Committee on the Elimination of Discrimination Against Women (CEDAW)

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Alternative Report for the Evaluation of Serbia

“Gender ideology” discourse as a threat to the full enjoyment of Women’s rights and gender equality in Serbia

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Contributors:

The International Network for Human Rights (INHR/RIDH) is a Geneva-based NGO with ECOSOC Consultative Status since 2014. The organisation specialises in the promotion and protection of human rights and facilitates the link between civil society actors and the UN Human Rights System.

Gender Studies for Human Rights is an international network of academics, researchers and human rights advocates specialised in gender studies. The network was formed in 2019 to begin the monitoring of anti-gender discourse within the field of education and especially raise awareness to threats against gender studies or sexual education and anti-gender discrimination educational programmes.
Introduction

This submission is presented for the CEDAW Committee’s 72 session and 4th examination of Serbia. It will focus on the growing anti-gender rhetoric in the mainstream public discourse, its impact on gender and sexual education and the rights of women and gender equality.

For the past two decades, Serbia has taken significant steps in its political and legal framework to ensure gender equality and women’s access to political participation through the creation of the Committee on Human and Minority Rights and Gender Equality, the formation of the Women’s Parliamentary Network as an informal intra-parliamentary group overseeing the implementation of gender equality measures such as women’s access to health and education, efforts to combat gender-based violence and women’s economic empowerment. The past couple of years have also been marked by the drafting of various key legal frameworks such as the Draft Law on Gender Equality, the Anti-discrimination laws and the law on the prevention of domestic violence.

However, as it has repeatedly been highlighted in Serbia’s latest evaluations before the Human Rights Committee (2017), the Child’s Rights Committee (2017), the Committee on Economic, Social and Cultural Rights (2014) and most recently at the country’s 3rd Universal Periodic Review which took place last January (2018), there exists a considerable gap between these actions plans and other measures, and their adequate implementation.

Additionally, NGOs and other civil society actors have been facing new a new set of threats to women’s rights and gender equality through a growing banalisation of anti-gender discourse that has become increasingly mainstreamed even at the highest political spheres.

“Gender Ideology” and anti-gender discourse in the Serbian Context

In the past few years, there has been a growing trend to challenge and undermine efforts to combat the root causes and effects of gender discrimination and the struggle for gender equality by assimilating them to a so-called “Gender Ideology”.

As it was pointed out in last year’s Report of the Working Group on the issue of discrimination against women in law and in practice, this so-called “Gender Ideology” is portrayed by conservative – often religious – lobby groups as an attack to the core “traditional values” of society. The struggle for gender equality is thus framed as an “imposition of ideas and beliefs that seek to destroy such institutions as the family, marriage and religious freedom”.

This phenomenon is not unique to Serbia of course, as it has been increasingly widespread across Latin America and other European countries (especially Eastern Europe), the Serbian context does however show aspects that are worthy of concern.

The anti-gender discourse in Serbia has become a key element in populist far-right and nationalist parties that have political successes and a return to the mainstream national political debate (Višnjić, 2016). While the rise of these parties share similar factors as in other European countries such as the economic, political and national identity crises fomenting a favourable environment for such discourse to resonate with public opinion, the Serbian political panorama also saw the rise ultra right-wing organisations – which have become more and more active in the public sphere – that build heavily on “the apology of war crimes, the obsession with national humiliation and victim status, as well as advocating national revanchism” (Stakić, 2013, Višnjić 2015).

Under the name of protecting “traditional Serbian values”, these organisations’ political agenda – with the implicit legitimisation of these discourses through the Orthodox Church and some media outlets – has enjoyed considerable normalisation and has consequently heavily tipped the general political debate further to the right. With respect to anti-gender rhetoric, this “radicalisation” of the debate is particularly true when discussing expected gender roles and attitudes towards LGBTQI persons (Ibid).

The UN Country Team submission to the UPR in January 2018 highlighted that in addition to persistent “deep-rooted stereotypes in Serbia”, there is in fact a re-establishment of traditional gender roles and responsibilities regarding women and men’s expected roles within the family and society that constitute a worrying obstacle to
the guarantee of women’s access to equality especially in their professional careers and participation in public life. These observations echo those made by many Stakeholders for the UPR as well as the CCPR Committee’s Concluding observations the previous year.

Illustrative cases

The Sexual Violence Prevention Educational Package

As mentioned above the “gender panic” is a relatively recent trend in Serbia and only really gathered momentum with the rise of populist parties within the mainstream political arena. One of the most illustrative cases of this shift was the heated debate surrounding the elaboration of an education package aimed at preventing sexual violence against children and minors.

Since 2014, the Incest Trauma Centre-Belgrade (ITC) was appointed to work on an educational package against sexual assault in Serbia. The organisation worked closely with national institution and was supported by the Council of Europe. In November 2016, the Ministry of Education and ITC presented their final version of the package. This document addressed different types of sexual violence against minors as well as provided guidance for teachers on how to approach “issues of body image, sexuality and wanted and unwanted physical contact”, discourse and raise awareness about gender and sexual-based violence, how to identify it and what steps to take to prevent it or report it (Zaharijević, 2018). Additionally, this extensive package was also comprehensive and comprised age-sensitive approaches from kindergarten to adolescents.

However, in April 2017, Slobodan Antonić, a conservative Serbian academic ignited the debate around the educational package accusing the toolkit to “pathologise and sexualise” children, that it was a “propaganda for homosexual relationships” (Zaharijević 2017) and thus recycling the well-known trope of gender and sex education as a vector for the hypersexualisation and insidious perversion of children’s mind and bodies (Patternotte & Kuhar, 2018).

This could have remained an isolated incident however a few days later another academic released an op-ed in a national newspaper, accusing the education package of promoting homosexualisation and encouraging children to have devious sexual behaviour and to go against religious values while concluding that this package is part of an artillery of “gender violence” that threatens his Christian and national rights, guaranteed by the Constitution” (Zaharijević 2017). Again, the same week the Serbian Sputnik News Agency blew up the debate by publishing a story and affirming that this package “turned into a declaration of war against the family and family values, and into propaganda of LGBT and gender ideology” (Ibid).

The “discovery” (as all the research and project details were public) that this package was an initiative backed by the EU as part of the Campaign against Sexual Violence in Serbia was but yet another proof that such a project was following a “foreign” interventionist agenda whose aim was to destabilise the core Serbian values through “extreme feminism and totalitarian LGBT and gender ideology” (Zaharijević 2017). Eventually the package was dropped by the Ministry of Education.

What this case illustrates is not only the arguments with which the spectre of “gender ideology” successfully managed to thwart a well-needed tool to prevent and identify sexual violence against children and youths1, the lack of clear support from the government itself for this package and for the comprehensive work conducted in collaboration with the ITC is deeply worrying and sadly very much representative of an increasingly accepted anti-gender political agenda. This attitude also contributes to legitimise the stigmatisation of women and gender rights organisations and activists as well as scholars.

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1 Echoing here the concluding observations of the CRC who expressed serious concern over the lack of comprehensive national legislation ensuring children’s rights, the continued widespread violence against children, the persistent overall discrimination against children from sexual and ethnic minorities and the lack of dissemination and awareness raising of children’s rights aimed to address negative social attitudes (CRC/C/SRB/CO/2-3)
Anti-gender discourse in the highest level of political spheres

As mentioned before, various UN human rights bodies have observed with concern a growing trend of re-traditionalisation of gender stereotypes and men’s and women’s roles in society.

While women’s basic rights such as the right to education, health, abortion, divorce and the choice of professional career are technically enshrined in the State’s legal apparatus, the current public discourse offered by many political leaders appear to threaten an erosion of these essential rights. The first threat to these rights is the State’s continued failure to properly implement any of the legal frameworks and mechanisms for gender equality it has created in the past decade (Višnjić, 2015 and as the repeated UN human rights bodies’ observations have demonstrated over the years).

Moreover, the mainstreaming of populist right-wing discourses – the protection of traditional gender roles being one of its cornerstones – has created favourable conditions for government leaders to either discredit any claim for gender equality and non-discrimination of women and LGBTQI persons as part of a “gender extremist” agenda that is foreign to the Serbian national context (as it happened with the educational package in 2017).

One cause of concern is the exacerbation of these gender stereotypes via the Strategy for Encouraging Births aimed at pushing for higher birth-rates in order to mitigate the low fertility rate and subsequent population decline Serbia has been facing (the birth rate is a little lower than the European average).

As mentioned in FemPlatz and Initiative A11 for Economic and Social Rights submission for the CEDAW’s LOIs to Serbia, the promotion of the population policy included calls for natalist slogans with awards going to slogans such as “Give birth, don’t delay,” “Enough words, let us hear the baby’s cry”. Instead of taking into consideration the backlash this policy and especially the slogans provoked, the Serbian President defended his measures and expressed his disdain to the opponents of this policy.

The stereotypical approach to encouraging births, implying motherhood should be a woman’s primary role should be addressed with serious concern and adds to further pressures women must face especially in their career and life choices, their social status and their core right to decide on whether to have children or not and when to have them.

Additionally, there is concern at the lack of systematic approach to combating stereotypes and discrimination of women and the promotion of gender equality and elimination of all forms of violence against women and girls in the education system. With pro-birth-rate policies being implemented, it is equally important to disseminate public educational campaigns to raise awareness on negative social attitudes perpetuated by gender stereotypes as well as ensure the implementation of objective and informed sexual education and promote awareness and access to safe, effective, accessible and acceptable methods of contraception according to their free choice (Jevtić et al 2016).

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2 As quoted from Women in Black, Autonomous women’s centre and ASTRA-Anti trafficking action’s joint stakeholder submission for Serbia’s UPR in January 2018
Recommendations:

Recalling the recommendations made by the WG on the issue of discrimination against women in law and practice’s annual thematic report of 2018 we would encourage to:

- Create an enabling, supportive environment for civil society and other stakeholders to combat the backlash against women’s human rights and to resist all anti-rights trends and movements with a definitive response grounded in binding human rights obligations, with women’s and girls’ rights at the centre;
- Counter the narratives around gender ideology used by conservative lobbies to misinform societies and undermine the advancement of women’s rights and gender equality;

And additionally:

- Expand capacity-building on gender equality for government officials, parliamentarians, leaders of political parties and of religious movements and public and private media actors;
- Ensure sufficient consultation and collaboration with a broad base of civil society representatives when drafting legislation, policies and programmes with regard to the elimination of gender discrimination and the promotion of gender equality.
Bibliography:


