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# TOWARDS BETTER UNDERSTANDING OF LGBTI PERSONS RIGHTS AND THEIR POSITION IN SOCIETY

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Opinion Poll Report and  
Communication Campaign  
Recommendations of Same-Sex  
Unions Law

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**\* All words/terms used in this report in the masculine gender are to be understood as including persons of both male and female gender they refer to.**

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# I. INTRODUCTORY NOTES: THE STATE OF PLAY

Serbia currently has in place a broad-based legislative anti-discriminatory framework that largely meets European standards. The Constitution of Serbia contains a number of provisions banning any form of discrimination, either direct or indirect. Nevertheless, the position of individuals identifying as lesbian, gay, bisexual, transgender and intersex (LGBTI) is a pressing issue that has been weighing on respect for human rights in Serbia.

## I. I. BACKGROUND AND SERBIAN LEGAL FRAMEWORK

Except for a brief period of time, from 1977 to 1990, when homosexuality was legalised in the then Socialist Autonomous Province of Vojvodina,<sup>1</sup> homosexual activity was illegal for much of the history of the Republic of Serbia and its predecessor states.

It was only in 1994 that homosexual acts between men were decriminalised by the Republic of Serbia. It ought to be noted that female homosexuality had never been regulated by law, which had in effect created a legal void.

The **Constitution of Serbia** and the **Criminal Code** indirectly completely decriminalised homosexual activity, irrespective of gender, and lowered the age of consent to 14 regardless of sexual orientation.

The 2006 **Constitution of Serbia** provides a broad-based anti-discriminatory framework for laws to operate in, banning any form of direct or indirect discrimination, including discrimination based on sexual orientation and gender identity.

**Article 21** of the Constitution states: 'All are equal before the Constitution and law. Everyone shall have the right to equal legal protection, without discrimination. All direct or indirect discrimination based on any grounds, particularly on race, sex, national origin, social origin, birth, religion, political or other opinion, property status, culture, language, age, mental or physical disability shall be prohibited.'

This policy is also reflected in provisions of the **Labour Law, Broadcasting Law, Higher Education Law, Public Information Law**, and amendments to the **Criminal Code**, all of which ban discrimination on the basis of sexual orientation.

A particularly important piece of legislation is the **Law on the Prohibition of Discrimination**, which explicitly defined and banned discrimination based not only on sexual orientation, but also on gender identity, which had not been specifically recognised by previous laws, and established the Equality Commissioner as an independent government watchdog.

**Article 13[1]** of this law defines 'severe forms of discrimination' as including 'causing and inciting inequality, hatred and enmity on the grounds of national, racial or religious affiliation, language, political opinions, gender, gender identity, sexual orientation or disability'.

<sup>1</sup> Following constitutional changes in 1974, Vojvodina decriminalised homosexuality in 1978. When the province lost its independent law-making capacity in 1990, homosexuality was again made a criminal offence throughout Serbia.

It should be emphasised, however, that the 2006 Constitution states only a man and a woman can marry (**Article 62**), which is a legal obstacle to legalisation of same-sex marriage, although the Constitution is silent on whether same-sex civil unions are legal.

The Ministry of Human and Minority Rights and Social Dialogue has been drafting the **Same-Sex Unions Bill**, which ought to regulate this issue and improve the position of LGBTI people.

Serbian Prime Minister Ana Brnabić is only the second LGBTI woman to hold such office to date anywhere in the world.

Same-sex couples in Serbia are currently not allowed to adopt children.

Until 2019, it was not possible to change one's sex legally without previously having had sex reassignment surgery. This requirement was replaced in 2019 by mandatory psychiatric evaluation and an endocrinologist's certificate of hormone therapy administered over the course of at least one year.

There is no primary or secondary legislation in Serbia explicitly regulating the position of intersex persons. The **Law on the Prohibition of Discrimination** and the **Criminal Code** currently do not explicitly recognise sex as a protected characteristic based on which one may not be discriminated against. The Law on the Prohibition of Discrimination employs the term '**genetic attributes**', but the legal effect of its interpretation by the courts and administrative bodies have been questionable.

## 1. 2. DEVELOPMENT OF THE SAME-SEX UNIONS LAW

Immediately after the Law on the Prohibition of Discrimination was adopted, in 2009, a working party was created that began drafting a model law that would permit same-sex partnerships. In 2012, this group, which included representatives of LGBTI organisations, developed a Model Law on Registered Same-Sex Unions, which was intended to underpin future legislation, *but no significant progress was made in this area from 2012 to 2015.*

Serbia's declared intention to join the European Union (EU) places same-sex partnerships legislation firmly at the forefront of the country's priorities. Nevertheless, it is worth noting that the EU has no competence over family legislation, and as such recognition of same-sex unions is exclusively within the remit of the EU Member States and candidate countries. *EU Member States regulate same-sex partnerships in a variety of ways.*<sup>2</sup> Firstly, LGBTI persons can marry in a number of countries and register partnerships in others. *Four EU Member States do not permit their LGBTI nations to either marry or enter into same-sex unions (these are Bulgaria, Latvia, Lithuania, and Romania),<sup>3</sup> whereas two (Poland and Slovakia) allow unregistered cohabitation.* Nevertheless, international organisations, in particular the EU and the Council of Europe (CoE) have had a major impact in this regard. The European Court of Human Rights (ECtHR) adopted a key ruling on the right to marry in the case of **Schalk & Kopf v. Austria**.<sup>4</sup>

<sup>2</sup> Analiza pravno-političke situacije u Republici Srbiji u kontekstu zakonskog regulisanja istopolnih partnerstava, Labris, available at [labris.org.rs/sites/default/files/Analiza%20pravno%20-%20politi%C4%8Dke%20situacije%20u%20Republici%20Srbiji%20u%20kontekstu%20zakonskog%20regulisanja%20istopolnih%20partnerstava.pdf](http://labris.org.rs/sites/default/files/Analiza%20pravno%20-%20politi%C4%8Dke%20situacije%20u%20Republici%20Srbiji%20u%20kontekstu%20zakonskog%20regulisanja%20istopolnih%20partnerstava.pdf).

<sup>3</sup> Civil unions and registered partnerships, available at [europa.eu/youreurope/citizens/family/couple/registered-partners/index\\_en.htm](http://europa.eu/youreurope/citizens/family/couple/registered-partners/index_en.htm).

<sup>4</sup> Case of Schalk and Kopf v. Austria, available at [udoc.echr.coe.int/fre#%7B%22itemid%22%3A%22001-99605%22%7D](http://udoc.echr.coe.int/fre#%7B%22itemid%22%3A%22001-99605%22%7D).

Here, the ECtHR assessed whether the same-sex couple not allowed to marry in Austria at the time (2010) was discriminated against based on their sexual orientation. The Court found that ‘particularly serious’ reasons had to be offered to justify the difference in treatment between heterosexual and same-sex couples, affirming that European national governments had been given a broad margin of appreciation in some areas where consensus between the various countries was lacking. Five years later, in the case of **Oliari and Others v. Italy**,<sup>5</sup> the ECtHR ruled that Italy had violated Article 8 of the European Convention on Human Rights (ECHR).<sup>6</sup>

As noted above, Article 62 of the Serbian Constitution defines marriage as union between exclusively a man and a woman, and this constitutional clause precludes the recognition of same-sex marriages in Serbia. Moreover, same-sex partnerships are a highly divisive topic in Serbia that has been causing heated debate in public and resistance, especially from right-wing political organisations and the Serbian Orthodox Church.

One of the priorities of the Serbian Government’s newly established Ministry of Human and Minority Rights and Social Dialogue is to facilitate the enactment of a piece of legislation that would regulate same-sex partnerships in Serbia. In early 2021, the Ministry launched consultations on a law designed to govern how same-sex unions are entered into and terminated, legal consequences of such partnerships, issues related to property ownership, taxation, and pension income, and, lastly, unregistered same-sex partnerships. The working party tasked with developing the law was comprised of Civil Rights Defenders; Regionalni Info Centar; Labris; Geten; Da Se Zna!; Egal; and Centar za Istraživanje i Razvoj Društva IDEAS. Public consultations on the draft Same-Sex Unions Bill lasted from 4 to 23 March 2021.<sup>7</sup>

In mid-March 2021, the ‘Coalition for a Natural Family’ made public a petition opposing three bills being prepared by the Ministry of Human and Minority Rights and Social Dialogue. The Coalition’s 212 members spoke out against the drafts of the Same-Sex Unions Bill, Gender Equality Bill, and Bill on the Prohibition of Discrimination. One of their arguments against the draft Same-Sex Unions Bill was that the piece of legislation was unnecessary and unconstitutional, as well as that its adoption would ‘jeopardise the government’s own pro-natalist population policy’.<sup>8</sup> In response, more than 1,600 professors, scientists, and artists released their own public appeal in favour of LGBTI rights in Serbia shortly afterwards.

Even though it seemed Serbia was close to enacting the Same-Sex Unions Law, in yet another twist the *President of Serbia announced he would not sign the bill into law even if it was adopted in Parliament. The actual draft Bill entered Government of Serbia procedure on 28 April.*

<sup>5</sup> *Oliari and Others v. Italy*: a stepping stone towards full legal recognition of same-sex relationships in Europe, available at [strasbourgobservers.com/2015/09/16/oliari-and-others-v-italy-a-stepping-stone-towards-full-legal-recognition-of-same-sex-relationships-in-europe](https://strasbourgobservers.com/2015/09/16/oliari-and-others-v-italy-a-stepping-stone-towards-full-legal-recognition-of-same-sex-relationships-in-europe).

<sup>6</sup> Analiza pravno-političke situacije u Republici Srbiji u kontekstu zakonskog regulisanja istopolnih partnerstava, Labris, available at [labris.org.rs/sites/default/files/Analiza%20pravno%20-%20politi%C4%8Dke%20situacije%20u%20Republici%20Srbiji%20u%20kontekstu%20zakonskog%20regulisanja%20istopolnih%20partnerstava.pdf](https://labris.org.rs/sites/default/files/Analiza%20pravno%20-%20politi%C4%8Dke%20situacije%20u%20Republici%20Srbiji%20u%20kontekstu%20zakonskog%20regulisanja%20istopolnih%20partnerstava.pdf).

<sup>7</sup> For a detailed discussion, see [minlmpdd.gov.rs/javne-rasprave.php](https://minlmpdd.gov.rs/javne-rasprave.php).

<sup>8</sup> More information is available at [europeanwesternbalkans.rs/da-li-je-srbija-spremna-za-zakon-o-istopolnim-zajednicama](https://europeanwesternbalkans.rs/da-li-je-srbija-spremna-za-zakon-o-istopolnim-zajednicama) [in Serbian].

On 4 June 2021, the CoE Directorate General of Democracy was addressed by Gordana Čomić, the Minister for Human and Minority Rights and Social Dialogue of Serbia, requesting a legal opinion on the Draft Same-Sex Unions Bill.<sup>9</sup> The resulting legal opinion is comprised of general comments, suggestions for improvements, and specific observations regarding particular features of the draft Bill. The opinion also concluded that adoption of the law would greatly contribute to Serbia's CoE standards in the field of combating discrimination on grounds of sexual orientation and gender identity, as well as on the protection of social rights.<sup>10</sup>

### 1.3. REGIONAL LEGISLATION

The regional assessment conducted for the purpose of this survey looked at former members of the Yugoslav federation, namely **Bosnia and Herzegovina, Montenegro, Croatia, North Macedonia, Slovenia, and Serbia.**

All of these countries have decriminalised homosexual activity and do not differentiate by gender or sexual orientation when it comes to age of consent. The region has adopted anti-discrimination regulations, including dedicated laws that prohibit discriminatory practices, all of which explicitly ban discrimination based on **gender identity and sexual orientation.**

**None of the countries recognises same-sex marriage,** although it is only in Montenegro, Croatia, and Serbia that legislation defines marriage as a union between persons of opposite sexes. Some forms of **same-sex civil unions** are officially permitted in Montenegro, Croatia, and Slovenia. Bosnia and Herzegovina, North Macedonia, and Serbia do not legally recognise same-sex unions.

In Montenegro, Croatia, and Slovenia, legislation gives couples in same-sex unions most rights accruing to spouses, including the right to jointly-owned property and mutual inheritance, visit partners in hospital or prison, social and health insurance, and health care. These couples cannot adopt children together (Slovenia allows adopting foster children, whilst Croatia permits adoption by persons who are not in a relationship), nor can they access assisted reproductive procedures. A partial exception is provided by Croatia, where every woman – including lesbians – is entitled to in vitro fertilisation.

Regulations governing the rights of transgender and intersex persons vary widely by country.

**North Macedonia** has no legal procedures of any sort in place for sex change and no legislation dealing with intersex people. **Montenegro** allows changing one's gender, but the procedure is complicated and lengthy, and formal change of gender in legal documents requires prior counselling, hormone therapy, and sterilisation. By contrast, the Montenegrin **Law on the Prohibition of Discrimination** is unique in the region in explicitly listing intersexuality as a protected characteristic. This piece of legislation states that 'gender identity is a matter of each individual and does not entail only

<sup>9</sup> The Expert Opinion is available at [rm.coe.int/opinion-same-sex-unions-serbia/1680a2b5b3](https://rm.coe.int/opinion-same-sex-unions-serbia/1680a2b5b3).

<sup>10</sup> More information is available at [coe.int/sr\\_RS/web/belgrade/news/-/asset\\_publisher/tM7Uo4CVRhTF/content/council-of-europe-s-opinion-on-the-draft-law-on-same-sex-unions-presented-to-the-serbian-minister-of-human-and-minority-rights-and-social-dialogue?inheritRedirect=false&redirect=https://www.coe.int/sr\\_RS/web/belgrade/news%3Fp\\_p\\_id%3D101\\_INSTANCE\\_tM7Uo4CVRhTF%26p\\_p\\_lifecycle%3D0%26p\\_p\\_state%3Dnormal%26p\\_p\\_mode%3Dview%26p\\_p\\_col\\_id%3Dcolumn-4%26p\\_p\\_col\\_count%3D1](https://www.coe.int/sr_RS/web/belgrade/news/-/asset_publisher/tM7Uo4CVRhTF/content/council-of-europe-s-opinion-on-the-draft-law-on-same-sex-unions-presented-to-the-serbian-minister-of-human-and-minority-rights-and-social-dialogue?inheritRedirect=false&redirect=https://www.coe.int/sr_RS/web/belgrade/news%3Fp_p_id%3D101_INSTANCE_tM7Uo4CVRhTF%26p_p_lifecycle%3D0%26p_p_state%3Dnormal%26p_p_mode%3Dview%26p_p_col_id%3Dcolumn-4%26p_p_col_count%3D1).

the binary concept of male versus female'. In **Bosnia and Herzegovina**, too, gender change requires medical procedures, hormone therapy, and surgery. There are no restrictions on name change. Bosnia and Herzegovina regulations explicitly ban discrimination based on sexual characteristics, thereby directly giving intersex persons legal protection. Legal change of gender is allowed in **Croatia** without the need for prior hormone therapy or medical procedures. Formal requirements for change of gender in official documents consist of being diagnosed with a mental disorder, having spent some time as a person of the opposite gender, and being unmarried. Croatian legislation does not regulate the position of intersex persons. In **Slovenia**, gender change is legal but requires attestation from a competent medical professional that the person seeking to have their gender change recognised has 'actually changed their sex'. The country's law does not specifically identify the type of this medical professional or attestation. Surgery is not a precondition. Only an adult with contractual capacity may initiate this procedure. Name change is allowed. Even though it does not directly regulate the legal status of intersex persons, the Slovenian anti-discrimination law lists sex as a protected characteristic.

## 1.4. CURRENT RESEARCH INTO THE POSITION OF THE LGBTI COMMUNITY IN SERBIA

According to findings of a survey undertaken in **2020** by Centar za Istraživanje i Razvoj Društva IDEAS and the Regionalni Info Centar<sup>11</sup> on a sample of 182 gay people, more than three-quarters of those polled (**77 percent**) did not feel that Serbia cared for the position of its LGBTI+ citizens. This result was essentially the same as that registered in **2018**, when 78 percent reported the same view, indicating long-standing mistrust of the authorities.

The survey also found emotional violence was the primary form of violence suffered by the LGBT community. A total of **56 percent** of those polled reported having encountered emotional violence in the year running up to the survey, a figure lower than in 2018 when the same view was shared by **64 percent** of all respondents. No more than **8 percent** of the LGBTI+ individuals polled reported having endured physical violence, the same proportion as in 2018.

There was a significant increase in reports of sexual violence when compared to the preceding survey. Whilst in 2018 **7 percent** of the LGBTI+ people polled had claimed they had been subjected to sexual violence; in the 2020 survey the figure rose to **14 percent**. The survey did, however, concede that this difference may have been due to the questionnaire providing additional clarification as to what 'sexual violence' may include, unlike in 2018, meaning that the apparent rise in sexual violence reports may not be entirely clear-cut.

The perceived exposure to discrimination was much lower than two years previously. Whereas in 2020 **46 percent** of those polled believed they had been exposed to discrimination in the past year, in 2018 the same view had been shared by as many as **67 percent**. As many as one-half (**48 percent**) of the LGBTI+ people surveyed did not feel free to reveal their identity in their day-to-day lives. No more than 14 percent felt entirely free to come out in public.

<sup>11</sup> Godišnje LGBTI istraživanje, available at [ideje.rs/wp-content/uploads/2020/07/Godis%CC%8Cnje-LGBTI-istraz%CC%8Cvanje-2020.pdf](https://ideje.rs/wp-content/uploads/2020/07/Godis%CC%8Cnje-LGBTI-istraz%CC%8Cvanje-2020.pdf) [in Serbian].

According to Grasp the Truth Based on Facts 3, Report on hate-motivated incidents against LGBTI+ people in Serbia from January 2017 to June 2020,<sup>12</sup> in 2019 a total of 63 illegal acts were committed against LGBTI+ people, an increase of 50 percent on the preceding year. In the three years to 2020, physical violence was the most commonly reported illegal act, with discrimination either occurring less often or not been seen as meriting being reported. *The proportion of incidents involving physical violence in the total number of incidents documented in 2020 was greater by 28.1 percent than in 2019. At the time of the survey, most hate-motivated incidents reported to the police and prosecution service remained at the pre-investigation stage. As many as 87.1 percent of the survivors had no information as to whether the criminal charges had ever been acted upon.*

The ILGA-Europe 2020 review, which ranks European countries for their LGBTI-related regulations and policy, placed Serbia 26th (of 49 states) with a score of 33 percent, up from 28 percent in 2019. In addition, in November and December 2020, Civil Rights Defenders undertook an opinion poll of key issues connected with LGBTI rights. This survey also reviewed perceptions of LGBTI rights registered in 2015 and compared these with the situation in 2021.<sup>13</sup>

## 1.5. POSITION OF TRANSGENDER AND INTERSEX PEOPLE IN SERBIA<sup>14</sup>

'Intersex' is a term used for a variety of conditions in which a person is born with variations or sexual characteristics, chromosomes, and/or hormones that may not necessarily correspond to societal or medical expectations. Intersex people are born with physical or biological sexual characteristics (such as reproductive or sexual anatomy or hormonal and/or chromosomal patterns) that do not fit the typical definition of a male or female body.<sup>15</sup> Even though Serbia possesses substantial medical expertise that may help transgender and intersex people throughout the region, resulting in many individuals from neighbouring countries travelling to Serbia to receive help, the country's legislation on intersex and transgender people is underdeveloped. Article 22 of the Law on the Prohibition of Discrimination lists sex as a protected characteristic.<sup>16</sup> Moreover, Article 56b of the Civil Registers Law stipulates that the register of birth is to be updated to reflect sex change pursuant to an official ruling that is issued based on a certificate from a relevant medical institution, as mandated by law.<sup>17</sup>

<sup>12</sup> Report on hate-motivated incidents against LGBT+ people in Serbia from January 2017 to June 2020, available at [dasezna.lgbt/attachments/podaci-3-ENG.pdf?fbclid=IwAR1JhVAIBnXR2afNNDTX0Sctzz6nx3KLORzT8AFCqoN44OsofZjcliYU-Ys](https://dasezna.lgbt/attachments/podaci-3-ENG.pdf?fbclid=IwAR1JhVAIBnXR2afNNDTX0Sctzz6nx3KLORzT8AFCqoN44OsofZjcliYU-Ys).

<sup>13</sup> The opinion poll report is available at [crd.org/wp-content/uploads/2021/04/ENGLESKA-VERZIJA-I.pdf](https://crd.org/wp-content/uploads/2021/04/ENGLESKA-VERZIJA-I.pdf).

<sup>14</sup> More information about intersex people in Serbia is available at [xyspectrum.org](https://xyspectrum.org).

<sup>15</sup> For more details, see [xyspectrum.org/wp-content/uploads/2019/03/interseks-za-PDF.pdf](https://xyspectrum.org/wp-content/uploads/2019/03/interseks-za-PDF.pdf) [in Serbian].

<sup>16</sup> Law on the Prohibition of Discrimination, available at [paragraf.rs/propisi/zakon\\_o\\_zabrani\\_diskriminacije.html?fbclid=IwAR1Yc6rs-voyyccyMikdrSLKXk4ODa7fhRgYiolq1JiWn3BAeKOBakveRBUTQ](https://paragraf.rs/propisi/zakon_o_zabrani_diskriminacije.html?fbclid=IwAR1Yc6rs-voyyccyMikdrSLKXk4ODa7fhRgYiolq1JiWn3BAeKOBakveRBUTQ) [in Serbian].

<sup>17</sup> Law Amending the Civil Registers Law, available at [paragraf.rs/izmene\\_i\\_dopune/200618-zakon-o-izmenama-i-dopunama-zakona-omaticnim-knjigama.html?fbclid=IwAR02vMgewVbH6Q8ye5c2xEfPw6nXTFpIDtUfE9jarVBcddwkBTfo](https://paragraf.rs/izmene_i_dopune/200618-zakon-o-izmenama-i-dopunama-zakona-omaticnim-knjigama.html?fbclid=IwAR02vMgewVbH6Q8ye5c2xEfPw6nXTFpIDtUfE9jarVBcddwkBTfo) [in Serbian].



Serbian nationals may have sex reassignment surgery in state-owned hospitals and the government covers 65 percent of the associated costs. Even though sex change is permitted under amendments to the Civil Registers Law, it depends on a number of administrative authorities that do not follow a single standardised procedure.

The Serbian Constitutional Court has ruled that refusal on the part of authorities to legally recognise and register gender change is a violation of the right to privacy and dignity.<sup>18</sup>

Gender change is permitted, but either hormone therapy or sex reassignment surgery is required as a precondition. National health insurance does not cover the cost of hormone therapy. Serbian legislation recognises only 'male' and 'female' gender, with the only third option being 'other' or 'none of the above'. The public still consider being transgender as a mental disorder. Belgrade-based XY Spectrum is active in promoting the rights of intersex and transgender people and their families and improving their position and quality of life. This is one of the few groups that recognise intersex unions in Serbia.

Intersex people are often referred to as 'hermaphrodites' by both the general public and medical professions, even though this term is considered an insult by intersex people themselves. Only a small multidisciplinary team at Belgrade's Mother and Child Health Care Institute deals with intersex children.

*According to the United Nations (UN), between 0.05 and 1.7 percent of the population are born with intersex traits, but these people often find it very difficult to access their rights in practice in spite of the positive developments outlined above (such as amendments to the Law on the Prohibition of Discrimination and the Civil Registers Law).*

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<sup>18</sup> For a detailed discussion, see [bgcentar.org.rs/bgcentar/wp-content/uploads/2013/12/Odluka\\_o\\_ustavnoj\\_%C5%BEalbi\\_podnosio-ca\\_X.pdf](http://bgcentar.org.rs/bgcentar/wp-content/uploads/2013/12/Odluka_o_ustavnoj_%C5%BEalbi_podnosio-ca_X.pdf) [in Serbian].

## 2. OPINION POLL METHODOLOGY AND DESCRIPTION OF THE SAMPLE

<b>Survey performed by</b>	<b>Centre for Free Elections and Democracy (CeSID)</b> , as part of the project Achieving Better Understanding of LGBTI Rights and Position in Society funded by the European Union and the Council of Europe
<b>Fieldwork</b>	<b>Between 10 and 20 May 2021</b>
<b>Sample type and size</b>	<b>Random, representative sample of 1,060 adult citizens of Serbia</b>
<b>Survey method</b>	<b>Computer-Assisted Web Interviewing (CAWI)</b>
<b>Survey instrument</b>	<b>37-item questionnaire</b>

### 2.1. DESCRIPTION OF THE SAMPLE

The following categories of respondents were covered based on the methodology established for the study:

**Structure of respondents by gender:** male, 46%; female, 54%.

**Respondent age:** 29 and under, 21%; 30 to 39, 17%; 40 to 49, 17%; 50 to 59, 18%; 60 and above, 27%.

**Structure of respondents by educational attainment:** primary school or lower, 26%; vocational school, 13%; four-year secondary school, 42%, post-secondary/university education, 19%.

**Ethnicity:** Serbian, 83%; Bosniak, 3%; Hungarian, 4%; Roma, 4%; Albanian, 1%; other, 5%.

**Region:** Vojvodina, 28%; Belgrade, 20%; Western Serbia and Šumadija, 25%; Southern and Eastern Serbia, 27%.

**Place of residence:** city/town, 68%; rural community, 21%; suburban area, 11%.

## 3. SUMMARY

**Respect for human rights is a core value of any country and one that requires constant attention. A total of 15 percent of all respondents in this survey believed Serbia took 'no account' of human rights in general, whilst one in nine (11 percent) felt their personal rights were threatened. Nearly two-thirds (61 percent) of those who believed their rights were under threat saw Serbian government authorities/institutions as responsible for this.**

The main reasons for feeling threatened reported by respondents were their **political convictions** and **ethnicity**, with both cited by 27 percent each of those who felt their human rights were in jeopardy. Nevertheless, **when the respondents were asked to say which social groups they felt were facing the greatest threat in Serbia, they clearly identified people with disabilities (at 19 percent) and women (14 percent).**

A total of **6 percent** of those who felt their rights were threatened **cited their sexual orientation.** The objective parameters we used to assess public attitudes towards the LGBTI population in Serbia are far from favourable, but they do reveal some improvement over the past decade in terms of how the public perceive people of different sexual orientations. This advance can be measured using the social distance scale which measures closeness towards LGBTI people. The respondents reported being much readier to interact with people of different sexual orientations than in the last survey of this type, conducted in 2010. As in previous polls, the highest degree of scepticism was identified for relationships between children and LGBTI teachers and having LGBTI persons as family members, but some improvement was registered even in this regard. In an encouraging development, the number of respondents prepared to accept an LGBTI co-worker has increased by as much as 29 percentage points.

Nevertheless, the findings remained quite poor when the respondents were asked about more complex interactions with LGBTI people and whether they were prepared to grant greater rights to this group. **Accepting interactions with LGBTI people does not guarantee positive attitudes towards persons of different sexual orientations; here, two-fifths (39 percent) of those who reported having nothing against interacting with LGBTI individuals also had a generally positive attitude towards this group.** One in five of those polled (20 percent) were tolerant when it came to interactions, but still harboured negative views towards people of different sexual orientations.

*This survey once again found that personal contact with dissimilarity contributed to greater tolerance. Two-fifths of those polled (40 percent) who personally knew someone with a different sexual orientation had generally positive views of this population, a proportion four times greater than the average.*

**By contrast, those who indirectly knew, or believed they knew, an LGBTI person, were more likely to have an adverse attitude towards them and less likely to welcome interactions with this group.**

Support to the LGBTI population and their attempts to secure legal equality was more likely to be reported by *religious people who disagreed with all tenets of their faith; people who were not religious but had nothing against religion; women; the under-40 cohort; university graduates; residents of urban areas in Belgrade; and Serbians as opposed to respondents of other ethnicities.*

At the same time, **support for the current draft of the Same-Sex Unions Bill remains fairly low, not exceeding 11 percent, with ignorance of the proposed legislation cited as a key reason for this view.** Once again, it was found that unfamiliarity with a particular law did not prevent respondents from voicing their opinions of it. This interpretation is based on the fact that 61 percent of those who reported having ‘no familiarity at all’ with the proposed Same-Sex Unions Bill were ‘completely opposed’ to its adoption.

*The findings indicate there has been a slight decrease in adverse perceptions of LGBTI people relative to figures recorded both 13 and 11 years ago. The survey found slightly under one-fifth of those polled (18 percent) agreed with the statement that ‘LGBTI people in Serbia are a vulnerable group and should be assisted in exercising their rights.’ When these percentages are compared to those recorded in 2008 and 2010, respectively, a slight increase can be identified in agreement rates (up from 12 percent in 2008 and 15 percent in 2010). The statement ‘In my opinion, homosexuality is an illness’ registered agreement from two-fifths of those surveyed. It ought to be noted, however, that in 2021 this figure was lower by as much as 26 percentage points than 11 years previously. Slightly over one in five respondents agreed with the statement that ‘A union between two people, regardless of their genders, is their own business and no-one should prevent them from legally registering it’, whilst 44 percent disagreed.*

**These figures reveal a tangible increase in positive attitudes towards LGBTI people and same-sex unions.** The 2021 survey also found a significant proportion of respondents who had ‘no opinion’ or could not say anything about these issues, which meant public debate was still required about the position and rights of LGBTI people and the importance of legalising same-sex unions. The respondents were also asked about their attitude towards violence against people of different sexual orientations perpetrated by particular groups and individuals, with **the vast majority, 63 percent, claiming such violence ought to be punished in the same way as any other type of violence against anyone.**

Young people’s views were again found to be divided on the topic of pride marches, with **some in the under-29 cohort reporting they would join a pride parade whilst others prepared to use violence against the marchers.** Respondents primarily active on Twitter and TikTok were more likely to report being ready to join, whilst radio listeners were over-represented in the group who reported being prepared to use violence.

The survey also found the respondents did not condone violence against LGBTI people, with *most of those polled opposed to such violent acts*. No more than one in ten respondents declared their support for violence against LGBTI individuals, *whilst only 1 percent would be ready to use violence themselves (against a pride march)*.

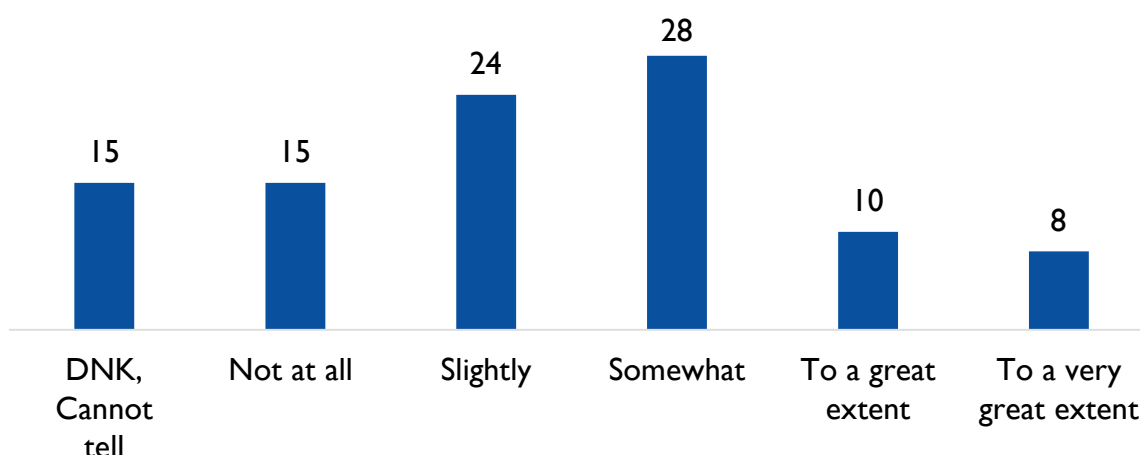
*Most respondents (35 percent) were neutral about people who opted to change their gender*. Still, perceptions of this issue remained negative, with no more than 6 percent of those polled reporting either a 'positive' or a 'very positive' attitude towards those who change their gender, whilst, by contrast, 25 percent had a 'negative' attitude, and another 18 percent reported a 'very negative' one. A total of 13 percent of those polled reported they would support a person from their immediate social circle in changing his or her gender if doing so would make that person 'happy and content'. **As many as 41 percent of all respondents felt Serbia should not legislate gender changes and gender identity. A large number of those polled (28 percent) had no opinion in this matter, whilst the remainder, 31 percent, believed the country should adopt regulations in this area. Lastly, no fewer than one-half of those polled who believed the issue should be regulated claimed gender change ought to be banned in Serbia.**

*Respondents who reported using the internet and social media were less likely to harbour negative views of LGBTI people and same-sex communities or of contacts with this population.*

## 4. RESPECT FOR HUMAN RIGHTS IN SERBIA

**Slightly under three-quarters of those polled (70 percent) believed Serbia protected human rights to some extent.** The same percentages, 15 percent each, could not say to what extent the state looked after human rights or felt Serbia did not protect these rights at all.

Chart 4.1. To what extent does Serbia protect human rights? (%)



**Importantly, not all those who believed Serbia invested an effort into protecting human rights agreed about the extent of that effort.** The majority of respondents (28 percent) felt the country protected their human rights to some extent, whilst only 18 percent believed it did so ‘to a great extent’ or ‘to a very great extent’.

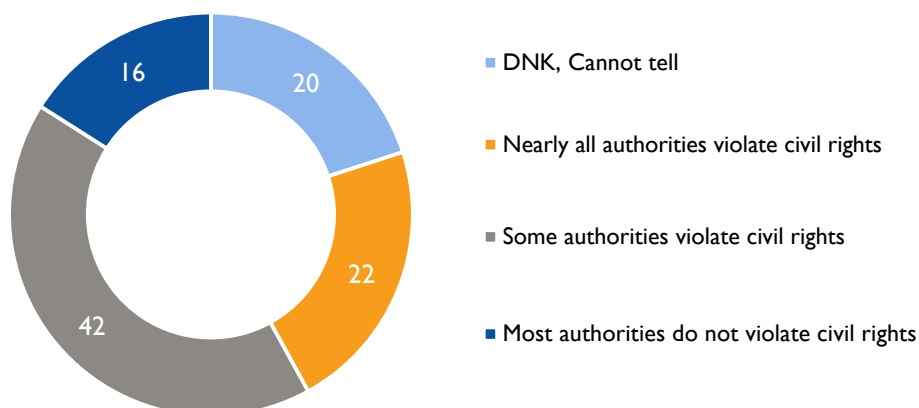
Scepticism of the government’s role in safeguarding human rights was more likely to be voiced by the 30 to 39 cohort, respondents with post-secondary or higher education, residents of Belgrade, and Bosniaks, one-third of which believed Serbia did not protect human rights ‘at all’.

Perceptions of the extent to which the government looked after human rights were also driven by respondents’ attitudes towards the role of the authorities in safeguarding or violating them. Amongst respondents who believed the country did not protect human rights ‘at all’, as many as 56 percent felt ‘all government institutions violate the rights of most members of the public’.

Overall, the respondents seemed to mistrust government authorities/institutions when it came to human rights violations. More than one-fifth of those surveyed (22 percent) believed ‘all government institutions violate the rights of most members of the public’, in contrast to 16 percent who shared the opposite view. Slightly more than two-fifths (42 percent) associated human rights violations with some authorities only.

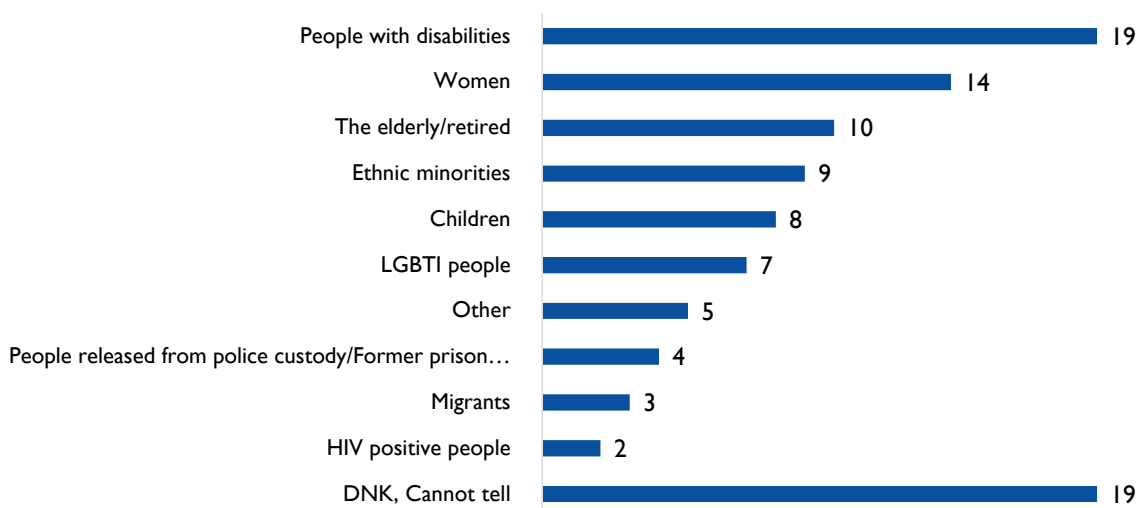
**Similarly to the previous question, respondents based in Belgrade with post-secondary and higher education and the 30 to 39 cohort were the most critical of the authorities. No statistically significant differences were found in perceptions of government authorities between respondents of different ethnicities.**

Chart 4.2. In your opinion, do government authorities violate human rights? (%)



Most respondents identified people with disabilities as most commonly being targets of human rights violations.

Chart 4.3. In your opinion, which of these groups has its rights violated the most in Serbia? (%)

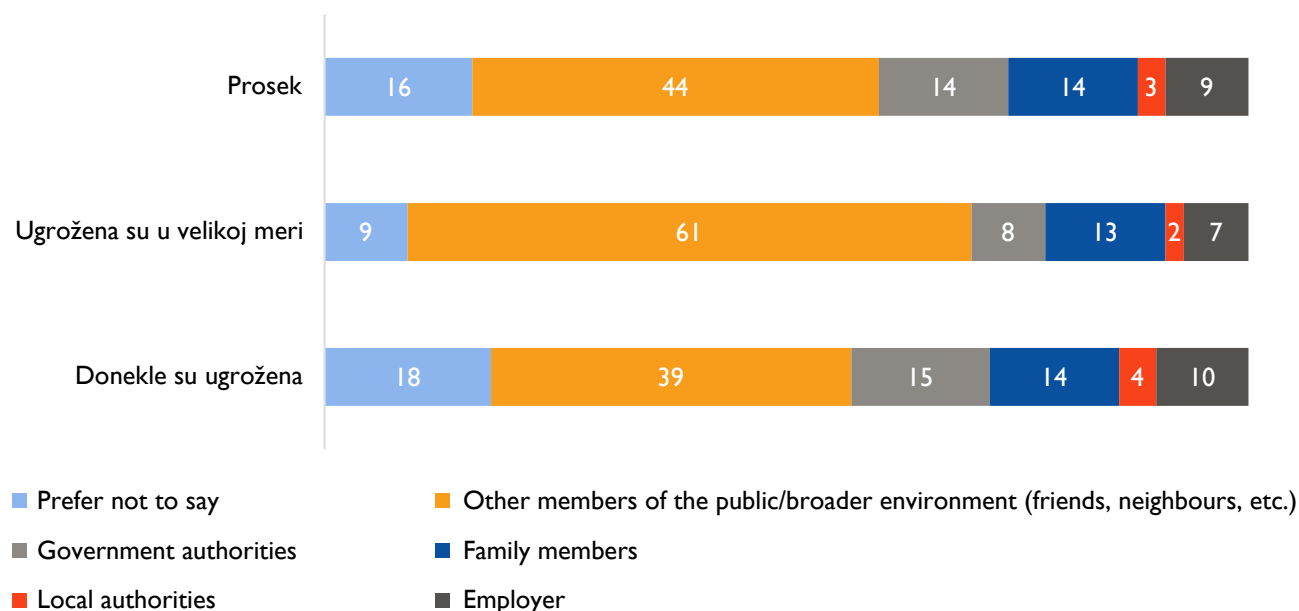


One in five respondents (19 percent) believed people with disabilities had their rights violated the most often in Serbia, 14 percent believed women were the most at risk in this regard, whilst one in ten felt the elderly/retired were the most vulnerable. As expected, women were more likely to see themselves as the most at-risk group for human rights violations.

By contrast, men tended to see people with disabilities as the most vulnerable group. Ethnic minorities believed they were the most at risk. Respondents aged 18 to 29 with post-secondary or university education, and residents of urban areas, Belgrade in particular, were more likely to be sensitive towards LGBTI rights abuses.

**One in nine (11 percent) of those polled believed their personal rights were under threat.**

Chart 4.4. Extent of threat to personal rights and perceived source of threat (%)



Fewer than two-fifths of those polled (37 percent) believed their rights were threatened to some extent, whilst 43 percent felt there were no threats to their rights in Serbia. Chart 4.4 summarises the sources of threats to human rights as perceived by two groups, 1) respondents who felt their rights were ‘threatened to a great extent’, and 2) those who believed their rights were ‘somewhat threatened’.

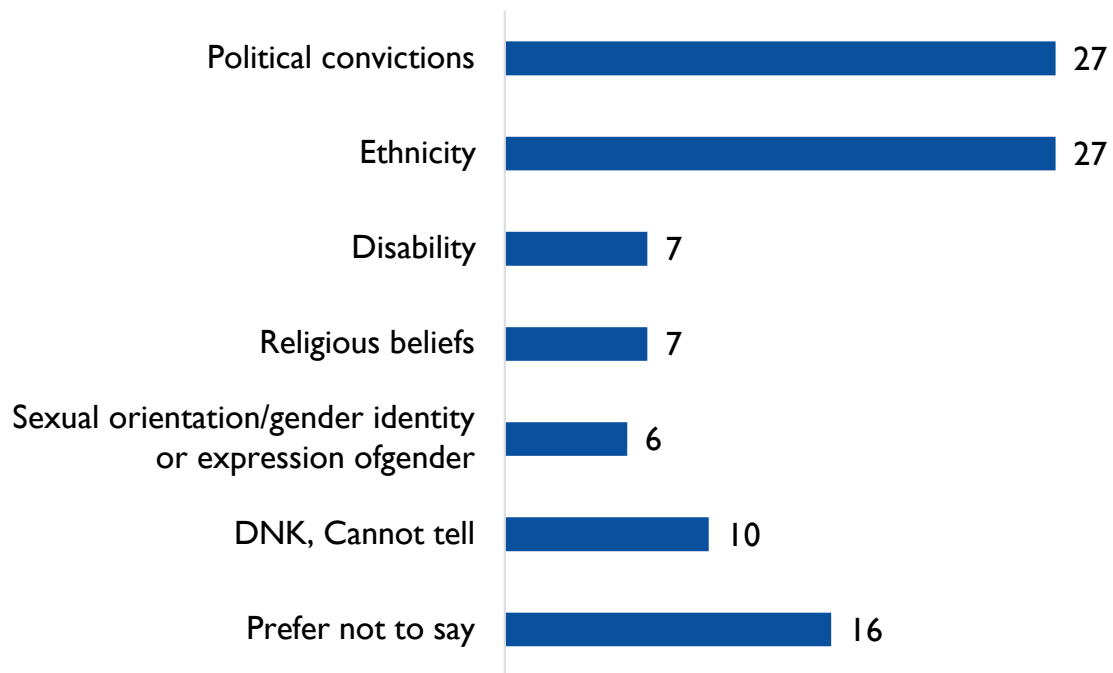
In the group who felt ‘threatened to a great extent’, 61 percent saw government authorities as the greatest source of risk. By contrast, 22 percentage points fewer (39 percent) of those who believed their rights were ‘somewhat threatened’ laid the blame at the door of government authorities.

Interestingly, most respondents who believed their rights were ‘threatened to a great extent’ cited their *political convictions* as the primary reason, with *ethnicity* coming second.



Ethnicity and political convictions were, in general, the two key reasons why some Serbians felt threatened in their own country. A much lower, but still notable, proportion of those polled reported feeling threatened because of their disability or religious beliefs (7 percent each). A significant percentage (6 percent) claimed being threatened due to their sexual orientation.

Chart 4.5. What is the primary reason why your human rights are threatened? (%)



## 5. RESPONDENTS' ATTITUDES TOWARDS LGBTI PEOPLE

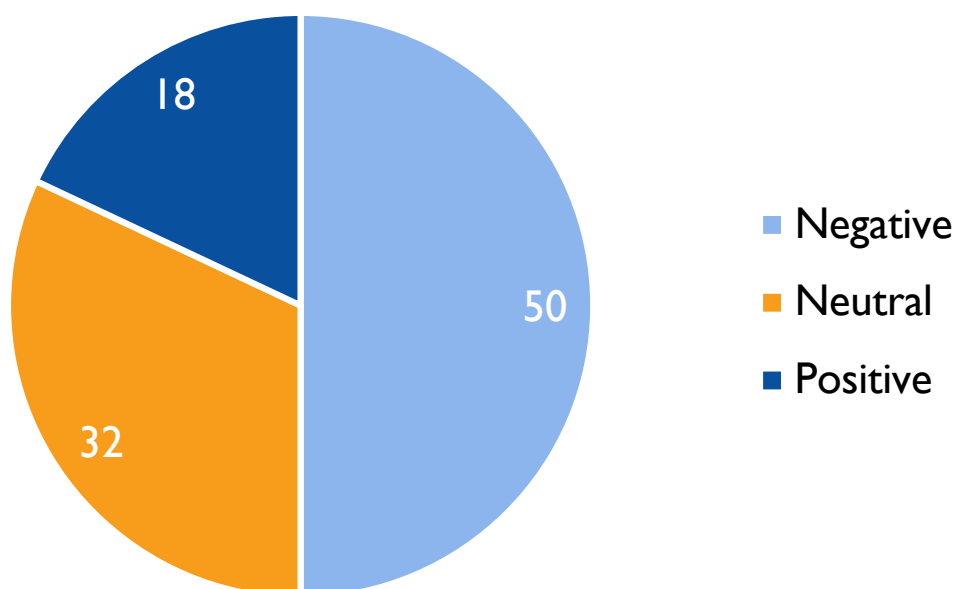
The findings indicate that 6 percent of those who believed their rights were threatened felt this was due to their sexual orientation. At the level of the overall sample, this meant that slightly fewer than 2 percent of those polled believed their human rights were at risk due to being LGBTI. This fairly low proportion does not entirely correspond to the generally negative attitude shown by the general public towards the Serbian LGBTI population.

Two synthetic indicators were created to allow the closest possible identification of public attitudes towards those of different sexual orientations: I) *public attitudes towards LGBTI people and their rights*; and II) *public attitudes towards contacts with LGBTI people*.

The indicator of *public attitudes towards LGBTI people and their rights* was based on a set of affirmative and negative statements about people of different sexual orientations and legal regulation of their relationships. Agreement or disagreement with these statements placed respondents into three statistical categories: I) *those with positive attitudes towards LGBTI people*; II) *respondents neutral towards the LGBTI people*; and III) *those with negative attitudes towards LGBTI people*; see Chart 5.1.

The findings for attitudes towards LGBTI people have remained worrying. Agreement and disagreement with the statements revealed one in two of those polled shared negative views about people of different sexual orientations. Fewer than one-fifth reported positive attitudes, whilst one in three were neutral.

Chart 5.1. Respondents' attitudes towards LGBTI people, synthetic indicator (%)



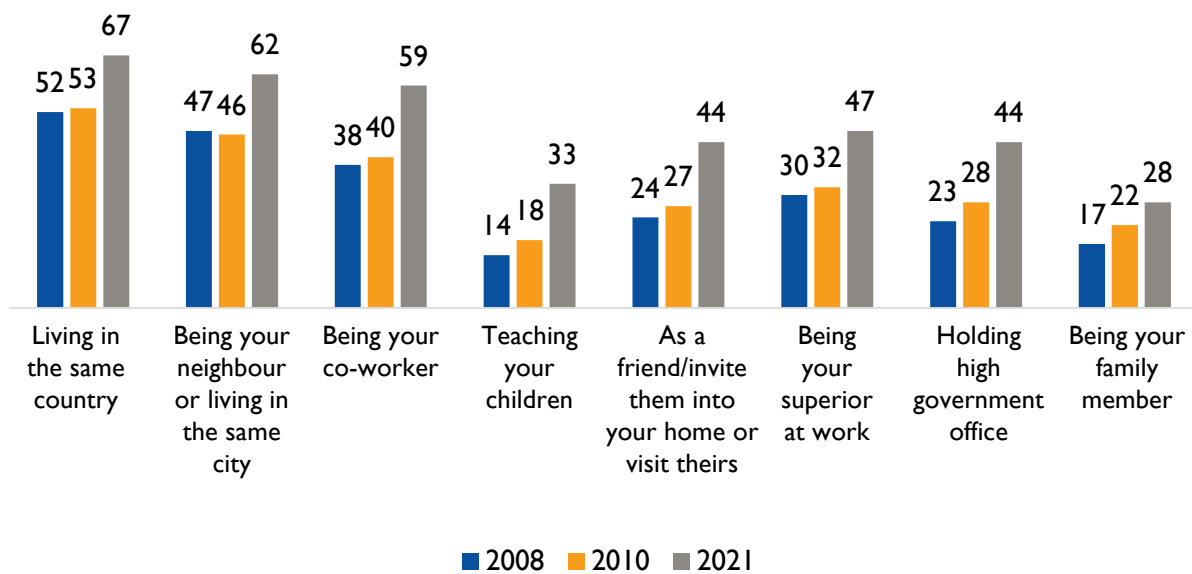
## Who had positive attitudes towards LGBTI people?

Respondents who shared positive attitudes towards people of different sexual orientations were more likely to be *female, with post-secondary or higher education, aged 18 to 39, and living in an urban area in Vojvodina or Belgrade.*

Moreover, the findings indicate that religious tolerance was correlated with tolerance of sexual orientation. *Respondents who reported not being religious but not having anything against religion were twice as likely to share positive attitudes towards LGBTI people.*

Even though the battery of statements revealed a large share of respondents (50 percent) remained negatively disposed to LGBTI people, some improvement was nevertheless visible in this category on the Bogardus social distance scale.<sup>19</sup>

Chart 5.2. Respondents' readiness to enter into contacts with LGBTI people, as measured by the Bogardus social distance scale (Comparison of 2008, 2010, and 2021 findings, %). Would you accept an LGBTI person...



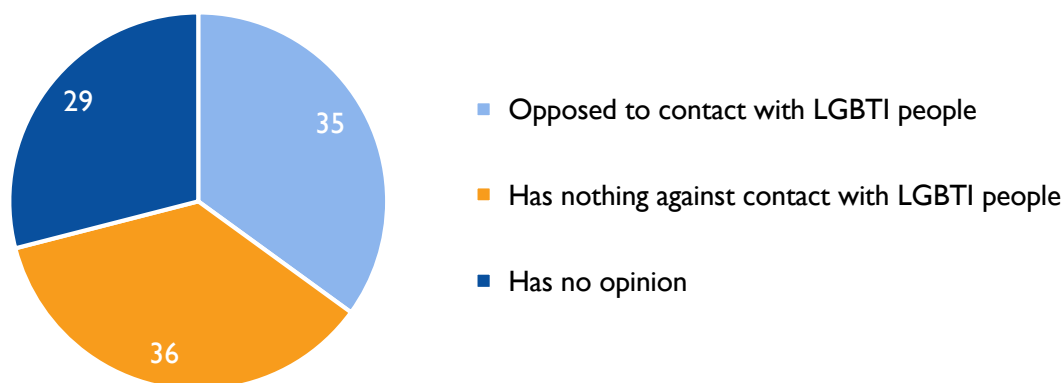
In comparison with surveys of the same issues performed in 2008 and 2010, in 2021 a significantly larger proportion of those polled reported being prepared to enter into a variety of interactions with LGBTI people. Improvements were registered with acceptance of both fellow Serbians of different sexual orientations and family members who may be LGBTI. Reported tolerance was greater by between 6 percentage points for accepting LGBTI family members to as much as 29 percentage points for sharing the same workplace with a declared LGBTI person.

<sup>19</sup> The Bogardus scale measures varying degrees of closeness in people towards other members of diverse social, ethnic or racial groups, identified as the respondent's readiness to enter into a variety of social contacts with typical members of those groups.

As expected, the closer the contact, the greater the resistance to LGBTI people. The greatest extent of intolerance was registered for *having an LGBTI family member (where only 28 percent of those polled would accept this relationship)* and *having an LGBTI person as teacher to one's children (32 percent)*.

*This finding reveals that most respondents felt family matters, especially relationships involving children, should remain largely closed to LGBTI people.*

Chart 5.3. Public attitudes towards contacts with LGBTI people (Synthetic indicator, %)

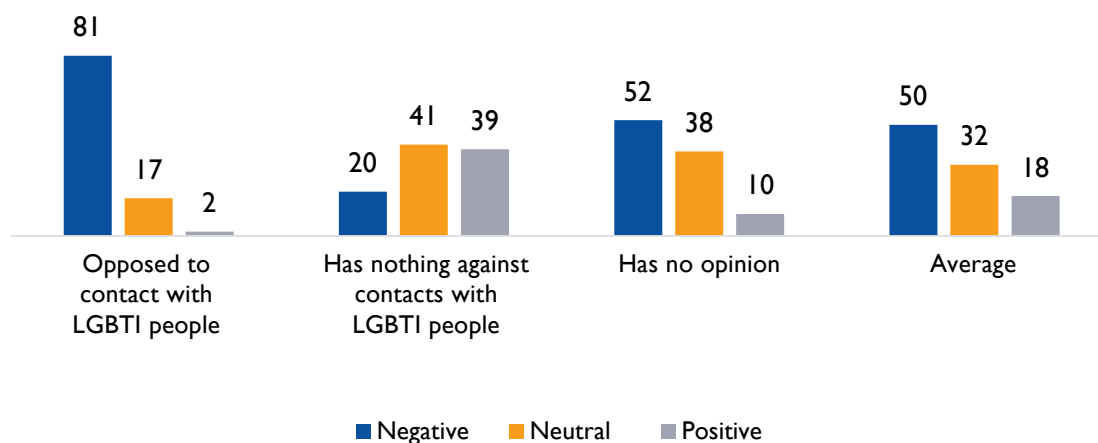


The findings on the Bogardus scale were translated into a synthetic indicator that allowed measuring respondents' attitudes towards contacts with LGBTI people. According to this benchmark, the respondents were divided into three categories: I) *those who had nothing against various types of interaction with LGBTI people; II) those opposed to such interaction; and III) those with no opinion in this matter.*

The responses revealed slightly more than one-third of those polled (36 percent) generally had nothing against interaction with LGBTI people, whilst just slightly fewer (35 percent) were opposed to these types of contacts.

Cross-referencing these data with the synthetic indicator of respondents' attitudes towards the LGBTI population suggests tolerance towards people of different sexual orientations has increased over the past decade, but that respondents have remained apprehensive of legal regulation of this group's status, and in particular of giving LGBTI people the same rights as those enjoyed by the general population.

Chart 5.4. Correlation between acceptance of interaction and attitude towards LGBTI people

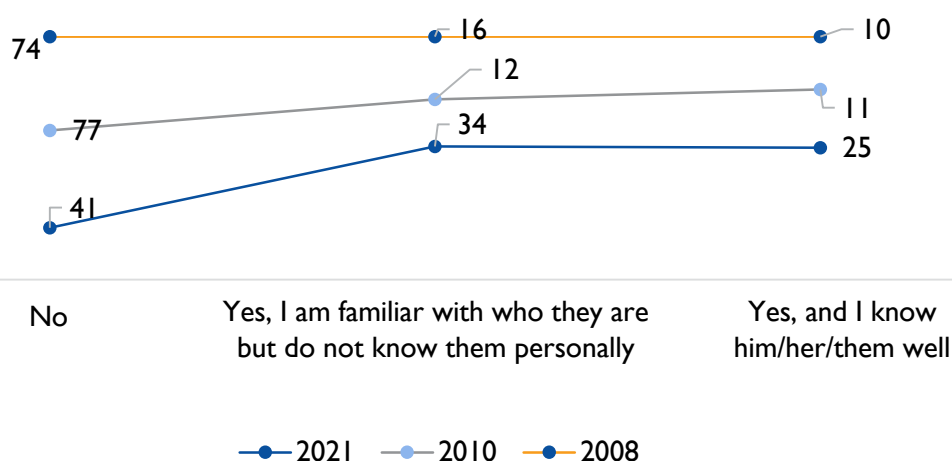


Nevertheless, acceptance of interactions with LGBTI people does not immediately guarantee positive attitudes towards those of different sexual orientations; see Chart 5.4. Whilst respondents opposed to contacts with LGBTI individuals reported clearly negative views towards this group, the situation was markedly different amongst those who claimed to have nothing opposed to interacting with the LGBTI population. In this category, no more than two-fifths (39 percent) shared positive attitudes towards LGBTI people, and one in five (20 percent) held negative views of people of different sexual orientations, even though they in principle accepted interactions with them.

An additional cause for concern is the fact that more than one-half (52 percent) of respondents who had no particular opinion towards the LGBTI population shared a generally negative view towards those of different sexual orientations. One in ten of those polled in this group reported positive attitudes, whilst 38 percent were neutral.

*This indicator suggests that increasing tolerance towards people of different sexual orientations was not necessarily accompanied by a proportional increase in positive attitudes towards them.*

Chart 5.5. Do you personally know a person with a different sexual orientation? (%)

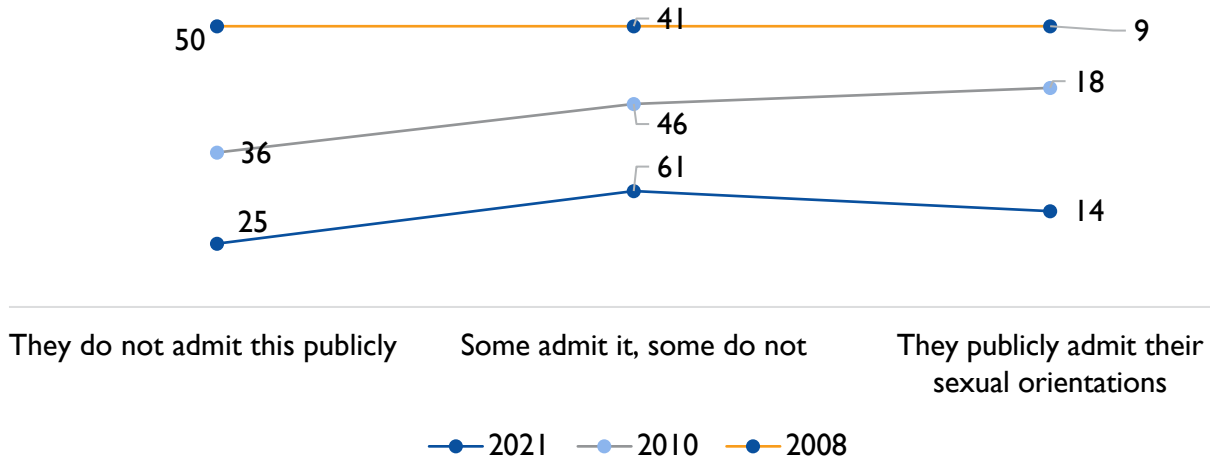


More tolerance for people of different sexual orientations was associated with greater personal acquaintance with LGBTI people; see Chart 5.5. Two-fifths (41 percent) of respondents claimed to not know anyone with a different sexual orientation, 36 percentage points fewer than in the 2010 survey. By contrast, there was an increase of as much as 18 percentage points in the proportion of respondents who reported being familiar with LGBTI people but not knowing them personally (to 34 percent). Over the past decade, the share of respondents who personally knew an LGBTI person increased by 15 percentage points, from 10 to 25 percent.

*This survey again highlighted the fact that personal contact with dissimilarity contributed to greater tolerance. As many as 40 percent of respondents who reported personally knowing an LGBTI person voiced generally positive views of this population, and no fewer than 65 percent had no objections to interacting with this group.*

By contrast, a greater share of respondents who indirectly knew – or believed they knew – an LGBTI person shared negative attitudes towards this group, whilst their desire for interaction was below the average.

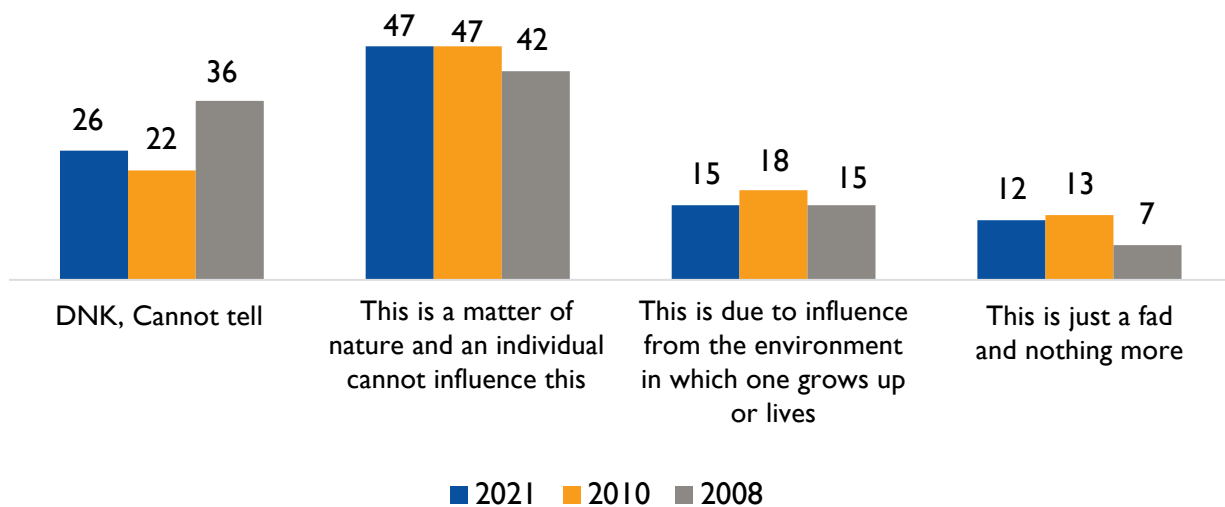
Chart 5.6. Do people of different sexual orientations you know admit this fact or hide it from others? (%)



The increase in the number of respondents aware of people of different sexual orientations in their social circle was not entirely accompanied by corresponding growth in the number of LGBTI people coming out; see Chart 5.6. Even though the proportion of closeted LGBTI people declined by 11 percentage points, this did not cause an increase in individuals coming out; rather, more people seemed unsure of whether they wished to publicly acknowledge their difference.

Attitudes towards reasons for becoming LGBTI have not changed significantly over the past decade. More than one-half of those polled (47 percent) recognised sexual orientation was a matter of nature rather than personal choice. This percentage remained the same as in 2010, but minor differences were seen in views that sexual orientation was determined by the environment in which one grew up, or that it was a fad and not a real need or desire.

Chart 5.7. In your opinion, why does someone become an LGBTI person? (%)



Slightly fewer than one-fifth of those polled (18 percent) believed one's environment determined sexual orientation, whilst 12 percent felt this was only a fad.

LGBTI orientation was equated with a fad by respondents whose views were generally negative and who avoided interacting with people of different sexual orientations.

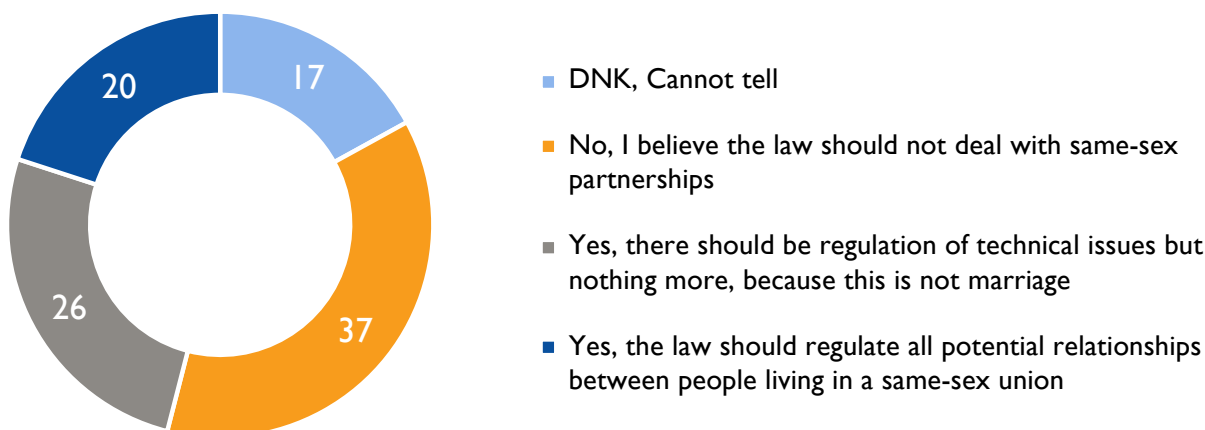
**As many as 85 percent of those polled who felt LGBTI orientation was a fad shared generally negative attitudes towards this population, whilst 71 percent were opposed to any sort of interaction with people of different sexual orientations.**

Respondents whose reported religious beliefs were more pronounced than the average, those aged over 50, and residents of Western Serbia and Šumadija were more likely to consider LGBTI orientation as a fad, as were ethnic Bosniaks and Hungarians.

Nearly identical categories of respondents tended to believe same-sex relationships should not be governed by laws or regulations. Two-fifths of those polled (37 percent) felt legislation ought to simply ignore same-sex relationships; this view was more likely to be shared by older and more religious respondents, residents of rural communities, and men to a somewhat greater extent than women.

One in five respondents (20 percent) were convinced that same-sex relationships should be comprehensively regulated by legislation. Lastly, one in four (26 percent) believed any such law should be technical in nature, but that any union should clearly be set apart from traditional marriage.

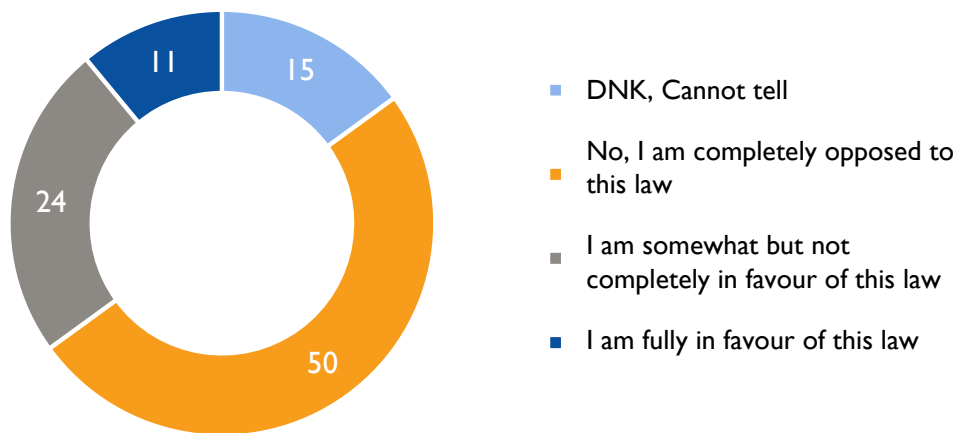
Chart 5.8. Do you believe issues faced by same-sex partnerships in Serbia (such as inheritance and the like) should be legally regulated? (%)



A comprehensive law tended to be supported by respondents with positive attitudes towards the LGBTI population and those who opposed to interaction with people of different sexual orientations. Legal regulation was more likely to be approved by *religious people who disagreed with all tenets of their faith; people who were not religious but had nothing against religion; women; the under-40 cohort; university graduates; residents of urban areas in Belgrade; and Serbians as opposed to respondents of other ethnicities.*

When asked directly whether they were in favour of the proposed Same-Sex Unions Law, as few as one in nine (11 percent) of those polled reported they ‘fully’ supported the proposed legislation, whilst one in four (24 percent) were ‘somewhat but not completely’ in favour of it. See Chart 5.9.

Chart 5.9. Are you in favour of Serbia enacting a Same-Sex Unions Law? (%)

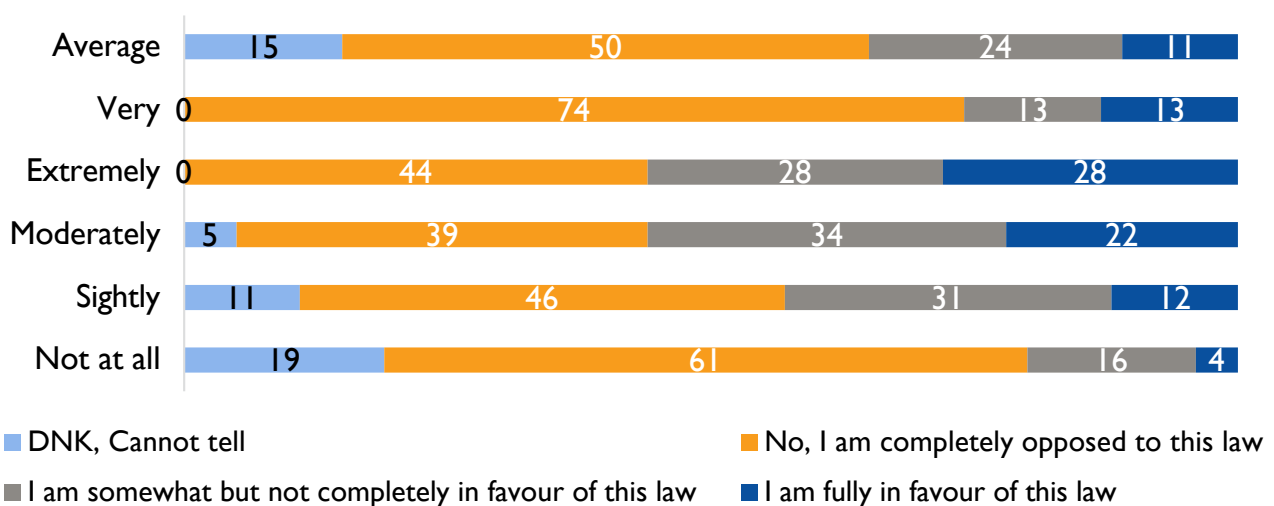


One-half of those polled (50 percent) were against the proposed law, whilst 15 percent were unsure.

Women, university graduates, residents of urban areas of Belgrade and Vojvodina, and religiously tolerant respondents who were not themselves religious but had nothing against religion were all identified as the greatest supporters of the Same-Sex Unions Law.

As many as 91 percent of those who reported being in favour of the law voiced positive attitudes towards the LGBTI population and claimed they had nothing against interacting with people of different sexual orientations.

Chart 5.10. Correlation between awareness of and support for the Same-Sex Unions Law (%)



Interestingly, nearly three-quarters of those polled (73 percent) reported lacking enough information or knowledge about the proposed Same-Sex Unions Law. One in four (23 percent) claimed to be partially aware of the law, whilst a final 5 percent insisted they were 'very' or 'extremely well aware' of it.



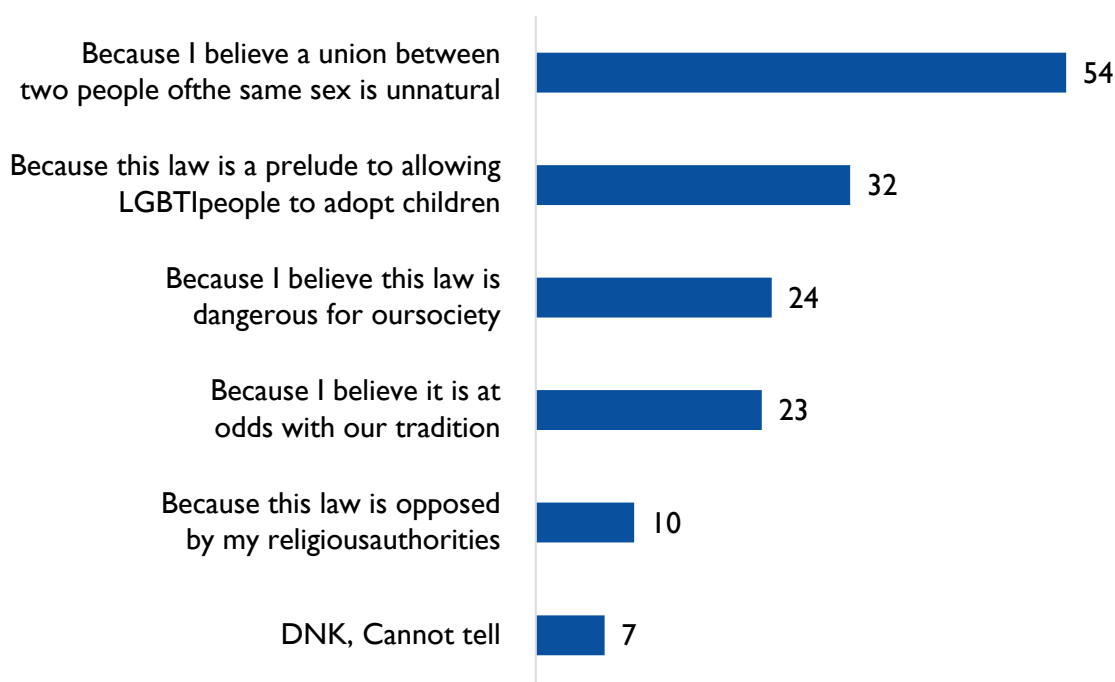
As many as 61 percent of respondents who claimed not being familiar with the proposed Same-Sex Unions Law were set firmly against it, once again revealing that ignorance of a piece of legislation does not preclude having an opinion of it. Opposition to the law was much less marked amongst respondents who reported being ‘moderately’ or ‘very well aware’, and the proposed bill received support from about one-quarter of this group. As many as 74 percent of respondents who claimed to be ‘extremely well aware’ of the law, who numbered 2 percent of the entire sample, opposed the legislation.

The alleged ‘unnaturalness’ of a union between two people of the same sex was cited as the principal reason for being against the Same-Sex Unions Law, and, more generally, against legalisation of same-sex partnerships, by more than half of those polled (54 percent).

One in three respondents (32 percent) based their opposition to the law on the belief it would be a prelude to allowing LGBTI couples to adopt children.

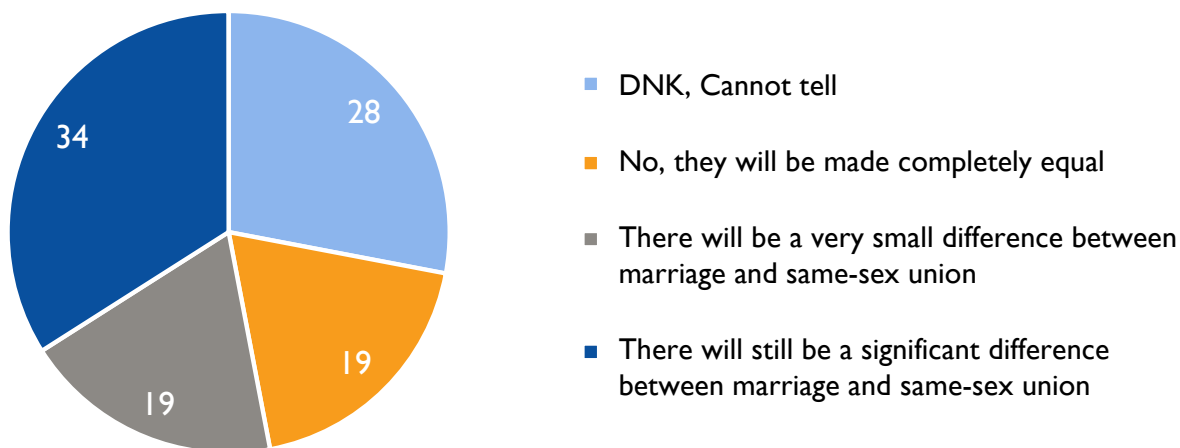
One-quarter of those polled each believed the law was ‘dangerous’ for Serbian society and ‘deeply at odds’ with traditions of the Serbian people.

Chart 5.11. Why are you not in favour of this law? (Multiple answers possible, %)



An important reason for opposing the law for 10 percent of those polled was hostility to it from religious authorities whose advice was valued by the respondents.

Chart 5.12. Do you believe that, if the Same-Sex Unions Law is adopted and takes effect, there will be a difference between traditional marriage and same-sex unions in Serbia? (%)



One-third of those polled (34 percent) believed that a significant difference would still remain between traditional marriage and same-sex partnerships even if the Same-Sex Unions Law was enacted; see Chart 5.12. Nearly one-fifth (19 percent) felt the difference between these two types of union would be completely erased, with the same percentage believing that any difference that persists will be all but imperceptible.

Respondents who shared negative attitudes towards LGBTI people and were opposed to interaction with individuals of different sexual orientations revealed the most concern about convergence between traditional marriage and same-sex unions.

## 6. ATTITUDES TOWARDS LGBTI PEOPLE AND SAME-SEX UNIONS

Respondents' attitudes towards LGBTI people and same-sex unions were examined through a set of statements, of which two ('LGBTI people are a vulnerable group in Serbia and should be helped to access their rights' and 'For me, homosexuality is a disease') were offered in opinion polls commissioned from CeSID in 2008 and 2010 by the Gay Straight Alliance that measured attitudes towards homosexuality on a sample of Serbians (excluding Kosovo and Metohija). As such, findings for the two statements were comparable with those of the two previous surveys.

*The results suggest there has been a slight decrease in adverse attitudes towards LGBTI people relative to both 13 and eight years ago. The 2021 poll revealed slightly fewer than one-fifth of those polled (18 percent) agreed with the statement that 'LGBTI people are a vulnerable group in Serbia and should be helped to access their rights'. In comparison with the 2008 and 2010 findings, agreement with this statement has increased slightly (from 12 percent in 2008 and 15 percent in 2010). By contrast, disagreement has fallen substantially, by 17 percentage points, relative to 11 years previously. Lastly, many respondents were neutral about this statement. Two-fifths of those polled agreed with the statement 'For me, homosexuality is a disease'. It is worth mentioning, however, that this figure was lower by as much as 26 percentage points when compared to 11 years previously, clearly signifying a weakening of negative attitudes towards LGBTI people in Serbia. By contrast, one-quarter of all respondents disagreed (vs 17 percent in 2008 and 18 percent in 2010). Here, 22 percent disagreed. No more than 13 percent agreed with the statement that 'Homosexuals are barren trees that should be cut down and fed to the flames', whilst one in two disagreed.*

The final statements in this battery were designed to test respondents' attitudes towards same-sex unions. The statement that 'A union between two people, regardless of their genders, is their personal matter and no-one must prevent them from legally establishing it' received agreement from just over one-fifth of those polled, with 44 percent disagreeing. Similarly, an even one-fifth agreed that 'Legalisation of same-sex communities in Serbia would provide legal certainty for a group of our fellow citizens and should be welcomed', whereas, once again, 44 percent disagreed.

These findings reveal a tangible increase in positive attitudes towards LGBTI people and same-sex partnerships. The 2021 survey also found a large proportion of respondents who reported not having an opinion on this matter, which indicates a need for continuing debate on the position and rights of LGBTI people and the significance of legalising same-sex unions.

Table 6.1. Agreement/disagreement with statements on LGBTI people and same-sex unions (%)

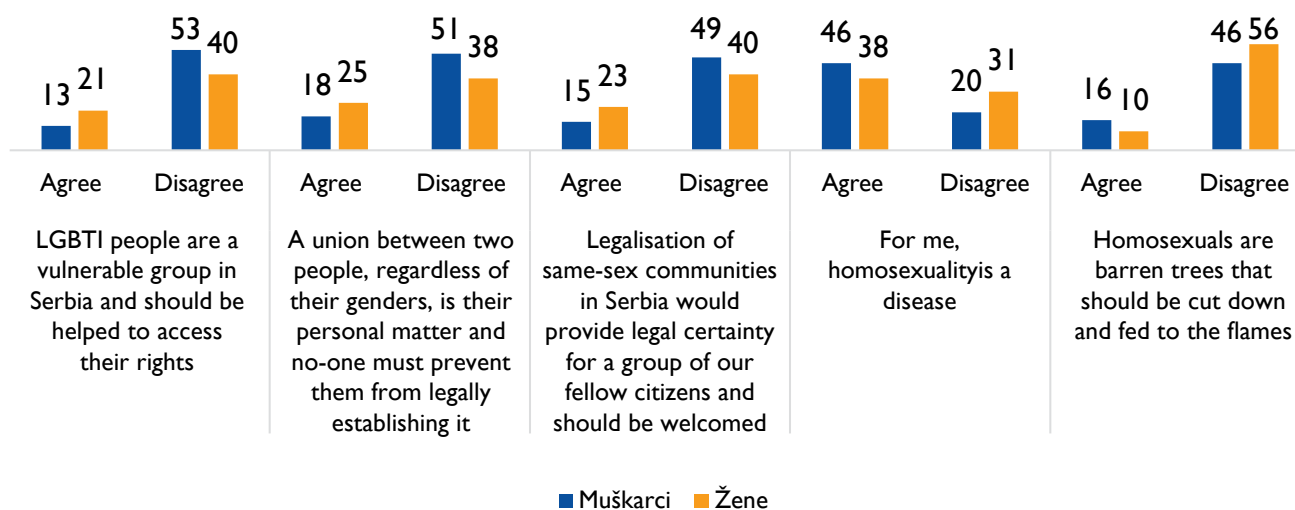
	AGREE			DISAGREE		
	2008	2010	2021	2008	2010	2021
<b>LGBTI people are a vulnerable group in Serbia and should be helped to access their rights.</b>	12	15	18	64	62	45
<b>For me, homosexuality is a disease.</b>	70	67	41	17	18	25
<b>Homosexuals are barren trees that should be cut down and fed to the flames.</b>	-	-	13	-	-	52
<b>A union between two people, regardless of their genders, is their personal matter and no-one must prevent them from legally establishing it.</b>	-	-	22	-	-	44
<b>Legalisation of same-sex communities in Serbia would provide legal certainty for a group of our fellow citizens and should be welcomed.</b>	-	-	20	-	-	44

\* Totals do not add up to 100 percent due to answers 'Does not know, Cannot tell' and 'Neither agree nor disagree' not being shown in the table.

Cross-referencing the findings with respondents' demographics revealed that respondents living in rural areas and suburban communities were more likely to perceive the LGBTI population in a negative light. Similarly, adverse attitudes towards LGBTI people also tended to be reported by ethnic Bosniaks.

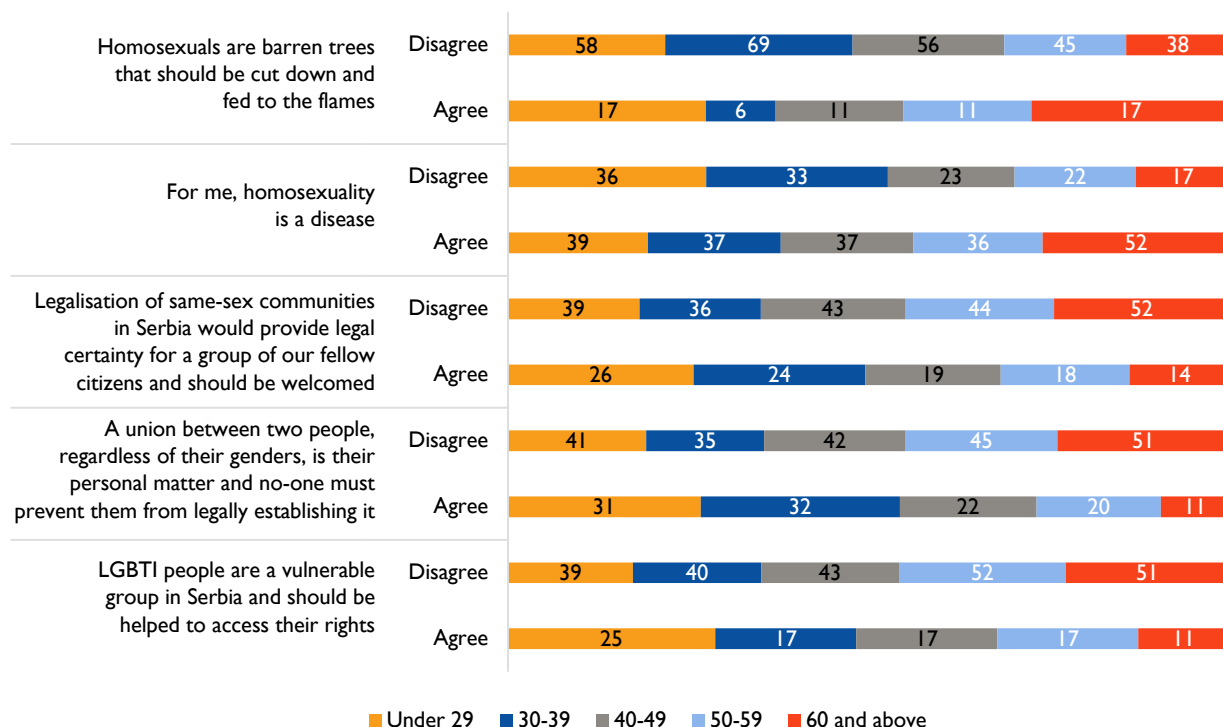
Chart 6.1 provides a summary of agreement and disagreement rates for statements on LGBTI people and same-sex unions disaggregated by gender. *This chart clearly reveals that women viewed both same-sex partnerships and LGBTI people much more positively: for instance, 46 percent of men agreed with the statement 'For me, homosexuality is a disease', as opposed to 38 percent of women who shared the same opinion.* Women were also more likely to agree with the statements 'A union between two people, regardless of their genders, is their personal matter and no-one must prevent them from legally establishing it' and 'Legalisation of same-sex communities in Serbia would provide legal certainty for a group of our fellow citizens and should be welcomed'.

Chart 6.1. Agreement/disagreement with statements on LGBTI people and same-sex unions, by respondent gender (%)



The youngest cohorts of respondents, those under 29 and the 30 to 39 group, were over-represented across all statements in the category of those who viewed LGBTI people and same-sex unions.

Chart 6.2. Agreement/disagreement with statements on LGBTI people and same-sex unions, by respondent age (%)



Respondents based in *Western Serbia and Šumadija* were somewhat more likely to voice adverse opinions of LGBTI people and same-sex unions across all statements, whilst, by contrast, positive perceptions were over-represented amongst residents of Vojvodina and Belgrade. Those living in Eastern and Southern Serbia were more highly polarised, with both positive and negative attitudes over-represented and neutral ones under-represented in this group. Cross-referencing agreement or lack thereof with educational attainment revealed that respondents with only primary education or no formal schooling, as well as graduates of lower vocational schools (unskilled or semi-skilled workers) were more likely to report adverse perceptions.

Entirely as expected (see Chart 6.3), respondents who generally held positive views of LGBTI people and same-sex partnerships were also more likely to disagree that 'LGBTI people are a vulnerable group in Serbia and should be helped to access their rights'. In addition, agreement with statements in support of LGBTI unions was over-represented amongst those who shared positive opinions of LGBTI people; by contrast, these respondents were less likely to agree with the statements 'For me, homosexuality is a disease' and 'Homosexuals are barren trees that should be cut down and fed to the flames' (the rate of disagreement with the latter statement was 100 percent in this category).

Chart 6.3. Agreement/disagreement with statements on LGBTI people and same-sex unions, by respondents' attitudes towards LGBTI people and same-sex unions (%)

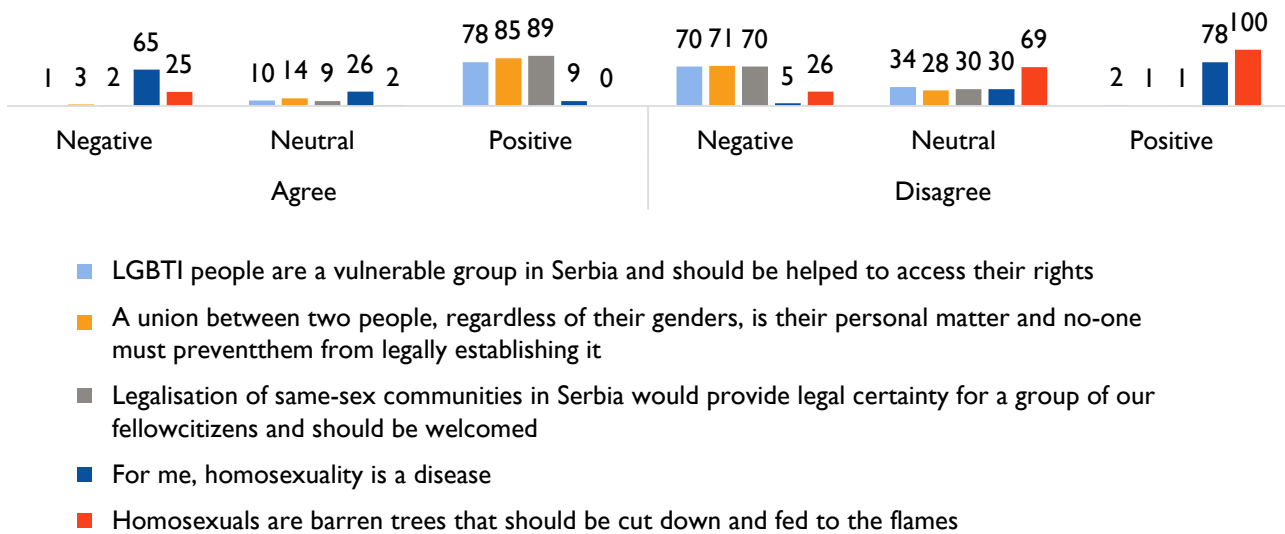
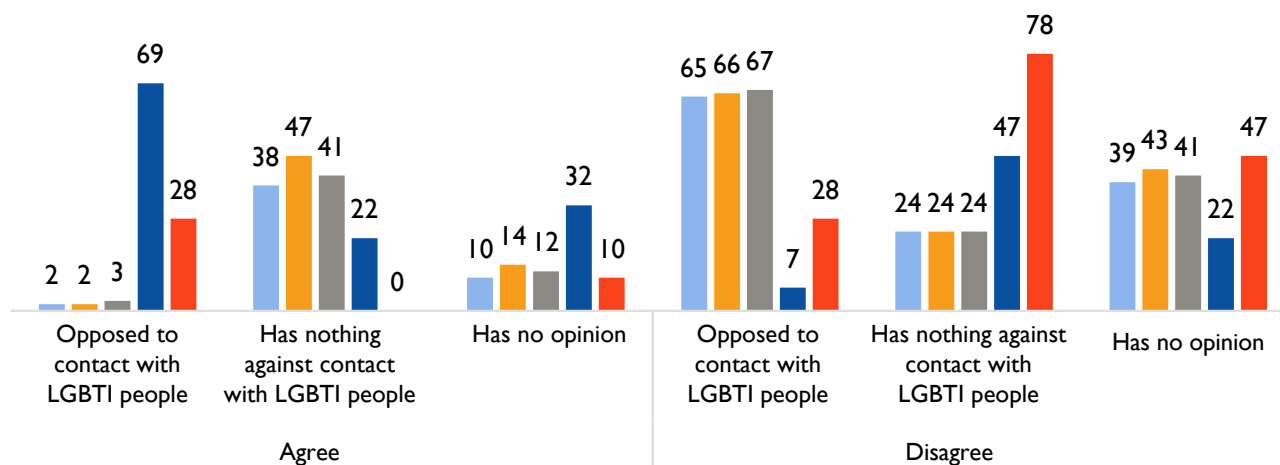


Chart 6.3 provides a more detailed overview of statistically relevant findings about attitudes towards the LGBTI population when cross-referenced with respondents' opinions about contacts with LGBTI people. **Agreement and disagreement rates for all five statements clearly indicate that those opposed to contact with LGBTI individuals also held negative views of this group.**

Chart 6.4. Agreement/disagreement with statements on LGBTI people and same-sex unions, by respondents' attitudes towards contacts with LGBTI people (%)



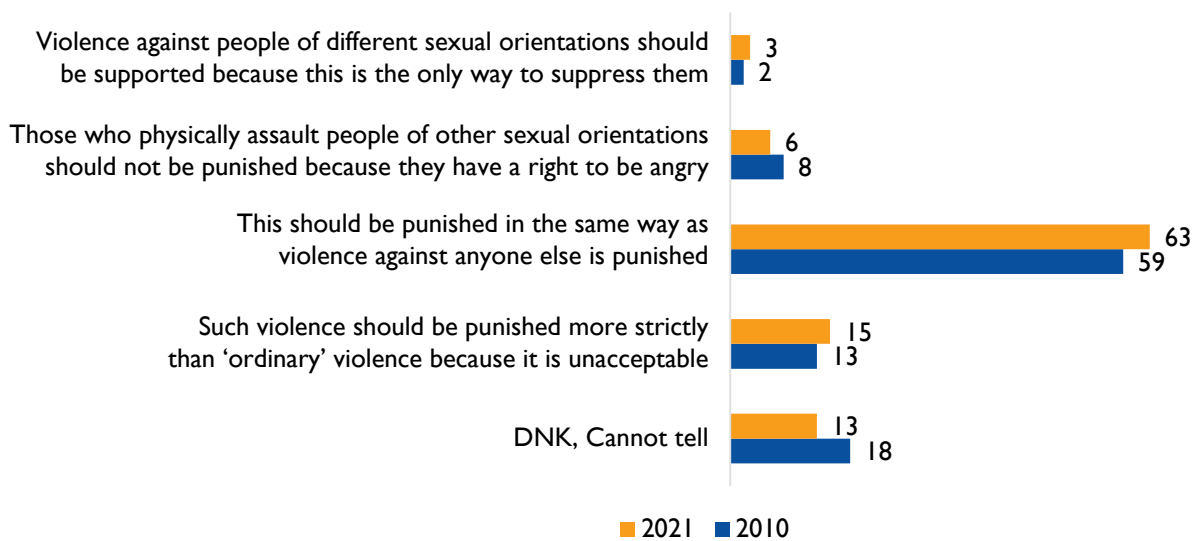
- LGBTI people are a vulnerable group in Serbia and should be helped to access their rights
- A union between two people, regardless of their genders, is their personal matter and no-one must prevent them from legally establishing it
- Legalisation of same-sex communities in Serbia would provide legal certainty for a group of our fellow citizens and should be welcomed
- For me, homosexuality is a disease
- Homosexuals are barren trees that should be cut down and fed to the flames

Lastly, cross-referencing agreement/disagreement with the statements with respondents' reported religious beliefs revealed that those who were 'not religious' but had 'nothing against religion' held the most positive views of LGBTI people and same-sex unions. Respondents who claimed to be religious and adhered to all tenets of their faith were predominantly hostile to LGBTI people and same-sex partnerships.

## 7. VIOLENCE AGAINST LGBTI PEOPLE

The following battery of questions measured respondents' views of **violence** as an extreme reaction to LGBTI people and same-sex unions. Threats of violence that LGBTI people continue to receive on a daily basis are a major obstacle that hinders them from accessing their rights. The respondents were asked about their attitudes towards violence used against people of different sexual orientations by various groups and individuals. *Most of those polled (63 percent) insisted such violence ought to be 'punished in the same way as violence against anyone else is punished'.* This figure represented an increase of 4 percentage points relative to the findings of 11 years previously. A total of 15 percent of those surveyed in 2021 felt violence against people of other sexual orientations should be punished 'more strictly than "ordinary" violence' because it was 'unacceptable' (up 2 percentage points on 2010). Another 6 percent believed that 'Those who physically assault people of other sexual orientations should not be punished because they have a right to be angry', 2 percentage points down relative to a decade ago. Lastly, 3 percent felt 'Violence against people of different sexual orientations should be supported' because it was the only way to 'suppress' them.

*Chart 7.1. How do you feel about violence against people of different sexual orientations they are sometimes subjected to? Comparison of 2010 and 2021 findings (%)*

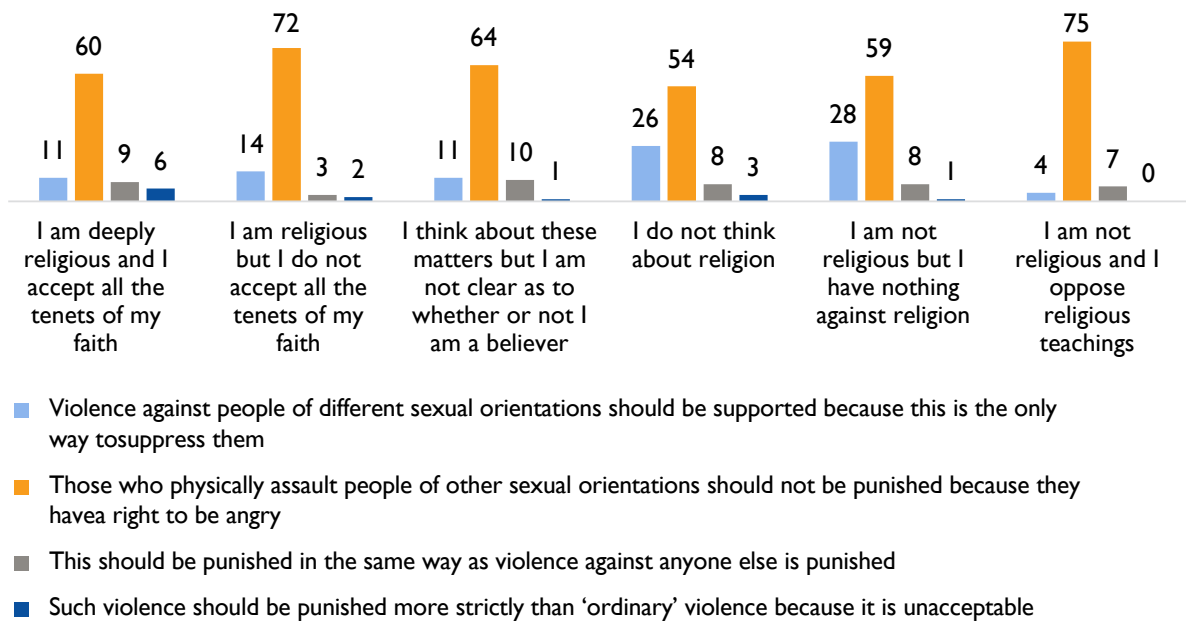


These findings were cross-referenced with respondent demographics to reveal a set of statistically relevant results. *The answer that 'Violence against people of different sexual orientations should be supported because this is the only way to suppress them' was more likely to be cited by men (at 5 percent, vs 1 percent for women).* Interestingly, this answer revealed divisions within the youngest cohort (under-29s). This group were also more likely to believe both that violence against people of different sexual orientations ought to be punished more strictly than 'ordinary' violence (at 20 percent) and that such violence ought to be supported so as to 'suppress' this behaviour (7 percent). The greater a respondent's educational attainment, the lower their likelihood of justifying violence against those of different sexual orientations. Ethnic Bosniak respondents were slightly more likely to rationalise violence against LGBTI people, whilst, by contrast, *as many as 50 percent of the Roma polled felt this violence ought to be penalised more strictly than the 'run-of-the-mill' kind.* Similarly to what was found for statements used to measure attitudes towards LGBTI people and same-sex unions, respondents living in rural communities were more likely to harbour negative views when it came to violence against the LGBTI population.



Chart 7.2 shows how respondents' religious views influenced their attitudes towards violence against people of different sexual orientations. Here, respondents who reported being deeply religious and accepting all the tenets of their faith were more likely to justify violence (9 percent of this group believed those assaulting people of different sexual orientations should not be punished as they had a justifiable excuse for being angry, whilst another 6 percent felt such violence should be supported). Respondents who reported not being religious but also having nothing against religion were more likely to feel violence against LGBTI people should be penalised more strictly than instances of violence not motivated by sexual intolerance.

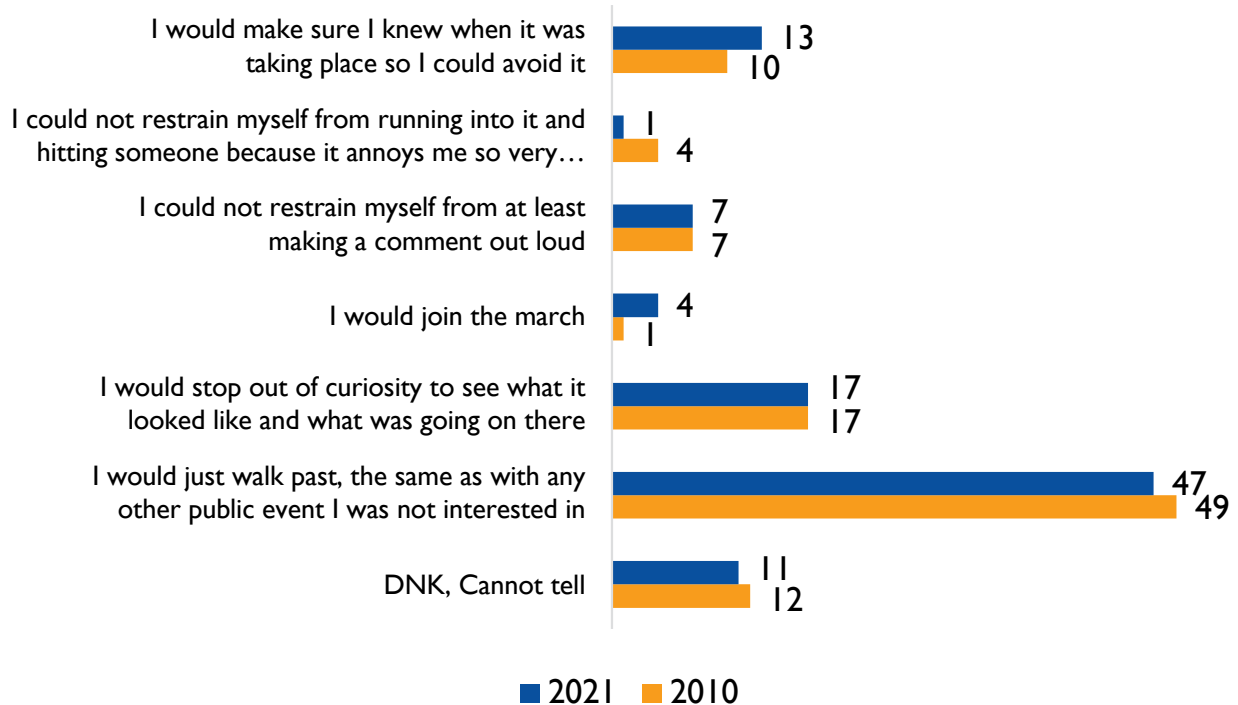
Chart 7.2. How do you feel about violence against people of different sexual orientations they are sometimes subjected to? By respondents' views of religion (%)



Stricter punishments for violence against those of different sexual orientations than for other forms of violence was more likely to be supported by respondents who used TikTok and Twitter (as shared by 38 percent of those polled who spent most of their time on TikTok and 32 percent of equally heavy Twitter users). Respondents who obtained most of their information via radio were, by contrast, more likely to support violence against sexual minorities.

As a proxy indicator of potential for violence, this survey again used attitudes towards pride marches, which are amongst the most high-profile LGBTI events. Similarly to previous findings, the majority of those polled, 57 percent, reported they would ignore a pride march just as they would any other public gathering they were not interested in (as opposed to 49 percent who shared the same view in 2010). The proportion of respondents who would stop to see what was going on out of curiosity remained the same as in 2010, at 17 percent, whilst 7 percent (once again the same as in 2010) could not restrain themselves from making a comment out loud. One in every 25 respondents claimed they would join a pride march, an increase relative to 11 years previously, when no more than 1 in 100 reported being ready to do so. By contrast, as few as 1 percent of those polled admitted they could not restrain themselves from engaging in violence. Lastly, 13 percent of those polled would make sure they knew when the event was supposed to take place so they could give it a wide berth.

Chart 7.3. Imagine accidentally coming across a pride march. How would you react? Comparison of 2010 and 2021 findings (%)



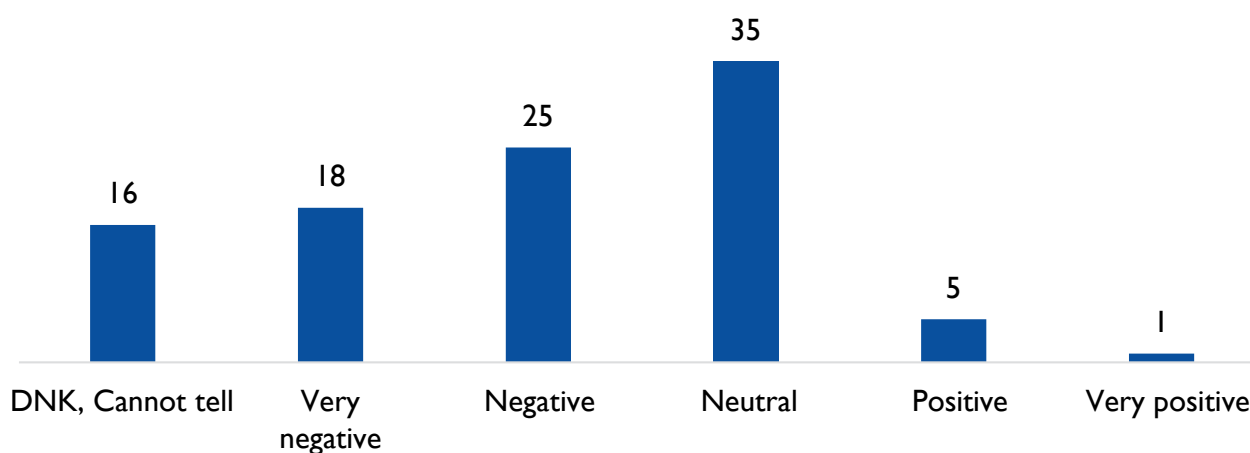
The youngest cohort were again found to be quite divided in their attitudes towards pride marches: *this group was more likely to claim both they would join the march and they were ready to use violence against marchers.* As with the previous question, frequent users of Twitter and TikTok tended to report being ready to join, whilst radio listeners were more likely to admit readiness to use violence.

These findings clearly indicate violence against LGBTI people was not rationalised, and that *respondents were predominantly opposed to violent actions against this group.* No more than one-tenth of those polled declared in favour of violence against LGBTI individuals, *whilst just 1 percent admitted they themselves were ready to engage in violent behaviour (against pride marchers).*

## 8. ATTITUDES TOWARDS SEX CHANGE AND GENDER IDENTITY

The next battery of questions examined respondents' attitudes towards issues of sex change and gender identity. Most respondents (35 percent) were neutral about individuals who underwent sex change. However, adverse perceptions here outweighed positive ones, with no more than 6 percent claiming to have a 'positive' or 'very positive' attitude towards those who change their sex, whilst 35 percent reported 'negative' views and a final 18 percent claimed a 'very negative' attitude.

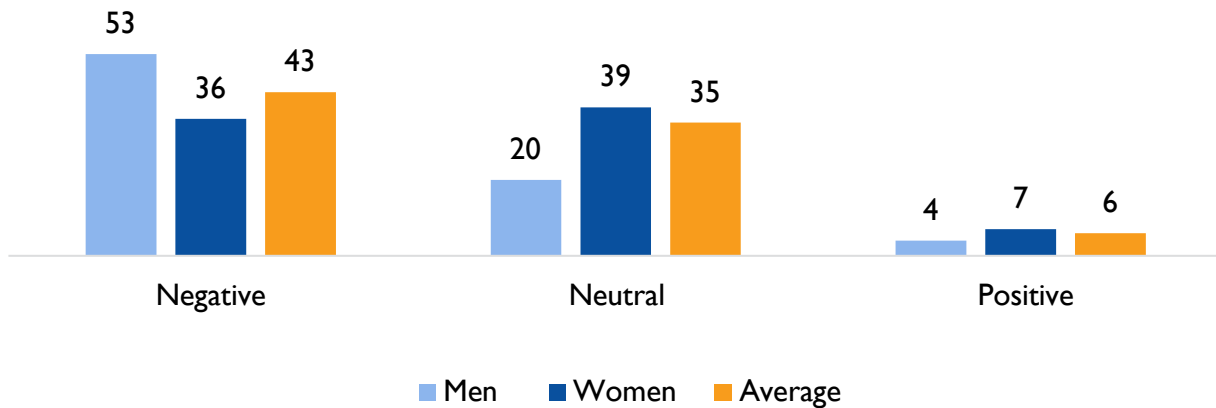
Chart 8.1. How do you feel about people who choose to change their sex? (%)



As many as 53 percent of all male respondents voiced negative views towards people who opted to change their sex (aggregate of 'negative' and 'very negative'), as opposed to 36 percent of women who shared the same view. Women, by contrast, were more likely to report a neutral attitude. Here, similarly to other issues examined in this survey, increasing age tended to be a predictor of negative attitudes. Similar patterns were found amongst respondents with lower educational attainment, ethnic Bosniaks and Hungarians, and residents of rural communities.

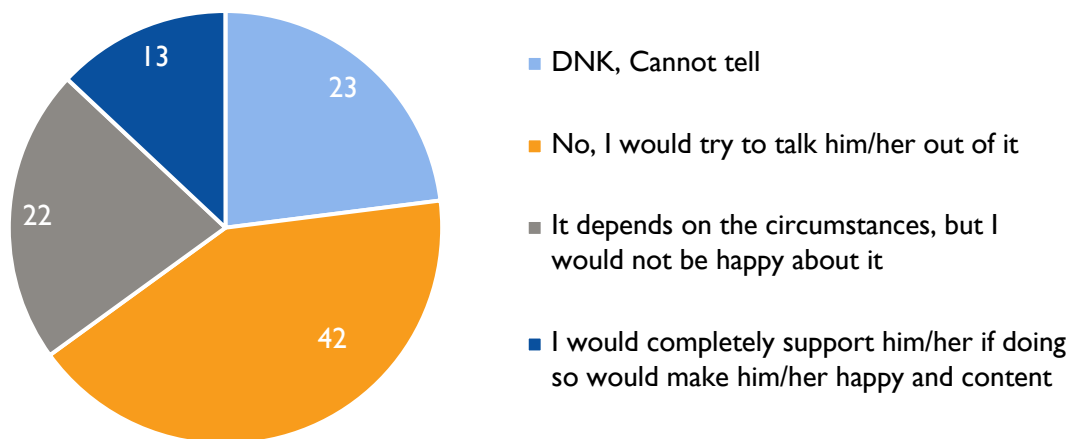
As many as 68 percent of respondents who reported being religious and adhering to all tenets of their faith claimed to have 'negative' or 'very negative' views of persons who chose to change their sex, as opposed to one-quarter of those who felt themselves as not being religious but had nothing against religion. Negative views of people who change their sex were over-represented amongst respondents who did not use social media (at 58 percent), whilst TikTok and Twitter users were, by contrast, more likely to hold positive views. As expected, respondents negatively disposed towards LGBTI people were also much more likely to report negative attitudes towards people who change their sex, as did respondents opposed to interaction with the LGBTI population (as many as 75 percent of those hostile to contacts with LGBTI individuals had negative views of people who opt for sex change).

Chart 8.2. What is your attitude towards people who choose sex change? By respondent gender (%)



No more than 13 percent of those polled reported they would support a person close to them who chose to change their sex if that would make the person in question happy and content. A large proportion of respondents – nearly a quarter (23 percent) – could not answer the question. A further 22 percent claimed their decision to support a person close to them in changing their sex would depend on other circumstances, but that they themselves would ‘certainly not be happy’ with it. Lastly, the vast majority (42 percent) reported they would not be in favour of a sex change decision and would attempt to talk the person out of doing so.

Chart 8.3. Would you support a person close to you in their decision to change their sex? (%)

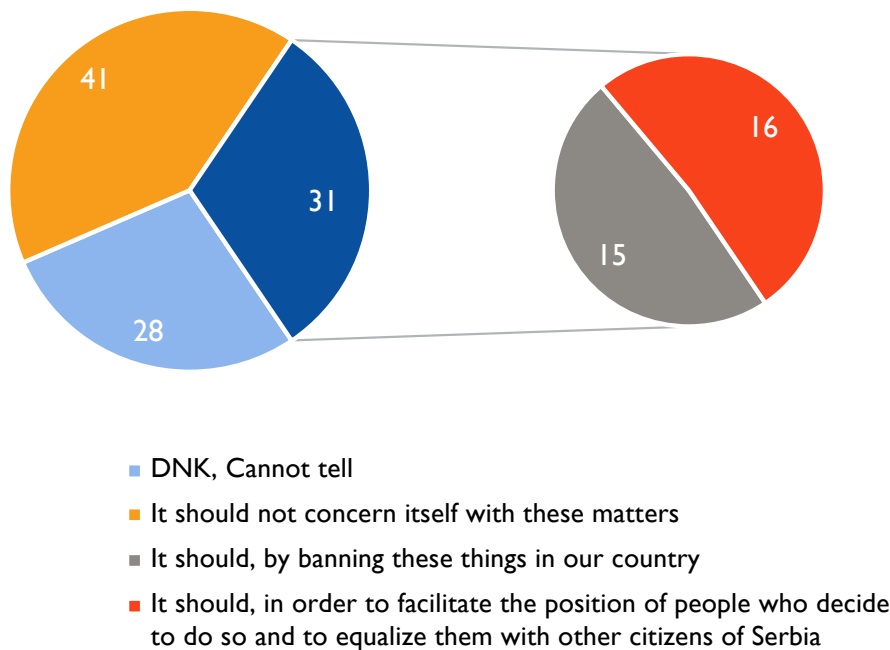


As with other attitudes examined in this survey, women respondents were more likely to claim they would support a person close to them in their wish to change their sex (as reported by 16 percent of all women vs 9 percent of men). Support declined with respondent age, with 20 percent of the under-29 cohort reporting they would stand by a person close to them who chose to change their sex, but no more than 5 percent of over-60s sharing the same view. College and university graduates were

more likely to extend support, as were respondents who claimed not to be religious but had nothing against religion. *The greatest readiness to support someone close to them in their decision to change sex was registered amongst frequent TikTok and Twitter users, as well as in the group of those who generally had positive attitudes towards LGBTI people and interactions with them.*

A total of 41 percent of those polled felt Serbia should not legally regulate issues of sex change and gender identity. A large share of the sample (28 percent) could not say, whilst the remaining respondents, 31 percent in total, believed Serbia should introduce legislation to govern sex change and gender identity. Those who were in favour of regulation, however, held divided views, with half believing the country should introduce a blanket ban, and the other half (or 16 percent of the total sample) feeling that the government ought to regulate the issue in such a way as to make things easier for those who choose sex change and ensure their rights are equal to those enjoyed by all other Serbians.

Chart 8.4. Should the government legally regulate sex change and gender identity? (%)

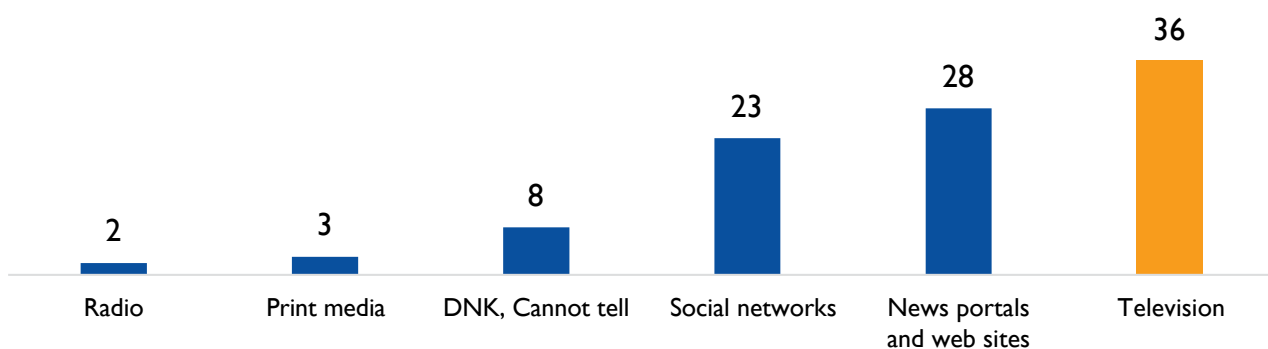


Similar patterns were registered here as with other issues examined in this survey. *Men, older respondents (50 and above), those with only primary education or no formal schooling, residents of rural areas, and religious people who accepted all the tenets of their faith were more likely to believe either that the government should not intervene in this issue or that there should be a ban on sex change and gender variance. Users of social media were more likely to believe any regulation should make things easier for people and ensure those who change sex should enjoy equal rights, whilst respondents who primarily watched television, listened to the radio, and read print media tended to believe the government should steer clear of these issues. As many as 24 percent of those polled in Belgrade believed regulation should make things easier for people changing their sex, whilst 12 percent of residents of Western Serbia and Šumadija shared the same view. Lastly, 61 percent of respondents who generally harboured positive views of LGBTI people felt legislation ought to make life easier for those who wished to change their sex.*

## 9. IMPACT OF MEDIA CONSUMPTION AND RELIGION ON ATTITUDES TOWARDS LGBTI PEOPLE

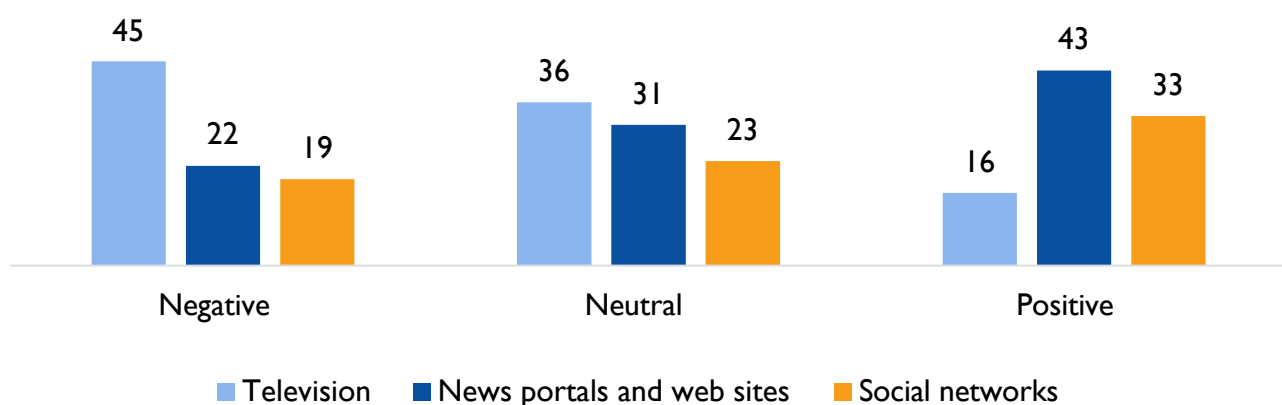
Most respondents (more than one-third, or 36 percent) claimed they got their daily news from **television**. News portals and web sites came next, as reported by 28 percent, whilst social media were the first choice for 23 percent of all respondents. In an entirely expected finding, the youngest cohorts reported generally using social media for news (as shared by 48 percent), whilst 76 percent of those aged 60 and above reported consuming news content on television. College and university graduates were more likely to cite news portals and web sites (as reported by 45 percent). Television was also the primary source of news for ethnic Hungarians, residents of rural communities, religious individuals who followed the teachings of their faith, and respondents based in Southern and Eastern Serbia.

Chart 9.1. Which of the following media outlets do you most commonly get your daily news from? (%)



Respondents who generally consumed news online were less likely to develop negative attitudes towards LGBTI people and same-sex unions. Here, 43 percent of those who used news portals and web sites and 33 percent of those who primarily used social media had positive views of LGBTI people, as opposed to 16 percent of television viewers.

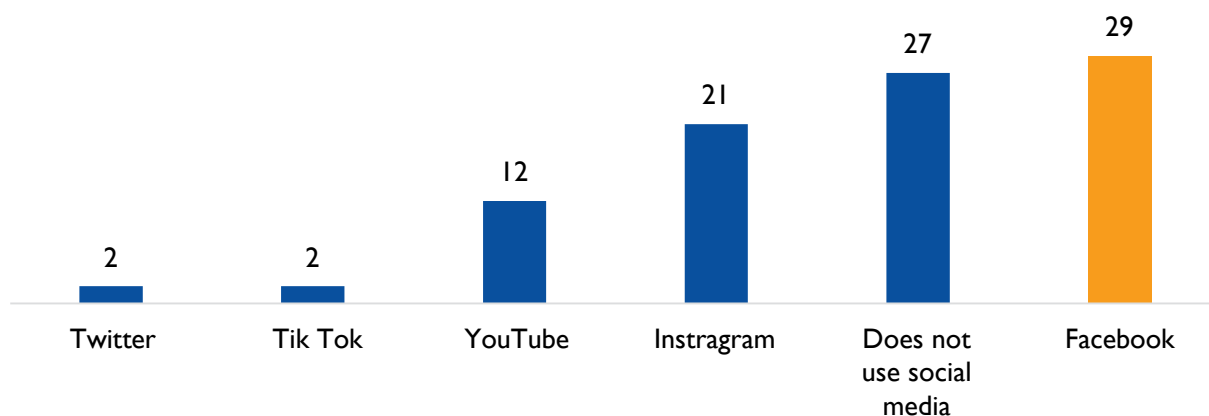
Chart 9.2. Which of the following media outlets do you most commonly get your daily news from? By respondents' attitudes towards LGBTI people and same-sex unions (%)



A similar pattern was found for interactions with LGBTI people: respondents opposed to contacts with this group were more likely to get their news mainly from television, radio, or print media.

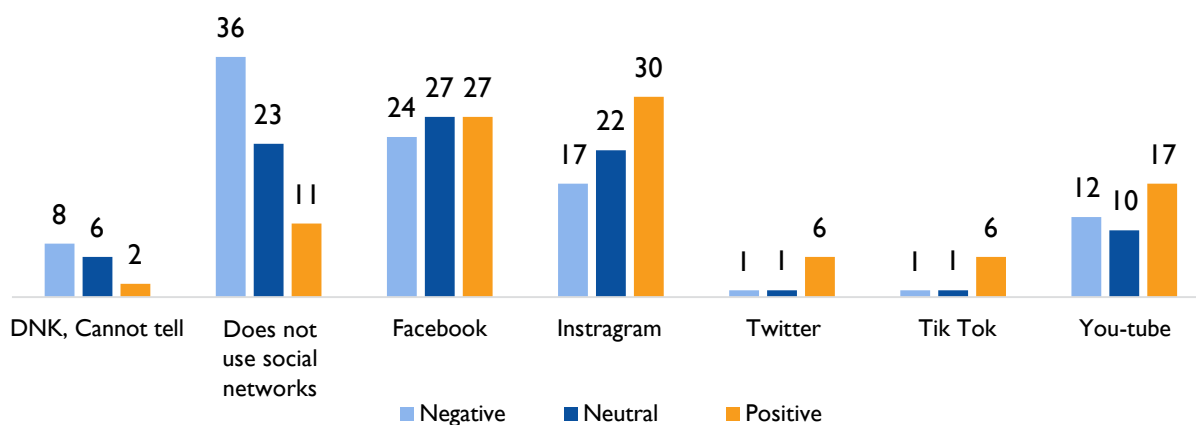
The respondents reported spending the most time on Facebook. The social network was used the most by 29 percent of those polled, and was followed by Instagram at 21 percent. YouTube was the first choice for slightly over one in ten, whilst 2 each claimed to mainly use TikTok and Twitter. Finally, 27 percent of those polled denied using social media altogether. The men who took part in the survey were more likely to claim they did not use social media (as reported by 32 percent) or that they mainly relied on YouTube. By contrast, women generally reported using Instagram or Facebook. As many as 67 percent of the over-60 cohort claimed they did not use social media. By contrast, TikTok and Instagram have emerged as the most popular social apps for young people. Use of social media was closely correlated with higher educational attainment. Lastly, 19 percent of respondents based in Belgrade denied using social media, whilst 33 percent of those living in Western Serbia and Šumadija reported the same claim.

Chart 9.3. On which of these social media sites do you spend the most time? (%)



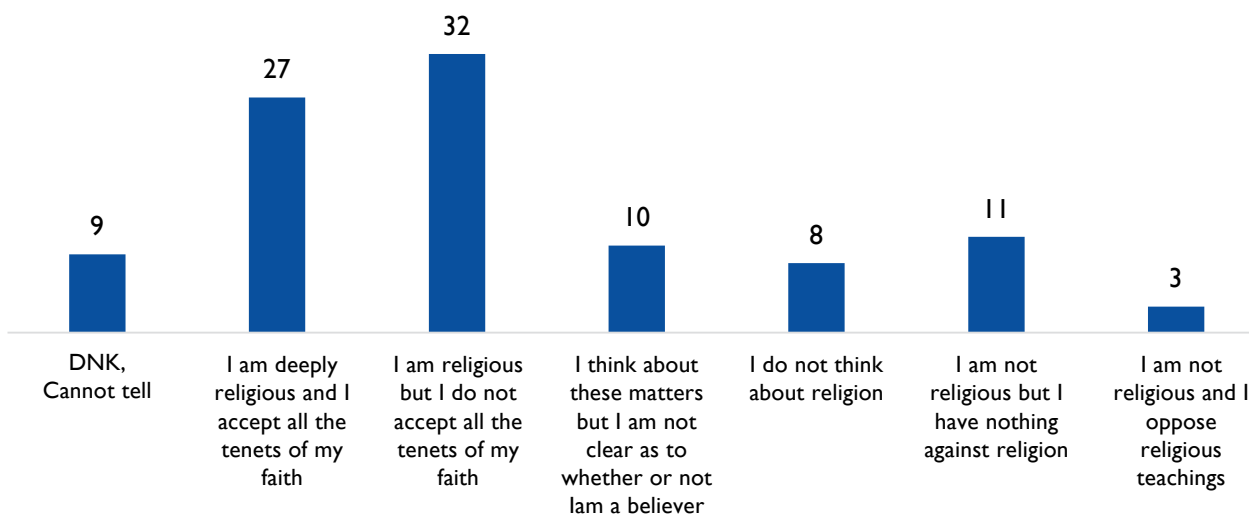
This question also revealed that attitudes towards LGBTI people were correlated with use of social media. Respondents who do not use these web sites and apps were more likely to share negative views of the LGBTI population. Conversely, respondents who reported using Twitter, Instagram, YouTube, and TikTok tended to share positive opinions of both LGBTI people and same-sex unions.

Chart 9.4. Which of the following media outlets do you most commonly get your daily news from? By respondents' attitudes towards LGBTI people and same-sex unions (%)



Finally, most respondents (32 percent) reported being religious but not adhering to all tenets of their faith. Another 27 percent claimed they were ‘deeply religious’ and accepted all the teachings of their faith, whilst 8 percent denied thinking about religious belief altogether. Moreover, 11 percent claimed they were not religious but had nothing against religion, and a final 3 percent were both not religious and opposed to religion. Women were more likely to report being ‘deeply religious’ (32 percent women vs 22 percent men). Similarly, greater levels of religious belief tended to be reported by the oldest cohort, those with lower educational attainment, ethnic Bosniaks, and residents of rural areas. As few as 17 percent of those based in Vojvodina admitted to being ‘deeply religious’, as opposed to 36 percent of those living in Belgrade.

Chart 9.5. Which of the following statements best describes you? (%)



Respondents who denied being religious but had nothing against religion held the most positive views of LGBTI people and same-sex unions.



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## 10. WHY THESE RECOMMENDATIONS?

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The question of same-sex partnerships is an important issue in the human rights corpus and the regulation of this area would facilitate and improve the position of members of the LGBTI community. Adoption of the Same-Sex Unions Law is one of the priorities of the **Ministry of Human and Minority Rights and Societal Dialogue** in the Government of the Republic of Serbia. At the beginning of 2021, the Ministry started consultations regarding the drafting of the Law itself, which should regulate the conditions for concluding and terminating a same-sex union, the legal consequences it produces, property relations, taxes, pensions, as well as unregistered same-sex unions. **The Draft of Same-Sex Unions Law has been in the procedure in the Government of Serbia since April 28, 2021.** The President of the Republic of Serbia has announced that he would not sign the Law if the Parliament if it would be adopted because he is “obliged to protect the Constitution” and that “the Constitution refers to the Family Law which defines marriage as a legally regulated union of men and women.”

There are various reasons why is important to talk about possible recommendations, especially when it comes to communication of the Same-Sex Unions Law. The topic itself has been complex, sensitive, and important, large part of the public is not tolerant towards the LGBTI community<sup>20</sup> and does not have positive attitude towards persons that have different sexual orientation. Also, there is a lot of pressure and obstructions (from parties, intellectuals, individuals...). The recommendations are based primarily on the findings of a survey conducted in May 2021. In addition, the recommendations are the result of discussions with representatives of civil society focused on this topic.

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## 11. COMMUNICATION GOALS

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The communication objectives of the Same-Sex Unions Law, according to the findings from the research, are:

**Pressuring decision-makers in order to adopt proposed Same-Sex Unions Law (stating its effects and the importance of improving the position of entire LGBTI community)** and

Seeking public support for the Law adoption through carefully defined target groups and messages.

\*\* Recommendations defined here will be based on public opinion research „Towards better Understanding of LGBTI Persons Rights and their Position in Society“ that has been conducted on a representative sample of Serbian adult population (excluding Kosovo) during May 2021.

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<sup>20</sup> Refer to research findings in detail at: [Link to the survey](#) will be available after the report is made public.

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## 12. STARTING POINTS

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Communication should be built on several assumptions whose merits are supported by the public opinion poll. Those are:

Serbian citizens do not perceive LGBTI persons as the most vulnerable, which implies that care should be taken to ensure balanced, moderate and measured campaign, without deepening divisions and respecting the fact that the Serbian citizens will be always easier to identify with and co-live with more visible vulnerable groups (women, persons with disabilities, the elderly...);

The perception that state bodies or bodies of a local self-government unit endanger human rights suggests careful communication of the role of the state in the entire process, primarily in the choice of communicators of key messages;

Less than a fifth of citizens have a positive attitude towards the LGBTI population with 50% of respondents having a negative one, which implies that steps in communication should be graded and carefully selected;

Negative attitudes are above average present when it comes to citizens who either have never met person of different sexual orientation or they know them indirectly;

Accepting interaction with the LGBTI population does not mean a positive attitude towards them - a positive relationship is built through getting to know LGBTI persons better and

Support for LGBTI community is not great even in minority communities, especially Bosniaks, which should be borne in mind especially in the context of the fact that a large percentage of these groups consider that their rights from the corpus of national rights/national affiliation are endangered.

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## 13. STRATEGIC RECOMMENDATIONS

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**# 1** Key target group on which communication should be directed are: **female population, population with higher education and age group from 18 to 39 years that live in urban areas of Vojvodina and Belgrade and consume online media portals and social networks.** In short-term, it is not to be expected that deep attitudes of population can be changed and prejudices to be removed.

*(Here, focus is on a group with whom short-term results could be achieved, i.e. until ratification of Law on Same-Sex Unions. In mid-term, target group should be expanded to population aged 40-45, generally from urban areas and population out of Belgrade and Vojvodina. After the ratification of Law on Same-Sex Unions, long-term communication strategy should be created that would cover all sensitive topics and regulations)*

**# 2** In communication, it should be emphasized or at least indirectly keep “red line” that this regulation would not go into marriage issues or children adoption but would cover same-sex unions and key everyday life issues related to the unions.

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## 14. PRACTICAL RECOMMENDATIONS

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- #1** Complete and coherent campaign on the Law on Same-Sex Unions should be implemented in order to prevent different interpretations and to respond on numerous disinformation that can be found in public sphere.
- #2** Confrontation with religious communities should be avoided in communication as they would not change opinion on this issue and believers accept their attitude.
- #3** It should be communicated that LGBTI community is a vulnerable group which needs support to exercise its rights.
- #4** It should be communicated that LGBTI community is a vulnerable group and that there is no single reason for denial of rights that belong to them or rights that already belong to other groups.
- #5** It should be insisted on positive messages and warm stories; familiarity with people from LGBTI community away from prejudices and stereotypes raises preparedness for their acceptance and understanding of issues they encounter.
- #6** Clear and strong messages that any kind of violence is unacceptable and socially undesirable should be sent from all addresses.
- #7** Strategy of “small victories” should have precedence over one “big victory” (that would not be likely and would induce polarization of public) and set of clear but achievable goals on which successive would come should be defined.
- #8** Issues of sex change and gender identities should be carefully raised in public because of negative reactions and great relevance for religious beliefs – combination of warm stories and importance of regulation of gender identities is needed – polarization (especially in age group 18-29) and confrontation (especially with religious communities) should be avoided and instead focus should be on women, urban areas and population with higher education.
- #9** A careful strategy for online media and social networks should be created (greater potential than mainstream media) with focus on population of up to 40 years old (or extended to 45) whereby an additional caution is needed for Facebook because of its “mainstreamisation”, while there is a solid potential on Twitter, YouTube, TikTok and to a lesser extent on Instagram (yet significant for female public).

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