3 July 2026

Information note on recent developments in Serbia relevant to Cluster 3

As indicated in the Commission statement of 17 December 2024 on the Accession Negotiations with Serbia, this note informs the Council of the recent developments relevant to the opening of Cluster 3 (Competitiveness and Inclusive Growth).

Cluster 3 State of play

Cluster 3 comprises 8 chapters, 5 of which have already been opened under the previous enlargement methodology. Of the three remaining chapters, the Commission assessed that Serbia fulfilled the opening benchmarks for chapters 19 (Social policy and employment) and chapter 16 (Taxation) in 2020 and 2021 respectively. No opening benchmarks had been established for chapter 10 - Digital Transformation and Media. The Draft Common Position (DCP) for chapter 10 has been in the Council since 2021, for chapters 16 and 19 since January 2025. Accordingly, for more than four years, the Commission has consistently assessed that, from a technical perspective, Cluster 3 is ready to be opened.

In accordance with the negotiating framework endorsed in January 2014, the revised enlargement methodology endorsed by the Council in March 2020 and its application to Serbia, approved by the Council in May 2021, progress across the accession negotiations must remain balanced with progress under the rule of law chapters and the normalisation of relations with Kosovo*.

To facilitate discussions in the Council on the opening of Cluster 3, a non-paper prepared by Serbia was circulated to the Member States in November 2024 outlining a set of measures to address Member States' concerns with regard to Serbia's commitment to its EU path.

It is to be noted that these measures extended beyond the fundamentals and the Belgrade-Pristina Dialogue, to include most notably foreign, energy and visa policy. These measures are therefore beyond the scope of cluster 3 itself. It is to be noted that such considerations have not been discussed when considering the opening of clusters for other candidate countries.

Serbia has recently implemented substantial elements of the commitments contained in its non-paper.

Recent developments, have brought renewed focus to four key priorities: 1. the reversal of the problematic amendments to the key judicial laws adopted in January 2026 in accordance with the Venice Commission's recommendations on these amendments, 2. media freedom, most notably the appointment of the new Council of the Regulatory Authority for Electronic Media (REM), 3. electoral framework and 4. alignment with the EU's Common Foreign and Security Policy (CFSP).

These key priorities were highlighted by EU Member States and European Commission, including on the occasion of the EU-Western Balkans Summit in Tivat on 5 June 2026.

* This designation is without prejudice to positions on status and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

Four key priorities

In light of the above, the Commission informs the Council of the following recent progress on the above-mentioned key priorities:

1. **Judiciary**

Following the Venice Commission's opinion of 24 April on the four judicial laws and according to the follow-up opinion of 16 June, Serbia has fully implemented all of the Venice Commission's recommendations that required immediate follow-up, both as regards the legislative and non-legislative aspects. In May and June 2026, Serbia prepared new draft amendments and took other non-legislative measures, which the Venice Commission in its follow-up opinion of 16 June 2026 regarded as addressing a considerable part of its recommendations.

The amendments were subsequently adopted on 25 June 2026. Among the non-legislative measures, between March and June 2026, the High Prosecutorial Council (HPC) has re-appointed all the prosecutors seconded to the Prosecutors Office for Organised Crime (POOC) whose secondments were terminated on 11 March 2026, following which one further Venice Commission recommendation can be considered fully met. Moreover, in total, the HPC has increased the number of prosecutors from 20 (before the judicial amendments) to 24 (of which 15 are seconded and 9 permanent), which will considerably enhance the capacities of the POOC. In its follow up opinion, the Venice Commission welcomed the measures taken by the authorities to strengthen the capacity of the POOC by assigning additional prosecutorial staff. The Venice Commission also acknowledged Serbia's efforts on the outstanding aspects of the two partially implemented recommendations at this moment in time (related to the Special Department for Cybercrime and judicial and prosecution remapping that require further work to be carried out in the next months) and welcomed Serbia's commitment to implement them swiftly.

Moreover, the follow-up opinion by the Venice Commission of 15 June on the Law on the Judicial Academy assesses that Serbia has, in its new draft amendments on this law, implemented the recommendation of the Venice Commission's 9 December 2024 opinion to make the Judicial Academy the sole entry point into the judicial and prosecutorial professions. At the same time, the Venice Commission assesses two key recommendations as not implemented: to elaborate on and clarify the procedures related to the exercise by the judicial and prosecutorial councils of the specific competences granted to them in relation to the Judicial Academy, and to consider removing the ex officio participation of the Minister of Justice from the Management Board of the Judicial Academy. Serbia has prepared additional draft amendments, which aim to meet the latter recommendation by replacing the Minister of Justice with another member appointed by the government from among professors or scientific professionals in the field of legal sciences. Serbia has requested a third follow-up opinion of the Venice Commission on these draft amendments.

On 25 June, Serbia also adopted two "operational plans" on legislation and strategies related to the outstanding interim benchmarks for rule of law under chapters 23 and 24 ("IBMs").

Following these actions the Commission assesses that Serbia has remedied the backsliding which occurred in January 2026 and took measures to strengthen the capacity of the POOC even if further work is still required in the judicial and prosecutorial system.

2. Media freedom and election of the Regulatory Authority for Electronic Media (REM) Council

The long-standing deadlock, in establishing the new REM Council, which has persisted since November 2024, has been unblocked.

On 25 June, the parliamentary Culture & Information Committee endorsed the proposal of an opposition MP to invite the 4 candidates who resigned in late 2025 to return to the Council. The Committee also returned the REM statute and invited the new REM Council to draft a new statute. Finally, the Committee suspended the procedure for nominating a candidate for the REM Council on behalf of the national minority councils (NMC) until after the elections of new NMCs are held in autumn this year. The latter is a reasonable step addressing the contested nomination of the ninth member of the REM Council considering that candidates nominated by the outgoing NMCs would have less legitimacy and would be less representative than the ones nominated after upcoming NMCs elections are completed. After the respective 4 elected candidates demanded further legal clarity in order to return to the process, Parliament Speaker issued a statement on 30 June, committing to table an "authentic interpretation" of the respective provisions of the Law on electronic media for adoption by plenary, to address these legal concerns and allow the 4 candidates to take up their mandates. The next step would be for the 4 candidates who resigned in late 2025 to submit a statement whereby they accept to become REM members. At that point, with 8 members, the REM Council would be fully functional.

With these recent developments, the authorities and the Parliament have taken a constructive approach and the necessary technical steps under their control to allow for the return of the 4 REM Council Members who resigned previously and allow for the start of the REM Council's important work.

3. Electoral reform

Serbia has made significant progress during 2026 in addressing key ODIHR recommendations concerning revision of the legislation relevant for electoral framework. In May 2026, amendments to four election related laws (on election of MPs, on election of President, on local elections and on the Constitutional Court) were adopted. Two more important and substantial laws are under preparation (Law on financing of political activities and on prevention of corruption), on which Serbia obtained ODIHR opinions on 11 May 2026 and 26 June 2026, respectively. On 29 June, ODIHR issued a follow-up opinion on the Law on financing of political activities.

Important progress has also been achieved on the audit of the voter register. Following the adoption of the Law on the Unified Voter Register in November 2025 and the appointment of the audit commission which includes members nominated by the opposition and CSOs, the commission started its work in spring 2026 in a constructive atmosphere. In late June, the authorities engaged constructively with the Members of the Commission to solve the issue of a meaningful access to the data that would allow a comprehensive and meaningful audit to take place, most notably to work on IT solutions to allow safe access to cross check data from different registries which should be completed within 2 months. They also committed to promptly grant the commission same access to registers as that of the administrators at local level.

On 23 June, the Parliament Speaker invited the **OSCE/ODIHR** to conduct the usual **Needs Assessment Mission (NAM)**, a requirement for a future ODIHR-led election observation mission. This is an important step to ensure timely a fully-fledged international election observation mission.

4. **Alignment with the Common and Foreign Security Policy**

As of 3 July 2026, Serbia's alignment with the EU's Common Foreign and Security Policy stands at 63% and has notably improved from 46% in 2022 which was an all-time low since the start of the accession negotiations with Serbia. The alignment rate has not seen a consistent upwards trend over time, fluctuating between 51 % and 67 % since. Serbia continues to resort to retroactive alignment. It is currently not aligning with the statements by the High Representative on behalf of the EU and the EU's restrictive measures against Russia, Belarus and China.

Notwithstanding the fact that Serbia has not yet aligned with the EU sanctions against Russia related to its war of aggression against Ukraine, Serbia cooperates with the EU on countering sanctions circumvention, provides substantial support to Ukraine and has intensified its cooperation with Ukraine, including through contacts at highest levels.

Other elements from Serbia's cluster 3 non-paper

Commitment on meeting the rule of law interim benchmark and speeding up the preparations for membership

While additional efforts remain necessary, some reforms have accelerated since the beginning of 2026, supported by establishment of a new operational team, notably in terms of legislative and strategic preparatory work. On the objective to meet the interim benchmarks for rule of law related to chapters 23 and 24 ("IBMs"), Serbia has drawn up and adopted two "operational plans" listing the laws and strategies and has consulted the Commission recently on several draft laws and strategies. A critical number of IBMs still need to be fulfilled, as they require both the adoption of the laws and strategies and, for a number of IBMs, a credible track record.

Belgrade-Pristina Dialogue

The Commission can also inform the Council that Serbia continues to engage in the **EU-facilitated Dialogue** as confirmed by the European External Action Service (EEAS) and the EU Special Representative for the Belgrade-Pristina Dialogue.

Energy

Serbia has demonstrated commitment to diversifying away from Russian gas, outlining an ambitious infrastructure agenda to open new supply routes and reinforce existing ones. These include two gas interconnectors with North Macedonia and Romania, and internal reinforcements that would allow the Bulgaria-Serbia gas interconnector ("IBS") to reach its full capacity. On gas unbundling, in December 2025 Serbia adopted legislation aimed at finalising this process. Steps included the legal and functional unbundling of Srbijagas and the establishment of a daughter company – 'Gas Infrastruktura' – which is now the owner of gas transmission infrastructure. The Energy Community Secretariat confirmed that the unbundling process is now completed, and the Transmission System Operator (TSO), Transportgas Srbija d.o.o. Novi Sad, has been certified by the Energy Agency of the Republic of Serbia (AERS) under the Independent System Operator model. Moreover, the IBS is now commercially fully operational. Serbia is finalising technical preparations to ensure transparent and non-discriminatory third-party access, through the use of the EU-compliant Regional Booking Platform for the allocation of capacities. Serbia has also made progress on its commitment to have a single TSO operating the entire transmission network, notably by launching preparations for the construction a new pipeline set to replace a section of the network majority owned by Russia's Gazprom. Serbia is in advanced negotiations with the World Bank to secure financing for this project, and a decision by the Board is expected in autumn this year.

Visa policy and extradition

Serbia delivered beyond its stated non-paper commitment on aligning its visa regime with that of the EU, by aligning its list on four instead of three countries. There are now twelve countries remaining for Serbia to be fully aligned with the EU's visa-free list. Serbia is also engaging with the Commission on questions related to the awarding of Serbian citizenship to Russian citizens through a special procedure, an issue which will require further monitoring. On extradition policy, no further controversial cases were reported that would indicate a departure from EU and international standards.

Conclusion

In light of the above, the Commission is of the view that cluster 3 should be opened in July 2026 considering Serbia's efforts on key matters and that the overall balance necessary for this step is currently ensured. The Commission will continue to remain strongly engaged to ensure that Serbia delivers on the expected reforms.