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Contact: Ireneusz Kondak
Tel: 03.90.21.59.86

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Meeting: 1537th meeting (September 2025) (DH)

Item reference: Action Plan (18/06/2025)

Communication from Serbia concerning the group of cases of STANIMIROVIC v. Serbia (Application No. 26088/06)

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Réunion : 1537e réunion (septembre 2025) (DH)

Référence du point : Plan d'action (18/06/2025)

Communication de la Serbie concernant le groupe d'affaires STANIMIROVIC c. Serbie (requête n° 26088/06) ***(anglais uniquement)***

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DGI
18 JUIN 2025
SERVICE DE L'EXECUTION
DES ARRETS DE LA CEDH

Belgrade, 18 June 2025

REVISED ACTION PLAN
Stanimirović group of cases v. Serbia

1. *Stanimirović*, app. no. 26088/06, the judgment of 18 October 2011, final on 8 March 2012
2. *Zličić*, app. no 73313/17, the judgement of 26 January 2021, final on 26 April 2021
3. *Lakatoš and Others*, app. no 43411/17, the judgement of 14 January 2025, final on 14 January 2025
4. *Nikolić, app. no 21155/22, the judgement of 3 June 2025,* final on 3 June 2025

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I CASE DESCRIPTION

1. This group of cases concerns the ineffective investigations into the allegations of ill-treatment by police officers (procedural violations of Article 3 in *Stanimirović*, *Zličić*, *Lakatoš and Others*) and *Nikolić*, ill-treatment by police officers during questioning in 2014 and 2007 (substantive violation of Article 3 in *Zličić* and *Lakatoš and Others*), a violation of the applicant's right to a fair trial on account of the fact that his confession made following to his ill-treatment by the police was used as evidence during criminal proceedings conducted against him between 2004 and 2006 (violation of Article 6 § 1 in *Stanimirović* and *Lakatoš and Others*), as well as a violation of the applicants' right to a fair trial concerning the fairness of the criminal proceedings and the length of the constitutional proceedings (violation of Article 6 § 1 in *Lakatoš and Others*).

2. At its 1408th meeting (30 June 2021), the Committee of Ministers closed six cases of this group (*Hajnal, the old case Lakatoš and Others, Habimi and Others, Petrović, Mučibabić, and Krsmanović*) on the basis of individual measures taken (see Final Resolution CM/ResDH(2021)129).

3. Also, at its 1451th meeting (8 December 2022), the Committee of Ministers closed their examination of individual measures in *Stanimirović* given that a fresh investigation is impossible due to the statute of limitations, noting also that the impugned criminal proceedings in which the applicant's statement was used as evidence were reopened and the applicant was acquitted of all charges (see CM/Del/Dec(2022(1451/H46-38).

4. Finaly, at its 1501st meeting (11-13 June 2024), the Committee of Ministers closed the supervision of *Almaši* and *Stevan Petrović* by adopting Final resolution CM/ResDH(2024)122, since further investigatory steps can no longer be taken due to the statute of limitations.

5. As to the ineffectiveness of criminal investigations, the European Court identified the following shortcomings concerning violations of Article 3:

- no criminal investigation was conducted into the applicants' allegations of ill-treatment (*Stanimirović*);
- the authorities' failure to carry out an effective official investigation into the applicant's allegations of ill-treatment (*Zličić* and *Lakatoš and Others*);
- the authorities' failure to hear police officers (*Lakatoš and Others)*;
- lack of promptness and lack of adequate victim participation (*Nikolić*)

II INDIVIDUAL MEASURES

6. In response to the above-mentioned European Court's findings, the authorities have taken a number of measures to ensure that the violations at hand are brought to an end and that the applicants are provided redress for negative consequences sustained. These measures are set out below.

A. Measures aimed at ensuring effective investigation (Article 3 in procedural limb)

7. In line with the Committee of Ministers' well-established practice relating to individual measures in cases relating to shortcomings in the investigations, the competent authorities took measures to assess, in compliance with the Convention standards:

- what investigatory steps can still be taken in these cases;
- what investigatory steps can no longer be taken for practical or legal reasons;
- what means can be deployed to overcome existing obstacles;
- what concrete results are expected to be achieved and within what time.

(i) Zličić

8. In *Zličić*, the Court concluded that the respondent State's authorities failed to carry out an effective official investigation into the applicant's allegations of ill-treatment in 2014 (§ 108, *Zličić*).

9. In response to the Court's findings, the competent public prosecutor in Novi Sad examined the possibility of launching the investigation into the applicant's ill-treatment. On 24 November 2021 the public prosecutor, however, found that the prosecution of the said offence became time-barred in 2019.

(ii) Lakatoš and Others

10. In *Lakatoš and Others*, the Court found that there was no effective investigation into the fourth applicant's alleged ill-treatment in 2007 (§§ 15-18).

11. In response to the Court's findings, the authorities reiterate that pursuant to the Article 137 § 3, Article 103 (6) and Article 104 (6) of the then-applicable Criminal Code, the statute of limitation for conducting criminal proceedings regarding ill-treatment committed by police officers expires six years following the offence. Therefore, the applicant's alleged ill-treatment became time-barred on 6 November 2013 i.e. before the Court rendered the judgment.

(iii) Nikolić

12. *In Nikolić* the Court found a violation of the procedural limb of Article 3 due to significant delays in the investigation, lack of promptness and independence at its initial stage, and the applicant's insufficient involvement and procedural standing, which cumulatively undermined the effectiveness of the investigation into his allegations of ill-treatment in 2012.

* * *

13. In view of all the above, regarding the question whether the competent public prosecutors took any steps/measures after the European Court's judgments had become final, the authorities would like to highlight that the competent public prosecutors established that there was no legal possibility to launch a fresh investigation in cases *Zličić and Lakatoš and Others* since the prosecutions in the applicants' alleged ill-treatment became time-barred.

14. The authorities deeply regret the facts that took place in these cases and the fact that it was not possible under the applicable legislation to launch a fresh investigation with a view to establishing the facts and bringing the accountable to justice.

15. The authorities will inform the Committee about the measures taken in *Nikolić case.*

B. Measures aimed at ensuring the possibility to complain about the rejection of criminal complaints

16. Addressing the question whether the applicants had or have a possibility to complain before senior public prosecutors about the rejection of their criminal complaints, the authorities would like to indicate that, pursuant to the Article 235 § 1 and Article 61 of the Code of Criminal Procedure from 2001, which was in force at the relevant time, there was no legal possibility to lodge an appeal against the public prosecutor's decision to reject criminal charges. The applicants

could however lodge a constitutional complaint which is considered an effective remedy by the European Court.

C. Measures aimed at ensuring disciplinary proceedings against the police officers and/or the prison guards

17. Regarding the question raised by the Secretariat as whether the possibility of initiating disciplinary proceedings against the suspected police officers was examined by the authorities, and what obstacles, if any, were faced in these proceedings, the authorities would like to point out that there was no legal possibility of initiating disciplinary proceedings against the suspected police officers in the above cases. Pursuant to the Article 215 on the Law on police the initiation of disciplinary proceedings for a serious breach of duty against the suspected police officers became time-barred upon expiry of the period of one year from the day of perpetration.

D. Measures aimed at preventing ill-treatment (Article 3 in substantive limb)

18. The authorities would like to provide the following information concerning the individual measures in *Zličić and Lakatoš and Others,* in which the Court found that ill-treatment actually took place (violations of Article 3 in substantive limb).

19. In *Zličić* the European Court indicated that “the Government offered no alternative explanation as to how the applicant might have sustained the injuries in question, that is other than through the police abuse alleged.” (§ 99, *Zličić*). The Court also considered in this regard that “the credibility of the police officers’ statements should also have been properly questioned, particularly in view of the existing medical and other evidence regarding the applicant’s injuries and given that the investigation itself was supposed to establish whether those very officers were criminally liable for the applicant’s purported ill-treatment.” (§ 107, *Zličić*).

20. In *Lakatoš and Others* the Court pointed out that “even assuming that the fourth applicant had resisted arrest or tried to escape, the Government have offered no plausible explanation for the discrepancy between the injuries acknowledged by the police on 7 November 2007 and those documented in the medical reports of 13 December 2007 and 22 September 2008. Moreover, in the absence of any explanation by the Government, the Court cannot but conclude that the use of force was aimed at debasing the fourth applicant and making him confess to the impugned criminal offence”. (§ 15, *Lakatoš and Others*).

21. Against this backdrop, to the best of the authorities' knowledge, in view of the important passage of time (12 and 18 years have passed since the incidents) the applicants have no medical consequences resulting from the unfortunate incidents during their interrogation.

E. Redressing the applicants

22. The authorities ensured that the applicants were redressed for negative consequences sustained as a result of the violations.

23. At the outset, it is recalled that the European Court awarded all of the applicants just satisfaction in respect of non-pecuniary damage.

24. The applicants did not submit claims for pecuniary damage.

25. The authorities would also accentuate that domestic legislation (notably, provision of Article 172 of the Obligation Code) provides the applicants with a concrete and practical avenue to claim pecuniary damage, should they consider to have suffered it. Pursuant to the domestic legislation, this claim could be raised within three years following the European Court's judgment finding a violation.

26. In *Zličić*, this timeframe has already expired. Regarding the new cases *Lakotoš and Others,* and *Nikolić*, to the best of the authorities' knowledge, the applicants have not raised any claim for pecuniary damage before domestic courts and have not availed themselves of the avenue available in the domestic legislation.

27. In view of the above, the authorities consider that the applicants have been fully redressed for the reparation and the damage sustained.

III GENERAL MEASURES

28. Taking into account the Court's findings, the authorities took significant measures in order to prevent future violations of the prohibition of torture.

A. Measures aimed at preventing protracted length of proceedings before the Constitutional Court (violation of Article 6 § 1)

29. Regarding measures aimed at preventing protracted length of proceedings before the Constitutional Court, the authorities refer to the case of *Milovanović v. Serbia* (no. 56065/10), which concerned the excessive length of proceedings before the Constitutional Court.

30. Supervision of the execution of this judgment was closed before the Committee of Ministers on 3 February 2021, with the adoption of Resolution [CM/ResDH(2021)20].

31. Given that the circumstances in *Lakatoš and Others* relate to the period prior to the adoption of the aforementioned resolution, the authorities consider that the specific measures can be deemed executed."

B. Measures aimed at eradication of the ill-treatment and torture by members of the law enforcement agencies (violations of Article 3 in its substantive limb)

32. Staying committed to the obligation to fully enforce the Court's judgements; the authorities keep taking measures to prevent ill-treatment and torture in hands of law enforcement agents.

33. At the outset, it is important to recall the improvements of the domestic legislation i.e. the adoption of the Law on Police in 2018. Provisions of the said law envisage the principle of proportionality of the use of coercive means and the prohibition of torture and ill-treatment, thus the members of the police force are obliged, when applying coercive measures, to use them gradually, and in any case, with the minimum of necessary force. Finally, the new mechanism for the supervision of the use of the coercive measures have been introduced, based on duty of every police officer, in case of the use of force, to submit a detailed written report to his/her superior as soon as possible but no later than 24 hours from the moment of the application of the coercive measures.

34. Assessment of the legality and justification of the use of force is performed by the authorised police officers or the commission composed of at least three members, which subsequently shall propose to the head of the police unit appropriate measures, set by law, to be

taken in case of the improper use of force. Also, Law on Police, *inter alia*, stipulate termination of employment of police officers in case of finding the unlawful use of coercive measures.

35. The authorities are currently engaged in the process of preparing a new Law on Police, and they have also planned additional activities for 2025. One of the objectives of this law is to address the existing deficiencies in the field of human rights protection and ensure that the fundamental rights of citizens are adequately safeguarded. The new Law on Police is expected to play a significant role in promoting a safer and more just society. It is worth noting that in December 2022, the Government withdrew the draft of this law from the procedure in order to carefully consider the objections and find the best solution while taking into account the diverse perspectives and interests of all stakeholders involved.

36. In 2024, the Ministry of Justice has undertaken activities aimed at amending and supplementing the Criminal Code, which, among other things, relate to the amendments of provisions prescribing the criminal offenses of coercion of a statement and ill-treatment and torture.

37. Namely, the amendments are aiming at increasing the prescribed prison sentences for the criminal offenses of coercion of a statement (Article 136 of the Criminal Code) and ill-treatment and torture (Article 137 of the Criminal Code), thereby strengthening the legal response to misconduct by law enforcement officials.

38. For the offense of coercion of a statement, the minimum sentence is planned to be increased from three months to six months' imprisonment, while the maximum remains five years.

39. Similarly, the penalty range for ill-treatment and torture will reflect a more graduated and severe sanctioning scheme:

- Basic ill-treatment (degrading or inhuman treatment violating human dignity) is punishable by up to one year;
- Acts of torture involving the infliction of severe pain or suffering for the purpose of obtaining a confession, punishing, intimidating, or discriminating, will carry a sentence of six months to five years;
- When such acts are committed by officials in the course of duty, the minimum sentence will be raised to six months to three years for basic ill-treatment, and two to ten years for torture.

40. By increasing custodial penalties, the Serbian authorities aim to ensure greater proportionality and deterrence, and to align the domestic criminal framework more closely with the standards of Article 3 of the European Convention on Human Rights.

41. The authorities will inform the Committee of Ministers on the progress in the adoption of these amendments.

(i) Adoption of the new Regulation on Police Powers

42. The authorities would stress the high importance of the Regulation on Police Powers in respect of stamping out ill-treatment and torture of the detained and apprehended persons by the members of the law enforcement.

43. The regulation came into force on 19 June 2019 and repealed the Instruction on the Conduct of Police Officers towards Apprehended and Detained Persons from 2012. The regulation was subsequently amended in 2022. The new bylaw prescribed in detail the police powers, *inter alia*, conduct of police officers regarding bringing (apprehending) and detaining persons, manner of the use of coercive measures and the procedure for the assessment of the justification and legality of their use.

44. The above-mentioned regulation contains detailed provisions aimed at ensuring that the everyday police work complies with law and high professional standards. Beside clear and precise wordings stipulated in the regulation regarding the police powers and duties; it is noteworthy that the major improvement brought with this regulation concern the new internal procedure of supervising the use of coercive measures. Namely, the appropriate provisions of the new Law on Police, regarding duty of police officers to file a report in every case of the use of force, have been detailed and expanded in order to set effective mechanism for the control of use of coercive measures and prevention of ill-treatment and torture.

45. In view of the above, the authorities intend to emphasise the key features of the newly established internal mechanism for the supervision of the using of coercive measures. The assessment of the justification and regularity of the use of force is made by the authorised police officer or the commission, appointed by the head of the organisational unit in the Ministry of Interior or the chief of the police department. The commission composed of at least three police

officers shall conduct the assessment of the use of coercive measures in all cases where a) the firing arms were used, b) or other coercive measures that led to the heavily body injuries or death, c) or in cases where the police coercion had been applied to a group of persons (at least three persons). In all other situations the assessment of the use of coercive measures shall be rendered by the single authorised police officers who did not participate in the disputed event and who is appointed by the superior police officer.

46. Written report on the use of force contains the precise description of the occurrence concerned. The police officer is under an obligation to report, *inter alia*, by which action the person to whom the coercion has been applied expressed his resistance or made assault or attempted assault to the officer or third person; in which manner the police officer warned the person that the coercive measure will be used, and if not, what are the reasons that prevented the officer to do so; when the application of coercion measures ceased and in which manner the police took control over the person concerned etc.

47. Following notification of the use of force the immediate superior organises the performance of the all-emergency actions i.e., the ones which delaying may jeopardize the effective conduct of the assessment of justification and regularity of the use of coercive measures such as, collecting information from the eyewitnesses, obtaining medical reports for the injured persons etc. Apart from duty to take emergency measures after being informed of the use of force, the immediate superior during the course of assessment procedure has to consider the filled written report; organise or directly collect necessary information from the police officer who applied the force, from other police officers and witnesses of the occurrence, as well as from the person to whom the coercion have been applied; obtains medical reports on types and degree of injuries and performs other duties aimed to establish complete factual status in the situation concerned. The immediate superior is under an obligation to complete all of the above activities within eight days following the day when the police officer submits the written report.

48. After the completion of tasks and duties of the immediate superior, the written report of the police officer and the entire case fail are being forwarded to the authorised police officer or the commission in order to make assessment of justification and regularity of the use of coercive measures. They should be independent from those involved in the case where coercive measures were used.

49. The authorities indicate that the Regulation on Police Powers stipulates that the reasoning of the assessment of the use of police force particularly take into account the following:

- if the assignment concerned could have been executed without the use of coercive measures;
- if the coercive measures were applied proportionally to the incoming danger;
- if the least severe coercive measure has been used, and in a manner that police assignment could be fulfilled without unnecessary damage;
- if the person concerned have been warned on the application of force, and
- if the appropriate relief have been secured for the injured or endangered persons.

50. Lastly, it could be concluded that the Serbian authorities made significant improvement introducing a new mechanism of oversight over the use of coercive measures by the law enforcement. The said mechanism which main features were outlined above make important part of the systematic response of the Republic of Serbia regarding the prevention of the ill-treatment and torture in hands of police.

(ii) Targeted awareness-raising measures

51. The authorities have furthermore ensured that the law enforcement agents are continuously trained and made aware that there will be zero tolerance to ill-treatment.

52. In the framework of the joint programme of the Council of Europe and the European Union *"Horizontal Facility Programme to the Western Balkans and Turkey"*, the project called *"Strengthening of the Protection of Human Rights of Detained and Convicted persons in Serbia"* has been realised. In this regard, it should be noted that in 2019 the Professional Training Program for the members of the police, envisaged carrying out of the workshop named *"Application of Police Powers aimed to Protection of Human Rights of Detained Persons and Police Officers"*. The said workshop was attended by 878 police officers coming from all police departments in the country, in order to be trained to give lectures further to their colleagues on the subject of the application of police powers.

53. Practically, the above-mentioned workshop was "training for trainers" aimed to prepare certain number of police officers to hold workshops and seminars during compulsory professional training programme *"Application of Police Powers"* which encompasses four different courses

such as *“Ethics of Police Conduct and Human Rights”*, *“Apprehending of Persons”*, *“Detention of Persons and Prevention of Torture”* and *“Application of Coercive Measures”*. In 2020 this type of compulsory training programme has been carried out for more than 1,673 members of police force throughout the country.

54. During 2021, the mentioned training topics were implemented continuously throughout the year, and 16,529 police officers attended the same. During 2022, the trainings were held in the form of presentations with control questions, and they were attended by 22,032 police officers. Also, under the project launched in frame of the Horizontal Facility Programme the manual on application of police powers and human rights was drafted which is currently using as an education tool during the professional training of the police officers.

55. Furthermore, the authorities reiterate that, in 2014, the Ministry of Interior established Commission for the implementation of standards of police treatment in the area of prevention of torture. The commission is composed of the representatives of the major organizational units in the police such as Criminal Police Directorate, Sector for Internal Control, Office of the Minister of the Interior etc. with main task to implement recommendations of the relevant international bodies in order to prevent ill-treatment and torture in hands of the law enforcement, and combat impunity. In this regard, it is important to note that, according to the Professional Training Programmes for 2019 and 2020, the workshop *"Commission for the implementation of standards of police treatment in the area of prevention of torture"* have been carrying out for the significant number of law enforcement agents.

56. The said workshop was attended by 26,172 police officers in 2019, 24,874 police officers in 2020, 30,745 police officers in 2021, 30,365 police officers in 2022 and 19,684 police officers in 2023. The main focus of the workshop was the proper implementation of the international standards regarding prevention of torture, which implies acquiring of knowledge and skills of law enforcement agents to recognize, prevent, assess and react to the police torture. Therefore, the special attention was paid to standards and case law developed by the European Court, the European Committee of Torture and Inhuman or Degrading Treatment or Punishment, the UN Committee Against Torture etc.

57. Having in mind that the State's efforts to stamp out the police ill-treatment and torture rely on the well-trained and educated law enforcement agents, the authorities recognised the

need for the improvements of professional abilities of the police officers including acquiring new skills regarding the questioning of suspects, witnesses and victims.

58. In accordance to the Professional Training Programme, the Police Centre for Professional Training is organizing every year special seminar called *“PEACE Model for Official Interviewing”* aimed to improve investigatory techniques of the police staff. Since 2015, 5,478 police officers have attended the seminar. Trainings are conducted continuously for each year and will continue in the following period. Carrying out of those kind of training programmes is aimed to promote fundamentally different approach towards methods of police investigation based upon obtaining accurate and reliable information.

59. The Ministry of Interior, as part of the Professional Training Program for police officers, continued to organize courses on the topic *"Protection of the Human Rights of Persons Deprived of Liberty"* and the thematic courses *"Application of Police Powers"* and *"Commission for the Implementation of Standards of Police Treatment in the Area of Prevention of Torture"*.

60. Specialized trainings on preventing torture and ill-treatment continue to be provided to police officers in 2024 and 2025. A special focus was placed on the role of police officers in protecting procedural guarantees during deprivation of liberty.

61. In 2024, two major training programs were conducted. Namely, the seminar titled *"Juvenile Offenders and the Rights of Minors in Pre-investigation and Criminal Proceedings"* attended by 180 police officers, as well as the training on application of Methodology for Investigating Allegations of Ill-Treatment by Police Officers, attended by 48 police officers.

62. In addition to in-person seminars, the Ministry of the Interior made significant use of its internal *e-learning platform* to strengthen police officers’ knowledge of human rights standards and professional conduct. In 2024, comprehensive online modules were delivered to all police personnel, covering topics such as the protection of human rights of persons deprived of liberty, the prevention of torture, and the lawful exercise of police powers. These modules also included content on the role and mandate of the Commission for the Implementation of Police Standards. Participation was extensive: 27,842 police officers completed the training on human rights of persons deprived of liberty, as well as the same number of police officers on torture prevention, while 27,961 attended the course on lawful application of police powers. Additionally, 1,050

officers completed a dedicated module on the application of police powers for the protection of human rights of detained persons and fellow officers.

63. These efforts reflect the Ministry's continued commitment to instilling a culture of legality and accountability within the police service, and to ensuring that the standards of the European Convention on Human Rights are embedded in daily practice.

64. Furthermore, although no training on interrogation techniques in the pre-investigation phase was conducted in 2024, the Ministry initiated steps to developing the relevant training content following the adoption of the official interrogation manual prepared within the framework of the Council of Europe project, with the aim of incorporating it into the 2025 professional development programme for police officers as part of their continuous in-service training. This manual was created under the Council of Europe project "Strengthening the protection of human rights of detained and convicted persons in Serbia" and has since been integrated into the Ministry's training curriculum. In cooperation with the Council of Europe, preparations for a seminar titled "Interrogation in the Pre-Investigation Procedure" began in 2024, aimed at training future instructors. The Ministry plans to hold at least two such trainings in 2025.

65. The authorities consider that the above measures will be conducive in raising awareness of the police officers and law enforcement agents on the zero tolerance towards ill-treatment.

(iii) Further measures envisaged and taken to prevent ill-treatment and torture in hands of the police officers and law enforcement agents

66. The Government is aware that, despite considerable measures undertaken to suppress and prevent ill-treatment in hands of the police, and undoubtable political will with this regard, it still remains a challenging issue for domestic institutions. Therefore, the authorities endeavoured to properly articulate and coordinate all activities and measures of different state bodies in order to make synchronized systematic response to torture and ill-treatment in hands of law enforcement agents.

67. In light of the above, and as it was mentioned in previous communication to the Committee of Ministers concerning this group of cases, the Serbian authorities seriously considered findings of the CPT gathered during their visit in May and June 2017. Namely, Ministry

of Interior took steps to introduce key novelties in police work following the publication of the CPT's report by accepting majority of its recommendations.

68. It is important to note that in 2019, the Criminal Police Directorate considered the need for the establishing of dedicated interview rooms with the video and/or audio recording equipment and made a list of 33 police premises that are priorities for the performing of the construction works in this regard. The Ministry of Interior's Financial Plan adopted in 2020 envisaged as from 2020 setting aside the financial assets for the establishing of dedicated interview rooms equipped with audio and/or video devices for the above police premises. It is expected that audio and/or video recording of official questioning in police premises made dissuasive effect to the ill-treatment towards apprehended and detained persons.

69. Until 2025, the Ministry of Interior has equipped 17 interview rooms in key police departments, including 5 rooms in the Service for the Fight Against Organized Crime within the Criminal Police Directorate and 9 rooms across various precincts in the Belgrade Police Department, along with one room each in Valjevo, Niš, and Čačak. These rooms are equipped with audio and video recording systems. The Ministry has set priorities to outfit a total of 33 rooms in police departments across Serbia. Due to current legal provisions, police cannot conduct mandatory recordings of suspect interviews unless authorized by the public prosecutor under Articles 289, 236, and 162 of the Criminal Procedure Code.

70. The authorities will inform the Committee of Ministers about further steps taken in this regard.

71. Also, it is planed that creating of dedicated property stores in police stations for all confiscated items starts from 2020. However, it heavily depends on the amount of disposable space in current premises, purchasing of special storing closets and other technical issues that should be successfully overcome. Implementation of this measure has to ensure removal of all confiscated items that may inflict serious body injuries (baseball bats, knuckle-duster, electro-shock device etc.) from offices where the suspects are usually questioned and held.

72. From 01 December 2021, a new electronic record of temporarily confiscated items is being implemented, in which all confiscated items by police officers are recorded. The certificate of confiscated items is printed directly from the mentioned electronic records. The police authorization to temporarily confiscate objects, which is recorded by acting police officers, is

verified in the electronic records, i.e. the justification and regularity of the applied police authorization are assessed by the immediate superiors and the movement of the confiscated item can be traced through the electronic records, with all the relevant information such as who the item was handed over for safekeeping, where the item is located, etc.

73. During 2022, in most regional police administrations, in the administrative buildings themselves, there was a separate room where temporarily confiscated items were stored, which was locked, and the keys to those rooms were under the constant supervision of authorized officials.

74. The authorities recall that the regulation on conditions to be secured in police premises for detained persons came into force on 12 May 2018. The said bylaw prescribes in detail a series of technical conditions regarding the police premises in which the apprehended and detained persons are held, such as the minimum square area of the detention unit, necessary items that should be at the disposal of detainees, state of sanitation etc. The provisions contained in the regulation concerned are fully accorded with the international standards, particularly with the ones developed in the practice of the CPT.

75. In order to comply with the new regulation, the Ministry of the Interior marked 130 police premises in 24 district police departments as priorities for the reconstruction. In 2019, seven police detention premises in police departments in Valjevo, Pančevo, Požarevac, Kruševac and Čačak have been refurbished, while the renovation of other seven detention premises in police department in Belgrade is undergoing.

76. During the 2022 period, the newly built Penitentiary in Kragujevac began operating, and work began on the construction of a new facility for the secured department of the Penitentiary for Women in Požarevac. Improving police facilities, including the reconstruction of the police premises dedicated for holding of apprehended and detained persons, clearly indicates the efforts of the Government to prevent ill-treatment, also, caused by the poor and inadequate detention conditions.

77. With the aim to make considerable incentive to the Government's efforts to eradicate police torture and ill-treatment, Ministry of Interior reinforced the stuffing of the Sector for Internal Control by filling vacant positions. New internal act on job classification adopted in 2018 envisaged an increase of 46 working positions comparing to previous period.

78. In addition, it is important to note that the Sector for Internal Control established single electronic data base containing all complaints lodged by the citizens (natural persons), legal entities and employees in the Ministry of Interior, thus all submissions indicating alleged ill-treatment by the police are kept in a dedicated special data base.

79. Being aware of the importance of the reliable and accurate databases in police work, the authorities would like to highlight certain improvements carried out within the above mentioned "*Horizontal Facility Programme to the Western Balkans and Turkey*" under the project *"Strengthening of the Protection of Human Rights of Detained and Convicted persons in Serbia"* in respect of keeping necessary records. Namely, since 2013 the database on apprehended and detained persons was digitalized and is currently being upgraded, focusing on recording data important to police detention.

80. Furthermore, the authorities consider useful to outline the domestic complain mechanism in Serbian police with the aim to avoid misinterpretation regarding the effects of complaint procedure in respect of allegations of torture and ill-treatment. According to the 2016 Law on Police, complaints of police misconduct lodged with the Ministry of Interior are processed by the relevant head of the organizational unit in which the police officer, who is the object of the complaint, is located. Persons may file an appeal against the decision to a three-member territorial commission appointed by the Minister of the Interior. Complaints containing elements of criminal responsibility of police officers must be immediately forwarded to the competent prosecutor, the Sector for Internal Control and head of the organizational unit where the police officer on whose behavior the complaint refers is situated.

81. It is important to emphasize that, in line with Article 5 of the 2019 Regulation of Complaint Procedure in the Ministry of the Interior, all complaints alleging torture or ill-treatment in hands of police officers are immediately transferred with entire casefile to the Sector for Internal Control, with appropriate notification to the Director of Police and competent body in charge to oversight the implementation of standards of police in area of prevention of torture. Consequently, all complaints alleging police torture or ill-treatment are exclusively scrutinized by the Sector for Internal Control vested with authority to proceed with the investigation depending on the circumstances of the case concerned.

82. The authorities are resolute to express consistently their commitment to prevention of torture and ill-treatment in hands of the law enforcement agents and to the combat against impunity. Publicly declaring the zero tolerance of ill-treatment of apprehended and detained persons could make strong impact on law enforcement agents at all levels to become aware that the Government is determined to eradicate police brutality.

83. In light of the foregoing and taking into account the recommendation from the CPT's 2021 report that the highest police officials deliver a strong message against ill-treatment in hands of the law enforcement, the authorities indicate to a public statement issued by the Minister of the Interior in April 2020. Namely, during the state of emergency proclaimed due to the Covid - 19 pandemic, a short video clip appeared on the internet showing police officer hitting the suspect sitting at the back of the police vehicle with the open fist. After the appearance of this video, the Minister of the Interior made a statement strongly condemning the behavior of the police officer, urging the Sector for Internal Control to thoroughly scrutinize the incident and stressed: "The video appeared on the social networks showing the misconduct of the police officer is not the image of the police we want."

84. It should be noticed that the given statement has circulated through all the national media securing the wide reach to the population, including the members of the law enforcement agencies throughout the country. Regarding the same incident, except the Minister's addressing to the public, the Assistant Minister, who was also the Chief of the Sector for Internal Control, made a public statement indicating that all duties will be performed in order to scrutinize the conduct of the police officers involved in the above and that the competent prosecutor's office will be notified. The authorities consider that the above steps taken by the Minister of the Interior and the Assistant Minister at the time will be conducive to ensuring that law enforcement officials at all levels; are be made aware that the government is resolved to stamp out ill-treatment of persons deprived of their liberty, including by the timely transmission of information on allegation of ill-treatment to the competent prosecutorial authorities.

85. The authorities would like to highlight that the above-mentioned statement was provided only six months after the High-level international conference on eradicating police impunity which was held in Bečići, Montenegro. The Conference was organized on 18 October 2019 in cooperation with the Council of Europe and was attended by highest Serbian officials, notably the State Secretary of the Ministry of Justice at the time Radomir Ilić, the Deputy Minister of Justice

at the time Čedomir Backović, as well as the Deputy Minister of Interior at the time Dragan Kujundzić, alongside with other high officials from Montenegro, North Macedonia and Croatia (see the list of participants https://rm.coe.int/en-list-of-participants/16809855ef). During the event, all high officials delivered a strong zero tolerance message towards ill-treatment by police and law-enforcement officers.

86. At the end of the above conference, the participants endorsed conclusions. The conclusions highlighted a strong message of zero tolerance towards ill-treatment in hands of the law enforcement agents must be sent at high level in all States and also reiterated at all subordinate levels at appropriate intervals. They set out a set of measures that should be taken to eradicate ill-treatment in hands of the law enforcement agents and counter any possibility of impunity. The Government of Serbia is pleased to have had an opportunity to participate at such an important conference demonstrating thereby its firm and unequivocal commitment to ensure law enforcement by police and other security forces in full compliance with the requirements of the Convention as interpreted by the case-law of the European Court. The Government takes also this opportunity to express special gratitude to the Department for the Execution of Judgments of the European Court of Human Rights for their initiative in designing and organizing such an important event in Montenegro marking a step forward in the region in fighting police impunity. The authorities would like to highlight that these conclusions were translated and distributed to the law-enforcement agents through the country.

87. The authorities state that the recommendations from the CPT report from 2022 and 2023 are being reconsidered in order to develop and adopt a plan to combat police ill-treatment in accordance with national legislation.

88. In an effort to enhance the current situation, changes have been made to the Ministry of Interior Job Classification Rule Book, including the introduction of a new special category - detention officers in every police administration. Specialized trainings will be regularly held for this new and specialized category of police officers.

89. Furthermore, as of 2023, at the suggestion of the Ombudsman, it has been mandated for all police officers to display a mark on their uniforms indicating their last name and official number, allowing for easy identification of each officer.

(iv) Special reflection on the role of the Commission for the implementation of standards of police treatment in the area of prevention of torture

90. The Commission for the implementation of standards of police treatment in the area of prevention of torture, in its current configuration, was formed by the Minister's Decision, number 5796/17-7 of 14 February 2018. In accordance with the Decision on formation, the Commission has a mandate similar to that of the CPT.

91. The tasks of the Commission are to, under the obligations accepted by the Republic of Serbia by ratifying the international treaties, implement the recommendations of the relevant international treaty bodies into the practice of the Ministry of the Interior. Also, the Commission exercises control and supervision of cases with elements of torture and inhumane or humiliating punishments or procedures carried out by police officers. The Commission proposes training contents and participates in the implementation of training in accordance with the Program of professional development of police officers in the field of promotion and protection of human rights, prevention of torture, inhuman or degrading punishments or procedures and actions of police officers towards arrested, detained, and minors and initiates conducting additional training in those cases when it is evaluated that it is necessary for the purpose of eliminating shortcomings in the behavior of police officers. The competence of the Commission is also to supervise the implementation of the act that regulates the treatment of detained persons, as well as the recommendations of the Ombudsman.

92. All organizational units of the Police Directorate were informed about the formation of the Commission and about their obligation to appoint a liaison officer with the Commission.

93. In accordance with its competencies and the Activity Plan, the Commission carried out inspections in 17 regional police administrations and 35 police stations. Also, with the Police Administration and other organizational units of the Police Directorate, all regional police administrations were controlled in terms of the application of police authority to bring and detain persons, the application of the Methodology, the use of coercive means, as well as the number and conditions of detention facilities. The control was carried out through the performance of the criminal police, the police of general jurisdiction and the traffic police in the application of police powers, and that by direct inspection of records, specific items of detained persons, detention

facilities and official premises, as well as by interviews with the police officers and detained persons.

94. The organizational units that were subject to control by the Commission acted according to the recommendations and orders from the Commission's report, on which they submitted feedback reports to the Police Directorate and the Commission.

95. The Commission issued opinions on 15 reports of the Ombudsman in the year 2020. In 2021, the Commission provided 26 opinions on the reports of the Ombudsman functioning as NPM during visits to Police Departments.

96. Regarding the report of the CPT, in which a recommendation was made to develop and implement an adequate form of training on the application of police powers for the needs of the heads of organizational units in the MoI, the Center for Police Training in the Sector for Human resources, in cooperation with the Commission and the Police Directorate, created a training plan on the topic of prevention of abuse, torture and inhuman treatment by police officers, which was implemented on 25 October 2021.

97. In 2024 and early 2025, the Commission continued to play a central role in promoting compliance with international human rights norms in police practice. Its work encompassed oversight, institutional coordination, and substantive reform initiatives.

98. In close cooperation with the Police Directorate and the Sector for Information and Communication Technologies, the Commission oversaw improvements to the electronic register of detained persons, particularly the mandatory inclusion of key procedural details such as the time the defence lawyer was notified, the time of their arrival at the police station, and the time when confidential communication with the detainee was enabled. These enhancements contribute to transparency and the protection of procedural rights.

99. Following recommendations from the National Preventive Mechanism, the Commission also initiated amendments to the official police interview report form (ZKP-11), to include new sections on the engagement of defence counsel and confidential communication during suspect interviews. The amendments were approved by the Republic Public Prosecutor’s Office.

100. To promote the consistent application of these standards, the Commission supported the revision of the training curriculum on detention and rights of detainees. In collaboration with the Police Education Directorate and the Sector for Logistics, it developed a new training programme for trainers and a dedicated seminar on police conduct towards detained and brought-in persons. Implementation is scheduled for 2025.

101. The Commission also coordinated revisions to the 2017 Agreement between the Ministries of Justice and Interior on procedures regarding persons detained up to 48 hours. A draft annex was prepared and submitted to the Ministry of Justice for further review.

102. In line with CPT recommendations, the Commission contributed to an analysis of nutrition standards in detention facilities and supported efforts to organize food provision in compliance with Article 37(3) of the Rulebook on Police Powers.

103. In 2024, the Commission also conducted two monitoring visits to four police units to assess the treatment of persons deprived of liberty and the practical application of translated rights information forms.

(v) Special reflection to the role of the Ombudsman in capacity of the National Mechanism for the Prevention of Torture

104. The Government deems important to outline the key features of the National Mechanism for the Prevention of Torture (hereinafter: NPM). Having in mind the findings of the Court in Stanimirović group of cases, the authorities are determined to indicate to activities and results of the NPM relevant to the overall endeavor to eradicate torture and ill-treatment in hands of the police.

105. In accordance with the Article 2 of the Law on Ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, it is envisaged that the Ombudsman performs the duties of the NPM in cooperation with the ombudspersons of the autonomous provinces and associations (NGOs) which aim is the improvement and the protection of human rights. Acting of the Ombudsman in the capacity of the NPM implies the regular examination of treatment of persons deprived of their liberty, full access to the necessary information and documents, making recommendations to the relevant domestic

authorities with aim to prevent torture and ill-treatment and submitting proposals and observations concerning existing or draft legislation.

106. It should be noted that the NPM in its work applies wide, comprehensive and preventive approach, thus paying visits to all facilities where the people deprived of liberty are situated notwithstanding the state authorities or institutions that operate them e.g. correctional facilities, police detention units, medical institutions etc. Besides performing tasks as NPM, in line with domestic law, the Ombudsman is competent to examine individual complaints regarding alleged ill-treatment in hands of the police, to initiate ex officio control procedures of the police misconduct, as well as to issue individual recommendations in such cases.

1. Period between 2015 and 2018

107. Between 2015 and the end of 2018, the NPM carried out 314 visits to the facilities that provide accommodation to persons deprived of their liberty encompassing the visit to 86 police stations or other police premises where apprehended and detained persons were held. In 2019, the NPM undertook 77 visits including the visit to 20 police stations, and issued 198 recommendations deriving from those visits, while the 54 recommendations referred to the persons apprehended and detained in police premises.

108. The NPM also had a number of meetings with the Ministry of the Interior in order to facilitate the implementation of its recommendations. In this regard, the NPM and the Commission for the implementation of standards of police treatment in the area of prevention of torture established fruitful cooperation.

109. The NPM paid special attention to the application of the CPT's recommendations following its visits to Serbia. Also, in order to exchange obtained information representatives of the NPM held the meetings with the CPT's delegations at the beginning and at the end of their visits in 2015 and 2017.

110. Furthermore, the Ombudsman, as performer of tasks and responsibilities of the NPM, is involved in various international cooperation programs aimed, mainly, to the further professional training and exchange of experience. Representatives of the NPM took part in a series of trainings and workshops focusing on different aspects of the prevention of torture and ill-treatment and on different stakeholders in the process of supervision. The Serbian NPM is the member of the South

Eastern Europe NPM Network that annually organise several meetings or conferences in order to discuss current professional challenges and possible solutions and outcomes.

2. Year 2019

111. The authorities deem relevant to indicate that in 2019, the NPM made observations to the draft of the Regulation on Police Powers, prepared by the Ministry of the Interior, aimed to improve the envisaged provisions of the given bylaw. Majority of remarks and comments of the NPM, focusing on making conditions dissuasive for police brutality, have been accepted and implemented in the adopted regulation which is described above.

112. In 2019, the NPM rendered 198 recommendations, following its visits to the facilities where the people deprived of liberty are situated. In the same year, according to Ombudsman's data, 81,43% of recommendations issued to the competent authorities in capacity of the NPM have been accepted.

113. Besides its regular activities in order to prevent torture and ill-treatment, the NPM made certain contribution to the dissemination of the relevant human rights standards among the law enforcement agents and other civil servants.

114. In 2019, in the framework of the joint programme of the Council of Europe and the European Union *"Horizontal Facility Programme to the Western Balkans and Turkey"*, under the project *"Strengthening of the Protection of Human Rights of Detained and Convicted Persons in Serbia"*, two considerable publication containing the recommendations of the NPM have been published - *"Review of the findings and recommendations of the Ombudsman on protecting rights of the persons detained in police stations (2008 - 2017)"* and *"Review of the findings and recommendations of the Protector of Citizens on protecting rights of the persons deprived of liberty (2008 - 2017)".*

3. Year 2022

115. During 2022, the NPM made 87 visits to institutions where persons deprived of their liberty are or may be found. Of those, 49 visits were made to police stations, and 26 visits were made to institutions for the execution of criminal sanctions. A total of 29 reports on the visits were

made and, in some cases, unique reports were prepared for several institutions visited due to the need for a systematic overview of a certain problem.

116. A total of 205 recommendations were rendered, of which 204 were from reports on visits to facilities where persons deprived of their liberty are or may be found.

117. As in the previous years, in 2022, the special attention of the NPM was focused on monitoring the actions of the police towards the arrested and detained persons. During 2022, the NPM made 49 visits to police administrations and police stations, intending to monitor the treatment of arrested and detained persons. Furthermore, the NPM inspected whether the conditions in the premises used for detention were in accordance with the prescribed conditions, i.e. proper standards. All visits were unannounced, individual and conducted during the night, while the cooperation of police officers with the NPM team in all visits was comprehensive and professional.

118. During the visits to the institutions for the execution of criminal sanctions, the NPM conducted interviews with the detainees, intending to gather information about the behaviour of police officers towards them during deprivation of liberty, during detention, as well as during the application of other police authorization.

119. Based on the visits to police stations, 15 reports were made and 94 recommendations were rendered. Based on these recommendations, in 78 cases police acted upon the recommendations, in 15 cases recommendations required further monitoring and in one case recommendation was not acted upon.

120. It is encouraging that during a large number of unsupervised interviews with convicted and detained persons, NPM noticed that they did not complain that they were victims of torture or illegal treatment by the prison staff.

121. Based on the available reports, NPM concluded that during the 2022, considerable improvements have been achieved in this area.

122. The improvement of the electronic records was carried out according to the recommendation sent to the Ministry of Interior in 2021, in which the NPM pointed out that it is

necessary to improve the recording of the exercise of the rights of detained persons to have access to an attorney, thus the police stations started recording information about the attorney, the time when he was contacted, the time when he approached the detained person and the time when he had a confidential conversation with the person.

123. The NPM also noticed in the reporting period that the practice of police officers attending medical examinations has been discontinued, and medical documentation is no longer kept among other detention documentation.

4. Year 2023

124. In 2023, the NPM conducted 90 visits to institutions where persons are or may be deprived of their liberty. The NPM interviewed nearly 200 people deprived of their liberty and found that the majority did not complain about the behavior of police officers or the possibility of exercising their rights. The NPM sent a total of 233 recommendations to competent authorities and institutions based on their observations during these visits. The NPM pointed out in its reports that police officers should not use more force than necessary during arrests and that, after the arrested persons are placed under control, there can be no justification for the further use of force.

125. In late 2023, the NPM monitored the police's conduct towards 14 detained individuals during protests in front of the Belgrade City Assembly. The visits were unannounced and conducted by the Ombudsman and a JUKOM representative. One individual complained about police conduct, while others did not. All detainees were given notices of rights, detention decisions, and had access to lawyers. Only one person did not want to inform anyone about their detention. Those who needed a medical examination received one, and no one had visible injuries or reported any injuries.

126. During 2023, the NPM made 15 visits to institutions for the execution of criminal sanctions. During the visits to the institutions for the execution of criminal sanctions, which were all unannounced, the cooperation of the management of the institutions and prison officers with the NPM team was complete and professional.

127. Thematic Report was sent in 2023 regarding visits to institutions for the execution of criminal sanctions that were carried out in 2022 to monitor the treatment of persons deprived of their liberty who are in solitary confinement, i.e. in any form of isolation from other persons

deprived of their liberty. From the response of the Administration for the Execution of Criminal Sanctions, it appears that the director of the Administration ordered all administrators of the institution to act according to the recommendations sent, and the Inspection Department of the Administration to control the implementation of the NPM recommendations from the Thematic Report during the supervision of the work of the institution.

128. Also, four thematic visits to institutions were carried out to check the existence of torture and other cruel, inhuman or degrading punishments and procedures. During these visits, the persons deprived of their liberty interviewed by the NPM had no objections to the behavior of the prison officials towards them.

129. According to the findings of the NPM, the Administration for the Execution of Criminal Sanctions continued to invest in the improvement of housing conditions for persons deprived of their liberty, and works on the construction or renovation of pavilions in institutions have been completed or are in progress. Also, it was observed that specialized programs for group work with prisoners are implemented in institutions. Further efforts should be focused on hiring a sufficient number of officials in prisons, implementing the aforementioned programs and improving the treatment of persons deprived of their liberty.

130. Police stations improved detention records on NPM's recommendations. Records now include information on the time of notification to relatives, police attendance at medical exams at the request of the doctor, and reasons for refusal to sign retention or rights notice.

131. There has been noticeable improvement in ensuring that detained persons are able to exercise their right to access a defense attorney. This is being achieved by police stations keeping records of information about the defense attorney, such as the time they were contacted, the time they approached the detained person, and the time they conducted a confidential interview with them.

132. Throughout 2023, the Ombudsman and their team actively took part in various national and international events related to this subject. Their efforts also focused on promoting greater awareness of the importance of these topics within the national legal community.

5. Year 2024

133. In line with its mandate under the Optional Protocol to the Convention against Torture (OPCAT), the National Preventive Mechanism (NPM), operating within the Ombudsman's office, significantly expanded its oversight activities throughout 2024 and into 2025. These efforts focused on facilities where individuals are or may be deprived of liberty, including police stations, detention units, prisons, psychiatric institutions, social care homes, and immigration facilities.

134. In 2024, the NPM carried out a total of 74 visits, of which 43 were to police stations, 19 to prison institutions, 5 to social care homes, and 4 to psychiatric institutions. In addition, the NPM conducted 6 observations of forced return procedures involving foreign nationals and 3 visits to centers for refugees and migrants.

135. A special focus was placed on visits to police stations to assess compliance with safeguards protecting detained persons from ill-treatment. These include the right to notify a family member, the right to a medical examination, and access to legal counsel. The visits also aimed to evaluate how and when detainees are informed of their rights, and whether facilities meet the standards established by domestic law and international recommendations, particularly those issued by the CPT in 2021 and 2023.

136. All NPM visits were unannounced, and cooperation from police and other officials was consistently described as professional and constructive.

137. Based on the police visits, the NPM produced 13 reports and issued 84 recommendations, of which 54 were fully implemented, 1 was not implemented, and 10 remain under follow-up. In prisons, the NPM issued 9 reports with 36 recommendations, of which 21 were implemented, 4 not implemented, and 11 pending follow-up.

138. During its visits, the NPM verified that most detainees were properly informed of their rights both orally and in writing. However, it identified recurrent issues such as the use of inadequate notification forms and improper calculation of the start of detention - especially in criminal cases - where the time between arrest and formal detention order was often excluded.

139. While most detainees reported no instances of ill-treatment, the NPM received a few allegations of physical abuse during or immediately following arrest, typically involving beatings

or verbal abuse by criminal inspectors. Although these could not be substantiated through medical records or direct observation of injuries, the NPM emphasized in its reports the absolute prohibition of excessive force and the importance of regular training and reminders to police officers regarding the necessity and proportionality of force.

140. The NPM referred several reports to the Commission for the Implementation of Police Standards within the Ministry of the Interior to support awareness-raising and reinforce safeguards.

141. The NPM observed that, despite previous investments by the Ministry of Interior, a number of detention facilities still do not meet minimum standards, and in some areas, there is a shortage of detention space, leading to operational and security risks. It called for renewed efforts in adapting and constructing detention rooms in accordance with legal and human rights requirements.

142. In prisons, the NPM conducted targeted and thematic visits, including evaluation of initial medical examinations upon entry into detention, verification of documentation and reporting of injuries, monitoring implementation of CPT recommendations, investigation into the presence of torture or other prohibited treatment.

143. Although no direct evidence of ill-treatment was established, the NPM received several unverified reports of violence by prison staff. In response, it recommended that all employees receive clear instructions on zero tolerance for torture and that further awareness-raising and training be implemented.

144. The NPM also noted uneven quality in rehabilitation and employment programs, especially in closed units, and emphasized the need to develop tailored programs for women and minors.

145. In 2024, the NPM conducted unannounced visits to psychiatric hospitals and mental health centers to monitor implementation of CPT recommendations. While no reports of abuse by staff were received, the NPM identified deficiencies in updating individual treatment plans, medical documentation practices, processes for obtaining informed consent and voluntary admission, availability of trained staff, particularly among nurses.

146. Social welfare visits revealed persistent challenges with deinstitutionalization, staff shortages, insufficiently structured daily activities for residents, and outdated complaint-handling procedures. The NPM stressed the need for clearer regulatory frameworks and enhanced rights-awareness for residents.

147. In both 2024 and 2025, the NPM monitored immigration centers, the Nikola Tesla Airport, and return procedures. It welcomed the Ministry of Interior's cooperation in improving conditions at the Reception Centre in Padinska Skela and facilitating healthcare for migrants. However, the NPM reiterated concerns about insufficient access to interpreters during forced return, inadequate notice prior to deportation, lack of consistent safeguards against refoulement. No migrants interviewed during visits reported abuse by police or irregularities during their stay or transfer to immigration detention.

148. In its effort to promote long-term systemic change, the NPM organized bilateral meetings with the Ministries of Interior and Health, participated in regional NPM forums and trainings on detention safeguards, gender-based violence, and non-discrimination, worked closely with the CPT during its visit to Serbia in late 2024, maintained cooperation with civil society (7 partner NGOs) and the Provincial Ombudsman, took part in European platforms such as Frontex's working group on forced returns and SPT webinars.

149. In 2025, visits continued to facilities in Leskovac, Sombor, Pančevo, Subotica, Prokuplje, and Kragujevac, with a continued focus on monitoring adherence to human rights safeguards and addressing past recommendations.

(vi) Publication and application of the Manual for conducting informative interviews with different categories of persons

150. During 2022, within the framework of the project *"Strengthening the Protection of Human Rights of Detained and Convicted Persons in Serbia"*, phase II, with the support of domestic and international consultants provided by the Council of Europe, a team was formed to prepare materials for training police officers to conduct informative interviews with different categories of persons and a draft of the *"Manual for conducting informative interviews with different categories of persons"* was drawn up, with all aspects of dealing with particularly vulnerable categories of persons.

151. In 2023, the aim was to start the practical application of the Manual. In the mentioned year a meeting was held with representatives of the Ministry of Interior who are responsible for adapting the existing manual and initiating its practical application. The organization of training for criminal investigators to conduct interviews in the pre-investigation proceedings is planned for the first half of 2024.

152. Additionally, within the framework of the aforementioned project, an analysis was conducted of around 235 completed questionnaires to assess the actions of medical staff in providing health care to persons in police custody. The analysis was used to draft a proposal for a *Memorandum of Understanding between the Ministry of Internal Affairs and the Ministry of Health*. The proposal aims to improve the health care of persons in police custody.

153. As part of its broader efforts to improve conditions of detention and safeguard the health and rights of persons deprived of liberty, in October 2024 the Ministry of the Interior signed the mentioned Memorandum of Understanding with the Ministry of Health, which entered into force on the same day. This agreement defines the mutual rights and responsibilities of the two ministries in ensuring medical care for individuals subjected to police powers, particularly in cases of apprehension and detention. The Memorandum builds on prior cooperation and aims to harmonize procedures for providing health services to detained persons throughout Serbia.

C. Measures aimed at ensuring investigation into ill-treatment in hands of law enforcement agents (violations of Article 3 in its procedural limb)

154. In response to the Court's findings, the authorities have taken significant measures to ensure effective investigations into alleged ill-treatment in hands of the law enforcement agents.

(i) Brief review of the steps taken to prevent future violations of Article 3 of the Convention in its procedural limb

155. In order to bring investigations into alleged police brutality to conformity with the standards set out in the case law of the Court, the authorities undertook considerable measures encompassing the amendments of legislation and change of practice of the public prosecutors' and the police. It is expected that the measures taken provide considerable outcome in respect of preventing impunity for members of the law enforcement agencies committed torture or ill-treatment.

156. At the outset, it should be reiterated that a fresh Criminal Procedure Code came into force in October 2013. In accordance with the said law, public prosecutors are vested with authority to conduct criminal investigations and to issue all necessary orders to the police aimed to detect criminal offences and to find the suspects. Also, public prosecutors have at their disposal an effective mechanism for preventing police officers to ignore their orders which implies, inter alia, a possibility of filing request for initiating disciplinary proceedings against the officer considered liable for failing to conduct in accordance with the orders. The new Criminal Procedure Code introduced a number of novelties in order to expedite criminal proceedings and to enhance criminal investigations in general.

157. The authorities also note that the adoption of a set of judicial laws on 17 January 2023 helped to improve the legislative framework regarding this problem.

158. The legislation in question has thoughtfully excluded the participation of political branches of the government in the nomination and election of judges, court presidents, public prosecutors, and chief public prosecutors. This exclusion will facilitate greater independence of judges and public prosecutors, which will not only strengthen the rule of law but also enhance legal certainty.

159. The new Public Prosecution Law has introduced significant changes. One of the most notable changes is the elimination of the monocratic arrangement of public prosecution. Instead, the Supreme Public Prosecutor, chief public prosecutors, and public prosecutors are now designated as the holders of the public prosecution function. Additionally, the probationary mandate for public prosecutors who are elected for the first time to the public prosecutor's office has also been repealed.

160. The new amendment that replaces deputy public prosecutors and a public prosecutor with public prosecutors and the chief public prosecutor will promote greater independence in the work of public prosecutors.

161. In addition, the new Public Prosecution Law regulates the General Mandatory Instruction of the Supreme Public Prosecutor. It is foreseen that the Supreme Public Prosecutor issues general mandatory instructions for the action of every holder of the public prosecutor's office, with the aim of achieving legality, effectiveness, and uniformity in conduct. This instruction is available

to the public and is published on the website of the Supreme Public Prosecutor's Office, except in the case when its publication threatens the interests of national security.

162. By publishing general mandatory instructions, greater transparency is achieved in the work of the public prosecutor's office, with only one exception that is in accordance with the standards on access to information of public importance.

163. The adoption of a set of judicial laws also received a positive opinion from the Venice Commission, which concluded that the adoption of the five laws is an important advance in the process of bringing the Serbian judiciary in line with European standards.

164. The Working Group of the High Prosecutorial Council has started drafting a new *"Ethical Code of Public Prosecutors"* during a two-day meeting in Vršac in February 2024 with the support of the joint EU and Council of Europe project *"Support for the implementation of judicial reform in Serbia"*. The initial draft of the code was prepared by a local CoE expert based on the provisions of the current ethical code and new law. The working group is inclusive and gathers members of the High Prosecutorial Council, public prosecutors from the territory of all four appellate public prosecutor's offices, representatives of two associations of public prosecutors and representatives of civil society organisations.

165. The draft code is based on the principles established in Recommendation *Rec (2000)19* of the Committee of Ministers on the role of public prosecution in the criminal justice system, as well as other instruments related to the ethical principles of public prosecutors. The draft ethical code, which is in accordance with the new Public Prosecution Law, regulates the ethical principles of legality, independence, impartiality, proportionality, responsibility, dedication, and dignity. These provisions will be further specified in the *"Guidelines for the Ethical Code"* which are currently under development.

166. The draft ethical code aims to fully align with the new Public Prosecution Law and European standards while promoting key ethical values for strengthening the independence of public prosecutors.

167. Furthermore, the authorities recall the adoption of the Methodology for Investigating the Cases of Ill-treatment by the Police which presents a huge step forward in suppressing impunity for police brutality. This document was prepared with support of the OSCE Mission in Serbia and

drafted by the group of eminent domestic experts in the field of criminal law and human rights. In one of its previous reports, the CPT indicated that if applied properly, the methodology will be an important resource in carrying out effective investigations. In 2017, the Chief Public Prosecutor issued the methodology in form of a binding instruction for all public prosecutors dealing with the cases of alleged ill-treatment by the police.

168. Taking into account the case law of the Court referring to the procedural limb of the Article 3 of the Convention, key elements of the methodology could be summarized as follows:

- public prosecutors conduct investigations into alleged ill-treatment in hands of police, while, exceptionally, certain actions may be delegated to the Sector for Internal Control;
- independence and impartiality of the investigation were secured; thus, public prosecutor and police officers of the Sector for Internal Control have to be substantially independent from the persons whose acts or omissions are object of the investigation;
- investigating the allegations of police ill-treatment have to be prompt i.e. without excessive delays in performing investigative actions;
- public prosecutor is solely vested with powers to interview victims and law enforcement officers suspected of committing torture or ill-treatment;
- public prosecutor, if it is necessary, has to order, as soon as possible, medical forensic report on the injuries sustained by the victim;
- relevant safeguards were introduced in respect of material evidence, so it must be properly collected, processed, protected, marked and stored;
- all victims of the police torture or ill-treatment have to be adequately and timely informed of their rights during the course of the proceedings.

169. After the adoption of the methodology, the Ministry of the Interior issued separate Instruction on its application in order to facilitate proper implementation of the given document by the police. The aim of the instruction was to provide necessary explanations on duties and responsibilities of the police officers in cases of the alleged police brutality.

170. In order to gain better understanding to the achieved progress and raised issues, the Supreme Public Prosecutor's Office intends to conduct in the following period an analysis of the

impact of the methodology, as well as explore strategies for enhancing cooperation with the Sector for Internal Control within the Ministry of Interior.

171. The Government stays firm that the application of the methodology is capable of securing independent, thorough and prompt investigations into alleged torture or ill-treatment in hands of the law enforcement agents.

(ii) Statistical data regarding criminal offences of Extortion of Statements, Ill-treatment and Torture and disciplinary proceedings

172. During the period of 2018 to 2023, there were a number of instances where police officers were charged with criminal offences of Extortion of Confession and Ill-treatment and Torture. In the following paragraphs, we will provide you with relevant statistics and an overview of the actions taken by the competent authorities.

173. In the course of 2018, criminal charges were filed against 20 police officers for the criminal offence of Extortion of Confession from Article 136 of the Criminal Code. Evidentiary actions were conducted against 12 persons, while a decision was made to dismiss the criminal charges against 19 persons. In the same period, criminal charges were filed against 195 police officers for the criminal offence of Ill-treatment and Torture under Article 137 of the Criminal Code. Requests for the collection of necessary information were submitted against 35 persons, evidentiary proceedings were conducted against 57 persons, and a decision was made to dismiss criminal charges against 184 persons. The indictments were filed against 5 persons, while convictions were handed down against 3 persons.

174. In the course of 2019, criminal charges for the criminal offence of Extortion of Confession were filed against 35 persons. In 29 cases the criminal charges were dismissed, while in one case a suspended sentence was imposed. During the same year, criminal charges for the criminal offence of Ill-treatment and Torture were filed against 250 persons. Criminal charges were dismissed in 230 cases, indictments were filed against 12 persons, based on which 6 suspended sentences were handed down.

175. During 2020, criminal charges for the criminal offence of Extortion of Confession were filed against 26 persons, while criminal charges were dismissed in 24 cases. During the same

year, criminal charges for the criminal offence of Ill-treatment and Torture were filed against 226 persons, criminal charges were dismissed in 212 cases, and indictments were filed against 7 persons, based on which 2 suspended sentences and one judicial admonition were handed down.

176. In the course of 2021, criminal charges for the criminal offence of Extortion of Confession were filed against 17 persons, while criminal charges were dismissed in 8 cases. During the same year, criminal charges for the criminal offence of Ill-treatment and Torture were filed against 274 persons, criminal charges were dismissed in 218 cases, and indictments were filed against 12 persons, based on which 4 suspended sentences and one prison sentence were handed down.

177. During 2022, criminal charges against 9 police officers were filed for the criminal offence of Extortion of Confession. Requests for the collection of the necessary information were submitted against 3 persons, evidentiary proceedings were conducted against 3 persons, after which a decision was made to dismiss the criminal charges. In the same period, criminal charges were filed against 245 police officers due to the criminal offence of Ill-treatment and Torture. Requests for the collection of the necessary information were submitted against 44 persons, evidentiary proceedings were conducted against 63 persons, and a decision was made to dismiss the criminal charges against 154 persons. The indictments were filed against 12 persons, while convictions were handed down against 3 persons.

178. In 2023, 13 police officers were charged with the criminal offence of Extortion of Confession. Out of these, charges were dismissed against 6 individuals, while a request was submitted to collect necessary information on the remaining 6 individuals. In the same period, 319 police officers were charged with the criminal offense of Ill-treatment and Torture. Out of these, charges were dismissed against 261 individuals, a request was submitted to collect necessary information on 74 individuals, evidentiary actions were taken against 105 individuals, 16 individuals were accused, 12 individuals were found guilty, and 2 individuals were acquitted.

179. Between 1 January 2024 and 30 April 2025, Serbian public prosecutors received criminal complaints against 7 police officers for the offence of coercing a statement. 4 complaints were dismissed, 5 are under preliminary fact-finding, and evidentiary actions were undertaken against 3 officers. In the same period, 387 criminal complaints were filed against police officers for the offence of ill-treatment and torture. Of these, 277 complaints were dismissed, preliminary fact-finding is ongoing for 131 officers, evidentiary actions have been taken against 122 officers, and indictments have been issued against seven officers.

180. The authorities also state that the decision to dismiss the criminal complaint is not final and that the procedure for filing a criminal complaint according to national legislation contains certain elements of a two-instance proceeding, about which we provide more information below.

181. Namely, if the public prosecutor dismisses the criminal complaint (Article 284 of the Code of Criminal Procedure), for certain reasons of a procedural or substantive nature, he is obliged to inform the injured party about the dismissal of the criminal complaint and the reasons for dismissal within eight days.

182. The decision to dismiss the criminal complaint is made in the form of a decision in which the reasons for the dismissal are given and indicates the right to submit an objection to the immediately higher public prosecutor, who can dismiss or approve the objection by a decision. If the decision approves the objection, the immediately superior public prosecutor will issue a mandatory instruction to the competent public prosecutor to initiate or continue the criminal prosecution.

183. Regarding the disciplinary responsibility, the authorities state that disciplinary proceedings were initiated against 3 police officers due to alleged abuse of authority during unregistered civil protests in July 2020, and one of the police officers has been declared guilty of a serious breach of duty.

184. In the course of 2022, a total of 9 disciplinary proceedings were initiated for a serious breach of duty, of which 5 disciplinary proceedings are still ongoing. A fine in the amount of 20% of the basic salary for a period of 2 months was imposed in one case, fines in the amount of 40% of the basic salary for a period of 4 months in 2 cases, while in one case a measure of prohibition of promotion was imposed for 2 years. Proceedings from 2023 are still ongoing and statistical data on them is still being processed. From October 2023, departments for conducting disciplinary proceedings against police officers at the regional level were established. The aim of the measure taken is to simplify and facilitate the conduct of disciplinary proceedings.

185. Between 2021 and 2024, there have been 13 instances where police officers were temporarily relieved from duty pending the completion of disciplinary proceedings.

186. During 2022, in 12 cases, the use of means of coercion was assessed as irregular and unjustified, namely the use of physical force 8 times, restraints 3 times and one firearm use. In

2023, there were 4 cases of the irregular and unjustified use of means of coercion, so far one official warning has been issued, and further proceedings are underway.

187. In 2024, the Ministry of Interior recorded one case involving the use of coercive means—specifically, physical force—by 3 police officers against a single individual. The case was reviewed by the Commission for the Assessment of the Justification and Correctness of the Use of Coercive Means. The Commission concluded that the use of force was justified but irregular. As a result, disciplinary proceedings will be initiated against the involved officers, in accordance with applicable disciplinary procedures under the Law on Police.

188. The authorities would like to add that in all cases of unjustified and irregular use of means of coercion, measures were taken to determine disciplinary responsibility against the acting police officers.

(iii) Targeted awareness-raising measures

189. The authorities consider very important to ensure continuing professional training of prosecutors and law enforcement agents on how to conduct effective investigation into alleged ill-treatment in hands of the police.

190. Professional training significantly contributes to the change of perception in respect of the police torture or ill-treatment among prosecutors and law enforcement officers in a manner to conceive them as unacceptable and punishable acts. Also, the authorities deem that the most effective measure aimed to secure implementation of the methodology adopted for investigating cases of police brutality is the permanent, comprehensive and quality professional training. Namely, workshops, seminars and other courses focusing on directions contained in the methodology can ensure its application in practice, particularly, stressing the need that the public prosecutors solely conduct interviews with the suspects and injured parties, and order medical forensic reports during the investigations.

191. In 2019, trainings called *"Methodology for Investigating the Cases of Ill-Treatment by the Police"* have been carried out in cooperation between the Judicial Academy and OSCE Mission in Serbia in Vranje, Novi Pazar, Sombor, Užice, Belgrade, Novi Sad, Zrenjanin and Kraljevo. The said trainings were attended by the 90 prosecutors and police officers engaged in the Sector for Internal Control and district police departments while the lectures were held by domestic experts

from the Chief Public Prosecutor Office, High Public Prosecutor Office in Novi Sad and the Sector for Internal Control. In 2022, in cooperation with the Public Prosecutor's Office of the Republic, the Sector for Internal Control, the OSCE Mission in Serbia and the Judicial Academy, 12 trainings were organized and was attended by 105 police officers and 103 public prosecutors.

192. In 2023, the Judicial Academy organized six one-day seminars on the topic of *"Conducting Investigations in Cases of Police Abuse"*. The main objective of these trainings was to enhance the knowledge of the participants regarding the prohibition of torture as defined in Article 3 of the European Convention in the context of criminal proceedings and imprisonment.

193. The training focused on various aspects such as:

- The definition of abuse in international law and the law of the Republic of Serbia;
- When the obligation to conduct an investigation arises and the concept of an effective investigation;
- The role of the Department of Internal Control of the Ministry of Interior and the police in conducting the investigation;
- Analysis and assessment of evidence in public prosecution and court practice, including the practice of the European Court of Human Rights.

194. Throughout 2023, a total of 145 individuals attended the seminars, including 24 judges, 14 public prosecutors, 18 assistant public prosecutors, and 89 police officers.

195. In 2024, the Judicial Academy incorporated the themes of the right to life and the prohibition of torture (Articles 2 and 3 ECHR) into three separate training programs delivered to prosecutors and judges. These included:

- A training on International Legal Assistance in Criminal Matters, held on 10 June 2024 in Belgrade, attended by 14 participants, including 11 prosecutors from basic, higher, and appellate prosecutor’s offices (including the War Crimes Prosecutor’s Office), and 3 prosecutorial assistants.
- An online training course on Procedural Guarantees in Criminal Proceedings and Victims’ Rights, organized in cooperation with the Council of Europe Office in Belgrade. This course took place across October and November 2024, and was completed by 34 participants—13 judges from basic and higher courts, and 21 prosecutors from basic and higher public prosecutors' offices.

- A seminar on the Interaction between Extradition and Asylum Proceedings, held on 10 December 2024 in Belgrade, with 38 participants in attendance. This group included 5 judges and judicial assistants, 27 prosecutors and prosecutorial assistants, and 7 trainees undergoing initial training.

196. Furthermore, during 2025, the Academy implemented two seminars specifically addressing the right to liberty and security (Article 5 ECHR). These were:

- A seminar in Niš on 14 March 2025, attended by 15 participants (9 basic court judges from criminal departments, 1 judicial assistant, and 5 initial training participants); and
- A seminar in Kragujevac on 25 April 2025, with 15 participants (9 basic court judges, 1 higher court judge, 1 judicial assistant, and 4 initial training participants).

197. The Academy has confirmed the continuation of similar seminars in the second quarter of 2025, thereby ensuring sustained judicial awareness and competence in applying ECHR standards relevant to deprivation of liberty and the prohibition of torture and ill-treatment.

D. CPT report on the visit to Serbia from 2023 and the latest developments

198. On 25 January 2024, the CPT committee published its report on the visit to Serbia which took place from 21 to 30 March 2023. The national authorities provided their responses to the report itself and seriously and responsibly took into consideration all the recommendations from the report in order to address the observed deficiencies.

(i) Supreme Public prosecutor actions

199. On 15 March 2024, the Supreme Public Prosecutor issued a General Mandatory Instruction (number A - 2/24 from 15 March 2024) in line with the recommendations from the 2023 CPT report (§ 25). The aim of the instruction is to ensure legality, effectiveness, and consistency in the actions of all public prosecutors.

200. According to the above-mentioned instruction, in all basic public prosecutor's offices, the holder of the public prosecutor's function will be designated as the contact person for handling criminal cases involving the offences of Extortion of Confession and Ill-treatment and Torture. The contact person will be responsible for prioritizing all evidentiary actions and measures in these

cases, coordinating with the Sector for Internal Control of the Ministry of Interior, and participating in specialized training and expert meetings on this topic. In the national legal system, the Supreme Public Prosecutor holds hierarchical superiority over all other public prosecutors, therefore, all public prosecutors are obligated to act in accordance with the general mandatory instructions issued by the Supreme Public Prosecutor.

201. Furthermore, the Republic Public Prosecutor's Office, in cooperation with the OSCE Mission to Serbia, is currently developing a handbook on forensic interviewing of suspects and witnesses. This effort is aimed at promoting best practices and strengthening the investigative capacities of prosecutorial and police staff.

(ii) Bar Association actions

202. The Bar Association of Serbia highly appreciated the recommendation from the CPT 2023 Report included in § 32, that steps should be taken in consultation with the relevant bar associations to promote, through initial and continuing training, a culture in which it is considered unprofessional not to pursue allegations of police ill-treatment. In this regard, the Program Council of the Bar Academy will consider giving a special highlight to the topic of legal protection against police ill-treatment in future training programs for lawyers.

203. The Bar Association of Serbia is responsible for organizing ongoing training for lawyers and legal trainees, with a focus on raising the professional and ethical level of the attorney's office and realizing the role of lawyers in society. The Bar Academy of the Bar Association of Serbia provides special professional training for lawyers and legal trainees, with a focus on the protection of human rights and fundamental freedoms. The Bar Academy has joined the Council of Europe's HELP program (Human Rights Education for Legal Professionals) in 2022. Within this program, the courses *"Introduction to the European Convention for the Protection of Human Rights and Fundamental Freedoms and the European Court of Human Rights*", *"Family Law and Human Rights"*, and *"Ethics for Prosecutors, Judges and Lawyers*" were held for lawyers from Serbia. These courses were successfully completed by over 100 lawyers. The official magazine of the Bar Association of Serbia *"Branič"* regularly publishes articles focused on the protection of human rights and fundamental freedoms.

(iii) Ministry of the Interior actions

204. After the publication of the CPT report subsequently the visit to the Republic of Serbia in March 2023, the Ministry of the Interior began to intensively develop the Action Plan of the MoI in response to the recommendations provided in the CPT Report.

205. Concerning the raised issues, the authorities are pleased to announce that the Ministry of the Interior established a working group. The group's primary objective is to develop an Action Plan in response to the recommendations provided in the 2023 CPT Report.

206. The State Secretary of the Ministry has been appointed to head the group, and the plan's goals will be both clear and measurable. Additionally, the plan will undergo a yearly review and analysis to ensure its effectiveness.

207. The Ministry of Interior aims to enhance the conduct of police officers towards citizens when applying police powers, which includes adhering to legal provisions that govern information gathering, questioning of suspects, and detaining individuals. The Ministry also strives to collaborate with other state entities and members of society to promote governance rights, ensure equal protection of security, and uphold the rights and freedoms guaranteed by the Constitution and laws of the Republic of Serbia for all its citizens. To achieve these goals, a Plan would be devised to outline the proposed activities, the stakeholders, the implementation timeline, the activity indicator, and the status of each recommended action item from the 2023 CPT report.

208. The draft proposal outlines that the Police Directorate would take charge of monitoring the implementation of the Plan's activities and organizing quarterly meetings, with the possibility of convening additional sessions as required.

209. In addition, on 20 March 2023, a meeting regarding the 2023 CPT report was held on the initiative of the State Secretary of the Ministry of Interior - Mr Danilo Stevandić phd - which was attended by representatives of national authorities.

210. The meeting was attended by Ombudsman and his deputy, Government Agent, high representatives of the Internal Control Sector, the Police Directorate and of the Secretariat of the Ministry of Interior, deputy ministers of the Ministry of Human and Minority Rights and Social Dialogue and of the Ministry of Health, as well as the public prosecutor of the Supreme Public

prosecution office and high representatives of the Administration for the Execution of Criminal Sanctions. The meeting was held to address deficiencies identified in the CPT report as quickly and effectively as possible.

211. At the meeting, further activities were considered as the government's response, thus the MoI presented to all its activities regarding the drafting of the Plan for improving the conduct of police officers towards citizens in order to prevent torture and inhuman or degrading punishments for the period 2024 - 2027. The draft Plan is designed to include a series of activities that adhere to the principles and standards set forth in the Law on Police, the Code of Criminal Procedure, the Law on Misdemeanors, and the Code of Police Ethics. The aim of these activities is to effectively improve the conduct of police officers towards citizens and prevent instances of torture, inhuman treatment, and degrading punishments.

212. The authorities hold the opinion that a comprehensive plan has the potential to effectively address the observed issues at hand.

213. This document is currently pending ministerial signature. The authorities will inform the Committee of Ministers about further steps taken in this regard.

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214. As part of the Council of Europe project on *"Strengthening the Protection of Human Rights of Detained and Convicted Persons in Serbia"* the Ministry of Interior and the Ministry of Health have worked together to draft a Memorandum of Cooperation. This memorandum will guide how medical examinations are conducted for individuals in police detention. The aim is to have a uniform way of acting for both police officers and health workers during medical examinations and providing healthcare to persons deprived of their liberty and detained persons. The memorandum is being harmonized to ensure compliance with the recommendations of the Ombudsman and international standards in that area.

215. As part of the aforementioned project, the Police Directorate collaborated with the Commission to create a Manual for conducting interviews with suspects, victims, witnesses, and other particularly sensitive individuals. The Manual was officially adopted in February 2024 and will be used to train police officers starting this year.

216. The Police Directorate, along with the Commission, will continue to conduct inspections in regional police departments. In 2023, they carried out inspections in 12 departments. The purpose of these inspections is to review the actions of police officers toward individuals who have been arrested or detained. The focus will be on ensuring that the rights of these individuals are respected, and all relevant data related to their detention is recorded. This includes information on whether the arrested person was allowed to notify a family member or close person, the date and time of this notification, the beginning of the detention period, the notification and arrival of the defense attorney, and the provision of food to the detained person.

217. In 2024, the Police Directorate carried out 7 control and instructional activities in 9 organizational units, specifically examining police officers' actions during the deprivation of liberty process. These activities focused on verifying that detained individuals were duly informed of their rights in a timely manner and were effectively enabled to exercise those rights, thereby ensuring compliance with procedural guarantees and human rights standards.

218. In order to address the concerns raised by the CPT about the conditions in detention facilities, the Police Directorate and the Commission will conduct a comprehensive analysis of all detention facilities by April 2024.

219. The Police Directorate and the Commission were involved in the drafting of an Annex to the Agreement between the Ministry of the Interior and the Ministry of Justice. This was done in accordance with the recommendations of the NPM, which aimed to improve the conditions of those who are detained by the police in the facilities of the Ministry of Justice's Administration for the Execution of Criminal Sanctions. Once completed, the draft Annex was submitted to the Ministry of Justice for their opinion. The annex to the agreement covers the provisions for providing food to detainees and ensuring access to personal hygiene products for those who cannot afford them. It also outlines the conditions for allowing detainees to spend time outdoors if they have been detained for 24 hours or more.

220. In order to enhance the protection of procedural rights during police custody, the Ministry of the Interior has undertaken extensive efforts to standardize and distribute multilingual notification forms on the rights of brought-in and detained persons. These include the Notification of Rights for Brought-In/Detained Persons, which has been translated into English, Hungarian, Romanian, Romani, and Albanian, in addition to Serbian in both Cyrillic and Latin scripts. The Notification of Rights for Arrested and Detained Persons, developed by the Criminal Police

Directorate, has likewise been translated into English. Specific forms for juvenile suspects in both pre-investigation and misdemeanor procedures were developed following the adoption of the Rulebook on the Manner and Conditions for Exercising Police Powers toward Minors (in force since November 2019). These include the Notification of Rights for Juvenile Persons in pre-investigation and misdemeanor procedures, also translated into English.

221. All of the above forms have been integrated into the electronic register of detained persons, ensuring accessibility to all police officers across organizational units. Furthermore, at the initiative of the Commission for the Implementation of Police Standards, all forms in their various language versions have been made available on the Ministry's intranet portal, under the section titled "Documents", where they can be readily accessed by field officers.

222. Also, within the project *"Strengthening the Protection of Human Rights of Detained and Convicted Persons in Serbia"*, a handbook titled ***"Examination in the Preliminary Criminal Investigation"*** has been created to assist police officers in their questioning during this phase. The implementation of this training is currently in the preparatory phase, and the Directorate of Police and Council of Europe are working together to carry it out.

(iv) Expert round table concerning the execution of the Stanimirović group of cases

223. On the 19 March 2023, the Council of Europe and and the European Union joint project *"Strengthening human rights protection in Serbia",* within the programme *„Horizontal Facility for the Western Balkans and Türkiye", phase III,* organized an expert round table in Belgrade, with the online participants as well, titled *"Execution of the European Court of Human Rights judgements, with focus on the Stanimirović group of cases"*.

224. The round table brought together representatives of the the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) and the Department for Execution of the Judgments of ECtHR), as well as the deputy Ombudsman, Public prosecutor of the Supreme Public Prosecutor's Office, high representatives of the Ministry of the Interior and the Ministry of Justice, Council of Europe and European Union projects representatives, as well as the Government Agent before the European Court of Human Rights.

225. The conference aimed to support Serbian authorities to effectively implement the European Court's judgments and provided a platform for constructive exchange about outstanding challenges arising from the execution of the Stanimirović group of cases. The meeting was a significant step towards addressing the issues identified in the 2023 CPT report and determining the necessary actions and measures to solve them. The cooperation and commitment of all parties involved were greatly appreciated and contributed to a productive and fruitful discussion.

226. Continuing the series of successful meetings initiated last year, a roundtable dedicated to the execution of the ECtHR judgment in *Stanimirović and Others* related cases was held in March 2024. This meeting, organized by the Council of Europe, gathered key stakeholders from Serbia, including representatives from the Ministry of Interior, the Ministry of Justice, the Ombudsman's Office, the Internal Control Sector, and the Public Prosecutor's Office.

227. The authorities would like to express their sincere gratitude and to thank once again to the Council of Europe and the Execution Department for the technical assistance provided to ensure Convention implementation, as well as to the project *"Strengthening human rights protection in Serbia"* for organizing this joint round table which proved to be an essential forum for the exchange of views and expertise on the subject.

(v) Study visit of the delegation from the Ministry of Interior of Serbia to the Council of Europe in Strasbourg

228. On 12 and 13 June 2025 the Serbian delegation - the Head of Department for the Control of Police Work and President of the Commission for the Implementation of the Standard of Police Conduct in the Area of Torture Prevention, as well as the Head of the Department for Data Processing, Complaints and Cooperation with Independent Bodies and representative from the Department for International Cooperation and Cooperation with the EU – met with the representatives from the Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) and with the representatives from the Department for the Execution of the Court`s Judgments.

229. During the fruitful meetings, the Serbian delegations of the Ministry of Interior provided an overview to the representatives of the CPT and of the Execution Department (Department) about the measures that Serbia is taking and plans to take relating to the issues concerned.

230. The Department provided an overview of the system for the supervision of the execution of the European Court's judgments, with a particular focus on cases concerning torture and ill-treatment. The discussions revolved around the measures to implement the *Stanimirović group* of cases.

E. Publication and dissemination measures

231. The authorities stress that publication and dissemination measures in response of the Court's findings in this group of cases have been taken. Namely, the European Court's judgments were translated into Serbian and published on the official web page of the Government Agent and in the Official Gazette of the Republic of Serbia.

232. Beside translation of the Court's judgments, the Government Agent prepared an analysis of the standpoints taken by the Court in reasoning of these judgments and submitted it to all relevant institutions, notably to the Supreme Court of Cassation, the Chief Public Prosecution Office, the Security Information Agency and the Ministry of Interior. The Supreme Court of Cassation and the Chief Public Prosecution Office transmitted further the translations and analysis to all courts and prosecutor offices in the country, including to the courts and prosecutor offices which dealt with these cases.

233. Therefore, the Government deems that these measures ensured that all relevant domestic authorities are acquented with the Court's findings.

IV JUST SATISFACTION

234. The authorities ensured payment of just satisfaction awarded in the present group of cases as set out in the table below.

Case	Judgment final on	EUR sum awarded	Payment deadline	Date of payment
Stanimirović	08/03/2012	18 000	08/06/2012	01/06/2012
Zličić	26/04/2021	6 700	26/7/2021	10/6/2021
Lakatoš and Others	14/01/2025	3,500 each to the first, second and third applicants 8,500 to the fourth applicant	14/04/2025	The information is awaited
Nikolić	03/06/2025	1,800	03/09/2025	The information is awaited

235. The authorities therefore consider that the payment has been made within the Committee of Ministers' practice.

V CONCLUSIONS

236. The authorities consider that the individual measures taken ensured that the applicants have been redressed for the damage sustained. The authorities respectfully propose to the Committee of Ministers to close its examination of the repetitive cases in which no further individual measures are possible, notably, cases of *Zličić* and the new case *Lakatoš and Others.*

237. The authorities consider that the general measures taken and/or envisaged will be capable of preventing similar violations. The authorities however undertake to inform the Committee of Ministers on the further developments in the pending initiatives, as well as on their impact.

238. The authorities take this opportunity to reiterate to the Committee of Ministers its commitment to comply with its obligations under Article 46 (1) of the Convention in these cases.