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Freedom in the World 2011 - Serbia

Capital: Belgrade

Population: 7,322,000

Political Rights Score: 2 *

Civil Liberties Score: 2 *

Status: Free

Explanatory Note

The ratings through 2002 are for the Federal Republic of Yugoslavia, of which Serbia was a part, and those from 2003 through 2005 are for the State Union of Serbia and Montenegro. Kosovo is examined in a separate report.

Overview

President Boris Tadic and his Democratic Party-led government continued to pursue regional reconciliation efforts in 2010, but Serbia suffered a diplomatic defeat in July when the International Court of Justice found that Kosovo's declaration of independence had not violated international law. Also during the year, police went to significant lengths to protect participants in Belgrade's October gay pride parade from violent counterdemonstrators.

Serbia was recognized as an independent state in 1878 after several centuries under Ottoman rule. It formed the core of the Kingdom of Serbs, Croats, and Slovenes proclaimed in 1918. After World War II, Serbia became a constituent republic of the Socialist Federal Republic of Yugoslavia, under the communist rule of Josip Broz Tito. Within the boundaries of the Serbian republic as drawn at that time were two autonomous provinces: the largely Albanian-populated Kosovo in the south, and Vojvodina, with a significant Hungarian minority, in the north.

Following the disintegration of socialist Yugoslavia in 1991, the republics of Serbia and Montenegro in 1992 formed the Federal Republic of Yugoslavia (FRY). Slobodan Milosevic and his Socialist Party of Serbia (SPS, the former League of Communists of Serbia) ruled Serbia throughout the 1990s by controlling the country's security forces, financial institutions, and state-owned media. An avowed Serb nationalist, Milosevic oversaw extensive Serbian involvement in the 1991-95 wars that accompanied the old federation's breakup, supporting local Serb forces both in Bosnia and Herzegovina and in Croatia.

In 1998-99, an ethnic Albanian insurgency in Kosovo provoked increasingly violent reprisals by state forces against the guerrillas and the civil population. In March 1999, NATO launched a 78-day bombing campaign to force the withdrawal of FRY and Serbian forces from the province. A NATO-led force then occupied Kosovo, and the United Nations oversaw institution-building efforts there.

Milosevic was forced from office in October 2000, after his attempt to steal the September Yugoslav presidential election from opposition candidate Vojislav Kostunica of the Democratic Party of Serbia (DSS) triggered massive protests. An anti-Milosevic coalition took power following Serbian parliamentary elections in December, and Zoran Djindjic of the Democratic Party (DS) became Serbia's prime minister. The FRY was replaced with a looser State Union of Serbia and Montenegro in 2003, and each republic was granted the option of holding an independence referendum after three years.

Djindjic was assassinated by organized crime groups allied with Milosevic-era security structures in March 2003, and after parliamentary elections in December, Kostunica became Serbia's prime minister at the head of a fragile coalition government. The new DS leader, Boris Tadic, won the Serbian presidency in a June 2004 election.

Montenegro held a successful referendum on independence in May 2006, and formally declared independence the following month. This necessitated new Serbian elections, and in January 2007, the main anti-Milosevic parties – including the DS, the DSS, and the liberal G17 Plus – managed to collectively outpoll the ultranationalist Serbian Radical Party (SRS) and the SPS. In May 2007, Kostunica formed another coalition government. Tadic won a second term as president in early February 2008, taking 51 percent of the vote.

Later that month, Kosovo unilaterally declared its independence from Serbia. Debate over the proper response increased tensions in the Kostunica government, which ultimately resigned in March, prompting new elections. The May balloting resulted in an undisputed victory for the DS and its smaller allies, which favored economic reform and European Union (EU) integration. The DS-led electoral bloc won 102 of 250 seats, and it formed a coalition government with an SPS-led bloc (20 seats), the Hungarian Coalition (4 seats), and the Bosniak List for European Sandak (2 seats). The SRS took 78 seats, followed by the DSS with 30; the smaller Liberal Democratic Party took 13 seats, and the Coalition of Albanians of the Presevo Valley won the remaining seat.

The new government, led by Mirko Cvetkovic, was the first since 2000 to include the SPS, which was trying to reinvent itself as a mainstream center-left party. The election outcome also marked the first time since 2000 that a single party, the DS, controlled the presidency, the premiership, and a working majority in the parliament. In another sign of political normalization, hard-liners in the SRS were further isolated when the moderate wing of the party broke off to form the Serbian Progressive Party (SNS) in September.

The government successfully passed a number of important laws in 2009, including legislation to improve conditions for nongovernmental organizations (NGOs) in July, and a long-awaited statute that defined and expanded Vojvodina's autonomy in November. The country also made progress in improving relations with the United States and the EU. It received praise for its cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY), and in December the EU eliminated visa requirements for Serbians and cleared the way for implementation of a 2008 trade agreement. Later that month, Serbia formally submitted its application for EU membership.

The government focused on improving relations with regional neighbors in 2010. In March, the parliament passed a resolution that condemned the 1995 Srebrenica massacre, in which thousands of Bosniak men and boys were killed by Serb forces. In October, Tadic paid his respects to war victims in the Croatian city of Vukovar, the site of atrocities committed by Serb troops in 1991.

Serbia suffered a major diplomatic defeat in July 2010, when the International Court of

Justice (ICJ) ruled that Kosovo's declaration of independence did not violate international law. The case had been the centerpiece of Serbia's strategy to challenge Kosovo's secession through legal and diplomatic means. However, the ICJ decision did not have a significant impact on the international stalemate that has developed over Kosovo, motivating only a handful of minor states to recognize its sovereignty. By the end of 2010, about one-third of the international community had granted recognition.

Political Rights and Civil Liberties

Serbia is an electoral democracy. The president, elected to a five-year term, plays a largely ceremonial role. 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. Both the presidential and parliamentary elections in 2008 were deemed free and fair by international monitoring groups.

In addition to the main political parties, numerous smaller parties compete for influence. These include factions representing Serbia's ethnic minorities, two of which belong to the current coalition government. The 2009 Law on Political Parties increased the number of signatures needed to form a party to 10,000, or 1,000 for parties representing ethnic minorities.

Corruption remains a serious concern. A new Anti-Corruption Agency that began operating in January 2010 is tasked with conflict-of-interest monitoring, oversight of political party funding, and other preventive activities. Official corruption usually involves sectors such as public procurement, privatization, taxation, customs, and licensing. Serbia was ranked 78 out of 178 countries surveyed in Transparency International's 2010 Corruption Perceptions Index.

The press is generally free and operates with little government interference, although most media outlets are thought to be aligned with specific political parties. Libel is a criminal offense punishable by fines, but not imprisonment. The Law on Electronic Communications, adopted by the parliament in June 2010, allows police and security services to view personal electronic communications, which press freedom groups criticized as a threat to the confidentiality of journalists' sources. Journalists continue to encounter threats and physical violence. In July, well-known columnist Teofil Pancic was beaten on a city bus in Belgrade. Also that month, the Constitutional Court struck down several 2009 amendments to the Public Information Law that had imposed heavy penalties on media outlets for a range of offenses, such as operating without registration and violating criminal suspects' presumption of innocence. There were no reports of the government restricting access to the internet.

The constitution guarantees freedom of religion, which is generally respected in practice. However, increases in ethnic tension often take the form of religious intolerance. Critics charge that the 2006 Law on Churches and Religious Communities privileges seven "traditional" religious communities by giving them tax-exempt status and forcing other groups to go through cumbersome registration procedures. Application of many aspects of the law is considered to be arbitrary. Relations between factions within the Islamic community in the Sandak region, and between one of the factions and the Serbian government, have been deteriorating in recent years. There were no reports of government restrictions on academic freedom in 2010.

Citizens enjoy freedoms of assembly and association, though a 2009 law banned meetings of fascist organizations and the use of neo-Nazi symbols. An October 2010 gay pride parade in Belgrade was attacked by several thousand counterdemonstrators, but police successfully protected the marchers. Foreign and domestic NGOs are generally free to operate without government interference, and the 2009 Law on Associations clarified their legal status. The laws and constitution allow workers to form or join unions, engage in collective bargaining, and strike, but the International Confederation of Trade Unions (ITUC) has reported that organizing efforts and strikes are substantially restricted in practice.

Serbia's judicial structure underwent major changes in 2010, including the merger of 138 municipal courts into 34 basic courts, but observers expressed concern about the degree to which the overhaul would improve judicial independence. The total number of judges and prosecutors in the system was reduced by 20 to 25 percent, and the European Commission's 2010 progress report found that the reappointment procedure for judges and prosecutors was not transparent. The court system suffers from a large backlog of cases, including some 7,000 at the Constitutional Court alone. Prisons are generally considered to meet international standards, but overcrowding remains a serious problem and a contributing factor behind inmate riots and protests. As of 2010, Serbia had turned over 44 out of 46 suspects indicted by the ICTY, leaving only former Bosnian Serb military commander Ratko Mladic and a former Croatian Serb leader at large.

Ethnic minorities have access to media in their own languages, their own political parties, and other types of associations. Nevertheless, they are underrepresented in government. The country's main minority groups are the Bosniaks (Muslim Slavs), concentrated in the Sandžak region adjacent to Montenegro; an ethnic Albanian population in the Presevo Valley adjacent to Kosovo; and the Hungarian community in Vojvodina. Tensions in Kosovo have threatened to spill into Presevo, and there is concern about the spread of extreme forms of Islam in the Sandžak. Discrimination against the Romany community is common.

Women make up about 22 percent of the parliament, and five women currently serve as cabinet ministers. 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 roles in the economy, with single mothers, older women, and disabled women facing particular discrimination. In December 2009, parliament adopted a new law on gender equality, which provides for a wide range of protections in the fields of employment, health, education, and politics. It also included measures aimed at eliminating gender-based discrimination and providing protections for persons subject to such discrimination. Domestic violence remains a serious problem. Some towns in southern Serbia have become transit points for the trafficking of women from the former Soviet Union to Western Europe for the purpose of forced prostitution.

** Countries are ranked on a scale of 1-7, with 1 representing the highest level of freedom and 7 representing the lowest level of freedom.*

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