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The Permanent Mission of the Republic of Serbia to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights and, in reference to the call for inputs by the Chair of the Working Group on discrimination against women and girls dated 6 September 2022, has the honor to enclose herewith the response from the Government of the Republic of Serbia for the preparation of the Working Group's thematic report.

The Permanent Mission of the Republic of Serbia to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.



Geneva, 7 October 2022

Office of the High Commissioner for Human Rights
Special Procedures Branch
Palais de Nations, 1202 GENEVA

UN Working Group on discrimination against women and girls

Questionnaire on women's and girls' human security in the context of poverty and inequality

Introduction

The Working Group on discrimination against women and girls, in preparation for its thematic report to be presented at the 53rd session of the Human Rights Council in June 2023, will be examining the topic of women's and girls' human security in the context of poverty and inequality. Human security can be understood as the protection from severe and critical threats encountered by persons and communities, and it encompasses economic security, food security, health security, environmental security, personal security, community security, and political security. The human security approach means creating systems that give people the building blocks of survival, livelihood and Error! Reference source not found. Error! Reference source not found. Human security is comprehensive, multidimensional, context-specific, and prevention-oriented. The common understanding of the concept reached by the UN General Assembly (UNGA) in 2012 (A/Res/66/290) affirms that human security includes the right of people to live in freedom and dignity, free from poverty and despair, stressing that all individuals, in particular those living in situations of vulnerability, are entitled to an equal opportunity to enjoy all their rights, and it specifically asserts that human security 'equally considers' all human rights: civil, political, economic, social and cultural. As such, the scope of this questionnaire will cover the various aspects of risks experienced by women and girls living in poverty and inequality in relation to the enjoyment and fulfilment of their human rights.

In this regard, the Working Group would like to seek inputs from Member States to inform the preparation of the report in line with its mandate to maintain a constructive approach and dialogue with States.

The specific objectives of the thematic report are to:

- Identify the causes of structural discrimination in the realization of human rights, especially lack of access to economic and social rights, due to cross-cutting risk factors stemming from both gender inequality and socioeconomic inequality;
- Deepen the understanding of the implications for women's and girls' multiple human insecurities and vulnerability to experiencing human rights abuses primarily in the socioeconomic dimension of their lives, leading to a series of other violations, including lack of access to justice and undue/disproportionate/excessive criminalization;
- Reveal the opportunities for strengthening women's and girls' human security and socioeconomic equality (e.g. obligations of prevention of human rights' violations by identifying risk factors and addressing known risks; norms and policies for countering women's and girls' poverty; norms and policies for reducing economic inequality, such as taxation, debt and redistribution measures, gendered perspective in free trade agreements, and gendered budgeting in economic and social policy);
- Identify promising approaches and make recommendations for promoting and protecting women's and girls' human security, through addressing their condition of poverty and socioeconomic inequality due to systemic gender-based discrimination.

Relevant data

1. What are the general levels of poverty in your country and those specifically of women and girls?

7.3% of the population of the Republic of Serbia have consumption below the poverty line, measured in dinars per month per consumption line. Bearing in mind the assumption of

equal distribution of consumption within households (that is, the fact that in one household there cannot be one person who is poor and one who is not), differences in poverty by gender are primarily influenced by single households and households in which persons of the same family live. For this reason, it is not possible to observe significant differences in poverty by gender.

2. Which are the levels of economic inequality in your country? Could you present disaggregated data concerning women and girls?

Data from the Republic Institute of Statistics show that the wage gap in Serbia is 8.8%, compared to 14.1% in the countries of the European Union. By carrying out the procedure of testing the significance of the differences in the values of the indicators, no statistically significant differences were confirmed. Analyzing the poverty of men and women in Serbia based on the SILC database (2018), the differences in poverty risk rates by gender can be partly explained by the aging of the population, differences in life expectancy and the gender gap in the employment rate, which in the long term contributes to lower family pensions of members households who inherit them from their spouses.

3. Also, please present if available, disaggregated data on the specific conditions of such women in poverty (e.g., whether they belong to an ethnic or religious minority, are indigenous, migrants, asylum-seekers, stateless or refugees).

Risks and structural barriers

Poverty is primarily concentrated outside the urban areas, especially in the region of Southern and Eastern Serbia, among persons living in households whose head is uneducated, with a low level of education, unemployed or inactive. Poverty is more common among multi-member households and is more pronounced among children and young people.

4. In which way are girls and women living in poverty or experiencing a situation of economic and social marginalization/disadvantage exposed to threats or risks in your country? In particular, in terms of: having difficulty with accessing social security, health care, housing, water, food, education, employment; being in a situation of homelessness or experiencing social exclusion and economic unfreedom • facing violence or

discrimination, or stigmatization due to living in poverty • lacking access to justice and reparations for violations of their rights; facing undue/disproportionate or excessive criminalization for different causes.

Women and girls in a state of poverty are most often exposed to domestic violence and violence against women. Most often, it is about women who are engaged in unpaid housework and cannot break away from their dependent position in relation to their partner or other members of his family. Such women are often neither educated nor informed enough to use the available protection mechanisms. However, there is no systemic discrimination against poor women or girls who have equal rights and social support in the process of education and job search.

5. What is the legal and policy framework in your country to address such risks and prevent human rights violations affecting women and girls in poverty?

Article 15 of the Constitution of the Republic of Serbia guarantees gender equality, while Article 21 prohibits unequal treatment on the basis of personal characteristics, which, among other things, include sex and gender. Also, the Constitution provides the possibility of implementing special incentive measures to improve the position of a certain social group, which is not considered discrimination, and numerous public policy documents contain a large number of such measures.

6. Are there any particular groups of women and girls most at risk or conditions that especially determine barriers for women and girls to access such rights and Why (such as by living in poverty, working in the informal labor market, unpaid care work or domestic work, migrant, asylum-seeker, refugee or stateless status, race, ethnicity, religion, age, gender identity, sexual orientation)

The categories of women and girls that are particularly vulnerable in Serbia are: women with disabilities and older women in terms of access to health care; rural women, in terms of property rights; migrant women and members of the LGBTI+ community, in terms of personal safety; sex workers in terms of health and personal safety; members of the Roma national minority due to the dominant patriarchal culture in which they predominantly live, which affects all aspects of their lives. All the mentioned categories are recognized in the strategic documents of the Republic of Serbia and covered by special measures implemented within local institutions or in cooperation with civil society organizations.

7. Are there laws and/or practices in your country which differentiate between persons on the basis of sex or gender, i.e., between girls and boys to access education, ability for men and women, both inside and outside marriage, to enter into contracts, own/administer property, purchase land and/or housing, own/administer business, and gain access to credit? If so, what are they?

Discriminatory practices in society are recognized and addressed with in anti-discrimination legislation as well as in public policy documents aimed at reducing or abolishing such practices, while discrimination in the legislation itself does not exist.

8. How would you say that structural obstacles, and ongoing phenomena or threats in your country (such as the Covid-19 pandemic, climate change, ongoing conflict, etc.) impact on risks for women and girls, particularly in the way women and girls access economic and social rights?

In the conditions of the pandemic, health and education workers, most of whom are women, are under a particularly heavy burden. Also, the increase in time spent at home increased the risk of escalation of domestic violence and violence against women, but without a significant increase compared to the pre-pandemic situation. The refugee crisis, which Serbia has been facing since the civil war in Syria, affects migrant women to the greatest extent, and that trend unfortunately continues with the outbreak of war in Ukraine. However, the Commissioner for the Protection of Equality in his annual report does not record systematic or frequent discrimination against migrant women in Serbia.

9. Are there any specific actors, such as business corporations, or macroeconomic norms or policies in your country -such as trade agreements, taxation, debt and redistribution measures- that create particular or disproportionate risks or concrete human rights violations for women and girls?

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10. Is there any legal framework or policy, program or part of your work, that focuses on the role of men in preventing economic risks or vulnerabilities of women and girls and/or ensuring the human rights of women in the context of poverty and inequality? Is there any that makes visible or emphasizes the benefits for the whole of society of a gender-equal and inclusive economy?

The Law on Gender Equality prescribes the calculation of unpaid work at home as well as the possibility of health insurance on this basis. Also, legal provisions as well as strategic

measures stimulate an increase in the share of men in doing housework and taking care of children.

11. What are the concrete ways in which the State — at the executive, legislative or judicial branch — addresses the situation of women's and girls' structural disadvantage in relation to economic and social rights? Are there any particular issues and platforms in which the State protects them from the systemic threats they face due to poverty and inequality?
In 2020, the Ministry for Human and Minority Rights and Social Dialogue was established, within which there is a Sector for Anti-Discrimination Policy and Promotion of Gender Equality, as well as a Ministry for Family Care and Demography. The Coordinating Body for Gender Equality was established within the Government, and the establishment of similar mechanisms also exists at the level of autonomous provinces, and their introduction is encouraged in all local self-government units. In Serbia, strategies in the field of gender equality have been adopted for more than 10 years, and the currently valid one covers the period from 2021 to 2030. The Law on Gender Equality was adopted in 2009, and in 2021 it was replaced by a new, more modern law.
12. How does your Government contribute to ensuring girls' and women's access to their basic economic and social rights in your national context? Are there particular issues, platforms or levels in which the State/your institution encourage their participation, inclusion and engagement and what role does it play?
Among other things, the Law on Gender Equality stipulates that in decision-making bodies at all levels and in all sectors of society (except where the nature of the work makes it impossible) the quota for the less represented gender must be 40%. Ministries announce public calls for support for programs implemented by civil society organizations in the field of gender equality.
13. Could you refer to legal norms and policies for eliminating poverty, as well as for reducing economic inequality, such as taxation, debt and redistribution measures, or specific economic or social policies, and could you specify if they adopt a gendered perspective and/or if there are any specifically directed to women and girls?
The Law on Gender Equality introduces the concepts of gender-responsible budgeting and birth control, which imply making decisions with the necessary reference to the consequences that those decisions will have on women and men. The introduction of these principles has already begun, both at the national, provincial and local levels.
14. Could you refer to any good practice or innovative measure or initiative that has helped advance women's and girls' socioeconomic human security?
Examples of good practice are programs that encourage female entrepreneurship in rural areas, which are implemented by relevant ministries, and which are financed from the budget of the Republic of Serbia and partly with the help of foreign donors.
15. How can women and girls participate in decision-making in this area?
Recommendations/ the wayforward
Stating quotas is part of the solution when it comes to women's representation in positions of power, but it is equally important to empower girls from an early age to take an equal part in decision-making, both in their local community and at the national level. Society should ensure that the role of motherhood is not an obstacle for women to participate in social activities.
16. What concrete measures should States adopt and implement to eradicate poverty and tackle in particular the situation of women and girls living in poverty and the disproportionate impact poverty has on them?

The introduction of unified database on the socio-economic status of citizens, enables a fairer redistribution of funds, which is especially important for periods of crisis and societies in transition. Social support measures, whether in the form of services or monetary benefits, ensure the realization of the socio-economic minimum for all citizens. Every country should especially protect single parents, families with several children, pregnant women and mothers in labor.

17. What concrete measures should States adopt to address systemic gender-based/agebased/socioeconomic-based discrimination and challenges affecting women and girls living in situation of poverty?

Discrimination against women is primarily a social and cultural problem, and therefore measures should include increased education and promotion of equal opportunity policies, both in management structures and in the wider public. The issue of women's empowerment should be resolved through a general social dialogue including representatives of both sexes, different ages and social groups.

18. What would be your main recommendation to advance women's and girls' socioeconomic human security?

Policies of comprehensive emancipation of women contribute to them fighting for their economic independence. It is important for the state to support women in the fight against violence in the family and partner relationships, as well as to ensure that women independently make decisions about their lives based on personal desires and affinities and not conditioned by socio-economic position.