

Between Rights and Reality: Barriers to Women's Access to Economic and Social Rights in Serbia



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All expressions used in this publication apply equally to persons of all genders, regardless of the grammatical gender in which they are listed.

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1.

Introduction

Economic and social rights constitute the foundation of a life of dignity and are essential to the achievement of substantive equality in any society. In the Republic of Serbia, despite the existence of a formal legal framework that guarantees these rights to all citizens, their realization in practice continues to face significant challenges. Women—particularly those belonging to multiply marginalized groups—are disproportionately affected by these barriers, further deepening existing inequalities and constraining their full social and economic potential. Although the Constitution of the Republic of Serbia guarantees gender equality, and the State is a signatory to key international instruments such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the path from formally recognized rights to their effective enjoyment remains long and fraught with obstacles.¹

The purpose of this publication is to identify and analyze the principal barriers faced by women—especially those from marginalized communities—in their efforts to exercise economic and social rights. Drawing on practical experience, an analysis of available reports by domestic stakeholders, and findings from relevant United Nations bodies, this study seeks to highlight systemic shortcomings, administrative barriers, and deeply entrenched social norms that prevent women from fully exercising their rights to adequate housing, employment, economic security, and social protection. By providing a comprehensive overview of these issues, the report aims to offer concrete recommendations for improving public policies and practices, with a view to ensuring that economic and social rights become a lived reality for all women in Serbia.

Adopting a gender perspective in examining these challenges is essential. Such a perspective enables a clearer understanding of how socially constructed roles, stereotypes, and structural inequalities shape the lived experiences of women and men differently. Women frequently

¹ The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted by the United Nations General Assembly in 1979.

encounter specific barriers arising directly from sex and gender—ranging from unpaid domestic and care work, through overrepresentation in lower-paid and insecure sectors, to an increased risk of poverty and economic dependency. The 2023 UN Women report confirms that, although women in Serbia formally enjoy the same rights as men, their position in practice remains less favorable, exposing them to discrimination, stereotypes, and violence.² Ignoring these gender-specific factors leads to the development of “gender-neutral” policies which, in practice, not only fail to address existing challenges but often further exacerbate inequalities.

Particular attention in this analysis is devoted to women from multiply marginalized groups, including Roma women, women with disabilities, single mothers, women living in rural areas, refugees and internally displaced women, as well as women living in extreme poverty. These groups face intersecting and layered forms of discrimination, where gender inequality is compounded by discrimination based on ethnicity, disability, social status, or place of residence. For example, women in rural areas are identified as being at heightened risk of multiple discrimination, as highlighted in the thematic focus of United Nations reports.³ Similarly, an Amnesty International report on the automation of the social protection system in Serbia demonstrates how administrative barriers and the digital divide disproportionately affect the most vulnerable groups, including Roma communities and persons with disabilities, effectively distancing them from systems of support.⁴ Understanding their specific experiences and the barriers they face is a prerequisite for designing inclusive and effective solutions that leave no one behind.

2 Beker, K., Janjić, B., & Čović, A. (2024), Report on Women's Rights and Gender Equality in Serbia for 2023, FemPlatz & UN Women, https://femplatz.org/library/reports/2024-03-19_PreneraZena_2023_SR.pdf

3 *Ibid.*

4 Amnesty International (2023). Trapped by Automation: Poverty and discrimination in Serbia's welfare state, <https://www.amnesty.org/en/latest/research/2023/12/trapped-by-automation-poverty-and-discrimination-in-serbias-welfare-state/>

2.

Right to Adequate Housing

The right to adequate housing is a fundamental human right, inseparable from other rights such as the rights to life, health, and dignity. However, for many women in Serbia, this right remains out of reach. Structural inequalities, economic vulnerability, and administrative barriers create a vicious cycle in which the lack of adequate housing becomes both a cause and a consequence of social exclusion. Women from marginalized groups are particularly affected, as they face multiple and overlapping barriers in accessing safe and secure housing.

Barriers to the Exercise of Rights

One of the most severe violations of the right to housing is forced eviction, which disproportionately affects Roma communities and residents of informal settlements. Reports by international organizations, such as Amnesty International and the OSCE, have for years documented the practice of forced evictions in Serbia, often carried out without a sufficient legal basis, prior notice, or the provision of alternative accommodation.⁵ These evictions not only leave families without shelter, but also lead to deeper poverty and social exclusion. Women and children are particularly vulnerable in such situations, facing the loss of security, disruption of education, and increased exposure to violence.

The issue of informal settlements is widespread, with an estimated 580 such settlements across Serbia.⁶ Life in these settlements is characterized by a lack of basic infrastructure, including access to safe drinking

5 Amnesty International (2010). Serbia: Stop the forced evictions of Roma settlements, <https://www.amnesty.org/en/documents/eur70/003/2010/en/>; OSCE/ODIHR (2012). Forced evictions, inadequate housing and Romani women, <https://odih.osce.org/sites/default/files/f/documents/a/2/95145.pdf>

6 UN Special Rapporteur on adequate housing (2016). Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, on her mission to Serbia and Kosovo, <https://digitallibrary.un.org/record/831292?v=pdf>

water, sanitation, electricity, and public services. For women, this translates into a daily struggle with unhygienic living conditions, directly affecting both their health and the health of their children. The lack of safety and privacy in such environments further increases the risk of gender-based violence.⁷

An additional barrier is the inability to register residence, a common issue for residents of informal settlements, as well as for women who have survived domestic violence and left their homes. Without registered residence—i.e., without an official address—it becomes nearly impossible to exercise a wide range of other rights, from access to social assistance and healthcare to enrolling children in school and obtaining formal employment. It is important to note that the Law on Permanent and Temporary Residence provides for the possibility of registering residence at the address of the competent Center for Social Work for persons who are unable to do so otherwise. In practice, however, this provision has not been fully implemented, largely due to the reluctance of competent institutions to inform beneficiaries, as well as the refusal of the police to establish such residence. Even when such registration is initiated, the procedure is complex and unduly lengthy. This administrative labyrinth creates an insurmountable barrier for many women, leaving them in a state of legal invisibility and economic dependence.⁸

The Gender Dimension of Housing Inequality

Housing inequality has a pronounced gender dimension. Women with children—particularly single mothers—face specific challenges in the housing market. Economic dependence and lower incomes further limit their ability to secure adequate housing. In situations of domestic violence, the lack of viable housing alternatives is often a key reason

7 Equal Rights Trust (n.d.). Research on access to socio-economic rights for Roma women in Serbia, <https://www.equalrightstrust.org/ertdocumentbank/Access%20to%20Socioeconomic%20Rights%20for%20Roma%20Women.pdf>

8 For more information: “A System Adverse to the Poor – Social Rights Trapped Amid Obsolete Regulations, Algorithmic Decision-Making, and Disregard for International Obligations, Report on Economic and Social Rights in Serbia in 2024”, A 11 – Initiative for Economic and Social Rights, 2025, pg. 115.

why women remain in abusive environments. After leaving a partner, women face an increased risk of homelessness, as property relations and traditional norms often favor men as property owners⁹. It is also important to note that temporary accommodation as a social protection service—namely, safe houses for women victims of violence—is not equally accessible to all. Lesbians, Roma women, and women with disabilities are often excluded from such services due to their insufficient adaptation to their specific needs, leaving them without access to this form of accommodation.

In rural areas, the position of women is further compounded. Traditional patterns of property inheritance frequently exclude women, leaving them without ownership of the land and homes in which they live and work. According to available data, women in Serbia own only one quarter of total property, rendering them economically dependent and legally vulnerable¹⁰. In the event of divorce or the death of a spouse, these women risk being left without any means of subsistence or shelter. An additional aggravating factor arises in situations where women renounce their inheritance rights (which, in practice, is most often the result of social pressure and deeply entrenched traditional norms) and subsequently find themselves in conditions of material hardship, as they are then not entitled to social assistance. Specifically, Article 82, paragraph 1, item 2 of the Law on Social Protection stipulates that an individual or family is not eligible for financial social assistance if the individual or a family member has sold or gifted immovable property, renounced the right to inherit such property, or if the period has not elapsed during which, based on the market value of that property, they could have secured support within the meaning of this Law. In practice, this restriction has a disproportionate impact on women in rural and less urbanized areas, where traditional inheritance patterns remain deeply rooted.¹¹ It effectively results in a double burden for these women: first, they are de facto compelled to forgo their inheritance, and subsequently, they are denied material support from the state. This barrier has been recognized, and a number of initiatives have been undertaken to address it; however, no

9 Beker, K., Janjić, B., & Čović, A. (2024), *Ibid.*

10 Beker, K., Janjić, B., & Čović, A. (2024), *Ibid.*

11 "What is My Share", ŽUKO, <https://api.zuko.org.rs/public/storage/2024/02/14/30903bce-8d3722a94df90c63f1bd2a942f7178b4.pdf>

amendments have yet been introduced. Practice in Montenegro, where similar traditional patterns persist, indicates that the legislator has acknowledged this issue, and the conditions for access to social assistance have been adjusted in a manner that avoids placing individuals at a disadvantage in cases of renunciation of inheritance.

In its concluding observations on Serbia, the CEDAW Committee expressed concern regarding the situation of women in rural areas and Roma women, and called upon the state to take urgent measures to ensure their access to adequate housing, healthcare, and education.¹² Without a systemic approach that takes into account the specific needs and barriers faced by women, the right to adequate housing will remain a mere formal guarantee for thousands of women in Serbia.

¹² CEDAW (2019). Concluding observations on the fourth periodic report of Serbia (CEDAW/C/SRB/CO/4).

3.

Right to Work and Economic Security

The right to work and economic security constitute essential prerequisites for independent living and equal participation in society. Although this right is guaranteed by the Constitution and relevant legislation, women in Serbia continue to face systemic discrimination, structural barriers, and deeply entrenched patriarchal norms in the labor market, all of which constrain their economic potential. Gender disparities in employment, wages, and access to resources remain pronounced, with their consequences most acutely reflected in economic dependency and poverty.

Barriers to the Exercise of Rights

One of the most significant challenges to women's economic security is informal employment. A substantial number of women, particularly in sectors such as agriculture, domestic work, hospitality, and trade, are engaged in work without formal employment contracts. According to data from the Statistical Office of the Republic of Serbia, the overall rate of informal employment stands at 11.4%, but rises to as much as 50.4% in agriculture¹³—a sector in which women, particularly in rural areas, are significantly represented. Work performed outside formal employment relationships—commonly referred to as undeclared work—deprives women of fundamental labor rights, including paid sick leave, annual leave, and pension and health insurance. In cases of illness, pregnancy, or old age, these women are left without any form of social protection, placing them in a state of complete economic insecurity.

Even when formally employed, women often face precarious working conditions, such as fixed-term contracts that are repeatedly renewed. This practice enables employers to terminate employment more easily simply by choosing not to renew contracts, and particularly affects

¹³ Statistical Office of the Republic of Serbia (2025), Labor Force Survey, Q2 2025, <https://www.stat.gov.rs/sr-latn/vesti/statisticalrelease/?p=17102>

young women planning to start families. Fear of job loss discourages women from exercising their right to maternity leave, while those who do so risk not having their contracts renewed. This constitutes a direct violation of legal provisions designed to protect pregnant women and new mothers; however, labor inspections are often insufficiently effective in curbing such practices. Although this issue has been widely recognized in international reports, the work of independent human rights institutions, and strategic policy documents, the state has not taken sufficient or adequate measures to prevent this form of discrimination. Moreover, when viewed in the context of state policies that have, in recent years, actively promoted a narrative of increasing birth rates, it can be observed that comparatively little attention has been devoted to this issue, with policy measures largely focused on financial incentives.¹⁴

The consequence of such a position in the labor market is economic dependence on a partner or family, which constitutes a key factor of vulnerability. Economic dependence limits women's ability to make independent life choices and often keeps them trapped in abusive relationships. The inability to secure basic means of subsistence for themselves and their children represents an insurmountable barrier to escaping cycles of violence.

The Gender Dimension of Economic Vulnerability

The labor market in Serbia is markedly gender-segregated. Women are disproportionately concentrated in lower-paid sectors such as health-care, social protection, education, and the textile industry. By contrast, their participation in higher-paid and faster-growing sectors, such as information technology and construction, remains significantly lower. This phenomenon, known as horizontal segregation, directly contrib-

¹⁴ For instance, in outlining the prioritized measures, the relevant minister highlights financial assistance, the role of local authorities, and improved access to information, <https://www.021.rs/info/srbija/435531/ministarka-uprkos-roditeljskom-dodatku-parovi-u-srbiji-se-i-dalje-tesko-odlucuju-za-drugo-dete>. While substantial resources have been allocated to new housing initiatives, the issues of employment stability and the permanence of work arrangements remain insufficiently acknowledged as significant challenges within these policies, <https://www.tanjug.rs/ekonomija/srbija/213671/zaric-kovacevic-srbija-nastavlja-da-gradi-sistem-podrske-po-meri-svake-porodice/vest>

utes to the gender pay gap. According to data from the Statistical Office of the Republic of Serbia, women earn up to 20% less than men of the same age, with the pay gap being most pronounced in the 35–39 age group (20.19%), as well as among highly educated individuals—where women with higher education earn as much as 26.7% less than men with the same level of education. From a regional perspective, the largest gap is recorded in Belgrade (20.04%), while the smallest is observed in Šumadija (9.34%). An additional factor affecting women’s economic position is absence from paid work due to caregiving responsibilities. Unpaid domestic work and care for others continue to be predominantly perceived as “women’s work.” Women spend significantly more time performing these tasks than men, which limits their time and energy for paid employment, professional development, and career advancement. Taken together, these factors contribute to the phenomenon of the “feminization of poverty” in older age¹⁵. Over the past ten years, the poverty rate among women aged 75 and over has increased by nearly 8 percentage points, while the increase among men amounted to only 2.7 percentage points. The key driver of this inequality lies in the pension system, which reproduces disparities originating in the labor market: women in Serbia have a pension coverage rate that is 5.5 percentage points lower than that of men, and their average pensions are approximately 32% lower. Regression analysis indicates that, if women were to receive the same type and level of pensions as men, the risk of poverty among older women would not exceed that of men—clearly demonstrating that poverty among older women is a systemic, rather than an individual, issue¹⁶.

An International Labor Organization (ILO) report on youth transitions into the labor market in Serbia indicates that young women are at a disadvantage compared with young men, facing higher unemployment rates and a greater likelihood of employment in the informal economy,

15 Marić, D. (8 March 2025). “The Gender Pay Gap in Serbia: Women Still Earn Up to 20% Less Than Men!” *Nova Ekonomija*, <https://novaekonomija.rs/vesti-iz-zemlje/platni-jaz-u-srbiji-zene-i-dalje-zaradjuju-i-do-20-odsto-manje-od-muskaraca>

16 Vladislavljević, M. (2025). *Gender Disparities in Poverty, Pension Access, and the Labor Market: Women at a Crossroads*, <https://www.zenenaprekretnici.org/wp-content/uploads/2025/11/Finalno.M.Vladislavljevic-1.pdf>

particularly in rural areas.¹⁷ CEDAW Committee has likewise expressed concern regarding the persistent gender pay gap and labor market segregation, and has called upon Serbia to intensify its efforts to promote equal employment opportunities and the economic empowerment of women, with a particular focus on women in rural areas, Roma women, and women with disabilities¹⁸.

3.1. Women Entrepreneurs and Maternity Rights: Discrimination in Practice

Entrepreneurship is increasingly promoted as a pathway to women's economic independence and empowerment. However, in Serbia, women who choose entrepreneurship face a specific form of institutional discrimination that places them in an unequal position at one of the most significant moments of their lives—during pregnancy and motherhood. This gap between the rights of employed women and women entrepreneurs is not merely a technical legal issue, but a deeply structural one that forces women into an impossible choice between developing their business and becoming mothers.

Legal Framework and Discriminatory Practice

Under the current regulatory framework, a woman entrepreneur who becomes pregnant is subject to fundamentally different treatment compared to an employed woman. In order to receive full compensation—equivalent to that granted to employed women—an entrepreneur on pregnancy-related leave must permanently close her business or temporarily suspend its activity. If a woman entrepreneur wishes to keep her business operational during her absence, she is entitled to only half of the compensation, while being required to appoint a business manager

¹⁷ ILO (n.d.). Labour market transitions of young women and men in the Republic of Serbia, https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@ed_emp/documents/publication/wcms_488799.pdf

¹⁸ CEDAW (2019). *Concluding observations on the fourth periodic report of Serbia* (CEDAW/C/SRB/CO/4)

whose salary she must cover from her own resources, in addition to continuing to pay all taxes and contributions¹⁹. For entrepreneurs who are the sole employees in their business—as is the case for the vast majority of women-owned micro-enterprises—this option is, in practice, unfeasible.

In addition to receiving reduced compensation, women entrepreneurs do not have contributions toward their pensionable service paid during maternity leave, which has long-term consequences for the level of their future pensions. This dual burden—lower compensation during leave and reduced pension entitlements—renders motherhood financially more costly for women entrepreneurs than for employed women.

It is crucial to underscore the asymmetry that renders this system discriminatory: male entrepreneurs bear no equivalent burden related to parenthood, as the legal framework implicitly assumes that women will assume the primary caregiving role. While a man who establishes a business may continue operating without interruption during the period in which his partner gives birth, a woman entrepreneur is confronted with a choice between financial survival and the exercise of her right to maternity leave. This system has measurable consequences for women's economic behavior. Research indicates that women considering entrepreneurship often postpone or abandon plans to start a business due to uncertainty related to motherhood, while those who are already entrepreneurs frequently delay pregnancy or accept reduced compensation in order to preserve the business they have built. In this way, discriminatory regulation not only penalizes individual women but also systematically discourages women's entrepreneurship as a whole, reducing women's participation in self-employment²⁰.

Systemic Discrimination and Reform Initiatives

In January 2025, the Commissioner for the Protection of Equality submitted an initiative to the Ministry of Finance aimed at equalizing the

19 Balkan Insight (2024). *Silenced by Scarcity: How Poverty Excludes Serbian Women from Civil Society*, <https://balkaninsight.com/2024/08/21/silenced-by-scarcity-how-poverty-excludes-serbian-women-from-civil-society/rd/>

20 Matić, B. (1 May 2024). Women Entrepreneurs Want to Be Mothers—Why Are Their Rights Unequal, Storyteller, <https://www.storyteller.rs/sr/preduzetnice-bi-da-budu-majke-zasto-ne-maju-ista-prava/>

rights of women entrepreneurs and women engaged under contract with those of employed women during pregnancy and childbirth. The Commissioner emphasized that women should not be treated differently during pregnancy and childbirth depending on the form of their employment, and that such differential treatment constitutes discrimination on the grounds of sex in conjunction with employment status. Article 87 of the Law on Entrepreneurship recognizes childbirth and/or leave for the purpose of childcare as a justified reason for the temporary suspension of a woman entrepreneur's activity; however, this provision is not accompanied by adequate financial mechanisms that would render it effective in practice.²¹

At the end of 2024, the Minister of Labor announced legislative amendments intended to provide women entrepreneurs with 100% compensation during pregnancy and maternity leave, thereby aligning their rights with those of employed women.²² However, at the time of writing, these amendments have not yet entered into force, and women entrepreneurs remain in a disadvantaged position. A petition advocating for equal rights for mothers who are entrepreneurs has gathered a significant number of signatures, underscoring both the scale of the issue and the urgent need for reform.²³

The Gender Dimension of Entrepreneurial Discrimination

This form of discrimination has a clear gender dimension. Male entrepreneurs do not face comparable challenges in relation to parenthood, as the system implicitly assumes that women will assume primary responsibility for childcare. This assumption is embedded in a legal framework that effectively penalizes women entrepreneurs at the very moment they choose to start a family. The result is a form of double exclusion: women who seek both entrepreneurship and motherhood are

21 Commissioner for the Protection of Equality, 2025 – Initiative to the Ministry of Finance to Ensure Equal Rights for Women Entrepreneurs and Contract Workers Compared with Employed Women During Pregnancy and Maternity, <https://ravnopravnost.gov.rs/rs/16-25-inicijativa-ministarstvu-finansija-za-izjednacavanje-preduzetnica-i-zena-koje-rade-po-ugovoru-sa-zaposlenim-zenama-kod-poslodavca-tokom-trudnoce-i-porodjaja/>

22 Beta Briefing (19 November 2024). Minister Announces 100% Paid Maternity Leave for Female Entrepreneurs, <https://betabriefing.com/news/politics/29273-minister-announces-100-paid-maternity-leave-for-female-entrepreneurs>

23 Bebac (n.d.). Sign the Petition: Equal Rights for Entrepreneurial Mothers, <https://bebac.com/potpisi-peticiju-jednaka-prava-za-mame-preduzetnice/>

forced to choose between economic independence and family life, or to accept a significantly lower standard of living during one of the most demanding periods of their lives. Such a system not only discriminates against individual women but also discourages women's entrepreneurship more broadly, thereby limiting the economic potential that women entrepreneurs could otherwise realize. As with employment interruptions following childcare leave, this issue has not been adequately recognized within population policies. This raises a pressing question: how truly independent a mother can be if she is granted financial support after childbirth and access to joint property, yet denied the opportunity to earn on equal terms.

3.2.

Migrant Women Workers

Serbia is simultaneously a country of origin, transit, and destination for migrants. While public attention is largely focused on migrants transiting through Serbia or seeking asylum, the position of women who migrate for employment—both those coming to Serbia and those leaving it—remains largely invisible in public discourse and insufficiently protected within the legal framework. Migrant women workers face intersectional discrimination, where gender-based factors intersect with discrimination based on nationality, ethnicity, and migration status, creating a particularly vulnerable position.

The Feminization of Migration and the Specific Position of Migrant Women

The global trend of the feminization of migration—referring not only to the increasing number of migrant women overall, but also to the growing number of women who migrate independently for employment—is also evident in Serbia. Migrant women are not merely passive companions to their male partners, but active economic actors who migrate in search of better living and working conditions. However, this independent economic engagement is not accompanied by adequate legal protection.

Discrimination against migrant women is particularly pronounced in the labor market, where numerous prejudices limit their access to

employment or confine them to low-paid sectors, even when they are qualified for more complex and better-paid positions²⁴. Migrant women with family responsibilities—such as caring for children or elderly and ill family members—face additional barriers to achieving equality in employment. In short, migrant women tend to have “less income and lower social status,” which makes them particularly vulnerable to exploitation.

Legal Framework and Its Gaps

The international framework for the protection of migrant women includes the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and its General Recommendation No. 26, which is specifically dedicated to migrant women and underscores that migration is “not gender-neutral.”²⁵ The ILO Migration for Employment Convention (No. 97) further provides that migrant workers must not be treated less favorably than nationals of the country in which they are employed. Serbia has ratified a number of these instruments; however, their implementation in practice remains inconsistent²⁶.

POf particular concern is the situation of migrant women with irregular status, who remain effectively excluded from formal protection systems. In the absence of regular residence and work status, these women are unable to report abuse, discrimination, or non-payment of wages, as any interaction with state institutions may expose them to the risk of expulsion. This structural vulnerability renders them especially susceptible to exploitation—employers who engage them are well aware that such workers lack effective legal protection and are unlikely to seek redress.²⁷

Sectors of Employment and Forms of Exploitation

Migrant women in Serbia are predominantly concentrated in sectors such as domestic work, care and caregiving services, hospitality, and seasonal agriculture—sectors typically characterized by weak regula-

24 Kuzminac, M. (n.d.), *Ibid.*

25 Kuzminac, M. (n.d.), Bar Association of Serbia, The Position of Migrant Women in the Context of Employment and Labor Relations: Pathways to Equality and Challenges Along the Way, <https://www.pravnaKomora.rs/web/index.php/pravo/338-polozaj-migrantkinja-iz-perspektive-zaposljavanja-i-radnih-odnosa-put-ka-ravnopravnosti-i-izazovi-pored-puta>

26 Initiative for Migrants' Rights, ASTRA and Praxis (2022), Migrants in an Irregular Situation in the Republic of Serbia: Key Issues and Emerging Perspectives, <https://www.potpisujem.org/doc/26ff9bb92b58de5a3ea136b8786849fe.pdf>

27 ASTRA (2024), Prevention of Human Trafficking for the Purpose of Labor Exploitation and the Protection of Victims, <https://responsiblebusinesshub.pks.rs/wp-content/uploads/2024/10/Prevenjacija-trgovine-ljudima-u-svrhu-radne-eksploatacije-ASTRA-2024.pdf>

tion, a high degree of informal employment, and limited labor inspection. Domestic workers are particularly vulnerable, as they work within private households, which largely fall outside the effective reach of labor inspection mechanisms. In the absence of formal contracts, health and pension insurance, and the ability to organize collectively, these women are effectively left to the discretion of their employers.²⁸

The risk of human trafficking for the purpose of labor exploitation is especially pronounced among migrant women. The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons identifies the abuse of a position of vulnerability as one of the key mechanisms of trafficking, and migrant women—particularly those in an irregular status, linguistically isolated, and lacking social support networks—constitute a group at heightened risk.²⁹

3.3.

Women in Seasonal Employment

Seasonal work represents one of the most widespread, yet also one of the least protected, forms of employment in Serbia. Women constitute a significant share of the seasonal workforce, particularly in agriculture and the food industry, as well as in hospitality and tourism. Despite this, the gender dimension of seasonal work remains largely overlooked in public policies and legislative reforms, while female seasonal workers continue to face multiple forms of exploitation and legal insecurity.

Legal Framework and Systemic Gaps

In Serbia, seasonal and temporary workers may be engaged in two ways: through fixed-term employment contracts or contracts for the performance of temporary and occasional work. The Law on Simplified Work Engagement on Seasonal Jobs in Certain Activities (commonly referred to as the Law on Seasonal Work) applies exclusively to seasonal work in the sectors of agriculture, forestry, and fisheries, and permits

28 Mašina (29 October 2024). International Day of Care: An Act of Love or Labor Exploitation with Far-Reaching Consequences, <https://www.masina.rs/medunarodni-dan-nege-cin-ljubavi-ili-radna-eksploatacija-sa-dalekoseznim-posledicama/>

29 ASTRA (2024), Prevention of Human Trafficking for Labor Exploitation and Protection of Victims, *Ibid.*

the conclusion of oral contracts, thereby creating considerable scope for exploitation³⁰. The scope of social insurance under this law is notably limited: workers are covered only for the risks of illness and unemployment, without pension insurance and without entitlement to paid annual leave, maternity leave, or childcare leave.

The rights formally guaranteed to workers often stand in marked contrast to their lived realities. Constitutional and legislative guarantees frequently exceed their actual implementation, particularly in the case of workers engaged in temporary and seasonal work, as well as those operating within the informal economy. Labor inspection, which is tasked with overseeing compliance with labor regulations, in practice often confines its oversight to workers in formal employment relationships, thereby leaving seasonal workers without effective protection.

Exploitation of Seasonal Workers: Evidence from Practice

Research conducted by the A 11 Initiative through focus groups with seasonal construction and agricultural workers in July 2024 reveals an alarming situation. Interviewed workers emphasized that employment in the construction sector is predominantly informal, with most working without any form of contract: “We come to the construction site, and if there is work—we work; if not, we go home empty-handed”³¹. The absence of formal contracts exposes workers to exploitation, abrupt termination, and the non-payment of wages. One of the most serious concerns is the delayed or withheld payment of wages: “We work for weeks, and then they tell us they have no money to pay us. We wait and wait, and sometimes we are never paid.”³².

Unsafe working conditions represent another critical concern. At the same focus group, a seasonal agricultural worker stated: “We spend the summer thinning turnips outdoors in 36-degree heat, until we collapse.” Another worker noted that she travels two hours to reach the

30 Semino, M., Kang, Y., Hofmann, L., Ruiz Martinez, R., Marinković, M., Trifković, M. (2025). Rights of Seasonal and Informally Engaged Workers in Serbia: Exploitation, Precarious Working Conditions, and Legal Uncertainty. A 11 - Initiative for Economic and Social Rights, <https://www.a11initiative.org/wp-content/uploads/2025/05/Prava-sezonskih-i-radnika-u-Srbiji.pdf>

31 Semino, M., Kang, Y., Hofmann, L., Ruiz Martinez, R., Marinković, M., Trifković, M., *Ibid.*

32 Semino, M., Kang, Y., Hofmann, L., Ruiz Martinez, R., Marinković, M., Trifković, M., *Ibid.*

field where she works, beginning at three in the morning and working eight hours a day. Protective equipment is rarely provided, and safety procedures are frequently disregarded. Serbia records a high number of fatal workplace accidents in the construction sector—according to the Labor Inspectorate, dozens of construction workers lose their lives each year due to inadequate safety measures. Owing to the informal nature of employment, many injuries and fatalities go unreported³³.

The Gender Dimension of Seasonal Work

Female seasonal workers face specific barriers that often remain overlooked in general analyses of seasonal labor. In the agricultural sector—one of the largest employers of female seasonal workers—women perform physically demanding tasks, including harvesting fruits and vegetables and working in cold storage facilities, for minimal wages and without any form of social protection. Pregnant workers and mothers of young children are particularly vulnerable, as they are not entitled to maternity leave under seasonal employment arrangements, nor to any adjustments of their working conditions during pregnancy.

Social exclusion and discrimination further compound the challenges faced by women from marginalized communities. Roma women engaged in seasonal work experience multiple forms of discrimination—both as women and as members of the Roma community: “We are paid less than others, even though we do the same work”³⁴. Their marginalized position within society further restricts their access to legal aid and limits their capacity to organize collectively in order to improve their working conditions.

Unlawful Denial of Social Rights to Seasonal Workers

One of the few positive provisions of the Law on Seasonal Work is that income earned from seasonal employment does not affect eligibility for financial social assistance, nor does it lead to removal from the records

33 Semino, M., Kang, Y., Hofmann, L., Ruiz Martinez, R., Marinković, M., Trifković, M., *Ibid.*

34 Focus Group with Female Seasonal Agricultural Workers, Source: A 11 – Initiative for Economic and Social Rights.

of the National Employment Service³⁵. The purpose of this provision is to encourage individuals without other sources of income to engage in seasonal work. However, fieldwork conducted in the course of providing legal aid has documented concrete cases in which Centers for Social Work have unlawfully rejected applications for financial social assistance on the basis of income derived from seasonal work. For example, a three-member family from Vranje was denied assistance solely due to income earned from raspberry picking, while a family from Obrenovac had its application rejected due to income from "sorting peppers in a cold storage facility in Novi Sad."³⁶ In practice, such cases point to a pattern whereby Centers for Social Work effectively penalize individuals and families by unlawfully denying their right to social assistance when they seek employment in other cities in an effort to secure a more dignified livelihood. This is particularly concerning given the limited availability of legal aid to those affected, which significantly constrains their ability to challenge such decisions.

Following an appeal by the A 11 Initiative, the Minister of Labor amended the relevant Rulebook in May 2023. However, the issue has not been fully resolved, as certain Centers for Social Work continue to take income from seasonal work into account. This situation is particularly detrimental to women from low-income households who rely on seasonal work to improve their family's financial situation, only to be penalized through the loss of social assistance.

35 Semino, M., Kang, Y., Hofmann, L., Ruiz Martinez, R., Marinković, M., & Trifković, M. (2025). Rights of Seasonal and Informally Engaged Workers in Serbia: Exploitation, Precarious Working Conditions, and Legal Uncertainty, A 11 – Initiative for Economic and Social Rights, <https://www.a11initiative.org/wp-content/uploads/2025/05/Prava-sezonskih-i.-radnika-u-Srbiji.pdf>

36 *Ibid.*

4.

Women and Poverty: The Need for Social Protection

Poverty in Serbia has a pronounced gender dimension. The phenomenon commonly referred to as the feminization of poverty reflects the fact that, due to their disadvantaged position in the labor market, the burden of unpaid care work, and systemic discrimination, women face a higher risk of experiencing poverty over the course of their lives than men. This trend is particularly pronounced among single mothers, older women, women with disabilities, and women living in rural areas³⁷. Despite this, the social protection system in Serbia—intended to serve as the last line of defense against poverty—has proven inadequate, restrictive, and burdened by barriers that disproportionately affect those most in need of support.

Inadequacy of the Social Protection System

Even prior to recent reforms, the social protection system in Serbia was not adequately designed to respond to the actual needs of the most vulnerable. The rate of absolute poverty stands at approximately 7%, meaning that nearly half a million people live below the threshold of 12,500 dinars per month (approximately EUR 106) and are unable to meet their basic living needs. Nevertheless, it is estimated that the social assistance system leaves around 250,000 people living in poverty outside its coverage³⁸. One of the principal reasons for this lies in the extremely low asset threshold and income ceiling required to qualify for financial social assistance, which in 2025 amounted to 12,266 dinars

37 Balkan Insight (2024). Silenced by Scarcity: How Poverty Excludes Serbian Women from Civil Society

38 Republic Statistical Office (20 June 2025), Poverty and Social Inequality 2024, <https://www.stat.gov.rs/sr-latn/vesti/statisticalrelease/?p=17006>

(approximately EUR 97)—a level that falls below the absolute poverty line itself³⁹.

This situation has been further exacerbated by the introduction of the Social Card Law in March 2022. Although presented as a tool for the fairer and more efficient allocation of assistance, this automated system has, in practice, resulted in the large-scale exclusion of individuals from the social protection system. According to data presented in a report by Amnesty International, the number of beneficiaries of social assistance decreased by **58,280** between March 2022 and August 2023⁴⁰. Digitization, rather than reducing bureaucracy, has introduced new—often insurmountable—barriers.

The system relies on data drawn from various government databases, which in a number of cases have proven to be inaccurate or outdated. Numerous instances have been documented in which individuals lost their entitlement to assistance due to system errors—such as the attribution of non-existent income or assets, as in the case of B., to whom the system assigned funds in a bank account she does not possess⁴¹. Such a rigid, automated approach effectively eliminates the discretionary capacity of social workers to assess real-life circumstances and context, which particularly affects marginalized groups whose living conditions often deviate from administrative records.

The only means of correcting errors within the system is to lodge an appeal against a decision issued by a Center for Social Work. It should be noted, however, that many individuals excluded due to system errors are unfamiliar with the appeals process, while those who are aware of it—or who have secured legal assistance—remain outside the system until a decision is rendered. As a result, even in the best-case scenario, such errors may lead to exclusion from social assistance for a period of up to six months, during which time individuals are deprived of essential financial support.

39 Portal 021.rs (5 April 2025). The Number of Social Assistance Recipients Cut by One-Third: Where and How Did 60,000 Beneficiaries “Disappear”; <https://www.021.rs/info/srbija/406163/broj-korisnika-socijalne-pomoci-smanjen-za-trecinu-gde-je-i-kako-nestalo-60000-korisnika>

40 Dedicated A 11 Initiative Website with Data on the Implementation of the Social Card Law is Available at: <https://antisocijalnekarte.org/>

41 For more information: <https://antisocijalnekarte.org/>

Women as the Primary Victims

The consequences of this system are most acutely felt by women. Given their higher rates of economic inactivity, lower wages and pensions, women are more likely to rely on social assistance as their sole source of income. Single mothers constitute a significant portion of recipients, and the loss of such benefits places them and their children at immediate risk of extreme poverty. The case of Mirjana, whose humanitarian assistance for her daughter's funeral was counted as income—resulting in the loss of her social benefits—tragically illustrates the inhumanity and rigidity of the automated system⁴².

Older women, particularly those in rural areas who have spent their lives in the informal sector without paid contributions, often lack pensions and depend heavily on social assistance. They are also among the primary victims of the Social Card system. Their limited assets—often small plots of land or an old house—can become administrative barriers to receiving assistance, despite providing no real income or opportunity for a dignified life.

The CEDAW Committee has expressed concern about the negative impact of austerity measures on women and has called on Serbia to ensure that social protection measures are gender-sensitive and adequately protect women from poverty, especially those facing multiple forms of discrimination⁴³. Yet the current trajectory of social protection reforms in Serbia, supported by the World Bank, moves in the opposite direction—toward reducing the number of beneficiaries and tightening eligibility criteria rather than ensuring adequate support for all who need it⁴⁴.

42 *Ibid.*

43 CEDAW (2019). *Concluding observations on the fourth periodic report of Serbia (CEDAW/C/SRB/CO/4)*

44 B. Kostić, A. Toskić Cvetinović, A 11 – Initiative for Economic and Social Rights “Social Protection, Discrimination and Automation – Everything That Could Go Wrong, Went Wrong”, 2025, <https://www.a11initiative.org/wp-content/uploads/2025/10/Socijalna-zastita-diskriminacija-i-automatizacija-Sta-sve-moze-da-podje-po-zlu.pdf>

Criminalizing Poverty: The Case of a Woman Penalized for Begging

The case of a woman publicly targeted by the media and sanctioned by authorities for begging illustrates how poverty—particularly as experienced by women—is treated not as a societal challenge requiring systemic solutions, but as an individual failing punishable under criminal law. This instance exposes the complex interplay of gender, social, and economic inequalities, as well as systemic gaps in social protection.

Under Serbian law, begging is classified as an administrative offense. The Law on Public Order and Peace stipulates that anyone whose begging disturbs public tranquility or order may be fined 5,000–10,000 dinars or imprisoned for up to 30 days. Begging committed in groups of three or more persons is punishable by fines of 10,000–30,000 dinars or imprisonment for up to 30 days. The application of such provisions raises critical questions regarding proportionality, the purpose of punishment, and compliance with international human rights standards, particularly in the context of extreme poverty.

This case concerns a young woman whose circumstances drew public attention following reports of her begging circulated on social media and in news outlets. Public discourse sensationalized her situation, reducing it to her personal traits and individual responsibility, rather than situating it within the broader structural causes of poverty. Following the initial wave of media interest and public solidarity, competent authorities responded, claiming that they had assessed the living conditions of the woman and her family and concluded that they resided in “acceptable conditions,” that she had never sought assistance from the Center for Social Work, and that she had declined employment opportunities offered to her. These claims were subsequently found to be inaccurate by the A 11 Initiative. Upon assuming legal representation of the young woman before the competent Center for Social Work, the A 11 Initiative established that she had previously sought assistance from the Center, that she had been a beneficiary of family rights protection service, as a child, and that, at the critical juncture of exiting the child

protection system and transitioning to independent life as a young woman who had completed secondary education, she had received no support from the social protection system. Following marriage and the birth of her children, she once again fell into severe poverty, which ultimately led her to beg. She had also made several attempts to engage in insecure and low-paid work; however, caring for two children made sustaining such work extremely difficult.

Particularly concerning was the public communication of institutional representatives, most notably the Ministry for Family Welfare, which emphasized parental responsibility to secure a livelihood through work, while implicitly suggesting the possible removal of children should these expectations not be met. A gender perspective on this case reveals additional layers of inequality.

Women living in poverty frequently face multiple, intersecting forms of discrimination. Childcare responsibilities further constrain employment opportunities, especially where access to support services, such as childcare facilities, is limited. In this case, the woman was subject to public and institutional scrutiny not only as an individual, but also as a mother, thereby reinforcing the gendered dimension of control and stigmatization. A discourse that emphasizes “responsible parenting” without ensuring the conditions necessary for its realization reflects deeply entrenched gender stereotypes and expectations.

It took nearly eight months after the initial reports of her begging for the woman to secure financial social assistance. While her children are no longer at risk of removal, she has still been unable to enroll them in kindergarten due to a lack of available spaces.

This case clearly illustrates the phenomenon of the criminalization of poverty. Rather than being understood as a consequence of the inability to secure stable employment and systemic shortcomings in the social protection framework, begging is treated as deviant behavior subject to sanction. Such an approach is inconsistent with international human rights standards. In particular, the United Nations, in its Guiding Principles on Extreme Poverty and Human Rights, emphasizes that States

should repeal legal provisions that penalize behaviors such as sleeping, eating, or begging in public spaces.

The fact that the family, despite being in genuine need, was not included in the social protection system prior to the case gaining media attention may be interpreted as an indication of both limited accessibility of services and a lack of trust in institutions. The Law on Social Protection provides that social protection should ensure the timely identification of beneficiaries' needs and the provision of services aimed at preventing and addressing conditions that endanger safety, the fulfillment of basic needs, and social inclusion. Penalizing a woman for begging has multiple adverse consequences for the realization of her economic and social rights. Financial penalties further exacerbate her material situation, while the threat of imprisonment or child removal contributes to fear and insecurity. Such measures do not address the root causes of poverty; rather, they deepen it.

The case analyzed underscores the need to redefine the approach to poverty and social protection in the Republic of Serbia. In particular, it is essential to introduce a gender-responsive approach to the design and implementation of public policies, taking into account the specific needs of women living in poverty. This entails improving access to social assistance, developing support services for parents, and implementing active labor market measures tailored to women from marginalized groups. In light of the jurisprudence of the European Court of Human Rights, as well as the recommendations of United Nations treaty bodies and other human rights mechanisms, it is evident that Serbia urgently needs to reform both its legal framework and the practices of misdemeanor courts and centers for social work in order to uphold the human dignity of individuals living in extreme poverty.

5.

Institutional Obstacles and Administrative Barriers

The formal recognition of rights does not in itself guarantee their accessibility. Between legal provisions and the effective exercise of rights lies a complex system of institutions and procedures. In Serbia, this system is frequently burdened by procedural complexity, insufficient access to information, fragmented institutional responsibilities, and protracted administrative processes. Together, these factors create administrative barriers that disproportionately affect the most vulnerable—particularly women. The introduction of new technologies, rather than simplifying access to rights, has in certain cases further complicated it, as most clearly illustrated by the Social Card Law.

Automating Exclusion: The Case of the Social Card Law

The Social Card Law, entered into force in March 2022, represents a paradigmatic example of how a well-intentioned reform may produce adverse human rights outcomes. Designed to establish a more equitable and efficient social protection system, the law introduced a semi-automated registry that aggregates data on citizens from multiple state databases in order to assess eligibility for social assistance. However, by relying on frequently inaccurate or outdated data, and by removing the human element and the discretionary role of social workers, the system has evolved— as described by Amnesty International — into an “automated exclusion” mechanism⁴⁵.

According to this report, within the first eighteen months of implementation, 35,000 individuals were removed from the system, while nearly

45 Amnesty International (2023). Trapped by Automation, *Ibid.*

half a million people in Serbia continue to live below the absolute poverty line. The system automatically “flags” and excludes beneficiaries on the basis of rigid criteria and erroneous data. Cases such as that of B., who lost social assistance due to non-existent funds in a non-existent account, or D., whose family was excluded due to two obsolete vehicles sold as scrap years earlier, illustrate the absurdity and brutality of the system that fails to account for lived realities⁴⁶.

These administrative barriers have a particularly pronounced impact on women. Women constitute the majority of social assistance beneficiaries, yet procedures for appealing system-generated decisions are lengthy, complex, and require levels of digital and legal literacy that many women—especially older women, those living in rural areas, and Roma women—do not possess. Moreover, the system fails to capture specific forms of women’s economic vulnerability, such as irregular financial support from family members or humanitarian organizations, which, as in the case of Mirjana, may be automatically classified as “income” and result in the loss of entitlements⁴⁷.

The Bureaucratic Labyrinth

In addition to challenges arising from automation, citizens continue to face entrenched bureaucratic obstacles. Complex procedures and extensive documentation requirements constitute significant barriers, particularly for individuals with limited resources, time, or knowledge. The lack of information on rights and procedures remains a persistent issue. Institutional staff often do not provide comprehensive or consistent guidance, while information available online is frequently unclear or inaccessible to individuals with lower levels of digital literacy.

The shifting of responsibility between institutions is another frequent occurrence. Citizens are frequently referred from one authority to another, expending time and resources, and often ultimately abandoning their attempts to exercise their rights. This is particularly evident in cas-

46 Amnesty International (2023). *Trapped by Automation*, *Ibid*.

47 A 11 – Inicijativa za ekonomska i socijalna prava, 2024, „Svakodnevna nepravda – ostvarivanje ekonomskih i socijalnih prava u Srbiji”, <https://www.a11initiative.org/wp-content/uploads/2025/04/Godisnji-izvestaj-06-09.pdf>

es requiring coordination between Centers for Social Work, the National Employment Service, local self-government units, and other relevant bodies. Lengthy administrative procedures—whether in relation to child benefits, social assistance, or property registration—further burden individuals and deepen mistrust in public institutions.

Economic dependence further heightens vulnerability to corruption and arbitrary decision-making. A United Nations report on women’s rights underscores that women’s access to justice is constrained, including in the context of administrative procedures⁴⁸. Without comprehensive reform of public administration—grounded in responsiveness to the lived realities of citizens—and without effective mechanisms for oversight and accountability, institutional barriers will remain a key factor impeding the full realization of women’s economic and social rights in Serbia.

48 Beker, K., Janjić, B., Čović, A. (2024), *Ibid.*

6.

Particularly Affected Groups of Women

While all women in Serbia experience a certain degree of gender inequality, the burden of systemic discrimination and structural barriers is not evenly distributed. Women belonging to marginalized communities are exposed to intersecting and multiple forms of discrimination, in which gender inequality is compounded by factors such as ethnicity, disability, place of residence, family status, or poverty. Their experiences are inherently layered, and the obstacles they face in exercising their economic and social rights are considerably more pronounced. Recognizing and fully understanding these specific challenges is essential for the development of effective and inclusive public policies.

Roma women constitute one of the most vulnerable groups in Serbian society. They face deeply entrenched antigypsyism, poverty, social exclusion, and patriarchal norms both within and beyond their communities. In the area of housing, Roma women are disproportionately affected by forced evictions and frequently live in informal settlements lacking even the most basic living conditions, thereby directly jeopardizing their health and safety⁴⁹. Their access to education remains constrained, with exceptionally high rates of early school dropout, which in turn significantly limits their future employment opportunities. In the labor market, Roma women face compounded discrimination—both as women and as Roma—and are predominantly engaged in the informal economy, most commonly as collectors of recyclable materials, leaving them without access to social or health protection. The introduction of automated mechanisms within the social protection system has further exacerbated their vulnerability, as administrative inaccuracies—such as erroneous records of vehicle ownership—have resulted in the loss of essential social assistance⁵⁰.

49 Equal Rights Trust (n.d.). Research on access to socio-economic rights for Roma women in Serbia.

50 B. Kostić, A. Toskić Cvetinović, *Ibid.*

Women in rural areas account for nearly half of the female population in Serbia; however, their contribution to both the economy and society remains largely invisible and insufficiently recognized. A 2023 United Nations report identifies them as a group at heightened risk of multiple discrimination⁵¹. They perform a substantial share of unpaid agricultural and domestic labor, while their access to formal employment remains limited. Even when employed, they are most often engaged in informal work. Ownership of property and land is overwhelmingly concentrated in the hands of men, rendering rural women economically dependent and particularly vulnerable, especially in cases of divorce or the death of a spouse. Geographic distance from administrative centers, health-care facilities, and educational institutions further impedes their access to essential services and the effective exercise of their rights. In addition, inadequate infrastructure and limited public transportation contribute to their isolation, significantly restricting their mobility and opportunities.

Single mothers face profound economic and social pressures. They bear primary responsibility for both childcare and the financial sustenance of their households, often in the absence of regular or adequate child support from former partners. Within the labor market, they are frequently subject to discriminatory assumptions, with employers perceiving caregiving responsibilities as a constraint on their professional engagement. As a result, many are compelled to accept lower-paid and insecure forms of employment in order to reconcile work and childcare obligations. Single mothers constitute a significant proportion of social assistance beneficiaries and are therefore particularly affected by restrictive measures and systemic inefficiencies within the social protection framework. Housing represents an additional and substantial challenge, as they encounter barriers in accessing housing loans and are frequently exposed to discrimination in the rental market.

Women living in extreme poverty, as well as women without personal identification documents, experience a state of near-total legal and social invisibility. Living below the absolute poverty threshold entails a continuous struggle for survival, with no realistic capacity to meet even the most basic needs. Women without personal documentation—a sit-

51 Beker, K., Janjić, B., Čović, A. (2024), *Ibid.*

uation that disproportionately affects Roma women and survivors of violence—are effectively excluded from all systems of support. They are unable to access healthcare, social assistance, formal employment, or to enroll their children in school. Consequently, they remain trapped in a self-perpetuating cycle of poverty and exclusion, devoid of meaningful institutional support.

Addressing the economic and social rights of women requires a genuinely intersectional approach—one that not only recognizes but actively responds to the specific barriers faced by these and other multiply marginalized groups, including women with disabilities, refugees and internally displaced women, as well as LGBTI+ persons.

7.

The Right to Education from a Gender Perspective

The right to education is one of the fundamental human rights, recognized in a range of international instruments ratified by Serbia, including the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child. Education is not only a right in itself, but also a key prerequisite for the realization of all other rights—economic, social, cultural, and political. Despite this, significant gender inequalities persist in Serbia in terms of access to education, the quality of the educational experience, and long-term educational outcomes, disproportionately affecting girls and women from marginalized communities.

The Paradox of Educational Attainment

At first glance, data on women's education in Serbia appears encouraging. On average, women are more highly educated than men—the proportion of women with higher education is greater, and girls tend to achieve better results in both primary and secondary education⁵². However, this apparent paradox—where women are more educated, yet less employed and lower paid—reveals deeper structural inequalities. Education alone is insufficient to overcome gender-based barriers in the labor market and society at large, as entrenched stereotypes, discrimination, and the burden of unpaid care work often outweigh formal qualifications.

Behind aggregate data lie stark disparities among different groups of women. While highly educated women from urban areas are relatively successful in accessing the labor market, women from marginalized

⁵² Nezavisnost (19 February 2024). Gender Discrimination in Serbia: Women Outperform Men in Education but Lag in Employment and Earnings, <https://nezavisnost.org/statistika-rodne-diskriminacije-u-srbiji-zene-obrazovanije-ali-manje-i-zaposlene-i-placene/>

communities encounter barriers that begin in early childhood and persist throughout the entire educational trajectory.

Roma Women and Barriers to Education

Roma women represent the group with the lowest levels of educational attainment in Serbia. The rate of early school leaving is alarmingly high—in Novi Sad, for example, dropout rates among Roma pupils are significantly higher for girls (58%) than for boys⁵³. Roma girls often begin leaving school after the age of 12, and fewer than 80% of Roma women complete primary education⁵⁴. The causes are multiple and deeply interconnected: poverty, which forces children into work rather than schooling; early marriages, which remain present in certain Roma communities; insufficient support within an education system that is not adequately adapted to the specific needs of Roma children; and persistent antigypsyism, manifested through discriminatory attitudes and practices by both teachers and peers.

The consequences of early school leaving are long-term and difficult to reverse. Roma women without completed primary education face nearly insurmountable barriers to entering the formal labor market, which often results in their concentration in informal and exploitative forms of employment. Lacking educational qualifications, access to formal employment, and social protection, these women remain trapped in an intergenerational cycle of poverty.

Women in Rural Areas and Access to Education

Women in rural areas face distinct educational barriers stemming from geographic isolation, inadequate infrastructure, and entrenched traditional gender norms. The distance from educational institutions—par-

53 NSHC (2024). Education and Inclusion of Roma Girls, <https://nshc.org.rs/en/projects/education-and-inclusion-of-roma-girls/>

54 NSHC (2024), *Ibid.*

ticularly at the secondary and tertiary levels—combined with the lack of reliable public transportation, makes access to education both physically and financially challenging⁵⁵. Research on access to services for women and children in rural areas of Serbia indicates a significant development gap compared to urban centers, which directly affects both the availability and quality of educational services⁵⁶.

Traditional gender norms in rural communities often place a lower priority on girls' education compared to that of boys, particularly at higher levels. Expectations that girls will assume domestic responsibilities and caregiving roles are frequently used to justify limiting their educational opportunities. These norms are deeply embedded, reproduced across generations, and difficult to transform without comprehensive, systemic interventions that include sustained engagement with local communities.

Gender Stereotypes in the Education System

Even where girls and women enjoy formal access to education, deeply entrenched gender stereotypes—embedded in curricula, textbooks, and the attitudes of educators—continue to shape both their educational experiences and their future aspirations. Analyses of curricula in Serbia indicate that women remain underrepresented in science, technology, engineering, and mathematics (STEM) and, when present, are frequently depicted through traditional and restrictive gender roles⁵⁷. Such portrayals subtly but persistently discourage girls from pursuing STEM pathways, thereby contributing over time to horizontal segregation in the labor market and reinforcing the gender pay gap.

55 UNICEF Serbia (n.d.). Access for Women and Children to Services in the Rural Areas of Serbia and Proposed Measures to Improve the Situation, <https://www.unicef.org/serbia/media/6411/file/Pristup%20%C5%BEena%20i%20dece%20uslugama%20u%20ruralnim%20oblastima%20Srbije%20.pdf>

56 UNICEF Serbia, *Ibid.*

57 Autonomous Women's Center, ASTRA and Group 484 (2022). Sexual and Reproductive Health and Rights of Women in Serbia. prEUgovor policy paper, https://www.grupa484.org.rs/h-content/uploads/2022/05/seksualno_i_reproduktivno_zdravlje_i_prava_ena_u_s-grupa-484.pdf

Education on sexual and reproductive health represents another area in which the Serbian education system reveals significant gaps. A review of primary and secondary school curricula does not point to the existence of a coherent, systematic, and comprehensive approach to educating children and young people on sexual and reproductive rights and health in Serbia⁵⁸. Some topics appear in select general education subjects, often as electives, without adequate horizontal or vertical coherence. The lack of quality education on sexual and reproductive health disproportionately affects girls and young women, leaving them without the essential knowledge required to make informed decisions about their health and life.

Women with Disabilities and Education

Women with disabilities encounter compounded barriers to education, stemming both from their disability and from gender. Physical inaccessibility of schools, the absence of adapted learning materials and adequate support services, and the persistence of negative attitudes among teachers and peers intersect with gender-based stereotypes that often depict girls with disabilities as incapable of academic success. Consequently, women with disabilities experience markedly lower educational attainment compared with both women without disabilities and men with disabilities⁵⁹.

Recommendations

Ensuring the full realization of the right to education for all women in Serbia demands a multidimensional approach. This entails removing physical and financial barriers for women from marginalized communities, reforming curricula to eliminate gender stereotypes and integrate comprehensive education on sexual and reproductive health, implementing targeted support programs for Roma girls and women in rural

58 Autonomous Women's Center, ASTRA and Group 484 (2022), *Ibid.*

59 CIL Serbia (n.d.). Barriers to Equality – The Double Discrimination of Women with Disabilities, https://www.cilrbija.org/pdf/Zene_sa_invaliditetom.pdf

areas, and equipping teaching staff with specialized training on gender equality and anti-discrimination. The CEDAW Committee has urged Serbia to intensify efforts to increase enrolment and completion rates among Roma girls and rural women, and to ensure that curricula are free from gender biases and stereotypes⁶⁰.

⁶⁰ CEDAW (2019). Concluding observations on the fourth periodic report of Serbia (CEDAW/C/SRB/CO/4)

8.

The Right to Health from a Gender Perspective

The right to health is a fundamental human right, encompassing not merely the absence of disease but also physical, mental, social, and economic well-being. Yet, healthcare systems frequently fail to adequately address women's specific health needs, as they do not sufficiently account for the gender-specific factors that shape them. Instead, healthcare provision tends to remain narrowly focused on reproductive health and on women's traditional role associated with motherhood, thereby overlooking women's broader, holistic needs across all stages of life⁶¹.

Health has a distinctly gendered dimension. Gender roles, stereotypes, and inequalities shape how women experience health and illness, influence their access to healthcare services, and affect the responsiveness of the healthcare system to their needs. In Serbia, women face a range of health-related barriers that stem directly from their gender and social position—ranging from limited access to reproductive healthcare to the insufficient recognition of mental health needs and the long-term health consequences of gender-based violence.

Women from Marginalized Communities and Health-Related Barriers

Roma women face particularly severe health challenges as a result of poverty, discrimination, and lack of health insurance. Many are excluded from the health insurance system due to their engagement in the informal economy. As a result, their access to healthcare is often limited to emergency services, leaving preventive care—including gynecologi-

61 Autonomous Women's Center (2005), Action Plan for the Preservation and Improvement of Women's Health in the Republic of Serbia, 2005–2010, http://www.womenngo.org.rs/zensko-zdravlje/Akcioni_plan.pdf

cal examinations and screening for cervical and breast cancer—largely inaccessible. This leads to significantly poorer health outcomes compared to the general population, including higher rates of morbidity and mortality⁶².

Women living in rural areas encounter substantial geographic barriers to healthcare access. Long distances to healthcare facilities, limited public transportation, and the financial burden of travel make it especially difficult to obtain specialized services, including gynecological, oncological, and psychiatric care⁶³. Studies indicate that women in rural settings are less likely to undergo preventive examinations and are more often diagnosed at later stages of disease, when conditions that could have been detected earlier are more difficult to treat.

Women with disabilities face both physical and attitudinal barriers within the healthcare system. Inaccessible facilities and inadequately adapted medical equipment are compounded by prevailing assumptions among healthcare providers that often disregard their specific health needs, particularly in relation to reproductive health. The misconception that women with disabilities are not sexually active or do not wish to have children frequently results in the denial of appropriate reproductive healthcare services.

Asylum-seeking women and migrant workers also face distinct health challenges that the system is insufficiently equipped to address. Language barriers, cultural differences, and mistrust of institutions can significantly hinder access to healthcare. At the same time, many have experienced trauma prior to migration—including war, violence, and sexual abuse—which necessitates specialized psychosocial support that remains inconsistently available⁶⁴.

62 CEDAW (2019). Concluding Observations on the Fourth Periodic Report of Serbia (CEDAW/C/SRB/CO/4)

63 UNICEF Serbia (n.d.). Access for Women and Children to Services in the Rural Areas of Serbia and Proposed Measures to Improve the Situation, *Ibid.*

64 Autonomous Women's Center, ASTRA and Group 484 (2022), *Ibid.*

Recommendations

The effective realization of the right to health for all women in Serbia requires a transformative approach that moves beyond a narrow focus on reproductive health and motherhood. It is essential to adopt a comprehensive national strategy on women's health grounded in a gender-responsive framework; to include contraception on the list of medicines reimbursed under mandatory health insurance; ensure training of healthcare professionals in gender sensitivity and the recognition of gender-based violence; to expand access to mental health services for women, particularly survivors of violence; and to ensure that healthcare services are physically, and culturally accessible to women from all marginalized communities. The CEDAW Committee has called on Serbia to take urgent steps to improve access to healthcare for Roma women, women with disabilities, and women living in rural areas.

9.

Key Findings

The analysis of barriers to women’s access to economic and social rights in Serbia reveals several interrelated patterns that point to deep-rooted structural challenges. Drawing on evidence from United Nations reports, domestic and international human rights organizations, and an assessment of the existing legal framework, these findings highlight a persistent gap between formally guaranteed rights and the lived realities of many women—particularly those from marginalized groups.

The first and most salient finding is that formal rights are in place but are not equally accessible in practice. Serbia has ratified key international conventions and enacted legislation guaranteeing gender equality and prohibiting discrimination. However, the effective enjoyment of these rights remains contingent upon a range of social, economic, and administrative factors. Rights to work, housing, education, health, and social protection often remain out of reach for women who lack registered residence, are engaged in the informal economy, or face prohibitive bureaucratic barriers. This disconnect between the normative framework and lived reality generates legal uncertainty, erodes trust in institutions, and leaves the most vulnerable without protection.

The second key finding underscores that administrative barriers and institutional inefficiencies disproportionately burden women. Whether it involves complex procedures for accessing rights, lack of information, the shifting of responsibilities between agencies, or lengthy administrative processes, women are disproportionately burdened by bureaucracy. Women—who already shoulder a disproportionate share of unpaid care work—have less time and fewer resources to navigate the administrative labyrinth. The introduction of the automated “social card” system has further exacerbated these challenges. Rather than streamlining procedures, the system—reliant on inaccurate data and lacking sufficient human oversight—has functioned as a mechanism for the large-scale exclusion of the poorest, among whom women are over-represented. This example demonstrates how technological solutions,

if not carefully designed and implemented in line with human rights standards, can become powerful instruments of discrimination.

The third finding highlights that economic dependence remains a central driver of women's legal and social vulnerability. High levels of informal employment, the persistent gender pay gap, the concentration of women in lower-paid sectors, and the disproportionate burden of unpaid care work collectively reinforce women's economic reliance on partners or family members. This dependence extends beyond the economic sphere, with far-reaching implications for women's autonomy—their ability to make independent decisions, to exit abusive relationships, and to effectively exercise their fundamental rights. Limited access to adequate housing and the absence of economic security constitute critical barriers that confine many women to entrenched cycles of poverty and violence. Of particular concern is the fact that even formal employment arrangements—such as entrepreneurship—do not provide adequate protection, as the legal framework governing the rights of women entrepreneurs during pregnancy and maternity remains structurally discriminatory.

The fourth finding underscores that the rights to education and health, while formally guaranteed, remain inaccessible to many women due to persistent structural gender inequalities. The paradox of educational attainment—where women are, on average, more highly educated yet face lower employment rates and earnings—demonstrates that education alone is insufficient in the absence of comprehensive efforts to dismantle gender stereotypes and discriminatory practices. In the health sector, a continued overemphasis on reproductive health and motherhood obscures women's broader health needs. At the same time, limited access to contraception, barriers to mental healthcare, and the insufficient recognition of the health impacts of gender-based violence remain chronic problems.

The fifth finding emphasizes that intersectionality, or multiple discrimination, constitutes a critical determinant of exclusion. The lived experiences of Roma women, rural women, single mothers, women with disabilities, migrant and seasonal workers, and other marginalized groups

cannot be adequately understood through the lens of gender inequality alone. Rather, they are shaped by the cumulative and intersecting effects of discrimination on multiple grounds. Policies and measures that are ostensibly gender-neutral, or that fail to reflect this complexity, are unlikely to yield meaningful results. Any effective strategy to advance women's economic and social rights must therefore be firmly grounded in an intersectional approach and responsive to the specific barriers faced by the most marginalized women in Serbian society.

Finally, it is important to underscore that access to economic and social rights cannot be achieved without legislation specifically designed to ensure gender equality. In June 2024, the Constitutional Court of the Republic of Serbia suspended the implementation of the Law on Gender Equality in its entirety pending a constitutional review—an exceptionally rare and non-standard practice. The challenge to the law, fueled in part by broader anti-gender narratives, has further weakened already fragile safeguards against gender discrimination and sent a signal that women's rights remain subject to political and ideological contestation. In this context, the suspension of a key legislative instrument has effectively stalled progress toward gender equality, a situation that is likely to persist for as long as the law remains unenforced.

