

Freedom in the World 2014 - Serbia

2014 Scores

Status: Free

Freedom Rating (1 = best, 7 = worst): 2.0

Civil Liberties (1 = best, 7 = worst): 2

Political Rights (1 = best, 7 = worst): 2

Explanatory Note:

The ratings through 2005 are for the State Union of Serbia and Montenegro. Kosovo is examined in a separate report.

OVERVIEW

In late June, just over a year after Serbia had won European Union (EU) candidacy status, the EU agreed to begin membership talks with the country by January 2014. At a December meeting in Brussels, EU foreign ministers scheduled the opening conference for January 21. The political milestone came primarily as a result of significant progress in an EU-led "dialogue" designed to improve relations between Serbia and Kosovo, which had unilaterally declared independence from Serbia in 2008.

After many setbacks in the dialogue, launched in 2011, Serbian prime minister Ivica Dačić and his Kosovo counterpart, Hashim Thaçi, reached a landmark agreement in Brussels in April 2013. Under the complex deal, Belgrade effectively agreed to recognize the Kosovo government's authority in Kosovo's ethnic Serb enclaves. In exchange, Priština agreed to grant the Kosovo Serb community, which comprises about 9 percent of Kosovo's population, increased autonomy. The agreement aimed to weaken parallel health, education, and other state structures that Belgrade has long funded in a largely Serb enclave located to the north of the Ibar River in Kosovo. Dačić and Thaçi also agreed that their respective countries would not block the other's EU bid, though Belgrade continues to maintain that it will never recognize Kosovo's independence. The dialogue continued throughout 2013, as Serbian and Kosovo leaders worked to implement the April agreement's technical provisions.

Also in April, Serbian president Tomislav Nikolić, a former ultranationalist, made further headway on improving neighborly relations by apologizing for Serbia's role in the 1995 Srebrenica massacre of some 8,000 Bosnian Muslim men and boys by Bosnian Serb forces, the worst atrocity committed on European soil since World War II. However, Nikolić refused to acknowledge that the killings constituted an act of genocide, even though it had been recognized as such by both the International Criminal Tribunal for the former Yugoslavia (ICTY) in The Hague and the International Court of Justice, the United Nations' primary judicial body.

In September, Serbian authorities canceled a Belgrade gay pride parade for the third straight year, citing lingering security concerns following violent counterdemonstrations at the 2010 event. In October, the government announced that it would implement a package of public-sector wage cuts, tax hikes, and other emergency measures designed to shore up an economy facing recession and double-digit unemployment rates. Without these austerity measures, Finance Minister Lazar Krstić warned, Serbia would go bankrupt within two years. Furthermore, Deputy Prime Minister Aleksandar Vučić in December indicated that Serbia planned to open negotiations with the International Monetary Fund (IMF) on a new aid package in early 2014.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights: 30 / 40

A. Electoral Process: 9 / 12

The National Assembly is a unicameral, 250-seat legislature, with deputies elected to four-year terms according to party lists. The prime minister is elected by the assembly. The president, a largely ceremonial post, is elected for up to two five-year terms. International monitors have deemed recent elections largely free and fair.

In April 2011, the Constitutional Court clarified and extended its 2010 decision to prohibit a practice whereby politicians elected on a party ticket had to file a letter of resignation with the party before taking office. This had allowed party leaders to replace elected officials who proved disloyal. The court declared the system unconstitutional and invalidated any postelection reallocation of parliamentary seats.

In May 2012, Nikolić's opposition Serbian Progressive Party (SNS) – which had emerged as a moderate offshoot of the ultranationalist Serbian Radical Party in 2008 – and its allies led parliamentary elections with 73 seats. The ruling bloc headed by the Democratic Party (DS) took 67 seats, followed by the Socialist Party of Serbia (SPS) with a surprisingly strong 44 seats. Later that month, Nikolić upset incumbent and DS leader Boris Tadić in a presidential runoff with 51.2 percent of the vote. In July, the SNS formed a coalition with the SPS, whose strong performance in the elections had made it the kingmaker in any future government; Dačić, the SPS president and a onetime spokesman for former authoritarian leader Slobodan Milošević, became prime minister. The DS went into opposition, and Tadić effectively assumed blame for its electoral loss by giving up the party leadership that November.

B. Political Pluralism and Participation: 14 / 16

Under Serbia's multiparty system, the leading factions compete for influence, and a single party has rarely dominated the legislative and executive branches simultaneously since Milošević's ouster amid massive demonstrations in 2000. An exception came after elections in 2007 and early 2008, when the DS controlled the presidency, the premiership, and a working parliamentary majority. Despite concerns that Serbia would take a more nationalist tack given the results of the 2012 elections, the country remained on the path to EU integration.

Of Serbia's 91 registered political parties, 53 represent minorities. Parties representing pensioners, veterans, and ethnic groups such as Bosniaks and Roma sit in the current government coalition. Nevertheless, ethnic minorities have a relatively muted voice in Serbian politics in practice.

C. Functioning of Government: 7 / 12

Corruption remains a serious concern, but the European Commission (EC) noted some improvements in its 2013 progress report. In 2013, Belgrade adopted a new anticorruption strategy and action plan to last through 2018; meanwhile, several notable high-profile corruption cases were prosecuted. During the year, criminal charges were filed against two former ministers, and a former high-level judicial official was convicted of abuse of office and sentenced to six and a half years in prison. However, implementation of anticorruption legislation is relatively weak, law enforcement agencies need to take a more proactive approach, and the judiciary has yet to establish a track record of convictions in corruption cases, according to the EC. Serbia was ranked 72 out of 177 countries and territories surveyed in Transparency International's 2013 Corruption Perceptions Index.

Civil Liberties: 48 / 60

D. Freedom of Expression and Belief: 15 / 16

The press is generally free, although most media outlets are thought to be aligned with specific political parties. In May 2011, public broadcaster RTS apologized for its role in supporting authoritarian governments during the 1990s, but advocacy groups noted that RTS remains subject to strong government influence. Funds for media advertising are controlled by a few economic and political actors, creating incentives for self-censorship. Media ownership is not fully transparent. Journalists face threats and even attacks, which also lead to self-censorship. The government in 2013 made no progress on implementation of its 2011 media strategy, the EC has noted. In a positive development, the government decriminalized defamation in December 2012; authorities had previously claimed that decriminalization was not a condition for EU membership. Internet access is unrestricted.

The constitution guarantees freedom of religion, which is generally respected in practice. Acts of religiously motivated discrimination continued to decline in 2013, but remain a concern. Critics say the 2006 Law on Churches and Religious Communities privileges seven "traditional" religious communities by giving them tax-exempt status, while forcing other groups to go through cumbersome and inconsistent registration procedures. However, in 2012, the Constitutional Court ruled that the law was constitutional and not discriminatory. Relations between factions within the Muslim community in the largely Bosniak region of Sandžak – and between one of the factions and the Serbian government – have deteriorated in recent years, but did not worsen in 2013. There were no reports of government restrictions on academic freedom in 2013. In Sandžak, a Bosnian-language school curriculum was introduced in 2013.

E. Associational and Organizational Rights: 10 / 12

Citizens enjoy freedoms of assembly and association, though a 2009 law bans meetings of fascist organizations and the use of neo-Nazi symbols. In recent years, the LGBT (lesbian, gay, bisexual, and transgender) community's right to assembly has been restricted. In September 2013, authorities

in the capital banned a scheduled gay pride parade due to security concerns. The 2010 parade was attacked by several thousand counterdemonstrators, and Belgrade has banned the event three years running despite the objection of rights groups. Nevertheless, hundreds of gay activists defied the 2013 ban and marched in Belgrade on September 28.

Radical right-wing organizations and violent "sports fans" remain a serious concern. Foreign and domestic NGOs generally operate freely. Workers may join unions, engage in collective bargaining, and strike, but the International Confederation of Trade Unions has reported that organizing efforts and strikes are substantially restricted in practice.

F. Rule of Law: 10 / 16

In July 2012, the Constitutional Court abrogated a controversial reappointment procedure in effect during 2009 and 2010 that cost hundreds of judges and prosecutors their jobs, and the officials who had appealed their "nonreappointment" were reinstated. To reintegrate these judges and prosecutors, the government announced plans in October 2012 to roughly double the court network in 2013, in what was also described as an effort to improve citizens' access to justice following a 2010 judicial overhaul that merged the country's 138 municipal courts into just 34 basic courts. The parliament in November 2013 then approved legislation by which the court network would be expanded to 66 basic courts in January 2014. In addition, Serbia would no longer administer courts in northern Kosovo, according to the legislation, which is part of the government's 2013-18 judicial reform strategy to improve independence, competency, and efficiency. The strategy also calls for strengthening the High Judicial and State Prosecutorial Councils.

Despite these positive steps, the judiciary is vulnerable to political influence, especially regarding appointments, and efficiency remains problematic, with the case backlog standing at over 3 million at the end of 2012. Prisons generally meet international standards, though overcrowding is an issue, and health care facilities are often inadequate. A national amnesty of 3,600 prisoners in 2012 had an immediate impact on overcrowding, the EC said.

Ethnic minorities are underrepresented in government. The country's main minority groups are the Bosniaks (Muslim Slavs), concentrated in the Sandžak region; and the Hungarian community, concentrated in Vojvodina. Serbia is also home to Roma, Albanian, Croat, Montenegrin, and other communities. In June 2013, the parliament adopted its 2013-18 antidiscrimination strategy to address widespread prejudice and mistreatment of ethnic and other minorities, including the LGBT community. In January 2013, a court in northern Serbia fined a man for using an antigay epithet against a colleague – the country's first verdict on discrimination based on sexual orientation. To address widespread discrimination against the Roma, the government in June 2013 adopted measures to improve the socioeconomic status of the group. Also during the year, the government began implementation of a law enabling the roughly 6,500 people in Serbia without a birth certificate, most of them Roma, to obtain documentation, but the reforms have yet to be fully implemented.

G. Personal Autonomy and Individual Rights: 13 / 16

The state sector remains a large portion of Serbia's economy, as does the gray economy. Since 2009, Serbia has struggled with recession and stagnation. Unemployment hovers around 25 percent, and youth unemployment is of particular concern. In December 2013, the government said Serbia

would in early 2014 begin talks on a new financial aid package from the IMF to shore up the economy. The IMF had suspended an earlier deal in 2012 after Serbian leaders failed to adhere to previously agreed debt and deficit targets.

Women comprise 33 percent of the parliament. According to electoral regulations, women must account for at least 30 percent of a party's candidate list. Although women are legally entitled to equal pay for equal work, traditional attitudes often limit their economic role. A 2009 law on gender equality provides a range of protections in employment, health, education, and politics. Domestic violence is a serious problem. Serbia is a source, transit, and destination country for the trafficking of men, women, and children for forced labor and prostitution.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

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