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The functioning of democratic institutions in Serbia

Report¹

Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee)

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1. Reference to committee: [Resolution 1115 \(1997\)](#).



A. Draft resolution²

1. Serbia joined the Council of Europe on 3 April 2003. In addition to its membership obligations, it agreed to honour a number of specific accession commitments, as listed in [Opinion 239 \(2002\)](#) of the Parliamentary Assembly, “Federal Republic of Yugoslavia’s application for membership of the Council of Europe”.
2. Since joining the Council of Europe, Serbia has been under the Assembly’s monitoring procedure. In its [Resolution 1858 \(2012\)](#) “The honouring of obligations and commitments by Serbia”, the Assembly welcomed the significant progress achieved by Serbia in implementing its obligations and commitments. It praised Serbia for its political stability, its efforts towards integration into the European Union and its co-operation with the International Criminal Tribunal for the former Yugoslavia. At the same time, the Assembly noted a number of important issues to be addressed and therefore resolved to pursue its monitoring of the honouring of obligations and commitments by Serbia.
3. Since 2012, the Assembly has not examined Serbia’s honouring of its obligations and commitments, as several attempts to submit a new report by its Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee) have been delayed due to a wide range of reasons, including frequent changes of co-rapporteurs, the Covid-19 pandemic, and the fact that early general elections were called four times (in 2014, 2016, 2022, and 2023). The Assembly notes that since 2012 the situation in Serbia has considerably changed and, despite some progress, there are now serious concerns about the country’s adherence to the principles of democracy, rule of law, and the observance of public freedoms.
4. It is a matter of concern that, since the 2000 general elections, all but two parliamentary elections in Serbia have been early elections. While legally possible, the frequent organisation of elections at short intervals disrupts the functioning of democracy and State institutions, no matter which political forces are in power. The next presidential election is due in spring 2027 and parliamentary elections at the end of 2027. On numerous occasions President Aleksandar Vučić has mentioned the possibility of holding early parliamentary elections later in 2026.
5. The Assembly is concerned about the systematic organisation of early elections at short intervals since 2000 and urges the Serbian authorities to refrain from using early elections as a mechanism for political advantage and to allow democratically elected members of parliament to fulfil their constitutional term of office and carry out their tasks according to the constitutional schedule.
6. The Assembly notes with concern that the Serbian political environment is characterised by significant polarisation and by the ongoing tensions between President Aleksandar Vučić’s government and the ruling majority led by the Serbian Progressive Party (SNS) on the one hand, and the political opposition, the student movement and civil society on the other.
7. The Assembly notes that the November 2024 collapse of the Novi Sad railway station canopy, which resulted in the deaths of 16 people, led to mass protests starting at the end of 2024 and persisting until the end of 2025. The protests involved a wide range of social groups and led to the emergence of a student movement that seeks new elections, accountability, transparency, and justice, though it has yet to establish itself as a new political force. Although the protests have now decreased in intensity and shifted to organised symbolic events, blockades, commemorations, and regional demonstrations, they continue to have ongoing repercussions on political life and society in Serbia.
8. While the right to freedom of assembly was generally respected during the protests, incidents of abuse of force by law enforcement authorities, arbitrary arrests, and ill-treatment in custody were reported. Moreover, in some instances, law enforcement officers failed to protect protesters from physical attacks by violent individuals. Journalists were also hampered in their work during the protests.
9. The Assembly urges the Serbian authorities to shed light on the circumstances surrounding the Novi Sad tragedy and hold those responsible to account as soon as possible.
10. With respect to the mass protests, the Assembly calls on the authorities to:
 - 10.1. avoid the use of unnecessary or disproportionate force against protesters and/or members of the student movement;

2. Draft resolution adopted by the committee on 19 May 2026.

10.2. investigate promptly, independently, and effectively cases of violence against protesters and cases of ill-treatment in custody, and hold accountable all those responsible for violent acts, whether law enforcement officers or private individuals;

10.3. drop all unfounded and arbitrary criminal charges against protesters and release all those detained solely for exercising their right to freedom of peaceful assembly;

10.4. stop reprisals, surveillance, retaliatory measures, and smear campaigns against all actors in recent social processes;

10.5. respect university autonomy and prevent law enforcement authorities from entering university campuses unlawfully.

11. The Assembly is concerned about credible allegations of the alleged use of a sonic weapon to disperse crowds during the mass demonstration in Belgrade on 15 March 2025, which caused mental and physical distress to numerous protesters. It calls on the authorities to conduct an investigation into the circumstances surrounding this incident and to provide necessary legal and medical support to all those negatively affected by it.

12. The Assembly notes that, on 29 March 2026, local elections were held in ten municipalities/cities (Arandelovac, Bajina Bašta, Bor, Kula, Knjaževac, Kladovo, Majdanpek, Lučani, Smederevska Palanka, and Sevojno) and were observed by the Congress of Local and Regional Authorities of the Council of Europe. It expresses concern about the fact that these elections were marred by violence and irregularities, including accusations of vote buying, parallel voter lists, and photographing ballots. The Assembly calls on the authorities to investigate these incidents rapidly and to hold those responsible to account. It also notes that, compared to 2022, the Congress of Local and Regional Authorities saw a deterioration in the campaigning environment and an even less level playing field.

13. The Assembly notes that, although a new electoral framework was adopted in February 2022 and the parliament adopted a law on a unified voter register, several long-standing recommendations of the Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe (OSCE/ODIHR) and the European Commission for Democracy through Law (Venice Commission) remain unaddressed. Serious shortcomings were also identified by the international election observation mission that observed the early parliamentary elections of 17 December 2023, in which the Assembly participated.

14. The Assembly notes that, in February 2026, some controversial amendments to the Law on the Election of the President of the Republic, the Law on the Constitutional Court, the Law on Election of Members of Parliament, and the Law on Local Elections were proposed in parliament and are now being analysed by OSCE/ODIHR. The Assembly calls on the authorities to ensure that the reform of electoral legislation is in line with international electoral standards and not to adopt legislative amendments that would violate these standards.

15. As regards the reform of the judiciary and prosecution services, the Assembly welcomes the progress that Serbia has achieved in this field since joining the Council of Europe. It notes with satisfaction the adoption, following a referendum, of amendments to the Constitution on 9 February 2022, which were followed by the adoption of laws on the organisation of courts, on judges, on the Public Prosecutor's Office, on the High Judicial Council, and on the High Prosecutorial Council, which entered into force on 10 May 2023. These laws were positively assessed by the Venice Commission in October and December 2022 (opinions [CDL-AD\(2022\)030](#) and [CDL-AD\(2022\)042](#)) and aim to make the judiciary and prosecution service more independent and efficient, reducing political pressure on the appointment of judges and prosecutors. The authorities have also adopted 36 bylaws to implement the reform of the judiciary and prosecution service.

16. Nevertheless, despite these reforms, the Assembly is concerned about recent legislative amendments to the Law on the Public Prosecutor's Office, the Law on the High Prosecutorial Council, the Law on the Organisation and Jurisdiction of State Authorities in the Fight against High-Tech Crime, the Law on Judges, and the Law on the Seats and Territorial Jurisdictions of Courts and Public Prosecutor's Offices ("Mrdić laws"), adopted by parliament on 28 January 2026 at the initiative of SNS MP Uglješa Mrdić. These laws negatively affect the functioning of the judiciary and prosecution service and might impact ongoing corruption investigations, including the Novi Sad case. According to these laws, prosecutors' temporary assignments to other prosecution offices will now be decided by the High Prosecutorial Council, rather than the Supreme Public Prosecutor. The competence to decide on objections to hierarchical decisions is now attributed to the Chief Public Prosecutor of the immediately superior public prosecutor's office, instead of a specialised commission of the High Prosecutorial Council. The new laws also permit court presidents to be re-elected, rather than serving a single five-year term, and create a new Fourth Basic Court in Belgrade for the

municipalities of Zemun and Surčin. In its urgent opinion of 24 April 2026 (CDL-PI(2026)007), the Venice Commission criticised the majority of provisions in the “Mrdić laws”, except for the provision that prosecutors’ temporary assignments will now be decided by the HPC. The Assembly welcomes the establishment of the Ministry of Justice’s Working Group tasked with preparing amendments to these laws, with the aim of aligning them with the recommendations of the Venice Commission’s experts.

17. The Assembly also notes with concern that the “Mrdić laws” were adopted without public consultations, which was also criticised by the Venice Commission. Therefore, it calls on the Serbian authorities to amend the “Mrdić laws” as soon as possible, in line with the recommendations included in the Venice Commission’s urgent opinion of 24 April 2026, and to pursue further reform of the judiciary and prosecution services in line with Council of Europe standards. The Assembly welcomes the announcement by the authorities that the recommendations of the Venice Commission will be implemented. It also invites the authorities to adopt the Law on Judicial Academy in line with the Venice Commission’s recommendations included in its opinion of 9 December 2024 (CDL(2024)036), to fill all vacant positions for judges and prosecutors, and to improve and modernise the court case management system.

18. The Assembly also urges the authorities to show a genuine commitment to investigating and adjudicating cases of war crimes, in particular by appointing the Chief Public Prosecutor for War Crimes, a position that has been vacant since 2024.

19. The Assembly notes with interest that some limited progress has been achieved in combating corruption, in particular with the adoption of the National Anti-Corruption Strategy for 2024-2028 and its accompanying action plan for 2024-2025.

20. It welcomes the progress made in implementing the recommendations of the Group of States against Corruption (GRECO) regarding the Fourth Evaluation Round (on the prevention of corruption in respect of members of parliament, judges and prosecutors) and the Fifth Evaluation Round, which tackles preventing corruption and promoting integrity in central government (top executive functions) and law enforcement agencies. However, the Assembly expects the authorities to address swiftly the remaining recommendations, especially those from the Fifth Evaluation Round, concerning the integrity of members of government, training on integrity standards, the definition of lobbying, disclosure of conflicts of interest and corruption prevention in the police.

21. The Assembly expresses concern about the state of freedom of association and expression in Serbia. It is dismayed by numerous reports of reprisals, intimidation measures (including physical attacks and death threats), and smear campaigns against civil society activists, human rights defenders, journalists, and independent media outlets. In 2025, Serbia recorded one of the highest numbers of alerts on the Council of Europe Platform for the Safety of Journalists and is also among Europe’s leading countries for Strategic Lawsuits Against Public Participation (SLAPPs) against media outlets, journalists, and civic activists. Concerns also remain with respect to editorial autonomy and pluralism of public service media, which are accused of biased reporting in favour of the government.

22. Therefore, the Assembly urges the authorities to stop reprisals and other intimidation measures against civil society activists, human rights defenders, journalists, and independent media outlets, to ensure a conducive environment for their work and the exercise of the right to freedom of association and expression in general, and to refrain from taking any legislative measures that would restrict these freedoms. It also calls on the authorities to resume structured dialogue with civil society and to ensure media pluralism.

23. The Assembly also expresses concern about revelations of surveillance of Serbian journalists and activists. It urges the authorities to end this practice, conduct effective investigations into abuses, and hold accountable those responsible.

24. While the Assembly notes with interest that Serbia has further aligned its media legislation with the European Union acquis and other European standards, it is seriously concerned about the current blockage of work of the Regulatory Authority for Electronic Media (REM), whose composition has not been entirely renewed since November 2024. It calls on the relevant authorities to take all necessary steps to fill the vacant positions in REM.

25. The Assembly resolves to examine the remaining outstanding issues within the framework of a forthcoming report on the honouring of obligations and commitments by Serbia.

B. Explanatory memorandum by Ms Victoria Tiblom and Mr Yunus Emre, co-rapporteurs³

1. Introduction

1. Since 2003, Serbia has been under the Assembly's monitoring procedure. The most recent report of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee) on the honouring of obligations and commitments by Serbia dates from 2012.⁴ In its [Resolution 1858 \(2012\)](#) of 25 January 2012 on "The honouring of obligations and commitments by Serbia", the Parliamentary Assembly welcomed the significant progress achieved in implementing obligations and commitments entered into at accession in 2003. It praised Serbia for its political stability, its efforts towards integration into the European Union (EU) and its co-operation with the International Criminal Tribunal for the former Yugoslavia (ICTY).⁵ At the same time, it resolved to pursue its monitoring of the honouring of obligations and commitments by Serbia and invited the latter to make substantial progress in the following five key areas: 1) full implementation of the reform of the judiciary in order to guarantee its independence and efficiency; 2) adoption and implementation of effective anti-corruption policies; 3) adoption of amendments to the Criminal Code in line with the Group of States against Corruption (GRECO) recommendations; 4) improvement of the situation of the media and 5) full implementation of the rights of minorities, especially Roma.⁶

2. In January 2019, a preliminary draft of a further report on the honouring of obligations and commitments by Serbia was considered by the committee and sent to the Serbian authorities for their comments. The process of the preparation of a new draft report took a long time, which was due not only to the frequent changes of co-rapporteurs but also to the fact that early general elections had been called twice in-between (in 2014 and 2016). In May 2019, the committee considered the authorities' comments. However, further to the decision of the previous co-rapporteurs, the submission of the draft report to the committee was postponed. The preparation of the report was then delayed by the Covid-19 pandemic, further changes of rapporteurs, parliamentary elections held in Serbia in June 2020, early parliamentary and presidential elections held in April 2022 and early parliamentary elections of December 2023.

3. On 2-4 October 2023, in the absence of the co-rapporteur Ms Eva Decroix (Czech Republic, EC/DA), co-rapporteur Axel Schäfer (Germany, SOC) carried out a fact-finding visit to Belgrade and Novi Sad (Vojvodina).⁷ The conclusions of his visit, during which he tried to take stock of the developments which had happened in Serbia since [Resolution 1858 \(2012\)](#), are included in the information note [AS/Mon \(2023\) 20](#).⁸ Unfortunately, Mr Schäfer could not finalise his report due to the post-electoral developments (see below) and the unavailability of the other co-rapporteur.⁹

4. We were appointed as co-rapporteurs respectively on 29 January 2025 (Ms Tiblom) and on 9 September 2025 (Mr Emre).

5. On 23-24 March 2026, we carried out a fact-finding visit to Belgrade. During our visit, we met with the Speaker of the National Assembly, the Minister of Justice, the chairpersons of the ruling and opposition parliamentary groups, members of the Committee on Constitutional and Legislative Issues, the Serbian delegation to the Assembly, the Ombudsperson, the Commissioner for the Protection of Equality, the President of the Supreme Court and the Prosecutor General, as well as representatives of civil society, including the students movement, and the diplomatic community. During our visit, we discussed issues related mainly to the 2024 railway station canopy collapse in Novi Sad, the mass protests that followed, the alleged use of a sonic weapon, the reform of the judiciary and prosecution services, electoral matters, and the state of freedom of association and expression.¹⁰

3. The explanatory memorandum is drawn up under the responsibility of the co-rapporteurs.

4. [Doc. 12813](#), report of the Monitoring Committee, co-rapporteurs: Mr Davit Harutyunyan (Armenia, EDC) and Mr Indrek Saar (Estonia, SOC).

5. Paragraph 1 of the resolution.

6. Paragraph 14 of the resolution.

7. See his [statement](#) of 6 October 2023 made after the visit.

8. Published on 18 December 2023.

9. A second visit to the country was needed after the December 2023 elections. The co-rapporteur Mr Thibaut François (France, EC/DA), who took over Ms Decroix, could not travel to Serbia because of the June and July 2024 French parliamentary election. He left the Assembly in November 2024.

10. See our [statement](#) made after the visit made on 27 March 2026.

2. Democracy and political context

2.1. General context

6. The Serbian political landscape is dominated by the Serbian Progressive Party (SNS) and its leader, the incumbent President of the Republic Aleksandar Vučić.

7. The President of the Republic is directly elected for a five-year term from a single nationwide constituency. A candidate needs a majority of the votes cast to be elected; if this is not achieved, a second round is organised between the two leading candidates within 15 days.¹¹

8. Although the Constitution foresees only relatively limited presidential powers,¹² over the past years Aleksandar Vučić, first as Prime Minister (till 2017) and then as President of the Republic, has been playing a central role in Serbian politics. According to civil society and other stakeholders, the political debate and the decision-making is in practice steered by the President of the Republic in a way which is not foreseen by the Constitution.¹³

9. The 250 members of the parliament are elected for a four-year term through a proportional system with closed candidate lists from a single nationwide constituency. Mandates are distributed among candidate lists that receive at least 3% of the votes cast. Lists representing national minorities are exempt from the threshold requirement.¹⁴

10. There is a strong polarisation between the ruling parties and the opposition, which is divided. Over the past years, parliament's effectiveness and oversight function continues to be hampered by the low frequency of sessions and the lack of genuine political debate. The process of public consultations on draft laws still needs further strengthening¹⁵ and parliamentary oversight of the executive is weak.¹⁶ Moreover, debates in parliament are marked by tensions with reports of derogatory language and occasional incidents, disruptions, including violence, and boycotts. For example, on 4 March 2025, several MPs were injured following a parliamentary session which was seriously disrupted by opposition members throwing smoke grenades and flares.¹⁷

2.2. The 2020 and 2022 parliamentary and presidential elections

11. Since 2000 all but two parliamentary elections (the May 2012 and the June 2020 regular election) in Serbia have been early elections. While legally possible, the "culture" of early elections impacts the efficient autonomous functioning of the parliament according to the constitutional term of office, no matter which political forces are in power.

12. The June 2020 parliamentary elections were boycotted by most of the opposition (including the Democratic Party, the People's Party, the Party for Freedom and Justice, the Serbian Movement Dveri, and the Social Democratic Party), citing a lack of conditions for holding democratic elections and limited media freedom.

13. Following the dissolution of parliament by the President of the Republic of Serbia, an early election took place on 3 April 2022, along with the regularly scheduled presidential election. Prior to these elections, a broad range of political actors from the government and opposition engaged in the Inter-Party Dialogue, facilitated by the European Parliament. A number of the measures identified by the Inter-Party Dialogue were implemented, including the adoption of new election laws (see below).¹⁸

11. Assembly, Observation of the early parliamentary and presidential elections in Serbia (3 April 2022), [Doc. 15534](#), rapporteur: Mr Aleksander Pocij (Poland, EPP/CD), paragraph 11.

12. Mainly the right to propose a Prime Minister, express state unity, represent the country at home and abroad and to promulgate the laws of the Parliament.

13. European Commission, [2025 Rule of Law Report. Country Chapter on the rule of law situation in Serbia](#), ("2025 Rule of Law Report"), SWD(2025)931 final, 8 July 2025, p. 14.

14. Ibid.

15. The results of public consultations are not systematically published. According to civil society organisations the time given for public consultations is not sufficient, and that their comments on draft laws of public interest were rarely taken into account. The percentage of public consultations on draft laws has increased slightly from 52.9% in 2023 to 58.3% in 2024.

16. European Commission, 2025 Rule of Law Report, p. 14.

17. Ibid.

18. Assembly, [Doc. 15534](#), paragraph 9.

14. The 3 April 2022 presidential and early parliamentary elections took place against the backdrop of intense polarisation between the ruling coalition and opposition parties. While a number of opposition parties expressed dissatisfaction with the Inter-Party dialogue processes, all of them decided to participate in these elections.

15. The Election Observation Mission (composed of observers from Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe (OSCE/ODIHR), the Parliamentary Assembly of the OSCE and the Assembly), which observed these elections, had found that the elections were held in a generally calm and peaceful atmosphere. Although the observers found that fundamental freedoms were generally respected, they concluded that a number of shortcomings resulted in an uneven playing field, favouring the incumbents.¹⁹

16. The incumbent President Vučić (the joint presidential candidate of the SNS coalition, the Socialist Party of Serbia (SPS), and the Alliance of Vojvodina Hungarians) won the presidential election, with 59.5% of votes. The SNS won 42,91% of votes (120 seats).²⁰ Since all relevant political actors took part in the elections on 3 April 2022, the composition of the parliament became more pluralistic.

2.3. The 2023 parliamentary elections and consecutive events

17. Following the mass shootings that occurred in Belgrade and its vicinity in May 2023, multiple protests under the name “Serbian against Violence” took place in the country.²¹ As a consequence, there was a mounting pressure on the ruling party to organise new parliamentary elections.

18. The early parliamentary elections took place on 17 December 2023. The OSCE/ODIHR deployed an Election Observation Mission (EOM), together with the OSCE Parliamentary Assembly, the Assembly, and the European Parliament (International Election Observation Mission). On the same day, local elections for 65 of the 174 self-governing units, including the capital, took place,²² as well as provincial assembly elections in the Autonomous Province of Vojvodina.²³

19. The parliamentary elections were won by the SNS, winning 48.06% of the vote, and 129 seats. The opposition coalition “Serbia against violence” came second, winning 24.32% of the vote, with 65 seats. The SPS won 18 seats, the National Democratic Alternative (NADA) 13 seats, and the List ‘We – Voice from the People’ also won 13 seats. Voter turnout was almost 59%.

20. In their [report](#) presented to the Assembly in January 2024, the Assembly’s observers concluded that although Serbia’s early parliamentary elections offered voters a choice between political alternatives and freedoms of expression and assembly were generally respected, the elections were marred by isolated instances of violence, procedural irregularities and frequent allegations of organising and bussing of voters to support the ruling party in local elections.²⁴ Pressure on voters as well as the decisive involvement of the President of the Republic and the ruling party’s systemic advantages undermined the election process overall and created unjust conditions.

21. The results of the elections and the alleged irregularities triggered mass protests in the country. In a [resolution of 8 February 2024](#) on “Situation in Serbia following elections”, the European Parliament proposed to carry out an independent international investigation into irregularities and even suspending pre-accession funding. The Monitoring Committee discussed the post-electoral situation in Serbia during its meetings in January 2024²⁵, March 2024²⁶ and in April 2024 (during a hearing on the post-electoral situation).²⁷

19. Ibid, Appendix No. 5.

20. Ibid, paragraph 51.

21. In two separate mass shootings which took place in a local school in Belgrade and in villages near the city of Mladenovac, respectively on 3 and 4 May 2023, seventeen people, including seven students, died and 21 were injured.

22. Following the sudden and simultaneous resignation of mayors from the ruling party.

23. [ODIHR Election Observation Mission Final Report](#), 28 February 2024.

24. Assembly, [Doc. 15895](#), of 17 January 2024, rapporteur: Mr Stefan Schennach (Austria, SOC).

25. The committee heard a statement by Mr Stefan Schennach (Austria, SOC), Chairperson of the ad hoc Committee of the Bureau for the observation of the early parliamentary elections in Serbia (17 December 2023).

26. On the basis of [AS/Mon \(2023\) 20 / Information note](#).

27. On 16 April 2024, the Monitoring Committee held a hearing on the post-electoral situation in Serbia, with the participation of Ms Maja Pejčić and Mr Vladimir Petrović, members of the Republic Electoral Commission (REC) and Mr Rasa Nedeljkov, Head of Observation Mission of the Center for Research, Transparency and Accountability (CRTA).

22. In April 2024, the Speaker of parliament called new municipal elections in Belgrade. They took place on 2 June 2024, at the same time as elections in 89 local assemblies in the country. Part of opposition boycotted the elections. The Congress of Local and Regional Authorities was not invited to observe these elections. According to the [ODIHR EOM's report](#), the elections “were well-administered, offering voters a wide range of political alternatives, but concerns about widespread pressure on public sector employees, misuse of public resources and media bias in favour of the ruling coalition negatively impacted the process. (...)” The ODIHR EOM recalled once again the need to reform the electoral legal framework in light of ODIHR’s recommendations. It also pointed out a general lack of confidence in the accuracy of the voter register, the polarisation of media landscape, cases of intimidation against journalists and, on the election day, issues related to the secrecy of vote, procedural irregularities, allegations of pressure and vote buying. The SNS’s alliance won the elections in most local assemblies. In the election for the Belgrade city assembly, the SNS alliance won a majority of seats (52,4%), followed by the opposition *Kreni Promeni* (Go-Change) (17,2%). Opposition parties claimed the SNS had falsified the results in Niš and New Belgrade to claim a narrow majority of seats in their assemblies.

23. The new government was approved by the parliament on 2 May 2024, with Miloš Vučević as the new Prime Minister. While pointing out that membership in the European Union as a strategic goal for his country, Mr Vučević also stressed that he disagreed with the EU’s policy of sanctions against the Russian Federation. He also mentioned that Kosovo’s²⁸ membership in the Council of Europe, which had been recommended by the Assembly in its [Opinion 302 \(2024\)](#) of 16 April 2024, was a challenge for Serbia and announced that his government would fight against it.

2.4. The Jadar valley protests

24. The summer of 2024 was marked by massive protests against the building of a lithium mine in the Jadar Valley.²⁹ This investment is foreseen following the signing of a [memorandum of understanding on critical raw materials with the European Union](#) on 19 July 2024.

25. During the protests, the authorities cracked down on environmental activists, media and civil society. In August 2024, around 30 000 people took part in a protest organised by the Association of Environmental Organisations of Serbia in Belgrade. In response, the government made at least 41 arrests or detentions across 17 cities in just ten days. Many protesters were accused of ‘threatening the constitutional order’. Those who shared information about the protests on social media were summoned to police stations for ‘informative interviews’, while some activists received home visits accompanied by warnings.³⁰

2.5. The Novi Sad tragedy and the subsequent events

26. At the end of 2024 and in 2025, Serbia experienced significant political turmoil, marked by widespread protests. The political landscape was profoundly affected by a tragic incident of 1 November 2024, when the collapse of a railway station canopy in Novi Sad resulted in 16 fatalities. This disaster ignited a massive anti-corruption movement, predominantly led by university students. The movement quickly expanded nationwide, encompassing a wide spectrum of Serbian society. Protesters demanded new elections, transparency, accountability, and the eradication of corruption. Huge protests took place in Belgrade and other major cities in March, June and August 2025. According to some sources, the protest of 15 March 2025 in Belgrade gathered around 300 000 people. The June and August 2025 protests culminated in violent clashes between demonstrators and police. On 1 November 2025, a big march was organised in Novi Sad to commemorate the 1st anniversary of the tragic incident at the railway station. During our visit to Belgrade, our interlocutors from the Ministry of Interior indicated that nearly 28 000 protests took place between their start at the end of 2024 and the end of 2025, with the participation of nearly 3.8 million people and an average of nearly 70 gatherings per day.

28. * All reference to Kosovo, whether to the territory, institutions or population shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

29. The Jadar Valley, is home to some of the largest lithium deposits in Europe. Lithium, known as ‘white gold’, is a key raw material in the production of lithium-ion batteries, used in electric vehicles, among other applications. Protests in 2021 led to the project being put on hold, but, in June 2024, Serbian President Aleksandar Vučić, in an interview with the ‘Financial Times’, suggested the possibility of restarting the project. He expressed confidence that new guarantees from Rio Tinto and the European Union adequately address concerns about environmental standards. The planned mine could supply 90 per cent of Europe’s lithium needs and could begin operations in 2028. See: [Serbia to give green light for Rio Tinto lithium mine, FT reports | Reuters](#), 16 June 2024.

30. Human Rights House, [Serbia's Shrinking Civic Space Needs International Attention - Human Rights House Foundation](#), 21 November 2024.

27. In response to the protests, several high-ranking officials, including Prime Minister Miloš Vučević, resigned. On 16 April 2025, Mr Đuro Macut was appointed as the new Prime Minister. At the same time, legal actions were initiated against individuals implicated in the incidents related to the protests. Despite these measures, the protests persisted till the end of 2025, underscoring a deep-seated public desire for comprehensive political change.³¹ The authorities stated that the protests were being fuelled from outside, by Western countries to destabilise Serbia.³²

28. While the right to freedom of assembly was generally respected during the protests, the government's response to protests combined negotiation rhetoric with repression. Authorities held selective talks with loyal or minor parties, but there were also reports of police crackdowns, also with the use of tear gas and batons, detentions, and smear campaigns against protesters. In some instances, law enforcement officers failed to protect protesters from physical attacks by violent individuals. Journalists were also hampered in doing their work during the protests. According to our interlocutors from the Ministry of Interior, nearly 3 000 people were prosecuted in relation to the protests for misdemeanors against public order.

29. Some of the students whom we met in Belgrade reported physical attacks from law enforcement officers, lack of protection during protests, ill-treatment by police in custody, infiltration and surveillance measures and disclosure of information about protesters' private lives. We also heard that at least 23 people – protesters and journalists – had been arrested for 'attacks against constitutional order' and that some protesting students were seeking asylum abroad. Some graduates who took part in last year's protests now have difficulties in finding jobs in the public sector. Some professors and teachers who publicly supported the movement or participated in protests were dismissed or subject to disciplinary proceedings. Additionally, we heard that on several occasions police officers had entered university campuses without the rector's permission, thus violating university's autonomy.

30. The 15 March 2025, a protest in Belgrade, although largely peaceful, was disrupted when a loud blast, possibly from a Long Range Acoustic Device (LRAD) ("sonic weapon"), caused panic and injuries. During our visit to Belgrade, we heard reports about a brief, loud disturbance, which had created a stampede, after which some people had felt dizzy or panicked. Our interlocutors from civil society said this had resembled a sonic weapon. The government denied using such a device. Our interlocutors in the Ministry of Interior acknowledged police had acquired a device but maintained it had never been used. Following an application by 47 individuals, this issue is now being examined by the European Court of Human Rights (ECtHR), which issued an interim measure on 29 April 2025. According to the ECtHR, up to 4 000 people reported their experience of the incident.³³

31. The Monitoring Committee current and former co-rapporteurs issued statements, in which they expressed concern about the deterioration of the situation in the country due to the escalation of mass protests.³⁴ They urged Serbian authorities to respond with dialogue rather than force. They condemned all forms of violence – whether by the State, pro-government groups, or protesters and expressed concern about incidents of police brutality (including excessive use of tear gas and batons), arbitrary detentions, the use of surveillance against journalists and activists and harassment of civil society groups.

32. The situation has also been followed by the Council of Europe Commissioner for Human Rights, Mr Michael O'Flaherty, who visited Serbia in April 2025 and expressed concern about increased levels of the use of force by the police during protests as well as arbitrary arrests and detention of protesters.³⁵

33. On 22 October 2025, the European Parliament condemned the repression used by the authorities to silence the protesters.³⁶

31. [Serbian Prime Minister Miloš Vučević resigns after months of protests | Euronews](#), 28 January 2025.

32. [Thousands rally in Serbia as anger over corruption swells | Reuters](#), 16 February 2025.

33. ECtHR, *Đorović and Others v. Serbia*, application No. 8904/25, press release of 30 April 2025.

34. [Surge of clashes in Serbia: PACE rapporteur urges all sides to refrain from further violence and to engage in constructive dialogue](#) of 21 August 2025, [PACE monitor deeply concerned about the escalating tensions in Serbia](#) of 1 July 2025, [PACE monitoring co-rapporteurs express concern about the escalation of tensions in Serbia](#) of 20 March 2025 and [PACE monitors urge dialogue to defuse tensions in Serbia](#) of 20 February 2025.

35. Statements of 4 July 2025, [Serbia: the authorities should refrain from excessive use of force and arbitrary arrests - Commissioner for Human Rights](#), and of 28 April 2025, [Serbia: authorities should ensure safety of demonstrators and improve working environment for civil society and human rights defenders - Commissioner for Human Rights](#).

36. European Parliament, Resolution on "Polarisation and increased repression in Serbia, one year after the Novi Sad tragedy", [P10_TA\(2025\)0248](#), 22 October 2025.

34. From late 2025 to early 2026, the nature of the protests shifted from constant daily mass marches to organised symbolic events, blockades, commemorations and regional demonstrations. Academic blockades at many universities have ended, and the academic year has resumed.

35. The tragic death of a female student at the Faculty of Philosophy of the Belgrade University on 26 March 2026 led to police raids at the faculty in the consecutive days. The raid of 31 March was broadcast live on pro-government TV channels and led to a students' protest, that the police tried to disperse by using violence. According to our interlocutors from civil society, the death of the female student was quickly politicised by the authorities and pro-government media to discredit the students' movement and the academic community.

36. On 26 January 2026, President Vučić (who is not eligible for re-election) mentioned the possibility of holding early parliamentary elections later this year, most probably between October and December. The next presidential election is due in spring 2027, while parliamentary elections are due at the end of 2027. It is also possible that the parliamentary elections will be held with the presidential one in 2027. The holding of early elections was an initial demand of the protesters. During our visit to Belgrade, our interlocutors from parliament did not rule out the possibility of organising the elections by the end of this year; however, no one was able to indicate more precise timing.

37. As regards accountability for the Novi Sad tragedy, there are currently three investigations pending. A criminal investigation was opened immediately after the Novi Sad train-station canopy collapse in November 2024 for negligence in construction. Moreover, the Prosecutor's Office for Organised Crime is examining broader financial flows related to the construction works, while the Belgrade Higher Prosecutor's Office handles the corruption angle involving oversight officials. In total, 13 people were detained in the immediate aftermath of the tragedy, including the former Minister of Transport, though several have since been released pending trial. No convictions have been handed down yet and the case remains in the pre-trial phase. During our visit to Belgrade, our interlocutors from civil society criticised the slow pace of the proceedings. They also stated that the Chief Prosecutor for Organised Crime and some other prosecutors involved in the Novi Sad investigations were targeted by the authorities.

2.6. Local elections of 29 March 2026

38. After our visit to Belgrade, on 29 March 2026, local elections were held in 10 municipalities across Serbia (in Aranđelovac, Bajina Bašta, Bor, Kladovo, Knjaževac, Kula, Lučani, Majdanpek, Sevojno and Smederevska Palanka). Voter turnout was high, at 70%, and the SNS, running under the list "Aleksandar Vučić – Our Family" and its coalition partners, won in all ten municipalities³⁷ but lost some seats compared to previous elections. These were the second local elections since the beginning of the student protests at the end of 2024 – the previous ones were held in June 2025 in Zaječar, Kosjerić, Mionica, Negotin and Sečan.

39. The elections were observed by the Congress of Local and Regional Authorities, which expressed concern about incidents of violence against observers, journalists and civic activists from the opposition and about irregularities, including accusations of vote buying, parallel voter lists, and photographing ballot.³⁸ The elections were also preceded by an unprecedented number of visits by the President of the Republic, members of government and other officials to the municipalities where elections were to be held.

3. Electoral framework

40. As mentioned above, in February 2022, a set of new election laws was adopted (including the framework Law on election of Members of Parliament, Law on election of the President of the Republic, Law on local elections, Law on financing of political activities, and the amended Law on prevention of corruption), which addressed some prior OSCE/ODIHR recommendations.³⁹

37. Although in Bor they got only 49% of votes.

38. Congress of Local and Regional Authorities, press release: [Elections in 10 municipalities of Serbia: violence-free elections and even playing field are essential to build trust, Congress observers say - Congress of Local and Regional Authorities](#), 30 March 2026.

39. European Commission, Commission Staff Working Document. Serbia 2022 Report, [SWD\(2022\) 338 final](#), 12 October 2022, p. 11. A number of changes enhanced the representation of the opposition in election commissions for these elections and enhanced the transparency of their work; extended the timeframes and legal standing for dispute resolution; enhanced the transparency and disclosure of political party and campaign finance; provided for post-election audits of the voter lists and scrutiny of election material; and changed some regulations on the media coverage of the campaign and the media oversight mechanism.

41. In December 2022, at the request of the Monitoring Committee, the European Commission for Democracy through Law (Venice Commission) and the OSCE/ODIHR issued a “joint opinion on the constitutional and legal framework governing the functioning of democratic Institutions in Serbia – electoral law and electoral administration”.⁴⁰ The opinion is critical and contains several recommendations, in particular with regard to the use of public media to promote the government, the lack of independence of the Central Electoral Commission (made up of political representatives close to the government), the financing of political parties and election campaigns, the failure to verify voters' lists, misuse of administrative resources and the limited access to litigation procedures.

42. Serious shortcomings were also identified by the international election observation mission, in which the Assembly participated, and which observed the early parliamentary elections of 17 December 2023. Therefore, a number of long-standing recommendations remain unaddressed, some of them requiring legislative measures.⁴¹ They pertain to the independence and effectiveness of the Regulatory Authority for Electronic Media (REM), measures aimed at tackling the misuse of administrative resources and pressure on voters and public scrutiny and the audit of voter lists. During our visit to Belgrade, our interlocutors in the parliament told us that the reform electoral legislation was ongoing and that some progress had been achieved with the adoption of the Law on Unified Voter Register on 7 November 2025, in cooperation with civil society experts.

43. Nevertheless, we are concerned by the fact that, at the beginning of February 2026, draft amendments to three electoral laws – the Law on the Election of the President of the Republic, the Law on the Constitutional Court, the Law on Election of Members of Parliament, and the Law on Local Elections, were forwarded to members of parliament. Authorities describe these as fulfilling recommendations from the OSCE/ODIHR. According to opposition and civil society, they incorporate only a fraction of the 24 OSCE/ODIHR recommendations, and their substance appears to exacerbate rather than resolve electoral vulnerabilities, creating a facade of compliance.

44. According to the critics of these draft laws, their key provisions raise serious alarms. The draft laws would permit so-called “phantom tickets” – lists from essentially fictitious parties or movements, to participate without hindrance. Previously exposed abuses involving forged support signatures would become obsolete under a new rule allowing voters to endorse multiple lists simultaneously. Such a change could enable ruling-party supporters to bolster numerous additional lists, granting those entities seats on electoral commissions that adjudicate results and thus potentially influencing outcomes decisively. Furthermore, the amendments would facilitate greater exploitation of national minority electoral privileges. They would relax criteria for minority-list status, limiting scrutiny to only the list leader and top candidate rather than all members, and eliminate consultations with national minority councils. Such lists require far fewer signatures to register and a mere 0.3 percent of votes to secure parliamentary seats, compared to the three percent threshold for others.

45. Should these measures pass, prominent ruling-coalition figures could run on minority tickets without penalty, amplifying advantages for the incumbents. Another troubling proposal would restrict opposition participation in electoral commissions and polling boards by mandating certification from the Republic Electoral Commission for all members – a requirement affecting tens of thousands of roles.⁴²

46. During our meetings in parliament, we were informed that the authorities had received a preliminary opinion from OSCE/ODIHR on these draft laws and were analysing it.

4. Rule of law issues

4.1. The 2022 constitutional amendments and the reform of the judiciary

47. Serbia took an important step on the independence and accountability of the judiciary with the approval by parliament of relevant amendments to the Constitution on 9 February 2022 (following a referendum held on 16 January 2022).

48. The laws on the judiciary – on the organisation of courts, on judges, the Office of the Prosecutor General, the High Judicial Council (HJC) and the High Prosecutorial Council (HPC) – had been aligned with the constitutional amendments and entered into force on 10 May 2023. These laws, which had been rather positively assessed by the Venice Commission in October and December 2022⁴³, seek to make the judiciary

40. [CDL-AD\(2022\)046](#), 20 December 2022.

41. Assembly, [Doc. 15534](#), paragraph 13.

42. [Analysis: Vučić prepares for many more years in power – EUalive](#), 12 February 2026.

and the prosecution service more independent and efficient and reduce the impact of the executive and Parliament on the appointment of judges and prosecutors. The Venice Commission also found that the process of public consultations was sufficiently inclusive and transparent.

49. With regard to the organisation of the justice system and judges, the Venice Commission was satisfied with the proposed reforms. Judges are now appointed by the HJC, while before they used to be appointed by the Parliament. The Venice Commission had reservations, however, about the provisions concerning the autonomy of courts and the supervision of lower courts by higher courts, the provisions on conflicts of interest and incompatibilities with judicial office and the provisions on disciplinary and civil liability of judges.⁴⁴ Moreover, it noted that “the Serbian judicial system is still characterised by a hierarchal spirit and multiple forms of evaluations and controls. Coupled with the problem of modest judicial salaries it may affect the attractiveness of the judicial profession for young judges. A change in the legal culture within the judiciary may be required to supplement positive changes brought by the ongoing legislative reform”.⁴⁵

50. As for the law on the High Judicial Council, the HJC is now composed of 11 members: six judges elected by their peers, four prominent lawyers elected by parliament and the President of the Supreme Court as an ‘ex officio’ member (which is in line with Council of Europe’s recommendations). In its follow-up opinion of December 2022,⁴⁶ the Venice Commission was still concerned about the risk of politicisation of the election of the four lay members elected by the parliament but welcomed the proposal to introduce a qualified majority in the Committee on the Judiciary of the National Assembly (which chooses the candidates).⁴⁷

51. As regards the reform of the prosecution service, prosecutors are now elected by the HPC, which is composed of five members elected by prosecutors themselves, four prominent lawyers elected by parliament and two *ex officio* members: the Minister of Justice and the Prosecutor General. When assessing the draft Laws on the High Prosecutorial Council and the Public Prosecutor’s Office, the Venice Commission expressed concerns, albeit less serious ones, about the balance in the composition of the HPC (and, in particular the presence of two *ex officio* members, – the Prosecutor General and the Minister of Justice) and the criteria concerning the competence of prosecutors filling temporary vacancies.⁴⁸

52. According to the 2022 reform, further legislation was to be adopted within one year for judicial laws and within two years for the alignment of all other relevant legislation. Two expert working groups (one for prosecutors, one for courts) were established in April 2022 and tasked with the drafting of the implementing legislation. During our visit to Belgrade, we were informed that 36 out of 37 bylaws aimed at finalising the reform of the judiciary and the prosecution service had been adopted. Only one by-law – on the Rules of Court – remains to be adopted jointly by the HJC and the Ministry of Justice.

53. According to the European Commission’s 2025 Rule of Law Report, political pressure on the judiciary and the prosecution still remains high.⁴⁹ Government and public officials at the highest level, including the President of the Republic, and members of parliament make undue public comments on ongoing investigations and court proceedings, including as regards the work of individual prosecutors and judges. According to ‘Flash Eurobarometer’, the level of perceived judicial independence in Serbia continues to be low among both the general public and companies. Overall, 30% of the general population and 36% of companies perceive the level of independence of courts and judges to be ‘fairly’ or ‘very good’ in 2025.⁵⁰

54. Therefore, despite progress in reforming the judiciary, there are still many issues that need to be addressed by the authorities as a matter of priority. The transparency of the HJC needs to be further strengthened, as its sessions are not audio-visually recorded due to the lack of technical capabilities, while

43. Concerning the judiciary in opinion [CDL-AD\(2022\)030](#), 24 October 2022, and the follow-up opinion [CDL-AD\(2022\)043](#), 19 December 2022, and, concerning the prosecution service, in opinion [CDL-AD\(2022\)042](#), 19 December 2022.

44. [CDL-AD\(2022\)030](#), paragraph 97, 46 and 58.

45. *Ibid*, paragraph 96.

46. [CDL-AD\(2022\)043](#), paragraphs 56-64 and 75.

47. As explained by the Serbian delegation representative during the Monitoring Committee meeting on 26 April 2023, the procedure for the appointment of High Judicial Council lay members by Parliament is the following: if a 2/3 majority was not reached in the Committee on the Judiciary in the first round, a 3/5 majority was required in the second round. If there was no majority in the second round, a special committee made up of the Speaker of Parliament, the President of the Supreme Court, the President of the Constitutional Court, the Prosecutor General and the Ombudsman elected the candidates, an arrangement that should help to ensure reputable jurists with no connection with the legislature were elected.

48. [CDL-AD\(2022\)042](#), paragraphs 142-145.

49. European Commission, 2025 Rule of Law Report, p. 2.

50. *Ibid*.

sessions of the HPC are recorded and livestreamed.⁵¹ Challenges remain to fill the considerable number of vacant positions for judges and prosecutors: as of May 2025, out of 3 117 positions for judges, 394 were vacant, and, out of 899 positions for prosecutors, 139 were vacant.⁵² While an IT solution for the new prosecutorial case management system was finalised and is being implemented, a new uniform and centralised case management system for courts is still lacking. As regards courts' efficiency, the situation remains stable for civil, commercial, and criminal cases, while serious challenges in the handling of administrative cases and constitutional complaints remain.⁵³

55. As regards prosecution, there are concerns with regard to prosecutorial autonomy, and the effectiveness and confidentiality of criminal investigations, which are hampered by shortcomings in law and practice.⁵⁴ During our visit to Belgrade, we heard complaints from the Prosecutor General and the President of the HPC about the blockage in the election of new HPC members by their peers, following the cancellation of the election procedure by the Constitutional Court. Our interlocutors considered that the latter had no power to interfere in this process and gave a politicised decision.

4.2. "Mrdić laws"

56. Following a proposal by Ms Uglješa Mrdić, an MP from the SNS, on 28 January 2026, parliament adopted a package of new judicial laws, i.e. amendments to the Law on Public Prosecutor's Office, the Law on the High Prosecutorial Council, the Law on the Organisation and Jurisdiction of State Authorities in the Fight against High-Tech Crime, the Law on Judges, and the Law on the Seats and Territorial Jurisdictions of Courts and Public Prosecutor's Offices ("Mrdić laws"). On 30 January, the President of the Republic signed them into law.

57. The new laws were adopted via an urgent procedure without any public debate, drawing sharp criticism from legal experts, the European Union, and the opposition. According to the latter, these laws undermine judicial and prosecutorial independence and hinder the fight against corruption, as the changes in prosecutors' temporary assignments to the Organised Crime Prosecution Office might have an impact on ongoing corruption investigations, including the Novi Sad case. On 4 March 2026, five opposition parties submitted a request to the parliament to repeal the amendments to the five laws. Moreover, EU Commissioner Marta Kos called the adoption a "serious step backwards" on Serbia's EU accession path and stated that the European Commission could suspend payments from the EU Growth Plan for the Western Balkans for Serbia due to concerns over democracy, rule of law and media freedom.⁵⁵

58. According to these laws, prosecutors' temporary assignments to other prosecution offices will now be decided by the HPC, rather than the Prosecutor General. The competence to decide on objections to hierarchical decisions is now attributed to the Chief Public Prosecutor of the immediately superior public prosecutor's office, instead of a specialised commission of the HPC. The temporary assignments of all public prosecutors temporarily assigned to a Public Prosecutor's Office of special jurisdiction (including the Public Prosecutor's Office for Organised Crime) shall have their temporary assignments terminated by 9 March 2026. The new laws also permit court presidents to be re-elected, rather than serving a single five-year term, and create a new Fourth Basic Court in Belgrade for the municipalities of Zemun and Surčin.

59. On 10 February 2026, the Parliament's Speaker, Ana Brnabić, requested an urgent opinion of the Venice Commission regarding these laws. The Venice Commission issued its urgent opinion on 24 April 2026 ([CDL-PI\(2026\)007](#)). It will be submitted for endorsement at its June 2026 plenary session.

60. The Venice Commission has criticised the majority of provisions in the "Mrdić laws", except for the provision that prosecutors' temporary assignments will now be decided by the HPC and have made a number of recommendations to the Serbian authorities to amend the laws.⁵⁶ It considered that the identified shortcomings, viewed both individually and cumulatively, remove previously existing safeguards designed to protect prosecutorial autonomy.⁵⁷ In its opinion, "additional studies and impact assessments on the reorganisation of the judicial and prosecution maps should be conducted, based on a comprehensive prior analysis of the key factors".⁵⁸ The Venice Commission has also criticised the fact that the laws were adopted

51. Ibid, p. 3.

52. Ibid.

53. Ibid, pp. 4-5.

54. Ibid, p. 3.

55. Serbia received its first tranche of 56.5 million euros in mid-January under the plan, with a total of 1.58 billion euros earmarked for the country. AFP, Euractiv, [EU suspends funds for Serbia over law reforms](#), 1 May 2026.

56. [CDL-PI\(2026\)007](#), paras 97-98.

57. Ibid, para 97.

without public consultations and has recommended that “in the future, the principles of transparency, inclusiveness and democratic debate be applied consistently and rigorously throughout the legislative process”.⁵⁹

61. During our visit to Belgrade, our interlocutors from civil society and the opposition stressed that these laws were adopted without public consultations. The Speaker of the National Assembly explained to us that, according to the Rules of Procedure, a bill proposed by an MP does not require public consultation and that the opposition had not been cooperative regarding the 2022 judicial reform. The Speaker also announced that the authorities would implement the Venice Commission’s recommendations. We welcome this announcement and hope that the authorities will fulfil this promise.

4.3. The Judicial Academy

62. In 2024, at the request of the Minister of Justice, the Venice Commission assessed the draft law on the Judicial Academy, along with corresponding draft amendments to the Law on Judges and the Law on the Public Prosecutor’s Office,⁶⁰ which were prepared in the context of the judicial reform.

63. The central issue in the draft legislation was whether the Judicial Academy should become the exclusive channel for entry into the judicial and prosecutorial professions through the completion of the “prior training” programme and the passing of a professional examination at the Academy. The authorities proposed two options: the first maintained the current dual system, where candidates could choose to sit for the professional examination either at the Academy or directly before the Judicial or the Prosecutorial Council without undergoing the training; the second option assigned exclusive responsibility for the professional examination to the Academy. In both options, however, the final assessment and appointment decision of candidates remained under the competence of the High Judicial and Prosecutorial Councils.⁶¹

64. For the Venice Commission, both options were viable as they fall within the limits of broad national discretion in this area. However, it had a preference for the second option.⁶² The Venice Commission recalled that the Judicial Academy must be protected from undue influence and welcomed the fact that it was adequately distanced from other branches of power and was closely linked to the High Judicial and Prosecutorial Councils. It concluded that the draft legislation aimed to reinforce the institutional status of the Academy, even though some further improvements were recommended.⁶³ A draft law is now to be adopted by the parliament.

4.4. Prosecuting and investigating war crimes

65. Serbia needs to show a genuine commitment for investigating and adjudicating war crimes cases, as its authorities continue to challenge publicly the judgments of the ICTY, including at the highest levels.⁶⁴

66. Serbia continues to avoid filing indictments against high-level suspects and the time for processing cases is excessive. It should take steps to increase the pace of processing war crimes cases and address the significant case backlog of over 1 700 pre-investigative cases, which remains a very serious concern.⁶⁵

67. In 2023, the War Crimes Prosecutor’s Office filed three indictments against seven individuals, of which one was transferred from Bosnia and Herzegovina. At the end of 2023, trial proceedings were ongoing in 19 cases. In 2023, final decisions were rendered in seven cases, of which one case involved elements of sexual violence.⁶⁶ In 2024, the War Crimes Prosecutor’s Office filed eight indictments against 10 individuals, including one case involving two individuals that was transferred from Bosnia and Herzegovina. Two final decisions and one first instance verdict were rendered against three accused. At the end of 2024, trial proceedings were ongoing in 17 cases.⁶⁷ A case categorisation plan has yet to be finalised.

58. Ibid, para 99.

59. Ibid, para 96.

60. [CDL\(2024\)042](#), 9 December 2024.

61. Ibid, para. 45.

62. Ibid, para. 46.

63. Ibid, para. 48.

64. Ibid, pp. 26-28.

65. European Commission, [Serbia 2025 Report](#), SWD(2025) 755 final, 4 November 2025, p. 33.

66. European Commission, [Serbia 2024 Report](#), SWD(2024) 695 final, 30 October 2024, p. 32.

67. European Commission, [Serbia 2025 Report](#), p. 33.

68. Since 2024, the post of Chief Public Prosecutor for War Crimes has been vacant. An acting Chief Public Prosecutor was appointed (in May 2024) until his mandate ended on 15 May 2025, leaving the position vacant.⁶⁸ During our visit to Belgrade, we were informed that the position was vacant due to the lack of adequate candidates to fill it.

69. The War Crimes' Prosecutor's Office cooperates with the International Residual Mechanism for Criminal Tribunals (IRMCT) and with other Balkan States.⁶⁹ While co-operation with Bosnia and Herzegovina has continued, little progress was made with Croatia and Kosovo.⁷⁰

70. The sentencing policy is inconsistent and not systematically aligned with the criminal sanctions for the gravity of the crimes. A number of Serbian political parties, politicians and media outlets continue to provide support to, and public space for, convicted war criminals and to deny war crimes, including the Srebrenica genocide, without repercussions.⁷¹

71. According to former Council of Europe Commissioner for Human Rights, Dunja Mijatović,⁷² the lack of extradition of convicted war criminals and war crimes suspects to other countries in the region remains another obstacle in the fight against impunity. The authorities' toleration of murals honouring war criminals is another unfortunate illustration of this. Civil society organisations have mapped more than 300 such murals across Serbia and called on the authorities to remove them.

72. The unresolved fate of missing persons who disappeared during the conflicts in the 1990s remains a key issue to be solved in the Western Balkans. 9 624 persons are still missing as a result of the conflict and further efforts are needed at bilateral level and at regional level to identify them.⁷³ According to Dunja Mijatović, there is a stagnation in the resolution of pending cases concerning missing persons and more should be done in this respect; the Commissioner called for opening police and military archives.

4.5. Fight against corruption and organised crime

73. The perception among experts, citizens and business executives is that the level of corruption in the public sector in Serbia remains high. In the 2024 Corruption Perceptions Index by Transparency International, Serbia scored 35/100 and ranked 105th globally. This perception has remained relatively stable over the past five years. The 2025 Special Eurobarometer on Corruption shows that 85% of respondents consider corruption widespread in their country and 31% of respondents feel personally affected by corruption in their daily lives.⁷⁴

74. Serbia has some level of preparation in the fight against corruption and its legal framework to fight this phenomenon remains broadly in place.⁷⁵ However, although in the last few years progress has been made to implement the recommendations of the GRECO, the picture remains mixed.

75. As regards GRECO's Fourth Evaluation Round concerning members of parliament, judges and prosecutors, in its [Second interim compliance](#) report assessing Serbia's level of compliance published on 25 March 2022, GRECO concluded that eight recommendations have been implemented satisfactorily and five remain only partly implemented (out of thirteen). No recommendations are considered not implemented, and GRECO concluded that Serbia's performance in this field is no longer 'globally unsatisfactory'. GRECO welcomed in particular the new Law on Prevention of Corruption (recently amended), the adoption of a Code of Conduct for MPs and the reform of the High Judicial Council and the High Prosecutorial Council (see above). As of December 2023, Serbia has implemented ten of the thirteen recommendations contained in GRECO's Fourth Evaluation Round concerning corruption prevention, and respect of members of parliament, judges and prosecutors (see [Addendum to the second compliance report](#)).

76. As regards GRECO's Fifth Evaluation Round, which tackles preventing corruption and promoting integrity in central government (persons with top executive functions – PTEFs) and law enforcement agencies, in its [Evaluation report](#) of 25 March 2022 (published on 5 July 2022), GRECO issued 24 recommendations and invited the Serbian authorities to submit a report on the measures taken to implement the

68. Ibid.

69. European Commission, [Serbia 2024 Report](#), p. 32.

70. European Commission, [Serbia 2025 Report](#), p. 33.

71. Ibid, p. 34.

72. See her [statement](#) of 17 March 2023. See also her report published on 6 September 2023 following her visit to Serbia on 13-17 March 2023, [CommHR\(2023\)25](#), pp. 7-15.

73. European Commission, [Serbia 2025 Report](#), p. 33.

74. European Commission, 2025 Rule of Law report, p. 5.

75. Ibid, p. 6.

recommendations by 30 September 2023. It called on the Serbian authorities to take further measures to prevent corruption in respect of PTEFs (in particular, by including in the Law on the Prevention of Corruption the definition of 'public official' Prime Minister's and Deputy Prime Minister's chiefs of cabinet and advisers working for ministers), as well as members of the police (in particular by adopting a public strategy on corruption prevention in the police). According to GRECO's [Addendum to the second compliance report](#) of June 2024, out of 24 recommendations only one has been fully implemented, ten have been partly implemented and thirteen have not been implemented (in particular concerning checking the integrity of members of government, trainings on integrity standards, the definition of lobbying, disclosure of conflicts of interests and corruption prevention in the police).

77. The Agency for the Prevention of Corruption, in its advisory role to the government, has remained active in exposing and analysing cases of systemic corruption. Nevertheless, the government still has not established a constructive relationship with this institution (for example, it does not systematically consult it on draft legislation), does not follow up on its reports and recommendations and needs to increase its financial and human resources.⁷⁶

78. Other important anti-corruption institutions also remain understaffed (such as the Prosecutor's Office for Organised Crime, which has jurisdiction over high-level corruption cases, and the Higher Court in Belgrade, which deals with corruption).⁷⁷

79. In July 2024, a national anti-corruption strategy for 2024–2028 was adopted and, in December 2024, an accompanying action plan. Better coordination mechanisms and a system for monitoring and evaluating progress are needed to ensure the strategy is implemented effectively. The anti-corruption strategy covers the areas of police, health, education, local self-government, construction, financing of political activities, taxes and customs, public procurement, privatisation and public enterprises as risky, while the areas of whistleblower protection and lobbying are represented within these areas.⁷⁸ However, according to the European Commission, "the activities included in the action plan are to some extent narrower in terms of addressing the corruption problems and challenges identified in the strategy and do not comprehensively address the GRECO recommendations of the 4th and 5th evaluation rounds."⁷⁹ While the Agency for the Prevention of Corruption monitors its implementation, adequate coordination mechanisms, budgetary means, as well as an effective monitoring and evaluation system to track progress and impact should be put in place for its effective implementation.⁸⁰

80. According to the European Commission, Serbia should further improve its track record on investigations, prosecutions and final court decisions in high-level corruption cases, including the seizure and confiscation of criminal assets.⁸¹ Shortcomings remain in the regulation of the role and the mandate of the Prosecutor's Office for Organised Crime and risk hindering consistency of action in corruption investigations of the different specialised bodies, resulting in a lack of effectiveness (as illustrated by the investigations concerning the Novi Sad tragedy).⁸²

81. As regards fighting against serious and organised crime, according to the European Commission, the legal framework is partially aligned with the EU *acquis* but the capacity to fight against such crime needs to be improved.⁸³

82. As regards anti-money laundering (AML) and counter terrorist financing (CFT) measures, according to a [MONEYVAL's \(Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism\) report](#) of December 2023, Serbia has made progress in relation to virtual assets and virtual assets service providers. According to MONEYVAL's latest report of December 2025, Serbia has made progress in implementing AML/CFT measures (policy coordination, European and international cooperation of law enforcement authorities, improvement in banks' and financial institutions' procedures for monitoring transactions and reporting suspicious activities, etc.) but still needs to address areas of concern to fully comply with MONEYVAL and Financial Action Task Force (FATF) (in particular with respect to standards on financial sector compliance, the number and quality of investigations, asset confiscation, addressing emerging risks like virtual assets, data collections and analysis, etc.).⁸⁴

76. European Commission, 2025 Rule of Law Report, p. 8. During our visit to Belgrade, we also met its representatives.

77. Ibid, p. 7.

78. [Government adopts National Anti-Corruption Strategy to 2028](#), 25 July 2024.

79. European Commission, 2025 Rule of Law Report, p. 6.

80. Ibid.

81. European Commission, 2025 Rule of Law Report, p. 1.

82. Ibid, p. 7.

83. European Commission, [Serbia 2025 Report](#), p. 48.

83. There is well-established cooperation with Eurojust, Interpol and with Europol, notably in weapons trafficking, drugs trafficking, and the fight against organised crime groups.⁸⁵

84. Trafficking of weapons is still an issue in Serbia. According to the European Commission's report, the new Law on weapons and ammunitions and the programme on the control of the small arms and light weapons and its action plan for 2025-2030 have yet to be adopted.⁸⁶

5. Human rights issues: the state of public freedoms

5.1. Freedom of expression

85. Freedom of expression and media remains an issue of concern, mainly due to the State monopolisation of the majority of media outlets as well as harassment and intimidation measures against journalists and independent media outlets. These problems were already noted by the previous Council of Europe Commissioner for Human Rights, Dunja Mijatović, in her 2023 report.⁸⁷ In 2026, Serbia ranks 104th on the [Press Freedom Index of Reporters Without Borders](#) (it ranked 96th in 2025 and 98th in 2024).

86. According to the 2025 Centre for Media Pluralism and Media Freedom's Media Monitoring Monitor (MPM), there has been a high risk (68%) in Serbia, over the concentration of the media market under a growing state-party control.⁸⁸ In April 2025, the main independent TV channels, N1 and Nova TV, were removed from satellite television service, leaving viewers with no choice but to watch these channels on the internet.⁸⁹

87. While Serbia has further aligned its media legislation with the EU *acquis* and other European standards, there are serious concerns about the current blockage of work of the Regulatory Authority for Electronic Media, whose independence is still threatened. Its composition has not been entirely renewed since November 2024, due to irregularities and the cancellation of election process.⁹⁰

88. The safety of journalists is another issue of serious concern. According to the [Council of Europe Platform to promote the protection of journalism and safety of journalists](#) ("Platform"), there are currently 13 active alerts concerning Serbia, including three cases of death threats against journalists.⁹¹ Other cases concern other threats, physical assaults on journalists covering recent local elections or protests and cyberattacks. In 2025, Serbia recorded one of the highest numbers of alerts on the Platform along with Belarus, Georgia, Russia, and Türkiye. Many of these alerts involved physical attacks against journalists, especially during protests.⁹² The June 2025 protest in Belgrade was particularly violent and many journalists were injured.⁹³

89. Past cases of killings of journalists, including the killings of journalists Slavko Ćuruvija, Radislava Dada Vujasinović and Milan Pantić that occurred between 1994 and 2001, have still to be elucidated and the perpetrators and those who ordered these crimes, must be brought to justice.⁹⁴

90. Independent journalists, media outlets (including the independent TV station N1) and journalists' unions are often subject to smear campaigns. They are labelled as 'enemies of the State' or even 'terrorists' by public officials (Including the President of the Republic), tabloids or other perpetrators.⁹⁵

91. Serbia is also among Europe's leading countries for SLAPPs (Strategic Lawsuits Against Public Participation) against media, in particular investigative journalists, and also civil society activists.⁹⁶ Journalists still lack adequate protection under defamation and insult laws, as the domestic case law is still not aligned with that of the European Court of Human Rights.⁹⁷

84. MONEYVAL, Serbia. Sixth Round Mutual Evaluation Report – December 2025, [Executive Summary](#), MONEYVAL(2025)25 SUMM.

85. European Commission, [Serbia 2025 Report](#), pp. 48 and 50.

86. Ibid, p. 49.

87. [CommHR\(2023\)25](#), pp. 16-20.

88. This report is cited in Council of Europe, [Europe Press Freedom Report. On the Tipping Point: Press Freedom 2025](#), p. 60.

89. Ibid, p. 61.

90. European Commission, 2025 Rule of Law Report, pp. 9-10.

91. As of 6 May 2026.

92. Council of Europe, [Europe Press Freedom Report. On the Tipping Point: Press Freedom 2025](#), p. 8.

93. Ibid, p. 59.

94. [CommHR\(2023\)25](#), p. 5.

95. Europe Press Freedom Report, p. 60.

92. Concerns also remain with respect to editorial autonomy and pluralism of public service media, which are accused of biased reporting in favour of the government. In particular, the public broadcaster RTS, was criticised for its coverage of protests. In 2025, some media professionals in various media outlets, were fired or forced to resign, for resisting censorship and defending ethical journalism.⁹⁸

93. In December 2024, Amnesty International revealed that the Serbian secret service had used advanced technology to illegally spy on journalists and civil rights activists, which had a serious impact on their personal and professional lives.⁹⁹ In its report "A Digital Prison: Surveillance and the Suppression of Civil Society in Serbia", Amnesty International revealed that Serbian security services and police used spyware to monitor journalists and opposition activists. This software enabled authorities to capture screenshots and copy contact lists from infected devices, sending the data to government-controlled servers. Serbian authorities denied these allegations, claiming that their tools were used in accordance with international standards. The Serbian authorities were using Pegasus Spyware system and a local product – NoviSpy. The NoviSpy software allowed the remote activation of the microphone and camera on the victims' phones, the interception of their data and the monitoring of their activities. Amnesty International has documented cases of NoviSpy being installed on the devices of activists and journalists during police interrogations. Serbian legislation does not provide effective protection against illegal digital surveillance. Amnesty International emphasises that the courts and the prosecutor's office are under strong political influence, which makes the surveillance of the services illusory. It has been revealed that NoviSpy was linked to the Serbian Information Security Agency (BIA), which clearly indicates government involvement.¹⁰⁰

94. In February 2025, according to Amnesty International's Security Lab, two journalists from the Balkan Investigative Reporting Network (BIRN), were investigating foreign investments and alleged corruption in the country were reportedly targeted with Pegasus spyware via suspicious Viber messages. This marked the third documented instance in two years of Pegasus targeting Serbian civil society actors, including journalists.¹⁰¹ In April 2025, the Monitoring Committee held a hearing on the surveillance of journalists and activists in Serbia.¹⁰²

95. During our visit to Belgrade, we learnt about the proposed amendments to the Law on Public Order and Peace, which had been put forward by the Ombudsman. According to our interlocutors from civil society, such a proposal does not fall in the scope of his remit, and the proposed amendments foresee that the offenses covered by the law question will also apply to social media communications, which may lead to abuses. If that is indeed the case, this would constitute another threat to freedom of expression.

5.2. Freedom of assembly and association

96. In February 2022, Serbia adopted a Strategy for Creating a Stimulating Environment for the Development of Civil Society in the Republic of Serbia for 2022-2030, along with an action plan foreseeing to establish a council for civil society cooperation. This step was welcomed by the then Council of Europe Commissioner for Human Rights.¹⁰³ However, its impact has still to be demonstrated. In particular, transparency and fairness of public funding to civil society remains to be improved.¹⁰⁴

97. An enabling environment for developing and financing NGOs still needs to be created on the ground, as verbal attacks and smear campaigns against such organisations continue, including by high-level officials (see above "freedom of expression"). Organisations and individuals that criticised the authorities are put under pressure, in particular in relation to electoral irregularities, the glorification of war criminals or environmental

96. Ibid.

97. Platform, [Journalists Lack Adequate Protection under Defamation and Insult Laws](#), 6 September 2024, and European Commission, 2025 Rule of Law Report, p. 13.

98. Europe Press Freedom Report, p. 60.

99. [Serbia: "A Digital Prison": Surveillance and the suppression of civil society in Serbia - Amnesty International](#), 16 December 2024.

100. Ibid.

101. Europe Press Freedom Report, p. 40.

102. On 8 April 2025, a hearing took place with the participation of Mr Raša Nedeljkov, Programme Director, CRTA, Ms Jelena Sesar, Balkans researcher, Amnesty International, London, United Kingdom, and Mr Milan Trifunović, Head of the Technical Directorate, Police Directorate, Ministry of Interior. On 23 December 2024, the co-rapporteur reacted to the findings by Amnesty International and the BIRN that Serbian police and intelligence services were using advanced phone spyware alongside mobile phone forensic products to unlawfully target journalists, activists and others; see his statement [PACE monitor expresses deep concern at the surveillance of Serbian journalists and activists](#).

103. [CommHR\(2023\)25](#), paragraph 64.

104. European Commission, 2025 Rule of Law Report, p. 17.

protection (including lithium mining).¹⁰⁵ According to the European Commission, which refers to rating by CIVICUS, the space for civil society is rated as 'obstructed'.¹⁰⁶ During our visit to Belgrade, we heard about an increase in the number of GONGOs and "phantom organisations", whose role was to receive public funds through public tenders, thus preventing other civil society organisations to receive such funding. Such GONGOs are also meant to target government critics.

98. On 25 and 26 February 2025, the police searched the offices of four NGOs (including the Centre for Research, Transparency and Accountability – CRTA, which is specialised in election observation, Civil Initiatives, Trag Foundation and Center for Practical Politics) at the request of the Special Anti-Corruption Department of the Higher Public Prosecutor's Office in Belgrade. The raid was carried in relation with suspicions of misuse of funds from the US Agency for International Development (UNSAID) and so far, no information on this case had been provided by the competent prosecutor's office. Following this raid, 29 NGOs announced their withdrawal from working groups organised by the government and ministries. In January 2025, civil society organisations also froze their membership in the Council for Cooperation and Development of Civil Society due to the latter's lack of reaction to increasing attacks on NGOs and human rights defenders.¹⁰⁷

99. While the right to freedom of assembly has been generally observed and the protests were and are allowed to take place, several incidents occurred which might amount to violations of this freedom (see above).

100. The legislation on freedom of assembly and association is generally in line with European standards, but Serbia has yet to align further with the joint Venice Commission and the OSCE/ODIHR Guidelines on Freedom of Peaceful Assembly. In its conclusions of March 2024, the UN Human Rights Committee expressed concern over the notification requirements in the Law on Public Assembly and recommended that Serbia amend its legislation.¹⁰⁸

101. During our visit to Belgrade, we raised the issue of a "foreign agents" bill, which was moved by two MPs at the end of 2024. However, according to our interlocutors from the National Assembly, it has not been processed and has not been adopted. We also inquired about amendments to Law on Associations, which have been announced by the Ministry for Human and Minority Rights without details. Our interlocutors from civil society were afraid of possible restrictions to access to foreign funding, in case of adoption such amendments. However, our interlocutors in the parliament were not aware of this legislative initiative.

102. Recently, we have also been informed about a draft Law on Internal Affairs, which will authorise the police to prohibit movement in public places for a period of 15 days, in case of "large-scale disturbances of public order". Such restriction could be prolonged and will not be subject to any judicial review. If the draft law is adopted, it will negatively affect the possibility to organise mass protests and will thus restrict freedoms of assembly and movement.

6. Relations with Kosovo

103. The normalisation of Serbia's relations with Kosovo, whose 2008 declaration of independence Serbia does not recognise, remains a serious issue and is also crucial for the country's EU accession.¹⁰⁹

104. On 24 April 2026, a court in Pristina delivered a judgment relating to the events in Banjska in September 2023, during which police clashed with a group of Serb gunmen, leaving four people dead. The court sentenced two ethnic Serbs to life in prison and a third to 30 years in jail. However, other perpetrators, including Milan Radoičić, a politician, wealthy businessman close to the SNS, have not yet been prosecuted.¹¹⁰

105. European Commission, 2025 Rule of Law Report, p. 16.

106. Ibid. In March 2025, Serbia was added to the [CIVICUS](#) monitor list, "as authorities severely clamped down on civic space and incite violence against tens of thousands of people protesting against government corruption".

107. European Commission, 2025 Rule of Law Report, p. 17

108. European Commission, [Serbia 2024 Report](#), p. 40.

109. [European Parliament asks Serbia to prosecute Milan Radoicic for the attack in Banjska - The Geopost](#), 12 March 2026.

110. [Kosovo court sentences 3 ethnic Serbs over 2023 clash | AP News](#), 24 April 2026.

7. Conclusions

105. Serbian political life is characterised by significant polarisation and ongoing tensions between President Aleksandar Vučić's government and the ruling majority, on one hand, and opposition parties and civil society, on the other. The widespread protests that followed the tragedy in Novi Sad have led to the emergence of the student movement, which seeks to depoliticise State institutions and combat corruption, but which has yet to establish itself as a new political force.

106. We are concerned about the frequent organisation of early elections, lack of dialogue between the ruling majority and the opposition, risks to the independence of the judiciary, institutional control, corruption, threats to freedom of association and expression and media capture. Therefore, we conclude that the Serbian authorities should make more sustained efforts to honour all obligations and commitments arising from their membership in the Council of Europe and we have included our detailed recommendations in the preliminary draft resolution.

107. One of them concerns the "Mrdić laws", which were adopted without public consultations and were recently criticised by the Venice Commission, mainly because of removing previously existing safeguards designed to protect prosecutorial autonomy. The Serbian authorities should amend them as soon as possible, in line with the Venice Commission's recommendations and should pursue further reform of the judiciary and prosecution services in line with Council of Europe standards.

108. We are particularly concerned about the state of freedom of association and expression in Serbia and condemn reprisals, intimidation measures (including surveillance, physical attacks and death threats), and smear campaigns against civil society activists, human rights defenders, journalists, and independent media outlets. As a matter of priority, the authorities should stop these bad practices and ensure a conducive environment for the exercise of the right to freedom of association and expression in general. They should also refrain from taking any legislative measure that could restrict these freedoms, should resume structured dialogue with civil society and to ensure media pluralism.

109. Finally, we would like to add that, during our visit to Belgrade, we also discussed other human rights topics, such as the measures taken to prevent discrimination against national minorities, women, and LGBTI people. Due to time constraints, in this report which focuses on the functioning of democratic institutions and in particular the parliament and the judiciary, we preferred to focus only on the state of public freedoms (freedom of expression, assembly and association), since the serious violations of these freedoms affect the whole functioning of democracy in Serbia. We will come back to other human rights issues, including the prohibition of non-discrimination, within the framework of a forthcoming report on the honouring of obligations and commitments arising from Serbia's membership in the Council of Europe.