

GENDER ANALYSIS OF THE 2024 EUROPEAN COMMISSION  
COUNTRY REPORTS FOR THE WESTERN BALKANS

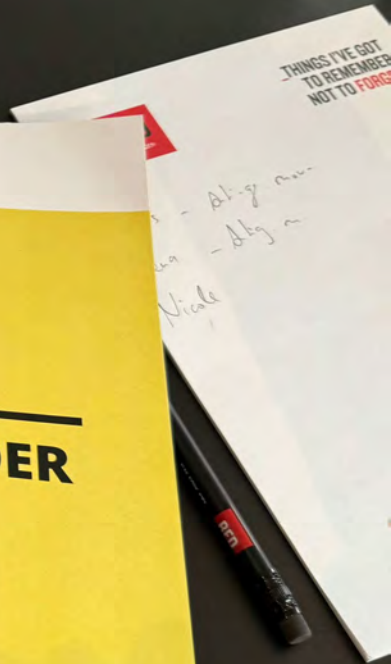
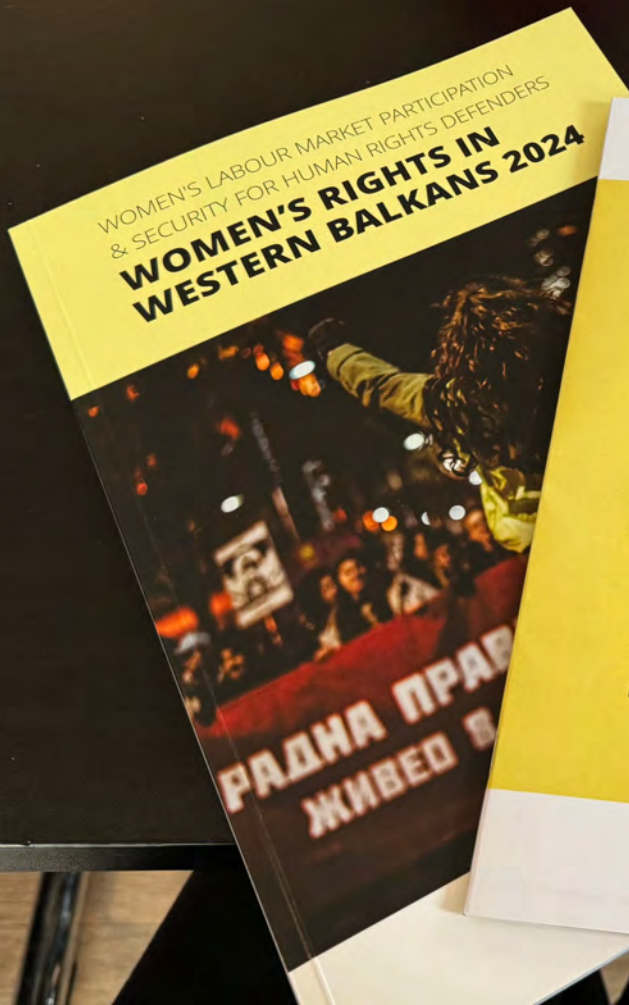
# IT TAKES TWO TO TANGO





12 November 2024; Women's Rights in Western Balkans report at the Brussels Advocacy Week 2024, Belgium

Photo: Emina Durmo/Kvinna till Kvinna



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AUTHOR: Giulia Pasquinelli

REFERENCE GROUP: Ristin Thomasson, Stina Magnuson Buur, Maja Stajčić, Emilija Dimoska, Sofija Vrbaški, Maida Omerćehajić

DESIGN and LAYOUT: UrbanGRAF

DESIGN and VISIBILITY COORDINATION: Emina Durmo

COVER PHOTO: 08 March 2024; International Women's Day Protest March in Belgrade, Serbia

COVER PHOTO: Lara Končar

The Kvinna till Kvinna Foundation, March 2025

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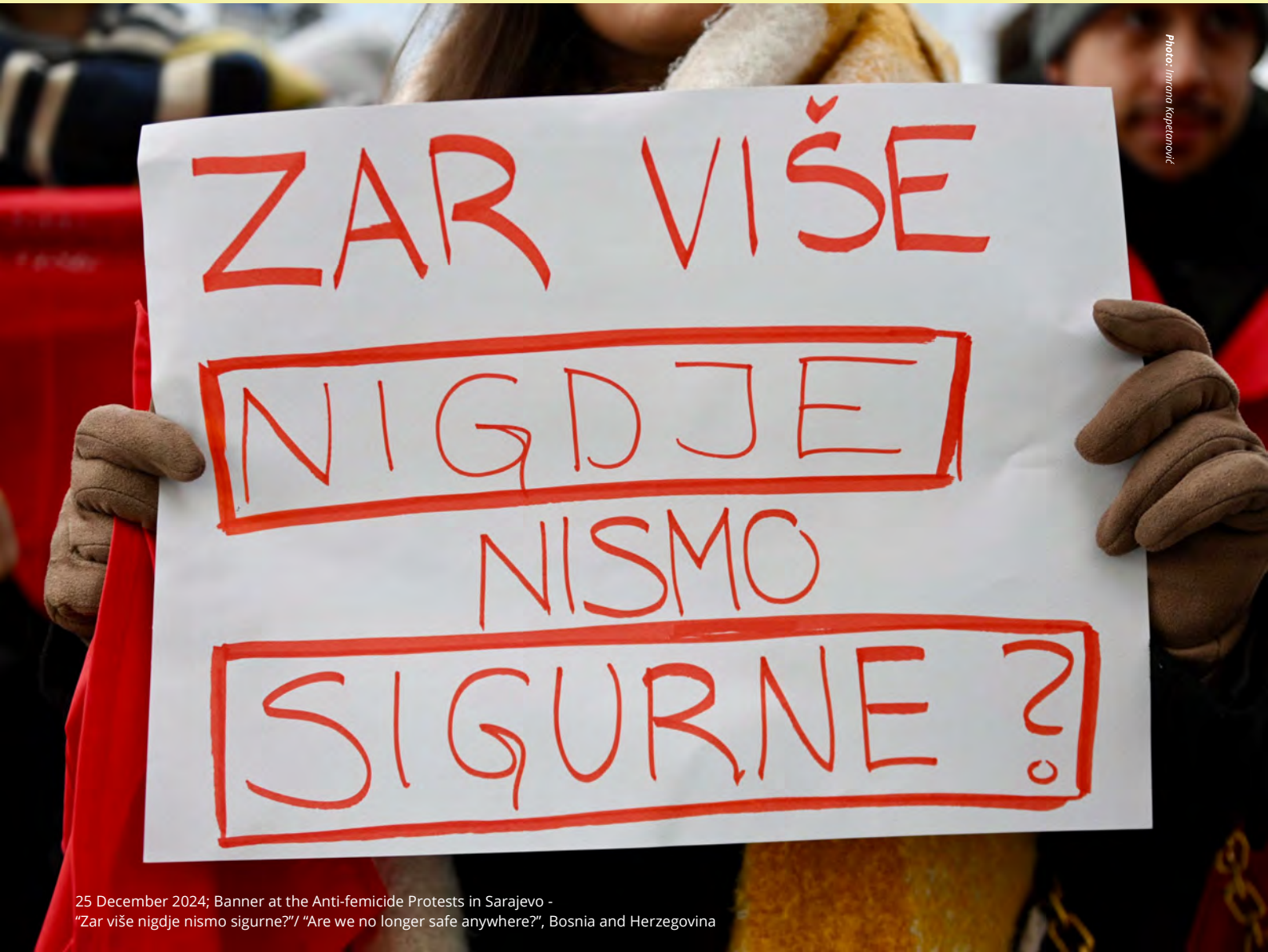


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## THE KVINNA TILL KVINNA FOUNDATION

The Kvinna till Kvinna Foundation has defended women's rights since 1993.

For every woman's right to be safe and to be heard. Today we are one of the world's leading women's rights organisations, working directly in areas affected by war and conflict to strengthen women's influence and power. We work closely together with over 100 local partner organisations across 20 countries to end violence against women, reach lasting peace and close the gender gap once and for all.



25 December 2024; Banner at the Anti-femicide Protests in Sarajevo - "Zar više nigdje nismo sigurne?" / "Are we no longer safe anywhere?", Bosnia and Herzegovina



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# Acronyms

BiH	Bosnia and Herzegovina
CEDAW	Committee on the Elimination of Discrimination Against Women
CLIP	Country Level Implementation Plan (of GAP III)
CSO	Civil society organisation
DG NEAR	Directorate for Neighbourhood Policy and Enlargement Negotiations
EC	European Commission
ECHR	European Court of Human Rights
EEAS	European External Action Service
EIGE	European Institute for Gender Equality
EU	European Union
EUD	European Union Delegation
EUO	European Union Office (Kosovo)
FRA	Fundamental Rights Agency
GAP II	Joint Staff working Document Gender Equality and Women's Empowerment: Transforming the Lives of Girls and Women through EU External Relations 2016-2020
GAP III	Joint Communication to the European Parliament and the Council: Gender Action Plan III - An Ambitious Agenda for Gender Equality and Women's Empowerment in External Action 2021-2026
GBV	Gender-based violence
GREVIO	Group of Experts on Action against Violence against Women and Domestic Violence
IDP	Internally displaced person
ILO	International Labour Organisation
Istanbul Convention	Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence
LGBTQI	Lesbian, Gay, Bisexual, Trans, Queer and Intersex
NAP	National Action Plan
NEET	Not in Education, Employment or Training
NGO	Non-governmental organisation
ODIHR	Office for Democratic Institutions and Human Rights
OSCE	Organisation for Security and Cooperation in Europe
SGBV	Sexual and gender-based violence
UNSCR 1325	United Nations Security Council Resolution 1325
UPR	Universal Periodic Review

# Glossary

The report uses the following definitions based on article 3 of the Istanbul Convention:

**Violence against women:** is understood as a violation of human rights and a form of discrimination against women and shall mean all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or deprivation of liberty, whether occurring in public or in private life.

**Domestic violence:** shall mean all acts of physical, sexual, psychological or economic violence that occur within the family or domestic unit or between former or current spouses or

whether or not the perpetrator shares or has shared the same residence with the victim.

**Gender:** refers to the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men.

**Gender-based violence against women:** shall mean violence that is directed against a woman because she is a woman, or that affects women disproportionately.

**Gender-mainstreaming<sup>1</sup>:** the systematic consideration of the differences between the conditions, situations and needs of women and men in all policies and actions.



Photo: Johanna de Tessieres

12 November 2024; Panel Discussion and Exchange with DGNEAR at the Brussels Advocacy Week 2024, Belgium

<sup>1</sup> Definition by EIGE available at <https://eige.europa.eu/thesaurus/terms/1185?lang=en>

# Executive summary and recommendations

## Overall considerations

Human rights and gender equality are at the heart of the accession process, as part of the 'fundamentals', which determine the pace of negotiations. Candidate countries need to align with the European Union (EU) *acquis* on gender equality, a well-developed body of legislation, standards and principles that constitute the foundation of the EU. The European Commission (EC) country reports for the Western Balkans are the primary policy tool for the EU to assess as well as influence progress towards meeting the accession criteria in the respective countries. For this reason, the inclusion of specific gender perspectives across the reports is crucial, as is the assessment of progress or regress in a certain area and the inclusion of specific recommendations attaining to gender equality issues.

The Kvinna till Kvinna Foundation welcomes the revised format introduced this year to improve readability and comparability of the reports. This new format resulted in shorter reports with a stronger focus on assessment as opposed to descriptive sections. The short summaries for each chapter at the beginning of the report coupled with the recommendations provide a useful snapshot of the EU's assessment and actions required. While on the one hand, key issues pertaining to the situation of women, girls and LGBTQI people continue to be included in the report, at least in chapter 23 (Judiciary and fundamental rights), on the other hand, the reduced length has come at the expense of the gender-mainstreaming of different chapters.

The inclusion of clear, concise and actionable recommendations pertaining to gender equality issues is a key step to push for reform and progress in the countries in the region, yet many key recommendations that were previously included in the country reports under the fundamental rights section, as well as other chapters, have been removed with no clear

reasoning. This has been the case especially for Albania, Montenegro and North Macedonia. Conversely, other reports have increased the number of recommendations for gender equality issues over the last few years. Kosovo this year leads with four official recommendations, followed by Serbia with three and Bosnia Herzegovina with two.

All in all, as noted in previous years, specific guidelines for the gender-mainstreaming of country reports as well as for the issuing and removing of recommendations would help bringing coherence and consistency across countries and across chapters, something currently lacking, underscoring the commitment of Directorate-General for Enlargement and the Eastern Neighbourhood (DG ENEST) in this respect.

## Breaking down gender issues in this years' reports

### ANTI-GENDER MOVEMENT

For the second consecutive year, some reports acknowledge the growing anti-gender movement and sentiment in the region. The anti-gender narrative is now a distinctive feature of illiberal regimes, authoritarian leaders and far-right groups, often supported by religious institutions, aiming to restrict women's and LGBTQI rights, threatening democracy and endangering European values as such. In the region, it is wielding concrete results, especially in terms of erosion of gender equality legislation, and even the use of the word "gender". In Serbia, the Ombudsman challenged the constitutionality of the Gender Equality Law, in North Macedonia the long-awaited Law on Gender Equality has been put on hold, in Republika Srpska crucial legislation on violence against women has been removed from parliamentary procedure, while in Montenegro gender equality is no longer on the political agenda. Also, across the region, this narrative is legitimising the use of hate speech,

smear campaigns and derogatory language against activists, female journalist and politicians and leading to attempts to curtail – already limited – funding to women's rights CSOs. This complex and multi-faceted phenomenon and its negative implications for the accession process need to be better analysed and addressed by the EU.

## **RESTRICTION OF CIVIC SPACE**

Some countries in the region are experiencing further restrictions of civic space. Governments are using different approaches including proposing full-scale legislation modelled on the Russian and Belarusian Foreign Agents Law, making access to public funding more difficult for CSOs and placing unreasonable requirements for their licensing, often in an attempt to cover murky award procedures of public money and conflict of interest. In Republika Srpska, Bosnia and Herzegovina, the Foreign Agents Law is now back on the agenda and in Serbia civil society space continues to be threatened by aggressive government postures aimed at silencing dissent. Cooperation between government and civil society is also on hold in Montenegro and North Macedonia, where the relevant bodies in charge of setting up dialogue with CSOs are either not functioning or lack transparency. Women's rights organisations and female activists, who dare to speak up against governments' policies and corruption are targeted by smear campaigns, attacks online and offline and attempts to marginalise them in policy and legislative processes. The EU should step up its engagement to support and protect civil society as whole and women's rights organisations specifically, including by condemning attacks and issuing clear recommendations in the country reports.

## **WOMEN'S POLITICAL PARTICIPATION**

The country reports insufficiently address the issue of women's political participation in the section on democracy. The downward trend of women's participation in politics and the disappearing of gender equality from recent electoral campaigns and political agenda is concerning across the region. While all reports include a graph with data on women in political life, showing the stark inequality dominating the world of politics, they fall short of illustrating the

recent negative trends and the structural causes of unequal participation, from the lack of respect of the quota system, to the failure to address gender stereotypes on the role of women and men in society and not least during political campaigning, and the responsibilities of political parties. Out of six countries, only the Bosnia and Herzegovina report included a recommendation to take measures to increase women's political participation. Other countries should follow suit with specific recommendations.

## **GENDER-RESPONSIVE BUDGETING**

A positive development this year is the inclusion of references to gender-responsive budgeting in some reports. Gender-responsive budgeting is a key strategy to ensure equitable distribution of public resources and to realise gender equality commitments, and should be part of the public administration reform. The Albania, Kosovo, Montenegro and North Macedonia reports explicitly mention it – noting that in Kosovo and Montenegro it still needs to be formally included in legislation. In North Macedonia, gender-responsive budgeting has now been introduced as a principle and an obligation by the Organic Budget Law. Other reports should also monitor and recommend the introduction of gender-responsive budgeting as part of public administration reforms.

## **GENDER-BASED VIOLENCE**

Due to the reduced length of reports, this year the information concerning gender-based violence is more limited than in previous years. Despite the EU's accession to the Istanbul Convention<sup>2</sup>, most reports have a narrow focus on domestic violence, ignoring other forms of gender-based violence such as forced marriages, sexual harassment, online violence against women and femicides. Only the Kosovo report includes a focus on the capacity of judges and prosecutors to handle cases of gender-based violence in the section on the functioning of the judiciary. Next year, the country reports should include references to the EU acquis in this area, which includes the Istanbul Convention, the EU Directive on Violence Against Women and Domestic Violence<sup>3</sup>, the Victims' Rights Directive<sup>4</sup> and recommend accession countries to take steps to align their legislation.

<sup>2</sup> Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (2011)

<sup>3</sup> Directive 2024/1385 on combating violence against women and domestic violence.

<sup>4</sup> Directive 2012/29 establishing minimum standards on the rights, support and protection of the victims of crimes.



## WOMEN, PEACE AND SECURITY

Most reports this year include a reference to National Action Plans on UNSCR 1325 in Chapter 31 (Foreign and Security Policy). This is a welcome development given that Women, Peace and Security is part and parcel of EU's foreign policy, to which accession countries should align. At the same time, most reports fail to include a gender perspective in dealing with the legacies of the 1990s conflicts in the region, and the attempts to resolve outstanding disputes between Serbia and Kosovo through the EU-mediated Belgrade-Pristina dialogue entirely lack a gender dimension and have not included women from local communities. The failure of the EU to live up to its own commitments on Women, Peace and Security taint its reputation as a serious actor in this area,

adding to the resentment and disillusion in both countries.

## INTERSECTIONALITY

There was limited progress in integrating an intersectional approach to this year's reports. While respect of the rights of minorities is a key criterion for accession, most reports pay limited attention to Roma, Ashkali, Egyptian women, women with different abilities, migrant and refugee women and other women facing intersecting forms of discrimination. Further references could be included in Chapter 19 (Social Policy and Employment), Chapter 28 (Consumer and Health Protection) and Chapter 26 (Education and Culture).

*Photo: Lara Končar*

A photograph of a purple banner with the text "ŽENE ZA PROMENE" in white, bold, sans-serif capital letters. Below the text is a graphic illustration of two hands, one light brown and one darker brown, clasped together in a fist. The banner is set against a background of a blue sky and some trees.

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## **RECOMMENDATIONS TO DIRECTORATE-GENERAL FOR ENLARGEMENT AND THE EASTERN NEIGHBOURHOOD AND EU DELEGATIONS IN THE WESTERN BALKAN REGION**

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1. Increase senior leadership support for and attention to gender equality as a vital component of the EU accession process and ensure regular training on gender mainstreaming to staff in DG ENEST and EU Delegations/Office
2. Standardise the process of gender mainstreaming of Country Reports with clear and concrete guidelines; introduce minimum standards to be revised by the Gender Equality Coordinator during the horizontal reading
3. Ensure a fair number of official recommendations attending to gender equality issues across different chapters of the reports and ensure they are clear, practical and action-oriented
4. Include key statistics and sex-disaggregated data progressively in more chapters and issue specific recommendations (in Chapter 18) to strengthen the collection, dissemination and use of sex-disaggregated data in different sectors
5. Refer to the EU acquis on gender equality, including the Work-Life Balance Directive, the EU Victims' Rights Directive, the Directive on Violence Against Women and Domestic Violence, and the Istanbul Convention, among others
6. Address gender-based violence as a rule of law issue, which requires a systemic and adequate response from institutions, including judges, prosecutors and the police, and close cooperation with organisations providing specialised services to victims/survivors
7. Further increase attention to the situation of women belonging to minorities, women with different abilities and other vulnerable groups and subject to multiple discrimination, across different chapters
8. Report on the Women, Peace and Security Agenda in line with the EU GAP III in Chapter 31 (Foreign, Security and Defence Policy) and in the section on Normalisation of Relations between Kosovo and Serbia
9. Include a gender perspective when addressing the legacies of the 1990s conflicts including the status of victims/survivors of conflict-related sexual violence
10. Report on the role of women's rights organisations in the section on civil society and in the fundamental rights section, including their role as service providers, contributions to the EU integration process, peacebuilding and reconciliation work

# Background and purpose of the assessment

## Commitments under the GAP III

On November 25<sup>th</sup>, 2020, the EU adopted the **Gender Action Plan III (2021-2026)**<sup>5</sup> (GAP III) to reaffirm EU's commitments to support gender equality and women's empowerment through its external action. In November 2023, the European Commission published the mid-term report on the EU implementation of the GAP III<sup>6</sup>, pointing at **“the pivotal role of the GAP III in elevating gender equality as a strategic priority in EU external actions. It has encouraged more comprehensive, determined and transformative approaches.”** Furthermore, the mid-term report says “Gender equality has also featured prominently in policy dialogues with candidate countries and potential candidate countries, with the EU supporting the adoption and implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); comprehensive evidence-based laws, aligned with the relevant EU *acquis*; and other international standards.”<sup>7</sup>

### Box 1. Pivotal areas in GAP III

- 1) Ensuring freedoms from all forms of gender-based violence
- 2) Promoting sexual and reproductive health and rights
- 3) Promoting the economic and social rights / empowerment of women and girls
- 4) Promoting equal participation and leadership
- 5) Integrating the Women, Peace and Security Agenda

6) Addressing the challenges and harnessing the opportunities offered by the green transition and the digital transformation

As postulated in the GAP III, gender equality continues to be one of the key political objectives of the EU in its external action, be it through the accession process or through its Common Foreign and Security Policy. In **the accession countries**, the EU has been both supporting (through targeted actions and policy dialogue) and monitoring (through the Country Reports) the progress of countries aspiring to EU membership in advancing gender equality standards. This process has been further aided by the adoption of **Country Level Implementation Plans (CLIPs)** setting policy priorities, key actions and objectives on gender equality for each country. These plans, developed in partnership with national stakeholders, were also informed by **Gender Country Profiles** and sector-specific **Gender Analyses** for the priority areas.



<sup>5</sup> Joint Communication to the European Parliament and the Council EU Gender Action Plan III: An ambitious Agenda for Gender Equality and Womens Empowerment in EU External Action

<sup>6</sup> Joint report on the EU implementation of the Gender Action Plan III (November 2023)

<sup>7</sup> Page 3, *ibid.*

## Box 2. What should the gender analysis include?

According to the Guidance Note developed for DG NEAR (now DG ENEST) and EUD/EUO Staff<sup>8</sup> under the previous GAP II, which is unlikely to change substantially under the current plan, the gender analysis for the thematic priorities should at a minimum indicate:

- Key statistics on the situation of women and girls, men and boys, which will also provide the baseline for future measurement (relevant statistics that reflect the thematic or concentration areas);
- Key barriers to achieving gender equality (including social norms, legislative, institutional capacity, political will etc.);
- Analysis of additional levels of discrimination (e.g. particular vulnerability of disabled women to violence);
- Existing national gender mechanism in the partner country;
- A mapping of who is actively working for gender equality (CSOs, donors, International Financial Institutions, line ministries etc.);
- A mapping of knowledge / information gaps (e.g. sex-age disaggregated statistical information);
- A clear assessment of where the EUD can add value;
- Realistic objectives / opportunities for policy and political dialogue.

The mid-term evaluation of GAP III<sup>9</sup> found that **CLIPs have provided a solid foundation for strengthening the EU's strategic approach to gender equality in partner countries by identifying context-specific policy and programmatic priorities.** However, as the evaluation found "it is still uncertain where CLIPs stand on the spectrum between (i) an aspirational statement of objectives and priorities in line with GAP III; i.e., a general country-level vision (the lack of which was pointed out by the evaluation of GAP

II) and (ii) a guide to operational programming and monitoring"<sup>10</sup>. Also, "with CLIPs, messaging on GEWE in policy and political dialogue (and opportunities to do so) has become stronger under GAP III than it was under GAP II. However, despite the comprehensive guidelines received from Brussels HQ, CLIPs vary widely in form, content and quality".<sup>11</sup>

## How does this apply to EC Country Reports?

The EC country reports are the **key policy instrument for the EU to monitor progress of and exert pressure on** Western Balkan governments on the path towards meeting the accession criteria. As a key instrument of the EU, the Country Reports should be informed by robust gender evidence to be able to meet the ambitious targets set under the GAP III and the adopted CLIPs. The EU accession process and the GAP III should mutually reinforce each other, as EU's support to gender equality issues helps partner countries meet the political criteria for membership. However, as it happens for a process that is often highly technical and somewhat rigid, the EU Accession process has often failed to incorporate and build on the opportunities offered by other EU policies, including the GAP III.

Kvinna till Kvinna and its partner organisations have long argued that the **EC country reports should be better gender mainstreamed and include more stringent recommendations in relation to gender equality.** Yet, we have often heard as a response that "this is not a gender report", that "the chapters that are devoted to 'gender issues' are Chapter 23 and 19" and that "the main problem with the country reports is their length", which limits the extent to which gender issues can be integrated in different chapters. Yet, we would argue, this approach goes counter to the very definition of gender mainstreaming which postulates that a gender perspective should be integrated across all sectors with a view at identifying hidden discriminatory patterns which lead to the marginalisation of women and girls, restrict their participation and limit their representation. **This means, each policy area, or Chapter of the country reports, should aim to include a gender perspective**

<sup>8</sup> Guidance Note on EU Gender Action Plan 2016-2020 for DG NEAR HQ and EUD staff (1 April 2016).

<sup>9</sup> Mid-term evaluation GAP III (May 2023)

<sup>10</sup> Ibid. page 20.

<sup>11</sup> Ibid. page 20.

**and stop referring to men as the “default” category.**

### Aim of the present assessment

This is the seventh Gender Analysis of EC country reports for the Western Balkans. The aim is to assess the extent to which the country reports are gender mainstreamed. Last year, the EC adopted a revised methodology aimed at shortening the reports, improving their readability and comparability, including through graphs and visuals, and focusing on assessment rather than overall description of the status quo. As a result, the reports are shorter, more prescriptive and with a clear emphasis on recommendations. On the negative side, there are fewer references to women and girls. The analysis **identifies areas where a gender perspective can be further strengthened across different chapters and include country-specific recommendations for the following year.** The starting point were the

instructions included in the Guidance Note developed by DG NEAR (now DG ENEST) for the implementation of the GAP II, which provide details about the key components of a gender analysis.<sup>12</sup> We argue that the same components should be included in the EC country reports although adapted to the nature of the documents, which is not that of an internal gender analysis but rather of external documents of both technical and political nature.

### Criteria used for the Assessment

The analysis is focused on eight thematic areas that we consider central to increase women's inclusion and representation. The selection of criteria is further inspired by the vision, mandate and mission of The Kvinna till Kvinna Foundation, to support women's rights organisations in fragile, conflict and post-conflict settings. Hence, the criteria include a strong focus on women and women's organisations.

#### Criteria used for the assessment

- Attention to gender equality (legislation, mechanisms and implementation) including potential barriers to achieving it (social norms, legislative, institutional barriers etc.) and to the rights of LGBTQI persons
- Account of women's political participation at national and local level, including key barriers preventing women from joining the public space
- Inclusion of key statistics on the situation of women, men, girls and boys
- Attention to all forms of gender-based violence (including committed during armed conflicts)
- Intersectionality<sup>13</sup> including reference to Roma women, women refugees and IDPs, women with different abilities
- Reference to roles and challenges of women's rights organisations
- Account of women's roles in peacebuilding, dealing with the past and reconciliation
- Integration of gender into chapters/sections other than the fundamental rights section (i.e. Public administration, Rule of Law, Environment and Climate Change)

<sup>12</sup> See box 2 on page 9.

<sup>13</sup> Understood as the way in which different types of discrimination, because of a person's sex, ethnicity, social class, religion etc., are linked to and affect each other.

# Dashboard

For each criterion we use arrows to show improvement (or lack thereof) year on year.



The upward facing arrow indicates a positive trend compared to previous year



The downward facing arrow indicates a negative trend compared to previous year



The horizontal arrow indicates no change compared to previous year



Great achievement



Attention to gender equality (legislation, mechanisms and implementation) including potential barriers to achieving it (social norms, legislative, institutional barriers etc.) and to the rights of LGBTQI persons



Account of women's political participation at national and local level, including key barriers preventing women from joining the public space



Inclusion of key statistics on the situation of women, men, girls and boys



Attention to all forms of gender-based violence (including committed during armed conflicts)



Intersectionality 1 including reference to Roma women, women refugees and IDPs, women with different abilities



Reference to roles and challenges of women's organisations

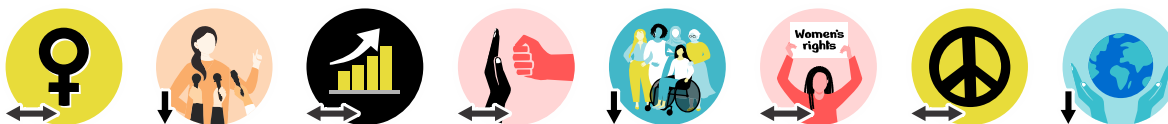


Account of women's roles in peacebuilding, dealing with the past and reconciliation



Integration of gender into chapters/sections other than the fundamental rights section (i.e. Public administration, Rule of Law, Environment and Climate Change)

# Albania



**Best practice example:** reference to the second Albanian National Action Plan on UNSCR 1325 in Chapter 31.

**Remaining gaps:** less attention to the situation of women and girls across different chapters compared to last year and no official recommendation on gender equality in Chapter 23.

## Summary

The 2024 Albania report<sup>14</sup> includes less information concerning the situation of women and girls and fails to issue key recommendations in the area of gender equality under the fundamental rights section. For example, the report no longer includes a recommendation to implement the Law on Gender Equality and the national strategy for gender equality and misses the opportunity to issue clear and actionable recommendations in relation to the alignment of the Albanian legislation with the Istanbul Convention and the EU *acquis*, including the Work-Life Balance Directive, despite acknowledging that this is an outstanding issue. With the exception of the usual chapters (19, 23), other chapters of the report only include cursory reference to gender, women and girls.

## Attention to gender equality and LGBTQI rights

The section on gender equality and LGBTQI rights are much shorter than in the previous report. The report recognises the weaknesses in implementation of the 2021-2030 Strategy on Gender Equality and related Action Plan but fails to issue a recommendation. Issues such as reproductive health and rights, including the issue of sex-selective abortions, women's rights to property and access to justice are no longer included in the report. The section on LGBTQI

rights mentions the partial alignment of Albanian legislation with the EU *acquis*. A positive step is noted in relation to access to healthcare with the adoption of the medical protocol for transgender and gender diverse persons. The report acknowledges that discrimination against LGBTQI persons is still pervasive, as captured by the III LGBTQI Trust Survey conducted by FRA.<sup>15</sup>

## Women's political participation

Overall, the Albanian political system and the culture of political parties is dominated by male politicians and participation of women is limited despite the quota established by the law.<sup>16</sup> Other groups such as youth, Roma and Egyptian communities, LGBTQI persons and persons with disabilities are generally not represented in politics. Compared to last year, this year's report includes a much more limited focus on women's political participation, with only a cursory reference to gender quotas in parliamentary and local elections and to the socio-cultural barriers faced by women in politics.

## Inclusion of key statistics

This year's report includes two graphs, one on women in political life and one on violence against women. Chapter 19 refers to the gender gap in employment and decreasing women's participation in the labour market. The section on the rights of the child acknowledges that there is a large proportion of girls, especially from Roma and Egyptian communities, victims of human trafficking, but the report lacks overall sex-disaggregated data on victims of human trafficking, ignoring that the majority of victims are women for the purpose of sexual exploitation.

<sup>14</sup> EC Albania Country Report (2024)

<sup>15</sup> EU LGBTQI Trust Survey III LGBTQI at a crossroads: Progress and Challenges, Albania, FRA, (2024).

<sup>16</sup> Political representation and participation of underrepresented groups in the electoral process, AWEN and NDI (May 2023)

## Sexual and gender-based violence

The report acknowledges that the legal framework for gender-based violence is not fully in line with the Istanbul Convention but fails to issue a specific recommendation. It raises concerns about the high percentage of femicides per capita and inefficiency of police in enforcing protection orders. This year's report does not acknowledge the role of CSOs in running services for victims of gender-based violence and fails to mention different forms of gender-based violence, such as trafficking for sexual exploitation, child marriage, online sexual violence. The report should introduce an official recommendation on preventing and tackling gender-based violence and trafficking of women and girls given the prevalence of the phenomenon in Albania.

## Intersectionality – reference to Roma women, women refugees, women IDPs and other women subject to multiple discrimination

There is limited attention to women from minority groups in this year's report. The report refers that the National Action Plan on Equality, Inclusion and Participation of Roma and Egyptian 2021-2025 is being implemented. It refers specifically to women and girls belonging to minorities only in relation to access to primary healthcare and sexual and reproductive health services, and in relation to human trafficking for Roma and Egyptian girls. The recommendation to continue to improve access to health services for vulnerable groups, including women and girls belonging to minority groups in Chapter 28 (Consumer and Health Protection) is welcome and progress in its implementation should be closely monitored.

## References to roles and challenges of women's rights organisations

The report acknowledges that civil society continue to work in a challenging environment, especially in relation to registration and public funding. Also, there was no progress in the implementation of the Government Roadmap on an Enabling Environment for Civil Society 2019-2023. The report no longer mentions the NGO-run services for women victims/survivors of gender-

based violence and trafficking, with the result that the work of women's rights organisations remains invisible.

## Account of women's roles in peacebuilding, dealing with the past and reconciliation

It is welcome that the report refers to the adoption of the second National Action Plan on Women, Peace and Security in Chapter 31. As in previous years, there is no reference to women's roles in peacebuilding and reconciliation.

## Integration of gender into other chapters/sections

Gender mainstreaming of the other chapters of the report decreased compared to last year. Chapter 6 (Company Law) which used to include a reference to the EU Directive on gender equality on Boards of Directors and Chapter 26 (Education and Culture) which referred to the gender gap in education, no longer refer to women and girls. Chapter 19 (Social Policy and Employment) includes statistics on women's and men's employment and unemployment and refers to the persistent gender gap. Similar to 2023, Chapter 18 (Statistics) refers that collection of sex-disaggregated data has improved but further efforts are needed to collect disaggregated data for certain groups, with no specific reference to which groups. The remaining chapters are all gender-blind.



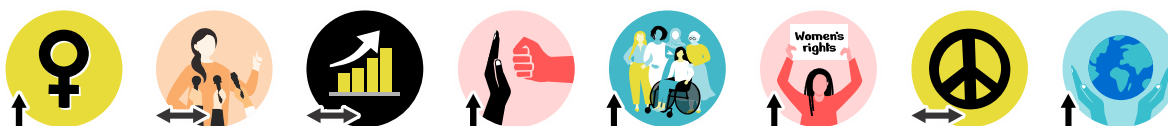


## RECOMMENDATIONS FOR THE 2025 ALBANIA REPORT:

1. Introduce an official recommendation in Chapter 23 to step up implementation of the Law on Gender Equality and National Strategy for Gender Equality 2021-2023 and to align legislation on gender-based violence with the Istanbul Convention
2. Add an overview of structural social, cultural and legislative barriers towards gender equality and the active roles women play in society in the fundamental rights section
3. Include an official recommendation on the need to harmonise Albanian legislation with the Work-Life Balance Directive and the implementation of targeted measures to bridge the gender gap in employment
4. As a minimum, introduce sex-disaggregated data on gender-based violence, including domestic violence (Chapter 23) and trafficking of women and girls (Chapter 24)
5. Recognise the key role of civil society in building democratic societies and acknowledge the crucial role of women's rights organisations in providing specialised services to victims/survivors of GBV in the absence of adequate state services
6. Include a specific recommendation on preventing and curbing gender-based violence and trafficking of women and girls, identifying victims and ensuring access to justice and services
7. Reintroduce references to the situation of women and girls in different chapters of the report, including Chapter 6, 26, 28
8. Keep the reference to Albania's National Action Plan on UNSCR 1325 in Chapter 31 and introduce a reference to the role of women in peacebuilding and reconciliation
9. Continue to integrate an intersectional perspective across the report and in particular in relation to access to education, jobs, housing and healthcare services for women and girls belonging to vulnerable groups



# Bosnia and Herzegovina



**Best practice example:** attention to the role of civil society, including that of women's organisations in calling for policy changes and challenging government attempts to backtrack on gender equality standards, especially in Republika Srpska (RS). Focus on introducing care policies, in line with EU Work-Life Balance Directive. Call to include a gender perspective and gender-sensitive assessments of the impact of climate change in all green policies.

**Remaining gaps:** the section on trafficking in human beings (Chapter 24) fails to refer to the fact that the majority of victims are women and girls and lacks sex-disaggregated data.

## Summary

The 2024 Bosnia and Herzegovina report<sup>17</sup> substantially improved the gender mainstreaming of different chapters. The inclusion of an official recommendation to harmonise and improve legislation against domestic and gender-based violence to meet international standards and align laws across the country with the Gender Equality Law to increase public and political participation of women in Chapter 23 is welcome and should remain until met. Given the dire situation of civic rights, especially in RS, the thorough attention to the challenging context for civil society and activists calling for policy changes, including the reference to women's rights organisations, is appreciated. However, the report could have also referred to the risks posed by the growing anti-gender movement and its reach within RS government structures. The report specifically calls for improvements in dealing with cases of gender-based violence from a law enforcement perspective and from a legal perspective, aligning the legislation with the EU Victims' Rights

Directive, Directive on Violence Against Women and Domestic Violence and the Istanbul Convention. There is increased attention to women from marginalised groups and women facing intersecting forms of discrimination including in Chapter 28 (Consumer and health protection) in relation to health inequalities. The focus on introducing standard care policies, especially, but not limited to, maternity and parental leave in line with the EU Work-Life Balance Directive, is welcome.

## Attention to gender equality and LGBTQI rights

Overall, the section on gender equality substantially improved. The report indicates that legislation on gender equality and non-discrimination is not harmonised across the country. On LGBTQI persons, the report notes that BiH needs to implement the relevant action plan, noting that hate crimes and speech continue and are insufficiently prosecuted. Crucially, the report notes that in July 2024, the RS entity government proposed to remove gender identity as a protected ground in its Criminal Code; if adopted, this proposal would reduce the existing rights and make the code no longer in line with the state-level legislation on anti-discrimination. Additionally, part of the provision defining family in the Criminal Code ("persons who were or are still in an emotional or intimate relationship with each other, regardless of whether the perpetrator shares or has shared a household with the victim") in relation to the criminal offence of domestic violence is no longer in force, following a decision of the Criminal Court in November 2024.

<sup>17</sup> EC Bosnia Herzegovina Country Report (2024)

## Women's political participation

Given that in the reporting period there were no elections, the report only notes that there are no women leaders in parliamentary parties. It further notes that legislation across the country should be harmonised with the Gender Equality Law to increase public and political participation of women.

## Inclusion of key statistics

Sex-disaggregated data in this year's report is limited. On violence against women, there is a graph with data on police reports and overall convictions, but this fails to provide the complete picture of gender-based violence. Similar to the 2021 report, there is a reference to the need to improve data collection to enable the development of sound policies to target key gender gaps.

## Attention to sexual and gender-based violence

This year, for the first time, the report introduces a reference to handling of cases of domestic violence under the functioning of the judiciary, which is a welcome development. The section on gender-based violence is short but the recommendations included in it are important. In particular, the report highlights the need to urgently transpose the remaining obligations stemming from the Istanbul Convention. Also, this year's focus on the need to align legislation with the EU Directive on Victims' Rights and the one on Violence Against Women and Domestic Violence is welcome. At the same time, the report could have further elaborated on the need for RS to adopt relevant legislation on violence against women in line with the EU acquis, after the draft law was withdrawn from parliamentary procedure due to the pressure of anti-gender movements. The references to the 2020 CEDAW Committee decision to provide redress to victims of wartime sexual violence and to the need to accelerate prosecution of crimes of sexual violence, provide reparation to victims of war crimes and ensure witness protection, are welcome but should have been included under the section on domestic handling of war crimes. Regrettably, the section on trafficking in human beings in Chapter 24 is entirely gender-blind.

## Intersectionality – reference to women subject to multiple discrimination

The intersectional approach in this year's report continued to improve. There are references in different Chapters to women and girls from minority groups facing multiple discrimination. However, a specific recommendation concerning the situation of Roma women and girls is missing. The section on fundamental rights recalls that Roma women are particularly exposed to domestic violence, early marriages, human trafficking and labour exploitation. Particularly welcome this year is the reference to health inequalities affecting women and girls, especially in relation to sexual and reproductive rights, and how women and girls belonging to ethnic minorities, women with different abilities, and women from rural areas are particularly at risk in this respect.

## Reference to roles and challenges of women's rights organisations

The report welcomes the withdrawal of the Law on 'foreign agents' by RS entity but acknowledges that the situation for civil society organisations remains challenging. In fact, recent developments suggest that the Foreign Agents Law was adopted at government level and is now back on the agenda of the RS National Assembly. In addition, the introduction of criminal penalties for defamation are limiting the freedom of expression and leading to self-censorship of activists and CSOs alike. Shrinking space for civil society in RS is also going hand in hand with the rise of the anti-gender movement and attacks against activists dealing with sensitive issues including women's rights and LGBTQI rights. Very welcome this year is the specific reference to women's rights organisations playing a key role in reaching out to the most vulnerable, including victims and survivors of gender-based violence, and that CSOs who provide essential services to disadvantaged groups should be adequately funded.

## Account of women's roles in peacebuilding, dealing with the past and reconciliation

Both the section on fundamental rights and Chapter 31 (Foreign Security and Defence Policy) suggest adopting a new Action Plan on Women, Peace and Security, which has been pending since 2023. While the report covers the role of women's rights organisations in providing services and reaching out to the most vulnerable, it fails to acknowledge their role in promoting peace and reconciliation, searching for missing persons, providing support and legal aid to victims/survivors of war-related sexual violence, ensuring remembrance also for women victims of the war.

## Integration of gender into other chapters/sections

The number of chapters of the report that are gender mainstreamed increased. This year, also

Chapter 24 (Justice, freedom and security) includes a reference to the measures introduced by the High Judicial Prosecutorial Council to better respond to cases of domestic violence. Chapter 19 (Employment and Social Policy) includes a point on the need to introduce care policies, not limited to maternity and paternity leave in line with the EU Work-Life Balance Directive and keeps the recommendation to introduce uniform maternity and paternity benefits across the country. Particularly welcome is the attention to health inequalities for women and girls, including from minority groups, in Chapter 28 (Consumer and Health Protection). For the first time Chapter 18 (Statistics), 31 (Foreign, Security and Defence Policy) and 15 (Energy) contain references to gender-related issues. Also, Chapter 27 (Environment and Climate Change) includes a positive call to the government to include a gender perspective and gender-sensitive assessments of the impact of climate change in all green policies and laws at all levels of government.

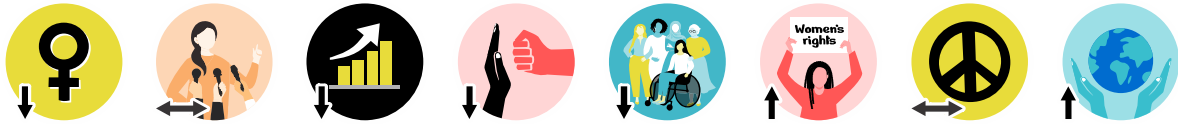


## **RECOMMENDATIONS FOR THE 2025 BOSNIA AND HERZEGOVINA REPORT:**

1. Monitor implementation of the new recommendation to harmonise and improve legislation against domestic and gender-based violence to meet international standards, and align laws across the country to the Gender Equality Law, to increase the public and political participation of women
2. Urge BiH authorities to align the election legislation with the Gender Equality Law to enhance women's public and political participation including full respect of the 40% gender quota
3. Issue a specific recommendation, following the statement<sup>18</sup> issued on 7<sup>th</sup> February 2025, calling on authorities to refrain from going ahead with the Foreign Agents Law and the draft amendments to the Republika Srpska Criminal Code, regarding removing gender identity from the protected grounds of discrimination
4. Closely monitor the actions of anti-gender organisations and actors in Republika Srpska, especially insofar as they impact on the adoption of the EU acquis. Take measures to push back proposals aimed at restricting rights and grounds from protection from discrimination and blocking adoption of legislation on domestic violence and violence against women
5. Recommend the establishment of meaningful consultation mechanisms with civil society, including women's rights organisations, in the context of the EU accession negotiations
6. Include sex-disaggregated data and a focus on women and girls, victims of human trafficking in Chapter 24 (Freedom and Security)
7. Keep the reference to the EU Directives including the EU Victims' Rights Directive, the EU Directive on Violence Against Women and Domestic Violence and the EU Work-Life Balance Directive, to which BiH needs to align its legislation
8. Acknowledge the role of women's organisations not just in providing services and advocating for policy changes but also contributing to peacebuilding, reconciliation and remembrance
9. Report on the significant barriers Roma women and other minorities are facing in access to education, employment and health services, including on sexual and reproductive health and rights, the wide-spread gender-based violence and the practice of forced juvenile marriages affecting Roma girls, and recommend to harmonise the Roma inclusion policy with the EU Strategy for Roma Inclusion 2020-2030
10. Further focus on the gender-mainstreaming of Chapters 26 (Education and Culture), Chapter 27 (Environment and Climate Change) and Chapter 31 (Foreign, Security and Defence Policy)

<sup>18</sup> Statement by the EU Delegation on draft legislation and draft amendments to the Criminal Code in Republika Srpska that threaten fundamental rights and democratic values (February 2025).

# Kosovo



**Best practice example:** inclusion of four official recommendations pertaining to gender equality; two in Chapter 23 (Judiciary and fundamental rights), including one on ensuring effective criminal procedures on gender-based violence, one in Chapter 19 (Social Policy and Employment) and one in Chapter 25 (Science and Research).

**Remaining gaps:** limited attention to women belonging to minorities, no attention to women victims of human trafficking. No gender perspective of deteriorating security situation in Northern Kosovo and prospects of normalisation of relations between Kosovo and Serbia.

## Summary

The 2024 Kosovo report<sup>19</sup> includes the highest number of official recommendations related to gender equality in comparison to other countries. However, the reduced length of the report resulted in considerably less information about the challenges women face in society, including in relation to gender-based violence, women's political participation and multiple forms of discrimination against women from minority groups. The section on gender-based violence shrunk, with a focus on domestic violence and no attention to other forms of gender-based violence such as sexual harassment, verbal attacks, rape and femicides. The status of victims/survivors of sexual violence during the war has also been removed from the report. On a positive note, Chapter 19 (Social Policy and Employment) includes a thorough attention to the lack of adequate childcare policies and Chapter 25 (Science and research) includes a specific recommendation to devise and implement a gender strategy for research at national level. The section on normalisation of relations between Kosovo and Serbia fails to acknowledge how the deteriorating security situation in northern Kosovo is affecting women from different communities and to address the (lack) of

involvement of women in the EU-facilitated dialogue.

## Attention to gender equality and LGBTQI rights

The section on gender equality is shorter compared to 2023, with considerably less information on the challenges women face in society and no cross-references to other chapters. The section focuses rather on the institutional uptake of gender equality policies and monitoring thereof, including the role of the Agency for Gender Equality and the role of the President of Kosovo in giving visibility to gender equality issues. The section also covers the implementation of the Women, Peace and Security agenda. On the rights of LGBTQI persons, the report notes that legislation is mostly in line with international and European standards, but Kosovo lacks a Strategy and Action Plan to ensure concrete actions in support of these rights. Also, both the Civil Code and the Law on Civil Status are pending adoption, but the official recommendation issued by the EU no longer covers them. The report further notes that LGBTQI persons continue to face discrimination and limited access to services.

## Women's political participation

The section on democracy indicates that while still under-represented, women play an increasing role in decision-making. The discrepancy on the quota system mandated by the Electoral Law and the one foreseen by the Gender Equality Law are now subject to a decision by the Constitutional Court. The graph shows women's political participation at national and local level but there is no analysis of the structural barriers keeping women out of public life and no attention to the specific forms of gender-based violence female politicians are exposed to, considerably limiting the scope of the report in relation to women's political participation.

<sup>19</sup> EC Kosovo Country Report (2024)

## Inclusion of key statistics

Limited sex-disaggregated data and statistics are included in this year's report. There is data on women's political participation, cases of violence against women, including domestic violence, women in the police force, as well as employment and unemployment rate for women and men. There is no longer data on the number of victims of sexual violence during conflict who saw their status recognised, and overall data on domestic violence is not disaggregated by sex. Chapter 18 (Statistics) invited the Kosovo Agency for Statistics to improve collection and compilation of sex-disaggregated data and statistics. It notes that Kosovo still does not have a Gender Equality Index.

## Sexual and gender-based violence

The report includes a welcome recommendation to ensure solid criminal investigations, improve the quality of indictments and ensure effective

criminal procedures, including on cases of gender-based violence in the section on the functioning of the judiciary. The report also acknowledges that Kosovo appointed a National Coordinator and set up a central secretariat to combat gender-based violence. While there is also a recommendation to better implement the Strategy on gender-based violence, the report solely focuses on domestic violence. Other forms of gender-based violence such as sexual harassment, body shaming, verbal attacks, rape and femicides, which were previously included, are no longer acknowledged. Also, women victims/survivors of sexual violence during the war are not mentioned, and there is no longer account of the work of the Government Commission on Recognition and Verification of the Status of Survivors of Sexual Violence during the Conflict. The issue of trafficking of human beings is now gender-blind, with no attention to women and girls who are the majority of victims of human trafficking with the purpose of sexual exploitation.



## Intersectionality – reference to women subject to multiple discrimination

There is limited attention to women and girls belonging to minority communities in this year's report. The section on gender equality recognizes that women from Roma, Ashkali and Egyptian communities suffer multiple discrimination, including in access to education, employment and health services, but most other Chapters do not refer to women from minorities. Chapter 28 (Consumer and Health Protection) pays no attention to either minorities or women and girls, while Chapter 26 (Education and Culture) recognises the risk of dropout for children from Roma, Egyptian and Ashkali communities, but ignoring the higher rates of dropout for girls. There is some attention to women with different abilities in relation to access to health services but not in Chapter 28 (Consumer and Health Protection).

## References to roles and challenges of women's rights organisations

The report acknowledges that civil society remains active and diverse, playing a meaningful role in designing, implementing and overseeing EU-related reforms and in truth-seeking, reconciliation and memorialization initiatives. Crucially, the report recognises that women's rights organisations play a key role in advancing gender equality issues and that greater consultation with them would be beneficial in the context of policy and legislative reforms. The report could have highlighted the role of women's rights organisations in providing services to survivors of gender-based violence, including victims/survivors of violence during the war and their efforts to build a culture of peace and promote reconciliation across ethnic lines.

## Account of women's roles in peacebuilding, dealing with the past and reconciliation

The section on normalisation of relations between Kosovo and Serbia continues to be gender-blind, failing to include a gender perspective in the account of the highly volatile situation in northern Kosovo and the diverse impact of the rising tensions and availability of small arms on women and girls from local communities. The disregard for the Women, Peace and Security Agenda in the framework of the facilitated Belgrade-Pristina dialogue, despite numerous requests by women's rights organisations,<sup>20</sup> taints the EU's reputation as a credible actor in relation to UNSCR 1325. It remains unclear how current and future agreements will address the security needs of women and girls, especially as they are not represented in any official negotiation. The reference to the second Women, Peace and Security Forum organised by the President is welcome but insufficient.

## Integration of gender into other chapters/sections

The section on functioning of the labour market stresses the widening gender gap in employment and Chapter 19 (Social Policy and Employment) and provides a welcome analysis of the causes leading to women's low activity rates, including the lack of childcare and elderly care facilities, and unequal share of responsibilities in maternity, paternity and parental leave. Also, the report recognises that there are limited efforts to address discrimination of women in hiring procedures, promotion and pay. A specific recommendation to adopt measures to target women's low employment rates would be welcome. For the first time, Chapter 25 (Science and research) includes a specific recommendation to devise and implement a gender strategy for research at national level. Other key chapters such as Chapter 26 (Education and Culture), Chapter 28 (Consumer and Health Protection), 27 (Environment and Climate Change) are gender-blind.

<sup>20</sup> A Seat at the Table - Women's contributions to and expectations from peacebuilding processes in Kosovo, Kosovo Women's Network (2021).



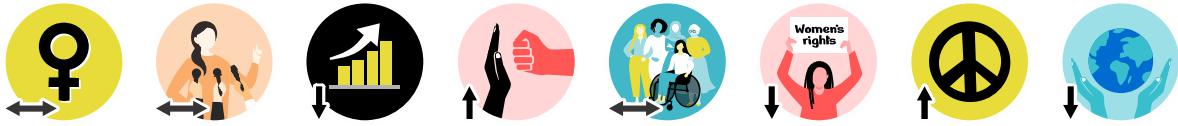
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## **RECOMMENDATIONS FOR THE 2025 KOSOVO REPORT:**

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1. Call for the adoption of the amendments to the Labour Law in line with the EU Work-Life Balance Directive, including well-regulated maternity, paternity and parental leave
2. Call for the adoption of the Civil Code and Law on Civil Status to safeguard the fundamental rights of all individuals including those of diverse genders, gender identities and sexual orientations and to eradicate discrimination based on sexual orientation and gender identity in Family law
3. Call for the harmonisation of the Law on Local Elections and Law on General Elections with the Law on Gender Equality to ensure equal representation of women and men in elected bodies
4. Ensure the upcoming Law on Finance institutionalises gender-responsive budgeting in line with the requirements of the Law on Gender Equality
5. Call for better coordination among institutional actors to address and prevent gender-based violence and recommend adequate allocation of resources for social services
6. Include a gender perspective in the section on normalisation of relations between Kosovo and Serbia, and report on the Women, Peace and Security Agenda as part of the EU-facilitated dialogue
7. Improve the intersectional perspective in the report, recognising how gender intersects with other social markers including age, disability, ethnicity, urban/rural location, and how this leads to multiple discrimination in relation to, among others, access to education, employment, property and health services in relevant chapters
8. Recognise the role of women's rights organisations in providing services to women victims/survivors of gender-based violence and their active role in peacebuilding, remembrance and reconciliation. Ensure expertise of women's rights organisations is called upon in gender mainstreaming of legislation and policies
9. Recommend the adoption of specific affirmative measures targeting women to increase their active participation in the labour market and to close the gender pay gap
10. Increase the number of chapters that are gender-mainstreamed, including chapter 11 (Agriculture and rural development), Chapter 27 (Environment and Climate Change), Chapter 28 (Consumer and health protection)

# Montenegro



**Best practice example:** focus on gender-based violence and need to further align legislation with provisions of Istanbul Convention, GREVIO<sup>21</sup> and CEDAW recommendations in the section on gender equality. Reference to patriarchal attitudes and stereotypes concerning women's and men's roles in family and society.

**Remaining gaps:** the absence of gender-equality recommendations across the chapters, especially at times when gender equality is dropping off the political agenda in Montenegro, severely limits the impact of the report.

## Summary

The gender mainstreaming of the 2024 Montenegro report<sup>22</sup> did not change substantially. The absence of official recommendations pertaining to gender equality, even in chapters where it would have been obvious to include them (Democracy, Fundamental rights, Social Policy and Employment), is concerning. In 2022, the report included three official recommendations and three recommendations in the narrative<sup>23</sup> pertaining to gender issues. It remains unclear why they were removed, given the worsening situation in many areas. As usual, thorough attention is paid to gender-based violence, including alignment with international treaties and recommendations of CEDAW and GREVIO, but this year there is no reference to the amendments to the Law on Protection on Domestic Violence and no reference to the key role of women's rights organisations in supporting victims/survivors of gender-based violence. A reference to UNSCR 1325 is included in Chapter 31 (Foreign, Security and Defence Policy).

## Attention to gender equality and LGBTQI rights

Overall attention to gender equality did not improve in this year's report. The lack of official recommendations relating to gender equality across the different chapters of the report, despite worsening situation in many areas, is a matter of concern. The report refers to the mid-term evaluation of the implementation of the 2021-2025 National Strategy for Gender Equality and the 2023-2024 Action Plan, which show a strong downward trend of budget allocations for gender equality and the marginalisation of gender equality on the political agenda. The report acknowledges that the Law on Gender Equality is insufficiently in line with the EU *acquis* and international standards<sup>24</sup>, but fails to issue a specific recommendation in this respect. On a positive note, the report refers to the concluding observations of CEDAW's third periodic report on Montenegro, calling, among others, to stop harmful practices such as sex-selective abortions and patriarchal attitudes and gender stereotypes regarding the roles of women and men in the family and in society. On LGBTQI rights, the report noted that the 2024-2028 Strategy for improving the quality of life of LGBTQI persons was adopted, but the objective of the previous strategy was not achieved. Also, the revision of the Criminal Code was in line with the 2020 Law on same-sex partnerships, but other pieces of legislation still need to be harmonised with it. In practice, discrimination and hate speech against LGBTQI persons continue, and judicial follow is inadequate. Also, the law on legal gender recognition is still pending adoption.

<sup>21</sup> GREVIO published its first thematic report on Montenegro in November 2024 with indication of urgent action needed.

<sup>22</sup> EC Country Report Montenegro (2024)

<sup>23</sup> The recommendations in the 2022 Montenegro Country Report were: 1) The Parliament should strengthen the professional and expert capacity of its administrative staff and improve women's political representation; 2) Improve the legal and institutional framework to ensure better access to justice, procedural rights and free legal aid for victims of human rights violations and crimes, in particular children, women, minorities, including Roma and Egyptians and persons with disabilities; 3) Continue the implementation of the Labour Law, and develop quality employment measures aimed at young people and women, people with disabilities, minorities and vulnerable persons impacted by the pandemic.

<sup>24</sup> See the State Audit Report recommending amendments to the Law on Gender Equality <https://dri.co.me/aktuelnost/objavljen-izvjestaj-o-reviziji-uspjeha-uspjesnost-sprovođenja-politike-rodne-ravnopravnosti-u-crnoj-gori>

## Women's political participation

This year, the section on elections includes a graph on women's participation in political life, which is currently low both at national and local level. Critically, the report notes that the unequal representation of women in politics is underpinned by insufficient efforts to address gender stereotypes, and failure of political parties to promote women's participation, but fails to issue a recommendation in this respect. The Parliament of Montenegro now has the lowest number of elected women members since the introduction of the quota system. Next year, the report should include a reference to the latest CEDAW recommendation, calling Montenegro to amend the Electoral Law in order to introduce the zipper system on electoral lists, and recommend Montenegro to adopt this measure to increase women's political participation.

## Inclusion of key statistics

There is little sex-disaggregated data in this year's report, but the new graphs are helpful. There is data on women in politics, women in public administration, violence against women and women's and men's employment rates. Chapter 18 (Statistics) refers to the need to collect sex-disaggregated data but fails to include it as an official recommendation.

## Attention to sexual and gender-based violence

The report addresses the issue of gender-based violence, touching upon the adoption of the National Plan for the implementation of the Istanbul Convention 2023-2027 and the amendments to the Criminal Code, which introduce two new criminal offences; sexual harassment and violence in a family or family community. It further notes that the Criminal Code does not address femicide, digital violence or gender-based hate speech, and that definitions of gender-based violence and domestic violence across legislation need to be further aligned with the Istanbul Convention and GREVIO recommendations.<sup>25</sup> It is welcome that the report mentions that further efforts are needed to ensure victims are aware of the right of free legal aid. The report should further highlight that Montenegro needs to amend the Law on Free

Legal Aid to include NGOs as specialised legal support providers in the budget funding. The same relates to the NGO amendments to the Draft Law on Domestic Violence, initiative to improve licensing of women's rights organisations service providers based on victims centered approach and sustainable funding. From next year, the report should include the official recommendations issued by GREVIO in its latest report.<sup>26</sup>

## Intersectionality – reference to women subject to multiple discrimination

The report pays attention to the situation of minorities and vulnerable groups, including Roma and Egyptians, persons with disabilities and LGBTQI persons. However, there is no specific attention to the multiple discrimination faced by women from vulnerable groups, with the exception of forced child marriages. Further attention to women belonging to minorities could be included in relation to health inequalities in Chapter 28 (Consumer and Health Protection), access to education, housing and property rights.

## References to roles and challenges of women's rights organisations

The report indicates that civil society operates in an enabling environment, yet while the role of civil society in policy making is formalised, at times it is purely symbolic. Also, it is critical that the report recognises that the government's Strategy for cooperation between state administration bodies and CSOs is insufficiently implemented. Currently, the Ministry for Cooperation with NGOs lacks transparency and is not holding regular dialogue with CSOs. Unlike previous years, the report ignores the key role women's rights NGOs play in supporting victims of gender-based violence, now also stressed by the latest GREVIO report.<sup>27</sup>

<sup>25</sup> Most recent recommendations are now available in the thematic report published by GREVIO in November 2024.

<sup>26</sup> First thematic evaluation report GREVIO (2024)

<sup>27</sup> Ibid.

### Account of women's roles in peacebuilding, dealing with the past and reconciliation

This year's report includes a reference to the fact that Montenegro needs to update its National Action Plan on Women, Peace and Security in Chapter 31 (Foreign, Security and Defence Policy), a welcome development. However, there is no information about women's participation in peace and security efforts.

### Integration of gender into other chapters/sections

This year's report did not continue the positive trend of further gender-mainstreaming chapters that were previously gender-blind. Chapter 19 (Social Policy and Employment) continues to stress

the gender gap in employment, mentioning that structural barriers affect female labour participation. However, there is neither further analysis of the structural causes of unequal employment levels nor recommendations put forth in this respect. In previous years, the report included an official recommendation to activate measures targeting women, persons with disabilities, minorities including Roma people and vulnerable people, which has been removed last year. Gender issues are no longer included in Chapter 25 (Science and Research), Chapter 23 (Financial Control) and Chapter 26 (Education and Culture). Chapter 6 (Company Law) includes a cursory reference to the EU Directive on women on boards. Chapter 28 (Consumer and Health Protection) should address the needs of women, minority and vulnerable groups in relation to access to quality health services.



Photo: Johanna de Tessieres

12 November 2024; Maja Raičević (WRC) and other partners at the Brussels Advocacy Week 2024, Belgium

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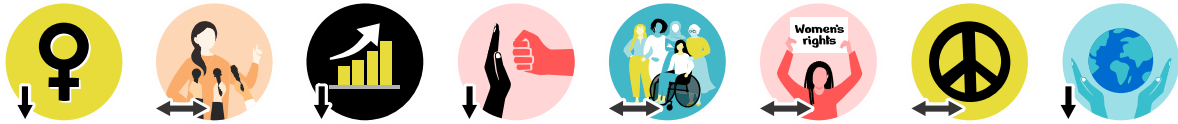
## **RECOMMENDATIONS FOR THE 2025 MONTENEGRO REPORT:**

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1. Recommend the adoption of the Law on Government and the Law on Parliament to ensure smooth functioning of the institutions and adequate checks and balances
2. Reintroduce an analysis of women's political participation in the section on parliament and recommend adhering to CEDAW<sup>28</sup> recommendations to amend the Electoral Law and strengthen the parliamentary representation and participation of women in political and public life
3. Include a recommendation to adopt the amendments to the Law on Domestic Violence and align the definition of gender-based violence and violence against women across legislation in line with the Istanbul Convention and GREVIO recommendations (which is now part of the narrative of the report)
4. Ensure the Law on Prohibition of Discrimination and institutional practice are fully harmonised with CEDAW. Establish single database on cases of gender-based discrimination at the national level
5. Recommend the adoption of specific affirmative measures targeting women, particularly from marginalised groups, to increase their active participation in the labour market and to close the gender pay gap in Chapter 19
6. Recommend that the system of licencing of NGOs providing specialised services to women victims/survivors of gender-based violence be mindful of the principles of confidentiality and autonomy of women's rights organisations, and ensure their funding, in line with GREVIO recommendations
7. Call for full implementation of the Law on NGOs and relaunch of meaningful cooperation and dialogue between ministries and NGOs
8. Adopt an intersectional perspective across different chapters, including information and data on Roma and Egyptian women, women from rural areas, women heads of households, women with different abilities, elderly women
9. Include additional information on Montenegro's commitments to the Women, Peace and Security Agenda in Chapter 31 (Foreign, Security and Defence Policy) with a cross-reference under the fundamental rights section
10. Recommend strengthening in-house gender expertise in all ministries, including appointing gender focal points

<sup>28</sup> Montenegro Third Periodic Report on the Implementation of the Convention on Elimination of All forms of Discrimination Against Women CEDAW, September 2021.

# North Macedonia



**Best practice example:** the focus on gender-responsive budgeting and the steps required to make it operational is a best practice example.

**Remaining gaps:** the absence of a specific recommendation pertaining to gender equality, such as the adoption of the draft Law on Gender Equality, the Labour Law and the Law on Harassment in the Work Space, in line with the EU acquis, is a key gap.

## Summary

The North Macedonia report<sup>29</sup> includes a more limited gender perspective across different chapters compared to previous years, probably due to the revised format, but the strong wording is welcome. The EC acknowledges that there has been no progress on gender equality but misses the opportunity to issue an official recommendation to adopt the Gender Equality Law and show progress in the implementation of the national strategy on gender equality 2022-2027 and corresponding action plan. The national policy framework for integration of gender equality should also further align with the EU acquis. Gender-based violence has practically disappeared from the report and there is no longer reference to the lack of capacity and coordination to gather and analyse sex-disaggregated data and statistics. The report could have recommended the adoption of the new Labour Law, which needs to be in line with the EU Work-Life Balance Directive. The reintroduction of the reference to women in the recommendation in Chapter 19 (Employment and Social Policy) is welcome. The report continues to acknowledge the rise of the anti-gender movement but fails to recognise the role played by government officials, key religious and political figures in supporting this harmful movement and narratives. On a positive note, Chapter 17 (Economic and Monetary Policy) critically focuses on the Organic Budget Law which introduced

gender-responsive budgeting and suggests steps required for its full implementation. Attention to the Women, Peace and Security Agenda is included in Chapter 31, (Foreign and Security Policy).

## Attention to gender equality and LGBTQI rights

The report acknowledges that there has been no progress on advancing gender equality in the reporting period and that the implementation of the national strategy for gender equality (2022-2027) is poor. Given the lack of progress, the EC should have issued an official recommendation in this respect, including in relation to the adoption of the Law on Gender Equality, now on hold for years due to the active campaigning of the anti-gender movement. For the second consecutive year, the report acknowledges the rise of the anti-gender movement and its impact on policy and legislative processes but fails to recognise the support received by government officials, religious and political figures. The country is also lagging behind in the alignment of its legal framework on hate speech and hate crimes, which do not recognise sexual orientation and gender identity as grounds for hate speech. On LGBTQI rights, the report continues to recognise that there has been no progress in improving the policy and legislative framework to advance LGBTQI rights. Also, the report indicates that there was no progress in implementing the ECHR judgment (January 2019) concerning legal gender recognition and that the legislation still does not recognise same-sex couples. The report could have also acknowledged that the rising anti-gender movement is fuelling intolerance, hate speech and attacks towards LGBTQI persons and activists.

<sup>29</sup> North Macedonia Country Report (2024)

## Women's political participation

The section on parliament includes a graph on women's political participation, but once again lacks critical analysis of the concerning trend of declining representation of women in politics. While the country elected its first female President, supported by the right-wing coalition, the overall trend of women's political participation is actually concerning. Only 3 out of 24 ministers in the current government are women (21 men) and only 2 out of 81 mayors (79 men), following the 2021 local elections. There is no gender analysis of the recent Presidential and Parliamentary elections of May 2024, in which the ODIHR EOM report<sup>30</sup> notes that while women comprised 43% of all parliamentary candidates, they were often placed at the lowest possible position allowed by the law. Also, gender equality issues were largely absent from campaign discourse. The report should include an overall analysis of women's political participation both at national and local level,<sup>31</sup> highlighting practices of political parties which prevent women from participating in elections and be appointed to decision-making positions and recommending the adoption of measures to ensure women's equal participation.

## Inclusion of key statistics

The report includes limited sex-disaggregated data. There is a graph on women's political participation, with more limited data compared to last year, and one on violence against women, but without accompanying narrative. Data on women in the public service is included. Chapter 19 (Social Policy and Employment) includes a graph on women's and men's activity rate. This year, the report does not acknowledge the lack of reliable sex-disaggregated data across sectors and how this hinders the possibility of developing evidence-based policies.

## Sexual and gender-based violence

This year's report offers almost no information on gender-based violence, in a step backward compared to previous years. The only references concern the limited implementation of the Istanbul Convention and the recommendations issued by GREVIO in 2023. Also, the report states that access to health services for victims of gender-based violence is hindered by the limited number of shelters and lack of personnel. The report no longer mentions the fact that the Law on the Prevention of and Protection from Violence against Women and Domestic Violence is lagging



14 November, 2024; Partner organisations from Western Balkans at the Brussels Advocacy Week 2024, Belgium

<sup>30</sup> Statements of preliminary findings and conclusions, Elections Observation Mission North Macedonia, ODIHR (2024)

<sup>31</sup> Women in politics 2: path to public office and impact at local level in North Macedonia, REACTOR Research in Action (2023)

behind due to the failure to adopt the relevant implementing legislation and to lack of funding. The report should highlight the main weaknesses in the response towards domestic and other forms of gender-based violence, and recommend adequate funding for women's rights organisations providing specialised services to victims/survivors. The section on human trafficking in Chapter 24 (Justice, freedom and security) is also gender-blind.

### **Intersectionality - reference to women subject to multiple discrimination**

There is limited attention to women facing multiple discrimination in this year's report. Chapter 23 indicates that the action plan for Roma women and girls is moderately implemented. There is no other reference to Roma women and girls in any other chapter of the report, especially noteworthy for Chapter 19 (Social Policy and Employment), Chapter 26 (Education and Culture) and Chapter 28 (Consumer and Health Protection). There is no attention to the phenomenon of forced marriages and to how women from minority groups are exposed to violence.

### **Reference to women's rights organisations**

The report indicates that civil society continues to operate in an enabling environment. While overall this is correct, the rising anti-gender movement supported at times by government officials, religious and political figures, is contributing to shrinking the space for civic activism, especially on sensitive issues such as gender equality, LGBTQI rights, sexuality education, sexual and diversity issues. Hate speech and attacks against HRDs and activists are also on the rise and remain largely unaddressed. The report should address this issue also in the section on civil society and include a specific recommendation. In relation to involvement of civil society in decision and policy-making, the report recognises that the government should increase efforts to consult with civil society, particularly after the Council for Cooperation between Government and Civil Society interrupted its activities. CSOs boycotted it due to the lack of fair and transparent procedures for the allocation of public funding and lack of participatory decision-making. The EU

report should further emphasise the key obstacles affecting CSOs' participation in decision-making.

### **Account of women's roles in peacebuilding, dealing with the past and reconciliation**

This year's report refers to the second National Action Plan on Women, Peace and Security, which is currently being implemented, in Chapter 31 (Foreign and Security Policy), which is welcome, but fails to refer to the challenges in its implementation and lack of transparency of the process. The only available information on Women, Peace and Security implementation can be retrieved from the Ministry of Defence 2024 report.<sup>32</sup>

### **Integration of gender into other chapters/sections**

With the exception a reference to the Organic Budget Law, which introduced the principle of gender-responsive budgeting, in the section on public financial management, there was no noticeable progress in integrating a gender perspective in other chapters. Chapter 19 (Social Policy and Employment) indicates that the gender gap in employment persists, but provides no analysis of the structural barriers women face in employment, such as unpaid care work as highlighted in the 2023 report. Data on women's and men's activity rates is included in a graph. The reports should have further focused on the need to adopt the Labour Law and the Law on sexual harassment in the workplace, which have been pending for years. Chapter 28 (Consumer and Health Protection) mentions the launch of North Macedonia's first ever breast cancer screening campaign and a doubling of cervical cancer screenings in 2023, yet the free smear test for cervical screening is now every three years instead of every year, affecting women especially from marginalised groups. It also notes that efforts to address health inequalities are mainly led by international NGOs. Chapter 26 (Education and Culture) pays attention to the inclusion of children with different backgrounds in primary schools, but does not mention girls specifically. Chapter 10 (Digital transformation and Media) no longer refers to the analysis of gender equality in media and fails to mention the amendments to the Law on Audio and Audiovisual Media Services.

<sup>32</sup> Annual Report on the realization of the activities of the second National Action Plan of the Republic of North Macedonia for the implementation of the United Nations Security Council Resolution UNSCR 1325, Ministry of Defence, Republic of North Macedonia. (March 2024).



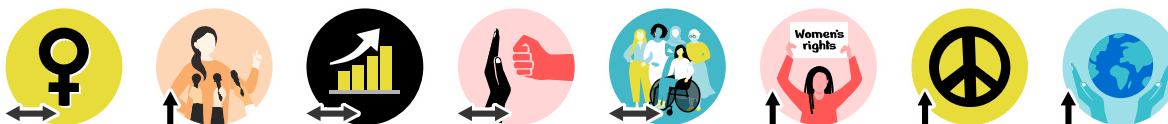
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## **RECOMMENDATIONS FOR THE 2025 NORTH MACEDONIA REPORT:**

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1. Recommend the adoption of the draft Law on Gender Equality, of the Law on Labour in line also with the provisions of the Work-Life Balance Directive, Pay Transparency Directive and the Law on Sexual Harassment in the Workplace
2. Include an overview of women's political participation both at national and local level and recommend revising the Electoral Code to ensure equal representation of women in politics at national and local level and reintroduce the recommendation to political parties
3. Monitor developments of the anti-gender movement and its detrimental effects on gender equality, rights of LGBTQI persons and anti-discrimination. Call on authorities to refrain from attacks on gender equality principles, which are founding principles of the EU, and use of hate speech against HRDs, feeding and fomenting anti-gender movement
4. Call for strengthening the enabling environment, safety and security for CSOs and HRDs by tackling and processing cases of misinformation, hate speech and attacks against activists, ensuring protection to CSOs/HRDs against smear campaigns
5. Reintroduce an overview of different forms of gender-based violence, coupled with sex-disaggregated data and systemic weaknesses in addressing these crimes and acknowledge the role of specialised women's rights organisations in providing services to victims/survivors of gender-based violence
6. Recommend the government to improve systems for collecting and sharing of sex-disaggregated data and reinforcing the mandate of the State Statistical Office in this respect in Chapter 18 (Statistics)
7. Recommend establishing meaningful cooperation and consultation mechanisms between state institutions and civil society in the framework of the EU accession process.
8. Recommend the adoption of the new Law on textbooks and other didactical and teaching materials that include mechanisms for prevention of discriminatory and stereotypical contents in textbooks in Chapter 26
9. Continue reporting on the alignment of North Macedonia to the EU priorities in relation to Women, Peace and Security and the implementation of the second National Action Plan on UNSCR 1325 in Chapter 31
10. Improve the intersectional perspective across different chapters, by highlighting the situation of women subject to multiple discrimination such as Roma women, women in rural areas, migrant, asylum seeking and refugee women, women in prostitution

# Serbia



**Best practice example:** Focus on role of women's rights organisations in providing services to victims of gender-based violence and how this should be standardised and resourced.

**Remaining gaps:** The section on normalisation of relations between Kosovo and Serbia is still gender-blind and there is no attention to the (lack) of involvement of women in the EU-facilitated dialogue between Belgrade and Pristina.

## Summary

The 2024 Serbia report<sup>33</sup> includes three official recommendations relevant for women's rights, one in Chapter 23 (Fundamental Rights), one in Chapter 19 (Social Policy and Employment) and one in Chapter 24 (Justice, Freedom and security) related to human trafficking. Also, for the first time, Chapter 31 (Foreign and Security Policy) includes a reference to the National Action Plan on Women, Peace and Security, which is welcome. The report should use stronger language in condemning the government's failure to address corruption, ensure independence of the judiciary, comply with human rights, freedom of expression and assembly and respect for democratic standards. Clear and strong recommendations should be issued in this respect. The report should also reaffirm that gender equality is one of the founding principles of the EU and remains a key condition for accession, while there are clear attempts to erode gender equality legislation. While the report acknowledges the hostile environment in which civil society operates, including verbal attacks and smear campaigns against CSOs and activists, it fails to issue a specific recommendation in this respect. Next report should also address the government's use of digital surveillance, arbitrary arrests and judicial harassment of citizens organising peacefully, as evidenced in a recent report.<sup>34</sup> Women's rights organisations, female journalists and activists

continue to be targeted for their work and for speaking up against corruption of the government, their crucial role should be mirrored in the report. The section on elections includes a welcome focus on women in political life, highlighting how women candidates in the local elections had limited visibility and were portrayed in traditional settings.

## Attention to gender equality and LGBTQI rights

The section on gender equality could use stronger language to condemn the current backlash against the very notion of gender equality, which is a founding principle of the EU, carried out by government and institutions. The challenging of the constitutionality of the Gender Equality Law by the Ombudsman, the institution in charge for the protection of human rights, is a clear sign that there is a political will to attack women's rights and equality in Serbia, with the risk of dismantling previously established guarantees and creating legal uncertainty. The EU should issue a clear recommendation for the respect and full implementation of the Gender Equality Law, in line with the EU *acquis*. On LGBTQI rights, the report notes that there were no developments on the draft law on same-sex partnerships and on regulation of legal gender recognition. The Country Report's mention of the Pride Info Centre's premises in Belgrade being subjected to multiple attacks and that in September 2024 the centre closed due to lack of financial and institutional support is welcome, though women's rights organisations have documented continued attacks on many other women's and LGBTQI rights activists, including trends over time, none of which appear in the report for the reporting period.<sup>35</sup> These attacks and security threats on women HRDs are clear consequences of the current political climate which aims to attack and restrict human rights.

<sup>33</sup> EC Country Report Serbia (2024).

<sup>34</sup> A digital prison, surveillance and suppression of civil society in Serbia, Amnesty International (2024)

<sup>35</sup> See 'Womens Rights in Western Balkans Report (2024)

## Women's political participation

There are improved references to women's political participation, especially in the section on elections. It is positive that the report highlights that women remain underrepresented in political life and that women candidates had limited visibility during the campaign for the June elections, and were predominantly portrayed in traditional settings, while the campaign rarely addressed issues related to gender equality. However, the report should further note that this pattern is rooted in a political culture dominated by misogyny, sexism, gender stereotypes and verbal attacks wherein female candidates face disproportionately more barriers to entering the political sphere compared to male candidates. The EU should issue an official recommendation to Serbia to address this problem, including sanctioning violence against women politicians online and offline, and adopt measures to ensure a more equal playing field for increased participation of women in politics.

## Inclusion of key statistics

The report is generally lacking sex-disaggregated data and statistics. There are three graphs: on women in politics, violence against women and women's and men's economic activity. The section on gender equality includes a welcome reference to improve the collection of sex-disaggregated data and statistics, though this should have been included in Chapter 18 (Statistics) as an official recommendation. It is necessary to include statistics on discrimination in the report, which are foreseen to be collected by the Commissioner for the Protection of Equality, according to the amendments to the Law on Prohibition of Discrimination.

## Attention to sexual and gender-based violence

The section on gender-based violence does not contain new information compared to 2023, with the exception of the reference to obstetric violence, but highlights the most critical issues. The report refers to the delayed adoption of the Action Plan and funding related to the Strategy on Violence against Women and Domestic Violence and mentions that Serbia still needs to implement the 2019 GREVIO recommendations, including in relation to the definition of rape in the Criminal Code. It is welcome that the report indicates that Serbia lacks official statistics on gender-based

violence disaggregated by type of violence and relationship between the victim and perpetrator. It is also welcome that the report stressed, for the second consecutive year, that CSOs are providing most services to survivors of gender-based violence, despite limited budgets. The report could further address the issue of access to free legal aid for all victims of gender-based violence, which is yet another service for victims/survivors of gender-based violence that is provided by CSOs. One positive trend is that Chapter 24 (Justice, Freedom and Security) continues to include a crucial recommendation to implement the programme on human trafficking and strengthen the protection and support of victims. Next year, the report could stress that the majority of victims/survivors of trafficking are women and girls.

## Intersectionality - reference to women subject to multiple discrimination

The section on gender equality recognises that Roma women, older women, poor women, women with different abilities, refugees and internally displaced women face multiple intersecting forms of discrimination, but there are no other references to this in other chapters of the report and intersectionality is therefore not mainstreamed throughout the report. Also, the report stresses that attention should be paid to ensuring equal access to safe houses for all women, including refugee and migrant women, transgender women and women from other marginalised groups. Gender-specific forms of violence to which women with disabilities are exposed in residential institutions are acknowledged. Further attention to Roma women and girls as well as other women from vulnerable groups should be mainstreamed in Chapter 19 (Employment and Social Policy), Chapter 26 (Education and Culture) and Chapter 28 (Consumer and Health Protection).

## Reference to women's rights organisations

The report indicates that further efforts are needed to ensure systematic, genuine and meaningful cooperation with civil society. The constant attacks, surveillance and smear campaigns against civil society, including by high-level officials are seriously harming the civic space and leading to self-censorship. The situation is

particularly dire for activists monitoring electoral irregularities, environmental damage, glorification of war criminals, lithium mining and promoting women's and LGBTQI rights. Women's organisations wrote an open letter<sup>36</sup> to the Ministry for Human and Minority Rights to denounce government's corruption and conflict of interest in the allocation of public funds on gender-based violence and the detrimental impact on their work. In this light, it is welcome that the report notes that the transparency and fairness of public funding to organisations providing services to survivors of gender-based violence need to be significantly improved, though this would have had more clout in the form of an official recommendation. The fundamental rights section also rightly acknowledges that police protocols do not mandate cooperation with specialist support services or referral of victims/survivors, leading to an underuse of CSO expertise in this area.

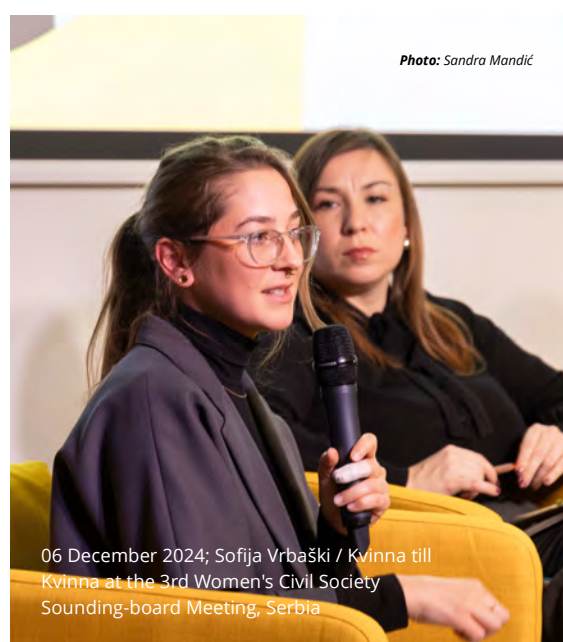
### Account of women's roles in peacebuilding, dealing with the past and reconciliation

For the first time this year, Chapter 31 (Foreign, Security and Defence Policy) refers to the need to adopt the third National Action Plan on Women, Peace and Security 2024-2026, a welcome and important development. The section on Normalisation of Relations between Kosovo and Serbia remains gender-blind, despite EU's and Serbia's commitments to the implementation of UNSCR 1325 which foresees the participation of women and integration of a gender perspective in all peace negotiations and peacebuilding. The report should highlight that the Law on Missing Babies and the Law on the Rights of the Veterans, Disabled Veterans, Civilian Invalids of War and their Family Members disregard the rights of women survivors of sexual violence. Although they are leading actors in peacebuilding, there is also no reference to women's civil society activism aimed at promoting reconciliation across borders and ethnic communities.

### Integration of gender into other chapters/sections

Like previous years, Chapter 19 (Social Policy and Employment) indicates that the position of women in the labour market remains

unfavourable compared to that of men. Not only is men's employment rate higher than that of women but their wages are also 8.8% higher. The report addresses the issue of the unequal share of unpaid care work carried out by women and the fact that stereotypes about childcare and household work being a women's responsibility persist. An official recommendation on ensuring adequate employment measures for the young, women and long-term unemployed is included. There is a welcome reference to the fact that legislation on maternity, paternity and parental leave is not fully aligned with the EU acquis, including the Work-Life Balance Directive. Chapter 28 (Consumer Health and Protection) includes only a cursory reference to health inequalities and has not further expanded to cover access to health services for women and girls, including those belonging to disadvantaged or minority groups. Reference to the national programme on sexual and reproductive health should be included under this chapter rather than Chapter 23. This could be further expanded next year to include reference to sexual and reproductive health and rights of women and girls. Chapter 26 (Education and Culture) refers to the need to reduce dropout rates, especially of women and girls, but no longer highlights efforts to build student competencies related to gender equality, health, reproductive health, mental health, sex education, and prevention of, and response to, all forms of gender-based violence, including sexual abuse, as dictated by the Gender Equality Law.



<sup>36</sup> Open letter by womens organisations to the Ministry for Human and Minority Rights and Social Dialogue (2024).

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## **RECOMMENDATIONS FOR THE 2025 SERBIA REPORT:**

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1. Condemn the government's suppression of political and civil liberties, verbal attacks and smear campaigns on human rights defenders and civil society at large, arbitrary arrests and judicial harassment of citizens organising peacefully to protest against government's corruption and nepotism
2. Remind the authorities that full respect and guarantee of freedom of expression, assembly and association, as well as democratic principles, are a *condicio sine qua non* for EU membership
3. Remind the authorities that gender equality is a founding principle of the EU and recommend them to refrain from dismantling key legislation on gender equality and move on decisively to further align legislation with the EU *acquis*, including the Istanbul Convention, the Directive on Violence Against Women and Domestic Violence, the Victims' Rights Directive and the Work-Life Balance Directive
4. Recommend authorities to adopt outstanding action plans and the protection of rights of LGBTQI persons and minorities, full implementation of Law and Strategy on Non-discrimination and implementation of hate crime legislation
5. Include an analysis of factors preventing women's political participation at national and local level coupled with clear recommendations on the implementation of the newly introduced quota of 40% for the least represented gender
6. Closely monitor and report on the implementation of the Programme to Prevent and Suppress Human Trafficking for the purpose of sexual exploitation, labour exploitation as well as multiple exploitations, with particular attention to the rights of victims/survivors
7. Continue to acknowledge the role of women's rights organisations, who are increasingly under attack, on providing intersectional support to victims/survivors of gender-based violence, advocating for legal and policy changes to improve the situation of women and girls and reaching those from minority communities or vulnerable groups
8. Include a gender perspective in the description of the outstanding legacies of the 1990s' conflicts, including sex-disaggregated data on refugees, IDPs and missing persons, and victims/survivors of war-time sexual violence and include a reference to UNSCR 1325 in Chapter 31 (Foreign and Security Policy) and in the section on Normalisation of Relations between Serbia and Kosovo
9. Introduce an official recommendation to create a database for the collection of sex-disaggregated data and statistics in various domains, including on gender-based violence, in Chapter 18 (Statistics)
10. Further integrate the situation of women facing multiple discrimination such as Roma women, women refugees and IDPs, elderly women, women from rural areas, women heads of households including in Chapter 26 (Education and Culture) and Chapter 28 (Consumer and Health Protection)

# Annex 1

Country	Chapter	Official recommendations in grey boxes	New / old recommendation
<b>Albania</b>	Chapter 28 (Consumer and Health Protection)	Increase the financial and human resources in the health sector, specifically in primary healthcare and all-hazard health emergency preparedness, and guarantee equal access to quality health services for vulnerable populations, in particular for women and girls who belong to these groups.	Revised
<b>Bosnia and Herzegovina</b>	Chapter 23 (Fundamental Rights)	Harmonise and improve legislation against domestic and gender-based violence to meet international standards and align laws across the country to the Gender Equality Law to increase the public and political participation of women	Old
	Chapter 19 (Social Policy and Employment)	Introduce a uniform minimum level of maternity leave benefits and protection throughout the country, starting by harmonising the definitions of maternity, paternity and parental leave.	Old
<b>Kosovo</b>	Chapter 23 (Functioning of judiciary)	Ensure solid criminal investigations, improve the quality of indictments and ensure effective criminal procedures, including cases of gender-based violence. To this end, strengthen the cooperation between prosecutors and police as well as prosecutors' leading role in investigations	Revised
	Chapter 23 (Fundamental rights)	Strengthen implementation of the Law on gender equality and the Strategy on gender-based violence; appoint a new head of the Agency for Gender Equality; and enhance gender mainstreaming of legislation, regulations and policies.	Revised

	Chapter 19 (Social Policy and Employment)	Adopt the Law on employment and amendments to the Law on labour to align its legal framework with the recent EU <i>acquis</i> , notably in relation to non-discrimination in employment and parental leave.	Old
	Chapter 25 (Science and Research)	Devise and implement a gender strategy for research at national level, as well as for full integration and promotion of women and girls in research and in science, technology, engineering and mathematics.	New
<b>Montenegro</b>	Chapter 23 (Fundamental rights)	Adopt a new law on anti-discrimination and a new law on personal data protection, in line with the EU <i>acquis</i> , European and international standards.	Revised
<b>North Macedonia</b>	Chapter 19 (Social Policy and Employment)	Continue to implement labour market activation strategies for young people, the long-term unemployed and low-skilled individuals, as well as for women, persons with disabilities, and Roma, and ensure that these measures are properly evaluated.	Revised
<b>Serbia</b>	Chapter 23 (Fundamental rights)	Adopt and allocate appropriate financial and human resources for the pending action plans on violence against women, deinstitutionalisation, anti-discrimination – including the rights of LGBTIQ persons – and violence against children, and ensure timely reporting on their implementation; actively counter hate crimes and establish a track record of investigations and convictions;	Revised
	Chapter 24 (Justice, Freedom and Security)	Implement the programme for fight against human trafficking, increase national coordination efforts and strengthen the protection of and support to victims.	Revised
	Chapter 19 (Social Policy and Employment)	Conduct a functional review of active labour market policies and the workload of national employment service advisers to ensure adequate financial and institutional resources for employment and social policies and target more systematically young people, women and long-term unemployed people, and continue implementing the Youth Guarantee pilot;	Revised



*Photo: Johanna de Tessieres*

11 November 2024; Brussels Advocacy Week 2024 - Partner organisations and Kvinna till Kvinna in front of the EU Parliament, Belgium



**For all women's rights,  
in every corner of the world.**