physical education as a school subject needs to be examined more thoroughly, since classes are most often organized by separating boys and girls. Any student wishing to engage in activities or join a group that does not align with gender expectations may face discrimination and violence. Moreover, more than in other subjects, physical education brings the issue of the body to the forefront – through uniforms, locker rooms, and other circumstances – which can create opportunities for discrimination and violence.

Appendices

Appendix 1: Indicator List

I Basic Legal Recognition	
Indicator	Indicator-checker
Decriminalization of same-sex conduct	(Il)Legal; criminalization of same-sex sexual acts between consenting adults
Decriminalization of gender expression	(Il)Legal; criminalization of people on the basis of their gender expression
Legal gender recognition	Gender recognition on certain terms
	Self-determination for choosing gender
Process for updating gender in documents	Availability of centralized protocols for updating gender in official certifications (ID, diplomas, health card, etc.)
Legal recognition of different sex characteristics	Laws and/or policies that protect children born with variations of sex characteristics
Data collection and availability	Data on how many people requested the change in documents or have a need for it
	Statistics regarding the number of intersex people in the country
	Reliability, (various) systems and methods for data collection

II Private and Family Life	
Indicator	Indicator-checker
Legal regulation that allows same-sex unions	(Non-)Discriminatory legislation: marriage, civil union, and/or unregistered cohabitation
Gender recognition in same-sex unions	Transsexual/transgender people are required to dissolve their marriages when obtaining an LGR
Forced marriage	One or both parties enter into the union without their free and full consent
Parental responsibility	Custody
	Visitation rights
	The right to family benefits
Family planning: Assisted reproductive treatment and adoption of children	Access to such measures available in the country without discrimination on grounds of SOGIESC
Ownership	The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment, and disposition of property
The right to joint credit	(Im)Possible: legislation and experiences
Pension benefits	(Im)Possible: legislation and experiences
Inheritance	(Im)Possible: in relation to both primary and secondary family, legislation, and experiences
Hospital visits	(Im)Possible: legislation and experiences
Prison visits	(Im)Possible: legislation and experiences
Intimate partner violence	Legislation on domestic violence; inclusion of SOGIESC in intimate partner violence
	Institutional support and protection

Family violence	Legislation on domestic violence; inclusion of SOGIESC in family violence
	Institutional support and protection
Data collection and availability	Data on how many people were denied a same-sex union
	Upholding family and parental rights: data on how many people were denied family planning services, custody, and/or visitation rights because of SOGIESC
	Data on how many LGBTI and non-binary people experienced domestic violence

III Economic Well-Being	
Indicator	Indicator-checker
Work legislation	(Non-)Discriminatory work legislation
Implementation of anti-violence/ anti-discrimination policies	A national equality body or national human rights institution that is responsible for handling charges of employment discrimination related to LGBTI and non-binary people
	Average (annual) earnings for an individual
	Experiences of employment discrimination and discrimination at the workplace (access to promotion, dismissals and equal pay)
Tenancy rights	Live in a safe property
	Fair eviction and rent
Social services	Safe houses, social/public housing
Inheritance	Deprivation of inheritance rights due to SOGIESC
Homelessness	Ownership of property
	Poverty rate among LGBTI and non-binary people
	Unemployment rate among LGBTI and non-binary people
Data collection and availability	Data on employment discrimination and discrimination at the workplace due to SOGIESC
	Data on unemployment and poverty rates among LGBTI and non-binary people

IV Education	
Indicator	Indicator-checker
Legislation on education	(Non-)Discriminatory legislation on education
Educational attainment	Access to primary and secondary schools tends to be complicated or highly bureaucratic, systematically denied or hindered
	Percent of LGBTI and non-binary people completing primary and secondary school
Implementation of anti-violence and anti-discrimination policies	Monitoring mechanisms related to discrimination and violence in schools
	Attitudes of the employees in the educational system
	Professional trainings: mandatory/optional, sporadic/regular, and national/regional teacher training
	Design and implement school equality and safety policies and action plans; 'Bullying-free Education' concept
	Work on and support civil societies' actions aimed at raising awareness among the population; 'Bullying-free Education' concept
	LGBTI and non-binary children and youth (as well as their parents) are encouraged to report hate speech and incidents

Institutional discrimination and violence	“Hate crimes” and other hate-motivated incidents (committed by persons acting in the education system)
	“Hate speech” and hostile statements (committed by persons acting in the education system)
Data collection availability	Experiences of discrimination and violence
	Data on discrimination and violence in school
Existing curricula	Providing information with respect to SOGIESC
	The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education
Initiatives for new curricula; the revision of textbooks, and school programs	Public discussions and debates on new curricula, which will potentially include the above-mentioned topics
Sport as a school subject (social exclusion)	The safe environment to participate actively in physical education

V Health	
Indicator	Indicator-checker
Legislation on health	Laws that ensure that the highest attainable standard of health can be effectively enjoyed without discrimination on SOGIESC
	Protection of medical records and information exists
Requirements for gender recognition and gender transition	Changes of a physical nature are mandatory (surgical intervention, sterilization)
	Hormonal therapy is mandatory/available
	Hormone therapy is prescribed by a multidisciplinary team
	Necessity of “Gender Identity Disorder” diagnosis
	The costs covered by health insurance for gender reassignment procedures should be lawful, objective, and proportional
Treatment of intersex conditions	Non-consensual “normalizing” surgical and hormonal medical interventions SC
	Informing and providing support to parents of children with intersex conditions
Gynecological and urological examinations	Access to examinations, examination experience, and prevention
Sport as a physical activity and exercise needed for good health	Encourage dialogue with sports associations and fan clubs in developing awareness-raising activities regarding discrimination and violence towards LGBTI and non-binary people
	Experiences of discrimination and violence in sports clubs/training
Development of national health plans	Specific needs of LGBTI and non-binary people
	HIV/AIDS (prevention and access to information)
	Mental health
	Awareness campaigns
Implementation of anti-violence and anti-discrimination policies	Professional trainings: mandatory/optional, sporadic/regular, and national/regional training programs for medical staff

	Attitudes of the employees in the health institutions
	Access to specific health educational information for LGBTI people and non-binary, as well as for their parents
	LGBTI and non-binary people are encouraged to report hate speech and incidents
Institutional discrimination and violence	Hate speech and hostile statements (committed by medical staff)
	“Conversion therapy”: types of interventions can include psychotherapy, medication, electroshock therapy, aversive treatments, and religious practices
Trust in the health sector	Assessment of the ratio of bad and good experiences
	Untreated illnesses and avoidance of seeking healthcare and mental health issues
Data collection and availability	Data on discrimination and violence in health institutions
	Data regarding mental health

VI Political and Civic Participation	
Indicator	Indicator-checker
Legislation on freedom of association	Existence of legislation that allows LGBTI CSOs, activists, and citizens to register as organizations or be active as an informal group
	Laws on “foreign agents”
	Laws that prohibit “the carrying out of propaganda, promotion and incitement of ideas and views related to SOGIESC
Anti-discriminatory implementation of freedom of association	(Anti-)discriminatory administrative procedures, including excessive formalities for the registration and practical functioning of associations
	Access to public funding is available for LGBTI CSOs
	Access to foreign funding
Right to safety and protection	LGBTI CSOs operate safely (without threats and attacks) and openly (visibility)
	Police protection and reaction
	Access to advocates
Legislation on freedom of expression and peaceful assembly	Existence of legislation that allows LGBTI CSOs, activists, and citizens to gather and speak in public spaces (digital sphere included)
Anti-discriminatory implementation of freedom of expression and peaceful assembly	(Anti-)discriminatory administrative procedures, including excessive formalities for reporting protests and gatherings
	Appropriate measures to combat hate speech against LGBTI and non-binary people
	Awareness among public authorities and public institutions at all levels of their responsibility to refrain from hostile statements
LGBTI CSOs, activists, human rights defenders, and citizens are present and safe in public spaces (protests, events, festivals, cafes, in the media, etc.)	Operate safely (without threats and attacks) and openly (visibility)
	Struggling with the difficulty of finding places to hold their events
	Pride parade
	LGBTI and queer cultural events are present separately and as a part of other cultural events

Right to protection	Police protection and reaction: presence of repression, obstruction, and/or police negligence in the face of various forms of violent opposition
	Access to advocates
	A family member or a friend of LGBTI and non-binary people who experienced discrimination, violence, or pressure
LGBTI and non-binary people in political parties	Presence of members who are openly LGBTI and non-binary (and allies)
LGBTI and non-binary people in parliament	Presence of members who are openly LGBTI and non-binary (and allies)
LGBTI and non-binary people in international relations	Represent their Governments at the international level (and allies)
Participate in consultations	LGBTI CSOs are consulted by state institutions
Data collection and availability	Data on verbal and physical attacks in public spaces
	Data on CSOs and institutional cooperation
Social acceptability of LGBTI and non-binary people	Data indicating how much of the general population accepts L, G, B, T, I, and non-binary people
Representation in the media	Hate speech and hostile statements; combat all forms of expression in the media, spreading or promoting hatred or other forms of discrimination
	LGBTI and non-binary people are responsibly and professionally present in the media
	LGBTI and queer topics and issues are responsibly and professionally presented in the media; access to information related to LGBTI issues
	Existence of dialogues between key representatives of CSOs, media, sports organizations, political representatives, and religious communities
	Visibility of LGBTI and queer cultural events
Public campaigns	Regarding some of the LGBTI rights and issues

VII Security and Protection from Violence	
Indicator	Indicator-checker
Legislation on safety and protection	Existence of a victim-oriented and sensitive legislation regarding safety and protection
	Additional policies concerning LGBTI issues
Right to seek asylum: National laws and international obligations	A well-founded fear of persecution based on SOGIESC may be a valid ground for granting refugee status and asylum under national law
	LGBTI and non-binary asylum seekers are not sent to a country where their life or freedom would be threatened, or they face the risk of torture
Hate speech and hate crime legislation	SOGIESC are mentioned in the hate crime definition
	Protective measures against discrimination on multiple grounds
	A bias motive related to SOGIESC may be taken into account as an aggravating circumstance
	Existence of legislation on digital violence

Implementation of anti-violence and anti-discrimination policies	A well-founded fear of persecution based on SOGIESC may be a valid ground for the granting of refugee status and asylum under national law
	LGBTI asylum seekers are not sent to a country where their life or freedom would be threatened, or they face the risk of torture
	Professional trainings: mandatory/optional, sporadic/regular, and national/regional training programs for policy and jurists regarding knowledge and skills to identify hate-motivated crimes and incidents
	Mandatory training programs for judicial, law enforcement, and correctional officials incorporate training on human rights
	Relying exclusively on training offered by international institutions
	Relying exclusively on national LGBTI CSOs
	Monitoring how many employees have undergone training
	Designate or establish one or more official bodies responsible for the coordination, implementation, monitoring, and evaluation of policies and measures to prevent and combat all forms of violence covered by the Istanbul Convention
	Perpetrators are effectively brought to justice; adequate punishment
	Access to advocates
	Short- and long-term specialist support services (trauma support and counselling for victims)
	Person of trust
	LGBTI CSOs have been (un)able to access the process and have had requests to review the case rejected by the prosecutors
	Safe houses
	Encouraging witnesses to the commission of acts of violence to report them
Specific measures	State-wide round-the-clock (24/7) telephone helplines free of charge to provide advice to callers
	Anonymous, online, and third-party reporting systems about hate crime (by phone/post/the official police online reporting platform)
	(In)existence of sensitive procedures; official policy protections on SOGIESC in police and social work
	Adequate reparation for victims of violence (and their family)
	Detention settings and prisons: access to essential items that match SC and GI, such as hygiene products
Trust in justice sector	Assessment of the ratio of bad and good experiences
	Avoidance of reporting violence

	LGBTI and non-binary people are encouraged to report hate crimes and incidents
	Maintaining contact with LGBTI CSOs to establish a trusting relationship
Data collection and availability	Data on hate crimes and other hate-motivated incidents in general, and committed by persons acting in an official capacity
	Hate speech and hostile statements in general, and committed by persons acting in an official capacity
	Secondary victimization
	Violence and discrimination against LGBTI asylum seekers within those institutions

Appendix 2: Institutional FOI Summary

1. Center for Curriculum and Textbook Development, Institute for Education and Upbringing Advancement
2. Center for Professional Development of Employees, Institute for Education and Upbringing Advancement
3. Commissioner for the Protection of Equality
4. Commissariat for Refugees and Migration
5. Institute for Mother and Child Health Care of Serbia, “Dr. Vukan Cupic”
6. Judicial Academy
7. Ministry of Education, Science and Technological Development
8. Ministry of Health
9. Ministry of Human and Minority Rights and Social Dialogue
10. Ministry of Interior
11. Ministry of Justice
12. Ministry of Justice – Administration for the Execution of Criminal Sanctions
13. Ministry of Labour, Employment, Veterans, and Social Affairs
14. Ministry of Public Administration and Local Self-Government
15. Ministry of Sports
16. National Gender Equality Body
17. Ombudsman
18. Social Welfare Chamber
19. University Children’s Clinic in Tirsova Street

Appendix 3: Civil Society Organizations Surveyed on SOGI Rights

1. Grupa IZAĐI [Group COME OUT]
2. L-Communio
3. Romski ženski centar “Romnjako Ilo” [Roma Women’s Center “Romnjako Ilo”]
4. Beograd Prajd [Belgrade Pride]
5. DaSeZna!
6. Labris – organizacija za lezbejska ljudska prava [Labris – Lesbian Human Rights Organization]
7. Asocijacija Duga [Association Rainbow]
8. Potent – nacionalni centar za seksualno i reproduktivno zdravlje [Potent – National Center for Sexual and Reproductive Health]
9. Kolektiv Talas TIRV [Collective Talas TIRV]
10. Geten
11. XY Spektrum [XY Spectrum]
12. Udruženje građana “Egal” [Association of Citizens “Egal”]
13. Gej lezbejski info-centar “GLIC” [Gay Lesbian Info-Center “GLIC”]
14. Centar za kriznu politiku i reagovanje [Center for Crisis Policy and Response]
15. Neformalna grupa “Snaga” [Informal group “Strength”]
16. Kolektiv Mana
17. Lila inicijativa
18. Centar Za Društveni Napredak [Center for Social Progress]
19. Neformalna grupa “Unity LGBTIQ” [Informal group “Unity LGBTIQ”]
20. Centar za kvir studije [Center for Queer Studies]
21. Kvir Pančevo [Queer Pančevo]

Appendix 4: Sample Profile