

Serbia 2023 Human Rights Report

Executive Summary

There were no significant changes in the human rights situation in Serbia during the year.

Significant human rights issues included credible reports of: serious problems with the independence of the judiciary; serious restrictions on free expression and the press, including violence, threats of violence, and unjustified legal cases against journalists; serious government corruption; trafficking in persons; and crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, intersex, or other sexual minority individuals.

The government took steps to identify, investigate, prosecute, and punish officials who may have committed human rights abuses, both in the police force and elsewhere in the government, following public allegations of abuses. Nevertheless, many observers believed numerous cases of corruption, social and domestic violence, attacks on civil society, and other abuses went unreported and unpunished.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or

Politically Motivated Killings

There were no reports the government or its agents committed arbitrary or unlawful killings, including extrajudicial killings, during the year.

The Office of the War Crimes Prosecutor (OWCP) investigated war crimes from the conflicts of the 1990s in the former Yugoslavia and issued indictments.

Criminal proceedings continued during the year before the Higher Court in Belgrade against eight individuals charged by the OWCP for war crimes against civilians in Srebrenica/Kravica in 1995.

Separately, in February the Higher Court in Belgrade reached two first-instance verdicts against members of the Army of Republic Srpska and members of the paramilitary group “Avengers” for war crimes against Bosniak civilians during the 1992-1995 war in Bosnia and Herzegovina (BiH). On February 7, the Higher Court in Belgrade sentenced Gojko Lukic, Dusko Vasiljevic, and Jovan Lipovac to 10 years in prison, and Dragana Djekic to five years in prison for conviction of involvement in the massacre of civilians at the railway station in Strpci, BiH in 1993. On February 9, the Higher Court in Belgrade sentenced Dalibor Krstovic, convicted of crimes against the civilian population in Kalinovik, BiH in 1992, to nine years in prison. In October the Court of Appeal in Belgrade annulled the first-instance verdicts for the defendants in the Strpci case and returned the cases for retrial due to

alleged procedural issues. The Humanitarian Law Center, a nongovernmental war crime monitoring body, stated sentences in the Strpci case were not sufficiently stringent and did not correspond with the normal practice of the Higher Court. The center called the decision to annul the first-instance verdicts in the Strpci case “inadmissible” and demonstrative of the court’s inability to conduct such proceedings in a professional manner.

The Humanitarian Law Center’s May 2022 annual report on war crimes cases in the country stated the OWCP continued to be ineffective. The report raised concerns regarding the lack of transparency in the indictments posted on the OWCP’s website, failure of witnesses to appear at war crimes trials, the proposal of trials in absentia, and officials’ continued glorification of war criminals and misrepresentation of the history of the wars in the 1990s. Nongovernmental organizations (NGOs) and international bodies continued to criticize the slow pace of war crimes prosecutions in the country.

Overall regional cooperation on war crimes remained limited. Bilateral agreements existed between the OWCP and its counterparts in BiH, Croatia, and Montenegro, and monitoring bodies reported some improvement in investigative cooperation between Serbia and BiH. As of December 1, the government had yet to enforce BiH’s final judgment in the case of Novak Djukic, who fled to Serbia following his conviction in BiH.

There were no remaining cases involving substantive atrocity crimes arising from the conflict in the former Yugoslavia at the International Residual

Mechanism for Criminal Tribunals (IRMCT). In June the IRMCT Appeals Chamber dismissed the appeals of two former officials in the Serbian government, Jovica Stanisic and Franko Simatovic, who had been convicted of war crimes and crimes against humanity in BiH. The Appeals Chamber found additional grounds for liability and increased the sentences of both defendants from 12 to 15 years. The IRMCT also issued arrest warrants for two Serbian defendants (Mirko Vrucinic and Milomir Savcic) wanted on contempt charges, but the government refused to turn them over and the individuals remained at large.

NGOs assessed that the final verdict of the IRMCT in the cases against Jovica Stanisic and Franko Simatovic proved Serbia's state security apparatus participated in establishing, aiding, funding, and organizing units that committed crimes during the wars in the 1990s in Croatia and BiH. Government officials did not publicly comment on the verdict.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses

Although the constitution and law prohibited such practices, there were

some reports government officials employed them.

In the first nine months of the year, the Ministry of Interior's Sector of Internal Control filed one criminal charge against a police officer based on reasonable suspicion he had committed a crime of abuse and torture.

From March 21-30, the Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) visited the country. The CPT reported the government had not taken sufficient action to prevent ill-treatment by police and did not fully implement the CPT's recommendations from 2017 and 2021. The CPT also reviewed the effectiveness of investigations by the prosecutorial authorities and the Internal Control Service of the Ministry of Interior into complaints of ill-treatment of detained persons by police officers.

The Belgrade Center for Human Rights reported police often questioned suspects without video or audio recordings of the questioning, and prosecutors often failed to order forensic medical examinations of victims of abuse in the prison system. When they did, medical examinations frequently were deficient. The center also noted numerous proceedings before the public prosecutors' office against police officers accused of use of force that was illegal, excessive, or both had not been concluded. According to the center, courts treated police officers leniently. The organization reported the prosecutor's office and the Ministry of Interior's Department of Internal Control failed to identify police officers responsible for abuse of

protesters in July 2020 and delayed proceedings to allow the statute of limitations for criminal prosecution to expire. According to some media outlets, all criminal charges against police officers who beat protesters at the July 2020 protests had been dropped.

Prison and Detention Center Conditions

Prison conditions were generally adequate, and inmates had access to quality food, potable water, sanitation, heating, ventilation, lighting, and medical care.

Abusive Physical Conditions: Physical abuse by police and prison staff of inmates occurred, and there were reports of impunity involving police during the year.

Administration: Authorities conducted investigations of credible allegations of mistreatment. In at least three cases, a court accepted protection requests from prisoners concerned for their lives or personal safety.

Independent Monitoring: Independent monitoring of prison conditions was allowed under the law, and the government provided access to independent monitors, such as the ombudsman, judges appointed for the enforcement of criminal sanctions, parliament's Committee for Control of Enforcement of Criminal Sanctions, and international monitoring organizations.

During the first half of the year, the country's National Mechanism for the

Prevention of Torture, a government oversight body, regularly visited locations that hosted detainees and issued recommendations to institutions and relevant ministries. The Ministry of Justice allowed regular visits to prisons by oversight bodies and generally took appropriate measures to implement their recommendations.

d. Arbitrary Arrest or Detention

The law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court and provided the right to obtain prompt release and compensation if found to have been unlawfully detained. The government generally observed these requirements.

The Ministry of Justice awarded damages to those held in detention longer than the law prescribed and later acquitted, or held in detention longer than their sentences.

Arrest Procedures and Treatment of Detainees

The constitution required police to inform arrested persons of their rights immediately, and authorities generally respected this requirement. Police could not question suspects without informing them of their right to remain silent and have counsel present. A prosecutor could elect to question a suspect or be present during police questioning. Statements provided by

suspects to police without a prosecutor present were admissible evidence only if given in the presence of a defense attorney.

The law required a judge to approve pretrial detention lasting longer than 48 hours, and authorities respected this requirement. The law provided alternatives to pretrial detention such as house arrest or bail, although prosecutors and judges usually applied pretrial detention. The most frequently used alternative was house arrest, with or without electronic monitoring. Authorities generally allowed family members to visit detainees. The law allowed for indefinite detention of prisoners deemed a danger to the public because of a mental disability.

Detainees were allowed access to a lawyer of their choice and could obtain access to counsel at the government's expense if they were charged with offenses for which conviction carried a possible prison sentence of at least three years and established they could not afford counsel, or if the law specifically required access to counsel for a type of case and circumstance. For offenses with sentences of eight or more years, access to counsel was mandatory. Detainees eligible for social welfare qualified for free legal aid regardless of the seriousness of the charges against them.

The law prohibited excessive delays in filing formal charges against suspects and in conducting investigations. Authorities could hold suspects detained in connection with serious crimes for up to six months before indicting them. By law, investigations were to conclude either within six months or

within 12 months in cases of special jurisdiction (organized crime, high corruption, and war crimes). If a prosecutor did not conclude an investigation within six months, or within 12 months in cases of special jurisdiction, a higher-level prosecutor's office was required to undertake measures to conclude the investigation. Investigations often lasted longer because there were neither clear timelines for concluding investigations nor any consequences for failing to meet prescribed deadlines.

Pretrial Detention: Courts were generally obliged by law to act with urgency when deciding on pretrial detention. There was no statutory limit to detention once the defendant was indicted. There also was no statutory limit for detention during appellate proceedings. Due to inefficient court procedures, cases often took extended periods to come to trial. The law provided a right to request compensation for the time spent in wrongful detention, i.e., if detainees were held in pretrial detention longer than the period prescribed by law in trials that ended in acquittal, or were held in detention longer than their eventual sentence.

e. Denial of Fair Public Trial

The constitution and law provided for an independent judiciary, but the government did not consistently respect judicial independence and impartiality. Independent international and domestic NGOs and monitoring bodies reported the judiciary was susceptible to corruption and political

influence. Government officials and members of parliament continued to comment publicly regarding investigations, court proceedings, or on the work of individual judges and prosecutors. This commentary was perceived to harm judicial independence and contributed to the perception of political influence over the courts. In February the Higher Public Prosecutor's Office in Belgrade reassigned two prosecutors, Bojana Savovic and Jasmina Paunovic, after the arrest of six suspects charged with embezzlement involving the publicly owned Electric Power Industry of Serbia. Many observers alleged the reassignments were politically motivated.

The government continued implementation of its *2021-2026 National Strategy for the Prosecution of War Crimes*; however, international and domestic monitoring groups reported the pace and scope of investigations and prosecutions was insufficient.

Trial Procedures

The constitution and laws provided for the right to a fair and public trial, and the judiciary generally enforced this right. The length of trials, transparency of procedures, and judicial efficiency, however, remained points of concern.

Defendants had the right to a fair and public trial without undue delay, although authorities could close a trial to the public if the trial judge determined it was warranted for the protection of public order and morality, national security, the interests of a child, the privacy of a

participant, or during the testimony of a state-protected witness.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

f. Transnational Repression

Not applicable.

g. Property Seizure and Restitution

The government had laws and mechanisms in place, and NGOs and advocacy groups reported the government made significant progress on resolution of Holocaust-era claims, including for foreign citizens.

The Department of State's *Justice for Uncompensated Survivors Today (JUST) Act Report* to Congress, released publicly in July 2020, can be found on the Department's website: <https://www.state.gov/reports/just-act-report-to-congress/>.

h. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution prohibited such actions, and the government generally respected these prohibitions. The law required the Ministry of Interior to obtain a court order before monitoring potential criminal activity and police

to obtain a warrant before entering property except to save persons or possessions. Human rights activists and NGOs nonetheless criticized what they characterized as a lack of effective parliamentary oversight of security agencies.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution provided for freedom of expression, including for members of the press and other media, but threats and attacks on journalists, a lack of transparency of media ownership, and the oversized role of the state in the country's media sector undermined these freedoms in some instances.

The *Nations in Transit 2023* report from Freedom House labeled the country as a “transitional or hybrid regime” and cited continued and increasing government pressure on independent media outlets and journalists, as well as increasing media domination and manipulation by the state-owned Telekom Srbija to justify this assessment. “Civil society and independent media in Serbia continue to work in a hostile atmosphere where smear campaigns against organizations or individuals by government officials and progovernment media are common,” Freedom House reported. The NGO Reporters Without Borders’ *2023 World Press Freedom Index* report

assessed “while Serbia has some of the most advanced legislation regarding the media, with a constitution that guarantees freedom of expression, journalists often operate in a restrictive environment, including self-imposed censorship.”

Freedom of Expression: The constitution prohibited the expression of beliefs that provoked or incited religious, ethnic, or racial hatred. Those who provoked or incited intolerance faced punishment ranging from months to years in prison. Article 75 of the Law on Public Information and Media banned hate speech, noting “ideas, opinions, and information published in media must not incite discrimination, hatred or violence against individuals or groups based on their (non)belonging to a certain race, faith, nation, sex, due to their specific sexual preferences, or other personal quality, regardless of whether their publishing constituted criminal offense.” The Law on National Minorities stipulated that the symbols of the country’s national minority communities could not be identical to those of another state and made it obligatory to fly the Serbian flag and a Seal of the Republic of Serbia together with national minority symbols during the celebration of a registered holiday of a national minority. The law also stipulated minority symbols could be displayed throughout the year at the entry to official premises of the National Minority Council but only when displayed together with state symbols of the Republic of Serbia.

Independent media were active but constrained in part by official support of

progovernment outlets. Media dependence on government advertising revenue strongly benefited political incumbents, who observers noted could leverage that reliance for political gain, and made it difficult for opposition leaders, who lacked broad access to media outlets and finances, to reach potential voters. The Regulatory Authority for Electronic Media (REM) extended national broadcasting licenses for another eight years to four television stations widely seen as editorially progovernment. Although REM was legally required to decide on a fifth national broadcasting license by November 2022, it had yet to do so by year's end.

Violence and Harassment: The law prohibited threatening or otherwise putting pressure on public media and journalists or exerting any other kind of influence that might obstruct their work, but attacks on journalists continued. According to data from the Independent Journalists' Association of Serbia, there were 137 attacks on journalists in 2022 and 113 attacks between January and September.

In December 2022, Jelena Obucina, a prominent journalist and anchor for the pro-opposition NovaS television channel, received threatening messages via Twitter critical of her reporting on the president, which was portrayed as threatening to him in progovernment media, including tabloids and nationally broadcast television. In April the Higher Court in Belgrade sentenced the sender to one year of house arrest.

In March the retrial of those accused of setting fire to the house of journalist

Milan Jovanovic in 2018 ended with convictions: Dragoljub Simonovic, former President of the Belgrade Municipality of Grocka and member of the governing Serbian Progressive Party (SNS), was sentenced to five years in prison; Vladimir Mihailovic was sentenced to four years; Igor Novakovic received three and a half years; and Aleksandar Marinkovic, as the direct perpetrator, was sentenced to four and a half years.

The Journalists' Association of Serbia, the Coalition for Media Freedom, and the SafeJournalists network alleged that during a protest in Belgrade on December 24, police attacked an *Al Jazeera* cameraman, hit a journalist from *Nova.rs* with a baton, and attempted to grab a Beta News Agency cameraman's camera. They condemned these attacks and called on the government to identify and initiate proceedings against those responsible. On December 25, an individual threatened and then assaulted *N1* journalist Mladen Savatovic during a live broadcast of a protest in downtown Belgrade. The Independent Journalists' Association of Serbia expressed concern that police did not react despite being nearby during the attack. Police later arrested a suspect after the Higher Public Prosecutor's Office in Belgrade ordered an investigation into the incident.

Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media: Economic pressure sometimes led media outlets to practice self-censorship, refraining from publishing content critical of the government due to a fear of government harassment or economic

consequences, according to media association representatives.

In part due to the saturation of the media environment, outlets continued to rely heavily on public funding. Direct government funding to media outlets was distributed in an opaque manner that appeared to support entities loyal to the governing coalition rather than bolstering independent journalism.

Government representatives continued to receive far more media coverage than opposition politicians. The law mandated equal coverage during campaign periods, but REM often considered campaign-style rallies by government officials to be official activities and therefore outside the scope of the law. Opposition leaders and civil society activists contended REM did not pursue its mandate effectively and continually sided with the governing coalition, ensuring an unfair media environment.

According to the watchdog organization the Center for Research, Transparency and Accountability (CRTA), most media were openly progovernment in their coverage. According to the center's *Media Monitoring of Political Pluralism June 2022 – May 2023* report, 95 percent of media coverage of the governing coalition was favorable. All national television channels (RTS, Pink, Prva, Happy, B92) exhibited a lack of pluralism in their reporting, with no significant differences observed among them. The president accounted for almost two-thirds of the total time devoted to political actors on television news programs with national coverage.

Libel/Slander Laws: The Criminal Code classified “insult” as a criminal offense, punishable with a fine ranging from 40,000 Serbian dinars (\$337) to 450,000 Serbian dinars (\$3,800). Defamation (defined as damage to one’s honor and reputation) could also be the subject of civil litigation. According to a report released in February 2022 by Article 19, the American Bar Association Center for Human Rights, and the Independent Journalists’ Association of Serbia, defamation cases often targeted independent media outlets and the authors of articles and social media posts that exposed malfeasance by government officials or criticized public figures. Even when defamation cases were dismissed, defendants were required to invest significant time and resources into their legal defense; many cases lasted for years. In the cases reviewed for the report, journalists and human rights defenders convicted of defamation were required to pay between 100,000 and 550,000 Serbian dinars (\$1,000-5,500) in compensation.

In May the Appellate Court in Belgrade overturned the defamation verdict against investigative journalism outlet KRIK. Minister of Interior Bratislav Gasic filed the complaint against KRIK after it mentioned him in a report on the trial of an alleged organized crime group by quoting released wiretapped conversations in which one of the defendants mentioned Gasic’s name in connection with organized crime. Gasic’s case against KRIK was one of 11 filed against the outlet in the prior two years, KRIK reported. International watchdog organizations stated the country’s courts did not fully comply with

international freedom of expression standards when ruling on cases brought by public officials against media that involved claims of harm in the form of “mental anguish.”

The use of strategic lawsuits against public participation (SLAPPs) also remained a concern. In March media reported Belgrade Mayor Aleksandar Sagic filed two separate defamation lawsuits against Balkan Investigative Network (BIRN) Serbia, its editor, and other journalists, claiming their reporting on alleged corruption pertaining to two properties he owned damaged his reputation and caused him mental anguish. SNS member of parliament Vladimir Djukanovic also pressed charges against Vuk Cvijic, a journalist from the weekly publication *NIN*, on allegations of “causing emotional distress” after *NIN* published a document that claimed Djukanovic offered a bribe to police inspectors. Media organizations claimed such suits were an attempt to discourage public interest reporting and BIRN Serbia editor-in-chief Milorad Ivanovic stated the lawsuits were another example of SLAPPs, aimed at intimidating journalists and discouraging them from reporting on individuals and topics of public interest. The pervasive use of SLAPPs was intended to drain the targets’ financial and psychological resources and chill critical views to the detriment of public participation, according to a report on such lawsuits in the country published by Article 19, the American Bar Association Center for Human Rights and the Independent Journalists’ Association of Serbia.

Nongovernmental Impact: During the year, several media outlets published articles accusing numerous journalists, NGO activists, and independent institution representatives of being “traitors” to the country and attempting to overthrow the constitutional order. NGOs and their employees received frequent threats that often mirrored or amplified rhetoric employed by public figures on social media. They were often targeted by distributed denial of service attacks intended to take their websites offline.

Internet Freedom

There were no confirmed reports the government restricted or disrupted access to the internet, monitored private online communication without appropriate legal authority, or censored online content.

There were reports regarding the use of bots or trolls to manipulate social media discourse. In July a list containing more than 14,000 alleged bot accounts of the SNS on social networks appeared on the internet, with the names and surnames of the persons behind them and their location. These bot accounts were linked to public servants across the country, including schoolteachers, municipal workers, heads of city services. The Social Research Bureau and Gradjanski Preokret organization launched an initiative for the adoption of an antibot law and called on the SNS “to dismantle its bot factory.” After the list was published, SNS initiated a promotional campaign with messages that presented trolling as an act of patriotism.

b. Freedoms of Peaceful Assembly and Association

The law provided for the freedoms of peaceful assembly and association, but the government limited these rights in some cases. The platform Three Freedoms for Preserving the Space for Civil Society in Serbia continued to register and report cases of alleged infringement of the rights of freedom of association, peaceful assembly, and expression.

Freedom of Peaceful Assembly

The constitution provided for the freedom of assembly, and the government generally respected the right, with some exceptions. The law obliged protesters to apply to police for a permit, providing the exact date, time, and estimated number of demonstrators. Police generally issued a permit if a protest was not likely to disturb the public or public transportation; otherwise, police consulted with city authorities before issuing a permit. Higher-level government authorities decided whether to issue permits for gatherings assessed as posing high-security risks.

There were several instances in which the government did not allow public protests or subjected citizens to pressure, coercion, or threats for their participation or nonparticipation in public demonstrations. For example, the government prevented farmers from entering Belgrade to protest what they deemed was insufficient government support for agriculture. Weekly protests under the name “Serbia Against Violence” took place across the

country in response to two mass shootings in May in Belgrade and Mladenovac. The government generally allowed these protests to proceed without large-scale arrests and without violence directed toward the protesters. Public figures who supported and participated in protests were, however, targeted and threatened by government and SNS sympathizers. For example, several film and theater actors who publicly supported the protests received threats, including to their families and children, on social media. President of the Executive Board of the SNS Darko Glisic told film and theater actors who participated in the protests to “go and act elsewhere” if they disliked President Vucic, the country, or the government. Progovernment media discredited protesters and called them “violent drug and alcohol abusers” who terrorized citizens by blocking streets and highways. Civil society groups criticized statements made by President Vucic and other government officials that implied the protests were foreign-backed and an “attempted color revolution.” Civil society alleged such statements were intended to undermine the organizers’ credibility and discourage support for the protests.

Media reports and social network users alleged persons working in public companies or government offices across the country were pressured to participate in a progovernment rally in Belgrade in May. Some were threatened with being fired if they did not participate. Footage posted on social media appeared to show the distribution of money to individuals to

encourage their participation, and separate footage appeared to show governing party security preventing persons from leaving a rally in support of the SNS in Pancevo.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The law provided for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

e. Protection of Refugees

The government cooperated with the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

Access to Asylum: The law provided for the granting of asylum or refugee status, and the government had a system for providing protection to refugees. The Asylum Office within the Ministry of Interior (Border Police

Department) was responsible for refugee status determination but lacked sufficient capacity, resources, and trained staff to do so effectively.

Additionally, the law did not provide for a court to assess appeals, making the appeals procedure ineffective and cumbersome. A rejected asylum seeker could only file a lawsuit before the Administrative Court after an unsuccessful appeal before the Asylum Commission. NGOs assessed the majority of refugees in the country had unresolved legal status and limited access to important legal information and free legal aid.

According to the commissariat for Refugees and Migrations, as of August only six asylum applications were granted.

The government's Centers for Social Work provided temporary guardianship for unaccompanied child refugees and asylum seekers. Together with NGOs and international organizations, the commissariat ran integration programs for asylum seekers that included cultural integration programs and Serbian language classes. Together with UNHCR, the commissariat supported employment for asylum seekers whose applications were granted.

According to the Asylum Protection Center, only 440 of more than 30,000 irregular migrants recorded by the commissariat who entered the country between January and May expressed an intention to apply for asylum. The center claimed the asylum system was only able to respond to short-term needs of refugees and lacked the capacity for sustainable reception of greater numbers of refugees and asylum seekers and their integration.

During the year amendments to the Employment of Foreigners Act reduced the time asylum seekers were required to wait to access work permits from nine to six months.

Refoulement: Humanitarian organizations noted the government lacked the resources and expertise to consistently provide sufficient protection against refoulement. There were numerous documented cases of irregular migrants being expelled from the country without access to legally required asylum procedures, in circumvention of safeguards governing international protection.

In 2022, the UN Committee Against Torture requested the government delay the extradition of Ecevit Piroglu, a Kurdish politician and activist arrested in Serbia in 2021 and wanted by Turkey. Piroglu applied for asylum citing torture and political persecution in Turkey, but the Higher Court in Belgrade ruled in favor of his extradition to Turkey. On May 30, the Appellate Court in Belgrade ruled against that decision; Piroglu remained in the country as of December 1.

Abuse of Refugees and Asylum Seekers: There were some reported incidents of security force violence against asylum seekers and refugees. For example, media and NGO reports and video evidence indicated police officers in April physically abused migrants at the Mali Zvornik border crossing and at the reception center in Sombor.

Freedom of Movement: By law refugees granted asylum had the right to freely move within the country and abroad, but the government continued to not issue travel documents to recognized refugees or asylees. In July 2022, the European Court of Human Rights unanimously ruled Serbia had violated the right to freedom of movement of a Syrian refugee by not issuing him a travel document despite his being granted asylum.

Durable Solutions: The government provided support for the voluntary return and reintegration of refugees from other countries of the former Yugoslavia. Those who chose the option of integration in Serbia rather than returning to their country of origin enjoyed the same rights as citizens, including access to basic services such as health care and education, and had access to simplified naturalization in the country. They did not have the right to vote until their naturalization process was complete.

Together with BiH, Croatia, and Montenegro, Serbia participated in the Regional Housing Program to provide housing for vulnerable refugee families who had decided to integrate into their countries of residence.

Due to amendments made by the government to the Foreigners Act during the year, refugees who originated from countries outside the former Yugoslavia who were granted asylum were provided with a legal pathway to apply for citizenship – a right that previous legislation did not allow. The government provided integration assistance including financial assistance for one year of accommodation and obligatory Serbian language courses but

a lack of coordination among relevant ministries remained an impediment.

Temporary Protection: Temporary protection could be granted for one year on an extraordinary basis and could be extended once for an additional six months to one year. The government renewed temporary protection for Ukrainians and foreigners who had residence in Ukraine in March. By March 1, the government had granted temporary protection to 1,214 refugees from Ukraine. This temporary protection was scheduled to expire on March 18, 2024, absent legislative action to extend.

f. Status and Treatment of Internally Displaced Persons (IDPs)

The law provided protection to IDPs in accordance with UNHCR Guiding Principles on Internal Displacement, but implementation fell short in some areas. According to the United Nations, internally displaced persons were among the groups most affected by poverty in the country. These displaced persons were predominantly Serbs, Montenegrins, Roma, Egyptians, Ashkali, Gorani, and Bosniaks who left Kosovo, then an autonomous province of Yugoslavia, because of the 1998-99 war. Of these displaced persons, the SCRM considered 15,667 families, or approximately 65,000 persons, as extremely vulnerable and in need of assistance because they met one or more of the UNHCR vulnerability criteria. The criteria included households with income below the poverty line; persons living in undignified conditions;

persons with mental or physical disabilities; single parents; and elderly persons, women, and children or adolescents at risk.

Media reports indicated Roma remained the most vulnerable and marginalized displaced population in the country. Internally displaced Roma faced discrimination, high unemployment rates, and an inability to satisfy basic nutritional needs or pay for utilities, health care, hygiene, education, and local transport. The vast majority of them were not able to integrate into society or return home. While government officials continued to state publicly that displaced persons from Kosovo should return, senior government officials also claimed it was unsafe for many to do so.

Local NGOs and international organizations provided additional housing, economic assistance, and free legal assistance for civil registration, resolution of property claims, securing work rights, and obtaining personal documents. According to research by UNHCR's local NGO partner, the A11 Initiative for Social and Economic Rights, living conditions of displaced persons in informal collective centers were extremely difficult due to the lack of or limited electricity, drinking water, and access to bathrooms, as well as health problems, lack of health care, and unemployment. The government did not limit access to NGOs or other civil society groups supporting internally displaced persons.

For further information regarding IDPs in the country, please see the materials of the Internal Displacement Monitoring Center:

<https://www.internal-displacement.org>.

g. Stateless Persons

According to UNHCR, approximately 785 persons were at risk of statelessness in the country; some of whom remained without birth registration, while others did not have citizenship, personal identification cards, or registered residences. According to UNHCR, more than 95 percent of the population at risk of statelessness were Roma, primarily Romani IDPs from Kosovo. The country had laws and procedures giving individuals the opportunity for late birth registration and residence registration as well as the chance to gain nationality. Children whose parents lacked personal documents (identification cards) could not, however, be registered immediately after birth, creating additional cases of persons at risk of statelessness. Poverty, social marginalization, lack of information, cumbersome and lengthy bureaucratic procedures, difficulty in obtaining documents, lack of an officially recognized residence, and lack of birth registration limited the ability of those at risk of statelessness to gain nationality. The Romani population needed legal assistance in the civil registration procedure, obtaining documentation, and the procedures for acquisition of nationality needed to access basic socioeconomic benefits of citizenship and full inclusion into society. Nonetheless, NGOs assessed the country made significant progress on this matter during the past decade thanks to coordinated efforts among the government, UNHCR, and civil

society organizations.

Under existing regulations, children of undocumented parents could be without birth registration for upwards of a year. Until registration, children remained legally invisible, at risk of statelessness, and deprived of access to numerous rights, such as health care and social protection. The Ministry for Public Administration and Local Self-Government, the Ombudsman's Office, and UNHCR had a memorandum of understanding to resolve problematic birth registration cases through a case-by-case approach.

Persons at risk of statelessness did not have access to social protection rights such as cash assistance, child and parental allowances, or soup kitchen services.

Section 3. Freedom to Participate in the Political Process

The law provided citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Abuses or Irregularities in Recent Elections: In December the country held snap parliamentary elections, elections for the Vojvodina provincial

assembly, and 65 local elections, including for the Belgrade City assembly. The OSCE Office for Democratic Institutions and Human Rights (ODIHR) Election Observation Mission concluded the country's legal framework provided an adequate basis for the conduct of democratic elections and that the elections were well administered and offered voters a choice of political alternatives, but effective implementation was lacking. ODIHR stated the conduct of voting on election day was generally smooth but marked by procedural deficiencies, including inconsistent applications of safeguards during voting and counting, frequent instances of overcrowding, breaches in secrecy of the vote, and numerous instances of group voting.

There were no restrictions on domestic civil society organizations limiting their ability to monitor and comment on the election process. The Center for Research Transparency and Accountability, a Serbian NGO, released preliminary findings on electoral irregularities in the Belgrade City assembly elections and reported "due to the scope and types of electoral abuses" observed in Belgrade, the "results do not reflect the freely expressed will of the voters who live there." Irregularities the center observed included political parties keeping parallel records of the voting process and suspicious vehicular movements near polling stations, along with compromised voting secrecy and failures to check voter identities.

Beginning on December 18, the leading opposition coalition, Serbia Against Violence, along with thousands of supporters, protested the elections

because of the alleged electoral irregularities. Opposition leaders demanded the annulment of elections at all levels and a repeat of the election for the Belgrade City assembly following an international investigation.

Political Parties and Political Participation: ODIHR assessed several shortcomings resulted in an uneven playing field in the December national elections favoring the incumbents, including undue pressure on public sector employees to support the governing SNS, significant campaign finance disparities, and misuse of administrative resources. While media covered all parties running in the elections, most public and private broadcasters with national coverage favored Vucic and the SNS, limiting the opportunity of voters to make fully informed choices. Electoral code requirements for government officials to clarify whether they were acting in their official or political party capacity when taking part in public events did little to reduce Vucic's and SNS officials' informal campaigning.

Section 4. Corruption and Lack of Transparency in Government

The law provided criminal penalties for corruption by officials, but the government generally did not implement the law effectively. There were numerous reports of government corruption, but convictions for high-level or significant political corruption were almost nonexistent.

Transparency International, through its *Corruption Perceptions Index*, reported high levels of corruption in the country despite the government's self-professed commitment to fight it. Retaliation against government officials who exposed corruption occurred. Civil society criticized the decisions of many anti-corruption officials as intended to protect high-profile political actors. It also criticized a lack of official response to whistleblower reports, stating many such cases were not investigated in accordance with the law or were intentionally dragged out.

Sporadic government investigations and prosecutions of low- to mid-level officials continued. Investigations into corruption allegations involving senior government figures, including ministers or politically connected individuals, were nonexistent, contributing to the perception of impunity for the powerful or well connected.

NGOs noted continued overuse of “abuse of office” or “trafficking in influence” charges for alleged corruption cases involving low-level officials and stated sentences for convictions under these charges did not serve as adequate deterrents. Despite the government's public commitment to fight corruption, both the country's Anti-Corruption Council and the NGO Transparency Serbia continued to point to a lack of governmental transparency. NGOs reported authorities often did not comply with the obligation to provide data to the Commissioner for Access to Information, pursuant to citizens' requests for information.

Corruption: There were numerous reported cases of indictments or convictions for corruption during the year. Most of the charges were filed for trading in influence, abuse of office, public procurement fraud on behalf of bidders, abuse by the responsible persons, and money laundering.

In August, Slobodan Milenkovic and Dusan Mitic were transferred from their positions in the Belgrade police's Department for the Fight Against Drugs in what many media and civil society speculated was retaliation for their role in uncovering the illegal Jovanjica marijuana farm, considered one of the largest in Europe and in which several high-ranking politicians were implicated. In February, the head of the Belgrade Anti-Corruption Office removed without explanation two prosecutors in the office who discovered corruption in the state-owned Electric Power Industry of Serbia.

For additional information regarding corruption in the country, please see the Department of State's *Investment Climate Statement* for the country, and the Department of State's *International Narcotics Control Strategy Report*, which includes information on financial crimes.

Section 5. Governmental Posture Towards International and Nongovernmental Monitoring and Investigation of Alleged Abuses of Human Rights

A variety of independent domestic and international human rights groups

generally operated without major government restriction to monitor or investigate human rights conditions or cases and publish their findings. Government officials were somewhat cooperative and responsive to the views of these groups. Cooperation between civil society groups and government institutions improved somewhat as the Ministry for Human and Minority Rights and Social Dialogue established the Council for Cooperation with and the Development of Civil Society, a body of 11 civil society organizations and nine government representatives tasked with improving the legal enabling environment for civil society.

Retribution against Human Rights Defenders: Despite the establishment of the Council for Cooperation with and the Development of Civil Society, civil society groups and individual activists continued to be subject to criticism, harassment, investigation, and threats from some public officials as well as nongovernmental actors, including progovernment media outlets and several suspected government-organized NGOs. In August unknown persons wrote threatening graffiti directed at the director of the Youth Initiative for Human Rights near her home in Belgrade. In August governing coalition parliamentarian Vladimir Djukanovic called on the government to prevent NGOs from receiving money from abroad and “do everything to expel from the country all NGOs which are under Hungarian-American businessman and philanthropist George] Soros’ patronage.” NGO activists claimed such statements were part of a wider, occasionally antisemitic,

narrative to undermine civil society and attempt to paint it as foreign backed. The Coordinator of the National Convention on the EU, Bojana Selakovic, stated attacks against NGOs were part of a wider attempt to undermine public trust in civil society organizations and discredit their members. Activists associated with a Russian antiwar NGO registered in the country were denied re-entry or had their residence permits denied or revoked in what they publicly claimed was “government intimidation” in response to their activism.

In October, two civil society activists received notifications from their cell phone operating systems informing them of possible targeting by state-sponsored spyware attacks. A joint investigation by Access Now, the SHARE Foundation, the Citizen Lab at the Munk School of Global Affairs & Public Policy at the University of Toronto, and Amnesty International reported they had been targeted by spyware. The report concluded the attacks were consistent with spyware attacks using NSO Group’s Pegasus spyware; however, the investigation could not determine the type of spyware used or from where or from whom the attack originated.

The United Nations or Other International Bodies: The government continued to refuse to transfer two members of the Serbian Radical Party to the IRMCT, which had charged them with contempt of court. According to the IRMCT, Petar Jojic and Vjerica Radeta influenced or intimidated witnesses while serving on the defense team of convicted war criminal

Vojislav Seselj in a manner that had a material effect on the conviction and length of Seselj's sentence. The government maintained that its domestic law on cooperation with the court did not obligate Serbia to transfer to the IRMCT suspects indicted for contempt of court, a legal interpretation the IRMCT disputed.

Government Human Rights Bodies: Government bodies dedicated to the protection of human rights included the Office of the Ombudsman, the Office of the Commissioner for the Protection of Equality, the Office of the Commissioner for Information of Public Importance and Personal Data Protection, and the Ministry for Human and Minority Rights and Social Dialogue. All were active during the year although observers argued they did not apply relevant laws and regulations consistently. NGOs assessed the effectiveness of specific independent institutions depended on who ran the organization and criticized poor selection processes for many of these positions. Professionals and human rights NGOs criticized the ombudsman for inaction or untimely action in cases that were politically sensitive or involved executive bodies.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: Rape of a person, regardless of gender and

including spousal and domestic or intimate partner rape, and other forms of sexual violence including so-called corrective rape of lesbian, gay, bisexual, transexual, queer, or intersex (LGBTQI+) persons was punishable by up to 40 years in prison. The government did not enforce the law effectively.

Domestic violence was punishable by up to 10 years' imprisonment. While the law provided women the right to obtain a restraining order against abusers, the government did not enforce the law effectively. According to media reports, domestic violence was the third most frequent criminal offense in the country. According to Vanja Macanovic of the Autonomous Women's Center, half of the charges for domestic violence were rejected by the courts; in each year since 2014, 59 to 64 percent of all domestic violence cases were rejected. According to research by the Autonomous Women's Center, on average 30 women were killed each year by their closest male family members. The research also showed in one-third of such cases the perpetrators previously threatened to kill the survivor. In March a man killed his partner, a mother of five, in Jagodina. Police arrested the perpetrator, who had a history of domestic violence.

Under the law, authorities could protect domestic violence survivors by temporarily removing perpetrators from homes for a minimum of 48 hours to a maximum of 30 days. This law required that police, prosecutors' offices, courts, and social welfare centers maintain an electronic database of individual cases of domestic violence and undertake emergency and

extended measures. According to the Commissioner for Protection of Equality, women often did not report violence due to fear of perpetrators, stigma, economic vulnerability, and a lack of trust in institutions. The Ministry of Interior operated a toll-free line available 24/7 for individuals to report domestic violence.

According to the think tank FemPlatz's report *Women's Rights and Gender Equality*, women from marginalized groups faced greater discrimination and were exposed to greater violence. The Committee on the Elimination of Discrimination against Women called on the country to conduct a comprehensive analysis of the needs and aspirations of vulnerable groups of women, especially Roma, the elderly, the poor, women with disabilities, refugees, and IDPs, to improve the legal framework and development of specific policies.

Other Forms of Gender-based Violence or Harassment: Sexual harassment was a crime punishable by imprisonment for up to six months in cases not involving domestic abuse or a power relationship, and for up to one year for abuse of a subordinate or dependent.

Women's NGOs called for the classification of femicide as a separate criminal offense with similar penalties to that for aggravated murder, and for establishment of an independent national body to monitor femicide, which would conduct analysis to identify failures of the system to protect survivors. They stated the number of femicide survivors indicated the Law

against Domestic Violence was not implemented properly and emergency protection measures for survivors were lacking. In November, Serbian Ombudsman Zoran Pasalic called femicide a “wrong term,” claiming “men don’t kill women because they are women.” His comments drew criticism from civil society and the public, many of whom called his remarks inappropriate during a year in which the country recorded 27 incidents of femicide.

Discrimination: The law provided for the same legal status and rights for women as for men in all areas, but the government did not always enforce these laws. Women were subject to discrimination, both at home and in the labor force, regarding marriage, divorce, child custody, religion, personal status, nationality laws, employment and labor, access to credit, pay, owning or managing businesses or property, education, the judicial process, inheritance, and access to housing.

The law provided for equal pay, but employers frequently did not observe these provisions. According to the country’s statistics office data from April, the average monthly salary of a male employee in September 2022 was 11,849 dinars (\$107 USD) higher than that of a female employee. This difference increased with higher levels of education and highly educated men earned 33,620 dinars (\$302) more than equally educated women. Other reports showed women’s career advancement was slower, women were underrepresented in most professions, and they faced discrimination

related to parental leave.

The International Labor Organization noted allegations the law was discriminatory because it obliged women in the public sector to retire at age 62, whereas male workers could work up to age 65. The law stated the retirement age for women would continue to increase incrementally until the retirement age was 65 for both men and women. Women were expected to be able to retire at age 65 in 2032.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities. Emergency contraception and postexposure prophylaxis were available as part of the clinical management of rape. The government provided access to sexual and reproductive health services for survivors of sexual violence.

The Ministry of Health funded a project called “Improving the Reproductive Health of Roma Women in Novi Sad,” which carried out a series of lectures on female and reproductive health and organized medical exams for project beneficiaries. According to the health-care center in Novi Sad, there were no clear indicators of the number or percentage of Romani women who accessed women’s health care. According to medical professionals, adolescent abortions, pregnancies, and deliveries were 10 times higher in the Romani population than in the general population, reflecting lower than average access to family planning information and services.

Data from 2022 (the most recent available) indicated 0.3 percent of adolescent pregnancies were of children younger than age 15, and 4 percent between the ages of 15 and 18, while in Roma settlements corresponding figures were 5 and 38 percent respectively.

NGOs reported women with disabilities continued to face challenges in accessing reproductive health services and they frequently faced discrimination during interactions with health-care providers, waited long periods for specialist medical examinations, and had trouble accessing medical centers.

Systemic Racial or Ethnic Violence and Discrimination

The constitution and laws on the protection of rights and freedoms of national minorities, national minority councils, official use of language and script, and antidiscrimination provided for the protection of minorities against discrimination, and the government enforced them somewhat effectively.

According to the ombudsman and the equality commissioner, Roma suffered more discrimination and marginalization than any other minority. Roma lacked information concerning their rights and mechanisms available to them to combat discrimination. On April 11, a group of young men attacked a group of Romani individuals in Turekovac with baseball bats and knives. They broke windows and gates of several houses and verbally

accosted Roma. Police identified six attackers and announced they would face misdemeanor charges for destruction of property and violating public order. The Alliance Against Discrimination of Roma filed a complaint with the commissioner for equality to establish intention to harm behind the attack and called for the Ministry of Interior to investigate why police did not pursue charges of inciting racial discrimination and hatred.

Ethnic Albanian political leaders alleged ethnic Albanians were subject to discrimination and disproportionate unemployment. They also continued to allege the government disproportionately subjected ethnic Albanians to incorrect “passivization.” The Law on Residence of Citizens in Serbia permitted the Ministry of Interior to remove individuals from the civil registry (i.e., “passivize” them) if the ministry determined they were not living at their registered addresses. The most recent official data indicated “passivization” was, in most cases, conducted legally on those who had permanently left their residencies. Nonetheless, it appeared the government subjected ethnic Albanians to passivization at disproportionate rates, particularly in the municipality of Medvedja. The government also rarely delivered notification of its decisions to passivized individuals, and limited recourse mechanisms existed to contest the decisions.

The government made little progress during the year on implementation of the OSCE-drafted Seven Point Plan adopted by the government in 2013 to address the concerns of the ethnic Albanian community, including their

underrepresentation in public sector employment, underinvestment in ethnic Albanian-majority areas, and underdeveloped health and social welfare systems in their communities. Ethnic Albanian leaders in the southern municipalities of Presevo, Medvedja, and Bujanovac, along with some Bosniak leaders in the southwestern region of Sandzak, continued to express concern regarding discrimination and underrepresentation of their communities in state institutions at the local level.

According to independent institutions, NGOs, and experts, hate speech and discriminatory language were routinely used by media, public personalities, politicians, sports fans, and social media users against minority communities, and applicable laws were not adequately implemented. In March, Belgrade Mayor Aleksandar Sapic stated the solution to the problem of illegal settlements in the city was for Roma to be integrated in society, which he noted was difficult “as they (Roma) reject [integration] and in such a way endanger their [lives] and lives of their fellow neighbors and citizens.” The commissioner for the protection of equality condemned this statement as “inappropriate and deeply worrisome” and concluded such statements perpetuate discriminatory narratives.

There were 24 National Minority Councils representing the country’s ethnic minority groups. The councils had broad competency over education, media, culture, and the use of minority languages.

The government took some steps to counter violence and discrimination

against members of minority groups. The Ministry for Human and Minority Rights and Social Dialogue helped minority communities by supporting the work of National Minority Councils. Civic education classes, offered by the government as an alternative to religion courses in secondary schools, included information on minority cultures and multiethnic tolerance.

Children

Birth Registration: The law on birth records provided for universal birth registration. Refugee and migrant children born in the country to parents who did not have documents of their country of origin but had declared an intent to apply for asylum or were granted temporary protection could be registered with the Ministry of Interior. Such registration did not provide a path to citizenship, however. The *Report on the Rights of Children in the Republic of Serbia 2017-2023* published by a coalition of five NGOs noted systemic obstacles for birth registration of children born to parents without documents. Some Romani children were not registered at birth. Subsequent birth registration was possible but complicated. Children who were not registered had access to public services, such as health care, education, and social welfare, but the procedures to access these services were difficult to navigate. In June the NGO Praxis filed an application before the European Court of Human Rights in the case of a Romani girl who could not be entered in civil registry books immediately after birth because her mother, born and registered in birth registry books in Kosovo, did not have a

Serbian identity card.

Education: Education was free through the secondary level, but was compulsory only from preschool ages through 15. Ethnic discrimination and economic hardship discouraged some children from attending school. In Romani and poor rural communities, girls were more likely than boys to drop out of school and normally did so at an earlier age. According to the Ministry of Education's Science and Technological Development Department's *National Report on Inclusive Education 2019-2021*, children from vulnerable groups were more likely to have limited access to preschool education programs.

By law ethnic minority populations had the right to be educated in their minority language, but this right was not always respected.

Child Abuse: The law prohibited child abuse with penalties ranging from two to 10 years' imprisonment. According to civil society organizations, although numerous laws, bylaws, regulations, strategies, action plans, and protocols addressing child abuse existed, the laws were not always implemented equally or appropriately, and mechanisms for prevention were not well developed. Victims of abuse lacked assistance or guidance to navigate the processes necessary to receive support, and the institutions responsible for providing such support often lacked the means and expertise to provide timely, appropriate, and tailored support, therapy, or assistance.

Child, Early, and Forced Marriage: The legal minimum age of marriage was 18. The law provided for a child older than 16 but younger than 18 to marry if mature enough to “enjoy the rights and fulfill the responsibilities of marriage.” Child marriages occurred in Romani communities but were not legal. According to the Republican Institute for Social Welfare, local centers for social welfare recorded 235 cases in which children were subjected to child marriages. In April the president of the government’s Gender Equality Council stated the government raised awareness on the harm of child marriages through workshops and summer schools where participants openly discussed the problem. She stated child marriages made up 6 percent of all marriages in the country, 56 percent of Romani girls (under 18) were married, and girls comprised 93.2 percent of the survivors of forced marriages. The institute’s report in 2022 on the guardianship role in protection from child marriages of centers for social welfare noted 63 percent of survivors in 2021 were Romani children.

Sexual Exploitation of Children: The law prohibited commercial sexual exploitation, sale, grooming, or use of children for commercial exploitation, including child sex trafficking, and practices related to child pornography. The government enforced the law but abuses nonetheless occurred. The minimum age for consensual sex was 14, regardless of sexual orientation or gender. On October 25, the government officially launched an Amber Alert system to assist in the search for and the safe recovery of missing or

abducted children.

Antisemitism

According to the 2022 census, in which respondents were able to self-identify their ethnicity, religion, or both, there were 709 Jews living in the country. The World Jewish Congress estimated the number of Jews at approximately 1,400. While the law prohibited hate speech, Jewish community leaders reported translations of antisemitic literature were available from ultranationalist groups and conservative publishers.

Antisemitic works such as the *Protocols of the Elders of Zion* were available for purchase from informal sellers or used bookshops or posted online.

Right-wing groups maintained several websites and individuals hosted chat rooms (although many were inactive) that openly promoted antisemitic ideas and literature. In January an unknown individual drew a swastika and a crossed-out Star of David on the bus station and several other locations in Sombor. On January 30, an unknown individual drew a swastika and a crossed-out Star of David at the entrance to the Sephardic Jewish cemetery in Belgrade. The Jewish Community in Belgrade reported the act to police, and Belgrade municipal services removed the symbols the following day. Some NGOs, public figures, and journalists criticized a May procession in Belgrade during which relics of the deceased Serbian Orthodox Church bishop Nikolaj Velimirovic were carried. They stated this was inappropriate as Velimirovic was known for his antisemitic views and writings and his

sympathy for Adolf Hitler.

Holocaust education continued to be a part of the school curriculum at the direction of the Ministry of Education, including in the secondary school curriculum. Reconstruction work on the Holocaust Memorial Center and Museum at Staro Sajmiste in New Belgrade, the site of a World War II-era concentration camp, continued. In June an original building that was part of the larger Staro Sajmiste site was demolished to make way for the construction of a road, despite some organizations claiming the site had been part of the Staro Sajmiste concentration camp during World War II and remains of victims might be buried there. The Ministry of Culture stated construction would continue, but if any remains were found during excavation, the work would be halted until the site was examined by archaeologists.

In December the head of the country's Regulatory Authority for Electronic Media, Olivera Zekic, posted a photograph of herself in a Nazi uniform on her Telegram channel profile, later saying she did so "purely for provocation." According to an analysis done by *Radio Free Europe*, Zekic's head was photoshopped onto a colorized picture of Reinhard Heydrich, one of the chief architects of the Holocaust. The Coalition for Media Freedom, a network of Serbian NGOs, strongly criticized Zekic for the post, saying they were "appalled" by the act, and called on the government to hold her to account. As of year's end, Zekic faced no legal consequences despite law

making it illegal to “produce, reproduce, store, present, glorify, or in any other way spread propaganda material, symbols, or signs that cause, incite, or spread hatred or intolerance, propagate or justify neo-Nazi and fascist ideas and organizations.” The Jewish Community of Belgrade issued a press release following the incident criticizing Zekic “for using the worst period in human history [to offend] the entire Jewish Community” at a time when “the entire media space, including media with national frequencies, is witnessing an explosion of antisemitism.”

In April the mayor of Novi Sad established a Council for the Prevention of Antisemitism to institutionalize prevention, monitoring, and analysis of acts that could qualify as antisemitic. The council acted as an expert and advisory body to the mayor.

For further information on incidents in the country of antisemitism, whether or not those incidents were motivated by religion, and for reporting on the ability of Jews to exercise freedom of religion or belief, please see the Department of State’s *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

Trafficking in Persons

See the Department of State’s *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: Laws did not criminalize same-sex sexual conduct between adults, cross-dressing, or other sexual or gender characteristic-related behaviors. Apparently neutral laws were generally not disproportionately applied to LGBTQI+ persons.

Violence and Harassment: According to the annual report published in September by the NGO Let it Be Known, violence and discrimination against LGBTQI+ persons increased by 13 percent during 2021 and 2022.

On February 28, two LGBTQI+ persons were attacked in a park in downtown Belgrade. One of them was stabbed and the other attacked with a broken bottle. Both needed medical attention. Police arrested the two alleged assailants, one on charges of attempted murder and the other for violent behavior. LGBTQI+ community members welcomed the arrests but demanded more efficient and timely responses from the judiciary in cases of attacks against LGBTQI+ persons. The cases remained pending as of October.

On July 6, 17 days after she was reported missing, the mutilated body of an age 18 transgender woman, Noa Milivojev, was found in her partner's

apartment in Belgrade. Her partner was arrested on suspicion of murder. A small number of individuals including LGBTQI+ community members held a memorial for her in Belgrade's main square. Shortly after the vigil ended, several young men vandalized the memorial by tearing apart transgender Pride flags and destroying candles, signs, and placards laid by mourners.

LGBTQI+ civil society leaders stated attacks against LGBTQI+ persons were very seldom characterized as hate crimes, which they alleged sent a negative message to the LGBTQI+ community and emboldened potential attackers. They alleged violence against LGBTQI+ persons was made worse by a lack of political will to tackle transphobia and homophobia.

Discrimination: The law prohibited discrimination by state and nonstate actors based on sexual orientation, gender identity or expression, or sex characteristics. The government did not enforce these laws effectively, and violence and discrimination against LGBTQI+ persons were serious problems. According to available research, the majority of LGBTQI+ persons reported experiencing psychological problems, physical attacks, and death threats, as well as discrimination from their families, classmates, colleagues, and the public. There was no law legalizing same-sex unions, and on August 13, President Vucic stated he would not sign any law that allowed same-sex unions or legal recognition of LGBTQI+ identities.

Labor laws prohibited direct and indirect discrimination of job seekers and employees with regard to sexual orientation or gender identity. The

government enforced the law with varying degrees of effectiveness.

Availability of Legal Gender Recognition: The law on birth registry allowed for legal gender recognition without surgical conversions or interventions, but such recognition was not based on self-determination. After completing at least one year of hormonal therapy under the observation of a psychiatrist and an endocrinologist, transgender persons could register a change in name and gender in the birth registry. No separate mechanism existed for nonbinary or intersex individuals.

Involuntary or Coercive Medical or Psychological Practices: There were no reports of involuntary or coercive medical or psychological practices targeting LGBTQI+ individuals, although these could occur in isolated cases, according to LGBTQI+ activists. There were some reports of unnecessary surgeries conducted on intersex persons, primarily babies shortly after birth, largely due to stigma and a lack of knowledge or experience dealing with intersex individuals. Civil society activists reported there was growing interest from segments of the medical community to better understand how to serve the needs of intersex individuals, but significant gaps in knowledge still existed and there were limited attempts by the government or medical associations to better support intersex individuals. There were some reports individuals undergoing transition surgeries which resulted in sterilization were not provided with precise information regarding the risks or consequences of the surgery.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly:

The government generally respected the right to freedom of expression, association, and peaceful assembly. The government cooperated with the organizers of Belgrade Pride to host the Pride Parade in downtown Belgrade by securing the event in a professional manner and allowing the parade, and all other Pride events, to proceed without disruption. Belgrade Mayor Aleksandar Sapic did not permit the organizers to open the event at Belgrade City Hall, however.

Persons with Disabilities

Persons with disabilities were unable to access education, employment, health services, information, communications, buildings, transportation, the judicial system, or other state services on an equal basis with others. Laws requiring such access existed, but the government did not enforce them.

Persons with disabilities and their families experienced stigmatization and segregation because of deeply entrenched prejudices and a lack of information. Women with disabilities were at risk of discrimination and were largely excluded from public and political life. The media perpetuated prejudices and stereotypes regarding persons with disabilities.

Information and communication in formats accessible to persons with sensory disabilities were seldom available. Many persons with disabilities were poor or at risk of becoming poor, had difficulty getting a job, and

lacked adequate education. The law required all public buildings to be accessible to persons with disabilities, but public transportation and many older public buildings were not accessible. Many children and adults with intellectual disabilities remained in institutions, sometimes restrained or isolated.

Persons with disabilities faced discrimination in hiring and access to the workplace. Labor NGOs worked to improve the conditions of persons with disabilities in employment or occupation.

Other Societal Violence or Discrimination

According to government officials, medical professionals, and NGOs, there was significant prejudice and stigmatization against persons with HIV or AIDS in all aspects of public life, including employment, housing, and access to public services. While some medical professionals stated antiretroviral treatment was available to all HIV and AIDS patients, others criticized the country's response to HIV and AIDS for not allowing the use of new therapies. Medical professionals appealed to the National Fund for Health Insurance to provide access to new therapies. HIV and AIDS activists stated infected persons had access to therapies, but a lack of information, discrimination, and fear of condemnation prevented them from accessing all appropriate treatments.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provided for the right of workers to form and join independent unions of their choice, bargain collectively, and conduct legal strikes. Trade unions had to register with the Ministry of Labor, Employment, Veterans, and Social Affairs, and employers had to verify that union leaders were full-time employees. The government designated more than 50 percent of the workforce as “essential,” and these workers faced restrictions on the right to strike. Essential workers had to provide 10 days advance notification of a strike and provide a “minimum level of work” during the strike. By law, strikes could be staged only on the employer’s premises. The law prohibited discrimination based on trade union membership but did not provide any specific sanctions for antiunion harassment, nor did it expressly prohibit discrimination against trade union activities. The law provided for the reinstatement of workers fired for union activity, and fired workers generally returned to work quickly.

Independent trade unions were able to organize and address management in state-owned companies on behalf of their members. Independent union activity and representation was generally greater in private companies than state-owned enterprises.

The labor law protected the right to bargain collectively, and this right was effectively enforced and practiced. The law required collective bargaining agreements for any company with more than 10 employees. To negotiate with an employer, however, a union had to represent at least 15 percent of company employees. The law provided the possibility of collective bargaining agreements to employers who were not members of official employers' associations or who did not engage in collective bargaining with unions.

The government generally enforced the labor law with respect to freedom of association, collective bargaining, and right to strike and penalties were commensurate with those for other laws involving denials of civil rights, such as discrimination. Penalties were rarely applied against violators, however. Both public- and private-sector employees could freely exercise the right to strike.

There were allegations of antiunion dismissals and discrimination. In March the Belgrade Airport catering company abruptly laid off 40 percent of its employees, citing redundancy. The company immediately hired 65 foreign employees to replace those it had dismissed. The fired employees alleged the dismissal was retaliation for their participation in a September 2022 strike protesting the company's refusal to pay mandatory social and health insurance contributions. With the assistance of the Confederation of Autonomous Trade Unions of Serbia, the employees filed lawsuits against

the company and requested the Labor Inspectorate order their reinstatement while the proceedings were taking place – a request the inspectorate granted in June.

b. Prohibition of Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>

c. Prohibition of Child Labor and Minimum Age for Employment

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>

d. Discrimination (see section 6)

e. Acceptable Conditions of Work

Wage and Hour Laws: The law provided for a monthly minimum wage above the poverty level for a single-member household but below the poverty level for a larger household.

The law stipulated a standard workweek of 40 hours and provided for paid leave, annual holidays, and premium pay of at least an additional 26 percent for night and overtime hours. A worker could have up to eight hours of

overtime per week and could not work more than 12 hours in one day, including overtime. A 12-hour break was required between shifts during a workweek, and at least a 24-hour break was required during a weekend. The standard workweek and mandatory breaks were observed in state-owned enterprises but not always in smaller, private companies, where inspectors and unions had less ability to monitor practices. There were concerns regarding employers recruiting migrant workers from countries outside the EU. There were reports some employers seized migrant workers' passports and refused to pay migrant workers in a regular fashion, if at all. Migrant workers also described poor working and living conditions upon entering the country.

Occupational Safety and Health: Occupational safety and health (OSH) standards were generally appropriate for the main industries in the country, and the government proactively identified unsafe conditions and responded to workers' OSH complaints, although insufficient funding and staffing prevented them from doing so effectively in all cases. In April the government adopted a Law on Safety and Health at Work, which replaced a 2005 law. It included significant updates to align the country's internal occupational safety and health regulatory system and changing workplace conditions with EU legislation, and ratified International Labor Organization conventions. The law defined employers' responsibilities to provide for the health and safety of employees working from home or remotely, required

firms to employ a minimum number of health and safety advisors based on the size of the company and the relative risk of the work, obliged employers to fund regular medical examinations at employees' request to assess potential occupational health concerns, and stiffened penalties for OSH violations. Many of these provisions were scheduled to be fully implemented or enforceable by May 2025.

In case of a direct threat to life and health, employees had the right to act or to remove themselves from the job or situation without responsibility for any damage it could cause the employer and without jeopardy to their employment.

Trade unions reported that while standards, legislation, and strategies for OSH might be adequate, the system suffered from a lack of implementation and capacity and the Labor Inspectorate lacked enough inspectors and resources to cover the more than 400,000 registered legal entities within its mandate. Deaths and injuries were most common in construction, agriculture and forestry, and industry including transportation and storage; wood processing; production and distribution of electricity; wholesale and retail industries; production of metals, machines, and other equipment; as well as in the repairing of machines and equipment.

Wage, Hour, and OSH Enforcement: The government enforced OSH laws with varying degrees of effectiveness. Penalties for violations were less than those for similar crimes, such as negligence. Penalties were sometimes

applied against violators. Trade unions within a company were the primary agents for enforcing overtime pay, although the Labor Inspectorate had enforcement responsibilities in companies and industries without union presence. The government did not effectively enforce minimum wage and overtime laws, and penalties were less than those for similar crimes, such as fraud. Appropriate penalties were sometimes applied against violators.

The Labor Inspectorate, part of the Ministry of Labor, Employment, Veterans, and Social Policy, was responsible for enforcing wage and hour laws. Labor inspectors made some unannounced inspections and initiated sanctions. The Labor Inspectorate lacked adequate staffing and equipment, however, which limited the number and efficacy of inspections. Companies with a trade union presence generally respected minimum wage requirements because of monitoring by the union. According to the Labor Inspectorate, the most common violations of workers' rights involved nonpayment of salary, salary benefits, salary increases, and other benefits; nonissuance of salary calculations; nonpayment of salary benefits to employees who were on maternity leave and child care leave; noncompliance with working hours and overtime requirements; inadequate termination of employment contracts that were illegal, procedurally inadequate, or both; and failure to issue a decision on the termination of the employment contract.

Unregistered workers, paid in cash without social or pension contributions,

frequently did not report labor violations because they feared losing their jobs. Informal arrangements existed most often in the trade, hospitality, construction, agriculture, and transport sectors. According to labor force survey data, informal-sector employment represented 12.2 percent of total employment in the first quarter of the year, 0.6 percentage points less than in 2022. Independent estimates suggested the informal sector was approximately 20 percent of the economy. The government did not consistently or effectively enforce laws in the informal sector.