



# **Book of Recommendations**

## **National Convention on the European Union**

### **SUMMARY**

Belgrade, 2024.

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## *Introduction*

*Dear Members of the National Convention, colleagues, friends, and all those who share the vision of Serbia as a member of the European Union,*

*In front of you is the Summary of the ninth edition of the National Convention on the European Union's Book of Recommendations. Like every previous edition, this Book of Recommendations presents a comprehensive overview of Serbia's state of European integration during a year marking which marks a full decade since the official start of negotiations between Serbia and the European Union.*

*This is the second edition of the Book of Recommendations that is methodologically and chronologically aligned with the European Commission's practice of publishing annual progress reports within the Enlargement Package, covering all candidate countries. I proudly highlight that it is the most inclusive regular annual publication by civil society, not only in Serbia but also in the region, given that its content results from the contributions of several hundred National Convention members, civil society associations, professional organizations, unions, academic and think tank organizations, and individuals. This has allowed the Book of Recommendations, which combines technical expertise on negotiation chapters with the reality of harmonization with EU regulations and standards, to remain the most objective scanner of Serbia's current progress toward full membership in the European Union.*

*In addition to findings and recommendations for 29 negotiating chapters, this edition also includes recommendations from five multi-sectorial working groups operating within the National Convention. These groups were formed to approach the contents of multiple chapters from a shared perspective, aligning Serbia's ongoing reform processes with the real needs of its citizens.*

*The 2024 Book of Recommendations reflects the current state of Serbia's European path, primarily as a reflection of the fact that, since late 2021, Serbia has not formally progressed in the negotiation process. Neither has it helped that, for more than two and a half years, Europe, Serbia, and the region have been facing a new geopolitical reality, or that clearer and more unified messages than ever have been coming from Brussels and the capitals of EU member states, indicating that enlargement to the Western Balkans is currently more critical for the European Union than it is for Serbia or any other country in the region. Some countries, like Montenegro, have taken these messages very seriously, securing national consensus on their future and mobilizing all possible internal resources to seize this historic moment and accelerate reform processes, which, regardless of the final outcome, will benefit their citizens.*

*Two and a half years after the start of the war in Ukraine, such political consensus is still lacking in Serbia. Serbia remains on a seesaw, relying on four pillars of foreign policy, one of which is the European Union. Therefore, it is not surprising that the phrase "European path" is heard more frequently from the highest representatives of Serbia's institutions than "path to full membership." If, over the last ten years, there was doubt that European actors lacked consensus on the purpose or interest in Western Balkan enlargement, in 2024, such doubt no longer exists. Through a series of measures and mechanisms, the European Union has not only brought enlargement back to the top of European policy but has also made tremendous efforts to restore candidate countries' trust in the credibility of the process. The Western Balkans Growth Plan, with a pillar accelerating reform processes, is among the most crucial. Thus, from a comprehensive negotiation framework, a set of reform activities is put into a concrete action plan, which will be accompanied by new financial support packages and allow for the gradual integration of candidate countries into segments of*

*the Union for which they are ready. Such an opportunity has never occurred before in the history of EU enlargement. As motivating as this framework may be, achieving the ultimate goal (faster preparation for full membership) requires work on the remaining obligations in parallel. Responsibility for this lies with the Government of the Republic of Serbia and the European Union, as well as with civil society.*

*For this reason, the 2024 Book of Recommendations carries additional weight, as it is more comprehensive than the Reform Agenda framework and reminds all three actors of the still unfinished tasks each can perform within their role in the negotiation process. A total of 426 recommendations have been defined, with 344 for the Government, 42 for the European Union, and 40 for civil society. Furthermore, for each part of the negotiation framework, continuity and progress in implementing recommendations from the previous period are tracked, along with new recommendations formulated based on the situation and context in 2024.*

*Thus, of the 344 recommendations for the Government, only eight have been fully achieved compared to the previous year. Sixty-seven recommendations have been partially fulfilled, while 221 remain unfulfilled. The number of new recommendations is 48.*

*Out of the 42 recommendations for the European Union, two are new. Of the remaining 40, five have been fully achieved, 11 partially, and 24 are unfulfilled.*

*For civil society, a total of 40 recommendations were made, including one new one. Among them, one has been fully fulfilled, 11 partially, and 26 recommendations remain unfulfilled.*

*The overall conclusion from these statistics reflects the current approach of all actors toward further aligning the Republic of Serbia with obligations from the negotiation framework: the geopolitical dimension highlighted by the European Union, the Government's tendency to make excuses for missing key reform processes, and civil society's loss of motivation and trust in its ability to influence the European integration process. For further progress in negotiations, accompanied by the opening of new clusters and the definition of closure benchmarks, a focus solely on the Reform Agenda and obligations assumed by the Government will not be sufficient. The significance of the moment and the opportunity for accelerating the entire enlargement process must be leveraged so that all three actors in the negotiations can shift into a higher gear and ensure mutual synergy.*

*With the hope that the next Book of Recommendations of the National Convention will present a much more positive picture, I would like to extend my gratitude to all members of the National Convention who participated in drafting the 2024 Book of Recommendations. Special recognition goes to the working group coordinators who worked on systematizing contributions and proposals, formulating them according to a unified methodology, as well as to the staff of the National Convention Secretariat who worked on the technical preparation of the text.*

*In Belgrade, 28. October 2024.*



*Bojana Selaković  
Coordinator of the National Convention on the European Union*

## WORKING GROUP FOR CHAPTER 1

- **FREE MOVEMENT OF GOODS**

**Coordinator: EUROPEAN POLICY CENTER, Dušan Protić**

In the 2023 Serbia Progress Report, the European Commission (EC) assesses that Serbia is **moderately prepared** in the area of free movement of goods. It notes "**limited progress** regarding last year's recommendations, with the adoption of implementing legislation on the classification, labeling, and packaging of chemicals (CLP) and further alignment with EU acquis on eco-design. Other recommendations from last year's report remain valid."

### Basic Information on Chapter 1 – Free Movement of Goods

**Tabele 1.**

Chapter	The date of the explanatory/ bilateral screening	When the EU sent Serbia an invitation to submit a negotiating position or a list of opening benchmarks	State how many benchmarks Serbia has received	OBAR adopted	The Government of Serbia adopts a negotiating position
1	June 17-20, 2014/ December 15, 2014	-	2	N/A	N/A
Chapter opening date	Number of closing benchmarks	IBAR adopted		CBAR adopted	Chapter temporarily closed
/					

The screening report contains **two opening benchmarks** in this chapter:

- An action plan for aligning with Articles 34-36 of the TFEU (Treaty on the Functioning of the European Union), with a timeline for an analytical review of domestic legislation and administrative practices, for introducing a mutual recognition clause, as well as for any necessary further amendments or additions;
- A strategy and action plan with timelines for implementing European legislation within this chapter, which include plans for implementing vertical (old and new approach) and horizontal legislation, as well as plans for relevant horizontal institutions (standardization, accreditation, metrology, and market surveillance). They should also determine how and by when Serbia will remove trade barriers regarding products covered by this chapter, particularly additional border and other controls, and define clear responsibilities for introducing and effectively

implementing legislative measures, as well as for ensuring the necessary administrative capacities.

## Recommendations of the NCEU Working Group for Chapter 1

**Table 2.**

No.	Recommendation of the NCEU	Since which year has the NCEU recommendation been repeated (after meeting the benchmark, specify that the criterion has been met, the year it was set, and the year it was fulfilled)?	Which EU benchmark is the recommendation related to – specify the EU benchmark number and what type of benchmark it is (opening, interim, closing)?
<b>Recommendations to the Government of the Republic of Serbia</b>			
1.	It is necessary to complete the process of drafting and adopting an action plan that will define Serbia's path to full harmonization with Articles 34-35 of the EUFEU (non-harmonized area), as well as a strategy and action plan for further harmonization of legislation in the harmonized area.	Established: 2016. Partly fulfilled <sup>1</sup>	Opening benchmarks no. 1 and 2
2.	Further intensification of efforts for full harmonization of sectoral technical regulation, as well as regulation in the field of quality infrastructure, is needed.	Established: 2016. (Partly fulfilled) <sup>2</sup>	Benchmark no. 2
3.	Further strengthen the administrative and financial capacities of institutions that directly deal with the topics covered in Chapter 1, with adequate professional and sectoral support from all relevant actors (ministries, Government, ATS, Directorate for Measures and Precious Metals, Institute for Standardization of Serbia, etc.).	Established: 2018. Partly fulfilled <sup>3</sup> (ongoing process)	Benchmark no. 2
4.	Ensure that the portal of the Ministry of Economy "TECHNIS/Product info" gets an active component, i.e.	Established: 2020. Unfulfilled <sup>4</sup>	

<sup>1</sup> The documents have been prepared, but due to personnel changes in the relevant ministry, they have not yet been adopted by the Government.

<sup>2</sup> During the reporting period, subordinate legislation and sectoral regulations have been prepared and adopted. An analysis and recommendations for amending the Law on Accreditation are currently being prepared, and in 2024, the procedure for drafting amendments to the Law has also begun. It is particularly significant that in August 2024, the process of developing a new Quality Infrastructure Development Strategy for Serbia for the period 2025-2030 was initiated, with the announcement of the start of work on this document on the eConsultation portal, in accordance with the regulations on the planning system, especially considering that the previous strategic act in this area has been invalid since 2020.

<sup>3</sup> The issue of administrative and financial capacities of the administrative structures involved in the development of the legislative framework and the implementation of regulations in the areas of technical requirements, accreditation, metrology, conformity assessment, and market surveillance over a longer period of time is one of the prevailing themes in the European Commission's report on Chapter 1. Although efforts are being made in this regard, such as increasing human resources in the ISS and providing continuous education for employees in all institutions, the need for further strengthening of administrative capacities remains relevant.

<sup>4</sup> In the previous period, no progress was observed regarding new functions and the upgrading of the existing information portal "TEHNIS/Product Info." There remains a need to strengthen professional support for entrepreneurs through an active function that provides the necessary data related to meeting the requirements of technical regulations for specific types of products.

	a certain number of specialists who would be focused on actively providing assistance to businessmen related to those technical regulations.		The recommendation is formulated based on the expertise of the working group specialists in this area, as well as on past experience
<b>Recommendations to the European Union</b>			
5.	It is necessary to ensure clearer and faster communication between representatives of the European Commission's Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs (DG GROW) and the Ministry of Economy of the Republic of Serbia, which primarily entails shorter response times from the administration in Brussels.	Established: 2024. New Recommendation	N/A
<b>Recommendations to civil society organizations and the economy</b>			
6.	Enhancing efforts to raise the overall awareness level among both citizens and entrepreneurs about the importance and benefits of aligning with EU legal acquis in this area is of exceptional significance.	Established: 2016. Partly fulfilled (ongoing process)	The recommendation is formulated based on the expertise of the working group specialists in this area, as well as on past experience

## WORKING GROUP FOR CHAPTER 2

### • FREEDOM OF MOVEMENT FOR WORKERS

**Coordinators: CENTER FOR DEMOCRACY FOUNDATION, Nataša Vučković**

Citizens of one EU Member State have the right to work in another Member State and must be ensured the same working and social conditions as other workers.

In the European Commission's Annual report on Serbia, it was assessed that Serbia is **moderately prepared** (rating 3) in the area of the free movement of workers. Serbia has made **limited progress** in this area, continuing preparations for joining the European Employment Services (EURES) network. New bilateral agreements with EU Member States on coordinating social security systems have not been concluded. Therefore, last year's recommendation remains in effect. In the coming year, Serbia should particularly strengthen cooperation with EU Member States regarding the coordination of social security systems, as well as begin preparations for joining the European Labour Agency.

Regarding the coordination of social security systems, there are bilateral agreements with 20 EU Member States, but no new bilateral agreements have been concluded. Overall, the legislative, technical, and administrative conditions for cooperation between social institutions and partner institutions in EU Member States need to be further improved.

### Basic Information on Chapter 2 – Freedom of Movement for Workers

The explanatory screening for Chapter 2 was held on January 2, 2014, while the bilateral screening took place on March 25, 2014. The screening report was published on September 1, 2015. No criteria for opening the chapter were provided.

**Table 1.**

Chapter	The date of the explanatory/ bilateral screening	When the EU sent Serbia an invitation to submit a negotiating position or a list of opening benchmarks	State how many benchmarks Serbia has received	OBAR adopted	The Government of Serbia adopts a negotiating position
2	2. January 2014./ 25. March 2014.	December 2015.	-	-	18. July 2018.
Chapter opening date	Number of closing benchmarks	IBAR adopted		CBAR adopted	Chapter temporarily closed
NE	No benchmarks given	-		NE	NE

## Recommendations of the NCEU Working Group for Chapter 2

No.	Recommendation of the NCEU	Since which year has the NCEU recommendation been repeated (after meeting the benchmark, specify that the criterion has been met, the year it was set, and the year it was fulfilled)?	Which EU benchmark is the recommendation related to – specify the EU benchmark number and what type of benchmark it is (opening, interim, closing)?
<b>Recommendations to the Government of the Republic of Serbia</b>			
1.	It is necessary to conduct an assessment of the financial effects of the Negotiating Position for Chapter 2, according to the Conclusion directing and coordinating the work of state administration bodies in the preparation of negotiating positions in the process of Serbia's accession negotiations to the European Union (Conclusion 05 No: 337-5081/2016 dated May 31, 2016).	Established: 2021. Unfulfilled <sup>5</sup>	Screening report
2.	It is necessary to align domestic legislation with Regulation (EU) of the European Parliament and Council of April 5, 2011, on the free movement of workers in the European Union, and Regulation (EU) 2016/589 of the European Parliament and Council of April 13, 2016, on the European network of employment services (EURES), access of workers to mobility services, further integration of labor markets, and amending Regulations (EU) No. 492/2011 and (EU) No. 1296/2013.	Established: 2019. Unfulfilled <sup>6</sup>	Annual Report of the European Commission
3.	It is necessary to enhance the organizational and technical capacities of the National Employment Service in accordance with at least the minimum common criteria regarding the provision of services and participation in the EURES network.	Established: 2018. Partly fulfilled <sup>7</sup>	Annual Report of the European Commission
4.	The Ministry of Health needs to begin preparations for the introduction of the European Health Insurance Card by conducting a feasibility study and enhancing the administrative and technical capacities of the Republic Health Insurance Fund, including through the use of available IPA funds.	Established: 2019. Unfulfilled <sup>8</sup>	Screening report

<sup>5</sup> The Government Conclusion was amended on February 24, 2017 ("Official Gazette of the RS," No. 13/17), but only in the part specifying that "the classification of negotiation positions as restrictive does not limit the right to access information under the Law on Free Access to Information of Public Importance." Financial impact assessments were not included in the negotiation position for Chapter 2, in line with the Conclusion that directs and harmonizes the work of state administration bodies in drafting negotiation positions during Serbia's EU accession process.

<sup>6</sup> No activities were undertaken in 2023 to harmonize domestic legislation with the aforementioned regulations.

<sup>7</sup> According to data from the National Employment Service's Report, there were no training sessions for employment counselors in the branches of the National Employment Service in 2023 to involve them in the work of migration service centers. Additionally, a total of 1,289 training sessions were held in 2023, none of which focused on the topic of EURES. The most attended training sessions were on business communication, while the least attended were those related to project management and the official use of language and writing.

<sup>8</sup> In 2023, there were no activities related to the implementation of the feasibility study for the introduction of the European Health Insurance Card.

## WORKING GROUP FOR CHAPTER 3

### • RIGHT OF ESTABLISHMENT AND FREEDOM TO PROVIDE SERVICES

**Coordinator: EUROPEAN POLICY CENTER, Dušan Protić**

In the European Commission's 2023 Report on Serbia, it is stated that Serbia is **moderately prepared** in these areas. The obligations remain for Serbia to:

- Transpose the Services Directive 2006/123/EC into horizontal legislation and establish a Single Electronic Contact Point (SECP), which provides online information to service providers, including details about all relevant administrative procedures.
- Complete alignment with the EU legal acquis in the area of postal services.
- Continue harmonization in the area of mutual recognition of professional qualifications, including directives on recognition of professional qualifications and proportionality testing before adopting new legislation on professions.

It is assessed that limited progress has been achieved through further alignment of sectoral legislation in the area of establishment rights and freedom to provide services, alongside continuous screening and alignment of sectoral legislation with EU legal acquis, as well as further strengthening the capacity of inspection for postal services. The recommendations from the previous report remain valid.

### Basic information on Chapter 3 – Right of Establishment and Freedom to Provide Services

**Table 1.**

Chapter	The date of the explanatory/ bilateral screening	When the EU sent Serbia an invitation to submit a negotiating position or a list of opening benchmarks	State how many benchmarks Serbia has received	OBAR adopted	The Government of Serbia adopts a negotiating position
3	30-31. January 2014./ 12-13. March 2014.	19. December 2018.	1	18. December 2018.	28. November 2019.
Chapter opening date	Number of closing benchmarks	IBAR adopted		CBAR adopted	Chapter temporarily closed
Not open					

The screening report for this chapter, published in March 2015, contains **one benchmark** for opening negotiations on this chapter:

- A comprehensive and detailed strategy for aligning with EU legal standards in the field of professional qualifications. The strategy must cover all necessary reforms in terms of legislative alignment and building institutional capacities for the recognition of professional qualifications obtained in other member states, as well as providing assistance to professionals who have obtained qualifications in Serbia and intend to provide services in other member states. The strategy must also include all alignments related to the training of doctors, dentists, general nursing staff, midwives, pharmacists, and veterinary surgeons and must comply with the minimum training requirements specified in Directive 2005/36/EC. For each action covered by this strategy, it is necessary to define a deadline, responsible person, and clearly state the relevant provisions of EU regulations.

### Recommendations of the NCEU Working Group for Chapter 3

Table 2.

No.	Recommendation of the NCEU	Since which year has the NCEU recommendation been repeated (after meeting the benchmark, specify that the criterion has been met, the year it was set, and the year it was fulfilled)?	Which EU benchmark is the recommendation related to – specify the EU benchmark number and what type of benchmark it is (opening, interim, closing)?
<b>Recommendations to the Government of the Republic of Serbia</b>			
1.	It is necessary to adopt the proposed Law on Services, which is aligned with EU legal regulations regarding the right to establishment and freedom to provide services, as soon as possible.	Established: 2019. Unfulfilled	Annual Report of the European Commission
2.	It is necessary to conduct preliminary preparations for the establishment of the Single Electronic Contact Point within the relevant ministry, in order to create the technical and organizational conditions for its operation, as well as to analyze potential problems and difficulties in the early stages of system development.	Established: 2018. Unfulfilled	Annual Report of the European Commission
3.	Harmonization of professional qualifications: It is necessary to adopt an updated action plan for the full alignment of sectoral legislation with the relevant EU directives (Directive 2005/36/EC and Directive 2013/55/EC).	Established: 2023. Unfulfilled	Annual Report of the European Commission
4.	It is necessary to intensify efforts to complete and adopt the List of Regulated Professions in accordance with the requirements of the Law on Regulated Professions and the Recognition of Professional Qualifications.	Established: 2021. Unfulfilled	Annual Report of the European Commission
5.	It is necessary to prepare amendments to the Law on Postal Services within the subsection "Postal Services" to ensure full compliance with the	Established: 2023. Partly fulfilled <sup>9</sup>	Annual Report of the European Commission

<sup>9</sup> Draft is prepared.

	Directive on Postal Services and the Regulation on Cross-Border Parcel Delivery Services. Additionally, it is essential to improve the implementation of oversight and the quality of inspection practices in this area.		
<b>Recommendations to the European Union</b>			
6.	It is necessary to expedite the review process of Serbia's negotiating position, adopted in 2019, and ensure the conditions for opening negotiations in Chapter 3.	Established: 2022. Unfulfilled	The recommendation is formulated based on the practices of experts from the working group for this area, as well as on past experience.
<b>Recommendations to civil society organizations</b>			
7.	It is necessary to enhance the broader social dialogue regarding the alignment of the domestic legal framework with the rules on the free movement of services and professional qualifications, in order to improve the level of knowledge and eliminate potential resistance and barriers that arise in certain professional fields.	Established: 2022. Unfulfilled	The recommendation is formulated based on the practices of experts from the working group for this area, as well as on past experience.

## WORKING GROUP FOR CHAPTER 4

### • FREE MOVEMENT OF CAPITAL

**Coordinator: EUROPEAN POLICY CENTER, Vida Uzelac**

In its 2023 Report on Serbia, the European Commission (EC) assessed that Serbia remains **moderately prepared** in the area of free movement of capital, with further recommendations including:

- Liberalization in accordance with obligations arising from the Stabilization and Association Agreement (SAA), particularly by removing remaining restrictions on EU citizens acquiring agricultural land and adopting amendments to the Law on Property Relations to ensure equal treatment in acquiring property rights.
- Achieving increased efficiency through the establishment of a results balance in areas such as monitoring, supervision, financial intelligence data, investigations, and reporting.

The European Commission's report further states that, in the past year, **limited progress** has been made with the adoption of the national risk assessment for money laundering, terrorist financing, money laundering in the field of virtual assets, and the financing of proliferation in the context of weapons of mass destruction (WMD). The recommendations from last year remain valid.

### Basic Information on Chapter 4 – Free Movement of Capital

Table 1.

Chapter	The date of the explanatory/ bilateral screening	When the EU sent Serbia an invitation to submit a negotiating position or a list of opening benchmarks	State how many benchmarks Serbia has received	OBAR adopted	The Government of Serbia adopts a negotiating position
4	13. October 2014./ 15. December 2014.	13. April 2016.	N/A	N/A	20. September 2018, 26. September 2018. sent to EU Council
Chapter opening date	Number of closing benchmarks	IBAR adopted		CBAR adopted	Chapter temporarily closed
10. December 2019.	3				

In the Joint Negotiating Position for Chapter 4, three benchmarks are set for the temporary closure of this chapter:

- Regarding the movement of capital and payments, Serbia needs to complete legislative alignment with the EU acquis and demonstrate that it will be able to fully implement it by the time of accession, ensuring that all remaining restrictions are removed.
- In terms of payment systems, Serbia should show that it will be able to fully implement Directive (EU) 2015/2366 by the time of accession, including relevant "level two" acts mentioned in Section 2, as well as being able to effectively apply Regulation (EC) No. 924/2009 and Regulation (EU) No. 260/2012.
- In the area of anti-money laundering and combating the financing of terrorism, Serbia needs to complete the necessary legislative alignment with the EU acquis and international standards (as defined by the Financial Action Task Force) and demonstrate through its results that it has improved administrative capacities for the proper implementation and application of relevant legislation in all areas of anti-money laundering, as well as the recommendations of the Council of Europe's MONEYVAL Committee on assessing measures against money laundering and financing of terrorism, leading to increased effectiveness in monitoring, oversight, financial intelligence activities, investigations, prosecutions, and securing convictions.

## Recommendations of the NCEU Working Group for Chapter 4

**Table 2.**

No.	Recommendation of the NCEU	Since which year has the NCEU recommendation been repeated (after meeting the benchmark, specify that the criterion has been met, the year it was set, and the year it was fulfilled)?	Which EU benchmark is the recommendation related to – specify the EU benchmark number and what type of benchmark it is (opening, interim, closing)?
<b>Recommendations to the Government of the Republic of Serbia</b>			
1.	It is necessary to continue working on the liberalization of the Foreign Exchange Law.	Established: 2020. Unfulfilled	Benchmark no.1 for temporary closure
2.	It is essential to enable foreign exchange transactions within the country in all cases, in line with the dual foreign exchange system and the liberalization of capital movement.	Established: 2020. Partly fulfilled	Benchmark no.2 for temporary closure
3.	There is a need to improve cooperation between various bodies engaged in anti-money laundering efforts, as well as to strengthen the administrative capacities of the Administration for the Prevention of Money Laundering, which currently lacks a sufficient number of trained personnel.	Established: 2020. Unfulfilled	Benchmark no.3 for temporary closure

4.	It is necessary to improve the reporting system on progress in fulfilling the recommendations of the Group of States against Corruption (GRECO) regarding the prevention of money laundering.	Established: 2020. Partly fulfilled	Benchmark no.3 for temporary closure
5.	There are limitations on payment collection when selling goods and services online.	Established: 2020. Unfulfilled	Benchmark no.1 for temporary closure
6.	It is essential to finalize activities for the introduction of SEPA (Single Euro Payment Area) and align legislation with the acquis communautaire in this area.	Established: 2024 New recommendation	N/A
<b>Recommendations to the European Union</b>			
7.	Ensure more efficient and effective cooperation and support from the relevant directorates-general of the European Commission in initiating and continuing negotiations in this chapter..	Established: 2023. Unfulfilled	The recommendation is formulated based on the practices of civil society organizations developed within the working group, where experts in this field have been engaged, as well as on the basis of previous experiences.
<b>Recommendations to civil society organizations</b>			
8.	Strengthen efforts to raise the general awareness of the business community and the broader public about the importance and benefits of aligning with EU legal acquis in this area and fully implementing transposed legislation. The role of experts and civil society in this process is essential for engaging the wider public.	Established: 2023. Unfulfilled	The recommendation is formulated based on the practices of civil society organizations developed within the working group, where experts in this field have been engaged, as well as on the basis of previous experiences.

## WORKING GROUP FOR CHAPTER 5

### • PUBLIC PROCUREMENT

Coordinator: **TRANSPARENCY SERBIA, Nemanja Nenadić**

In its 2023 Report on Serbia, the European Commission (EC) noted that Serbia is **moderately prepared** in the area of public procurement. The report assessed that **some progress** was made in this area during the reporting period.

### Basic Information on Chapter 5 – Public Procurement

**Table 1.**

Chapter	The date of the explanatory/ bilateral screening	When the EU sent Serbia an invitation to submit a negotiating position or a list of opening benchmarks	State how many benchmarks Serbia has received	OBAR adopted	The Government of Serbia adopts a negotiating position
5	21. March 2014./ 13. May 2014.	April 2015.	/	/	March 2016.
Chapter opening date	Number of closing benchmarks	IBAR adopted		CBAR adopted	Chapter temporarily closed
13. December 2016.	3	/		NE	NO 93 months (July 2016- September 2024)

**The closing benchmarks** defined by the European Union are:

1. Serbia must fully align its national legal framework with the EU acquis in all areas of public procurement, including legal regulations on concessions and international agreements exempting certain works from public procurement rules.
2. Serbia must establish adequate administrative and institutional capacities at all levels and take appropriate measures to ensure the proper implementation and application of national legislation in this area before EU accession. This particularly includes: a) implementing the Public Procurement Development Strategy for the period 2014-2018 to improve Serbia's administrative capacities, particularly by strengthening the capacities of the Public Procurement Office and providing appropriate training at all levels for all stakeholders; b) preparing practical tools for implementation and monitoring (including administrative rules, manuals, and standard contractual documentation); c) strengthening control mechanisms, including detailed monitoring and increased transparency in the execution

phase of public procurement contracts and systematic risk assessment, prioritizing controls in sensitive areas and procedures; d) ensuring the effective functioning of legal remedy systems; e) measures related to preventing and combating corruption and conflicts of interest in the area of public procurement, both at the central and local levels.

3. Serbia must demonstrate a record of a fair and transparent public procurement system that ensures value for money, competition, and robust safeguards against corruption.

## Recommendations of the NCEU Working Group for Chapter 5

**Table 2.**

No.	Recommendation of the NCEU	Since which year has the NCEU recommendation been repeated (after meeting the benchmark, specify that the criterion has been met, the year it was set, and the year it was fulfilled)?	Which EU benchmark is the recommendation related to – specify the EU benchmark number and what type of benchmark it is (opening, interim, closing)?
<b>Recommendations to the Government of the Republic of Serbia</b>			
1.	Publication of all information related to procurements associated with the COVID-19 pandemic and conducting audits of procurements carried out without the application of the Law, starting from March 15, 2020, as well as procurements conducted through special negotiating procedures without public calls, starting from July 1, 2020.	Established: 2020. Unfulfilled	Closing benchmark no. 2 and 3
2.	Increasing the quantity and quality of information to be published on the Public Procurement Portal (including those related to contract execution and procurements not covered by the law), the number of bids per procurement procedure, and linking with databases maintained by other authorities (for example, the Treasury, regarding budget execution, data on completed audits, monitoring and oversight activities, initiated procedures, etc.) for a more comprehensive insight into public procurements and their effects.	Established: 2020. (in current form) Partly fulfilled <sup>10</sup>	Closing benchmark no. 2 and 3
2.1.	It is necessary to allow the contracting authority to indicate whether a specific procurement item falls under green or social public procurements when preparing the tender documentation, including a section with information that explains to the contracting authority what green public	Established: 2022. Partly fulfilled	Closing benchmark no. 2

<sup>10</sup> Progress is reflected in the publication of information about concluded contracts for procurements below the thresholds.

	procurement is and what public procurement with social elements entails. <sup>11</sup>		
2.2.	It should be enabled for the portal to automatically record and generate reports on conducted public procurements for a specific contracting authority in relation to the most recently established procurement plan, containing a clear overview of which specific procurement procedures were carried out concerning the latest procurement plan. <sup>12</sup>	Established: 2021. Partly fulfilled	Closing benchmark no. 2 and 3
3.	Improvements are needed in the implementation of the Public Procurement	Established: 2020. (in current form) Partly fulfilled <sup>14</sup>	Closing benchmark no. 2 and 3

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<sup>11</sup> When searching the Public Procurement Portal, there is **no option to find procurement items that fall under green public procurement or public procurements with social elements**. Bidders and interested parties are forced to search each public procurement procedure and review the tender documentation to see whether the contract award criteria or participation conditions include green (environmental) or social criteria. In this regard, the proposal is to enable searching for procurement items by the designation of green public procurement and social public procurement during the search process, or to establish a separate field/process within the Public Procurement Portal related to green and social public procurements. Additionally, it is necessary to introduce a field in the contract award

<sup>12</sup> The portal does not provide a report that offers insight into which specific procurements have been conducted in relation to the contracting authority's procurement plan for the current year. Currently, there is a separate section titled "Annual Report on the Contracting Authority's Procurements," although this actually represents a Report on Procurements Exempt from the Application of the Law (as mandated by Article 181 of the Public Procurement Law). This title causes confusion as it provides a misleading overview. Furthermore, in certain reports available on the portal for specific contracting authorities, there is a table displaying contracts concluded through public procurement procedures (though it only indicates whether they are goods, services, or works, along with the procedure and procurement value—both with and without VAT—as well as contract amendments for certain procurement items, but without specific information on what the procurement item is, only indicating whether they are goods, services, or works and their value). Also, the current section title "Annual Report on the Contracting Authority's Procurements" should be changed to "Annual Report on Procurements Exempt from the Public Procurement Law," and this report should contain only data on procurements that are exempt from the application of the law, in accordance with the Guidelines for Publishing Data on Procurements Exempt from the Law

<sup>14</sup> Improvements related to amendments to the Law, starting from January 1, 2024, involve the development of a methodology for monitoring the execution of public procurement contracts and the creation of a model internal act.

	Law and the enhancement of its provisions based on identified shortcomings. <sup>13</sup>		
4.	Amendments to the legal framework for public-private partnerships are needed to align with EU rules, address issues identified in past practices, and enhance	Established: 2016. Unfulfilled	Closing benchmark no. 1, 2 and 3

<sup>13</sup> The following improvements are needed:

- **Amendment of the Law** to restore the obligation to publish competition documentation, as well as opinions from the Public Procurement Office for negotiated procedures, without a public call.
- **Inclusion of information** about goods, services, and works that registered suppliers can provide (according to the public procurement dictionary) so that they receive automatic invitations to participate in all procurements of that type.
- **Development of a methodology** based on which the Ministry of Finance will monitor the execution of public procurement contracts to ensure that the scope and quality of this oversight are maximized, as well as the publication of oversight results.
- **Improvement of the regulations governing the monitoring** of the Public Procurement Office to ensure a broader scope and more precise definition of the obligations of the Commission for Protection of Rights (KJN) (especially while it is still possible to correct irregularities before harmful consequences arise) and to ensure timely public access to information regarding the conducted monitoring.
- Development of a **quality model for internal regulations** to provide contracting authorities the opportunity to cover all essential aspects of public procurement adequately regulated by the Law, as well as to implement monitoring of compliance with the rules for adopting internal regulations.
- **Eliminate discrepancies regarding the application of Article 115 of the Public Procurement Law**, specifically concerning the fulfillment of conditions for performing professional activities for bidders participating in joint offers. The issue lies in the inconsistency of the Republic Commission's position. In one resolution, the Republic Commission holds that the fulfillment of the conditions for performing professional activities, or the capacity to perform professional activities (in procedures where a group of bidders participates), can only be met by the group member to whom the specific activity pertains, and such a bidder is required to provide proof of possessing the relevant permit from the competent authority. Conversely, in another resolution, where the situation is the same in that a group of bidders also participates, the Republic Commission rejects the request for the protection of rights, arguing that the condition for performing professional activities must be fulfilled by all members of the group, regardless of the nature of the work each of them performs.
- Address the **issues that have arisen regarding the method of opening bids and compiling the record of the bid opening**. Although the new Public Procurement Law (PPL) has introduced numerous innovations that have facilitated the overall public procurement process for both contracting authorities and bidders, certain shortcomings primarily affect the bidders. A specific problem arises for bidders who submit their offers electronically while providing samples via mail or at the contracting authority's registry. The electronic opening of bids and the compilation of records for electronically submitted bids is handled directly by the Portal, which does not have access to evidence not submitted electronically, such as samples.

According to Article 140 of the PPL, bids are opened immediately after the deadline for submission has expired, and the opening is public, which is appropriate. However, the Public Procurement Law does not specify how the contracting authority should conduct the opening of parts of bids that are submitted physically and not electronically through the Portal. The law does not provide for any type of report or record regarding the opening of parts of bids that are not submitted via the Portal, allowing the contracting authority to review samples after the bid opening deadline. Instead, these samples are considered part of the Technical Evaluation Report, which is illogical since they should be included in the Opening Record.

Given that lawmakers have failed to regulate how contracting authorities manage the bid opening process when evidence is submitted directly to their registry or via mail, this creates opportunities for abuse in practice. Therefore, we urge that this issue be clearly addressed in the law.

	practices in this area even before the changes to the law <sup>15</sup> .		
5.	Strengthening the capacities of bodies that conduct public procurement, as well as those responsible for monitoring, control, oversight, auditing, reviewing, and prosecuting violators, to enable an optimal level of oversight and to properly distinguish legitimate requirements of the tender documentation from discrimination against bidders. Organizing a public hearing by the relevant committee of the National Assembly and the Global Organization of Parliamentarians Against Corruption (GOPAC) to assess the results of conducted oversight and support the bodies that are to perform it.	Established: 2017. Partly fulfilled	Closing benchmark no. 2
6.	Proactivity in detecting irregularities in public procurement and public-private partnerships and in addressing the harmful consequences of improperly planned, executed, and completed public procurements.	Established: 2017. Unfulfilled	Closing benchmark no. 3
7.	Ending the practice of contracting public procurements and public-private partnerships without competition and transparency, based on intergovernmental agreements, introducing control mechanisms, and providing additional information to citizens regarding the implementation of such concluded contracts, as well as repealing all provisions of other laws (except for the Public Procurement Law and the Public-Private Partnership Law) that currently regulate the execution of specific public procurements and public-private partnerships.	Established: 2019. Unfulfilled	Closing benchmark no. 1, 2 and 3
8.	Utilizing foreign experiences and best practices in the development of regulations related to specific types of public procurement (social enterprises, social	Established: 2017. Partly fulfilled	Closing benchmark no. 1 and 2

<sup>15</sup> This includes:

- Enabling **greater citizen participation** in decision-making regarding the planning of public-private partnerships and in monitoring their implementation.
- Increasing **transparency** in public-private partnerships and concessions.
- **Strengthening the efficiency** of oversight regarding the planning of public-private partnerships and the execution of contractual obligations by the private partner.
- **Establishing special oversight measures** in cases where anti-corruption mechanisms from the Public-Private Partnership Law are not applied due to an allowable exemption from the law (e.g., intergovernmental agreements) and avoiding such arrangements.
- **Imposing penalties** for violations of public-private partnership rules.
- **Enhancing the legal status** of the Public-Private Partnership Commission to strengthen its independence.
- **Publishing information** on the oversight of the execution of existing public-private partnership contracts to assure citizens of the extent to which the private partner complies with contractual obligations.

	services, green procurement, media services), along with appropriate amendments to the regulations governing these areas.		
9.	We propose that Article 228 of the Criminal Code be amended to clarify and specify the act of committing the criminal offense, with a narrowed scope of execution. This should include defining the terms and expressions used when prescribing the nature of the criminal offense, along with a realistic determination of the criminal zone that encompasses the most serious violations of specific public procurement regulations, in order to eliminate existing ambiguities and inconsistencies.	Established: 2021. Unfulfilled <sup>16</sup>	Closing benchmark no. 2 and 3
10.	Continuation of the practice of audits by the State Audit Institution in the area of public procurement and monitoring the implementation of previously published audits; strengthening the internal audit system and publishing information about their effects in the field of public procurement.	Established: 2019. Partly fulfilled	Closing benchmark no. 2 and 3
11.	Correction of existing and the adoption of new public policy documents in the areas of European integration, public procurement, public-private partnerships, and anti-corruption, ensuring they address all essential issues for eliminating irregularities and increasing competition in public procurement.	Established: 2019. (changed: 2024) Unfulfilled	Closing benchmark no. 2 and 3
<b>Recommendations to the European Union</b>			
12.	To support the implementation of the recommendations for the Government, the National Assembly, and other state bodies of the Republic of Serbia by ensuring that when assessing Serbia's progress in amending regulations in the areas of public procurement and public-private partnerships, as well as when providing opinions on draft laws, equal attention is given to alignment with EU legal acquis and addressing other identified issues. This should be particularly emphasized when evaluating the forthcoming amendments to the Law on Public-Private Partnerships and Concessions.	Established: 2021. Unfulfilled	Closing benchmark no. 2 and 3
13.	To continue emphasizing the inadmissibility of regulating public procurement and public-private partnerships through intergovernmental	Established: 2021. Partly fulfilled	Closing benchmark no. 1, 2 and 3

<sup>16</sup> Draft amendments to the Criminal Code presented for public discussion in September 2024.

	<p>agreements and "special laws," while also concretizing its critiques by:</p> <ul style="list-style-type: none"> <li>• Tying assistance programs for Serbia and other Western Balkan countries (which will be implemented through public procurement) to the application of such rules for infrastructure projects financed from the domestic budget or loans;</li> <li>• Ensuring that the actions of member states are aligned with the common EU policy in the area of public procurement when engaging with the Republic of Serbia.</li> </ul>		
14.	Expand the scope of questions on which progress will be assessed in the implementation of public procurement and public-private partnerships to include an analysis of the significance of collected statistical indicators (for example, regarding the effectiveness in detecting and penalizing identified irregularities, competition, and efficiency).	Established: 2019. Unfulfilled	Closing benchmark no. 3
15.	Continue to provide support to state authorities in implementing reforms in this area, as well as to civil society and the media in monitoring the situation.	Established: 2017. Partly fulfilled	Closing benchmark no. 2
<b>Recommendations to civil society organizations</b>			
16.	Civil society organizations (CSOs) should be engaged in monitoring public procurement and public-private partnerships in Serbia, including their planning and the implementation of contracts. It is recommended to foster collaboration between organizations that generally monitor public procurement and public-private partnerships and associations that aim to serve the public interest in specific areas, to assess the effects of these processes, as well as with media outlets and media associations.	Established: 2015. Fulfilled (ongoing activity)	Closing benchmark no. 2 and 3

## WORKING GROUP FOR CHAPTER 8

- COMPETITION POLICY

**Coordinator: EUROPEAN POLICY CENTER, Ranka Miljenović**

In the European Commission's (EC) 2023 Report on Serbia, the assessment for Chapter 8 repeats previous years' evaluations. The EC states that Serbia remains **moderately prepared** (rating 3) in the area of competition policy. It is also noted that Serbia has achieved **limited progress** (rating 2) in this area, primarily regarding legislative alignment of state aid rules with EU acquis in the form of by-laws. While the competition legislation is largely harmonized with the acquis, only one of the six criteria set for opening negotiations in this chapter has been met ten years after the screening.

The recommendations from the EC in previous years remain valid for this chapter, particularly those related to aligning with EU legislation and Serbia's obligations under the Stabilization and Association Agreement (SAA), concerning fiscal schemes for state aid and the Law on Interbank Fees and specific business rules regarding payment transactions based on payment cards. Additionally, it is essential to ensure systematic compliance with obligations for all state aid measures, establish an adequate balance of results in the implementation of the Law on Protection of Competition and the Law on State Aid Control, and finalize the register while developing an action plan to harmonize all existing state aid programs that do not comply with the obligations undertaken in the SAA.

### Basic Information on Chapter 8 – Competition Policy

Table 1.

Chapter	The date of the explanatory/ bilateral screening	When the EU sent Serbia an invitation to submit a negotiating position or a list of opening benchmarks	State how many benchmarks Serbia has received	OBAR adopted	The Government of Serbia adopts a negotiating position
8	31. March - 2. April 2014 4-5. November 2014.	25. February 2016. (opening benchmarks)	Six opening benchmarks in the state aid area	NO	NO
Chapter opening date	Number of closing benchmarks	IBAR adopted		CBAR adopted	Chapter temporarily closed
-	-	-		-	-

The Republic of Serbia needs to meet six benchmarks to open negotiations in this chapter:

1. Serbia needs to supplement and amend its legislation on the allocation of state aid in order to fulfill its obligations under the Stabilization and Association Agreement (SAA);
2. Serbia must ensure that the authority responsible for the control of state aid is operationally independent and has the necessary powers and resources for the complete and correct application of the rules on the allocation of state aid;
3. Serbia needs to complete the existing list of state aid measures in accordance with Article 73, paragraph 6 of the SAA and establish an action plan that will be accepted by the Commission, with a clear timeline for the alignment of all remaining existing state aid schemes or equivalent measures found to be incompatible with obligations arising from the SAA;
4. Serbia must align existing fiscal aid schemes, namely the Law on Corporate Income Tax, the Law on Personal Income Tax, and the Law on Free Zones, with EU acquis in the area of state aid control;
5. Serbia needs to ensure compliance of the aid granted to the Smederevo Steelworks with all conditions prescribed in Protocol 5 to the SAA on state aid to the steel industry (**fulfilled**);
6. Serbia must fulfill its obligation under Article 73, paragraph 5 of the SAA and Protocol 5 to the SAA and provide the Commission with comprehensive information on individual cases of state aid provision so that the Commission can assess and monitor the compliance of these aid measures with Serbia's obligations under the SAA.

## Recommendations of the NCEU Working Group for Chapter 8

**Table 2.**

No.	Recommendation of the NCEU	Since which year has the NCEU recommendation been repeated (after meeting the benchmark, specify that the criterion has been met, the year it was set, and the year it was fulfilled)?	Which EU benchmark is the recommendation related to – specify the EU benchmark number and what type of benchmark it is (opening, interim, closing)?
<b>Recommendations to the Government of the Republic of Serbia</b>			
1.	Strengthening institutions for the control of state aid - while operational independence of the Commission for Control of State Aid (CCSA) has been established, it is necessary to further enhance cooperation with regulatory bodies (identifying and defining modes of cooperation) and accelerate administrative activities in order to overcome the benchmarks set before the Republic of Serbia.	Established: 2019. Fulfilled: 2024.	Opening benchmark no.2
2.	An action plan should be developed for the alignment of state aid schemes with a clear timeline for harmonization and the designation of competent institutions for its implementation.	Established: 2023. Unfulfilled	Opening benchmark no.3

3.	The government and relevant institutions need to intensify cooperation in preparing the Action Plan for aligning the fiscal schemes of state aid, with defined deadlines, solutions to acquired rights issues, and possible interim periods, based on the preparatory work conducted by CCSA.	Established: 2023. Unfulfilled	Opening benchmark no.4
4.	It is necessary to continue the activities of amending the Competition Protection Law to align with the changes in EU legislation that occurred after 2013.	Established: 2018. Unfulfilled	The EC Report on Serbia's Progress for 2019 states that the new Competition Protection Law is yet to be adopted.
5.	Ensure conditions for the active participation of representatives from the Commission for Protection of Competition (CPC) in the work of working groups and bodies responsible for drafting laws and other regulations significant for competition protection, especially regarding amendments to those regulations governing the operations and business of public enterprises—specifically the introduction of corporate management. Amend the Government's Rules of Procedure, in Article 46, in a way that would require proposers of acts affecting the implementation of the Competition Protection Law to obtain CPC's opinion before submitting materials to the Government.	Established: 2018. Unfulfilled	EC Report on Serbia's Progress for 2019 (repeated).
6.	Aligning the Law on Interbank Fees and special rules for payment transactions based on payment cards with the EU acquis and obligations from the Stabilization and Association Agreement (SAA).	Established: 2019. Unfulfilled	EC Report on Serbia's Progress for 2019 (reiterated in subsequent reports).
7.	Continue promoting general topics on competition protection to target groups: the business sector (industry and banking sector) and local governments. It is important to adapt the communication approach to the specific target group: media, round tables, training, and identification of relevant topics. Promote the need to revise existing educational curricula (especially in master's and postgraduate studies).	Established: 2018. Unfulfilled	EC Report on Serbia's Progress for 2018, reiterated (there is a need to significantly enhance activities promoting competition protection).
8.	Organize individual training sessions for representatives of local commissions on the topic of competition protection and state aid control. Considering that the allocation of state aid, both at the national and local levels, primarily occurs through various competitions whose outcomes are decided by the relevant commissions formed for that purpose, it is crucial that the members of these commissions are familiar with the rules regarding the allocation of state aid. The education of all participants in this process is essential for the implementation of existing and new/expected procedures and rules.	Established: 2018. Partly fulfilled	EC Report on Serbia's Progress for 2018, reiterated (awareness of state aid rules among stakeholders remains low, especially among the bodies that grant aid).  Partially related to benchmark number 2 for opening.
9.	The website of Commission for State Aid Control should always have publicly available up-to-date information on decisions regarding individual cases, as well as all relevant regulations and reports on the work of the CSAC. Modernize the CSAC website to make it more user-friendly and transparent.	Established: 2023. Partly fulfilled	EC Report on Serbia's Progress for 2022 (Serbia must ensure that the allocation of state funds is conducted in a

			non-discriminatory and transparent manner).
10.	Enhance the transparency, visibility, and advocacy activities of the KZK. Regularly publish updated annual reports on the work of the Commission for Protection of Competition.	Established: 2024 New recommendation	N/A
<b>Recommendations to the European Union</b>			
11.	A more balanced approach needs to be introduced for assessing the fulfillment of benchmarks, given that it is currently more rigorous than the assessment of the fulfillment of benchmarks for opening Chapter 8 in (immediately) previous cases in accession negotiations. This particularly pertains to the current approach in the context of assessing the fulfillment of operational independence benchmarks (conditions from the ECN+ Directive 2019/1/EU) and evaluating the track record related to the same benchmark, which in previous cases were not assessed in that manner. Furthermore, more efficient cooperation and more effective involvement of the relevant directorates general in activities related to benchmark assessment are needed.	Established: 2023. Unfulfilled	Opening benchmark no.2
<b>Recommendations to civil society organizations</b>			
12.	It is necessary to further promote the importance of a free market and competition and to enhance broader social dialogue on the topic of aligning legislation in these areas, in order to improve the level of knowledge among citizens and the business community about the significance and benefits brought by a liberalized market and free competition.	Established: 2023. Unfulfilled	EC Report on Serbia's Progress for 2018  The practice and previous experience of experts from the working group for this area.

## WORKING GROUP FOR CHAPTER 9

### • FINANCIAL SERVICES

**Coordinator: EUROPEAN POLICY CENTER, Vida Uzelac**

The European Commission's Progress Report on Serbia for 2023 states that Serbia remains moderately prepared (numerical rating of 3) in the area of financial services. Limited progress has been achieved with the initial implementation of the Capital Market Law through the adoption of by-laws. Given the remaining obligations, last year's recommendations still apply:

- Continue aligning banking regulations with the revised versions of the Capital Requirements Regulation and Capital Requirements Directive (CRR/CRD);
- Align national legislation with the revised version of the EU Directive on the Recovery and Resolution of Banks; and
- Continue work towards full alignment with the Solvency II Directive in the insurance sector.

The European Commission further assesses that, over the past year, **limited progress** has been made (numerical rating of 2).

### Basic data on Chapter 9 – Financial Services

**Table 1.**

Chapter	The date of the explanatory/ bilateral screening	When the EU sent Serbia an invitation to submit a negotiating position or a list of opening benchmarks	State how many benchmarks Serbia has received	OBAR adopted	The Government of Serbia adopts a negotiating position
9	21-22. January 2015. 17. March 2015.	1. June 2016.	NO	NO	12. October 2017, on 16. October 2017. It was delivered to the EU Council
Chapter opening date	Number of closing benchmarks	IBAR adopted		CBAR adopted	Chapter temporarily closed
27. June 2019.	5				

In the Joint Negotiating Position for Chapter 9, from 2017, **five benchmarks** have been set that Serbia needs to fulfill for the provisional closure of this chapter:

1. Serbia demonstrates an advanced level of alignment with EU acquis in the area of banking and financial conglomerates, particularly regarding capital requirements, supervision of financial conglomerates, deposit insurance, and the reorganization and liquidation of credit institutions, and shows that it will be ready to implement the legal acquis from the date of accession;
2. Serbia demonstrates an advanced level of alignment with EU acquis in the area of insurance and occupational pensions, particularly regarding life insurance, reinsurance, insurance mediation, motor vehicle insurance, Solvency II, and the Directive on the activities and supervision of institutions for occupational pension provision (IORP), and shows that it will be ready to implement the legal acquis from the date of accession;
3. Serbia demonstrates an advanced level of alignment with EU acquis in the area of financial market infrastructure, particularly regarding the finality of settlement and financial collateral arrangements, and shows that it will be ready to implement the legal acquis from the date of accession;
4. Serbia demonstrates an advanced level of alignment with EU acquis in the area of securities markets and investment services, particularly regarding the Directive on Markets in Financial Instruments (MiFID), prospectuses, transparency, and market abuse, and shows that it will be ready to implement the legal acquis from the date of accession;
5. Serbia shows the stability and independence of regulatory and supervisory institutions with adequate administrative capacities to implement and apply the EU legal acquis in the area of financial services.

Serbia is actively working on fulfilling the established benchmarks.

## Recommendations of the NCEU Working Group for Chapter 9

**Table 2.**

No.	Recommendation of the NCEU	Since which year has the NCEU recommendation been repeated (after meeting the benchmark, specify that the criterion has been met, the year it was set, and the year it was fulfilled)?	Which EU benchmark is the recommendation related to – specify the EU benchmark number and what type of benchmark it is (opening, interim, closing)?
<b>Recommendations to the Government of the Republic of Serbia</b>			
1.	It is necessary to consider the existing regulatory framework, which has not proven sufficiently stimulating for the development of the "non-banking" segment of the financial services market.	Established: 2020. Unfulfilled	Benchmark no. 2 for provisional closure.
2.	Measures need to be taken to improve the functioning of institutions and infrastructure in the capital market.	Established: 2018. Partly fulfilled	Benchmark no. 2 for provisional closure.
3.	Measures should be undertaken to strengthen the capital market, particularly for micro and small enterprises, to facilitate their access to the capital market and financing.	Established: 2020. Unfulfilled	Recommendation from the European Commission's Progress Report on Serbia for

			2020, Guidelines from the European Charter for SMEs.
4.	It is necessary to finalize activities for the implementation of SEPA (Single Euro Payment Area) and to align legislation with the acquis in this area.	Established: 2024 New recommendation	N/A
<b>Recommendations to the European Union</b>			
5.	Ensure more efficient and effective cooperation and support from the relevant directorates general of the European Commission in initiating and continuing negotiations in this chapter.	Established: 2023. Unfulfilled	Recommendation formulated based on the practice of civil society organizations developed within the working group, which engaged experts in this field, as well as on the basis of previous experience.
<b>Recommendations to civil society organizations</b>			
6.	Strengthen efforts to raise the overall awareness of the business community, as well as the general public, about the importance and benefits of aligning with the EU legal acquis in this area and the full implementation of transposed legislation. The role of experts and civil society in this process is essential for engaging the wider public.	Established: 2023. Unfulfilled	Recommendation formulated based on the practice of civil society organizations developed within the working group, which involved experts in this field, as well as based on previous experience.

## WORKING GROUP FOR CHAPTER 10

### • DIGITAL TRANSFORMATION AND THE MEDIA

**Coordinator: SERBIAN SOCIETY FOR INFORMATICS, Nikola Marković**

Chapter 10, as part of Cluster 3, encompasses two major areas of modern society: digital transformation and media. The previous title of the chapter, "Information Society," has been replaced with the term "Digital Transformation," as this expression better reflects the leading contemporary trends in digital transformation within society, the economy, the state, and the personal lives of citizens. Digital transformation and media are highly developed in the European Union and serve as the fundamental infrastructure for the functioning and development of modern society.

Serbia has achieved significant results in these areas and possesses great potential. Through the accession preparation process, it aims to further leverage these potentials to enhance the economy, develop democratic institutions, and improve the quality of life for citizens.

The NCEU working group for Chapter 10 assesses that, based on the results achieved, a **good level** of preparedness has been reached in Chapter 10 (rating of 4). Additionally, the working group evaluates that there has been **good progress** in Chapter 10, based on the results achieved compared to the previous report (rating of 4), and that it could be opened by the end of 2024 as part of Cluster 3.

### Basic data on Chapter 10 – Digital Transformation and Media

**Table 1.**

Chapter	The date of the explanatory/ bilateral screening	When the EU sent Serbia an invitation to submit a negotiating position or a list of opening benchmarks	State how many benchmarks Serbia has received	OBAR adopted	The Government of Serbia adopts a negotiating position
10	22-23. May 2014. 10-11. July 2014.		Benchmarks are not established		2021.
Chapter opening date	Number of closing benchmarks	IBAR adopted		CBAR adopted	Chapter temporarily closed
-	-	-	-	-	-

## Recommendations of the NCEU Working Group for Chapter 10

Table 2.

No.	Recommendation of the NCEU	Since which year has the NCEU recommendation been repeated (after meeting the benchmark, specify that the criterion has been met, the year it was set, and the year it was fulfilled)?	Which EU benchmark is the recommendation related to – specify the EU benchmark number and what type of benchmark it is (opening, interim, closing)?
<b>Recommendations to the Government of the Republic of Serbia</b>			
1.	Complete the process of adopting the Law on Electronic Communications.	Established: 2019. Fulfilled: 2023. <sup>17</sup>	EC Report on Serbia's Progress
2.	Ensure the functional and financial independence of regulatory bodies (RATEL and REM).	Established: 2019. Partly fulfilled	EC Report on Serbia's Progress
3.	The Ministry of Interior should initiate the introduction of the "Emergency Services 112."	Established: 2019. Partly fulfilled	EC Report on Serbia's Progress
4.	Ensure the implementation and monitoring of the effects of the Action Plan for the Implementation of the Media Strategy for the period 2021-2025.	Established: 2021. Partly fulfilled	Action Plan for the Implementation of the Media Strategy.
5.	Ensure that the Government of the Republic of Serbia makes a decision and obliges the relevant authorities to respond to the initiatives submitted by the NCEU working groups.	Established: 2021. Partly fulfilled	The practice and previous experience of experts from the working group in this field.
6.	Propose the introduction of new e-Government services to support the rule of law (MIT, RATEL, and the Office for IT and e-Government).	Established: 2024 New recommendation	N/A
7.	Ensure public access to data on all budget payments.	Established: 2024 New recommendation	N/A
8.	Set shorter deadlines for the realization of all planned activities than currently anticipated.	Established: 2024 New recommendation	N/A
<b>Recommendations to the European Union</b>			
9.	The EC needs to comprehensively assess: the accelerated digitalization of business operations, the implementation of e-Government services, the high growth and export of information services, and other manifestations of the accelerated development of the information society in Serbia.	Established: 2023. Unfulfilled	The practice and previous experience of experts from the working group in this field.
<b>Recommendations to civil society organizations</b>			
10.	Enhance efforts to raise the overall awareness of both citizens and businesses about the importance and benefits of aligning with the EU legal acquis in this area. In this regard, the role of civil society is crucial to engage the wider public.	Established: 2023. Unfulfilled	The practice and previous experience of experts from the working group in this field.

<sup>17</sup> The National Assembly adopted the Law on Electronic Communications on April 29, 2023.

**WORKING GROUP FOR CHAPTER 11**  
**• AGRICULTURE AND RURAL DEVELOPMENT**

**Coordinators:**

**EUROPEAN MOVEMENT IN SERBIA, Dejan Krnjaić phd**

**NETWORK FOR RURAL DEVELOPMENT OF SERBIA, Dragan Roganović**

The European Commission (EC) Report on Serbia's progress for 2023 states that Serbia has made **limited progress** (rating 2) in the area of agriculture and rural development, particularly within Chapter 11. The focus is placed on employment within the IPARD structures and the efficiency of processing IPARD applications and payment requests.

The Republic of Serbia is urged to concentrate on the following areas in the upcoming period:

- Increasing the pace of implementing the Instrument for Pre-accession Assistance in the area of rural development (IPARD) to ensure timely use of EU financial support and avoid further loss of funds.
- Achieving further progress regarding the revision and implementation of the Action Plan for alignment with the EU legal acquis in the area of agriculture and rural development.
- Implementing the Action Plan to meet the requirements of EU cohesion policy and improving capacities for managing indirect management programs under EU pre-accession assistance.
- Drafting an Action Plan to meet the administrative conditions for own resources.

**Basic information on Chapter 11 – Agriculture and Rural Development**

**Table 1.**

<b>Chapter</b>	<b>The date of the explanatory/ bilateral screening</b>	<b>When the EU sent Serbia an invitation to submit a negotiating position or a list of opening benchmarks</b>	<b>State how many benchmarks Serbia has received</b>	<b>OBAR adopted</b>	<b>The Government of Serbia adopts a negotiating position</b>
11	18-20. March 2014. 14-16. May 2014.	Screening report delivered on 24. February 2015.	Two opening benchmarks	NE	NE
<b>Chapter opening date</b>	<b>Number of closing benchmarks</b>	<b>IBAR adopted</b>		<b>CBAR adopted</b>	<b>Chapter temporarily closed</b>
-	-	-		-	-

Chapter 11 has not yet been opened for negotiations, and the preparation of the negotiating position is ongoing. Based on held explanatory and bilateral screenings, a Screening Report has been prepared concluding that Serbia is not sufficiently ready for negotiations and that negotiations will be opened upon the fulfillment of two benchmarks for opening the chapter:

1. Serbia needs to present an action plan to the Commission, which will serve as the basis for the transposition, implementation, and application of EU legal acts in the area of agriculture and rural development. The action plan will include the development of administrative capacities, an assessment of the required resources, and the development of an Integrated Administrative and Control System to prepare for the management and control of payments;
2. Serbia needs to submit a request to the Commission for the delegation of tasks related to the implementation of the budget for IPARD II, in accordance with the provisions of Commission Implementing Regulation 447/2014.

The action plan for Chapter 11, as one of the two criteria, was adopted on October 18, 2018, by the Government of the Republic of Serbia and sent to the European Commission for approval on November 1 of the same year. An update of the action plan is underway regarding deadlines and implemented activities. Serbia fulfilled the second criterion regarding the delegation of tasks related to the implementation of the budget for IPARD II, in accordance with the provisions of Commission Regulation 447/2014, on December 14, 2015.

In Chapter 11, the Republic of Serbia is awaiting the adoption of the Report on the fulfillment of the criteria (Opening Benchmark Assessment Report – OBAR) by the EU Council, after which it will be invited to submit the Negotiating Position for Chapter 11. According to information from the Republic of Serbia Mission to the EU, 22 member states have so far given consent to the Report on the fulfillment of the criteria.

## Recommendations of the NCEU Working Group for Chapter 11

Table 2.

No.	Recommendation of the NCEU	Since which year has the NCEU recommendation been repeated (after meeting the benchmark, specify that the criterion has been met, the year it was set, and the year it was fulfilled)?	Which EU benchmark is the recommendation related to – specify the EU benchmark number and what type of benchmark it is (opening, interim, closing)?
<b>Recommendations to the Government of the Republic of Serbia</b>			
1.	Serbia needs to accelerate the process related to presenting the new Action Plan to the Commission, which serves as the basis for the transposition, implementation, and application of EU legal regulations in the field of agriculture and rural development.	Established: 2015. Unfulfilled	Opening benchmark no.1
2.	It is recommended that the planning process for the IPARD III program and national measures take into account the European Commission's proposals related to the Common Agricultural Policy for the period 2021-2027, aimed at fostering a sustainable and competitive agricultural sector that significantly contributes to the European Green Deal, particularly with regard to the “Farm to Fork” strategy and the biodiversity strategy, with the ultimate focus on ensuring fair conditions and a stable economic future for farmers, as well as on the efficient implementation of the ambitious Measure 4 of the IPARD III program, which concerns environmental and climate protection.	Established: 2021. Party fulfilled	Opening benchmark no.2
3.	Further strengthening of human and technical capacities in the Directorate for Agrarian Payments and the Ministry of Agriculture/Department of Rural Development is recommended to ensure an accelerated implementation process for all accredited measures under the IPARD II and IPARD III programs. Insufficiently developed capacities may lead to unsatisfactory dynamics in the realization of the IPARD II and IPARD III programs, potentially resulting in the loss of part of the funds allocated by the EU.	Established: 2016. Party fulfilled	Opening benchmark no.1
4.	Further administrative and technical strengthening of the Agricultural Policy Sector is recommended as an organizational unit of the Ministry of Agriculture, Forestry, and Water Management, which is essential for creating a national agricultural policy that can meet Serbia’s EU integration needs.	Established: 2016. Party fulfilled	Opening benchmark no.1
5.	Additional efforts should be made to establish/strengthen administrative support systems for agricultural policy, such as IACS, LPIS, and	Established: 2018. Party fulfilled	Opening benchmark no.1

	FADN. We note that the functioning of these systems is essential for the efficient creation and implementation of an adequate agricultural policy that meets the country's needs and is an integral part of the EU's Common Agricultural Policy implementation mechanism.		
6.	The administrative, numerical, and professional strengthening of the agricultural advisory service under the jurisdiction of the Ministry of Agriculture, Forestry, and Water Management (Central Serbia) and the Provincial Secretariat for Agriculture, Forestry, and Water Management (Autonomous Province of Vojvodina) is necessary to transform it into a modern and efficient system for knowledge transfer and support to farmers in improving production and efficiently utilizing available funds.	Established: 2020. Party fulfilled	Opening benchmark no.1
7.	It is essential, in a timely and comprehensive manner, to establish a planning framework for rural development incentive measures at all planning levels and for all funding sources (IPARD, national, provincial, local, donor funds), and that the planning framework serves as the basis for subsidy measure planning based on clear conditions and a time frame that enables beneficiaries to plan their businesses and use of subsidies in the long term.	Established: 2018. Party fulfilled	Opening benchmark no.2
8.	It is necessary to develop evaluation and monitoring mechanisms for the effects of incentive measure implementation and the planning framework, to assess the effects of measures and make the necessary adjustments, all to meet the needs of the beneficiaries.	Established: 2020. Unfulfilled	Opening benchmark no.1
<b>Recommendations to the European Union</b>			
9.	It is necessary to support the acceleration of this process in the preparation of the IPARD III program, as well as the improvement of the capacities of national institutions. One option is to use the technical assistance measure and make more active use of EU programs (such as TAIEX, bilateral support projects).	Established: 2020. Party fulfilled	Opening benchmark no.1
10.	Ensure a transparent process for informing all stakeholders about the EU's Common Agricultural Policy for the period 2021-2027, as a framework for negotiations between the EU and Serbia within Chapter 11.	Established: 2021. Party fulfilled	Opening benchmark no.1
11.	Support the capacity development of the civil sector (including professional associations, farmer associations) involved in rural development topics, to strengthen this sector both in participating in rural development policy creation and in working with local communities on a bottom-up approach.	Established: 2020. Party fulfilled	Opening benchmark no.1
<b>Recommendations to civil society organizations</b>			
12.	It is recommended that civil society organizations actively participate in the preparation of the planning framework and in assessing (monitoring	Established: 2020. Unfulfilled	Opening benchmark no.2

	and evaluating) the effects of allocated incentive funds to beneficiaries, in order to review the effects of measures and implement any necessary adjustments. Civil society organizations (CSOs) should facilitate consultations between decision-makers and end-users.		
13.	More active involvement of civil society organizations in informing farmers about IPARD programs is needed. Despite efforts, the limited capacities of advisory services, the Ministry, and the Directorate for Agrarian Payments prevent info campaigns from reaching all potential beneficiaries. Due to their geographical reach, civil society organizations, professional associations, and existing networks have the potential to contribute to information dissemination, in coordination with other stakeholders.	Established: 2020. Party fulfilled	Opening benchmark no.2
14.	It is essential to involve CSOs actively in a comprehensive dialogue process with stakeholders for the possible drafting of regulations for the IPARD III program for the 2021-2027 period. Although some CSOs are included in the IPARD monitoring committee, it is necessary to better ensure the voice of rural communities and the inclusion of all potential stakeholders.	Established: 2020. Party fulfilled	Opening benchmark no.2
15.	Civil society organizations should enhance their activities in transferring knowledge to farmers and other economic entities in rural areas, especially regarding the diversification of economic activities and the implementation of agri-environmental measures. This can address the observed gaps caused by the limited capacities of the public sector (agricultural advisory services, Ministry, Directorate for Agrarian Payments).	Established: 2020. Party fulfilled	Opening benchmark no.1
16.	Improving cooperation between civil society and the Standing Conference of Towns and Municipalities, as well as the Ministry, is necessary for the timely preparation of local governments and communities for the implementation of new measures in the IPARD III program (M4 – Agri-environmental and climate measures and organic production measures; M5 – Implementation of local rural development strategies (LEADER approach); and M6 – Investments in rural public infrastructure)..	Established: 2020. Party fulfilled	Opening benchmark no.2
17.	Enhancing their own capacities and those of agricultural producers in preparation for establishing common market organizations (CMO) is essential.	Established: 2020. Unfulfilled	Opening benchmark no.1

## WORKING GROUP FOR CHAPTER 12

- **FOOD SAFETY, VETERINARY, AND PHYTOSANITARY POLICY**

### Coordinators:

**EUROPEAN MOVEMENT IN SERBIA, professor Dejan Krnjaić phd**

**NETWORK FOR RURAL DEVELOPMENT OF SERBIA, Dragan Roganović**

The European Commission's 2023 Report on Serbia notes that Serbia has made **some progress** (score 3) in the area of food safety, veterinary, and phytosanitary policy (Chapter 12) compared to last year's recommendations. This progress is particularly reflected in the hiring of additional staff within the Plant Protection Directorate and in the classification of food establishments and establishments processing animal by-products.

### Basic Information on Chapter 12 – Food Safety, Veterinary, and Phytosanitary Policy

**Table 1.**

Chapter	The date of the explanatory/ bilateral screening	When the EU sent Serbia an invitation to submit a negotiating position or a list of opening benchmarks	State how many benchmarks Serbia has received	OBAR adopted	The Government of Serbia adopts a negotiating position
12	3-7. February 2014. 20-24. October 2014.	The screening report for Negotiation Chapter 12 and the screening results were published in February 2017.	Serbia is not sufficiently prepared for the negotiations, which will be opened upon the fulfillment of three benchmarks.	NO	NO
Chapter opening date	Number of closing benchmarks	IBAR adopted		CBAR adopted	Chapter temporarily closed
-	-	-		-	-

The screening report for Negotiation Chapter 12 and the screening results were published in February 2017. The report noted that Serbia is not sufficiently prepared for negotiations and that negotiations will be opened upon the fulfillment of **three opening benchmarks** for the chapter.

1. Serbia should adopt a legislative framework aligned with EU acquis, ensuring full transposition of the acquis under this chapter and clear allocation of responsibilities, especially regarding control bodies;
2. Serbia should present the Commission with a comprehensive national strategy, including an action plan with specific deadlines, to serve as a basis for transposing, implementing, and enforcing EU acquis in the fields of food safety, veterinary, and phytosanitary policy. This should include plans for developing adequate administrative capacities and assessing necessary financial resources, with particular attention to a detailed action plan for controlling and eradicating classical swine fever in domestic and wild pigs after the cessation of vaccination;
3. Serbia should present the Commission with a classification of all food establishments and all establishments handling animal by-products, which will serve as the basis for a future National Program for the Improvement of Food Establishments and Establishments Handling Animal By-Products.

## Recommendations of the NCEU Working Group for Chapter

**Table 2.**

No.	Recommendation of the NCEU	Since which year has the NCEU recommendation been repeated (after meeting the benchmark, specify that the criterion has been met, the year it was set, and the year it was fulfilled)?	Which EU benchmark is the recommendation related to – specify the EU benchmark number and what type of benchmark it is (opening, interim, closing)?
<b>Recommendations to the Government of the Republic of Serbia</b>			
1.	The Government of the Republic of Serbia should, as a special priority, adopt a national strategy, including an action plan with specific deadlines, which will serve as a basis for transposing, implementing, and enforcing the EU acquis under Chapter 12.	Established: 2018. Unfulfilled	Opening benchmark no.2
2.	It is necessary to accelerate the harmonization of national regulations with the EU acquis and ensure their full application. To prevent the occurrence and spread of infectious animal diseases, particularly African swine fever, Serbia’s regulations need to be aligned with Regulation (EU) 2016/429 (Animal Health Law), mandating animal holders to take responsibility for animal health and implement biosecurity measures on farms. Alignment with Regulation (EU) 2017/625 on official controls and other official activities to ensure compliance with regulations on food and animal feed, animal health	Established: 2018. Unfulfilled	Opening benchmark no.1

	and welfare, plant health, and plant protection products is also essential.		
3.	The Government of the Republic of Serbia should ensure the administrative (both numerical and professional) strengthening of the Veterinary Directorate and the Plant Protection Directorate of the Ministry of Agriculture, Forestry, and Water Management. This includes both the organizational units responsible for formulating veterinary and phytosanitary policies and the relevant inspection services, as their current capacity can only guarantee the minimum level of work processes.	Established: 2018. Unfulfilled	Opening benchmark no.2
4.	We reiterate the necessity of initiating a comprehensive national dialogue and informing the public about GMOs, grounded in scientifically and professionally supported facts, with the aim of drafting and subsequently adopting amendments to the GMO Law. This law, which has hindered Serbia's entry into the World Trade Organization since 2009, is also incompatible with EU legislation in this area.	Established: 2014. Unfulfilled	Opening benchmark no.1
5.	It is essential to establish, improve, and enable mutual data exchange among registers and databases of relevant competent state bodies, agencies, and institutions to enhance risk analysis and ensure food safety, as well as the health of animals and plants.	Established: 2022. Unfulfilled (Ongoing process)	Opening benchmark no.2
6.	The classification of all food establishments and facilities for the treatment of animal by-products should be completed, forming the basis for the National Program for the Improvement of Food Establishments and Facilities for Treating Animal By-products.	Established: 2018. Fulfilled 2023	Opening benchmark no.3
7.	Enhancing dialogue and cooperation between the Ministry and other state bodies and institutions with civil society organizations (CSOs) is necessary to ensure public transparency, consultation, CSO participation in the regulatory process, quality and timely public information, and partnerships on projects of general interest. In this regard, the Ministry of Agriculture's funding calls should also include projects by civil society organizations that are not agricultural producer associations.	Established: 2018. Unfulfilled (Ongoing process)	Opening benchmark no.1
<b>Recommendations to the European Union</b>			
8.	Ensure a transparent negotiation process between the EU and Serbia, taking into account the opinions of civil society.	Established: 2018. Unfulfilled (Ongoing process)	Opening benchmarks no. 1, 2 and 3
9.	Support the development of professional capacities in Serbia in the areas of food safety, veterinary medicine, and phytosanitary affairs through programs and projects funded by EU funds.	Established: 2018. Unfulfilled (Ongoing process)	Opening benchmarks no. 2 and 3
10.	Support the capacity building of civil society organizations to actively engage within Chapter 12.	Established: 2023. Unfulfilled	Opening benchmarks no. 1, 2 and 3
<b>Recommendations to civil society organizations</b>			

11.	There needs to be more active participation of civil society organizations in aligning domestic legislation (related to Chapter 12) with EU legislation.	Established: 2018. Unfulfilled	Opening benchmark no.1
12.	It is essential to ensure greater involvement and better public awareness in monitoring the implementation of regulations in the area of food safety, as well as to continuously inform consumers.	Established: 2018. Unfulfilled	Opening benchmarks no. 1, 2 and 3
13.	There should be greater engagement of existing consumer organizations in monitoring the adoption and implementation of laws related to food safety and consumer protection.	Established: 2018. Unfulfilled	Opening benchmarks no. 1, 2 and 3
14.	Active involvement of civil society organizations is necessary in awareness-raising campaigns and in the transparent publication of relevant data in the field of food safety, at both national and local levels.	Established: 2018. Unfulfilled (Ongoing process)	Opening benchmarks no. 1, 2 and 3

## WORKING GROUP FOR CHAPTER 13

- FISHERIES

### Coordinators:

**EUROPEAN MOVEMENT IN SERBIA, Proffesor Dejan Krnjaić PhD**

**NETWORK FOR RURAL DEVELOPMENT OF SERBIA, Dragan Roganović**

The European Commission's (EC) 2023 Report on Serbia notes that Serbia made **no progress** in the area of fisheries (Chapter 13) during the reporting period (rating 1). The Republic of Serbia is urged to focus on adopting an Action Plan for alignment with EU fisheries legislation in the coming period.

### Basic Information on Chapter 13 – Fisheries

**Table 1.**

Chapter	The date of the explanatory/ bilateral screening	When the EU sent Serbia an invitation to submit a negotiating position or a list of opening benchmarks	State how many benchmarks Serbia has received	OBAR adopted	The Government of Serbia adopts a negotiating position
13	30. September 2014. 14. November 2014.	The Screening Report was prepared in 2015.	The report did not specify opening benchmarks; instead, it recommended opening negotiations in this chapter.	-	The government completed and submitted its position to the European Commission in November 2017.
Chapter opening date	Number of closing benchmarks	IBAR adopted		CBAR adopted	Chapter temporarily closed
Negotiations on Chapter 13 officially began in June 2018.	1	-		-	-

The Screening Report for Chapter 13 was prepared in 2015, and it did not set initial benchmarks, but instead recommended the opening of negotiations in this chapter. Serbia received an invitation to submit the Negotiating Position for Chapter 13, which the Government prepared and submitted to the European Commission in November 2017. Negotiations with Serbia on Chapter 13 officially began in June 2018. As a closing benchmark for Chapter 13, the Republic of Serbia must present to the European Commission an Action Plan that will enable full alignment with the European

Union acquis by the date of accession, particularly regarding market organization, aquaculture, data collection, and control measures against illegal, unreported, and unregulated fishing.

## Recommendations of the NCEU Working group for Chapter13

**Table 2.**

No.	Recommendation of the NCEU	Since which year has the NCEU recommendation been repeated (after meeting the benchmark, specify that the criterion has been met, the year it was set, and the year it was fulfilled)?	Which EU benchmark is the recommendation related to – specify the EU benchmark number and what type of benchmark it is (opening, interim, closing)?
<b>Recommendations to the Government of the Republic of Serbia</b>			
1.	Adoption of an Action Plan that will ensure full compliance with EU acquis requirements by the date of accession, particularly regarding market organization, aquaculture, data collection, and control against illegal, unreported, and unregulated fishing.	Established: 2023 Unfulfilled	Closing benchmark no.1
2.	Strengthen the administrative capacity of the Agricultural Policy Sector and the Veterinary Administration within the Ministry of Agriculture, Forestry and Water Management, as well as the Ministry of Environmental Protection, to meet the needs of adequately regulating the fisheries sector.	Established: 2018 Unfulfilled	Closing benchmark no.1
3.	Ensure public consultations with stakeholders in the fisheries and environmental sectors to establish an appropriate strategic and legal framework for the fisheries sector.	Established: 2018 Partly fulfilled	Closing benchmark no.1
4.	Establish systematic data collection by the relevant authorities to create policy measures aimed at supporting the development of the fisheries sector.	Established: 2018 Fulfilled: 2021	Closing benchmark no.1
5.	Enhance the work of inspection services as a prerequisite for fisheries development on one hand, and on the other, create a mechanism for efficient and effective control and prevention of illegal, unreported, and unregulated fishing.	Established: 2018 Unfulfilled	Closing benchmark no.1
6.	Provide necessary support to the fisheries sector to improve it and ensure the sustainable use and management of natural resources related to fisheries, as well as prepare the sector for market competition with EU companies.	Established: 2018 Unfulfilled	Closing benchmark no.1
<b>Recommendations to the European Union</b>			
7.	Support for strengthening professional associations in the fisheries sector through support programs.	Established: 2018 Partly fulfilled	Closing benchmark no.1
8.	Support for ecological protection of river waterways and water resources as a basis for the sustainable development of the fisheries sector.	Established: 2019 Partly fulfilled (ongoing process)	Closing benchmark no.1
9.	Support for systematic data collection processes by relevant authorities, necessary for creating policy	Established: 2018 Partly fulfilled	Closing benchmark no.1

	measures aimed at supporting sector development, as well as participatory dialogue between decision-makers and producers/processors.		
10.	Support for the capacity development of civil society organizations to actively engage in the protection of natural resources and the environment.	Established: 2020 Partly fulfilled (ongoing process)	Closing benchmark no.1
<b>Recommendations to civil society organizations</b>			
11.	Active involvement of civil society organizations (CSOs) and professional associations of fish producers and processors, as well as ecological associations (in the case of freshwater fishing), in the processes of aligning domestic legislation with EU legislation.	Established: 2018 Partly fulfilled (ongoing process)	Closing benchmark no.1
12.	Support for the improvement of the fisheries sector to enhance the performance of this sector, particularly regarding competitiveness and adaptation to open market demands.	Established: 2018 Unfulfilled	Closing benchmark no.1
13.	Support the development of projects aimed at the sustainable development of the sector and the preservation of natural resources.	Established: 2020 Unfulfilled	Closing benchmark no.1

## WORKING GROUP FOR CHAPTER 14

### • TRANSPORT POLICY

**Coordinator: CENTER FOR ECOLOGY AND SUSTAINABLE DEVELOPMENT,  
Zvezdan Kalmar**

#### Basic information on Chapter 14 – Transport Policy

**Table 1.**

<b>Chapter</b>	<b>The date of the explanatory/ bilateral screening</b>	<b>When the EU sent Serbia an invitation to submit a negotiating position or a list of opening benchmarks</b>	<b>State how many benchmarks Serbia has received</b>	<b>OBAR adopted</b>	<b>The Government of Serbia adopts a negotiating position</b>
14	16-19. December 2014. 24-26. February 2015.	March 2016.		–	–
<b>Chapter opening date</b>	<b>Number of closing benchmarks</b>	<b>IBAR adopted</b>		<b>CBAR adopted</b>	<b>Chapter temporarily closed</b>
14. December 2021.	3	–	–	–	–

#### Closing benchmarks for this chapter:

1. Serbia needs to align its legal regulations with EU acquis on road usage charges, social legal provisions in road transport, vehicle weights and dimensions, as well as access to road transport activities, the market for international road freight transport, and the international market for bus transport services.
2. Serbia should implement Regulation (EC) No 1008/2008 on common rules for the provision of air transport services within the Community, which is integrated into the ECAA.
3. Serbia must align its regulations with EU acquis on passenger rights in transport.

## Recommendations of the NCEU Working group for Chapter14

Table 2.

No.	Recommendation of the NCEU	Since which year has the NCEU recommendation been repeated (after meeting the benchmark, specify that the criterion has been met, the year it was set, and the year it was fulfilled)?	Which EU benchmark is the recommendation related to – specify the EU benchmark number and what type of benchmark it is (opening, interim, closing)?
<b>Recommendations to the Government of the Republic of Serbia, the National Assembly, and the relevant institutions of the Republic of Serbia</b>			
1.	Develop and adopt transportation development strategies that are aligned with strategic documents in the field of nature protection to avoid the destruction and fragmentation of protected and future protected areas.	Established: 2021 Unfulfilled	N/A
2.	Connect comprehensive transportation development strategies with the Traffic Safety Strategy of the Republic of Serbia.	Established: 2021. Partly fulfilled <sup>18</sup>	N/A
3.	Define indicators of pollution impact and greenhouse gas (GHG) emissions for evaluating the cost-effectiveness of all transportation projects.	Established: 2021 Unfulfilled	N/A
4.	Establish national GHG emissions reduction targets from transportation, monitoring the reduction in the use of fossil fuels in transportation.	Established: 2021. Partly fulfilled <sup>19</sup>	N/A
5.	Redefine the air quality monitoring system, including the measurement of PM10 and PM2.5 particle levels and noise levels attributable to traffic, to determine measures such as fuel changes and pollution charge payments in cities and on highways.	Established: 2021. Partly fulfilled <sup>20</sup>	N/A
6.	Define, within road reconstruction plans, the obligation to build bypasses for all settlements with more than 1,000 inhabitants on all main and regional roads (first and second-class roads) to reduce pollution and improve traffic safety.	Established: 2021. Partly fulfilled <sup>21</sup>	N/A
7.	Adopt plans to improve air quality, including the impact of traffic at all levels of local self-government concerning climate change mitigation.	Established: 2021.	N/A

<sup>18</sup> A new road safety strategy has been adopted; however, it is not aligned with the traffic development strategy, as the traffic strategy has not been established.

<sup>19</sup> In November 2023, a Regulation on the sustainability of biofuels, biomass, and fuels from so-called bio-liquids was adopted.

<sup>20</sup> The air pollution monitoring system tracks emissions from all sectors, especially transportation; however, it is still not possible to determine the exact quantities of pollution in urban areas that originate from traffic.

<sup>21</sup> Despite the practice of increasing the number of bypasses, such a strategy has not been established; that is, while the approach to construction is supported in practice, there are no national-level planning documents addressing both the reasons for constructing bypasses and the need for careful alignment with, for example, the protection of arable land..

		Partly fulfilled <sup>22</sup>	
8.	Initiate a national plan for building wildlife overpasses above road and railway infrastructure.	Established: 2021 Unfulfilled	N/A
9.	Introduce integrated border crossing management at all border crossings to simplify and shorten crossing times, aiming for up to 30 minutes for trucks or freight trains.	Established: 2021 Unfulfilled	N/A
10.	Establish a system to ensure that vehicles performing international transport receive the necessary documentation and permits at border crossings, with a maximum delay of 30 minutes.	Established: 2021 Unfulfilled	N/A
11.	Align infrastructure usage charges with the principles of "the user pays and the polluter pays" and with Directive 2011/76/EU (based on pollution, weight, climate impact, and congestion).	Established: 2021 Unfulfilled	N/A
12.	Introduce support for public transportation in line with European practices and, in particular, the requirements for energy security and reduction of fossil fuel use in urban and intercity public transport.	Established: 2021. Partly fulfilled <sup>23</sup>	N/A
13.	Encourage the introduction and application of new technologies and IT innovations in the passenger road transport sector.	Established: 2021. Partly fulfilled <sup>24</sup>	N/A
14.	Consider the need to establish a separate Ministry of Transportation.	Established: 2021 Unfulfilled	N/A
15.	Increase capacity in the transportation sector across various positions within a larger number of institutions, including within the ministry itself.	Established: 2021. Partly fulfilled	N/A
16.	Strengthen capacity for horizontal topics of improving energy efficiency in transportation, reducing pollution, and reducing GHG emissions from transportation, particularly in strategic assessment and environmental impact assessment procedures.	Established: 2021. Partly fulfilled <sup>25</sup>	N/A
17.	Enhance specific monitoring capacities of environmental conditions to define measures for the introduction of alternative fuels and restructuring through urban and intercity transport planning.	Established: 2021. Partly fulfilled <sup>26</sup>	N/A

<sup>22</sup> The majority of entities responsible for developing air quality improvement plans have either not adopted such plans or, if they have, no significant improvement in air quality has been observed. The key issues are conflicts of jurisdiction, the lack of legal grounds for implementing such plans, and the absence of means to secure adequate funding or inspections for their enforcement.

<sup>23</sup> In Serbia, the deterioration of public transport services continues. The liberal concept of public-private partnerships still prevails, resulting in a decline in service quality and increased costs. Small local communities continue to pay significantly more for transportation than Belgrade and Novi Sad.

<sup>24</sup> Some measures have been sporadically introduced, such as electronic tracking and vehicle announcements in Belgrade.

<sup>25</sup> We believe that, although sporadic efforts are being made on this topic, the capacity to reduce pollution and improve efficiency has not been developed.

<sup>26</sup> There is monitoring in place; however, it still lacks a clear focus on accurately separating pollution from other sources in local governments. This leads to confusion in planning measures at the local level.

## WORKING GROUP FOR CHAPTER 15

### • ENERGY

**Coordinator: BELGRADE FUND FOR POLITICAL EXCELENCE, Damir Dizdarević**

According to the European Commission's 2023 Report on Serbia's, the Republic of Serbia is **moderately prepared** (rating 3) for membership in Chapter 15 – Energy. Serbia's progress in reforms in this area, compared to last year's recommendations, has been assessed as **some progress** (rating 3).

### Basic information on Chapter 15 – Energy

**Table 1.**

Chapter	The date of the explanatory/ bilateral screening	When the EU sent Serbia an invitation to submit a negotiating position or a list of opening benchmarks	State how many benchmarks Serbia has received	OBAR adopted	The Government of Serbia adopts a negotiating position
15	29-30. April 2014. 11-12. June 2014.	21. September 2015.	2		June 2021.
Chapter opening date	Number of closing benchmarks	IBAR adopted		CBAR adopted	Chapter temporarily closed
14. December 2021.	3	-		NO	NO

The most significant progress in this chapter occurred during 2021 when the opening benchmarks were met by adopting the Action Plan for the Establishment and Maintenance of Mandatory Reserves of Oil and Oil Derivatives, as well as the Action Plan for the Separation of Gas Distribution and Trade Activities from Transport and Storage.

Negotiating Chapter 15 is, according to the new enlargement methodology, part of Cluster 4 – Green Agenda and Sustainable Connectivity. The chapter was opened on December 14, 2021.

According to the EU's common position, this chapter can be closed if the following **closing benchmarks** are met:

1. Serbia needs to complete alignment with the EU legal framework regarding mandatory oil reserves, establish an administrative structure for managing oil reserves, and continue to expand its actual reserves in accordance with its action plan.
2. Serbia must align with the EU legal framework on the internal energy market, including the separation of all energy companies in accordance with one of the models from the legal

framework, as well as regarding the gas sector in line with its action plan; concerning Gastrans, Serbia should ensure that its regulatory regime is fully compliant with EU legislation.

3. Serbia needs to align with the legal framework on energy efficiency and renewable energy sources, as well as adopt a national plan on energy and climate as stipulated by Regulation (EU) 2018/1999 on the governance of the Energy Union and climate action, providing evidence of its implementation.

## Recommendations of the NCEU Working group for Chapter15

**Table 2.**

No.	Recommendation of the NCEU	Since which year has the NCEU recommendation been repeated (after meeting the benchmark, specify that the criterion has been met, the year it was set, and the year it was fulfilled)?	Which EU benchmark is the recommendation related to – specify the EU benchmark number and what type of benchmark it is (opening, interim, closing)?
<b>Recommendations to the Government of the Republic of Serbia</b>			
1.	The Government of the Republic of Serbia needs to ensure the complete implementation of the separation plan in the gas sector.	Established: 2020. Unfulfilled	Closing benchmark no.2
2.	It is essential to continue the process initiated under the National Coalition for Reducing Energy Poverty and to develop a national program for reducing energy poverty in collaboration with the civil sector and professional organizations.	Established: 2021. Unfulfilled	Energy Community Treaty
3.	Measures directly aimed at supporting energy poverty within the Energy Efficiency Directorate are necessary.	Established: 2021. Unfulfilled	EC Report on Serbia
4.	It is crucial to increase transparency and public participation in the early stages of the drafting and adoption of strategic documents in the energy sector—wider public involvement is needed in the creation of the National Integrated Energy and Climate Plan, which should also be adopted by the end of 2022.	Established: 2018. Partly fulfilled (ongoing process)	Closing benchmark no.3
5.	Strategically predictable energy policy programs, as well as new investment cycles in the energy sector, are required to align with new demands and challenges in this area.	Established: 2019. Unfulfilled	Negotiation position
6.	Attention should be paid to the democratization of the energy sector and to creating a supportive space for energy cooperatives.	Established: 2021. Unfulfilled	EC Report on Serbia
7.	It is necessary to align the Law on Expropriation, as well as laws on	Established: 2020. Partly fulfilled	Energy Community Treaty

	planning and construction, energy, and energy efficiency, with the Treaty Establishing the Energy Community and international legal achievements concerning the rule of law and the protection of human rights.		
8.	The National Emission Reduction Plan (NERP) is not being implemented—urgent action is needed to ensure its implementation according to established deadlines.	Established: 2020. Unfulfilled	EC Report on Serbia
9.	Given the announcements regarding the possible use of nuclear energy in Serbia, it is necessary to open a public debate on this topic, involving all relevant stakeholders to better inform the public about the advantages and disadvantages of using nuclear energy.	Established: 2024 New recommendation	EC Report on Serbia
10.	It is essential to form an inter-ministerial working group or another coordinating body, as well as to intensify efforts to implement the Carbon Border Adjustment Mechanism (CBAM) in Serbia, for industry, especially for the electricity sector, where full collection of the CO2 emissions tax is expected from 2026.	Established: 2024 New recommendation	EC Report on Serbia
<b>Recommendations to the European Union</b>			
11.	It is necessary to outline the issues related to Chapter 15, within the context of the rule of law and the fulfillment of economic criteria for EU membership, in the upcoming Progress Report on Serbia.	Established: 2021. Unfulfilled	EC Report on Serbia
<b>Recommendations to civil society organizations</b>			
12.	It is necessary to engage and include the capacities of a wide range of professional associations, the academic community, and civil society organizations, together with the business community, in order to approach the Republic of Serbia's obligations in the field of energy policy in an innovative and ambitious manner.	Established: 2019. Partly fulfilled	N/A
13.	The combined capacities should be directed towards a joint action to develop measures to assist energy-poor households.	Established: 2019. Unfulfilled	Energy Community Treaty

## WORKING GROUP FOR CHAPTER 16

### • TAXATION

**Coordinator: NATIONAL ALLIANCE FOR LOCAL ECONOMIC DEVELOPMENT (NALED), Jelena Rančić**

As in previous years, the annual European Commission Report on Serbia's progress for 2023 notes that Serbia is **moderately prepared** (rating 3) in the area of taxation, with limited progress (rating 2) in implementing activities outlined in the Tax Administration Transformation Program for the period from 2021 to 2025 and developments in e-fiscalization, e-invoicing, and excise duties. One benchmark has been set for the opening of this chapter: to amend the Law on Excise Duties to equalize the excise rates for all strong alcoholic beverages, in order to avoid discrimination between domestic producers of such products and importers. The Law on Excise Duties was amended at the end of May 2021, fulfilling the condition for opening Chapter 16 for negotiations.

According to the EC Report, Serbia is moderately prepared in the area of taxation, with limited progress compared to last year's report. It also notes that the recommendations from the previous report in 2022 remain relevant.

The recommendations for 2024 are as follows:

- Continue the implementation of the Tax Administration Transformation Program, particularly through the procurement and implementation of an integrated information system to support the new business model of the Tax Administration, as well as by increasing human resources;
- Continue aligning with EU acquis in the areas of VAT, excise duties, and direct taxation.

### Basic information on Chapter 16 – Taxation

**Table 1.**

Chapter	The date of the explanatory/ bilateral screening	When the EU sent Serbia an invitation to submit a negotiating position or a list of opening benchmarks	State how many benchmarks Serbia has received	OBAR adopted	The Government of Serbia adopts a negotiating position
16	14-15. October 2014. 5-6. March 2015.	-	1	N/A	27. May 2021.
Chapter opening date	Number of closing benchmarks	IBAR adopted		CBAR adopted	Chapter temporarily closed
/	/	/		/	/

## Recommendations of the NCEU Working group for Chapter16

No.	Recommendation of the NCEU	Since which year has the NCEU recommendation been repeated (after meeting the benchmark, specify that the criterion has been met, the year it was set, and the year it was fulfilled)?	Which EU benchmark is the recommendation related to – specify the EU benchmark number and what type of benchmark it is (opening, interim, closing)?
<b>Recommendations for the Ministry of Finance and other relevant ministries of the Government of Serbia related to the tax and non-tax system.</b>			
1.	Amend the Law on Excise Duties to equalize the excise tax rates on strong alcoholic beverages.	Established: 2019. Fulfilled: 2021. <sup>27</sup>	Opening benchmark no.1
2.	Reduce the tax burden on the lowest wages, establish greater progressivity in labor taxation, and reform the existing system of contributions for mandatory social insurance.	Established: 2022. Unfulfilled	EC Report on Serbia Evaluation of the ERP for 2023-2025.
3.	Eliminate the obligation to complete the VAT return form and submit it along with the VAT tax return.	Established: 2022. Unfulfilled	EC Report on Serbia
4.	Specify a shorter period for the refund of overpaid VAT.	Established: 2022. Unfulfilled	EC Report on Serbia
5.	Establish reciprocity in VAT refunds between Serbia and other countries.	Established: 2022. Unfulfilled	EC Report on Serbia
6.	Enable electronic payment of all non-tax charges.	Established: 2023. Unfulfilled	EC Report on Serbia
7.	Facilitate and reduce the cost of electronic payment of income tax from property rental.	Established: 2023. Unfulfilled	EC Report on Serbia
8.	Introduce incentives for the development of cashless payments.	Established: 2023. Unfulfilled	EC Report on Serbia
9.	Allow the issuance of a consolidated certificate of paid taxes.	Established: 2023. Unfulfilled	EC Report on Serbia
10.	Permit the donation of food past its "best before" date, while abolishing VAT on food donations.	Established: 2023. Unfulfilled	Guidelines on food donation from the EU VAT Committee.
11.	Improve the procedures for prescribing and collecting local administrative fees (LAT).	Established: 2023. Unfulfilled	EC Report on Serbia
<b>Recommendations to the European Union</b>			
12.	EU institutions and member states should consider opening Chapter 16 for negotiations, given that the basic criterion for opening the chapter was met in May 2021, when the Law on Excise Duties was amended regarding the calculation method for the excise tax on strong alcoholic beverages.	Established: 2019. Fulfilled: 2021. <sup>28</sup>	Opening benchmark no.1

<sup>27</sup> At the end of May 2021, the Law on Excise Duties was amended in the part relating to the excise rates on strong alcoholic beverages, thereby formally meeting the basic criterion for opening Chapter 16. However, despite the European Commission recognizing progress in its reports, this chapter has not been opened for negotiations.

<sup>28</sup> We also note that since the adoption of the first Law on Excise Duties in 2001, every amendment to this law has been adopted during the fourth quarter of the current year for the following year. In 2021, the amendment was prepared in April to meet the criteria for opening the chapter.

## WORKING GROUP FOR CHAPTER 17

### • ECONOMIC AND MONETARY POLICY

**Coordinators: CENTER FOR ADVANCED ECONOMIC STUDIES, Lana Hadži-Niković**

In the EC's Report on Serbia for 2023, the European Commission assessed Serbia's readiness for membership in Chapter 17 as between 3 and 4, indicating that Serbia is **moderately to well-prepared** for membership in the chapter concerning economic and monetary policies. Regarding progress, it is stated that, compared to last year's recommendations, **some progress** has been made (rating 3) through the adoption of a new set of fiscal rules, thereby strengthening fiscal policy.

### Basic information on Chapter 17 – Economic and Monetary Policy

Table 1.

Chapter	The date of the explanatory/ bilateral screening	When the EU sent Serbia an invitation to submit a negotiating position or a list of opening benchmarks	State how many benchmarks Serbia has received	OBAR adopted	The Government of Serbia adopts a negotiating position
17	2-3. December 2014. 12. May 2015.	4. May 2016.	No opening benchmarks	/	14. May 2018.
Chapter opening date	Number of closing benchmarks	IBAR adopted		CBAR adopted	Chapter temporarily closed
10. December 2018.	3			/	NO

The **closing benchmarks** set by the EU are as follows:

1. Independence of the central bank;
2. Fulfillment of national budgetary frameworks established by Council Directive 2011/85/EU, which covers fiscal planning based on realistic macroeconomic and budget forecasts, including off-balance-sheet obligations that may burden the budget in the future, monitoring of the Economic Reform Program from a "macro" perspective, detailed budgeting rules (for example, issues of ex ante and ex post evaluation of spending, as well as the purposefulness of spending), transparency of public finances, introduction of numerical fiscal rules, control of the operations of public enterprises and other public bodies and funds – as economic entities, i.e., from the perspective of the medium-term sustainability of public finances;
3. Qualifications for establishing a fully functional market economy.

## Recommendations of the NCEU Working group for Chapter17

Table 2.

No.	Recommendation of the NCEU	Since which year has the NCEU recommendation been repeated (after meeting the benchmark, specify that the criterion has been met, the year it was set, and the year it was fulfilled)?	Which EU benchmark is the recommendation related to – specify the EU benchmark number and what type of benchmark it is (opening, interim, closing)?
<b>Recommendations to the Government of the Republic of Serbia</b>			
1.	Commence the creation of a Development Plan and Investment Plan in accordance with the law, proactively involving stakeholders in the process.	Established: 2018. Unfulfilled	Closing benchmark no.3
2.	Capacity building is necessary regarding the formulation, coordination, execution, and cost determination of structural reforms in relevant ministries (more transparent quantitative indicators of the superiority of structural reforms during prioritization, and subsequently improving the quantitative indicators of the execution of adopted structural reforms concerning planned and final outcomes of the reforms).	Established: 2019. Unfulfilled	Closing benchmark no.3
3.	Significantly enhance programs supporting the development of small and medium-sized enterprises (SMEs), including increased funding, strengthening the competencies and staffing capacities of institutions providing support, simplifying procedures for accessing support programs, and significantly increasing transparency in the funding allocation process.	Established: 2021. Partly fulfilled	Closing benchmark no.3
4.	Adopt an Action Plan for implementing the Public Property Management Strategy through a process that will enhance its political credibility and ensure that public enterprise reform significantly boosts the competitiveness of the Serbian economy and contributes to the overall welfare of citizens, while reducing fiscal risk and susceptibility to corruption and abuse.	Established: 2021. Partly fulfilled.	Closing benchmark no.3
5.	Significantly increase investments in energy efficiency and the modernization of energy infrastructure, as well as in municipal infrastructure, appropriately supported by tariffs to cover costs; complete the separation of Srbijagas and ensure third-party access to gas infrastructure.	Established: 2021. Partly fulfilled	Closing benchmark no.3
6.	Increase the efficiency of public funds usage through an explicitly adopted medium-term	Established: 2021. Partly fulfilled	Closing benchmark no.3

	<p>budget sustainability policy, i.e., public debt, which will:</p> <ul style="list-style-type: none"> <li>• Increase the share of productive public spending in total public consumption;</li> <li>• Develop procedures for responding to unforeseen negative shocks in the economy.</li> </ul>		
7.	Significantly enhance timely stakeholder involvement and public awareness regarding budget preparation and execution, particularly the transparency of decision-making on public investments.	Established: 2021. Unfulfilled	Closing benchmark no.2
8.	Take steps to improve public administration reform, particularly strengthening the accountability of decentralized bodies and organizations, promoting merit-based advancement, and improving the public sector wage system reform.	Established: 2021. Unfulfilled	Closing benchmark no.3
9.	Make the work of the Economic Development Council (Council) transparent and accessible to the public (including publishing minutes from meetings). In accordance with Article 26 of the Investment Law, publish the Council's annual work plans and reports on the Government of Serbia's website. Align the Council's operations and the criteria on which its decisions are based with the economic and development policy documents.	Established: 2021. Unfulfilled	Closing benchmark no.3
10.	Use a unified mechanism to prioritize and monitor all public investments regardless of the funding source and apply EU standards to all projects, including those based on intergovernmental agreements.	Established: 2021. Partly fulfilled	Closing benchmark no.3
11.	Ensure monitoring of the effects of including corporate securities in the National Bank of Serbia's monetary operations, as well as their purchase on the secondary market, on the development of the domestic financial market. Continue this practice only in case of explicit needs to achieve monetary policy goals or exceptionally positive results for the development of the financial market.	Established: 2021. Unfulfilled	Closing benchmark no.1
12.	Gradually increase the flexibility of the exchange rate when appropriate market conditions arise and transition to a de facto targeted inflation regime, with interventions in the foreign exchange market aimed at "smoothing" its short-term fluctuations.	Established: 2022. Unfulfilled	Closing benchmark no.3
13.	Develop a policy for gradually reducing the gap between energy prices in the regional market and those set for households and industry, while simultaneously reducing their tax burden to average European levels, and explicitly covering the remaining gap with budget funds. Concurrently implement measures of social	Established: 2022. Partly fulfilled	Closing benchmark no.3

	protection for the most vulnerable consumer citizens.		
14.	Prepare a study on the efficiency of public investments in Serbia over the past 10 years to enable further investment planning.	Established: 2022. Unfulfilled	Closing benchmark no.3
15.	Begin the gradual increase of progressivity in tax policy. One example could be adopting amendments to the Personal Income Tax Law in line with the recommendations of the Fiscal Council, according to which the nominal tax rate would increase from 10% to 20%, along with raising the non-taxable portion from 18,300 to 40,000 dinars. This would reduce the tax burden on low incomes, positively impact tax morale in society, and strengthen efforts in the fight against the gray economy. Another example would be increasing the tax burden on self-employed professionals (such as lawyers, doctors, etc.) who are subject to flat-rate taxation.	Established: 2022. Unfulfilled	Closing benchmark no.3
16.	In light of rising food and fertilizer prices, rather than freezing prices and banning exports, it is necessary to stimulate agricultural production through, for example, easier access to financing for farmers or subsidizing fertilizer prices so that sowing is not adversely affected.	Established: 2022. Unfulfilled	Closing benchmark no.3
17.	Introduce a labor market needs monitoring system by conducting a Job Vacancy Survey, which would support the formulation of active labor market policies, direct training programs, and continuously contribute to managing education policy.	Established: 2023. Unfulfilled	Closing benchmark no.3
18.	Increase allocations for active labor market policies to at least 0.8% of GDP. Policies should focus on programs that activate inactive and long-term unemployed populations, as well as expand the coverage of retraining and upskilling programs to meet labor market needs.	Established: 2023. Unfulfilled	Closing benchmark no.3
<b>Recommendations to the European Union</b>			
19.	The support instruments available to the private sector in Serbia are not sufficiently visible, often being administratively overly demanding, with strict conditions that businesses in underdeveloped areas of Serbia find difficult to meet. In this regard, it would be very beneficial to promote the instruments available to the private sector, organize training for applications, and consider more flexible criteria for allocation.	Established: 2023. Unfulfilled	Closing benchmark no.3
<b>Recommendations to civil society organizations</b>			
20.	Propose to international organizations and implement a larger number of projects that directly influence economic growth, primarily in the areas of improving workforce quality (retraining/upskilling), enhancing management practices, green transition, and similar initiatives.	Established: 2023. Unfulfilled (ongoing process)	Closing benchmark no.3

## WORKING GROUP FOR CHAPTER 19

- **SOCIAL POLICY AND EMPLOYMENT**

**Coordinator: CENTER FOR DEMOCRACY FOUNDATION, Nataša Vučković**

The European Commission's Report on Serbia assessed that Serbia has achieved a **moderate level of preparedness** (score of 3) in the area of social policy and employment. Serbia has made **some progress** compared to last year's recommendations from the European Commission by adopting a new Law on Occupational Safety and Health.

The new law is partially aligned with EU legal acquis. Budget allocations for active labor market policies (ALMP) as a percentage of GDP were not increased in 2023. The drafting of a new Labor Law has not yet begun. There is no measure to increase the coverage and adequacy of social benefits for individuals and families within the financial social assistance system aimed at reducing poverty.

Last year's recommendation from the European Commission, stated in the Progress Report on Serbia, that Serbia has met the criteria for opening Cluster 3 and that this cluster is technically ready for opening, remains valid.

### Basic information on Chapter 19 – Social Policy and Employment

**Table 1.**

Chapter	The date of the explanatory/ bilateral screening	When the EU sent Serbia an invitation to submit a negotiating position or a list of opening benchmarks	State how many benchmarks Serbia has received	OBAR adopted	The Government of Serbia adopts a negotiating position
19	10-12. February 2014. 24-26. June 2014.	January 2014.	1	-	May 2021.
Chapter opening date	Number of closing benchmarks	IBAR adopted		CBAR adopted	Chapter temporarily closed
NE	-	-	-	NE	NE

## Recommendations of the NCEU Working group for Chapter19

Table 2.

No.	Recommendation of the NCEU	Since which year has the NCEU recommendation been repeated (after meeting the benchmark, specify that the criterion has been met, the year it was set, and the year it was fulfilled)?	Which EU benchmark is the recommendation related to – specify the EU benchmark number and what type of benchmark it is (opening, interim, closing)?
<b>Recommendations to the Government of the Republic of Serbia</b>			
1.	It is necessary to revise the Action Plan for Chapter 19 in close cooperation with representatives of social partners, civil society organizations, and independent experts. A matrix for monitoring the implementation of the Action Plan should be developed in collaboration with the EC and the NCEU containing precise and measurable process indicators, along with a reporting mechanism for its application every six months.	Established: 2021. Unfulfilled	Opening benchmark no.1
2.	A Social Protection Strategy should be adopted, including all stakeholders in the strategic planning process, especially from the civil sector and social partners.	Established: 2018. Unfulfilled	EC Report
3.	The process of adopting the new Labor Law needs to be expedited. The plan for adopting the EU acquis in this negotiation chapter, as well as during the planning of legislative activities in 2024 and 2025, must prevent further fragmentation of labor legislation and accelerate the adoption of the new Labor Law. Many issues are regulated by specific laws, which relativizes and diminishes the significance of the Labor Law, while simultaneously increasing legal uncertainty and reducing the protection of labor rights.	Established: 2021. Unfulfilled	Screening report
4.	The Law on Strikes, the Law on Social Protection, and other laws need to be adopted to align with European Union and International Labour Organization (ILO) standards. The work of working groups preparing draft laws should be made more transparent, with the involvement of social partners and non-governmental organizations. It is particularly important to emphasize the urgent need for adopting the Law on Strikes, as certain provisions conflict with international labor standards (defining activities of general interest and minimum service provisions).	Established: 2019. Unfulfilled	EC Report

5.	Efforts should continue to find solutions for regulating the labor status of freelancers under domestic law. Work on transposing the EU directive on improving working conditions for platform workers, which was adopted by the European Parliament on April 24, 2024, into Serbian labor legislation should be pursued. <sup>29</sup>	Established: 2022. Unfulfilled	Screening report
6.	Ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families is essential.	Established: 2022. Unfulfilled	Screening report
7.	The ratification of the ILO Convention on Violence and Harassment (No. 190) is also necessary.	Established: 2021. Unfulfilled	Screening report
8.	Issues regulated by the Employment and Social Policy Reform Program (ESRP) should be integrated into structural reforms related to social protection, as well as into the reform agenda and the Social Protection Strategy.	Established: 2019. Unfulfilled	EC Report
9.	The Law on the Socio-Economic Council should be implemented, especially Article 10, Paragraph 1, as not all draft laws and proposals of other regulations relevant to the economic and social position of employees and employers are submitted to the Socio-Economic Council (SES) before the Government of Serbia determines the proposal for legislation and submits it for parliamentary procedure.	Established: 2021. Partly fulfilled	EC Report
10.	An independent analysis of the effects of the implementation of laws adopted in the previous period (such as the Law on Agency Employment and the Law on Simplified Employment for Seasonal Work in certain sectors) should be conducted.	Established: 2021. Unfulfilled	EC Report
11.	Establish a system for monitoring the effectiveness of the protection of specific economic and social rights, for which inspection and judicial authorities are responsible.	Established: 2020. Unfulfilled	EC Report
12.	Increase the transparency of competitions announced at both central and local levels	Established: 2021. Unfulfilled	EC Report

<sup>29</sup> This directive introduces new rules for identifying false self-employment, prohibits the dismissal of workers based on algorithmic decisions, and bans platforms from processing certain types of personal data. Additionally, the Croatian Labor Law, which recently regulated the work of digital workers, can serve as a reference point. It is essential to create a register of digital work platforms and a register of digital workers, and to propose amendments to the Labor Records Law following changes to the Labor Law. In the tax area, conditions need to be established for the implementation of Council Directive No. 2011/16/EU on administrative cooperation in taxation, commonly known as "DAC 7," which will reduce the disparity between the taxation of online and offline service sales. Efforts should be directed toward transposing the European directive on platform work, as well as other laws regulating digital platforms, particularly digital work platforms as specific business entities, in accordance with the EU's Digital Single Market. It is necessary to facilitate the introduction of a register of digital work platforms and workers operating through these platforms.

	in the field of social protection, aimed at selecting providers of social services and social service programs.		
13.	Make the operations of government coordination mechanisms in the area of social inclusion of Roma and Romani women more efficient, as well as the Council for Gender Equality and the Council for Monitoring the Implementation of the Strategy for the Prevention and Protection Against Discrimination.	Established: 2023. Partly fulfilled	Negotiation position for Chapter 23
14.	To enable more effective implementation of the Law on Social Entrepreneurship, amendments to the regulatory framework are needed, primarily in tax laws and the Law on Public Procurement. This includes reducing taxes for social enterprises, as their operations are motivated by a social mission rather than profit-making. The introduction of social criteria in public procurement practices would encourage the development of social enterprises, as they currently cannot compete with profitable companies.	Established: 2024 New recommendation	EC Report
15.	Amend the Law on Waste Management to allow individual collectors of secondary raw materials to exercise their right to work. Specifically, the amendments to the Law on Amendments to the Law on Waste Management (Official Gazette of the Republic of Serbia, No. 35/2023) in Article 30 provide changes to Article 70, stating that waste collection permits are not issued to individuals or individual waste collectors. This has effectively deprived around 25,000 individual collectors of secondary raw materials of their right to work.	Established: 2024 New recommendation	EC Report

## WORKING GROUP FOR CHAPTER 20

### • ENTERPRISE AND INDUSTRIAL POLICY

**Coordinator: ECONOMIC INSTITUTE, professor Sanja Filipović PhD**

The European Commission, in its 2023 Report on Serbia, indicates that Serbia is **moderately prepared** in the area of entrepreneurship and industrial policy, with a numerical readiness rating of three (3) for Chapter 20. According to the same report, Serbia's progress in Chapter 20 over the past year (since the previous annual report for 2022) has also been rated a three, reflecting **some level** of advancement.

### Basic information on Chapter 20 – Enterprise and Industrial Policy

**Table 1.**

Chapter	The date of the explanatory/ bilateral screening	When the EU sent Serbia an invitation to submit a negotiating position or a list of opening benchmarks	State how many benchmarks Serbia has received	OBAR adopted	The Government of Serbia adopts a negotiating position
20	2-3. April 2014./ 1. July 2014.	29. April 2015.	No opening benchmarks	N/A	January 2017.
Chapter opening date	Number of closing benchmarks	IBAR adopted		CBAR adopted	Chapter temporarily closed
27. February 2016.	/	/		N/A	NE

In the Joint Position, it has been stated that Chapter 20 can only be **temporarily closed** when the European Commission agrees that the following benchmark has been met: "The Republic of Serbia must develop and begin implementing a comprehensive industrial strategy, supported by a system of indicators for evaluation and criteria proposed based on the European Union's relevant industrial policy." This implies that the Republic of Serbia needs to "enhance its capacity to create industrial policies, primarily by establishing a system of clear criteria, indicators, and expert critical reviews, and providing regular reports on implementation to the Commission."<sup>30</sup>

<sup>30</sup> Available at:

[http://www.mei.gov.rs/upload/documents/pristupni\\_pregovori/pregovaracke\\_pozicije/pg\\_20\\_eu\\_pozicije.pdf](http://www.mei.gov.rs/upload/documents/pristupni_pregovori/pregovaracke_pozicije/pg_20_eu_pozicije.pdf)

## Recommendations of the NCEU Working group for Chapter20

Table 2.

No.	Recommendation of the NCEU	Since which year has the NCEU recommendation been repeated (after meeting the benchmark, specify that the criterion has been met, the year it was set, and the year it was fulfilled)?	Which EU benchmark is the recommendation related to – specify the EU benchmark number and what type of benchmark it is (opening, interim, closing)?
<b>Recommendations to the Government of the Republic of Serbia</b>			
1.	It is necessary to reevaluate the application of budget subsidies for newly created jobs as an incentive for foreign direct investments, as this approach does not prioritize added value over labor costs, nor does it contribute to achieving other goals defined in the industrial policy strategy.	Established: 2024 New recommendation	N/A
2.	At the government level, it is essential to establish a body responsible for a coordinated approach to implementing the green transition process based on assessing socio-economic and environmental impacts. The work of this body should be based on a predefined methodology, which implies that decision-making, monitoring, and evaluation rely on publicly available documents, scenarios, and analyses.	Established: 2023. Unfulfilled	N/A
3.	With the implementation of the Cross-Border Adjustment Mechanism (CBAM) starting in October 2023, which involves a phased introduction of an additional CO2 tax on products from certain sectors produced outside the EU, it is necessary to: a) define short-term steps at the government level to explore the possibilities for Serbia, as a candidate country, to negotiate a more favorable position; and b) consider the long-term option of establishing a national permit trading system modeled after the EU ETS, so that tax revenue remains in the country and is purposefully spent on reducing emissions in industrial facilities.	Established: 2023. Unfulfilled	N/A
4.	A support program for investors that prioritizes the number of new jobs created should also be considered. Given that Serbia is already facing a labor shortage, this criterion should be adjusted to give preference to investments in higher technological phases of industry and green technologies, investments that involve a larger number of local businesses in the	Established: 2023. Unfulfilled	N/A

	supply chain, investments in certain less developed regions, etc.		
5.	In accordance with the defined measures of the Industrial Policy Strategy for the period 2021-2030, support for business infrastructure (business incubators, hubs, clusters, innovation parks, associations, etc.) must be ensured, as this aspect has been lacking in the previous period despite being defined in the Action Plan for 2021-2023.	Established: 2022. Unfulfilled	N/A
6.	A better institutional approach should be designed to enhance cooperation between the economy and scientific research institutions (universities and institutes), which should include encouraging small and medium-sized enterprises to engage more actively not only in national programs but also in programs financed from international sources.	Established: 2018. Unfulfilled	N/A
7.	Serbia's administrative capacities in the area of industrial policy are insufficient, a consequence of the overall personnel policy across all sectors. Since strengthening institutional capacities is a prerequisite for implementing industrial policy in the coming period, as well as for monitoring, evaluation, and periodic reporting processes, it is necessary to enhance the capacities within the Ministry of Economy.	Established: 2015. Unfulfilled	N/A
<b>Recommendations to the European Union</b>			
8.	Since the negotiating chapter was opened in February 2016 and the closing benchmark includes the adoption and consistent implementation of the industrial policy strategy (which, along with the Action Plan for 2021-2023, was adopted in 2020), the possibility of closing the chapter should be reconsidered.	Established: 2023. Unfulfilled	N/A
9.	EU institutions should consider providing special benefits for Serbia and other candidate countries regarding the implementation of the Cross-Border Adjustment Mechanism (CBAM), as the economic structure of these countries is energy-intensive and will require several years of structural reforms, necessitating substantial investments in new technologies.	Established: 2023. Unfulfilled	N/A
10.	Given that Serbia, as a candidate country, does not have access to EU funds for implementing the green transition (such as the Just Transition Fund), it is crucial to ensure adequate support mechanisms that would enable candidate countries to meet	Established: 2023. Unfulfilled	N/A

	the prerequisites for implementing a fair transition while considering socio-economic and environmental aspects.		
<b>Recommendations to civil society organizations</b>			
11.	Overall, the response of civil society in the process of public-private dialogue concerning the definition and implementation of public policies is unsatisfactory. Therefore, all organizations and professional associations, as well as representatives of the academic community involved in various aspects of industrial development and the operation of small and medium-sized enterprises, should play a more active role in the process of defining reference public policies and action plans.	Established: 2023. Unfulfilled	N/A
12.	At the local level, there is a problem with adequate information dissemination. It is essential for business associations, professional organizations, and business infrastructure, along with civil society organizations, to become more active locally to ensure that all stakeholders are properly informed about the support programs organized by the relevant ministry in collaboration with competent state institutions (e.g., the Development Agency of Serbia, the Chamber of Commerce of Serbia, etc.).	Established: 2023. Unfulfilled	N/A

## WORKING GROUP FOR CHAPTER 21

- TRANS-EUROPEAN NETWORKS

**Coordinator: CENTER FOR ECOLOGY AND SUSTAINABLE DEVELOPMENT,  
Zvezdan Kalmar**

### Basic information on Chapter 21 – Trans-European Networks

**Table 1.**

Chapter	The date of the explanatory/ bilateral screening	When the EU sent Serbia an invitation to submit a negotiating position or a list of opening benchmarks	State how many benchmarks Serbia has received	OBAR adopted	The Government of Serbia adopts a negotiating position
21	18. December 2014. 25. February 2015.	–		–	–
Chapter opening date	Number of closing benchmarks	IBAR adopted		CBAR adopted	Chapter temporarily closed
December 2021.	2	–	–	–	–

#### Closing Benchmarks for Chapter 21:

1. Serbia needs to adopt an updated Transport Strategy in accordance with the guidelines for the development of trans-European transport networks outlined in Regulation (EU) No. 1315/2013.
2. Serbia must demonstrate the institutional and administrative capacity necessary to assume the responsibilities referred to in Regulation (EU) 2021/1153.

## Recommendations of the NCEU Working group for Chapter21

**Table 2.**

No.	Recommendation of the NCEU	Since which year has the NCEU recommendation been repeated (after meeting the benchmark, specify that the criterion has been met, the year it was set, and the year it was fulfilled)?	Which EU benchmark is the recommendation related to – specify the EU benchmark number and what type of benchmark it is (opening, interim, closing)?
<b>Recommendations to the Government of the Republic of Serbia, the National Assembly, and the relevant institutions of the Republic of Serbia.</b>			
1.	Conduct a strategic impact assessment of the development plan for corridors to verify the compliance of proposed routes, i.e., the compliance of TEN-T (Trans-European Transport Network) project locations with the locations of proposed or existing protected areas, i.e., national parks.	Established: 2021. Unfulfilled <sup>31</sup>	N/A
2.	Determine whether TEN-T projects are aligned with obligations to reduce GHG emissions.	Established: 2021. Unfulfilled	N/A
3.	Align TEN-T projects with environmental protection and climate change objectives in the strategic assessment process.	Established: 2021. Unfulfilled	N/A
4.	Align gas infrastructure construction plans with the climate change strategy, i.e., determine whether the more cost-effective direction is the development of decarbonization, decentralization, and transition to renewable energy sources, as well as the development of a smart energy grid.	Established: 2021. Unfulfilled	N/A

<sup>31</sup> The spatial plan of the Republic of Serbia has not been completed, making all infrastructure projects currently under development illegal.

## WORKING GROUP FOR CHAPTER 22

### • REGIONAL POLICY AND COORDINATION OF STRUCTURAL INSTRUMENTS

**Coordinator: EUROPEAN MOVEMENT IN SERBIA, Dragana Đurica**

In 2023, Serbia was assessed as **moderately prepared** for Chapter 22 – Regional Policy and Coordination of Structural Instruments, with **limited progress** noted in the implementation of key recommendations. According to the European Commission's report on Serbia from 2022, Serbia recorded no progress in this chapter. In 2023, the European Commission reiterated that Serbia urgently needs to implement the Action plan for cohesion policy and ensure the timely implementation of multiannual operational programs under IPA III through indirect management. Additionally, it is necessary to improve the capacities for managing IPA programs, including filling key positions and retaining skilled personnel, and to ensure that all instruments comply with EU requirements regarding programming and partnership principles, taking into account future demands of structural and cohesion funds within the institutional framework. Through comprehensive reform and strong administrative strengthening, Serbia will be ready to utilize EU structural and cohesion funds and achieve sustainable regional development.

### Basic information on Chapter 22 – Regional Policy and Coordination of Structural Instruments

**Table 1.**

Chapter	The date of the explanatory/ bilateral screening	When the EU sent Serbia an invitation to submit a negotiating position or a list of opening benchmarks	State how many benchmarks Serbia has received	OBAR adopted	The Government of Serbia adopts a negotiating position
22	1-2. October 2014. 28-29. January 2015.	23. October 2015.	1	NO	NO
Chapter opening date	Number of closing benchmarks	IBAR adopted		CBAR adopted	Chapter temporarily closed
Opening benchmarks established in October 2015.	1	N/A		NO	NO

To enable further progress within Chapter 22, Serbia must take two key steps:

1. Adoption of the Draft Law on the Management System for EU Cohesion Policy Funds in the Republic of Serbia: This law is essential for establishing a clear and effective management system for EU funds and must be adopted without further delay to achieve the necessary institutional capacities for managing resources.
2. Adoption of the Negotiating Position for Chapter 22: Following the revision of the Action Plan and additional consultations with the European Commission, the formal adoption of Serbia's negotiating position for this chapter is expected, which will allow for the opening of negotiations and further progress towards EU membership.

The Action Plan, adopted in 2019, is still awaiting revision and adjustment to meet EU requirements. By 2024, the adoption of the OBAR remains uncertain, and the delay of this key step further hinders the negotiating process. Serbia must urgently take measures to expedite the adoption of the legal framework, thereby enabling the formal opening of negotiations and the effective utilization of EU fund resources in the future.

### Recommendations of the NCEU Working group for Chapter 22

**Table 2.**

No.	Recommendation of the NCEU	Since which year has the NCEU recommendation been repeated (after meeting the benchmark, specify that the criterion has been met, the year it was set, and the year it was fulfilled)?	Which EU benchmark is the recommendation related to – specify the EU benchmark number and what type of benchmark it is (opening, interim, closing)?
<b>Recommendations to the Government of the Republic of Serbia</b>			
1.	It is necessary to prepare and adopt the Law on the Establishment and Functioning of the Cohesion Policy Management System.	Established: 2021. Unfulfilled	EC Report
2.	It is essential to adopt the Development Plan of Serbia as soon as possible, which serves as the basis for uncovering the development potential of regions in Serbia and creating a policy for regional development in Serbia.	Established: 2021. Unfulfilled	EC Report
3.	It is necessary to adopt the Investment Plan of Serbia as soon as possible.	Established: 2021. Partly fulfilled <sup>32</sup>	EC Report
4.	Continue implementing the Economic Reform Program (ERP), which should be prepared for the next cycle to clearly	Established: 2021. Partly fulfilled <sup>33</sup>	EC Report

<sup>32</sup> An investment project plan has been developed until 2027 (with a special focus on EXPO 2027), but without a plan for the impact of these investments on regional development.

<sup>33</sup> It has been incorporated into the ERP for the period from 2023 to 2025, which includes certain elements of regional development; however, a more detailed and systematic analysis of the impact of all structural reforms on regional development is still lacking, and the continuation of cooperation has been agreed upon.

	demonstrate the impact of structural reforms on reducing regional disparities in Serbia.		
5.	Urgently apply the Smart Specialization Strategy (S3) to overcome the innovation and institutional paradox, especially in NSTJ II level regions of Serbia that lack appropriate administrative and institutional capacities.	Established: 2021. Unfulfilled	EC Report
6.	Ensure continuous cooperation between the Ministry for European Integration (MEI), the relevant ministry or institution responsible for regional development, the Ministry of Science and Technological Development (MNTR), and the NKEU Working Group for Chapter 22 on the topics of S3 development at the NSTJ II level.	Established: 2023. Partly fulfilled <sup>34</sup>	EC Report
7.	Within the new National Sustainable Development Strategy (which also needs to be adopted, as the previous one was valid for the period 2009-2017), it is necessary to emphasize regional development as a national priority for sustainable development	Established: 2021. Unfulfilled	EC Report
8.	In accordance with the Law on Regional Development, a new Regional Development Strategy needs to be adopted (since the previous one was valid for the period 2007-2012).	Established: 2021. Unfulfilled	EC Report
9.	It is recommended to establish scientific institutes for regional development at the NSTJ II level, as there are no scientific research institutions in Serbia that deal with the topic of regional economy, regional development, and regional policy.	Established: 2021. Unfulfilled	EC Report
10.	It is necessary to involve actors from the academic community and civil sector more extensively in the processes of creating the legal and administrative framework for cohesion policy, programming, monitoring, and evaluation—especially those located outside of Belgrade.	Established: 2021. Partly fulfilled <sup>35</sup>	EC Report
11.	Promote the principles of comprehensive partnership—especially when developing the Development Plan of Serbia.	Established: 2021. Unfulfilled	EC Report

<sup>34</sup> There is cooperation with the Ministry of European Integration (MEI). The initiative was undertaken by the NCEU Working Group for Chapter 22, after which there has been no feedback from the Ministry of Science and Technological Development.

<sup>35</sup> The NCEU Working Group for Chapter 22 is involved in consultations for the preparation of the legislative framework for cohesion policies and the management of structural instruments.

12.	Make data on all projects realized within previous programming periods of IPA CBC I and IPA CBC II accessible to the expert public (researchers in particular). Without this data, it is impossible to assess the effectiveness, sustainability, and rate of return of funds provided by the EU, or to evaluate their impact on reducing regional disparities in Serbia.	Established: 2021. Unfulfilled	EC Report
13.	It is necessary to find a way to resolve co-financing issues for IPA CBC III programs for all potential applicants from Serbia (such as local self-governments and others).	Established: 2021. Unfulfilled	EC Report
14.	Adopt multiannual operational programs that clearly define priorities and strategies for cohesion policy and structural funds in accordance with EU goals and the specifics of Serbia, as well as establish bodies for managing operational programs.	Established: 2024 New recommendation <sup>36</sup>	EC Report
15.	Develop and adopt retention policies, particularly for public administration personnel dealing with cohesion policy and European integration in general.	Established: 2024 New recommendation <sup>37</sup>	EC Report
16.	Develop capacity-building programs for public administration, both at the state and local levels, for managing mechanisms of cohesion policies and structural instruments.	Established: 2024 New recommendation <sup>38</sup>	EC Report
17.	Establish a continuous institutional framework for cohesion policy and the management of structural instruments.	Established: 2024 New recommendation <sup>39</sup>	EC Report
<b>Recommendations to the European Union</b>			
18.	It is suggested that the EU Council invites Serbia to present its negotiating position for Chapter 22 as soon as possible, considering that the Government of Serbia adopted the Action Plan for this chapter on April 4, 2019, as a benchmark for opening negotiations.	Established: 2021. Unfulfilled	EC Report
19.	It is suggested that the EU Council, COELA, as well as the Directorate-	Established: 2023. Unfulfilled	EC Report

<sup>36</sup> Drafts have been defined for two Operational Programs for the period from 2024 to 2027 – for Window 3 (Green Agenda) and for Window 4 (Competitiveness and Inclusive Development).

<sup>37</sup> The Government of the Republic of Serbia adopted the Strategy for State Administration Reform for the period from 2021 to 2030, along with an Action Plan for the period from 2021 to 2025, on April 8, 2021. Considering that a comprehensive policy for retaining staff within the IPA structure is planned to be prepared, in accordance with measures to be adopted at the national level for state administration bodies.

<sup>38</sup> In addition to strengthening administrative capacities at the national level, implemented by the NAJU (thus fulfilling recommendations from previous years), there is a further need for capacity strengthening at the level of local governments.

<sup>39</sup> The system and division of responsibilities for managing and controlling the implementation of cohesion policy programs are provided for in the Draft Law.

	General for Neighborhood Policy and Enlargement Negotiations (DG NEAR), enhance their cooperation and dialogue not only with the Negotiating Team for Chapter 22 but also with the NKEU Working Group for Chapter 22.		
20.	It is suggested to intensify cooperation with the Directorate-General for Regional and Urban Policy (DG REGIO), not only with the Negotiating Team for Chapter 22 but also with the NKEU Working Group for Chapter 22, and to establish formal communication channels.	Established: 2023. Unfulfilled	EC Report
<b>Recommendations to civil society organizations</b>			
21.	Increase the visibility of NCEU at the regional and local levels by organizing presentations of NCEU at the regional, NSTJ II level.	Established: 2021. Partly fulfilled <sup>40</sup>	EC Report
22.	Inform civil society, as a stakeholder in comprehensive partnership, about its role in cohesion policy and the opportunities for utilizing EU funds for its implementation	Established: 2021. Partly fulfilled <sup>41</sup>	EC Report
23.	Contribute to the development and improvement of the consultative mechanism with other partners in cohesion policy.	Established: 2021. Partly fulfilled <sup>42</sup>	EC Report

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<sup>40</sup> The process has been initiated through the collaboration of the coordinator of the NKEU Working Group for Chapter 22 and dialogue with local communities, the Standing Conference of Towns and Municipalities and regional development agencies.

<sup>41</sup> The coordinator of the NCEU Working Group for Chapter 22 has started a process through a series of discussions with civil society and citizens in various cities across Serbia.

<sup>42</sup> The process of developing strategies and mapping stakeholders of the quadruple helix for Smart Specialization (S3) in the regions of Serbia has been initiated by the coordinator of the Working Group for Chapter 22 (institutions, business, academia, and citizens).

## WORKING GROUP FOR CHAPTER 23

- JUDICIARY AND FUNDAMENTAL RIGHTS

**Coordinator: LAWYERS COMMITTEE FOR HUMAN RIGHTS, Jovana Spremo**

Since Chapter 23 is one of the two key negotiation chapters (alongside Chapter 24), efforts have been underway from the beginning of the negotiation process to align and apply regulations with the legal acquis of the EU. We are entering the eighth year since the Joint Negotiating Position of the European Union was adopted, which also set interim benchmarks. We have seen that stagnation in negotiations on Chapter 23 directly affects negotiations on other chapters. Given that this chapter was opened among the first, but will close last, the EU is in a position to continuously closely monitor the course of the negotiations and respond to serious violations of rights and delays in reforms. In accordance with the new enlargement methodology and the current geopolitical situation, this chapter represents the core of demonstrating the candidate country's readiness, both technically and politically, for EU accession.

The latest annual Report of the European Commission states that Serbia has made **some progress** in the areas of justice and the fight against corruption compared to the previous year, while in the area of fundamental rights, it is specifically noted that **no progress has been made** regarding freedom of expression.

### Basic information on Chapter 23 – Judiciary and Fundamental Rights

**Table 1.**

Chapter	The date of the explanatory/ bilateral screening	When the EU sent Serbia an invitation to submit a negotiating position or a list of opening benchmarks	State how many benchmarks Serbia has received	OBAR adopted	The Government of Serbia adopts a negotiating position
23	25-26. September 2013. 9-10. October 2013.	25. July 2014.	1	YES	July 2016. <sup>43</sup>
Chapter opening date	Number of closing benchmarks	IBAR adopted		CBAR adopted	Chapter temporarily closed
18. July 2016.	50	NO	/	NO	NO 96 months (July 2016-June 2024)

<sup>43</sup> See:

[https://www.mei.gov.rs/upload/documents/pristupni\\_pregovori/pregovaracke\\_pozicije/pg\\_23\\_pregovaracka\\_pozicija\\_srbije.pdf](https://www.mei.gov.rs/upload/documents/pristupni_pregovori/pregovaracke_pozicije/pg_23_pregovaracka_pozicija_srbije.pdf).

## Recommendations of the NCEU Working group for Chapter23

Table 2.

No.	Recommendation of the NCEU	Since which year has the NCEU recommendation been repeated (after meeting the benchmark, specify that the criterion has been met, the year it was set, and the year it was fulfilled)?	Which EU benchmark is the recommendation related to – specify the EU benchmark number and what type of benchmark it is (opening, interim, closing)?
<b>Recommendations to the Government of the Republic of Serbia, the National Assembly, and relevant institutions of the Republic of Serbia.</b>			
1.1.	The High Prosecutorial Council to cancel the contested illegal election of the chief public prosecutors and public prosecutors and implement it from scratch in accordance with the new prosecutorial laws or at least to return the procedure to the candidate examination phase, in order to implement this hybrid election in accordance with the law.	Established: 2023 Unfulfilled	1.1.2.
1.2.	Stop the pressures on representatives of the judiciary, especially those pressures coming from the National Assembly and ensure the implementation of the Code of Conduct for Government Members and MPs on the limits of permissibility of commenting on court decisions and proceedings.	Established: 2019 Unfulfilled	1.1.4.
1.3.	Stop the internal undue influence observed in the High Prosecutors Office of Belgrade regarding the arbitrary transfers of prosecutors.	Established: 2024 New recommendation	1.1.4. and 1.1.5.
1.4.	The mechanisms established by the judicial councils, which are available to judges and prosecutors in case of pressures, should be more promoted by the judicial councils, in order to serve their purpose. It is necessary for the councils to regularly and periodically report on the political influence on the work of the judiciary and to speak publicly every time the representatives of the judiciary are subject to these pressures.	Established: 2021 Partly fulfilled	1.1.4. and 1.1.5.
1.5.	Displace judicial assistants from the regime of civil servants and adopt a special law that would regulate their position, in such a way that they are recognized as a special judicial profession that would be under the jurisdiction of the High Council of the Judiciary. For the sake of the effectiveness of the law, it is necessary to carry out a comprehensive analysis of the position and problems of judicial assistants and achieve cooperation with the judicial assistants themselves in drafting it.	Established: 2023 Unfulfilled	1.3.4.

1.6.	<p>Carry out the activities stipulated by the National Human Resources Strategy planned for 2023, out of which no work has been undertaken,</p> <ul style="list-style-type: none"> <li>- Displace the human resources from the competence of the Ministry of Justice and transferring them to the competence of the HJC, so that the HJC could have all the tools required for managing the judiciary effectively.</li> <li>- Improve the human resources situation in the judiciary:</li> <li>- the economic positions of all employees in the judiciary, and</li> <li>- especially the labor and economic position of judicial interns and assistants.</li> </ul> <p>Improve the system of advancement and rewards based on objective benchmarks, as well as the system of professional training of judicial interns and assistants.</p>	<p>Established: 2023 Unfulfilled (Amended)</p>	1.3.4.
1.7.	<p>Bridge the generation gap in the judiciary which will give way to a period, shorter than a decade, in which more than 60% of judges (more than 1600 out of a total of 2500 will retire) and make the position of judges appealing by prescribing higher salaries and pensions for judges and safeguarding their other rights based on work.</p>	<p>Established: 2024 New recommendation</p>	1.3.
1.8.	<p>The Ministry of Justice to start organizing public consultations on open data in the judiciary. It is necessary to adopt a legal framework for the publication of as many depersonalized data as possible from court decisions in an open format, and for international development aid projects and government projects to introduce the rule that public data is also published in an open format.</p>	<p>Established: 2023 Unfulfilled</p>	1.3.4.
1.9.	<p>As soon as possible, proceed with the drafting of <i>the Law on Amendments to the Law on Civil Procedure</i>, include the recommendations of CSOs, especially those related to the suppression of mass lawsuits. After supplementing the existing draft of the law, organize a public debate and put the law in the parliamentary procedure for adoption.</p>	<p>Established:2023 Unfulfilled</p>	1.3.6.
1.10.	<p>Decisions on the legal professions of the LSG general attorney's office (LSGAO), regulate in more detail the activities of the (LSGAO) with regard to the assessment of the possibility of amicable dispute resolution, participation in mediation procedures, and the availability of information on the competences, working methods and results of the work of the (LSGAO).</p>	<p>Established: 2024 New recommendation</p>	1.3.6. in connection to 1.3.10.

1.11.	The regulation should clearly specify in which cases and under what conditions the General Attorney’s Office can derogate from the jurisdiction of the LSGAO, and regulate in detail the supervision of the work of the LSGAO by the entities they represent.	Established: 2024 New recommendation	1.3.6. in connection to 1.1. and 1.2.
1.12.	Strengthen the responsibility and professionalism of court experts, by preparing and adopting appropriate changes to regulations, guidelines and codes of practice for experts, which would regulate in more detail the obligations of initial training for the experts, their permanent education and specialization, verification of expertise and competence, as well as disciplinary and procedural responsibilities of experts.	Established: 2024 New recommendation	1.3.10. in connection to 1.2.
1.13.	Make the procedure for appointing and dismissing court experts, as well as keeping professional records, more up-to-date and transparent, so that all interested parties could learn about all relevant circumstances related to the actions of individual experts.	Established: 2024 New recommendation	1.3.6. and 1.3.10.
1.14.	In order to strengthen regional cooperation and trust between states in the region, trials in absentia should not be practiced because such practice weakens regional cooperation and negatively affects trust between states and judicial institutions, especially because trials in absentia are often viewed as political processes, abused are used for daily political purposes and thereby contribute to increasing tensions between states. Also, time and resources are wasted irrationally in this way, because the effect of such trials is limited, and if the defendant becomes available to state authorities - the trial must start from the beginning.	Established:2023 Unfulfilled	1.4.1. and 1.4.5.
1.15.	Provide qualitative monitoring of the implementation of the National Strategy for Prosecuting War Crimes for the period 2021-2026, in order to see the real results of the three-year implementation in relation to the set specific goals. Qualitative monitoring of the implementation of the National Strategy should provide an assessment of the results so far, instead of simply listing the implemented activities; Adapt the preparation of the report on the implementation of the National Strategy to analytical reporting with the presentation of summarized data obtained by the institutions responsible for the implementation of activities from the National Strategy. Ensure full transparency of its implementation through regular information sessions/meetings/consultations between the Working Body and civil society and the	Established:2023 Unfulfilled (amended)	1.4.1.

	professional public and continue with the practice of regularly publishing reports on the implementation of the National Strategy.		
1.16.	Define the activity that will refer to the monitoring of the implementation of the Prosecutor's Strategy; Monitoring of the Prosecutor's Strategy should include quarterly reporting on the implementation of the Prosecutor's Strategy in the form of analytical reports that will be available to the public.	Established: 2023 Unfulfilled (amended)	1.4.3.
1.17.	The Public Prosecutor's Office for War Crimes (PPOWC) should direct its capacities towards bringing indictments that are the result of its own investigation. At the same time, the PPOWC should hand over the indictments to the BiH Prosecutor's Office when the accused are BiH citizens who are available to the prosecuting authorities in BiH.	Established: 2024 New recommendation	1.4.
1.18.	The new chief public prosecutor for war crimes should be elected within the deadline, meeting criteria such as expertise, worthiness and competence. After seven full years in this position former WC prosecutor should not be re-elected as the chief public prosecutor because the work of the PPWC during her mandate was marked by extremely poor results: a small number of indictments, the non-transparent work of the Prosecutor's Office, the absence of communication with the public, and the assessment fellow prosecutors that her work is unprofessional.	Established: 2024 New recommendation	1.4.
2.1.	The Government and the Assembly should regularly and transparently consider the implementation of anti-corruption regulations, the work of institutions and the need to improve those regulations and work.	Established: 2021 Unfulfilled	More benchmarks within part 2. Fight against corruption (AP23)
2.2	The competent ministries should without delay open the processes of amending <i>the Law on Lobbying, the Law on Prevention of Corruption, the Law on Free Access to Information of Public Importance and the Law on Financing of Political Activities</i> in order to fulfill the recommendations from the fifth round of the GRECO evaluation, as well as the recommendations of the ODIHR and the joint recommendations of the ODIHR and the Venice Commission, as well as to ensure compliance with these recommendations in the new <i>Law on the Management of Companies Owned by the Republic of Serbia and the Law on Public Enterprises</i> .	Established: 2023 Partly fulfilled	2.1.3 and 2.2.2
2.3.	Ensure the proactive transparency of authorities, in accordance with the amendments to <i>the Law on Free Access to Information of Public Importance (LFIPi)</i> and the Law on Electronic Government.	Established: 2022 Unfulfilled Amended in 2024.	2.2.5.

2.4.	Improve the human and organizational capacities of the Commissioner's office in order to more efficiently resolve backlogged cases based on citizen complaints. Also, to improve the human and other capacities of the Commissioner in order to start the functioning of new offices outside the headquarters of the Commissioner, which are foreseen by the changes of LFIPI.	Established: 2022 Partly fulfilled	2.2.5.
2.5.	Start with the practice of issuing misdemeanor warrants for all (mis)actions by authorities that are designated as misdemeanors by the LFIPI	Established: 2022 Partly fulfilled	2.2.5.
2.6.	Change the observed practice of the Commissioner to return the cases to the first-instance authorities for re-decision, but to decide upon the appeal, if the appeal is founded, and determine whether the requested information is of public importance, and issue a decision accordingly.	Established: 2022 Unfulfilled	2.2.5.
2.7.	Resolve the drastic increase in cases of abuse of the right to access information of public importance (situations in which lawyers find and hire collaborators to send requests for access to information of public importance and complaints solely for the purpose of collecting the costs of the procedure).	Established: 2024 New recommendation	2.2.5.
2.8.	Prescribe in the law the duty of the represented subjects to request the opinion and advice of the LSGAO regarding the conclusion of all property law contracts of greater value, as well as their duty to submit a copy to the LSGAO after the conclusion of the contract.	Established: 2024 New recommendation	2.2.10.
2.9.	<i>The Criminal Code</i> and other regulations need to be improved in order to more effectively prosecute and more effectively apply the legislative framework for combating corruption, especially that which occurs at a high level.	Established: 2021 Unfulfilled	2.3.1.
2.10.	The government should propose and parliament should adopt a new anti-corruption strategy. In addition to the measures specific for selected sectors, this strategy should address issues that could improve the system as a whole as well as cross-cutting issues, which is not sufficiently the case with the current draft strategy document. The measures envisaged should be sufficient to ensure the defined goals can be achieved (also, not the case with the current draft). Indicators of success, both on the goals and activity level should be precisely set and sufficiently ambitious (not the case with the current draft)	Established: 2024 New recommendation	2.2.10. and other

2.11.	Public prosecution offices should proactively investigate (even if there is no criminal charge submitted) all claims of corruption that are documented and should take a leading role in informing citizens on the suppression of corruption. To enable public prosecution to perform that role, the State Prosecutorial Council and the Ministry of Justice should ensure increasing of their capacities and initiate changes in Criminal Code, criminal procedure code, law on the organisation and powers of state bodies in suppression of organised crime, terrorism and corruption that would facilitate such investigations, in particular when it comes to high-level corruption.	Established: 2024 New recommendation	2.3.1. – 2.3.7.
2.12.	The government and parliament should stop their practice of undermining anti-corruption legislation by adopting special laws for individual projects, excluding the implementation of anti-corruption laws through state-to-state agreements and the adoption of authentic interpretations of the existing legislation	Established: 2024 New recommendation	2.2.8.
2.13.	The government should stop its practice of illegal appointments of top civil servants in public administration and in public enterprises and ensure appointment of professional managers instead.	Established: 2024 New recommendation	2.2.6.
2.14.	The government should discuss reports and recommendations of its Anti-corruption Council and publish information about its findings and further actions	Established: 2024 New recommendation	2.1.2.
2.15.	Ministries, Government and Parliament should seek opinion of corruption risks in legislation from the Agency for Prevention of Corruption (APC) and Agency should issue such opinions pro-actively	Established: 2024 New recommendation	2.2.8.
2.16.	APC should make all its registers more user-friendly (for example, with the possibility to sort data from asset declarations) and clarify to what extent they are accurate. The Agency should also link all public records, or their parts, managed by the agency for an easier search of data.	Established: 2024 New recommendation	2.2.1. and 2.2.2.
2.17.	The Agency should be more active in promoting the results of their work with the public and enabling the exchange of opinions and questions (including discussion on final decisions in individual cases), thus influencing greater compliance with the laws that agency implements and supervises.	Established: 2024 New recommendation	2.2.1. and 2.2.2.
3.1.	<i>Amendments to the Law on the Protector of Citizens</i> provide the National Preventive Mechanism with all guarantees of	Established: 2023 Unfulfilled	3.2.1.

	independence necessary for the implementation of its mandate, in accordance with international standards.		
3.2.	Start work on <i>the Draft Law on Same-Sex Unions as soon as possible</i> and adopt it by the end of 2023. Introduce an official recommendation in the fundamental rights section on the protection of rights of LGBTIQI persons and minorities, full implementation of Law and Strategy on Non-discrimination and implementation of hate crime legislation.	Established: 2023 Unfulfilled (amended)	3.4.1.
3.3.	Having in mind the Constitutional Courts decision to question the constitutionality of the parts of the Gender Equality Law, we urge the institution to act in timely manner in order for the full implementation of the Law to continue.	Established: 2024 New recommendation	3.4.2.
3.4.	The Criminal Code of Serbia should criminalize the Non-consensual Dissemination of Intimate Images and prescribe appropriate penalties for perpetrators, given that the current state of impunity creates fertile ground for further development of such privacy violations of a large number of citizens, mostly women, and girls.	Established: 2024 New recommendation	3.4.2.
3.5.	Introduce an official recommendations to develop teaching materials and empower teachers to build student competencies related to gender equality, health, reproductive health, mental health, sex education, and the prevention of and response to all forms of gender-based violence, including sexual abuse; improve the collection of sex-disaggregated data and statistics in various domains, including gender-based violence; and continue reporting on different forms of gender-based violence, the provision of specialized services for women and their children, and the issue of SRHR and women's health, which are increasingly under attack by conservative movements and individuals.	Established: 2024 New recommendation	3.4.2. & Chapter 28
3.6.	Improvement and innovation of the existing comprehensive framework for children's rights in Serbia. Repeat the procedure for the adoption of <i>the Law on the Rights of the Child</i> and conduct additional necessary consultations with all interested parties. Provide a complete legal framework for protection, with an emphasis on the previously mentioned law, then amendments to <i>the Family Law</i> , and ratify <i>the Third Optional Protocol to the Convention on the Rights of the Child</i> .	Established: 2022 Unfulfilled	3.4.4.
3.7.	Activate the work of the Council for the Rights of the Child, especially in the context	Established: 2022 Unfulfilled	3.4.4.

	of the tragic events in May 2023, strengthen it and provide adequate funds for its work.		
3.8.	Adoption of the <i>Strategic Plan for Children</i> as a framework of state policy for children, with clear priorities in the area of child protection, which should be created with the participation of children	Established: 2024 New recommendation	3.4.4.
3.9.	Improve the <i>Law on Tourism</i> by including specific provisions for the protection of children from all forms of violence.	Established: 2024 New recommendation	3.4.4. & Chapter 27
3.10.	Amend all unclear articles of the <i>Law on Free Legal Aid</i> that create legal uncertainty, clearly regulate the position of associations, define the standard of existential threat for providing free legal aid and conduct a continuous information campaign on the application of the law.	Established: 2018 Unfulfilled (amended)	3.5.1.
3.11.	Harmonize the <i>Law on Free Legal Aid</i> with procedural laws, especially link the deadlines for requesting free legal aid with the deadlines for submitting legal remedies and procedural actions.	Established: 2018 Unfulfilled	3.5.1.
3.12.	Adopt standards and a sustainable funding model for free legal aid services at local governments, including a sufficient number of employees and accessible premises for people with disabilities.	Established: 2021 Unfulfilled	3.5.1.
3.13.	Conduct a systematic analysis of the compliance of existing regulations with the Personal Data Protection Act (PPA) and urgently start the process of harmonizing regulations with the PPA.	Established: 2021 Unfulfilled	3.9.1
3.14.	The process of amending the current DPL has begun, which should regulate a number of areas that are currently not regulated, such as the application of artificial intelligence, processing of biometric data, genetic data, and the like. The new law should also separate and clearly specify which authorities are subject to the special processing regime. Further improve the openness and participation of regulatory processes that may have an impact on the right to privacy and other human rights and freedoms, especially with regard to the wide application of new technologies.	Established: 2021 Unfulfilled	3.9.1.
3.15.	Conduct and make available for public inspection impact assessments on the protection of personal data prior to the adoption of regulations governing data processing.	Established: 2022 Unfulfilled	3.9.1.
3.16.	Review the expediency of the implementation of the <i>Law on the Social Card</i> and its effects on the right to protection of personal data of citizens.	Established: 2023 Unfulfilled	3.9.1.

3.17.	Start with the practice of punishing by the Commissioner those who violate the Data Protection Law, since the practice of warning violators and education activities of those bound by the law proved to be insufficient. Improve criminal law protection for the criminal offense from Article 146 of the CC related to the unauthorized collection of personal data, bearing in mind the culture of impunity and low penalties, as well as the increasing number of cases of privacy violations in our country.	Established: 2021 Unfulfilled	3.9.1.
3.18.	By the end of 2023, adopt the Action Plan for the implementation of the Strategy for the Protection of Personal Data, as well as establish appropriate control mechanisms to monitor the implementation of the activities provided for in the Action Plan.	Established: 2021 Unfulfilled	3.9.1.
3.19.	It is necessary to educate employees who deal with the protection of personal data within public authorities, especially those who handle a large number of personal data of citizens. In accordance with the previous problem, address the problem of data leakage from institutions to the media, through prevention, but also adequate punishment of responsible persons within the institutions.	Established: 2021 Unfulfilled	3.9.1.
3.20	The Ministry of Justice needs to take urgent measures to amend the Data Secrecy Law, in order to eliminate the problems aroused in the implementation of the Law, due to which oversight in the area of data secrecy has not been carried out for years.	Established: 2024 New recommendation	3.9.1.
4.1.	Amend <i>the Civil Procedure Act</i> to introduce provisions that prevent the abuse of SLAPP lawsuits, in order to stifle freedom of expression and public participation.	Established: 2021 Unfulfilled	N/A
4.2.	Increase the safety of activists online, investigate and prosecute online threats, and provide financial and legal support to human rights organizations.	Established: 2021 Unfulfilled	N/A
4.3.	Ensure that activists are not arbitrarily exposed to criminal and misdemeanor proceedings for peaceful activities or expressing their views. Strengthen the legal protection of citizens who participate in public life.	Established: 2021 Unfulfilled	N/A
4.4.	Communicate regularly with the NCEU Chapter 23 Working Group regarding activities in the upcoming quarter	Established: 2016 (ongoing process)	N/A

## WORKING GROUP FOR CHAPTER 24

### • JUSTICE, FREEDOM, AND SECURITY

**Coordinator: BELGRADE CENTER FOR SECURITY POLICY, Jelena Pejić Nikić<sup>44</sup>**

The European Commission's report on Serbia's for 2023 reiterates assessments from previous years regarding Chapter 24 (Justice, Freedom, and Security). In this chapter, Serbia is rated as **partially prepared** to implement EU legal acquis (rating 2), indicating limited reforms. A **certain progress** has been achieved (rating 3), but the key area of the fight against organized crime has again been rated lower—2 (limited progress).

The repetition of these ratings over the past nine years indicates a lack of genuine political will to implement necessary reforms in justice, freedoms, and security. This is a key obstacle to Serbia's progress toward EU membership, and European Commission reports have long emphasized the need for a more serious approach to combating corruption and organized crime, as well as strengthening the rule of law.

This assessment indicates that, although formal efforts exist, substantial changes in areas crucial for legal security and the safety of citizens are still lacking.

### Basic information on Chapter 24 – Justice, Freedom and Security

**Table 1.**

Chapter	The date of the explanatory/ bilateral screening	When the EU sent Serbia an invitation to submit a negotiating position or a list of opening benchmarks	State how many benchmarks Serbia has received	OBAR adopted	The Government of Serbia adopts a negotiating position
24	2-4. October 2013. 11-13. December 2013.	21. January 2014.	1	15. May 2014.	18. July 2016.
Chapter opening date	Number of closing benchmarks	IBAR adopted		CBAR adopted	Chapter temporarily closed
18. July 2016.	42	NO		NO	NO

<sup>44</sup> The following members of the NCEU Working Group for Chapter 24 participated in the preparation of this document: BCBP, the Belgrade Center for Human Rights, the Center for Protection and Assistance for Asylum Seekers, the Drug Policy Network in Southeast Europe (DPNSEE), and Group 484.

## Recommendations of the NCEU Working group for Chapter 24

Table 2.

No.	Recommendation of the NCEU	Since which year has the NCEU recommendation been repeated (after meeting the benchmark, specify that the criterion has been met, the year it was set, and the year it was fulfilled)?	Which EU benchmark is the recommendation related to – specify the EU benchmark number and what type of benchmark it is (opening, interim, closing)?
<b>Recommendations to the Government of the Republic of Serbia, the National Assembly, and relevant institutions of the Republic of Serbia.</b>			
1.	It is essential to implement detailed steps to establish strong protective measures that ensure the integrity and operational independence of police services from political interests and protect them from criminal influence. An opportunity was missed to consider this interim benchmark through the continuation of work on the draft Law on Internal Affairs.	Established: 2016. Unfulfilled	Closing benchmark no. 6.1
2.	It is necessary to prevent the adoption of solutions proposed by the new Law on Internal Affairs that lead to further politicization of police work, such as the disproportionate introduction of biometric surveillance or the use of rubber bullets. Instead, proposals that promote better police management and more effective oversight of police operations should be adopted.	Established: 2023. Unfulfilled	Closing benchmark no. 6.1
3.	The criminal police should be separated from the Ministry of Internal Affairs and integrated into a public prosecution organization to prevent politicization and the misuse of police powers in so-called sensitive cases (such as high-level corruption).	Established: 2022. Unfulfilled	Closing benchmark no. 6.1
4.	Mandatory suspension from service for police officers during investigations should be implemented, along with compulsory dismissal from service upon establishing responsibility for acts of torture and other forms of abuse.	Established: 2022. Unfulfilled	Committee for the Prevention of Torture (CPT) EC Report 2023
5.	The introduction of audio and video surveillance during the detention of citizens by the police and while taking statements from detainees is necessary to improve the prevention and detection of cases of torture and other forms of abuse, while also better protecting police officers from false complaints about their work.	Established: 2022. Unfulfilled	Committee for the Prevention of Torture (CPT)
6.	Improving access to the asylum procedure is needed through: better training for border police officers, especially at Nikola Tesla Airport; systematic and uniform provision of	Established: 2022. Unfulfilled	Closing benchmark no. 2.1

	information regarding the rights and obligations of individuals in need of international protection, provided solely by Ministry of Internal Affairs personnel and authorized actors in accordance with the law, in a language the individual understands. Unhindered access for providers of free legal aid and legal information to individuals in need of international protection in reception centers and asylum centers across the Republic of Serbia should also be enabled.		
7.	In the case of foreigners who do not meet the requirements for entry into the territory of the Republic of Serbia, the officers of the Border Police Station in Belgrade should issue decisions on entry denial in accordance with the provisions of the Law on Foreigners. These decisions should be substantiated and provided in a language that the foreigner understands, along with the option to appeal.	Established: 2022. Unfulfilled	Closing benchmark no. 2.2
8.	The adoption of a bylaw regulating the appearance of travel documents for refugees is necessary, as well as amendments to the Law on Citizenship and the Law on Foreigners to enable procedural conditions for obtaining citizenship for individuals granted asylum in Serbia under more favorable conditions than other categories of foreigners with permanent residence.	Established: 2022. Partly fulfilled	Closing benchmark no. 2.3
9.	There should be improvements in the application of domestic and international regulations in the field of refugee law by courts deciding on extradition cases involving foreigners who seek international protection from Serbia or express such an intention.	Established: 2022. Unfulfilled	Closing benchmark no. 2.3
10.	It is necessary to align the definition of torture in the Criminal Code with Article 1 of the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.	Established: 2022. Unfulfilled	Committee for the Prevention of Torture (CPT)
11.	All necessary prerequisites must be established for the complete and effective implementation of the adopted amendments to the Law on Foreigners and the Law on Employment of Foreigners. In this context, timely preparation and adoption of bylaws that will detail the newly adopted institutes and procedures are particularly important, as well as establishing necessary capacities not only for the application but also for the oversight of the enforcement of the newly adopted provisions.	Established: 2024 New recommendation	Closing benchmark no. 2
12.	It is necessary to take the essential steps for the full implementation of the Law on Foreigners while fulfilling all legal prerequisites for resolving the legal status of individuals residing	Established: 2024 New recommendation	Closing benchmark no. 1

	in the Republic of Serbia without regulated status.		
13.	Additionally, it is crucial to strengthen the infrastructure and staffing capacities of the authorities responsible for enforcing legal provisions that restrict freedom of movement, provisions on return, and standards for the protection and respect of the human rights of returnees who are citizens of third countries	Established: 2024 New recommendation	Closing benchmark no. br. 4
14.	There is a need to enhance capacities to combat irregular migration, especially in fighting human trafficking and protecting migrants who are victims of trafficking. In this regard, it is particularly important to intensify international and regional cooperation in this area.	Established: 2024 New recommendation	Interim benchmark no. 6
15.	The possibility of the statute of limitations for criminal and disciplinary prosecution and enforcement of penalties for acts of torture and other forms of abuse should be abolished in accordance with international standards.	Established: 2022. Unfulfilled	Committee for the Prevention of Torture (CPT)
16.	Results must be demonstrated in the fight against organized crime in high-profile cases (international organized crime groups with significant assets and political connections) at the level of final judgments.	Established: 2021. Unfulfilled	Closing benchmark no. 6.2
17.	All major cases indicating systemic links between organized crime and corruption with political elites, such as Savamala, Jovanjica, Krušik, and Belivuk, need to be thoroughly investigated and prosecuted.	Established: 2022. Unfulfilled	EC Report 2023
18.	Regulations regarding the interception of communications and the roles of security services in criminal proceedings should be aligned with the interim benchmarks for this area. The longstanding delay in implementing measures in this area, under the pretext of finding the best model for reform in Serbia, is particularly problematic, especially since there are examples of good practice in the region (Croatia or North Macedonia).	Established: 2022. Unfulfilled	Closing benchmark no. 6.2.4
19.	A new Law on Weapons and Ammunition should be adopted to align this regulation with EU legal standards and reduce the number of incidents involving the use of firearms in Serbia. Among other things, recreational use of shooting ranges by minors should be explicitly prohibited, and the Ministry of Interior should be obliged to conduct periodic inspections of the conditions for the safe storage of weapons and ammunition.	Established: 2024 New recommendation	Closing benchmark no. 6.2.10.7 EC Report 2023
20.	Changes and amendments to the Criminal Code are needed to separately criminalize the unauthorized trade in weapons, allowing for more effective suppression, sanctioning, and recording of this crime.	Established: 2024 New recommendation	Closing benchmark no. 6.2.10.20 EC Report 2023

			UN Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Ammunition
21.	In accordance with the agreements of the NKEU working groups for Chapters 23 and 24 and the working groups for amendments to the Criminal Code and the Criminal Procedure Code, it is essential to organize joint thematic meetings on selected topics as soon as possible.	Established: 2024 New recommendation	Several interim benchmarks from Chapter 24 (1.2, 7.7, 9.2, 10.1) and Chapter 23
22.	The Ministry of Interior of the Republic of Serbia should publish the findings of the evaluation of the expired Strategy for the Prevention and Combating of Terrorism.	Established: 2022. Unfulfilled	Closing benchmark no. 7.1
23.	The Government of the Republic of Serbia should adopt a new Strategy for the Prevention and Combating of Violent Extremism and Terrorism, prioritizing the fight against right-wing extremism. The Strategy should include an analysis of the situation and trends in this area.	Established: 2022. Unfulfilled	Closing benchmark no. 7.1 EC Report 2023
24.	State institutions in Serbia should respond quickly and consistently to the activities of extreme right-wing groups, both those directly responsible for the safety of citizens (BIA, police, prosecution) and the highest state officials, who should publicly and unequivocally condemn incidents caused by these groups and individuals.	Established: 2022. Unfulfilled	Closing benchmark no. 7.1 EC Report 2023
25.	It is necessary to develop a new Drug Strategy for the next five-year period through an open process involving all interested sectors and societal structures, based on a realistic analysis of the situation. The Strategy should contain proven measures and programs that are scientifically validated and practically implemented. Along with the Strategy, an Action Plan for its implementation should be adopted, with clear objectives, measures, indicators, deadlines, responsible parties, and secured funding for its realization.	Established: 2024 New recommendation	Closing benchmark no. 8.1.1 and 8.1.2
26.	Instead of individual prevention programs and projects, whose effectiveness cannot be reliably determined, it is essential to develop and implement a comprehensive program for the prevention of psychoactive substance use based on scientific evidence and in accordance with international standards.	Established: 2024 New recommendation	Closing benchmark no. 8.3.1

## WORKING GROUP FOR CHAPTER 27

### • ENVIRONMENT AND CLIMATE CHANGE

**Coordinator: CENTER FOR ECOLOGY AND SUSTAINABLE DEVELOPMENT, Nataša Đereg**

#### Basic information on Chapter 27 – Environment and Climate Change

**Table 1.**

Chapter	The date of the explanatory/ bilateral screening	When the EU sent Serbia an invitation to submit a negotiating position or a list of opening benchmarks	State how many benchmarks Serbia has received	OBAR adopted	The Government of Serbia adopts a negotiating position
27	15-19. September 2014. 17-21. November 2014.	March 2017.			January 2020.
Chapter opening date	Number of closing benchmarks	IBAR adopted		CBAR adopted	Chapter temporarily closed
15. December 2021.	8	Horizontal - 1 Air - 4 Waste - 5 Waters - 6 Industrial pollution - 1 Chemicals -1 Climate change - 2 <hr/> Total: 20		NO	NO

**Closing benchmarks** for Chapter 27 can be found in the document Common Position of the European Union:

1. Serbia needs to complete alignment with horizontal directives and continue implementing legal regulations in the field of horizontal legislation, as well as demonstrate that it will be fully prepared to ensure effective implementation and enforcement of horizontal directives by the accession date;
2. Regarding air quality, Serbia must achieve full compliance with the revised Directive on the reduction of national emissions of certain atmospheric pollutants, present an analysis of cost-effective emission control strategies for 2020 and 2030, report annually on its emissions, and develop a national air pollution control program. Serbia should regularly take measures to reduce national air pollution, especially in areas where EU air quality limits have been exceeded, and develop or update air quality plans;

3. Serbia needs to allocate funds for infrastructure investments in accordance with relevant EU legislation, including the waste management hierarchy. Serbia should establish waste prevention programs and prepare a waste management plan (WMP) – national and regional – that includes information on all waste streams and solutions for managing them, including the type and capacity of waste management infrastructure, separate collection schemes, and economic instruments;
4. Serbia must align with the legal acquis in the water sector and develop river basin management plans for each river basin area fully located within its territory, including parts of international river basin areas that fall under its jurisdiction, as well as ensure the establishment of a legal basis and mechanism for international coordination of these plans;
5. In the field of nature protection, Serbia needs to submit to the European Commission a list of proposed "Natura 2000" areas that adequately cover habitat and bird species in accordance with the requirements of the Birds Directive and the Habitats Directive, and demonstrate the capacity to manage the "Natura 2000" network. Serbia should submit a National Action Plan to prevent illegal killing of birds (IKB) and begin implementing a system for enforcing relevant EU legal regulations, including preventing crimes of illegal killing of birds;
6. Serbia should continue aligning with the EU legal acquis in the sectors of chemicals, noise, and civil protection, as well as demonstrate that it will be fully prepared to ensure the implementation and enforcement of EU requirements by the accession date;
7. Regarding climate change, Serbia should continue aligning with the legal acquis, particularly by adopting legislation for the functioning of the European Emissions Trading System (EU ETS). Serbia should further align with relevant secondary legislation on monitoring and reporting, accreditation and verification, the EU Registry, free allocation, and auctioning of emission units. Serbia must ensure the establishment of an appropriate framework for the full implementation of the EU ETS regarding monitoring, reporting, and verification of greenhouse gases;
8. In accordance with the Action Plan for the development of administrative capacities, Serbia should significantly enhance the capacity of administrative bodies at all levels, including capacities for priority setting, strategic planning and programming, information sharing and monitoring, performance measurement, and compliance with regulations. Serbia should further improve coordination and demonstrate that all relevant administrative structures will be established well before accession to enable the implementation and enforcement of legal acquis in all sectors of this chapter.

## Recommendations of the NCEU Working group for Chapter 27

Table 2.

No.	Recommendation of the NCEU	Since which year has the NCEU recommendation been repeated (after meeting the benchmark, specify that the criterion has been met, the year it was set, and the year it was fulfilled)?	Which EU benchmark is the recommendation related to – specify the EU benchmark number and what type of benchmark it is (opening, transitional, closing)?
<b>Recommendations to the Government of the Republic of Serbia</b>			
1.	Consider the possibility of exemption from court fees in environmental protection cases.	Established: 2020. Unfulfilled	Closing benchmark no. 1
2.	Tighten punitive measures for violations of environmental rights.	Established: 2020. Unfulfilled	
3.	Establish an independent national body to handle public complaints regarding the environment, based on EU recommendations.	Established: 2020. Unfulfilled	
4.	Include the right to health and a healthy environment in the monitoring of fundamental rights under Chapter 23.	Established: 2020. Unfulfilled	
5.	Improve intersectoral cooperation among agencies responsible for implementing regulations within Chapters 23 and 27.	Established: 2020. Unfulfilled	
6.	In collaboration with relevant institutions, establish a mechanism for regular monitoring of public health, especially children, concerning industrial and economic activities; conduct independent epidemiological studies.	Established: 2020. Unfulfilled	
7.	Include in the Action Plan for Chapter 23 activities aimed at strengthening the capacities of independent bodies responsible for protecting environmental rights to enforce regulations in this area.	Established: 2020. Unfulfilled	
8.	Promote environmental protection laws in cooperation with relevant inspection bodies, emphasizing the importance of minor offense protection within the overall environmental protection system.	Established: 2020. Unfulfilled	
9.	Address the placement of environmental impact assessments in the planning and construction system to ensure this process occurs before building permits are issued.	Established: 2017. Unfulfilled	
10.	Restore the designated purpose of funds collected through various environmental protection fees (amend the budget system law).	Established: 2016. Unfulfilled	

11.	Ensure local financing for environmental protection, as well as the autonomy and transparency of the Green Fund.	Established: 2018. Unfulfilled	Closing benchmark no. 8
12.	Officially adopt the Annual Environmental Report immediately after the end of the calendar year, while informing the public through quarterly reports.	Established: 2020. Unfulfilled	
13.	Strengthen inspection capacities at all levels and enhance their authority, including economic experts for assessing long-term environmental protection measures.	Established: 2020. Partly fulfilled	
14.	Conduct mandatory public debates and consultations when adopting planning documents and laws impacting environmental protection.	Established: 2020. Unfulfilled	Closing benchmark no. 1
15.	Publish publicly as a separate report the descriptions of specific sub-areas or sectors in Chapter 27 submitted to the European Commission by various experts; consult the public when drafting and adopting unfinished DSIPs.	Established: 2020. Unfulfilled	
16.	In the procedures for issuing permits for applied geological research, allow local residents to have the status of a party with opposing interests and establish mandatory environmental impact assessments.	Established: 2021. Unfulfilled	
17.	Make all environmental protection inspector reports and findings publicly available.	Established: 2020. Unfulfilled	
18.	Include the public from the beginning in all EU-funded projects related to environmental protection.	Established: 2021. Unfulfilled	
19.	Adopt legal regulations on the minimum distance/buffer zones from mining activities.	Established: 2020. Unfulfilled	
20.	Establish networks (devices) for measuring air pollution in all local communities, particularly near major polluters: mines, industries, cement plants, steel mills, chemical, and other industries.	Established: 2020. Partly fulfilled	Closing benchmark no. 2
21.	Direct the climate strategy towards the EU 2050 framework and prioritize state aid for energy savings, energy efficiency, and renewable sources.	Established: 2020. Unfulfilled	Closing benchmark no. 7
22.	Implement a reform of public utility companies and establish a waste collection system with source separation.	Established: 2020. Unfulfilled	Closing benchmark no. 3
23.	Address the issue of illegal dumpsites.	Established: 2020. Partly fulfilled	
24.	Enhance the capacity and enforcement of environmental protection standards in managing construction waste.	Established: 2020. Unfulfilled	
25.	Improve the management of animal and construction waste.	Established: 2020. Unfulfilled	

26.	Ensure that all municipalities transport waste to sanitary landfills and also rehabilitate and clean illegal dumpsites.	Established: 2020. Partly fulfilled	
27.	Provide management for household hazardous waste.	Established: 2020. Unfulfilled	
28.	Ensure that data on mining waste is sent to the Environmental Protection Agency.	Established: 2020. Unfulfilled a	
29.	Strengthen controls on the implementation of primary wastewater treatment in the industrial sector.	Established: 2020. Unfulfilled	Closing benchmark no. 4
30.	Provide permanent and safe solutions for removing pollutants and hazardous materials from old enterprises.	Established: 2020. Unfulfilled	
31.	Suspend the development of the 5G network until the risk and impact of radiation are assessed.	Established: 2020. Unfulfilled	
32.	Enact the missing bylaw to regulate the minimum sustainable flow of watercourses planned for hydropower plant construction.	Established: 2020. Unfulfilled	Related to environment
33.	Make green procurement mandatory. The Public Procurement Law allows for the procurement of goods and services based on green criteria, but those issuing public tenders are not incentivized to purchase products with less environmental impact.	Established: 2021. Unfulfilled	Related to administrative procedures
<b>Recommendations to the Judiciary</b>			
34.	Consider establishing specialized court departments for environmental protection to enable the specialization of judicial staff in this area.	Established: 2020. Unfulfilled	Closing benchmark no. 1
35.	Consider maintaining a separate registry of court cases related to environmental protection.	Established: 2020. Unfulfilled	
36.	Conduct training sessions for prosecutors on the methods and importance of prosecuting environmental crimes.	Established: 2020. Unfulfilled	
<b>Recommendations to the European Union</b>			
37.	In reports, specify the authorities responsible for implementing regulations as well as those tasked with realizing or protecting rights in the field of environmental protection.	Established: 2020. Unfulfilled	Closing benchmark no. 1
38.	Include environmental protection as a separate monitoring section in the European Commission report on Chapter 23, which covers judicial reform, anti-corruption policy, and fundamental rights.	Established: 2020. Unfulfilled	
<b>Recommendations to civil society organizations</b>			
39.	Enhance the capacity of the civil sector for monitoring the environmental situation and protecting rights through initiating administrative and judicial proceedings.	Established: 2020. Unfulfilled	Closing benchmark no. 1
40.	Promote and educate citizens about rights and standards in environmental protection.	Established: 2020. Unfulfilled	

## WORKING GROUP FOR CHAPTER 28

### • CONSUMER AND HEALTH PROTECTION

**Coordinator: EUROPEAN POLICY CENTER, Nebojša Lazarević**

The 2023 European Commission Report on Serbia notes that Serbia is **moderately prepared** in the area of consumer and health protection. Recommendations from the previous report remain valid. It also states that **limited progress** has been made regarding the establishment of an online platform for out-of-court dispute resolution, raising awareness of consumer rights, and controlling the quality of medicines.

### Basic information on Chapter 28 – Consumer and Health Protection

**Table 1.**

Chapter	The date of the explanatory/ bilateral screening	When the EU sent Serbia an invitation to submit a negotiating position or a list of opening benchmarks	State how many benchmarks Serbia has received	OBAR adopted	The Government of Serbia adopts a negotiating position
28	4-5. December 2014. 3-4. February 2015.	25. November 2016.	None	-	3. February 2022.
Chapter opening date	Number of closing benchmarks	IBAR adopted		CBAR adopted	Chapter temporarily closed
-					

## Recommendations of the NCEU Working group for Chapter 28

Table 2.

No.	Recommendation of the NCEU	Since which year has the NCEU recommendation been repeated (after meeting the benchmark, specify that the criterion has been met, the year it was set, and the year it was fulfilled)?	Which EU benchmark is the recommendation related to – specify the EU benchmark number and what type of benchmark it is (opening, transitional, closing)?
<b>Recommendations to the Government of the Republic of Serbia</b>			
1.	In addition to the recent adoption of the new Consumer Protection Act (2021), further amendments are needed to align it with recent developments in EU legislation (including Directives 2015/2302 and 2020/1828, as well as upcoming amendments to 2005/29/EC and 2011/83/EU). Strengthening institutional mechanisms for consumer protection is especially important: examining the consumer ombudsman model, concentrating efforts against unfair business practices within the Competition Protection Commission, and introducing a specific administrative measure to protect consumers in cases of serious violations of business practices are among the initiatives previously submitted to the competent ministry (public policy discussion document).	Established: 2021. Unfulfilled	EC Report 2020.
2.	It is advisable to explore the possibility of establishing a dedicated budget fund to finance consumer organizations to ensure adequate material, staffing, and technical conditions for the assistance and support they provide to consumers. Such enhancement of the existing funding program for consumer organizations would also enable activities currently underfunded, typical of developed markets, such as comparative product quality testing.	Established: 2023. Unfulfilled	Partially related to the EC Report on Serbia for 2022, formulated based on the practices of experts from the working group for this area, as well as on previous experience.
3.	There is a need to design a legal framework for class actions in the context of the upcoming new Civil Procedure Act, creating conditions to address mass litigation issues and improve citizens' access to justice in typical, identical, or similar repetitive disputes, particularly for judicial protection of the collective interest of citizens in consumer rights. The introduction of class actions is also a requirement for legal harmonization in light of Directive 2020/1828 on representative actions.	Established: 2022. Unfulfilled	Partially related to the EC Report on Serbia for 2022, formulated based on the practices of experts from the working group for this area, as well as on previous experience.
4.	Ensure the complete functionality of the integrated health information system, which, in addition to the functioning of its individual services, has not yet	Established: 2017. Unfulfilled	EC Reports on Serbia for 2016. and 2018.

	been fully secured. There is still no unique and comprehensive organization for managing digitalization in the health system, including clearly defined responsibilities for all participants. It is essential to provide a unique electronic health record for all users of the health care system, linking all data relevant for monitoring health status, diagnosis, and treatment. At the same time, it is necessary to provide access to aggregated, generic, and depersonalized data for the purposes of professional and scientific research, as well as for informing the public. The recently adopted Digitalization Program for the health system (2022) provides an adequate planning basis for implementing these activities.		
5.	The Institute of Public Health of Serbia, as the key national institution for monitoring and controlling infectious diseases, needs to prepare and publish a thematic report on the COVID-19 epidemic, including data on the results of conducted epidemiological surveillance and assessments of the effects of implemented epidemiological measures, in order to provide a factual basis for public discussion on the measures taken, the accountability of authorities, and the success of population protection from this infectious disease and the creation of public health policy in this area.	Established: 2021. Unfulfilled	EC reports for 2021 and 2022
6.	In light of the recent tragic events in Belgrade and Mladenovac, it is necessary to improve the implementation of the existing Mental Health Protection Program (2019), as well as to further enhance the programs, activities, and measures for protecting the mental health of the population.	Established: 2023. Unfulfilled	EC reports for 2021, 2022 and 2023
<b>Recommendations to the European Union</b>			
7.	It is necessary to expedite the procedure for considering Serbia's negotiating position, adopted in 2022, as well as to ensure conditions for opening negotiations in Chapter 28.	Established: 2023. Unfulfilled	Recommendation formulated based on the practices of experts from the working group for this area, as well as on previous experience.

## WORKING GROUP FOR CHAPTER 29

### • CUSTOMS UNION

**Coordinator: professor Duško Lopandić PhD**

In the European Commission (EC) Report on Serbia's Progress for 2023, it is stated that Serbia is at a **good level** of preparedness in the area of customs union. The chapter was opened at the intergovernmental conference meeting in Brussels on June 20, 2017.

**Limited progress** has been achieved through the adoption of further amendments to the Customs Law and the alignment of legislation with relevant EU legal acquis from Chapter 29. No progress has been made regarding last year's recommendations (from the 2022 report), which therefore remain valid.

Serbia is expected to:

- Further upgrade the customs processing system by integrating risk management.
- Further develop the IT system of national customs authorities to enable its integration with the EU system.

### Basic information on Chapter 29 – Customs Union

**Table 1.**

Chapter	The date of the explanatory/ bilateral screening	When the EU sent Serbia an invitation to submit a negotiating position or a list of opening benchmarks	State how many benchmarks Serbia has received	OBAR adopted	The Government of Serbia adopts a negotiating position
29	26-27. March 2014. 3-4. June 2014.	November 2015.	/	/	January 2017.
Chapter opening date	Number of closing benchmarks	IBAR adopted		CBAR adopted	Chapter temporarily closed
20. June 2017.	3	/		NO	NO (87 months passed since opening the chapter)

Based on the common position, the European Union delegation emphasized **three following benchmarks** for closing the chapter, implying further progress by Serbia in adopting legal acquis:

1. Serbia should continue adopting regulations requiring further alignment, particularly in areas related to exemption from import duties, customs risk management, and aspects of security, cultural goods, and drug precursors.
2. Serbia must effectively implement its customs rules at all customs offices, especially in areas concerning declaration processing, origin, simplified procedures, intellectual property rights, selectivity of controls, and risk analysis (including automatic risk analysis prior to arrival/departure for all forms of transport).
3. Serbia should present the European Commission with a comprehensive and coherent Business Strategy for the Customs Administration and an IT strategy, as well as achieve sufficient progress in developing all necessary interconnectivity systems in the IT sector.

## Recommendations of the NCEU Working group for Chapter29

Table 2.

No.	Recommendation of the NCEU	Since which year has the NCEU recommendation been repeated (after meeting the benchmark, specify that the criterion has been met, the year it was set, and the year it was fulfilled)?	Which EU benchmark is the recommendation related to – specify the EU benchmark number and what type of benchmark it is (opening, transitional, closing)?
<b>Recommendations to the Government of the Republic of Serbia</b>			
1.	Considering Serbia's generally good level of overall preparedness in Chapter 29, alongside signs of more limited progress in adopting by-laws and taking into account the European Commission's recommendations from 2019 to 2021, further efforts are needed to enhance customs systems, particularly regarding the integration of risk management by the customs administration.	Established: 2021. Partly fulfilled	Screening report
2.	Serbia must also accelerate legal harmonization with EU acquis concerning cultural goods, free zones, and security aspects during customs oversight of goods crossing borders.	Established: 2022. Partly fulfilled (ongoing process)	EC report for 2021
3.	The further development of the customs system, especially its harmonization with the European Union, does not depend so much on aligning fundamental customs regulations or by-laws (which are largely aligned) but rather on the specific implementation of operational measures in the area of IT/computerization. This is particularly true given the need for significant financial investments in IT equipment and programs, as well as ongoing investment in human resources.	Established: 2022. Partly fulfilled (ongoing process)	EC report for 2020

	There is a substantial gap between the projected budget allocated for the IT modernization of customs services on one hand, and real needs on the other. For instance, the shortfall has been estimated at 10 million euros for the first year of implementing the ICT strategy of the Customs Administration in 2020. Therefore, an active approach from the relevant authorities is necessary to secure the missing funds, either through foreign donations or other means (such as budget reallocations, etc.).		
4.	Additional investment is necessary regarding the training and motivation of customs administration personnel, particularly in the IT sector, but also more broadly. Continuous investment in human resources is essential, considering the very dynamic developments related to administrative, technical, and other issues.	Established: 2021. Partly fulfilled	EC report for 2020
5.	Regular updates of the strategy and action plans concerning the modernization and operations of the customs administration and other bodies responsible for this chapter are needed.	Established: 2022. Partly fulfilled	EC report for 2021
<b>Recommendations to the European Union</b>			
6.	It is crucial for the European Commission to allocate appropriate funds from the new IPA III program to provide financial support for the strategic process of IT modernization in Serbia's customs union sector.	Established: 2021. Fulfilled: 2023. (ongoing process)	SAA
7.	The EU needs to continue integrating Serbia into its cooperation and support programs in the customs sector (such as "Customs 2020").	Established: 2021. Fulfilled: 2023. <sup>45</sup>	SAA
<b>Recommendations to the NCEU Program Council</b>			
8.	Establish an intersectoral working group to monitor reform issues significant for the customs union (Chapter 29), including those in Chapter 7 (Intellectual Property Law), Chapter 24 (Justice, Freedom, and Security), Chapter 26 (Education and Culture), Chapter 30 (Economic Relations with Foreign Countries), and Chapter 31 (Common Foreign, Security, and Defense Policy).	Established: 2021. Unfulfilled	Recommendation formulated based on the practices of experts from the working group for this area, as well as on past experience.

<sup>45</sup> The Agreement between the European Union and the Republic of Serbia on the participation of the Republic of Serbia in the European Union's "Customs" program for cooperation in the field of customs has been signed, "Official Gazette of the RS - International Agreements," No. 6/2023.

## WORKING GROUP FOR CHAPTER 30

### • EXTERNAL RELATIONS

**Coordinator: INTERNATIONAL AND SECURITY AFFAIRS CENTRE - ISAC FUND, Igor Novaković**

The European Commission's annual Report on Serbia's progress notes that Serbia is **moderately prepared** in the area of economic relations with foreign countries (external relations).

### Basic information on Chapter 30 – External Relations

**Table 1.**

Chapter	The date of the explanatory/ bilateral screening	When the EU sent Serbia an invitation to submit a negotiating position or a list of opening benchmarks	State how many benchmarks Serbia has received	OBAR adopted	The Government of Serbia adopts a negotiating position
30	2. July 2014. 9. October 2014.				March 2017.
Chapter opening date	Number of closing benchmarks	IBAR adopted		CBAR adopted	Chapter temporarily closed
11. December 2017.	2			NO	NO

**The closing benchmarks** are as follows:

1. Serbia should join the World Trade Organization (WTO) and make progress in aligning with EU positions within the WTO;
2. Serbia should present an action plan to the Commission for the remaining preparations concerning legislative alignment, alignment of international agreements with the EU acquis, and improvement of administrative and control capacities to ensure the full application and enforcement of the EU acquis in this chapter from the date of accession. Monitoring of progress in alignment with the EU acquis and its implementation will continue throughout the negotiations. The EU emphasizes that it will pay particular attention to monitoring all the aforementioned specific issues to ensure Serbia's administrative capacity and its ability to complete alignment with the EU acquis related to economic relations with foreign countries. Special consideration should be given to the links between this chapter and other negotiation chapters. The final assessment of the alignment of Serbian legislation with the EU acquis and its implementation capacities can

only be provided at a later stage of the negotiations. In addition to any information the EU may request for negotiation purposes in this chapter, which should be submitted to the Conference, the EU invites Serbia to regularly provide detailed written information to the Stabilization and Association Council on the progress in implementing the EU acquis.

### Recommendations of the NCEU Working group for Chapter30

**Table 2.**

No.	Recommendation of the NCEU	Since which year has the NCEU recommendation been repeated (after meeting the benchmark, specify that the criterion has been met, the year it was set, and the year it was fulfilled)?	Which EU benchmark is the recommendation related to – specify the EU benchmark number and what type of benchmark it is (opening, transitional, closing)?
<b>Recommendations to the Government of the Republic of Serbia</b>			
1.	The Government of the Republic of Serbia should relaunch a coordinated interdepartmental process that would result in a clear political decision to adopt a new Law on Genetically Modified Organisms, based on EU regulations in this area. This law would lift the existing absolute ban on the trade of these products but would establish adequate and effective mechanisms for product control and approval that would protect consumer interests, in line with European and international standards. The current law does not provide an adequate system for monitoring products containing GMOs, and thus, the solutions it offers are unsafe and do not meet the interests of citizens. By adopting a new law aligned with EU practices, the main obstacle to completing multilateral negotiations within the WTO, as well as bilateral negotiations within the WTO with the United States, would be removed.	Established: 2015. Unfulfilled	Closing benchmark no.1
2.	The Government of the Republic of Serbia should, as soon as possible, appoint a permanent representative to the WTO Secretariat in Geneva (economic advisor for the WTO, UNCTAD, and EFTA at the Permanent Mission of the Republic of Serbia to the UN in Geneva). Without a permanent representative (which Serbia has lacked since 2013), Serbia is deprived of firsthand information and adequate and timely monitoring of processes taking place at the WTO headquarters; Serbia's interests are not adequately represented, and this damages the country's reputation, which significantly undermines the capacities of the part of the administration that deals with these issues, while also harming Serbia's reputation.	Established: 2015. Unfulfilled	Closing benchmark no.1

3.	The administrative capacities of Serbia in the field of foreign trade have been significantly undermined due to the overall personnel policy across all areas. The problem lies not only in the outflow of experts but also in the absence of an approach that would enable their retention in the system. Despite the Government's efforts to engage new experts, the loss of experts in the previous period has negated these effects. A systemic horizontal approach across all ministries is needed to retain experts who remain in the administration, engage new ones, and enhance their capacities.	Established: 2018. Unfulfilled	Closing benchmark no.2
4.	The administrative capacities of Serbia in the field of foreign trade have been significantly undermined due to the overall personnel policy across all areas. The problem lies not only in the outflow of experts but also in the absence of an approach that would enable their retention in the system. Despite the Government's efforts to engage new experts, the loss of experts in the previous period has negated these effects. A systemic horizontal approach across all ministries is needed to retain experts who remain in the administration, engage new ones, and enhance their capacities.	Established: 2015. Partly fulfilled (ongoing process)	Closing benchmark no.2
5.	It is essential to ensure a multidisciplinary approach in the negotiation, creation, implementation, and monitoring of international agreements in the field of foreign trade – these agreements are not solely legal instruments; they also serve as economic tools to achieve the economic and political goals of the Republic of Serbia. Additionally, all these agreements, now and even more so in the future, must take into account that digitalization is no longer just a fragment or an additional issue to be considered – it is the overarching framework for a wide range of activities (trade, investment, policy creation, and implementation). This requires a “digitalized” perspective on foreign trade policy, including the agreements and regulations on which it is based.	Established: 2021. Unfulfilled	Closing benchmark no.2
6.	The Government should promptly propose the Law on International Development Cooperation and Humanitarian Assistance. During the drafting of the proposal, the Government should respect the principles of transparency and inclusiveness when designing solutions for establishing a system for providing international development cooperation and humanitarian assistance. The Republic of Serbia will allocate significant budgetary funds for these purposes, and in this respect, it is necessary for citizens to have a clear insight	Established: 2016. Unfulfilled	Closing benchmark no.2

	into the allocation process and explanations for the decisions on fund allocation.		
7.	Serbia should refrain from introducing new temporary trade barriers with the EU. However, if a measure is necessary, then the Government of Serbia should do everything in its power to adequately explain such measures to the European Commission, so they can be accepted.	Established: 2015. Partly fulfilled	SAA
<b>Recommendations to the European Union</b>			
8.	EU institutions and member states should more actively support Serbia in its bilateral negotiations with Brazil and Ukraine, as certain outstanding issues may need to be addressed at a higher political level. Regarding bilateral negotiations with Russia, the current situation leaves little prospect for the EU to assist Serbia at this time, but the European Union should remain open and provide support to Serbia when negotiations resume.	Established: 2021. Unfulfilled	Closing benchmark no.1
<b>Recommendations to civil society organizations</b>			
9.	Civil society organizations that focus on aspects related to foreign trade and consumer protection, as well as on issues within the following chapters: 31 – Common Foreign, Security and Defense Policy, 8 – Competition Policy, 1 – Free Movement of Goods, 20 – Entrepreneurship and Industrial Policy, 11 – Agriculture and Rural Development, 12 – Food Safety, Veterinary and Phytosanitary Policy, and 27 – Environment and Climate Change, along with relevant institutes and academic institutions, should be active when the advocacy campaign for Serbia’s accession to the WTO begins. They should, in turn, provide well-founded positions and engage in dialogue with the Government and other institutions to offer adequate responses to all issues that certain segments of the Serbian public view critically, particularly regarding the adoption of the GMO Law.	Established: 2015. Partly fulfilled	Closing benchmark no.1
10.	Interested civil society organizations should establish an informal network that would promptly engage in the process of developing a system for providing international development cooperation. Such a network would actively contribute by sharing relevant experiences from EU member states and preparing the organizations themselves for partnership with state institutions in providing international development cooperation.	Established: 2021. Unfulfilled	Closing benchmark no.2

## WORKING GROUP FOR CHAPTER 31

### • FOREIGN, SECURITY AND DEFENCE POLICY

**Coordinator: INTERNATIONAL AND SECURITY AFFAIRS CENTRE - ISAC FUND, Igor Novaković**

The European Commission’s 2023 Report on Serbia’s notes that Serbia is **moderately prepared** in the area of the Common Foreign, Security, and Defense Policy (CFSP) but made **no progress** during the reporting period. Serbia aligned with some EU positions in international forums (including the UN General Assembly) following Russia’s aggression against Ukraine, it has so far refused to align with sanctions against the Russian Federation and has not aligned with most of the high representative’s declarations in this area. Moreover, Serbia has continued to maintain high-level relations with the Russian Federation, raising questions about the country’s strategic direction. Serbia also signed a Free Trade Agreement with China in October 2023, which has raised concerns within the EU.

In 2021, Serbia’s alignment rate with the EU high representative’s declarations on decisions regarding EU and Council restrictive measures (sanctions) was 64%. However, this rate significantly dropped to 48% by December 31, 2022. The trend continued in 2023, with an alignment rate of 54% by December 31, 2023, which further declined to 47% in the first half of 2024. Serbia continued its participation in EU crisis management missions and operations within the framework of the common security and defense policy. Serbia needs to appoint individuals responsible for performing the functions of “political director” and “European correspondent.” Additionally, it is necessary to intensify efforts to build societal resilience against information manipulation, including disinformation, and to take measures to actively prevent these and other forms of hybrid threats.

### Basic information on Chapter 31 – Foreign, Security and Defense Policy

**Table 1.**

Chapter	The date of the explanatory/ bilateral screening	When the EU sent Serbia an invitation to submit a negotiating position or a list of opening benchmarks	State how many benchmarks Serbia has received	OBAR adopted	The Government of Serbia adopts a negotiating position
31	15. July 2014. 10. October 2014.				
Chapter opening date	Number of closing benchmarks	IBAR adopted		CBAR adopted	Chapter temporarily closed
No screening report obtained	2			NO	

## Recommendations of the NCEU Working group for Chapter 31

Table 2.

No.	Recommendation of the NCEU	Since which year has the NCEU recommendation been repeated (after meeting the benchmark, specify that the criterion has been met, the year it was set, and the year it was fulfilled)?	Which EU benchmark is the recommendation related to – specify the EU benchmark number and what type of benchmark it is (opening, transitional, closing)?
<b>Recommendations to the Government of the Republic of Serbia</b>			
1.	Considering that in 2020 Serbia voted in favor of United Nations General Assembly resolutions condemning Russian aggression against Ukraine and supporting humanitarian efforts, and aligned with several EU declarations on the same topic, even deciding to impose restrictive measures on former Ukrainian Prime Minister Viktor Yanukovich and his associates, the Government of the Republic of Serbia is called upon to continue this trend and gradually align with the remaining (and greater number of) EU declarations and measures arising from them. The issue of alignment with EU foreign policy declarations and measures is becoming a crucial political issue and will affect Serbia's overall progress in negotiations with the EU.	Established: 2022. Unfulfilled	SAA EC Report
2.	Although Serbia is in a delicate position, tailoring its foreign policy to protect its territorial integrity, where Russia and China's veto power in the UN Security Council plays a significant role, it should demonstrate readiness to (at least) consider gradually introducing certain restrictive measures to reassure EU partners that Serbia is firmly committed to the vision, principles, and goals of the Common Foreign, Security, and Defense Policy (CFSDP). This also applies to alignment with political declarations related to these two countries.	Established: 2015. Unfulfilled	EC Report
3.	Given the complexity of the current geopolitical situation globally and in Europe, it is essential for decision-makers in Serbia to more clearly communicate Serbia's foreign policy obligations toward the EU to its citizens and inform them accurately about the current events in Ukraine. The goal is to prevent further public mistrust toward the EU and avoid the perception that the EU is "pressuring" Serbia, which is only reluctantly following. A proactive approach to communication would aim to	Established: 2022. Unfulfilled	EC Report

	prevent the rise of Euroscepticism among citizens.		
4.	The Government of the Republic of Serbia should formulate a Foreign Policy Strategy, or at least the principles underpinning it, where EU integration is unambiguously prioritized. This approach should be clearly demonstrated through implementation, which must be reflected in the majority of foreign policy moves that follow. If, in the coming period, the Government of the Republic of Serbia embarks on drafting a strategy, it should ensure transparency and inclusivity. In other words, civil society organizations, experts, and other stakeholders should be involved in the drafting process so that the document reflects citizens' interests and is sustainable in the long term.	Established: 2015. Unfulfilled	
5.	In the context of the new methodology for pre-accession negotiations with the EU, the Government of the Republic of Serbia should recognize the opportunity and actively advocate for greater institutional integration and cooperation with the EU. It would be in both Serbia's and the EU's interest if Serbia received an invitation to join, with observer status, meetings where decisions are made on policies and measures crucial to both sides. In this regard, the phased accession model, which envisions gradual and continuous incentives for aspiring countries, could represent one possible proposal for overcoming the current impasse.	Established: 2020. Partly fulfilled (ongoing process)	EC Report
6.	The Government of the Republic of Serbia should maintain a proactive approach concerning participation in the Common Defense and Security Policy, particularly in establishing a system for Serbia's participation in civil missions and potential involvement in Permanent Structured Cooperation in the field of defense. Although it is disappointing that Serbia did not manage to finalize the adoption of the Law on Civil Participation in Peacekeeping Missions Outside the Republic of Serbia during the previous parliamentary term, thereby losing time and missing an opportunity for active engagement, it is crucial for the National Assembly to avoid delaying the adoption of this Law and to initiate activities as soon as possible to establish a pool of experts and identify areas of expertise for specialists it plans to deploy. In this way, Serbia will contribute to the EU's security and defense efforts and strengthen its partnership position.	Established: 2016. Fulfilled: 2023. (ongoing process)	EC Report
7.	In the context of implementing EU restrictive measures with which Serbia has aligned, the Government of Serbia should be committed to their implementation, ensuring that accepted	Established: 2021. Fulfilled (ongoing process)	EC Report

	commitments are fulfilled through system coordination.		
8.	The Republic of Serbia should address the challenge posed by hybrid threats, particularly in its relationship with the Russian Federation. The unimpeded dissemination of information that is part of disinformation campaigns affects public perceptions in Serbia regarding relations with the EU and the European integration process. Therefore, the Republic of Serbia should accept the EU's assistance, which was offered in 2018, in countering disinformation campaigns initiated by third countries.	Established: 2020. Unfulfilled	EC Report
9.	Serbia should adhere to established international agreements and fully implement them, as the country's international credibility depends on it. It should also refrain from boycotting or lowering the level of representation at major international gatherings due to issues related to domestic politics.	Established: 2023. Unfulfilled	N/A
10.	To show solidarity with Ukraine and align with EU foreign policy goals, Serbia should refrain from participating in forums and gatherings organized by the Russian Federation.	Established: 2023. Unfulfilled	N/A
11.	Good neighborly relations are an essential part of Chapter 31, and Serbia should remain committed to improving relations with all neighbors, including EU member states.	Established: 2023. Unfulfilled	EC Report
12.	The Government of the Republic of Serbia should formulate a decision on international military exercises so that non-participation in military exercises solely with the armed forces of Russia and Belarus is clearly and officially expressed.	Established: 2023. Unfulfilled	N/A
<b>Recommendations to the European Union</b>			
13.	The European Union and its Member States should create conditions for Serbia to receive the Screening Report as soon as possible. It is a fact that both bilateral and explanatory screenings were completed in 2014, and that the draft document itself is outdated. Therefore, in addition to providing the Report, the EU should initiate the development of a comprehensive analysis of Serbia's foreign, security, and defense policy from the opening of negotiations in 2014 to the present. This would allow a full insight into all the changes that have occurred since the screening process was held and would supplement the draft Report.	Established: 2015. Unfulfilled	EC Report SAA
14.	The European Union should encourage and support Serbia's efforts to be as involved as possible in cooperation within the framework of the Common Security and Defense Policy. Serbia's participation, as well as public advocacy for expanding cooperation, will	Established: 2015. Fulfilled (ongoing process)	EC Report

	contribute to greater public support and create a foundation for enhanced cooperation on other elements of this chapter. The fact that Serbia will soon complete its regulatory framework for participation in civil missions should be used as a positive example of mutual cooperation (alongside military missions).		
15.	Despite all challenges, the European Union should continue the informal inclusion of representatives of candidate countries from the Western Balkans, as well as Eastern Europe, in meetings of various EU bodies as observers. This applies especially to the EU Council's foreign policy format. Such a practice should be formalized through reform of the EU membership accession process.	Established: 2023. Partly fulfilled (ongoing process)	EC Report
<b>Recommendations to civil society organizations</b>			
16.	Civil society organizations, along with other stakeholders, should continue to advocate for Serbia to receive the Screening Report for Chapter 31, as this is primarily a prerequisite for opening the chapter.	Established: 2020. Unfulfilled	EC Report
17.	Civil society organizations, including academic institutions and independent experts, should continue to monitor Serbia's alignment with EU foreign policy declarations and measures and to provide realistic and well-founded information on the reasons for non-alignment. Civil society organizations should be particularly clear regarding the Russian invasion of Ukraine, emphasizing the need for a clear condemnation and subsequent alignment with EU restrictive measures.	Established: 2020. Partly fulfilled	EC Report
18.	In addition to actively monitoring and advocating for alignment, civil society should continue supporting and promoting Serbia's participation within the framework of the Common Security and Defense Policy.	Established: 2020. Partly fulfilled	EC Report

## WORKING GROUP FOR CHAPTER 32

- FINANCIAL CONTROL

**Coordinator: TRANSPARENCY SERBIA, Zlata Đorđević**

In the European Commission's Report on Serbia, in the section dedicated to public administration reform, it is stated that Serbia is **moderately prepared** in this area, and that limited progress has been made. The European Commission emphasizes the need to: reduce the excessive number of acting officials and allocate sufficient resources for an efficient merit-based hiring process; ensure a strong role for the Secretariat for Public Policies regarding quality control to enable the effective implementation of the Law on the Planning System; establish a unified, comprehensive, and transparent system for planning and managing capital investments.

### Basic information on Chapter 32 – Financial Control

**Table 1.**

Chapter	The date of the explanatory/ bilateral screening	When the EU sent Serbia an invitation to submit a negotiating position or a list of opening benchmarks	State how many benchmarks Serbia has received	OBAR adopted	The Government of Serbia adopts a negotiating position
32	17. October 2013.	26. November 2013.	/	/	3. December 2015.
Chapter opening date	Number of closing benchmarks	IBAR adopted		CBAR adopted	Chapter temporarily closed
14. December 2015.	4	/		NO	NO

## Recommendations of the NCEU Working group for Chapter 32

Table 2.

No.	Recommendation of the NCEU	Since which year has the NCEU recommendation been repeated (after meeting the benchmark, specify that the criterion has been met, the year it was set, and the year it was fulfilled)?	Which EU benchmark is the recommendation related to – specify the EU benchmark number and what type of benchmark it is (opening, transitional, closing)?
<b>Recommendations to the Government of the Republic of Serbia</b>			
1.	The Ministry of Finance should design and implement a promotional campaign to raise awareness among citizens, the professional public, and especially state officials and leaders in the public sector about the essence and importance of internal control and internal audit for the functioning of public administration, as well as the technical requirements of Negotiating Chapter 32, to ensure coordinated work among all relevant stakeholders and expert bodies in the field of financial control.	Established: 2017. Partly fulfilled	Closing benchmark no.1
2.	The Ministry of Finance should review the rules and conditions for obtaining the title of "certified internal auditor" in the public sector and ensure an appropriate systemic solution and legal basis for recognizing the qualifications of internal auditors obtained from recognized domestic and international professional associations of internal auditors, through amendments to the Regulation on the conditions, manner, and procedure for taking exams to obtain the title of certified internal auditor in the public sector.	Established: 2017. Partly fulfilled amended	Closing benchmark no.1
3.	The Ministry of Finance, with independent expert assistance, should conduct an audit of the jurisdiction of the Budget Inspection Sector and align it with the requirements of Negotiating Chapter 32, which anticipates the centralization of the budget inspection function, the abolition of the Annual Work Plan, and the execution of controls exclusively based on received reports, formalizing changes through amendments to the Budget System Law and the Regulation on the operation, powers, and characteristics of the budget inspection, which would more precisely define the methodology of the budget inspection's work.	Established: 2021. Unfulfilled	Closing benchmark no.1
4.	The Ministry of Finance, with independent expert assistance, should conduct an audit of the jurisdiction of the Budget Inspection Sector and align it with the requirements of Negotiating Chapter 32, which anticipates the centralization of the budget inspection function, the abolition of the Annual Work Plan, and the execution of	Established: 2021. Fulfilled <sup>46</sup>	Closing benchmark no.1

<sup>46</sup> Recommendation fulfilled in a different way – by enacting a special law.

	controls exclusively based on received reports, formalizing changes through amendments to the Budget System Law and the Regulation on the operation, powers, and characteristics of the budget inspection, which would more precisely define the methodology of the budget inspection's work.		
5.	The Ministry of Finance, with independent expert assistance, should prepare a medium-term plan for the functional and organizational integration of all ex post control functions performed by the Ministry of Finance, in accordance with the dynamics of the accession process and the fulfillment of requirements from Negotiating Chapters 22, 23, and 32.	Established: 2018. Partly fulfilled	Closing benchmark no.1
6.	The Ministry of Finance should create a special section on its website containing relevant information about the status of Chapter 32, including news about developments in working group meetings, progress in achieving recommendations from the European Commission, the National Convention on the EU, and similar topics.	Established: 2018. Unfulfilled	Closing benchmark no.1
7.	The Ministry of Finance should regularly publish, on an annual basis, the plan and execution of the consolidated budget of the general state, according to economic and functional classification, in a machine-readable format.	Established: 2017. Unfulfilled	Closing benchmark no.1
8.	The Ministry of Finance should improve the Citizen Budget by making it interactive and enhancing the methodology communication, making it more consistent, especially in terms of different levels of government.	Established: 2018. Unfulfilled	Closing benchmark no.1
9.	The Republic Secretariat for Public Policies, in collaboration with other relevant state administration authorities, should urgently initiate the process of preparing a Development Plan, the adoption of which would enable financial control over the appropriateness of public funds expenditure.	Established: 2018. Partly fulfilled	Closing benchmark no.1
10.	The Ministry of Finance and the Ministry of State Administration, in collaboration with other relevant state administration authorities, should make a breakthrough in the field of public administration reform that will be recognized by the European Commission, concerning addressing the contentious issue of the lack of managerial accountability and the decentralization of decision-making.	Established: 2018. Partly fulfilled	Closing benchmark no.1
11.	Integrating managerial accountability into the administrative culture of the public sector. The NCEU Working Group for Chapter 32 particularly supports this recommendation from the European Commission.	Established: 2018. Unfulfilled	Closing benchmark no.1
12.	Adoption of strategic documents defined by the Law on the Planning System, primarily the Development Plan and Investment Plan, the adoption of which would regulate priorities and organize business operations and monitor progress in all areas, including those covered by Chapter 32.	Established: 2018. Unfulfilled	Closing benchmark no.1
13.	Enhancing activities to promote the goals and tasks of Chapter 32 at the level of local communities (to the wider public, not just the professional audience). The aim of this recommendation is to motivate citizens for more active participation in public life.	Established: 2020. Unfulfilled	Closing benchmark no.1

14.	Developing a methodology for continuous systematic control and monitoring of projects from the very beginning of projects, i.e., from the stage of Urban Planning and the preparation of General Projects (Concept Solutions) and accompanying Preliminary Feasibility Studies onwards, at all stages of planning and project implementation. As an obligation, it should be introduced that project control can only be ordered by another independent institution.	Established: 2018. Unfulfilled	Closing benchmark no.1
15.	Create a methodology based on which the Ministry of Finance will monitor the execution of public procurement contracts, ensuring that the scope and quality of that oversight are maximized, as well as the publication of the outcomes of that oversight.	Established: 2021. Unfulfilled	Closing benchmark no.1
16.	Continue auditing the appropriateness of the State Audit Institution in the area of public procurement and monitor the actions taken based on the audits published to date; strengthen the internal audit system and publish information on their effects in the area of public procurement.	Established: 2020. Partly fulfilled	Closing benchmark no.2
17.	It is essential for the budget inspection to develop a methodology and prepare precise guidelines for the control of public enterprises.	Established: 2020. Unfulfilled	Closing benchmark no.1
18.	Enact regulations on the obligation to disclose the reasoning for decisions on interstate agreements, as well as the obligation to disclose the agreements themselves and other materially significant documents.	Established: 2021. Unfulfilled	Closing benchmark no.1
19.	Continue improving the capacity of the State Audit Institution for conducting appropriateness audits, including involving experts of various profiles in the audit teams depending on the theme and area of the audit.	Established: 2021. Unfulfilled	Closing benchmark no.2
20.	It is necessary for the improvement of the concept of managerial accountability in Serbia (the accountability of managers) to proceed in parallel with the improvement of the appointment process and strengthening the professionalization of civil servants in positions, given that managerial accountability is unattainable in a situation where the appointment of acting officials to the highest managerial civil service positions predominates.	Established: 2021. Unfulfilled	Closing benchmark no.1
21.	Work on further enhancing internal controls in the public sector to strengthen transparency and manage overdue, unpaid obligations of users, in order to assess the effects on the budget (especially for public enterprises).	Established: 2021. Partly fulfilled	Closing benchmark no.1
<b>Recommendations to the European Union</b>			
22.	The European Commission, as well as all its expert bodies collaborating with state authorities involved in the work of the Negotiating Team for EU accession and the work of the Negotiating Groups, is advised to intensify two-way cooperation with national partners in the process of developing existing or introducing new requirements, and to clearly formalize these requirements. All parties in the process must be familiar with the content and deadlines for the fulfillment of all membership conditions to eliminate potential ambiguities regarding mutual expectations and to ensure optimal conditions for their smooth and timely implementation.	Established: 2018. Partly fulfilled	Closing benchmark no.1

## WORKING GROUP FOR CHAPTER 33

### • FINANCIAL AND BUDGETARY PROVISIONS

**Coordinator: EUROPEAN MOVEMENT IN SERBIA, Dragana Đurica**

In the 2023 Report on Serbia, the European Commission notes a **certain level of preparedness** (numerical rating of 2) in the area of financial and budgetary provisions, but emphasizes that **progress** compared to last year's recommendations has been **limited**. Throughout the year, Serbia participated in a study visit related to the management of the European Union's own resources system. Although advancements have been made in related policies, progress has largely been limited, indicating the need for more intensive reform activities.

The European Commission stresses the necessity of developing organizational and procedural links between relevant institutions. This would enable better coordination and more efficient management of funds. Additionally, it is recommended to continue preparations to meet the administrative requirements for own resources defined in EU regulations. Following the planned workshop organized by the European Commission on the own resources system, Serbia should develop a detailed action plan with clearly defined timelines for implementation, which will ensure the effective use of funds and contribute to budgetary stability.

### Basic information on Chapter 33 – Financial and Budgetary Provisions

**Table 1.**

Chapter	The date of the explanatory/ bilateral screening	When the EU sent Serbia an invitation to submit a negotiating position or a list of opening benchmarks	State how many benchmarks Serbia has received	OBAR adopted	The Government of Serbia adopts a negotiating position
33	27. January 2015. 24. March 2015.	23. March 2016.	N/A	N/A	1. June 2017.
Chapter opening date	Number of closing benchmarks	IBAR adopted		CBAR adopted	Chapter temporarily closed
25. June 2018.	1	N/A		25. June 2018.	NE

## Recommendations of the NCEU Working group for Chapter 33

**Table 2.**

No.	Recommendation of the NCEU	Since which year has the NCEU recommendation been repeated (after meeting the benchmark, specify that the criterion has been met, the year it was set, and the year it was fulfilled)?	Which EU benchmark is the recommendation related to – specify the EU benchmark number and what type of benchmark it is (opening, transitional, closing)?
<b>Recommendations to the Government of the Republic of Serbia</b>			
1.	Chapters 22 and 33 should be considered together, taking into account other relevant and related chapters (specifically Chapter 16 - Taxation, Chapter 18 - Statistics, Chapter 29 - Customs Union, and Chapter 32 - Financial Control).	Established: 2022. Unfulfilled	Closing benchmark no.1
2.	The Report from the meetings of the Committee for European Integration of the National Assembly of the Republic of Serbia for Chapter 33 should be made publicly available.	Established: 2022. Unfulfilled	Closing benchmark no.1
3.	It is necessary to strengthen the administrative infrastructure.	Established: 2015. Unfulfilled	Closing benchmark no.1
4.	It is essential to initiate the process of adopting an action plan.	Established: 2017. Unfulfilled	Closing benchmark no.1
5.	A preliminary study on the financial costs and benefits of Serbia's EU membership should be prepared.	Established: 2022. Unfulfilled	Closing benchmark no.1
<b>Recommendations to the European Union</b>			
6.	Ensure a retention policy for staff who will continuously monitor progress under Chapter 33. <sup>47</sup>	Established: 2015. Fulfilled: 2023.	Closing benchmark no.1
7.	It is essential to maintain a technical mission from the European Commission regarding the fulfillment of the closing benchmarks for Chapter 33. Only after the technical mission has been conducted will it be possible to draft an Action Plan and further strengthen administrative capacities.	Established: 2022. Unfulfilled	Closing benchmark no.1
8.	It is necessary to ensure clearer and faster communication between the European Commission's technical mission, DG NEAR, and the Ministry of Finance of the Republic of Serbia to shorten response times from the administration in Brussels.	Established: 2022. Unfulfilled	Closing benchmark no.1
<b>Recommendations to civil society organizations</b>			

<sup>47</sup> In previous years, the coordination meeting of Cluster 5 with representatives of DG NEAR noted the absence of officials from DG NEAR who monitor Chapter 33.

9.	Enhance efforts to raise the overall awareness level among citizens, the professional public, as well as entrepreneurs and local self-governments, regarding the importance and benefits related to Chapter 33. It is particularly important to explain the significance of the country being a net recipient of European Union funds.	Established: 2022. Unfulfilled	EC Report
10.	The Ministry of Finance plans to develop an organizational scheme for civil society organizations that will provide a clearer depiction of the responsibilities, institutional, and procedural connections between key stakeholders in this chapter. This scheme will be distributed by the NCEU, the Working Group for Chapter 33, to all civil society organizations to advocate for and strengthen their financial literacy.	Established: 2023. Fulfilled: 2023.	EC Report
11.	It is desirable to utilize the analytical capacities of civil society organizations to produce analyses on the topic of new funding sources for EU own resources (specifically sources related to unrecycled plastic packaging waste).	Established: 2022. Unfulfilled	EC Report
12.	Chapter 33 should be discussed in conjunction with Chapter 22 and other relevant chapters (specifically Chapter 16 - Taxation, 18 - Statistics, 29 - Customs Union, and 32 - Financial Control).	Established: 2022. Unfulfilled	Closing benchmark no.1

## **WORKING GROUP FOR CHAPTER 35**

### **• OTHER ISSUES – KOSOVO**

**Coordinator: INSTITUTE FOR TERRITORIAL ECONOMIC DEVELOPMENT – InTER, Dragiša Mijačić**

The Common Position of the European Union regarding Chapter 35 – Other Issues: Kosovo was adopted on November 30, 2015.

### **Dialogue on Normalization between Belgrade and Pristina**

The report covers the period from October 1, 2023, to September 30, 2024, which was marked by numerous crises in the northern parts of Kosovo and other areas predominantly inhabited by Serbs. These crises were the result of unilateral actions by the Government of Kosovo, for which the international community has not found an adequate response.

A particular deterioration in the dialogue occurred following the armed incident in Banjska on September 24, 2023, when Kosovo police forces clashed with an armed group of Serbs led by Milan Radoičić, resulting in the deaths of four individuals—one Kosovo police officer and three Serbs from Kosovo. The Kosovo authorities used this incident as justification for an increased presence of special police units in northern Kosovo, as well as for expanding the network of checkpoints and fortifications on major roads.

In an attempt to demonstrate constructiveness, Belgrade unilaterally implemented decisions regarding the recognition of personal documents and license plates of the Republic of Kosovo, as well as provisions from the energy agreement related to the operations of JP Elektrosever, at the end of the year. A few days later, the Kosovo side applied these provisions, thereby resolving the long-standing issue of license plates, which had been a source of political and security tensions.

On the other hand, Serbia's acting Prime Minister Ana Brnabić sent a letter in December 2023 to representatives of EU member states, expressing reservations about the fulfillment of certain provisions of the 2023 normalization agreement. The letter was sent during the election campaign for parliamentary elections in Serbia but was withdrawn a few days later, indicating the politicization of the dialogue for electoral purposes.

The Central Bank of Kosovo, on December 27, 2023, adopted a regulation on cash payments<sup>48</sup>, that prohibits the use of the dinar in Kosovo starting February 1, 2024. This regulation surprised both Serbs in Kosovo and the authorities in Belgrade, as well as representatives of the EU and Quint countries, who called for a delay in its implementation until adequate conditions were created. Despite international appeals, the Kosovo government banned the transport of dinars and

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<sup>48</sup> The regulation of the Central Bank of Kosovo is available at: <https://bit.ly/4eDp2iF>.

closed the branches of the Postal Savings Bank and Post Office, confiscating a significant amount of money. The abolition of the dinar as a means of payment particularly affected those dependent on dinar payments, such as pensioners and social welfare recipients across Kosovo.

Following the closure of post offices and banks, in August and September 2024, Kosovo authorities also closed temporary municipal bodies in northern Kosovo and a number of other institutions funded by the budget of the Republic of Serbia, further complicating life for residents in the north.

Within the dialogue, attempts were made to address the issues related to the dinar and payment transactions, but no solutions were found despite numerous technical-level meetings. The European Union organized a meeting in Brussels on June 26, 2024, between Aleksandar Vučić and Albin Kurti, but Kurti refused a trilateral meeting with Vučić and EU representatives, setting three conditions: the withdrawal of Ana Brnabić's letter from December 2023, the formal signing of the Agreement by Vučić and Kurti, and the extradition of Milan Radoičić to Kosovo's judicial authorities. After the unsuccessful meeting, it became difficult for the EU Special Representative for Dialogue, Ambassador Miroslav Lajčák, to organize even trilateral meetings at the technical level.

During the autumn of 2023, the issue of Kosovo's admission to the Council of Europe was raised, with three conditions set: the implementation of the Kosovo Constitutional Court's 2016 decision on registering land to the Visoki Dečani Monastery, a review of decisions on land expropriation for the construction of police bases in the north, and the formation of a Community of municipalities with a Serbian majority. In March 2024, the rapporteur of the Parliamentary Assembly of the Council of Europe, Dora Bakojani, submitted a positive report for Kosovo's membership in this organization, although Kosovo formally met only one of the three conditions. Although the Parliamentary Assembly of the Council of Europe adopted Dora Bakojani's report on April 16, 2024, and recommended to the Committee of Ministers in favor of Kosovo's membership, this did not occur in May 2024 due to the Kosovo government's refusal to send the proposal for the Statute of the Community of municipalities with a Serbian majority for consideration by the Constitutional Court.

### **Recommendations of the NCEU Working group for Chapter 35**

The working group for Chapter 35 proposes a set of short-term measures and long-term recommendations that are directly related to this chapter, the normalization of relations between official Belgrade and Pristina, de-escalation of the situation in northern Kosovo, as well as reconciliation between Serbs and Albanians.

*Short term recommendations:*

**Recommendations to the Government of the Republic of Serbia**

- Encourage the political representatives of Serbs to actively participate in the upcoming central and local elections in Kosovo, as well as in the political and public life in Kosovo. Additionally, it is necessary to work on implementing measures that will enable the return of Serbs to institutions in northern Kosovo, ensuring their greater involvement in decision-making and improving the normalization process of relations.

**Recommendations to the European Union**

- Immediately stop any form of violence in northern Kosovo, whether perpetrated by Kosovo's special police units against members of the Serbian ethnic community or by hooligans against journalists, KFOR/EULEX personnel, or the police. It is especially important to halt violence against children, the most vulnerable category of society. We call on EULEX and human rights organizations to investigate all cases of police brutality against children, civilians, and detainees, and to publicly present their findings and conclusions through transparent reports.
- Urgently take steps to lift all restrictions arising from the oral measure of the Government of Kosovo that limits the free import of finished products from Serbia. The international community must react swiftly to prevent the permanent institutionalization of the import of goods from Serbia solely through the Merdare crossing.
- As part of broader de-escalation efforts, steps must be taken to protect the property rights of the Serbian ethnic community in municipalities in northern Kosovo. This includes the immediate suspension of expropriation procedures, as well as the withdrawal of amendments to the expropriation law from the legislative process. These measures are crucial for preserving property rights, preventing further tensions, and maintaining stability..

*Long term recommendations:*

**Recommendations to the Government of the Republic of Serbia**

- Belgrade and Pristina should commit to fully implementing the Agreement on the Path to Normalization of Relations between Kosovo and Serbia and its Implementation Annex, as well as all previously reached agreements within the Brussels dialogue.
- The Government of Serbia should re-establish an internal dialogue on resolving the Kosovo issue in a format that allows for open and constructive dialogue among government representatives, opposition parties, civil society organizations, and other stakeholders. This is the only way to achieve broad social consensus, ensure the implementation of the

normalization agreement, and guarantee the long-term sustainability of the solutions reached. Involving all relevant actors contributes to the legitimacy of the process and allows for a better understanding of the various aspects of this complex issue.

- Encourage Serbs from Kosovo and Metohija to actively participate in political processes within the Kosovo system, as well as in social processes within their communities. At the same time, it is necessary to work on strengthening human resources and creating institutional mechanisms that will enable the Serbian community to more effectively fight for its rights within Kosovo institutions. These mechanisms should support better protection of their rights and empower them in decision-making that directly affects their daily lives, thereby strengthening their position in society and improving their contribution to the community.
- Measures need to be developed to improve living conditions in Serbia and Kosovo that are directly linked to the normalization process. These measures should encompass the right to education, health and social protection, the right to a pension, as well as the free movement of people, goods, and capital. Special emphasis should be placed on ensuring that past crimes are never repeated, with priority given to resolving the issue of missing persons, which represents a key task for both sides. It is also important to continuously create conditions for the enhancement of democratic and fundamental human rights in both Kosovo and Serbia, which would contribute to long-term stability and reconciliation in the region.
- Establish direct cooperation between law enforcement institutions and the security sectors of Serbia and Kosovo. Direct channels for information exchange, coordination, and cooperation at the operational level need to be established. It is particularly important to establish functional cooperation to clarify all circumstances related to the murder of Oliver Ivanović and the armed incident in Banjska, in order to prevent and address other criminal acts. Existing cooperation mechanisms within UNMIK, EULEX, or through informal channels, such as ILECU, have proven ineffective and do not provide an adequate response to security threats, risks, and challenges.
- Change the content and manner of communication with the public to avoid verbal provocations, nationalist outbursts, and hate speech against the "other side." Communication should be conducted in a way that highlights the positive aspects of cooperation between the Serbian and Albanian people, as well as the benefits arising from the agreements reached. The focus should be on promoting common interests, reconciliation, and constructive dialogue, which will contribute to stabilizing relations and improving the normalization process.

## Recommendations to the European Union

- The European Commission should propose the development of an action plan for Chapter 35 for Serbia, which would include the establishment of credible mechanisms for monitoring the implementation of benchmarks and commitments from the agreements reached within the Brussels dialogue. This plan would ensure transparency, accountability, and consistent monitoring of progress in the implementation of agreements, which is crucial for Serbia's European integration process and the stabilization of relations between Belgrade and Pristina.
- Alongside the Brussels dialogue, it is necessary to work on building trust and reconciliation between the Serbian and Albanian communities. In this regard, it is important to support sports and cultural activities, tourism, and trade, which will enable positive interaction between the two peoples. It is also essential to support the efforts of civil society in initiating dialogue among communities. Encouraging the participation of government representatives and public officials in these activities is key, as their involvement contributes to the legitimacy and strengthening of joint initiatives aimed at reconciliation and cooperation.

# MULTI SECTORIAL WORKING GROUP FOR FREEDOM OF EXPRESSION AND THE MEDIA

**Coordinator: CIVIC INITIATIVES, Maja Stojanović**

## Introduction

Due to the complexity and breadth of the area of freedom of expression, as well as its importance, the Intersectoral Working Group for Freedom of Expression and Media monitors the state of this field across six negotiation chapters, considering that only an intersectoral approach can fully address all aspects of protecting this right. The monitoring and analysis of conditions, trends, institutional activities, and civil society initiatives relate to Chapters 5, 8, 10, 23, 28, and 32. Progress in the EU integration process is tracked based on the defined goals of an online tool for monitoring freedom of expression and media—the Media Freedom Matrix.

Civil society initiatives have identified the following risks associated with monitoring this area in the EU integration process: a broad range of competent institutions, the absence of action plans for each chapter, the inability to assess the effectiveness of certain measures in the short term, varying levels of willingness among state bodies to cooperate, insufficient transparency in operations, and the necessity of tracking results across all levels of government—from national and provincial to local.

**Chapter 5** regulates the area of public procurement. The objective of monitoring this chapter relates to the financing of media through public procurement.

**Chapter 8** – Competition Policy. The objective of monitoring this chapter concerns the control of media ownership concentration and competition in the media sector, as well as the control and/or funding of media through the provision of state aid.

**Chapter 10** – Information Society and Media. Monitoring of this chapter concerns the independence of regulatory bodies in the media sector, the independence of public service broadcasters, and content control to protect minors and vulnerable groups.

**Chapter 23** – Judiciary and Fundamental Rights is the central chapter regarding freedom of expression and media. The objectives of monitoring this chapter relate to the protection of journalists, regulation of state funding of media (state withdrawal from media ownership), ending state control over media, and preventing leaks of information from investigations into the media. A special section of this chapter focuses on media freedom and expression in minority languages.

**Chapter 28** regulates the area of consumer protection and health protection. The objective of monitoring this chapter relates to controlling media through the funding of media content.

Chapter 32 – Financial Control. Freedom of expression and media within this chapter pertains to the oversight of budget spending by the State Audit Institution, specifically for financing political parties and media co-financing grants.

## **Recommendations of the Multi Sectorial Working Group for Freedom of Expression and The Media**

### **Chapter 5**

#### **Recommendation to the Government of the Republic of Serbia**

- Clarify the relationship between public interest content in the field of public information and the public procurement system by the competent institution through amendments to the Annex and the Public Procurement Law (recommendation established: 2017/18, status: unfulfilled, related to: closing benchmark no. 3).

### **Chapter 8**

#### **Recommendations to the Government of the Republic of Serbia**

- Define the obligations of state aid recipients, reporting methods, and control over state aid allocation. Specific rules should be set for granting state aid in the area of public information, if media co-financing for public interest reporting remains within the state aid system (established: 2017/18, unfulfilled, related to closing benchmark no. 1).
- Clearly define and legally establish sanctions for violations of the state aid granting law (recommendation established: 2017/18, status: unfulfilled, related to: closing benchmark no. 2).
- Expand and clearly define the jurisdiction of the State Aid Commission (recommendation established: 2017/18, status: unfulfilled, related to: closing benchmark no. 2).
- Specify legal criteria for the examination of competition distortion in the media sector by the Competition Protection Commission (recommendation established: 2017/18, status: unfulfilled, related to: closing benchmark no. 2).

### **Chapter 10**

#### **Recommendations to the Government of the Republic of Serbia**

- Consistently implement the Action Plan for the Implementation of the Strategy for the Development of the Public Information System in the Republic of Serbia until 2025 (recommendation established: 2020, status: unfulfilled).
- Amend legal and regulatory provisions to ensure greater independence of public media services (PMS), specifically:

- Ensure greater financial independence of PMS through changes to the current funding method, thereby increasing the security of journalists and media workers employed in PMS;
- Provide greater transparency, communication, and accountability to the public;
- Ensure greater independence of Board members by establishing clear criteria for their selection and amending the selection process;
- Define the role and authority of the Program Council to ensure a more effective means of controlling PMS, as well as the method for selecting members of this council to guarantee a higher level of independence from the Board and external pressures;
- Ensure compliance with decisions of the Press Council in the process of project co-financing for public interest content;
- Clarify legal provisions regarding hate speech prohibition and the protection of children and minors from inappropriate content, with the possibility of imposing financial sanctions;
- Introduce mandatory quality analysis of PMS media content.

(Recommendation established: 2019, status: unfulfilled).)

#### **Recommendations to the National Assembly of the Republic of Serbia**

- Ensure the legality of the work of the Regulatory Authority of Electronic Media (REM) and hold public discussions on REM's activities  
(Recommendation established: 2016/17, status: unfulfilled.)
- Improve the functioning of the Regulatory Authority of Electronic Media by amending the law to secure the selection of independent and impartial experts, as well as stability and independence in its operations:
  - Amend the authorized proposers for selecting REM members to enhance their independence, removing political and state bodies from the process and establishing clear selection criteria.
  - Establish transparent and clear criteria for selecting members of the REM Council.
  - Strengthen stability by ensuring REM's financial independence through increased revenue from penalizing media broadcasters, reducing political influence and pressure from authorities, and enhancing transparency in budget planning.
  - Grant REM the authority to directly impose financial sanctions on broadcasters in cases of legal and regulatory violations.
  - Establish appropriate accountability for REM Council members and responsible persons in professional services concerning identified regulatory lapses.
  - Legally mandate REM's obligation to conduct continuous monitoring of election campaigns.
  - Specify objective criteria for conducting monitoring, ensure the publication of findings, continuous public reporting, and accountability for provided data and outcomes.

- REM must conduct mandatory oversight in place of the Temporary Media Monitoring Body. If establishing special bodies for media oversight is necessary, it must comply with the Law on Electronic Media and the stipulated competences.
- Amend the proposed Draft Rulebook on the obligations of public media services during election campaigns to cover all media service providers, not only public media services.
- Ensure greater transparency and accountability in actions taken or omissions, as well as improved communication between REM and citizens.

(Recommendation established: 2016/17, status: unfulfilled)

<b>Chapter 23</b>
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<b>Recommendations to the Government of the Republic of Serbia</b>
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- Amend and enhance legislation to introduce certain limitations and additional oversight of decision-makers, as well as review their conduct and accountability due to observed abuses in the application of restrictions on the fundamental human rights of journalists, media workers, and citizens of the Republic of Serbia (recommendation established: 2020, status: unfulfilled).
- Adopt a new Action Plan for the implementation of the Media Strategy (the previously applied Action Plan has expired), which should include all measures that were planned in the previous plan but were not fulfilled by its expiration (recommendation established: 2023, status: unfulfilled).
- Expired deadlines for unfulfilled activities must be revised along with the activities themselves, with accountability established for the lack of fulfillment (recommendation established: 2021, status: unfulfilled).
- Ensure inclusive and transparent work on the amendments to relevant laws related to media freedoms, which must align with the envisaged Media Strategy (recommendation established: 2021, status: unfulfilled).
- All regulations intended for amendment, related to media, journalists, and journalistic sources, must be consistent with the rights acquired and secured by applicable laws, as well as the Media Strategy (recommendation established: 2021, status: unfulfilled).
- Proposed amendments to the Law on Public Information and Media must strictly adhere to the provisions of the Media Strategy, and where this is not possible, the acquired rights in the existing laws must not be reduced or abolished (recommendation established: 2021, status: unfulfilled).
- Urgently resolve and clarify all cases of attacks on journalists and threats to their safety, initiate, and conclude proceedings against perpetrators within a reasonable timeframe (recommendation established: 2017/18, status: unfulfilled).
- Immediately cease support, especially political and financial, for media that continuously violate the Law on Public Information and Media, the Law on Electronic Media, the Code of

Journalists of Serbia, that constantly incite national and other hatred, put pressure on critically oriented media, incite panic, and create an atmosphere of fear and violence in society (recommendation established: 2020, status: unfulfilled).

- Take all necessary measures to protect journalistic sources by clarifying legal provisions and preventing unauthorized interception of communication between journalists and their sources (recommendation established: 2017/18, status: unfulfilled).
- Authorities should urgently stop calling out, insulting, belittling, and discriminating against journalists, media, journalistic and media associations, threatening their safety, and labeling them as enemies of society, “foreign agents,” and “traitors” (recommendation established: 2020, status: unfulfilled).
- Ensure greater safety for journalists and other media workers:
  - Enhance cooperation between state institutions and media and journalist associations through the existing mechanism established by signing the Cooperation Agreement and measures to raise the safety level of journalists, as well as improving the work of the Permanent Working Group and the Working Group for Journalist Safety under the auspices of the Government of the Republic of Serbia;
  - Clearly and precisely define the scope of work for all working groups on journalist safety, align their operations, and raise the level of cooperation;
  - Ensure prompt and swift action in all cases of attacks and threats with elements of criminal and misdemeanor offenses without exception;
  - The communication strategies of public prosecutors' offices and the Ministry of Internal Affairs (MIA) must be elevated to a significantly higher level; the openness of public prosecutors' offices and the MIA regarding public actions should be maintained, as long as it does not jeopardize the prosecution's investigation and proceedings. In this sense, allow public prosecutors and their deputies to speak publicly and communicate in cases they handle, to the extent that the proceedings, investigation, and prosecutorial function are protected;
  - Clearly, unequivocally, and non-selectively condemn any violence against journalists by high public officials to convey a message of unacceptable behavior, as well as the issuance of certain statements by officials that may indirectly threaten journalists' safety;
  - Maintain continuity in ongoing training for police officers and prosecutors within public prosecutor's offices to improve the response of MUP members and prosecutors within their jurisdictions (internet threats and online offenses, specific criminal acts against journalists, treatment of affected journalists and victims, secondary victimization, handling attacks), but also, particularly, to ensure a better understanding of issues and more effective action in cases of threats to journalists' safety. It is important to include training on journalists' rights to criminal legal protection, as well as their rights and obligations as victims

regarding the criminal procedure, the workings of the internal control of the MUP, and their rights to protection against abuses by officials;

- Ensure clear and non-selective internal accountability among the authorities responsible for prosecuting offenders of crimes against journalists, both in terms of acts committed by MUP members, given their direct contact with journalists, as well as by public prosecutors due to omissions in conducting proceedings;
- Establish clear scopes of criminal acts and legal gaps arising from existing understandings and interpretations of the nature of specific criminal offenses;
- A change in criminal legal practice is necessary regarding the understanding of specific criminal acts that protect journalists, such as endangering safety under Article 138, paragraph 3, of the Criminal Code or a more precise interpretation of the special part of endangering safety under Article 138a;
- Implement protections for journalists akin to those for human rights defenders;
- Introduce new forms of criminal acts against journalists and enhance protection for existing criminal acts where there is a particular risk concerning female and male journalists, with special attention to acts committed through online attacks and threats;
- Involve representatives of judges in issues related to journalists' safety and the consequences of attacks and threats, especially in aspects concerning the understanding of the nature of criminal acts against journalists;
- Ensure acquired levels of protection for journalistic sources concerning the non-prosecution of protective regulations and potential detrimental influences from other regulations that could undermine their position (such as the Law on Internal Affairs).

(Recommendation established: 2020, status: unfulfilled).

- Ensure better labor rights for journalists and other media professionals:
  - By signing a sectoral collective agreement that would provide journalists and media workers with better working conditions; also, empower journalists to organize unironically and provide education to better familiarize them with the possibilities of realizing their labor and professional rights;
  - Establish more effective inspections to reduce informal work and other cases of violations of journalists' rights;
  - Implement measures and procedures to improve the position of female journalists, editors, women employed in various positions and jobs in the media, as well as to create better conditions for their increased representation in leadership roles;
  - Ensure greater independence for journalists and editorial offices in relation to media owners and management by signing special acts that would enable that independence or

foresee signing annexes to employment contracts that define the professional rights and obligations of journalists and editors, and which would more effectively protect their professional status;

- Provide special protection for journalists in local media against pressures that threaten their labor rights status.

(Recommendation established: 2020, status: unfulfilled)

- The state must urgently take measures that will allow the news agency Tanjug and Radio-Television Kragujevac to exit their illegal status as soon as possible, as well as to privatize other media entities still owned by the state (recommendation established: 2017/18, status: unfulfilled)
- Reassess the role of the state in the media market and its participation in transactions during the purchase of TV B92, TV Nova, Adria media group, and the establishment of the Euronews Serbia franchise (recommendation established: 2021, status: unfulfilled).
- Amend legal and sub-legal regulations to improve the process of project co-financing for media content of public interest by:
  - Provide for the obligation to announce competitions for co-financing media content, as well as responsibility and sanctions for responsible persons in cases of failure to announce at the levels of local governments;
  - Ensure the independence of co-financing from political influence throughout the year (most often in election years) by requiring all funding providers to announce competitions at the beginning of the year;
  - Introduce mandatory analyses of the need for media content to be conducted by municipalities and cities, as implementers of the competitions, aiming to determine the public interest for each specific local government;
  - Establish clear criteria for selecting members of expert commissions, improve the work of expert commissions, clearly determine the application of regulations in case of gaps in procedures (changing commission members, annulment, and making new decisions), including stipulating sanctions for commission members who do not act in accordance with regulations;
  - Provide mandatory document models to be used in the implementation of competitions, unify them, specify their content, and ensure the preservation of such documents (especially minutes of work, transcripts) and public availability in accordance with regulations governing access to public information and data protection, determine the method and rules of communication in the process;
  - Mandate expert commissions to take into account the decisions of regulatory bodies and the Press Council when deciding on the distribution of funds;
  - Improve mechanisms for controlling co-financing procedures and establish effective legal remedies in this area. In terms of strengthening legal remedies, it is necessary to raise awareness of the effectiveness of inspection controls, particularly administrative inspections regarding the implementation of regulations, as well as budgetary inspections regarding the appropriateness and adequacy of project purposes;

- Introduce mandatory evaluations of projects realized for all institutions implementing them, as well as conducting external financial audits of media that have received funding above a certain amount;
- Ensure better and more effective control, including by the State Audit Institution, of conducted competitions, realization of allocated topics, and contracts through mandatory audit programs for the allocation and expenditure of funds. It would also be very useful to introduce evaluations of project appropriateness to determine the efficiency and effectiveness of allocated funds.

(Recommendation established: 2020, status: unfulfilled).

- Improve and adapt the process of conducting administrative disputes in lawsuits regarding the illegality of implementing competitions for project co-financing (recommendation established: 2020, status: unfulfilled).
- Tax and other inspections should stop exerting pressure and endangering the work of independent media (recommendation established: 2019, status: unfulfilled).
- Radio-Television of Serbia should begin to fulfill the legally prescribed obligation to broadcast programs in the languages of national minorities (recommendation established: 2017/18, status: unfulfilled).
- It is necessary to align judicial practice with the practice of the European Court of Human Rights in proceedings against journalists for damages related to the publication of information (recommendation established: 2019, status: unfulfilled).
- It is essential to ensure greater transparency of state institutions through a larger mandatory set of data that they must proactively publish (recommendation established: 2019, status: unfulfilled).
- Further improve or amend access to public information in order to provide greater support to journalists concerning public authorities that ignore or do not respond to requests for access to information, provide inaccurate and false answers that are difficult to verify, and abuse deadlines for delaying responses (recommendation established: 2020, status: unfulfilled).
- Ensure the protection of journalistic sources, reduce the negative consequences of collecting and processing biometric data, and ensure accountability for individuals processing that data. It is particularly important to strengthen accountability and sanction those who misuse data, thereby harming sources and journalists (recommendation established: 2023, status: unfulfilled).
- Ensure adequate alternative channels for obtaining information from public authorities that possess such information and documents but refuse to act (control and other institutions in accordance with certain jurisdictions) (recommendation established: 2020, status: unfulfilled).

- Strategically plan and develop special anti-SLAPP regulations to protect journalists and media from malicious lawsuits and establish accountability, especially for government representatives who abuse such lawsuits (recommendation established: 2021, status: unfulfilled).
- Implement activities outlined in the Media Strategy in the spirit in which they were written, specifically related to:
  - Analyzing the regulatory framework to define potential amendments to the Criminal Code and the law governing criminal proceedings;
  - Training in the area of protecting journalists' safety, including representatives of the judiciary, the Republic Public Prosecutor's Office, the Ministry of Internal Affairs, and lawyers, as well as journalists and media workers, incorporating gender-sensitive content about the safety of journalists and media workers;
  - Raising awareness about journalists' and media workers' exposure to sexual harassment, psychological and other forms of abuse, as well as the necessity of establishing a safe environment and responding decisively to any form of harassment or violence;
  - Training journalists and media workers on security risks in the online space to prevent and better prepare for protection against such attacks, in cooperation with existing centers for preventing security risks in ICT systems (CERT);
  - Enhancing the human, organizational, and technical capacities of state bodies to better recognize and address security threats in the online environment, including gender-specific threats;
  - Educating judges, public prosecutors, lawyers, and relevant ministries about the forms of threats to the information security of journalists and media, also including content on gender-specific risks and threats.

(Recommendation established: 2023, status: unfulfilled)

- Strengthen cooperation through partnerships between states, the technology sector, civil society, and organizations to effectively address online attacks (recommendation established: 2023, status: unfulfilled).
- Reinstate special records of attacks on media websites at the Supreme Public Prosecutor's Office; these were established by special instructions in 2015 but ceased to be valid in 2020 with the adoption of new mandatory instructions (recommendation established: 2023, status: unfulfilled).
- Within the legal and subordinate acts, ensure that the impact of secondary victimization and further endangerment of affected journalists who, during the proceedings, must face the person

who threatened them and disclose certain personal data, is minimized (recommendation established: 2023, status: unfulfilled).

- Provide incentive measures through amendments to the Law on Public Information and Media and accompanying subordinate acts for media that have internal documents outlining measures and procedures for ensuring a safe working environment for journalists and media workers

(Recommendation established: 2023, status: unfulfilled).

#### **Recommendation to the National Assembly of the Republic of Serbia**

- Ensure adherence to the Rules of Procedure of the National Assembly of Serbia and prevent insults and hate speech in the parliament directed at the media, journalists, and media workers (recommendation established: 2021, status: unfulfilled).

#### **Chapter 28**

#### **Recommendations to the Government of the Republic of Serbia**

- More precisely define and specify the methods and possibilities for advertising by state authorities and other public entities through legal provisions (recommendation established: 2017/18, status: unfulfilled).
- Ensure transparency of data regarding advertising by state authorities, other public entities, and public enterprises (recommendation established: 2017/18, status: unfulfilled).
- Advertising in the media should become one of the priorities of the Government of the Republic of Serbia, including the implementation of adopted solutions regarding advertising from the Media Strategy, and clearly establish oversight of the implementation of these provisions (recommendation established: 2021, status: unfulfilled).
- Introduce specific rules governing political advertising to prevent the use of government positions for campaign purposes and potential abuses by political parties in power (recommendation established: 2021, status: unfulfilled).
- Enhance legal regulations to ensure the transparency of political advertising and the expenditure of funds by political parties on online platforms during election campaigns (recommendation established: 2021, status: unfulfilled).
- In terms of further improving legal regulations, establish the responsibility of public information media and their websites – portals on which news in the form of covert advertising, including statements and illustrations, has been published

(Recommendation established: 2023, status: unfulfilled).

## **Chapter 32**

### **Recommendations to the Government of the Republic of Serbia**

- Clearly define and specify sanctions for identified irregularities during the business audit (recommendation established: 2017/18, status: unfulfilled, related to: benchmark no. 2 for closure).

### **Recommendations to the State Audit Institution**

- The State Audit Institution should conduct an audit of the effectiveness of REM's operations for at least the past two years (recommendation established: 2017/18, status: unfulfilled, related to: benchmark no. 2 for closure).
- Monitor the work of the auditing firm that conducts the audit of REM each year (recommendation established: 2017/18, status: unfulfilled, related to: benchmark no. 2 for closure).

## **MULTI SECTORIAL WORKING GROUP FOR THE ECONOMIC REFORM PROGRAM (ERP)**

**Coordinator: NATIONAL ALLIANCE FOR LOCAL ECONOMIC DEVELOPMENT (NALED), Aleksandra Lazović**

### **Introduction**

The Republic of Serbia, as a candidate for membership in the European Union (EU), has been developing a document titled the Economic Reform Program (ERP) since 2015, during the pre-accession period. This document is the most important strategic paper in the economic dialogue with the European Commission and EU member states. The ERP is part of a broader process of economic governance and the adaptation of candidate countries to EU rules and standards. Furthermore, the ERP aligns with the principles of the European Semester, which is a mechanism for coordinating economic policies within the EU. Although candidate countries are not EU members, the ERP allows them to participate in some aspects of the European Semester. This way, they already apply elements of economic coordination that will be important once they become members. While the European Semester monitors and assesses the economic policies of member states, the ERP enables candidate countries to improve macroeconomic stability, fiscal discipline, and implement structural reforms necessary for integration into the EU single market. Just as EU member states must adhere to the fiscal targets set out in the Stability and Growth Pact, the ERP requires candidate countries to demonstrate how they plan to maintain low budget deficits and public debt. Through the ERP, candidate countries prepare for future EU membership and the successful adoption of fiscal, monetary, and structural policies that form the basis of the EU's common economic policy.

The introduction of the Reform Agenda, as one of the pillars of the new Growth Plan for the Western Balkans, has brought significant changes to the process of drafting the eleventh cycle of the ERP for the period from 2025 to 2027 for all countries involved in this process. The structural reforms defined within the ERP have now been transferred into the framework of the Reform Agenda, while the ERP remains focused on the macroeconomic and fiscal framework. Although the ERP will no longer encompass structural reforms, it will remain connected to the Reform Agenda. This relationship will be reflected in the fact that the macroeconomic and fiscal policies of the ERP will be complementary and support the reform efforts defined in the Reform Agenda. Coordination between the ERP and the Reform Agenda should accelerate economic and social reforms, making the Western Balkans more ready for future EU membership. Economic convergence is key to the integration of the Western Balkans into the European Union. On November 8, 2023, the European Commission launched the Reform and Growth Facility (RGF) for the Western Balkans, a new financial instrument for the period from 2024 to 2027 that links core reforms to increased financial assistance within the new growth plan for the region.

## Recommendations of the Multi Sectorial Working group for ERP

### Recommendation to the Government of the Republic of Serbia

- Develop a clear mechanism for monitoring the implementation of the planned Agenda and include economic growth indicators to track its impact on economic growth.

### Recommendations to the European Union

- Ensure compliance with the provisions of Regulation (EU) 2024/1449, which encompasses the process of developing the Reform Agenda, but does not prescribe confidentiality in the preparation process. Article 11, paragraph 6 of the regulation states that the "Reform Agenda will be prepared in an inclusive and transparent manner, in consultation with social partners and civil society organizations.
- Support the NCEU MSWG by:
  - Establishing/strengthening regional exchange with civil society organizations in the Western Balkans active in this area, and sharing experiences and knowledge with Ukraine, Moldova, and Georgia.
  - Building the capacity of organized civil society through the ERP WG via existing EU mechanisms/projects (training by the Centre of Excellence in Finance - CEF, Ljubljana, meetings with representatives of the European Economic and Social Committee, and its Ad hoc group for the European Semester, participation in the Brussels Economic Forum, etc.) and raising awareness among CSOs on accession-related economic criteria and ERP.

### Recommendations to Civil Society Organizations

- Ensure continuous engagement in the process of preparing and monitoring the implementation of the Reform Agenda by participating in the development of a mechanism for monitoring implementation.
- Initiate regional cooperation among civil society organizations through existing IPA programs.

## MULTI SECTORIAL WORKING GROUP FOR POLITICAL CRITERIA

Coordinator: EUROPEAN POLICY CENTER, Srđan Majstorović

### SERBIA AND THE EU TEN YEARS SINCE THE START OF NEGOTIATIONS – SAME ISSUES<sup>49</sup>

#### Uvod

In last year's National Convention on the EU's Book of Recommendations, the year 2022 and the first half of 2023 were evaluated as a period of missed opportunities, emphasizing that Serbia, even amidst the revival of the enlargement policy in the European Union, failed to send a clear message to the domestic and international community about its commitment to core EU values, both domestically and in foreign policy. Meanwhile, in the second half of 2023 and the first half of 2024, there was some, albeit limited, improvement in overall relations between Serbia and the European Union. However, this improvement should be viewed as a result of changed geopolitical circumstances and new initiatives for gradual/phased accession, most notably represented through the New Growth Plan for the Western Balkans, rather than as a consequence of tangible progress in reform processes.

Key topics in Serbia-EU relations during this period included: the European Commission's 2023 Progress Report on Serbia, which did not recognize significant progress in Serbia's EU integration; the contested legitimacy of the parliamentary elections of December 2023 and the repetition of local elections in Belgrade, along with the boycott of these elections by parts of the opposition; and the strategic partnership between the EU and Serbia in the area of raw material research (primarily lithium) necessary for implementing the Green Agenda.

#### **Recommendations to the Government of the Republic of Serbia**

- The Government of Serbia needs to recognize the moment created by the Russian aggression in Ukraine. The call for an accelerated enlargement policy through gradual/phased accession should be seen as an incentive for Serbia to approach reforms more decisively.
- The Government of Serbia should implement socio-economic reforms and rule of law reforms in a timely manner, as outlined in the Reform Agenda, to maximize the political, social, and financial benefits of the Growth Plan for the Western Balkans.
- The Government of Serbia must demonstrate clear political will and work towards aligning its foreign policy with the EU's Common Foreign and Security Policy (CFSP), thereby making a clear commitment to EU membership. Alignment with the CFSP is a requirement that every

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<sup>49</sup> Author: Marko Todorović, European Policy Center, Belgrade

candidate must fulfill before joining the EU. Full alignment with the CFSP would strengthen Serbia's credibility and improve its damaged image.

- The Government of Serbia must take seriously the appeals of the National Convention on the EU (NCEU) to stop targeting civil society representatives. The government should take all necessary measures to re-establish partnership relations with civil society, essential for the unimpeded continuation of Serbia's EU accession process.
- The practice of discussing the European Commission's Progress Report on Serbia at a plenary session of the National Assembly must be renewed. The discussion should be transparent and include representatives from civil society organizations.
- It is important that the Ministry for European Integration (MEI) continues conducting public opinion analyses on Serbia's EU membership. This will contribute to greater transparency and provide insight into public support for European integration. We urge the Ministry for European Integration, in cooperation with the NCEU, to analyze the results of public opinion surveys and, accordingly, develop an activity plan to inform the public about the requirements of Serbia's EU accession process.
- Additional efforts are needed to accelerate the alignment of national regulations with the EU acquis and to significantly improve the implementation of the National Program for the Adoption of the Acquis. The MEI should continue the recently reinstated practice of publishing the National Program implementation reports, as this is a good way to inform the public about the specific activities the Government is undertaking as part of the EU accession process.

### **Recommendations to the European Union**

- From the standpoint of the quality of the European Commission's Report on Serbia's progress, this year again lacks a qualitative assessment by the EU on political criteria, specifically regarding the "functioning of democratic institutions." Given that Serbia continues to face "elements of a captured state," the absence of an evaluation of its preparedness level in an area included under Cluster 1 (Foundations) in the revised 2020 methodology diminishes the "driving force" of the report and makes it harder for citizens to understand the key message of the EC report. The section on political criteria needs to be even more detailed and consistent, providing a deeper and broader insight into the actual situation in this area. In this way, the EC could convey a clear message to citizens and define more specific guidelines for the further development of democracy in Serbia.
- It is essential that the European Commission, the EU Council, the European Council, and the European Parliament promptly send an unequivocal message that membership prospects are credible and achievable for all Western Balkan countries. In this regard, it is necessary to operationalize the idea of "phased accession," which appears in the revised methodology and the newly adopted Growth Plan for the Western Balkans and has been further developed and

promoted by civil society organizations from the region and the EU. Particularly, a systematic and merit-based approach should be taken to grant candidate countries broader access to EU institutional work even before full membership. Establishing 2030 as the target year for the EU to complete internal reforms in preparation for future enlargements should also be a consensus goal, encouraging Serbia and other regional states to steer their reform processes and make difficult political decisions with a visible perspective.

- Despite the need for resources critical to achieving green transition goals, the EU should place much greater emphasis on respecting fundamental democratic principles and the rule of law as prerequisites for any consideration of potential lithium exploitation. Without adhering to democratic procedures, independent institutions, and involving experts and the wider public, this project could have unforeseeable consequences for Serbia's environment and the lives of its citizens. It is essential to insist on developing and strengthening the capacities of all relevant institutions overseeing environmental protection. The EU should also more decisively continue to push for reform processes in this area, as only the rule of law can provide an adequate framework for the environmentally safe exploitation of lithium and other resources..

## **ELECTIONS AND THE WORK FO THE PARLIAMENT<sup>50</sup>**

### **Introduction**

Extraordinary parliamentary, provincial, and local elections were held on December 17, 2023. These were the fourth extraordinary parliamentary elections called by the Serbian Progressive Party (SNS) since coming to power in 2012, a frequency that negatively impacts the stable and predictable functioning of democratic institutions. These elections were again marked by long-standing issues with electoral conditions, along with new issues, such as reports of organized voter relocations during the local elections in Belgrade. These issues were not adequately addressed by the time of the regular local elections in other cities and municipalities on June 2, 2024.

In the December parliamentary elections, the SNS list won 46.75% of the vote, securing 129 out of 250 seats in the National Assembly. The opposition list "Serbia Against Violence" won 23.66% of the vote and 65 seats, while three additional non-minority lists – the Socialist Party of Serbia, the NADA coalition, and the citizens' group "WE – The Voice of the People" – as well as five national minority lists, passed the threshold. SNS won an absolute majority in both the provincial elections and in most local governments. The parliament formed after these elections was notably inactive, holding only two sessions in the first half of the year, excluding the session dedicated to the election of a new Government. This activity level does not suggest a reversal of the negative

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<sup>50</sup> Authors: Nikola Burazer i Aleksandar Ivković, Centar savremene politike, Beograd

trends from previous assemblies, which include a weakened supervisory and legislative role of the parliament.

## **Recommendations**

- Before the next elections, it is essential that the government fully implement all recommendations of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) from the final reports on the December 2023 parliamentary elections and the June 2024 local elections, in full coordination with the opposition and civil society.
- After trust in the accuracy of the voter register was seriously undermined in the December 2023 elections, all necessary steps should be taken to restore it.
- The judiciary should actively respond to all election-related allegations containing elements of criminal offenses and conduct a thorough investigation, especially into allegations suggesting systematic violations or abuses of election rules.
- Unjustified breaks in parliamentary work should be completely avoided; the adoption of an annual work plan for the National Assembly would contribute to this goal.
- The National Assembly's oversight function, independence, and transparency should be strengthened through the presence of government members at sessions for parliamentary questions on the last Thursday of each month, including bills submitted by Members of Parliament and citizens on the agenda, and addressing the issue of lost signatures for the people's initiative submitted in 2022.

## **CIVIL SOCIETY<sup>51</sup>**

### **Introduction**

The second half of 2023, as well as the period from January to September 2024, was marked by a continued trend of shrinking civic space and worsening conditions for civil society activity in Serbia. The second half of 2023 was characterized by the "Serbia Against Violence" protests, which began following two mass shootings in May. However, the atmosphere of violence in society and deeply rooted systemic problems remain unresolved and widespread.

During the period in question, extraordinary parliamentary, provincial, and local elections were held in several cities and municipalities, including Belgrade, on December 17, 2023, while local elections were held nationwide on June 2, 2024, including repeated elections for the city of

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<sup>51</sup> Authors: Alma Mustajbašić, Civic Initiatives, Belgrade

Belgrade. The pre-election and post-election periods were traditionally marked by heightened political tensions, with attacks particularly targeting organizations involved in democratization, rule of law, and human rights.

In recent years, dangerous targeting campaigns based on falsehoods and manipulation have become integral to political life in Serbia. However, these campaigns affect not only political actors but also citizens, particularly young and environmental activists in 2023 and 2024. Late 2023 saw protests over suspicions of electoral fraud, while 2024 saw environmental protests against lithium mining.

The practice of non-transparent financing of phantom and GONGO organizations continued, and apart from the adoption of controversial media laws in October of the previous year, there was no significant legislative activity regarding the framework for civil society operation. On September 29, 2023, the Government of the Republic of Serbia adopted a decision to establish the Council for Creating an Enabling Environment for Civil Society Development. However, the (lack of) success of cooperation between the two sides is highlighted in an open letter from part of the Council's members to the Prime Minister of Serbia, dated September 3 of this year, pointing out the "threat to civil society's activities, which permanently undermines democracy, participation, openness, and inclusivity in decision-making and public policy creation."

The recommendations made in last year's report remain unmet and, with certain additions, are still in effect. It can be assessed that during the reporting period, not only was there no improvement in the position of civil society and space for activity, but a further deterioration can be observed. The normative framework regulating the position of CSOs, including regulations on co-financing competitions and regulations governing CSO participation in decision-making processes, was not changed during the observed period, and these recommendations were not fulfilled.

Given the significant increase in SLAPP lawsuits (Strategic Lawsuit Against Public Participation), an additional recommendation has been made concerning the development of regulations in this area. Since the European anti-SLAPP directive was adopted in April 2024, it is important to monitor how member states will implement these recommendations into their national legislation. Monitoring implementation and comparative practices are essential for developing regulations in this area in Serbia.

## **Recommendations**

- It is essential that authorities in Serbia consistently enforce all applicable regulations (laws and bylaws) in the areas of freedom of association, freedom of assembly, and freedom of expression to preserve established standards and strengthen the accountability of relevant institutions responsible for protecting fundamental rights. A strong political message is also needed from the highest public officials about the need to protect the integrity, lives, and property of activists and journalists, as well as to cease targeting campaigns against political dissenters..

- A mechanism should be established to prevent the misuse of regulations and standards in the area of anti-money laundering, and the work of the Administration for the Prevention of Money Laundering and Terrorist Financing should be aligned with FATF standards. Additionally, it is essential to address the "List"<sup>52</sup>, scandal institutionally and to publicly disclose the reasons and outcomes of the proceedings conducted by the Administration. The public should be informed if investigations are still ongoing against the 57 organizations and individuals on the "List."
- To prevent the misuse of rights to restrict public participation, efforts should be made to establish early recognition regulations for SLAPP lawsuits. This regulation should enable early identification of SLAPP lawsuits, their dismissal, cost reductions for defendants, and punitive measures against plaintiffs to protect journalists, media, activists, and CSOs.
- Stronger political support is needed to improve the philanthropic framework with increased incentives for corporate donations, introduction of incentives for individual donations, alignment of the public interest definition across various regulations, and establishment of a system for collecting data on donations.
- Additional qualitative criteria should be developed for CSO participation in the allocation of state funds based on expertise and contributions to areas of public interest, as well as the establishment of a system for efficient and regular data collection on all types of state financing. Efforts should focus on improving mechanisms for the evaluation and monitoring of projects approved through public tenders intended for civil society organizations.
- Additional qualitative criteria should be developed for CSO participation in decision-making processes based on expertise and contributions to areas of public interest, along with the establishment of a system for efficient and regular data collection on CSO and other stakeholder participation in decision-making processes.
- CSOs are advised to consider more flexible and participatory models of management and leadership, diversify funding sources, ensure operational transparency, identify strategic connections with support bases, employ strategic communication with target audiences, pay greater attention to the psychological and health status of employees and activists, strengthen solidarity, engage in strategic networking with other civil society actors, and enhance capacities to improve resilience to various external factors affecting CSO operations..

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<sup>52</sup> The "List" case refers to an event from 2020 when it was reported that all commercial banks in Serbia received a request from the Administration for the Prevention of Money Laundering to provide information about the accounts and banking transactions of 37 civil society organizations, foundations, and media outlets, as well as 20 individuals. The request asked banks to submit all data regarding transactions on domestic and foreign accounts, including the identities of payers and recipients, for the period from January 1, 2019, to the date of the request. The Administration also requested information about safe deposit boxes held by 57 entities on the list. A year later, data from this investigation was published in pro-regime tabloids as part of a campaign targeting civil society organizations.

## DEMOCRATIC CIVIL CONTROL OF THE SECURITY SECTOR <sup>53</sup>

### Introduction

From November 2023 to March 2024, the National Assembly was inactive. Specifically, the XIII convocation of the National Assembly completed its mandate on October 30, 2023, and extraordinary parliamentary elections were held on December 17, 2023, while the XIV convocation of the National Assembly was formed on March 20, 2024. Over the past five convocations (IX–XIII), the average duration of a parliamentary mandate was 2.2 years, and the periods from the announcement of elections to the formation of the next convocation lasted an average of three to five months. This means that the Assembly has been inactive for a total of 20 months over the past ten years.<sup>54</sup> In such circumstances, the parliament cannot effectively perform its supervisory role over the police, military, and security services.

The abuse of parliamentary procedures continued through the denial of speaking rights to opposition members, insults directed at political opponents, and the denial of the right to reply. An opportunity was missed to investigate the circumstances of the multiple murders in May 2023 in Serbia through the Inquiry Committee, which was illegally dissolved. Additionally, the institute of parliamentary questions and the work of relevant parliamentary committees for oversight of the security sector were not adequately utilized but were unfortunately reduced to mere formalities. In the new convocation of the parliament, members only asked questions to government representatives once, while the Committee for the Control of Security Services continued to hold sessions closed to the public.

### Recommendations

- The President of the Assembly should consistently apply the Rules of Procedure and the Code of Conduct for Members of Parliament and enforce them without discrimination, in order to create an atmosphere for discussion in the Assembly and put an end to inappropriate insults among members.
- The Committee for the Control of Security Services and the Committee for Defense and Internal Affairs should act proactively and utilize all powers at their disposal to strengthen oversight of the security sector. Members should propose topics of importance for the agenda of the Committee's sessions, and the committees should thoroughly examine budget proposals.

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<sup>53</sup> Author: Miloš Jovanović, Belgrade Center for Security Policy, Belgrade

<sup>54</sup> Jelena Pejić Nikić (ed.), *PrEUgovor Alarm: Izveštaj o napretku Srbije u Klasteru 1*, Coalition prEUgovor, Belgrade, May 2024, pg. 26.

- In each convocation, the practice should be respected that the presidents of the Committee for the Control of Security Services and the Committee for Defense and Internal Affairs are elected from the ranks of the opposition.

## **PUBLIC ADMINISTRATION REFORM <sup>55</sup>**

### **Introduction**

The Government of Serbia conducted an analysis and evaluation of the effectiveness of the Action Plan for the Public Administration Reform Strategy (PAR) for the period from 2021 to 2030 in the second half of 2023.<sup>56</sup> The Ministry of State Administration and Local Self-Government involved civil society organizations in data collection to gather information on the results and challenges within the PAR. In the previous period, a public discussion was held on the Action Plan for the Implementation of the Local Self-Government System Reform Program for the period from 2024 to 2025, which took place from February 8 to 27, 2024..

The eConsultations Portal<sup>57</sup> in Serbia, which began operating in December 2021, shows inconsistent practices in usage by government authorities. Issues include inadequate use of the Portal, occasional publication of irrelevant information, and a lack of complete documents for consultative processes. Research indicates that public discussions are often only organized at the end of the process, limiting the possibility of amendments to drafts of legal acts.<sup>58</sup>

Positive steps have been taken in the normative aspect of human resource management in public administration. The adoption of amendments to the Law on Employees in Autonomous Provinces and Local Self-Government Units<sup>59</sup>, introduced new competencies in the employee selection process, strengthening the civil service system at the local level. Additionally, the Regulation on Central Personnel Records (CPR) was adopted<sup>60</sup>, establishing a framework for using the human resources management information system. However, no progress has been made in addressing the issue of the excessive number of acting officials in civil service positions.

Citizens' experiences, collected through surveys in front of government authorities and via the online platform [pratimoreformu.rs](http://pratimoreformu.rs) during 2022 and 2023, indicate that 52% of citizens have

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<sup>55</sup> Author: Milica Škorić, European Policy Center, Belgrade

<sup>56</sup> Medium-term analysis and evaluation of the effects of the Action Plan (2021-2025) for the implementation of the Public Administration Reform Strategy in the Republic of Serbia 2021-2030, available at: <https://mduls.gov.rs/publikacije/?script=lat>.

<sup>57</sup> eConsultations Portal, available at: <https://ekonsultacije.gov.rs/>.

<sup>58</sup> National PAR Monitor 2021/22 Serbia, available at: <https://weber-new.s3.us-west-2.amazonaws.com/wp-content/uploads/2023/11/01121756/Nacionalni-PAR-Monitor-1.pdf>.

<sup>59</sup> Law on Employees in Autonomous Provinces and Local Self-Government Units, available at: <https://pravno-informacioni-sistem.rs/eli/rep/sgrs/skupstina/zakon/2016/21/1>.

<sup>60</sup> Regulation on the Central Personnel Records, available at: <https://pravno-informacioni-sistem.rs/eli/rep/sgrs/vlada/uredba/2024/3/7>.

predominantly negative experiences with service delivery, while 47% reported positive experiences. Citizens show a high level of satisfaction with the use of electronic services, believing that the eGovernment portal has expedited and facilitated access to public services. However, negative experiences related to technical barriers in using the portal were also noted.

At the end of 2023, the Government adopted amendments to the Public Financial Management Reform Program for the period from 2021 to 2025. Although the Ministry of Finance organized an event and invited stakeholders, publicly available reports on the collected comments were not published. During the amendments to the Law on Public Procurement, the Government accepted only two of the 35 proposals from the Working Group of the National Convention on the EU. While repealing the law on special procedures for infrastructure projects was a positive step, the adoption of a special law for the EXPO 2027 project once again bypassed the standard public procurement procedures.

### **Recommendations for Public Administration Reform**

- Ministries and other state authorities organizing consultations (and public discussions) should ensure the timeliness and proactivity of their announcements. This means that sufficient time should be dedicated to preparing civil society and other stakeholders, and all available channels should be used for announcing consultations—including at least the websites of the relevant bodies, the eGovernment portal, the website of the body responsible for cooperation with civil society, and the social media of all involved institutions.
- When organizing consultations, contributions and comments from civil society and the public should be sought as early as possible in the process, preferably during the policy formulation phase.
- State administration authorities should, without exception, inform participants about the results of consultations, whether regarding public discussions on draft documents or previously held consultations. Reports on consultations should be published in each individual case, addressing each input and providing explanations for acceptance or rejection, so that the entire process can be easily followed from start to finish, ensuring transparency and clarity.
- The government should introduce a legal obligation for the relevant state administration authority to ensure the quality of processes related to public participation in the development of public policy documents and regulations.
- As in previous years, we emphasize that the government should explicitly limit the duration of temporary employment and establish unambiguous criteria for the selection of

temporary staff in public administration. The duration of all forms of contracts for temporary employment (fixed-term contracts in accordance with the Law on State Employees, contracts for temporary and occasional work, and contracts for work in accordance with the Labor Law) should be legally limited to a maximum of one year, and there should be clear and transparent criteria for the potential renewal of such contracts. The criteria for temporary employment should include requirements and/or competencies that are equal to or similar to those required of civil servants performing tasks of similar complexity.

- With the establishment of the new Central Personnel Records, the Ministry of State Administration and Local Self-Government (MDULS) and the State Administration Department (SUK) should begin regularly publishing, at least basic, statistical data about the civil service and make them available in an open format. Data on the number of civil servants should be classified at least by basic titles/functions, as well as by state administration bodies. Such datasets should also be published on the central Open Data Portal, available for free download and reuse.
- The government should urgently cease the practice of appointing and reappointing acting officials and begin appointing civil servants to positions in accordance with legal provisions.
- Appointments of civil servants should be exempt from the authority of the Government's Personnel Commission. Candidate proposals submitted by heads of state administration bodies, who are filling a vacant position, should be sent directly to government meetings for approval.
- State administration bodies should proactively publish online all information generated in their work that the public has a right to know.
- Further simplify and adapt the eGovernment portal for citizens: ensure that after citizens schedule their appointment through the portal, they receive an SMS message confirming that the scheduling was successful, including the time, address, and name of the authority. This would help prevent situations where officials ignore appointments made through the portal. Ensure that for all payments made through the portal, citizens receive a payment confirmation via SMS. Guarantee that citizens are proactively warned through various communication channels (email, SMS, etc.) about any potential deactivation of accounts on the eGovernment portal, allowing them to take preventive measures.
- Although the eGovernment portal allows users to express their level of satisfaction with the portal through questionnaires, it is necessary to enable users to provide feedback on all

services received. Establish a system for analyzing and utilizing this feedback in the processes of developing and improving electronic services.

- Consider establishing a public service quality control function that would ensure coverage of the entire public administration system—initiate an inclusive consultative process from which a proposal for an optimal organizational model for achieving the quality control function of services would emerge.

## **MULTI SECTORIAL WORKING GROUP FOR SUSTAINABLE DEVELOPMENT**

**Coordinator: CENTER FOR SUSTAINABLE DEVELOPMENT OF SERBIA, Nataša Gligorijević**

### **Introduction**

The Republic of Serbia was one of 193 member states that voted for the adoption of the resolution "Transforming Our World: The 2030 Agenda for Sustainable Development" during the UN General Assembly in September 2015. By doing so, Serbia committed to following a vision of development based on prosperity, which relies on social inclusion, economic development, and environmental preservation. This entails undertaking all necessary measures and activities at the national and local levels to contribute to the achievement of the Sustainable Development Goals (SDGs) and to establish a foundation for development based on the principle of "leaving no one behind," as a fundamental inclusive principle.

Implementing the Sustainable Development Goals is a long-term process, and for the Republic of Serbia, the implementation of the SDGs and European integration represent complementary processes that intertwine with each other. Considering that the implementation of the 2030 Agenda is halfway through, key achievements can be mapped, progress assessed, and reform processes identified that require more intensive work. An institutional network mechanism has been established for the implementation of the 2030 Agenda, as well as a database of indicators for monitoring progress in achieving the SDGs. Additionally, a national strategic framework has been mapped in relation to sustainable development goals to align the planning framework with the 2030 Agenda. The first, and so far only, Voluntary National Review on the implementation of the 2030 Agenda for Sustainable Development was prepared and presented at the United Nations in 2019.

The crisis caused by the COVID-19 pandemic in 2020 slowed down reform processes, progress in implementing the 2030 Agenda, and contributed to negative trends in health, social protection, environmental protection, and the economy.

The following sections will analyze the current state of the established institutional mechanism for the implementation of the 2030 Agenda, the efficiency and transparency of the established system for monitoring and reporting on progress in achieving the Sustainable Development Goals, including how well the planning documents and legal framework align with the 2030 Agenda..

According to the Annual Report on Sustainable Development for 2024,<sup>61</sup> published on [sdgindex.org](https://sdgindex.org), Serbia ranks 35th out of 167 countries assessed based on overall results achieved in implementing the Sustainable Development Goals (SDGs).

The Statistical Office of the Republic of Serbia has published the fourth Report on Progress in Achieving the Sustainable Development Goals for 2023.<sup>62</sup> According to the Report, the following Sustainable Development Goals have been achieved: SDG3, SDG6, SDG8, SDG11, SDG12, and SDG17.

Regarding SDG3, maternal mortality, under-five mortality rates, and neonatal mortality have decreased, remaining below the levels defined as global targets. SDG6 has been achieved through the implementation of global standards for drinking water supply planning in local communities. The development and operationalization of a youth employment strategy indicate the achievement of SDG8. Adopted urban policies and regional development plans demonstrate the achievement of SDG11, while public policies that support sustainable consumption and production reflect the achievement of SDG12. SDG17 has been achieved through a legally regulated statistical framework and the complete registration of the population in birth and death registers following the census conducted in 2022.

### **Recommendations of the Multi-Sectorial Working Group for Sustainable Development**

- Initiate the process of drafting the Development Plan of Serbia as provided by the Constitution of the Republic of Serbia (RS) and the Law on the Planning System of the RS, starting with the adoption of the Decree on the Procedure for Preparing the Draft Development Plan of the Republic of Serbia (Recommendation established: 2021, status: fulfilled 2023).
- Adopt the Spatial Plan of the RS (Recommendation established: 2021, status: unfulfilled).
- Publish the Serbia 2025 Investment Plan on the RS Government's website (Recommendation established: 2021, status: unfulfilled).
- Establish the Council for Sustainable Development within the RS Government or reestablish the Intersectoral Working Group for Sustainable Development (Recommendation established: 2021, status: unfulfilled).
- Define activities for implementing the 2030 Agenda in the RS Government's Work Plan (Recommendation established: 2021, status: unfulfilled).
- Make the work of the Focus Group for Sustainable Development within the National Assembly of RS more transparent and ensure information about the Focus Group's work is publicly accessible (Recommendation established: 2021, status: unfulfilled).

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<sup>61</sup> Sustainable development Report 2024, see at: <https://dashboards.sdgindex.org/static/profiles/pdfs/SDR-2024-serbia.pdf>.

<sup>62</sup> „Izveštaj o napretku u ostvarivanju ciljeva održivog razvoja do 2030. u Srbiji 2023. godine“, Republički zavod za statistiku RS, dostupno na: <https://sdg.indikatori.rs/media/1680/izvestaj-o-napretku-u-ostvarivanju-ciljeva-odrzivog-razvoja-do-2030-godine-u-srbiji-2023.pdf>.

- Create a section for the Focus Group for Sustainable Development on the RS National Assembly website, where members and annual activities related to the implementation of the 2030 Agenda will be published (Recommendation established: 2021, status: unfulfilled).
- Ensure the Focus Group provides input when legislative proposals enter parliamentary procedure regarding the contribution to implementing the 2030 Agenda (Recommendation established: 2021, status: unfulfilled).
- Regularly involve members of the National Convention's Multi-Sectoral Group for Sustainable Development in the activities of the Focus Group for Sustainable Development within the RS National Assembly (Recommendation established: 2021, status: unfulfilled).
- Make the work of the Monitoring Hub transparent and publish all activities conducted to date (Recommendation established: 2021, status: unfulfilled).
- Start the process of preparing the Voluntary National Report through broad public consultations with all stakeholders at the national and local levels (Recommendation established: 2021, status: unfulfilled).
- Enable a higher degree of participation when organizing workshops on Sustainable Development Goals data, focusing on greater and more regular involvement of civil society organizations (Recommendation established: 2021, status: unfulfilled).

## **MULTISECTORIAL WORKING GROUP FOR REGIONAL COOPERATION**

**Coordinator: CENTER FOR DEMOCRACY FOUNDATION, Nataša Vučković**

### **Introduction**

The Multi Sectorial Working Group for Regional Cooperation monitors regional cooperation primarily within the framework of the Berlin Process, as well as other regional initiatives.

The Berlin Process, initiated in 2014 by the Federal Republic of Germany, is a multilateral intergovernmental platform aimed at enhancing regional cooperation in the Western Balkans and promoting cooperation between the European Union and the Western Balkans. The participating countries include Austria, France, Germany, Greece, Italy, Poland, Slovenia, Bulgaria, Croatia, the United Kingdom, and the Western Balkan countries—Albania, Bosnia and Herzegovina, Montenegro, Kosovo\*, North Macedonia, and Serbia. EU institutions, international financial institutions, civil society in the Western Balkans, the Regional Youth Cooperation Office, and the business community are also involved in the process.

The main achievements of the Berlin Process to date include the establishment of the Regional Youth Cooperation Office (RYCO), the agreement on a Common Regional Market, the conclusion of a regional roaming agreement, the creation of green corridors during the COVID-19 pandemic, and more.

In 2023, the Western Balkans and EU Summit was held in Tirana (October 16, 2023). Prior to the Summit, a series of meetings took place: a meeting of the ministers of internal affairs (September 14, 2023), a meeting of the ministers of economy (September 26, 2023), and a meeting of the presidents of parliamentary committees for European integration from Western Balkan countries (October 13, 2023). Several conferences were held, including the conference "Strengthening the Berlin Process through Parliamentary Diplomacy" (September 12-13, 2023), a conference dedicated to science (September 18-20, 2023), and a Youth Forum (October 6-7, 2023). The Civil Society Forum took place just before the Summit, on October 14 and 15, 2023, in Tirana.

At the Summit, the role of the Berlin Process in strengthening regional cooperation and accelerating the integration of the Western Balkans into the European Union was reaffirmed. Progress made, current challenges, and perspectives for regional cooperation were discussed. The main topics were the Common Regional Market, and in the context of the war in Ukraine, energy security and green transition. The economies of the Western Balkans welcomed the Growth Plan in light of the established need to reduce the socioeconomic gap between the EU and the Western Balkans. Special attention was given to youth issues, education, science, and research. The need for increased investment in research activities and innovations was emphasized. Cooperation in supply chains between the EU and the Western Balkans, as well as collaboration in securing raw materials, was also discussed. The establishment of the Western Balkans Cybersecurity Center

represents a significant step forward in preventing organized crime and strengthening cybersecurity.

At the Summit, a Joint Declaration of Intent was adopted: a regional partnership for climate. An "Agreement on Mutual Recognition of Professional Qualifications for Nurses, Veterinarians, Pharmacists, and Midwives" was signed, as well as a Joint Declaration on a Single Euro Payments Market, a Joint Declaration on Trade and Transport Facilitation, and others. Provisions for reduced roaming fees between the EU and the Western Balkans came into effect.

In April 2023, Serbia ratified three signed agreements: the Agreement on the Recognition of Professional Qualifications for Doctors of Medicine, Dentists, and Architects in the context of the Central European Free Trade Agreement (with Annexes I, II, and III), the Agreement on the Recognition of Qualifications in Higher Education in the Western Balkans, and the Agreement on Freedom of Movement with ID Cards in the Western Balkans. The National Assembly adopted a Law on Ratification of the "Agreement on Mutual Recognition of Professional Qualifications for Nurses, Veterinarians, Pharmacists, and Midwives" at the end of September 2024. Bosnia and Herzegovina remains the only country in the region that has not ratified the Agreement on Freedom of Movement with ID Cards, signed in November 2022.

At the Civil Society Forum, recommendations were adopted in several areas. Seven thematic working groups, led by civil society organizations from the Western Balkans, initiated discussions on key topics. These topics include energy, access to the single European market, digitization and connectivity, climate and green agenda, mobility and migration, security and geopolitics, and enlargement policy. These groups jointly formulated political recommendations following a consultation process.<sup>63</sup>

### **Recommendations of the Multi Sectorial Working group for Regional Cooperation**

- Continuously improve regional cooperation through regular political and social dialogue at both bilateral and multilateral levels, focused on addressing open issues and enhancing economic growth and exchanges through joint regional projects, attracting investments, combating poverty and social exclusion, and developing human capital in the region.
- Call on all countries to complete the ratification process of agreements signed within the framework of the Berlin Process.
- Continue the process of developing a Common Regional Market in cooperation with the Regional Cooperation Council (RCC), supporting the creation of regional guidelines and procedures for monitoring foreign direct investments initiated by the RCC, which should ensure transparency of investments.
- Accelerate reforms within the Green Agenda for the Western Balkans through joint projects of the Western Balkan countries, in cooperation with the Regional Cooperation Council.

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<sup>63</sup> See: <https://wb-csf.eu/publications-csf/key-recommendations-of-the-thematic-working-group-on-access-to-european-single-market>.

- Support local companies, civil society organizations, research centers, cities, and municipalities in participating in regional programs aimed at strengthening cooperation in the fields of innovation, human capital development, economic empowerment of women, improving the position of vulnerable groups through employment policies, youth empowerment, and through the Digital Agenda.
- Encourage the continuation of reforms in the areas of democratization, rule of law, anti-corruption, and public policies that will responsibly and long-term address the issues of depopulation and migration through the Berlin Process and other regional initiatives, accelerate reforms in energy transition, sustainable development, with an emphasis on just transition, and address remaining open issues in the region.
- Continuously involve civil society in consultations related to summits and meetings held within the framework of the Berlin Process, as well as for other regional initiatives, through the National Convention on the EU, ensuring active participation of civil society within the Civil Society Forum of the Berlin Process, as well as through other cooperation platforms.