THIRD PARTY SUBMISSION TO THE GLOBAL ALLIANCE OF NATIONAL HUMAN RIGHTS INSTITUTIONS SUB-COMMITTEE ON ACCREDITATION (GANHRI SCA) REGARDING THE PROTECTOR OF CITIZENS OF THE REPUBLIC OF SERBIA

1 October 2026

I. Name of the submitting entities

A 11 – Initiative for Economic and Social Rights (A 11)**; FemPlatz; Lawyers' Committee for Human Rights (YUCOM); Partners-Serbia; and CRTA – Centre for Research, Transparency and Accountability.**

A 11 is a Serbian non-profit organization that protects the economic and social rights of vulnerable and marginalised groups through legal support, strategic litigation, advocacy and reporting; it holds ECOSOC special consultative status. **FemPlatz** is a Serbian feminist organisation that promotes women's human rights and gender equality through research, monitoring and advocacy. **YUCOM** is a Serbian non-governmental organisation dedicated to promoting the rule of law, protecting human rights, and providing legal assistance to victims of human rights violations. **Partners-Serbia** is a civil society organisation that works on the rule of law, democracy, anti-corruption and human rights, with a particular focus on privacy and personal data protection. **CRTA** is a Serbian civil society organisation working on democratic accountability, transparency and oversight of public institutions.

II. Contact information

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III. Relationship with the Protector of Citizens

The submitting organisations' assessment is based on their direct interaction with the Protector of Citizens (the Protector), documented cases and publicly available information

A 11 has addressed the Protector since 2018 and has cooperated with its Office since 2019. In 2019 it carried out joint research with the Office in 20 local self-governments, which resulted in the Protector's Special Report on the implementation of the Roma inclusion strategy;[1] at the start of the COVID-19 pandemic, it visited ten informal settlements and two reception centres together with the Protector; and in 2020 it was selected through a public call to cooperate within the National Preventive Mechanism (NPM).[2] In 2020, it also joined an initiative asking the Protector to review how the police handled citizens' reports and issued movement permits during the COVID-19 curfew and, with CRTA, asked the Protector to publicly recommend the dismissal of the Police Director over police violence at the July 2020 protests.[3] Its later complaints and initiatives are discussed below. A 11 and **CRTA** also made a joint submission to the SCA in 2019.[4] **FemPlatz** has engaged the Protector on gender equality and violence against women, including through a 2024 freedom-of-information request and a joint reaction, signed by 54 organisations, to the announced constitutional-review proposal described below;[5] in March 2025 FemPlatz and A 11, with fourteen other organisations, asked the National Assembly to initiate his dismissal (section IV.1.B.5). **Partners-Serbia** has addressed the Protector through complaints and freedom-of-information requests and has taken part in its consultative meetings. **YUCOM** has cooperated with the

1 A 11, "Special Report of the Protector of Citizens on the Implementation of the Strategy for Social Inclusion of Roma with Recommendations", 11 December 2019.
2 A 11, "A billboard reminds how the most endangered citizens in Serbia live during the pandemic", 4 June 2021; A 11, "Otvoreno pismo Zaštitniku građana: Agresivnim javnim nastupima problemi u poštovanju ljudskih prava neće nestati", 8 February 2021.
3 Twelve CSOs, including A 11, "Podneta inicijativa Zaštitniku građana za pokretanje postupka kontrole zakonitosti i pravilnosti rada Ministarstva unutrašnjih poslova tokom zabrane kretanja", 4 May 2020; A 11 and CRTA, *Inicijativa za upućivanje javne preporuke za razrešenje direktora policije Vladimira Rebića*, 16 July 2020.
4 A 11 and CRTA, *Joint Submission to the GANHRI Sub-Committee on Accreditation on the occasion of re-accreditation of Serbian NHRI*, 15 October 2019.
5 *Danas*, "Da li se i Zoran Pašalić pridružio borbi protiv rodno osetljivog jezika?", 2024.

Protector within the National Preventive Mechanism, remaining involved after the Belgrade Centre for Human Rights withdrew and being selected again following the Protector's September 2024 public call; its representative took part in unannounced NPM visits to Belgrade police stations after the December 2023 protests.

IV. Information on the Protector of Citizens' compliance with the Paris Principles (PP)

Introductory context

In December 2020, the SCA deferred the re-accreditation of the Protector and requested further information concerning, inter alia, the selection and appointment process, the handling of human rights violations, complaints, cooperation with civil society, staffing autonomy and adequate funding.[6] In October 2021, it recommended re-accreditation with A status, while retaining recommendations on selection and appointment, addressing human rights violations, cooperation with civil society and adequate funding.[7]

1. Addressing human rights violations and effective discharge of the protection mandate

A. Developments since the 2021 review

1. Own-motion action and responsiveness to serious or systemic violations

The European Commission found that, in the context of the student and civic protests, the Ombudsman reacted minimally and belatedly.[8] After police entered homes in the informal Roma settlement in Vuka Vrčevića Street, Belgrade, on 10 February 2024, where residents reported beatings, racist insults and property damage, A 11 complained to the Protector. Instead of examining the allegations of police misconduct, the Protector declined to consider the complaint on the grounds that other administrative remedies had not first been exhausted, stating that recourse to it was not a substitute for those remedies, and again referred A 11 to other remedies in 2025.[9] The A 11 addressed the Protector because it has the capacity to take action ex officio, and this constituted extremely worrying action on the part of the police that arguably contained elements of racial discrimination and hate crime.

2. Timeliness and effectiveness of intervention

Antena (2023). On 29 March 2023, a municipal inspector ordered Roma families, many of them internally displaced, to remove their homes in the Antena settlement in New Belgrade within 24 hours. The order relied on the city's decision on maintaining cleanliness, as though the homes were waste, instead of the eviction and resettlement procedure required by the Law on Housing and Building Maintenance. That procedure requires consultation, a resettlement plan, free legal aid, an appeal and adequate alternative accommodation.[10] An appeal against the order did not stay execution. A 11 immediately alerted the Protector and other institutions. The European Court of Human Rights issued an interim measure on 31 March, the Commissioner for the Protection

6 GANHRI SCA, *Report and Recommendations of the Session of the SCA, December 2020*, section on Serbia (deferral).
7 GANHRI SCA, *Report and Recommendations of the Virtual Session of the SCA, 18–29 October 2021*, section 1.7, pp. 24–27.
8 European Commission, Serbia 2025 Report, SWD(2025) 755 final, 4 November 2025, Chapter 23, as summarised in A 11, "European Commission reiterates A 11 Initiative's concerns", 5 November 2025.
9 A 11, "Inicijativa A 11 objavila detaljan izveštaj o policijskom upadu u romsko naselje u Vuka Vrčevića", 17 May 2024; A 11, "Pravna podrška i zagovaranje: U Srbiji nema mesta rasizmu i zločinima iz mržnje", 2025.
10 Law on Housing and Building Maintenance, "Official Gazette of the Republic of Serbia", Nos. 104/2016 and 9/2020 – other law, arts. 78–87, in particular arts. 81-83 (consultation with affected people and human rights organisations, early and regular public review, and a decision on the necessity of eviction with a resettlement plan attached).

of Equality issued a recommendation the same day, and the municipality halted the eviction on 10 April. The Protector remained silent until 23 May and then, relying solely on the municipality's statement that no forced eviction had been undertaken, found no basis for further action, , without addressing the fact that the statutory eviction safeguards had been bypassed altogether.[11] **Vijadukt (2020–2021).** The Protector's mediation in the eviction of over seventy mostly Roma families in Resnik produced only a cash payment of EUR 19,000 per family, made outside the legally prescribed procedures and in exchange for which residents signed statements waiving all legal remedies; demolition followed days later, without post-eviction support.[12] **Linglong (2021–2023).**[13] A 11 and ASTRA reported indicators of trafficking for labour exploitation of more than 400 Vietnamese workers to the Office in November 2021, and on 7 December 2021 A 11 asked the Protector to review how the National Employment Service had issued the workers' permits; the European Parliament and UN special procedures also raised the case.[14] The Protector's report, published in 2023, concluded that there were no deficiencies in the work of the competent authorities.[15] The report, dated 26 July 2023, instead highlighted statements favourable to the company, such as a worker being satisfied with his accommodation and food.[16] This echoed the Protector's claim on N1 in November 2021 that the workers had complained not about hygiene but about the food, their main request being a Vietnamese cook.[17] The criminal complaints were dismissed, most workers returned to Vietnam, and the employer was not sanctioned.[18]

3. Public positions and transparency

The submitting organisations are not aware of clear public positions by the Protector on the substance of the cases above. After its November 2021 visit to Zrenjanin, the Office stated that all the foreign workers had proper registration and work permits, while noting fire hazards in their accommodation.[19]

4. Recommendations and follow-up

Where the Protector did act, follow-up was weak. After the joint 2020 visits, it issued recommendations to local self-governments and ministries, including on waste collection, disinfection and drinking water; according to the Protector's own information, by June 2021 only five of 174 local self-governments had acted.[20] In Požarevac, residents still lacked drinking water and electricity in March 2022, two years after the Protector recommended urgent measures to the city.[21]

5. Breadth and consistency of the protection mandate

Although most complaints concern economic and social rights,[22] the Protector's activity in this field remained limited; it did not take part in the debate on ratifying the Optional Protocol to the ICESCR, and its inputs on key laws did not address their discriminatory effects on Roma children and the poor.[23] In A 11's assessment,

11 A 11, *Justiciability of Economic and Social Rights in Serbia – Summary*, July 2023, pp. 19–20.
12 A 11, "The eviction procedure of the inhabitants of the settlement 'Vijadukt' in Resnik was illegally carried out", 26 January 2021.
13 A 11 and ASTRA, *"Living and Labor Conditions of the Linglong Factory Construction Workers from Vietnam"*, November 2021.
14 A 11, "Request for the urgent reaction of the competent institutions...", November 2021; A 11, "Criminal charges were filed regarding the case of Vietnamese workers in Zrenjanin", 7 December 2021; A 11, "The European Parliament's Resolution...", 17 December 2021; A 11, *Distorted Image – Economic and Social Rights in Serbia in 2021*, 2022, pp. 20–25.
15 A 11, *Everyday Injustice – Realization of Economic and Social Rights in Serbia*, 2024, p. 17.
16 A 11, *"Dosije Linglong – Teška eksploatacija stranih radnika uz podršku državnih subvencija"*, 20 June 2024.
17 N1, *"Pašalić: Jedno jaje za doručak 'ne stoji', radnici tražili vijetnamskog kuvara"*, 23 November 2021.
18 A 11, "Dosije Linglong", op. cit.
19 N1, "Zaštitnik građana proverava navode o položaju vijetnamskih radnika u Linglongu", 18 November 2021.
20 A 11, "A billboard reminds...", op. cit.
21 A 11, "Why has the City of Požarevac been silent for four years on calls for help from tenants of social housing?", 11 March 2022.
22 For example, see the Protector of Citizens, *Regular Annual Report for 2022*, no. 02-603/23 of 30 March 2023, statistical overview of complaints (economic and property rights: 42.2%), p. 21.
23 Platform of Organizations for Cooperation with UN Human Rights Mechanisms (incl. A 11, FemPlatz and YUCOM), *Alternative Report for the 71st Session of the Committee on Economic, Social and Cultural Rights*, 14 January 2022, paras. 4–5, pp. 1–2.

the Ombudsman's effect in protecting these rights has become less and less discernible.[24] Positive examples exist, such as the 2021 recommendation to the Ministry of Health on mental health care for an unaccompanied child from Afghanistan following an A 11 complaint, and its 2014 proposal for constitutional review of the decree imposing unpaid work on social-assistance recipients, whose legal basis the Constitutional Court struck down in 2022.[25]

In April 2024, the Protector submitted to the Constitutional Court a proposal to review the constitutionality of the Law on Gender Equality, relying largely on the position of the Committee for the Standardisation of the Serbian Language that gender-sensitive language is "violence against the Serbian language" and disregarding both its own 2021 opinion on the draft law and its published guidance on non-discriminatory language; the Court subsequently suspended the application of the entire Law.[26] The Protector has also publicly denied that women are killed because they are women, attributing femicide to disturbed partner relations, jealousy and economic circumstances, and informed FemPlatz that *no case of femicide had been recorded*, since femicide denotes killings motivated by hatred of women.[27] For these reasons, in March 2025, sixteen organisations, including FemPlatz and A 11, asked the National Assembly's Constitutional Affairs Committee to propose his dismissal for unprofessional and negligent performance of his function; the European Commission noted the initiative in its 2025 report.[28]

In December 2025, the Protector's office drafted amendments to the Law on Public Order and Peace that would extend misdemeanours such as insults, threats and indecent or insolent behaviour to social networks, punishable by fines of up to RSD 150,000 and, for some offences, imprisonment of up to 60 days. The draft has not been officially published or put to public consultation, and civil society learned of it through the media; in September 2026 the Protector stated it was still in consultation. Partners Serbia's analysis found that its vague terms would allow arbitrary and selective punishment of online criticism, including of public officials, and of journalism, warning that it is particularly dangerous for such a proposal to come from an institution meant to act as a counterweight to state power.[29]

B. Assessment

The 2021 recommendation has not been implemented. In serious cases, such as protests, alleged police ill-treatment of Roma, forced evictions and trafficking, the Protector has been passive or late, has relied on the authorities' accounts, and has not publicly defended the rights at stake; in the field of gender equality and freedom of expression, he has acted against the protection mandate.

C. Recommendation to the SCA

The SCA should note with concern that the Protector does not demonstrate effective and independent discharge of its protection mandate under PP A.1–A.3 and GO 1.2, and should not recommend re-accreditation with A status unless the Protector demonstrates timely, independent and public action on serious violations.

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24 A 11, *Justiciability – Summary*, op. cit., p. 20.
25 A 11, *2021 Annual Report*, p. 6; A 11, *Everyday Injustice*, op. cit., p. 38.
26 FemPlatz et al., *Inicijativa za razrešenje Zaštitnika građana*, March 2025, para. 1 (proposal of 18 April 2024); A 11, *A System Adverse to the Poor*, 2025, pp. 15–16 (suspension of 27 June 2024).
27 FemPlatz et al., op. cit., para. 2; Protector of Citizens, response no. 3611-261/24 of 10 May 2024 to FemPlatz's freedom-of-information request.
28 FemPlatz et al., op. cit., para. 3 and signatories; NUNS, "Organizacije civilnog društva traže razrešenje Zaštitnika građana Zorana Pašalića", 7 March 2025; A 11, "European Commission reiterates…", op. cit.
29 Vreme, *"Zaštitnik građana: Zakon o javnom redu i miru odnosiće se i na društvene mreže"*, 26 December 2025; Insajder, *"Objava, komentar, lajk – i kazna: Partneri Srbija upozoravaju na mogući novi zakon koji proširuje prekršaje u digitalni prostor"*, 31 May 2026; Partners Serbia, *"Nacrt izmena Zakona o javnom redu i miru u svetlu zaštite slobode izražavanja i budućeg DSA okruženja u Srbiji"*, 2026, as reported in Cenzolovka, *"Zatvor za komentar na mrežama: Kako Pašalićev predlog zakona ugrožava slobodu govora na internetu"*, 21 July 2026.

2. Cooperation with civil society and human rights defenders

A. Developments since the 2021 review

The 2021 Law on the Protector of Citizens explicitly mandates cooperation with civil society for the first time, but cooperation had already dropped sharply after 2017, when most organisations left the National Preventive Mechanism and experienced staff left the Office.[30] Following the SCA's 2020 deferral, the Protector publicly described the organisations raising concerns as "marginal" and their statements as unprofessional and malicious, questioning their credibility.[31] Civil society requests have since gone unanswered or been redirected: by mid-December 2021, A 11 had received no official response from the authorities, including the Protector, to its Linglong submissions;[32] the Antena alert was answered only after the risk of forced eviction had passed; and the Vuka Vrčevića complaint was referred back to other remedies. A 11's experience shows that cooperation is possible when the Protector chooses to engage, as in 2019–2020, but that it has since been progressively selective, if not antagonistic, and critical organisations have been publicly disparaged.

B. Assessment and C. Recommendation to the SCA

The 2021 recommendation has not been implemented; see recommendation 2 in section V.

3. Financial and human resources

A. Developments since the 2021 review

1. Budget and budget execution

Annual reports for 2020–2025 reveal a growing discrepancy between the financial resources formally available to the Protector of Citizens and its actual staffing and operational capacity. The Institution's budget increased each year and was approximately 33% higher in 2025 than in 2020. However, it did not fully execute its budget in any year, spending on average approximately 92% of available funds.[33]

2. Staffing and the expanded mandate

These increases were not accompanied by stronger human resources. The number of employees fell from 84 in 2020 to 67 in 2025, a reduction of approximately 20%.[34] This decline coincided with the expansion of the Institution's mandate under the 2021 Law on the Protector of Citizens, including new responsibilities as the independent mechanism for monitoring the implementation of the CRPD, the National Rapporteur on Trafficking in Human Beings and the body responsible for protecting and promoting children's rights.[35] The annual reports do not indicate whether sufficient dedicated staff or funding were provided for these functions.

The reports also do not adequately explain the reduction in staff. Although the 2024 Annual Report states that competitions were announced for eight vacant civil-service positions, the number of employees remained at 67 at the end of 2025. The 2025 report states that five positions were filled during that year, indicating that recruit-

30 Platform, *Alternative Report*, op. cit., paras. 1–2, p. 1.
31 021.rs, "Pašalić: Nestručne su tvrdnje o ugroženosti institucije ombudsmana", 2021.
32 A 11, "The European Parliament's Resolution…", op. cit.; A 11, "Criminal charges were filed regarding the case of Vietnamese workers in Zrenjanin", 7 December 2021.
33 Protector of Citizens, *Regular Annual Reports for 2020–2025*, financial annexes. The percentages and overall increase were calculated from the annual appropriations and expenditure reported by the Institution. The reports are available on the Protector of Citizens' annual-reports page.
34 Protector of Citizens, *Regular Annual Report for 2020*, Annex III, p. 140 (84 employees); Protector of Citizens, *Regular Annual Report for 2025*, p. 112 (67 employees).
35 Law on the Protector of Citizens, "Official Gazette of the Republic of Serbia", No. 105/2021, arts. 2 and 8.

ment did not produce a net increase in staff.[36] Information on departures, turnover, and the overall number and distribution of vacancies remains insufficient.

3. Absence of deputy protectors

The absence of deputy protectors further aggravates the situation. The terms of the three deputies ended in late 2024. Competitions launched in late 2024 and early 2025 were suspended in July 2025, and the 2025 Annual Report does not indicate that any new deputies had been appointed.[37] Their prolonged absence may affect decision-making, internal delegation and professional supervision, particularly given the Institution's broad mandate and specialised monitoring functions. The appointment of employees as acting assistant protectors is not equivalent to filling the deputy positions established by law.

4. Transparency of resource reporting

Annual reporting also provides insufficient comparable information on premises, accessibility, regional presence, equipment, information technology, authorised and vacant positions, staff turnover and the allocation of staff and funds among different mandates.

5. Working environment and staff retention

Staff retention should also be considered in light of publicly reported allegations concerning the internal working environment. In May 2024, a local media outlet reported that at least five employees had initiated workplace-harassment proceedings and that a group of employees had submitted a collective letter to the National Assembly alleging harassment, threats, degrading treatment and employment-related pressure.[38] Another outlet reported that employees had filed two criminal complaints against the Protector and other officials in October 2023, concerning alleged employment irregularities and other abuses.[39] These allegations cannot be treated as facts without final decisions or an independent investigation. Nevertheless, the existence of multiple proceedings and complaints is relevant to the Institution's ability to retain qualified staff and maintain a safe professional environment.

B. Assessment

The available information therefore indicates that increased funding has not resulted in stronger institutional capacity. By the end of 2025, the Protector had approximately 20% fewer employees than in 2020, despite an expanded mandate, and operated without any appointed deputy protectors.

C. Recommendation

The Protector of Citizens should strengthen its human and financial capacity by filling vacant positions, appointing deputies through transparent and merit-based procedures, improving staff retention, and ensuring that available resources are effectively aligned with its expanded mandate.

36 Protector of Citizens, *Regular Annual Report for 2024*, Annex III, p. 140; Protector of Citizens, *Regular Annual Report for 2025*, p. 112.
37 Protector of Citizens, *Regular Annual Report for 2024*, Annex III, p. 140; Protector of Citizens, *Regular Annual Report for 2025*, p. 112.
38 Miloš Đošić, "Optužbe za mobing: Grupa zaposlenih od Skupštine traži razrešenje Zorana Pašalića", N1, 29 May 2024.
39 Danas Online, "Uvrede, nasilje, mobing, alkohol...: Zaposleni u kancelariji Zaštitnika građana podneli dve krivične prijave protiv Zorana Pašalića", *Danas*, 29 May 2024.

V. Additional comments and recommendations

Since the previous review, the 2021 Law has not been matched by practice, as shown above. The first selection under the 2021 Law was also delayed by several months.[40]

Consolidated recommendations

1. Effective response to human rights violations: act ex officio, promptly and publicly on serious violations, including police ill-treatment, forced evictions and labour exploitation, without requiring prior exhaustion of other remedies where rights are at imminent risk, and systematically follow up and escalate non-implemented recommendations.
2. Civil society cooperation: establish a formal, regular and inclusive consultation mechanism, respond substantively to civil society requests, and refrain from public disparagement of human rights defenders.
3. Gender equality and women's rights: abandon positions contrary to gender equality, including the challenge to the Law on Gender Equality and to gender-sensitive language, refrain from promoting anti-gender narratives, and address gender-based violence and femicide in line with CEDAW and the Istanbul Convention.
4. Specialised capacity: develop dedicated expertise and systematic monitoring of structural and emerging human rights issues, including the impact of natural hazards and disasters, the digitalisation of public services and automated decision-making such as the Social Card, and the adequacy of budget allocations for the realisation of economic and social rights.
5. Resources and selection: fill vacancies and appoint deputies through transparent, merit-based procedures, and ensure that the future selection of the Protector is timely, transparent and participatory.

In view of the above, the SCA should not recommend re-accreditation with A status unless these concerns are addressed.

VI. Consent to share the submission with the NHRI concerned

The submitting organisations consent to this submission being shared with the Protector of Citizens of the Republic of Serbia in accordance with the GANHRI SCA Guidelines for Third Party Submissions.

40 A 11 and Otvoreni parlament, *Kako biramo Zaštitnika građana?*, April 2023, p. 1.

#ЕУ ЗА ТЕБЕ

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