



SPECIAL PROCEDURES
UNITED NATIONS
HUMAN RIGHTS COUNCIL

UN Working Group on Business and Human Rights
Country Visit to Republic of Serbia, 6-15 October 2025

End of Mission Statement
Belgrade, 15 October 2025

Introduction

The United Nations Working Group on Business and Human Rights concluded today its ten-day visit to the Republic of Serbia. The purpose of the visit was to assess how the Government and the business sector discharge their respective duties and responsibilities under the UN Guiding Principles on Business and Human Rights (UNGPs). These include the duties and responsibilities to prevent, respect and remedy adverse human rights impacts of business activities. We appreciate the willingness of officials of the Government, the Parliament, business community, civil society, industry associations, trade unions, workers, local communities and other stakeholders who met with us to engage in an open and frank dialogue on current initiatives, opportunities and challenges concerning the implementation of the UNGPs.

During the visit, we met with representatives of the following Government ministries, agencies and State bodies: Ministry of Foreign Affairs; Ministry of Mining and Energy; Ministry of Environmental Protection; Ministry of Agriculture; Ministry of Construction, Transport and Infrastructure; Ministry of Labour, Employment, Veteran and Social Affairs; Republic Agency for the Peaceful Settlement of Labour Disputes; Ministry of Human and Minority Rights and Social Dialogue; Ministry of Tourism and Youth; Ministry of European Integration; Minister without Portfolio in charge of gender equality, prevention of violence against women, and the economic and political empowerment of women; Ministry of Finance; and Ministry of Economy. We did not meet with the Ministry of Justice and its related bodies, despite repeated requests, and they did not reply to any written requests for information. We also met with representatives of the Anti-Corruption Agency, the Commissioner for the Protection of Equality and the Ombudsman, as well as representatives of local governments, including the Head of the District Council of Bor, and the Mayor and President of the Loznica City Assembly. In addition, we met with the Chairs of relevant Committees of the National Assembly of the Republic of Serbia.

During our meetings in Belgrade, Bor, Loznica, Novi Sad and Zrenjanin, we met with the following private sector associations, including some member companies and representatives of some sectors, and businesses: Serbian Chamber of Commerce and Industry; CCI France Serbia, Serbian Association of Employers; Responsible Business Hub; Deutsch Serbische Wirtschaftskammer; UN Global Compact Network Serbia; Linglong Tire company; Rio Tinto Sava; and Serbia Zinjin Copper company. We also met with many representatives of civil society, including human rights defenders, journalists, academics, local communities, workers, and trade unions. In addition, we met with the UN Resident Coordinator and other representatives of the UN Country Team based in Serbia.

In this final phase of the visit, we are pleased to share our preliminary observations. The Working Group will submit a full report on its visit to Serbia to the UN Human Rights Council in June 2026 at its 62nd session.

Context

We arrived for its visit at a time when there has been almost one year of significant and widespread protests about the collapse of a railway station canopy in Novi Sad due to alleged corruption in the public procurement process and in its construction through a company owned by a Chinese entity. The lack of quick and transparent provision of relevant information, and an unclear process of charging and detention of the key people and companies involved, are key issues in these protests. This raises very real concerns by us as to whether this is symptomatic of the absence of State protection of human rights arising from business activities (including those of public commercial entities), insufficient corporate respect for human rights as businesses, and no effective remedies for abuse of human rights in these situations.

Separately, the Government has been introducing legislation arising from its intention to join the European Union (EU). It is notable that EU legislation already includes, or will do so shortly, mandatory human rights due diligence requirements on businesses (including on businesses outside the EU), forced labour restrictions and environmental sustainability provisions, all of which aim to reduce the potential for adverse human rights impacts, including environmental and labour rights, of businesses. These all go beyond existing legislation in Serbia.

Institutional framework for business and human rights implementation

The institutional framework for business and human rights implementation in Serbia includes central government institutions, local authorities, specialised agencies and bodies. We observed the general lack of awareness of business and human rights issues within this institutional framework and the potential adverse impacts of business activities on human rights of people, communities and workers. In addition, the promotion, implementation and oversight of business compliance with human rights standards by key state institutions suffers from insufficient capacities, limited roles and engagement in this area. This is particularly notable in limited number of investigations of alleged human rights abuses by business, and its final outcomes, pointing to the weak enforcement of legislation.

The Anti-Corruption Agency has limited mandate and is not seen to be involved in dealing with transparency concerns raised with regard to implementation of major economic development projects by multinational companies, while initiation of investigations largely concern administrative irregularities. Labour and environmental inspectorates have insufficient capacities, rarely resort to ad hoc or unannounced inspections, lack oversight over the activities of multinational companies. Local governance bodies have limited influence or involvement over major economic development projects implemented on the territories of their responsibility in ensuring that businesses identify, prevent and mitigate human rights impacts, and lack meaningful support to the local communities in the dialogue with the companies on addressing human rights concerns.

We were pleased to learn of positive initiatives, such as the Ministry of Finance plans to develop guidelines for non-financial reporting. However, limited institutional capacities and involvement of key institutions and local authorities in ensuring that businesses comply with human rights standards in practice has wide-ranging implications for the trust of the population in the state and local governance system for ensuring business accountability for human rights. This is especially notable with regard to limited oversight of activities of foreign investment companies which have an increasing role in the economy of Serbia.

We urge the Government, perhaps through the Ministry of Human Rights, to seize the opportunity to renew the commitment to develop the National Action Plan on Business and Human Rights (NAP), as a step towards the implementation of the UNGPs. This process would provide an opportunity for the

Government to have a coherent cross-Government approach, undertake meaningful stakeholder engagement, especially of vulnerable groups and communities, and strengthen access to remedies in this area. In addition, we suggest that the Government introduce Human Rights Impact Assessments (HRIA) for all new economic developments, as these go beyond Environmental Impact Assessments (EIA) to include the social impacts of business activities, and is normally required by EU investors and some international businesses. Introduction and application of such a requirement would assist to ensure that businesses timely identify and assess such impacts in their operations, and state authorities have an opportunity to provide oversight and prevent human rights abuses by businesses.

State leading by example

A key aspect of the implementation of the UNGPs is for the State to lead by example through creating an enabling environment for businesses to be able to respect human rights. The guidance on employment of persons with disabilities undertaken by the Commissioner for the Protection of Equality is a good example of this.

However, during our visit we received many comments from a variety of stakeholders about matters which showed that the Government is not setting such an enabling environment. For example, the lack of transparency in the public procurement process, with resultant questions about corruption, was frequently mentioned, including by businesses, as a cause of concern. Further, despite the clear laws about the public procurement process, it appears that projects of national significance, such as EXPO2027, could proceed with limited application and exceptions to those processes, and with some amendments to the application of the laws on planning and construction. Other projects, including those with businesses controlled by foreign entities, such as in the mining sector and with the proposed Trump building in Belgrade, seem to have been able to proceed despite serious concerns raised about the process of approval. The Anti-Corruption Agency indicated that they did not review such projects, or others where they considered that there might be high levels of corruption and serious criminal acts, as not being within their remit.

Transparency in such instances should also enable the public, especially local communities, access to independent data about relevant matters, such as about environmental pollution, health and cultural protections arising from business activities, rather than relying solely on the business to provide their own data. Further, the ability of companies to continue activities without all necessary permits, such as we found in a number of instances such as with Zijin, is a worrying trend in lack of State action to ensure accountability of corporate activity.

We express considerable concern about the legislation and practices related to the expropriation of property for private purposes (as distinct from the normal commercial private purchases by a company), as these have high human rights risks, such as concerning adequate compensation, lack of support for vulnerable communities to negotiate with private companies over their property. Such legislation and practices could conflict with the requirements of Article 1 Protocol 1 of the European Convention for the Protection of Human Rights, particularly on serving legitimate public purpose, proportionality and necessity. Similarly, the reclassification of land from agricultural to construction, to benefit private businesses, without sufficient notice given to the local community, is also a concern. Even where identified and assessed, measures such as relocation of and compensation for local communities (among them the Vlach people, a minority group in Krivelj and other areas) suffer from long processes, limited information and no meaningful dialogue with the communities.

The strategic importance of the Jadar project, operated by Rio Tinto, for Serbia and broader international community needs to be balanced with the potential long-term risks to local communities and the environment. Any project of such a scale should be conditioned by comprehensive environmental and human rights impact assessments, safeguards of transparency, public scrutiny and independent oversight.

The actions by public commercial bodies, such as State-owned enterprises, fall within the duty of a State to protect human rights under the UNGPs. Yet there were many issues indicated by stakeholders about such State bodies acting in ways that there were human rights abuses, such as environmental damage and labour rights infringed.

Above all, when the Ministry for Human Rights states that they have had no complaints ever about an abuse of human rights by a public or private business, it would seem to indicate both a lack of awareness of these issues within both government and the public, and a sense of complacency about these issues.

Safe and conducive environment for civil society

Civil society plays a vital role in promoting and monitoring respect for human rights in the context of business activities and enabling businesses to understand the concerns of affected stakeholders. To fulfill this role, civil society actors must be able to exercise their rights to freedom of expression, peaceful assembly, and association, as guaranteed by the Constitution of Serbia and international human rights law.

During our visit, we received troubling reports of intimidation, smear campaigns, surveillance, and physical attacks targeting civil society activists and human rights defenders who have spoken out against harmful business practices, exposed corruption or demanded accountability in relation to corporate activity. Peaceful demonstrators in Novi Sad, who called for accountability following the tragic collapse of the railway station canopy on 1 November 2024 – which claimed 16 lives, including children – were reportedly subjected to excessive use of force by the police and attacks by unidentified individuals, as well as arbitrary arrests under charges of dismantling constitutional order. Similarly, protestors opposing the Jadar lithium project near Loznica – citing serious environmental and public health concerns – were reportedly detained, and criminal charges were brought against some individuals. The decision by many respected civil society organizations to remove themselves from cooperation with Government social dialogue is an indication of lack of civic space.

A particularly concerning trend is the reported use of Strategic Lawsuits Against Public Participation (SLAPPs) against human rights defenders and journalists, initiated by public officials and business actors. Although many of these cases are dismissed as unfounded, they impose significant burdens on activists, diverting time and precious resources toward legal defense. In this context, we underscore the relevance of the 2024 EU Anti-SLAPP Directive, especially in the context of Serbia's EU accession process.

We are also seriously concerned about a draft Foreign Agent Law proposed in Parliament, which would require individuals or organizations receiving financial or other type of support from abroad to register as "foreign agents." If enacted, this legislation would certainly have a chilling effect on civil society.

We wish to stress that the UNGPs urge States to ensure that the legitimate activities of human rights defenders are not hindered. We call on the Serbian authorities to take adequate measures to ensure a safe and conducive environment for defenders working on business and human rights-related issues.

Meaningful dialogue, consultation and participation in major development projects

We stress that meaningful consultation with communities is a central aspect of human rights due diligence, as is set forth in the UNGPs. This enables an early identification of concerns and grievances, and to better understand the potential impacts of a project on individuals, local communities and the environment, especially those most at risk of being marginalized or discriminated against, particularly women, minorities (such as the Vlach), and persons with disabilities.

Serbia's regulatory framework provides for the right to participate, including in environmental decision-making. We met with some of the companies operating in Bor, Zrenjanin and Loznica, which affirmed the importance of maintaining a dialogue with the communities and acknowledged encountering challenges when engaging with them during project development and implementation, including in the mining sector. Despite provisions in laws and regulations, and commitments made by companies, communities living in areas where mining concessions are operating, reported that they experienced limited or absence of meaningful participation. According to communities in Bor, and Zrenjanin districts, there have not been sufficient consultations about the projects operating on or near their land, nor clear mechanisms for participating in decisions pertaining to the development of their communities. These concerns are reinforced by regulatory uncertainty, exemplified by the Rio Tinto Jadar lithium and boron project, where the Spatial Plan for the Jadar area was adopted, for example, with minimum involvement of the local public. Although the Plan was revoked in January 2022, the Constitutional Court later overturned the revocation, highlighting ongoing legal and planning uncertainty – for both communities and companies - which led to, for example, nationwide protests. Companies frequently seem to understand community engagement as a ticking the box exercise.

We recommend that both State and local government authorities, as well as companies, ensure that consultations with all relevant stakeholders are conducted meaningfully and that the right to participate is upheld.

Human rights of workers

The Serbian Labour Law is the central law regulating, among others, employment contracts, working hours, leave and holidays entitlements, safety at work and the right to fair compensation, including minimum wage requirements. However, a number of challenges exist in its effective implementation.

Collective bargaining and freedoms of expression and of association

The right to strike is guaranteed by the Constitution. However, the current Law on Right to Strike designates a wide range of sectors, such as education, healthcare, transport, utilities, media, as “essential” or “of public interest.” As a result, the right to strike is subject to strict limitations or exceptions, including the obligation to maintain minimum services, even when work stoppages would not endanger public health or safety, which can negate the right. We encourage progress on a new law in this area, with the meaningful engagement of trade unions and civil society organizations.

The right to form and join trade unions is guaranteed by the Labour Law. The ability to engage in collective bargaining and to represent workers officially depends on formal registration of Trade Unions with the Ministry of Labour. We learned that the registration process is often lengthy and opaque, with applications remaining pending for months or even years. Moreover, the inconsistent application of the law can result in preferential treatment for certain unions while disadvantaging those perceived as critical or independent. There is also significant concern over fragmentation of legislation and the use of precarious forms of employment, such as temporary, fixed-term, or occasional contracts, which create insecurities and are used by the businesses against the workers based on their opinion or social status. This insecurity has serious consequences: it weakens collective bargaining, discourages new

union formation, and leaves workers more vulnerable to employer or state pressure. In turn, this precariousness acts as a deterrent against protesting, unionising, or otherwise exercising labour rights.

Occupational health and safety

The adoption of the new Law on Occupational Safety and Health in 2023 is a positive development to the extent that it provides for, among others, preventive mechanisms and responsibility of employers to implement safety measures. Also positive is the inclusion of employers' obligation to ensure safety and health when working remotely. The Ministry of Labour in 2024 reported 1,014 individual injury cases, including 59 fatalities with the construction sector remaining among the most high-risk sectors.

Labour inspections

One of the important challenges remains the small number of labour inspectors: they are 270 (for more than 500,000 business entities, in Serbia, i.e. one labour inspector for more than 2,000 business entities).

While inspectors have the legal powers to visit businesses unannounced this appears to be rarely acted upon, especially in relation to those owned by foreign entities. This significantly reduces their effectiveness in checking on existing business practices and make it far less likely that rightsholders would feel confident that their complaints – if made at all - would be dealt with speedily and with an appropriate outcome for the complainant. This lack of action by inspectors was confirmed by businesses, which means that some businesses can largely continue those practices which abuse human rights, including environmental damage, without fear of sanctions.

Foreign workers

In recent years, Serbia has experienced a steady increase in the number of foreign workers, driven by significant changes in its labour market. This trend is expected to continue. In July 2023, the Law on Amendments to the Law on Employment of Foreigners (No. 62/2023) was adopted, further easing procedures for employing foreign workers. In 2023, Serbia issued 45,112 temporary residence permits for employment purposes, which represents a 29% increase from 2022 and a 121% rise from 2021.

In this context, challenges emerge when it comes to the protection of foreign workers and workers employed through informal channels, especially in the context of large infrastructure projects and international investments agreements. We learned that 14 of such agreements are currently in force and that many of the contracts associated with these agreements are not publicly accessible, leading to concerns about transparency, corruption and accountability, in particular relating to labour rights. International bodies, including the US Department of State, have raised concerns about exploitation risks faced by foreign workers, particularly from Vietnam, China, and India, many of whom may be victims of trafficking for labour exploitation.

The use of recruitment agencies sourcing work force from third States without proper human rights due diligence, transparency or accountability is also a source of concern as it exposes foreign workers to serious risks of labour exploitation and human trafficking. An example is the case of Vietnamese workers at the Linglong factory in Zrenjanin, who were brought in by a contractor, had their passports confiscated, faced restricted movement, and endured extremely poor living and working conditions. Although human trafficking for labour exploitation is criminalized, there was no evidence of prosecution. The company has since stopped using external recruitment agencies, but oversight remains weak, as it informed us of having received only a few inspections in the past few years.

Environmental impacts of business activities on human rights

The right to live in a clean, healthy and sustainable environment includes access to clean air, safe water, healthy food, and a stable climate. The implementation of this right is highly dependent on timely identification of potential adverse impacts considering that some of them may be irreversible or may lead to a significant need for public resources to restore or mitigate the consequences. We highlight that certain impacts of major economic development projects may have transboundary adverse effects (through the Danube river for instance) to other States in the region.

We observe that EIAs are provided in Serbian legislation as a requirement applicable for business operations. The implementation of these requirements in practice, however, has been inconsistent. It is essential that such assessments would be scrutinised impartially by relevant State authorities. Pure reliance on business-lead assessments is unlikely to ensure that development is balanced against human rights concerns. Measures should be undertaken to ensure that this requirement is not limited by deconstructing the stages or scope of business projects (known as “salami slicing”).

We are concerned over the lack of reliable information, transparent measurements and dialogue with local communities concerning the impacts on the health of workers and populations around the mining projects (e.g. in Bor region by Zijin), including high limits of dangerous substances allowed by the laws of Serbia and limited access to toxicology tests. The data we have received demonstrates much higher levels of cancer in areas where mining operations take place, and that fines imposed for violations of environmental laws are minimal. While positive outcomes of the use of new technologies in manufacturing process could be noted on the emission of certain dangerous substances like SO₂, little transparency was found in disclosure of the new substances used in the mining operations by Zijin and its effects on the health of the population. The village of Krivelj bears a disproportionate share of negative impacts (heavy metal pollution, harming water, livestock, and agriculture), and the resulting risks to people and the environment cannot be ignored.

Groups at risk

The Anti-Discrimination Law of 2009 aims to establish a comprehensive and integral system for protection from discrimination. It forbids discrimination on any basis, particularly race, gender, ethnicity, social background, religion and health. Discrimination on the basis of political or other convictions, culture, language, age, psychological and physical disability is also illegal. The work of the Commissioner for the Protection of Equality is to be commended in this area. However, throughout the visit, we were informed of specific challenges faced by some groups and communities.

Systemic discrimination against Roma communities persists, particularly in access to employment, healthcare, and education. Many Roma workers are engaged in hazardous and informal employment—such as waste collection and construction—often without access to social protection or labour rights. In addition, Roma settlements are frequently displaced due to urban development projects, with little or no provision of alternative housing solutions.

Persons with disabilities continue to encounter substantial barriers to employment and access to social services. While the Law on the Prevention of Discrimination of Persons with Disabilities prohibits workplace discrimination, and the Law on Professional Rehabilitation and Employment of Persons with Disabilities establishes a quota system to encourage inclusive hiring, these legal frameworks have yet to translate into significant improvements. Employment rates among persons with disabilities remain low, and many continue to experience poverty or are at risk of social exclusion.

Legal protections for Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) people exist, but challenges remain in practice. However, enforcement of these protections is uneven, and

discrimination in the workplace also persists, with many affected individuals choosing not to report incidents due to fear of further stigmatization.

Gender aspects of business and human rights

Serbia's legal framework supports gender equality through several key laws, such as the Anti-Discrimination Act, the Labour Act and the Law on Gender Equality. During our meeting with the Commission for the Protection of Equality, we were informed that workplace and employment-related discrimination accounted for the majority of complaints received by them. Women were identified as the most affected group, with rural women and Roma women facing additional challenges. Specific instances included cases where women were placed at a lower level when returning from maternity leave. The Commissioner's 2024 report highlights that young women in Serbia experience higher unemployment rates compared to their male counterparts, and young Roma women are three times less likely to secure employment than young Roma men. The report also notes a continuing decline in female employment, particularly among women over the age of 45. Women are also not paid equally for performing work of equal value, and are not promoted on an equal basis. Their representation in leadership and management roles remains disproportionately low.

We welcome the proactive efforts of the Commissioner for the Protection of Equality in advancing non-discrimination and inclusive employment practices. Through the development and promotion of the voluntary Equality Code, employers are encouraged to adopt gender-sensitive and inclusive workplace policies. Since July 2024, the Commissioner has been implementing the project "Improving Equality in the Field of Work and Employment: A Joint Initiative for Workplace Equality". The initiative aims to expand the network of companies endorsing the Equality Code and to strengthen their internal capacities through a structured Partnership for Equality. We commend this initiative and encourage companies to fully engage in its implementation to ensure its success.

New technologies

Considering the fast proliferation of new technologies, which carry potential positive and negative impacts, we urge the Government to include human rights impact assessment requirements before new technologies (e.g., Artificial Intelligence Systems (AI)) are being purchased and deployed by the State and companies. For example, the digitalization of social protection through the Social Card Law (March 2022) has the potential to promote more efficient management services in the field of social protection. However, concerns were raised regarding possible unintended negative impacts in practice, disproportionately impacting on vulnerable groups. Since its introduction, approximately 58,000 people (around 25% of beneficiaries) have lost access to social assistance, often due to inaccurate or misclassified data, such as in the case of informal income from Roma waste collectors being wrongly recorded as wages. Civil society organizations have challenged the law before the Constitutional Court and sought transparency regarding the algorithm and source code, but according to information received, the Ministry of Labour refused disclosure and the case is still pending.

The Working Group invites the Government and businesses to make use of its recent report on AI and business and human rights ([A/HRC/59/53](#)), in the process of drafting the Law on AI.

Access to remedies

One of the three pillars of the UNGPs is access to effective remedies for rightsholders. This requires that workers, local communities, civil society and others do not have, or feel that there are, obstacles to their ability to have their claims of adverse human rights impacts by business activities, including state-owned businesses, considered by independent and impartial judicial or non-judicial mechanisms. While there were a few positive practices by the Serbian state, such as on the treatment of victims of trafficking, we have significant concerns about the lack of effective access to remedies for business activities that abuse human rights, including labour rights and environmental impacts.

For example, the Anti-Corruption Agency only initiated 3 criminal prosecutions in 2024, and the Ombudsman seems unwilling to take actions to assist rightsholders complaining of abuses by businesses in private or public ownership. While the Commissioner for the Promotion of Equality appears to be effective in its activity, it cannot enter premises and does not receive statistics from the courts about the outcomes of its actions, despite such a requirement.

The lack of trust in the independence of the courts was frequently mentioned during this visit. While some local courts did uphold worker's rights speedily, there were concerns raised - including by government officials - about the very slow judicial process and long delayed decisions. The lack of collective actions by groups in the law can also hinder effective remedies.

This lack of quick and effective decision-making by courts is also reflected in concerns raised about the police and public prosecutors. The latter were seen by some as lacking in independence, subject to political pressure and not providing sufficient information to complainants. Police brutality and the use of unidentified individuals in response to public protests against business activities raises issues about the ability of the Serbian legal system to act to prevent and sanction unlawfulness of the activity of the police and other actors in this regard.

Indeed, the lack of cooperation by the Ministry of Justice with us raises a real issue about the extent to which that Ministry has any interest at all about the need to have effective access to remedy for human rights abuses by businesses. It may indicate a worrying lack of concern for enabling a legal system to protect rightsholders affected by businesses.

In relation to access to remedies provided by businesses, the UNGPs sets out that all businesses should have effective operational grievance mechanisms. This includes the ability of complainants, including workers and the local community, to be able to provide complaints in a secure and anonymous way, and have them determined by an external body if not resolved. We found little evidence of such mechanisms during our visit, including at the Linglong Tire company, and no requirement for them in Serbian law.

Conclusions

Serbia has to strengthen efforts to implement the UNGPs. There is a lack of knowledge, capacity and resources across Government, businesses and communities to ensure that the State protects human rights, that businesses (including State-owned businesses) respect human rights and that there is an effective access to remedies for those affected by business activities. While there are a few positive actions by the State and a few companies, and a body of law that deals with the human rights, including environmental rights, obligations of companies, overall the lack of implementation of these laws has meant that there is a great deal to be done in this area by the State and business.

Of particular concern are strategic projects for economic development, which seem to assume that economic development and human rights protections are in conflict, which is not accurate. Sustainable development includes human rights protections, such as of workers, communities and the environment. Indeed, it was clear from our visit that there is consensus between civil society and businesses that transparency, meaningful consultation and an independent judiciary providing effective remedies are beneficial for all.

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