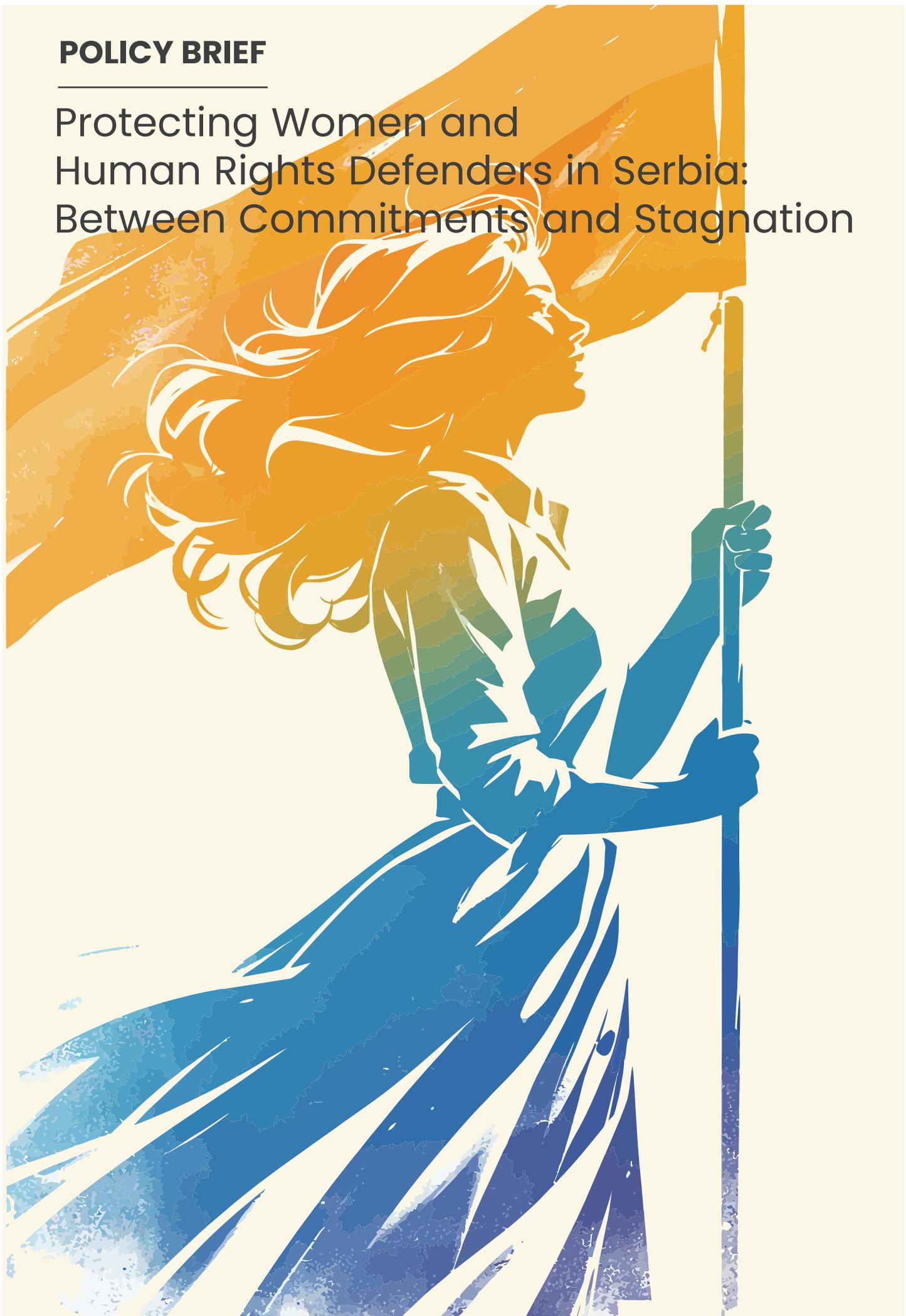


## POLICY BRIEF

# Protecting Women and Human Rights Defenders in Serbia: Between Commitments and Stagnation



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## Executive Summary

Between January 2024 and October 2025, Serbia experienced a period of profound civil unrest, marked by widespread protests, gender-based attacks on activists, and stalled implementation of gender-equality commitments. Violence against women – especially women human-rights defenders, students, and civic activists – has intensified amid shrinking civic space.

High-profile incidents, such as the case of student Nikolina Sindelić and public smear campaigns targeting women protesters, illustrate systemic institutional failure to investigate and sanction gender-based violence (GBV). At the same time, the suspension of the Law on Gender Equality and delays in adopting the Action Plan for the Strategy on Violence against Women (2021–2025) have undermined Serbia’s obligations under Chapter 23 of the EU accession process and the Istanbul Convention.

These developments expose a deep discrepancy between Serbia’s formal commitments and its practical implementation.

The absence of accountability for gender-based crimes, the lack of a femicide registry, and minimal institutional protection for women human-rights defenders erode rule-of-law credibility.

The European Commission’s 2024 Report on Serbia notes persistent non-compliance with GREVIO recommendations, including the failure to redefine rape based solely on lack of consent and the absence of dedicated funding for GBV prevention.<sup>1</sup>

Without tangible progress, Serbia’s justice reforms under the EU Reform Agenda risk remaining nominal, and women’s rights defenders continue to face intimidation without remedy.

We urge the Government to immediately:

- Establish a National Mechanism for monitoring cases of femicide;
- Investigate and prosecute all allegations of torture and abuse by the police, particularly those that are gender-based.

<sup>1</sup> European Commission, Serbia 2025 Report, 2025. Available at: [https://enlargement.ec.europa.eu/document/download/6e68ce26-b95b-48e1-921a-c60c12da8f00\\_en?filename=serbia-report-2025.pdf](https://enlargement.ec.europa.eu/document/download/6e68ce26-b95b-48e1-921a-c60c12da8f00_en?filename=serbia-report-2025.pdf)

## 1. Context and Current Situation (2024–2025)

From 2024 to 2025, Serbia saw a wave of civic protests triggered by social-justice concerns and allegations of government misconduct. The collapse of a canopy in Novi Sad that caused civilian injuries sparked nationwide mobilization by students, civil society organizations, and citizens asserting their constitutional rights to peaceful assembly. During these protests, gender-based targeting of women demonstrators became a recurring pattern. Documented incidents include vehicular assaults on female students during road blockades, physical injuries, and verbal abuse by law-enforcement officers using sexist or derogatory language.<sup>2</sup>

A case emblematic of institutional impunity is that of Nikolina Sindelić, a student detained by members of the Special Police Unit (JZO) on 15 August 2025 in Belgrade. Sindelić reported physical assaults, threats of sexual violence, and verbal humiliation in a government-garage facility. Days later, former State Secretary Dijana Hrkalović posted intimate photographs of the student – taken when she was a minor – on social media, which were then broadcast nationally by *Informer*. The Ministry of Internal Affairs denied the allegations, while the Public Prosecutor's Office failed to announce an investigation. The Ombudsman acknowledged the existence of surveillance footage but refused to release it pending proceedings. No disciplinary measures have been publicly reported.

Parallel to the repression of civic activism, gender-based violence continues to claim lives. By October 2025, civil-society organizations recorded 13 femicides, compared to 17 in 2024.<sup>3</sup> The absence of an official registry and the omission of femicide as a distinct criminal offence hinder systematic monitoring and prosecution. Survivors face inconsistent judicial outcomes, limited access to legal aid, and insufficient protection measures.

<sup>2</sup> The Lawyers' Committee for Human Rights – YUCOM, "Map of Incidents", interactive incident-map), accessed October 2025. Available at: <https://yucom.org.rs/inmap/>

<sup>3</sup> FemPlatz – "Femicide Map," interactive map, accessed October 2025. Available at: <https://femplatz.org/yX6uDYGXvSm8Jqremq.php>

## 2. Implementation of the Action Plan for Chapter 23 and the Reform Agenda

Serbia's obligations under Chapter 23 – Judiciary and Fundamental Rights require harmonization with the EU acquis and the Council of Europe Istanbul Convention. Despite formal progress-adoption of the Gender Equality Strategy (2021–2030), the Strategy for Preventing and Combating Gender-Based Violence (2021–2025), and the Reform Agenda linked to the EU Growth Plan-implementation remains fragmented.

### 2.1 The Law on Gender Equality

Adopted in 2021 after limited consultation with feminist organizations, the Law aimed to strengthen anti-discrimination mechanisms and gender-mainstreaming across state institutions. However, eight constitutional initiatives—including one by the Serbian Radical Party and another by the Protector of Citizens in April 2025-challenged its constitutionality. The Constitutional Court suspended enforcement pending review, effectively halting a core Chapter 23 benchmark. The European Commission warns that this suspension “risks having a detrimental impact on the implementation of the Law on Gender Equality in its entirety and undermining the progress achieved so far.<sup>4</sup>

### 2.2 Strategy on Violence against Women (2021–2025)

While the Strategy provides a broad policy framework, its Action Plan—the instrument for implementation and budgeting-has not been adopted. As a result, measures lack financial allocation, responsible institutions, and monitoring indicators. The text uses generic language (“all forms of violence”) and rarely operationalizes categories such as rape or stalking.<sup>5</sup> The European Commission and GREVIO both urged Serbia to finalize the plan and allocate sustainable funding.<sup>6</sup>

<sup>4</sup> European Commission, Serbia 2025 Report, 2025. Available at: [https://enlargement.ec.europa.eu/document/download/6e68ce26-b95b-48e1-921a-c60c12da8f00\\_en?filename=serbia-report-2025.pdf](https://enlargement.ec.europa.eu/document/download/6e68ce26-b95b-48e1-921a-c60c12da8f00_en?filename=serbia-report-2025.pdf)

<sup>5</sup> Autonomous Women's Center, Answers to Serbia's First Thematic Evaluation Round: Building Trust by Delivering Support, Protection and Justice, 2024. Available at: [https://www.womenngo.org.rs/images/GREVIO/Shadow\\_report\\_by\\_Autonomous\\_Womens\\_Center\\_2024.pdf](https://www.womenngo.org.rs/images/GREVIO/Shadow_report_by_Autonomous_Womens_Center_2024.pdf)

<sup>6</sup> European Commission, Serbia 2025 Report, 2025. Available at: [https://enlargement.ec.europa.eu/document/download/6e68ce26-b95b-48e1-921a-c60c12da8f00\\_en?filename=serbia-report-2025.pdf](https://enlargement.ec.europa.eu/document/download/6e68ce26-b95b-48e1-921a-c60c12da8f00_en?filename=serbia-report-2025.pdf)

## 2.3 Criminal Code and Procedure Amendments

In September 2025, the Ministry of Justice opened a 20-day consultation on draft amendments to the Criminal Code, Criminal Procedure Code, and the Law on Juvenile Offenders. The process lacked transparency—no prior concept papers, no public hearings, and minimal promotion beyond the e-Consultations portal. National Convention on the EU (NCEU) declared that the public consultation process on the proposed amendments to the Criminal Code, Criminal Procedure Code, and the Law on Juvenile Offenders does not meet the basic standards of a genuine public debate. Due to the lack of transparency, meaningful dialogue, and impact assessments, the NCEU announced that it will not participate in the process in its current form. However, as a form of institutional response, the NCEU submitted to the Ministry of Justice a document titled “Red Lines”, outlining the most concerning proposed amendments.<sup>7</sup>

Despite civil-society warnings, the draft introduced a new offence of “sexual intercourse without consent” as a lesser crime than rape—contradicting the Istanbul Convention, which requires consent-based definitions. The draft also omitted any reference to femicide, despite Serbia’s Reform Agenda commitment to address it in 2024.

A positive development was the introduction of a new criminal offence – the sharing of intimate recordings and images without consent – which women’s civil society organizations had long advocated for. However, the speed and lack of transparency of the public consultation process, combined with the large number of proposed amendments, made it difficult for women’s organizations to provide meaningful and timely input on this part of the reform.

<sup>7</sup> National Convention on the European Union, Public Statement Regarding the Conclusion of the Public Debate on Amendments to Criminal Legislation, 2 October 2025. Available at: <https://eukonvent.org/regarding-the-conclusion-of-the-public-debate-on-amendments-to-criminal-legislation/>

As a result of the swift reactions from the convention and civil society organizations, the Ministry of Justice published a report from the public debate in which the proposed amendments were revised. Consequently, there will be no new, lesser offense of sexual intercourse without consent; instead, such a qualification will be included under the existing offense of rape.<sup>8</sup>

Additionally, the Ministry of Human and Minority Rights and Social Dialogue has announced public consultations on the Draft Foundations for amendments and revisions to the Gender Equality Strategy for 2021–2030 and the Draft Foundations for the Action Plan for 2026 and 2027. The public can submit comments by November 26, 2025. At the same time, a public debate is ongoing on the proposed draft amendments to the Law on Prevention of Domestic Violence, with non-governmental organizations not participating in the process, as explained above.

## **3. Institutional and Legal Gaps**

### **3.1 Accountability Deficit**

Prosecutorial inertia in gender-based and politically motivated cases persists. Despite reports of police misconduct and online violence, few investigations advance to indictment. The Nikolina Sindelić case underscores the failure of the Public Prosecutor's Office to exercise *ex officio* authority where sexual violence and public humiliation intersect with abuse of power. This impunity reinforces fear among women defenders and discourages reporting.

### **3.2 Data and Monitoring Deficiencies**

Serbia lacks an official femicide registry, unified GBV database, or standardized data collection across institutions. Civil-society monitoring remains the only reliable source of disaggregated statistics. The Statistical Office does not publish gender-specific data on prosecutions or convictions. This is contrary to the GREVIO recommendations from the latest GREVIO report on Serbia.<sup>9</sup>

<sup>8</sup> Ministry of Justice of the Republic of Serbia, Report on the Public Debate on the Draft Law on Amendments to the Criminal Procedure Code, 20 October 2025. Available in Serbian at: <https://www.mpravde.gov.rs/sr/obavestenje/24706/izvestaj-o-sprovedenoj-javnoj-raspravi-o-nacrtu-zakona-o-izmenama-i-dopunama-zakonik-o-krivicnom-postupku-.php>

<sup>9</sup> Council of Europe, Building Trust by Delivering Support: First Thematic Evaluation Report on the Implementation of the Council of Europe Recommendation CM/Rec (2023)2 on Rights, Services and Support for Victims of Crime, 2024. Available at: <https://rm.coe.int/first-thematic-evaluation-report-building-trust-by-delivering-support-/4880289a48>

### 3.3 Civic Space and Women HRDs

The public vilification of women activists and human-rights defenders through tabloids and political speech illustrates an alarming pattern of gendered defamation. Civil-society monitoring shows that 2024–2025 brought at least 30 incidents of online threats and 12 cases of surveillance or intimidation targeting women lawyers, journalists, and environmental activists.<sup>10</sup> No effective state mechanism exists to address these attacks, contrary to the UN Declaration on Human Rights Defenders (1998) and Serbia's EU Reform Agenda commitments.

## 4. Policy Analysis

### 4.1 EU Accession Credibility

Under Chapter 23, progress on gender equality and GBV response is a core indicator of the rule of law. The suspension of the Gender Equality Law and non-adoption of the Strategy Action Plan jeopardize Serbia's negotiating position. The European Commission's 2024 Progress Report stresses that "Serbia needs to ensure full alignment with the Istanbul Convention and address systemic impunity for gender-based violence" (European Commission, 2024, p. 27).

### 4.2 International Legal Obligations

Serbia ratified the Istanbul Convention (2013), CEDAW (1981), and ICCPR (2001). Article 4 of the Convention obliges states to guarantee equality without discrimination and to adopt "integrated policies for prevention, protection and prosecution." The First Thematic Evaluation Report also highlights Serbia's misalignment with the Istanbul Convention and provides clear recommendations for addressing these gaps. GREVIO urges the Serbian authorities to harmonize all legal definitions of domestic violence across legislation in line with the Istanbul Convention and to ensure their consistent and effective application in practice. In addition, the report stresses the need to identify and tackle the root causes of case attrition within the criminal justice system by establishing comprehensive data collection and case-tracking mechanisms, enabling evidence-based monitoring and improved support for victims.<sup>11</sup>

<sup>10</sup> The Lawyers' Committee for Human Rights – YUCOM, "Map of Incidents /Statistics", accessed 2025. Available at: <https://yucom.org.rs/inmap/statistika.php>

<sup>11</sup> Council of Europe, Building Trust by Delivering Support: First Thematic Evaluation Report on the Implementation of the Council of Europe Recommendation CM/Rec (2023)2 on Rights, Services and Support for Victims of Crime, 2024. Available at: <https://rm.coe.int/first-thematic-evaluation-report-building-trust-by-delivering-support-/4880289a48>

## 5. Policy Recommendations

### I. Legislative Alignment and Legal Reform

- Urge the Constitutional Court to rule on the request for a review of the constitutionality of the Law on Gender Equality as soon as possible, so that its implementation in practice can continue without further delay.
- Amend the Criminal Code to define rape based on lack of consent and introduce a distinct offence of femicide.
- Ensure genuine public consultations ( $\geq 45$  days, with regional hearings and impact assessments) for all gender-based violence related laws (e.g. the Law on Gender-based Violence, Criminal Code, Criminal Procedure Code...).
- Act on the recommendation of the Commissioner for the Protection of Equality and establish a National Mechanism for monitoring cases of femicide.

### II. Institutional Implementation and Protection

- To adopt and fund the Action Plan for the Strategy on Violence against Women 2021–2025, assigning responsible institutions and annual budgets.
- To establish a centralized GBV database integrating police, prosecutorial, and social-service data in line with EU gender-statistics standards (Reg. 2019/680).
- To create a rapid-response mechanism within the Public Prosecutor's Office for threats and online harassment of women defenders, in cooperation with CSOs and The Ministry of Internal Affairs.
- To urgently investigate and prosecute all allegations of torture and abuse by the police, particularly those that are gender-based.

### III. Prevention, Accountability and Public Awareness

- To integrate gender-sensitivity training for police and judiciary through the Judicial Academy curriculum (2026–2028 cycle).
- To mandate disciplinary action for sexist conduct by law-enforcement officers and ensure oversight by the Ombudsman and Internal Control Sector.
- To launch a public campaign on protection of women HRDs and GBV prevention, jointly supported by the EU Delegation and Ministry for Human Rights, with inclusive messaging to youth and rural women.

## **6. Conclusion: Toward Accountability and Gender Justice**

Serbia has built a comprehensive legal framework on paper but continues to lack implementation and accountability. The period 2024 – 2025 demonstrates that gender-based violence and attacks on women defenders are not isolated incidents but symptoms of broader erosion of the rule of law. By failing to protect women activists and to implement its own strategies, Serbia risks undermining its EU path and public trust in justice institutions.

If the recommended actions are implemented – restoration of the Gender Equality Law, adoption of a fully financed Action Plan, and legal alignment with the Istanbul Convention – Serbia could rebuild credibility as a country that protects its citizens and upholds European values. Civil society remains ready to support these efforts through monitoring, legal expertise, and dialogue with institutions.

## Key References

- European Commission (2024, 2025) Serbia Progress Reports and Enlargement Package
  - GREVIO (2019) Baseline Evaluation Report on Serbia under the Istanbul Convention
- First thematic evaluation report Building trust by delivering support, protection and justice Serbia
- National Convention on the EU (NCEU) Statement on Draft Criminal Law Amendments (2025)
- YUCOM Monitoring and Legal Analyses (2024–2025)
- CSOs Coalition Report on Femicide in Serbia (2025)



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