

The queer paradox of Serbia

EuroPride, EU accession and the right to asylum in the EU

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Serbia took the spotlight in international news coverage with the EuroPride 2022 approaching and the debate whether it should take place due to large right-wing and religious counterdemonstrations. In 2019, Belgrade Pride Organisers had won the bid to host EuroPride, a pan-European international LGBTQIA+¹ event being hosted by a different European city each year (EPOA 2022a), in 2022 after proving that they had support from the government and had hosted Belgrade Pride Parades for ten years. Queer activists are put in a difficult position as they are working together with government officials to be able to organise the pride but are not assured the protection needed. As Serbia is aiming to be an EU member candidate soon, the government officials are not highlighting the human violations LGBTQIA+ people face but focus on the success they have achieved for the queer community.

Looking at the sexual politics in Serbia, the migration politics of the European Union (EU) and the supranational politics surrounding the EU accession of Serbia, highlights the paradox of queer protection. Serbia is not protective enough of queer persons to be accepted for inclusion into the EU, yet it is considered a safe country for queer persons, which prevents queer persons the right to asylum in the EU. This paradox revolves around the imaginary of what the East, the Balkans and Europe are, and it is evident in the organisation, the cancellation and the taking place of the EuroPride in Belgrade.

“EUROPEAN VALUES” AND THE BALKANS – A RECURRING PARADOX

The Balkans² have for a long time endured a bridge status between the East and the West, as theorists like Marija Todorova have shown. Europe is a “synonym for progress, order, prosperity, radical ideas, that is, an image and an ideal, a Europe belonging to Time (understood as development), not Europe as a geographic entity” (Todorova 2009, 43). Through this lens, there seems to be a universal time encapsulating West Europe that other regions need to find their way to. Conservative politics are understood to be grounded in the East and with no relation to the West. When conservative political ideologies rise in the West, they are treated as imports through migration from countries of the East. This influences migration politics in the West, and informs ideas about who is prosecuted or in danger in their country of origin that the West can then come to “save” (Raboin 2017). This imaginary of the West as the saviour of barbaric ideologies of the East, conceives Western “tolerance as a cultural trait” (Raboin 2017, 53).

In this imaginary, the Balkans are perceived at once as being outside and inside of Europe. This ambiguous position displays the volatility of Europe’s borders. When can we speak of entering Europe? Are the Balkans the Eastern entrance to Europe or are they, as described since the migration movements in 2015, the bridge to pass to enter Europe?

This ambivalent view influences policies and queer activism in the Balkans, as well as migration policies in the EU. A good example for the influence on policy development would be the organisation and the implementation of the pride parades, disregarding the quality of the parades and the hate crimes surrounding the symbolic practices. The cancellation of pride parades was surrounded by more outrage by the EU debating the possible member status of Serbia, then the political statements of governmental officials towards LGBTIQ+ people, the occurring hate crime and the police surveillance during the held parades.

SERBIA BETWEEN EAST AND WEST – EUROPRIDE

Since the dissolution of Yugoslavia, Serbia has tried to maintain its ties with both the East and the West. It applied for EU membership in 2009 and started the negotiations for admission in 2014, while simultaneously tightening its relationship with Russia, China, the United Arab Emirates (UAE) and Turkey (Marciacq 2019).³ The formation of the new Serbian government demonstrates how Serbia tries to please both regions by integrating pro-EU and pro-Russian voices in the ministerial cabinet (Stojanovic 2022).

A day after big demonstrations against the EuroPride, the president of Serbia Aleksandar Vučić stated, that Serbia is the “stage for a proxy war between East and West” (Vasović 2022). However, the Belgrade Pride Parade organisation members similarly made use of the bridge imaginary in their EuroPride bid:

This geographic crossroads between East and West also represents a crossroads of values. To its West, rainbow flags decorate town halls while [... to] its East, members continue to be harassed, beaten and persecuted by the very institutions intended to protect them. (Belgrade Pride 2022)

This intermediary status has benefitted the Belgrade Pride organisers to win the bidding point to be the next EuroPride candidate in 2022. For the city to be considered a candidate, it needed the support from the government, which was provided by the openly lesbian Prime Minister Ana Brnabić. At the same time, Brnabić has expressed that she is not a prime minister for LGBTIQ+ issues, but a prime minister who just happens to be lesbian (Jasnić 2019). This stance has made her very unpopular within the queer community. For Vučić’s right-wing conservative government, Brnabić’ position is important as it fits both a conservative government, as well as being a strategic tool in negotiations with the EU, as having an openly lesbian prime minister supposedly represents LGBTIQ+ tolerance.

During the Pride preparations, long lasting conflicts between Kosovo and Serbia sparked again due to car licence plates⁴. The EU has pressured Serbia and Kosovo to find solutions for this conflict as right-wing protests increased. Months before the EuroPride, further big right-wing and religious-conservative groups had been demonstrating, this time in Belgrade against the parade. However, the organisation committee of the Pride was still holding on to their event. Shortly before the Parade, the president of Serbia Aleksandar Vučić cancelled the pride due to the conflict with Kosovo and economic problems (EPOA 2022b; Associated Press in Belgrade 2022). This is a well-known strategy by Vučić. He offers the right-wing a gain by cancelling the Pride, while he carries out unpleasant decisions regarding Kosovo without much public attention (Lazarević 2022). An additional reason for the Pride ban was the possible violent confrontation caused by right-wing demonstrations. Like the Pride bans between 2010 and 2014, the ban was announced last minute to prevent a successful appeal to the ruling. Due to high international pressure and local queer activism, the pride still took place, although smaller than anticipated.

THE IMPACT OF THE PARADOX ON QUEER ACTIVISM IN SERBIA AND THE EU ACCESSION OF SERBIA

The EU measures a country's degree of progressiveness according to the extent to which they respect LGBTIQ+ rights (Bilić 2016, 123). From this follows that for the EU, the organisation of pride parades is a crucial criterion for countries to be considered ready for EU accession. In Serbia this is evident through the development of the parades in Serbia since 2010, which is in tandem with the EU accession process of Serbia. The existence of pride parades is framed by the EU as a success for national development, even though police presence is high, and participation in pride is regulated (Mikuš 2011). The EU accession of Eastern European countries has become bound to their integration to so-called European values which include queer rights.

This stands in correlation with the construction of an oppressive masculinist misogynist region of countries, as the Orient or the East as opposed to the West. The West is imagined as the civilized, while the East or the Orient is perceived as the barbaric counterpart. The West sees everyone equal and empowers LGBTIQ+ people, while the Orient suppresses or punishes them. Free will and choice so to speak is only possible in the West. When applying for EuroPride, pride organisers in Belgrade referred to the image of the Balkans as dangerous and violent towards queer persons:

Our idea was first to start the presentation with a movie of brutal scenes of assaults, because we think that it is important to show what our realities on the Western Balkans are, what is it that we face for years and to not show a tra-la-la story how Belgrade is a great city, but to be realistic. (Mihajlović 2020)

The image of the Balkans as a dangerous place helped the organisers to get the EuroPride title of 2022. The Balkans as a “crossroads between two different worlds – the West and the East” often defines it as an undesired region (Todorova 2009, 57). In the bid for hosting EuroPride in Belgrade, however, Serbia was presented as serving as a bridge towards democratisation and liberalisation of the Western Balkan.

THE IMPACT OF THE PARADOX ON THE MIGRATION POLICIES OF THE EU

ILGA⁵ issues yearly reports on the current development on the legal and policy situation of LGBTIQ+, the Rainbow Index, surveying and grading each country (100% being the best score), depending on if they fulfilled the necessary points or not. In 2022, Serbia rose from a Rainbow Index in 2020 of 33% (ILGA Europe 2020) to a Rainbow Index of 37% (ILGA Europe 2022). These indexes are used to highlight the status of queer people in nation-states and based on that inform the evaluation of asylum cases. Therefore, they serve as a so-called

“homonationalist tool”, which “relies on imaginary geopolitics of sexuality emphasising homophobia as a problem to be understood mainly in relation to the nation state – not only homogenising separate countries as part of the same more or less safe spaces, but also homogenising the countries themselves as ultimately ‘green’ or ‘red’ places.” (Raboin 2017, 64). Furthermore, countries who want to score well on this index often rely on pink-washing – promoting LGBTIQ+ rights protections as proof of tolerance to distract from violence against communities and to push the countries reputation – instead of real investment in anti-discrimination and social justice measures. Indexes are used to distinguish if a country is safe for queer people by evaluating the general law and policy regulations of certain nation states. However, it doesn’t consider the heterogeneity of queer people in the different states, or their real safety or emancipation. Those scores and statistical reports, differentiate nations, as either more or less tolerant towards LGBTIQ+ people and “produce a geopolitical mapping of neoliberal power relations in the guise of sexual expression and repression” (Puar 2007, 29).

These constructions of safe states have influence on the migration politics of the EU by contributing to the concept of safe country of origin⁶. Based on their index, it is evaluated if the country of origin is safe enough for queer asylum applicants. The framing of a country as a safe or unsafe country of origin is not based on the local human rights situation, but only on the existence of theoretical laws for protection (Hunt 2014, 508f). Because it has organised pride parades in the last years, Serbia is considered a safe country of origin. However, the high police presence at the pride parades as well as the lack of hate crime protection and persecution show that real safety for LGBTIQ+ people in Serbia is a myth. Furthermore, the focus on homogenic and culturalist perception of regions leads to a lack of individual examination of asylum cases. This affects queer migrants and refugees especially because they need to provide credibility not only through proving that they are truly queer but also that the state doesn’t provide enough protection, which necessitates the asylum.

CONCLUSION

The intention of this essay lies in the emphasis on the problematic handling of asylum applications based on sexual orientation and gender identity, which is seldomly based on individual experiences. Instead, the focus in the decision to grant a person asylum or not, lies predominantly on the assumption of the country of origin. The Balkans as part of Europe but also as a bridge to the Orient, have a specific position in this context.

On the one hand, LGBTIQ+ regulations and policies implemented are not sufficient for the countries in question to be considered fit for accession by the EU. On the other hand, there are enough laws to protect queer people in Serbia that prevents asylum seekers from being granted asylum in the EU on grounds of prosecution due to their sexual orientation and/or gender identity, based on the safe country of origin principle. This is a paradox which unfolds in the relation of Serbia towards the EU.

Notes

- ¹ LGBTIQ+ refers to Lesbian, Gay, Bisexual, Trans*, Inter*, Queer, Asexual and more
- ² There is no definition of what area or countries the Balkans specifically entails. In this essay, the term implies certain images of the region without distinguishing its specific borders.
- ³ Although Serbia has constantly moved forward in EU negotiations, it also tightened its ties with Russia (most prominently by not recognising the independence of the state Kosovo) and improved strategic collaborations with China and the UAE, noticeable by the increased number of strategic agreements.

- ⁴ Serbia doesn't recognise Kosovo as an independent state. Therefore, it doesn't recognise Kosovo's licence plates, which is why until recently, people from Kosovo needed to have further documents and change the plate when entering Serbia. Kosovo has now declared that it won't recognise the Serbian licence plates anymore, which lead to Serbian right-wing protests.
- ⁵ ILGA-Europe is the International Lesbian, Gay, Bisexual, Trans and Intersex Association of Europe and has participatory status at the Council of Europe.
- ⁶ The concept of a safe country of origin and its implementation in the EU is inconsistent with human rights law and general principles of Community Law.



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