SERBIA



Department for the Execution of Judgments of the European Court of Human Rights

Directorate General
Human Rights and Rule of law

Country factsheet

Last update
18 September 2026

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

French version:
Fiche pays de la Serbie

These summaries are made under the sole responsibility of the Department for the Execution of Judgments of the European Court and in no way bind the Committee of Ministers.

The opinions expressed in this work are the responsibility of the author(s) and do not necessarily reflect the official policy of the Council of Europe.

The reproduction of extracts (up to 500 words) is authorised, except for commercial purposes as long as the integrity of the text is preserved, the excerpt is not used out of context, does not provide incomplete information or does not otherwise mislead the reader as to the nature, scope or content of the text. The source text must always be acknowledged as follows "© Council of Europe, year of the publication". All other requests concerning the reproduction/translation of all or part of the document, should be addressed to the Department for the Execution of Judgments of the European Court of Human Rights, Council of Europe (F-67075 Strasbourg Cedex or dgi-execution@coe.int).

Cover design and layout:
Department for the Execution of Judgments of the European Court of Human Rights, Council of Europe

Photos: Council of Europe, ©Shutterstock

© Council of Europe, September 2026

Table of contents

I. MAIN ACHIEVEMENTS 4

Actions of security forces and effective investigations 5
Right to liberty and security 5
Functioning of justice 5
Protection of private life 6
Protection against religious discrimination 6
Protection of property rights 7
Electoral rights 7
Freedom of movement 7

II. MAIN ISSUES PENDING BEFORE THE COMMITTEE OF MINISTERS 8

Security forces – use of force and effective investigations 9
War crimes – effective investigations 9
Risk of ill-treatment in the case of extradition 9
Collective expulsion 9
Right to libery and security 9
Enforcement of judicial decisions 9
Length of judicial proceedings 10
Protection of private and family life 10
Discrimination 10
Protection of property 10



I. Main achievements

This chapter presents short summaries of a selection of the main reforms and achievements reported in final resolutions since the Convention system was amended in 1998 by Protocol No. 11, with a clear focus on recent reforms, referring however also to important earlier developments.

In view of the wealth of cases closed, the selection concentrates on those which have led to changes of legislation, government regulations, the adoption of new policies or general guidance from superior courts. As a rule, the overview does not cover information on measures providing individual redress to applicants.

The reforms are in principle presented in the order corresponding to the thematic domains used in the specialised database HUDOC-EXEC of the Department for the Execution of Judgments of the European Court of Human Rights.

Many reforms address issues which appear to be on-going challenges in member states. The effects of reforms adopted at one point in time may thus need to be monitored and possibly revisited as conditions change.[1]

Definitions of the terms used in the context of the supervision of the execution of the European Court's judgments are available in the dedicated Glossary.

[1] The presentation is limited to the information provided at the time of the adoption of the final resolution. It is recalled in this context that the Committee of Ministers has issued Recommendation (2004)5 on the verification of the compatibility of draft laws, existing laws and administrative practice with standards laid down in the European Convention on Human Rights.

Actions of security forces and effective investigations

Victims' participation in investigations was further developed. Moreover, in 2017, the Chief Public Prosecutor issued a Methodology for Investigating Cases of Ill-Treatment by the Police and detailed Guidelines for the Prosecution of Hate Crimes as the authorities' positive obligation. The Penal Code included the offence of hate crime and hatred as a motivation, including religious hatred, was introduced therein as an aggravating circumstance of criminal offences.

Milanović (44614/07)
Final Resolution
CM/ResDH(2019)365

With regard to ill-treatment of prisoners, the Law on the Execution of Criminal Sanctions of 2014 included measures to monitor and prevent violence in detention. In 2015, the Rulebook on the Supervision of the Penal Institutions' Work laid down procedural requirements and possible sanctions. Employment of prison staff can be terminated, *inter alia*, as a result of the failure to declare violations of the institution's house rules (including inter-prisoner violence). Moreover, the medical personnel must keep special records of injuries sustained by detainees and notify the institution's warden of any sign that violence has been inflicted. Furthermore, allegations of ill-treatment should be prosecuted *ex officio* while public authorities are obliged to report to prosecutors all alleged criminal offences including those related to inter-prisoner violence.

Gjini (1128/16)
Final Resolution
CM/ResDH(2020)79

Right to liberty and security

The right to be brought before a judge within 48 hours has been guaranteed at the constitutional level since 2006 and was enshrined in the Criminal Procedure Code of 2011. The Constitutional Court developed its case-law to prevent excessive length of pre-trial detention in the light of the special circumstances of the cases and their complexity.

Vrenčev (2361/05+)
Final Resolution
CM/ResDH(2018)52

It is no longer possible to detain individuals on the basis of foreign courts' judgments that had not been previously recognised by Serbian authorities in line with the appropriate procedure for recognition of a foreign decisions in criminal matters. Under recommendations issued in 2015 by the Ombudsman, the Administration for the Execution of Criminal Sanctions should release all such individuals and inform them of the possibility to claim compensation for unlawful imprisonment.

Mitrović (52142/12)
Final Resolution
CM/ResDH(2020)78

Functioning of justice

- Fairness of proceedings

The 2009 Court Rules enabled civil law courts to harmonise domestic case-law in order to avoid inconsistencies in respect of claims brought in identical situations. To this effect, the Presidents of Appellate courts held joint sessions to discuss relevant civil-law topics in view of a general harmonisation of case-law.

Vinčić and Others (44698/06+)
Final Resolution
CM/ResDH(2017)107

- Adversariness in court proceedings

On 26 December 2024, the Constitutional Court revised its 2008 legal opinion regarding notification of third (interested) parties in constitutional appeal proceedings. Constitutional appeals must now be communicated to any third party whose rights or obligations may be directly affected by the Constitutional Court's decision, enabling them to submit a response.

Stefanović and Banković (21784/16)
Final Resolution
CM/ResDH (2025)166

➢ Access to court

The 2009 Cadastre Act ensured that judicial review be available against administrative decisions concerning real property registration.

Backović (47997/06)
Final Resolution CM/ResDH(2013)44

➢ Remedies against excessive length of criminal proceedings

Criminal proceedings were accelerated through a number of legislative amendments in 2013, notably by introducing the prosecutor's obligation to establish the grounds for indictment already before the trial. A special law of 2005 gives priority to criminal proceedings concerning victims who are minors.

Ristić (32181/08)
Final Resolution CM/ResDH(2014)18

In 2011, the Law on the Constitutional Court was amended to ensure a more effective conduct of proceedings in chambers composed of eight or three judges respectively, instead of 15. In 2013, Rules of Procedure allowed for the creation of the judge-rapporteur function, the revision of periodical work-plans and the strengthening of IT support. In 2018, an extensive survey identified cases pending longer than three years to ensure their rapid completion.

Milovanovic (56065/10)
Final Resolution CM/ResDH(2021)20

➢ Enforcement of final judicial decisions against State enterprises

Enforcement proceedings concerning debts of socially-owned companies were improved by a change of practice of the relevant local authorities as well as by the introduction, in 2012, of an effective remedy for the non-enforcement of final court decisions.

EVT company (3102/05+)
Final Resolution CM/ResDH(2017)183

Protection of private life

➢ Protection of correspondence

In 2009, prisoners were granted an unlimited right to correspondence, which could only be limited by judicial decision.

Stojanović, Jovančić and Milošević (34425/04+)
Final Resolution CM/ResDH(2011)77

➢ Protection from dismissal during criminal proceedings

The European Court found that the applicants' right to respect for their private life had been violated and that they had suffered from a lack of foreseeability of the law following their dismissal from the police because of criminal proceedings brought against them. Consequently, the 2005/2016 Police Act was amended and provided that a police officer can only be suspended pending criminal proceedings but not dismissed.

Milojević and Others (43519/07)
Final Resolution CM/ResDH(2018)93

Protection against religious discrimination

The Law on the Prohibition of Discrimination of 2009 became a key instrument in ensuring efficient protection against discrimination, including on religious grounds, introducing the victim's right to seek protection in civil courts. A Commissioner for Equality was established as an independent institution vested with the competence to investigate cases of discrimination and to propose solutions. These measures were accompanied by the Anti-Discrimination Strategy (2013-2018), the Strategy for the Social Inclusion of Roma (2016-2020) and the National Judicial Reform Strategy (2013-2018).

Milanović (44614/07)
Final Resolution CM/ResDH(2019)365

Protection of property rights

➢ Payment of pensions earned in Kosovo[2]

The necessary procedures to ensure the payment of pensions earned in Kosovo have been put in place as from 2013. Pensions have been paid.

Grudić (31925/08)
Final Resolution CM/ResDH(2017)427

➢ Repayment of "old foreign currency savings"

In 2016, a law introduced a repayment scheme for the "old foreign currency savings" (estimated at 310 million euros) held by nationals of successor States to the SFRY in branches of Serbian banks inside or outside Serbia or held by the Serbian nationals in Serbian branches of the banks with head offices in other former Yugoslav Republics. Furthermore, administrative arrangements have been set up to receive and handle applications.

Alisić and Others (60642/08)
Final Resolution CM/ResDH(2020)184

Electoral rights

Following the facts of this case in which the termination of the applicant's mandate as MP was in breach of the applicable law and parliamentary rules requiring that the intention to resign be submitted by the MP in person, in accordance with his *genuine* will, the 2011 Act on Election of Members of Parliament abolished the "party-administered mandates" and the "blank resignations" of MPs.

Paunović and Milivojević (41683/06)
Final Resolution CM/ResDH(2017)193

Freedom of movement

Due to a failure by the respective Ministers of Interior to enact, since 2008, any regulations, governing the form and content of travel document for refugees, the applicant refugees' right to freedom of movement had been violated. In November 2023 the Minister of Interior enacted the required Rules on the form and content of travel documents for refugees, which became applicable in early 2024.

S.E. (61365/16)
Final Resolution CM/ResDH(2024)145

[2] All reference to Kosovo, whether the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.



II. Main issues pending before the Committee of Ministers

This chapter presents the main issues pending in cases/groups of cases currently under the Committee of Ministers' supervision. The relevant supervision procedure is indicated for each case/group of cases.

Detailed information on the status of execution of these cases as well as on the Committee of Ministers' supervision process is available on the specialised database HUDOC-EXEC of the website of the Department for the Execution of Judgments of the European Court of Human Rights.

Definitions of the terms used in the context of the supervision of the execution of the European Court's judgments are available in the dedicated Glossary.

Security forces – use of force and effective investigations	
Ill-treatment or death in hands of the police and lack of an effective investigation in this respect.	***Stanimirović group*** (26088/06) Judgment final on 08/03/2012 Enhanced supervision **Status of execution**
War crimes – effective investigations	
Lack of effective investigation into the killing of the applicant's father which occurred during the armed conflict in Croatia from 1991 until 1995.	***Đaković*** (30749/22) Judgment final on 17/05/2026 Enhanced supervision **Status of execution**
Risk of ill-treatment in the case of extradition	
Failure to discharge procedural obligation under Article 3 to assess the risk of ill-treatment before extraditing the applicant to Bahrein, and a **failure to comply with an interim measure** indicated under Rule 39.	***Ali*** (4662/22) Judgment final on 25/06/2025 Enhanced supervision **Status of execution**
Collective expulsion	
Collective expulsion of third-country nationals from Serbia without effective access to asylum procedures, including the unlawful and arbitrary detention of the applicants.	***O.H. and Others*** (57185/17) Judgment final on 03/05/2026 Enhanced supervision **Status of execution**
Right to libery and security	
Violations of right to liberty on account of the lack of concrete and sufficient grounds for applicant's detention, the lack of a speedy review of their detention, and the lack of compensation for the breach of their rights.	***Radonjić and Romić group*** (43674/16) Judgment final on 04/07/2023 Standard supervision **Status of execution**
Failure of domestic courts to hear the applicants personally when considering the extension of their pre-trial detention.	***Kovač*** (6673/12) Judgment final on 18/01/2022 Standard supervision **Status of execution**
Unlawful deprivation of liberty in the transit zone of the Belgrade international airport.	***H.G.D.*** (3158/20) Judgment final on 07/10/2025 Standard supervision **Status of execution**
Enforcement of judicial decisions	
Non-enforcement of domestic decisions rendered against socially owned companies.	***Kačapor*** **group** (2269/06+) Judgment final on 07/07/2008 Enhanced supervision **Status of execution**

Length of judicial proceedings

Excessive length of judicial civil proceedings and the elimination of backlog.

Kajganić (27958/16)
Judgment final on 08/01/2025

Standard procedure
Status of execution

Protection of private and family life

Failure to provide credible information to a mother as to the fate of her son, allegedly deceased in a maternity ward in 1983; his body was neither given to her, nor information about where he was buried. Lack of official record and investigation into the child's death.

Zorica Jovanović (21794/08)
Judgment final on 09/09/2013

Standard supervision
Status of execution

Right to private life due to the **courts' refusal to reopen time-barred paternity proceedings.**

Boljević (47443/14)
Judgment final on 16/09/2020

Standard supervision
Status of execution

Lack of adequate and timely steps to properly address the **child's continued placement in foster care** and to ensure regular contact, as well as excessive length of the proceedings to divest parental rights in respect of the child.

D.G. and S.G. (61347/21)
Judgment final on 03/11/2025

Standard supervision
Status of execution

Discrimination

Unjustified denial to blind chess players of certain financial benefits for winning medals as part of the national team of former Yugoslavia, at the Blind Chess Olympiads, as opposed to sighted chess players.

Negovanović and Others (29907/16)
Judgment final on 20/06/2022

Standard supervision
Status of execution

Protection of property

Disproportionate confiscation of money carried upon entry or transit through Serbia, following failure to declare sums exceeding 10,000 euros, in breach of the applicable reporting requirement.

Aksüngür and Others group (69080/13)
Judgment final on 24/09/2025

Standard supervision
Status of execution



ENG

www.coe.int

The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union. The Committee of Ministers is the Council of Europe's decision-making body, composed by the foreign ministers of all 46 member states. It is a forum where national approaches to European problems and challenges are discussed, in order to find collective responses. The Committee of Ministers participates in the implementation of the European Convention on Human Rights through the supervision of the execution of judgments of the European Court of Human Rights.

COUNCIL OF EUROPE

CONSEIL DE L'EUROPE