



## Contribution by Office of the UN High Commissioner for Human Rights (OHCHR) to the 2026 Rule of Law Report - European Commission

### Rule of law and human rights

The 'rule of law' is a concept at the heart of the United Nations' mission. It refers to a principle of governance which is consistent with international human rights standards ([S/2004/616](#)). There is no rule of law within societies if human rights are not protected and human rights cannot be protected in societies without a strong rule of law. This interlinkage is reiterated by the UN Secretary-General in his [New Vision for the Rule of Law](#):

*"Human rights and the rule of law are mutually reinforcing – the advancement of the rule of law is essential for the protection of all human rights, and human rights are central to the rule of law."*

### Office of the UN High Commissioner for Human Rights (OHCHR)

The Office of the UN High Commissioner for Human Rights (OHCHR), also known as UN Human Rights Office, is the main human rights entity of the UN to protect and promote all human rights for everyone everywhere. The High Commissioner for Human Rights leads OHCHR. He is the principal human rights official of the United Nations.

OHCHR is mandated by the UN General Assembly to promote and protect the enjoyment and full realization, by all people, of all human rights. As part of its mandate, OHCHR works to mainstream human rights to strengthen the rule of law ([Management Plan 2024 - 2027](#)).

Established in 2009, OHCHR Regional Office for Europe (ROE) aims to advance the protection and promotion of human rights in the European Union and its Member States. ROE works to mainstream international human rights standards to strengthen the rule of law in the EU by engaging in and contributing to the European Commission's Rule of Law Report. ROE furthermore promotes the UN human rights mechanisms and processes by giving their work visibility at the regional level.

### OHCHR's contribution

The current submission consists of a compilation of findings and recommendations contained in reports of UN human rights monitoring mechanisms including treaty-based mechanism (international human rights treaties), and Charter-based mechanism (special procedures and the Universal Periodic Review of the UN Human Rights Council). It further draws on statements and reports by the UN High Commissioner for Human Rights and the High Commissioner's office (see diagram on the next page).

In line with the scope of the European Commission's Rule of Law Report, this contribution covers 27 Member States of the European Union and four candidate States, namely, Albania, Montenegro, North Macedonia and Serbia.

# UN human rights monitoring mechanisms

The below human rights bodies review the following nine core United Nations human rights treaties:

- International Covenant on Civil and Political Rights
- International Covenant on Economic, Social and Cultural Rights
- International Convention on the Elimination of All Forms of Racial Discrimination
- Convention on the Elimination of All Forms of Discrimination against Women
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- Convention on the Rights of the Child
- Convention on the Rights of Persons with Disabilities
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
- International Convention for the Protection of All Persons from Enforced Disappearance

## Treaty-based mechanism

### Treaty monitoring bodies

- Committee on the Elimination of Racial Discrimination (CERD)
- Committee on Economic, Social and Cultural Rights (CESRC)
- Human Rights Committee (CCPR)
- Committee on the Elimination of Discrimination against Women (CEDAW)
- Committee Against Torture (CAT)
- Committee on the Rights of the Child (CRC)
- Committee on Migrant Workers (CMW)
- Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (SPT)
- Committee on the Rights of Persons with Disabilities (CRPD)
- Committee on Enforced Disappearances (CED)

## UN Charter-based mechanism

### UN Human Rights Council

A subsidiary body of the UN General Assembly and the main intergovernmental body in the UN responsible for human rights.

#### Special Procedures

Independent human rights experts with mandates to report and advise on human rights from a thematic or country-specific perspective.

#### Universal Periodic Review

State-led mechanism that conducts a peer review of the human rights situation of each UN Member State

#### Human Rights Council-mandated Investigative Bodies

The Office of the UN High Commissioner for Human Rights (OHCHR) provides expertise and support to all of the different human rights bodies.

# Human rights and rule of law (4 pillars of Rule of Law Report)

## Pillar 1: Justice System

There is no true respect for the rule of law without a judicial power guaranteeing compliance therewith. Judges guarantee compliance with laws and with it the reality of democratic coexistence. The duty to promote equality among all persons, especially to ensure that everyone has the right to access justice on an equal basis with others, rests with the judiciary. Guaranteeing access to justice is indispensable to democratic governance and the rule of law, as well as to combating inequality and exclusion.

Respecting the rule of law through fostering the separation of powers and the independence of justice ensures protection of human rights. The judiciary is the ultimate guarantors of human rights. However, at the same time, judges, prosecutors and lawyers are subject to attacks and violations of their rights, including threats, intimidation, external interference in conducting their professional activities, arbitrary detention, prosecution, and killings. These attacks threaten the impartiality and independence of the judiciary and the legal profession and in turn, deter their role as guarantors of human rights and the rule of law.

For more info:

- [Basic Principles on the Independence of the Judiciary](#)
- [Human rights in the administration of justice: a manual on human rights for judges, prosecutors and lawyers](#)
- [International principles and guidelines on access to justice for persons with disabilities](#)
- [General Recommendation No. 33 on women's access to justice \(CEDAW/C/GC/33\)](#)
- [Special Rapporteur on the independence of judges and lawyers](#)

## Pillar 3: Media Freedom

Free, independent, plural and diverse media are a core component of the right to freedom of expression, a cornerstone of democratic societies and plays an essential role in strengthening the rule of law. Journalists and the media are crucial to ensure transparency and accountability for public and governmental authorities.

For more info:

- [OHCHR and the safety of journalists and the issue of impunity](#)
- [Special Rapporteur on freedom of opinion and expression](#)
- [General comment No.34 on Article 19: Freedoms of opinion and expression \(CCPR/C/GC/34\)](#)

## Pillar 2: Anti-corruption

Corruption has a destructive effect on State institutions and it undermines the functioning and legitimacy of institutions and processes, the rule of law and ultimately the State itself. In particular, corruption effects on the capacity of States to respect, protect and fulfil human rights particularly of those persons and groups in situation of vulnerability and marginalization.

Corruption pose a major challenge to many societies as they divert public revenues and cripple public budgets that should provide healthcare, housing, education, and other essential services, they undermine States' ability to meet their minimum core obligations and their pre-existing legal obligations to maximize all available resources to respect, protect and fulfil human rights.

For more info:

- [Corruption and human rights | OHCHR](#)
- [OHCHR Key messages on the negative impact of corruption in the enjoyment of human rights](#)

## Pillar 4: Checks and Balances

Civic space is the environment that enables civil society to play a role in the political, economic and social life of our societies. In particular, civic space allows individuals and groups to contribute to policy-making that affects their lives, including by: (1) accessing information; (2) engaging in dialogue; (3) expressing dissent or disagreement, and (4) joining together to express their views. An open and pluralistic civic space that guarantees freedom of expression and opinion as well as freedom of assembly and association, is a prerequisite for making development and peace sustainable.

For more info:

- [OHCHR and protecting and expanding civic space](#)
- [Special Rapporteur on human rights defenders](#)
- [The Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms](#)



- **Period of contribution: January – December 2025**
- **Contents of contribution and additional information:**
  - The UN Special Procedure issued a [press release](#) “Serbia must end attacks against journalists: UN experts” on 5 December 2025.
  - The UN High Commissioner for Human Rights issued a [press release](#) “Serbian authorities need to speed up steps to ensure accountability” (5 November 2025).
  - The special procedures of the UN Human Rights Council sent a communication letter to Serbia ([SRB 5/2025](#), 8 August 2025) and to Serbia Zijin Copper DOO ([OTH 95/2025](#), 8 August 2025) on information received concerning the allegations of severe environmental contamination and human rights violations in the village of Krivelj, Bor district, Serbia.
  - The special procedures of the UN Human Rights Council sent a communication letter to Serbia ([SRB 6/2025](#), 30 July 2025) on information received concerning alleged violations of academic freedom, university autonomy, and the right to education within the context of the recent protests in Serbia.
  - The UN Working Group on Business and Human Rights visited Serbia from 6 to 15 October 2025. At the end of the visit, the Working Group issued a [press release](#) and a [preliminary conclusion](#). An official report of the visit will be presented at the 62nd session of the UN Human Rights Council in June 2026.
  - The UN Subcommittee on Prevention of Torture visited Serbia from 15 to 21 June 2025 and issued a [press release](#) (24 June 2025). The report is confidential.
  - The UN High Commissioner for Human Rights visited Serbia from 20 to 21 May 2025. He issued a [statement](#).
  - The UN Committee on Enforced Disappearances considered the additional information submitted by Serbia and adopted the concluding observations on 27 March 2025. The report ([CED/C/SRB/OAI/1](#)) was published on 12 May 2025.
  - The UN Special Rapporteur on independence of judges and lawyers sent a communication letter to Serbia ([SRB 3/2025](#), 5 May 2025) on information received concerning Statements and pressure on prosecution officials from the President.
  - The special procedures of the UN Human Rights Council sent a communication letter to Serbia ([SRB 1/2025](#), 3 April 2025) on information received concerning the interference into the financial privacy of five human rights defender. A [response](#) was received (2 June 2025).
  - The special procedures of the UN Human Rights Council sent a communication letter to Serbia ([SRB 2/2025](#), 2 April 2025) on information received concerning alleged violence by different actors against peaceful protestors. A [response](#) was received (2 June 2025). Consequently, the special procedures issued a [press release](#) (4 August 2025).
  - The UN Human Rights Office spokesperson [commented](#) on planned mass rally in Serbia (14 March 2025).
  - The UN Committee on Economic, Social and Cultural Rights examined the follow-up report ([E/C.12/SRB/FCO/3](#)) at its seventy-seventh session, held from 10 to 28 February 2025, and communicated a [follow-up letter](#) to Serbia (7 March 2025).

- **Summary of information which could be of particular relevance to the Rule of Law report:**
  - Under pillar 1 on justice system, relevant findings and recommendations (independence – significant developments and efficiency of the justice system) were issued by UN human rights mechanisms.
  - Under pillar 2 on anti-corruption, relevant findings and recommendations (institutional framework capacity to fight against corruption: anti-Corruption Agency) were issued by UN human rights mechanisms.
  - Under pillar 3 on media freedom, relevant findings and recommendations (framework for journalists' protection - Smear campaigns against journalists) were issued by UN human rights mechanisms.
  - Under pillar 4 on checks and balances, relevant findings and recommendations (the enabling framework for civil society and organization of financial support) were issued by UN human rights mechanisms.
- **Forthcoming relevant information (January – May 2026):**
  - The UN Committee on Elimination of All Forms of Racial Discrimination will consider the State Party report from Serbia during its 117th session (to be confirmed, 13 April – 1 May 2026).
  - The UN Committee on the Rights of Child will consider the State Party report from Serbia (CRC/C/SRB/4-5) in a future session (date to be confirmed).
- **Resources:**
  - Rule of Law in Europe | [OHCHR](#)
  - Country page on [Serbia](#)
  - [Universal Human Rights Index \(UHRI\)](#) allows you to explore over 230.000 observations and recommendations made by the international human rights protection system (treaty bodies, special procedures and the Universal Periodic Review).

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**Independence - Significant developments capable of affecting the perception that the general public has of the independence of the judiciary.**

On 26 March, judges and prosecutors signed on to a public statement denouncing that with the actions around the 15 March incident, the President of the Republic had “written a new chapter in the twelve-year-long subjugation and humiliation of the judiciary.” The statement highlighted: “(...) Today, the President of the Republic disapproves of prosecutors who fail to meet his expectations; tomorrow, it could be judges, attorneys, or even any citizen who refuses to follow political orders from an unauthorized institution. That’s why we believe the time has come for judges and prosecutors who have thus far remained silent to raise their voices and oppose this kind of interference”. ([SRB 3/2025](#))

Media reports indicate that, at the time of writing this letter, the statement had been signed by over 600 judges and prosecutors—an exceptionally rare occurrence in a profession where most officials avoid public exposure. This represents just under 20 percent of all judicial officeholders in the country. The information suggests that this pressure on judges and prosecutors is not new, but rather an ongoing pattern. International human rights mechanisms, as well as regional entities, have expressed concerns in the past<sup>1</sup> pointing out that effectiveness and independence of the Serbian judiciary is often compromised by political influence, and frequent allegations of interference in high-profile cases, external pressures impacting the impartiality of judges and the fairness of legal proceedings were noted, which resulted in a lower level of trust in the judiciary. ([SRB 3/2025](#))

The Special Rapporteur on the independence of judges and lawyers is concerned by allegations that describe the reported instrumentalization by the President of the prosecution service to criminalize public speech about an event of great public importance. The Special Rapporteur has expressed concern in her reports about instrumentalization of prosecutors, and pressure which may compromise their ability to act impartially, especially in cases involving prominent political figures. She recommended States to take measures to ensure that prosecutors be insulated from politically motivated punishment or reward for

undertaking their professional duties (A/HRC/56/62, paragraph 72). Verbal attacks are of special concern when they come from government officials. Some of these statements by government officials may amount to interference in the independence of the judiciary and improper interference in the legal profession. Politicians and public officials “play an important role in shaping the media agenda, public debate and opinion and that, as a result, ethical behaviour and attitudes on their part, including in their public communications, are essential for promoting the rule of law, the protection of human rights, and for ensuring public trust in democratic systems of governance”. (SRB 3/2025)

The High Commissioner also highlighted the importance of judicial independence, free from political pressure, and seen to be so by the wider population. “This is the only way to maintain people's trust in the rule of law,” (The UN High Commissioner's press release ).

### **Independence - Significant developments capable of affecting the perception that the general public has of the independence of the judiciary.**

Serbia Zijin Copper DOO has been convicted at least fifteen times for various violations including air and water pollution, conducting mining activities without proper permits, and operating without the necessary environmental approvals. For example, in April 2022, Serbia Zijin Copper DOO and one company representative were ordered to pay approximately €8,522 for polluting the Mali Pek River. The company was also fined €3,830 for performing construction works on the expansion of the copper smelter in Bor without prior approval of the Environmental Impact Assessment study and for operating without an integrated environmental permit. Additionally, Zijin was convicted six times for illegal construction in Bor, five times below the minimum penalty prescribed by the law. Despite these convictions, legal charges against the company are often dismissed by the prosecution without adequate explanation, and the sanctions imposed are insufficient to deter further violations. (SRB 5/2025)

### **Efficiency of the justice system**

The UN Committee on Enforced Disappearance takes note of the information received with regard to the 2016–2020 and 2021–2026 national strategies for the prosecution of war crimes and the action plan for the implementation of the 2021–2026 strategy. However, the Committee is concerned by: lengthy processing times; reports of a backlog of over 1,700 pre-investigative cases; the low rate of prosecutions of mid- and high-ranking officials; and war-crime denials that have been expressed, including by high-level political actors, in various settings (arts. 9, 11 and 24). (CED/C/SRB/OAI/1, para. 19)

The Committee recommends that the State Party intensify its efforts to ensure timely processing of investigations, reduce the backlog and ensure prosecution of all alleged perpetrators. (CED/C/SRB/OAI/1, para. 20)

### **Others – legal gap leading to legal uncertainty**

The Serbian government has not implemented a comprehensive plan to address the environmental and human rights impacts of mining activities in the Bor region. Affected individuals, including members of the Vlach minority, face significant challenges in bringing legal action due to the limitations of the Serbian legal framework. The Serbian Law on General Administrative Dispute restricts the ability of persons to challenge normative acts or omissions, such as the failure to issue spatial plans necessary for the relocation of affected communities. Under this law, only individual administrative acts that directly affect a party's rights or obligations can be challenged before the Administrative Court. Consequently, the Serbian legal system does not offer avenues to address the lack of relocation plans for those impacted by mining activities. This legal gap leaves affected communities without effective remedies to address the systemic issues caused by mining operations. (SRB 5/2025)

## Pillar II: Anti-corruption

Corruption has a destructive effect on State institutions and it undermines the functioning and legitimacy of institutions and processes, the rule of law and ultimately the State itself. In particular, corruption effects on the capacity of States to respect, protect and fulfil human rights particularly of those persons and groups in situation of vulnerability and marginalization.

Corruption pose a major challenge to many societies as they divert public revenues and cripple public budgets that should provide healthcare, housing, education, and other essential services, they undermine States' ability to meet their minimum core obligations and their pre-existing legal obligations to maximize all available resources to respect, protect and fulfil human rights.

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### **Institutional framework capacity to fight against corruption: Anti-Corruption Agency**

“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.” ([Statement](#) by the UN Working Group on Business and Human Rights)

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. ([Statement](#) by the UN Working Group on Business and Human Rights)

For 12 months, Serbs have rallied across the country, demanding accountability for the Novi Sad tragedy, action against corruption, and the release of individuals arbitrarily detained during or shortly after participating in peaceful protests. The authorities have dismissed these demands, accusing the protesters of inciting violence and alleging “foreign interference”. ([The UN High Commissioner’s press release](#))

### **Others - corruption in public procurement**

“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.” ([Statement](#) by the UN Working Group on Business and Human Rights)

“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.” ([Statement](#) by the UN Working Group on Business and Human Rights)

## Pillar III: Media Freedom

Free, independent, plural and diverse media are a core component of the right to freedom of expression, a cornerstone of democratic societies and plays an essential role in strengthening the rule of law. Journalists and the media are crucial to ensure transparency and accountability for public and governmental authorities.

### For more info:

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### Framework for journalists' protection - Smear campaigns against journalists

Government officials, members from the ruling party and media outlets reportedly affiliated with the latter have reportedly been actively leading and participating in smear campaigns and the spread of misinformation against independent journalists and media. Such attacks, mostly been expressed on social media posts or in remarks to the press, have reportedly included insults and threats directed at journalists working independently and for the N1 news organization, among others. This discourse emanating from public officials stigmatized and criminalized the professional activity of the targeted journalists. In this context, several journalists have been subjected to incidents of verbal and physical attacks by unidentified citizens in recent months. Journalists reporting on public affairs often face intimidation and harassment in connection to their work. On 11 March 2025, approximately one hundred individuals blocked the N1 television building in Belgrade, preventing journalists and employees from carrying out their work freely. Public officials reportedly participated in this blockage. Although present, the police reportedly did not intervene to end the blockade or ensure the uninterrupted operation of the media organization. ([SRB 1/2025](#))

## Pillar IV: Checks and Balances

Civic space is the environment that enables civil society to play a role in the political, economic and social life of our societies. In particular, civic space allows individuals and groups to contribute to policy-making that affects their lives, including by: (1) accessing information; (2) engaging in dialogue; (3) expressing dissent or disagreement, and (4) joining together to express their views. An open and pluralistic civic space that guarantees freedom of expression and opinion as well as freedom of assembly and association, is a prerequisite for making development and peace sustainable.

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### The enabling framework for civil society - intimidation and threats against human rights defenders

The UN human rights experts are particularly alarmed by reports of restrictions on academic freedom and university autonomy; violations of the rights to education, privacy, peaceful assembly, and freedom of expression—especially targeting students and staff—as well as violence against peaceful protestors and the stigmatization of student movements, human rights defenders, journalists, and other civil society actors. Of further concern is the labeling of protestors as “terrorists” by media outlets, government representatives, and the President himself, which, in addition to appearing contrary to the presumption of innocence under article 14 of the ICCPR with respect to protestors charged with criminal offences, risks having a chilling effect on the exercise of protected rights and freedoms. ([SRB 6/2025](#))

During the official visit to Serbia by the UN Working Group on Business and Human Rights, the experts 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.”

[\(Statement by the UN Working Group on Business and Human Rights\)](#)

The academic community in Serbia has been allegedly subjected to aggressive and sustained smear campaigns and public vilification. Authorities and progovernment media have increasingly framed the protests as a threat to national stability, advancing narratives of a planned coup and foreign interference. These campaigns reportedly orchestrated or supported by state authorities, including through official public statements, have systematically targeted students and university representatives. They have been accompanied by intensified calls for arrests and, in some cases, acts of violence against members of the academic community. Of particular concern is a coordinated and prolonged smear campaign directed at academic leaders and students, raising serious questions about the misuse of state resources to discredit dissenting voices within the education sector. Notably, the Rector of the University of Belgrade has reportedly been publicly vilified by senior government officials, including calls for his arrest by high ranking state representatives. He has been portrayed as the instigator of university blockades and labeled a symbol of corruption. Calls for his arrest have reportedly intensified recently. ([SRB 6/2025](#))

## **The enabling framework for civil society - SLAPPS**

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." (Statement by the UN Working Group on Business and Human Rights)

## **The enabling framework for civil society- Others - right to participation**

Serbia's regulatory framework provides for the right to participate, including in environmental decision-making. The UN Working Group on Business and Human Rights 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. (Statement by the UN Working Group on Business and Human Rights)

## **The enabling framework for civil society – the use of surveillance and spyware**

It is reported that advanced phone spyware alongside mobile phone forensic products were used to unlawfully target journalists, environmental activists and other individuals in a covert surveillance campaign. Serbian police and the Security Information Agency (Bezbednosno-informativna Agencija – BIA) have reportedly used an Android spyware system, NoviSpy, to covertly infect individuals' devices during periods of detention or police interviews. The spyware products used were reportedly used by Cellebrite, a firm headquartered in Israel. NoviSpy can capture sensitive personal data from a target phone and provide capabilities to turn on a phone's microphone or camera remotely, while Cellebrite forensic tools are used to both unlock the phone prior to spyware infection and also allow the extraction of the data on a device. The devices of human rights defenders and journalists were infected during arrests and detention by police on various suspicions, including driving under the influence of alcohol. The individuals concerned had to hand in their mobile devices during their interrogation and questioning, and they appeared tampered with afterwards. This tactic of installing spyware covertly on people's devices during detention or interviews appears to have been widely used by the authorities. (SRB 1/2025)

## **Organization of financial support**

"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," (Statement by the UN Working Group on Business and Human Rights).

## **The enabling framework for civil society - Others - freedom of association and assembly**

The largest protest was held on 15 March 2025 in Belgrade, with several hundreds of thousands of participants (some information indicates that the number of participants could have been over 300.000), the biggest in Serbian history. High level public officials, including the President of Serbia, denied accusations of the use of a “sonic weapon” or “sound cannon” against peaceful protestors, and stated that people “spreading ‘panic and lies’ would be held accountable”. The Chief Public Prosecutor’s office ordered the First Basic Prosecutor’s Office in Belgrade to identify individuals claiming that dozens of people were treated for the effects of a sound weapon and indicated that those claims may constitute a criminal act for causing “panic and disorder”. (SRB 2/2025)

The apparently unauthorized sound device that has led to multiple further allegations of injury and illness arising from this weapon also creates concern about the compliance of the Government with the absolute prohibition of torture and ill treatment and obligations under the Convention against torture and other cruel, inhuman or degrading treatment or punishment (CAT). These reported episodes are bound to have a chilling effect and create an atmosphere of fear with regards to the exercise of the right to freedom of peaceful assembly and expression, especially in relation to dissent and critical voices, and result in the shrinking of civic space. “Failure to respect and ensure the right of peaceful assembly is typically a marker of repression” (CCPR/C/GC/37, para. 2). (SRB 2/2025)

The alleged use of an undisclosed sound weapon is a matter of particular concern. Under the overarching obligation to prevent acts of torture and other illtreatment (including pursuant to article 2 of the CAT), Serbia has obligations to regulate and monitor the production, procurement and use of police and law enforcement equipment (A/78/324; A/HRC/31/66). Extra caution is required in the deployment of experimental weaponry, which sonic devices would fall into this category, as they are not well known, nor the full medical and other consequences of their use is adequately researched. These weapons and devices pose a risk of causing temporary or permanent hearing damage, depending on the model, distance and duration of exposure. (SRB 2/2025)

Reports received indicate a sharp escalation in the policing of civic actions and student-led protests in Serbia since the end of June 2025. At a certain juncture, more than 200 peaceful protests have been documented across the country, reflecting widespread civic engagement. These assemblies have increasingly been met with a heightened and, at times, forceful response by police authorities. These developments follow a broader pattern of concern, including reports of mass surveillance, arbitrary arrests, and public defamation of protesters. Pressure on students has intensified, culminating in arrests, 30-day detentions, physical assaults by law enforcement officers, and widespread smear campaigns led by high-ranking state officials. (SRB 6/2025)

Civil society organizations have documented at least 274 arrests of individuals participating in these actions, including high school and university students. According to information provided by the Higher Public Prosecutor’s Office, the legal basis for arrests at protests and mobile blockades, states that “Members of the Ministry of Internal Affairs are authorized to undertake legally prescribed powers and actions in order to preserve public order and peace, security, protect the lives, rights and freedoms of citizens, as well as protect property”. Reports indicate that several detainees sustained serious injuries—including broken jaws, collarbones, and ribs—allegedly because of beatings during protests, during arrest, in police vehicles, or in detention. Particularly alarming are accounts from the night of 3 July 2025, when riot police reportedly stormed the area in front of the Faculty of Law in Belgrade, forcibly removing students attempting to seek refuge inside the building. At least 23 students were arrested and four hospitalized with serious injuries. (SRB 6/2025)

It is also important to note the lack of proper identification of law enforcement officers during recent operations within the context of protest management. A significant number of officers were observed either without any visible identification or operating in plain clothes, making it impossible to determine their affiliation or hold them accountable for their actions. This lack of transparency undermines public trust and raises serious questions about the legality and oversight of law enforcement conduct, particularly in the context of potential human rights violations. (SRB 6/2025)

## **The enabling framework for civil society - Strategy for Creating an Enabling Environment for the Development of Civil Society**

The UN Committee on Economic, Social and Cultural Rights notes with appreciation the measures taken by the State party to create an enabling environment for human rights defenders, including the adoption of the Strategy for Creating an Enabling Environment for the Development of Civil Society in the Republic of Serbia for the Period 2022-2030 and the establishment of the Council for Creating an Enabling Environment for the Development of Civil Society in September 2023. The Committee also welcomes the inclusion of civil society organizations (CSOs) in the drafting of public policy documents and the organization of roundtables and consultative meetings to address threats and attacks against human rights defenders. ([CESCR follow-up letter to Serbia](#))

However, the Committee remains concerned about the lack of specific measures for the effective protection of human rights defenders, particularly in cases of harassment, intimidation, and violence, and the need to provide a safe and favourable environment for their work. The Committee regrets the absence of detailed information on the effectiveness of measures taken to ensure the safety of human rights defenders. ([CESCR follow-up letter to Serbia](#))

The Committee concludes that while the State party has made some progress in creating a supportive environment for civil society, further efforts are needed to strengthen protections for human rights defenders and ensure that all reported cases of harassment and violence are promptly and thoroughly investigated. The Committee assesses the implementation of the recommendations in paragraph 17(b) as partial progress. ([CESCR follow-up letter to Serbia](#))

## **Accessibility and judicial review of administrative decision – implementation of final judgment (ECHR)**

The UN Committee on Enforced Disappearance notes the information provided by the State Party regarding the adoption of the Law on missing babies in 2020. It also notes that following the enactment of the law and the establishment of a commission to investigate and to provide reparations, several cases have been resolved. However, it regrets that many of the motions filed are still pending, as are some of the measures that are necessary to comply with the 2013 judgment of the European Court of Human Rights in the Jovanović v. Serbia case (Application No. 21794/08) (art. 25). ([CED/C/SRB/OAI/1](#), para. 27)

The Committee recommends that the State Party ensure the investigation of all cases related to disappearances from maternity hospitals that occurred across Serbia and/or illegal intercountry adoptions, ensure the search for and identification of persons who may have been victims of those disappearances and/or adoptions, and provide reparation to those victims, considering their cases within the framework of enforced disappearance and in accordance with paragraphs 13 to 17 of the joint statement on illegal intercountry adoptions issued by the Committee and other human rights mechanisms. ([CED/C/SRB/OAI/1](#), para. 28)