

Freedom in the World 2023



header1 Overview

Serbia is a parliamentary democracy with competitive multiparty elections, but in recent years the ruling Serbian Progressive Party (SNS) has steadily eroded political rights and civil liberties, putting pressure on independent media, the political opposition, and civil society organizations.

header2 Key Developments in 2022

- Regular presidential elections and local elections in 13 municipalities were held in April. The elections saw incumbent president Aleksandar Vučić win his second term in office with 58.6 percent of the vote; Vučić’s SNS also retained local-level control, with the SNS and SNS-led coalitions winning in all 13 municipalities.
- In February, President Vučić dissolved the parliament and called for early legislative elections to be held in April. The April elections saw the SNS win the most seats in the National Assembly, but lose an absolute majority; after six months of talks, the SNS formed a government with its long-standing coalition partner, the Socialist Party of Serbia (SPS), in October.
- Numerous infringements on freedom of assembly occurred during the year, including the forcible repression of activist gatherings and protests by private security agencies and masked individuals allegedly linked to the government. In August, President Vučić announced that EuroPride—an international LGBT+ rights event set to be held in Belgrade in September—had been canceled, due in part to “threats from right-wing groups,” drawing criticism from human rights organizations.

PR Political Rights

A Electoral Process

A1 1.00-4.00 pts0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections?

2.002
4.004

The president is directly elected for up to two five-year terms. Incumbent president Aleksandar Vučić won reelection to a second term in April 2022 with 58.6 percent of the vote in a field of eight candidates.

The campaign was characterized by media bias and allegations of misuse of public resources. President Vučić's media engagement as both head of state and SNS leader afforded him unparalleled public exposure, and lacked clear differentiation between his roles. Altogether, Vučić received 74 percent of the media time designated for all presidential candidates.

The prime minister is elected by the parliament. Since 2017, Ana Brnabić, a former local government minister, has served in the role. Brnabić was reelected prime minister in October 2022, following a six-month delay in forming a government after the April elections.

Score Change: The score declined from 3 to 2 because of undue electoral advantages afforded to the ruling party, including significant media bias and misuse of public resources.

A2 1.00-4.00 pts0-4 pts

Were the current national legislative representatives elected through free and fair elections?

2.002
4.004

The National Assembly is a unicameral, 250-seat legislature whose deputies are elected to four-year terms under a system of proportional representation with a single nationwide constituency. Regular parliamentary elections were scheduled to be held in 2024; however, in February 2022, President Vučić dissolved the parliament and called for early parliamentary elections to take place in April alongside the planned presidential and local elections.

Though the 2022 parliamentary elections were characterized by significant polarization between the ruling government and the opposition, all political parties participated in the polls, including the opposition parties that boycotted the 2020 parliamentary election. Seven electoral lists crossed the three percent electoral threshold to enter the parliament, increasing the body's pluralism following the 2020 boycott. Four ethnic minority lists, which did not have to surpass the parliamentary threshold to attain representation, also entered the parliament. The incumbent SNS-led coalition won 44.3 percent of vote, taking 120 seats but losing its majority. After six months of negotiations, the SNS formed a government with its long-standing coalition partner, the SPS, in October. Voter turnout was 58.6 percent, the largest turnout since the 2008 elections. Local elections were also held in 13 locations in April; SNS-led coalitions won the most votes in all 13 municipalities.

Observers reported numerous irregularities during the campaign and on election day. The Organization for Security and Co-operation in Europe's (OSCE) Office for Democratic Institutions and Human Rights (ODIHR) noted in its final election observation report released in August that a "number of shortcomings resulted in an uneven playing field, favoring the incumbents." During the campaign, essential freedoms were generally respected, but the effect of disproportionately high media access afforded to progovernment parties; pressure on public sector employees and minority and socio-economically at-risk residents, particularly the Romany population, to support the incumbents; notable campaign finance inconsistencies; and the abuse of administrative resources resulted in an unequal electoral environment for candidates, and provided undue advantages to the SNS. Parallel voter lists were used to track voters during the poll; vote buying was also reported.

A3 1.00-4.00 pts0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by

2.002

Electoral laws largely correspond to international standards, but aspects of the electoral process are poorly regulated, and implementation of existing rules is flawed in some respects. In its report on the 2022 elections, the ODIHR noted persistent concerns over the lack of autonomy and efficacy of the Regulatory Body for Electronic Media (REM), administrative resource misuse and voter coercion, campaign finance transparency, and voter list availability.

In 2021, members of the European Parliament started mediating interparty talks on election conditions between the government and the opposition, resulting in presidential and parliamentary electoral framework changes adopted in February 2022. Among other things, the amendments include provisions for increasing opposition representation in election commissions; expanding the dispute resolution period; and modifying campaign media coverage regulations. While generally well-received, the changes were widely assessed to have been limited and adopted too close to the April elections to be effective.

Electoral management—and in particular the work of independent state institutions, namely the REM and the Anti-Corruption Agency (ACA)—is often nontransparent; laws, mechanisms, and regulations regarding campaign finance, compliance with related financial restrictions, candidates' use of their own funds, and the public hearing of electoral challenges are either opaque or lacking.

B Political Pluralism and Participation

B1 1.00-4.00 pts0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?

3.003

4.004

Political parties may be established freely and can typically operate without encountering formal restrictions. However, campaign finance regulations are weakly enforced and place no overall cap on the private funds raised and spent by parties and candidates. The Balkan Investigative Reporting Network (BIRN) found that the SNS had orchestrated the use of thousands of proxy donors to bypass legal limits on individual donations and disguise the true source of funding.

B2 1.00-4.00 pts0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?

1.001

4.004

There have been peaceful transfers of power between rival parties over the past two decades, and the political system remains somewhat competitive. However, the SNS has used various tactics to unfairly reduce the opposition's electoral prospects. These include manipulating the timing of snap elections, exerting pressure on independent state institutions, and mobilizing public resources to support its campaigns.

The SNS has expanded its influence over the media through both state-owned enterprises and an array of private outlets that are dependent on government funding, and has harnessed this influence to strengthen its political position and discredit its rivals, further reducing opposition parties' competitiveness. Opposition figures have also faced escalating harassment and violence in recent years.

Pervasive harassment, intimidation, and manipulation has resulted in suppressed political representation of opposition parties at any level. In April 2022, local elections were held in 13 municipalities, including the city of Belgrade. Following the elections, the SNS maintained nearly

complete dominance over state governance—SNS-led coalitions took or held power in all 13 locations—and retained local-level control of all but 7 of 168 towns and municipalities. Nevertheless, a number of opposition parties, including a new green-left coalition, We Must (Moramo), which formed in January 2022, were able to cross the electoral threshold and enter the parliament following the April elections.

B3 1.00-4.00 pts0-4 pts

Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?	2.002 4.004
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Voters enjoy a significant degree of freedom to make political decisions without undue interference, though the ruling party and allied private businesses allegedly use patronage networks to influence political outcomes.

Various incentives have also been employed in recent years to convince hundreds of local elected officials to form alliances with the SNS or change their party affiliation after elections. SNS electoral campaigns have allegedly benefited from the misuse of public resources, such as the use of public buses to transport loyalists to rallies. Local observers reported that workers at state-owned enterprises were pressured to support the ruling SNS during the April 2022 elections. SNS operatives have also been known to intimidate voters directly, by appearing at their homes and pressuring them to support the party.

Separately, Russia has been accused of attempting to influence Serbian politics through its state-owned media and an array of small pro-Russian parties, media outlets, and civil society groups in Serbia.

B4 1.00-4.00 pts0-4 pts

Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities?	3.003 4.004
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The country’s electoral threshold for parliamentary representation does not apply to parties representing ethnic minorities. Groups centered on the ethnic Albanian, Bosniak, Croatian and Hungarian communities won 13 parliamentary seats in the April 2022 elections. Nevertheless, ethnic minorities have a relatively muted voice in Serbian politics in practice.

Women enjoy equal political rights and benefit from a party-list gender quota. Ana Brnabić became Serbia’s first woman and first gay prime minister in 2017, but critics argued that her appointment was a superficial bid to showcase claims of openness toward the LGBT+ community without systematic engagement on issues important to LGBT+ people.

C Functioning of Government

C1 1.00-4.00 pts0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?	2.002 4.004
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Vučić’s move to the presidency in 2017 raised new concerns about the personalization of governance and politicization of state institutions. Vučić has remained the dominant figure in government despite the presidency’s limited executive powers under the constitution, creating a *de facto* presidential system. In August 2022, before a new government took office, Vučić announced

that the prime minister's new mandate would extend only until 2024, rather than a full four-year term, due to unspecified "changes to the government."

The executive largely controls the legislative process, and opposition lawmakers are sidelined through the disproportionate use of disciplinary measures, frequent use of accelerated legislative procedures, and late changes to the legislative agenda, among other tactics.

C2 1.00-4.00 pts0-4 pts

Are safeguards against official corruption strong and effective? | 1.001 4.004

Although the number of arrests and prosecutions for corruption has risen in recent years, high-profile convictions are very rare. Critics have credibly accused Vučić and the SNS government of having ties to organized crime, and cronyism—in the form of jobs provided to allies of the president and the ruling party—is reportedly common. The responsibility for prosecuting corruption cases has been passed among different public prosecutors, who typically fault the police for supplying insufficient evidence in cases against government ministers. The work of the ACA is also undermined in part by the ambiguous division of responsibilities among other entities tasked with combating corruption.

Notable cases that came to light in recent years without being resolved include those of Nenad Popović, a politician who was implicated in a questionable privatization that caused an electrical transformer manufacturer to declare bankruptcy; finance minister Siniša Mali, whom anticorruption agencies have investigated for suspected money laundering; and former health minister Zlatibor Lončar, who allegedly has links to an organized crime group.

Senior officials' close relatives and associates have also faced corruption allegations. For example, a series of reports and leaked documents since 2018 tied the father of then interior minister Nebojša Stefanović to an arms-trading scheme and other malfeasance. Aleksandar Obradović, a whistleblower who implicated Stefanović's father in the purchase of arms from the state at reduced rates, was arrested in September 2019, potentially deterring others with knowledge of corruption from coming forward.

C3 1.00-4.00 pts0-4 pts

Does the government operate with openness and transparency? | 2.002 4.004

The government has received sustained criticism for a lack of transparency in large-scale infrastructure projects and for secrecy surrounding public tenders. For example, details about the state-funded Belgrade Waterfront project, which includes the construction of hotels and luxury apartments and has been beset by controversy since its announcement in 2012, have not been made available to the public. Serbian defense spending is also opaque.

Legislators do not have adequate opportunities to ask questions about government activities and legislation, and the vast majority of parliamentary questions go unanswered by the government.

Public officials are subject to asset disclosure rules overseen by the ACA, but penalties for violations are uncommon. While a 2004 freedom-of-information law empowers citizens and journalists to obtain information of public importance, authorities frequently obstruct requests in practice.

CL Civil Liberties

D Freedom of Expression and Belief

D1 1.00-4.00 pts0-4 pts

Are there free and independent media? | 2.002 4.004

Despite a constitution that guarantees freedom of the press and a penal code that does not treat libel as a criminal offense, media freedom is undermined by the threat of lawsuits or criminal charges against journalists for other offenses, lack of transparency in media ownership, editorial pressure from politicians and politically connected media owners, direct pressure and threats against journalists, and high rates of self-censorship. The incumbent political parties generally receive the majority of media coverage from public broadcasters.

The REM has been criticized for a lack of independence, particularly when deciding on allocation of national broadcast frequencies. Reporters without Borders (RSF) characterized the media environment as “polluted by propaganda, influence peddling and fake news” after four national broadcast frequencies were awarded to progovernment media in July 2022. A potential fifth frequency had not been allocated as of year’s end, causing two TV channels that were denied a national frequency, N1 and Nova S, to temporarily go off-air in protest.

The state and ruling party exercise influence over private media in part through advertising contracts and other indirect subsidies. Many private outlets are owned by SNS supporters. Some privately owned national broadcasters and popular tabloids regularly participate in smear campaigns against the political opposition and other perceived government opponents. The authorities regularly ignore or reject information requests, impeding the work of journalists.

Independent investigative groups have been increasingly subjected to harassment, intimidation, and violence by authorities and progovernment groups. Several members of the ruling party have openly threatened journalists, and Vučić regularly and publicly disparages independent media outlets. Journalists have faced physical attacks, smear campaigns, online harassment, and punitive tax inspections. The Independent Journalists’ Association of Serbia counted 132 attacks directed at journalists during 2022.

D2 1.00-4.00 pts0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private? | 4.004
4.004

The constitution guarantees freedom of religion, which is generally respected in practice.

D3 1.00-4.00 pts0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination? | 3.003
4.004

Academic freedom has largely been upheld, though recent practice and legal changes have raised concerns about political influence. The Law on Higher Education, adopted by the National Assembly in 2017, increased the presence of state-appointed members on the National Council for Higher Education and a national accreditation body; another education law, also adopted in 2017, gave the education minister centralized control over the appointment of school principals.

D4 1.00-4.00 pts0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? | 3.003
4.004

Private discussion is generally free and vibrant, but a pattern of retribution against high-profile critics of the government has contributed to an increasingly hostile environment for free expression and open debate. Perceived government opponents, including journalists, university professors, civil society leaders, celebrities, and ordinary citizens, have faced smear campaigns in progovernment media outlets, criminal investigations, and other retaliatory measures in recent years. In some cases, the government’s highest-ranking officials took part in discrediting nonpolitical figures based on their public criticism of government policies.

E Associational and Organizational Rights

E1 1.00-4.00 pts0-4 pts

Is there freedom of assembly?	2.002 4.004
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Citizens are generally able to exercise freedom of assembly, though several ongoing prosecutions were launched against activists associated with the Don’t Drown Belgrade (NDB) movement, which organized demonstrations against the contentious development project on Belgrade’s waterfront, in recent years.

Numerous peaceful demonstrations, including large-scale protests against government environmental policies, were held during 2022. Many of these demonstrations, however, were met with force by private security agencies and masked individuals allegedly linked to the government, resulting in the violent assaults of several protesters.

In August, President Vučić announced that the Interior Ministry had banned EuroPride—an international event promoting equality for the LGBT+ community and set to be held in Belgrade in September—due in part to “threats from right-wing groups” that could pose a danger to “peace and stability” in the country. Rights groups condemned the cancelation, despite Vučić recognizing the move as a “violation of minority rights,” saying it represents undue government infringement on freedom of assembly. Prime Minister Brnabić overturned the ban and enabled the march to proceed, albeit with a shorter route. Thousands of LGBT+ activists participated in the march, which largely proceeded peacefully but was met with counterprotests from anti-LGBT+ groups, leading to some violent confrontations between counterprotesters and police and the detention of more than 60 counterprotesters.

Score Change: The score declined from 3 to 2 due to a pattern of intimidation by police, private security groups, and paramilitary organizations against demonstrations disfavored by the authorities.

E2 1.00-4.00 pts0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights— and governance-related work?	2.002 4.004
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Foreign and domestic nongovernmental organizations (NGOs) generally operate freely, but those that take openly critical stances toward the government or address sensitive or controversial topics have faced threats and harassment in recent years.

In 2020, UN human rights experts warned that the broad and inconsistent implementation of money laundering laws and antiterrorist financing mechanisms were misused to access the banking information of over 50 NGOs and human rights groups monitoring and investigating the government’s work. In 2022, the Lawyers’ Committee for Human Rights (YUCOM) registered a total of 43 incidents involving attacks against and harassment of individuals and organizations that defend human rights.

E3 1.00-4.00 pts0-4 pts

Is there freedom for trade unions and similar professional or labor organizations? | 3.003 4.004

Workers may legally join unions, engage in collective bargaining, and strike, but the International Trade Union Confederation has reported that organizing efforts and strikes are often restricted in practice, with employers allegedly retaliating against workers and union activists. According to Serbian trade union federation Independence (Nezavisnost), employers in Serbia regularly establish and register their own trade unions to undermine independent unions.

F Rule of Law

F1 1.00-4.00 pts0-4 pts

Is there an independent judiciary? | 2.002 4.004

The independence of the judiciary is compromised by political influence over judicial appointments, and many judges have reported facing external pressure regarding their rulings. Politicians regularly comment on judicial matters, including by discussing ongoing cases or investigations with the media.

F2 1.00-4.00 pts0-4 pts

Does due process prevail in civil and criminal matters? | 2.002 4.004

Due process guarantees are upheld in some cases, but corruption, lack of capacity, and political influence often undermine these protections. Among other problems, rules on the random assignment of cases to judges and prosecutors are not consistently observed, and mechanisms for obtaining restitution in civil matters are ineffective. High-profile, politically sensitive cases are especially vulnerable to interference.

F3 1.00-4.00 pts0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? | 3.003 4.004

The population is generally free from major threats to physical security, though some prison facilities suffer from overcrowding, abuse, and inadequate health care. Radical right-wing organizations and violent sports fans who target ethnic minorities, the LGBT+ community, and other perceived enemies also remain a concern.

F4 1.00-4.00 pts0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population? | 2.002 4.004

Legal safeguards for socially vulnerable groups are poorly enforced. For example, though women are legally entitled to equal pay for equal work, this rule is not widely respected. The Romany minority is especially disadvantaged by discrimination in employment, housing, and education. LGBT+ people continue to face hate speech, threats, and even physical violence, and perpetrators are rarely punished despite laws addressing hate crimes and discrimination.

Individuals living with disabilities are among those who live in social care institutions, and have faced protracted periods of isolation as the COVID-19 pandemic progressed. Disability rights groups have warned this situation violates the Convention on the Rights of Persons with Disabilities, to which Serbia is a signatory.

G Personal Autonomy and Individual Rights

G1 1.00-4.00 pts0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?	4.004
	4.004

There are no formal restrictions on freedom of movement. Serbians are free to change their place of employment and education, and have the right to travel.

G2 1.00-4.00 pts0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?	3.003
	4.004

In general, property rights are respected, but adjudication of disputes is slow, and problems such as illegal construction and fraud persist. An estimated two million buildings in Serbia are not registered. Romany residents are often subject to forced evictions, and those evicted are generally not offered alternative housing or access to legal remedies to challenge eviction notices.

G3 1.00-4.00 pts0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?	3.003
	4.004

Personal social freedoms are generally respected, and men and women have equal legal rights on personal status matters like marriage and divorce. A new law aimed at preventing domestic violence took effect in 2017, but such violence remains a problem.

G4 1.00-4.00 pts0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation?	2.002
	4.004

Residents generally have access to economic opportunity, but factors such as weak macroeconomic growth and a relatively high rate of unemployment contribute to labor exploitation in some industries. Several reports in recent years have described worsening conditions in factories, particularly those that produce shoes and garments, including low wages, unpaid overtime, and hazardous work environments. Legal protections designed to prevent such abuses are not well enforced. Serbian and international NGOs have also issued reports regarding persistent human rights violations of migrant workers across the country, which often go unaddressed by authorities.