



UNION UNIVERSITY LAW SCHOOL BELGRADE

International Workshop

WHAT STANDS FOR MENSTRUAL (IN)JUSTICE

Book of Abstracts

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Panel 1: Menstruation as Fundamental

Inga Winkler (Associate Professor, Wageningen University, The Netherlands; Co-Chair of University Seminar on Menstruation & Society, Columbia University, USA), *Menstruation as a Matter of Human Rights*

Abstract: My presentation seeks to conceptualize what it means to consider menstruation as a matter of human rights. I will start by considering which rights relate to menstruation, which is not only the right to health but a range of other rights including rights at work, participation in public life, and cultural rights. The presentation then moves into three misconceptions that limit and misconstrue menstruation as a matter of human rights. First, menstruation is too often understood as something personal, private and intimate – yet we know that the personal is political and that meeting menstrual needs requires structural and societal responses. Second, when considering these structural measures, I will use the example of menstrual leave to explore the tension between the need for redressing disadvantages and accommodating needs based on embodied differences on the one hand and the (potential) backlash due to the societal stigmatization of menstruation on the other hand. Third, complicating this further with regard to culture, culture is too often understood only as a restriction and oppression limiting women's agency leaving little room for positive understandings of culture – yet menstrual practices hold meaning for many people requiring us to move beyond a monolithic understanding of agency and instead considering cultural and religious agency as multifaceted. Only through understanding the multifaceted meanings of menstruation in people's lives will we be able to conceptualize menstruation as a matter of human rights.

Judit Sándor (Professor, Faculty of Political Science, Legal Studies and Gender Studies; Director of the Center for Ethics and Law in Biomedicine (CELAB), Central European University, Vienna/Budapest), *The Biopolitics of Menstruation: Then and Now*

Abstract: Menstruation has been an inexhaustible source of discrimination and even justification for misogyny across all cultures in the long history of humankind. For a long time, false beliefs and superstitions dominated the attitudes towards menstruating women and later it was ignored or misunderstood by science. The presentation will focus on post-war Hungary, including the transition from state socialism to peripheral capitalism. One might claim that the biopolitical control over women's bodies have remained over time, it only changed its form after the political-economic transition in the early 1990s. During the Kádár era in Hungary women's hygiene was considered a taboo that every single woman had to cope with for herself. While in the seventies and eighties the abundance of consumer goods in Hungary was unique among the state socialist countries, women were left alone with their problems of handling their monthly visitor. This burden affected all women, regardless of their workplace or status, but the state did not recognize this vulnerability and would not want to waste foreign currency on importing hygienic goods. In other words, all Hungarian women lived in enforced menstrual poverty and, because of our isolation from the Western world, we didn't know what we were missing.

The secret burden imposed on women during state socialism showed how political isolation could contribute to personal suffering in the private life. One may also see the hypocrisy in politics that put mothers on the pedestal but forgot women's basic needs in general: while there was ample financial assistance, such as maternity allowance, for mothers, there was also total ignorance about menstruation and its consequences to the daily life of women. In other words, women were regarded as important sources of workforce, and also as mothers who reproduce the society, but they were not regarded as independent agent of the rights which would grant them some degree of convenience outside maternity and work. Moreover, since feminism was regarded as a bourgeois ideology, women were not in the position of claiming their rights in this important domain. Although today in Hungary there is an open discussion about menstruation and various hygienic products are available in a wide variety of shops, women's specific health needs are still often misunderstood. While (upper-)middle-class motherhood is generously supported, even sponsored, by various population policies, women in precarious and vulnerable life situations (such as living with disability, coping as single mothers or as unemployed women) often face menstrual poverty.

Adriana Zaharijević (Principal Fellow, Institute for Philosophy and Social Theory, University of Belgrade), *Philosophy of Menstruation: The Body That is Not Bodiless*

Abstract: History of philosophy is replete with men. The canon did not recognize women well into the 20th century. Despite the existence of feminist philosophy as a discipline, despite the re-reading of history in which some forgotten women have been found, philosophy is still not a 'women's thing'. I begin with two assumptions. The first is that philosophy operates with the notion of the body – by rule, positioned lower in the hierarchy of being – but this body is *per definitionem* body as such, body as matter, a certain kind of 'bodiless body'. My second assumption is that menstruation is the distinctive trait of bodies born with female sexual characteristics (other phenomena that may ensue from here, such as gravidity or lactation, may or may not become realized in the life of a menstruating person). This body releases blood in regular intervals and, until the end of the bleeding cycle, it defines its life in a distinctive way. Monthly bleeding and rituals that accompany it are a theme in anthropology, but they have not become part of a general philosophical reflection on the nature of the body. My claim is that they should if we want to stop understanding bodies as bodiless. In my talk, I will focus on how women philosophers reflected on a menstruating body. If we are not capable of thinking about it, how are we to change the conditions for these bodies or provide them with more rights?

Dragica Vujadinović (Professor, Head of LAWGEM – Master Program on Law and Gender, University of Belgrade, Faculty of Law), *Gender Justice and Intersectionality*

Abstract: Combination of two concepts *intersectionality* and *justice*, leads - in the mentioned context towards converging, more inclusive feminist approaches – to a fruitful concept and conceptions of gender justice. Gender justice encompasses family justice, reproductive justice, redistributive (in)justice (overcoming patriarchy in the private and family life, work-life balance, fair share of domestic obligations/care overcoming private/public dichotomy, public and private sphere (Susanne Moller Okin, Philippe Green,

Nancy Fraser...), recognition (in)justices that are present and mutually linked in private and public sphere.

Concerning gender justice, family justice and reproductive justice from the point of intersectionality - right to abortion is not sufficient per se, because an accomplishing right to abortion does not work without material resources to fulfill reproductive rights in general, and material resources by definition have been lacking to women from more vulnerable groups – poor ones, young and old ones, colored women. Concerning abortion, its bans violate the rights to be free from violence, to privacy, to family, to health, and even the right to life. And, again, intersectional perspective of gender-based discrimination, informs us that bans are most devastating for people of color, young people, and marginalized communities, who already have trouble accessing health care and other needed services.

Combination of discourse of redistributive gender justice and recognition gender justice/discourse of identity is on agenda, while they have been mutually crossed (Nancy Fraser), and have to be taken both into consideration. Needed is intersectional approach to redistributive gender justice (class, race, gender, sex factors within disparities of paid labor and between paid and unpaid domestic labor) and intersectional approach to recognition gender justice (overcoming of Eurocentrism and privileging whiteness, accompanied with cultural gender-based racism, plus other recognition injustices related to sexuality, subjection to androcentrism, masculinity, cultural sexism, devaluation of the feminine expressed in sexual harm, assault, sexual exploitation, domestic violence, stereotypical representation in the media, harassment and disparagement in all spheres of everyday life, attitudinal discrimination, exclusion or marginalization in public spheres and deliberative bodies, and denial of full legal rights and equal protection).

Intersectional approach to gender injustice – through issues of family justice, reproductive justice, redistributive justice, recognition justices - could be also identified as the search for intersectional understanding and practice of gender justice (overcoming of intersectionally conceived gender injustice).

Panel 2: Menstrual (In)Justice in Legal Perspective

Tatjana Papić (Professor, Union University Law School Belgrade), **Aleksandra Čavoški** (Professor; Deputy Director of the Centre for Environmental Research and Justice, Birmingham Law School, UK), *Bleeding the Planet or Bleeding Rights? A Legal Framework for Menstrual Justice in the Sustainable Development Agenda*

Abstract: Our presentation examines the emerging concept of menstrual justice through the lens of international law, highlighting a key tension at its core: reconciling the environmental impact of menstrual hygiene management (MHM) with the social and human rights dimensions of menstruation. While seemingly a discrete issue, MHM intersects with multiple UN Sustainable Development Goals, demanding a nuanced approach that balances ecological sustainability with social equity.

We first analyze the environmental burden of menstruation, focusing on the unsustainable consumption and disposal of conventional menstrual products and their contribution to environmental degradation. It explores how international environmental law principles, such as sustainable consumption and production, can be leveraged to promote eco-friendly MHM practices. We then argue that a purely environmental approach to MHM risks exacerbating existing inequalities. Deeply ingrained stigma and taboo surrounding menstruation, coupled with limited access to affordable and appropriate menstrual products, already contribute to gender inequality and hinder the fulfilment of human rights – rights to health, education, water, and sanitation – for many women and girls globally. By connecting menstrual justice to existing international legal frameworks, our presentation aims to demonstrate the urgency of integrating MHM into the global sustainable development agenda in a manner that is both environmentally sound and socially just.

Svetislav Kostić (Associate Professor, University of Belgrade, Faculty of Law), *Menstrual Dignity and Why Taxation is the Wrong Way to Go*

Abstract: Serbia has seen calls for the introduction of certain gender related tax measures, such as the exemption from VAT for menstrual hygiene products, although there has been no comprehensive debate on this, while existing comparative experiences with such measures have not been taken into consideration. It would be imperative to provide guidelines for policy makers to enable them to avoid populist rhetoric traps and choose more effective policy steps instead of tax measures that may be more costly to implement in comparison to the benefits provided to the targeted taxpayers.

Namely, the primary trait of the VAT mechanism is that the supplier of goods and services includes the VAT into the total price, which is to be paid by the client. If the Serbian legislator was to simply exempt menstrual product from VAT this would give suppliers two choices:

- a) they could lower their prices for consumers, or
- b) they could keep the same price, or lower the price by less than the full amount of now exempt VAT, thus significantly increasing their profitability.

The same choice would present itself in case the legislator did not exempt menstrual products from VAT but subjected them to a lower VAT rate.

Not surprisingly, many merchants are not capable of resisting the evident temptation of a higher profit provided by the legislator, which is why identical or similar measures applied in other jurisdictions had very limited, if any, success.

Simply, the consumers are already accustomed to the price of a product in the aisles. The price includes VAT. If the legislator were to exempt the product from VAT, the merchant can simply keep the same price, the price which the consumers were already paying, and pocket the difference. In other words, the introduction of a VAT exemption does not imply the obligation to lower the final price of the product of the consumer – it merely opens the possibility for this to happen. The suppliers may be stimulated to lower prices due to public

opinion pressure, but experience shows that the attention of the public can often shift in other directions allowing for a gradual increase in prices.

Such temptation can be mitigated by rather complex refund mechanisms which often make the entire idea not viable economically. Refund mechanisms require taxpayers to provide information relevant for the refund, while the administration must divert considerable resources to such a task, resources which can be used far more effectively in different areas. Sometimes, the cost of implementing the refund mechanism may be identical or even higher than the amount to be refunded.

Serbia had a quite similar experience with the drive to exempt from VAT baby care products. However, in order to prevent suppliers from profiting from the measure without passing it on to the consumers, the measure was implemented in a way where the Serbian Tax Administration would refund the VAT included in the price of baby goods upon request by the taxpayer. The refund procedure itself ended up costing more than the entire amount of refunded VAT and raised understandable complaints that the money wasted on the refund procedure could have been better used to help families with newborns.

In respect of period poverty and menstrual hygiene, we would suggest an alternative view. Namely, as menstruation is a biological given of the female sex, menstrual hygiene should be seen as an elementary human right which must be obtained at the expense of the society. In other words, menstrual hygiene products must be made available to all women free of charge, as the enjoyment of an elementary human right cannot be linked with one's ability to economically afford it. Such an approach is found in more recent legislation such as the one adopted by Scotland in 2022.

Mila Petrović (Assistant Professor, Union University Law School Belgrade), *Work-Life Balance and Women at Work*

Abstract: The lack of balance between family and professional life is one of the more important issues that the labour law community has been dealing with in recent years. At the EU level, a normative contribution in this regard was given in the form of several directives such as: 1. Council Directive 92/85/EEC on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding; 2. Directive 2010/41/EU of the European Parliament and of the Council on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity; and 3. Directive (EU) 2019/1158 of the European Parliament and of the Council on work-life balance for parents and carers. In the Republic of Serbia, on the other hand, the issue of balance between family and professional obligations is regulated by the Labour Law and the Law on Financial Support for Families with Children.

Nevertheless, regardless of the norms, if statistics are observed both at the global level and at the level of the Republic of Serbia, men still spend approximately twice as much time in paid work, while this figure is further reflected in a significantly higher number of hours of unpaid work (cooking, dish washing, ironing, caring for children and the elderly, etc.)

performed by women. Therefore, it can be concluded without hesitation that, since today a significant number of women are employed or otherwise engaged in work, the number of women who actually work a "double shift", that is, at work and at home, has increased considerably. In the Republic of Serbia, this situation probably is a consequence of the patriarchal understanding according to which the man is the bread winner, while the woman is the caregiver, although such a perception is completely inconsistent with the current representation of women on the labour market. The activity of women on the labour market is gradually increasing, as evidenced by the fact that according to the research of the Statistical Office of the Republic of Serbia, the activity rate of women aged 15 to 64 increased in 2023 compared to the previous year by 1.2%.

„Fresh“ data regarding the gender pay gap, on the other hand, is not available, but according to the data that is available, the Republic of Serbia is among the countries with the lowest pay gap in Europe, although its height varies depending on the level of education or specific occupation. Such statistics may be partly a consequence of the fact that, specifically in the Republic of Serbia, the state is still the largest employer, and that in the public sector inequality in the amount of earnings earned by men and women cannot exist.

Great pressure is felt by female entrepreneurs, who are in a less favorable position than women who are employed. If, *exempli causa*, they decide to have offspring, during the period of maternity leave, in addition to the right to the appropriate salary compensation, they cannot exercise the right to to have such a period of time taken into account when calculating the insurance period as well (unless they independently pay the corresponding contributions from the named compensation). An employed women who recently gave birth in the Republic of Serbia, on the other hand, does not face such a problem. Also, it is not redundant to note that while the compensation for an employed woman during maternity leave must not be less than the minimum wage, the same does not apply to a woman who is an entrepreneur, which is why the amount of compensation paid to her based on the birth of a child in accordance with the calculation formula may be very low. A woman entrepreneur from the EU to whom a sufficient maternity allowance, enabling interruptions in her occupational activity owing to pregnancy or motherhood is guaranteed, is in a much better position than a Serbian one, which is why the discrepancy between the Law on Financial Support for Families with Children and the Directive 2010/41/EU is visible. Women who work outside of employment are in the same position. In this way, both of these categories are placed in an unequal position in the Republic of Serbia in relation to female employees, and certainly also in relation to men who face the biological impossibility of getting pregnant, which is why they cannot face such problems.

Even though the Republic of Serbia is not obliged to implement the EU *acquis*, it is still obliged to harmonize its normative solutions with the same. To that point, it does not seem redundant to point out that the legislator must not remain deaf to the need of changing regulations in this sense. After all, if the policy of the Republic of Serbia is oriented towards increasing the birth rate, which has been in a decline¹ for years, such a move could be seen as an additional tool in its promotion.

Mario Reljanović (Research Associate, Institute of Comparative Law, Belgrade), *Menstrual Leave as Cause for Analysis of Protection of Women's Reproductive Health at a Workplace*

Abstract: Dominant neoliberalism labour doctrine is essentially based on social conservatism, which does not perceive women's empowerment as a relevant political goal. In order to somehow bridge the gap that is created in relation to this important social topic, neoliberal governments often promote gender equality as one of the products of their politics. However, in neoliberalism equality and equity are viewed through the prism of cost-benefit factors: they are welcomed and promoted only to the extent that it will not produce extra costs for the employer or the government. Same goes for the gender equality, which brings us to the question of menstrual leave as a form of recognition of a women's special biological needs within their reproductive role, which must be the part of the package of rights that establish true equity. Since it is not politically correct to say that this type of leave is undesirable because it assumes new costs for employers, resistance to the introduction of menstrual leave is based on the premise that it will only increase the existing differences, that is, it will lead to even more significant discrimination against women. This premise is nonsensical, because it is expected that the regulations we set will not be enforced – if they are, the intensity of differential treatment cannot be expected to increase. On the contrary, not only must we move in the direction of full implementation of the law, but menstrual leave must be seen as one segment of the overall care for women's reproductive health in the world of work. Perhaps it can also be an incentive to move towards that goal significantly more energetically than it has been the case so far. In this sense, menstrual leave is seen as a test of society's willingness to talk openly about the topic of the protection of reproductive health of women at work, because besides discrimination there are other issues to be addressed accordingly, such as “period poverty”. Thus, only way to talk about menstrual leave is to encompass it to other complementary issues: paid breaks, time off, flexible scheduling, or telework; affordable menstrual products and safe spaces to apply them, and similar. And of course, to break the “culture of silence” about these issues once for all.

Panel 3: Menstrual Justice at Work

Sanja Barić (Professor, University of Rijeka, Faculty of Law, Croatia), *“Person Who Menstruates”: on (Legal) Language and Gender Equality*

Abstract: Although firmly anchored in numerous legal international and regional human rights instruments, gender equality is permanently being rejected by significant social forces organized in - predominantly but not necessarily exclusively - far-right movements, religious groups and political parties. Labelled as “a carrier of gender ideology that annihilates traditional values and destroys family as a founding social brick”, the so-called Istanbul Convention is considered to be one of the worst tools of “unacceptable and dangerous genderism”. The relatively newly coined term “person who menstruates” is often used as a non-debatable and obvious example of counter-common-sense “leftist gender agenda”. It is argued that these “goals” run against the “natural order expressed in *i.a.* ‘normality of legal wording’”. At the same time, it is widely overlooked that there is no social/legal system, and there has never been one, without an underlying gender ideological paradigm (not natural *per se*).

There are several points that we want to discuss here. Firstly, the misconception of habitual use of legal terminology that, supposedly, does not convey a message of undue inequality.

Here the general guidelines and practice of the EU translation offices will be presented. Namely, European languages are categorized in three groups, placing Slavic languages in the most genderized systems of communication. Secondly, the standardized national rules of the Republic of Croatia on normative activity, as well as other relevant regulations, will be analyzed. Thirdly, a case-study and institutional impact of the 2022 Gender-neutral and gender-sensitive language directives adopted by the Council for Gender Equality of the University of Rijeka, will be tackled. Finally, the social consequence of the use of particular (legal) language and terms will be discussed. Making a full circle, we argue for caution, awareness and understanding of the sensitive equilibrium between a positive influence and worsening counter-effect when introducing (and/or opting for) a (legal) linguistic gender-neutrality and sensitivity.

Marina Sakač Hadžić (Communications and Capacity Building Officer, European Association for the Education of Adults, Brussels, Belgium), *Missing Menstruators: How Activist Work Highlights a Knowledge Gap*

Abstract: In the wake of a global shift towards breaking silence and taboo, menstruation is becoming more present in media. Through the work of artists and activists, we can follow a line of knowledge being produced. By promoting and speaking about menstruation and period poverty, many universities and schools in Serbia and the Western Balkans have adopted new policies. They now provide free menstrual products for their students.

The objective here is to explore the work of NGOs and social media as catalysts of change; emphasizing the work of activists trying to produce and bring new knowledge to menstruators about their bodies. They have also contributed to closing the gaps in medical research by asking people to participate in surveys and questionnaires. The material used for this study is data collected over the past 3 years. As part of an ongoing preparation for a PhD, this topic will be explored with an anthropological lens, using critical menstrual studies as a foundation. Combining mixed methods with thematic and critical discourse analysis will investigate the importance of menstrual knowledge in the lives of individuals.

Iva Ivanov (Teaching Assistant, Union University Law School Belgrade), *Taxation for Gender Equality: The Path of Serbia*

Abstract: Gender equality in the Republic of Serbia has not yet been achieved. Although the unemployment rate of women in Serbia is decreasing, it is still higher than the unemployment rate of men. Half of the female population, the prevalent population in the Republic of Serbia, is also inactive in 2024. Population growth in the Republic of Serbia is negative and increasingly expanding. Unemployment and inactivity rates in Serbia are higher than the European Union average. In this environment, the idea of economic empowerment of women in the Republic of Serbia is very relevant for its sustainable development. Empowering women requires improving their position at all levels. For the purposes of this paper, we will focus on the economic empowerment of women, which could contribute to the improvement of the general living conditions of women in the Republic of Serbia.

In the last few years, certain measures introduced by the Republic of Serbia for the economic empowerment of women, such as subsidies for the development of women's entrepreneurship and women's agricultural farms, have had an impact. Although men are still the majority represented in the mentioned categories, an increase in the number of women in these two areas can be observed. For that reason, it can be concluded that the measures brought about an improvement in terms of economic empowerment of women.

Given that measures of positive discrimination provided certain effects, this paper proposes tax measures aimed at the economic empowerment of women. Fiscal policy is one tool available to legislators that could and should be used for the women empowerment. The measures are related to employment, facilitation of both work and having a family, as well as encouragement for the realization of property rights. Tax breaks have been proposed, which aim to encourage flexible forms of work (part-time work and work from home) and provide child care during working hours. The paper also proposes an increase in the tax burden for the gift of a share of agricultural land to a male family member by a female family member, as an incentive to break with outdated patriarchal customs.

Panel 4: Menstrual Justice Activism at Work

Antonija Petričušić (Associate Professor, University of Zagreb, Faculty of Law, Croatia), **Marinella Matejčić** (SOLIDARNA – Foundation for Human Rights and Solidarity, Zagreb, Croatia), *From Words to Deeds: The Case Study of an Advocacy Initiative for Menstrual Justice in Croatia*

Abstract: In 2021 the Association for human rights and civic participation PaRiter conducted research on period poverty. That was the very first (and so far, the only) study on menstrual injustice in Croatia. The research identified key problems faced by women in Croatia regarding menstruation: (i) Menstrual shame and embarrassment; (ii) Lack of understanding and judgment from others; (iii) Inability to maintain adequate menstrual hygiene; (iv) Insufficient knowledge of different types of menstrual supplies; (v) Lack of access to menstrual supplies and pain relief medication during menstruation; (vi) Absence from work, school, or missing university lectures due to menstrual pain, lack of access to menstrual supplies, or inadequate hygienic conditions. The research revealed that almost 12% of women in Croatia cannot afford to change tampons or pads as much as they would need to. The research also found that 10% of women in Croatia cannot afford to buy painkillers during their periods; 36.4% are buying cheaper products because they cannot buy high-quality ones; and 3% cannot afford menstrual products at all, and instead, they use toilet paper, socks and other makeshift pads. The results have been reflected only in a limited policy change. A motion to decrease the tax imposed on menstrual hygiene products from 25% to 5% was submitted to the Croatian Parliament in 2021 was dismissed. The advocacy initiative, that gathered an array of women human rights associations, advocated that menstrual supplies in Croatia are being taxed as luxury goods, with a high rate of 25%, what promotes inequality and discrimination and affects more than half of the population, significantly reducing women's quality of life. However, in 2022, the Government decided to dedicate 1 million euros in 2023 to secure free pads in schools and shelters for victims of

domestic violence. In this article, we will present the advocacy initiative's research findings and assess their implications into a broader gender equality policy framework of Croatia.

Jelena Simić (Associate Professor, Union University Law School Belgrade), **Sanja Radivojević** (Human Rights Lawyer, Belgrade Centre for Human Rights), *Women's Things - Menstrual Justice and Women's Activism. What Can We Expect about Serbia?*

Abstract: The term "menstrual justice" refers to the idea that society should openly (without shame or stigma) acknowledge the fact that roughly half of the human population menstruates for a large part of their lives. Equality requires the same treatment for all people, regardless of their differences. Justice requires fair treatment for all people, in light of their differences.

Women have the right to knowledge, resources and economic support to manage their menstrual cycle with dignity because the menstrual cycle and menstruation are normal, physiological processes. The practice of poor menstrual hygiene increases the risk of infection of the urinary and reproductive tract and causes women to require health care more frequently, while poor knowledge of the menstrual cycle negatively affects family planning and the use of contraceptives. These factors significantly increase the risk to women's reproductive health and represent obstacles for women's equal participation in society.

This presentation will focus on the results of the research in which the authors participated during 2022 and 2023, which dealt with the topic of treatment of women during the induced abortion procedure in healthcare institutions in Serbia. Research has shown a wide range of inadequate treatment of women - various forms of physical violence and verbal abuse, experiences of discrimination and neglect, denial of privacy and confidentiality, as well as lack of appropriate medications and high-quality care. Research has shown that 77% of the respondents directly witnessed the induced abortion procedure of another patient, and just under half, i.e. 48.5% of the respondents stated that the procedures were conducted without the presence of health professionals, while around 39.4% of the respondents stated that female patients suffered insults from the medical staff (who called them derogatory names, insulted them, shouted at them). Almost half of the respondents with personal experience of induced abortion (44.7%) stated that they were not informed before the procedure itself about its course, consequences and risks and that they did not sign any consent for that medical intervention. The consequences of such actions are numerous painful and traumatic experiences of women in Serbia and violations of their basic human rights, which unfortunately remain unsanctioned.

The authors conclude that control over women's bodies is still deeply rooted in Serbian society, and that it is necessary to urgently introduce transparent and standardized procedures for the treatment of women in healthcare institutions during pregnancy and termination of pregnancy, as well as laws and policies that provide safe, affordable and accessible menstrual products for all women, regardless of social and economic differences. Our presentation aims to show that this can reduce the risk to women's reproductive health and lead to their equal participation in society.

Ankica Dragin (English Language Lecturer, Union University Law School Belgrade), *Gynecological Treatment or Gender Based Oppression? - An Autoethnographic Research in Menstrual Health*

Abstract: The notion of menstrual injustice, as defined by Margaret E. Johnson in 2019, is a form of “oppression of menstruators”. It represents an example of structural intersectionality because it is manifested in “public policies, institutional practices, cultural representations and other norms” resulting in oppressive power exercise privileging and disadvantaging persons at the intersection of, *inter alia*, gender, gender identity, sexual orientation, age and ability. Starting from the premise that menstruating and (presumably consequential) childbearing ability is one of the key concepts in the socially and culturally conditioned perception of the “default female” and/or “feminine” in today’s Serbia, this paper is an autoethnographic case study in menstrual health. The author reflects on her over two decades’ long women’s experience of gynecological treatment within the Serbian healthcare system comprising of both state institutions and private practice. Passing a road from a non-primary amenorrhea to a major surgical intervention and post-operative gynecological health monitoring, the author argues that menstrual health makes one of the key components of menstrual injustice. Such essentialist, reductivist, procreativist perception of menstruators’ - in this case: women’s - health, stressing only its biological and physical aspects and excluding women’s psychological and overall social wellbeing, is indicative of a patriarchal, discriminatory and stigmatizing approach to gynecological services provision. Reflecting systemically taught and practiced gender and age-based discrimination against persons in need of gynecological treatment, such an approach is manifested, among other things, in an unlawful practice of denying them access to the necessary most contemporary, state-of-the-art gynecological diagnostics and treatment methods available within the current healthcare system in case they are perceived by it as not likely, able or willing to bear children. Besides perpetuating stigmatization and social marginalization of practically majority of women in Serbia, such practice has multiple and far-reaching consequences. It results in their further multiple discrimination and oppression, increasing the risks of continued deterioration in overall women’s health and wellbeing. This will, in turn, inevitably affect other spheres of their and their dependents’ lives (e.g., access to education and professional development, employability, socio-economic and financial status, etc.).

Agata M. Đurić (Human Rights Activist, Director of GETEN LGBTIQ), *Challenges Related to Mental and Psychological Health of Trans Feminine Persons*

Abstract: Testimonies about gender variant persons, persons with a difference between their gender assigned at birth and their gender, gender expression and/or role, have existed in different cultures and historical periods (Stryker, 2008/2017;). People who transcend the binary determination of gender have been known to exist in Mexico (mukse), in the Arabian Peninsula (khanith and mukhannath), Polynesia (fa'afaline and mahu), Tonga (leitis), among the Maori in New Zealand (takataapui). Among the nations In North America, these people are called two-spirited people Navajo and Lakota, and in India hijras, who are recognized as a third gender, while the phenomenon of virgins was studied in the Balkans (Šarčević, 2006).

However, while in many cultures transgender people often had the status of the divine beings, in western civilization, gender and sexual diversity is viewed as a sin, crime or disease, and was sanctioned in different ways with a long history of persecution, violence, discrimination, psychopathologizing and medicalization. The latest study (2023) from the Williams Institute at UCLA School of Law¹ finds that 81% of transgender adults in the U.S. have thought about suicide, 42% of transgender adults have attempted it, and 56% have engaged in non-suicidal self-injury over their lifetimes. According to the Trans Murder Monitoring Project that the organization Transgender Europe conducts every year the data shows that - 321 trans and gender diverse people were reported murdered between 1 October 2022 and 30 September 2023 with 94% of victims were trans women or trans feminine people. Apart from systemic multiple discrimination and violence stemming from the pillars of patriarchal hierarchy and oppression, trans women and trans feminine persons have been facing over the last decade a strong anti-gender, anti-trans movement, including within the feminist movement and discourse, made up of three main wings: The TERF and bio-essentialist wing, the far-right and conspiracy wing and the disinformation and conversion wing.

Identifying the factors and specifics that most significantly affect the mental and physical health of trans women and trans feminine persons will be shown taking the example of Serbia through long-term work on mobilizing and empowering the trans community, and work on changing the health care system, which for many years ignored and exploited trans persons without proper access to adequate health care, legal and institutional system, social climate, and try to offer answers as to why the Law on Gender Identity has not yet been adopted in Serbia, as well as why Serbia violates the decision of the European Court of Human Rights from 2017, which explicitly states that trans people must not be subjected to medical interventions that may cause temporary or permanent sterility as a precondition for legal gender recognition.