

Mandates of the Special Rapporteur on the right to education; the Special Rapporteur in the field of cultural rights and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Ref.: AL SRB 1/2026
(Please use this reference in your reply)

26 January 2026

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the right to education; Special Rapporteur in the field of cultural rights and Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, pursuant to Human Rights Council resolutions 53/7, 55/5 and 52/9.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **the Government's decision of 6 November 2025 to establish a "Faculty of Serbian Studies" by removing the departments of History, Serbian Language and Literature, and Russian Language and Literature from the Faculty of Philosophy of the University of Niš, without the involvement or consent of the competent university bodies. We also note that this action appears to form part of a broader pattern of measures affecting academic freedom and the independence of academic institutions in Serbia.**

Similar allegations have previously been considered by Special Procedures Mandate Holders in communications [AL SRB 6/2025](#) and [AL SRB 2/2025](#) regarding the situation on the student-led protests in the country and the threats to academic freedom. We regret the absence of a response from your Excellency's Government to one of those communications, and we encourage a substantive reply to the present communication as well as to those that remain unanswered.

Additionally, we recall that Special Procedures mandate holders publicly expressed concern in August 2025 regarding reports of retaliation and intimidation against students, educators, human rights defenders and members of the academic community, and urged your Excellency's Government to ensure their safety, uphold academic freedom, and engage in meaningful dialogue with academic institutions¹. The present allegations appear to raise similar and continuing concerns.

According to information received:

Context

Since late 2024, the Republic of Serbia has experienced a nationwide wave of student-led protests following the collapse of a concrete canopy at the renovated Novi Sad railway station, which resulted in the deaths of 16 individuals. The tragedy sparked widespread public outrage amid allegations of corruption, lack of transparency, and negligence in public construction projects.

¹ [Serbia must halt crackdown on student movement, uphold human rights and academic freedom: UN experts | OHCHR](#)

In the months that followed, students across Serbia organized peaceful protests demanding accountability, transparency and systemic reforms, including increased funding for higher education and respect for university autonomy. What began as local commemorative actions developed into a broad national movement involving students, academic staff and citizens in more than 400 municipalities.

Universities and faculties throughout Serbia became central spaces for peaceful assemblies, student blockades and public debate. In this context, several academic institutions reportedly expressed public support for students' demands. According to the information received, these developments were accompanied by an increase in government pressure on academic institutions, including public stigmatization, financial restrictions, police presence on campuses, and other measures allegedly aimed at dismantling the autonomy and dignity of the academic profession.

In particular, on 1 January 2026, the Ministry of Finance introduced the SPIRI system, centralizing all faculty funds through a single account and shutting down existing faculty accounts. Reports indicate that this system does not account for the complexity of university financing, including international and EU-funded research projects, Science Fund projects, and other ministry allocations. Faculties have expressed concerns that the SPIRI system could jeopardize scientific research, hinder timely payments for salaries and project expenditures, and effectively end the financial autonomy of universities. Staff have also reportedly received inadequate training and guidance for the new system, and universities fear that compliance with SPIRI's procedural requirements, including prior approval for invoices above 100,000 dinars, may be impossible, potentially causing administrative gridlock and disruption of academic and research activities.

Removal and transfer of three departments from the Faculty of Philosophy of the University of Niš without academic consent

On 6 November 2025, the Government of the Republic of Serbia adopted a Decision on the Establishment of the "Faculty of Serbian Studies" at the University of Niš. The decision was reportedly taken without the consent of the University Council, the Faculty Council of the Faculty of Philosophy, the Academic Board, or the affected academic community, and in disregard of objections raised during prior dialogue between the Ministry of Education and the University of Niš.

However, while the new faculty has been officially established, it remains unclear who will teach there or where it will be ultimately located. Initial plans reportedly envisaged the faculty operating within the same building as the Faculty of Philosophy, but current indications suggest it may be relocated to a separate building. Reports indicate that two thirds of the academic staff have refused to transfer to the new faculty and that students have stated they will not continue their studies there, raising serious concerns about the continuity of study programmes and the ability of affected students to complete their degrees.

The information received indicates that this measure interferes with the Faculty of Philosophy's autonomy to determine its internal organization, academic programmes, and management of its property, as guaranteed under article 72 of the Constitution of the Republic of Serbia and article 6 of the Law on Higher Education. It is further alleged that the decision undermines students' right to complete the programmes and degrees in which they originally enrolled, as well as the labour rights of academic staff.

Concerns have also been raised regarding the composition of the governing council of the newly established faculty, which is reportedly composed entirely of individuals aligned with the ruling political authorities, suggesting that the decision may be politically motivated rather than based on academic or educational considerations.

While we do not wish to prejudge the accuracy of these allegations, we wish to express our serious concern regarding the reported removal and transfer of three departments from the Faculty of Philosophy at the University of Niš and the establishment of a new "Faculty of Serbian Studies" without the involvement or consent of the competent university bodies. We are particularly concerned that these measures appear to directly interfere with the autonomy of the institution, undermine academic freedom, and affect the rights of students and academic staff, including their ability to participate in decision-making and pursue teaching, learning and research without undue interference or fear of reprisal.

We would like to draw your attention to article 13 of the International Covenant on Economic, Social and Cultural Rights, ratified by Serbia on 12 March 2001, recognizing the right of everyone to education. As noted by the Committee on Economic, Social and Cultural Rights, the right to education can only be enjoyed if accompanied by the academic freedom of staff and students, which "requires the autonomy of institutions of higher education. Autonomy is that degree of self-governance necessary for effective decision-making by institutions of higher education in relation to their academic work, standards, management and related activities. Self-governance, however, must be consistent with systems of public accountability, especially in respect of funding provided by the State. Given the substantial public investments made in higher education, an appropriate balance has to be struck between institutional autonomy and accountability. While there is no single model, institutional arrangements should be fair, just and equitable, and as transparent and participatory as possible." (Ibid. paras. 38-40).

We would also like to underline that the UNESCO Recommendation concerning the Status of Higher Education Teaching Personnel points out that higher-education organizations should be considered and recognized as a force which can contribute greatly to educational advancement and which should, therefore, be involved in the determination of higher education policy (para. 8). The Recommendation underlines the importance of guaranteeing the autonomy of institutions as a precondition to guarantee the proper fulfilment of the functions entrusted to higher education teaching personnel and institutions (para. 18). This obligation implies that states will protect the autonomy of educational institutions from any threat, and they cannot limit the rights of higher-education teaching personnel (para. 19 and 20). Universities need a system of accountability to ensure that they address themselves to the contemporary problems

facing society, and higher education personal should participate in the planning of such systems (para. 22m and 24). All higher education personnel have the right to fulfil their function without fear of repression by the state or any other source (para. 27). Finally, no member of the academic community should be subject to discipline, including dismissal, except for just and sufficient cause demonstrable before an independent third-party hearing of peers, and/or before an impartial body such as arbitrators or the courts (para. 48).

In addition, academic freedom is also to be protected under article 19 of the International Covenant on Civil and Political Rights (ICCPR), ratified by Serbia on 12 March 2001, relating to the right to freedom of opinion and expression. According to the Special Rapporteur on the right to freedom of opinion and expression, States are under a positive obligation to create an institutional protection and autonomy environment for individuals to seek, receive and impart information and ideas (A/75/261, paras. 10 and 56 (3)). To that end, States should not retain excessive powers over the hiring of personnel of the institutional leadership; otherwise, it would be inconsistent with academic criteria and reflect political control rather than the advancement of learning (paras. 12 and 34). Academic institutions should retain autonomy in their administrative, financial, pedagogical and disciplinary functions, but they should also adopt and enforce policies that ensure the protection of the free expression rights of the members of their communities, resisting official or social pressure and promising human rights compliance institutionally (para. 13).

Finally, we remain concerned by the broader context in which this event appears to have occurred, marked by increasing government pressure on academic institutions in Serbia. Such measures not only threaten academic freedom on a national scale but also raise serious concerns regarding the independence of universities, the rule of law, and the principles of democratic governance, as they create an environment in which institutional autonomy, open debate, and the protection of fundamental rights may be systematically undermined.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please clarify the legal and administrative basis for adopting the Decision on the Establishment of the “Faculty of Serbian Studies” without the prior involvement or consent of the University Council, the Faculty Council of the Faculty of Philosophy, the Academic Board, or the affected academic community. Please specify how this decision, together with the decision to unilaterally transfer departments, study programmes, students, and academic staff to the newly established Faculty, respect the principles of institutional autonomy and university

self-governance as recognized under Serbian law and international standards.

3. Please indicate what measures your Excellency's Government plans to undertake to ensure that students affected by the reported removal and transfer of departments are able to complete their current study programmes, receive their degrees as originally enrolled, and continue their education without disruption, and how their academic rights will be safeguarded in this process.
4. Please explain the process followed for the nomination of the governing council of the newly established faculty and the extent to which this has been in accordance with the principle of institutional autonomy.
5. Please indicate how your Excellency's Government is ensuring that academic governance, financial arrangements, faculty appointments, and the establishment of new institutions respect internationally recognized standards on the independence of higher education institutions, including safeguards against political interference, retaliation, or undue influence in academic decision-making.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

Please accept, Excellency, the assurances of our highest consideration.

Farida Shaheed
Special Rapporteur on the right to education

Alexandra Xanthaki
Special Rapporteur in the field of cultural rights

Irene Khan
Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Annex

Reference to international human rights law

In connection with the above-mentioned allegations and concerns, we wish to recall that Serbia is bound by its obligations under international human rights law to respect, protect, and fulfil the right to education, including its essential component of academic freedom and the autonomy of higher education institutions. These obligations apply at all times and may not be restricted except in strict accordance with international human rights law.

We would like to draw your Excellency's Government's attention to article 13 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), ratified by Serbia on 12 March 2001, which recognizes the right of everyone to education. As clarified by the Committee on Economic, Social and Cultural Rights, academic freedom is an integral element of the right to education and includes the liberty of individuals to express freely opinions about the institution or system in which they work, to fulfil their academic functions without discrimination or fear of repression by the State or any other actor, to participate in professional or representative academic bodies, and to enjoy all internationally recognized human rights applicable to others in the same jurisdiction (general comment No. 13, para. 39). The Committee further emphasized that the enjoyment of academic freedom entails corresponding obligations, including respect for the academic freedom of others, the fair discussion of contrary views, and non-discrimination. The Committee has also underlined that "the enjoyment of academic freedoms requires the autonomy of institutions of higher education," defining autonomy as the degree of self-governance necessary for effective decision-making by higher education institutions in relation to their academic work, standards, management, and related activities (*Ibid.*, para. 40). While institutional autonomy must be balanced with public accountability, particularly where public funding is involved, such arrangements must be fair, transparent, participatory, and free from undue political interference.

We also recall the report of the Special Rapporteur on the right to education on academic freedom (A/HRC/56/58), which emphasizes that institutional autonomy is a core and indispensable condition for the effective enjoyment of academic freedom (paras. 48–50). The report stresses that autonomy requires genuine self-governance, including with regard to the appointment, tenure and removal of institutional leaders and governing bodies, and that rules and practices governing hiring, working conditions, admissions, promotion, tenure, dismissal, and the determination of academic, research and teaching content must be free from political or other external interference or discrimination (para. 48). It further underlines that all academic, research and teaching institutions should enjoy autonomy and self-governance, noting that serious violations occur where State authorities exercise direct or indirect control over institutional leadership or governance structures (para. 49). The Special Rapporteur additionally clarifies that institutional autonomy should be understood as instrumental to academic freedom, and that both public and private higher education institutions may engage in practices that undermine academic freedom, thereby requiring robust State regulation in line with human rights standards (para. 50).

These findings are reinforced by the Principles for Implementing the Right to Academic Freedom, which provide clarity regarding the content, scope, and status of academic freedom.

- Principle 1(a) establishes that protection for academic freedom must include the freedom to access, disseminate and produce information; think; and develop, express, apply and engage with a diversity of knowledge within or related to one's expertise or field of study, whether inside the academic community ("intramural expression") or outside, including with the public ("extramural expression"). Principle 1(b) extends this protection to inquiry, expression, or other activity related to the conditions, actions, or policies of academic, research, or teaching institutions.
- Principle 2 affirms that academic freedom is protected by existing international human rights standards and international education principles.
- Principle 3 emphasizes that the protection, promotion, and enjoyment of academic freedom require the autonomy of academic, research, and teaching institutions. In particular, rules and practices for determining academic, research, and teaching content, curricula, and materials must be free from political or outside interference or discrimination (f).
- Principle 4 recognizes that academic, research, and teaching staff and students have the right to engage in expression and discourse with persons and groups inside and outside the academic sector.
- Principle 5 states that enjoyment of academic freedom requires respect for the right to information, sources of information, and the tools, materials, and methods necessary to gather, develop, interpret, and share information and ideas.
- Principle 6 affirms that academic freedom requires freedoms of movement and of association.
- Principle 7 recognizes that academic freedom is essential to all levels of education, from early childhood through adult education, and all types of academic research and teaching institutions.
- Principle 8 specifies that students, as members of educational communities, also enjoy the right to academic freedom.
- Finally, principle 9 establishes that the State bears the primary responsibility to protect, promote, and fulfil all human rights, including academic freedom, and that everyone has a right and responsibility, individually and in association with others, to respect, promote, and strive for the protection and realization of human rights and fundamental freedoms at the national and international levels.

Furthermore, in accordance with article 15(3) of the ICESCR, States have undertaken to respect the freedom indispensable for scientific research and creative activity. The Special Rapporteur in the field of cultural rights stressed that scientific freedom involves respecting the autonomy of higher education institutions and the freedom of faculty and students to, *inter alia*, express opinions about the institution or system in which they work, and to fulfil their functions without discrimination or fear of repression by the State or any other actor (A/HRC/20/26, para. 40).

We also recall the UNESCO Recommendation concerning the Status of Higher Education Teaching Personnel, which affirms that higher education institutions should be recognized as key contributors to educational advancement and should therefore be involved in the determination of higher education policy (para. 8). The recommendation stresses that institutional autonomy is a necessary precondition for the proper fulfilment of the functions entrusted to higher education teaching personnel and institutions (para. 18), and that States have an obligation to protect this autonomy from threats or interference (paras. 19–20). It further affirms the right of higher education personnel to carry out their functions without fear of repression by the State or any other source (para. 27), and that disciplinary measures affecting members of the academic community must be based on just and sufficient cause and subject to independent and impartial review (para. 48).

In addition, academic freedom is protected under article 19 of the International Covenant on Civil and Political Rights (ICCPR), ratified by Serbia on 12 March 2001, which guarantees the right to freedom of opinion and expression. In this regard, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression has affirmed that States are under a positive obligation to create and maintain an institutional environment that protects autonomy and enables individuals to seek, receive, and impart information and ideas without interference (A/75/261, paras. 10 and 56 (3)). The Special Rapporteur has further cautioned that excessive State control over academic leadership, governance, or institutional decision-making risks reflecting political influence rather than academic criteria and is incompatible with academic freedom (*Ibid.*, paras. 12 and 34). Academic institutions must retain autonomy in their administrative, financial, pedagogical, and disciplinary functions, while also adopting policies that actively protect freedom of expression and resist undue official or social pressure (*Ibid.*, para. 13).