



Advancing Gender Equality in the National Assembly of Serbia

Report on the Participatory Gender Audit

Warsaw/Belgrade, February 2025

Contents

	Page
1. Introduction	3
2. Gender-sensitive parliaments: the Concept	3
3. Participatory gender audit: the Approach	5
4. Methodology	6
5. Findings and recommendations	
Dimension 1: Gender-sensitive parliamentary representation	7
Dimension 2: Gender-sensitive lawmaking	18
Dimension 3: Gender-sensitive parliamentary oversight	24
6. Taking the gender audit forward: Working Group on the Advancement of Gender Equality in the National Assembly	27
7. Template for the Action Plan on the Promotion of Gender Equality in the National Assembly	28
<i>Appendix 1. Results of the Perception and Attitudes Survey</i>	29
<i>Appendix 2. Assessment Areas</i>	30
<i>Appendix 3. Excerpt from IPU Kigali Declaration</i>	32

1. INTRODUCTION

National parliaments are well placed to champion the objective of gender equality and promote gender mainstreaming, by responding to the needs and interests of both men and women in its composition, structures, operations, working methods, and day-to-day work. Parliaments are also responsible for producing gender-responsive policy outcomes, through decision-making and the adoption of documents within the competence of the parliaments, or indirectly through gender-sensitive oversight of the performance of the executive.

The OSCE Office for Democratic Institutions and Human Rights (ODIHR) has a mandate to assist OSCE participating States in promoting women's political participation and to provide expertise, and support to strengthen democratic institutions for advancing gender equality. The OSCE Ministerial Council Decision No. 14/04 on the OSCE Action Plan for the Promotion of Gender Equality tasks ODIHR with the following mandate:

- "...ODIHR will assist in the development and implementation of specific programmes and activities to promote women's rights, to increase the role of women at all levels of decision-making, and to promote equality between women and men throughout the OSCE area...", and
- "ODIHR will assist participating States in developing effective measures to bring about the equal participation of women in democratic processes and will assist in developing best practices for their implementation..."

In continuation of ODIHR's efforts to promote women's political participation and to further advance the level of gender sensitivity of democratic institutions, ODIHR is supporting national parliaments in conducting participatory gender audits.

ODIHR and the National Assembly agreed, as per letters from 13 June and 15 July 2024, to conduct a participatory gender audit of the parliament. By conducting this gender audit, the National Assembly is meeting its commitment from the 2022 Kigali Declaration of the Inter-Parliamentary Union to conduct at least two gender audits in the period of ten years (see also Appendix 3). The National Assembly conducted the first self-assessment of the parliament's gender sensitivity in December 2019, which was facilitated by the Inter-Parliamentary Union with the support of UNDP Serbia. This gender audit complements the 2019 self-assessment exercise and reflects on its recommendations.

2. GENDER-SENSITIVE PARLIAMENTS: THE CONCEPT

A parliament is gender-sensitive when it actively and in practice respects and delivers on gender equality. One of the earliest and most used definitions comes from the Inter-Parliamentary Union (IPU). The IPU defines gender-sensitive parliament as follows:

A parliament that responds to the needs and interests of both men and women in its composition, structures, operations, methods and work. Gender-sensitive parliaments remove the barriers to women's full participation and offer a positive example or model to society at large. They ensure that their operations and resources are used effectively towards promoting gender equality. A gender-sensitive parliament is one in which there are no barriers – substantive, structural or cultural – to women's full participation and to equality between its men and women members and staff. It is not only a place where women can work, but also

*one where women want to work and contribute. A gender-sensitive parliament sets a positive example by promoting gender equality and women's empowerment among society both nationally and internationally. A gender-sensitive parliament is therefore a modern parliament; one that addresses and reflects the equality demands of a modern society. Ultimately, it is a parliament that is more efficient, effective and legitimate.*¹

ODIHR's guide for parliaments in the OSCE region uses the following definition of gender-sensitive parliaments:

*"A (gender-sensitive parliament) values and prioritizes gender equality as a social, economic and political objective and reorients and transforms a parliament's institutional culture, processes and practices, and outputs towards these objectives".*²

Parliaments are working organisations with rules, norms, internal procedures, and a specific gendered culture like any other working place; whether a member of parliament is a man or a woman in parliament makes a difference in terms of power and influence and this difference is exacerbated depending on other intersecting factors such as ethnic origin, minority status or identity, disability, age, class, sexual orientation and gender identity. Parliaments are, however, also very specific workplaces as they are symbols of democracy, representation and legality, and responsible for making laws, budgets and overseeing the government.

Gender-sensitive parliaments are not a simple nor static phenomenon. They have a high level of complexity and change across countries and across time. There is not a single path that leads to gender sensitivity: one country may start from increasing the number of women members of parliament (also MPs as follows), while another may focus on creating more gender-sensitive parliamentary working practices. What is common for all is that gender-sensitive parliamentary institutions are more efficient and able to respond to the needs of both women and men.

National parliaments are uniquely placed to champion progress towards, and full achievement of, gender equality in politics. This crucial role for parliaments has also been well entrenched in international conventions and commitments. The 1995 UN Beijing Declaration and Platform for Action, for example, required governments to report "on a regular basis, to legislative bodies on the progress of efforts, as appropriate, to mainstream gender concerns" (paragraph 109).

In the ensuing decades, the concept of gender-sensitive parliaments has become the clearest expression of parliaments' responsibility to promote and achieve gender equality. International parliamentary organisations such as the Commonwealth Parliamentary Association (CPA) and the IPU have been at the forefront of these efforts, having produced an evidence base as well as political texts that encourage further action in support of gender sensitivity around the world.³ Today, a number of intergovernmental entities, including ODIHR, the European Institute for Gender Equality (EIGE), the Organisation for Economic

¹ [Plan of Action for Gender-sensitive Parliaments](#), Inter-Parliamentary Union, 2017.

² [Realizing Gender Equality in Parliament: A Guide for Parliaments in the OSCE Region](#), ODIHR, 2021, p. 15, borrowed from Sarah Childs and Sonia Palmieri, "Gender Sensitive Parliaments: Feminizing Formal Political Institutions", in Marian Sawyer, Lee Ann Banaszak, Jacqui True and Johanna Kantola (eds.): *Handbook of Feminist Governance*, Cheltenham: Edward Elgar Publishing, 2023, pp. 174-188.

³ [Gender Sensitising Parliaments Guidelines: Standards and a Checklist for Parliamentary Change](#), Commonwealth Parliamentary Association 2020; [Gender-Sensitive Parliaments: A Global Review of Good Practice](#), Inter-Parliamentary Union 2011.

Co-operation and Development (OECD) as well as the United Nations, have dedicated resources to support the removal of barriers to women's full and effective participation in parliaments.

3. PARTICIPATORY GENDER AUDIT: THE APPROACH

The purpose of participatory gender audits is to help parliaments assess the degree to which they are gender-sensitive and gender-responsive in their key functions of representation, lawmaking and oversight, and to formulate recommendations to improve gender sensitivity within parliament. The audit applies an intersectional approach, understanding that women and men are very diverse, based on their own individual personal characteristics and experiences.

A parliamentary participatory gender audit (hereafter also referred to as "gender audit" or just "audit") is an assessment, designed and undertaken by external experts, together with the parliamentary leadership, members of parliament, parliamentary staff, civil society organisations, and other relevant organisations. A participatory gender audit entails gathering and discussing information from multiple and diverse sources to develop an objective understanding of current practices and processes.

Parliaments vary in their level of gender sensitivity and there is room for improvement across the OSCE region. Participatory gender audits are relevant to all parliaments, whatever the political system and whatever the stage of development. The participatory gender audit process is not intended to rank parliaments, but rather to help parliaments to identify their strengths and weaknesses in order to determine priorities for strengthening the institution. An audit provides a framework for discussion among members of parliament, decision-makers in the parliamentary administration and parliamentary staff. The approach involves answering questions about the policy frameworks and work of the parliament concerned.

The gender audit approach recognises that parliaments are both places for democratic representation and places of work. ODIHR's guidance document is designed to enable systematic and comprehensive examination of the ways in which institutional gender insensitivities mediate parliamentary interactions and outputs, across its activities. The audit includes both formal rules and procedures and informal practices, parliamentarians' and parliamentary staff's experiences and preferences, individual behaviour and collective interactions, as well as the wider parliamentary culture. Just increasing the number of women in parliament is not sufficient to make parliaments more gender-sensitive. Women frequently enter highly masculinised institutions where the formal and informal rules and practices reflect the behavioural and historical preferences of men who have long inhabited parliaments. In short, the audit process moves attention from "fixing women" to "fixing institutions". Being a female member of parliament in an environment designed around and for men creates challenges and can make it difficult for women to achieve their potential in parliament and to remain as members of parliament for long periods of time. It also adds to the difficulty of encouraging women to consider a parliamentary career.

The gender audit of the National Assembly of Serbia has been undertaken based on the ODIHR methodology, elaborated in the publication "Participatory Gender Audits. A step-by-

step Guidance Document for OSCE Parliaments”⁴. The ODIHR methodology sets gender sensitivity within the framework of the three main functions of parliaments:

- representation,
- lawmaking, and
- oversight

For each of the functions there is a list of standards leading the audit process (see Appendix 2)⁵.

4. METHODOLOGY

The audit has been led and implemented by ODIHR staff⁶ and one external expert. The audit involved quantitative and qualitative data collecting and analysis, including information from recent questionnaires, reports, legal documents, interviews and focus groups. A desk review was undertaken on the situation of gender equality in politics in Serbia and the efforts that have been made to increase the number of female MPs. In preparation of the gender audit, the parliament collected a set of data and responded to a pre-structured questionnaire (September 2024). Additionally, the parliament conducted a perception and attitudes survey among MPs and parliamentary staff (September and October 2024). 327 MPs and staff members responded to the survey (98 MPs, 229 staff members). 61 percent of the respondents were women. 30 percent of the respondents were MPs, 70 percent were parliamentary staff (see Appendix 1).

A visit to the National Assembly was undertaken from 30 September to 2 October 2024. Interviews and focus groups were undertaken with 21 (14 women and 7 men) members of parliament and members of the parliamentary service. A one-day workshop with 26 participants (8 members of parliament and 18 parliamentary staff; 14 women and 12 men), on 30 September 2024, was held with the following objectives:

- Introduce the concept of gender-sensitive parliaments;
- Provide an overview of the international framework on gender equality;
- Contribute through discussions to the participatory gender audit; and
- Identify potential actions for parliament to take to become more gender sensitive.

Following post-visit drafting and verification steps, the present report has been finalised in February 2025, based on written feedback received from the National Assembly.

⁴ [Participatory Gender Audits. A step-by-step Guidance Document for OSCE Parliaments](#), ODIHR, 2022.

⁵ Learn more in [Realizing Gender Equality in Parliament: A Guide for Parliaments in the OSCE Region](#), ODIHR, 2021.

⁶ The OSCE Mission to Serbia provided expert support and technical assistance for the implementation of the participatory gender audit. ODIHR would like to express our gratitude to the Head of Mission and all Mission members for the support and smooth co-operation.

5. FINDINGS & RECOMMENDATIONS

DIMENSION 1: GENDER-SENSITIVE PARLIAMENTARY REPRESENTATION

1. Representation is one of a parliament's key functions and "parliaments realize their representative function by reflecting the public's diverse experiences in decision-making", including through achieving gender balance in decision-making and removing barriers to women's political participation⁷.
2. Over the time, the international standards on equal participation of women and men in parliaments have developed significantly. The UN Convention of the Elimination of All Forms of Discrimination against Women (CEDAW) calls on state parties to ensure women have equal rights to vote, stand for election, and take part in formulating policy, including through the adoption of temporary special measures. In 1990, the UN Economic and Social Council (ECOSOC) recommended in resolution E/RES/1990/15 a target of 30 percent women in leadership posts by 1995 and 50 percent by 2000. The Council of Ministers of the Council of Europe defined gender balance in the Recommendation 3(2003) as "the representation of either women or men in any decision-making body in political and public life [that] should not fall below 40%". In 2021, the UN Commission on the Status of Women (CSW) set a goal of achieving 50/50 gender balance in all elected positions. On 25 October 2024, the CEDAW Committee issued General Recommendation 40, defining in Para. 2 equal and inclusive representation as 50:50 parity between men and women in terms of equal access to and equal power within decision-making systems.
3. The Constitution (2006) defines Serbia as a representative democracy based on the rule of law, social justice, the separation of powers, human and minority rights, and a commitment to European principles and values. It prohibits discrimination based on any ground including sex (Art. 21), and guarantees gender equality and equal opportunities for women and men (Article 15). Additionally, the Constitution guarantees "equality and representation of different sexes" in the National Assembly (Article 100).
4. These constitutional principles are in line with international treaties to which Serbia is a party. Among others, Serbia, as successor of the Social Federative Republic of Yugoslavia, is since 2001 party to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Since 2013 Serbia is also party to the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention).
5. In its latest Concluding Observations on Serbia's fourth periodic report⁸ from 2019, the CEDAW Committee commended Serbia for appointing the first woman Prime Minister in 2017 and for establishing the Women's Parliamentary Network in 2013. The Committee expressed concern that women from disadvantaged groups, such as Roma women or women with disabilities, are underrepresented in public and political life. The Committee recommended:

"Accelerate the equal representation of women, including Roma women and women with disabilities, in all areas of public and political life, particularly in decision-making"

⁷ [Realizing Gender Equality in Parliament: A Guide for Parliaments in the OSCE Region](#), ODIHR, 2021, page 7.

⁸ Serbia has still not submitted its fifth periodic report, which was due in March 2023.

*positions, at national and local levels, and in armed forces and foreign service, and allocate adequate resources to the implementation of such measures;*⁹

In a similar way, point 3 of the IPU Kigali Declaration calls parliaments to recognize the individual differences among women and prioritise the inclusion of underrepresented groups such as young women, indigenous women and women with disabilities¹⁰.

6. The CEDAW Committee additionally recommended in 2019:

*“Adopt the new Draft Law on Gender Equality, setting 50 per cent quotas on women representation in the areas of social life marked by unbalanced representation of genders, and extend this quota to all public authorities and administrations”.*¹¹

7. In line with the CEDAW Committee recommendations, the National Assembly’s 2019 gender sensitivity self-assessment and based on ongoing reform priorities, Serbia adopted in 2021 a set of important policy documents and legislation: the Law on Gender Equality, amendments to the 2009 Law on Prohibition of Discrimination, and the Strategy for Gender Equality for the period from 2021 to 2030.

8. The Law on Gender Equality calls for gender-balanced representation when nominating candidates for MPs in the National Assembly and local councillors, as well as permanent and temporary working bodies in the legislature and the executive and delegations in international organisations (Article 47). The Law further stipulates that balanced representation is achieved when one sex comprises between 40 percent and 50 percent of the representative body members (Article 6). However, the implementation of the law has been suspended by the Constitutional Court in June 2024, pending the completion of the procedure for assessing its constitutionality¹².

9. The constitutional and legal guarantees of equal political representation are further regulated in the Law on the Election of Members of Parliament (2004). Serbia has a proportional electoral system with closed electoral lists, a 3% electoral threshold, and a 40 percent gender quota. The 250 MPs are elected in one electoral district. Amendments to the Law on the Election of Members of Parliament and the Law on Local Elections, adopted in 2020, reduced the electoral threshold from 5 percent to 3 percent and increased the gender quota to 40 percent. Each electoral list must include at least 40 percent of the underrepresented sex, with a clear rank order: among every five candidates in the order on the list, at least two candidates must be from the underrepresented gender.

10. The first legislated gender quota (30 percent) was initially introduced in 2004 and it produced immediate impact on the number of women MPs elected. Before the quota was introduced, in the 1990s, women held less than 5 percent of seats in parliament. There was a modest increase in 2001 with women holding 10,8 percent of parliamentary seats. The 2007 elections, which were the first to apply the 30 percent gender quota from 2004, saw the proportion of women MPs rise to 20,4 percent.

11. After the last elections held in 2023, there are 94 (37.6 percent) women MPs and 156 (63.4 percent) men MPs in the National Assembly. The below tables present the percentages of women MPs since the first multi-party elections in 1990, divided into two period – before and after the gender quota introduction in 2004:

⁹ [Concluding observations on the fourth periodic report of Serbia](#), CEDAW/C/SRB/CO/4, 2019, p. 8.

¹⁰ [Kigali Declaration](#), Gender equality and gender-sensitive parliaments as drivers of change for a more resilient and peaceful world. Endorsed by the 145th IPU Assembly, Kigali, 15 October 2022

¹¹ [Concluding observations on the fourth periodic report of Serbia](#), CEDAW/C/SRB/CO/4, 2019, p. 8.

¹² [Report from the 8th session of the Constitutional Court](#) (in Serbian), held on June 27, 2024.

Percent of women MPs in the National Assembly of Serbia before quota introduction¹³

Election year	1990	1992	1993	1997	2000	2003
% women MPs	1.6	4.4	6.4	4.8	10.8	12.4

Percent of women MPs in the National Assembly of Serbia after quota introduction¹⁴

Election year	2007	2008	2012	2014	2016	2020	2022	2023
% women MPs	20.4	22.4	33.7	33.6	37.2	39.7	34.8	37.2

12. This positive development in women's representation in the parliament is also reflected in Serbia's ranking on the EIGE's Gender Equality Index, which demonstrates continuous progress in improving gender equality, particularly in political representation and decision-making. In 2021, Serbia was ranked 23rd in the EIGE ranking that brings together all EU member states, the UK, Albania, Montenegro, and North Macedonia, reflecting the impact of reforms in the domain of power¹⁵.
13. The parliamentary Rules of Procedures¹⁶ do not address gender-balanced representation in working bodies or leadership positions within the parliament. There are no requirements for including a specific percentage of women and men either in committees or in the positions of the Speaker and deputy speakers. According to interviews, there were no major discussions among MPs to conduct a comprehensive review of the Rules of Procedure from a gender equality perspective which would also ensure the application of the Law on Gender Equality by the parliament.
14. The National Assembly's self-assessment of its gender sensitivity in 2019, resulted in a recommendation that the parliament should consider introducing minimal representation targets for female and male MPs in all parliamentary working bodies and leadership roles. Additionally, based on the online survey conducted by ODIHR and the National Assembly, it is important to highlight that two-thirds of the surveyed MPs and staff believe that gender-balanced representation targets should be formalised for the parliamentary leadership positions. Additionally, two thirds believe that a minimal representation of female and male MPs should be guaranteed for the membership and chairing of all working bodies.
15. As a positive practice, the gender equality perspective is considered in the composition of parliamentary delegations. Article 26 of the Rules of Procedures stipulates that the composition of parliamentary delegations participating in the work of the Parliamentary Assembly of the Council of Europe, the Parliamentary Assembly of the OSCE, and other multilateral parliamentary institutions must reflect proportional representation of political parties and sexes.
16. In the current convocation, after the December 2023 elections, the Speaker of the parliament is a woman. There have been female Speakers of the parliament several times in the past. Women were chairing five convocations of the National Assembly compared

¹³ Lončar, J. „Izbori i predstavljanje žena u Srbiji od 1990. do 2020”. in: *Kako, koga i zašto smo birali. Izbori u Srbiji 1990-2020. godine* (editors M. Jovanović and D. Vučićević). Belgrade: Službeni glasnik, Institut za političke studije, 2020, pp. 869-889.

¹⁴ As per data on [the National Assembly website](#).

¹⁵ [Gender Equality Index for the Republic of Serbia](#), European Institute for Gender Equality.

¹⁶ [Rules of Procedure of the National Assembly](#), Official Gazette of Republic of Serbia, No 20/2012.

to nine convocations chaired by men. There are more female than male deputy speakers in this convocation. The parliamentary service is currently led by a male Secretary General, although previous parliaments have had women in this position.

17. Yet, there is room for improvements in achieving gender balance in leadership positions within committees and party fractions, as male MPs are still overrepresented in these roles. An overview of sex-disaggregated data related to leadership positions is provided below (as prepared by the National Assembly in September 2024).

Position	Male	%	Female	%
Speaker and Deputy Speakers	2	33.33	4	66.67
Committee chairs	12	63.16	7	36.84
Deputy committee chairs	15	83.33	3	16.67
Head of party fractions	14	87.5	2	12.5
Deputy heads of party fractions	11	68.75	5	31.25
Secretary General	1	100	0	0

18. A central aspect of parliamentary representation is achieving gender balance in parliamentary committees. Membership in parliamentary committees in Serbia partially conforms to stereotypical distributions of policy areas between women and men (see table below¹⁷), which is present in the majority of national parliaments in the OSCE space. Specifically, women are predominantly represented in committees dealing with social issues. Women constitute the majority (more than 50 percent) of members in the following committees: Constitutional and Legislative Issues; Labour, Social Issues, Social Inclusion and Poverty Reduction; Rights of the Child; European Integration; and Health and Family. Conversely, women are least represented (less than 20 percent) in committees in charge of agriculture, Kosovo and Metohija, and the diaspora. They are also underrepresented in committees related to administration and budget, finance, spatial planning and infrastructure, economy, defence, environmental issues, and security services.

Committee	% women	% men
Rights of the Child	72.41	27.59
Labour, Social Issues, Social Inclusion and Poverty Reduction	58.82	41.18
European Integration	58.82	41.18
Health and Family	52.94	47.06
Constitutional and Legislative Issues	52.94	47.06
Human and Minority Rights and Gender Equality	47.06	52.94
Judiciary, Public Administration and Local Self-Government	41.18	58.82
Culture and Information	41.18	58.82
Foreign Affairs	41.18	58.82
Environmental Protection	29.41	70.59
Spatial Planning, Transport, Infrastructure and Telecommunications	29.41	70.59
Economy, Regional Development, Trade, Tourism and Energy	29.41	70.59
Education, Science, Technological Development of Information Society	25.00	75.00
Administrative, Budgetary, Mandate and Immunity Issues	23.53	76.47
Finance, State Budget and Control of Public Spending	23.53	76.47
Defence and Internal Affairs	23.53	76.47
Security Services Control	22.22	77.78
Agriculture, Forestry and Water Management	17.65	82.35
Kosovo-Metohija	11.76	88.24

¹⁷ As per data on [the National Assembly website](#).

Diaspora and Serbs in the Region	11.76	88.24
All Committees overall	35.69	64.31

19. The National Assembly has a gender-equality-focused formal working body. According to the Rules of Procedure, the Committee on Human and Minority Rights and Gender Equality is taking a lead in gender equality issues (Article 46). Its competencies are defined in the Article 52 of the Rules of Procedures: “The Committee shall consider Bills and proposals of other general acts from the aspect of the advancement and achievement of gender equality, carry out the review of policies pursued by the Government, execution of laws and other general acts by the Government and other authorities and public officials accountable to the National Assembly, from the aspect of respecting gender equality.” The committee is gender-balanced, composed of 47.06 percent of women and 52.94 percent of men MPs.
20. An informal Women’s Parliamentary Network was established in 2013. According to its internal, self-regulating Rules of Procedure, adopted in 2014, the Women’s Parliamentary Network aims to promote women’s equality in politics and economy, advance women’s education and solidarity, and combat discrimination and violence against women. The Network collaborates with other women’s networks in Serbia and abroad, as well as with civil society organisations, international organisations, experts, academia and independent bodies.
21. However, as stated by interviewed women MPs, the Women’s Parliamentary Network was not formed in the previous and the current convocation due to a lack of trust among women MPs from different political parties, as well as disagreements about its goals and operations. During the interviews, at the same time, the majority of MPs expressed the need for some form of informal, cross-party organising of women MPs within the parliament, showing openness to exploring other forms of informal co-operation, like thematic/sectoral women MPs groups, with a limited number of political parties working together, or mixed MPs groups, with male MPs taking part in those as well.
22. According to the Law on Gender Equality, “political parties and trade union organisations are obliged to adopt an action plan every four years that contains special measures for encouraging and improving gender equality and balanced representation of the sexes in their bodies and ensuring the active participation of the less represented sex in the composition and work of those bodies” (Article 48.2). Based on the article 66.5 of the same law, political parties are required to prepare reports detailing the number of women and men in management and supervisory bodies after each regular or extraordinary intra-party election or appointment. However, the majority of political parties do not have action plans and do not publish regular reports related to gender-balanced representation, as discovered during the audit.
23. The latest ODIHR election report recommended: “Additional mechanisms and incentives should be established to encourage political parties to promote women’s participation in political life, increase their visibility during electoral campaigns and advance their role in politics”¹⁸.
24. A significant majority of political parties has women's wings and, in some political parties, the president of a women’s wing is ex officio a member of the presidency or the main board. Voluntary gender quotas exist in only a few political parties. Political parties do not

¹⁸ ODIHR, [Republic of Serbia Early Parliamentary Elections 17 December 2023, ODIHR Election Observation Mission Final Report](#), 2024, p. 32.

have gender equality/gender mainstreaming academies and training formats and the majority of parties have no measures and policies related to gender-based discrimination and violence against women in politics. The absence of gender-targeted measures has an impact on the political party organisational culture and, overall, on the candidates' nomination and appointments made by the parties during parliamentary elections, hence, defining the level of gender-sensitivity of the parliament as well.

25. Violence against women in politics is a wide-spread phenomenon in the OSCE space which is only in the last few years receiving adequate attention. Based on the interviews, the majority of women MPs have personally experienced or witnessed diverse forms of gender-based discrimination and violence, including offensive language and perpetuation of gender-based stereotypes during plenary sessions in the parliament and, particularly, in the media. This form of violence against women in politics is having a severe impact on their well-being and the well-being of their broader families.
26. The parliament does not collect sex-disaggregated data on the participation rates, such as the number of amendments or bills proposed by women and men MPs, or their frequency and duration of speaking in the plenary session or committee meetings. During interviews the parliamentary service suggested that there is room for improvement in presenting such data in a sex-disaggregated manner. This approach could facilitate later analysis of equality of voice of women and men and inform parliamentary leadership.
27. National legislation guarantees paid maternity and childcare leave for all new parents, and this rule applies also to MPs and parliamentary staff. Maternity and childcare leaves combined amount to 365 days (two years for third and each subsequent child). Paid maternity leave starts no earlier than 45 days and no later than 28 days before the due date, ending three months after childbirth. Paid childcare leave starts immediately after maternity leave and can be taken by either the mother or the father. However, for Serbian MPs, taking maternity or childcare leave means that if they wish to cast a vote, their only option is to do so in-person. While it is uncommon for fathers to take childcare leave in Serbia, it is not possible to assess this in regards to the male MPs since the parliament does not keep records on how many women and men MPs have exercised their right to maternity and childcare leave.
28. The Law on Gender Equality (Article 66.1) requires the parliament to prepare annual reports on progress made in achieving gender equality; however, such reports are yet to be published.
29. While the parliament's public relations team covers the work of the gender-related parliamentary committee, the information provided is rather concise, lacking a proactive and analytical approach. The web page has no specific section related to gender equality. Publicly available information on the parliamentary activities could be more detailed and substantial. Interviewees noted that the public relations team tends to use gender-sensitive language.
30. Art presented in parliamentary buildings is extensive, with women being featured and portrayed, but there is no analysis or statistics available on who is portrayed or whether any policies exist to prevent gender bias in the selection of artists. Based on the interviews, it can be concluded that the parliamentary space predominantly features historical figures, mainly men.
31. As per data presented by the parliamentary service, there are 279 women and 129 men employed in the parliamentary service, led by a male Secretary General (see Table below,

as provided by the National Assembly in October 2024). Men are under-represented, as 68 per cent of the employees are women.

	Permanent employment	Fixed-term contract
Women	247	32
Men	101	28
Total	348	60

Among the filled leadership positions in the parliamentary service of the National Assembly, 70 per cent are held by women (see Table below). Since the first convocation in 1990, the position of Secretary General has been filled on a gender-balanced basis (data are prepared by the National Assembly in October 2024).

	Internal Auditor		Assistant Secretary General		Head of units	
	No	%	No	%	No	%
Women	1	100	1	50	21	70
Men	/	/	1	50	9	30
Total	1	100	2	100	30	100

32. The National Assembly does not have a set calendar for its future activities which makes it difficult to plan; however, MPs reported in interviews that the parliament has recently begun preparing its first calendar. As reported by the National Assembly, the sittings are aligned with the school calendar, with longer breaks during school holidays. Sessions of the National Assembly are typically held on Tuesdays, Wednesdays, and Thursdays, from 10-18h, with a one-hour break. The President of the National Assembly may decide to hold sessions on other days or extend working hours beyond 18h if there are justified reasons, which the President communicates to the MPs. In the current convocation, plenary sessions have not lasted beyond 21h, whereas in previous convocations, it was not uncommon for sessions to last until after midnight. Committees occasionally meet on weekends, though this is rare.
33. There are some measures to support MPs with caring responsibilities, including also allowances for family members who live separately from their families. However, childcare facilities, proxy voting for MPs, and flexible working hours/teleworking are not available in the National Assembly. In the parliament's self-assessment facilitated by the Inter-Parliamentary Union, it was recommended that the parliament adopts mechanisms to support MPs with young children by providing onsite childcare facilities, as well as flexible working for the staff with care responsibilities. Among the surveyed MPs and staff, 55 percent believe that work conditions allow MPs to balance work and family obligations. 52 percent of surveyed MPs and staff believe that male and female staff have equal access to family friendly working arrangements. Less than a third of MPs and staff see family caring responsibilities as a barrier for staff in undertaking certain roles in parliament or obtaining a promotion.
34. Based on interviews, gender equality expertise is lacking within the parliament service, except the technical expertise of the staff working for the parliamentary committee in charge for gender equality. While parliamentary staff can occasionally attend one-day training sessions that may include gender equality awareness raising, the parliament itself has so far not focused on gender-equality capacity development, especially when it comes to targeted training related specifically to the different job functions.

35. In accordance with the Law on Gender Equality (Article 64), the Secretary General appointed in 2023 a parliamentary staffer to oversee some aspects of law implementation. This individual is responsible for monitoring the implementation of gender equality policies within the scope of parliamentary service, assessing the gender balance among employees in the service, preparing reports, data and analyses to inform parliamentary gender equality bodies, and proposing measures to achieve gender equality¹⁹.
36. The hiring process for the parliamentary service staff is gender-blind. In addition, the Regulation on Internal and Public Call for Positions in State Bodies²⁰, which details the hiring process for all public authorities, including the National Assembly, does not address gender equality in the required competencies and hiring criteria. Upon employment, newly hired employees are introduced to anti-discrimination and sexual harassment policies, and informed about whom to contact in the parliamentary service if they experience such issues.
37. The Law on Prohibition of Discrimination (2021) explicitly prohibits gender- and sex-based discrimination, violence, harassment, exploitation, hate speech, prejudices and stereotypes in all spheres of life. Additionally, the Labour Law also prohibits gender-based discrimination and sexual harassment²¹. These provisions are yet to be included in the documents regulating the work relations in the parliament. As recommended in the point 10 in the Kigali Declaration, the parliament is advised to “introduce stringent policies with the objective of zero tolerance of violence against women, sexual harassment and bullying in parliament, and establish independent and efficient grievance procedures with strong sanctions”²².
38. The National Assembly adopted a Code of Conduct for Members of Parliament in 2020²³, along with a Guide for its implementation in 2021²⁴. The only provision related to gender or sex-based discrimination and violence in the Code of Conduct is Article 4, which prohibits discrimination on any grounds: “In the performance of the parliamentary role, the MP is obliged to act equally towards all citizens, without discrimination or privilege based on kinship, age, nationality, ethnicity, language, race, political and religious beliefs, disability, education, social position, sex, sexual orientation, marital or family status or on other grounds”. The Code of Conduct does not explicitly address issues of gender-based violence or harassment of women MPs or parliamentary staff. The majority of interviewed MPs highlighted that the current Code of Conduct is now allowing adequate processing of cases of sexism and gender-based discrimination and violence, in all its forms. The Guide for Implementing the Code of Conduct is also gender-blind. While it provides numerous examples of violations of the Code and ethical behaviour for MPs, it does not include a single example related to gender equality. The Code of Conduct for Civil Servants is also gender-blind, making no references to gender or sex-based discrimination, violence or sexist language²⁵.

¹⁹ [Decision on the appointment of a person in charge of gender equality](#) (In Serbian), National Assembly of Serbia, April 2023.

²⁰ [The Regulation on Internal and Public Call for Positions in State Bodies](#) (in Serbian), Official Gazette of the Republic of Serbia, No 2/2019 i 67/2021.

²¹ [Labour Law](#) (in Serbian), Official Gazette of the Republic of Serbia, No 24/2005, 61/2005, 54/2009, 32/2013, 75/2014, 13/2017, 113/2017, 95/2018, Articles 18-23.

²² [Kigali Declaration](#), Gender equality and gender-sensitive parliaments as drivers of change for a more resilient and peaceful world. Endorsed by the 145th IPU Assembly, Kigali, 15 October 2022.

²³ [Code of Conduct for Members of Parliament](#) (in Serbian), National Assembly, 2020.

²⁴ [A Guide for Implementing the Code of Conduct for Members of Parliament](#) (in Serbian), National ASsembly, 2021.

²⁵ [The Code of Conduct for Civil Servants](#) (in Serbian), Official Gazette of the Republic of Serbia, No 29/2008, 30/2015, 20/2018, 42/2018, 80/2019 i 32/2020.

39. Less than a third of the surveyed MPs and staff (27 percent) believe that sexist language is used in the parliament, while 51 percent do not share such belief. Two thirds of MPs and staff believe that MPs treat parliamentary staff with respect, free of sexual harassment and gender-based discrimination.

Recommendations

In order to improve gender-sensitive parliamentary representation and ensure a gradual but ambitious and continuous progress towards gender-balanced representation and gender parity, on all levels of government and with the parliament as a whole, the following recommendations are put forward for consideration of the parliamentary leadership:

- a) Consider setting up a Working Group on Gender Equality in Parliament, tasked to take the gender mainstreaming process forward, aiming at transforming the report's recommendations into a high-impact, realistic and result-oriented Action Plan on the Promotion of Gender Equality in the National Assembly. Such an action plan should include work on further temporary special measures that would encourage advancement related to women's full and equal political participation aiming at achieving gender parity (50/50);
- b) Review the existing Rules of Procedure and consider introducing
 - a. minimal and realistic representation targets for female and male MPs in all parliamentary working bodies, applying the good practices already applied for the appointment of parliamentary delegations;
 - b. minimal representation targets for leadership roles, including leadership of parliamentary working bodies;
- c) Re-establish the Women's Parliamentary Network or consider establishing other forms of informal MPs' co-operation on gender equality advancement, including of male MPs²⁶. Such informal cooperation could include the following:
 - a. smaller thematic cross-party gender equality groups/caucuses, which would include both women and men MPs based on their interest in diverse gender-related themes such as gender equality in politics, violence against women, or women's economic empowerment. There can be multiple of those smaller thematic MP groups;
 - b. a 'Men Engage' cross-party parliamentary group, which can bring on board few progressive male MPs interested in advancing gender equality and acting as male allies and critical actors for gender equality;
- d) Continue to act as one of the main democratic institutions in the political system promoting gender-balanced representation on all levels and branches of governance, by for example:
 - a. Reviewing existing legislative and non-legislative measures aimed at ensuring gender-balanced representation, aiming at taking additional steps in order to

²⁶ Point 6: "engage men MPs and other men active in the parliamentary ecosystem to act as allies for gender equality, including by co-sponsoring bills, initiatives and actions with women MPs, across the legislative, oversight and representation fields", [Kigali Declaration](#) on Gender equality and gender-sensitive parliaments as drivers of change for a more resilient and peaceful world. Endorsed by the 145th IPU Assembly, Kigali, 15 October 2022.

- achieve gender parity (50/50 representation) in the National Assembly and other representative bodies;
- b. Running every year, a plenary dedicated solely to the topic of gender equality advancement;
 - c. Strategically identifying ways on how to engage male MPs on gender equality advancement;
 - d. Preparing a welcome booklet for all new MPs and staff, which raise awareness on the importance of gender equality and provide diverse examples on how gender equality in to be taken into account for parliamentary representation, lawmaking and oversight²⁷;
 - e. Conducting an assessment on the art presented in the parliament's buildings, aiming at increased presence of art from female artists;
 - f. Running regular outreach and awareness raising activities, promoting gender equality through recognition of gender equality achievements and champions, artistic and cultural activities or other initiatives in the parliament;
 - g. Establishing a 'gender equality' section on the web page of the parliament;
 - h. Continuing with the more recent practice that the plenary and committee sessions are not held after 6pm, and particularly not over weekends. Consider introducing a parliamentary sitting calendar, proxy voting for MPs and flexible working hours and teleworking for the parliamentary staff;
- e) Kick off a cross-party dialogue aiming at
- a. identifying formal and informal measures that can be taken in order to ensure a broader representation of underrepresented groups, including of women and men of underrepresented age groups, with disabilities²⁸ and of ethnic minority background;
 - b. encouraging political parties, in line with the Law on Gender Equality, to develop multi-year action plans that contain measures (such as training and temporary special measures) to promote gender equality and ensure balanced representation in their bodies. They should also regularly compile and publish sex-disaggregated data on the composition of their bodies;
- f) Review the existing Code of Conduct with a view to introducing explicit provisions prohibiting the use of sexist language and all forms of gender- and sex-based violence, discrimination or harassment of women MPs or parliamentary staff²⁹. Amend the Guide for implementing the Code of Conduct to include gender equality among the listed values, along with examples of gender-equal treatment for MPs and staff. Ensure that gender-based discrimination and violence against women, in all its forms, is part of future awareness raising/training activities for MPs and staff;

²⁷ See example of guide prepared for MPs in the Assembly in North Macedonia [Gender Matters! Manual for Members of Parliament and Parliamentary Staff on Gender Equality and Women's Empowerment](#), Assembly of North Macedonia and OSCE Mission to Skopje, 2021.

²⁸ The National Assembly of Serbia established on 11 October 2024 an informal Parliamentary Group for the Advancement of the Status of People with Disabilities. Next to members of parliament, it is composed of representatives of diverse associations and unions of people with disability.

²⁹ ODIHR has published a practical and hand-on toolkit on how to address violence against women in politics in all its forms. The tool 2 provides an overview of good practice on how parliaments can set up effective policies and mechanisms. See more in [Addressing Violence against Women in Politics In the OSCE Region: Toolkit](#), ODIHR, 2022.

- g) Intensify activities related to the gender equality awareness raising, among MPs and staff, aiming at making such offers comprehensive and regularly offered and included in the planned training activities for MPs and staff;
- h) Consider conducting regular (ideally on annual basis) perception and attitudes surveys among MPs and staff, aiming at better understanding barriers and challenges to full and equal participation of women and men. Use the results of the survey to advance rules, mechanisms and practices related to gender sensitivity;
- i) Consider introducing a staff position of a Gender Adviser in the office of the Secretary General, tasked to lead gender mainstreaming activities in the parliament, support other units within the parliamentary service, and technically coordinate and support the implementation of the recommendations of this report. This position can be fully focused on gender equality advancement or combined with other diversity and inclusion issues, like the advancement of rights of people with disabilities;
- j) Introduce the monitoring of sex-disaggregated data when it comes to participation practices and start issuing publicly available reports on the progress made in achieving gender equality. Based on the conducted data, assess if there is a need for additional measures to be taken, aiming at making the parliament a gender-balanced institution;

DIMENSION 2: GENDER-SENSITIVE LAWMAKING

40. Legislation has a profound impact on everyday life, on people's rights and livelihoods and it is thus fundamental that laws are of good quality, meaning that they should be consistent, clear and intelligible, foreseeable, transparent, accessible, human rights-compliant, effective, non-discriminatory, gender-responsive and reflective of diverse groups in society, both in terms of wording and in practice, once implemented. All interested parties and stakeholders should have the opportunity to access the lawmaking process, be informed about it and be able meaningfully to participate and contribute. Consultations are one means of interacting with the public, in addition to information-sharing and participation, the latter implying greater involvement. Different groups and individuals, especially those who may be affected by the draft law, as well as stakeholder organizations should be identified early and included from the initial policymaking phase and throughout the lawmaking process. They should be empowered to be able to take part adequately in the process³⁰.
41. The importance of incorporating a gender perspective into lawmaking processes has been emphasised in numerous international standards and OSCE human dimension commitments, which Serbia has committed to. Specifically, Serbia is bound by the 1995 Beijing Declaration and the Platform for Action, that stresses the importance of mechanisms for gender equality and advocate for a fundamental shift in the approach to gender equality, emphasising the integration of gender perspectives into the creation of public policies and of legislation, and equal gender participation in decision-making processes. The IPU Kigali Declaration (recommendation 7) advises parliaments to ensure that gender sensitivity, gender equality and gender mainstreaming and budgeting guide all of a parliament's work at all times³¹.
42. The 1997 Resolution of the UN Economic and Social Council (ECOSOC) defines gender mainstreaming as: "The process of accessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality".
43. Temporary special measures are a central tool to advance so-called 'equality of results' or substantive equality. By using temporary special measures in electoral legislation, Serbia is addressing inequalities and aiming to abolish under-representation in all spheres of political life. Temporary special measures are not just aimed towards increasing the numerical representation of women in politics, but, according to CEDAW General Recommendation 25 para. 22, also encompass: "A wide range of legislative, executive, administrative and other regulatory instruments, policies, and practices, such as outreach or support programmes; allocation and/or reallocation of resources; preferential

³⁰ See more on the guiding principles of democratic lawmaking and better laws on the ODIHR [Guidelines on Democratic Lawmaking for Better Laws](#), 2024. Specifically, Principle 7 on Participation and Inclusiveness and Principle 12 on Equality and Non-discrimination. See also Sub-section 8 of the Guidelines on Gender and Diversity Considerations, as well as Annex I to the Guidelines on Selected International and Regional Instruments relevant for lawmaking in general.

³¹ [Kigali Declaration](#), Gender equality and gender-sensitive parliaments as drivers of change for a more resilient and peaceful world. Endorsed by the 145th IPU Assembly, Kigali, 15 October 2022.

treatment; targeted recruitment; hiring and promotion; numerical goals connected with time frames [such as action plans]; and quota systems. Consequently, temporary special measures should be included in every draft law, as appropriate.

44. In its latest 2019 Concluding Observations on Serbia's fourth periodic report, the CEDAW Committee recommends "that the State party: (a) strengthen the application of gender-specific temporary special measures to accelerate progress towards the achievement of substantive equality for women, in particular for disadvantaged groups of women, in all areas under the Convention, and allocate sufficient resources for the implementation, monitoring and impact assessment of such measures; (b) strengthen the collection and analysis of gender-relevant statistics to effectively monitor and assess the impact of temporary special measures; (c) raise awareness among relevant government officials, parliamentarians, employers and the general public, especially women, of such measures and their impact."
45. International commitments to gender-sensitive lawmaking and gender mainstreaming were transferred into Serbian constitutional principles and national legislation. According to the Constitution "the State shall guarantee the equality of women and men and develop equal opportunities policy" (Article 15). This provision obliges state institutions, including the parliament, to implement temporary special measures that promote gender equality and address inequalities.
46. Gender mainstreaming is codified in the Law on Gender Equality (2021), which mandates the inclusion of gender perspective and gender analysis in all legislation, public policies, plans and activities. This law stipulates that "ministries and other public authorities when participating in the creation, implementation, monitoring and improvement of sectoral policies, formulation of laws, regulations, administrative provisions and activities in the areas of their competence, especially in areas where general and special measures are implemented in accordance with this law, take into account the goals of equality between women and men" (Article 61).
47. The processes of drafting laws, decisions, and the Rules of Procedure of the National Assembly, as well as preparing other general acts passed by the National Assembly, are regulated by the Unique Methodological Rules for the Creation of Regulations (2010)³². These rules specify the structure, form, language and style for preparing all documents, including their written justifications and amendments, adopted by the National Assembly. The Methodological Rules prescribe the use of "masculine gender, unless the nature of the matter requires otherwise" (Article 43). They outline the structure of written justifications for proposed regulations in a gender-blind manner, without requiring that the justification includes sex-disaggregated data or a gender analysis of the regulation's impact³³.
48. In its Concluding Observations, the CEDAW Committee welcomed Serbia's legislative reforms aimed at reducing discrimination against women and promoting gender equality. The Committee recommended that Serbia strengthen the mandate and independence of gender-equality bodies, such as the Coordination Body for Gender Equality, formed in 2014 under the Deputy Prime Minister. It also advised allocating substantial and sustained human and financial resources for the effective implementation of the National Strategy

³² [Unique Methodological Rules for the Creation of Regulations](#) (in Serbian), Official Gazette of the Republic of Serbia, No 21/2010.

³³ ODIHR [Guidelines on Democratic Lawmaking for Better Laws](#), 2024, paragraph 157: "Depending on the institutional settings and actors involved in different countries, gender impact assessments may be conducted by the government unit proposing a law, by governmental institutional mechanisms for gender equality, or as part of a comprehensive RIA."

and Action Plan for Gender Equality. These measures can contribute to better draft laws prepared by the government.

49. The National overview of achieved progress in implementing the Beijing Declaration and Platform for Action +25 acknowledges that “one of the key tasks and challenges is gender mainstreaming in all public policies of importance for gender equality and the improvement of the culture of gender equality”³⁴.
50. Beyond the Law on Gender Equality, there are no other legislative provisions that would oblige initiators of legislation to prepare a targeted gender analysis or ex-ante gender impact assessment of draft legislation. Consequently, the draft laws enter the parliament without gender analysis.
51. Interviewees suggested that committees discuss draft laws from a gender-equality perspective only when such laws are directly focused on gender equality. Additionally, most interviewed MPs believe that discussing gender equality concerns is the sole responsibility of the Committee for Human and Minority Rights and Gender Equality. There is no requirement in the parliamentary Rules of Procedure that draft laws include a gender impact statement and gender analysis of the draft laws and, as reported by the parliament, MPs do not use a checklist or other practical tools for gender sensitive legislative scrutiny. The template for committee reports does not include chapter related to gender equality.
52. The publication *Twenty Years of Parliamentary Mechanisms for Gender Equality in Serbia (2023)* shows that in the Committee for Human and Minority Rights and Gender Equality, laws related to human and minority rights tend to be examined in a gender-neutral manner, even when they have a significant gender dimension³⁵.
53. In the parliament’s 2019 self-assessment of gender sensitivity, it was recommended that a formal process for the gender analysis of laws should be considered. In ODIHR’s October 2024 survey, 42 percent of surveyed MPs and staff believe that the National Assembly needs to introduce obligatory gender impact assessments for draft legislation, while 22 percent disagree. Only 24 percent of MPs and staff responded that the National Assembly examines the draft budget law also from the perspective of gender equality.
54. Both the Law on Gender Equality and the National Strategy for Gender Equality recognise that gender-sensitive statistics are essential for providing a comprehensive measure of progress in the field of gender equality. The Republic’s Statistical Office has significantly improved the presentation and availability of sex-disaggregated data through the regular publication of the special issue *Women and Men in the Republic of Serbia*, which has been released every three years since 2005. Sex-disaggregated statistics are maintained in areas such as population, health, social protection, education and science, employment, earnings and pensions, living standards, time use, justice, decision-making, and international indices.
55. However, sex-disaggregated statistics and data are still lacking in many areas. Even where data is available, such as in the field of employment, statistics maintained by various public authorities are often incomplete, and aggregate data is not always readily accessible. As acknowledged in the National Strategy for Gender Equality, Serbia lacks a robust system for collecting and monitoring sex-disaggregated data in areas such as

³⁴ [National-Level Review of the Progress on the Implementation of the Beijing Declaration and Platform for Action +25](#), Government of the Republic of Serbia, 2019, p. 11.

³⁵ Pajvančić Marijana, Nevena Petrušić and Maja Sedlarević (2023). [Dvadeset godina skupštinskih mehanizama za rodnu ravnopravnost u Srbiji](#). Organisation for European Security and Cooperation, Mission to Serbia.

gender-based violence, women's substantive participation in politics, women from disadvantaged groups, applicants and users of free legal aid, and women's entrepreneurship³⁶.

56. As reported by the parliament, when considering proposed legislation, including the budget, MPs do not use sex-disaggregated statistics and data in the policy area which is being discussed even where these data are available³⁷. The draft laws always include a written justification; however, sex-disaggregated data are not included in this package.
57. As reported by the parliament, at the moment there is not enough gender expertise present in the parliamentary service, which is a precondition for gender informed support to the working bodies of the parliament. The Committee for Human and Minority Rights and Gender Equality is the only parliamentary body which can rely on gender expertise in the parliamentary service to provide support in the legislative process. 61 percent of surveyed MPs and staff agree that MPs should receive gender equality induction training after every election.
58. The Law on Gender Equality includes a provision mandating the use of gender-sensitive language. This requirement applies to public authorities and employers in the fields of education, upbringing, science, technological development, and the media, while other public authorities are tasked with monitoring its implementation. The law recognizes the use of gender-sensitive language as a crucial first step toward achieving gender equality. However, as noted, the implementation of these provisions was suspended by the Constitutional Court in June 2024, and the use of gender-sensitive language is still pending implementation. Additionally, there are no requirements in the parliament that the legislation is written in gender sensitive language. The Rules of Procedure do not refer to gender sensitive language.
59. The Budget System Law (2015)³⁸ introduced gender-responsive budgeting with the aim of achieving its nationwide implementation by 2020. By 2020, 48 out of 53 national-level budget beneficiaries and all 26 provincial-level beneficiaries had implemented gender-responsive budgeting³⁹. The new target is to achieve full implementation of gender-responsive budgeting at all government levels — national, regional, and local — by the end of 2024.
60. The Rules of Procedure regulate in detail the process of the adoption of the State Budget (Art. 171-182), but there are no gender-related provisions. The parliament's feedback indicates that gender considerations, including sex-disaggregated statistics and data, are not taken into account during the debate and adoption process, even when the justification for the proposed state budget includes some analysis of gender-responsive budgeting. As reported by the parliament, there is an organisational unit for gender-responsive budgeting in the Ministry of Finance, which can be contacted by MPs and committees for additional information in the annual budget adoption process. Based on the interviews, MPs are not informed about this unit and have not contacted it so far.

³⁶ [Strategy for Gender Equality for the period from 2021 to 2030](#) (in Serbian), Government of Serbia, 021–9503/2021, p. 110-113.

³⁷ ODIHR [Guidelines on Democratic Lawmaking for Better Laws](#), 2024, paragraph 227: “Legislation should reflect the rights and specific needs of different groups and needs to be monitored and evaluated accordingly. During the implementation phase, budgets and implementation decisions can be monitored from a gender and diversity perspective and allow for disaggregated data collection on the basis of various characteristics, such as sex, national or ethnic origin, religion or belief, disability, age or other characteristics.”

³⁸ [Law on Amendments to the Budget System Law](#), Official Gazette of Republic of Serbia, No 103/2015

³⁹ [Fourth periodic report submitted by Serbia under article 40 of the Covenant](#) (2021). International Covenant on Civil and Political Rights CCPR/C/SRB/4, p. 16.

61. In practice, the parliament was not able to provide an example of a gender analysis of a law. During interviews, many MPs and staff agreed that all law proposers should conduct a gender analysis and include it as part of the draft law's justification. Staff expressed a clear interest for further capacity building in order to be able to improve gender-based analysis of draft legislation during committee review of draft legislation.

62. 59 percent of interviewed MPs and staff believe that the National Assembly cooperates well with women's civil society organisations and those working on gender equality and human rights. As reported by the parliament, the National Assembly occasionally consults with relevant beneficiaries or representatives of impacted groups or individuals of draft laws and occasionally ensures gender-balanced representation of key groups at public hearings⁴⁰. The committee responsible for gender equality regularly includes representatives from the aforementioned groups in its activities. However, MPs' consultations with academic experts for gender issues and women's civil society organisations are only informal.

Recommendations

In order to improve gender-sensitive lawmaking practices, including the cooperation with civil society organisations, and to ensure that gender impact assessments are conducted in a meaningful and systematic way, following recommendations are put forward for the consideration of the parliamentary leadership:

- k) Review the existing rules, aiming at gradually introducing a more comprehensive approach to gender-sensitive lawmaking, based on sex-disaggregated data and gender analysis of draft legislation. Consider:
 - a. Setting stronger and clearer rules for gender mainstreaming in policy development by government authorities, including an explicit obligation to conduct gender impact assessments before submitting draft laws to the parliament;
 - b. Amending the Rules of Procedure, introducing specific provisions related to gender sensitive lawmaking, including related to the State Budget. Rules of Procedure should include a requirement that all draft laws coming to the parliament should be supplemented with gender analysis, irrespective of the initiator;
 - c. Reviewing the Unique Methodological Rules for the Creation of Regulations to incorporate the use of gender-sensitive language when drafting laws and other regulations adopted by the parliament. The Methodological Rules should require that the written justifications of draft laws and other regulations include sex-disaggregated data and a gender analysis of the regulation's impact;
 - d. Tasking parliamentary committees to consider gender equality considerations as part of the regular review of draft legislation;
 - e. Amending existing committee report templates, so it includes a section/chapter related to gender equality, in which committees need to report on how gender equality was considered as part of the committee's review of draft legislation;

⁴⁰ ODIHR [Guidelines on Democratic Lawmaking for Better Laws](#), 2024, paragraph 104: "Civil society can be instrumental in conducting evidence-based research, both at the planning and policymaking stages, and later, once laws have been adopted, to provide feedback on how such laws are implemented. To enhance the usefulness of such collaboration, civil society organizations need to be given sufficient information and background on the draft policies and laws."

- l) Introduce regular, introductory and advanced capacity development initiatives, aiming at strengthening the capacities of parliamentary staff related to gender equality and gender mainstreaming, including on gender impact assessments, all with the overall goal to produce gender-sensitive laws;
- m) Produce hands-on and step-by-step guidelines for all parliamentary committees, demonstrating with practical examples that gender equality mainstreaming is the responsibility of all committees, in line with their sectoral or thematic competence;
- n) Hold orientation seminars, at the beginning of every convocation, for all members of the parliament, on gender equality, gender mainstreaming, gender-sensitive lawmaking and gender impact assessments, aiming at raising the awareness of all MPs on their role on how they can contribute to the advancement of gender equality in the society through an advanced gender sensitive lawmaking process;
- o) Consider holding consultations with key stakeholders in the government, aiming at mapping out potential ways forwards related to the Constitutional Court's suspension of the Gender Equality Law, aiming at reducing the negative impact of this current 'legal vacuum' to the minimum and ensuring government's and parliament's commitment to gender equality advancement;
- p) Formalise and advance a pro-active approach to civil society cooperation, aiming at involving civil society representatives into parliament's work, among others by pro-actively inviting NGOs, academia and experts to committee meetings and giving them space to meaningfully contribute to debates and be consulted on (draft) legislation and its amendments that concern the group or interest they advocate for or represent;
- q) Ensure active and meaningful involvement of women, including from historically under-represented groups, like women with disabilities, and representatives of national minorities in targeted public consultations;
- r) Strengthen the exchange with government bodies during the lawmaking process, also in cases when legislation is proposed by members of parliament, aiming at using government expertise and sex-disaggregated data in sectoral policies;

DIMENSION 3: GENDER-SENSITIVE PARLIAMENTARY OVERSIGHT

63. Gender-sensitive oversight involves overseeing and monitoring the implementation of legislation, budgets, policies, programmes and other actions, including those taken by the Government, from a gender equality perspective. This assists parliaments with “exploring and addressing the potential and real impacts on men and women of laws, policies, programmes and budgets to ensure the impacts are fair and the laws are effective”.⁴¹ Gender mainstreaming in the oversight function of national parliaments “involves asking questions about the impact that government policies, programmes, budgetary allocations and expenditures will have or have had on women and girls as well as on men and boys. It assesses whether gender-blind or gender-biased assumptions have been made about the beneficiaries of a process or policy, who the process or policy target is, and whether all groups will benefit equitably”.⁴²
64. One of the primary roles of the National Assembly is to oversee the work of the Government (Constitution, Art. 99, Law on National Assembly, Art. 7, 15, 56). Although not explicitly outlined in the Rules of Procedure, the parliament has the authority to integrate gender equality considerations into various oversight activities, including the review and discussion of annual reports from key government bodies and the evaluation of the implementation of the annual state budget. The National Assembly can also use gender consideration through various oversight mechanisms, including posing parliamentary questions, submitting interpellations, initiating motions of no confidence against the Government or its individual members, and establishing inquiry committees.
65. The Rules of Procedure (Art. 44) specify that parliamentary committees are responsible for monitoring the implementation of Government policies, overseeing the implementation of laws and other acts, and reviewing work plans and reports of relevant ministries, other public authorities, organisations and bodies.
66. The Committee on Finance, State Budget and Control of Public Spending is entitled to monitor the implementation of gender responsive budgeting⁴³, while the Committee for Human and Minority Rights and Gender Equality plays a more formal role in the oversight over the implementation of all gender equality policies: “The Committee shall consider bills and proposals of other general acts from the aspect of the advancement and achievement of gender equality, carry out the review of policies pursued by the Government, execution of laws and other general acts by the Government and other authorities and public officials accountable to the National Assembly, from the aspect of respecting gender equality” (Rules of Procedure, Art. 52).
67. The minister responsible for gender equality submits quarterly information on their work to the gender equality parliamentary committee (Rules of Procedure, Article 229). Additionally, the Committee on Human and Minority Rights and Gender Equality is responsible for monitoring the implementation of ratified international treaties that regulate the protection of human rights (Rules of Procedure, Art. 52).
68. Interviewed MPs and staff agreed that parliament’s oversight on the implementation of gender equality policies could further improve, aiming at regular, thematic and more

⁴¹ [Gender-Sensitive Scrutiny: A Guide to More Effective Law-making and Oversight](#), International IDEA, 2022.

⁴² [Realizing Gender Equality in Parliament](#), ODIHR, 2021, page 55.

⁴³ As recommended in the [Strategy for Gender Equality for the period 2021-2030](#), p. 89.

comprehensive oversight activities. Next to the formal reporting by the Government, there is a need for gender-targeted oversight activities initiated and led by the parliament.

69. The National Assembly has piloted post-legislative scrutiny⁴⁴ in the last convocations and interviewed MPs agreed that there is a potential to use it on regular basis, potentially picking on annual basis one law per parliamentary committee which will be scrutinised, among others from the perspective of impact on gender equality and women's rights.
70. Gender-sensitive oversight goes beyond oversight of legislation exclusively focused on gender equality. Unfortunately, interviewed MPs were not able to provide examples on how gender considerations were mainstreamed into parliamentary oversight related to other legislation and the State Budget. Interview findings point to the space for inclusion of gender equality considerations in the oversight role in all parliamentary committees.
71. The Government, particularly through the Coordination Body for Gender Equality, Gender Equality Council, and the Ministry for Human and Minority Rights and Social Dialogue, is directly responsible for monitoring and evaluating the implementation of the Strategy for Gender Equality 2021-2030. Additionally, parliamentary committees participate in the implementation, monitoring of implementation, as well as reporting on the Strategy⁴⁵. According to the interviews, parliamentary committees have not taken an active role in monitoring the implementation of the Strategy.
72. In the current government composition, there is a minister without portfolio, responsible for the coordination of activities in the field of gender equality, prevention of violence against women, and the economic and political empowerment of women, which is a big potential to further improve the interaction of the parliament and government.
73. In the Concluding Observations on the fourth periodic report of Serbia, the CEDAW Committee stressed "the crucial role of legislative power in ensuring the full implementation of the Convention" and urged the National Assembly, in line with its mandate, to take necessary steps for implementing these concluding observations⁴⁶. In practice, the parliament did not play an active role in monitoring the implementation of international commitments or the Committee's recommendations. As reported during interviews, the Government is taking the lead in these issues, merely informing the relevant parliamentary committee. Based on the conducted survey, 53 percent of MPs and staff believe that the National Assembly effectively monitors Government compliance with CEDAW, which is in disbalance with the real action taken.
74. The Women's Parliamentary Network should play an informal role in parliamentary oversight, complimentary to the MPs' oversight in the committees. However, the network has still not been formed in the current convocation and no other form of cross-party, informal cooperation on gender equality was set up.
75. Almost half of MPs and staff did not know or had no opinion on the question "if sensitivity about gender equality can also be felt in the questions and initiatives of MPs, and during discussions and debates between MPs".

⁴⁴ Learn more at [Gender-sensitive post-legislative scrutiny | Westminster Foundation for Democracy \(wfd.org\)](https://www.wfd.org/)

⁴⁵ [Strategy for Gender Equality for the period 2021-2030](#), p. 154-155.

⁴⁶ [Concluding observations on the fourth periodic report of Serbia](#), CEDAW/C/SRB/CO/4, 2019, p. 2.

Recommendations

In order to improve gender-sensitive oversight practices and to ensure that gender equality considerations become part of the regular committee work, the following recommendations are put forward for the consideration of the parliamentary leadership:

- t) Review the existing rules, aiming at gradually introducing a more comprehensive approach to gender-sensitive parliamentary oversight. Consider:
 - f. Amending the Rules of Procedure and setting stronger and clearer rules for gender-sensitive oversight, not limited only to the role of the Committee on Human and Minority Rights and Gender Equality, but also holding other committees accountable, within their specific, thematic mandate;
- u) The Committee on Human and Minority Rights and Gender Equality may consider
 - a. mapping new and regular oversight activities, initiated by the parliament and going beyond the consideration of the regular reports submitted by the Government;
 - b. selecting one existing law each year for systematic gender equality review as part of a post-legislative oversight exercise conducted independently by the parliament. This process should be carried out in collaboration with academia and women's NGOs;
 - c. stepping up its role, taking the lead in monitoring the implementation of international conventions, such as CEDAW, and the recommendations arising from treaty bodies, like the CEDAW Committee. The Committee should integrate this into their annual plan of work and remind the Government in case of delays;
- v) Develop a guide, manual or booklet with good practice and ideas on how committees can integrate a gender equality perspective into oversight activities;
- w) Through the parliamentary oversight function, aim at strengthening the governmental institutional mechanisms for the advancement of women and of gender equality, as the central bodies for gender equality policy in the Government;
- x) Apply a proactive approach to civil society cooperation, aiming at involving civil society representatives into the application of the diverse set of potential oversight tools that can be applied related to gender-sensitive oversight;
- y) Use national gender equality expertise, including in academia, in the activities of the parliament, complementing in that way the cooperation with the governmental bodies in charge for gender equality and the international partners;

6. TAKING THE GENDER AUDIT FORWARD: WORKING GROUP ON THE ADVANCEMENT OF GENDER EQUALITY IN THE NATIONAL ASSEMBLY

Participatory gender audits are just the beginning or a milestone in the institutional transformation process of a parliament. In order to build upon the conclusions and recommendations from the gender audit report, one **key recommendation** of this report is central: the setup of a Working Group on the Advancement of Gender Equality in the National Assembly.

The Working Group is to take the process forward, aiming at transforming the report's recommendations into a high-impact, realistic and result-oriented Action Plan on the Promotion of Gender Equality in the National Assembly (see chapter 7).

Who should be part of the Working Group?

As parliaments are organisations that apply horizontal and collective decision-making, it is central that all major parliamentary political parties appoint (two) members to the Working Group. Ideally, those members should not be of the same sex. The Working Group should ideally also have representatives of the parliamentary service, under the leadership of the Secretary General. Overall, it is important to ensure that the Working Group is gender-balanced in its composition, as is it serving as a role model. Additionally, into the Working Group appointed should be ideally women and men, MPs and staff, that either have gender equality expertise or a strong interest and awareness to work on advancing gender equality. The Working Group should be appointed by a formal decision, with a clear Terms of Reference on its composition, mandate, tasks and reporting lines.

What role should the Working Group play?

The central role of the Working Group is to ensure that gender audit report recommendations are transformed into impact-oriented activities. Ideally, the parliament should develop a multi-year action plan for the implementation of the recommendations, and the role of the Working Group is to ensure swift approval of the action plan, its implementation and regular review. The Working Group should report regularly to the entire parliament.

What should be tasks of the Working Group members?

The Working Group should meet on a regular basis, for example quarterly, aiming at keeping the 'gender sensitive parliaments' momentum for change alive and producing concrete results, as per the recommendations from the audit report. The members of the Working Group serve as a link between the parliamentary political parties and the parliament leadership. Members are to advocate for the support of concrete solutions among the members of the party factions they belong to, but also to be the voice of the factions in the Working Group.

7. TEMPLATE FOR THE ACTION PLAN ON THE PROMOTION OF GENDER EQUALITY IN THE NATIONAL ASSEMBLY

The below table presents an example of an action plan which the National Assembly may use as a template to develop a full, multi-year action plan on the promotion of gender equality in the parliament. The action plan would systematize the implementation of all or a selection of the recommendations provided in the report on the participatory gender assessment.

Objective 1: To continuously advance the representation of women in parliament and develop a gender-sensitive working environment for all women and men working in parliament

Activity	Indicator of success	Baseline and target	Parliamentary body or unit in charge	Time frame

Objective 2: To strengthen policies, rules and practices on gender-sensitive lawmaking

Activity	Indicator of success	Baseline and target	Parliamentary body or unit in charge	Time frame

Objective 3: To advance the role of parliament in overseeing government actions related to gender equality enhancement in all areas of life

Activity	Indicator of success	Baseline and target	Parliamentary body or unit in charge	Time frame

Appendix 1. Results of the Perception and Attitudes Survey

The parliament conducted a perception and attitudes survey among MPs and parliamentary staff (October 2024). 327 MPs and staff members responded to the entire survey. 61% of the respondents have been women. 30% of the respondents were MPs, 70% were parliamentary staff.

	1	2	3	4	5
GENDER-SENSITIVE REPRESENTATION					
Women and men should both have at least 40% representation in the National Assembly.	23	16	57	62	169
Parliament needs to introduce representation targets for women and men in the parliamentary leadership.	22	31	69	57	148
Parliament needs to introduce representation targets for women and men in the appointment of the committee chairs.	26	34	73	58	136
A minimal representation of female and male MPs should be guaranteed for all committees.	28	33	71	57	138
The work conditions at the National Assembly allow MPs to balance work and family obligations.	28	32	86	61	120
Sexist language is used in parliament.	121	47	71	37	51
Female and male MPs should receive gender equality induction training after every election.	28	27	74	48	150
MPs treat parliamentary staff with respect, free of sexual harassment and gender-based discrimination.	20	24	69	54	160
The parliament is recognized publicly as a central institution that promotes gender equality.	34	41	66	70	116
Male and female staff have equal access to family friendly working arrangements.	26	39	91	75	96
Family caring responsibilities are a barrier for staff in undertaking certain roles in parliament.	86	60	97	50	34
Family caring responsibilities are a barrier for staff in obtaining promotion.	113	58	81	45	30
GENDER-SENSITIVE LAWMAKING					
Gender considerations and sex-disaggregated data are not taken into account when reviewing the budget or new laws.	41	48	122	42	74
Parliament examines the draft budget law from a gender perspective.	81	44	122	39	41
Parliament needs to introduce obligatory gender impact assessments for draft legislation.	40	33	117	56	81
The parliamentary service and parliamentary staff serve as a resource on gender equality.	40	30	115	67	75
Parliament has good co-operation with women's civil society organisations and those working on gender equality and human rights.	24	34	76	74	119
GENDER-SENSITIVE OVERSIGHT					
There is clear leadership in parliament on gender equality through a designated committee.	53	42	117	46	69
Gender is mainstreamed into oversight activities such as questions and parliamentary debate.	33	44	136	52	62
There are effective links between parliament and women's civil society organisations when conducting oversight activities.	32	52	132	52	59
Parliament effectively monitors government compliance with the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and other international gender equality and women's rights treaties.	19	41	95	65	107

Appendix 2. Assessment Areas

As per ODIHR's participatory gender assessment of parliaments methodology.

The full methodology is available in the publication:

"Participatory Gender Audits. A step-by-step guidance document for OSCE Parliaments"
ODIHR, August 2022, <<https://www.osce.org/odihr/524226>>

1.1 Gender-sensitive representation

Subject	Issues
Electing women to parliament	<ul style="list-style-type: none">• The proportion and numbers of women and men in parliament in recent elections• Barriers women face when running for parliament• Actions by political parties to improve gender equality and representation of women, including tackling violence against women in politics• The electoral system and temporary special measures in electoral legislation
Leadership roles in parliament	<ul style="list-style-type: none">• The proportion of each sex in leadership roles such as speakers, committee chairs or in the parliamentary administration
Participation in parliament	<ul style="list-style-type: none">• Participation by sex, including speaking, asking questions and being members of committees
Caring responsibilities	<ul style="list-style-type: none">• The infrastructure for MPs and staff with caring responsibilities, including sitting times and the provision of child care
Dignity and respect	<ul style="list-style-type: none">• Formal mechanisms — codes of conduct and regulations including policies on discrimination and harassment• Cultural issues — stereotypes and demeaning behaviour• Sharing responsibility for equality by women and men
Parliamentary staff	<ul style="list-style-type: none">• Representation of each sex in the parliament's staff, including in leadership positions, and whether roles reflect gender-stereotypical views of men and women

1.2 Gender-sensitive lawmaking

Subject	Issues
Gender sensitivity in lawmaking	<ul style="list-style-type: none">• Access to relevant sex-disaggregated data• Availability of a checklist or other practical tools for gender-sensitive legislative scrutiny• Requirements for gender analysis and gender impact assessments• Requirement for consultations with beneficiaries of laws, including civil society organizations, representing different interests and groups• Use of gender-sensitive language, i.e., a gender-neutral and/or gender-inclusive approach when formulating legal provisions, and compliance with human rights and gender-equality standards in the content/substance of the laws

Gender sensitivity in reviewing the budget	<ul style="list-style-type: none"> • Access to relevant sex-disaggregated data and also disaggregated by numerous other personal characteristics, such as age, ethnicity, race, religion or disability • Requirements for gender analysis and gender impact assessments • The rights and needs of women and men, and of groups representing minorities, people with disabilities and others, are reflected in supporting budgetary documentation
Gender impact assessment expertise	<ul style="list-style-type: none"> • Availability of in-house expertise to help ensure that lawmaking activities support the elimination of all forms of gender-based discrimination • Availability of external expertise to complement in-house expertise

1.3 Gender-sensitive oversight

Subject	Issue
Parliamentary bodies	<ul style="list-style-type: none"> • Existence, format and mandate of parliamentary bodies in charge of gender equality
Gender mainstreaming	<ul style="list-style-type: none"> • Gender-equality considerations in questions, debates and committee work and in diverse forms of oversight activities, to protect law drafters against unconscious bias and to ensure laws cover everyone equally • Availability of sex-disaggregated data • Gender balance in public hearings
Expertise	<ul style="list-style-type: none"> • Availability of in-house expertise to ensure that activities support the elimination of all forms of gender-based discrimination • Availability of external expertise to complement in-house expertise
International standards	<ul style="list-style-type: none"> • Monitoring compliance with international standards and norms, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

Appendix 3. Excerpt from IPU Kigali Declaration

Parliamentarians from around the world have adopted the Kigali Declaration “[Gender equality and gender-sensitive parliaments as drivers of change for a more resilient and peaceful world](#)” at the 145th Inter-Parliamentary Union Assembly in Kigali, Rwanda.

The full Declaration is available at the following link
<<https://www.ipu.org/news/press-releases/2022-10/ipu-member-parliaments-commit-accelerating-gender-equality>>

Here is an excerpt of the ten commitments at the end of the Declaration:

“Our commitment to gender-sensitive parliaments today must be more ambitious than it was 10 years ago. Looking forward, we pledge the following 10 actions to make many more parliaments gender-sensitive over the next 10 years:

1. Assess the level of gender-sensitivity of our parliaments twice to ensure progress in-between the two milestones.
2. Create a gender-balanced steering committee to follow up on the findings and recommendations of the gender sensitivity assessments that has the power, resources, and mandate to lead reforms.
3. Recognize the individual differences among women and prioritize the inclusion of underrepresented groups such as young women, indigenous women and women with disabilities.
4. Create, resource and empower a gender equality committee or similar body which can effectively hold government and parliament to account, and a women’s caucus that can effectively support women MPs in their parliamentary work.
5. Adopt formal rules to establish gender-balance across all parliamentary leadership positions, ensure the parity of participation of women and men across all parliamentary activities, and prohibit single-sex committees and groups.
6. Engage men MPs and other men active in the parliamentary ecosystem to act as allies for gender equality, including by co-sponsoring bills, initiatives and actions with women MPs, across the legislative, oversight and representation fields.
7. Ensure that gender sensitivity, gender equality and gender mainstreaming and budgeting guide all of a parliament’s work at all times.
8. Conduct gender audits of legislative, budgetary and oversight actions but also of initiatives aiming to introduce or reform, inter alia, parliamentary technology, measures to make parliaments greener, initiatives to engage citizens in the work of parliament, and implement the respective recommendations from such audits.
9. Become caring parliaments by providing fully for the caring needs of men and women MPs and staff as they carry out their parliamentary duties.
10. Introduce stringent policies with the objective of zero tolerance of violence against women, sexual harassment and bullying in parliament, and establish independent and efficient grievance procedures with strong sanctions.”