



International Covenant on Civil and Political Rights

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Human Rights Committee

Concluding observations on the fourth periodic report of Serbia*

1. The Committee considered the fourth periodic report of Serbia¹ at its 4093rd and 4094th meetings,² held on 14 and 15 March 2024. At its 4109th meeting, held on 26 March 2024, it adopted the present concluding observations.

A. Introduction

2. The Committee welcomes the submission of the fourth periodic report of Serbia and the information presented therein. It expresses appreciation for the opportunity to renew its constructive dialogue with the State party's high-level delegation on the measures taken during the reporting period to implement the provisions of the Covenant. The Committee is grateful to the State party for its written replies³ to the list of issues,⁴ which were supplemented by the oral responses provided by the delegation, and for the supplementary information provided in writing.

3. The Committee recalls its previous concluding observations⁵ and notes that the State party continues to declare that it is unable to monitor the application of the Covenant in Kosovo⁶ owing to the fact that, pursuant to Security Council resolution 1244 (1999), civil authority there is exercised by the United Nations Interim Administration Mission in Kosovo.

B. Positive aspects

4. The Committee welcomes the adoption of the following legislative, policy and institutional measures:

- (a) The Law on Electronic Media, in October 2023;
- (b) The Law on Public Information and Media, in October 2023;
- (c) The Law on the High Prosecutorial Council, in February 2023;
- (d) The Law on Public Prosecution, in February 2023;
- (e) The Law on the High Judicial Council, in February 2023;
- (f) The Law on Judges, in February 2023;

* Adopted by the Committee at its 140th session (4–28 March 2024).

¹ [CCPR/C/SRB/4](#).

² See [CCPR/C/SR.4093](#) and [CCPR/C/SR.4094](#).

³ [CCPR/C/SRB/RQ/4](#).

⁴ [CCPR/C/SRB/Q/4](#).

⁵ [CCPR/C/SRB/CO/3](#).

⁶ All references to Kosovo in the present document should be understood to be in full compliance with Security Council resolution 1244 (1999).



- (g) The Law on Organization of Courts, in February 2023;
 - (h) The Law on the Protector of Citizens, in November 2021;
 - (i) Amendments to the Law on the Prohibition of Discrimination, in May 2021;
 - (j) The Law on Gender Equality, in 2021;
 - (k) The Law on Prevention of Corruption, in 2019;
 - (l) The Law on Public Procurement, in 2019;
 - (m) The Law on Free Legal Aid, in 2018;
 - (n) The National Strategy for the Prosecution of War Crimes 2021–2026, in October 2021;
 - (o) The National Strategy for the Prevention and Suppression of Violence against Women in the Family and in Intimate Partner Relationships 2021–2025, in April 2021;
 - (p) The National Strategy for Prevention and Protection of Children from Violence 2020–2023, in May 2020;
 - (q) The National Strategy for Exercising the Rights of Victims and Witnesses of Criminal Offences 2020–2025, in July 2020.
5. The Committee welcomes the State party's ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, in September 2023.

C. Principal matters of concern and recommendations

Implementation of the Committee's recommendations and Views

6. While welcoming the State party's indication that it plans to establish a specific mechanism for monitoring the implementation of the Views issued by United Nations treaty bodies, the Committee remains concerned that, at present, there is no mechanism in place to monitor the implementation of its Views on individual petitions (art. 2).
7. **The State party should expedite the establishment of a specific mechanism for monitoring the implementation of the Views issued by United Nations treaty bodies and ensure that the Committee's Views are systematically disseminated and implemented.**

National human rights institution

8. While welcoming the adoption, in November 2021, of the Law on the Protector of Citizens, which includes measures to establish a clear and transparent process for the appointment of the Protector, the Committee regrets the lack of information provided by the State party on measures taken to establish a clear, transparent and participatory selection and appointment process for the membership of the Protector's decision-making body (art. 2).
9. **The State party should establish, in relevant legislation, regulations or binding administrative guidelines, a clear, transparent and participatory selection and appointment process for the membership of the Protector's decision-making body, including by promoting the participation of candidates from a wide range of societal groups.**

Anti-corruption measures

10. While noting the legislative framework in place to combat corruption, including the Law on Public Procurement and the Law on Prevention of Corruption, as well as the mandate and budget attributed to the Agency for the Prevention of Corruption, the Committee is concerned by information provided by the State party indicating that the Agency has filled no more than 40 per cent of the staff positions allocated to it and regrets the lack of information provided on mechanisms aimed at guaranteeing the Agency's independence. While noting the statistical information provided on corruption-related complaints, investigations, prosecutions and convictions during the reporting period, the Committee is

concerned by the lack of information provided on cases involving corruption committed by high-level public officials and politicians, and by reports indicating that high-profile convictions are rare (arts. 2 and 25).

11. The State party should strengthen implementation of its legal framework for combating corruption by taking appropriate measures to support the investigation and prosecution of all cases of corruption, particularly those involving high-level public officials and politicians, including by strengthening the mandate, staffing and independence of the Agency for the Prevention of Corruption and other relevant entities, ensuring the enforcement of transparency requirements in public procurement processes and guaranteeing effective protection for whistle-blowers. Furthermore, it should ensure that public officials found guilty of corruption are sanctioned commensurately with the gravity of the offence.

Anti-discrimination framework

12. While welcoming measures taken by the State party to strengthen its legislative and strategic framework with regard to discrimination, including the amendments adopted in May 2021 to the Law on the Prohibition of Discrimination and the adoption of the National Strategy for Prevention and Protection against Discrimination for the period 2022–2030, the Committee regrets that the statistical data provided by the State party on complaints of discrimination brought before the national courts were not sufficiently disaggregated and appear to reflect a low number of convictions for discrimination. The Committee further regrets that the data provided on complaints addressed to the Commissioner for the Protection of Equality did not include information on their outcomes, and that no information was provided on redress afforded to victims through either the courts or the Commissioner (arts. 2 and 26).

13. The State party should take appropriate measures to strengthen the implementation, monitoring and enforcement of its anti-discrimination legal and policy framework, including by ensuring the collection of fully disaggregated data on discrimination complaints received and their outcomes.

Hate crimes

14. While acknowledging the steps taken by the State party to strengthen its legislative and judicial response to hate crimes, including the application of article 54a of the Criminal Code, which provides for hate-based motives to be considered as an aggravating circumstance, and the inclusion of provisions on hate speech in the Code of Conduct for Members of Parliament, adopted in 2020, the Committee is concerned by the continued prevalence of hate speech in public discourse, both online and in traditional media, including by politicians and high-level officials, in particular towards journalists, Roma and other ethnic or national minorities, and lesbian, gay, bisexual, transgender and intersex persons (arts. 2, 20 and 26).

15. The State party should:

(a) Investigate hate crimes thoroughly, ensure that perpetrators are prosecuted and, if convicted, punished with appropriate sanctions, and provide victims and their families with access to full reparations;

(b) Effectively implement and enforce existing legal and policy frameworks on combating hate crimes and continue providing effective training to law enforcement officials, judges and prosecutors on investigating hate crimes and on the State party's guidelines for prosecuting hate crimes;

(c) Take effective measures to prevent and publicly condemn hate speech, in particular hate speech by politicians and high-level officials;

(d) Intensify action to tackle the prevalence of online hate speech, in close cooperation with Internet service providers and social networking platforms and in close consultation with the groups most affected by hate speech;

(e) **Reinforce awareness-raising campaigns for public officials, teachers and students at all levels of the education system, and the general public, in order to promote respect for human rights and diversity.**

Discrimination against lesbian, gay, bisexual, transgender and intersex persons

16. The Committee remains concerned about the continued prevalence of acts of discrimination, intolerance and violence against lesbian, gay, bisexual, transgender and intersex persons, including while those persons are exercising their right of peaceful assembly. The Committee is also concerned about the absence of a legal framework to regulate the rights and obligations that derive from same-sex partnerships and the resultant discrimination in access to a range of rights in areas such as property, pensions and inheritance. While welcoming the steps taken to facilitate the process of changing legal gender, such as the removal of the requirement for gender reassignment surgery, the Committee is concerned that it is still necessary to receive a psychiatric diagnosis, that the process is overly bureaucratic and that there is a lack of knowledge among relevant State officials about the process (arts. 2, 7, 20, 21 and 26).

17. **The State party should redouble its efforts to combat discrimination, stereotypes and prejudice against lesbian, gay, bisexual, transgender and intersex persons. In this connection, the State party should:**

(a) **Continue combating stereotypes about, and negative attitudes towards, persons on the basis of their real or perceived sexual orientation or gender identity, including through public information campaigns and sex education programmes in schools that provide students with full, accurate and age-appropriate information on sexuality and different gender identities;**

(b) **Ensure that lesbian, gay, bisexual, transgender and intersex persons are able to exercise their right of peaceful assembly without fear of violence or intimidation;**

(c) **Adopt or amend legislation with a view to fully ensuring the equal treatment of same-sex couples and guaranteeing them all the rights recognized in the Covenant;**

(d) **Adopt or amend legislation on changing legal gender, remove unjustified requirements from the process and introduce simple and accessible administrative procedures that are consistent with the Covenant;**

(e) **Ensure that offences motivated by a victim's sexual orientation or gender identity committed by individuals or State officials are investigated promptly, that those responsible are brought to justice and, if convicted, appropriately punished, and that the victims receive comprehensive reparations, including rehabilitation and compensation.**

Roma exclusion

18. While acknowledging the steps taken by the State party and the progress achieved, notably in addressing barriers to birth registration, lowering infant mortality rates and increasing educational opportunities, the Committee reiterates its concerns that, despite the State party's efforts, members of the Roma community continue to suffer from significant discrimination and marginalization. The Committee is concerned that the Roma community, in particular internally displaced Roma living in informal settlements, continues to suffer from high rates of poverty and exclusion, as reflected in their lower education, employment and health outcomes, and lacks access to basic services, such as electricity, drinking water and sanitation. While acknowledging the relevant steps taken by the State party to improve the level of participation of Roma in public and political life, the Committee is also concerned by reports that the Roma community did not sufficiently and meaningfully participate in the development of the Strategy for Social Inclusion of Roma and the corresponding plan, adopted in 2022 (arts. 2, 7, 25, 26 and 27).

19. **The State party should take effective measures to address the discrimination and marginalization faced by the Roma community, including by:**

(a) **Allocating sufficient resources to poverty reduction measures targeting the Roma community, and designing such measures so as to ensure that they effectively reach all Roma persons living in poverty;**

(b) **Strengthening and expanding the provision of education for Roma children and the teaching of Roma language and culture in schools;**

(c) **Strengthening and expanding special measures to increase the participation of the Roma community in public and political life, including measures aimed at enhancing Roma employment within local authority administrations;**

(d) **Promoting non-discriminatory access to opportunities and services in all fields for members of the Roma community;**

(e) **Implementing awareness-raising campaigns in schools to address the discrimination faced by the Roma community.**

Gender equality

20. While acknowledging the significant steps taken to promote gender equality, including the adoption, in 2021, of the Law on Gender Equality, which also addresses the issue of unpaid domestic work, the Committee remains concerned about the persistence of gender biases and stereotypes concerning the roles and responsibilities of women and men in the family and society at large, which result, inter alia, in a range of labour market inequalities, including a salary gap and lower labour market participation rate for women. The Committee is also concerned about the reported prevalence of misogynistic and discriminatory statements against women, including by political and religious representatives, which are often amplified in the press and other media (arts. 2, 3 and 26).

21. **The State party should strengthen its strategies to raise public awareness, with a view to combating gender biases and stereotypes held in society about the roles and responsibilities of women and men in the family and in society, and take all measures necessary to address persistent labour market inequalities. It should also take appropriate steps to ensure a more comprehensive response to misogynistic and discriminatory statements against women, including by political and religious representatives.**

Violence against women, including domestic violence

22. While acknowledging the important steps taken, the Committee remains concerned by the continued prevalence of violence against women, particularly women from marginalized groups, including Roma women and girls, women with disabilities and older women. The Committee is particularly concerned by the high level of domestic and intimate partner violence and regrets the lack of information received on measures to extend the availability of reporting channels or to ensure effective access to adequately funded assistance services. The Committee is also concerned about reported failings in ensuring timely and effective protection responses to prevent femicide and regrets that the definition of rape in article 178 of the Criminal Code has still not been brought in line with international standards (arts. 3, 6, 7 and 26).

23. **The State party should:**

(a) **Continue and strengthen its efforts to prevent gender-based violence against women and to ensure that perpetrators are prosecuted and, if convicted, adequately punished, including through measures to encourage the reporting of such crimes and targeted measures for women who are particularly vulnerable, such as Roma women and girls, women with disabilities and older women;**

(b) **Ensure that all victims receive full reparations, including adequate compensation, and have access to appropriate protection and assistance;**

(c) **Amend article 178 of the Criminal Code to bring the definition of rape in line with international standards and give due consideration to the possibility of adopting a specific law to address femicide;**

(d) **Continue and expand the training of public officials, including judges, prosecutors, lawyers and law enforcement officers, on identifying and handling cases of violence against women, including femicide and domestic and sexual violence;**

(e) **Strengthen awareness-raising campaigns for society as a whole, in order to address social and cultural patterns and stereotypes that facilitate tolerance of gender-based violence.**

Disappeared persons and accountability for past human rights violations

24. While acknowledging the challenges faced by the State party with regard to cooperation with neighbouring countries and territories, the Committee remains concerned about the slow progress in elucidating the significant number of unresolved cases of disappeared persons, the lack of accountability for past human rights violations, in particular with regard to mid- and high-ranking officials, and the lack of a comprehensive and effective system of reparations for victims, including victims of conflict-related sexual violence. The Committee is also concerned about reports of politicians and State officials denying war crimes and the apparent absence of measures to ensure accountability in this regard (arts. 2, 6, 7, 9 and 16).

25. The State party should:

(a) **Continue and enhance efforts to ensure accountability for past human rights violations, including by strengthening cooperation with prosecutors' offices in neighbouring countries and territories, ensuring that accused persons are located and tried, and building upon the indictments issued in 2021 and 2022 against high-ranking military personnel;**

(b) **Expedite the adoption of the draft law on missing persons, ensuring that a comprehensive system is in place for the provision of reparations to victims, including victims of conflict-related sexual violence;**

(c) **Enhance cooperation with the International Residual Mechanism for Criminal Tribunals, including by arresting and surrendering persons charged by the Residual Mechanism;**

(d) **Ensure accountability for the denial of war crimes, including by politicians and public officials.**

Prohibition of torture and other cruel, inhuman or degrading treatment or punishment

26. While welcoming the adoption, in 2017, of the methodology for investigating cases of abuse by the police and related training, and noting the State party's indication that the scope of the methodology's application also covers cases of abuse by other law enforcement officials, the Committee is concerned by: the high number of complaints submitted in relation to alleged torture and ill-treatment, in particular by police officers; the lack of information received on investigations undertaken; the low rates of prosecution and conviction and the leniency of punishments handed down to perpetrators, which are primarily limited to fines; and the absence of information on reparations provided to victims. The Committee further regrets that the definition of torture in the Criminal Code is still not in line with the Covenant and other international standards (arts. 2 and 7).

27. The State party should:

(a) **Conduct prompt, thorough and impartial investigations into all allegations of torture and inhuman and degrading treatment, in line with the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol), ensuring that perpetrators are prosecuted and, if found guilty, punished with penalties commensurate with the gravity of the crime committed;**

(b) **Ensure that victims receive full reparations, including adequate compensation;**

(c) **Amend its Criminal Code to include a definition of torture that is fully in line with article 7 of the Covenant and other international standards;**

(d) **Strengthen and expand prevention measures, including through the systematic video and audio recording of police interrogations and relevant training for judges, prosecutors and all categories of law enforcement official, in order to ensure that they act in accordance with international standards, such as the Code of Conduct for Law Enforcement Officials and the Principles on Effective Interviewing for Investigations and Information-Gathering (the Méndez Principles).**

Liberty and security of person

28. The Committee is concerned by reports that the legal framework guaranteeing safeguards for detained persons is not always implemented in practice, including in cases where individuals have not been afforded the possibility to hold a confidential conversation with their lawyer prior to being presented before the prosecutor or have not been provided with a copy of the information sheet outlining their rights (art. 9).

29. **The State party should ensure that all fundamental legal safeguards are guaranteed in practice for all detained persons, in line with the Committee's general comment No. 35 (2014) on liberty and security of person, including the right of detainees to be assisted by a lawyer from the outset of the deprivation of liberty.**

Trafficking in persons and forced labour

30. While noting the steps taken by the State party to combat trafficking in persons and forced labour, the Committee remains concerned by their prevalence, with instances including children subjected to sexual exploitation and forced begging and vulnerable migrants, asylum-seekers and refugees subjected to labour and sexual exploitation. While noting the information provided by the delegation with regard to investigations into the alleged trafficking and labour exploitation of Vietnamese workers at the Linglong Tire factory, the Committee is concerned that no criminal sanctions have yet been imposed on the perpetrators in this case, and more broadly that bilateral labour and related agreements concluded by the State party with third countries do not systematically guarantee the application of workers' rights in line with international labour standards. The Committee is also concerned about the reportedly insufficient resources allocated to ensure effective identification of and assistance to victims, including rehabilitation and reintegration support services (arts. 3, 7, 8 and 24).

31. **The State party should:**

(a) **Enhance efforts to systematically identify, prevent and combat trafficking in migrants, refugees and asylum-seekers, especially those at heightened risk, such as unaccompanied and separated children;**

(b) **Strengthen measures to identify and combat child labour, including by children in street situations, and ensure that protection services have adequate capacities;**

(c) **Strengthen the labour inspection regime, including to ensure effective regulation of recruitment agencies and increase the transparency and oversight of bilateral agreements concluded by the State party with third countries, ensuring that the Labour Inspectorate retains the ability to enforce the State party's labour legislation in line with relevant international standards;**

(d) **Ensure that all cases of trafficking in persons are investigated thoroughly, that perpetrators, if convicted, receive adequate and deterrent punishment, and that victims have access to effective remedies and assistance, including rehabilitation and reintegration support services;**

(e) **Ensure that adequate resources are provided for the implementation of its programme to fight trafficking in persons 2024–2029, including through adequate resourcing of the Centre for the Protection of Victims of Trafficking in Human Beings;**

(f) **Proceed with plans to elaborate and adopt a dedicated law on combating trafficking in persons, in close consultation with all relevant stakeholders.**

Asylum-seekers and non-refoulement

32. While welcoming measures taken to facilitate the entry and temporary protection of all persons fleeing the conflict in Ukraine and in need of international protection, and the State party's significant progress in addressing the issue of statelessness among the Roma community, the Committee is concerned by reports of failures to ensure effective access to asylum procedures, including: alleged pushbacks and ill-treatment at land borders; failure to provide access to asylum procedures for persons refused entry at international airports and their subsequent de facto detention in airport transit zones; and failures of due process resulting in extraditions being effected without applications for interim measures of protection being allowed to take their course. The Committee is also concerned by reports indicating that conditions in some asylum reception centres fall short of international standards and by the lack of an adequate age determination procedure for children seeking asylum (arts. 6, 7, 9, 13 and 24).

33. **The State party should ensure respect for the principle of non-refoulement by ensuring that:**

(a) **Asylum-seekers and any persons in need of international protection are not deported, expelled or extradited to a country in which there are substantial grounds for believing that there is a real risk of irreparable harm, such as that set out in articles 6 and 7 of the Covenant;**

(b) **Asylum-seekers receive information about their right to seek asylum in a language they understand and that an individual assessment is carried out for all asylum applications;**

(c) **Asylum-seekers have effective access to an appeals process that is in line with international standards, including ensuring that the lodging of appeals has a suspensive effect on deportation, expulsion and extradition proceedings;**

(d) **All relevant officials, including border guards, receive adequate training on international standards, including the principle of non-refoulement, and that all allegations of pushbacks and ill-treatment are promptly, thoroughly and independently investigated and perpetrators, if found guilty, are punished appropriately;**

(e) **Conditions in all asylum reception centres are in conformity with international standards;**

(f) **The age determination procedure for children seeking asylum is in line with international standards.**

Independence of the judiciary

34. While welcoming recent constitutional and legislative reforms to strengthen the judicial sector, including measures to strengthen the independence of the judiciary and the public prosecution service, the Committee is concerned that prosecutors do not have a majority of votes on the newly established High Prosecutorial Council, which may undermine its independence (art. 14).

35. **The State party should ensure effective implementation of the safeguards for judicial and prosecutorial independence contained in recently adopted constitutional and legislative reforms, in line with article 14 of the Covenant and relevant international standards, and consider amending the existing framework to ensure that prosecutors have a majority of votes on the newly established High Prosecutorial Council.**

Right to privacy

36. The Committee is concerned that draft legislation introducing mass biometric surveillance through facial recognition technology may not be compatible with the right to privacy guaranteed under article 17 of the Covenant, in particular with regard to the criteria of necessity and proportionality. The Committee is also concerned by the lack of information provided by the State party regarding the legal safeguards, such as independent oversight mechanisms and judicial review, for its surveillance regime, including online surveillance. The Committee is also concerned about reports of personal data from criminal investigations being leaked by the authorities to certain media outlets and regrets the lack of information provided by the State party in this regard (arts. 2, 17 and 26).

37. The State party should ensure that draft legislation on the introduction of mass biometric surveillance is fully compatible with the Covenant, particularly article 17, ensuring that such legislation is drafted by means of an inclusive and participatory process involving all relevant stakeholders, including the Ombudsman and civil society organizations. The State party should ensure that adequate legal safeguards, including judicial review, are in place for its surveillance regime, including online surveillance, that personal data gathered in the context of criminal investigations remain confidential and that reports of personal data from criminal investigations being leaked by the authorities to media outlets are fully and independently investigated.

Freedom of expression and safety of journalists

38. The Committee welcomes the adoption, in October 2023, of the Law on Public Information and Media and the Law on Electronic Media, which included measures to strengthen the independence of the Regulatory Authority for Electronic Media through changes to the process for electing members of its Council. However, the Committee remains concerned about insufficient media pluralism and reports of unequal access to public funding and to State officials for outlets considered critical of the Government. The Committee is also concerned about the reported rise in intimidation, smear campaigns and attacks on human rights defenders, activists, opposition leaders and journalists, including by means of strategic and unwarranted lawsuits, as well as the intimidatory use, in July 2020, of anti-money-laundering legislation to extract sensitive information from civil society organizations and media in the context of “The List” case. The Committee is particularly concerned by the reported impunity for many such acts, including for the murder of the journalist Slavko Ćuruvija in 1999 (arts. 2, 6, 7 and 19).

39. In accordance with article 19 of the Covenant and the Committee’s general comment No. 34 (2011) on the freedoms of opinion and expression, the State party should:

(a) **Ensure the prompt, independent and impartial investigation of all reported cases of violations of freedom of expression, including violent attacks on journalists, media workers and human rights defenders, prosecute suspected perpetrators and, if found guilty, punish them with appropriate penalties, and provide victims with effective remedies;**

(b) **Promote media pluralism by fostering a media environment in which independent and State-controlled media are afforded equal opportunities to access public funding and to report on information of public interest, and by ensuring effective enforcement of laws relating to the transparency of media ownership;**

(c) **Ensure the independence of regulatory institutions, such as the Regulatory Authority for Electronic Media, through effective enforcement of the legal and regulatory framework;**

(d) **Ensure that safeguards are in place to prevent the use of strategic litigation or anti-money-laundering and terrorism legislation to unduly target or restrict the activities of civil society organizations, activists, human rights defenders and journalists;**

(e) **Ensure the effective implementation of prevention and response frameworks in order to promote the safety of journalists.**

Right of peaceful assembly

40. The Committee is concerned that the notification requirements set forth in the Law on Public Assembly of 2016 constitute a de facto authorization regime that is not in conformity with the Committee's general comment No. 37 (2020) on the right of peaceful assembly. Furthermore, while noting the delegation's assurance that spontaneous assemblies are not prohibited, the Committee is concerned that the definition of spontaneous assemblies in that Law, which stipulates that to qualify as spontaneous such gatherings must not have been convened and must not have an organizer, is imprecise and has reportedly been used inappropriately to prosecute and fine persons participating in such gatherings based solely on comments made on social media (art. 21).

41. In the light of the Committee's general comment No. 37 (2020), which provides guidance on ensuring that requirements for the notification of assemblies and the regulation of spontaneous assemblies are compatible with the provisions of the Covenant, the State party should review the Law on Public Assembly of 2016 and consider amending its legislation and practices to ensure that individuals fully enjoy their right of peaceful assembly and to guarantee that any restrictions of that right comply with the strict requirements under article 21 of the Covenant.

42. With regard to the protests against coronavirus disease (COVID-19) pandemic restrictions held in Belgrade and other cities in July 2020, and while acknowledging the injuries suffered by a number of police officers as a result of violent acts by some protesters, the Committee is concerned by reports indicating that the police used excessive force against peaceful protesters and journalists, and that despite several investigations having been conducted in response to the complaints received, no police officers have been held accountable through criminal or disciplinary proceedings and no reparations have been provided to victims. The Committee is further concerned by reports that investigations have been hampered by the inability to identify perpetrators owing to the lack of appropriate identification markings on police uniforms (arts. 2, 7 and 21).

43. The State party should:

(a) Undertake prompt, thorough and independent investigation of all allegations of excessive use of force by law enforcement officers while policing assemblies, and ensure that suspected perpetrators are prosecuted and, if found guilty, punished appropriately, and that victims are provided with adequate compensation;

(b) Ensure that members of law enforcement and security forces receive specific training on non-violent methods for policing assemblies, in addition to training on international standards for the appropriate use of force, including the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the United Nations Human Rights Guidance on Less-Lethal Weapons in Law Enforcement;

(c) Ensure that law enforcement officers tasked with policing assemblies are clearly identifiable, including through strict enforcement of Decree No. 63 of 28 July 2023 on types of weapons, ammunition, means of coercion and equipment for police officers. In this regard, the State party is encouraged to expedite the adoption of the by-law currently being prepared to enhance the rules regarding the use of identifying insignia on police uniforms.

Participation in public affairs

44. The Committee is concerned about credible reports indicating numerous irregularities of a systemic nature in the context of the parliamentary and local elections held in December 2023, including: abuse of public resources; campaigning by officials; intimidation of and pressure on voters, including cases of vote-buying; breaches of the secrecy of the ballot; so-called family voting; ballot box stuffing; and the falsification of voters' signatures and statements of support in the context of registering electoral lists. The Committee regrets the lack of information provided by the State party in this regard, including on investigations relating to criminal complaints submitted to the Prosecutor's Office and complaints brought before the Constitutional Court, as well as on the effectiveness of the oversight mechanism for campaign financing (arts. 2 and 25).

45. **The State party should:**

(a) **Undertake prompt, thorough and independent investigation of all allegations of irregularities in the context of elections, and ensure that suspected perpetrators are prosecuted and, if found guilty, punished appropriately;**

(b) **Prevent intimidation and pressure on voters, including employees of public and State institutions and enterprises, and strengthen oversight mechanisms;**

(c) **Establish in law a clear separation between the official functions and campaigning activities of incumbents;**

(d) **Adopt a more robust and transparent verification process for electoral lists that involves systematically checking the validity of statements of support from voters;**

(e) **Strengthen oversight of campaign financing, including by strengthening the role of the Agency for the Prevention of Corruption;**

(f) **Conduct comprehensive voter education programmes, including on voters' rights, the prevention of group voting and the importance of voting by secret ballot.**

D. Dissemination and follow-up

46. **The State party should widely disseminate the Covenant, the two Optional Protocols thereto, its fourth periodic report and the present concluding observations, with a view to raising awareness of the rights enshrined in the Covenant among the judicial, legislative and administrative authorities, civil society and non-governmental organizations operating in the country, and the general public. The State party should ensure that the periodic report and the present concluding observations are translated into the official language of the State party.**

47. **In accordance with rule 75 (1) of the Committee's rules of procedure, the State party is requested to provide, by 29 March 2027, information on the implementation of the recommendations made by the Committee in paragraphs 15 (hate crimes), 39 (freedom of expression and safety of journalists) and 45 (participation in public affairs).**

48. **In line with the Committee's predictable review cycle, the State party will receive in 2030 the Committee's list of issues prior to the submission of the report and will be expected to submit within one year its replies, which will constitute its fifth periodic report. The Committee also requests the State party, in preparing the report, to broadly consult civil society and non-governmental organizations operating in the country. In accordance with General Assembly resolution 68/268, the word limit for the report is 21,200 words. The next constructive dialogue with the State party will take place in Geneva in 2032.**