



Resolution 2659 (2026)¹

The functioning of democratic institutions in Serbia

Parliamentary Assembly

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, in particular where such elections have been used as a mechanism for political advantage, and urges the Serbian authorities to ensure that early elections, where called, are conducted in accordance with the Constitution and under conditions that allow democratically elected members of parliament to carry out their tasks according to democratic standards.
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.

1. *Assembly debate* on 23 June 2026 (22nd sitting) (see [Doc. 16424](#), report of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee), co-rapporteurs: Ms Victoria Tiblom and Mr Yunus Emre). *Text adopted by the Assembly* on 23 June 2026 (22nd sitting).

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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;

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, on 20 May 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 adopted in parliament. The Assembly calls on the authorities to ensure that the reform of electoral legislation is in line with international electoral standards and to repeal any legislative provisions 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. It was also concerned that the laws were adopted without public consultation.

17. The Assembly welcomes the amendments to the "Mrdić laws" recently proposed by the Minister of Justice, which largely reverse the contested provisions adopted on 28 January 2026. In its "Follow-up opinion to the urgent opinion of 28 January 2026 amendments to laws governing the judiciary and the prosecution", adopted at its 147th plenary session (12-13 June 2026) ([CDL-AD\(2026\)017](#)), the Venice Commission concluded that seven out of its nine recommendations included in the urgent opinion of 24 April 2026 were fulfilled.

18. The Assembly calls on Serbian authorities to amend the "Mrdić laws" as soon as possible, in line with the recommendations of the Venice Commission and to pursue further reform of the judiciary and prosecution services in line with Council of Europe standards. 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.

19. 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.

20. 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.

21. 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.

22. 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.

23. 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.

24. 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.

25. 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 with fully independent persons capable of upholding media pluralism, including in the assessment of media ownership transfers.

26. 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.